

PROPOSAL 181

5 AAC 75.020. Sport fishing gear.

Align regulatory and statutory language for sport fishing gear, as follows:

5 AAC 75.020(a) is amended to read:

...

5 AAC 75.020. Sport fishing gear. (a) Unless otherwise provided in 5 AAC 47 - 5 AAC 75, sport fishing may only be conducted by the use of a closely attended single line, **held in hand or attached to a fishing pole or rod,** having attached to it not more than

- (1) one plug;
- (2) one spoon;
- (3) one spinner or series of spinners;
- (4) two artificial flies; or
- (5) two hooks.

What is the issue you would like the board to address and why? Current language in 5 AAC 75.020(a) does not align with the statutory definition of sport fishing found in AS 16.05.940(31) *“sport fishing” means the taking of or attempting to take for personal use, and not for sale or barter, any fresh water, marine, or anadromous fish by hook and line held in the hand, or by hook and line with the line attached to a pole or rod which is held in the hand or closely attended, or by other means defined by the Board of Fisheries.* This has caused confusion amongst the public and staff when asked what legal sport fishing gear is. In recent years, more questions have come from the public interested in fishing with a hook or lure attached to a line that is attached to a radio-controlled boat, drone, or downrigger. The current regulatory language (not the statutory language) is published in the sport fishing regulation summaries and implies that that activity would be legal under regulations, but not statute. Aligning the regulation with the statute would provide regulatory consistency and reduce confusion.

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-F26-027)
