

PROPOSAL 173

5 AAC 39.291. Boundary markers..

Provide emergency order authority to define fishing boundaries when regulatory markers are lost, destroyed or otherwise absent, as follows:

5 AAC 39.291 is amended to read, as follows:

The department may post a boundary described in regulation by an appropriate marker. The marker must be placed as close as possible to the location specified in the applicable regulation. Where markers have been lost or destroyed, the boundary is as specified in the applicable regulation[.] **or by emergency order.**

What is the issue you would like the board to address and why? The same fishing boundaries are often set by emergency order year after year and regulatory markers are frequently used to determine these boundaries. Regulatory markers can be destroyed by weather or wildlife or in some cases removed without authorization. In addition, many current boundaries defined by regulation or by emergency order use precise points identified by global positioning system coordinates obtained by global information system software, forgoing the need to ensure regulatory markers are in place for every fishery opening.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F26-028)
