



Alaska Department of Fish and Game

Board of Fisheries

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ALASKA BOARD OF FISHERIES

DELEGATION OF AUTHORITY TO CHANGE REGULATIONS WITHIN 5 AAC 41 TO CREATE A NEW DISCRETIONARY EXEMPTION ON THE IMPORTATION AND RELEASE OF LIVE FISH TO STOCK LAKES

2024-XXX-FB

Under the authority of AS 16.05.270, the Alaska Board of Fisheries (board) delegates to the Commissioner of the Department of Fish and Game (commissioner) authority under AS 16.05.251 to adopt and amend regulations related to the issuance of Fish Transport Permits. Specifically, this delegation authorizes the commissioner to consider, and at the commissioner's discretion, adopt and amend regulations to incorporate an additional exemption to the prohibition on the importation and release of live fish to stock lakes under 5 AAC 41.070. The Alaska State Legislature in passing HB295 (Chapter 32 SLA 24) showed clear intent to allow the public to purchase hatchery-produced salmonids for the purpose of stocking lakes in Alaska. Therefore, the board delegates its authority to the commissioner to make conforming regulation changes as necessary to adhere to the legislative intent, in accordance with the Administrative Procedures Act (AS 44.62).

In amending the regulation, the commissioner shall require the hatchery-produced salmonid product and proposed stocking location(s) meet all existing policies, including the Department of Fish and Game's lake stocking, genetics, and fish health policies. The commissioner must also consider the best available information related to past permitting processes and maintain sustained yield practices to ensure the permitting process provides the necessary safeguards to prevent adverse effects on Alaska's wild fish populations. This delegation includes authority to amend other regulations to acknowledge or otherwise conform to these regulatory permitting requirements.

Vote: **X-X**
December **X**, 2024
Anchorage, Alaska

Märit Carlson-Van Dort, Chair
Alaska Board of Fisheries