

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 86/2

358 SCOM10: LOCAL GOVERNMENT STUDY 1979

D. Criteria for Selection

The following criteria were used to analyze existing and prospective regional breakdowns:

1. Extent of Data Base

Probably the most extensive data collections amassed to date on Alaska are (1) decennial censuses (socio-economic), (2) inventories by the Joint Federal-State Land Use Planning Commission (resource), and (3) Man-in-the-Arctic Program (MAP), which is socio-economic but uses resource data for development of estimated or projected industrial activity.

These three programs are responsible for basic data which is being used and augmented by many agencies. Additional information is compiled regularly by governmental units for their own purposes. Some compilations are undoubtedly duplications, others involve adjustments of existing data for new applications. A common denominator in all regional systems would allow some flexibility in combinations of data without requiring conversion by each agency to its own system.

Statistical and administrative data produced by the Research and Analysis Section of the Alaska Department of Labor were, until recently, developed partly for census divisions and partly for election districts. They are now done exclusively by Census Division.

The Federal-State Land Use Planning Commission inventoried natural resources throughout the State. The data was mapped and, from the maps, can be accumulated by census division or other geographic area. Computerization of the data is under consideration and would probably be by location also.

Man-in-the-Arctic Program (MAP) aggregated data from numerous sources to build a regional model capable of producing alternative futures for the State. Data in the model is not separable, but information on trends and growth patterns will be available by region. Data fed into the MAP model is essentially economic and demographic, producing State and regional projections of impacts from alternative policies of resource development or State fiscal policies.

2. Cultural Consistency

In delineation of regions, cultural aspects of any proposed regional system must also be identified. When Congress provided (ANCSA, 1971) for division of Alaska into 12 Native regions, the division was described as geographic, "...with

each region composed as far as practicable of Natives having a common heritage and sharing common interests." Similar concern was shown by the Legislature when, in Chapter 124, SLA 1975, it provided for creation of Rural Education Attendance Areas throughout the Unorganized Borough. The areas (REAA's) were to be "based on boundaries and subboundaries of regional corporations established under the Alaska Native Claims Settlement Act." Similarly, in the set of boundaries proposed for division of the Unorganized Borough into service areas, as described earlier, the lines separate ethnic groups, rather than following traditional divisions.

The selection of land by Native organizations is essentially complete. From now on, major land concerns of regional corporations will be toward resource development and land management. Physical boundaries of Native-owned land will define the extent of Native responsibility. In working toward region and district systems for broad usage, community patterns should take precedence over artificial divisions such as those now existing as Native Regions, REAA's and Census Divisions.

3. Geographic Rationality

Substate regions should follow some logical natural boundaries. Drawing straight lines on a map makes no sense in terms of community or physical characteristics. A focal or central interest point is desirable and so is an identifiable boundary such as a river or mountain.

4. Internal Integrity

Regions also should have internal integrity of characteristics; for example, the MAP regions were selected on the basis of terrain (tundra vs forest), location (coastal vs interior), and development patterns (urban vs rural), as well as ethnic and hydrologic factors.

5. Present Utilization

In considering regions for State planning purposes, recognition must be given to the political fact that authority for planning and zoning (usually interpreted as physical or land use planning) is delegated by the State to organized boroughs. Fracturing a borough with a regional boundary would only increase the difficulty of achieving satisfactory planning.

Areas which now contain groups of people living together as a community should continue as communities, even if they become part of a larger region. Existing settlement patterns should not be disturbed by regionalization.

6. Long-Range Utility

Substate districts must have the basic requisites for self-government. Besides common interests, the Constitution listed borough criteria as "population, geography, economy, transportation and other factors."

Because such a small portion of Alaska lies within organized boroughs, many services normally provided at that (borough/county) level are directly administered by the State. Recent policy of the Legislature and Administration has been toward more local self-determination -- taking the government to the people. If this trend continues, better information will be needed for evaluation of programs and guidance of State and local management decisions.

As self-determination increases, so should related responsibility. Also, as local participation increases and State Government services are decentralized, the need for coordination will grow. Decisions must be made about what programs are best administered at the local level, which are more regional in character, and which should be maintained centrally by the State. These decisions will require periodic review -- of the regional system, of the coordination and service delivery mechanisms, of the services provided to the people, and the State's policies that are guiding the programs.

Typical of programs appropriate for local (borough) operation are: health, police, employment, parole, welfare, services to the elderly and indigent, and education. Broader scale, regional programs are water and sewer planning, occupational training, economic development, land planning, transportation, and coordination of most locally managed services.

7. Federal Conformity

Since issuance of U.S. Executive Order A-80 in 1968, a requirement has existed that all states must designate regions for planning and development and that all Federal grants must coincide with state planning regions. Alaska was granted exception to this order and has been recognized as a single region by most Federal funding agencies. Now, however, many Federal programs require planning by region; and, similarly, the program regulations stipulate that Federal programs must honor existing state regions. So far, Alaska has not officially adopted any set of planning regions; there are no Alaska planning regions with which the agencies can conform.

8. Common Denominator

The common denominator of most regional and districting systems used in Alaska is the Census Division or Subdivision. Census Divisions are defined by the Bureau of the Census as "statistical areas which are county equivalents... developed for general statistical purposes through the cooperation of the State and the Census Bureau." The Subdivisions, called County Subdivisions in other states are, in Alaska, "boroughs and reservations for those census divisions which are so subdivided."

Census Divisions, because of their utility value for data purposes, are the logical building blocks for regions and districts. Where Census Divisions are not appropriately defined for this purpose, the boundaries should be moved.

9. Permanence

In addition to the characteristics described above, the permanence of each set of boundaries was evaluated. Those which represented large investments in banking and classifying data were given priority rating according to the breadth of use the data appeared to have. Finally, regions or districts created by law, either Federal or State, were identified. Lastly, recommendations from people who reviewed the preliminary report and those who submitted suggestions for regions were considered along with the study of past and currently used systems for subdividing the State.

VII. RECOMMENDATIONS

The substate subdivision system described below is nominated based on the following assumptions:

1. That existing boroughs will remain essentially as they now are.
2. That the REAA's will continue to serve as administrative units for public school operation in the unorganized borough only until some minimal form of self-government becomes feasible.
3. That new boroughs as formed, either organized or unorganized, will be designated as Census Divisions by the U.S. Bureau of the Census.

A. Alaska State Planning Regions

A six-region system is proposed for State planning purposes. The regional boundaries are those most often used and recommended by agencies. When all the large region systems were superimposed on the map of Alaska, these were the dominant patterns. The boundaries are a compromise of the MAP, F-S LUPC, Alaska Water Study, Rogers and Cooley, the Federal Field Committee and the Alaska Outdoor Recreation Plan. All the regional boundaries are adjusted to Census Divisions; any justified variations of the system should be made by adding or deleting entire Census Divisions.

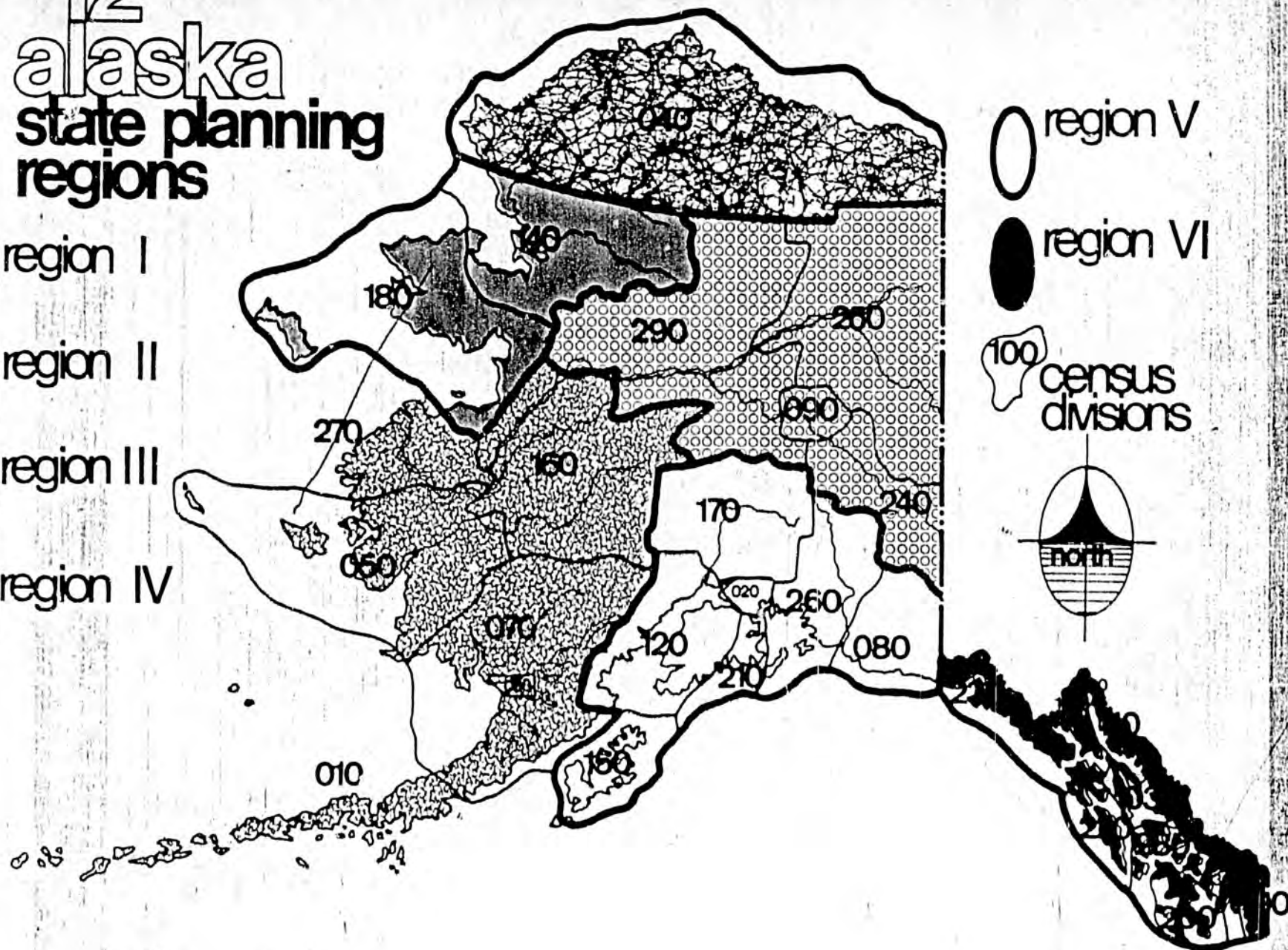
Alaska State Planning Regions will be numbered in Roman numerals as shown on Map 12. Census divisions and F-S LUPC subregions included in each region are:

	<u>Census Divisions</u>	<u>F-S LUPC Subregions</u>
Region I	No. 040. Barrow	No. 1.1 West Arctic 1.2 Colville 1.3 East Arctic
Region II	140. Kobuk 180. Nome	2.1 Kotzebue Sound 2.2 Norton Sound
Region III	090. Fairbanks 240. Southeast-Fairbanks 250. Upper Yukon 290. Yukon-Koyukuk	3.2 Central Yukon 3.3 Koyukuk 3.4 Upper Yukon 3.5 Tanana 3.6 Upper Yukon-Canada

map 12
alaska
state planning
regions

-  region I
-  region II
-  region III
-  region IV

-  region V
-  region VI
-  census divisions



Region IV

- | | |
|--------------------------|-------------------|
| 010. Aleutian Islands | 3.1 Lower Yukon |
| 050. Bethel | 4.1 Kuskokwim Bay |
| 060. Bristol Bay Borough | 4.2 Bristol Bay |
| 070. Bristol Bay | 4.3 Aleutian |
| 160. Kuskokwim | 5.1 (Portion) the |
| 270. Wade Hampton | part encom- |
| | passing the |
| | Alaska Peninsula |
| | and all islands |
| | west of Kodiak |
| | Island that are |
| | within the |
| | Bristol Bay |
| | Borough Census |
| | Division. |

Region V

- | | |
|------------------------|--------------------|
| 020. Anchorage | 5.1 (Portion) the |
| 080. Cordova-McCarthy | remainder not |
| 120. Kenai-Cook Inlet | in Region IV. |
| 150. Kodiak | 5.2 Cook Inlet |
| 170. Matanuska-Susitna | 5.3 Gulf of Alaska |
| 210. Seward | |
| 260. Valdez-Chitina- | |
| Whittier | |

Region VI

- | | |
|--------------------------|---------------|
| 030. Angoon | All Southeast |
| 100. Haines | |
| 110. Juneau | |
| 130. Ketchikan | |
| 190. Outer Ketchikan | |
| 200. Prince of Wales | |
| 220. Sitka | |
| 230. Skagway-Yakutat | |
| 280. Wrangell-Petersburg | |

The ALASKA STATE PLANNING REGIONS match the five regions of the MAP and Rogers and Cooley regions except for one variation -- a sixth region, consisting of the entire North Slope Borough, which alters the shape of MAP's Northern and Interior regions. MAP's two urban regions, Anchorage and Fairbanks-South Fairbanks, were omitted because each is identifiable by Census Division and therefore can be separated when urban-rural definition is desirable.

The regions substantially represent the five "countries" of Alaska and the particular potentials of both the undeveloped and now developing areas of the State. In most earlier systems, proposed Region I was classified with Region II or III, or both, but oil and gas development, plus the fact of its incorporation as a borough, appear to justify its separation

as a region. MAP staff have also recognized the growing identity of the region and are converting their data and model accordingly. Thus, the alternative futures developed through the program will be usable in the State's regional planning.

Other valuable data sources include: F-S LUPC inventories which are convertible to the proposed regions; Alaska Water Study; and all Census and other data compilations which can be aggregated for regional study.

Analysis of State agency region and district systems provided a distinct surprise -- that most substate systems fall in the large (eight or less units) category. Regional services are largely coordinative of locally administered programs, such as mental health. Distinctly regional planning needs are water, sewer and environmental. Demands for designated regions from organizations other than State Government include economic development districts, A-95 clearinghouses, and land-related projects of Native groups and Federal agencies.

Selection of the regions considered many factors -- chief of which were data availability, homogeneity of physical and social traits and variations of activity patterns. Briefly, the regional characteristics are:

- Region I - predominantly Eskimo, tundra covered, economy moving from subsistence fishing and caribou hunting to oil and gas development.
- Region II - same as Region I, without oil and gas development.
- Region III - forested, high hard mineral potential, growing agricultural interest, caribou, Native population Athabascan.
- Region IV - primarily Eskimo and Aleutian residents, Yukon and Kuskokwim river basins, main industry fishing, economy mostly subsistence.
- Region V - coastal area, forested, fishing and agriculture are traditional resource industries, - now augmented by oil and mineral extraction, economic and business center of State, highest non-Native population.
- Region VI - coastal area, forested, primary industries fishing and timber, Tlingit-Haida Natives.

Large regions are essential for studying and planning purposes. Resource, economic and many social considerations transcend local government boundaries. The level of planning and management required on a regional basis is broader than local and should cover a longer time range.

Rejection of the two urban regions (Anchorage and Fairbanks) used by the University in the MAP model is because of the regional influence exerted by those areas on surrounding communities. The degree of that influence makes a marked difference between regions. Region V, less Anchorage, is still the trade and business center, the transportation hub, and the most densely populated area in the State. MAP model makers put Alcan Highway communities into the Fairbanks Urban Region because that area (South Fairbanks Census Division) would distort the regional picture of the Interior, but did not use the same logic on Anchorage.

For State planning purposes, Fairbanks and Anchorage are the points of coordination and essential to the regions in which they lie. Juneau is the most obvious point of coordination in the Southeast Region, but has not been proposed for separation as a single entity.

B. Alaska Substate Districts

Substate Districts are smaller than regions, are generally composed of one or more Census Divisions, and are primarily administrative or political. Their purpose is to provide manageable units within which services may be dispensed, programs operated or data collected.

Following the objective of State Government, to increase the capabilities for self-government and self-determination of Alaska's rural communities, the proposed districts, shown on Map 13, are designed for transition to eventual borough status. Prime considerations in delineating these districts must be local interests: resources (human and physical), activities (recreation, education), and administration, (health, welfare). In addition to common interests and lifestyle, each district should be a feasible unit for provision of local services.

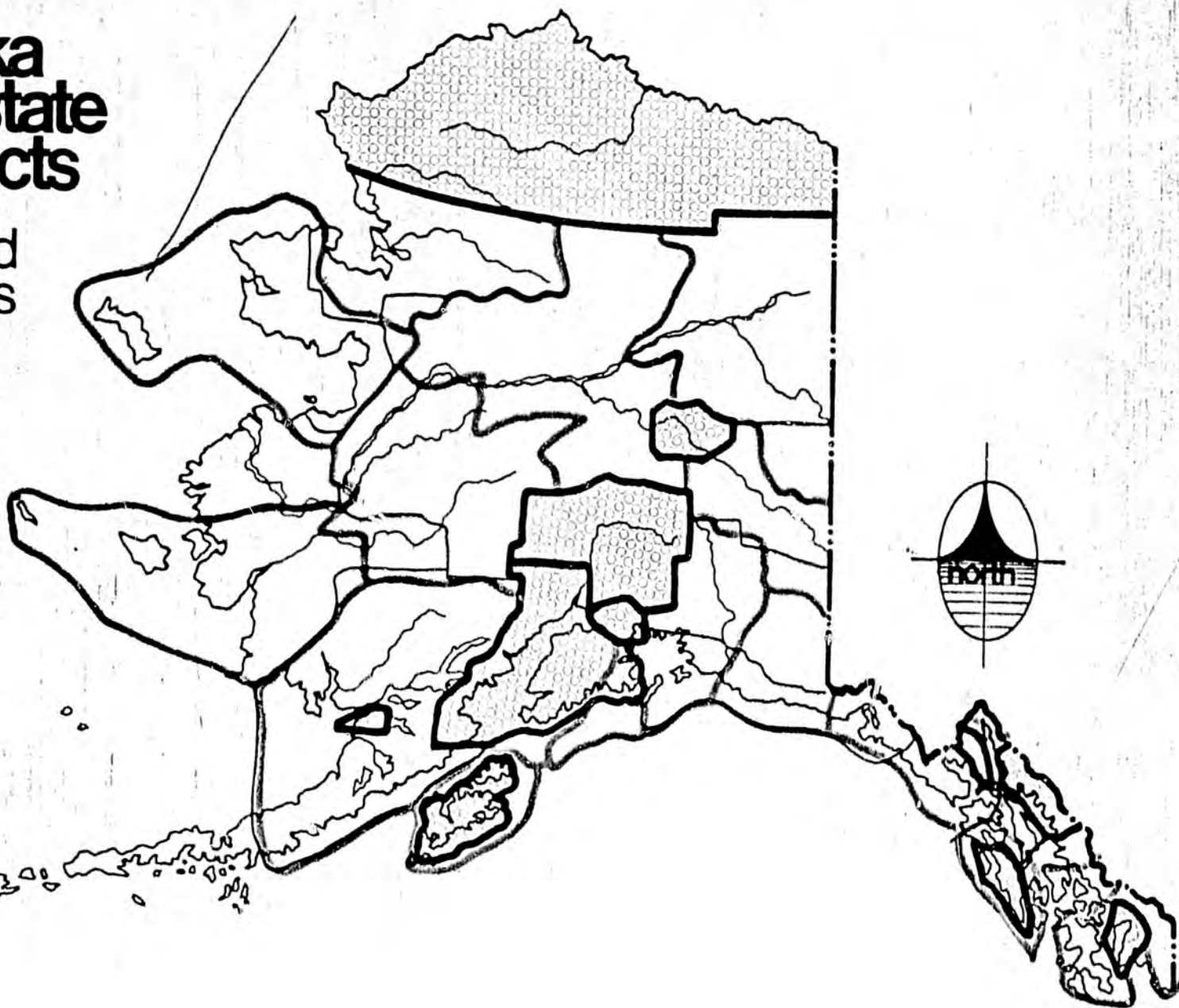
Proposed Divisions of the Unorganized Borough suggested by the Department of Community and Regional Affairs (Map 9) were basically formed by combining REAA's, and closely align to Native Corporation boundaries. If REAA's are to remain as permanent geographical areas, the DCRA proposed divisions may prove most workable.

map 13
**alaska
substate
districts**

 organized
boroughs

 substate
districts

 census
divisions



However, considering the wealth of information produced by Census Division, it seems more rational to carry through both regions and districts the basic building block pattern of Census Divisions. Subdivisions of the Census Divisions, used to some degree in constructing the DCRA proposed districts, would allow more flexibility in areas where ethnic groupings do not conform to Census Divisions.

