

Submitted by the Alaska Department of Fish and Game
February 23, 2015

**SELECTED SOUTHEASTERN ALASKA–YAKUTAT
AREAS FINFISH REGULATIONS**

SUBSISTENCE AND PERSONAL USE FISHERIES

Subsistence Fisheries

5 AAC 01.710. Fishing seasons. (a) Except in the nonsubsistence areas described in 5 AAC 99.015(a)(1) and (a)(2) and unless restricted in this section, 5 AAC 01.725, or under the terms of a subsistence fishing permit, fish, other than rainbow trout and steelhead trout, may be taken in the Southeastern Alaska Area at any time.

(b) Repealed 6/30/83.

(c) Herring may be taken at any time, except that in the 72 hours before, and 72 hours after an open commercial herring fishing period in the Southeastern Alaska Area, a vessel that, or crewmember or permit holder who, participates in that commercial herring fishery opening may not take or possess herring under this chapter in any district in the Southeastern Alaska Area.

(d) Repealed 7/18/2003.

(e) From July 7 through August 7, sockeye salmon may be taken in the waters of Klawock Inlet enclosed by a line from Klawock Light to the Klawock Cannery Dock, the Klawock River, and Klawock Lake only from 8:00 a.m. Monday until 5:00 p.m. Friday.

(f) A subsistence permit issued under 5 AAC 01.015 for salmon taken in those waters of Sumner Strait in the vicinity of Point Baker will specify the

- (1) area where the salmon may be taken;
- (2) time period during which the salmon may be taken; and
- (3) gillnet gear that may be used, not to exceed 50 fathoms in length.

(g) From December 1 through May 15, lingcod may not be taken with a spear or while using diving gear. (In effect before 1983; am 6/30/83, Register 86; am 4/18/86, Register 98; am/readopt 5/15/93, Register 126; am 4/23/94, Register 130; am 5/6/94, Register 130; am 6/7/95, Register 135; am 9/29/95, Register 135; am 6/19/97, Register 142; am 7/18/2003, Register 167; am 5/26/2006, Register 178; am 5/31/2009, Register 190; am 7/13/2012, Register 203)

Authority: AS 16.05.251 AS 16.05.258

5 AAC 01.716. Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses. (a) The Alaska Board of Fisheries finds that the following fish stocks are customarily and traditionally taken or used for subsistence:

- (1) herring, herring spawn, bottomfish, and halibut in waters of Section 15-A;
- (2) salmon and smelt in all waters of the Chilkat River and Chilkat Inlet north of the latitude of Glacier Point, and in the Chilkoot River, Lutak Inlet, and Chilkoot Inlet north of the latitude of Battery Point, excluding waters of Taiya Inlet north of the latitude of the tip of Taiya Point;
- (3) herring, herring spawn, bottomfish, and halibut in waters of District 14 east of the longitude of Point Dundas;
- (4) salmon, smelt, and Dolly Varden char in waters of Sections 14-B and 14-C, in District 13 in waters along the western shore of Yakobi Island east of a line from Cape Spencer Light to Surge Bay Light, and in District 12 in waters of Basket Bay west of 134° 53.88' W. long.;
- (5) herring, herring spawn, bottomfish, and halibut in waters of District 12 between the latitude of Parker Point and the latitude of Point Caution, and in Section 13-C east of the longitude of Point Elizabeth;
- (6) salmon and Dolly Varden char in waters of District 12 south of a line from Fishery Point to South Passage Point and north of the latitude of Point Caution, including the waters of Whitewater Bay, and in waters of Section 13-C east of the longitude of Point Elizabeth, including the waters of Rodman Bay;
- (7) herring and herring spawn in waters of Section 13-A, and Section 13-B north of the latitude of Aspid Cape;
- (8) sockeye salmon in waters of Section 13-A south of the latitude of Cape Edward, in waters of Section 13-B north of the latitude of Redfish Cape, and in waters of Section 13-C;
- (9) herring, herring spawn, bottomfish, and halibut in waters of Section 9-B north of the latitude of Point Ellis, in waters of District 10 west of a line from Pinta Point to Point Pybus, and in waters of District 5 north of 56° 40' N. lat.;
- (10) salmon and Dolly Varden char in Sections 9-A and 9-B in waters north of the latitude of Swain Point, in waters of District 10 west of a line from Pinta Point to False Point Pybus, and in waters of District 5 north of a line from Point Barrie to Boulder Point;

(11) herring and herring spawn in waters of District 2 north of the latitude of the northernmost tip of Chasina Point and west of a line from the northernmost tip of Chasina Point to the easternmost tip of Grindall Island to the easternmost tip of the Kasaan Peninsula;

(12) salmon, Dolly Varden char, bottomfish, and halibut in waters of District 2 north of the latitude of the northernmost tip of Chasina Point and west of a line from the northernmost tip of Chasina Point to the easternmost tip of Grindall Island to the easternmost tip of the Kasaan Peninsula;

(13) herring and herring spawn in waters of Section 3-B in San Alberto Bay north of the latitude of the southernmost tip of Cape Suspiro and east of 133° 20' W. long., and in waters of Section 3-A in Tlevak Strait north of the latitude of High Point and south of the latitude of Eolus Point;

(14) bottomfish and halibut in waters of Section 3-B;

(15) salmon, Dolly Varden char, and steelhead trout in Section 3-B in waters east of a line from Point Idefonso to Tranquil Point and in waters of Warm Chuck Inlet north of a line from a point on Hecata Island at 55° 44' N. lat., 133° 25' W. long. to Bay Point, and in Section 3-C in waters of Karheen Passage north of 55° 48' N. lat. and east of 133° 20' W. long. and in waters of Sarkar Cove and Sarkar Lakes;

(16) repealed 7/13/2012;

(17) bottomfish and halibut in waters of Section 3-A;

(18) salmon and Dolly Varden char in waters of Section 3-A and in waters of District 2 in Nichols Bay north of 54° 42.12' N. lat.;

(19) salmon and Dolly Varden char in waters of the Naha River, and Boca de Quadra in waters of Sockeye Creek and Hugh Smith Lake, and within 500 yards of the terminus of Sockeye Creek;

(20) salmon, herring, herring spawn, bottomfish, halibut, and Dolly Varden in waters of District 5 north of a line from Point St. Albans to Cape Pole, in waters of Section 6-A west of a line from Macnamara Point to Mitchell Point, and in waters of Section 6-B west of the longitude of Macnamara Point;

(21) salmon, other than sockeye salmon as provided in (8) of this section, bottomfish, and halibut in the waters of District 13;

(22) eulachon in Sections 1-C and 1-D and in the waters of Districts 7 and 8;

(23) herring, herring spawn, bottomfish, halibut, salmon, Dolly Varden, and steelhead trout in the waters of Districts 7 and 8.

(b) The board finds that 136,000 - 227,000 pounds of herring spawn are reasonably necessary for subsistence uses in Section 13-A, and Section 13-B north of the latitude of Aspid Cape.

(c) The board finds that the following numbers of salmon are reasonably necessary for subsistence uses in the Southeastern Alaska Area:

(1) Districts 1 - 4: 9,068 - 17,503;

(2) Districts 5 - 8, District 10, and Section 9-B: 4,120 - 7,345;

(3) Section 9-A and District 13: 10,487 - 20,225;

(4) Districts 11, 12, 14, and 16: 4,178 - 10,133;

(5) District 15: 7,174 - 10,414. (Eff. 5/15/93, Register 126; am 5/6/94, Register 130; am 6/15/95, Register 134; am 6/7/95, Register 135; am 6/19/97, Register 142; am 5/31/98, Register 146; am 6/3/2000, Register 154; am 3/11/2001, Register 157; am 4/14/2002, Register 162; am 7/18/2003, Register 167; am 5/26/2006, Register 178; am 4/24/2009, Register 190; am 7/13/2012, Register 203; am 2/23/2014, Register 209)

Authority: AS 16.05.251 AS 16.05.258

5 AAC 01.720. Lawful gear and gear specifications. Fish may be taken by gear listed in 5 AAC 01.010(a) except as may be restricted under the terms of a subsistence fishing permit and except as follows:

(1) in District 13, Redoubt Bay, gillnet or seine gear may not be used to take salmon in any waters of the bay closed to commercial salmon fishing;

(2) set gillnets may not be used to take salmon except in the mainstream and side channels, but not the tributaries, of the Chilkat River from the terminus to one mile upstream of Wells Bridge;

(3) halibut may be taken only by a single line which is operated by hand with not more than two hooks attached to it; no person may operate more than one line;

(4) repealed 7/18/2003. (In effect before 1982; am 4/14/82, Register 82; am 6/25/89, Register 110; readopt 5/15/93, Register 126; am 7/18/2003, Register 167)

Authority: AS 16.05.251 AS 16.05.258

5 AAC 01.725. Waters closed to subsistence fishing. (a) The following waters are closed to the subsistence taking of salmon:

(1) repealed 6/25/89;

(2) repealed 6/25/89;

(3) in District 15, salt waters of Lynn Canal, including Chilkat, Chilkoot, and Lutak Inlets, during closed periods of the commercial salmon net fishery in the district, except that salmon may be taken in salt waters of Chilkoot and Lutak Inlets north of the latitude of Battery Point, excluding waters of Taiya Inlet north of the latitude of Taiya Point, and in Chilkat Inlet north of the latitude of Glacier Point on the Saturday before and the day before any period that the commercial salmon net fishery is open in the waters of Section 15-A.

(b) Groundfish may not be taken for subsistence purposes in the waters off Cape Edgecumbe enclosed by a box defined as 56° 55.5' N. lat., 56° 57' N. lat., 135° 54' W. long., and 135° 57' W. long. (In effect before 1982; am 4/14/82, Register 82; am 6/25/89, Register 110; readopt 5/15/93, Register 126; am 5/31/98, Register 146; am 6/3/2000, Register 154; am 7/13/2012, Register 203)

Authority: AS 16.05.251 AS 16.05.258

5 AAC 01.730. Subsistence fishing permits. (a) Eulachon in the Unuk River, and salmon, trout, char, herring spawn on kelp, and sablefish may only be taken under authority of a subsistence fishing permit.

(b) Permits will not be issued for the taking of coho salmon from the Taku River and Stikine River drainages, or for king salmon. However king or coho salmon taken incidentally by gear operated under terms of a subsistence permit for other salmon are legally taken and possessed for subsistence purposes as described in (j) of this section.

(c) In the Chilkat River, the subsistence fishing permit holder shall be physically present at the net while it is fishing.

(d) Repealed 7/18/2003.

(e) The department shall adhere to the following when issuing subsistence salmon fishing permits:

(1) fishing effort must be allowed in places and during times when resource abundance will allow a harvest without jeopardizing the sustained yield of the stock and in a manner which provides for an orderly fishery;

(2) any gear must be allowed which is efficient and economical in light of local circumstances and which provides for an orderly harvest without waste of the resource;

(3) possession limits may be established if resources are limited relative to anticipated harvest levels;

(4) the department may not set any possession limit which jeopardizes the sustained yield of a stock;

(5) a permit is valid for the entire season in which it is issued;

(6) the department may require the permit holder to report daily harvests on the catch calendar which accompanies the permit.

(f) When a permit is denied under the guidelines in (e) of this section, the commissioner or his designee shall determine if the requested use is a subsistence use by applying the Joint Boards of Fisheries and Game criteria for the identification of subsistence uses. The commissioner or his designee shall issue the permit if he determines that the request is for a subsistence use and the sustained yield of the stock will not be jeopardized.

(g) When issuing a herring spawn on kelp subsistence fishing permit, the department may specify on the permit the times and locations for harvesting and the species of kelp that may be taken. The annual possession limit for herring spawn on kelp is 32 pounds for an individual or 158 pounds for a household of two or more persons. The department will, in its discretion, issue an additional permit for herring spawn on kelp above the annual possession limit if harvestable surpluses of herring spawn on kelp are available.

(h) Repealed 5/15/93.

(i) The department shall not issue a permit for the taking of steelhead trout, but steelhead trout taken incidentally by gear operated under the terms of a subsistence permit for salmon are legally taken and possessed for subsistence purposes. The holder of a subsistence salmon permit must report any steelhead trout taken in this manner on his or her permit calendar.

(j) Salmon, trout, or char taken incidentally by gear operated under the terms of a subsistence permit for salmon are legally taken and possessed for subsistence purposes. The holder of a subsistence salmon permit must report any salmon, trout, or char taken in this manner on his or her permit calendar.

(k) In addition to the reporting requirement under (e) of this section, the department will, to the extent practicable, use a harvest monitoring program with surveys and interviews to record the harvest of herring spawn on branches, kelp, and seaweed taken in the waters of Section 13-A and Section 13-B north of the latitude of Aspid Cape.

(l) The department will issue only one sablefish subsistence fishing permit per household per year under this section. A permit holder shall record sablefish harvest information on harvest recording forms provided by the department. (In effect before 1982; am 4/14/82, Register 82; am 12/29/84, Register 92; am 6/25/89, Register 110; am/readopt 5/15/93, Register 126; am 4/14/2002, Register 162; am 7/18/2003, Register 167; am 7/13/2012, Register 203)

Authority: AS 16.05.251 AS 16.05.258

5 AAC 01.750. Vessel specifications and operations. In the waters of Klawock Inlet enclosed by a line from Klawock Light to the Klawock Cannery Dock, a person may subsistence salmon fish from a vessel that is powered by hand or an outboard motor of no greater than 50

horsepower. (Eff. 6/10/87, Register 102; readopt 5/15/93, Register 126; am 7/13/2012, Register 203)

Authority: AS 16.05.251 AS 16.05.258

Personal Use Fisheries

5 AAC 77.674. Personal use bottomfish fishery. In the personal use taking of bottomfish,

(1) bottomfish may be taken at any time, except lingcod may not be taken from December 1 through May 15;

(2) bottomfish may be taken for personal use only by longline or hand held line; unattended gear must be marked as described in 5 AAC 77.010(d);

(3) there are no daily bag or possession limits, except

(A) in the Sitka vicinity:

(i) in Sitka Sound Special Use Area, which is that area of Sitka Sound enclosed on the north by lines from Kruzof Island at 57° 20.50' N. lat., 135° 45.17' W. long. to Chichagof Island at 57° 22.05' N. lat., 135° 43' W. long., and from Chichagof Island at 57° 22.58' N. lat., 135° 41.30' W. long. to Baranof Island at 57° 22.28' N. lat., 135° 40.95' W. long., and on the south and west by a line running from the southernmost tip of Sitka Point at 56° 59.38' N. lat., 135° 49.57' W. long. to Hanus Point at 56° 51.92' N. lat., 135° 30.50' W. long. to the green day marker in Dorothy Narrows to Baranof Island at 56° 49.28' N. lat., 135° 22.60' W. long., the daily possession limit for rockfish is three fish, of which no more than one may be a yelloweye rockfish (*Sebastes ruberrimus*);

(ii) the waters off Cape Edgecumbe enclosed by a box defined as 56° 55.5' N. lat. and 56° 57' N. lat., and 135° 54' W. long. and 135° 57' W. long., are closed to fishing for all species of bottomfish;

(B) in the Ketchikan vicinity: in all waters of Section 1-E south of the latitude of Bushy Point Light and in the waters of Section 1-F north of lines from Point Alava to the southernmost tip of Ham Island, from Cedar Point to Dall Head, and from Dall Head to a point on the District 1 boundary in Clarence Strait at the latitude of Dall Head, the bag and possession limit for rockfish is three fish, no more than one of which may be yelloweye rockfish (*Sebastes ruberrimus*);

(4) a person on board a vessel from which a longline was used to take bottomfish for personal use in the Northern Southeast Inside or the Southern Southeast Inside sections is subject to the restrictions in 5 AAC 28.180;

(5) bottomfish taken under personal use regulations may not be used as bait in a commercial fishery;

(6) a personal use fishing permit issued by the department under 5 AAC 77.015 is required to take sablefish; the department will issue only one sablefish personal use fishing permit per household per year; a permit holder shall record sablefish harvest information on harvest recording forms provided by the department. (Eff. 6/25/89, Register 110; am 4/23/98, Register 146; am 6/3/2000, Register 154; am 3/11/2001, Register 157; am 5/26/2006, Register 178; am 7/13/ 2012, Register 203)

5 AAC 77.682. Personal use salmon fishery. (a) Salmon may only be taken under the authority of a personal use fishing permit.

(b) The department shall adhere to the following when issuing personal use salmon fishing permits:

(1) the fishing effort must be allowed in places and during times when resource abundance will allow a harvest without jeopardizing the sustained yield of the stock and in a manner which provides for an orderly fishery;

(2) any gear must be allowed which is efficient and economical in light of local circumstances and which provides for an orderly harvest without waste of the resource;

(3) possession limits may be established if resources are limited relative to anticipated harvest levels;

(4) the department may not set any possession limit which jeopardizes the sustained yield of a stock;

(5) a permit is valid for the entire season in which it is issued;

(6) the department may require the permit holder to report daily harvests on the catch calendar which accompanies the permit.

(c) The department will not issue a permit for the taking of king or coho salmon, but king and coho salmon taken incidentally by gear operated under the terms of a personal use permit for other salmon are legally taken and possessed for personal use purposes. The holder of a personal use salmon permit shall report any king or coho salmon taken in this manner on that permit holder's permit calendar. The possession limit for king salmon is two fish and the possession limit for coho salmon is six fish.

(d) Salmon, trout, or char taken incidentally by gear operated under the terms of a personal use permit for salmon are legally taken and possessed for personal use purposes. The holder of a personal use permit shall report any salmon, trout, or char taken in this manner on his or her permit calendar.

(e) No person may possess personal use-taken and sport-taken salmon on the same day.

(f) In the Taku River drainage, the total annual limit for each personal use sockeye salmon permit is five sockeye salmon for a household of one person and 10 sockeye salmon for a household of two or more persons.

(g) Salmon may be taken by gear listed in 5 AAC 01.010(a) except as may be restricted on a personal use fishing permit and except as follows:

(1) in District 13, Redoubt Bay, gillnet or seine gear may not be used to take salmon in any waters of the bay closed to commercial salmon fishing;

(2) set gillnets may not be used to take salmon except

(A) in the mainstream and side channels, but not the tributaries, of the Chilkat River from the terminus to one mile upstream of Wells Bridge;

(B) in the Taku River drainage from the Taku River Lodge upstream to the United States/Canada border, salmon may be taken by set gillnets only;

(C) in District 5 in Shipley Bay, within 100 yards of the terminus of Shipley Creek;

(D) set gillnets may be used in Yes Bay north of a line from Bluff Point to Syble Point, except within 500 yards of the terminus of Wolverine Creek; the personal use permit holder shall be physically present at the gillnet while it is in operation;

(3) in the Chilkat and Taku rivers and in Shipley Bay and Yes Bay, the personal use permit holder shall be physically present at the net while it is in operation;

(4) a gillnet may not exceed 50 fathoms in length, except in the Taku River a set gillnet may not exceed 15 fathoms in length;

(5) salmon may not be taken by the use of a line attached to a pole or rod.

(h) Salmon may be taken at any time except

(1) as may be restricted under the terms of a personal use fishing permit;

(2) from July 7 through August 7, sockeye salmon may be taken in the waters of Klawock Inlet enclosed by a line from Klawock Light to the Klawock Cannery Dock, the Klawock River, and Klawock Lake only from 8:00 a.m. Monday until 5:00 p.m. Friday;

(3) in the Taku River drainage, sockeye salmon may be taken only in waters from the Taku River Lodge upstream to the United States/Canada border and only from July 1 through July 31.

(i) The following waters are closed to the personal use taking of salmon:

(1) in District 13, Sitkoh Bay and the Sitkoh River drainage are closed to the taking of sockeye salmon;

(2) in District 15, Lynn Canal including Chilkat, Chilkoot and Lutak inlets, during the closed periods of the commercial salmon net fishery in the district.

(j) Salmon taken for personal use or under personal use regulations may not be subsequently used as bait for commercial fishing purposes. (Eff. 6/25/89, Register 110; am 5/29/93, Register 126; am 4/1/94, Register 129; am 12/1/2004, Register 172; am 5/31/2009, Register 190; am 7/13/2012, Register 203)

Authority: AS 16.05.251

COMMERCIAL HERRING FISHERIES

5 AAC 27.110. Fishing seasons for Southeastern Alaska Area. (a) Herring may be taken from October 1 through February 28 (winter food and bait fishery), only during periods established by emergency order, in the following Districts and Sections: 1 - 10, 11-B, 11-C, 12, 13-A, 13-B south of the latitude of Aspid Cape (56° 41.75' N. lat.), 14, 15-A, and 16, except for locations within those districts set out in (b) of this section.

(b) Herring may be taken in the sac roe fishery only during seasons established by emergency order in the following districts and sections:

(1) in the purse seine fishery, herring may be taken only in the following sections:

(A) repealed 7/13/2012;

(B) repealed 7/13/2012;

(C) Section 11-A, north of the Shrine of St. Terese;

(D) Section 13-A, south of the latitude of Point Kakul (57° 21.75' N. lat.);

(E) Section 13-B, north of the latitude of Aspid Cape (56° 41.75' N. lat.), except for Whale and Necker Bays;

(F) Sections 15-B and 15-C;

(2) in the set gillnet fishery, herring may be taken only in the following districts and sections:

(A) Section 1-E;

(B) Section 1-F,

(i) north of the latitude of South Vallenar Point;

(ii) that portion south and east of a line from Point Sykes to Twin Island Light to Form Point and north of a line from Form Point to Foggy Point;

(C) in District 10, only in that portion east of a line from Cape Fanshaw to Five Finger Light to McDonald Rock Buoy to Point League;

(D) Section 11-D.

(c) Repealed 12/29/84.

(d) Herring may be taken for bait pound operations from October 1 through September 30, only during periods established by emergency order in the following districts and sections:

(1) Section 1-E;

(2) in District 6, only those waters of Scow Bay north of the latitude of Mountain Point and south of the latitude of Blunt Point;

(3) in Section 11-A, in the following areas:

(A) Tee Harbor, south of the latitude of Point Stephens;

(B) Indian Cove, inside a line from Indian Point to a point at 58° 22.58' N. lat., 134° 42.30' W. long.;

(4) in Section 13-A, only in those waters of Lisianski Inlet south of the latitude of Junction Island;

(5) in Section 13-B, north of the latitude of Dorothy Narrows (56° 49' N. lat.).

(e) Repealed 4/24/2003.

(f) Herring spawn on kelp in pounds may be taken only during periods established by emergency order. The commissioner may open or close, by emergency order, the herring spawn-on-kelp fishing period for open pound gear at the same time or at a different time than when the

commissioner opens or closes the spawn-on-kelp fishing period for closed pound gear. (In effect before 1983; am 4/16/83, Register 86; am 12/29/84, Register 92; am 3/16/89, Register 109; am 6/25/89, Register 110; am 5/2/92, Register 122; am 4/24/97, Register 142; am 1/29/98, Register 145; am 10/12/2000, Register 156; am 3/11/2001, Register 157; am 4/24/2003, Register 166; am 4/24/2009, Register 190; am 7/13/2012, Register 203)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 27.150. Waters closed to herring fishing in Southeastern Alaska Area.

Herring may not be taken in

(1) District 1, in the waters of Clover Pass, Tongass Narrows, Moser Bay, and Naha Bay that are south and east of a line from Indian Point located at 55° 36.85' N. lat., 131° 42.03' W. long., to the northeastern tip of Betton Island located at 55° 32.56' N. lat., 131° 47.66' W. long., to a point on the southwest tip of Betton Island located at 55° 30.22' N. lat., 131° 50.32' W. long., to Guard Island Light, to Vallenar Point located at 55° 25.58' N. lat., 131° 51.09' W. long.;

(2) District 2, in Kasaan Bay west of a line from Island Point to Grindall Point, including all waters of Skowl Arm, Polk Inlet, McKenzie Inlet, and Twelve Mile Arm;

(3) District 5;

(4) District 6,

(A) by herring purse seine in the waters of Wrangell Narrows between the latitude of Blunt Point and the longitude of Prowley Point Light;

(B) in the waters of District 6 west of the longitude of Point Colpoys;

(5) District 8, in Wrangell Harbor inside a line from the southwest point of the Alaska Wood Products, Inc. wharf to the light on Shekesti Point;

(6) District 12, in the waters of Favorite Bay; and

(7) District 13, in the waters north and west of the Eliason Harbor breakwater and Makhnati Island Causeway from the westernmost tip of Makhnati Island to the easternmost point on Bieli Rock to the southernmost tip of Gagarin Island to a point on the eastern shore of Crow Island at 57° 06.43' N. lat., 135° 28.27' W. long. to a point on the western shore of Middle Island at 57° 06.41' N. lat., 135° 28.11' W. long. to a point on the southeastern shore of Middle Island at 57° 05.56' N. lat., 135° 26.23' W. long. to the green navigation marker northeast of Kasiana Island, to the Baranof Island shore at 57° 05.26' N. lat., 135° 22.95' W. long. (In effect before 1984; am 12/29/84, Register 92; am 1/29/98, Register 145; am 4/24/2003, Register 166; am 7/13/2012, Register 203; am 9/7/2012, Register 203)

Authority: AS 16.05.251

5 AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area.

(a) Repealed 12/29/84.

(b) The herring harvest quota for bait pound operations is as follows:

(1) Scow Bay: 100 tons;

(2) Section 13-B: 100 tons;

(3) Lisianski Inlet: 25 tons;

(4) Section 1-E: 10 percent of the guideline harvest level for the West Behm Canal stock;

(5) Sections 11-A, 15-B, and 15-C: 120 tons; if there are no active herring bait pound permits issued by April 1 of a year, the remainder of the 120-ton harvest quota will be allocated to the commercial sac roe purse seine fishery;

(6) District 7: 10 percent of the guideline harvest level for the Ernest Sound stock; the harvest quota for the winter food and bait fishery is 90 percent of that guideline harvest level; if there are no active herring bait pound permits issued by March 15 of a year, the unharvested remainder of that guideline harvest level will be allocated to the herring spawn-on-kelp fishery; after the spawn-on-kelp fishery in District 7 is closed, any remaining unharvested portion of that guideline harvest level will be allocated to the bait pound fishery;

(7) District 12: 10 percent of the guideline harvest level for the Tenakee Inlet stock; the harvest quota for the winter food and bait fishery is 90 percent of that guideline harvest level; if there are no active herring bait pound permits issued by March 15 of a year, the unharvested remainder of that guideline harvest level will be allocated to the herring spawn on kelp fishery; after the spawn-on-kelp fishery in District 12 is closed, any remaining unharvested portion of that guideline harvest level will be allocated to the bait pound fishery;

(8) Section 13-C: in the bait pound fishery, herring may be harvested only after the spawn-on-kelp fishery is closed and only if the guideline harvest level has not been taken;

(9) for districts and sections in the Southeastern Alaska Area not specified in this subsection: the department may open a bait pound fishery in a district or section that has a harvestable surplus as determined by annual department stock assessments; in a fishery opened under this paragraph, no more than 100 tons of herring may be harvested.

(c) Repealed 4/24/2003.

(d) Repealed 4/16/83.

(e) Repealed 4/16/83.

(f) The guideline harvest level for the District 10 set gillnet fishery described in 5 AAC 27.110(b)(2)(C) is the portion of the annual harvest amount established for the District 10 winter food and bait fishery under 5 AAC 27.190 that is not taken by that fishery.

(g) The guideline harvest level for the herring sac roe fishery in Sections 13-A and 13-B shall be established by the department and will be a harvest rate percentage that is not less than 12 percent, not more than 20 percent, and within that range shall be determined by the following formula:

$$\text{Harvest Rate Percentage} = 2 + 8 [\text{Spawning Biomass (in tons)}] / 20,000$$

The fishery will not be conducted if the spawning biomass is less than 25,000 tons.

(h) For purposes of this section, "active herring bait pound permit" means a permit that allows the holder of that permit to capture and retain herring in a herring bait pound. (In effect before 1983; am 4/16/83, Register 86; am 12/29/84, Register 92; am 3/16/89, Register 109; am 6/25/89, Register 110; am 4/24/97, Register 142; am 1/29/98, Register 145; am 4/24/2003, Register 166; am 4/24/2009, Register 190)

Authority: AS 16.05.251

5 AAC 27.185. Management plan for herring spawn on kelp in pounds fisheries in Sections 3-B, 12-A, and 13-C, and District 7. (a) In Sections 3-B, 12-A, and 13-C, and District 7, of the Southeastern Alaska Area, the department shall set an annual guideline harvest range for herring spawn on kelp in pounds based on the forecasted return of mature spawning herring. The department shall manage the fishery to keep the harvest within the guideline harvest range each season by restricting CFEC permit holders operating a herring spawn-on-kelp pound to a specific number of kelp blades or fronds annually according to the provisions of this section.

(b) In Sections 3-B, 12-A, and 13-C, and District 7, a herring spawn-on-kelp CFEC permit holder may jointly operate an open pound with one or more other herring spawn-on-kelp CFEC permit holders and a closed pound with up to two other herring spawn-on-kelp CFEC permit holders. A permit holder operating an open pound may use fronds or individual kelp blades in the open pound, but may not use both during a fishing season.

