

Submitted by the Alaska Department of Fish and Game
March 19, 2013

Recommended substitute language for Proposal 248

5 AAC 39.290. Closed waters.

(a) **Except as otherwise specified in this title, commercial** [COMMERCIAL] fishing for salmon is prohibited at all times **in the waters of Alaska that are**

(1) within the streams and rivers of **this state;**

(2) [ALASKA AND] within 500 yards of **the fresh waters of** any salmon stream; **and**

(3) [OR] over the beds or channels of streams and rivers of **this state during all stages of the tide** [ALASKA AT ALL STAGES OF THE TIDE OR AS SPECIFIED IN REGULATIONS HAVING PARTICULAR APPLICATION TO DESIGNATED STREAMS OR AREAS. THE RESTRICTIONS IN THIS SUBSECTION DO NOT APPLY IN THE KODIAK AREA (5 AAC 18.100)].

(e) The points established for stream mouths listed in the *Catalog of Waters Important for the Spawning, Rearing, or Migration of Anadromous Fishes* under 5 AAC 95.011 do not apply to enforcement of this section or other regulations limiting the distance that commercial fishing may occur from the fresh waters of any salmon stream.

5 AAC 39.975. Definitions.

(1) "salmon stream" means any stream used by salmon, **at any stage of life,** for spawning, **rearing, presence, or migration;** [OR FOR TRAVELING TO A SPAWNING AREA;]