The District system proposed by DCRA would meet the legal criteria for incorporation of organized boroughs (AS 29.18030) except the requirement that "the population of the area...is large and stable enough to support organized borough government;..." Planning for division of the Unorganized Borough must take that fact into consideration, allowing time for maturing of the areas before they achieve organized status.

Map 13 shows existing boroughs and the DCRA suggested districts in relation to the State Planning Regions and the current Census Divisions. This district/borough system is usable now on an interim basis, but a thorough study should be made before Substate Districts are finalized. Ideally, each district should have ethnic, cultural, and physical integrity, should not be divided by State Planning Region boundaries, and should not cross Census Division lines.

A reexamination is also in order for existing borough and REAA boundaries, both of which should meet the same criteria as the Substate Districts. Building the REAA's on Native Corporation Region lines means that governmental services will be provided based on non-governmental boundaries. Eventually, boroughs will undoubtedly carry educational responsibilities throughout the State; therefore, the system should be adjusted now to accommodate the transition.

Alaska needs districts of this size and character. In the vast unorganized area of the State, no governmental structure exists for provision of services and performance of duties normally the functions of county governments. The State is directly serving the people in rural areas, and building a dependency and degree of expectancy that impedes rather than encourages local incentive and initiative.

C. Census Divisions

Census Divisions are the basic data collection units for most planning information. The suggestion here is that the State continue to use the divisions as building blocks for districts and regions. Census divisions have a particular value for data analysis because:

1. Most socio-economic data is available by Census Division.

2. Division boundaries can be adjusted if political boundaries or other changes occur which materially affect the statistical value of the divisions. For example, the northern divisions were realigned to separate out the North Slope Borough after its incorporation. For the 1980 Census, Yakutat and Skagway will be separated (they were combined in one division in 1970) because Bureau of the Census staff are convinced that characteristics of the two communities are substantially different. If investigation reveals a need for other Division adjustments to meet requirements of the Substate Districts, requests for those changes must be given to the Bureau of the Census by August of 1978.

The goal is to have no Census Division divided - each Census Division should be part of only one region and only one district.

D. Using the Systems

State Planning Region (SPR) names, such as Southcentral, Northern, Interior, Southwest, and other directional designations have been used over and over - not necessarily in relation to identical areas. Numbering, rather than naming the regions, was suggested by several participants in the study.

A similar rationale lies behind use of lettering for the substate districts (SSD's). The districts equate most closely to boroughs and may one day be designated by name. Using letters during the interim period guarantees more future flexibility - opportunity for local people to select a name and less confusion if an area is again divided as it develops and gains more population.

Census Division (CD) numbers used in this report are those currently in use by the Bureau of the Census and the State Department of Labor. They are subject to change as new divisions are added.

Descriptions of region or district systems should include the appropriate numbering or lettering for uniform identification. Agency use of names is discretionary. For example, a region system might consist of:

Western Region = State Planning Regions (SPR's) II and IV
Northern Region = SPR I
Central Region = SPR's III and V
Southern Region = SPR VI

If a program requires a boundary exception, the description might show:

Western Region = SPR's II and IV, less CD 160, plus CD 150.

Northern Region = SPR I

Central Region = SPR's III and V, plus CD 160, less CD 150.

Map 14 shows the two recommended systems, exposing areas of conflict.

VIII. IMPLEMENTATION

Initial implementation of the State Planning Regions and Substate Districts should be by Administrative Order of the Governor. A suggested order is attached as Appendix 2.

State agencies should be given a specific length of time, one year, to convert to the new system. It is highly unlikely that every State agency will be able to conform to any set of specified boundaries. Departures from State designated boundaries, however, should have to be justified; when new boundaries must be created, they should, if feasible, use the building blocks of the system.

Any substitute region or district boundaries should be subject to approval. The Task Force on Administrative Districts might be reactivated for the review and selection process described above, or a review body could be created by the Governor. The same review body could monitor the study of existing districts and pass on recommendations of a study group.

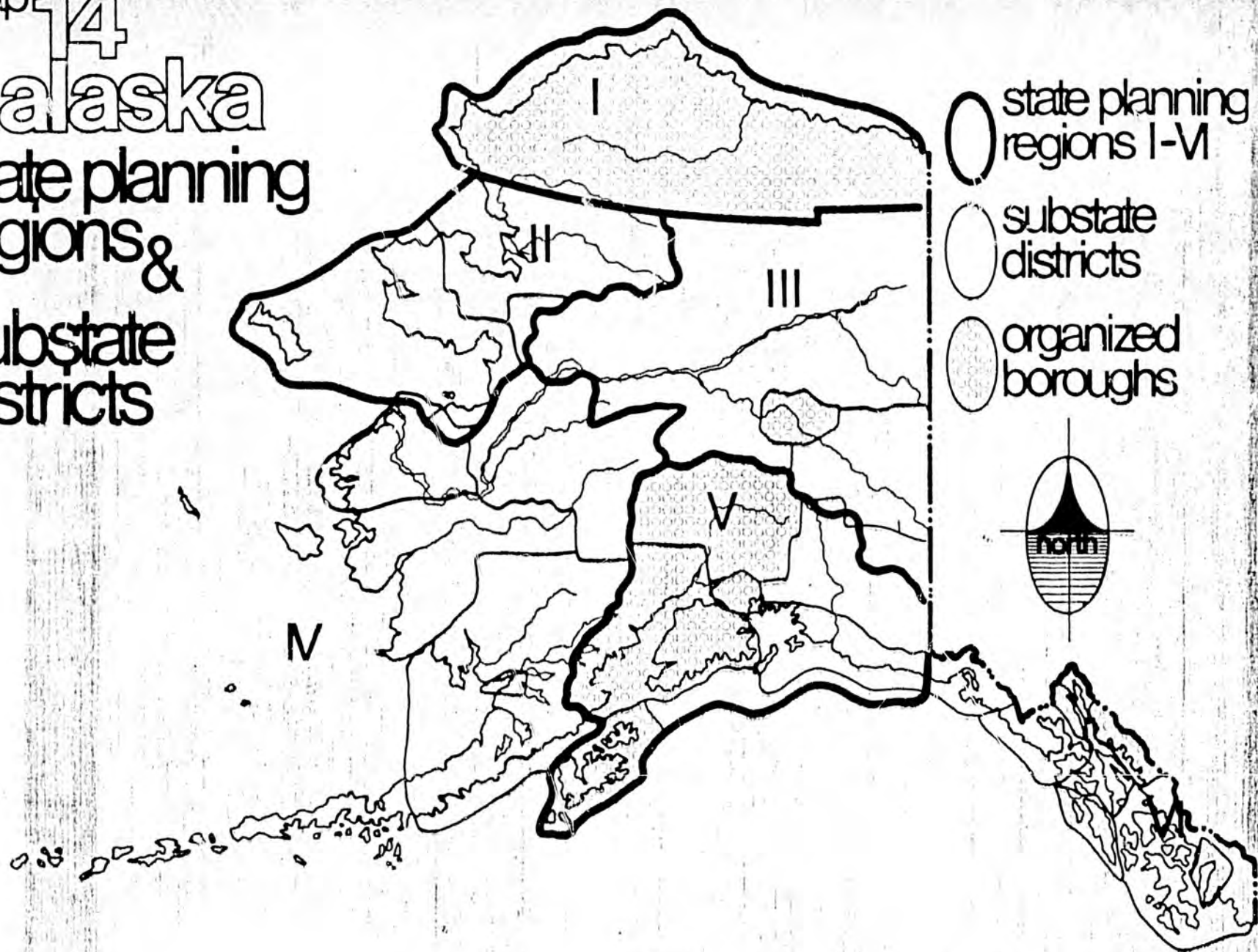
Monitoring of agency progress in adapting programs to the Regions and Districts can become a part of the budget review process. Each decentralized program should include a map of service districts, field offices or other regional assignments.

Official designation of the Alaska State Planning Regions and the Alaska Substate Districts by either the Governor or the Legislature will make their use mandatory for Federal agencies. Federal conformance will be monitored by the A-95 Clearinghouse.

When the Region/District system is completed and approved, the Governor should officially designate the regions and districts as requirements for State agency planning. The recommendation of this study is designation by Executive Order which allows the Governor to initiate use of the boundaries; the Order will stand if not disapproved by the Legislature in its next regular session.

After the one year conversion and study period provided by Administrative Order, the Governor should issue an Executive Order, delineating the reconciled region and district systems. The 1978 Legislature would then have an opportunity to review the systems before the deadline of Summer 1978 for requesting Census Division alterations from the Bureau of the Census.

map 14
alaska
state planning
regions &
substate
districts



Legislative action will, of course, be required if and when governmental entities are created within the regions or entities districts. Legislative action is desirable because it increases the chances for continuity of the systems' usage through changing administrations.

REFERENCES

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6. Alaska State Department of Labor, Alaska Manpower Outlook, 1970's, Data Base and Projections. Publication #4, Occupational Research, Juneau, 1970.
7. Alaska Native Claims Settlement Act. P.L. 92-203, 85 Stat. 688, December 18, 1971.
8. Intergovernmental Cooperation Act of 1976. S, 3075, 94th Congress, 2nd Session, 1976.
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11. Alaska Statute, Title 14. Education.
12. Alaska State Legislature, An Act Creating a Department of Community and Regional Development. SLA 1972, Chapter 200.
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15. Alaska State Department of Labor, Geographical Area Classification Manual. Juneau, 1975.

Appendix A

Report of Legislative Task Force
on Administrative Districts

SUB-STATE DISTRICTS STUDY

The large number of State agencies charged with the delivery of services and/or the compilation of data on a regional basis has provided the milieu for a proliferation of management and resource districts within the State today. Additionally, each year brings proposals for new programs that would require regional services or accounting. For example, the State was recently confronted with the task of decentralizing rural education which required creation of rural school districts; and planning for the 1980 Census district boundaries continues. The issue of regionalization - or sub-state districting - is constantly before us. Too often, however, the issue is treated as a parochial concern, with districts evolving out of the functional requirements of specific agency programs. The resultant web of different districts has raised questions about the efficiency of such a fragmented approach to regionalization, and the usefulness and viability of a uniform set of sub-state districts.

BACKGROUND

During FY 1976, the staff of the Division of Policy Development and Planning (DPDP) and the Legislative Affairs Agency worked with representatives of other State agencies (including the court system) on an Administrative Districting Task Force. The major objectives of the Task Force were to (1) study the usefulness of election district boundaries for administrative purposes other than elections and (2) explore the possibilities for improved efficiency and effectiveness of State services delivery and planning through the use of a common set of districts by all State agencies. Closely aligned with these objectives was a concern that the 1980 Census districts, to be chosen by 1978, be the most useful in terms of data collection.

To assist the Task Force staff in completing its work, the DPDP staff compiled accurate maps of all districts currently used by State agencies. Additionally, a jointly sponsored (Task Force and DPDP) meeting was held with representatives of all State agencies to discuss the problems created by multiple systems of districting.

Concurrent with the Task Force investigation, DPDP initiated a sub-state district study intended to analyze selected State programs to determine which would benefit from regionalization, which would not, and which might. It is expected that certain programs, particularly those relying heavily on data usage, will benefit more than others.

The Task Force staff has recently completed its review of statutory references to the use of election districts for administrative purposes other than electoral. The staff has also analyzed agency responses to a questionnaire on regionalization and the reasons certain boundaries were chosen. Their report on these two topics has been distributed.

SUB-STATE DISTRICTING WORK SCHEDULE

Inclusive Dates	OBJECTIVE	Work Responsibility
Jan-Feb '76	(1) Identification of statutory requirements for State agency program boundaries.	DPDP
March-May	(2) a. Evaluate existing management and resource districts for their adequacy in providing the basis for new uniform district boundaries. Attempts will be made to incorporate the best features of existing boundaries into the final suggested uniform districts*	DPDP with State Agency Contributions
January-May	b. Outline criteria utilized in establishing existing sub-state districts. Expand outline to incorporate other viable criteria. Complete inventory phase of program.	DPDP
May-December	(3) a. Formulation of uniform district* boundaries.	DPDP in close coordination with State Agencies
May-December	b. Outline the legal options available for implementation of the recommended district boundaries.	Legislative Council staff and DPDP
January 1977	(4) Presentation of final report for legislative and administrative review.	DPDP and Administrative Districting Task Force
*set or sets of districts - see explanation in PROPOSAL		

The first and most important recommendation of the Task Force and the DPDP sub-state districts study group, at this time, is that no efforts be made to correct statutory references to districts until the study group has completed its analysis of regionalization in Alaska. At that time, all relevant changes could be made with one bill.

Additionally, it is felt that no new program boundaries should be established until such time that the study group's findings have been presented and reviewed.

PROPOSAL

From the outset, the sub-state districts study group has not been predisposed to find one set of district boundaries that will work for all agencies and all programs. A scheme of two or three sets of districts could be the most advantageous; or it is altogether possible that no uniformity can be achieved. For example, a three tiered set of boundaries - consisting of the six regions adopted by the Joint Federal-State Land Use Planning Commission for Alaska, subdivided into the 12 Regional Corporation areas designated by the Native Claims Settlement Act, and again divided into rural education and borough school districts - might be feasible for use by most State agencies.

The emphasis of the study is on evaluating existing situations and exploring the benefits and detriments of a more uniform approach to sub-state districting. The objectives are to achieve better coordination among State agency programs within common geographic delivery areas and to allow greater consistency in data collection than is now possible.



Alaska State Legislature

LEGISLATIVE AFFAIRS AGENCY

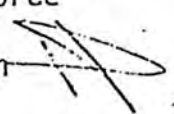
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MEMORANDUM

January 6, 1976

SUBJECT: Administrative Districts Questionnaire Analysis

TO: Administrative Districts Task Force

FROM: Herb Pierson, Legislative Intern 

As per the direction given at the initial meeting of this body, I have read and organized the Administrative Districts Task Force questionnaire responses. The following is a summarization of those responses.

There are twenty agencies, divisions or organizations represented by this task force. Of those twenty, sixteen were requested to respond via the questionnaire and fourteen agencies did so. Below are the summarized responses per question:

(1) Are the boundaries of the districts, regions or subregions your agency uses up to date and accurate?

Response: Twelve were current, two were outdated. The two outdated maps were inaccurate because of recent internal decisions to change boundary lines.

(2) What purposes do these units serve (e.g., administrative, regulatory, statistical)?

Response: All fourteen said purpose was administrative. Five respondents also indicated regulatory purposes and five said statewide statistical gathering was the purpose.

(3) What specific programs or functions do these units serve?

Response: Generally these functions were either normal administrative functions or specific programs. Program examples are Veterans Loans, Revenue Sharing, and the Local Service Roads and Trails program.

(4) How did these present boundaries come into existence?

Response: Economic prerogatives, ethnic considerations, geographical dictates, transportation, communications, population

concentrations, biological patterns, Federal interventions, collective bargaining agreements and "the swoop of a pen" were noted as being the reasons for boundary development.

(5) Are there other districts your agency relates to or relies upon to carry out the responsibilities of your agency?

Response: Eight of twelve respondents noted some outside influences. Three were Federal influences (Soil Conservation, Census, and Department of Defense), two were Alaska Judicial Districts as per AS 22.10.010, one was Alaska Department of Education (school districts), one was election districts and one was Native Corporation boundaries.

(6) Are there any Federal or State statutes or regulations requiring that you must or may establish districts to carry out the responsibilities of your agency?

Response: Cost of living differentials for state employees were noted by two agencies as a statutory requirement. One other agency noted various AS authorizations and one agency indicated they worked with Federal requirements for reporting.

(7) Where were the districts or boundaries now in effect established?

NOTE: This is a typographical error. The question should have read: "When were" rather than "Where were" they established. Consequently, this question cannot be relied upon for responses. Nonetheless, it has become clear the majority of the boundaries were established prior to statehood and have been continued with only minor changes, if any.

Summary: Frankly, the questionnaire tells very little other than to emphasize what has long been common knowledge, i.e., agency boundaries have developed prolifically under the direction of immediate needs as opposed to long-term planning efforts. These boundaries reflect administrative needs of the hour and have seemed to fulfill that specific purpose. Now, however, with the complexity of life ever increasing, it is clear that past administrative needs have created substate boundaries that tend to exacerbate that complexity. By way of suggestion then, the Administrative Districts Task Force should familiarize themselves with the necessary research variables and develop a long-term research and development posture for future reporting of a specific plan for statewide subdistricting for administrative purposes.

