

**NOTICE OF PROPOSED CHANGES TO CORRECT ERRORS AND OMISSIONS IN
THE REGULATIONS OF THE ALASKA BOARD OF FISHERIES AND THE ALASKA
JOINT BOARD OF FISHERIES AND GAME**

The Alaska Department of Fish and Game is proposing to amend regulations to correct errors or omissions ambiguities, and technical deficiencies in Title 5 of the Alaska Administrative Code.

The commissioner of the Department of Fish and Game, under a delegation of authority issued by the Alaska Board of Fisheries and the Alaska Board of Game under AS 16.05.270, proposes to adopt regulation changes in Title 5 of the Alaska Administrative Code (AAC) correcting errors and omissions, ambiguities, and technical deficiencies including the following:

- (1) **5 AAC 01.011. Subsistence fishing by proxy** is proposed to be changed to add the language "or developmental" to qualifying language of a beneficiary for finfish fishing by proxy.
- (2) **5 AAC 02.011. Subsistence fishing by proxy** is proposed to be changed to add the language "or developmental" to qualifying language of a beneficiary for shellfish fishing by proxy.
- (3) **5 AAC 06.331. Gillnet specifications and operations** is proposed to be changed to correct the GPS coordinates for Graveyard Point in Bristol Bay.
- (4) **5 AAC 06.360. Naknek River Sockeye Salmon Special Harvest Area Management Plan** is proposed to be changed to remove language referencing obsolete ADF&G regulatory markers in the Naknek River Special Harvest Area.
- (5) **5 AAC 18.200. Description of fishing districts and sections** is proposed to be changed to correct a GPS coordinate in the Humpy-Deadman Section of the Kodiak Area.
- (6) **5 AAC 21.320. Weekly fishing periods** is proposed to be changed to repeal incorrectly listed weekly fishing period description in the Central District commercial salmon fishery in Cook Inlet.
- (7) **5 AAC 24.355. Salmon processor and buyer reporting requirements** is proposed to be changed to clarify reporting requirements for processors and buyers in commercial Prince William Sound salmon fisheries.
- (8) **5 AAC 29.080. Management of the winter salmon troll fishery** is proposed to change an outdated creek name to match the US Board on Geographic Names listing in southeast Alaska.
- (9) **5 AAC 29.150. Closed waters** is proposed to change an outdated creek name to match the US Board on Geographic Names listing in southeast Alaska.

- (10) **5 AAC 31.235. Closed waters in Registration Area E** is proposed to be changed to correct the longitudinal GPS coordinate in waters closed to the trawl shrimp fishery in Registration Area E and to correct the island name from Latouche to Evans in description of waters closed to the pot shrimp fishery in Registration Area E.
- (11) **5 AAC 33.350. Closed Waters** is proposed to change an outdated creek name to match the US Board on Geographic Names listing in southeast Alaska.
- (12) **5 AAC 33.520. Southeastern Alaska Area Eulachon Smelt Management Plan** is proposed to change an outdated creek name to match the US Board on Geographic Names listing in southeast Alaska.
- (13) **5 AAC 35.113. Registration Area A Tanner crab harvest strategy** is proposed to be changed to modify the stock threshold number of pounds of mature male Tanner crab listed to eliminate redundancy in commercial opening fishing period descriptions.
- (14) **5 AAC 35.510. Fishing seasons for Registration Area J** is proposed to be changed to update National Weather forecast areas in the Kodiak Area with current information.
- (15) **5 AAC 39.997. Abbreviations and symbols** is proposed to be changed to change the standard datum for GPS coordinates from North American Datum of 1983 to the World Geodetic System 1984.
- (16) **5 AAC 41.899. Definitions** is proposed to be changed to add lands as a restricted area to release ornamental fish to definitions description.
- (17) **5 AAC 75.011. Sport fishing by proxy** is proposed to be changed to add the language "or developmental" to qualifying language of a beneficiary for sport fishing by proxy.
- (18) **5 AAC 77.016. Personal use fishing by proxy** is proposed to be changed to add the language "or developmental" to qualifying language of a beneficiary for personal use fishing by proxy.
- (19) **5 AAC 77.667. Personal use scallop fishery** is proposed to be changed to correct personal use scallop allowable gear types in Southeast Alaska.
- (20) **5 AAC 77.671. Personal use sea cucumber fishery** is proposed to be changed to correct personal use scallop allowable gear types in Southeast Alaska.
- (21) **5 AAC 96.021. Establishment of advisory committees** is proposed to be changed to remove the Stony/Holitna Advisory Committee from the Westward Region listing of established advisory committees and now be listed under the Interior Region.

