

SUPPLEMENTAL NOTICE OF PROPOSED  
CHANGES IN THE REGULATIONS  
OF THE DEPARTMENT OF FISH AND GAME

The Department of Fish and Game proposes to adopt regulation changes in Title 5 of the Alaska Administrative Code, dealing with the aquatic farming mariculture program including the following:

5 AAC 41.200(2) is proposed to be changed to remove an incorrect regulation citation.

5 AAC 41.240(a)(5) is proposed to be changed to establish provisions regarding predator exclusion netting and importation of hatchery-produced seed to the on-bottom culture.

5 AAC 41.250(a)(4) is proposed to be changed to reorganize the requirements for identifying a aquatic farm or hatchery and allow for markings on subtidal operations.

5 AAC 41.250(a)(11) is proposed to change to alter the proportion of amount paid from the sale of wild stock from a aquatic farmer for live geoducks and for processed geoducks.

5 AAC 41.257 is proposed to be changed to alter the security requirements for wild stock restoration.

5 AAC 41.270(a) is proposed to be changed to clarify when a permit holder must notify the department before the harvest of wild stock.

5 AAC 41.276 is a proposed new section that provides for hatchery management plans and reporting requirements.

This is a SUPPLEMENTAL NOTICE adding to the NOTICE OF PROPOSED CHANGES that was issued on April 11, 2009 concerning these proposed regulation changes. This SUPPLEMENTAL NOTICE is being issued to extend the comment period to June 22, 2009.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Kerri Tonkin, Regulations Program Coordinator, Department of Fish and Game, P.O. Box 115526 Juneau, AK 99811-5526; Fax: (907) 465-2604; Email: [kerri.tonkin@alaska.gov](mailto:kerri.tonkin@alaska.gov). The comments must be received no later than 5:00 p.m. **June 22, 2009**.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Kerri Tonkin at (907) 465-6124 (to correspond by text telephone (TDD), call 1-800-478-3648) no later than June 12, 2009, to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Kerri Tonkin, Regulations Program Coordinator, Department of Fish and Game, P.O. Box 115526 Juneau, AK 99811-5526, Phone: (907) 465-6124; Fax: (907) 465-2604; Email: [kerri.tonkin@alaska.gov](mailto:kerri.tonkin@alaska.gov).

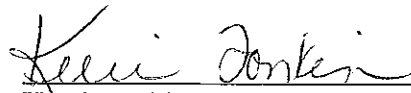
After the public comment period ends, the Department of Fish and Game will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.**

**Statutory Authority:** AS 16.05.050; AS 16.40.160

**Statutes being Implemented, Interpreted, or Made Specific:** AS 16.05.050; AS 16.05.092; AS 16.05.340; AS 16.40.100; AS 16.40.105; AS 16.40.110; AS 16.40.150; AS 16.40.155; AS 16.40.160

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

Date: May 4, 2009

  
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Kerri Tonkin, Regulations Program Coordinator  
Department of Fish & Game