HP:jm

ADMINISTRATIVE DISTRICTS TASK FORCE QUESTIONNAIRE MATRIX

Respondent Agency	Question #1 Map Current	Question #2 District Purposes	Question #3 District Functions	Question #4 Base of Development	Question #5 Outside Inf. Districts	Question #6 Statutory Requirements	Question #7 When Established	Comments
ADMINISTRATION Personnel & Labor Relations	Yes		Geographic Locator Codes; Salary Differential Sched. Dev. Property Control/Acct.	Historical	Elections as per AS 39.20.	Title 39 & Collective Bargaining Agreements		
Finance		Per Diem Rates	Payroll Codes	Collective Bargaining				
COMMERCE	Yes	Administrative	Veterans Loan Program	Geographic Population	None	No		Alaska Veteran's Affairs only function using districts
COMMUNITY & REGIONAL AFFAIRS	Yes	Administrative Regulatory	Borough Powers AS 29.48.010/100	Borough Inc. 19 AAC 85.110	DOE School District	AS 43.18.012 Cost of Living Differentials for Rev Sharing		Uses 1965 Election Districts
REVENUE	N/A	Administrative Regulatory Statistical	Stats. Analysis, ABC Licensing Revenue Sharing	N/A	Native Corp. Boundaries	No		Department does not originate districts, only uses districts of other agencies, data gathering operation
ENVIRONMENTAL CONSERVATION	No (add Pr. Km. Sound)	Administrative Regulatory	Regional Office Boundaries	Historical Management Needs	Judicial Dist. for Prosecutions	No		
FISH & GAME	Yes	Administrative Regulatory Statistical	Regulatory & Operations	Biological Historical Geographical Social	No	Various AS	Territorial Days	Have many districts not included with this response--N/A
HIGHWAYS		Administrative	Planning Const., Maint. Local Sv Rds Trails Program	Transportation Communication Work-load & Avail Personnel		None		Local Service Roads & Trails Program - new district item
LABOR	Yes	Administrative Statistical	Work Force Stats by Election Dist. Pop. Estimates by Census Tract	Census Tracts	None	Feds for \$ and Stats. Reporting	Pre 1970 w/ change 9/15/73	
LAW	Yes	Administrative	All Functions	AS 22.10.010	None	No		
MILITARY AFFAIRS	Yes	Administrative Emerg. Operations	Village and Guard Ops.	Mgt. of Geog. Needs	Feds/State Pay Differentials	No		
NATURAL RESOURCES	Yes (with some additions)	Regulatory Administrative Statistical	Adm. of Pks & Rec.; Resources Mgt.; Fire Protect.	Geographical Transportation Access	Federal Soil Conservation Districts	No	1969=land 1973=parks 1974=forest prot.	
PUBLIC SAFETY	No	Administrative Statistical	Enforcement Management	Transportation Ethnic & Judicial Districts	Judicial Dists.	No	1971	
PUBLIC WORKS	Yes	Administrative	Aviation & Bldg. Programs	Management Needs	No	No		

LEGISLATIVE COUNCIL TASK FORCE

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(Member not yet
appointed)

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PURPOSE: Study and evaluate the continued usefulness of election districts for purposes of administration of State services and other non-electoral functions; propose, if possible, the creation of common administrative districts or other units for the administration of essential State services or functions for which a geographic unit of administration or reference is required or is desirable.

Appendix B

Proposed Administrative Order

PROPOSED
ADMINISTRATIVE ORDER NO. _____

The proliferation of district boundaries used by governmental agencies in Alaska is confusing, prohibits efficient delivery of services to citizens and, therefore, prevents the federal, state and local governments from fulfilling their responsibilities to Alaskans.

The Division of Policy Development and Planning in my office has conducted a study of region and district usage in the state and has recommended two sets of state subdivisions for various governmental purposes. These districts do not meet every specific need but represent a compromise between the many boundaries heretofore established.

It is my intention to have state government comply to the highest degree possible with these regions and districts and to urge federal and local governments to also conform to these boundaries. Through this cooperative effort we should be able to assure Alaskans of maximum value from their public programs.

Therefore, under authority of article III, section 1, Alaska Constitution, it is ordered that all agencies in the executive branch of the state government, conducting business at the local level through districts or regions, and planning future programs requiring a regional approach, use the regions and districts designated by this order, or use the census divisions and REAA's.

The following constitute State Planning Regions:

REGION I	Census Division 040, Barrow
REGION II	Census Division 140, Kobuk; and 180, Nome
REGION III	Census Divisions 090, Fairbanks; 240 Southeast Fairbanks; 250, Upper Yukon; and 290, Yukon-Koyukuk
REGION IV	Census Divisions 010, Aleutian Islands; 050, Bethel; 060, Bristol Bay Borough; 070, Bristol Bay; 160, Kuskokwim; and 270, Wade Hampton
REGION V	Census Divisions 020, Anchorage; 080, Cordova-McCarthy; 120, Kenai-Cook Inlet; 150, Kodiak; 170, Matanuska-Susitna; 210, Seward; and 260, Valdez-Chitina-Whittier

REGION VI Census Divisions 030, Angoon; 100, Haines;
 110, Juneau; 130, Ketchikan; 190, Outer
 Ketchikan; 200, Prince of Wales; 220, Sitka;
 230, Skagway- Yakutat; and 280, Wrangell-
 Petersburg

The following constitute Substate Districts:

All Unified Home Rule Municipalities:

City and Borough of Juneau
City and Borough of Sitka
Municipality of Anchorage

All Organized Boroughs:

Bristol Bay Borough
Fairbanks North Star Borough
Haines Borough
Kenai Peninsula Borough
Ketchikan Gateway Borough
Kodiak Island Borough
Matanuska-Susitna Borough
North Slope Borough

The following districts of the Unorganized Borough:

District A	REAA #1
District B	REAA's #11, 12, 13 & 14
District C	REAA #2
District D	REAA's #15 & 16
District E	REAA #3
District F	REAA's #4 & 5
District G	REAA #17
District H	REAA's #8, 9 & 10
District J	REAA's #6 & 7
District K	REAA's #21 & #18 west of Dry Bay
District L	REAA #18 east of Dry Bay
District M	REAA's #19 & 20

Special exemptions may be granted to those agencies whose use of specific region or district boundaries would bring undue expense, hardship, or decreased efficiency to the operation of that agency. Exemptions will be granted by my office on a region-by-region or district-by-district basis. Agencies seeking exemption because of special circumstances shall submit to my office:

1. A map depicting those regions or districts which can be used and those where a modification from State Planning Regions or Substate Districts is essential;

2. An identification of statutes, federal regulations or guidelines, personnel difficulties, workload difficulties, or existing investments in field facilities which justify delay in adoption of the state regions and districts specified in this order; and
3. A timetable for eventual agency conformance with this order.

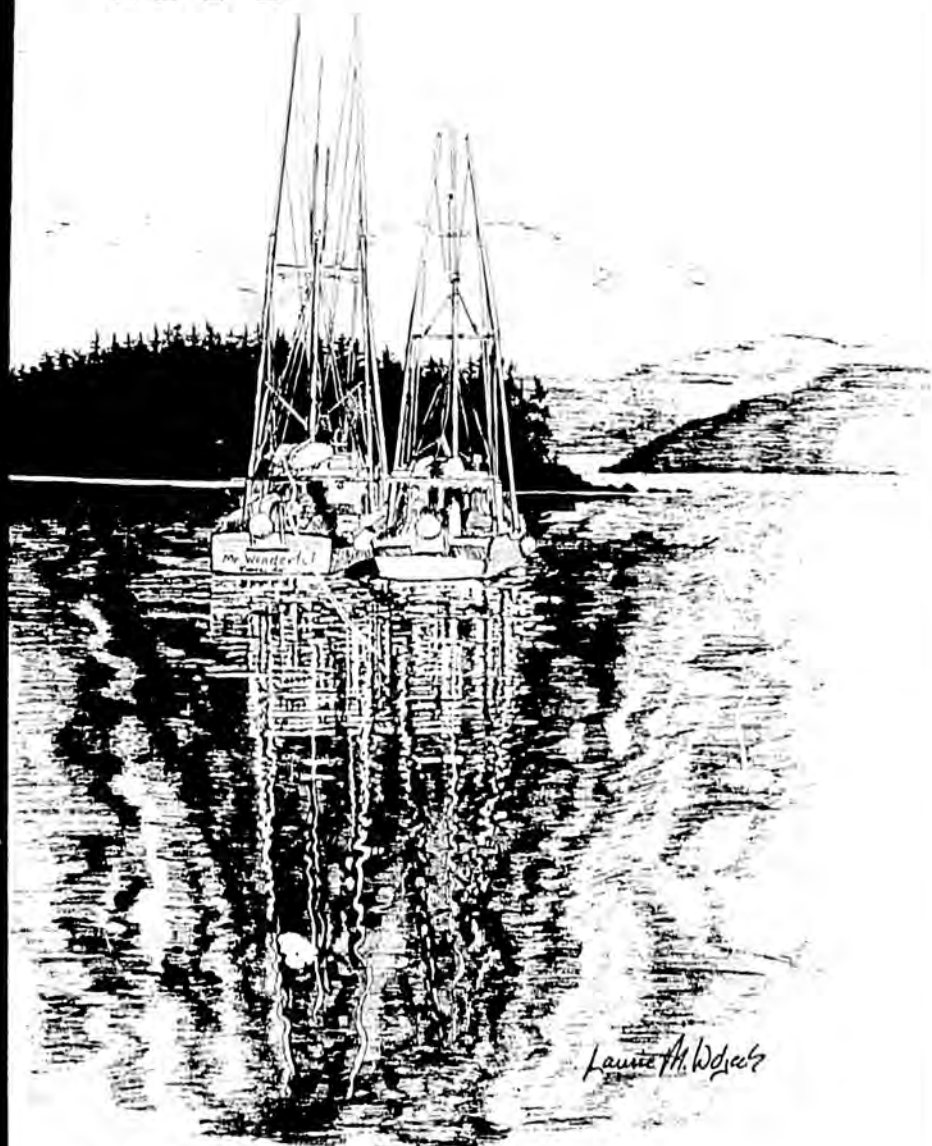
Each agency shall furnish my Office of Budget and Management with region or district map for each program submitted for funding which is administered on a regional or district basis.

Within one year from the date of this order, my Division of Policy Development and Planning shall review conformance to this order by state agencies and any exceptions which may have been granted and recommend the regions and districts for permanent status or recommend any changes that may be desirable.

Dated: _____, 197____
at Juneau, Alaska

Governor

FINFISH 1979



ALASKA
COMMERCIAL FISHING
REGULATIONS

TABLE OF CONVERSIONS

1 foot	12 inches	0.3 meters	
1 yard	36 inches	3 feet	0.9 meters
1 meter	39.4 inches	3.3 feet	1.1 yards
1 fathom	6 feet	2 yards	1.8 meters
1 statute mile	5,280 feet	1,760 yards	1,572 meters
1 nautical mile	6,072 feet	2,024 yards	1,850 meters
1 pound	0.45 kilograms		
1 kilogram	2.2 pounds		
1 standard ton	2,000 pounds	0.9 metric tons	
1 metric ton	2,204 pounds	1.1 standard tons	

ALASKA DEPARTMENT OF FISH AND GAME

Regulations of the Alaska Board of Fisheries
for Commercial Fishing in Alaska

Jay S. Hammond, Governor

ALASKA BOARD OF FISHERIES

Jim Beaton
Calvin Fair
Chris Goll
Jimmy Huntington
Gordon Jensen
Herman Schroeder
Nick Szabo

Juneau
Soldotna
Anchorage
Galena
Petersburg
Dillingham
Kodiak

COMMISSIONER OF FISH AND GAME
Ronald O. Skoog

DIRECTOR OF COMMERCIAL FISHERIES
Steven Pennoyer

This published copy is for informational use. These regulations are from the official regulations in the Alaska Administrative Code as filed with the Lieutenant Governor.

Selected Alaska Statutes.....3-8

Chapter Area

3	Arctic-Yukon-Kuskokwim Area.....	9
6	Bristol Bay Area.....	24
9	Alaska Peninsula Area.....	31
12	Aleutian islands Area.....	41
15	Chignik Area.....	43
18	Kodiak Area.....	48
21	Cook Inlet Area.....	58
24	Prince William Sound Area.....	72
27	Herring Fishery.....	82
30	Yakutat Area.....	103
33	Southeastern Alaska Area.....	108
36	International Water Area.....	130
37	Aquatic Plants.....	131
39	General Provisions.....	132

Cover drawing of "Trollers at Rest"
by Laurie Wojack

Commercial Fisheries Division, Management Field Offices
of the
ALASKA DEPARTMENT OF FISH AND GAME

Anchorage	344-0541	Glennallen	822-3309	Petersburg	772-3225
Bethel	543-2433	Homer	235-8191	Sand Point	383-2066
Chignik	KXO 85	Juneau	586-6616	Sitka	747-3278
Cold Bay	532-2419	Ketchikan	225-5195	Soldotna	262-4278
Cordova	424-3213	King Salmon	246-3341	Unalaska	581-1239
Dillingham	842-3811	Kodiak	486-4791	Wrangell	874-3822
Fairbanks	452-1531	Nome	443-2825	Yakutat	784-3255

CHANGES TO REGULATIONS
IN THIS BOOKLET

The regulations appearing in this booklet may be changed by the Board of Fisheries during Spring of 1979, or may be changed by emergency regulation or emergency order at any time. Supplementary changes to the regulations in this booklet will be available at coastal offices of the Department of Fish and Game.

SUBSISTENCE FISHING REGULATIONS

The 1978 regulations pertaining to subsistence fishing are contained in this booklet. At its spring meeting, 1979, the Board will consider changes to the subsistence regulations in this booklet. These changes will be published in a separate booklet and will be available during July, 1979.

SHELLFISH FISHING REGULATIONS

Regulations pertaining to commercial and subsistence shellfish fishing are not included in this booklet. Shellfish regulations are available as a separate booklet from all coastal offices of the Department of Fish and Game.

Michael G. Williams and Associates
Post Office Box 89
Juneau, Alaska 99802

SELECTED ALASKA STATUTES

Title 16 — Fish & Game

SEC. 16.05.065. APPLICATION EXTENSION. (a) The commissioner shall extend the time and dates during which application may be made for fish and game registration if he finds that

(1) the conservation and management of the fish or game resource will not be affected adversely; and

(2) the failure to timely apply is the result of excusable neglect.

(b) The fee for an extension granted under this section is \$45.

(c) As used in this section, "excusable neglect" does not include unfamiliarity with or ignorance of applicable laws and regulations. In order to show excusable neglect, a person must have demonstrated, before the registration deadline, an intent to harvest fish or game.

SEC. 16.05.440. EXPIRATION DATE FOR LICENSES. Licenses issued under Secs. 440 - 720 of this chapter expire at the close of December 31 following their issuance, and shall be renewed annually upon application and payment of the license fees required by secs. 440 - 720 of this chapter.

SEC. 16.05.450. ISSUANCE OF LICENSES. (a) The commissioner of revenue or his authorized agent shall issue a crew member fishing license under Sec. 480 of this chapter to each qualified person who files a written application at a place in the state designated by the commissioner, containing the reasonable information required by the commissioner together with the required fee. The application shall be simple in form and shall be executed by the applicant under the penalty of perjury.

(b) The Commercial Fisheries Entry Commission shall issue a vessel license under Sec. 490 of this chapter to each qualified vessel for which a written application has been filed at a place in the state designated by the commission, containing the reasonable information required by the commission together with the required fee. The application shall be simple in form and shall be executed by the applicant under the penalty of perjury.

SEC. 16.05.475. REGISTRATION OF FISHING VESSELS. (a) It is unlawful for any person to employ a fishing vessel in the water of Alaska unless it is registered under the laws of the state. Vessels registered under the laws of another state, and persons residing in another state, are not excused from this provision.

(d) The term "fishing vessel", as used in this section, means any vessel, boat, ship or other craft which is used for, equipped to be used for, or of a type which is normally used for

(1) fishing, or

(2) aiding or assisting one or more vessels at sea in the performance of any activity relating to fishing, including, but not limited to, preparation, supply, storage, refrigeration, transportation, or processing.

SEC. 16.05.480. COMMERCIAL FISHING LICENSE. (a) A person engaged in commercial fishing shall obtain a commercial fishing license. The fee for the license is \$10 for residents, and \$30 for nonresidents. Except for those which are also entry or interim-use permits, all commercial fishing licenses are nontransferable. The commercial fishing license shall be retained in the possession of the licensee, readily accessible for inspection at all times. No more than one fee may be charged annually against a person. For the purposes of this section, "commercial fishing license" includes entry permits and interim-use permits issued under ch 43 of this title and crewmember fishing licenses.

(b) A person applying for a resident commercial license under this section shall provide the proof of residence which the department requires by regulation.

SELECTED ALASKA STATUTES

SEC. 16.05.490. VESSEL LICENSE. As a condition to delivery or landing of fish or engaging in commercial fishing in the state, a license is required for a commercial vessel, including a vessel used in charter service for the recreational taking of fish and shellfish.

SEC. 16.05.510. UNLICENSED VESSEL UNLAWFUL. Operation without a vessel license of any vessel to which Secs. 490 - 530 of this chapter apply is unlawful, whether the absence of a vessel license results from initial failure to purchase or from revocation by the commissioner of fish and game.

SEC. 16.05.520. NUMBER PLATE. (a) The vessel license includes a permanent number plate. The number plate shall be accompanied by a tab affixed to it designating the year to be fished. A number plate is not transferable, and it shall be considered a permanent fixture upon the vessel upon which it is originally placed. It shall be securely fastened well forward on the port side in plain sight. On a vessel with a superstructure the plate shall be fastened on the port side of the superstructure. A number plate remains the property of the state. If a permanent number plate is accidentally defaced, mutilated, destroyed, or lost, the person owning or operating the vessel shall immediately apply for and may obtain a duplicate upon furnishing the Commercial Fisheries Entry Commission with the pertinent facts and a payment of \$2.

(b) If a vessel carrying a number plate is lost, destroyed, or sold, the ownershall immediately report the loss, destruction or sale to the Commercial Fisheries Entry Commission.

SEC. 16.05.530. ANNUAL RENEWAL OF VESSEL LICENSE. Upon annual payment of a license fee of \$20, and filing of the name and address of the owner or his authorized agent of the vessel, the name and number of the vessel, a description of the vessel, vessel license number, if any, the area to be fished, and other reasonable information required by the Commercial Fisheries Entry Commission, the commission shall issue a number plate and a vessel license. If the vessel has a number plate, the commission shall issue a vessel license and tab designating the year. The tab shall be placed in the space provided on the permanent number plate.

SEC. 16.05.665. FALSIFICATION OF APPLICATION FOR LICENSE. (a) A person who knowingly makes a false statement as to a material fact on an application for a license under Secs. 440 - 660 of this chapter is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$1,000, or by imprisonment for not more than six months, or by both.

(b) A license issued under Secs. 440 - 660 of this chapter to a person convicted under (a) of this section is void.

(c) A person whose license is void under (a) and (b) of this section may not obtain another license of the same type for a period of not less than two nor more than three years from the date of conviction by the court.

SEC. 16.05.680. UNLAWFUL PURCHASES. It is unlawful for a person, his agent, or his representative

(1) to have in his employ, in the harvesting, transporting or purchasing of fish, a fisherman who neither is licensed under Sec. 480 of this chapter nor is the holder of a permit issued under ch. 43 of this title,

(2) to purchase fish from a fisherman who neither is the holder of a permit issued under ch. 43 of this title, nor is exempt under Sec. 660 of this chapter, or

(3) to purchase fish from an association other than one to which a permit has been issued under Sec. 662 of this chapter.

SEC. 16.05.690. RECORD OF PURCHASES. Each buyer of fish shall keep a record of each purchase showing the name or number of the vessel from which the catch

SELECTED ALASKA STATUTES

involved is taken, the date of landing, vessel license number, pounds purchased of each species, number of each species, and where possible, statistical area in which the fish were taken, and other information the department requires. Records may be kept on forms provided by the department. Each person charged with keeping the records must report them to the department in accordance with rules and regulations promulgated by it.