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 Shellene L. Hutter, Regulations Program Coordinator, Department of Fish and Game, P.O. Box 115526, Juneau, AK 99811-5526. Additionally, the Department of Fish and Game will accept comments

by facsimile at (907) 465-2604 and by electronic mail at dfg.fish.regulations@alaska.gov Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. The comments must be received no later than 5:00 p.m. on July 16, 2021

You may submit written questions relevant to the proposed action to Shellene L. Hutter, Regulations Program Coordinator, Department of Fish and Game, P.O. Box 115526, Juneau, AK 99811-5526. Additionally, the Department of Fish and Game will accept questions by facsimile at (907) 465-2604 and by electronic mail at dfg.fish.regulations@alaska.gov The questions must be received at least 10 days before the end of the public comment period. The Department of Fish and Game will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Shellene L. Hutter at (907) 465-6124 no later than July 14, 2021 to ensure that any necessary accommodations can be provided.

A copy of this notice of proposed regulation changes and the regulations proposed to be changed are available on the Alaska Online Public Notice System here:

<https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=202867>

For a copy of the proposed regulation changes contact Shellene L. Hutter, Regulations Program Coordinator at the mailing address, telephone number, or email address above or online on the department's website at: <http://www.adfg.alaska.gov/index.cfm?adfg=regulations.main>

After the public comment period ends, the commissioner of the Department of Fish and Game will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. 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.** Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 16.05.251; AS 16.05.255; AS 16.05.270;

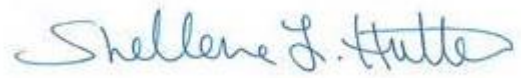
Statutes Being Implemented, Interpreted, or Made Specific: Sec. 1, ch. 81, SLA 1992; AS 16.05.060; AS 16.05.251 AS 16.05.258; AS 16.05.260; AS 16.05.340; 16.05.403; AS 16.05.405;

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

The Department of Fish and Game keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the department's notices of proposed regulation changes. To be added to or removed from the list, send a request to the Department of Fish and Game Boards Support Section at P O Box 115526 Juneau, AK 99811, by phone at (907) 465-4110, or via our website at:

<http://www.adfg.alaska.gov/index.cfm?adfg=fisheriesboard.main>

giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

A handwritten signature in blue ink that reads "Shellene L. Hutter". The signature is written in a cursive style with a long horizontal stroke at the end of the name.

DATE: 6/14/2021

Shellene L. Hutter
Regulations Program Coordinator
Department of Fish and Game

ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d) and (g))

1. Adopting agency: Alaska Department of Fish & Game
2. General subject of regulation: Correction of errors and omissions and ambiguities in certain fishery regulations, release of aquatic organisms and local Fish and Game Advisory Committees.
3. Citation of regulation: 5 AAC01.011 - 5 AAC 96.021
4. Department of Law file number, if any: 2020200622
5. Reason for the proposed action: Correct errors and omissions, ambiguities and technical deficiencies in fishery regulations in Title 5 of the Alaska Administrative Code.
6. Appropriation/Allocation: Fish and Game Funds
7. Estimated annual cost to comply with the proposed action to:

A private person: \$0
Another state agency: \$0
A municipality: \$0

8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY 2022	Subsequent Years
Operating Cost	\$0	\$0
Capital Cost	\$0	\$0
1002 Federal receipts	\$0	\$0
1003 General fund match	\$0	\$0
1004 General fund	\$0	\$0
1005 General fund/ program	\$0	\$0
Other (identify)	\$0	\$0

9. The name of the contact person for the regulations:
Name: Shellene L. Hutter
Title: Regulations Program Coordinator
Address: P.O. Box 115526
Juneau, AK 99811-5526
Telephone: (907) 465-6124
E-mail address: dfg.fish.regulations@alaska.gov

10. The origin of the proposed action: Staff of state agency



11. Date: 6/14/2021

Prepared by: _____

Name: Shellene L. Hutter

Title: Regulations Program Coordinator

Telephone: (907) 465-6124

PROPOSED REGULATORY LANGUAGE

Title 5. Fish and Game.

Part 1. Commercial and Subsistence Fishing and Private Nonprofit Salmon Hatcheries.

Chapter 01. Subsistence Finfish Fishery.