Note: Subsection (c) – (e) are formatted to fit page.

(c) In Section 3-B, the kelp allocation per permit holder is as follows:

Guideline Harvest Range for Herring (tons),

Single-Permit Closed Pounds:

200 – 599 tons of herring – 200 blades

600 – 799 tons of herring – 300 blades

800 – 999 tons of herring – 400 blades

1,000 or more tons of herring – 600 blades

Double-Permit Closed Pounds:

200 – 599 tons of herring – 400 blades

600 – 799 tons of herring – 450 blades

800 – 999 tons of herring – 600 blades

1,000 or more tons of herring – 750 blades

Triple-Permit Closed Pounds:

200 – 599 tons of herring – 550 blades

600 – 799 tons of herring – 675 blades

800 – 999 tons of herring – 900 blades

1,000 or more tons of herring – 1,125 blades

Single-Permit Open Pounds:

200 – 599 tons of herring – 100 fronds or 1,000 blades

600 – 799 tons of herring – 150 fronds or 1,500 blades

800 – 999 tons of herring – 200 fronds or 2,000 blades

1,000 or more tons of herring – 250 fronds or 2,500 blades

Multiple-Permit Open Pounds:

200 – 599 tons of herring – 300 fronds or 3,000 blades

600 – 799 tons of herring – 450 fronds or 4,500 blades

800 – 999 tons of herring – 600 fronds or 6,000 blades

1,000 or more tons of herring – 750 fronds or 7,500 blades

(d) In Section 13-C, the kelp allocation per permit holder is as follows:

Guideline Harvest Range for Herring (tons),

Single-Permit Closed Pounds:

100 – 249 tons of herring – None

250 – 399 tons of herring – 200 blades

400 – 599 tons of herring – 300 blades

600 – 799 or more tons of herring – 1,000 blades

800 or more tons of herring – 2,000 blades

Double-Permit Closed Pounds:

100 – 249 tons of herring – None

250 – 399 tons of herring – 400 blades
400 – 599 tons of herring – 500 blades
600 – 799 or more tons of herring – 2,500 blades
800 or more tons of herring – 3,000 blades

Triple–Permit Closed Pounds:

100 – 249 tons of herring – None
250 – 399 tons of herring – 500 blades
400 – 599 tons of herring – 750 blades
600 – 799 or more tons of herring – 1,500 blades
800 or more tons of herring – 1,500 blades

Single–Permit Open Pounds:

100 – 249 tons of herring – 60 fronds or 600 blades
250 – 399 tons of herring – 110 fronds or 1,100 blades
400 – 599 tons of herring – 160 fronds or 1,600 blades
600 – 799 tons of herring – 230 fronds or 2,300 blades
800 or more tons of herring – 300 fronds or 3,000 blades

Multiple–Permit Open Pounds:

100 – 249 tons of herring – 60 fronds or 600 blades
250 – 399 tons of herring – 110 fronds or 1,100 blades
400 – 599 tons of herring – 160 fronds or 1,600 blades
600 – 799 tons of herring – 230 fronds or 2,300 blades
800 or more tons of herring – 300 fronds or 3,000 blades

(e) In District 7 and Section 12-A, the kelp allocation per permit holder is as follows:

Guideline Harvest Range for Herring (tons),

Single–Permit Closed Pounds:

50 – 99 tons of herring – None
100 – 299 tons of herring – 200 blades
300 – 499 tons of herring – 300 blades
500 – 699 or more tons of herring – 400 blades
700 or more tons of herring – 1,000 blades

Double–Permit Closed Pounds:

50 – 99 tons of herring – None
100 – 299 tons of herring – 400 blades
300 – 499 tons of herring – 500 blades
500 – 699 or more tons of herring – 500 blades
700 or more tons of herring – 2,000 blades

Triple-Permit Closed Pounds:

50 – 99 tons of herring – None
100 – 299 tons of herring – 500 blades
300 – 499 tons of herring – 500 blades
500 – 699 or more tons of herring – 500 blades
700 or more tons of herring – 1,000 blades

Single-Permit Open Pounds:

50 – 99 tons of herring – 100 fronds or 1,000 blades
100 – 299 tons of herring – 150 fronds or 1,500 blades
300 – 499 tons of herring – 200 fronds or 2,000 blades
500 – 699 tons of herring – 250 fronds or 2,500 blades
700 or more tons of herring – 250 fronds or 2,500 blades

Multiple-Permit Open Pounds:

50 – 99 tons of herring – 300 fronds or 3,000 blades
100 – 299 tons of herring – 450 fronds or 4,500 blades
300 – 499 tons of herring – 600 fronds or 6,000 blades
500 – 699 tons of herring – 750 fronds or 7,500 blades
700 or more tons of herring – 750 fronds or 7,500 blades

(f) Pounds for the taking of herring spawn on kelp and seines for the taking of herring for placement in pounds may be operated only in the following locations:

(1) in Section 3-B, in the waters of San Alberto Bay, Shinaku Inlet, and San Christoval Channel north of a line from Entrance Point to the southernmost tip of Clam Island to the southernmost tip of Fern Point and east of 133° 20' W. long.; in Section 3-B, the following waters are closed to herring spawn-on-kelp pounds and to seining for taking herring for pounds:

(A) Klawock Inlet and Big Salt Lake;

(B) the waters of San Christoval Channel in the main channel enclosed by a line from 55° 35.62' N. lat., 133° 20' W. long. to 55° 35.17' N. lat., 133° 20' W. long. to 55° 33.37' N.

lat., 133° 17.52' W. long. to 55° 33.50' N. lat., 133° 17.28' W. long.;

(C) the waters of Fish Egg and Ballena Islands south of 55° 31' N. lat. and north of the southernmost tip of Cape Suspiro and east of the longitude of Ballena Island Shoal Light;

(2) in District 7, in the waters of Ernest Sound east of a line from Point Eaton to Lemesurier Point;

(3) in Section 12-A, in the waters of Chatham Strait and Tenakee Inlet south of the latitude of 57° 46' N. lat., and north of the latitude of Peninsular Point (57° 30.30' N. lat.) and west of 134° 50' W. long.;

(4) in Section 13-C, in the waters of Hoonah Sound north and west of a line from Point Marie to a point on the northern shore of Hoonah Sound at 57° 37.38' N. lat., 135° 27' W. long.

(g) Herring for placement in a closed herring spawn-on-kelp pound may be captured only with power seines or hand purse seines and may only be transferred to a closed ponds in

(1) Section 3-B after 12:00 noon, March 17 until 12:00 noon, May 10, unless closed earlier by emergency order;

(2) District 7 after 12:00 noon, April 1 until 12:00 noon, May 10, unless closed earlier by emergency order;

(3) Section 12-A after 12:00 noon, April 6 until 12:00 noon, May 15, unless closed earlier by emergency order; and

(4) Section 13-C after 12:00 noon, April 6 until 12:00 noon, May 15, unless closed earlier by emergency order.

(h) In Section 3-B, the harvest limit for the bait fisheries is 60 percent of the guideline harvest level for the Craig/Klawock herring stock, and the harvest limit for the spawn-on-kelp pound fishery is 40 percent of that guideline harvest level. Any portion of the harvest limit not taken by the bait fishery during a calendar year may be taken by the pound fishery during that year.

(i) In District 7, the harvest limit for the spawn-on-kelp pound fishery is the amount of any annual guideline harvest level for the Ernest Sound herring stock that is not harvested by the bait fisheries. If the remaining guideline harvest level is less than 50 tons, there will be no spawn-on-kelp pound fishery.

(j) Section 12-A, the harvest limit for the spawn-on-kelp pound fishery is the amount of any annual guideline harvest level for the Tenakee Inlet herring stock that is not harvested by the bait fisheries. If the unharvested portion of the guideline harvest level is less than 50 tons, there will be no spawn-on-kelp pound fishery.

(k) Spawn-on-kelp pound structures and other equipment used in a spawn-on-kelp pound fishery must be marked as follows:

(1) before kelp or herring are added to a pound, a permit holder must plainly and legibly mark the permit holder's first and last name and five-digit CFEC permit number in a conspicuous place on the pound; the sign must be vertical, and the markings must be clearly visible and above the surface of the water at all times; the letters and numbers used to identify a

pound must be at least six inches high with lines at least one-half inch wide and must contrast with the background; if a pound is being operated as a multiple-permit pound, the first and last names and five-digit CFEC permit numbers of all permit holders operating the pound must be placed on a single sign; the sign must be left on the pound structure or the webbing support system the entire time any part of the pound or pound system is in the water;

(2) all floats and floating objects used in support of the fishery must be plainly and legibly marked with a CFEC permit number of a participating permit holder as specified in (1) of this subsection; all floats and floating objects must be permanently marked and clearly visible above the surface of the water at all times.

(l) A permit holder using a tow pound for transporting herring to a closed pound must permanently affix a horizontal sign stating "Tow Pound" and a CFEC permit number of a participating permit holder to the top surface of the tow pound. The letters must be at least six inches high with lines at least one-half inch wide and must contrast with the background. A permit holder may introduce herring into a tow pound multiple times before transferring the herring to a spawn-on-kelp pound.

(m) A permit holder may place the permit holder's kelp in no more than one pound. Before kelp is introduced into the spawn-on-kelp pound, a permit holder must store the kelp in a manner that prevents herring from spawning on the kelp.

(n) On a line or structure used to suspend kelp, a permit holder shall affix a legible tag showing above the water surface that states the number of blades or fronds on that line or structure and that states the permit holder's first and last name. In a multiple-permit pound, each permit holder must keep that permit holder's kelp on lines or structures separate from lines or structures that support kelp belonging to other permit holders.

(o) A permit holder must be physically present at the permit holder's pound fishing site during operation of the pound. For the purpose of this subsection, "operation of the pound" means

(1) repealed 4/24/2009;

(2) when herring is being captured and transferred into a closed pound;

(3) when an open pound is being moved; and

(4) when kelp product is being collected from the pound.

(p) A permit holder must be physically present when the permit holder's herring spawn-on-kelp product produced in a pound is being sold.

(q) A permit holder may transfer additional herring into a closed pound, only until herring have been released or product has been harvested from the pound. After herring have been released or product has been harvested from a pound, a permit holder using that pound may not fish for herring or add kelp to the pound. A permit holder may not transfer herring into a pound after 11:59 p.m. on the fourth day after herring are placed into the pound, with the first day being the day that herring are first placed into the pound. If the commissioner determines it is necessary for the conservation of herring stocks, the commissioner may, by emergency order, restrict the placement of herring into pounds.

(r) Permit holders operating two separate closed pounds must notify the local representative of the department before connecting the permit holder's pounds. No more than two pounds may be connected into a combined structure. After the permit holders have connected two pounds, the permit holders may not transfer additional herring into the combined pound. After two pounds are connected under this section, the permit holders may drop the wall between the pounds so that herring may swim between the connected pounds.

(s) A permit holder may not retain herring in a closed pound for more than six days and must release the herring by 11:59 p.m. on the sixth day, with the first day being the day that herring are placed into the pound. When releasing herring, a permit holder must lower at least one full side of a pound's webbing at least six feet below the surface of the water to allow herring to escape.

(t) After a permit holder releases herring and harvests product from the pound, the permit holder must maintain the pound and webbing in place for at least four weeks. To optimize hatching success the permit holder must position egg-covered webbing in the original size and configuration of the pound structure with adequate water circulation on all sides. The webbing support system must be above the surface of the water and clearly marked as specified in (k) of this section.

(u) A permit holder must release all herring from a pound operated by that permit holder. A permit holder may not retain and use herring that has been introduced into a pound as bait for commercial use, sport use, personal use, or subsistence use.

(v) After notifying the department, a permit holder may release herring from a closed pound and fish the pound as an open pound. All webbing on the closed pound must be removed. The permit holder will not be entitled to additional kelp and may operate the pound only as an open pound for the remainder of the season.

(w) A permit holder shall completely remove all pounds and associated equipment from the waters in

- (1) Section 3-B by 12:00 noon May 31 through March 1 of the following year;
- (2) District 7 by 12:00 noon May 31 through March 1 of the following year;
- (3) Section 12-A by 12:00 noon June 10 through March 1 of the following year;
- (4) Section 13-C by 12:00 noon June 10 through March 1 of the following year.

(x) A CFEC permit holder operating a multiple-permit pound is subject to liability if the pound, at any time, contains more than the legal amount of kelp.

(y) Spawn-on-kelp blades or fronds belonging to a permit holder must be kept separate from spawn-on-kelp blades or fronds belonging to another permit holder until all spawn on kelp from a pound has been weighed and graded.

(z) A closed pound is considered to be fishing once herring have been introduced into the closed pound structure and is considered to have stopped fishing once all herring have been released and all of the spawn-on-kelp product has been removed from the closed pound structure.

(aa) An open pound is considered to be fishing once kelp has been attached to the open pound structure and is considered to have stopped fishing once all of the spawn-on-kelp product

has been removed from the open pound structure.

(bb) Each permit holder is responsible for all operations of the pound and pound system.

(cc) Two closed pounds as specified in 5 AAC 27.130(e) may be combined into one single closed pound structure and operated by multiple permit holders only when kelp is at the maximum allocation. The combined pound may have a maximum surface area of 800 square feet with a maximum depth level of 30 feet. The kelp allocations per permit holder and other provisions specified in this section also apply to the combined pound; however, permit holders may transfer additional herring into the combined single closed pound structure after the two closed pounds are connected and combined into a single structure. A CFEC permit holder who intends to operate a combined pound must register with the department before placing the pound in the water. This pound structure may not be connected to any other pound structure.

(dd) In this section,

(1) "fronds" means the kelp stipe and naturally attached blades;

(2) "multiple-permit pound" includes,

(A) for a closed pound, a double-permit and triple-permit closed pound; and

(B) for an open pound, a multiple-permit open pound.

(Eff. 6/25/89, Register 110; am 4/30/91, Register 118; am 4/23/94, Register 130; am 1/29/98, Register 145; am 9/10/2000, Register 155; am 3/11/2001, Register 157; am 4/24/2003, Register 166; am 4/2/2006, Register 177; am 4/24/2009, Register 190; am 7/13/2012, Register 203)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 27.190. Herring Management Plan for Southeastern Alaska Area. For the management of herring fisheries in the Southeastern Alaska Area, the department

(1) shall identify stocks of herring on a spawning area basis;

(2) shall establish minimum spawning biomass thresholds below which fishing will not be allowed;

(3) shall assess the abundance of mature herring for each stock before allowing fishing to occur;

(4) except as provided elsewhere, may allow a harvest of herring at an exploitation rate between 10 percent and 20 percent of the estimated spawning biomass when that biomass is above the minimum threshold level;

(5) may identify and consider sources of mortality in setting harvest guideline;

(6) by emergency order, may modify fishing periods to minimize incidental mortalities during commercial fisheries. (Eff. 4/23/94, Register 130; am 5/31/98, Register 146)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 27.195. Sitka Sound commercial sac roe herring fishery. (a) In managing the commercial sac roe herring fishery in Section 13-B north of the latitude of Aspid Cape (Sitka Sound), the department shall

(1) manage the fishery consistent with the applicable provisions of 5 AAC 27.160(g) and 5 AAC 27.190;

(2) distribute the commercial harvest by fishing time and area if the department determines that it is necessary to ensure that subsistence users have a reasonable opportunity to harvest the amount of herring spawn necessary for subsistence uses specified in 5 AAC 01.716(b).

(b) In addition to the provisions of (a) of this section, the department shall consider the quality and quantity of herring spawn on branches, kelp, and seaweed, and herring sac roe when making management decisions regarding the subsistence herring spawn and commercial sac roe fisheries in Section 13-B north of the latitude of Aspid Cape. (Eff. 4/14/2002, Register 162)

Authority: AS 16.05.251

COMMERCIAL GROUND FISH FISHERIES (EASTERN GULF OF ALASKA)

5 AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area. (a) In the Northern Southeast Inside Subdistrict, the Southeast Outside Subdistrict, and the East Yakutat District, sablefish may be taken only with longlines. In the Southern Southeast Inside Subdistrict, sablefish may be taken only with longlines and pots.

(b) In the Southeast District, a longline vessel may have aboard or use for taking bait a gillnet with mesh size of not over two and one-half inches and made of not greater than Number 20 gillnet thread.

(c) In the Northern and Southern Southeast Inside Subdistricts, flatfish (flounder and sole) may be taken in a directed trawl fishery only by beam trawl gear, and only under the authority of a permit issued by the commissioner under (l) of this section. In the permit the commissioner may specify open areas, fishing periods, gear and operating specifications, observer requirements, and completion of logbooks, available from the department, by the vessel operator.

(d) In the Southeast District,

(1) except as provided in (3) of this subsection, rockfish and lingcod may be taken only by longline, dinglebar troll gear, power troll gear, hand troll gear, and mechanical jigging machines, except that

(A) in a directed fishery for pelagic shelf rockfish, pelagic shelf rockfish may be taken only by dinglebar troll gear, hand troll gear, and mechanical jigging machines;

(B) in a directed fishery for lingcod, lingcod may be taken only by dinglebar troll gear, hand troll gear, and mechanical jigging machines;

(2) repealed 7/18/2003;

(3) Pacific cod, shortspine thornyhead rockfish, and longspine thornyhead rockfish may be taken only by longline, dinglebar troll gear, power troll gear, hand troll gear, mechanical jigging machines, and pots;

(4) repealed 7/18/2003.

(e) In areas open to a directed fishery for flatfish (flounder and sole) using beam trawl gear in the Northern and Southern Southeast Inside Subdistricts, a registered shrimp beam trawl vessel may trawl for flatfish using beam trawl gear in an area closed to shrimp trawling, if a cod-end mesh of at least five inches stretched measure is used.

(f) In the Eastern Gulf of Alaska Area, pots may not be longlined, except that pots may be longlined in the Southern Southeast Inside Subdistrict sablefish fishery. At least one buoy on each groundfish pot must be legibly marked with only the permanent department vessel license plate number of the vessel operating the gear. The number must be placed on the top one-third of the buoy in numerals at least four inches high and one-half inch wide, must be in a color contrasting to the color of the buoy, and must be visible above the water surface when the buoy is attached to the groundfish pot. If groundfish pots are longlined under this subsection, a buoy is not required for each pot, but at least one buoy must be attached to the longline, and the buoy must be marked as described in this subsection.

(g) Repealed 7/14/2000.

(h) In the Eastern Gulf of Alaska Area, dinglebar troll gear is gear that consists of a single line that is retrieved and set with a troll gurdy or hand troll gurdy with a terminally attached weight from which one or more leaders with one or more lures or baited hooks are pulled through the water while a vessel is making way. Only one troll gurdy line or hand troll gurdy line may be deployed in the water at any time.

(i) Repealed 7/18/2003.

(j) Repealed 7/14/2000.

(k) A person may not operate a vessel that is using dinglebar troll gear and mechanical jigging machines at the same time.

(l) In the Eastern Gulf of Alaska Area, groundfish may be taken by trawl gear only under the authority of a permit issued by the commissioner, if the commissioner determines that issuing the permit is not inconsistent with 5 AAC 39.210. (Eff. 7/30/89, Register 111; am 4/30/91, Register 118; am 4/15/94, Register 130; am 6/15/97, Register 142; am 6/14/2000, Register 154; am 7/5/2000, Register 155; am 7/14/2000, Register 155; am 7/18/2003, Register 167; am 7/13/2012, Register 203)

Authority: AS 16.05.251

5 AAC 28.150. Closed waters in Eastern Gulf of Alaska Area. (a) The waters of Sitka Sound that are enclosed on the north by lines from Kruzof Island at 57° 20.50' N. lat., 135° 45.17' W. long. to Chichagof Island at 57° 22.05' N. lat., 135° 43' W. long., and from Chichagof Island at 57° 22.58' N. lat., 135° 41.30' W. long. to Baranof Island at 57° 22.28' N. lat., 135° 40.95' W. long., and on the south and west by a line running from the southernmost tip of Sitka Point at 56° 59.38' N. lat., 135° 49.57' W. long. to Hanus Point at 56° 51.92' N. lat., 135° 30.50' W. long. to the green day marker in Dorothy Narrows at 56° 49.28' N. lat., 135° 22.75' W. long. to Baranof Island at 56° 49.28' N. lat., 135° 22.60' W. long. are closed to the taking of lingcod. Lingcod taken in these waters must be immediately returned to the water unharmed.

(b) Notwithstanding (a) of this section, lingcod may be retained as bycatch in the halibut longline fishery in the waters described in (a) of this section, as limited by the provisions of 5 AAC 28.173(a).

(c) Groundfish may not be taken in the waters off Cape Edgecumbe enclosed by a box defined as 56° 55.5' N. lat., 56° 57' N. lat., 135° 54' W. long., and 135° 57' W. long.

(d) The following waters are closed to the directed taking of demersal shelf rockfish:

(1) in the Sitka vicinity: the waters of Sitka Sound that are enclosed on the north by lines from Kruzof Island at 57° 20.50' N. lat., 135° 45.17' W. long. to Chichagof Island at 57° 22.05' N. lat., 135° 43' W. long., and from Chichagof Island at 57° 22.58' N. lat., 135° 41.30' W. long. to Baranof Island at 57° 22.28' N. lat., 135° 40.95' W. long., and on the south and west by a line running from the southernmost tip of Sitka Point at 56° 59.38' N. lat., 135° 49.57' W. long. to Hanus Point at 56° 51.92' N. lat., 135° 30.50' W. long. to the green day marker in Dorothy Narrows at 56° 49.28' N. lat., 135° 22.75' W. long. to Baranof Island at 56° 49.28' N. lat., 135° 22.60' W. long.;

(2) in the Ketchikan vicinity: all waters of Behm Canal, Clarence Strait, Tongass Narrows, Nichols Passage, George Inlet, Carroll Inlet, Thorne Arm, Revillagigedo Channel, and all contiguous waters enclosed by the latitude of Bushy Point Light, a line from Point Alava to the southernmost tip of Ham Island, a line from Cedar Point to Dall Head, and a line from Dall Head to a point in midstream Clarence Strait at the latitude of Dall Head to Caamano Point;

(3) in the vicinity of Craig and Klawock: all waters of Ulloa Channel north of the latitude of Waterfall Cannery, and all waters enclosed by a line from the southernmost tip of St. Philip Island to the northernmost tip of San Fernando Island, to Point Cangrejo.

(e) Black rockfish may not be taken in a directed fishery in the following waters:

(1) Northern Southeast Outside Section between 57° 37' N. lat. and 57° 40' N. lat.;

(2) Central Southeast Outside Section,

(A) between 57° 10' N. lat. and 57° 03' N. lat.;

(B) the waters of Sitka Sound that are enclosed on the north by lines from Kruzof Island at 57° 20.50' N. lat., 135° 45.17' W. long. to Chichagof Island at 57° 22.05' N. lat., 135° 43' W. long., and from Chichagof Island at 57° 22.58' N. lat., 135° 41.30' W. long. to Baranof Island at 57° 22.28' N. lat., 135° 40.95' W. long., and on the south and west by a line running from the southernmost tip of Sitka Point at 56° 59.38' N. lat., 135° 49.57' W. long. to Hanus Point at 56° 51.92' N. lat., 135° 30.50' W. long. to the green day marker in Dorothy Narrows at 56° 49.28' N. lat., 135° 22.75' W. long. to Baranof Island at 56° 49.28' N. lat., 135° 22.60' W. long.;

(C) between 56° 22.50' N. lat. and 56° 18.70' N. lat.;

(3) Southern Southeast Outside Section between 54° 56.70' N. lat. and 54° 44.40' N. lat. (Eff. 6/15/97, Register 142; am 5/31/98, Register 146; am 3/11/2001, Register 157; am 8/24/2002, Register 163; am 7/18/2003, Register 167; am 5/26/2006, Register 178; am 5/31/2009, Register 190)

Authority: AS 16.05.251

5 AAC 28.173. Lingcod possession and landing requirements for Eastern Gulf of Alaska Area. (a) In the Southeast District, a vessel fishing for

(1) halibut with longline gear may not land or have on board lingcod in excess of the bycatch percentage, specified in the first emergency order of the season, by round weight, of all halibut on board the vessel; based on harvest, the commissioner may, by emergency order, close the bycatch season and immediately reopen a bycatch season during which a different lingcod bycatch level is allowed;

(2) sablefish may not land or have on board lingcod, except as specified in (3) of this subsection;

(3) halibut and sablefish at the same time may not land or have on board lingcod in excess of the bycatch percentage, specified in the first emergency order of the season, by round weight, of all halibut on board the vessel; based on harvest data, the commissioner may, by emergency order, close the bycatch fishing season and immediately reopen a bycatch season during which a different lingcod bycatch level is allowed.

(b) In the Southeast District, a vessel fishing with longline gear may not land or have on board lingcod in excess of 35 percent, by round weight, of all target species taken in the directed fishery that are on board the vessel.

(c) In the Eastern Gulf of Alaska Area, a vessel using trawl gear may not land or have on board lingcod.

(d) Repealed 6/15/97.

(e) All lingcod retained must measure at least 27 inches from the tip of the snout to the tip of the tail, or 20.5 inches from the front of the dorsal fin to the tip of the tail. Undersized lingcod must be returned to the water immediately without further harm.

(f) In a directed lingcod fishery, if the commissioner determines that a trip limit will contribute to conservation or promote an orderly fishery, the commissioner may close, by emergency order, the directed lingcod fishery and reopen the fishery during which a trip limit is in effect.

(g) If the commissioner determines it necessary for biological sampling purposes, the commissioner may close, by emergency order, a fishing season for lingcod and immediately reopen the season with a requirement that all lingcod be delivered with the head on and with the vent and the external area one inch forward of the vent un mutilated, as evidence of gender. (Eff. 4/15/94, Register 130; am 6/15/97, Register 142; am 5/31/98, Register 146; am 6/14/2000, Register 154; am 12/30/2000, Register 156; am 5/26/2006, Register 178; am 5/31/2009, Register 190)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 28.174. Spiny dogfish (*Squalus acanthias*) possession and landing requirements for Eastern Gulf of Alaska Area. In the Eastern Gulf of Alaska Area, spiny dogfish may be taken and retained only as follows:

(1) in the Southeast District, a longline vessel may retain spiny dogfish as bycatch that is not more than 35 percent, by round weight, of all target species taken in the directed fishery on board the vessel;

(2) in the Southeast District, a power troll or hand troll vessel may retain spiny dogfish as bycatch that is not more than 35 percent, by round weight, of all salmon on board the vessel;

(3) in the East Yakutat Section and the Icy Bay Subdistrict, a salmon set gillnet CFEC permit holder may retain all spiny dogfish taken as bycatch during salmon set gillnet operations; all spiny dogfish taken must be recorded on an ADF&G salmon fish ticket. (Eff. 7/5/2000, Register 155; am 7/29/2000, Register 155)

Authority: AS 16.05.251

5 AAC 28.175. Logbooks for Eastern Gulf of Alaska Area. (a) An operator of a vessel fishing for groundfish in the waters of Alaska in the Eastern Gulf of Alaska Area or in a state-managed directed fishery in the waters of the exclusive economic zone adjacent to the Eastern Gulf of Alaska Area shall maintain an accurate logbook of all fishing operations for each type of gear used.

(b) A logbook described in (a) of this section

(1) for longline gear must include, by set, the date, the specific location of harvest by latitude and longitude, in degrees and decimal minutes, for start and ending positions, hook spacing, the amount of gear (number of hooks) used, the depth of each set, the estimated weight of all target species taken, an estimated weight of the bycatch retained or discarded at sea, and the tag number of any tagged fish landed; for the Northern Southeast Inside Subdistrict and the Southern Southeast Inside Subdistrict sablefish fisheries, a logbook must include a record of the round weight delivered, the purchasing processor, and date of each delivery during that season if multiple landings have been made;

(2) for dinglebar, mechanical jig, or hand troll gear must include the date, the specific location of harvest by six digit statistical area and nearest headland, the number of lines and hooks per lines used, the average depth fished, the hours fished for each line, and the number of bycatch fish taken, by species; for the target species the following is required:

(A) the number retained;

(B) the number discarded; and

(C) for lingcod only, their estimated sex ratio;

(3) must be updated, within 24 hours after midnight local time on the day of operation;

(4) must be retained, with its original pages, for a period of two years by the owner or operator of the vessel; and

(5) must include the tag number of any tagged fish landed, with the date and specific location.

(c) A logbook described in (a) of this section must be kept on board the vessel while operating gear, during transits to or from a port of landing, and for five days after delivering groundfish.

(d) Repealed 6/15/97.

(e) A logbook described in (a) of this section must be made available to a local representative of the department upon request.

(f) A copy of the page of the logbook described in (a) in this section pertaining to a landing must be attached to the fish ticket documenting the landing.