SEC. 16.05.710. LICENSE FORFEITURE. Upon a first or second conviction of a person for a violation of Secs. 440 - 720 of this chapter or a federal or state law or regulation for the protection of the commercial fish of the state, the court may, in addition to the penalty imposed by law, forfeit the commercial fishing license of the person for a period of one year. Upon a third conviction, the court may, in addition to the penalty imposed by law, forfeit the commercial fishing license for a period not to exceed three years.

SEC. 16.05.720. PENALTIES. (a) Except as modified by (c) of this section, a person who violates Secs. 480 - 700 of this chapter or the regulations of the department pertaining to commercial fisheries is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$5,000, or by imprisonment for not more than one year, or by both.

(b) The court shall transmit the proceeds from all fines to the proper state officer for deposit in the general fund of the state.

(c) A person who is convicted of commercial fishing in closed waters, commercial fishing during a closed period or season, or commercial fishing with unlawful gear including but not limited to nets, pots, tackle, or other devices designed or employed to take fish commercially, is guilty of a misdemeanor and in addition to the penalty imposed under (a) of this section is punishable by a fine of not less than the gross value to the fisherman of the fish found on the vessel or at the fishing site at the time of the violation. Upon a third conviction of a person for a violation under this subsection, and in addition to the forfeiture provision in Sec. 710 of this chapter, the fine shall be not less than three times the gross value to the fisherman of the fish found on the vessel or at the fishing site, or, if no fish are found on the vessel or at the fishing site, a fine of not more than \$10,000.

SEC. 16.05.800. PUBLIC NUISANCES. A net, seine, lantern, snare, device, contrivance, and material while in use, had and maintained for the purpose of catching, taking, killing, attracting, or decoying fish or game, contrary to law or regulation of a board or the commissioner, is a public nuisance and is subject to abatement.

SEC. 16.05.810. BURDEN OF PROOF. The possession of fish or game or a part of fish or game, or a nest or egg of a bird during the time the taking of it is prohibited is prima facie evidence that it was taken, possessed, bought, or sold or transported in violation of this chapter. The burden of proof is upon the possessor or claimant of it to overcome the presumption of illegal possession and to establish the fact that it was obtained and is possessed lawfully. This section does not apply

(1) during the first full 10 days after the time when a taking is prohibited, except as provided in (3) of this section,

(2) if the fish or game or part of fish or game is in a preserved condition whether frozen, smoked, canned, salted, pickled or otherwise preserved, or

(3) with respect to crab aboard a commercial fishing vessel, during the first full three days after the time when a taking is prohibited.

SEC. 16.05.815. CONFIDENTIAL NATURE OF CERTAIN REPORTS. Reports required by regulations of the department concerning the landing of fish, shellfish or fishery products, and annual statistical reports of buyers and processors required by regulation

SELECTED ALASKA STATUTES

of the department are confidential and shall not be released in the form of individual records by the department except to the Department of Revenue and to the Commercial Fisheries Entry Commission, or in conformity with a court order.

SEC. 16.05.831. WASTE OF SALMON. (a) It is unlawful for a person to waste salmon intentionally, knowingly, or with reckless disregard for the consequences. In this section, "waste" means the failure to utilize the majority of the carcass, excluding viscera and sex parts, of salmon which are to be

- (1) sold to a commercial buyer or processor;
- (2) utilized for consumption by humans or domesticated animals; or
- (3) utilized for scientific, educational, or display purposes.

(b) The commissioner may authorize other uses of salmon upon request if he finds that to do so would be consistent with maximum and wise use of the resource.

(c) A person who violates this section or a regulation adopted under it is punishable by a fine of not more than \$10,000, or by imprisonment for not more than six months, or by both. In addition, a person who violates this section is subject to a civil action by the state for the cost of replacing the salmon wasted.

SEC. 16.05.835. MAXIMUM LENGTH OF SALMON SEINE VESSELS. No salmon seine vessel may be longer than 50 feet, official Coast Guard register length, and 58 feet overall length except vessels that have fished for salmon with seines in water of the state before January 1, 1962, as 50-foot, official Coast Guard register length vessels.

SEC. 16.05.920. CERTAIN ACTS MADE UNLAWFUL. (a) Unless permitted by this chapter or by regulation made under this chapter, it is unlawful for a person to take, possess, transport, sell, offer to sell, purchase, or offer to purchase fish, game or marine aquatic plants, or any part of fish, game or aquatic plants, or a nest or egg of fish or game.

(b) No person may knowingly disturb, injure, or destroy a notice, signboard, seal, tag, aircraft, boat, vessel, automobile, paraphernalia, equipment, building or other improvement or property of the department used in the administration or enforcement of this chapter, or a poster or notice to the public concerning the provisions of this chapter, or regulation adopted under this chapter, or a marker indicating the boundary of an area closed to hunting, trapping, fishing or other special use under this chapter. No person may knowingly destroy, remove, tamper with, or imitate a seal or tag issued or used by the department or attached under its authority to a skin, portion, or specimen of fish or game, or other article for the purpose of identification or authentication in accordance with this chapter or a regulation adopted under this chapter.

SEC. 16.05.940. DEFINITIONS. In this chapter

(2) "commercial fisherman" means an individual who fishes commercially for, takes, or attempts to take fish, shellfish, or other fishery resources of the state by any means, and includes every individual aboard a boat operated for fishing purposes who participates directly or indirectly in the taking of these raw fishery products, whether participation is on shares or as an employee or otherwise; however, this definition does not apply to anyone aboard a licensed vessel as a visitor or guest who does not directly or indirectly participate in the taking; and the term "commercial fisherman" includes the crews of tenders or other floating craft used in transporting fish;

(3) "commercial fishing" means the taking, fishing for, or possession of fish, shellfish, or other fishery resources with the intent of disposing of them for profit.

SELECTED ALASKA STATUTES

or by sale, barter, trade, or in commercial channels; the failure to have a valid subsistence permit in possession, if required by statute or regulation, is considered prima facie evidence of commercial fishing if commercial fishing gear as specified by regulation is involved in the taking, fishing for, or possession of fish, shellfish or other fish resources.

(6) "fish" means any species of aquatic fin fish, invertebrates and amphibians, in any stage of their life cycle, found in or introduced into the state;

(16) "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;

(17) "subsistence fishing" means the taking, fishing for, or possession of fish, shellfish, or other fisheries resources for subsistence use with gill net, seine, fish wheel, long line, or other means defined by the Board of Fisheries;

(18) "take" means taking, pursuing, hunting, fishing, trapping, or in any manner disturbing, capturing, or killing or attempting to take, pursue, hunt, fish, trap, or in any manner capture or kill fish or game;

(21) "vessel" means a floating craft powered, towed, rowed, or otherwise propelled, which is used for delivering, landing or taking fish within the jurisdiction of the state;

(26) "subsistence uses" means the customary and traditional uses in Alaska of wild, renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation, for the making and selling of handicraft articles out of nonedible by-products of fish and wildlife resources taken for personal or family consumption, and for the customary trade, barter or sharing for personal or family consumption; for the purposes of this paragraph, "family" means all persons related by blood, marriage, or adoption, and any person living within the household on a permanent basis;

(27) "barter" means the exchange or trade of fish or game, or their parts, taken for subsistence uses

(A) for other fish or game or their parts; or

(B) for other food or for nonedible items other than money if the exchange is of a limited and noncommercial nature.

SEC. 16.10.055. INTERFERENCE WITH COMMERCIAL FISHING GEAR. A person who wilfully or with reckless disregard of the consequences of his activity, interferes with or damages the commercial fishing gear of another person is guilty of a misdemeanor. For the purposes of this section "interference" means the physical disturbance of gear which results in economic loss or loss of fishing time, and "reckless disregard of the consequences" means a lack of consideration for the consequences of one's acts in a manner that is reasonably likely to damage the property of another.

SEC. 16.10.070. FISH TRAPS UNLAWFUL ON OR OVER LANDS OR WATERS IN STATE. It is unlawful to operate fish traps, including but not limited to floating, pile-driven or hand-driven fish traps, in the state on or over state lands, tidelands, submerged lands, or waters. This section does not prevent the operation of small hand-driven fish traps of the type ordinarily used on rivers of the state which are otherwise legally operated in or above the mouth of a stream or river.

SEC. 16.10.120. USE OF DRUM OR REEL IN OPERATION OF PURSE SEINE. It is unlawful for a person to use, employ, or operate a drum or reel around which a purse seine is coiled, rolled, or looped for purposes of taking or removing fish from a body of water located on or over lands or tidelands owned by the state or over which the state has jurisdiction. This section does not prevent the use of power blocks or the use of A reel mounted on a seine skiff to haul in or let out the separate purse seine lead which is temporarily connected to the purse seine proper, as those terms are generally employed or used in the fishing industry.

SELECTED ALASKA STATUTES

SEC. 16.10.172. LEGISLATIVE POLICY ON UTILIZATION OF HERRING. The legislature finds the following: (1) extensive and valuable herring populations are available for harvest in waters subject to the jurisdiction of the state; (2) commercial markets are available for herring processed in several forms; (3) one processing technique presently employed involves deliberately permitting decomposition of the herring carcass to allow for removal and subsequent sale of the roe product, with the consequence that the flesh is unusable and discarded. The legislature declares that the process referred to in (3) of this section is wasteful and does not constitute utilization of this resource for the maximum benefit of the people. Therefore, it is the policy of the legislature that this process should be eliminated to the fullest extent possible.

SEC. 16.10.173. UTILIZATION OF COMMERCIALY TAKEN HERRING. (a) It is unlawful for a person, as defined in AS 01.10.060 and including a joint venture, to waste or to cause to be wasted any commercially taken herring.

(b) As used in this section, "waste" means the failure to use the flesh of commercially taken herring for reduction to meal, production of fish food, human consumption, food for domestic animals, scientific or educational purposes, or round herring bait. Normal, inadvertent loss of flesh associated with the uses described in this subsection which cannot be prevented by practical means does not constitute waste. The commissioner may authorize other uses of commercially taken herring not inconsistent with the intent of this section and Sec. 172 of this chapter at his discretion upon receipt of a request accompanied by a detailed justification.

(c) For purposes of this section, "flesh" means all muscular body tissue surrounding the bony skeleton of the herring.

(d) The Board of Fisheries may adopt regulations under the Administrative Procedure Act (AS 44.62) it considers necessary for implementation of this section. The board may delegate its authority under this section to the commissioner.

(e) The provisions of this section do not apply to herring taken commercially in the Bering Sea (including appurtenant bays, sounds, estuaries, and water of the state) north of 56° North Latitude, until January 1, 1979.

SEC. 16.10.270. PURCHASE OF FISH BY THE POUND. (a) A fish processor or primary fish buyer shall purchase raw fish by the pound. The poundage of the fish to be purchased shall be determined by weighing the fish unless both the buyer and seller agree in writing upon a sample weighing technique which will fairly determine the average weight of the fish purchased.

(b) A person who violates this section is guilty of a misdemeanor and upon conviction is punishable by imprisonment for not more than one year, or by a fine of not more than \$5,000, or by both.

SEC. 16.10.280. PRICE DISPUTES BETWEEN FISHERMEN AND FISH PROCESSORS. In an area where a price dispute exists between at least one-third of the registered commercial fishermen for that area, as certified by the Department of Fish and Game, and fish processors on the price to be paid for salmon, and no agreement has been reached up to 30 days before the opening of the salmon fishing season in that area, a representative from the Department of Labor shall intervene as mediator of the dispute upon request of either party.

TITLE 5. FISH AND GAME

PART I. COMMERCIAL AND SUBSISTENCE FISHING AND PRIVATE NONPROFIT SALMON HATCHERIES

ARCTIC-YUKON-KUSKOKWIM AREA

CHAPTER 03. ARCTIC—YUKON—KUSKOKWIM AREA

ARTICLE 1. DESCRIPTION OF AREA

5 AAC 03.100. DESCRIPTION OF AREA. The Arctic — Yukon — Kuskokwim area includes all Bering Sea, Chukchi Sea and Arctic Ocean waters of Alaska, including drainages, north of the latitude of Cape Newenham, west of 141° W. long., and includes the waters of St. Lawrence, St. Matthew and Nunivak Islands.

Authority: AS 16.05.250(2)

ARTICLE 2. FISHING DISTRICTS AND SUBDISTRICTS

5 AAC 03.200. FISHING DISTRICTS AND SUBDISTRICTS. (a) Northern district: all waters including those draining into the Arctic Ocean and Chukchi Sea, west of 141° W. long. and north of the latitude of Point Hope.

(b) Kotzebue district: all waters including those draining into the Chukchi Sea between the latitude of Point Hope and the latitude of Cape Prince of Wales.

(c) Port Clarence District: all waters including those draining into the Bering Sea between the latitude of Cape Prince of Wales and the latitude of Cape Douglas.

(d) Norton Sound district: all waters including those draining into the Bering Sea between the latitude of Cape Douglas and the latitude of Canal Point light, and including St. Lawrence Island;

(1) subdistrict 1: from Penny River to Topkok Head;

(2) subdistrict 2: from Rocky Point to Cape Darby;

(3) subdistrict 3: from a marker placed on Elim Point located approximately three-fourths mile east of Elim to Kwik River;

(4) subdistrict 4: from the Kuuktuulik River, eight miles southwest of Koyuk to Island Point;

(5) subdistrict 5: from Cape Denbigh to Junction Creek, seven miles north of Egavik;

(6) subdistrict 6: from Junction Creek, seven miles north of Egavik, to Black Point.

ARCTIC-YUKON-KUSKOKWIM AREA

(e) Yukon District: all waters including those draining into the Bering Sea between the latitude of Canal Point Light and the latitude of the westernmost point of the Naskonat Peninsula;

(1) subdistrict 1: that portion of the Yukon River drainage from its mouth upstream to the mouth of the Anuk River and all waters of Black River including waters within one nautical mile of its mouth;

(2) subdistrict 2: that portion of the Yukon River drainage from the mouth of the Anuk River upstream to Toklik;

(3) subdistrict 3: that portion of the Yukon River drainage from Toklik upstream to the mouth of the Bonasila River;

(4) subdistrict 4: that portion of the Yukon River drainage from the mouth of the Bonasila River upstream to the mouth of Illinois Creek at Kallands

(A) section 4-A: that portion of the drainage from the mouth of the Bonasila River upstream to Cone Point;

(B) section 4-B: that portion of the drainage from Cone Point upstream to the mouth of Illinois Creek;

(5) subdistrict 5: that portion of the Yukon River drainage (excluding the Tanana River drainage) from the mouth of Illinois Creek to the U.S.-Canada border

(A) section 5-A: that portion of the drainage from the mouth of Illinois Creek upstream to a marker placed two miles downstream of Waldron Creek;

(B) section 5-B: that portion of the drainage from a marker placed two miles downstream of Waldron Creek upstream to the U.S.-Canada border;

(6) subdistrict 6: the Tanana River drainage

(A) section 6-A: that portion of the drainage from the mouth of the Tanana River upstream to the mouth of the Kantishna River;

(B) section 6-B: that portion of the drainage from the mouth of the Kantishna River upstream to the mouth of the Wood River;

(C) section 6-C: that portion of the drainage from the mouth of the Wood River upstream to the mouth of the Chena River.

(f) Kuskokwim district: all waters including those draining into the Bering Sea between the latitude of the westernmost point of the Naskonat Peninsula and the latitude of Cape Newenham and including Junivak and St. Matthew islands;

(1) subdistrict 1: that portion of the Kuskokwim River drainage from a line crossing the north end of Eek Island at 60° 10' N. lat. upstream to a marker placed near the upstream mouth of Mishevik Slough;

(2) subdistrict 2: that portion of the Kuskokwim River drainage from a marker placed near the entrance of the Yukon-Kuskokwim Portage to the mouth of the Kolmakoff River;

ARCTIC-YUKON-KUSKOKWIM AREA

(3) subdistrict 4: that portion of Kuskokwim Bay between a marker placed near the mouth of Oyak Creek and a marker near the north mouth of the Aralik River;

(4) subdistrict 5: that portion of Goodnews Bay inside a line between markers placed near the bay entrance and a line between markers placed near the mouth of the Ufigag River and on the opposite shore near the mouth of the Tunulik River.

Authority: AS 16.05.251(a)(2)

ARTICLE 3. SALMON FISHERY

5 AAC 03.310. FISHING SEASONS. (a) Except as provided in secs. 320-370 of this chapter, salmon may be taken as follows:

- (1) in the Kotzebue district from July 10 through August 31;
- (2) in the Norton Sound District from June 15 through August 31;
- (3) in the Yukon district

(A) in subdistricts 1, 2 and 3 from June 10 through August 31, except that when June 10 falls within a closed weekly period the season will open the next following open weekly period; the early season is closed by emergency order and subsequent seasons are opened and closed by emergency orders;

(B) in subdistricts 4, 5 and 6 from June 15 through September 30

(i) the early season is closed by emergency order and subsequent seasons are opened and closed by emergency order;

(ii) section 4-A closes August 1;

(4) in the Kuskokwim district the fishing seasons will be opened and closed by emergency order except that the district will be close to salmon fishing as follows:

(A) subdistricts 1 and 2 close September 1;

(B) subdistricts 4 and 5 close September 8.

(b) Repealed, 6/28/75.

(c) Repealed, 6/28/75.

Authority: AS 16.05.060
AS 16.05.251(a)(2)

5 AAC 03.320. WEEKLY FISHING PERIODS. (a) Kotzebue district:

(1) salmon fishing periods are opened and closed by emergency order until August 1;

(2) after August 1 salmon may be taken from 8:00 p.m. Monday until 8:00 a.m. Wednesday and from 8:00 p.m. Thursday until 8:00 a.m. Saturday.

(b) Norton Sound district: salmon may be taken from 6:00 p.m. Monday until 6:00 p.m. Wednesday and from 6:00 p.m. Thursday until 6:00 p.m. Saturday.

ARCTIC-YUKON-KUSKOKWIM AREA

(c) Yukon district

(1) subdistrict 1:

(A) June 10 through July 15, salmon may be taken from 6:00 p.m. Monday until 6:00 p.m. Tuesday and from 6:00 p.m. Thursday until 6:00 a.m. Saturday;

(B) after July 15, salmon may be taken from 6:00 p.m. Monday until 6:00 p.m. Tuesday and from 6:00 p.m. Thursday until 6:00 p.m. Friday;

(2) subdistrict 2:

(A) June 10 through July 15, salmon may be taken from 6:00 p.m. Sunday until 6:00 p.m. Monday and from 6:00 p.m. Wednesday until 6:00 a.m. Friday;

(B) after July 15, salmon may be taken from 6:00 p.m. Sunday until 6:00 p.m. Monday and from 6:00 p.m. Wednesday until 6:00 p.m. Thursday;

(3) subdistrict 3:

(A) June 10 through July 25, salmon may be taken from 6:00 p.m. Monday until 6:00 p.m. Wednesday and from 6:00 p.m. Thursday until 6:00 p.m. Saturday;

(B) after July 25, salmon may be taken from 6:00 p.m. Monday until 6:00 a.m. Wednesday and from 6:00 p.m. Thursday until 6:00 a.m. Saturday;

(4) subdistrict 4:

(A) in section 4-A from June 15 through August 1, salmon may be taken from 6:00 p.m. Sunday until 6:00 p.m. Tuesday and from 6:00 p.m. Wednesday until 6:00 p.m. Friday;

(B) in section 4-B from June 15 through August 15, salmon may be taken from 6:00 p.m. Sunday until 6:00 p.m. Friday;

(C) in section 4-B after August 15, salmon may be taken from 6:00 p.m. Sunday until 6:00 p.m. Tuesday and from 6:00 p.m. Wednesday until 6:00 p.m. Friday;

(5) subdistrict 5:

(A) in section 5-A from June 15 through August 15, salmon may be taken from 6:00 p.m. Tuesday until 6:00 p.m. Sunday;

(B) in section 5-A after August 15, salmon may be taken from 6:00 p.m. Tuesday until 6:00 p.m. Thursday and from 6:00 p.m. Friday until 6:00 p.m. Sunday;

(C) in section 5-B salmon may be taken seven days a week;

(6) subdistrict 6:

(A) June 15 through August 15, salmon may be taken from 6:00 p.m.