Article 1. Statewide Provisions.

5 AAC 01.011(g)(1)(A) is amended to read:

(A) who is blind, is a person with physical **or developmental** disabilities as defined in AS 16.05.940 , or is 65 years of age or older; and
(Eff. 7/3/94, Register 130; am 6/15/95, Register 134; am 5/26/2006, Register 178; am 8/8/2007, Register 183; am 9/19/2019, Register 231; am ___/___/ 2021, Register____)

Authority: Sec. 1, ch. 81, SLA 1992 AS 16.05.258 AS 16.05.403
AS 16.05.251 AS 16.05.370 AS 16.05.405

Chapter 02. Subsistence Shellfish Fishery.

Article 1. Statewide Provisions.

5 AAC 02.011(g)(1)(A) is amended to read:

(A) who is blind, is a person with physical **or developmental** disabilities as defined in AS 16.05.940 , or is 65 years of age or older; and
(Eff. 7/3/94, Register 130; am 6/15/95, Register 134; am 3/15/2008, Register 185; am 9/19/2019, Register 231; am ___/___/ 2021, Register____)

Authority: Sec. 1, ch. 81, SLA 1992 AS 16.05.258 AS 16.05.403
AS 16.05.251 AS 16.05.370 AS 16.05.405

PROPOSED REGULATORY LANGUAGE

Chapter 06. Bristol Bay Area.

Article 3. Salmon Fishery.

The introductory language of 5 AAC 06.331(m)(5) is amended to read:

(5) in the Kvichak Section of the Naknek-Kvichak District from Libbyville Dock to a point near Graveyard Point at 58° 52.10' [58° 52.07'] N. lat., 157° 00.80' W. long., and from the unnamed creek on the northwest shore of Kvichak Bay at 58° 52.25' N. lat., 157° 06.75' W. long., north to a point on the northwest shore of Kvichak Bay at 58° 53.37' N. lat., 157° 04.26' W. long., the maximum distance that a set gillnet may be operated offshore is as follows:

(In effect before 1984; am 4/28/84, Register 90; am 5/11/85, Register 94; am 7/14/85, Register 95; am 4/18/86, Register 98; am 4/2/88, Register 105; am 6/10/90, Register 114; am 5/15/91, Register 118; am 6/19/92, Register 122; am 7/12/92, Register 123; am 6/24/93, Register 126; am 6/5/94, Register 130; am 4/9/95, Register 134; am 5/24/96, Register 138; am 6/21/97, Register 142; am 5/14/98, Register 146; am 6/22/2001, Register 158; am 4/9/2004, Register 170; am 6/13/2004, Register 170; am 12/1/2004, Register 172; am 5/26/2006, Register 178; am 3/30/2007, Register 181; am 4/9/2010, Register 194; am 4/4/2013, Register 206; am 5/18/2014, Register 210; am 5/24/2015, Register 214; am 4/16/2016, Register 218; am 6/26/2016, Register 218; am 7/15/2016, Register 219; add'l am 7/15/2016, Register 219; am 5/31/2019, Register 230; am ___/___/ 2021, Register _____)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 06.360(b) is amended to read:

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

(Eff. 4/18/86, Register 98; am 5/21/87, Register 102; am 6/19/92, Register 122; am 4/9/95, Register 134; am 5/14/98, Register 146; am 6/3/2001, Register 158; am 4/9/2004, Register 170; am 4/21/2004, Register 170; am 5/26/2006, Register 178; am 8/14/2006, Register 179; am 3/30/2007, Register 181; am 4/9/2010, Register 194; am 4/4/2013, Register 206; am 5/31/2019, Register 230; am ___/___/ 2021, Register_____)

Authority: AS 16.05.060 AS 16.05.251

Chapter 18. Kodiak Area.

Article 2. Fishing Districts and Sections.

5 AAC 18.200(d)(2) is amended to read:

(2) Humpy-Deadman Section: all waters of Alitak Bay east of a line from Cape Trinity, to Middle Reef, to the southernmost tip of Fox Island (56° 59.08' N. lat., 154° 02.10' W. long.), and from the northernmost tip of Fox Island (56° 59.68' N. lat., 154° 01.85' W. long.), to **57° 01.11'** [57° 01.11'] N. lat., **154° 00.85'** [154° 00.95'] W. long., to the Moser Peninsula at 57° 01.10' N. lat., 154° 01.15' W. long.;

(In effect before 1983; am 4/16/83, Register 86; am 5/11/85, Register 94; am 6/2/88, Register 106; am 7/23/88, Register 107; am 4/14/93, Register 126; am 3/16/96, Register 137; am 6/15/96, Register 138; am 5/29/99, Register 150; am 5/4/2002, Register 162; am 8/8/2003, Register 167;

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am 4/9/2005, Register 174; am 4/25/2008, Register 186; am 2/22/2015, Register 213; am ___/___/ 2021, Register_____)

Authority: AS 16.05.251

Chapter 21. Cook Inlet Area.