(g) A person may not make a false entry in the logbook described in (a) of this section. (Eff. 7/30/89, Register 111; am 4/30/91, Register 118; am 4/15/94, Register 130; am 6/15/97, Register 142; am 11/20/97, Register 144; am 6/14/2000, Register 154; am 7/18/2003, Register 167; am 5/31/2009, Register 190)

Authority: AS 16.05.251

COMMERCIAL SALMON TROLL FISHERIES

5 AAC 29.020. Description of fishing districts and winter boundary line. (a) Fishing districts that are used in this chapter are described in 5 AAC 30.200 and 5 AAC 33.200.

(b) For the purposes of this chapter, the "winter boundary line" for the winter season and periods established in 5 AAC 29.070 is a line across Yakutat Bay from the westernmost tip of Point Manby, at 59° 41.66' N. lat., 140° 19.70' W. long., to 59° 40.02' N. lat., 140° 24.36' W. long. to 59° 31.25' N. lat., 139° 53.69' W. long. to Ocean Cape at 59° 32.06' N. lat., 139° 51.46' W. long., and a line from the southernmost tip of Cape Spencer to the westernmost tip of Yakobi Rock to the southernmost tip of Cape Cross to the southernmost tip of Point Theodore to the westernmost tip of Cape Edward to the westernmost tip of Khaz Point to the westernmost tip of Point Slocum to the westernmost tip of Klokachef Island to the westernmost tip of Cape Georgiana to the westernmost tip of Point Amelia to Cape Edgecumbe Light to the southernmost tip of Point Woodhouse to the southernmost tip of Rogers Island to the westernmost tip of Aspid Cape to the southernmost tip of North Cape to 56° 22.77' N. lat., 134° 57' W. long. to 56° 19.50' N. lat., 134° 54' W. long. to the southwesternmost tip of Puffin Point to the northwesternmost tip of Bahrovoi Point to the southernmost tip of Cape Ommaney to Nation Point to Helm Point to the southernmost tip of Cape Addington to the westernmost tip of Cape Chirikof to Cape Bartolome Light to the southernmost tip of Cape Felix to the westernmost tip of Bruin Point to the westernmost tip of Sakie Point to the westernmost tip of Cape Augustine to the westernmost tip of Rockwell Point to the westernmost tip of Ritter Point to the westernmost tip of Point Bazan to the westernmost tip of Security Point to Point Cornwallis Light to the southernmost tip of Liscome Point to the westernmost tip of Wolk Point to 54° 39.87' N. lat., 132° 43.53' W. long. to Cape Muzon Light to the southernmost tip of Point Nunez to the southernmost tip of Cape Chacon to the southernmost tip of West Rock to the southernmost tip of Yellow Rocks to Tree Point Light to Lord Rock Light to a point on the International Boundary at 130° 49' W. long. (Eff. 10/1/98, Register 147; am 3/11/2001, Register 157; am 7/26/2003, Register 167; am 2/22/2015, Register 213)

Authority: AS 16.05.251

5 AAC 29.090. Management of the spring salmon troll fisheries. (a) In this chapter, a spring salmon troll fishery means a fishery that is

- (1) opened and closed by emergency order;
- (2) restricted in area;
- (3) designated by number so that each opening in a specific body of water is uniquely identified for catch reporting purposes.

(b) The department shall manage the spring salmon troll fisheries to target Alaska hatchery-produced king salmon.

(c) The department shall conduct the spring salmon troll fisheries each year before the opening of the general summer salmon troll season.

(d) In its management of the spring fisheries under this section, the department shall

(1) first consider changes in the previous years' spring fisheries; the department shall open the fisheries if they meet the following requirements:

(A) a directed fishery may occur only if an Alaska hatchery return is expected to exceed broodstock requirements;

(B) at least one spring fishery shall be conducted annually, targeting the king salmon returning to each Alaska hatchery that meets its broodstock requirements;

(C) in order to continue the fishery each year without modification of areas previously established, the contribution rate of hatchery stocks to the directed fishery harvest must exceed 20 percent;

(D) the department shall manage each spring salmon troll fishery as follows:

(i) no more than 1,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is less than 25 percent of the king salmon taken in that fishery;

(ii) no more than 2,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 25 percent but less than 35 percent of the king salmon taken in that fishery;

(iii) no more than 3,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 35 percent but less than 50 percent of the king salmon taken in that fishery;

(iv) no more than 5,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 50 percent but less than 66 percent of the king salmon taken in that fishery;

(v) there is no limit on the number of non-Alaska hatchery-produced salmon that may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is 66 percent or more of the king salmon taken in that fishery;

(E) if the requirements of (A) - (D) of this paragraph are met, the department shall open the spring salmon troll fisheries until no later than one day before the opening of the summer salmon troll fishery;

(2) consider additional fishing periods based on the best scientific data and on input from salmon trollers;

(3) if the preseason king salmon abundance index determined by the Chinook Technical Committee of the Pacific Salmon Commission is at least 1.15 and the amount of the winter troll fishery guideline harvest level remaining on May 1 is 10,000 or more king salmon, apply the following provisions:

(A) if the guideline harvest level remaining is at least 10,000 king salmon but not more than 15,000 king salmon, 250 additional non-Alaska hatchery-produced salmon will be added to the maximum allowable number of non-Alaska hatchery-produced salmon to be taken as provided in (2)(D) of this subsection;

(B) if the guideline harvest level remaining is more than 15,000 king salmon, 500 additional non-Alaska hatchery-produced salmon will be added to the maximum allowable number of non-Alaska hatchery-produced salmon to be taken as provided in (2)(D) of this subsection.

(e) Repealed 6/14/2000.

(f) Repealed 5/31/2009.

(g) A CFEC permit holder that participates in a spring salmon troll fishery must offload all fish from the CFEC permit holder's vessel before participating in the summer salmon troll fishery.

(h) Notwithstanding (a) - (d) of this section, in Snow Passage the commissioner may, by emergency order, extend the length of weekly fishing periods during the spring fishery to maximize the harvest of hatchery coho salmon returning to the Neck Lake release site.

(i) The commissioner may open, by emergency order, a spring salmon troll fishery for one day per week during May and June in the Yakutat Bay area east of a line from Point Manby to Ocean Cape, with a maximum harvest of 1,000 king salmon.

(j) The commissioner may open, by emergency order, a fishing season during which two or more adjacent spring salmon troll fishery areas and those area's harvest caps, as specified in (d)(1)(D) of this section for non-Alaska hatchery salmon, are combined if each of the areas has Alaska hatchery compositions of 25 percent or greater for three or more consecutive seasons. (Eff. 10/1/98, Register 147; am 6/14/2000, Register 154; am 7/26/2003, Register 167; em am 4/13/2005 - 8/10/2005, Register 174; am 5/26/2006, Register 178; am 5/31/2009, Register 190)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 29.100. Management of the summer salmon troll fishery. (a) During the summer salmon troll fishery, salmon may be taken only during open fishing periods. Unless otherwise specified in this section or by emergency order, salmon may be taken throughout the Southeastern Alaska-Yakutat Area unless restricted

(1) by a provision of this section; or

(2) in the closed waters specified in 5 AAC 29.150.

(b) The department shall manage the fishery as specified in (c) of this section until the annual harvest allocation specified in 5 AAC 29.060 is reached.

(c) The department shall manage the summer king salmon troll fishery as follows:

(1) the department shall manage the summer king salmon troll fishery

(A) to take 70 percent of the remaining king salmon harvest calculated as the annual troll harvest ceiling minus the winter and spring troll harvests of treaty king salmon in an initial opening beginning July 1; and

(B) to take the remaining portion of the king salmon harvest calculated as the annual harvest ceiling minus the winter, spring, and initial July 1 opening harvest of treaty king salmon;

(i) following the reopening of the king salmon troll fishery after any closure of a coho salmon troll fishery; or

(ii) if a closure is not necessary to achieve coho salmon harvest guidelines after the reopening of the king salmon troll fishery, no later than August 20, but only following a two-day closure to allow a fair start;

(2) in order to provide for the harvest of the remaining portion of the king salmon harvest following a coho salmon closure, the department shall manage the king salmon harvest as follows:

(A) if approximately 70 percent or more of the remaining troll king salmon harvest was taken during the initial opening under (1)(A) of this subsection, the commissioner shall close, by emergency order, the waters of frequent high king salmon abundance described in 5 AAC 29.025 for the remainder of the summer salmon troll season in order to slow down the harvest rate; however, if after 10 days, the department determines that the annual troll king salmon harvest ceiling might not be reached by September 20 with those waters closed, the commissioner shall reopen, by emergency order, the waters of frequent high king salmon abundance;

(B) the department shall reopen the summer king salmon troll fishery in the waters of frequent high king salmon abundance described in 5 AAC 29.025 if the

department determines that less than 30 percent of the king salmon harvest goal for the initial opening under (1)(A) of this subsection was taken in that opening;

(C) in addition to (A) and (B) of this paragraph, if the department determines that the annual troll king salmon harvest ceiling will not be harvested by September 20, the department may continue the summer king salmon troll fishery only in waters with no coho salmon conservation concerns, until the annual troll king salmon harvest ceiling is achieved or until September 30, whichever occurs first;

(3) following the closure of the summer salmon troll fishery to the taking of king salmon, the salmon troll fishery will remain open to the taking of other salmon species; however, the department may close the waters of frequent high king salmon abundance described in 5 AAC 29.025 to the taking of other salmon species in order to further minimize the incidental hook and release of king salmon.

(d) In Sections 1-C, 1-E, and 1-F, salmon may be taken only as follows:

(1) Section 1-C: from August 15 through September 20;

(2) Section 1-E:

(A) in the waters of Section 1-E, bounded by a line from the southernmost tip of Nose Point to a point in West Behm Canal at 55° 48.73' N. lat., 131° 44.01' W. long., located approximately one mile west of Nose Point, then south to a point at 55° 43.92' N. lat., 131° 45.44' W. long., located approximately one mile west of the northernmost tip of Bushy Point, then south to a point at 55° 39.09' N. lat., 131° 44.69' W. long., located approximately one mile west of Escape Point, to the northernmost tip of Escape Point, and in waters of Neets Bay west of the longitude of the southernmost tip of Chin Point and in Traitors Cove west of 131° 41.80' W. long., from July 1 through September 20;

(B) all other waters of Section 1-E, from July 13 through September 20;

(3) Section 1-F: open from July 1 through September 20, with the following restrictions:

(A) from July 1 through July 12, the waters of Section 1-F east of a line from the northernmost tip of Kirk Point at 54° 59.98' N. lat., 131° 00.78' W. long. to Mary Island Light at 55° 05.90' N. lat., 131° 10.89' W. long. to the southernmost tip of Cone Island at 55° 14.47' N. lat., 131° 19.36' W. long. are closed;

(B) from July 13 through July 31, the waters of Section 1-F east of a line from the southernmost tip of Black Island at 55° 07.84' N. lat., 131° 04.89' W. long. to the westernmost tip of Slate Island at 55° 05.68' N. lat., 131° 03.92' W. long. to the westernmost tip of White Reef at 55° 03.95' N. lat., 131° 02.51' W. long. to the

easternmost tip of Black Rock at 55° 01.37' N. lat., 131° 03.62' W. long. to the northernmost tip of Kirk Point at 54° 59.98' N. lat., 131° 00.78' W. long., are closed;

(4) repealed 7/13/2012.

(e) In District 8: the weekly fishing periods for trolling are the same as for drift gillnetting.

(f) In District 11: salmon may be taken only in Sections 11-C and 11-D.

(g) In District 15: salmon may be taken only in Sections 15-A and 15-C.

(h) Repealed 7/26/2003.

(i) In the Yakataga and Yakutat Districts,

(1) repealed 5/31/2009;

(2) from August 7 through September 20, salmon may not be taken in waters bounded on the west by the three-nautical-mile limit of the territorial sea and on the north by a line extending seaward from 59° 30.49' N. lat., 139° 46.58' W. long. and intersecting the three-nautical-mile limit at 59° 28.65' N. lat., 139° 51.17' W. long. and on the south by a line extending seaward from 59° 20.30' N. lat., 139° 16.50' W. long. and intersecting the three-nautical-mile limit at 59° 18.25' N. lat., 139° 21.94' W. long.

(j) Following closure of the summer salmon troll fishery to the taking of king salmon, a person may not have king salmon on board a salmon troll vessel from which the person is fishing for other salmon species.

(k) A CFEC permit holder that participates in the summer salmon troll fishery must offload all fish from the CFEC permit holder's vessel before participating in the winter salmon troll fishery. (Eff. 10/1/98, Register 147; am 7/26/2003, Register 167; am 5/26/2006, Register 178; am 5/31/2009, Register 190; am 7/13/2012, Register 203)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 29.110. Management of coho salmon troll fishery. (a) Coho salmon may be taken from June 1 through September 20. However, the commissioner, in years when wild coho salmon abundance is projected by the department to meet escapement needs after considering harvest and effort, may extend, by emergency order, the coho salmon fishery in any portions of Districts 1 - 16 for up to 10 days after September 20.

(b) The commissioner may close, by emergency order, the coho salmon troll fishery in the Southeastern Alaska-Yakutat Area for conservation of coho salmon stocks as follows:

(1) for up to seven days beginning on or after July 25 if the total projected commercial harvest of wild coho salmon is less than 1.1 million; or

(2) for up to 10 days, if the department makes an assessment and determines that

(A) the number of coho salmon reaching inside waters might be inadequate to provide for spawning requirements under normal or restricted inside fisheries for coho salmon and other species; the primary abundance indicators for the assessment consist of relative harvest levels by all fisheries and, in particular, catch per unit of effort in inside drift gillnet and sport fisheries as compared to average 1971 - 1980 levels and escapement projections for streams where escapement goals have been established; or

(B) the proportional share of coho salmon harvest by the salmon troll fishery is larger than that of inside gillnet and sport fishing fisheries compared to average 1971 - 1980 levels; primary inside fisheries indicators for the assessment are overall coho salmon harvests and catch per unit of effort in the District 1, 6, 11, and 15 drift gillnet fisheries and by anglers sport fishing from boats in the salt water sport fishery that return to any port connected to the Juneau road system.

(c) Following any closure made under (b) of this section, the commissioner shall reopen, by emergency order, waters for salmon troll fishing as specified in this chapter.

(d) If the department determines that the strength of the coho salmon run in the inshore and terminal salmon fishing waters is less than required to provide a spawning escapement that will maintain the runs on a sustained-yield basis, the department may make additional closures of the salmon troll fishing seasons, periods, and areas. (Eff. 10/1/98, Register 147; am 6/14/2000, Register 154; am 7/26/2003, Register 167; am 7/13/2012, Register 203)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 29.114. District 12 and District 14 Enhanced Chum Salmon Troll Fisheries Management Plan. (a) The purpose of the management plan in this section is to give the department direction for the orderly development of enhanced chum salmon troll fisheries during the directed troll fisheries in Cross Sound, Icy Strait, and Northern Chatham Strait, while providing for the conservation of wild stocks.

(b) The commissioner may open, by emergency order, the Northern Chatham Strait Fishery Area in District 12 for up to four weekdays per week beginning on the second Monday in June through the last week in June to the retention of pink and chum salmon only. The Northern Chatham Strait Fishery Area consists of those waters enclosed by a line from 58° 11.29' N. lat., 134° 53.27' W. long. to 58° 10.40' N. lat., 135° 02.63' W. long. to 58° 07.78' N. lat., 135° 00.78' W. long. to 58° 05.81' N. lat., 134° 47.09' W. long.

(c) Notwithstanding the provisions of 5 AAC 29.090, the spring troll fisheries in District 14 will be managed to minimize the harvest of wild chum salmon and may be closed by emergency order based on wild chum salmon abundance.

(d) Participants in District 12 and District 14 enhanced chum salmon troll fisheries shall comply with the following retention and recordkeeping requirements:

(1) the operator of a salmon troll vessel shall keep the fish caught in each enhanced chum salmon fishery area separate from any other fish on board the vessel;

(2) a fish buyer shall separate fish caught in each enhanced chum salmon fishery area until delivered to the port of landing and shall issue a separate fish ticket for fish caught in each enhanced chum salmon fishery area.

(e) The provisions of this section do not apply after December 31, 2014. (Eff. 7/13/2012, Register 203)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 29.120. Gear specifications and operations. (a) Salmon may be taken by hand troll gear and power troll gear only in the Southeastern Alaska-Yakutat Area.

(b) The maximum number of trolling lines that may be operated from a salmon troll vessel is as follows:

(1) from a power troll vessel:

(A) no more than six lines may be operated in the exclusive economic zone north of the latitude of the southernmost tip of Cape Spencer; and

(B) except as provided in (A) of this paragraph, no more than four lines;

(2) from a hand troll vessel:

(A) from each hand troll gurdy: only one line to which multiple leaders and hooks may be attached;

(B) from each fishing rod: only one line with no more than one leader and one lure or two baited hooks per leader; a downrigger may not be used in conjunction with a fishing rod;

(C) an aggregate of no more than four fishing rods or an aggregate of no more than two hand troll gurdies may be operated from a hand troll vessel, except that following the closure of the initial summer fishery king salmon retention period and before the opening of the winter troll fishery under 5 AAC 29.070(b),

(i) an aggregate of no more than four hand troll gurdies may be on board a hand troll vessel; and

(ii) in the waters of the exclusive economic zone north of the latitude of the southernmost tip of Cape Spencer, no more than four hand troll gurdies may be operated from a hand troll vessel.

(c) A salmon troll vessel may have a fishing rod equipped exclusively for taking bait or a gillnet for taking bait of a mesh size of no more than two and one-half inches and made of no greater than number 20 gillnet thread.

(d) No more than six troll gurdies may be mounted on board any salmon power troll vessel.

(e) Repealed 5/31/2009.

(f) A person may not use a salmon power troll vessel to take salmon with hand troll gear once that vessel has been registered and marked as specified in 5 AAC 29.115 and 5 AAC 39.119, unless that registration has been changed under 5 AAC 29.115(b) and the vessel is marked as specified in 5 AAC 29.125.

(g) For purposes of this section,

(1) a troll gurdy is a spool-type device that is designed to deploy and retrieve troll lines, weights, and lures; the term "troll gurdy"

(A) includes a downrigger; and

(B) does not include a reel attached to a fishing rod;

(2) a hand troll gurdy is a troll gurdy powered by hand or hand crank that is not mounted on or used in conjunction with a fishing rod and is not considered power troll gear;

(3) a fishing rod is a tapering, often jointed, rod equipped with a hand grip and line guides, upon which is mounted a handpowered reel used to deploy and retrieve the trolling line;

(4) a downrigger is a device designed to be used with a fishing rod to deploy a troll line to a selected depth and retrieve the downrigger line and weight.

(h) Repealed 5/26/2006.

(i) Notwithstanding 5 AAC 39.240, a CFEC permit holder or interim-use permit holder may use a registered salmon fishing vessel, when it has fishing gear on board, to tow another registered salmon troll vessel with fishing gear on board if the permit holder for the vessel being towed is on board one of the vessels.

(j) Notwithstanding any other provision in this section, during the winter season, the following hand troll specifications apply:

(1) a downrigger may not be used with a troll gurdy;

(2) a hand troll gurdy or downrigger powered by hand or hand crank may be used in conjunction with a fishing rod, and is not considered power troll gear;

(3) an electric, hydraulic, or power assisted downrigger is considered a power troll gurdy and may not be used in conjunction with a fishing rod;

(4) an aggregate of two rods with the fishing lines extending from the rods and connected to two downriggers or hand troll gurdies using a quick release device designated to release the fishing rod line from the downrigger line may be used;

(5) no more than two troll gurdies, and four rigged fishing rods capable of taking fish, may be on board a salmon hand troll vessel; additional fishing rods may be on board the vessel but may not be rigged for taking fish.

(k) Notwithstanding 5 AAC 39.240(a), a vessel may have on board at the same time hand troll gear or power troll gear as described in this section and drift gillnet gear or purse seine gear as described in 5 AAC 33.331 and 5 AAC 33.332. One or more persons on board the vessel must possess a CFEC permit or interim use permit for Southeastern drift gillnet or purse seine gear and either a hand troll or power troll gear permit. Both gear permits must be in possession on board the vessel and available for inspection by a local representative of the department or a peace officer of the state. Each permit holder on board the vessel must ensure that

(1) fish harvested by one gear type are offloaded, landed, and documented on a fish ticket before operating any other gear type;

(2) any gillnet gear is bagged and stowed below deck before and during operation of troll gear and when troll-caught fish are on board the vessel;

(3) any purse seine gear is removed from the vessel or stored below deck before and during operation of troll gear and when troll-caught fish are on board the vessel;

(4) cannon balls and other troll weights on board the vessel are removed from trolling wires and stored below deck before and during operation of gillnet or seine gear and when fish caught with gillnet or seine gear are on board the vessel. (Eff. 10/1/98, Register 147; am 6/14/2000, Register 154; am 5/26/2006, Register 178; add'l am 5/26/2006, Register 178; am 5/31/2009, Register 190; am 7/13/2012, Register 203)

Authority: AS 16.05.251

5 AAC 29.150. Closed waters. (a) Unless otherwise specified in this chapter, the waters listed in this section are closed to the taking of salmon with troll gear, except as follows:

(1) during the winter fishery, the waters listed in this section and within 500 yards of the terminus of any salmon stream are open to trolling, except as specified in 5 AAC 29.080;

(2) during any spring fishery, the waters listed in this section and within 500 yards of the terminus of any salmon stream are open to trolling;

(3) beginning July 1, the waters of District 8 listed in this section are open to trolling during periods that the waters are open to commercial drift gillnet fishing.

(b) District 1:

(1) Behm Canal: waters between a line from Nose Point to Snail Point and a line from Cactus Point to Point Eva;

(2) Boca De Quadra: waters east of 130° 50' W. long.;

(3) Carroll Inlet: waters north of 55° 24.27' N. lat.;

(4) Edwards Passage: waters north of the latitude of Akeku Point;

(5) Fillmore Inlet: waters north of the latitude of Male Point;

(6) George Inlet: waters north of 55° 19.60' N. lat.;

(7) Helm Bay and Smugglers Cove: waters west of a line from the southernmost tip of Helm Point to Helm Bay Light to the Cleveland Peninsula at 55° 34.22' N. lat., 131° 56.50' W. long.;

(8) Hidden Inlet: waters north of the latitude of the tip of Hidden Point;

(9) Lucky Cove: waters within 1,000 yards of the stream terminus;

(10) Moser Bay: waters south of a line from the tip of Code Point to 55° 34' N. lat., 131° 40.90' W. long.;

(11) Naha Bay: waters east of 131° 38.30' W. long.;

(12) Nakat Bay: waters north of the latitude of High Point;

(13) Port Stewart: waters west of a line from 55° 43.10' N. lat., 131° 49.45' W. long. to 55° 41.55' N. lat., 131° 50.08' W. long.;

(14) Portland Canal: waters north of the latitude of Engineer's Point;

(15) Ray Anchorage: waters inside a line between 54° 56.65' N. lat., 131° 13.90' W. long and 54° 55.70' N. lat., 131° 12.90' W. long.;

(16) Raymond Cove: waters within a line from Mike Point to 55° 37.75' N. lat., 131° 51.83' W. long.;

(17) Rudyard Bay: waters east of 130° 42.45' W. long.;

(18) Smeaton Bay: waters east of 130° 43.50' W. long.;

(19) Thorne Arm: waters north of the latitude of Eve Point;

(20) Tombstone Bay: waters between the latitudes of Turn Point and Breezy Point;

(21) Traitors Cove: waters east of 131° 41.80' W. long.;

(22) Vallenar Bay: waters south of a line from 55° 23.75' N. lat., 131° 50.87' W. long. to 55° 22.92' N. lat., 131° 51.97' W. long.;

(23) Very Inlet: waters inside of a line from 54° 57.73' N. lat., 130° 57.60' W. long. to 54° 57.73' N. lat., 130° 57' W. long.;

(24) Ward Cove: waters east of a line from 55° 23.93' N. lat., 131° 44.45' W. long. to 55° 23.63' N. lat., 131° 44.02' W. long.;

(25) Willard Inlet: waters north of the latitude of Male Point.

(c) District 2:

(1) Cholmondeley Sound:

(A) Cholmondeley Sound: waters east of Divide Head, including Dora Bay, Kitkum Bay, and Lancaster Cove south of 55° 13.05' N. lat.;

(B) waters of South Arm, West Arm, and Sunny Cove west of 132° 14.47' W. long.;

(2) Karta Bay: waters west of a line beginning at 55° 33.87' N. lat., 132° 32.67' W. long. and projected north through 55° 35.08' N. lat., 132° 29.92' W. long.;

(3) Moira Sound:

(A) North Arm: waters inside a line from Crowell Point to Point Halliday;

(B) Johnson Cove: waters south of 54° 59.72' N. lat.;

(C) West Arm: waters west of 132° 12' W. long.;

(D) South Arm: waters south of 54° 57' N. lat.;

(4) Nichols Bay: waters north of 54° 42.12' N. lat.;

(5) Polk Inlet, Paul Bight, and McKenzie Inlet: waters west of the longitude of Khayyam Point;

(6) Port Johnson and Dolomi Bay: waters west of the longitude of Moss Point;

(7) Thorne Bay: waters west of 132° 28.58' W. long.;

(8) Tolstoi Bay: waters south of 55° 39' N. lat.;

(9) Twelvemile Arm: waters south of 55° 29.17' N. lat.

(d) District 3:

(1) Devilfish Bay: waters west of 133° 20' W. long.;

(2) Edna Bay: waters north of a line from Limestone Point Light to 55° 55.92' N. lat., 133° 37.67' W. long.;

(3) Eek Inlet: waters west of a line from 55° 08.80' N. lat., 132° 39.42' W. long. to 55° 08.88' N. lat., 132° 39.38' W. long.;

(4) El Capitan and Tuxekan Passages: all contiguous waters east of 133° 20' W. long.;

(5) Ham Cove: waters south of 54° 53' N. lat.;

(6) Hessa Inlet: waters east of the longitude of the tip of Whirlpool Point;

(7) Hetta Harbor: waters east of the longitude of the tip of Hetta Point;

(8) Hetta Inlet: waters north of the latitude of Simmons Point;

(9) Hunter Bay: waters east of a line from the tip of Turn Point to 54° 52.80' N. lat., 132° 21.33' W. long.;

(10) Kasook Inlet: waters north of 55° 01.67' N. lat.;

(11) Keete Inlet: waters east of the longitude of the tip of Keete Point;

(12) Klakas Inlet: waters north of 55° N. lat.;

(13) Klawock Inlet: waters east of Klawock and Peratrovich Islands and north of a line connecting the northern extremities of Peratrovich and Wadleigh Islands, including Big Salt Lake;

(14) Nossuk Bay: waters south of 55° 44' N. lat.;

(15) Nutkwa Inlet: waters north of 55° 06' N. lat.;

(16) Port Estrella: waters east of the longitude of Point Providence (133° 16' W. long.);

(17) Port Refugio: waters south and west of a line from Pointe Verde to Bocas Point;

(18) Port Saint Nicholas: waters east of 133° 04' W. long.;

(19) Salt Lake Bay: waters east of 133° 23.37' W. long.;

(20) Shinaku Inlet and Big Salt Lake: waters north of the latitude of Point Ildefonso;

(21) Soda Bay: waters east of 133° W. long.;

(22) Sukkwan Strait at Hydaburg: waters of Sukkwan Strait west of the longitude of Saltery Point, including South Pass east of the longitude of Goat Island Light, and all waters of North Pass;

(23) Tlevak Straits: waters north of 55° 15' N. lat.;

(24) Tokeen Bay: waters east of a line from the tip of Holbrook Point to 55° 59.87' N. lat., 133° 27.85' W. long.;

(25) Trocadero Bay: waters east of 133° 01' W. long.;

(26) Ulloa Channel: waters east of 133° 10' W. long.;

(27) Van Sant Cove: waters within 1,000 yards of the stream terminus;

(28) Warm Chuck Inlet: waters north of 55° 44.50' N. lat.;

(29) Waterfall Bay: waters within 1,000 yards of the terminus of Waterfall Creek.

(e) District 4: Manhattan Arm: waters east of 133° 10' W. long.

(f) District 5:

(1) Affleck Canal:

(A) Bear Harbor: waters north of a line from 56° 13.42' N. lat., 134° 05.75' W. long. to 56° 13.83' N. lat., 134° 05.08' W. long.;

(B) waters of Kell Bay west of 134° 08.25' W. long.;

(C) waters north of 56° 16.33' W. long.;

(D) small unnamed bay on the east side: waters east of 134° 01.92' W. long.;

(2) Alvin Bay: waters west of 133° 53.42' W. long.;

(3) Barrie (Kushehin) Creek: waters east of a line from 56° 27.83' N. lat., 133° 40.08' W. long. to Trouble Island at 56° 28.75' N. lat., 133° 40.75' W. long. to 56° 28' N. lat., 133° 39.92' W. long.;

(4) Calder Bay: waters north of 56° 11.20' N. lat.;

(5) El Capitan Passage: waters east of a line extending north from 56° 08.88' N. lat., 133° 27.62' W. long.;

(6) Hole in the Wall, northwest coast of Prince of Wales Island: waters east of 133° 38.50' W. long.;

(7) Keku Strait: waters north of 56° 32' N. lat. (north end of Monte Carlo Island), including waters of Seclusion Harbor and south of a line from Point Camden to Salt Point Light;

(8) Port Beauclerc:

(A) waters north of 56° 20' N. lat.;

(B) waters of the southern arm south of 56° 17' N. lat.;

(C) waters of the unnamed cove 0.7 miles west of the northern tip of Edwards Island between 56° 18.33' N. lat., 133° 58.50' W. long. and 56° 19.25' N. lat., 133° 58.33' W. long.;

(9) Reid Bay: waters west of 133° 53.92' W. long.;

(10) Shipley Bay: waters east of 133° 33.42' W. long.