ARCTIC-YUKON-KUSKOKWIM AREA

Wednesday until 6:00 p.m. Monday;

(B) after August 15, salmon may be taken from 6:00 p.m. Monday until 6:00 p.m. Wednesday and from 6:00 p.m. Thursday until 6:00 p.m. Saturday.

(d) Kuskokwim District

(1) subdistrict 1:

(A) June 1 through June 25 and after July 31, fishing periods will be opened and closed by emergency order;

(B) June 26 through July 31, Salmon may be taken from 6:00 p.m. Monday until 12:00 midnight Monday and from 6:00 p.m. Thursday until 12:00 midnight Thursday;

(2) subdistrict 2: fishing periods will be opened and closed by emergency order;

(3) subdistricts 4 and 5: fishing time will be regulated by emergency order.

Authority: AS 16.05.060

AS 16.05.251(a)(2)

5 AAC 03.330. GEAR (a) In the Kotzebue and Norton Sound districts, set gill nets may be operated.

(b) In the Yukon district

(1) in subdistricts 1, 2 and 3 set gill nets and drift gill nets may be operated;

(2) in subdistricts 4, 5 and 6 set gill nets and fishwheels may be operated;

(3) repealed (Eff. 3/26/76, Reg. 57);

(4) an individual may have in operation not more than one fishwheel at any one time;

(5) fishermen shall operate or assist in operating only one type of gear at any one time.

(c) In the Kuskokwim district

(1) in subdistricts 1, 2, 4 and 5 only set gill nets and drift gill nets may be operated;

(2) fishermen shall operate or assist in operating only one type of gear at any one time.

Authority: AS 16.05.251(4)

5 AAC 03.331 GILL NET SPECIFICATIONS AND OPERATION. (a) In the Kotzebue district

(1) the aggregate length of set gill net in operation by any individual may not exceed 150 fathoms;

(2) an individual may operate not more than three set gill nets

ARCTIC-YUKON-KUSKOKWIM AREA

(b) In the Norton Sound district the aggregate length of set gill net operated by an individual may not exceed 100 fathoms.

(c) In the Yukon district

(1) the aggregate length of set gill net operated by an individual may not exceed 150 fathoms and the length of a drift gill net operated by an individual may not exceed 50 fathoms;

(2) in subdistricts 1 and 2, salmon may be taken with gill nets of six-inch or smaller mesh after a date specified by emergency order between June 27 and July 5;

(3) in subdistrict 3, salmon may be taken with gill nets of six-inch or smaller mesh after a date specified by emergency order between July 5 and 15.

(4) in subdistrict 4, salmon may be taken with gill nets of six-inch or smaller mesh after a date specified by emergency order between July 10 and July 31.

(d) In the Kuskokwim district

(1) the aggregate length of set or drift gill net may not exceed 50 fathoms;

(2) the maximum depth of gill nets is as follows:

(A) gill nets with six-inch or smaller mesh may not be more than 45 meshes in depth;

(B) gill nets with greater than six-inch mesh may not be more than 35 meshes in depth;

(3) in subdistricts 1 and 2: after June 25, salmon may be taken with gill nets of six-inch or smaller mesh;

(4) in subdistricts 4 and 5

(A) the inshore end of a set gill net shall be above the mean high water mark;

(B) salmon may be taken with gill nets of six-inch or smaller mesh.

(e) in the Arctic-Yukon-Kuskokwim area, gill net gear shall not obstruct more than one-half the width of any waterway. In the intertidal zone this applies at any stage of the tide.

Authority: AS 16.05.251(2) and (4)

5 AAC 03.333. FISHWHEEL SPECIFICATIONS AND OPERATION. Fishwheel baskets must be stopped by the operator from rotating in the water during periods closed to commercial and subsistence fishing. The fishwheel vessel registrant is responsible for the operation of the fishwheel.

Authority: AS 16.05.251(2), (4) and (12)

5 AAC 03.334. IDENTIFICATION OF GEAR. (a) Each drift gill net in operation shall have at one end a red keg, buoy or cluster of floats plainly and legibly marked with the permanent registration number of the operator.

(b) Each set gill net in operation shall have at each end a red keg, buoy or cluster

ARCTIC-YUKON-KUSKOKWIM AREA

of floats, or, in the case of set gill nets anchored to land, shall have a red flag, buoy or cluster of floats at the outer end of the net, which shall be plainly and legibly marked with the permanent registration number of the operator.

(c) Each fishwheel in operation shall have plainly and legibly inscribed on it the permanent registration number of the operator. Numbers shall be at least six inches in height with lines at least one inch wide and shall be painted in contrasting colors. These numbers shall be placed on the side of the fishwheel facing midstream of the river.

Authority: AS 16.05.251(4)

5 AAC 03.335. MINIMUM DISTANCE BETWEEN UNITS OF GEAR. (a) In the Norton Sound and Kotzebue districts, no part of a set gill net may be operated within 300 feet of any part of another set gill net.

(b) In the Yukon district

(1) subdistrict 1: no part of a set gill net may be operated within 300 feet of any part of another set gill net;

(2) subdistrict 2: no part of a set gill net may be operated within 200 feet of any part of another set gill net;

(3) subdistricts 4, 5 and 6: it is unlawful to set commercial fishing gear within 200 feet of other operating commercial or subsistence fishing gear.

(c) In the Kuskokwim district, subdistrict 5, no part of a set gill net may be operated within 300 feet of any part of another set gill net.

Authority: AS 16.05.251(2) and (4)

5 AAC 03.350. CLOSED WATERS. (a) In the Kotzebue district salmon may not be taken in the following locations:

(1) Kotzebue Sound west of a line from a marker placed approximately one and one-quarter miles from the southeastern tip of Aukoolak Lagoon near Sheshalik Spit to Cape Blossom on Baldwin Peninsula and east of a line from a marker placed near the Noatak River at 67° 02' N. lat., 161° 59' W. long., to a marker placed on the northern shore of Baldwin Peninsula at Singlgrachak Creek;

(2) all waters of the Noatak River north of a line between markers and buoys placed near the mouth by the department.

(b) In the Norton Sound district

(1) all waters seaward of the mouth of the Unalakleet River from a line between Department of Fish and Game markers on each side of the river to an outer line established by Department of Fish and Game markers and buoys;

(2) all other waters of the district except in subdistricts 1 through 6.

(c) In the Yukon district salmon may not be taken in the following locations:

(1) Acharon Channel of the south mouth area west of a line from a Department of Fish and Game shore marker below Chris Point bearing 285° to a Department of Fish and Game shore marker approximately 2½ nautical miles on the opposite side of the channel; this closed water area is also defined as west of a line

ARCTIC-YUKON-KUSKOKWIM AREA

established by a series of yellow and green barrels placed by the department between shore markers;

(2) Kawanak Pass of the middle mouth area outside of buoys placed offshore from Kothlik Island;

(3) other waters farther than one nautical mile from any grassland bank;

(4) waters outside of one nautical mile from the mouth of the Black River;

(5) waters of the Andreafsky River upstream of a line from markers placed on each side of the river at the mouth;

(6) Tanana River upstream of the mouth of the Chena River;

(7) tributaries of the Yukon and Tanana Rivers;

(8) all other waters of the district except in subdistricts 1 through 6.

(9) water of the Anvik River upstream of a line between Department of Fish and Game markers placed on each side of the river at its mouth.

(d) In the Kuskokwim district salmon may not be taken in the following water:

(1) Kuskokwim River drainage below a line crossing the Kuskokwim River at 60° 10' N. lat. (north end of Eek Island) and above the mouth of the Kolmakoff River;

(2) June 26 through July 31: in subdistrict 1 above a line crossing the Kuskokwim River at Department of Fish and Game markers placed near the town of Bethel;

(3) tributaries of the Kuskokwim River;

(4) water of Kuskokuak Slough of the Kuskokwim River drainage between Department of Fish and Game Markers placed at the downstream and upstream mouths of the slough;

(5) Kuskokwim River drainage between a Department of Fish and Game marker placed near the upstream mouth of Mishevik Slough upstream to Department of Fish and Game markers placed near the entrance of the Yukon-Kuskokwim Portage;

(6) all other water in the district except in subdistricts 4 and 5;

Authority: AS 16.05.251(a)(2)

5 AAC 03.360. QUOTAS. (a) In subdistrict 2 of the Kuskokwim district, commercial salmon catches are restricted to the following: 2000 king salmon, 2000 red and chum salmon combined, and 2000 coho salmon.

(b) When the king salmon quota has been attained the season in the subdistrict will be closed and a later season will be announced allowing fishing to attain quotas for the other species of salmon.

Authority: AS 16.05.251(a)(3), (3)

5 AAC 03.361. GUIDELINE HARVEST LEVELS. (a) In the Yukon district, the following are guideline harvest ranges for the subdistricts, sections and time periods specified:

ARCTIC-YUKON-KUSKOKWIM AREA

(1) subdistrict 1 after July 15, subdistrict 2 after July 18 and subdistrict 3 after July 21: 120,000 to 220,000 chum salmon from the areas;

(2) subdistrict 3: 1800 to 2200 king salmon;

(3) subdistrict 4: 900 to 1100 king salmon and after August 15 in section 4-B, 10,000 to 40,000 chum and coho salmon combined;

(4) subdistrict 5: 2700 to 3300 king salmon and after August 15, 10,000 to 40,000 chum and coho salmon combined;

(5) subdistrict 6: 900 to 1100 king salmon and after August 15, 7500 to 22,500 chum and coho salmon combined for the area.

(b) The guideline harvest levels set forth in (a) of this section represent ranges of estimated allowable salmon harvests which will not jeopardize the viability of salmon stocks. The district, a subdistrict or section may close to salmon fishing before or after the guideline harvest has been reached if principles of management and conservation dictate such action, based on the biological conditions of the stocks.

Authority: AS 16.05.060

AS 16.05.251 (a)(2), (3), (7)

5 AAC 03.370. REGISTRATION AND REREGISTRATION. (a) Simultaneously with the area registration specified in 5 AAC 39.120(c), each salmon net registrant shall indicate on the vessel license application or renewal form in which subdistrict the vessel is intended to be first used during the season.

(b) Subsequent to the initial registration for subdistricts 1 and 2 of the Yukon district, a registrant may operate a vessel in another subdistrict following reregistration for the subdistrict of intended operation. The registrant may not fish during the 48-hour waiting period following reregistration.

(c) In the Yukon district a salmon interim-use or entry permit holder whose vessel is registered to fish in subdistrict 3 may not fish in subdistricts 1 or 2 until after July 10.

(d) In the Yukon district a salmon interim-use or entry permit holder whose vessel is registered to fish in either subdistricts 1, 2 or 3 may not fish in subdistricts 4, 5 or 6.

(e) In the Yukon district a salmon interim-use or entry permit holder whose vessel is registered to fish in subdistricts 4, 5 or 6 may not fish in another subdistrict.

(f) In the Yukon district, a fisherman may register a vessel in only one subdistrict, including a vessel used to take salmon with a fishwheel. Fishwheel vessel registrants shall register the vessel by indicating on the vessel license application or renewal form the single subdistrict selected.

(g) In the Yukon district after fishing in either subdistricts 1 or 2 a salmon interim-use or entry permit holder must wait 48 hours before fishing in another subdistrict.

Authority: AS 16.05.251(a)(2), (3)

ARTICLE 4. BOTTOMFISH FISHERY

5 AAC 03.410. FISHING SEASON. There is no closed season on bottomfish.

Authority: AS 16.05.250(2)

ARCTIC-YUKON-KUSKOKWIM AREA

ARTICLE 5. SMELT FISHERY

5 AAC 03.510. FISHING SEASON. There is no closed season on smelt.

Authority: AS 16.05.250(2)

ARTICLE 6. HERRING FISHERY

5 AAC 03.610. FISHING SEASONS, FISHING DISTRICTS AND SECTIONS. Repealed 4/8/79

5 AAC 03.630. GEAR. Repealed 4/8/79.

5 AAC 03.631. GILL NET SPECIFICATIONS AND OPERATION. Repealed 4/8/79.

5 AAC 03.632. SEINE SPECIFICATIONS AND OPERATION. Repealed 4/8/79.

5 AAC 03.650. CLOSED WATERS. Repealed 4/8/79.

5 AAC 03.660. GUIDELINE HARVEST LEVELS. Repealed 4/8/79.

5 AAC 03.680. POSSESSION OF SALMON. Repealed 4/8/79.

ARTICLE 8. PURCHASE AND SALE OF SALMON ROE

5 AAC 03.805. SALE OF SALMON ROE. Repealed. (Eff. 3/19/78, Reg. 65)

5 AAC 03.810. SALMON ROE SALES PROHIBITED. Repealed. (Eff. 3/19/78, Reg. 65)

ARTICLE 9. SUBSISTENCE FISHERY

5 AAC 03.930. GEAR. (a) In the Arctic—Yukon—Kuskokwim area

(1) unless otherwise provided in this chapter, salmon for subsistence purposes may be taken only by gill net, beach seine or fishwheel, except that salmon may be taken by spear in the Holina River drainage of the Kuskokwim district;

(2) whitefish and sheefish may be taken by spear, dipnet, fyke net and other legal forms of gear.

(b) Repealed. (Eff. 3/8/74, Reg 49)

Authority: AS 16.05.251(2) and (4)

5 AAC 03.980. PERMITS. (a) Fish may be taken for subsistence purposes without a permit except as provided in secs. 805 and 990 of this chapter and except in the following locations where a yearly permit must be secured from the local representative of the department:

(1) Port Clarence District: Pilgrim River drainage including Salmon Lake;

(2) Yukon district

(A) Tanana River drainage above the mouth of the Wood River;

ARCTIC-YUKON-KUSKOKWIM AREA

(B) Yukon River drainage from the mouth of Hess Creek to the mouth of Dall River;

(C) Middle Fork drainage of the Koyukuk River system between Dry Gulch and the mouth of the Hammond River;

(D) fish other than salmon may be taken by permit designating restrictive measures for the protection of salmon in subdistrict 4 between the mouths of the Roda and Nowitna Rivers during June 15 to July 15;

(3) Norton Sound district: for net fishing in all waters from Cape Douglas to Rocky Point.

(b) The number of fish taken for subsistence purposes may be limited under the terms of a permit.

(c) If a permit is required by secs. 930—990 of this chapter, the following stipulations apply: Permits shall be obtained from a local representative of the department prior to subsistence fishing. Permits shall be retained in the possession of the permittee and be readily accessible for inspection while taking or transporting the species for which the permit is issued. The permit may designate the time and area of fishing and the type and amount of fishing gear. Each subsistence fisherman shall keep accurate records of the catch involved, showing the number of fish taken by species, location and date of the catch, and such other information as the department may require. Subsistence fishing reports shall be completed on forms provided by the department and submitted to the department office from which the permit was issued at a time specified by the department for each particular area and fishery. Only one permit will be issued to each household per year.

Authority: AS 16.05.251(2), (3) and (12)

5 AAC 03.990. RESTRICTIONS. (a) In the Northern district, all waters between Kalubik River and Bullen Point are closed to subsistence fishing.

(b) In the Kotzebue district, commercial fishermen may not fish for subsistence by any means during the weekly closures of the commercial fishing season.

(c) In the Port Clarence district

(1) July 1 through August 15: subsistence fishing for salmon is prohibited from 6:00 p.m. Tuesday until 6:00 p.m. Thursday;

(2) July 15 through August 31: subsistence fishing in Salmon Lake, its tributaries and within 300 feet of the markers placed at the outlet of Salmon Lake is prohibited.

(d) In the Norton Sound district

(1) in subdistrict 1, salmon may not be taken for subsistence purposes by any means during the weekly closures of the commercial salmon fishing season;

(2) in subdistricts 2, 3, 4, 5 and 6, commercial fishermen may not fish for subsistence by any means during the weekly closures of the commercial fishing season;

(3) the following locations are closed to subsistence fishing with beach seines or nets of under four-and-one-half-inch mesh:

ARCTIC-YUKON-KUSKOKWIM AREA

(A) Sinuk River upstream from markers placed two miles above the mouth;

(B) Snake River;

(C) Nome River upstream from markers placed near Osborn on the Beam Road;

(D) Solomon River upstream from the markers placed at the village of Solomon;

(4) all waters seaward of the mouth of the Unalakleet River from a line between Department of Fish and Game markers on each side of the river to an outer line established by Department of Fish and Game markers and buoys are closed to subsistence fishing.