Article 3. Salmon Fishery.

5 AAC 21.320(a)(2)(F) is repealed:

(F) repealed ___/___/ 2021;

(In effect before 1983; am 4/16/83, Register 86; am 5/11/85, Register 94; am 4/7/93, Register 126; am 5/31/96, Register 138; am 6/13/99, Register 150; am 9/19/2019, Register 231; am ___/___/ 2021, Register_____)

Authority: AS 16.05.060 AS 16.05.251

Chapter 24. Prince William Sound Area.

Article 3. Salmon Fishery.

5 AAC 24.355 is amended to read:

5 AAC 24.355. Salmon processor and buyer reporting requirements. The operator of a floating salmon processing vessel, a tender, or a shorebased processing operation, **and a company** employing aircraft used for the transport of fish, shall report in person, or by radio or telephone, to a local representative of the department located in the management area of intended operation before the start of processing or buying operations. The report must include the

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location and the date of intended operations, and must identify and describe each vessel or other method of transport employed in hauling or processing salmon. (Eff. 3/29/87, Register 101; am ___/___/ 2021, Register_____)

Authority: AS 16.05.251

Chapter 29. Salmon Troll Fishery.

Article 5. Fishery Management Plans.

5 AAC 29.080(b)(2) is amended to read:

(2) in District 8, the waters of the Stikine River inside a line from Babblers Point to Hour Point, along the shore of Wrangell Island to Point Highfield to the southernmost tip of Liesnoi Island to the southernmost tip 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 northernmost tip of Coney Island, to a point 500 yards north of **Japanese** [JAP] Creek on the mainland shore are closed;

(Eff. 10/1/98, Register 147; am 3/11/2001, Register 157; am 7/26/2003, Register 167; am 5/26/2006, Register 178; am 7/13/2012, Register 203; am ___/___/ 2021, Register_____)

Authority: AS 16.05.060 AS 16.05.251

Article 8. Closed Waters.

5 AAC 29.150(i)(2) is amended to read:

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(2) Stikine River: waters inside a line from Babler 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 **Japanese** [JAP] Creek on the mainland shore;

(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; am ___/___/2021, Register____)

Authority: AS 16.05.251

Chapter 31. Shrimp Fishery.

Article 7. Registration Area E (Prince William Sound).

5 AAC 31.235(a)(3) is amended to read:

(3) waters of Port Gravina north of a line from Gravina Point at 60° 37.37' N, lat., 147° 15.22' W. long. to Red Head at 60° 40.25' N. lat., **146° 30.22'** [147° 30.22'] W. long.;

5 AAC 31.235(b)(3) is amended to read:

(3) waters south of a line from Point Grace at 60° 04.80' N. lat., 147° 51.00' W. long., to a point on the northern end of **Evans** [LATOUCHE] Island at 60° 06.66' N. lat., 147° 53.34' W. long., a line from a point on the south end of Latouche Island at 59° 56.34' N. lat., 148° 02.28' W. long., to a point on the south end of Elrington Island at 59° 55.92' N. lat., 148°

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12.78' W. long., and a line from Lonetree Point Light at 59° 58.97' N. lat., 148° 12.00' W. long., to a point on the south entrance to Squirrel Bay on Evans Island at 59° 59.82' N. lat., 148° 09.42' W. long. (Eff. 6/30/84, Register 90; am 7/14/85, Register 95; am 9/12/97, Register 143; am 8/23/2009, Register 191; am 6/20/2010, Register 194; am 7/13/2012, Register 203; am 5/24/2015, Register 214; am ___/___/ 2021, Register____)

Authority: AS 16.05.251

Chapter 33. Southeastern Alaska Area.

Article 3. Salmon Fishery.