(g) District 6:

- (1) Barnes Lake at the head of Lake Bay: waters inside of Stevenson Island south of $56^{\circ} 03.05'$ N. lat.;
- (2) Duncan Canal: waters north of the latitude of the northern tip of Grief Island;
- (3) Exchange Cove: waters south of a line from $56^{\circ} 13.12'$ N. lat., $133^{\circ} 03.70'$ W. long. to $56^{\circ} 12.90'$ N. lat., $133^{\circ} 03.42'$ W. long.;
- (4) Kah Sheets Bay: waters west of a line from $56^{\circ} 31.47'$ N. lat., $133^{\circ} 05.20'$ W. long. to $56^{\circ} 29.77'$ N. lat., $133^{\circ} 07.20'$ W. long.;
- (5) Lake Bay: waters west of a line from Keg Point to $56^{\circ} 01.70'$ N. lat., $132^{\circ} 54.37'$ W. long.;
- (6) McHenry Inlet: waters east of $132^{\circ} 25'$ W. long.;
- (7) Mosman Inlet: waters north of $56^{\circ} 05.33'$ N. lat.;
- (8) Navy Creek: waters east of a line from $56^{\circ} 03.50'$ N. lat., $132^{\circ} 27.90'$ W. long. to the southwest tip of South Burnett Island and east of a line from the northern tip of South Burnett Island to the southern tip of North Burnett Island and east of a line from the northern tip of North Burnett Island to $56^{\circ} 04.60'$ N. lat., $132^{\circ} 27.48'$ W. long.;
- (9) Ratz Harbor: waters south and west of a line from $55^{\circ} 53.13'$ N. lat., $132^{\circ} 35.62'$ W. long. to $55^{\circ} 53.27'$ N. lat., $132^{\circ} 35.78'$ W. long.;
- (10) Red Bay: waters south of the latitude of Pine Point;
- (11) Rocky Bay, west coast of Etolin Island: waters north of a line from $56^{\circ} 04.33'$ N. lat., $132^{\circ} 36.50'$ W. long. to $56^{\circ} 04.40'$ N. lat., $132^{\circ} 36.05'$ W. long.;
- (12) Salmon Bay: waters within a line extending from $56^{\circ} 17.40'$ N. lat., $133^{\circ} 08.23'$ W. long. to Rookery Island to $56^{\circ} 19.10'$ N. lat., $133^{\circ} 09.70'$ W. long.;
- (13) Steamer Bay: waters south of the latitude of Point Harrington;
- (14) Totem Bay: waters north and east of a line from Totem Point to the southern tip of Shingle Island to Mitchell Point;
- (15) Whale Pass: waters at the southern entrance west of $132^{\circ} 59.10'$ W. long. and at the northern entrance west of the longitude of the northernmost tip of Thome Island ($133^{\circ} 03.40'$ W. long.).

(h) District 7:

(1) Blake Channel and Eastern Passage: waters north of 56° 12' N. lat. and east of a line from the tip of Babbler Point to 56° 27.80' N. lat., 132° 16.63' W. long. on Hour Point, from April 16 through September 30;

(2) Bradfield Canal: waters east of 131° 55.50' W. long. from April 16 through September 30;

(3) Canoe Pass: waters north of 56° N. lat.;

(4) Emerald Bay: waters within 1,000 yards of the stream terminus from 55° 53.70' N. lat., 132° 02.70' W. long. to 55° 52.93' N. lat., 132° 03' W. long.;

(5) Fisherman's Chuck: waters west of 132° 12' W. long.;

(6) Fool's Inlet: waters north of 56° 12.50' N. lat.;

(7) Menefee Inlet: waters north of 56° 05' N. lat.;

(8) Olive Cove: waters south of a line from 56° 11.55' N. lat., 132° 19.10' W. long. to 56° 11.40' N. lat., 132° 18.72' W. long.;

(9) Santa Anna Inlet: waters south of the latitude of the tip of Point Santa Anna;

(10) Thom's Place, Zimovia Strait: waters north of 56° 09.63' N. lat.;

(11) Union Bay: waters south of a line from 55° 44.80' N. lat., 132° 14.12' W. long. to 55° 45.57' N. lat., 132° 11.13' W. long.;

(12) Vixen Inlet: waters east of the longitude of the westernmost tip of Sunshine Island.

(i) District 8:

(1) Blind Slough: waters north of a line from 56° 30.75' N. lat., 132° 43.30' W. long. to 56° 31.92' N. lat., 132° 40.53' W. long.;

(2) Stikine River: waters inside a line from Babbler Point to Hour Point along the shore of Wrangell Island to Point Highfield to the southern end of Liesnoi Island to the southern end of Greys Island to the small island near the eastern entrance of Blind Slough to the nearest point of Mitkof Island to the prominent point of Mitkof Island nearest Coney Island to the northern end of Coney Island to a point 500 yards north of Jap Creek on the mainland shore;

(3) Babbler Point: waters within one-quarter mile of the mainland shoreline south and east of 56° 30.47' N. lat., from the first Monday in May through the second Saturday in June;

(4) Wrangell Harbor: waters within one-quarter mile of the shoreline on the western side of Wrangell Island, south of the latitude of Point Highfield and north of the latitude of Cemetery Point, from the first Monday in May through the second Saturday in June;

(5) Greys Pass: waters west of the longitude from the northernmost tip of Greys Island to Rynda Island, and waters north and east of a line from the southernmost tip of Greys Island to 56° 30.52' N. lat., 132° 34.31' W. long., on Sokolof Island, to the southernmost point on Rynda Island, from the first Monday in May through the second Saturday in June;

(6) Woodpecker Cove: waters of Sumner Strait north of a line from 56° 30.03' N. lat., 132° 53.94' W. long. to Point Howe to the southeasternmost tip of Station Island at 56° 29.56' N. lat., 132° 46.27' W. long. and west of a line from Station Island Light to a point on Mitkof Island at 56° 30.40' N. lat., 132° 44.94' W. long., from the first Monday in May through the second Saturday in June, for the entirety of a salmon troll fishing period when the drift gillnet fishery is open for more than 48 hours;

(7) Beacon Point/Frederick Point: waters of Frederick Sound west of a line from the District 10 boundary line one nautical mile off Kupreanof Island shoreline to Sukoi Island Light to Frederick Point, from the first Monday in May through the second Saturday in June.

(j) District 9:

(1) Bay of Pillars: waters east of 134° 11.67' W. long.;

(2) Deep Cove: waters west of 134° 43.63' W. long.;

(3) Eliza Harbor: waters north of 57° 14.30' N. lat.;

(4) Gedney Harbor: waters east of 134° 14.67' W. long.;

(5) Gut Bay: waters west of 134° 43.47' W. long.;

(6) Hamilton Bay: waters south of the latitude of Point Hamilton;

(7) Kadake Bay: waters south of a line from 56° 48.75' N. lat., 133° 58' W. long. to 56° 48.38' N. lat., 133° 56.57' W. long.;

(8) Little Pybus Bay: waters north of 57° 14.83' N. lat.;

(9) Murder Cove: waters north of 57° 01.75' N. lat.;

(10) Patterson Bay: waters north of 56° 36.73' N. lat.;

(11) Port Camden: waters south of 56° 41.67' N. lat.;

(12) Port Malmesbury: waters east of a line from 56° 18.92' N. lat., 134° 10.75' W. long. to 56° 19.60' N. lat., 134° 11.28' W. long.;

(13) Port Walter and Little Port Walter: waters west of a line from 56° 23.25' N. lat., 134° 38.08' W. long. to 56° 23.70' N. lat., 134° 38.25' W. long.;

(14) Red Bluff Bay: waters west of 134° 45.47' W. long.;

(15) Rowan Bay: waters north and east of a line from 56° 40.47' N. lat., 134° 15.13' W. long. to 56° 39.88' N. lat., 134° 13.13' W. long.;

(16) Saginaw Bay: waters south and east of a line from 56° 51.78' N. lat., 134° 11.23' W. long. to the southwesternmost tip of an unnamed island at 56° 52.75' N. lat., 134° 09.63' W. long. and east of a line from the northwesternmost tip of the same unnamed island to 56° 53.28' N. lat., 134° 10' W. long.;

(17) Security Bay: waters south of the latitude of Expedition Point;

(18) Tebenkof Bay:

(A) Elena Bay: waters north and east of a line from 56° 29.93' N. lat., 134° 06.47' W. long. to Elena Point;

(B) Petrof Bay: waters south of 56° 22.33' N. lat.;

(C) Thetis Bay: waters south of 56° 23.37' N. lat.

(k) District 10:

(1) Dry Bay: waters inside of a line from 57° 03.53' N. lat., 133° 01.92' W. long. to 57° 02.82' N. lat., 133° 01.75' W. long. to 57° 02.95' N. lat., 133° 00.17' W. long.;

(2) Farragut Bay: waters of Francis Anchorage north of 57° 08.75' N. lat.;

(3) Gambier Bay:

(A) waters west of 134° W. long.;

(B) waters of Snug Cove south of a line from Scald Point to the northwest tip of Pain Island;

(4) Hobart Bay: waters east of 133° 23.67' W. long.;

(5) Port Houghton:

(A) waters within lines projected south and east from the southern tip of Walter Island;

(B) waters east of 133° 11' W. long.;

(6) Pybus Bay: waters of Cannery Cove and West Arm inside a line running from 57° 18.40' N. lat., 134° 07.92' W. long. to an unnamed island at 57° 18.72' N. lat., 134° 07.50' W. long. and then to a point at 57° 19.33' N. lat., 134° 06.33' W. long.;

(7) Windham Bay: waters east of 133° 27.17' W. long., one-fourth mile west of the narrows.

(l) District 11:

(1) Limestone Inlet: waters east of a line from 58° 01.80' N. lat., 133° 59.27' W. long., to 58° 02.07' N. lat., 133° 59.67' W. long.;

(2) Port Snettisham:

(A) Speel River: waters north of the latitude of the old pulp mill wharf at 58° 07' N. lat.;

(B) Gilbert Bay: waters east of the longitude of Sentinel Point;

(3) Seymour Canal:

(A) Mole Harbor: waters inside a line from the tip of Flaw Point to a point at 57° 39.67' N. lat., 134° 01.50' W. long.;

(B) Pleasant Bay: waters inside a line from 57° 38.83' N. lat., 133° 59.70' W. long. to a point at 57° 38.47' N. lat., 133° 57.42' W. long.;

(4) Slocum Inlet: waters east of a line from 58° 08.35' N. lat., 134° 04.23' W. long. to 58° 07.82' N. lat., 134° 04.40' W. long.;

(5) Taku Harbor: waters east of a line from the tip of Stockade Point to 58° 03.68' N. lat., 134° 01.98' W. long.;

(6) Taku Inlet: waters north of a line from the Annex Creek Power House to a point at 58° 17.50' N. lat., 134° 01' W. long.

(m) District 12:

(1) Basket Bay: waters inside a line from 57° 39.80' N. lat., 134° 53.77' W. long. to 57° 39.28' N. lat., 134° 53.88' W. long.;

(2) Chaik Bay: waters east of 134° 30.45' W. long.;

(3) False Bay: waters west of a line from 57° 58.55' N. lat., 134° 55.08' W. long. to 57° 57' N. lat., 134° 55.38' W. long.;

(4) Freshwater Bay: waters inside a line from a point at 57° 53.33' N. lat., 135° 07.58' W. long. to 57° 54.75' N. lat., 135° 06' W. long.;

(5) Kelp Bay, Middle Arm, and South Arm: waters west of 134° 56.98' W. long.;

(6) Warm Springs Bay: waters west of 134° 46.63' W. long.;

(7) Whitewater Bay: waters within a line from Point Caution to 50° 15.62' N. lat., 134° 36.42' W. long.;

(8) Wilson Cove: waters east of the longitude of Point Wilson;

(9) Wukuklook Creek: waters west of a line from a point at 57° 55.25' N. lat., 134° 55.75' W. long. to Flints Point at 57° 54.33' N. lat., 134° 57.50' W. long.

(n) District 13:

(1) Black Bay: waters north and east of a line from 57° 42.62' N. lat., 136° 09.33' W. long. to 57° 42.38' N. lat., 136° 09.17' W. long.;

(2) Big Branch Bay: waters north and east of a line from 56° 19.45' N. lat., 134° 50.50' W. long. to 56° 19.30' N. lat., 134° 50.13' W. long.;

(3) Deep Bay: waters west of a line from 57° 26.87' N. lat., 135° 37.33' W. long. to 57° 26.53' N. lat., 135° 37.77' W. long.;

(4) Fick Cove: waters south and west of a line from 57° 37.85' N. lat., 135° 39.63' W. long. to 57° 38.42' N. lat., 135° 40.65' W. long.;

(5) Fish Bay: waters east of 135° 35.17' W. long.;

(6) Goulding Harbor: waters north of a line from 57° 46.30' N. lat., 136° 15.08' W. long. to 57° 46.37' N. lat., 136° 15.45' W. long.;

(7) Hanus Bay: waters south of a line from 57° 25.48' N. lat., 134° 59' W. long. to 57° 25.30' N. lat., 135° 03.67' W. long.;

(8) Hoonah Sound: waters west and north of a line from 57° 44.20' N. lat., 135° 43.67' W. long. to 57° 43.75' N. lat., 135° 44.67' W. long.;

- (9) Katlian Bay: waters north and east of a line from 57° 09.50' N. lat., 135° 22.58' W. long. to 57° 09.12' N. lat., 135° 21.92' W. long.;
- (10) Nakwasina Passage: waters north and east of a line from 57° 14.20' N. lat., 135° 29.92' W. long. to 57° 14.88' N. lat., 135° 30.47' W. long.;
- (11) Nakwasina Sound: waters north and east of a line from 57° 11.70' N. lat., 135° 23.50' W. long. to 57° 12.20' N. lat., 135° 24.62' W. long.;
- (12) Patterson Bay: waters west of a line from 57° 40.38' N. lat., 135° 42.70' W. long. to 57° 39.58' N. lat., 135° 42.30' W. long.;
- (13) Port Banks: waters south and east of a line from 56° 36.12' N. lat., 135° 00.33' W. long. to 56° 35.92' N. lat., 135° 01.17' W. long.;
- (14) Redfish Bay: waters north and west of a line from 56° 20.68' N. lat., 134° 51.52' W. long. to 56° 20.82' N. lat., 134° 51.08' W. long.;
- (15) Redoubt Bay: waters east of 135° 18.88' W. long.;
- (16) Rodman Bay: waters west and south of a line from 57° 28.33' N. lat., 135° 21' W. long. to 57° 28.83' N. lat., 135° 21.67' W. long.;
- (17) Salt Lake Lagoon, Takanis Bay: waters north and east of a line from 57° 55.08' N. lat., 136° 30.37' W. long. to 57° 55.42' N. lat., 136° 31' W. long.;
- (18) Saook Bay: waters west and south of a line at 57° 26.25' N. lat., 135° 11.67' W. long. to 57° 26.67' N. lat., 135° 12.25' W. long.;
- (19) Sister Lake: waters inside a line from 57° 37.70' N. lat., 136° 00.50' W. long. to 57° 38.08' N. lat., 136° 00.67' W. long.;
- (20) Sitkoh Bay: waters west of a line from 57° 29.28' N. lat., 134° 53.67' W. long. to 57° 29.60' N. lat., 134° 53.50' W. long.;
- (21) Stag Bay: waters east of 136° 21.42' W. long.;
- (22) Starrigavan Bay: waters east of a line from the ferry terminal dock at 57° 07.78' N. lat., 135° 22.75' W. long. to 57° 08.42' N. lat., 135° 22.50' W. long.;
- (23) Still Harbor: waters south and east of a line from 56° 33.25' N. lat., 135° 02.67' W. long. to 56° 33.63' N. lat., 135° 02.42' W. long.;
- (24) Ushk Bay: waters west of 135° 35' W. long.;

(25) Waterfall Cove, Slocum Arm: waters north and east of a line from 57° 31.27' N. lat., 135° 56.17' W. long. to 57° 30.88' N. lat., 135° 55' W. long.

(o) District 14:

- (1) Dundas Bay: waters north of 58° 20' N. lat.;
- (2) Mud Bay: waters south of the latitude of Quartz Point;
- (3) repealed 7/26/2003.

(p) District 15:

- (1) Chilkat Inlet: waters north of the latitude of Letnikof Light;
- (2) Lutak Inlet: waters northwest of a line between Tanani Point and Taiya Point. (Eff. 10/1/98, Register 147; am 3/11/2001, Register 157; add'l am 3/11/2001, Register 157; am 7/26/2003, Register 167; am 5/26/2006, Register 178; am 5/31/2009, Register 190)

Authority: AS 16.05.251

YAKUTAT AREA COMMERCIAL SALMON FISHERIES

5 AAC 30.310. Fishing seasons. (a) Salmon may be taken by set gillnets only as follows:

(1) in the Yakataga District the opening and closing dates will be made by emergency order;

(2) in the Yakutat District,

(A) in the Alsek River and waters three-quarters of a mile on either side of the river mouth seaward to the outermost bar at mean low tide, from the second Sunday in May until closed by emergency order, except that from the second Sunday in May through the first Saturday in June, the commissioner may open, by emergency order, set gillnet fishing periods in the Alsek River subject to the following provisions:

(i) set gillnet fishing periods are subject to the provisions of the Pacific Salmon Treaty specified in 5 AAC 33.361;

(ii) fishing periods will begin at 12:01 p.m. from the second Sunday in May through the first Saturday in June;

(iii) notwithstanding 5 AAC 75.003(2)(A), if the set gillnet fishery is opened under this paragraph, from the second Sunday in May through the first Sunday in June, the commissioner may, by emergency order, increase the sport

fishery bag and possession limits and liberalize method and means for harvest of salmon;

(B) in the Dangerous River and in Yakutat Bay south of 59° 40' N. lat., from the second Sunday in June until closed by emergency order;

(C) Situk-Ahrnklin Inlet, Lost River, and Yakutat Bay north of 59° 40' N. lat., from the third Sunday in June until closed by emergency order;

(D) Italio River, the opening and closing dates will be established by emergency order;

(E) in the East River and waters two miles on either side of the river mouth seaward for a distance of 500 yards, and in the remainder of the district, from the fourth Sunday in June until closed by emergency order.

(b) Repealed 10/1/98. (In effect before 1982; am 4/12/82, Register 82; am 4/16/83, Register 86; am 4/28/84, Register 90; am 6/30/84, Register 90; am 5/31/85, Register 94; am 4/18/86, Register 98; am 6/19/88, Register 106; am 6/25/89, Register 110; em am 6/4/90 - 8/14/90, Register 114; am 4/30/91, Register 118; am 6/13/92, Register 122; am 4/23/94, Register 130; am 10/1/98, Register 147; am 5/26/2006, Register 178)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 30.320. Fishing periods. Salmon may be taken by set gillnets during the open fishing season only as follows:

(1) in the Yakataga District, from 9:00 a.m. Sunday through 9:00 a.m. Wednesday, except that in the Tsiu River, salmon may be taken only from 9:00 a.m. Sunday to 9:00 a.m. Monday and from 9:00 a.m. Tuesday to 9:00 a.m. Wednesday;

(2) in the Yakutat District,

(A) from the season opening through the first Sunday in August, salmon may be taken only from 6:00 a.m. Sunday through 6:00 p.m. Tuesday, except that

(i) in the Alsek River and adjacent open ocean waters, salmon may be taken only from 12:01 p.m. Sunday through 12:00 noon Thursday; and

(ii) in the East River and adjacent open waters, salmon may be taken only from 12:01 p.m. Sunday through 12:00 noon Wednesday;

(B) from the first Sunday in August until the closing date, salmon may be taken from 12:01 p.m. Sunday through 12:00 noon Wednesday;

(3) repealed 6/28/97. (In effect before 1985; am 5/31/85, Register 94; am 4/18/86, Register 98; am 6/25/89, Register 110; em am 7/14/89 - 8/14/89, Register 111; em am 6/4/90 - 8/14/90, Register 114; am 4/30/91, Register 118; am 6/28/97, Register 142; am 5/26/2006, Register 178)

Authority: AS 16.05.251

5 AAC 30.330. Gear. Except as provided in 5 AAC 29, salmon may be taken only by set gillnets. (In effect before 1988; am 10/1/98, Register 147)

Authority: AS 16.05.251

5 AAC 30.331. Gillnet specifications and operations. (a) Set gillnets with mesh size smaller than eight inches may not be deeper than 45 meshes and set gillnets with mesh size eight inches or larger may not be deeper than 35 meshes. The individual and aggregate lengths of any and all set gillnets aboard a vessel or in use by a person may not be more than one of the following in hung measure:

(1) in the Yakutat District

(A) in the waters of Yakutat Bay, Monti Bay, and Disenchantment Bay, east and north of a line from the southernmost point of Ocean Cape to Point Manby at 59° 41.60' N. lat., 140° 18.30' W. long., one net not to exceed 75 fathoms;

(B) Situk-Ahrnklin Inlet and Lost River, one net not to exceed 20 fathoms, except that in the Situk-Ahrnklin Inlet, two nets, neither of which may exceed 20 fathoms, may be used during periods established by emergency order;

(C) Yahtze River, Yana River and Malaspina Lake Drainage, one net not to exceed 25 fathoms;

(D) in the Dangerous River, no single set gillnet may be less than 10 fathoms or more than 25 fathoms in length; no salmon interim-use or entry permit holder may operate more than 75 fathoms of set gillnet in the aggregate;

(E) Akwe River, one net not to exceed 15 fathoms;

(F) East River, one net not to exceed 20 fathoms; except that starting the first Monday in September, two nets not to exceed 20 fathoms each and an aggregate length not to exceed 40 fathoms;

(G) repealed 4/8/79;

(H) other waters of the district, including the surf line beyond the outermost bars at mean low tide, one net not to exceed 15 fathoms;

(I) in the Alsek River no set gillnet may be less than 10 fathoms or more than 25 fathoms in length;

(i) before the third Sunday in July, a CFEC salmon permit holder may not operate more than three set gillnets, and the aggregate length of set gillnets may not exceed 50 fathoms;

(ii) from the third Sunday in July, a CFEC salmon permit holder may not operate more than 75 fathoms of set gillnet in the aggregate;

(J) Sudden River, one set gillnet not to exceed 25 fathoms, except that starting the first Sunday in August, two set gillnets not to exceed 25 fathoms each and an aggregate length not to exceed 50 fathoms;

(K) notwithstanding 5 AAC 39.240(a), a person may assist in the 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;

(2) in the Yakataga District

(A) Tsiu River, one net not to exceed 15 fathoms;

(B) Eight Mile River, one net not to exceed 15 fathoms;

(C) the remainder of the district, one net not to exceed 25 fathoms.

(b) Set gillnets may not obstruct more than two-thirds of any salmon migratory waterway, except in the Tsiu River, where set gillnets may not obstruct more than one-half of the waterway. In the intertidal zone this applies at all stages of the tide.

(c) A set gillnet shall be operated in substantially a straight line, except that in Disenchantment Bay and Yakutat Bay a set gillnet may have no more than 15 fathoms of its length used as a single hook.

(d) Repealed 4/15/81.

(e) The operation of each set gillnet shall be performed or assisted by the fisherman who holds the valid interim-use or entry permit card for that gear.

(f) In the Alsek River, salmon may be taken only with gillnets of six inch or smaller mesh size during seasons established by emergency order. (In effect before 1982; am 4/14/82, Register 82; am 5/31/85, Register 94; am 4/18/86, Register 98; am 6/25/89, Register 110; em am 7/14/89 - 8/14/89, Register 111; em am 6/4/90 - 8/14/90, Register 114; am 4/30/91, Register 118; am 3/11/2001, Register 157; am 7/13/2012, Register 203)

Authority: AS 16.05.251

5 AAC 30.345. Requirements and specifications for operation of two units of set gillnet gear in Yakutat Area. (a) A CFEC permit holder who holds two Yakutat Area set gillnet permits may operate two units of set gillnet gear as described in 5 AAC 30.331, 5 AAC 30.334, 5 AAC 30.335, 5 AAC 30.340, and this section.

(b) Before operating two units of set gillnet gear under this section, the holder of two Yakutat Area set gillnet permits shall register by contacting a local representative of the department at the department's Yakutat office and providing the information required by the department. Before terminating the operation of two units of set gillnet gear under this section and operating only a single unit of set gillnet gear, the permit holder shall contact a local representative of the department at the department's Yakutat office and provide the information required by the department.

(c) When a CFEC permit holder operates two units of set gillnet gear under this section, the permit holder

(1) is responsible for ensuring that both units of set gillnet gear are operated in a lawful manner; and

(2) shall clearly mark the buoy on the outer end of each set gillnet as described in 5 AAC 39.280, including both of the CFEC permit holders five-digit permit serial numbers followed by the letter "D", in numbers and letters that are displayed in a manner that is plainly visible, unobscured, and in a color that contrasts with the background.

(d) The operation of two units of set gillnet gear by a CFEC permit holder under this section is only allowed in the Situk-Ahrnklin Inlet, the marine waters of Yakutat Bay north of a line from Point Manby to Ocean Cape, and the Kaliakh River, except that when the projected escapement of king salmon in the Situk River is less than 750 fish, 28 inches or greater in length, the operation of two units of set gillnet gear under this section will only be allowed in the Kaliakh River.

(e) The provisions of this section do not apply after December 31, 2014. (Eff. 7/13/2012, Register 203)

Authority: AS 16.05.251

5 AAC 30.350. Closed waters. (a) Salmon may not be taken in the following waters:

(1) Alsek River: upstream starting at three miles below the southern end of "basin";

(2) Situk River: upstream of a line from the ADF&G regulatory marker located on Hoggish Point southeast to an ADF&G regulatory marker on the opposite bank of the Situk

River channel to an ADF&G regulatory marker on the cut bank on the eastern side of the mouth of Johnson Slough;

(3) Ankau Inlet: inside of a line from ADF&G regulatory markers located across the terminus of Ankau Inlet at mean low water;

(4) Italo Rivers:

(A) upstream from the ADF&G regulatory markers located one and one-half miles from the terminus of the Middle Italo River at mean low water;

(B) downstream from the ADF&G regulatory markers located 200 yards upstream from the New Italo River's confluence with the Akwe River lagoon; and

(C) upstream of the ADF&G regulatory markers located 500 yards upstream from the New Italo River's confluence with the Akwe River lagoon;

(5) East River: upstream from ADF&G regulatory markers located approximately one mile downstream from the westernmost tip of Steve's Island at 138° 25.25' W. long.;

(6) Akwe River: downstream from ADF&G regulatory markers located approximately 500 yards above the confluence with the New Italo River and upstream of ADF&G regulatory markers located approximately two and one-half miles downstream from the westernmost end of the Sand Dunes;

(7) Lost River: upstream from ADF&G regulatory markers located approximately 500 yards upstream from the most downstream tree line on the west bank at the terminus of the river;

(8) Old Village Lagoon: upstream from the road;

(9) salmon may not be taken with set gillnets in those waters of the Yakutat District south of the latitude of the Dangerous River (59° 20.83' N. lat.) that are seaward of mean higher high tide except as indicated as open to commercial salmon fishing by ADF&G regulatory markers;

(10) Kaliakh River: upstream of ADF&G regulatory markers located approximately 500 yards downstream of the mouth of the Chiuki River (Stink Creek);

(11) Dangerous River: upstream of the Dangerous River Bridge;

(12) Tsiu River: upstream of ADF&G regulatory markers located approximately one-half mile downstream from Duck Camp Island.

(b) Repealed 10/1/98.

