

5 AAC 47.[090]XXX . Nakwasina Bay [GEORGE INLET] superexclusive guided sport ecotourism Dungeness crab fishery. (a) Notwithstanding the provisions of 5 AAC 47.036, the waters of [GEORGE INLET NORTH OF THE LATITUDE OF THE SOUTHERNMOST TIP OF CALIFORNIA HEAD, EXCLUDING THE WATERS OF HERRING COVE] **Nakwasina Bay north of a line extending between Krugloi Point and Dog Point and east of Allen Point**, are open as a superexclusive registration area for Dungeness crab ecotourism fishing from April 15 through September 30, subject to the requirements of this section and chapter.

(b) During the calendar year of registration, a sport fishing operator or vessel registered for the **Nakwasina Bay** superexclusive guided sport ecotourism Dungeness crab fishery may not participate in any other Dungeness crab fishery or any other guided sport fishery. From April 15 through September 30, a sport fishing guide registered for the [GEORGE INLET] **Nakwasina Bay** superexclusive guided sport ecotourism Dungeness crab fishery may not participate in any other Dungeness crab fishery, or any other guided sport fishery as a guide or sport fishing operator, during times when the guide is validly registered for the superexclusive fishery. A sport fishing guide may participate in another Dungeness crab fishery, or guided sport fishery as a guide or sport fishing operator, after submitting a written notification to the commissioner to invalidate the guide's registration for the superexclusive fishery.

(c) A sport fishing operator or vessel owner may register for the [GEORGE INLET] **Nakwasina Bay** superexclusive guided sport ecotourism fishery after December 1 of the year before the year in which fishing will occur and before January 3 of the calendar year in which fishing will occur. The registration will be effective for the calendar year in which fishing will occur.

(d) Notwithstanding 5 AAC 47.035(c), no more than six pots per registered sport fishing operator may be used and each pot may be lifted no more than three times per day. A pot lifted more than twice must be removed from the water on the third lifting and not returned to the water until the next calendar day. Pots may be set, but not pulled, by a separate designated support vessel that does not carry clients and is not otherwise used for fishing while designated as a support vessel. The department must be notified in writing of any support vessel designation before the support vessel is used to set pots. The vessel remains designated as a support vessel for the remainder of the calendar year unless the department is notified in writing that the designation is terminated.

(e) Notwithstanding 5 AAC 47.035(f), the name and address of each sport fisherman using the gear is not required to be inscribed on a keg or buoy. However, the vessel's name, the responsible sport fishing guide's name and address, and all other information required by 5 AAC 47.035(f) is required. The guide whose name is listed on the pot, and the person pulling or setting the pot, are responsible for any violations.

(f) Except for one legal size Dungeness crab, all crab taken must be returned to the water unharmed immediately after being brought on board a vessel or after being removed from a pot. All bycatch must be immediately removed from the pot and released to the water unharmed. One legal size male Dungeness crab per trip may be temporarily retained at the location of harvest for educational purposes, but must be released to the water unharmed before leaving the location of harvest.

(g) No bait may be added to a pot unless all crab are first removed from the pot and released.

(h) No more than four crabs may be left in a pot if a pot is returned to the water.

(i) The commissioner may close the fishery by emergency order, or close and immediately reopen the fishery with additional conditions by emergency order, if the commissioner determines that a closure or additional conditions are reasonably necessary for the protection of the resource. The commissioner shall close, by emergency order, the guided sport ecotourism Dungeness crab fishery if the personal use Dungeness crab fishery in the area is closed. The commissioner may reduce the number of allowable pots or the number of allowable lifts, or both, if more than one sport fishing operator registers for the [GEORGE INLET] **Nakwasina Bay** superexclusive guided sport ecotourism Dungeness crab fishery.

(j) Nothing in this section is intended to prohibit any form of guided sport fishing, otherwise permissible in [GEORGE INLET] **Nakwasina Bay** under applicable regulations, by a guided sport operator, sport fishing guide, or vessel not registered for the [GEORGE INLET] **Nakwasina Bay** superexclusive guided sport ecotourism Dungeness crab fishery.

(k) Notwithstanding 5 AAC 75.076(a), a guide conducting a guided sport ecotourism fishery under this section shall obtain and complete a guided sport ecotourism fishing logbook available from the department. Each week, the guided sport ecotourism fishing logbook for that week must be available on board the vessel at all times and for inspection upon request by a local representative of the department or a peace officer of the state. Within seven days after the end of each weekly reporting period, a sport fishing operator must submit all ecotourism logbooks for that week to the department's [KETCHIKAN] **Sitka** office.

(l) The commissioner may, by emergency order, require any additional recordkeeping or reporting by ecotourism operators or guides that the commissioner determines will be necessary for management or enforcement purposes.

(m) In this section, "sport fishing operator" means an owner of a business that conducts sport fishing services as a licensed salt water sport fishing operator under 5 AAC 75.075.