5 AAC 33.350(i)(3)(B) is amended to read:

(B) after the first Saturday in August, waters inside a line from Babler 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 **Japanese** [JAP] Creek on the mainland shore;

(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; am 5/9/2015, Register 214; am 7/1/2015, Register 214; am 6/17/2018, Register 226; am ___/___/ 2021, Register____)

Authority: AS 16.05.060 AS 16.05.251

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Article 5. Smelt Fishery.

5 AAC 33.520(c)(3) is amended to read:

(3) Stikine River: inside of 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 Japanese [JAP] Creek on the mainland shore; (Eff. 7/21/99, Register 151; am 6/14/2000, Register 154; am 3/11/2001, Register 157; am ___/___/2021, Register_____)

Authority: AS 16.05.251

Chapter 35. Tanner Crab Fishery.

Article 5. Registration Area A (Southeastern).

5 AAC 35.113(b)(1) is amended to read:

(1) the initial period of the commercial Tanner crab fishing season in the core areas, noncore areas, and exploratory areas will be at least five days in length, and may be increased with additional fishing days allowed based on the estimated biomass of mature male crab and the number of registered pots at the start of the fishery, as follows:

Pots registered	Additional fishing days
If the mature biomass is at least 2,300,000 pounds, but less than	If the mature biomass is 5,500,000 pounds or greater

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	5,500,000 pounds	
1,600 - 2,399	4 additional days	5 additional days
2,400 - 3,199	3 additional days	4 additional days
3,200 - 3,999	2 additional days	3 additional days
<u>4,000 - 5,999</u>	<u>1 additional day</u>	<u>2 additional days</u>
[4,000 - 4,799	1 ADDITIONAL DAY	2 ADDITIONAL DAYS
4,800 - 5,599	1 ADDITIONAL DAY	2 ADDITIONAL DAYS]
<u>5,600 - 7,000</u>	<u>0 additional days</u>	<u>1 additional day</u>
[5,600 - 6,399	0 ADDITIONAL DAYS	1 ADDITIONAL DAY
6,400 - 7,000	0 ADDITIONAL DAYS	1 ADDITIONAL DAY]

(Eff. 7/29/2009, Register 191; am 6/17/2018, Register 226; am ___/___/ 2021, Register_____)

Authority: AS 16.05.060 AS 16.05.251

Article 10. Registration Area J (Westward).

5 AAC 35.510(a)(2)(A) is amended to read:

(A) Northeast Section: **PKZ132** [3B];

5 AAC 35.510(a)(2)(B) is amended to read:

(B) Eastside Section: **PKZ132** [3B];

5 AAC 35.510(a)(2)(C) is amended to read:

(C) Southeast Section: **PKZ132** [3B];

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5 AAC 35.510(a)(2)(D) is amended to read:

(D) Westside Section: **PKZ138** [3C];

5 AAC 35.510(a)(2)(E) is amended to read:

(E) North Mainland Section: **PKZ138** [3C];

(In effect before 1981; am 6/28/81, Register 78; am 7/25/82, Register 83; am 6/30/83, Register 86; am 6/30/84, Register 90; am 7/14/85, Register 95; am 7/23/88, Register 107; am 9/19/90, Register 115; em am 2/12/91 - 6/11/91, Register 117; am 4/30/91, Register 118; em am 1/9/92 - 5/7/92, Register 121; am 1/24/92, Register 121; am 6/19/92, Register 122; am 6/24/93, Register 126; am 10/1/93, Register 127; am 9/29/96, Register 139; am 11/6/96, Register 140; am 8/5/99, Register 151; am 8/31/2000, Register 155; am 8/24/2002, Register 163; am 8/14/2005, Register 175; am 7/16/2011, Register 199; am 6/1/2013, Register 206; am 6/27/2014, Register 210; am 7/22/2017, Register 223; am 9/19/2019, Register 231; am 6/21/2020, Register 234; am ___/___/2021, Register_____)

Authority: AS 16.05.060 AS 16.05.251

Chapter 39. General Provisions.

Article 9. Definitions; Miscellaneous.

5 AAC 39.997(b) is amended to read:

(b) The symbols °, ', ", indicate degrees, minutes, and seconds, respectively, of longitude or latitude, based upon the **World Geodetic System 1984** [NORTH AMERICAN DATUM OF 1983].

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(In effect before 1988; am 6/2/95, Register 134; am 5/31/98, Register 146; am ___/___/ 2021, Register____)

Authority: AS 16.05.251

Chapter 41. Collection, Transportation, Possession, Propagation, or Release of Aquatic Organisms; Aquatic Farming.