(c) In this section, "mean low water" means the average of the low tides of that day. (In effect before 1986; am 4/18/86, Register 98; am 6/25/89, Register 110; am 6/28/97, Register 142; am 10/1/98, Register 147; am 3/11/2001, Register 157; am 7/13/2012, Register 203)

Authority: AS 16.05.060 AS 16.05.251

SOUTHEASTERN ALASKA AREA COMMERCIAL SALMON FISHERIES

5 AAC 33.200. Fishing districts and sections. (a) District 1: all waters east and north of a line from the southernmost tip of Caamano Point to 54° 40' N. lat., 131° 45' W. long., and north of a line from 54° 40' N. lat., 131° 45' W. long., to 54° 42.48' N. lat., 130° 36.92' W. long.;

(1) Section 1-A: all waters of Portland Canal north of the latitude of Hattie Island Light;

(2) Section 1-B: all waters south of Section 1-A and east and south of a line extending three miles bearing 297° from the range marker located at Foggy Point (54° 55.53' N. lat., 130° 58.50' W. long.) and then south to intersect a line between Barren Island Light and Lord Rock Light, then to Lord Rock Light, and then to the southern boundary of District 1;

(3) Section 1-C: waters of the district between a line from a point at 55° 11.78' N. lat., 131° 05.13' W. long., located on Point Sykes to a point at 55° 12.22' N. lat., 131° 05.70' W. long., located one-half mile northwest of Point Sykes to Point Alava, and a line from Point Eva to Cactus Point;

(4) Section 1-D: waters of the district between a line from Point Eva to Cactus Point and a line from Nose Point to Snail Point;

(5) Section 1-E: waters of the district between a line from Caamano Point to Point Higgins and a line from Nose Point to Snail Point;

(6) Section 1-F: all other waters of the district.

(b) District 2: all waters south of a line from the easternmost tip of Narrow Point to the northernmost tip of Lemesurier Point, west of District 1 and east of a line from Point Marsh Light to 54° 40' N. lat., 132° 17.50' W. long.

(c) District 3: all waters north of a line from Point Marsh Light to 54° 40' N. lat., 132° 17.50' W. long. to the southernmost tip of Cape Muzon and east of a line from the northernmost tip of Eagle Point on Dall Island and passing successively through the southernmost tip of Point Arboleda, the northernmost tip of Point San Roque, the southernmost tip of Cape Ulitka, the northeasternmost tip of Cape Lynch to the southwest entrance point of Halibut Harbor on Kosciusko Island, and south of the latitude of Aneskett Point (56° 08.83' N. lat.);

(1) Section 3-A: waters of District 3 south and east of a line through Tlevak Narrows beginning at the easternmost tip of Turn Point at 55° 15.78' N. lat., 133° 07.23' W.

long., to a point on Prince of Wales Island at 55° 15.75' N. lat., 133° 06.43' W. long., including Soda Bay and its contiguous waters, but excluding all waters of Meares Pass and its contiguous waters;

(2) Section 3-B: waters of District 3 south of the latitude of Point Swift at 55° 45.78' N. lat., including all waters of Warm Chuck Inlet, Iphigenia Bay south of Cape Lynch, excluding all waters of Tuxekan Passage and its contiguous waters, and waters of District 3 north of a line through Tlevak Narrows beginning at the easternmost tip of Turn Point located at 55° 15.78' N. lat., 133° 07.23' W. long., to a point on Prince of Wales Island at 55° 15.75' N. lat., 133° 06.43' W. long., including all waters of Meares Pass and its contiguous waters, but excluding all of waters of Soda Bay and its contiguous waters;

(3) Section 3-C: waters of District 3 north of the latitude of Point Swift at 55° 45.78' N. lat., including all waters of Tuxekan Passage and its contiguous waters, but excluding all waters of Warm Chuck Inlet, Iphigenia Bay south of Cape Lynch.

(d) District 4: all waters north of Cape Muzon, west of District 3, and south of a line from Helm Point on Coronation Island to Cape Lynch.

(e) District 5: waters of Sumner Strait, north and east of a line from Cape Decision of Helm Point to Cape Lynch to the southwest entrance point of Halibut Harbor, and north of the latitude of Aneskett Point, west of a line from Point Baker to Point Barrie, and south of a line from Point Camden to Salt Point Light in Keku Strait.

(f) District 6: all waters of Clarence Strait north of a line from Narrow Point to Lemesurier Point to Ernest Point to the most southerly point on Etolin Island, Stikine Strait south of the latitude of Round Point, Sumner Strait west of a line from Point Alexander to Low Point, and east of a line from Point Baker to Point Barrie, Wrangell Narrows south and west of a line from Prolewy Point to the northern tip of Mitkof Island, and all waters of Duncan Canal;

(1) Section 6-A: waters north of a line from the tip of Point Colpoys to the tip of Macnamara Point, west of a line from the tip of Low Point to the tip of Point Alexander and east of a line from the tip of Point Barrie to the tip of Point Baker;

(2) Section 6-B: waters south of a line from the tip of Point Colpoys to the tip of Macnamara Point, north and west of a line from the tip of Luck Point to the tip of Point Stanhope to Lincoln Rock Light to Key Reef Light to Nesbitt Reef Light to the tip of Point Nesbitt;

(3) Section 6-C: waters enclosed by a line from Lincoln Rock Light to the westernmost point of Screen Islands to the westernmost point of Marsh Island to the westernmost point of Steamer Rocks to Mariposa Rock Buoy to the tip of Point Nesbitt to Nesbitt Reef Light to Key Reef Light to Lincoln Rock Light;

(4) Section 6-D: all other waters of the district.

(g) District 7: the contiguous waters of Ernest Sound and Bradfield Canal east of a line from Lemesurier Point to Ernest Point to the most southerly point of Etolin Island, Zimovia Strait south of the latitude of Nemo Point, and Eastern Passage and Blake Channel east of a line from Babbler Point to Hour Point (56° 27.80' N. lat., 132° 16.63' W. long.);

(1) Section 7-A: waters of the district north of the latitude of Point Eaton;

(2) Section 7-B: waters of the district south of the latitude of Point Eaton.

(h) District 8: waters of Frederick Sound south of a line from Wood Point to Beacon Point (excluding Wrangell Narrows), Sumner Strait east of a line from Point Alexander to Low Point, Stikine Strait north of the latitude of Round Point, Zimovia Strait north of the latitude of Nemo Point and Eastern Passage west of a line from Hour Point (56° 27.80' N. lat., 132° 16.63' W. long.), to Babbler Point;

(1) Section 8-A: the waters of the district north of a line from Blaquiere Point to Kakwan Point;

(2) Section 8-B: the waters of the district south of a line from Blaquiere Point to Kakwan Point.

(i) District 9: all waters of Frederick Sound and Chatham Strait south of the latitude of the southernmost tip of Point Gardner, south of the latitude of the southernmost tip of Elliott Island and west of a line from the southernmost tip of Elliott Island to the westernmost tip of Point Macartney, north and west of a line from the northernmost tip of Point Camden to Salt Point Light, north and east of a line from the southernmost tip of Cape Decision to the southernmost tip of Helm Point to the westernmost tip of Hazy Islands to Cape Ommaney Light;

(1) Section 9-A: waters of the district west of a line from Nation Point on Coronation Island to the latitude of Point Gardner two miles west of Point Gardner;

(2) Section 9-B: waters of the district east of a line from Nation Point on Coronation Island to the latitude of Point Gardner two miles west of Point Gardner.

(j) District 10: Frederick Sound, Stephens Passage and contiguous waters north of a line from Beacon Point to Wood Point, east of a line from Point Macartney to the southern tip of Elliott Island, north of the latitude of the southern tip of Elliott Island, Seymour Canal south of 57° 37' N. lat., and south of a line from Point League to Point Hugh.

(k) District 11: Stephens Passage and contiguous waters north of a line from Point League at 57° 37.03' N. lat., 133° 39.90' W. long. to Point Hugh at 57° 34.35' N. lat., 133° 48.66' W. long. and Seymour Canal north of 57° 37' N. lat., south of the latitude of Little Island Light at 58° 32.41' N. lat., and east of a line from Little Island Light to Point Retreat Light;

(1) Section 11-A: waters of the district north and west of a line from a point at 58° 12.33' N. lat., 134° 10.15' W. long., to the Coast Guard marker and light on Point Arden at 58° 09.55' N. lat., 134° 10.69' W. long.;

(2) Section 11-B: waters of the district north of the latitude of Midway Island Light at 57° 50.20' N. lat. and south and east of a line from a point at 58° 12.33' N. lat., 134° 10.15' W. long., to the Coast Guard marker and light on Point Arden at 58° 09.55' N. lat., 134° 10.69' W. long.;

(3) Section 11-C: waters of the district south of the latitude of Midway Island Light at 57° 50.20' N. lat. to a line from Point League at 57° 37.03' N. lat., 133° 39.90' W. long. to Point Hugh at 57° 34.35' N. lat., 133° 48.66' W. long.;

(4) Section 11-D: all waters of Seymour Canal north of 57° 37' N. lat.

(l) District 12: all waters of Lynn Canal and Chatham Strait south of the latitude of Little Island Light to the latitude of Point Gardner, west of a line from Little Island Light to Point Retreat Light, east of a line from Point Couverden to Point Augusta, and east of a line from Point Hayes to Point Thatcher;

(1) Section 12-A: all waters of Chatham Strait south of the latitude of Point Couverden (58° 11.42' N. lat.) to the latitude of Point Gardner (57° 01' N. lat.), east of a line from Point Couverden Light to Point Augusta Light and east of a line from the southeasternmost tip of Point Hayes to the northernmost tip of Point Thatcher;

(2) Section 12-B: all waters of Lynn Canal south of the latitude of Little Island Light, west of a line from Little Island Light to Point Retreat Light and north of the latitude of Point Couverden (58° 11.42' N. lat.).

(m) District 13: all waters north of the latitude of the southernmost tip of Helm Point and west of a line from the southernmost tip of Helm Point to the westernmost tip of Hazy Island to Cape Ommaney Light, south of a line projecting west from the southernmost tip of Cape Spencer, west of a line from the southernmost tip of Cape Spencer through Yakobi Rock to Yakobi Island, south of a line from the northernmost tip of Soapstone Point to the westernmost tip of Column Point and west of a line from the southernmost tip of Point Hayes to the northernmost tip of Point Thatcher;

(1) Section 13-A: all waters north of 57° 16' N. lat. and those waters of Peril Strait south of the latitude of Pogibshi Point (57° 30.50' N. lat.);

(2) Section 13-B: all waters south of 57° 16' N. lat.;

(3) Section 13-C: waters of the district north of the latitude of Pogibshi Point and west of a line from Point Hayes to Point Thatcher in Peril Strait.

(n) District 14: all waters of Icy Strait west of a line from the southernmost tip of Point Couverden to Point Augusta Light, east of a straight line from the southernmost tip of Cape Spencer through Yakobi Rock to Yakobi Island and north of a line from the northernmost point of Soapstone Point to the westernmost point of Column Point;

(1) Section 14-A: waters of the district west of a line beginning at 58° 13' N. lat., 135° 57' W. long. to Lemesurier Island to Point Carolus;

(2) Section 14-B: waters of the district east of a line beginning at 58° 13' N. lat., 135° 57' W. long., to Lemesurier Island to Point Carolus and west of a line from Point Sophia to Excursion Point at 58° 22.50' N. lat., 135° 29' W. long.;

(3) Section 14-C: waters of the district east of a line from Point Sophia to Excursion Point at 58° 22.50' N. lat., 135° 29' W. long.

(o) District 15: waters of Lynn Canal north of the latitude of Little Island Light;

(1) Section 15-A: waters of the district north of the latitude of Sherman Rock;

(2) Section 15-B: waters of Berners Bay east of a line from Point St. Mary to Point Bridget;

(3) Section 15-C: all waters of the district south of the latitude of Sherman Rock Light, except for the waters of Section 15-B.

(p) District 16: all waters north of a line projecting west from the southernmost tip of Cape Spencer and south of a line projecting southwest from the westernmost tip of Cape Fairweather.

(q) Dixon Entrance District: all waters east of 138° 45.33' W. long., south of the southern boundaries of Districts 1 - 4 and north of a line from 54° 43.50' N. lat., 130° 37.62' W. long., to 54° 43.40' N. lat., 130° 37.65' W. long., to 54° 43.25' N. lat., 130° 37.73' W. long., to 54° 43' N. lat., 130° 37.92' W. long., to 54° 42.97' N. lat., 130° 37.95' W. long., to 54° 42.78' N. lat., 130° 38.10' W. long., to 54° 42.37' N. lat., 130° 38.43' W. long., to 54° 41.15' N. lat., 130° 38.97' W. long., to 54° 39.90' N. lat., 130° 38.97' W. long., to 54° 39.23' N. lat., 130° 39.30' W. long., to 54° 39.80' N. lat., 130° 41.58' W. long., to 54° 40.05' N. lat., 130° 42.37' W. long., to 54° 40.70' N. lat., 130° 44.72' W. long., to 54° 40.68' N. lat., 130° 44.98' W. long., to 54° 40.77' N. lat., 130° 45.85' W. long., to 54° 41.10' N. lat., 130° 48.52' W. long., to 54° 41.08' N. lat., 130° 49.28' W. long., to 54° 41.35' N. lat., 130° 53.30' W. long., to 54° 41.43' N. lat., 130° 53.65' W. long., to 54° 42.45' N. lat., 130° 56.30' W. long., to 54° 42.57' N. lat., 130° 57.15' W. long., to 54° 43' N. lat., 130° 57.68' W. long., to 54° 43.77' N. lat., 130° 58.92' W. long., to 54° 44.20' N. lat., 130° 59.73' W. long., to 54° 45.65' N. lat., 131° 03.10' W. long., to 54° 46.27' N. lat., 131° 04.72' W. long., to 54° 42.18' N. lat., 131° 13' W. long., to 54° 40.87' N. lat., 131° 13.90' W. long., to 54° 39.15' N. lat., 131° 16.28' W. long., to 54° 36.87' N. lat., 131° 19.37' W. long., to 54° 29.88' N. lat., 131° 33.80' W. long., to 54° 30.53' N. lat., 131° 38.02' W. long., to 54° 28.30' N. lat., 131° 45.33' W. long., to 54° 26.68' N. lat., 131° 49.47' W. long., to 54° 21.85' N. lat., 132° 02.90'

W. long., to 54° 24.87' N. lat., 132° 23.65' W. long., to 54° 24.68' N. lat., 132° 24.48' W. long., to 54° 24.68' N. lat., 132° 24.58' W. long., to 54° 24.65' N. lat., 132° 26.85' W. long., to 54° 24.57' N. lat., 132° 38.27' W. long., to 54° 24.90' N. lat., 132° 39.77' W. long., to 54° 26' N. lat., 132° 44.20' W. long., to 54° 27.12' N. lat., 132° 49.58' W. long., to 54° 27.12' N. lat., 132° 50.70' W. long., to 54° 28.42' N. lat., 132° 55.90' W. long., to 54° 28.53' N. lat., 132° 56.47' W. long., to 54° 30.05' N. lat., 133° 07' W. long., to 54° 30.17' N. lat., 133° 07.72' W. long., to 54° 30.70' N. lat., 133° 11.47' W. long., to 54° 31.03' N. lat., 133° 14' W. long., to 54° 30.10' N. lat., 133° 16.97' W. long., to 54° 22.02' N. lat., 133° 44.40' W. long., to 54° 20.55' N. lat., 133° 49.35' W. long., to 54° 15.67' N. lat., 134° 19.82' W. long., to 54° 12.95' N. lat., 134° 23.78' W. long., to 54° 12.75' N. lat., 134° 25.05' W. long., to 54° 07.50' N. lat., 134° 56.40' W. long., to 54° 00.02' N. lat., 135° 45.95' W. long., to 53° 28.45' N. lat., 138° 45.33' W. long. (In effect before 1985; am 5/31/85, Register 94; am 7/14/85, Register 95; am 4/18/86, Register 98; am 6/25/89, Register 110; am 6/28/97, Register 142; am 10/1/98, Register 147; am 10/12/2000, Register 156; am 3/11/2001, Register 157)

Authority: AS 16.05.251

5 AAC 33.310. Fishing seasons and periods for net gear. (a) Salmon may be taken with purse seines in the following locations only during fishing periods established by emergency order that will generally begin on Sundays:

- (1) District 1, Sections 1-C, 1-D, 1-E, and 1-F only;
- (2) District 2;
- (3) District 3;
- (4) District 4, from the first Sunday in July until a closing date made by emergency order;
- (5) District 5;
- (6) District 6, Sections 6-C and 6-D only;
- (7) District 7;
- (8) District 9;
- (9) District 10;
- (10) District 11, Sections 11-A and 11-D only;
- (11) District 12; except that Section 12-A north of the latitude of Point Marsden and Section 12-B may open before August 1 only as provided in 5 AAC 33.366(a) ;
- (12) District 13;

(13) District 14.

(b) Repealed 5/31/85.

(c) Salmon may be taken by gillnets in the following locations only during fishing periods established by emergency order that start on a Sunday and close by emergency order:

(1) District 1:

(A) Section 1-A;

(B) Section 1-B opens on the third Sunday of June;

(2) District 6:

(A) Sections 6-A, 6-B, and 6-C open on the second Sunday of June;

(B) Section 6-D west of a line from Mariposa Rock Buoy to the northernmost tip of Point Harrington to a point on Etolin Island at 56° 09.60' N. lat., 132° 42.70' W. long., to the southernmost tip of Point Stanhope is open from the second Sunday in June through the first Saturday in August and from the first Sunday in September until the season is closed;

(3) District 8 opens on the second Sunday of June;

(4) District 11:

(A) Section 11-B opens on the third Sunday in June, except that the commissioner may open, by emergency order, drift gillnet fishing periods in the waters of Section 11-B north of the latitude of Graves Point Light, from the first Monday in May through the third Sunday in June subject to the following provisions:

(i) drift gillnet fishing periods are subject to the provisions of the Pacific Salmon Treaty as specified in 5 AAC 33.361;

(ii) the commissioner may not establish a fishing period to begin on a Saturday, Sunday, or a state or federal holiday;

(iii) fishing periods will begin at 12:01 p.m. from the first Monday in May;

(iv) repealed 5/23/2006;

(B) Section 11-C;

(5) District 15:

(A) Section 15-A opens on the third Sunday in June;

(B) Sections 15-B and 15-C;

(C) Repealed 4/18/86.

(d) Repealed 2/18/73. (In effect before 1982; am 4/14/82, Register 82; am 4/16/83, Register 86; am 6/30/83, Register 86; am 4/28/84, Register 90; am 6/30/84, Register 90; am 5/31/85, Register 94; am 4/18/86, Register 98; am 6/25/89, Register 110; am 4/23/94, Register 130; am 6/14/2000, Register 154; am 3/11/2001, Register 157; am 7/26/2003, Register 167; em am 4/13/2005 - 8/10/2005, Register 174; am 5/26/2006, Register 178)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 33.331. Gillnet specifications and operation. (a) A person may not operate a gillnet vessel that has on the reel or in the water more than one legal limit of gillnet gear. Extra gillnet gear may be on board the vessel. Any gear in excess of one legal limit must be sacked or bagged. The sack or bag must totally contain the net and must be secured closed. However, unassembled gillnet gear components, including cork, webbing, or leadline may be on board a fishing vessel without being sacked or bagged. For the purposes of this section, the legal limit of gillnet gear is one gillnet no longer than the maximum length specified in (c) of this section.

(b) The maximum depth of gillnets is as follows:

(1) in the Southeastern Alaska Area, a drift gillnet may not be deeper than 60 meshes;

(2) repealed 7/26/2003;

(3) repealed 7/26/2003;

(4) there is no maximum depth restriction for a gillnet operated for king salmon cost recovery by a private nonprofit hatchery operator or under contract to a regional aquaculture association in a special harvest area described in 5 AAC 40.030 - 5 AAC 40.045.

(c) The maximum length of gillnets is as follows:

(1) in District 1, a gillnet may not be more than 200 fathoms in length;

(2) in District 6, a gillnet may not be more than 300 fathoms in length, except that a gillnet may not exceed 75 fathoms in length in Wrangell Narrows during seasons established by emergency order;

(3) in District 8, a gillnet may not be more than 300 fathoms in length, except that a gillnet may not exceed 150 fathoms in length in Blind Slough during seasons established by emergency order;

(4) in District 11, a gillnet may not be more than 200 fathoms in length;

(5) in District 15, a gillnet may not be more than 200 fathoms in length.

(d) In Districts 11 and 15, through the fourth Saturday in June, the commissioner may, by emergency order, establish fishing periods during which the maximum gillnet mesh size is six inches.

(e) In Districts 1, 6, 8, 11, and 15, the commissioner may, by emergency order, establish fishing periods during which the minimum gillnet mesh size is six inches, except that

(1) in District 8, from the first Monday in May through the second Saturday in June, during periods established by emergency order, the minimum mesh size is 7 inches;

(2) in District 11, from the first Monday in May through the third Saturday in June, during periods established by emergency order, the minimum mesh size is 7 inches.

(f) In the Southeastern Alaska Area, gillnet mesh size is measured by averaging the length of five consecutive meshes measured from inside the first knot and including the last knot when wet. The five meshes being measured must be an integral part of the net, as hung, and measured perpendicular to the selvages. Measurements must be made by means of a metal tape measure while the five meshes are suspended vertically from a single peg or nail, under a one-pound weight.

(g) Repealed 5/31/85.

(h) Repealed 5/31/85.

(i) Repealed 4/2/88.

(j) Notwithstanding 5 AAC 39.240(a), a vessel may have on board at the same time drift gillnet gear as described in this section and hand troll gear or power troll gear as described in 5 AAC 29.120. One or more persons on board the vessel must possess a CFEC permit or interim use permit for Southeastern drift gillnet gear and either a hand troll or power troll permit. Both gear permits must be in possession on board the vessel and available for inspection by a local representative of the department or a peace officer of the state. Each permit holder on board the vessel must ensure that

(1) fish harvested by one gear type are offloaded, landed, and documented on a fish ticket before operating any other gear type;

(2) any gillnet gear is bagged and stowed below deck before and during operation of troll gear and when troll-caught fish are on board the vessel;

(3) cannon balls and other troll weights on board the vessel are removed from trolling wires and stored below deck before and during operation of gillnet gear and when

gillnet-caught fish are on board the vessel. (In effect before 1982; am 7/25/82, Register 83; am 4/28/84, Register 90; am 5/31/85, Register 94; am 4/18/86, Register 98; am 6/10/87, Register 102; am 4/2/88, Register 105; am 6/25/89, Register 110; am 4/30/91, Register 118; am 4/23/94, Register 130; am 6/28/97, Register 142; am 6/14/2000, Register 154; am 7/26/2003, Register 167; em am 4/13/2005 - 8/10/2005, Register 174; am 5/26/2006, Register 178; am 5/31/2009, Register 190; am 7/13/2012, Register 203)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 33.332. Seine specifications and operation. (a) No purse seine may be less than 150 meshes or more than 450 meshes in depth, or less than 150 fathoms or more than 250 fathoms in length, hung measure.

(b) Seine mesh may not be more than four and one-half inches, except the first 25 meshes above the lead line may not be more than seven inches.

(c) No seine lead may be more than 75 fathoms in length and 100 meshes in depth.

(d) Repealed 4/26/70.

(e) A seine lead may not be permanently attached to a seine and may be operated only on the bunt end of a seine.

(f) Except as specified in 5 AAC 39.260(f), the mesh size of a seine lead may not be less than seven inches or more than seven and one-half inches.

(g) A purse seine is considered to have ceased fishing when the bunt end of the seine is attached to the purse seine vessel and the tow end of the seine is attached to the vessel or moving through the power block.

(h) During concurrent seine and drift gillnet periods in Sections 1-B and 1-F, seine nets may not be in the water in Section 1-B.

(i) Notwithstanding 5 AAC 39.240(a), a vessel may have on board at the same time purse seine gear as described in this section and hand troll gear or power troll gear as described in 5 AAC 29.120. One or more persons on board the vessel must possess a CFEC permit or interim use permit for Southeastern purse seine gear and either a hand troll or power troll permit. Both gear permits must be in possession on board the vessel and available for inspection by a local representative of the department or a peace officer of the state. Each permit holder on board the vessel must ensure that

(1) fish harvested by one gear type are offloaded, landed, and documented on a fish ticket before operating any other gear type;

(2) any purse seine gear is removed from the vessel or stowed below deck before and during operation of troll gear and when troll-caught fish are on board the vessel;

(3) cannon balls and other troll weights on board the vessel are removed from trolling wires and stored below deck before and during operation of purse seine gear and when purse seine-caught fish are on board the vessel.

(j) Notwithstanding 5 AAC 39.240(a), a CFEC permit holder may possess two salmon purse seines of essentially the same size on board a registered salmon purse seine vessel in an area open to commercial salmon purse seine fishing. All purse seine gear on board a vessel that is in an open fishing area is subject to inspection as specified in 5 AAC 39.140. (In effect before 1988; am 6/25/89, Register 110; am 4/30/91, Register 118; am 5/17/2008, Register 186; am 5/31/2009, Register 190; am 7/13/2012, Register 203)

Authority: AS 16.05.251

5 AAC 33.350. Closed waters. (a) The waters listed in this section are closed to the taking of salmon with net gear.

(b) District 1:

(1) Behm Canal: waters between a line from Nose Point to Snail Point and a line from Cactus Point to Point Eva;

(2) Boca De Quadra: waters east of 130° 50' W. long.;

(3) Bostwick Inlet: waters north and west of a line from 55° 13.42' N. lat., 131° 41.87' W. long. to 55° 11.83' N. lat., 131° 42.92' W. long. on the south shore;

(4) Carroll Inlet: waters north of 55° 24.27' N. lat.;

(5) Clover Passage: waters north of a line from the easternmost tip of Survey Point to the southernmost tip of Betton Island and south of the latitude of the southernmost tip of Hump Island;

(6) Edwards Passage: waters north of the latitude of Akeku Point;

(7) Fillmore Inlet: waters north of the latitude of Male Point;

(8) George Inlet: waters north of 55° 19.60' N. lat.;

(9) Helm Bay and Smugglers Cove: waters west of a line from the southernmost tip of Helm Point to Helm Bay Light to the Cleveland Peninsula at 55° 34.22' N. lat., 131° 56.50' W. long.;

(10) Hidden Inlet: waters north of the latitude of the tip of Hidden Point;

(11) Lucky Cove: waters within 1,000 yards of the stream terminus;

(12) Moser Bay: waters south of a line from the tip of Code Point to 55° 34' N. lat., 131° 40.90' W. long.;

(13) Naha Bay: waters east of 131° 38.30' W. long.;

(14) Nakat Bay: waters north of the latitude of High Point;

(15) Port Stewart: waters west of a line from 55° 43.10' N. lat., 131° 49.45' W. long. to 55° 41.55' N. lat., 131° 50.08' W. long.;

(16) Portland Canal: waters north of the latitude of Engineer's Point;

(17) Ray Anchorage: waters inside a line between 54° 56.65' N. lat., 131° 13.90' W. long and 54° 55.70' N. lat., 131° 12.90' W. long.;

(18) Raymond Cove: waters within a line from Mike Point to 55° 37.75' N. lat., 131° 51.83' W. long.;

(19) Rudyard Bay: waters east of 130° 42.45' W. long.;

(20) Smeaton Bay: waters east of 130° 43.50' W. long.;

(21) Thorne Arm: waters north of the latitude of Eve Point;

(22) Tombstone Bay: waters between the latitudes of Turn Point and Breezy Point;

(23) Tongass Narrows: waters between a line from Point Higgins to Vallenar Point and a line from Gravina Point to the Mountain Point navigation light;

(24) Traitors Cove: waters east of 131° 41.80' W. long.;

(25) Vallenar Bay: waters south of a line from 55° 23.75' N. lat., 131° 50.87' W. long. to 55° 22.92' N. lat., 131° 51.97' W. long.;

(26) Very Inlet: waters inside of a line from 54° 57.73' N. lat., 130° 57.60' W. long. to 54° 57.73' N. lat., 130° 57' W. long.;

(27) Ward Cove: waters east of a line from 55° 23.93' N. lat., 131° 44.45' W. long. to 55° 23.63' N. lat., 131° 44.02' W. long.;

(28) Willard Inlet: waters north of the latitude of Male Point.

(c) District 2:

(1) Cholmondeley Sound:

(A) Cholmondeley Sound: waters east of Divide Head, including Dora Bay, Kitkum Bay, and Lancaster Cove south of 55° 13.05' N. lat.;

(B) waters of South Arm, West Arm, and Sunny Cove west of 132° 14.47' W. long.;

(2) Karta Bay: waters west of a line beginning at 55° 33.87' N. lat., 132° 32.67' W. long. and projected north through 55° 35.08' N. lat., 132° 29.92' W. long.;

(3) Moira Sound:

(A) North Arm: waters inside a line from Crowell Point to Point Halliday;

(B) Johnson Cove: waters south of 54° 59.72' N. lat.;

(C) West Arm: waters west of 132° 12' W. long.;

(D) South Arm: waters south of 54° 57' N. lat.;

(4) Nichols Bay: waters north of 54° 42.12' N. lat.;

(5) waters of Polk Inlet, Paul Bight, and McKenzie Inlet: waters west of the longitude of Khayyam Point;

(6) Port Johnson and Dolomi Bay: waters west of the longitude of Moss Point;

(7) Thorne Bay: waters west of 132° 28.58' W. long.;

(8) Tolstoi Bay: waters south of 55° 39' N. lat.;

(9) Twelvemile Arm: waters south of 55° 29.17' N. lat.