(e) In the Yukon district

(1) during the weekly closures of the commercial salmon fishing season and for 24 hours before the opening and following the closure of the commercial salmon fishing season salmon may not be taken in the following locations:

(A) subdistricts 1, 2 and 3;

(B) subdistrict 4, excluding the Koyukuk and Innoko River drainages and excluding that area between the mouths of the Roda and Nowitna Rivers where the requirements of sec. 980(a)(2)(D) of this chapter are effective;

(C) subdistrict 5 excluding the Tozitna River drainage and section 5-B;

(D) subdistrict 6 excluding the Kantishna River drainage and that portion of the Tanana River drainage upstream of the mouth of the Salcha River;

(2) repealed (Eff. 3/6/77, Reg. 61);

(3) in subdistricts 1 and 2, commercial fishermen may not take salmon for subsistence purposes by gill nets larger than six-inch mesh after a date specified by emergency order between June 27 and July 5;

(4) in subdistrict 3, commercial fishermen may not take salmon for subsistence purposes during the commercial salmon fishing season by gill nets larger than six-inch mesh after a date specified by emergency order between July 5 and July 15;

(5) during the weekly open periods of the commercial salmon fishing season, a commercial fisherman may not fish for commercial and subsistence purposes simultaneously with more than one type of gear;

(6) the aggregate length of set gill net in use by an individual may not exceed 150 fathoms and each drift gill net in use by an individual may not exceed 50 fathoms in length;

(7) in subdistricts 4, 5 and 6, it is unlawful to set subsistence fishing gear within 200 feet of other operating commercial or subsistence fishing gear;

(8) the following locations in the upper Yukon River drainage are closed to

ARCTIC-YUKON-KUSKOKWIM AREA

subsistence fishing except that whitefish and suckers may be taken under the authority of a permit designating restrictive measures for the protection of other fishes (this permit may be obtained from the commissioner or his local representative);

(A) streams within 500 feet of their stream mouths

(i) Birch Creek, Beaver Creek, Clearwater Creek (Delta Clearwater Creek at 64° 06' N. lat., 145° 34' W. long.), Clear Creek (Richardson Clearwater Creek at 64° 14' N. lat., 146° 16' W. long.), Goodpaster River, Shaw Creek, Salcha River, Little Salcha River, Chena River, Chatanika River, Big Sal River, Hess Creek and Blue Creek;

(ii) Dall River: closed June 10 through September 10;

(B) Streams: Ray River;

(C) lakes: Deadman, Jan, Boleo, Birch, Lost, Harding, Craig, Fielding, Two-mile, Quartz, and Little Harding;

(D) sloughs: Chena (Piledriver);

(9) the following drainages located north of the main Yukon River are closed to subsistence fishing:

(A) Kanuti River upstream from a point five miles downstream of the state highway crossing;

(B) Fish Creek upstream from the mouth of Bonanza Creek;

(C) Bonanza Creek;

(D) Jim River including Prospect Creek and Douglas Creek;

(E) South fork of the Koyukuk River system upstream from the mouth of Jim River;

(F) Middle Fork of the Koyukuk River system upstream from the mouth of the North Fork except between Dry Gulch and the mouth of the Hammond River where subsistence fishing is allowed by permit only;

(G) North Fork of the Chandalar River system upstream from the mouth of Quartz Creek;

(10) the main Tanana River and its adjoining sloughs are closed to subsistence fishing between the mouth of the Salcha River and the mouth of the Gerstle River, except that salmon may be taken in the area upstream of the Richardson Highway bridge to the mouth of Clearwater Creek after November 20;

(11) the Tanana River drainage is closed to subsistence fishing for pike between the Kantishna River and the Delta River at Black Rapids on the Richardson Highway and Cathedral Rapids on the Alaska Highway;

(12) in the Yukon River drainage (excluding the Koyukuk River drainage) between the mouth of the Rodo River to the mouth of the Nowitna River, fish other than salmon may be taken under authority of a permit designating restrictive measures for the protection of salmon during June 15—July 15;

ARCTIC-YUKON-KUSKOKWIM AREA

(13) in subdistricts 4, 5 and 6, salmon may not be taken for subsistence purposes by drift gill net;

(14) during any commercial fishing season closure of greater than 10 days duration, salmon may not be taken during a two-day period each week in the following subdistricts;

(A) from June 10 to August 20 in subdistricts 1, 2 and 3 from 6:00 p.m. Monday until 6:00 p.m. Wednesday;

(B) in subdistrict 4, excluding the Koyukuk and Innoko River drainages and excluding that area between the mouths of the Rodo and Nowitna Rivers where the requirements of 5 AAC 03.980(a)(2)(D) are effective, salmon may not be taken from 6:00 p.m. Friday until 6:00 p.m. Sunday;

(C) in subdistrict 5, excluding the Tozitna River drainage and section 5-B, salmon may not be taken from 6:00 p.m. Sunday until 6:00 p.m. Tuesday;

(D) in sections 6-A and 6-B of subdistrict 6, excluding the Kantishna River drainage and that portion of the Tanana River drainage upstream of the mouth of the Salcha River, salmon may not be taken from 6:00 p.m. Saturday until 6:00 p.m. Monday;

(15) in section 6-C of subdistrict 6 salmon may not be taken following the closure of the commercial salmon fishing season from 6:00 p.m. Monday until 6:00 p.m. Friday;

(16) the Delta River is closed to subsistence fishing, except that salmon may be taken after November 20.

(17) in subdistrict 4, commercial fishermen may not take salmon for subsistence purposes during the commercial salmon fishing season by gill nets larger than six-inch mesh after a date specified by emergency order between July 10 and 31.

(f) In the Kuskokwim district

(1) in subdistrict 1

(A) June 1 through June 25: salmon may be taken except for 24 hours before and six hours after each open period of the commercial salmon fishing season;

(B) June 26 through July 31: salmon may be taken except for 24 hours before and six hours after each open period of the commercial salmon fishing season downstream of a line crossing the Kuskokwim River at a marker placed at village of Napakiak;

(C) August 1 through August 31: salmon may be taken except for 24 hours before and six hours after each open period of the commercial salmon fishing season;

(2) in subdistricts 4 and 5, salmon may be taken except for 24 hours before and six hours after each open period of the commercial salmon fishing season;

(3) the Aniuk River is closed to net fishing upstream of the Department of Fish and Game markers from June 15 through August 15;

ARCTIC-YUKON-KUSKOKWIM AREA

(4) the aggregate length of set gill nets or drift gill nets in use by an individual may not exceed 50 fathoms;

(5) the maximum depth of gill nets is as follows:

(A) gill nets with six-inch or smaller mesh may not be more than 45 meshes in depth;

(B) gill nets with greater than six-inch mesh may not be more than 35 meshes in depth;

(6) in subdistricts 1 and 2, no part of a set gill net located within a tributary to the Kuskokwim River may be operated within 150 feet of any part of another set gill net;

(7) set gill nets operated in tributaries of the Kuskokwim River must be attached to the bank, fished substantially perpendicular to the bank and in a substantially straight line;

(8) the Goodnews River is closed to net fishing east of a line from the Department of Fish and Game marker placed near the mouth of the Ufigag River to a marker near the mouth of the Tunulik River during each open period of the commercial salmon fishing season;

(9) The Kanektok River is closed to net fishing upstream of the Department of Fish and Game markers placed near the mouth during each open period of the commercial salmon fishing season.

(g) In the Arctic—Yukon—Kuskokwim area

(1) each fish wheel must have the first initial, last name and address of the operator plainly and legibly inscribed on the side of the fishwheel facing midstream of the river;

(2) for all gill nets and unattended gear, the first initial, last name, and address of the operator must be plainly and legibly inscribed on an attached keg or buoy;

(A) this information must be plainly and legibly inscribed on a stake inserted in the ice that is attached to gear operated under the ice;

(B) kegs or buoys attached to gill nets operated in the Norton Sound and Kotzebue districts shall be any color except red;

(C) Kegs or buoys attached to gill nets operated in any Kuskokwim subdistrict shall be any color but red during a commercial salmon fishing period;

(3) a gill net may obstruct not more than one-half the width of any fish stream; a stationary fishing device may obstruct not more than one-half the width of any salmon stream.

Authority: AS 16.05.060

AS 16.05.251(2),(4),(5),(12)

BRISTOL BAY AREA

CHAPTER 06. BRISTOL BAY AREA

ARTICLE 1. DESCRIPTION OF AREA

5 AAC 06.100. DESCRIPTION OF AREA. The Bristol Bay area includes all waters of Alaska in Bristol Bay east of a line from Cape Newenham to Cape Menshikof.

Authority: AS 16.05.250(2)

ARTICLE 2. FISHING DISTRICTS, SUBDISTRICTS AND SECTIONS

5 AAC 06.200. FISHING DISTRICTS, SUBDISTRICTS AND SECTIONS. (a) Nushagak district: waters of Nushagak Bay north of a line from a marker at Protection Point to the bellbuoy located off Etolin Point in the entrance of Nushagak Bay, and then to a marker located near Etolin Point

(1) Igushik section: waters of Nushagak Bay bounded by a line extending from a marker at Nichols Hills to a buoy approximately $6\frac{1}{2}$ nautical miles offshore in a northeasterly direction, then bearing 334 degrees approximately $10\frac{1}{2}$ nautical miles to a buoy then west to a marker at $58^{\circ} 45' 48''$ N. lat., $158^{\circ} 46' 36''$ W. long.;

(2) Snake River section: waters within a line bearing south from a marker at $58^{\circ} 52' 25''$ N. lat., $158^{\circ} 43' 10''$ W. long., to a buoy marking the northeast corner of the Igushik section, then due west to the shore marker at $58^{\circ} 45' 48''$ N. lat., $158^{\circ} 46' 36''$ W. long.;

(3) Nushagak section: waters of Nushagak Bay inside a line extending in a southwesterly direction from a marker at Etolin Point to a buoy approximately $6\frac{1}{2}$ nautical miles offshore from a marker at Nichols Hills, then bearing 334 degrees approximately $10\frac{1}{2}$ nautical miles to a buoy marking the northeast corner of the Igushik section, then bearing north to a marker at $58^{\circ} 52' 25''$ N. lat., $158^{\circ} 43' 10''$ W. long

(b) Naknek-Kvichak district: Kvichak Bay north of a line extending in a northwesterly direction from a marker near the mouth of Johnston Hill Creek at $58^{\circ} 37' 09''$ N. lat., $157^{\circ} 15' 18''$ W. long., to a marker on the opposite shore of Kvichak Bay at $58^{\circ} 43' 43''$ N. lat., $157^{\circ} 42' 36''$ W. long.

(1) Kvichak section: Kvichak Bay inside a line extending in a southeasterly direction from a marker at $58^{\circ} 43' 43''$ N. lat., $157^{\circ} 42' 36''$ W. long., to a buoy approximately $3\frac{1}{2}$ nautical miles offshore from a marker near the mouth of Johnston Hill Creek, then in a northeasterly direction to a marker near the mouth of Johnston Hill Creek, then in a northeasterly direction to the outer end of the Libbyville dock, then along the dock to the shore;

(2) Naknek section: Kvichak Bay inside a line extending in a northwesterly direction from a marker near the mouth of Johnston Hill Creek at $58^{\circ} 37' 09''$ N. lat., $157^{\circ} 15' 18''$ W. long., to a buoy approximately $3\frac{1}{2}$ nautical miles offshore, then in a northeasterly direction to the outer end of the Libbyville dock, then along the dock to the shore.

BRISTOL BAY AREA

(c) Egegik district: inside a line extending from a marker at 58° 09' 30" N. lat., 157° 32' 18" W. long., then west approximately three nautical miles to a buoy, then approximately 8½ nautical miles to a buoy approximately three nautical miles offshore, then east to the shore marker at Big Creek.

(d) Ugashik district: waters bounded by a line from Cape Menshikof to Cape Greig.

(e) Togiak district: all waters north of a line from Cape Newenham to Cape Peirce, then to Right Hand Point then to Kulukak Point. Salmon may be taken with the following described sections:

(1) Togiak River section: waters of Togiak Bay within a line from a marker on the shore near Mt. Aeolus to a marker at Rocky Point;

(2) Kulukak section: waters of Kulukak Bay within a line bearing in a westerly direction from a marker at Kulukak Point to a marker on the shore at 159° 45' W. long.;

(3) Osviak section: waters within a line between Estus Point and Asigyupak Spit at 58° 41' N. lat., 161° 18' W. long.;

(4) Matogak section: waters of Hagemeister Strait within a line between Estus Point and Tongue Point;

(5) Cape Peirce section: waters within a line from Cape Newenham to Cape Peirce.

(f) Repealed. (Eff. 8/20/71)

Authority: AS 16.05.251(2)

ARTICLE 3. SALMON FISHERY

5 AAC 06.310. FISHING SEASONS Salmon may be taken from May 1 through September 30, except as provided in sec. 320 of this chapter.

Authority: AS 16.05.251(2)

5 AAC 06.320. WEEKLY FISHING PERIODS. (a) Salmon may be taken from 9:00 a.m. Monday until 9:00 a.m. Saturday in the Cape Peirce, Osviak, Matogak and Kulukak sections of the Togiak district.

(b) Salmon may be taken from 9:00 a.m. Monday until 9:00 a.m. Friday in the Togiak River section of the Togiak district.

(c) Salmon may be taken from 9:00 a.m. Monday until 9:00 a.m. Saturday in the Nushagak, Naknek-Kvichak, Egegik and Ugashik districts except during the emergency order period.

(d) During the period 9:00 a.m., June 16 through 9:00 a.m., July 17, the fishing time in the Nushagak district shall be regulated by emergency order.

(e) During the period 9:00 a.m., June 23, through 9:00 a.m., July 17, the fishing time in the Naknek-Kvichak, Egegik and Ugashik districts shall be regulated by emergency order.

Authority: AS 16.05.060

AS 16.05.250(2)

BRISTOL BAY AREA

5 AAC 06.330. GEAR. (a) Salmon may be taken with drift gill nets and set gill nets in the districts described in sec. 200 of this chapter.

(b) Repealed. (Eff. 3/8/74, Reg. 49)

Authority: AS 16.05.250(3)

5 AAC 06.331. GILL NET SPECIFICATIONS AND OPERATION. (a) In all districts gill net mesh may not be less than 5-3/8 inches, except

(1) in the Nushagak district gill net mesh may not be less than 6 3/4 inches through 9:00 a.m. June 16 and not less than 4 1/2 inches after 9:00 a.m. July 15;

(2) In the Naknek-Kvichak, Egegik, Ugashik and Togiak districts gill net mesh may not be less than 4 1/2 inches after 9:00 a.m. July 20;

(3) repealed. (Eff. 3/26/76, Reg. 57)

(b) Gill nets may not be more than 28 meshes in depth.

(c) No person shall operate or assist in the operation of a drift gill net exceeding 150 fathoms in length or a set gill net exceeding 50 fathoms in length.

(d) Repealed. (Eff. 3/26/76, Reg. 57)

(e) Any vessel registered for salmon net fishing may not have aboard it or any vessel towed by it, during any open fishing period, more than 150 fathoms of drift gill net gear in the aggregate. Additional gear may be transported to another district under conditions specified by the department.

(f) No individual may operate more than two set gill nets, and the aggregate length of set gill nets operated by an individual may not exceed fifty fathoms in length.

(g) The operation of a gill net shall be performed or assisted by the person who holds a valid interim-use or entry permit card for that gear.

(h) Set gill nets shall be operated in substantially a straight line.

(i) Fishing with set gill nets is restricted to beach areas that at mean low water are connected by exposed land to the shore or places not covered by high tide. No part of a set gill net may be more than 1000 feet from the mean high water mark, except that this provision does not apply in the Nushagak district.

(1) repealed (Eff. 3/6/77, Reg. 61);

(2) repealed (Eff. 3/6/77, Reg. 61).

(j) Picking salmon from a gill net is considered to be a part of the fishing operation and shall be performed only by a fisherman who holds a crewmember fishing license or a valid interim-use or entry permit card.

(k) Repealed. (Eff. 3/26/76, Reg 57)

(l) Each fisherman shall operate or assist in operating only one type of gear at any one time.

Authority: AS 16.05.251(a)(2),(4)

BRISTOL BAY AREA

5 AAC 06.334. IDENTIFICATION OF GEAR. (a) Each drift gill net in operation shall have at each end a suitable bright red keg, buoy or cluster of floats which shall be plainly and legibly marked with the permanent department registration number. When fastened to the vessel, only the distant end of the net must be so marked.

(b) A set gill net shall, when operating, have the marker described in 5 AAC 39.280 placed above the high tide line directly inshore of the net.

(c) A person who fishes a set gill net which employs an anchor, peg, stake or other device to fasten the net at its outermost extremity shall mark the location of such anchor, peg, stake or other device by a suitable bright red buoy at all times from May 15 through August 31, provided that sites actually being fished shall be so marked until September 30. The buoy shall be plainly and legibly marked with the permanent department set gill net registration number (T number).

Authority: AS 16.05.250(2) and (3)

5 AAC 06.335. MINIMUM DISTANCE BETWEEN UNITS OF GEAR. No part of a set gill net may at any time be operated within 300 feet of any part of another set gill net. In the Nushagak district no part of a set gill net may at any time be operated within 450 feet of another set gill net.

Authority: AS 16.05.250(3)

5 AAC 06.341. VESSEL SPECIFICATIONS AND OPERATION. No licensed vessel registered for salmon net fishing may be more than 32 feet in overall length. For the purposes of this regulation, overall length means the straight line measurement between the extremities of the hull proper.

Authority: AS 16.05.251(4)

5 AAC 06.342. VESSEL IDENTIFICATION. Each drift gill net fishing vessel in operation shall display its department registration number in permanent symbols at least 12 inches in height, with lines at least one inch wide, plainly visible and unobscured on both sides of the hull or cabin at all times when fishing.

Authority: AS 16.05.250(3)

5 AAC 06.350. CLOSED WATERS. (a) In Nushagak Bay the following waters are closed waters:

(1) north of a line from a marker two statute miles below Bradford Point to a marker on the opposite shore at Nushagak Point;

(2) the waters of the Nushagak district south of a line from a marker at Nichols Hills to a buoy approximately six and one-half nautical miles offshore in a northeasterly direction, then to a marker located near Etolin Point, except for the period from May 15 through June 21;

(3) the waters of the Nushagak district described in sec. 200(a)(2) of this chapter, known as the Snake River section from June 15 through July 15;

(4) waters of Snake River within a line from a marker on the west shore at approximately 58° 52' 48" N. lat., then east to a marker on the opposite shore;

(5) waters of the Igushik River north of a line from a marker on the west shore at approximately 58° 43' 36" N. lat., then east to a marker on the opposite shore.

(b) In Kvichak Bay the following waters are closed waters:

BRISTOL BAY AREA

(1) northeast of a line from Graveyard Point to a point on the opposite shore at 58° 53' 22" N. lat., 157° 04' 16" W. long.;

(2) waters of the Naknek River east of a line between Department of Fish and Game Markers on each side of the river mouth.

(c) Waters of the Egegik River within a line from markers on each side of the river just below Egg Island are closed waters.

(d) Waters of the Ugashik River within a line from markers on each side of the river just below the confluence of the Ugashik and King Salmon Rivers are closed waters except for set gill nets on the east bank of the Ugashik River from a point 200 yards north of the Wingard cannery to a point 1,200 yards north of that cannery.

(e) Waters of the Togiak River north of a line from a marker at the Togiak Fisheries cannery to a marker at the Togiak school are closed waters.

(f) All waters of the Bristol Bay area except the districts described in sec. 200 of this chapter are closed to salmon fishing.

Authority: AS 16.05.251(2) and (4)

5 AAC 06.370. REGISTRATION AND REREGISTRATION. (a) At the time of area registration specified in 5 AAC 39.120(c), district registration shall be completed by indicating on the vessel license application or renewal form in which district the vessel is intended to be first used.

(b) District registration is required prior to fishing in another district. The gear and vessel of the transferee are not eligible to fish in any district for 48 hours following the reregistration, except that the 48-hour period may be reduced by commissioner's announcement. District reregistration is not required after 9:00 a.m. July 17.

(c) After use of either drift gill net or set gill net gear, use of the other type of gear is not permitted until 48 hours, or a reduced period specified by commissioner's announcement, have elapsed following notification to the department of the type of gear intended to be used. After 9:00 a.m. July 17, changing to either drift gill net or set gill net gear may be done without notification to the department of the type of gear intended to be used.

(d) District reregistration and notification to change gear types may be made with the local representative of the department between the hours of 8:00 a.m. and 9:00 p.m. or other time as the representative may be available and may be accomplished in person or by radio or through a designated representative of the fisherman; however, the 48-hour waiting period, or a reduced period specified by commissioner's announcement, cannot begin before the time that notification is received and noted by the department.