Article 7. Definitions

5 AAC 41.899(6)(D) is amended to read:

(D) will not be placed in waters **or lands** of the state;

(Eff. 1/10/2018, Register 225; am ___/___/ 2021, Register____)

Authority: AS 16.05.020 AS 16.05.270 AS 16.05.340
AS 16.05.251

Part 2. Sport Fishing and Personal Use Fishery.

Chapter 75. Statewide Provisions.

Article 1. General.

5 AAC 75.011(g)(1)(A) is amended to read:

(A) who is blind, is a person with physical **or developmental** disabilities as defined in AS 16.05.940 , or is 65 years of age or older; and

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(Eff. 6/5/94, Register 130; am 5/13/95, Register 134; am 7/1/95, Register 134; am 5/26/2006, Register 178; am 8/8/2007, Register 183; am 3/15/2008, Register 185; am 3/14/2009, Register 189; am 9/19/2019, Register 231; am ___/___/ 2021, Register____)

Authority: Sec. 1, ch. 81, SLA 1992 AS 16.05.370 AS 16.05.405
 AS 16.05.251 AS 16.05.403

Chapter 77. Personal Use Fishery.

Article 1. Statewide Provisions.

5 AAC 77.016(g)(1)(A) is amended to read:

(A) who is blind, is a person with physical **or developmental** disabilities as defined in AS 16.05.940 , or is 65 years of age or older; and

(Eff. 6/5/94, Register 130; am 6/15/95, Register 134; am 5/26/2006, Register 178; am 8/8/2007, Register 183; am 3/15/2008, Register 185; am 9/19/2019, Register 231; am ___/___/ 2021, Register____)

Authority: Sec. 1, ch. 81, SLA 1992 AS 16.05.370 AS 16.05.405
 AS 16.05.251 AS 16.05.403

Article 14. Southeastern Alaska Area.

5 AAC 77.667(4) is amended to read:

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(4) scallops may be taken by **all gear specified in 5 AAC 77.010(l)(3)** [DIVING GEAR, DIP NETS, OR BY HAND]. (Eff. 4/1/94, Register 129; am 6/3/2000, Register 154; am 8/27/2016, Register 219; am 9/19/2019, Register 231; am ___/___/ 2021, Register____)

Authority: AS 16.05.251

5 AAC 77.671(3) is amended to read:

(3) sea cucumbers may be taken by [TRAWLS, HAND JIGGING, HAND OPERATED DREDGES, AND] all gear specified in **5 AAC 77.010(l)(3)** [5 AAC 77.010(k)], except that sea cucumbers may not be taken with the use of diving gear in the waters described in 5 AAC 38.140(k) that are closed to commercial sea cucumber fishing. (Eff. 5/9/2015, Register 214; am 8/27/2016, Register 219; am 9/19/2019, Register 231; am ___/___/ 2021, Register____)

Authority: AS 16.05.251

Part 6. Fish and Game Advisory Committees and Adoption of Fish and Game Regulations.

Chapter 96. Local Fish and Game Advisory Committees and Adoption of Fish and Game Regulations.

Article 1. Local Fish and Game Advisory Committees.

5 AAC 96.021(a)(4) is amended to read:

(4) in the Western Alaska Region: Central Bering Sea, Lower Kuskokwim, Central Kuskokwim, [STONY/HOLITNA,] Coastal Lower Yukon, Mid-Lower Yukon, Bethel;

PROPOSED REGULATORY LANGUAGE

5 AAC 96.021(a)(6) is amended to read:

(6) in the Interior Alaska Region: Central, Middle Nenana River, Delta, Eagle, Fairbanks, Lake Minchumina, Middle Yukon, Grayling/Anvik/Shageluk/Holy Cross, Koyukuk, McGrath, Ruby, Tanana/Rampart/Manley, Minto/Nenana, Upper Tanana/Fortymile, Yukon Flats, **Stony/Holitna**.

(In effect before 1983; am 10/9/83, Register 88; am 9/22/85, Register 95; am 8/2/86, Register 99; am 9/15/88, Register 107; am 3/16/89, Register 109; am 11/30/89, Register 112; am 9/26/90, Register 115; am 8/28/91, Register 119; am 6/26/93, Register 126; am 8/16/97, Register 143; am 7/12/98, Register 147; am 12/30/2007, Register 184; am 2/23/2014, Register 209; am 9/19/2019, Register 231; am ___/___/ 2021, Register _____)

Authority: AS 16.05.260