(d) District 3:

(1) Devilfish Bay: waters west of 133° 20' W. long.;

(2) Edna Bay: waters north of a line from Limestone Point Light to 55° 55.92' N. lat., 133° 37.67' W. long.;

(3) Eek Inlet: waters west of a line from 55° 08.80' N. lat., 132° 39.42' W. long., to 55° 08.88' N. lat., 132° 39.38' W. long.;

(4) El Capitan and Tuxekan Passages: all contiguous waters east of 133° 20' W. long.;

(5) Ham Cove: waters south of 54° 53' N. lat.;

- (6) Hessa Inlet: waters east of the longitude of the tip of Whirlpool Point;
- (7) Hetta Harbor: waters east of the longitude of the tip of Hetta Point;
- (8) Hetta Inlet: waters north of the latitude of Simmons Point;
- (9) Hunter Bay: waters east of a line from the tip of Turn Point to 54° 52.80' N. lat., 132° 21.33' W. long.;
- (10) Kasook Inlet: waters north of 55° 01.67' N. lat.;
- (11) Keete Inlet: waters east of the longitude of the tip of Keete Point;
- (12) Klakas Inlet: waters north of 55° N. lat.;
- (13) Klawock Inlet: waters east of Klawock and Peratrovich Islands and north of a line connecting the northern extremities of Peratrovich and Wadleigh Islands, including Big Salt Lake;
- (14) Nossuk Bay: waters south of 55° 44' N. lat.;
- (15) Nutkwa Inlet: waters north of 55° 06' N. lat.;
- (16) Port Estrella: waters east of the longitude of Point Providence (133° 16' W. long.);
- (17) Port Real Marina: waters east of 133° 34.50' W. long., west of a line from Point Arrecife to Point Gorda, and north of a line from Point San Leonardo to Canal Point;
- (18) Port Refugio: waters south and west of a line from Pointe Verde to Bocas Point;
- (19) Port Saint Nicholas: waters east of 133° 04' W. long.;
- (20) Portillo Channel: waters between a line from Point Arrecife to Point Amargura and a line from Point Santa Gertrudis to Point Animas;
- (21) Salt Lake Bay: waters east of 133° 23.37' W. long.;
- (22) Shinaku Inlet and Big Salt Lake: waters north of the latitude of Point Idefonso;
- (23) Soda Bay: waters east of 133° W. long.;

(24) Sukkwan Strait at Hydaburg: waters of Sukkwan Strait west of the longitude of Saltery Point, including South Pass east of the longitude of Goat Island Light, and all waters of North Pass;

(25) Tlevak Straits: waters north of 55° 15' N. lat.;

(26) Tokeen Bay: waters east of a line from the tip of Holbrook Point to 55° 59.87' N. lat., 133° 27.85' W. long.;

(27) Trocadero Bay: waters east of 133° 01' W. long.;

(28) Ulloa Channel: waters east of 133° 10' W. long.;

(29) Van Sant Cove: waters within 1,000 yards of the stream terminus;

(30) Warm Chuck Inlet: waters north of 55° 44.50' N. lat.;

(31) Waterfall Bay: waters within 1,000 yards of the terminus of Waterfall Creek;

(32) waters within 500 yards of the unnamed stream at 55° 22.02' N. lat., 133° 04.63' W. long.;

(33) waters within 500 yards of the unnamed stream at 55° 22.42' N. lat., 133° 10.57' W. long.;

(34) waters within 500 yards of the unnamed stream at 55° 22.47' N. lat., 133° 06.07' W. long.

(e) District 4: Manhattan Arm: waters east of 133° 10' W. long.

(f) District 5:

(1) Affleck Canal:

(A) Bear Harbor: waters north of a line from 56° 13.42' N. lat., 134° 05.75' W. long. to 56° 13.83' N. lat., 134° 05.08' W. long.;

(B) waters of Kell Bay west of 134° 08.25' W. long.;

(C) waters north of 56° 16.33' W. long.;

(D) small unnamed bay on the east side: waters east of 134° 01.92' W. long.;

(2) Alvin Bay: waters west of 133° 53.42' W. long.;

(3) Barrie (Kushehin) Creek: waters east of a line from 56° 27.83' N. lat., 133° 40.08' W. long. to Trouble Island at 56° 28.75' N. lat., 133° 40.75' W. long. to 56° 28' N. lat., 133° 39.92' W. long.;

(4) Calder Bay: waters north of 56° 11.20' N. lat.;

(5) El Capitan Passage: waters east of a line extending north from 56° 08.88' N. lat., 133° 27.62' W. long.;

(6) Hole in the Wall, northwest coast of Prince of Wales Island: waters east of 133° 38.50' W. long.;

(7) Keku Strait: waters north of 56° 32' N. lat. (north end of Monte Carlo Island), including the waters of Seclusion Harbor and south of a line from Point Camden to Salt Point Light;

(8) Port Beauclerc:

(A) waters north of 56° 20' N. lat.;

(B) waters of the southern arm south of 56° 17' N. lat.;

(C) waters of the unnamed cove 0.7 miles west of the northern tip of Edwards Island between 56° 18.33' N. lat., 133° 58.50' W. long. and 56° 19.25' N. lat., 133° 58.33' W. long.;

(9) Reid Bay: waters west of 133° 53.92' W. long.;

(10) Shipley Bay: waters east of 133° 33.42' W. long.

(g) District 6:

(1) Barnes Lake at the head of Lake Bay: waters inside of Stevenson Island south of 56° 03.05' N. lat.;

(2) Duncan Canal: waters north of the latitude of the northern tip of Butterworth Island;

(3) Exchange Cove: waters south of a line from 56° 13.12' N. lat., 133° 03.70' W. long. to 56° 12.90' N. lat., 133° 03.42' W. long.;

(4) Kah Sheets Bay: waters west of a line from 56° 31.47' N. lat., 133° 05.20' W. long. to 56° 29.77' N. lat., 133° 07.20' W. long.;

(5) Lake Bay: waters west of a line from Keg Point to 56° 01.70' N. lat., 132° 54.37' W. long.;

(6) McHenry Inlet: waters east of 132° 25' W. long.;

(7) Mosman Inlet: waters north of 56° 05.33' N. lat.;

(8) Navy Creek: waters east of a line from 56° 03.50' N. lat., 132° 27.90' W. long. to the southwest tip of South Burnett Island and east of a line from the northern tip of South Burnett Island to the southern tip of North Burnett Island and east of a line from the northern tip of North Burnett Island to 56° 04.60' N. lat., 132° 27.48' W. long.;

(9) Ratz Harbor: waters south and west of a line from 55° 53.13' N. lat., 132° 35.62' W. long. to 55° 53.27' N. lat., 132° 35.78' W. long.;

(10) Red Bay: waters south of the latitude of Pine Point;

(11) Rocky Bay, west coast of Etolin Island: waters north of a line from 56° 04.33' N. lat., 132° 36.50' W. long. to 56° 04.40' N. lat., 132° 36.05' W. long.;

(12) Salmon Bay: waters within a line extending from 56° 17.40' N. lat., 133° 08.23' W. long. to Rookery Island to 56° 19.10' N. lat., 133° 09.70' W. long.;

(13) Steamer Bay: waters south of the latitude of Point Harrington;

(14) Totem Bay: waters north and east of a line from Totem Point to the southern tip of Shingle Island to Mitchell Point;

(15) Whale Pass: waters at the southern entrance west of 132° 59.10' W. long. and at the northern entrance west of the longitude of the northernmost tip of Thome Island (133° 03.40' W. long.);

(16) Wrangell Narrows: waters north of the tip of Point Alexander:

(A) Blind Slough: waters east of a line from the tip of Anchor Point to the tip of Blind Point;

(B) Petersburg Creek: waters west of a line from 56° 48.25' N. lat., 132° 59.55' W. long. to the tip of Bayou Point.

(h) District 7:

(1) Anita Bay: waters west of a line from the tip of Anita Point to 56° 15.30' N. lat., 132° 22.93' W. long.;

(2) Blake Channel and Eastern Passage: waters north of 56° 12' N. lat. and east of a line from the tip of Babbler Point to 56° 27.80' N. lat., 132° 16.63' W. long. on Hour Point;

(3) Bradfield Canal: waters east of 131° 55.50' W. long.;

(4) Canoe Pass: waters north of 56° N. lat.;

(5) Emerald Bay: waters within 1,000 yards of the stream terminus from 55° 53.70' N. lat., 132° 02.70' W. long. to 55° 52.93' N. lat., 132° 03' W. long.;

(6) Fisherman's Chuck: waters west of 132° 12' W. long.;

(7) Fool's Inlet: waters north of 56° 12.50' N. lat.;

(8) Menefee Inlet: waters north of 56° 05' N. lat.;

(9) Olive Cove: waters south of a line from 56° 11.55' N. lat., 132° 19.10' W. long. to 56° 11.40' N. lat., 132° 18.72' W. long.;

(10) Santa Anna Inlet: waters south of the latitude of the tip of Point Santa Anna;

(11) Thom's Place, Zimovia Strait: waters north of 56° 09.63' N. lat.;

(12) Union Bay: waters south of a line from 55° 44.80' N. lat., 132° 14.12' W. long. to 55° 45.57' N. lat., 132° 11.13' W. long.;

(13) Vixen Inlet: waters east of the longitude of the westernmost tip of Sunshine Island;

(14) Zimovia Strait: waters north of the latitude of Thorns Point.

(i) District 8:

(1) Blind Slough: waters north of a line from 56° 30.75' N. lat., 132° 43.30' W. long. to 56° 31.92' N. lat., 132° 40.53' W. long.;

(2) Five Mile Creek: waters south of the latitude and west of the longitude of Sukoi Island Light;

(3) Stikine River:

(A) waters east of a line from Indian Point to Point Rothsay, from the first Monday in May through the first Saturday in August;

(B) after the first Saturday in August, waters inside a line from Babbler Point to Hour Point along the shore of Wrangell Island to Point Highfield to the southern end of Liesnoi Island to the southern end of Greys Island to the small island near the eastern entrance of Blind Slough to the nearest point of Mitkof Island to the prominent point of Mitkof Island nearest Coney Island to the northern end of Coney Island to a point 500 yards north of Jap Creek on the mainland shore;

(4) Babbler Point: waters within one-quarter mile of the mainland shoreline south and east of 56° 30.47' N. lat., from the first Monday in May through the second Saturday in June;

(5) Wrangell Harbor: waters within one-quarter mile of the shoreline on the western side of Wrangell Island, south of the latitude of Point Highfield and north of the latitude of Cemetery Point, from the first Monday in May through the second Saturday in June;

(6) Woronkofski Point (The Nose): waters of Stikine Strait within one-quarter mile of the Woronkofski Island shoreline west of the longitude of the navigational marker at Woronkofski Point and north of the latitude of Ancon Point Light, from the first Monday in May through the second Saturday in June for the entirety of a drift gillnet fishing period when the drift gillnet salmon fishery is open for more than 48 hours;

(7) Woodpecker Cove: waters of Sumner Strait north of a line from 56° 30.03' N. lat., 132° 53.94' W. long. to Point Howe to the southeasternmost tip of Station Island at 56° 29.56' N. lat., 132° 46.27' W. long. and west of a line from Station Island Light to a point on Mitkof Island at 56° 30.40' N. lat., 132° 44.94' W. long., from the first Monday in May through the second Saturday in June, for the entirety of a drift gillnet fishing period when the drift gillnet salmon fishery is open for more than 48 hours;

(8) Bear Creek (Eastern Mitkof Island): waters of Frederick Sound south of 56° 42.91' N. lat., and west of 132° 41.38' W. long., from the first Monday in May through the second Saturday in June;

(9) Beacon Point/Point Frederick: waters of Frederick Sound west of a line from the District 10 boundary line one nautical mile off Kupreanof Island shoreline to Sukoi Island Light to Point Frederick, from the first Monday in May through the second Saturday in June.

(j) District 9:

(1) Bay of Pillars: waters east of 134° 11.67' W. long.;

(2) Deep Cove: waters west of 134° 43.63' W. long.;

(3) Eliza Harbor: waters north of 57° 14.30' N. lat.;

(4) Gedney Harbor: waters east of 134° 14.67' W. long.;

(5) Gut Bay: waters west of 134° 43.47' W. long.;

(6) Hamilton Bay: waters south of the latitude of Point Hamilton;

(7) Kadake Bay: waters south of a line from 56° 48.75' N. lat., 133° 58' W. long. to 56° 48.38' N. lat., 133° 56.47' W. long.;

(8) Little Pybus Bay: waters north of 57° 14.83' N. lat.;

(9) Murder Cove: waters north of $57^{\circ} 01.75' N.$ lat.;

(10) Patterson Bay: waters north of $56^{\circ} 36.73' N.$ lat.;

(11) Port Camden: waters south of $56^{\circ} 41.67' N.$ lat.;

(12) Port Malmesbury: waters east of a line from $56^{\circ} 18.92' N.$ lat., $134^{\circ} 10.75'$ W. long. to $56^{\circ} 19.60' N.$ lat., $134^{\circ} 11.28' W.$ long.;

(13) Port Walter and Little Port Walter: waters west of a line from $56^{\circ} 23.25' N.$ lat., $134^{\circ} 38.08' W.$ long. to $56^{\circ} 23.70' N.$ lat., $134^{\circ} 38.25' W.$ long.;

(14) Red Bluff Bay: waters west of $134^{\circ} 45.47' W.$ long.;

(15) Rowan Bay: waters north and east of a line from $56^{\circ} 40.47' N.$ lat., $134^{\circ} 15.13' W.$ long. to $56^{\circ} 39.88' N.$ lat., $134^{\circ} 13.13' W.$ long.;

(16) Saginaw Bay: waters south and east of a line from $56^{\circ} 51.78' N.$ lat., $134^{\circ} 11.23' W.$ long. to the southwesternmost tip of an unnamed island at $56^{\circ} 52.75' N.$ lat., $134^{\circ} 09.63' W.$ long. and east of a line from the northwesternmost tip of the same unnamed island to $56^{\circ} 53.28' N.$ lat., $134^{\circ} 10' W.$ long.;

(17) Security Bay: waters south of the latitude of Expedition Point;

(18) Tebenkof Bay:

(A) Elena Bay: waters north and east of a line from $56^{\circ} 29.93' N.$ lat., $134^{\circ} 06.47' W.$ long. to Elena Point;

(B) Petrof Bay: waters south of $56^{\circ} 22.33' N.$ lat.;

(C) Thetis Bay: waters south of $56^{\circ} 23.37' N.$ lat.

(k) District 10:

(1) Dry Bay: waters inside of a line from $57^{\circ} 03.53' N.$ lat., $133^{\circ} 01.92' W.$ long. to $57^{\circ} 02.82' N.$ lat., $133^{\circ} 01.75' W.$ long. to $57^{\circ} 02.95' N.$ lat., $133^{\circ} 00.17' W.$ long.;

(2) Farragut Bay: waters of Francis Anchorage north of $57^{\circ} 08.75' N.$ lat.;

(3) Gambier Bay:

(A) waters west of $134^{\circ} W.$ long.;

(B) waters of Snug Cove south of a line from Scald Point to the northwest tip of Pain Island;

(4) Hobart Bay: waters east of 133° 23.67' W. long.;

(5) Port Houghton;

(A) waters within lines projected south and east from the southern tip of Walter Island;

(B) waters east of 133° 11' W. long.;

(6) Pybus Bay: waters of Cannery Cove and West Arm inside a line running from 57° 18.40' N. lat., 134° 07.92' W. long. to an unnamed island at 57° 18.72' N. lat., 134° 07.50' W. long. and then to a point at 57° 19.33' N. lat., 134° 06.33' W. long.;

(7) Windham Bay: waters east of 133° 27.17' W. long., one-fourth mile west of the narrows.

(l) District 11:

(1) Limestone Inlet: waters east of a line from 58° 01.72' N. lat., 133° 59.43' W. long. to 58° 02.03' N. lat., 133° 59.59' W. long.;

(2) Port Snettisham:

(A) Speel River: waters north of the latitude of the old pulp mill wharf at 58° 07' N. lat.;

(B) Gilbert Bay: waters east of the longitude of Sentinel Point;

(3) Seymour Canal:

(A) Mole Harbor: waters inside a line from the tip of Flaw Point to a point at 57° 39.67' N. lat., 134° 01.50' W. long.;

(B) Pleasant Bay: waters inside a line from 57° 38.83' N. lat., 133° 59.70' W. long. to a point at 57° 38.47' N. lat., 133° 57.42' W. long.;

(4) Slocum Inlet: waters east of a line from 58° 08.35' N. lat., 134° 04.33' W. long. to 58° 07.78' N. lat., 134° 04.09' W. long.;

(5) Taku Harbor: waters east of a line from the tip of Stockade Point to 58° 03.68' N. lat., 134° 01.98' W. long.;

(6) Taku Inlet: waters north of a line from the Annex Creek Power House to a point at 58° 17.50' N. lat., 134° 01' W. long.

(m) District 12:

(1) Basket Bay: waters inside a line from 57° 39.80' N. lat., 134° 53.77' W. long. to 57° 39.28' N. lat., 134° 53.88' W. long.;

(2) Chaik Bay: waters east of 134° 30.45' W. long.;

(3) False Bay: waters west of a line from 57° 58.55' N. lat., 134° 55.08' W. long. to 57° 57' N. lat., 134° 55.38' W. long.;

(4) Freshwater Bay: waters inside a line from a point at 57° 53.14' N. lat., 135° 07.58' W. long. to 57° 54.75' N. lat., 135° 05.96' W. long.;

(5) Funter Bay: waters inside the longitude of the tip of Clear Point;

(6) Hawk Inlet: waters east and north of a line from Point Marsden to a point one nautical mile northwest of Point Marsden at 58° 04.33' N. lat., 134° 49.25' W. long. then to Hawk Point;

(7) Hood Bay: waters east of 134° 24.50' W. long.;

(8) Howard Bay: waters inside the latitude of the tip of Point Howard;

(9) Kelp Bay, Middle Arm, and South Arm: waters west of 134° 56.98' W. long.;

(10) Kootznahoo Inlet: waters east of a line from the tip of Turn Point to Village Rock light;

(11) Tenakee Inlet:

(A) waters west of 135° 27.58' W. long.;

(B) waters of Saltery Bay south of a line from a point at 57° 47.33' N. lat., 135° 22.39' W. long. to a point at 57° 46.60' N. lat., 135° 22.38' W. long.;

(C) waters of Kadashan Bay, Corner Bay, and Crab Bay south of a line from a point at 57° 45.00' N. lat., 135° 19.50' W. long. to a point at 57° 45.60' N. lat., 135° 06.69' W. long.;

(D) waters of Trap Bay south of a line from a point at 57° 45.30' N. lat., 135° 20.51' W. long. to a point at 57° 45.49' N. lat., 134° 59.09' W. long.;

(12) Warm Springs Bay: waters west of 134° 46.63' W. long.;

(13) Whitewater Bay: waters within a line from Point Caution to 50° 15.62' N. lat., 134° 36.42' W. long.;

(14) Wilson Cove: waters east of the longitude of Point Wilson;

(15) Wukuklook Creek: waters west of a line from a point at 57° 55.25' N. lat., 134° 55.75' W. long. to Flints Point at 57° 54.33' N. lat., 134° 57.50' W. long.

(n) District 13:

(1) Big Branch Bay: waters north and east of a line from 56° 19.45' N. lat., 134° 50.50' W. long. to 56° 19.30' N. lat., 134° 50.13' W. long.;

(2) Black Bay: waters north and east of a line from 57° 42.62' N. lat., 136° 09.33' W. long. to 57° 42.38' N. lat., 136° 09.17' W. long.;

(3) Deep Bay: waters west of a line from 57° 26.87' N. lat., 135° 37.33' W. long. to 57° 26.53' N. lat., 135° 37.77' W. long.;

(4) Fick Cove: waters south and west of a line from 57° 37.85' N. lat., 135° 39.63' W. long. to 57° 38.42' N. lat., 135° 40.65' W. long.;

(5) Fish Bay: waters east of 135° 35.17' W. long.;

(6) Goulding Harbor: waters north of a line from 57° 46.30' N. lat., 136° 15.08' W. long. to 57° 46.37' N. lat., 136° 15.45' W. long.;

(7) Hanus Bay: waters south of a line from 57° 25.48' N. lat., 134° 59' W. long. to 57° 25.30' N. lat., 135° 03.67' W. long.;

(8) Hoonah Sound: waters west and north of a line from 57° 44.20' N. lat., 135° 43.67' W. long. to 57° 43.75' N. lat., 135° 44.67' W. long.;

(9) Katlian Bay: waters north and east of a line from 57° 09.50' N. lat., 135° 22.58' W. long. to 57° 09.12' N. lat., 135° 21.92' W. long.;

(10) Lisianski Inlet:

(A) waters south of a line from 57° 56.77' N. lat., 136° 14.17' W. long. to 57° 57.25' N. lat., 136° 12.88' W. long.;

(B) waters north of a line from Ewe Ledge to Dace Rock during inseason coho salmon troll closures under 5 AAC 29;

(11) Nakwasina Passage: north and east of a line from 57° 14.20' N. lat., 135° 29.92' W. long. to 57° 14.88' N. lat., 135° 30.47' W. long.;

(12) Nakwasina Sound: waters north and east of a line from 57° 11.70' N. lat., 135° 23.50' W. long. to 57° 12.20' N. lat., 135° 24.62' W. long.;

(13) Patterson Bay: waters west of a line from 57° 40.38' N. lat., 135° 42.70' W. long. to 57° 39.58' N. lat., 135° 42.30' W. long.;

(14) Port Banks: waters south and east of a line from 56° 36.12' N. lat., 135° 00.33' W. long. to 56° 35.92' N. lat., 135° 01.17' W. long.;

(15) Redfish Bay: waters north and west of a line from 56° 20.68' N. lat., 134° 51.52' W. long. to 56° 20.82' N. lat., 134° 51.08' W. long.;

(16) Redoubt Bay: waters east of 135° 18.88' W. long.;

(17) Rodman Bay: waters west and south of a line from 57° 28.33' N. lat., 135° 21' W. long. to 57° 28.83' N. lat., 135° 21.67' W. long.;

(18) Salt Lake Lagoon, Takanis Bay: waters north and east of a line from 57° 55.08' N. lat., 136° 30.37' W. long. to 57° 55.42' N. lat., 136° 31' W. long.;

(19) Saook Bay: waters west and south of a line at 57° 26.25' N. lat., 135° 11.67' W. long. to 57° 26.67' N. lat., 135° 12.25' W. long.;

(20) Sister Lake: waters inside a line from 57° 37.70' N. lat., 136° 00.50' W. long. to 57° 38.08' N. lat., 136° 00.67' W. long.;

(21) Sitkoh Bay: waters west of a line from 57° 29.28' N. lat., 134° 53.67' W. long. to 57° 29.60' N. lat., 134° 53.50' W. long.;

(22) Stag Bay: waters east of 136° 21.42' W. long.;

(23) Starrigavan Bay: waters east of a line from the ferry terminal dock at 57° 07.78' N. lat., 135° 22.75' W. long. to 57° 08.42' N. lat., 135° 22.50' W. long.;

(24) Still Harbor: waters south and east of a line from 56° 33.25' N. lat., 135° 02.67' W. long. to 56° 33.63' N. lat., 135° 02.42' W. long.;

(25) Ushk Bay: waters west of 135° 35' W. long.;

(26) Waterfall Cove, Slocum Arm: waters north and east of a line from 57° 31.27' N. lat., 135° 56.17' W. long. to 57° 30.88' N. lat., 135° 55' W. long.

(o) District 14:

(1) Dundas Bay: waters north of 58° 20' N. lat.;

(2) Excursion Inlet: waters north of a line from a point at 58° 26.92' N. lat., 135° 28.75' W. long. to a point at 58° 26.92' N. lat., 135° 27.42' W. long.;

(3) Homeshore Creek at 58° 16.25' N. lat., 135° 20.75' W. long.: waters within 500 yards of the terminus;

(4) Idaho Inlet: waters south of 58° 08.30' N. lat.;

(5) Port Althorp and Salt Chuck Bay: waters east of 136° 18' W. long.;

(6) Port Frederick: waters south of a line from Inner Point Sophia Light to the northwesternmost tip of Halibut Island then bearing 323° to Chichagof Island;

(7) Mud Bay: waters south of the latitude of Quartz Point;

(8) Spasski Bay: waters from Neck Point to Spasski Island to a point at 58° 05.68' N. lat., 135° 13.45' W. long.;

(9) Whitestone Harbor: waters within a line from 58° 04.27' N. lat., 134° 07.71' W. long. to 58° 03.59' N. lat., 135° 04.24' W. long.

(p) District 15:

(1) Chilkat Inlet: waters north of the latitude of Letnikof Light;

(2) Lutak Inlet: waters northwest of a line between Tanani Point and Taiya Point;

(3) St. James Bay: waters north of a line from the tip of Point Whidbey to St. James Point at 58° 33.75' N. lat., 135° 09.75' W. long.;

(4) Taiya Inlet: waters north of the latitude of the tip of Taiya Point. (In effect before 1982; am 4/14/82, Register 82; am 5/31/85, Register 94; am 4/18/86, Register 98; am 6/13/92, Register 122; am 4/23/94, Register 130; am 6/28/97, Register 142; am 10/1/98, Register 147; am 3/11/2001, Register 157; em am 4/13/2005 - 8/10/2005, Register 174; am 5/26/2006, Register 178)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 33.364. Southeastern Alaska Area Enhanced Salmon Allocation

Management Plan. (a) The purpose of the management plan contained in this section is to provide a fair and reasonable distribution of the harvest of salmon from enhancement projects among the seine, troll, and drift gillnet commercial fisheries, and to reduce conflicts among these users, in the Southeastern Alaska Area. The Board of Fisheries establishes the following value allocations:

(1) seine - 44 percent - 49 percent;

(2) hand and power troll - 27 percent - 32 percent;

(3) drift gillnet - 24 percent - 29 percent.

(b) The department shall evaluate the annual harvest of salmon stocks from enhancement projects to determine whether the distribution of the value of enhanced salmon taken in the seine, troll, and drift gillnet fisheries in the Southeastern Alaska Area is consistent with the allocations established in (a) of this section. The evaluation of allocation percentages shall be based on five-year increments, beginning with 1985. The value of the enhanced salmon harvested each year shall be determined by the department based on data from the Commercial Fisheries Entry Commission.

(c) If the value of the harvest of enhanced salmon stocks by a gear group listed in (a) of this section is outside of its allocation percentage for three consecutive years, the board will, in its discretion, adjust fisheries within special harvest areas to bring the gear group within its allocation percentage.

(d) The department may not make inseason adjustments or changes in management in or out of the special harvest areas to achieve the allocation percentages established in (a) of this section. (Eff. 5/29/94, Register 130)

Authority: AS 16.05.251 AS 16.05.730 AS 16.10.440

5 AAC 33.366. Northern Southeast seine salmon fishery management plans. (a) During July, the department may allow the operation of purse seines in District 12 north of Point Marsden to harvest pink salmon migrating northward in Chatham Strait only as follows:

(1) the department may open only those portions of the area in which a harvestable abundance of pink salmon is observed; open areas and times must consider conservation concerns for all species in the area;

(2) the department shall close the seine fishery in District 12 north of Point Marsden during July after 15,000 wild sockeye salmon are taken; hatchery-produced sockeye salmon will not count against the 15,000 sockeye salmon harvest limit; all wild sockeye salmon harvested by seine vessels that the department identifies as fishing north of Point Marsden during any July fishing period when other areas are open concurrently will be counted against the 15,000 sockeye salmon harvest limit under this paragraph; during the openings, the department will use aerial flyovers, on-the-ground sampling, and interviews to estimate the sockeye salmon harvest north of Point Marsden.

(b) Salmon may be taken during emergency order openings for chum salmon in Excursion Inlet only in waters of Section 14-C north of the latitude of the northern tip of the Porpoise Islands; the department may open the area by emergency order only after consideration of concerns for chum and coho salmon conservation. (Eff. 6/25/89, Register 110; am 7/26/2003, Register 167; am 5/26/2006, Register 178)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 33.374. District 12: Hidden Falls Hatchery Terminal Harvest Area Salmon Management Plan. (a) The Hidden Falls Terminal Harvest Area for chum, king, and coho salmon consists of the waters of District 12 within two nautical miles of the Baranof Island shoreline south of the latitude of South Point and north of 57° 06.83' N. lat., excluding the waters of Kelp Bay.

(b) Purse seine and troll openings will be managed by emergency order to harvest king and chum salmon returning to the Hidden Falls Hatchery in excess of broodstock and cost recovery needs.