(e) Relocation from the set gill net site or sites first occupied during any fishing season may not be made without first notifying the local representative of the department. After notification a set gill net is not eligible to fish for a period of 48 hours, unless the 48-hour period is reduced by commissioner's announcement. Notification of intended relocation is subject to the provisions of this section. For the purposes of this regulation, relocation is considered to mean any change of location requiring movement of the inshore marker. After 9:00 a.m. July 17, relocation of set gill net sites may be made without notifying the department.

(f) Repealed. (Eff. 1/29/72, Reg 41)

BRISTOL BAY AREA

(g) Repealed. (Eff. 1/29/72, Reg 41)

Authority: AS 16.05.251(2), (4) and (12)

ARTICLE 4. BOTTOMFISH FISHERY

5 AAC 06.110. FISHING SEASON. There is no closed season on bottomfish.

Authority: AS 16.05.250(2)

ARTICLE 5. SMELT FISHERY

5 AAC 06.510. FISHING SEASON. There is no closed season on smelt.

Authority: AS 16.05.250(2)

ARTICLE 6. HERING FISHERY

5 AAC 06.600. FISHING DISTRICTS AND SECTIONS. Repealed 4/8/79.

5 AAC 06.610. FISHING SEASON. Repealed 4/8/79.

5 AAC 06.630. GEAR. Repealed 4/8/79.

5 AAC 06.631. GEAR SPECIFICATIONS AND OPERATION. Repealed 4/8/79.

5 AAC 06.650. CLOSED WATERS. Repealed 4/8/79.

5 AAC 06.660. GUIDELINE HARVEST LEVEL. Repealed 4/8/79.

ARTICLE 9. SUBSISTENCE FISHERY

5 AAC 06.910. FISHING SEASONS. (a) Salmon for subsistence purposes may be taken at any time within a commercial fishing district, except during closed fishing periods as described in sec. 320 of this chapter and as hereinafter provided.

(b) Salmon for subsistence purposes may be taken from January 1 through December 31 at any time in waters closed to commercial fishing, except as hereinafter provided.

Authority: AS 16.05.250(2)

5 AAC 06.920. WEEKLY FISHING PERIODS. (a) During the period from June 16 through 9:00 a.m. July 17, salmon for subsistence purposes may be taken in the Nushagak district from the marker two statute miles below Bradford Point to a marker at Red Bluff on the west shore of Wood River, only during the following periods: 9:00 a.m. Monday to 9:00 a.m. Tuesday, 9:00 a.m. Wednesday to 9:00 a.m. Thursday, and 9:00 a.m. Friday to 9:00 a.m. Saturday.

(b) During the period from June 23 through 9:00 a.m. July 17, salmon for subsistence purposes may be taken in Naknek, Egegik and Ugashik Rivers only during the following periods: 9:00 a.m. Tuesday to 9:00 a.m. Wednesday and 9:00 a.m. Saturday to 9:00 a.m. Sunday.

Authority: AS 16.05.250(2)

BRISTOL BAY AREA

5 AAC 06.930. GEAR. Within the defined commercial fishing districts, salmon for subsistence purposes may be taken with legal gear as listed in sec. 330 of this chapter.

Authority: AS 16.05.250(3)

5 AAC 06.931. GILL NET SPECIFICATIONS AND OPERATION. Salmon for subsistence purposes may be taken with a set gill net not to exceed 25 fathoms in length, except that in the Naknek, Egegik and Ugashik Rivers and that portion of the Nushagak district described in sec. 920 of this chapter where set gill nets shall not exceed 10 fathoms in length. All set gill nets shall be staked and buoyed.

Authority: AS 16.05.251(2) and (4)

5 AAC 06.934. IDENTIFICATION OF GEAR. Repealed. (Eff. 3/8/74, Reg. 49)

5 AAC 06.935. MINIMUM DISTANCE BETWEEN UNITS OF GEAR. No part of a set gill net may be operated within 300 feet of any part of another set gill net, except that in the Nushagak district from the Department of Fish and Game marker two statute miles below Bradford Point to a marker at Red Bluff on the west shore of Wood River, no part of a set gill net may be operated within 100 feet of any part of another set gill net.

Authority: AS 16.05.251(2) and (4)

5 AAC 06.950. CLOSED WATERS. (a) Waters within 300 feet of a stream mouth utilized by salmon are closed to all subsistence fishing.

(b) Salmon for subsistence purposes may not be taken upriver from Savonaski on the Naknek River.

Authority: AS 16.05.250(2)

5 AAC 06.960. QUOTAS. Numbers of salmon taken for subsistence purposes may be limited under the terms of a permit.

Authority: AS 16.05.250(4)

5 AAC 06.980. PERMITS. (a) Salmon, trout and char for subsistence purposes may be taken under authority of a permit which may be obtained from the local representative of the department.

(b) All subsistence fishermen in the Iliamna drainage (except Lake Clark above Six Mile Lake) must have a valid subsistence permit to fish for any species.

Authority: AS 16.05.251(2) and (4)

5 AAC 06.990. RESTRICTIONS. (a) No set gill net may obstruct more than one-half the width of a stream.

(b) No person may operate or assist in operating subsistence salmon net gear simultaneously while operating or assisting in operating commercial salmon net gear.

(c) After August 20, no person may possess coho salmon for subsistence purposes in the Togiak River section and the Togiak River drainage unless the head has been immediately removed from the salmon.

(d) It is unlawful to purchase or sell coho salmon from which the heads have been removed.

Authority: 16.05.251(2),(4),(5) and (7)

ALASKA PENINSULA AREA

CHAPTER 09. ALASKA PENINSULA AREA.

ARTICLE 1. DESCRIPTION OF AREA.

5 AAC 09.100. DESCRIPTION OF AREA. The Alaska Peninsula area includes all waters of Alaska from Cape Mershihof to Unimak Pass, then easterly to Kupreanof Point.

Authority: 16.05.250(2)

ARTICLE 2. FISHING DISTRICTS AND SECTIONS.

5 AAC 09.200. FISHING DISTRICTS AND SECTIONS. (a) The Northern district includes all waters on the north side of the Alaska Peninsula between Cape Mershihof and Moffet Point.:

(1) Cinder River section: all waters between Cape Mershihof and Stroganof Point, exclusive of waters comprising the Port Heiden section;

(2) Port Heiden section: all waters southeast of a line from Stroganof Point to the western-most point of Chistiakof Island, then to the eastern-most point of Chistiakof Island, then to the eastern-most point on the island, then to the nearest point on the mainland beach north of the village of Meshik;

(3) Ilnik section: all waters between Stroganof Point and the Three Hills;

(4) Three Hills section: all waters between the Three Hills and Cape Seniavin;

(5) Bear River section: all waters between Cape Seniavin and Wolf Point, exclusive of waters comprising the Herendeen-Moller Bay section;

(6) Herendeen-Moller Bay section: all waters south of a line extending from Entrance Point to Wolf Point to Point Edward on Cape Rozhnof;

(7) Nelson Lagoon section: all waters of Nelson Lagoon inside the bars and inside a line extending from Lagoon Point to Wolf Point to Point Edward on Cape Rozhnof;

(8) Caribou Flats section: all waters between Wolf Point and a point at 55° 53' 40" N. lat., 161° 49' W. long., approximately 22 nautical miles west of Nelson Lagoon Village and exclusive of the waters comprising the Nelson Lagoon section;

(9) Black hills section: all waters between 55° 53' 40" N. lat., 161° 49' W. long., and Moffet Point.

(b) The Northwestern district includes all waters on the north side of the Alaska Peninsula between Moffet Point and Scotch Cap on Unimak Island, including Bechevin Bay and the waters of Isanotski Strait north of a line from the False Pass cannery dock to Nichols Point

ALASKA PENINSULA AREA

(1) Izembek-Moffet Bay section: all waters between Moffet Point and Cape Glazenap;

(2) Bechevin Bay section: all waters between Cape Glazenap and Chunak Point, including Bechevin Bay and the waters of Isanotski Strait north of a line from the False Pass cannery dock to Nichols Point;

(3) Uria Bay section: all waters between Chunak Point and Scotch Cap including Swanson, Peterson and Christianson lagoons.

(c) The Unimak district includes all waters on the south side of Unimak Island between Scotch Cap and Cape Pankof light and including the Sanak Islands.

(d) The Southwestern district includes all waters on the south side of the Alaska Peninsula between Cape Pankof light and Arch Point, including Inner Iliasik, Outer Iliasik, Goloi, Dolgoi, Poperechnoi and Deer Islands

(1) Ikatan Bay section: all waters west of a line from Cape Pankof light to Kenmore Head and including the waters of Isanotski Strait south of a line from the False Pass cannery dock to Nichols Point;

(2) Morzhovoi Bay section: all waters north of a line from Kenmore Head to Cape Tachilni;

(3) Thin Point section: all waters between Cape Tachilni and Thin Point;

(4) Cold Bay section: all waters north of a line from Thin Point to Vodopoini Point;

(5) Deer Island section: all waters within one nautical mile of Deer Island;

(6) Br'kofski Bay section: all waters between Vodopoini Point and Moss Cape, including Inner and Outer Iliasik Islands but excluding the waters of the Deer Island section;

(7) Volcano Bay section: all waters between Moss Cape and Arch Point including Goloi, Dolgoi and Poperechnoi Islands;

(8) General section: all other waters of the Southwestern district.

(e) The South Central District includes all waters on the south side of the Alaska Peninsula between Arch Point and Point Aliaksin on Cape Aliaksin, including Ukolnoi and Vosnesenski Islands.

(f) The Southeastern district includes all waters on the south side of the Alaska Peninsula between Point Aliaksin on Cape Aliaksin and Kupreanof Point, including all of the Shumagin Islands

(1) Balboa Bay section: all waters between Point Aliaksin and 160° 30' W. long. at Swedania Point;

(2) repealed (Eff. 3/19/78, Reg. 65);

(3) Shumagin Islands section: all waters of the Shumagin Islands;

ALASKA PENINSULA AREA

(4) West Stepovak section: all waters within three nautical miles of the mainland and Guillemot Island between 160° 30' W. long., at Swedania Point and 159° 52' W. long. at Dent Point;

(5) East Stepovak section: all waters within three nautical miles of the mainland between 159° 52' W. long. at Dent Point and 159° 35' 30" W. long. at Kupreanof Point;

(6) General section: all other waters of the Southeastern district.

Authority: AS 16.05.251(2)

ARTICLE 3. SALMON FISHERY

5 AAC 09.301. SEAWARD BOUNDARY OF DISTRICTS. For the purpose of managing the historical salmon net fishery in the vicinity of False Pass and Unimak Bight the outer boundary of the Southwestern and Unimak districts is a line three miles seaward from a line commencing at 54° 26' 45" N. lat., 162° 53' W. long., near the western end of Sanak Island to Cape Lutke on Unimak Island.

5 AAC 09.310. FISHING SEASONS. (a) In the Northern District, salmon may be taken as follows:

(1) Cinder River section

(A) from May 1 through September 30 within the lagoon into which Cinder River drains (locally known as False Ugashik or Shagong);

(B) from August 1 through September 30 throughout this section;

(2) Port Heiden section: from May 1 through September 30;

(3) Ilnik section

(A) from May 1 through September 30 within Ilnik Lagoon and all waters inside the Seal Islands;

(B) from July 5 through September 30 throughout this section;

(4) Three Hills section: from June 25 through September 30;

(5) Bear River section: from May 1 through September 30;

(6) Herendeen-Moller Bay section: from May 1 through July 20 with the exception that within the bight enclosed by a line from Entrance Point to Harbor Point salmon may be taken from May 1 through September 30;

(7) Nelson Lagoon section: from May 1 through September 30;

(8) Caribou Flats section: from May 1 through June 20;

(9) Black Hills section: from May 1 through September 30.

(b) In the Northwestern district, salmon may be taken from June 1 through August 10. After September 1 the season will be opened by emergency order.

ALASKA PENINSULA AREA

(c) in the Unimak district, salmon may be taken from June 1 through August 10. After September 1 the season will be opened by emergency order.

(d) In the Southwestern district, salmon may be taken from June 1 through August 10. After September 1 the season will be opened by emergency order.

(e) In the South Central district, salmon may be taken from June 1 through August 10. After September 1 the season will be opened by emergency order.

(f) In the Southeastern district, salmon may be taken from June 1 through August 10. After September 1 the season will be opened by emergency order.

Authority: AS 16.05.060

AS 16.05.251(2)

5 AAC 09.320. WEEKLY FISHING PERIODS. (a) Salmon may be taken in the open season in the Northern district from 6:00 a.m. Monday until 6:00 p.m. Thursday, except in the Black Hills and Caribou Flats sections where salmon may be taken from 6:00 a.m. Monday until 6:00 p.m. Friday, and the Nelson Lagoon section where salmon may be taken from 6:00 a.m. Monday until 9:00 p.m. Thursday.

(b) Salmon may be taken during the open season in the Northwestern district in the

(1) Izembek-Moffet Bay section: from 6:00 a.m. Monday until 6:00 p.m. Friday;

(2) Bechevin Bay section: from 6:00 a.m. Monday until 6:00 p.m. Friday;

(3) Uria Bay section: from 6:00 a.m. Monday until 6:00 p.m. Thursday.

(c) Salmon may be taken during the open season in the Unimak district during fishing periods established by emergency order.

(d) Salmon may be taken during the open season in the Southwestern district July 10 through July 26: from 6:00 a.m. Monday until 9:00 p.m. Wednesday in the Cold Bay, Belkofski Bay and Volcano Bay sections.

(e) Salmon may be taken during the open season in the South Central district

(1) July 3 through July 6: from 6:00 a.m. Wednesday until 6:00 p.m. Friday from McGinty Point to Arch Point;

(2) July 10 through July 23: from 6:00 a.m. Monday until 9:00 p.m. Wednesday from McGinty Point to Arch Point;

(3) from McGinty Point to Point Aliaksin from 6:00 a.m. Monday until 9:00 p.m. Friday from June 1 through July 10; after July 10 salmon may be taken during fishing periods established by emergency order.

(f) Salmon may be taken during the open season in the Southeastern district

(1) July 3 through July 9: from 6:00 a.m. Wednesday until 6:00 p.m. Friday in the Shumagin Islands section;

(2) 10 through July 23: 6:00 a.m. Monday until 9:00 p.m. Wednesday in the Shumagin Islands section;

ALASKA PENINSULA AREA

(3) in the Balboa Bay, West Stepovak, East Stepovak and General sections from 6:00 a.m. Monday until 9:00 p.m. Friday from June 1 through July 10; after July 10 salmon may be taken during fishing periods established by emergency order.

Authority: AS 16.05.060

AS 16.05.251(a)(2)

5 AAC 09.330. GEAR. (a) In the Northern district salmon may be taken

(1) in the Cinder River section: with drift gill nets or set gill nets only;

(2) in the Port Heiden section: with drift gill nets or set gill nets only;

(3) in the Ilulik section: with drift gill nets or set gill nets only;

(4) in the Three Hills section: with drift gill nets only;

(5) in the Bear River section: with drift gill nets, purse seines and hand purse seines;

(6) in the Herendeen-Moller Bay section: with drift gill nets, purse seines and hand purse seines;

(7) in the Nelson Lagoon section: with drift gill nets or set gill nets;

(8) in the Caribou Flats section: with drift gill nets or set gill nets;

(9) in the Black Hills section: with drift gill nets or set gill nets only;

(b) In the Northwestern district salmon may be taken with drift gill nets, set gill nets, purse seines and hand purse seines.

(c) In the Unimak district salmon may be taken with drift gill nets, set gill nets, purse seines and hand purse seines.

(d) In the Southwestern district salmon may be taken with purse seines, hand purse seines and set gill nets except that

(1) salmon may also be taken with drift gill nets west of a line from Kenmore head to Hague Rocks to the easternmost tip of the Sanak Islands;

(2) repealed (Eff. 3/19/78, Reg. 65).

(e) In the South Central district salmon may be taken with set gill nets, purse seines and hand purse seines, except that

(1) repealed (Eff. 3/19/78, Reg. 65);

(2) within Canoe Bay, salmon may be taken only with purse seines and hand purse seines;

(3) salmon may be taken only with set gill nets from June 1 through July 10 from McGinty Point to Point Aliaksin.

(f) In the Southeastern district salmon may be taken with set gill nets, purse seines and hand purse seines except that

ALASKA PENINSULA AREA

(1) salmon may be taken only with purse seines and hand purse seines in the area between Popof Head and Dark Cliffs (Popof Island) from June 1 through August 31;

(2) repealed (Eff. 3/19/78, Reg. 65);

(3) salmon may be taken only with set gill nets from June 1 through July 10 in the Balboa Bay, West Stepovak, East Stepovak and General sections.

Authority: AS 16.05.251(2) and (4)

5 AAC 09.331. GILL NET SPECIFICATIONS AND OPERATION. (a) The size and operation of drift gill nets is as follows:

(1) the aggregate length of drift gill nets on a salmon fishing boat or in use by such boat shall be no more than 200 fathoms in length;

(2) the mesh size of drift gill nets shall not be less than five and one-quarter inches, except that in the Caribou Flats section the mesh size of drift gill nets shall not be less than eight and one-half inches;

(3) No drift gill net used in the Nelson Lagoon section may exceed 29 meshes in depth, except that after August 15 no drift gill net may exceed 38 meshes in depth.

(b) The size and operation of set gill nets is as follows:

(1) each set gill net shall not be more than 100 fathoms in length; the aggregate length of set gill nets fished by an individual shall not be more than 200 fathoms; no more than two set gill net sites shall be operated by an individual except that in the

(A) Port Heiden section each set gill net shall not be more than 50 fathoms in length; the aggregate length of set gill nets fished by an individual shall not be more than 100 fathoms, and no more than two set gill net sites shall be operated by an individual;

(B) Ilnik Lagoon (portion of the Ilnik section): each set gill net shall not be more than 50 fathoms in length; the aggregate length of set gill nets fished by an individual shall not be more than 150 fathoms, and no more than three set gill net sites shall be operated by an individual;

(2) set gill nets shall be operated in substantially a straight line; no more than 30 fathoms of each set gill net may be used as a single hook;

(3) the mesh size of set gill nets shall not be less than five and one-quarter inches, except that in the Caribou Flats section the mesh size of set gill nets shall not be less than eight and one-half inches;

(4) the maximum depth of set gill nets used in the Nelson Lagoon section shall not be over 29 meshes;

(5) ten fathoms of seine webbing may be used on the shore end of a set gill net between the high and low water marks in the Unimak, Southwestern, South Central and Southeastern districts.

Authority: AS 16.05.251(2) and (4)

ALASKA PENINSULA AREA

5 AAC 09.332. SEINE SPECIFICATIONS AND OPERATION. (a) Purse seines and hand purse seines may not be less than 100 fathoms nor more than 250 fathoms in length.

(b) Leads may not be less than 50 fathoms nor more than 150 fathoms in length, except that unlimited leads are allowed in the Unimak district and the Bear River section of the Northern district. Unlimited leads may be carried aboard vessels fishing in the Ikatan Bay section of the Southwestern district.

