

Sport fishing gear (2 proposals)

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)

PROPOSAL 182

5 AAC 75.XXX. New Section.

Establish bow fishing as lawful sport fishing gear for species without a bag or possession limit, as follows:

Establish bow fishing as a legal method and means for species in freshwater without a bag or possession limit.

What is the issue you would like the board to address and why? Bowfishing opportunities are varied across Alaska. I would like to see the opportunity broadened to include all freshwater species without a bag/possession limit. This would also allow any invasive species to be immediately targeted by individuals while bowfishing, without further regulation needed. In the South-Central region I would expect northern pike, whitefish, suckers, and blackfish to be the

primary targets. Of these, whitefish and suckers currently have little demand, and this would provide an effective means of targeting these species that are harder to entice with normal gear.

This opportunity would come with a risk of non-target species being taken by accident or by intentional disregard of the regulations. However, I do not believe the risk is significantly higher than other methods and means, as bowfishing requires visualization of the fish, potentially reducing the impact on non-target species compared to rod and reel fishing.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain. Discussed with ADFG biologists in the Anchorage, Dillingham, and Palmer offices.

PROPOSED BY: Paul Warta

(EF-F26-080)

PROPOSAL 183

5 AAC 75.XXX New Section.

Amend regulations requiring conditions of fish available to inspection while in possession, as follows:

5 AAC 75 is amended by adding a new section:

...

5 AAC 75.XXX. Finfish evidence of size and identity.

Until a finfish has been processed or prepared for human consumption, a person may not mutilate or otherwise disfigure it in a manner that would prevent the determination of species or the determination of length of fish. Species which can be used as bait are exempt from this requirement.

What is the issue you would like the board to address and why? Maintaining an angler's harvest in a condition so the department or enforcement officer can verify species identification and length, when applicable, is important to the department and enforcement. Maintaining identifiable features helps law enforcement perform routine tasks and aids the department when biological information is required.

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

(EF-F26-025)