(c) From April 15 through June 30, chum and king salmon may be taken by troll and purse seine gear as follows:

(1) purse seine openings will be limited to a maximum of two fishing days per week in the terminal harvest area in order to harvest surplus chum salmon;

(2) if weekly seine openings or midweek openings scheduled under 5 AAC 33.366 do not occur, in order to achieve broodstock and cost recovery goals, the troll fishery for the harvest of chum salmon will be closed; if more than seven days remain before the July 1 general troll season opening, troll fisheries for king salmon may continue; however, chum salmon caught must be released immediately and may not be retained or sold;

(3) before June 30, the waters of Kasnyku Bay west of a line from North Point to the westernmost tip of Round Island and north of the latitude of the westernmost tip of Round Island may be closed to purse seine fishing in order to provide troll gear access to king salmon.

(d) Beginning July 1, king and chum salmon may be harvested by troll and purse seine gear as follows:

(1) during troll and purse seine fishery openings, areas within the terminal harvest area may be closed to protect chum and king salmon broodstock or to provide for cost recovery;

(2) to limit the troll gear harvest of chum salmon in the terminal harvest area, the number of chum salmon on board a troll vessel or recorded on a fish ticket may not exceed the number of king salmon on board the troll vessel or recorded on a fish ticket.

(e) The Hidden Falls Terminal Harvest Area will be open to the retention of coho salmon by troll gear from June 1 through September 20, unless closed by emergency order. During a season when the general summer troll season is extended in District 12, the season in the Hidden Falls Terminal Harvest Area will also be extended. During the mid-August troll fishery closure, the Hidden Falls Terminal Harvest Area will be open. The open area will be restricted to an area within one mile from shore south of 57° 15.00' N. lat., north of 57° 10.00' N. lat., and west of a line from 57° 15.00' N. lat., 134° 48.60' W. long. to 57° 10.00' N. lat., 134° 46.40' W. long.

(f) Instead of allowing the harvest of hatchery chum salmon for cost recovery by the hatchery permit holder, the commissioner may, after consultation with the hatchery operator, by

emergency order, open a joint common property and cost recovery special assessment fishery for chum salmon as specified in AS 16.10.455 from June 15 through July 31 to occur only in the waters of Section 12-A south of 57° 27.00' N. lat., north of 57° 01.00' N. lat., and west of a line from 57° 27.00' N. lat., 134° 45.50' W. long. to 57° 01.00' N. lat., 134° 41.50' W. long. (Eff. 6/25/89, Register 110; am 4/23/94, Register 130; am 6/28/97, Register 142; am 3/11/2001, Register 157; am 7/26/2003, Register 167; am 5/26/2006, Register 178; am 7/13/2012, Register 203)

Authority: AS 16.05.060 AS 16.05.251 AS 16.05.455

5 AAC 33.376. District 13: Deep Inlet Terminal Harvest Area Salmon Management Plan. (a) The intent of this management plan is to distribute the harvest of hatchery-produced salmon in the area described in (b) of this section between the purse seine, drift gillnet, and troll fleets.

(b) The department, in consultation with the Northern Southeast Regional Aquaculture Association (NSRAA), shall open and close, by emergency order, fishing seasons and periods to manage the waters of Deep Inlet, Aleutkina Bay, and contiguous waters south of a line from a point west of Pirates Cove at 56° 59.35' N. lat., 135° 22.63' W. long., to the westernmost tip of Long Island, to the easternmost tip of Long Island, to the westernmost tip of Emgeten Island, to the westernmost tip of Error Island, to the westernmost tip of Berry Island, to the southernmost tip of Berry Island, to the westernmost tip of the southernmost island in the Kutchuma Island group, to the easternmost tip of the southernmost island in the Kutchuma Island group, to the westernmost tip of an unnamed island at 57° 00.30' N. lat., 135° 17.67' W. long., to a point on the southern side of the unnamed island at 57° 00.08' N. lat., 135° 16.78' W. long., and then to a point on the Baranof Island shore at 56° 59.93' N. lat., 135° 16.53' W. long., as follows:

(1) salmon may be taken by seines and drift gillnets only during periods established by emergency order as follows:

(A) openings for seines and gillnets must be rotated between net gear groups; the department, in consultation with NSRAA, shall close fishing between openings;

(B) the time ratio for gillnet openings to seine openings is two to one, except that beginning with the first emergency order of the 2012 season through the last emergency order of the 2014 season, the time ratio for gillnet openings to seine openings is one to one after the third Sunday in June;

(2) salmon may be taken by troll gear when the waters described in this subsection are closed to commercial net gear;

(3) the commissioner shall close the seasons in the waters described in this subsection to trolling during hatchery cost recovery periods;

(4) before July 1, in order to protect local sockeye salmon stocks, the commissioner may, by emergency order, close the fishing season and immediately reopen the fishing season during which the minimum mesh size of a gillnet in the drift gillnet fishery is six inches.

(c) A drift gillnet operated in the terminal harvest area may not exceed 200 fathoms in length.

(d) The waters described in (b) of this section, west of 135° 20.75' W. long., will be closed to purse seine and drift gillnet gear beginning with the first emergency order of the season through the third Saturday in June. (Eff. 4/30/91, Register 118; am 4/23/94, Register 130; am 6/28/97, Register 142; am 6/14/2000, Register 154; am 3/11/2001, Register 157; am 5/26/2006, Register 178; am 5/31/2009, Register 190; am 7/13/2012, Register 203)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 33.377. District 2: Kendrick Bay Terminal Harvest Area Salmon Management Plan. (a) The management plan in this section allows for a harvest of hatchery-produced chum salmon in the Kendrick Bay Terminal Harvest Area by the purse seine fleet.

(b) The department, in consultation with the Southern Southeast Regional Aquaculture Association (SSRAA), shall manage the Kendrick Bay Terminal Harvest Area from June 15 through September 30 to provide for the harvest of hatchery-produced chum salmon by purse seine gear, unless closed earlier by emergency order. The Kendrick Bay Terminal Harvest Area consists of the waters of Kendrick Bay west of 131° 59' W. long. and the waters of McLean Arm west of 131° 57.80' W. long.

(c) The department, by emergency order, shall close the area described in (b) of this section to personal use and sport fishing if those fisheries are jeopardizing the attainment of the hatchery's chum salmon escapement goal.

(d) The department shall include the following conditions in a personal use salmon fishing permit issued under 5 AAC 77.682 for the area described in (b) of this section:

(1) salmon may be taken for personal use only by drift gillnets:

(2) a drift gillnet operated for personal use may not exceed 50 fathoms in length;
and

(3) the annual bag and possession limit for personal use is 25 salmon. (Eff. 4/23/94, Register 130; am 6/28/97, Register 142; am 3/11/2001, Register 157; am 5/31/2009, Register 190; am 7/13/2012, Register 203)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management

Plan. (a) The Anita Bay Terminal Harvest Area consists of the waters of Anita Bay south and west of a line from the tip of Anita Point to 56° 14.26' N. lat., 132° 23.92' W. long.

(b) The commissioner shall open and close, by emergency order, fishing seasons and periods to manage the common property fisheries to harvest excess salmon returning to the Anita Bay Terminal Harvest Area. The Terminal Harvest Area will be opened and closed under this subsection to the harvest of salmon as follows:

(1) The waters within one-quarter mile of the northern shoreline of Anita Bay west of a line from 56° 12.31' N. lat., 132° 26.22' W. long. to 56° 12.06' N. lat., 132° 26.22' W. long., and east of a line from 56° 11.96' N. lat., 132° 29.58' W. long. to 56° 11.73' N. lat., 132° 29.36' W. long., will be open from June 15 through July 10;

(2) The waters south and west of the waters specified in (1) of the subsection, will be closed as follows:

(A) from June 15 through June 25, the waters of the Anita Bay Terminal Harvest Area that are west of 132° 26.22' W. long. will be closed to the harvest of salmon;

(B) from June 26 through July 1, the waters of the Anita Bay Terminal Harvest Area that are west of 132° 26.98' W. long. will be closed to the harvest of salmon;

(C) from July 2 through July 10, the waters of the Anita Bay Terminal Harvest Area that are west of 132° 28.00' W. long. will be closed to the harvest of salmon;

(3) the waters within the Anita Bay Terminal Harvest not described in (1) and (2) of this subsection will be open for the entire fishing season.

(c) This management plan distributes the harvest of hatchery-produced king, coho, and chum salmon among the purse seine, troll, and gillnet fisheries when there are excess fish not being harvested by the hatchery operator.

(d) The department shall manage the Anita Bay Terminal Harvest Area from May 1 through November 10 to distribute the harvest of excess hatchery-produced king, coho, and chum salmon as follows:

(1) salmon may taken by troll gear at any time;

(2) salmon may be taken by seines and drift gillnets only during periods established by emergency order;

(3) in establishing emergency order season openings for the seine and drift gillnet fisheries, the department shall rotate openings between these gear groups and shall provide for a time ratio for gillnet openings to seine openings of two to one; however, if approximately equal numbers of salmon are not being harvested by the two gear groups, the ratio and timing of openings may be altered, and beginning with the first emergency order of the 2012 season through the last emergency order of the 2014 season, the time ratio for gillnet openings to seine openings is one to one.

(e) A drift gillnet operated in the terminal harvest area may not exceed 200 fathoms in length.

(f) Salmon may be taken in the terminal harvest area under sport and personal use fishing regulations at any time. A personal use permit issued under 5 AAC 77.682 for the Anita Bay Terminal Harvest Area shall include the following conditions:

(1) salmon may be taken for personal use only by drift gillnet;

(2) a drift gillnet operated for personal use may not exceed 50 fathoms in length;

(3) the annual bag and possession limit for personal use is 25 salmon. (Eff. 6/28/97, Register 142; am 7/26/2003, Register 167; am 5/26/2006, Register 178; am 5/31/2009, Register 190; am 7/13/2012, Register 203)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 33.385. Mist Cove Terminal Harvest Area Salmon Management Plan. (a) The Mist Cove Terminal Harvest Area for coho salmon using troll gear is established adjacent to and exclusive of the Mist Cove Special Harvest Area specified in 5 AAC 40.042(a)(8). The Mist Cove Terminal Harvest Area consists of the waters that are outside of the Mist Cove Special Harvest Area and north of the latitude of 56° 28.00' N. lat., west of a line from 56° 28.00' N. lat., 134° 37.00' W. long. to Patterson Point Light to a point on the Baranof Island shore at 56° 32.52' N. lat., 134° 40.18' W. long. and east of the longitude of 134° 41.00' W. long. in Deep Cove.

(b) The commissioner shall open and close, by emergency order, fishing seasons and periods to manage the harvest of excess salmon returning to the Mist Cove Terminal Harvest Area.

(c) The Mist Cove Special Harvest Area consisting of all waters south and west of a line from 56° 31.70' N. lat., 134° 39.97' W. long. to 56° 31.27' N. lat., 134° 39.85' W. long. is closed to commercial fishing, other than hatchery cost recovery fishing, from 12:01 a.m. July 31 until 11:59 p.m. September 30. (Eff. 7/26/2003, Register 167; am 5/31/2009, Register 190)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 33.387. District 9: Southeast Cove Terminal Harvest Area Management Plan. (a) The purpose of the management plan in this section is to distribute the harvest of hatchery-produced salmon in the Southeast Cove Terminal Harvest Area.

(b) The Southeast Cove Terminal Harvest Area consists of the waters of Keku Strait enclosed by a line from a rocky point on the northern end of Kuiu Island located on the east side of Southeast Cove at 56° 52.95' N. lat., 134° 01.33' W. long. to the northwest corner of Hound Island at 56° 53.12' N. lat., 133° 56.77' W. long., then northwest connecting points along the northern shore of Keku Islands at 56° 53.98' N. lat., 133° 57.58' W. long. to 56° 54.90' N. lat., 133° 59.53' W. long. to 56° 55.93' N. lat., 134° 00.97' W. long. to 56° 55.95' N. lat., 134° 02.15' W. long. to 56° 55.22' N. lat., 134° 02.53' W. long. to 56° 56.37' N. lat., 134° 06.62' W. long., then to the northwest corner of Payne Island at 56° 57.45' N. lat., 134° 08.75' W. long., then south to a point on Kuiu Island at 56° 55.08' N. lat., 134° 09.25' W. long.

(c) From the third Sunday in June through the first Saturday in August, the commissioner, in consultation with the Kake Non-Profit Fisheries Corporation may open and close, by emergency order, fishing seasons and periods to harvest hatchery-produced salmon returning to the Southeast Cove Terminal Harvest Area in excess of broodstock and cost recovery needs.

(d) The management plan in this section distributes the harvest of hatchery-produced chum salmon among the purse seine and troll fisheries when there are excess fish not being harvested by the hatchery operator.

(e) The department shall manage the Southeast Cove Terminal Harvest Area to distribute the harvest of excess hatchery-produced chum salmon as follows:

(1) the gear group that is furthest from that gear group's allocation of enhanced salmon will begin with the first rotation;

(2) purse seine openings will be limited to a maximum of two fishing days per week in the terminal harvest area in order to harvest surplus chum salmon;

(3) troll openings will be limited to a maximum of five fishing days per week in the terminal harvest area in order to harvest surplus chum salmon. (Eff. 7/13/2012, Register 203)

Authority: AS 16.05.060 AS 16.05.251

VESSEL LENGTH – GENERAL PROVISIONS

5 AAC 39.117. Vessel length; bulbous bow. (a) Notwithstanding any other provision in 5 AAC 01 - 5 AAC 39, the addition of a bulbous bow may cause a vessel, other than a vessel engaged in the Bering Sea hair crab fishery, to exceed an established vessel overall length limitation. Only that portion of the vessel comprising the bulbous bow may cause the vessel to exceed a vessel overall length limitation.

(b) For the purposes of this section, "bulbous bow" means a bulbous extension of the bow, below or predominately below the water line of a vessel, that is designed to increase stability or fuel efficiency and does not contain storage space or equipment that can be accessed from within the vessel. (Eff. 3/15/2008, Register 185)

Authority: AS 16.05.251 AS 16.05.835

SPORT FISHERIES – SOUTHEAST ALASKA AREA

5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area. Unless otherwise specified through an emergency order issued under AS 16.05.060, and subject to the special provisions under 5 AAC 47.021 and the provisions of 5 AAC 47.030 - 5 AAC 47.095, the following are the general provisions for the seasons and bag, possession, annual, and size limits that apply to sport fishing for finfish and shellfish in the salt waters of the Southeast Alaska Area:

(1) king salmon: may be taken from January 1 - December 31; must be 28 inches or greater in length; the commissioner shall establish bag, possession, and annual limits, by emergency order, as specified in 5 AAC 47.055; a harvest record is required for a nonresident as specified in 5 AAC 75.006;

(2) salmon, other than king salmon: may be taken from January 1 - December 31; no annual limit; no size limit; bag and possession limits, as follows:

(A) 16 inches or greater in length; bag limit of six fish per species; possession limit of 12 fish per species;

(B) less than 16 inches in length; bag and possession limit of 10 fish in combination;

(3) rainbow and cutthroat trout, in combination: may be taken from January 1 - December 31; bag and possession limit of two fish; no annual limit; must be no less than 11 inches and no greater than 22 inches in length;

(4) steelhead: may be taken from January 1 - December 31; bag limit of one fish; possession limit of two fish; must be 36 inches or greater in length; annual limit of two fish; a harvest record is required as specified in 5 AAC 75.006;

(5) Dolly Varden: may be taken from January 1 - December 31; bag and possession limit of 10 fish; no annual limit; no size limit;

(6) halibut may be taken only from February 1 - December 31; bag limit of two fish; possession limit of four fish; no annual limit; no size limit;

(7) lingcod: may be taken only from May 16 - November 30; bag limit of two fish; possession limit of four fish; no size limit;

(8) rockfish may be taken from January 1 - December 31, as follows:

(A) pelagic rockfish: bag limit of five fish; possession limit of 10 fish; no annual limit; no size limit;

(B) nonpelagic rockfish: bag limit of five fish; possession limit of 10 fish, of which only two per day and four in possession may be yelloweye rockfish; no annual limit; no size limit;

(9) sharks may be taken only as specified in 5 AAC 75.012;

(10) abalone: no open season; may not be taken or possessed;

(11) Dungeness and Tanner crab, in combination: Dungeness crab may be taken from January 1 - December 31; Tanner crab may be taken only from July 1 - June 15; bag and possession limit of three crab, in combination; no annual limit; only male crab may be taken; size limits, as follows:

(A) Dungeness crab: must be six and one-half inches or greater in shoulder width; for the purposes of this subparagraph, the shoulder width measurement of Dungeness crab is the straight-line distance across the carapace immediately anterior to the tenth anterolateral spine, not including the spines;

(B) Tanner crab: must be five and one-half inches or greater in carapace width;

(12) king crab: no open season; may not be taken or possessed;

(13) geoducks: no open season; may not be taken or possessed;

(14) razor clams: may be taken from January 1 - December 31; bag and possession limit of 10 clams; no annual limit; no size limit;

(15) scallops: may be taken from January 1 - December 31, as follows:

(A) rock scallops: bag and possession limit of five scallops; no annual limit; no size limit;

(B) weathervane scallops: bag and possession limit of 10 scallops; no annual limit; no size limit;

(16) shrimp: may be taken from January 1 - December 31; bag and possession limit of three pounds or three quarts; no annual limit;

(17) sablefish: may be taken from January 1 - December 31, as follows:

(A) resident: bag limit of four fish; possession limit of four fish; no annual limit; no size limit;

(B) nonresident: bag limit of four fish; possession limit of four fish; no size limit; no annual limit, except that there is an annual limit of eight fish in the waters of Chatham Strait south of the latitude of Point Couverden at 58° 11.42' N. lat. to the latitude of Point Gardner at 57° 01' N. lat., east of a line from Point Couverden Light to Point Augusta Light and east of a line from the southeasternmost tip of Point Hayes to the northernmost tip of Point Thatcher, including all waters of Lynn Canal south of the latitude of Little Island Light, west of a line from Little Island Light to Point Retreat Light and north of the latitude of Point Couverden at 58° 11.42' N. lat.; a harvest record is required as specified in 5 AAC 75.006;

(18) other saltwater finfish and shellfish species not specified in this section: may be taken from January 1 - December 31; no bag, possession, annual, or size limits. (Eff. 4/15/94, Register 130; am 5/2/97, Register 142; am 8/16/97, Register 143; am 9/28/97, Register 143; am 5/25/2000, Register 154; am 5/19/2001, Register 158; am 6/1/2003, Register 166; am 5/31/2009, Register 190; am 6/21/2009, Register 190; am 7/29/2009, Register 191; am 10/18/2009, Register 192; am 5/11/2012, Register 202; am 7/13/ 2012, Register 203; am 6/1/2013, Register 206; am 2/23/2014, Register 209)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area. (a) Unless otherwise specified through an emergency order issued under AS 16.05.060, the special provisions in this section apply in the salt waters listed. The special provisions are exceptions to the general provisions specified in 5 AAC 47.020, 5 AAC 47.030, and 5 AAC 47.035, and modify the general provisions only to the extent specified in this section.

(b) In the Yakutat vicinity:

(1) in Ankau Lagoon,

(A) the bag and possession limit for king salmon

(i) 20 inches or greater in length is one fish;

(ii) less than 20 inches in length is 10 fish;

(B) the bag and possession limit for coho salmon 16 inches or greater in length is two fish;

(C) the bag and possession limits for chum, pink, and sockeye salmon 16 inches or greater in length are a bag limit of six fish per species, and a possession limit of 12 fish per species;

(D) the bag and possession limit for salmon, other than king salmon 16 inches or less in length is 10 fish per species;

(E) from August 15 - September 30, sport fishing is prohibited east of a line from Smokehouse Point north to the mainland;

(2) repealed 5/26/2006.

(c) In the Haines/Skagway vicinity, the waters of Chilkat Inlet north of a line extending from an ADF&G regulatory marker located approximately one mile south of Anchorage Point to an ADF&G regulatory marker located directly north of the Letnikof Cove boat ramp are closed to sport fishing for king salmon from April 15 - July 15.

(d) In the Juneau vicinity: in the waters that are adjacent to the Juneau City and Borough road system to a distance one-quarter mile offshore:

(1) rainbow and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;

(2) the bag and possession limit for Dolly Varden is two fish;

(3) in the waters of Auke Bay, east of a line from Waydelich (Wadleigh) Creek to an ADF&G regulatory marker located approximately one-quarter mile south of the mouth of Auke Creek,

(A) sport fishing for sockeye salmon is closed;

(B) Dolly Varden may be taken only from June 1 - March 31;

(C) snagging or attempting to snag is prohibited within a 200-yard radius seaward of ADF&G regulatory markers located approximately 200 feet downstream of the Auke Creek weir; a fish hooked anywhere other than the mouth must be released immediately back into the water;

(4) in the waters of Eagle River Beach, from the Boy Scout Camp north to an ADF&G regulatory marker located on the mainland shore at the latitude of Sentinel Island Light at 58° 32.78' N. lat., 134° 55.27' W. long., to a distance one-quarter mile offshore, Dolly Varden may be taken only from June 1 - March 31;

(5) in the waters of Gastineau Channel within 150 feet of the Channel Wayside fishing dock located near the Macaulay Salmon Hatchery, snagging or attempting to snag is prohibited; a fish hooked anywhere other than in the mouth must be released immediately back into the water.

(e) In the waters of District 11, as described in 5 AAC 33.200(k),

(1) in a year with an allowable catch of Taku River king salmon, the commissioner shall close, by emergency order, the king salmon fishing season on April 24 and immediately reopen a king salmon fishing season in District 11, from April 25 - June 30, during which

(A) a sport fish angler may use two rods;

(B) a resident bag and possession limit is three king salmon, 28 inches or greater in length;

(C) a nonresident bag and possession limit is two king salmon, 28 inches or greater in length;

(D) a nonresident annual limit is five king salmon, 28 inches or greater in length;

(2) in a year when there is no allowable catch of Taku River king salmon, in the waters north of a line from Cooper Point to the mouth of Dorothy Creek, king salmon may be taken only from June 15 - April 15.

(f) In the waters of Mitchell Bay (Salt Lake) in the Admiralty Island vicinity, the bag and possession limit for coho salmon 16 inches or greater in length is six fish.

(g) In the Sitka vicinity:

(1) in the Sitka Sound Special Use Area, defined as that area of Sitka Sound enclosed on the north by lines from Kruzof Island at 57° 20.50' N. lat., 135° 45.17' W. long. to Chichagof Island at 57° 22.05' N. lat., 135° 43' W. long., and from Chichagof Island at 57° 22.58' N. lat., 135° 41.30' W. long. to Baranof Island at 57° 22.28' N. lat., 135° 40.95' W. long., and on the south and west by a line running from the southernmost tip of Sitka Point at 56° 59.38' N. lat., 135° 49.57' W. long. to Hanus Point at 56° 51.92' N. lat., 135° 30.50' W. long. to the green day marker in Dorothy Narrows to Baranof Island at 56° 49.28' N. lat., 135° 22.60' W. long.,

(A) the nonresident bag and possession limit for lingcod is a bag limit of one fish, and possession limit of two fish;

(B) the bag and possession limit for nonpelagic rockfish is three fish, of which no more than one may be a yelloweye rockfish;

(C) razor clams may not be possessed or retained; all razor clams dug must be released immediately;

(D) sport fishing for shrimp is closed;

(2) the waters off Cape Edgecumbe enclosed by a box at 56° 55.50' N. lat. and 56° 57' N. lat., and 135° 54' W. long. and 135° 57' W. long. are closed to sport fishing for all species of bottomfish, as defined in 5 AAC 39.975, and halibut;

(3) the Bear Cove Special Harvest Area, described as those waters of Bear Cove east of a line between ADF&G regulatory markers located on the north and south shores of Bear Cove, is closed to snagging; a fish hooked anywhere other than the mouth must be released immediately;

(4) repealed 7/13/2012;

(5) as specified in 5 AAC 01.760, in Redoubt Bay

(A) the bag and possession limit for sockeye salmon is four fish;

(B) from June 1 - July 15, snagging is not allowed in the waters south of 56° 54.71' N. lat.;

(C) from July 16 - August 31, snagging is not allowed by a nonresident in the waters south of 56° 54.71' N. lat.

(h) Repealed 5/12/2011.

(i) In the Prince of Wales Island vicinity,

(1) all waters of Klawock Harbor south of a line from the Klawock blinker light to the Klawock Cannery Dock are closed to

(A) snagging; a fish hooked anywhere other than the mouth must be released immediately;

(B) sport fishing for sockeye salmon;

(2) shrimp may not be taken in the waters of Twelve-Mile Arm west of a line from Prince of Wales Island at 55° 29.07' N. lat., 132° 37.60' W. long., to the northeasternmost tip of Loy Island at 55° 29.07' N. lat., 132° 36.70' W. long., to the easternmost tip of Cat Island at 55° 27.80' N. lat., 132° 39.08' W. long., to Prince of Wales Island at 55° 27.80' N. lat., 132° 40.93' W. long., including the waters of Hollis Anchorage.

(j) In the Ketchikan vicinity:

(1) in the waters of Behm Canal, Clarence Strait, Tongass Narrows, Nichols Passage, George Inlet, Carroll Inlet, Thorne Arm, Revillagigedo Channel, and all contiguous waters enclosed by the latitude of Bushy Point Light (55° 44.00' N. lat.), a line from Point Alava to the southernmost tip of Ham Island, a line from Cedar Point to Dall Head to a point in midstream Clarence Strait at the latitude of Dall Head (55° 07.12' N. lat.) to Caamano Point, the

bag and possession limit for nonpelagic rockfish is three fish, of which no more than one may be a yelloweye rockfish;

(2) Behm Canal and the contiguous bays and enclosed by a line from Point Eva to Cactus Point, a line from Point Lees to Elsie Point, and a line between ADF&G regulatory markers located at the longitude of the outlet of Long Lake (131° 26.15' W. long.), are closed to sport fishing for salmon;

(3) in Behm Canal and the contiguous bays between a line from Point Eva to Cactus Point and the latitude of Point Nelson (55° 18.00' N. lat.), salmon may be taken only from August 15 - April 30;

(4) in Neets Bay east of a line between ADF&G regulatory markers located approximately one mile from the head of the bay, salmon may be taken only from November 16 - June 14;

(5) in Thomas Basin seaward of a line between ADF&G regulatory markers located on the upstream side of the Stedman Street Bridge,

(A) only single hooks may be used;

(B) snagging is prohibited; a fish hooked anywhere other than the mouth must be released immediately;

(6) shrimp may not be taken in the waters east of a line from Indian Point at 55° 36.85' N. lat., 131° 42.02' W. long., to the northeasternmost tip of Betton Island at 55° 31.95' N. lat., 131° 46.37' W. long., to the southeasternmost tip of Betton Island at 55° 29.90' N. lat., 131° 48.18' W. long., to Survey Point at 55° 28.07' N. lat., 131° 49.87' W. long. (Eff. 6/1/2003, Register 166; am 7/18/2003, Register 167; am 7/26/2003, Register 167; em am 4/13/2005 - 8/10/2005, Register 174; am 5/26/2006, Register 178; add'l am 5/26/2006, Register 178; am 5/31/2009, Register 190; am 7/29/2009, Register 191; am 5/12/2011, Register 198; am 7/13/2012, Register 203; am 2/23/2014, Register 209)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 47.022. General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Southeast Alaska Area. (a) Unless otherwise specified through an emergency order issued under AS 16.05.060, and subject to the special provisions under 5 AAC 47.023 and the provisions of 5 AAC 47.030 - 5 AAC 47.095, this section contains the general provisions for the seasons and bag, possession, annual, and size limits that apply to sport fishing for finfish in the fresh waters in Southeast Alaska Area.

(b) In the fresh waters east of the longitude of Cape Fairweather:

(1) king salmon: sport fishing for king salmon is closed;

(2) salmon, other than king salmon: may be taken from January 1 - December 31; no annual limit, no size limit; bag and possession limits, as follows:

(A) 16 inches or greater in length; bag limit of six fish per species; possession limit of 12 fish per species;

(B) less than 16 inches in length; bag and possession limit of 10 fish in combination;

(3) rainbow and cutthroat trout, in combination: may be taken from January 1 - December 31; bag and possession limit of two fish; no annual limit; must be no less than 11 inches and no greater than 22 inches in length;

(4) steelhead: may be taken from January 1 - December 31; bag limit of one fish; possession limit of two fish; must be 36 inches or greater in length; annual limit of two fish; a harvest record is required as specified in 5 AAC 75.006;

(5) Dolly Varden: may be taken from January 1 - December 31; bag and possession limit of 10 fish; no annual limit; no size limit;

(6) brook trout: may be taken from January 1 - December 31; bag and possession limit of 10 fish; no annual limit; no size limit;

(7) grayling: may be taken from January 1 - December 31; bag and possession limit of 10 fish; no annual limit; no size limit;

(8) other freshwater finfish species not specified in this subsection: may be taken from January 1 - December 31; no bag, possession, annual, or size limits.

(c) In the fresh waters between the longitude of Cape Suckling and the longitude of Cape Fairweather:

(1) king salmon: may be taken from January 1 - December 31; no size limit; bag, possession, and annual limits, as follows:

(A) 20 inches or greater in length; bag and possession limit of one fish;

(B) less than 20 inches in length; bag and possession limit of 10 fish;

(C) the commissioner shall establish, by emergency order, the nonresident annual limit for king salmon 28 inches or greater as specified in 5 AAC 47.055; a harvest record is required for a nonresident as specified in 5 AAC 75.006;

(2) salmon, other than king salmon: may be taken from January 1 - December 31; no annual limit; no size limit; bag and possession limits, as follows:

(A) coho salmon 16 inches or greater in length; bag limit of four fish; possession limit of eight fish;

(B) chum, pink, and sockeye salmon 16 inches or greater in length; bag limit of six fish per species; possession limit of 12 fish per species;

(C) salmon, other than king salmon: less than 16 inches in length, bag and possession limit of 10 fish per species;

(3) rainbow and cutthroat trout, in combination: may be taken from January 1 - December 31; bag and possession limit of two fish; no annual limit; must be no less than 11 inches and no greater than 22 inches in length;

(4) steelhead: may be taken from January 1 - December 31; bag limit of one fish; possession limit of two fish; must be 36 inches or greater in length; annual limit of two fish; a harvest record is required as specified in 5 AAC 75.006;

(5) Dolly Varden: may be taken from January 1 - December 31; bag and possession limit of 10 fish; no annual limit; no size limit;

(6) brook trout: may be taken from January 1 - December 31; bag and possession limit of 10 fish; no annual limit; no size limit;

(7) grayling: may be taken from January 1 - December 31; bag and possession limit of 10 fish; no annual limit; no size limit;

(8) other freshwater finfish species not specified in this subsection: may be taken from January 1 - December 31; no bag, possession, annual, or size limits. (Eff. 4/15/94, Register 130; em am 5/15/94 - 9/11/94, Register 130; em am 6/7/95 - 10/4/95, Register 134; em am 6/7/96 - 10/4/96, Register 139; am 5/2/97, Register 142; am 5/16/97, Register 142; am 5/25/97, Register 142; am 4/23/98, Register 146; am 5/25/2000, Register 154; am 3/11/2001, Register 157; am 5/19/2001, Register 158; am 6/1/2003, Register 166; am 2/23/2014, Register 209)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area. (a)

Unless otherwise specified through an emergency order issued under AS 16.05.060, the special provisions in this section apply to the fresh waters listed. The special provisions are exceptions to the general provisions specified in 5 AAC 47.022 and 5 AAC 47.030, and modify the general provisions only to the extent specified in this section.

(b) In the freshwater drainages in the Yakutat vicinity that are crossed by the Yakutat road system and all streams draining into Yakutat Bay between Ocean Cape and Point Latouche:

(1) except as provided in (5) of this subsection,

(A) only unbaited, artificial lures may be used;

(B) the bag and possession limit for coho salmon 16 inches or greater in length is two fish;

(2) in the Antlen River drainage, including Pike Lakes, upstream of Forrest Highway 10, northern pike may not be possessed or retained; northern pike caught must be released immediately;

(3) in the Lost River drainage, upstream from the Lost River Bridge, sport fishing is allowed only from January 1 - August 14;

(4) Ophir Creek upstream from the downstream side of the Yakutat Highway Road culvert is closed to all sport fishing;

(5) repealed 7/13/2012;

(6) in the Situk River drainage,

(A) a king salmon 28 inches or greater in length taken by a nonresident will not count toward that nonresident's annual limit established by emergency order under 5 AAC 47.055;

(B) from ADF&G regulatory markers located two miles above the Situk River Nine Mile Bridge to ADF&G regulatory markers located two miles below Situk Lake, sport fishing is allowed only from May 16 - April 14;

(C) from the mouth to the old railroad bridge, sport fishing is allowed only from October 15 - June 14, except a person 60 years of age or older (senior citizen) may sport fish from January 1 - December 31;

(D) upstream from the U.S. Forest Service middle cabin, king salmon may be taken only from September 1 - June 30;

(E) only single hooks may be used;

(7) in Tawah Creek, within 50 yards of the R.E.L. Bridge on Canon Beach Road, sport fishing is allowed only from October 1 - June 15;

(8) in the Lost River and Ahrnklin River and all drainages flowing into or between the Lost River and Ahrnklin River, the bag and possession limits for sockeye salmon is a bag limit of three fish and a possession limit of six fish.

(c) In the Haines vicinity:

(1) in the Chilkat River drainage,

(A) except as otherwise specified in this subsection, bait may be used;

(B) the bag and possession limits for coho salmon 16 inches or greater in length is a bag limit of three fish and a possession limit of six fish;

(C) in Chilkat Lake and Mosquito Lake,

(i) only unbaited, artificial lures may be used;

(ii) rainbow and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;

(D) in all inlet and outlet streams of Mosquito Lake to the confluence with the Chilkat River and all inlet and outlet streams of Chilkat Lake to the confluence with the Tsirku River, bait may be used only from September 15 - November 15;

(E) in the Chilkat Lake's main tributary stream, located at the southeast end of the lake,

(i) bait may be used only from September 15 - November 15;

(ii) sport fishing is closed from April 1 - June 30;

(2) in the Chilkoot River drainage and Lake,

(A) bait may be used;

(B) the bag and possession limit for coho salmon 16 inches or greater in length is two fish;

(C) the possession limit for chum, pink, and sockeye salmon 16 inches or greater in length is six fish per species;

(D) the bag and possession limit for Dolly Varden is four fish;

(E) all waters flowing into Chilkoot Lake are closed to sport fishing for salmon;

(3) in Herman Lake and Walker Lake, bait may be used;

(4) One Mile Creek, off Mud Bay Road, and Sawmill Creek and its tributaries, are closed to sport fishing for all species from April 1 - June 30.

(d) In the Skagway vicinity;

(1) in all waters and lakes flowing into Taiya Inlet, bait may be used;

(2) in Pullen Creek above Second Avenue,

(A) bait may be used;

(B) sport fishing is open only from December 1 - September 14;

(3) in Lost Lake,

(A) bait may be used;

(B) rainbow trout must be no less than nine inches in length.

(e) In the Juneau vicinity:

(1) in all drainages crossed by the Juneau City and Borough road system,

(A) unless otherwise specified in (B) - (J) of this paragraph,

(i) the bag and possession limit for coho salmon 16 inches or greater in length is two fish;

(ii) the bag and possession limit for sockeye salmon 16 inches or greater in length is one fish;

(iii) rainbow and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;

(iv) the bag and possession limit for Dolly Vardon is two fish;

(v) steelhead may be taken by catch-and-release fishing only, and may not be possessed or retained; all steelhead caught must be released immediately unharmed;

(B) in the waters of Auke Lake, its tributaries, and the outlet stream downstream to Glacier Highway,

(i) sport fishing for sockeye salmon and Dolly Varden is closed;

(ii) only unbaited, artificial lures may be used;

(C) in Glacier Lake, Moraine Lake, and Montana Creek, including McGinnis Creek, only unbaited, artificial lures may be used;

(D) in Mendenhall Lake,

(i) only unbaited, artificial lures may be used;

(ii) sport fishing for Dolly Varden is closed;

(E) in Peterson Lagoon, only unbaited, artificial lures may be used;

(F) in Salmon Creek Reservoir, bait may be used;

(G) in Twin Lakes,

(i) bait may be used;

(ii) the bag and possession limit for all species of salmon less than 16 inches in length is 10 fish in combination;

(iii) the bag and possession limit for rainbow and cutthroat trout, in combination, is five fish; no size limit;

(H) Windfall Creek (the outlet stream of Windfall Lake) and the portion of the Herbert River within 100 yards of the confluence of Windfall Creek is closed to sport fishing from June 1 - July 31, except that sport fishing is allowed on Wednesdays and Saturdays during the month of June;

(I) in Windfall Lake and all inlet streams,

(i) only unbaited, artificial lures may be used;

(ii) the retention of sockeye salmon is prohibited;

(J) Auke Nu Creek, Kowee Creek on Douglas Island, Sheep Creek, and Waydelich Creek (Wadleigh Creek) are closed to sport fishing for salmon;

(K) Auke Creek downstream from the Glacier Highway, Bear Creek on Douglas Island, Duck Creek, Jordan Creek, Steep Creek, Switzer Creek, and Vanderbilt Creek are closed to sport fishing for all species;

(L) in Cowee Creek, from September 15 through November 15, bait may be used only by a person less than 16 years of age;

(2) in Annex Lake, Antler Lake, and Dorothy Lake,

(A) bait may be used;

(B) rainbow and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;

(3) in Shelter Lake,

(A) only unbaited, artificial lures may be used;

(B) rainbow and cutthroat trout, in combination, must be no less than nine inches in length;

(4) in Turner Lake,

(A) only unbaited, artificial lures may be used;

(B) cutthroat trout may not be possessed or retained; all cutthroat trout must be released immediately.

(f) In the fresh waters of Admiralty Island:

(1) in Alexander Lake and Young Lake,

(A) only unbaited, artificial lures may be used;

(B) rainbow and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;

(2) in Distin Lake, Guerin Lake, Hasselborg Lake, and Jims Lake,

(A) only unbaited, artificial lures may be used;

(B) the bag and possession limit for cutthroat trout is one fish, which must be 25 inches or greater in length;

(3) in Florence Lake,

(A) bait may be used;

(B) the bag and possession limits for rainbow and cutthroat trout, in combination, is a bag limit of five fish and a possession limit of 10 fish; no size limit.

(g) In the Sitka vicinity:

(1) in Baranof Lake, Lake Eva, Little Lake Eva, and Salmon Lake, and Kook Lake on Chichagof Island,

(A) only unbaited, artificial lures may be used;

(B) rainbow and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;

(2) in Beaver Lake, Deep Lake, Green Lake, Heart Lake, Long Lake, and Thimbleberry Lake, bait may be used;

(3) in Buck Lake, Lake 436, and Sukoi Lake,

(A) only unbaited, artificial lures may be used;

(B) rainbow and cutthroat trout, in combination, must be no less than nine inches and no greater than 22 inches in length;

(4) Indian River and Starrigavin Creek are closed to sport fishing for salmon, except that

(A) Indian River, upstream of the Sawmill Creek Road Bridge, and Starrigavin Creek are open to sport fishing for pink salmon; and

(B) Indian River and Starrigavin Creek are open to king salmon fishing as specified in (10) of this subsection;

(5) in Port Banks Creek, the outlet of Plotnikof Lake,

(A) only unbaited, artificial lures may be used;

(B) steelhead may be taken by catch-and-release fishing only, and may not be possessed or retained; all steelhead caught must be released immediately unharmed;

(6) repealed 5/26/2006;

(7) in Sitkoh Lake,

(A) only unbaited, artificial lures may be used;

(B) repealed 5/26/2006;

(C) rainbow and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;

(8) Wrinklneck Creek, the main inlet to Swan Lake, is closed to sport fishing for all species;

(9) as specified in 5 AAC 01.760, in the Redoubt Lake drainage, the bag and possession limit for sockeye salmon is four fish;

(10) in the freshwater drainages that drain into the Sitka Sound Special Use Area, described in 5 AAC 47.021(g)(1),

(A) the bag limit for king salmon, 28 inches or greater in length, is five fish;

(B) the bag and possession limit for king salmon, less than 28 inches in length, is five fish; and

(C) a king salmon taken by a nonresident does not count towards the nonresident annual limit.

(h) In the Petersburg/Wrangell vicinity:

(1) in Blind Slough, upstream of a line between Blind Point and Anchor Point,

(A) only unbaited, artificial lures may be used from November 16 - May 31;

(B) a person may not intentionally snag, attempt to snag, or retain a salmon that is hooked other than in the mouth, except during periods established by emergency order;

(C) king salmon may be taken from January 1 - December 31; bag and possession limits, as follows:

(i) 28 inches or greater in length; bag and possession limit of two fish;

(ii) less than 28 inches in length; bag and possession limit of two fish;

(D) a king salmon 28 inches or greater in length harvested by a nonresident counts toward the annual limit established by emergency order under 5 AAC 47.055;

(2) the Blind Slough tributaries are closed to sport fishing for salmon;

(3) in Castle River and Hamilton River,

(A) only unbaited, artificial lures may be used;

(B) steelhead may be taken by catch-and-release fishing only, and may not be possessed or retained; all steelhead caught must be released immediately unharmed;

(4) in Crystal Lake, Kane Peak Lake, and Tyee Lake, bait may be used;

(5) in Kah Sheets Lake, Anan Lake, Thoms Lake, and Virginia Lake,

(A) only unbaited, artificial lures may be used;

(B) rainbow and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;

(6) in Eagle Lake,

(A) only unbaited, artificial lures may be used;

(B) the bag and possession limit for cutthroat trout is one fish, which must be 25 inches or greater in length;

(7) in Long Lake,

(A) only unbaited, artificial lures may be used;

(B) rainbow and cutthroat trout, in combination, must be no less than nine inches and no greater than 22 inches in length;

(8) in Pats Lake, on the third and fourth Saturday and Sunday in June, a person under 16 years of age may use bait; the bag and possession limits for all finfish species combined is two fish; no size limit.

(i) In the Ketchikan vicinity:

(1) in all drainages crossed by the Ketchikan City and Borough road system, not otherwise specified in this subsection, the bag and possession limit for salmon, other than king salmon,

(A) 16 inches or greater in length, is two fish in combination;

(B) less than 16 inches in length, is 10 fish in combination;

(2) Carlanna Creek is closed to sport fishing for all species;

(3) in the City Park Ponds,

(A) sport fishing is allowed only from the first Saturday in June through August 31;

(B) bait may be used from the first Saturday in June through August 31;

(C) the bag and possession limit for rainbow trout, king salmon, and coho salmon in combination, is five fish; no size limit;

(4) in Carlanna Lake and Harriet Hunt Lake,

(A) bait may be used;

(B) the bag and possession limit for rainbow and cutthroat trout, in combination, is five fish; no size limit;

(5) in Herring Cove Creek,

(A) upstream from the Herring Cove Bridge, sport fishing for all species is closed;

(B) from the Herring Cove Bridge to ADF&G regulatory markers located approximately 300 yards downstream,

(i) sport fishing is allowed only from August 10 - December 31;

(ii) the bag and possession limit for salmon, other than king salmon, 16 inches or greater in length, is two fish in combination, and for salmon, other than king salmon, less than 16 inches in length, is 10 fish in combination;

(6) in Ketchikan Creek, excluding City Park Ponds,

(A) only unbaited, single-hook, artificial lures may be used;

(B) sport fishing is allowed only from September 15 - May 31;

(C) the bag and possession limit for salmon, other than king salmon,

(i) 16 inches or greater in length, is two fish in combination;

(ii) less than 16 inches in length, is 10 fish in combination;

(D) the bag and possession limit for steelhead is two fish if one of the fish has a clipped adipose fin, as evidenced by a healed scar;

(7) Mahoney Creek, on Revillagigedo Island, is closed to sport fishing for salmon;

(8) in Ward Creek,

(A) only unbaited, single-hook, artificial lures may be used;

(B) the bag and possession limit for salmon, other than king salmon,

(i) 16 inches or greater in length; is two fish in combination;

(ii) less than 16 inches in length, is 10 fish in combination;

(C) steelhead may be taken by catch-and-release fishing only, and may not be possessed or retained; all steelhead caught must be released immediately unharmed;

(9) in Bakewell Lake,

(A) only unbaited, artificial lures may be used;

(B) rainbow and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;

(10) in Big Goat Lake, Bugge Lake, Claude Lake, Grace Lake, Half-Moon Lake, Little Goat Lake, Manzoni Lake, Minne Lake, Nellie Lake, Nooya Lake, Orton Lake, Shelokum Lake, Snow Lake, Swan Lake, Upper Mahoney Lake, Mahoney Lake, and Whitman Lake, bait may be used;

(11) in the Ella Creek drainage, excluding Ella Lake, and in Fish Creek, Gokachin Creek (Sealevel Creek), Humpback Creek drainage, Spit Creek, and Steelhead Creek,

(A) only unbaited, artificial lures may be used;

(B) steelhead may be taken by catch-and-release fishing only, and may not be possessed or retained; all steelhead caught must be released immediately unharmed;

(12) in Ella Lake, Manzanita Lake, Humpback Lake, Orchard Lake, and Wilson Lake,

(A) only unbaited, artificial lures may be used;

(B) the bag and possession limit for cutthroat trout is one fish, which must be 25 inches or greater in length;

(13) in the McDonald Lake drainage,

(A) only unbaited, artificial lures may be used;

(B) steelhead may be taken by catch-and-release fishing only, and may not be possessed or retained; all steelhead caught must be released immediately unharmed;

(C) in McDonald Lake, rainbow trout and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;

(14) in the Naha River drainage,

(A) only unbaited, artificial lures may be used;

(B) in Heckman Lake and Jordan Lake, rainbow and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;

(C) in Patching Lake, the bag and possession limit for cutthroat trout is one fish, which must be 25 inches or greater in length;

(D) steelhead may be taken by catch-and-release fishing only, and may not be possessed or retained; all steelhead caught must be released immediately unharmed;

(15) in Reflection Lake, on the Cleveland Peninsula,

(A) only unbaited, artificial lures may be used;

(B) the bag and possession limit for salmon, other than king salmon,

(i) 16 inches or greater in length, is two fish in combination;

(ii) less than 16 inches in length, is 10 fish in combination;

(C) the bag and possession limit for cutthroat trout is one fish, which must be 25 inches or greater in length;

(16) in Ketchikan Lake,

(A) bait may be used;

(B) the bag and possession limit for salmon, other than king salmon,

(i) 16 inches or greater in length, is two fish in combination;

(ii) less than 16 inches in length, is 10 fish in combination.

(j) In the Hyder vicinity, in Fish Creek and Marx Creek, only single-hooks may be used.

(k) In the Prince of Wales Island vicinity:

(1) in 108 Creek, Dog Salmon Creek, Eagle Creek drainage including Luck Lake, Hunter Bay Creek, Klakas Creek, Old Frank's Creek, and Staney Creek,

(A) only unbaited, artificial lures may be used;

(B) steelhead may be taken by catch-and-release fishing only, and may not be possessed or retained; all steelhead caught must be released immediately unharmed;

(2) in the Karta River drainage, including Karta Lake and Salmon Lake,

(A) only unbaited, single-hook, artificial lures may be used;

(B) steelhead may be taken by catch-and-release fishing only, and may not be possessed or retained; all steelhead caught must be released immediately unharmed;

(3) in Kegan Lake and Red Bay Lake,

(A) only unbaited, artificial lures may be used;

(B) rainbow trout and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;

(4) in Marge Lake, Mellen Lake, Shinaku Lake, and Summit Lake, bait may be used;

(5) in the Klawock River drainage,

(A) only unbaited, artificial lures may be used;

(B) sport fishing for all species from the Klawock River Bridge is closed;

(C) rainbow and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;

(D) repealed 7/13/2012;

(E) upstream from the Klawock River Bridge, sport fishing for sockeye salmon is closed;

(6) in Noname Lake,

(A) only unbaited, artificial lures may be used;

(B) rainbow and cutthroat trout, in combination, must be no less than nine inches and no greater than 22 inches in length;

(7) repealed 5/26/2006;

(8) in the Sweetwater Lake drainage,

(A) only unbaited, artificial lures may be used;

(B) rainbow and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;

(C) the bag and possession limit for sockeye salmon, 16 inches or greater in length, is three fish per day, with six in possession;

(D) from June 1 - July 31, in Hatchery Creek, sport fishing is closed 100 feet upstream of the upper falls at the end of the United States Forest Service boardwalk to 100 feet downstream of the lower falls;

(9) in the Salmon Bay Creek drainage,

(A) only unbaited, artificial lures may be used;

(B) steelhead may be taken by catch-and-release fishing only, and may not be possessed or retained; all steelhead caught must be released immediately unharmed;

(C) in Salmon Bay Lake, rainbow trout and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;

(10) in the Sarkar Lake drainage,

(A) only unbaited, artificial lures may be used;

(B) steelhead may be taken by catch-and-release fishing only, and may not be possessed or retained; all steelhead caught must be released immediately unharmed;

(C) in Sarkar Lake, rainbow trout and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;

(11) in the Thorne River drainage, including Control Lake,

(A) only unbaited, artificial lures may be used;

(B) steelhead may be taken by catch-and-release fishing only, and may not be possessed or retained; all steelhead caught must be released immediately unharmed;

(C) rainbow trout and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length.

(Eff. 6/1/2003, Register 166; am 7/18/2003, Register 167; am 5/26/2006, Register 178; am 12/31/2006, Register 180; am 5/31/2009, Register 190; am 5/12/2011, Register 198; am 7/13/2012, Register 203; am 2/23/2014, Register 209)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 47.030. Methods, means, and general provisions - Finfish. (a) Unless otherwise provided in 5 AAC 47.021, 5 AAC 47.023, 5 AAC 47.055, or by emergency order

issued under AS 16.05.060, the provisions in this section apply to finfish sport fishing in the Southeast Alaska Area.

(b) Sport fishing may be conducted only by the use of a single line per angler, and not more than six lines may be fished from a vessel.

(c) Repealed 5/25/2000.

(d) Repealed 5/25/2000.

(e) Upon request by a representative of the department or a peace officer of the state, external tags on all salmon and trout and the tags and heads of all adipose fin-clipped salmon and trout must be forfeited, and the date and location of their catch must be disclosed.

(f) Fishing within 300 feet of a fish ladder is allowed unless otherwise posted by department markers. No person may fish from, on, or in a fish ladder.

(g) Repealed 5/31/2009.

(h) Repealed 3/13/2004.

(i) Only unbaited, artificial lures may be used in fresh water from November 16 - September 14.

(j) Notwithstanding 5 AAC 75.026, in the Southeast Alaska Area, pink and chum salmon taken in a sport fishery may be used as bait in a sport, personal use, or subsistence fishery.

(k) Repealed 6/10/2010.

(l) Beginning January 1, 2013, a person sport fishing from a charter vessel when releasing a nonpelagic rockfish shall immediately use a deep water release mechanism to return the fish to the depth it was hooked or to a depth of at least 100 feet. A charter vessel must have at least one functional deep water release mechanism on board and readily available for use when sport fishing activities are taking place. Upon request, a deep water release mechanism must be presented to a local representative of the department or a peace officer of the state. In this subsection, "deep water release mechanism" means a device designed to return a rockfish back near the bottom where it was hooked, or to a specified depth, and to assist the fish in recompression and to improve the fish's chance of survival. (Eff. 4/15/94, Register 130; am 5/2/97, Register 142; am 5/9/98, Register 146; am 5/25/2000, Register 154; am 6/1/2003, Register 166; am 3/13/2004, Register 169; em am 4/13/2005 - 8/10/2005, Register 174; am 7/1/2007, Register 182; am 5/31/2009, Register 190; am 6/10/2010, Register 194; am 7/13/ 2012, Register 203)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 47.055. Southeast Alaska King Salmon Management Plan. (a) The commissioner shall establish, by emergency order, the king salmon sport fish bag and possession limits and all other necessary management measures based on the preseason king salmon abundance index determined by the Chinook Technical Committee of the Pacific Salmon Commission. The bag and possession limits and other management measures established by the commissioner will remain in effect until December 31. For the following year, until that year's preseason abundance index becomes available, the bag and possession limits and other management measures will be based on the prior year's preseason abundance index. If the new preseason king salmon abundance index is not available by May 1, the bag and possession limits and other management measures for the remainder of the year will be based on the prior year's preseason abundance index, unless superseded by emergency order.

(b) The objectives of the management plan under this section are to

(1) manage the sport fishery to attain an average harvest of 20 percent of the annual harvest ceiling specified by the Pacific Salmon Commission, after the subtraction of the commercial net allocation specified in 5 AAC 29.060 from the harvest ceiling;

(2) allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the sport fishery harvest ceiling;

(3) minimize regulatory restrictions on resident anglers; and

(4) provide stability to the sport fishery by eliminating inseason regulatory changes, except those necessary for conservation purposes.

(c) When the king salmon abundance index is greater than 2.0, the commissioner may, by emergency order, implement the following management measures:

(1) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain king salmon;

(2) a resident bag limit of three king salmon, 28 inches or greater in length;

(3) a nonresident bag limit of two king salmon in May and June and one king salmon for the remainder of the year; a nonresident annual limit of six king salmon, 28 inches or greater in length.

(d) When the king salmon abundance index is 1.76 to 2.0, the commissioner may, by emergency order, implement the following management measures:

(1) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain king salmon;

(2) a resident bag limit of three king salmon;

(3) a nonresident bag limit of two king salmon in May and one king salmon for the remainder of the year; a nonresident annual limit of five to six king salmon, 28 inches or greater in length, established by emergency order.

(e) When the king salmon abundance index is 1.51 to 1.75, the commissioner may, by emergency order, implement the following management measures:

(1) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain king salmon;

(2) a resident bag limit of three king salmon;

(3) a nonresident bag limit of two king salmon in May and one king salmon for the remainder of the year; a nonresident annual limit of four to five king salmon, 28 inches or greater in length, established by emergency order.

(f) When the king salmon abundance index is greater than 1.2 and less than or equal to 1.5, the commissioner shall, by emergency order, implement the following management measures:

(1) a resident bag limit of two king salmon;

(2) a nonresident bag limit of one king salmon;

(3) a nonresident annual limit of three king salmon, 28 inches or greater in length;

(4) from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain king salmon.

(g) When the king salmon abundance index is less than or equal to 1.2, the commissioner shall, by emergency order, implement the following management measures:

(1) a bag limit of one king salmon;

(2) from January 1 through June 30, a nonresident's harvest limit is three king salmon, 28 inches or greater in length;

(3) from July 1 through July 15, a nonresident's harvest limit is two king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by the nonresident from January 1 through June 30 will apply toward the two fish harvest limit;

(4) from July 16 through December 31, a nonresident's harvest limit is one king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by the nonresident from January 1 through July 15 will apply toward the one fish harvest limit;

(5) from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain king salmon.

(h) In addition to the provisions of (g) of this section, when the king salmon abundance index is less than or equal to 1.1, the commissioner shall, by emergency order, implement the following management measures:

(1) a resident bag and possession limit of one king salmon, 28 inches or greater in length;

(2) from May 1 through June 30, a nonresident annual harvest limit is three king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by a nonresident from January 1 through June 30 will apply towards the three fish annual limit;

(3) from July 1 through December 31, a nonresident annual harvest limit is one king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by a nonresident from January 1 through June 30 will apply towards the one fish annual limit;

(4) from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain king salmon.

(i) In addition the provisions specified in (g) and (h) of this section, when the king salmon abundance index is less than 1.0, the commissioner may, by emergency order, specify fishing times during which the retention of king salmon less than 48 inches in length is prohibited by nonresident anglers. The commissioner may also independently, by emergency order, implement nonretention periods or other restrictions for resident anglers to obtain 20 percent of the harvest reduction from resident anglers and 80 percent from nonresident anglers. Fishing times of nonretention will be established on a regular basis between July 16 and July 31, as needed, and will be established on nonconsecutive days when possible. If the entire period of July 16 through July 31 is established as a fishing time of nonretention and additional closures are necessary, additional fishing times of nonretention will be similarly established between July 1 and July 15.

(j) The commissioner may adopt regulations that establish reporting requirements necessary to obtain the information required to implement the management plan under this section.

(k) The commissioner may, by emergency order, establish that the nonresident harvest and annual limits for king salmon under this section do not apply in a hatchery terminal harvest area. (Eff. 4/15/94, Register 130; am 5/2/97, Register 142; am 5/25/2000, Register 154; am 6/1/2003, Register 166; em am 4/13/2005 - 8/10/2005, Register 174; em am 5/3/2005 - 8/30/2005, Register 174; am 5/26/2006, Register 178; am 5/1/2008, Register 186; am 5/31/2009, Register 190; am 7/13/ 2012, Register 203)

Authority: AS 16.05.060 AS 16.05.251 AS 16.05.270

5 AAC 47.065. Demersal shelf rockfish delegation of authority and provisions for management. Under 5 AAC 28.160, the Board of Fisheries has allocated 16 percent of the annual allowable catch of the demersal shelf rockfish in the Southeast Outside Subdistrict, described in 5 AAC 28.105(a)(4), to the sport fishery. If the commissioner determines that the demersal shelf rockfish sport fishing regulations must be modified to keep the sport fishery within its allocation, the commissioner may, by emergency order, require one or more of the following management measures:

- (1) reduced bag and possession limits for nonresident anglers;
- (2) retention of all demersal shelf rockfish caught by a nonresident angler is required until the nonresident bag limit is reached;
- (3) charter operators and crewmembers may not retain demersal shelf rockfish while clients are on board the vessel;
- (4) annual limits for demersal shelf rockfish for nonresident anglers;
- (5) reduce the bag and possession limits for resident anglers;
- (6) retention of all demersal shelf rockfish caught by a resident angler is required until the resident angler's bag limit is reached;
- (7) annual limits for demersal shelf rockfish for resident anglers;
- (8) time and area closures. (Eff. 5/26/2006, Register 178)

Authority: AS 16.05.060 AS 16.05.251