Authority: AS 16.05.250(3)

5 AAC 09.334. IDENTIFICATION OF GEAR. Each drift gill net in operation shall have at each end a suitably bright red keg, buoy or cluster of floats and shall be plainly and legibly marked with the permanent department vessel registration number as well as the initial of the operator and bright red double floats shall be attached to the cork line at 25 fathom intervals.

Authority: AS 16.05.250(3)

5 AAC 09.335. MINIMUM DISTANCE BETWEEN UNITS OF GEAR. No part of a set gill net may be placed or operated within 900 feet of any part of another set gill net, except that in the

(1) Port Heiden section: no part of a set gill net may be placed or operated within 600 feet of any part of another set gill net;

(2) Nelson Lagoon section: no part of a set gill net may be placed or operated within 1,800 feet of any part of another set gill net.

Authority: AS 16.05.250(3)

5 AAC 09.342. VESSEL IDENTIFICATION. Every salmon fishing vessel in operation shall display its department registration number in permanent symbols at least 12 inches in height, with lines at least one inch wide, in contrasting colors, plainly visible on both sides of the hull or cabin at all times.

Authority: AS 16.05.250(3)

5 AAC 09.350. CLOSED WATER. Salmon may not be taken in the following water:

(1) Meshik River: all water upstream of a line crossing the river from a point at 56° 47' 04" N. lat., 158° 41' 06" W. long., to 56° 47' 58" N. lat., 158° 38' 45" W. long.; this is approximately one-half nautical mile upstream from the mean high tide mouth and approximately at the lower line of permanent grass growth;

(2) Sandy River

(A) May 1 through July 26: within 2,000 yards of the terminus of the river;

(B) July 27 through September 30: within 500 yards of the terminus of the river;

(3) Bear River

(A) May 1 through August 8: within 1,000 yards of the terminus of the river;

(B) August 9 through September 30: within 500 yards of the terminus of the river;

ALASKA PENINSULA AREA

(4) Frank's Lagoon: all waters of the lagoon and within 500 yards outside the entrance;

(5) Bechevin Bay

(A) Saint Catherine Cove (Mike's Creek): all water within a line from Chunak Point to Rocky Point;

(B) Trader's Cove: all waters within a line from Boulder Point to Morzhovoi Village;

(C) Warm Springs Bay: all waters southeast of a line from a point on the south shore of the bay at $54^{\circ} 56' 28''$ N. lat., $163^{\circ} 15' 45''$ W. long., to a point on the north shore of the bay at $54^{\circ} 57' 16''$ N. lat., $163^{\circ} 15' 33''$ W. long.;

(6) Christianson's Lagoon: all waters of the lagoon and its exit channel from the lagoon to a point 1,500 yards downstream from the lagoon;

(7) Ikatan Bay: all water within 1,000 yards of the stream at $54^{\circ} 45' 15''$ N. lat., $163^{\circ} 15' 15''$ W. long. on the north shore of the Ikatan Peninsula which exits from Swede's Lake:

(8) Morzhovoi Bay: all waters within a line from Kenmore Head to Reynolds Head;

(9) Thin Point Cove and Lagoon: all waters within a line from Thin Point westward to a point on the shore at $54^{\circ} 57' 30''$ N. lat., $162^{\circ} 43' 15''$ W. long.;

(10) Cold Bay

(A) Old Man Lagoon, Mortensen Lagoon and Nurse Lagoon: all waters of the lagoons and within 500 yards outside their entrances;

(B) Lenard Harbor: all water east of a line from a point on the south shore at $55^{\circ} 06' 00''$ N. lat., $162^{\circ} 23' 00''$ W. long., to a point on the north shore at $55^{\circ} 07' 00''$ N. lat., $162^{\circ} 23' 00''$ W. long., and within 1000 yards of any salmon stream;

(C) Kinzarof Lagoon area: all waters north of a line from $55^{\circ} 13' 25''$ N. lat., $162^{\circ} 43' 25''$ W. long., to $55^{\circ} 16' 10''$ N. lat., $162^{\circ} 34' 25''$ W. long.;

(11) Deer Island

(A) all waters within 200 yards of the stream located at $54^{\circ} 55' 41''$ N. lat., $162^{\circ} 14' 12''$ W. long. and locally known as Eastern Creek,

(B) all waters within 200 yards of the stream located at $54^{\circ} 51' 44''$ N. lat., $162^{\circ} 22' 07''$ W. long. and locally known as Southern Creek;

(12) Belkofski Bay: all waters north and east of a line from $55^{\circ} 09' 24''$ N. lat., $162^{\circ} 08' 18''$ W. long., to $55^{\circ} 08' 08''$ N. lat., $162^{\circ} 07' 36''$ W. long., then to $55^{\circ} 07' 20''$ N. lat., $162^{\circ} 07' 41''$ W. long.;

(13) Volcano and Bear Bay

(A) all waters north of a line from $55^{\circ} 13' 24''$ N. lat., $162^{\circ} 01' 24''$ W. long., to $55^{\circ} 13' 51''$ N. lat., $161^{\circ} 58' 00''$ W. long.;

ALASKA PENINSULA AREA

(B) all waters of Bear Bay west of 162° W. long. and locally known as Little Bear Bay;

(14) Long John Lagoon: all waters of the lagoon and within 500 yards outside its entrance;

(15) Pavlof Bay

(A) Chinaman Lagoon and Jackson Lagoon: all waters of the lagoons and within 1,000 yards outside their entrances;

(B) Dry Lagoon: all waters of the lagoon and within 500 yards of its entrance;

(C) Canoe Bay

(i) June 1 through July 15: all waters east of a line from the stream guard cabin point at 55° 32' N. lat., 161° 12' W. long. to a point on the north shore at 55° 32' 36" N. lat., 161° 12' 24" W. long.;

(ii) July 16 through September 30: all waters of the inner bay;

(16) Balboa Bay

(A) all waters north of a line extending west from Reef Point;

(B) all waters of Lefthand Bay west of a line from 55° 31' 36" N. lat., 160° 42' 54" W. long. to 55° 33' 12" N. lat., 160° 42' 06" W. long.;

(17) Zachary Bay: all water of the inner bay within a line extending from the inner edge of the grass line of the sand spit to the west to the prominent point of land approximately 1-1/2 nautical miles inside Quartz Point;

(18) San Diego Bay: all water of a lagoon at the head of the bay and within 500 yards outside the lagoon's entrance except that from July 19 through August 31 the closure includes all water west of a line from the reef at 55° 33' 08" N. lat., 160° 26' 30" W. long., to the headland at 55° 34' 02" N. lat., 160° 25' 48" W. long.;

(19) Dorenol Bay: all waters within a line from Renshaw Point to the opposite shore at 55° 38' 30" N. lat., 160° 19' W. long.;

(20) Chichagof Bay: all waters of the lagoon and within 500 yards of the lagoon entrance;

(21) Orzinski Bay (Orzenoi): within 1,000 yards of any salmon stream;

(22) Grub Gulch: all waters within one nautical mile of the stream at the head of the bay;

(23) Stepovak Bay: from July 19 through September 30 all waters north of a line extending east from Dent Point (near Grub Gulch) to a point on the Kupreanof Peninsula at 55° 47' N. lat., 159° 38' 30" W. long.;

(24) Bay Point: all waters of the lagoon and within 500 yards of the lagoon entrance;

ALASKA PENINSULA AREA

(25) Amak Island and adjacent Sea Lion Rocks: all water within 3 nautical miles of these islands and elevations;

(26) Moffet Bay: all water east of a line from a point at 55° 21' 45" N. lat., 162° 06' 27" W. long. on the southwest shore of the bay to a point at 55° 24' 49" N. lat., 162° 07' 53" W. long. on Moffet Point as buoyed or marked by the department;

(27) Applegate Cove-Norma Bay: all water south of a line from a point at 55° 14' 08" N. lat., 162° 53' W. long., to the southwest extremity of Norma Bay at 55° 10' 50" N. lat., 163° 05' 07" W. long., as buoyed and marked by the department; this boundary aligns with the Cold Bay VORTAL cone and the headland located approximately two nautical miles south of the radar domes near Grant Point.

Authority: AS 16.05.251(a)(2)
AS 16.05.250(2)

ARTICLE 4. BOTTOMFISH FISHERY

5 AAC 09.410. FISHING SEASON. There is no closed season on bottomfish.

Authority: AS 16.05.250(2)

ARTICLE 5. SMELT FISHERY

5 AAC 09.510. FISHING SEASON. There is no closed season on smelt.

Authority: AS 16.05.250(2)

ARTICLE 6. HERING FISHERY

5 AAC 09.610. FISHING SEASON. Repealed 4/8/79.

5 AAC 09.650. CLOSED WATERS. Repealed 4/8/79.

ARTICLE 9. SUBSISTENCE FISHERY

5 AAC 09.910. FISHING SEASONS. There is no closed season on the taking of salmon for subsistence purposes except that from June 1 to 48 hours after the cessation of all commercial net fishing in the registration area, a permit is required.

Authority: AS 16.05.250(2)

5 AAC 09.930. GEAR. (a) Salmon for subsistence purposes may be taken by all legal gear.

(b) No set gill net may exceed 100 fathoms in length.

Authority: AS 16.05.251(4)

ALEUTIAN ISLANDS AREA

CHAPTER 12. ALEUTIAN ISLANDS AREA

ARTICLE 1. DESCRIPTION OF AREA

5 AAC 12.100. DESCRIPTION OF AREA. The Aleutian Islands area includes all waters of Alaska in the Aleutian Islands west of, and including, Unimak Pass.

Authority: AS 16.05.250(2)

ARTICLE 2. FISHING DISTRICTS AND SECTIONS

5 AAC 12.200. FISHING DISTRICTS AND SECTIONS. (a) Akutan district: all waters extending west of Unimak Island to and including Akutan Pass.

(b) Unalaska district: all waters west of Akutan Pass to and including Umnak Pass

(1) Beaver Inlet section: all waters between Cape Sedanka and Cape Kalekta and including Unalga Island;

(2) Unalaska Bay section: all waters between Cape Kalekta and Cape Kovrizhka;

(3) Makushin Bay section: all waters between Cape Kovrizhka and Spray Cape;

(4) Kashega Bay section: all waters between Spray Cape and Konets Head;

(5) Southern section: all waters between Konets Head and Cape Sedanka.

(c) Umnak district: all waters west of Umnak Pass to and including Atka Pass.

(d) Adak district: all waters west of Atka Pass to the terminus of the Aleutian Islands.

Authority: AS 16.05.250(2)

ARTICLE 3. SALMON FISHERY

5 AAC 12.310. FISHING SEASONS. Salmon may be taken from July 10 through August 2, except that in the Unalaska Bay and Kashega Bay sections salmon may be taken from June 1 through August 2. After August 2 the season will be open by emergency order.

Authority: AS 16.05.060
AS 16.05.251(2)

5 AAC 12.320. WEEKLY FISHING PERIOD. Salmon may be taken

(1) June 1 through July 18: from 6:00 a.m. Monday until 6:00 p.m. Friday;

ALEUTIAN ISLANDS AREA

- (2) July 19 to August 2: from 6:00 a.m. through 9:00 p.m. on Mondays only.
Authority: AS 16.05.251(2)

5 AAC 12.330. GEAR. Salmon may be taken by purse seines, hand purse seines and beach seines.

Authority: AS 16.05.250(3)

5 AAC 12.331. GILL NET SPECIFICATIONS AND OPERATION. Repealed. (Eff. 1/29/72, Reg. 41)

5 AAC 12.332. SEINE SPECIFICATIONS AND OPERATION. (a) Purse seines and hand purse seines may not be less than 100 fathoms nor more than 250 fathoms in length.

(b) Beach seines may not be less than 100 fathoms in length and three fathoms in depth nor more than 250 fathoms in length and 12 fathoms in depth.

(c) No lead may be less than 25 fathoms nor more than 150 fathoms in length.
Authority: AS 16.05.250(3)

ARTICLE 6. HERRING FISHERY

5 AAC 12.610. FISHING SEASON. Repealed 4/8/79.

5 AAC 12.650. CLOSED WATERS. Repealed 4/8/79.

ARTICLE 9. SUBSISTENCE FISHERY

5 AAC 12.910. FISHING SEASONS. (a) Akutan and Unalaska districts: there is no closed season on salmon for subsistence purposes except that from May 1 to 48 hours after the cessation of all commercial salmon net fishing in the area, a permit is required.

(b) Umnak and Adak districts: there is no closed season on salmon for subsistence purposes and no permit is required.

Authority: AS 16.05.250(2) and (3)

5 AAC 12.930. GEAR. (a) Salmon for subsistence purposes may be taken by all legal gear as defined in 5 AAC 39.105(d).

(b) Repealed. (Eff. 3/8/74, Reg. 49)

AS 16.05.250(3)

5 AAC 12.990. RESTRICTIONS. (a) Repealed. (Eff. 1/29/72, Reg. 41)

(b) The waters of Unalaska Lake (at Unalaska Village), the streams feeding it, and the exit stream and within 500 yards of its mouth are closed to subsistence fishing.

Authority: AS 16.05.250(2)

CHIGNIK AREA

CHAPTER 15. CHIGNIK AREA

ARTICLE 1. DESCRIPTION OF AREA

5 AAC 15.100. DESCRIPTION OF AREA. The Chignik area includes all waters of Alaska on the south side of the Alaska Peninsula between the southern entrance to Imuya Bay near Kilokak Rocks at 57° 11' 22" N. lat., 156° 20' 13" W. long., and Kupreanof Point at 55° 33' 55" N. lat., 159° 35' 50" W. long.

Authority: AS 16.05.250(2)

ARTICLE 2. FISHING DISTRICTS

5 AAC 15.200. FISHING DISTRICTS. (a) The Eastern district includes all waters from the southernmost marker 500 yards from the mouth of Aniakchak Lagoon to the eastern boundary of the Chignik area

(1) Agripina section: all waters between Kilokak Rocks at 57° 11' 22" N. lat., 156° 20' 13" W. long., and Cape Providence at 56° 58' 40" N. lat., 156° 33' 28" W. long.;

(2) Chiginagak section: all waters between Cape Providence at 56° 58' 40" N. lat., 156° 33' 28" W. long., and Cape Kuyuyukak at 56° 53' 54" N. lat., 156° 49' 43" W. long.;

(3) Nakalilik-Yantarni section: all waters between Cape Kuyuyukak at 56° 53' 54" N. lat., 156° 49' 43" W. long., and Cape Kunmik at 56° 45' 53" N. lat., 157° 11' 53" W. long.;

(4) Big River section: all waters of Amber and Aniakchak Bays bounded by 157° 11' 53" W. long., and the latitude of the southernmost marker 500 yards from the mouth of Aniakchak Lagoon;

(5) repealed (Eff. 3/19/78, Reg. 65);

(6) repealed (Eff. 3/19/78, Reg. 65);

(7) repealed (Eff. 3/19/78, Reg. 65).

(b) The Chignik Bay district includes all waters of Chignik Bay and Lagoon west of a line from Jack Point at 56° 17' 32" N. lat., 153° 11' 56" W. long., to Neketa Creek at 56° 24' 10" N. lat., 158° 27' 37" W. long.

(c) The Western district includes all waters south and west of Jack Point at 56° 17' 32" N. lat., 158° 11' 56" W. long., excluding the waters of Chignik Lagoon, to Coal Cape at 55° 53' 28" N. lat., 159° 00' 20" W. long.

(1) Castle Cape section: all waters between Jack Point at 56° 17' 32" N. lat., 158° 11' 56" W. long. and Cape Ikli at 55° 58' 45" N. lat., 158° 30' W. long.;

CHIGNIK AREA

(2) Dorner Bay section: all waters between Cape Ikti at 55° 58' 45" N. lat., 158° 30' W. long., and a point on the west side of Dorner (Kuiukta) Bay's entrance at 55° 57' N. lat., 158° 40' W. long.;

(3) Mitrofanina section: all waters, including Mitrofanina Island between a point on the west side of Dorner (Kuiukta) Bay's entrance at 55° 57' N. lat., 158° 40' W. long., and Stirni Point at 55° 54' 50" N. lat., 158° 55' W. long.;

(4) Anchor Bay section: all waters between Stirni Point at 55° 54' 50" N. lat., 158° 55' W. long., and Coal Cape at 55° 53' 28" N. lat., 159° 00' 20" W. long.

(d) The Perryville district includes all waters between Coal Cape at 55° 52' 28" N. lat., 159° 00' 20" W. long. and Kupreanof Point at 55° 33' 55" N. lat., 159° 35' 50" W. long.

(1) Perryville section: all waters including Chiachi Islands, between Coal Cape at 55° 53' 28" N. lat., 159° 00' 20" W. long., and Coal Point at 55° 51' 31" N. lat., 159° 18' 50" W. long.;

(2) Humpback Bay section: all waters, including Paul and Jacob Islands, between Coal Point at 55° 51' 34" N. lat., 159° 18' 50" W. long., and Alexander Point at 55° 47' 22" N. lat., 159° 24' 34" W. long.;

(3) Ivanof Bay section: all waters between Alexander Point at 55° 47' 22" N. lat., 159° 24' 34" W. long., and Kupreanof Point at 55° 33' 55" N. lat., 159° 35' 50" W. long.

(e) The Central district includes all waters, excluding the waters of the Chignik Bay district between Jack Point (56° 17' 32" N. lat., 158° 11' 56" W. long.), and the southernmost marker 500 yards from the mouth of Aniakhak Lagoon

(1) Cape Kumlik section: all waters, including Sutwik Island, between the latitude of the southernmost marker 500 yards from the mouth of Aniakhak Lagoon and 157° 40' 25" W. long., on the southwest side of Cape Kumlik;

(2) Kujulik section: all waters between a point on the southwest side of Cape Kumlik at 56° 36' 32" N. lat., 157° 40' 25" W. long., and a point on Cape Kumliun at 56° 28' 34" N. lat., 157° 51' 26" W. long.;

(3) Outer Chignik Bay section: all waters including Nakchamik Island between a point on Cape Kumliun at 56° 28' 34" N. lat., 157° 51' 26" W. long., and Jack Point at 56° 17' 32" N. lat., 158° 11' 56" W. long., excluding the Chignik Bay district.

Authority: AS 16.05.251(2)

ARTICLE 3. SALMON FISHERY

5 AAC 15.310. FISHING SEASONS. (a) Salmon may be taken from June 9 through September 30 in the Chignik Bay district.

(b) The Perryville, Western, Central and Eastern districts are opened by emergency order.

Authority: AS 16.05.060
AS 16.05.251(2)

CHIGNIK AREA

5 AAC 15.320. WEEKLY FISHING PERIODS. (a) Salmon fishing periods shall be established by emergency order.

(b) Repealed. (Eff. 3/13/75, Reg. 53)

Authority: AS 16.05.060
AS 16.05.250(2)

5 AAC 15.330. GEAR. (a) In the Eastern, Central, Western and Perryville districts, salmon may be taken by purse seine and hand purse seine.

(b) In the Chignik Bay district salmon may be taken by hand purse seine only.

Authority: AS 16.05.251(2) and (4)

5 AAC 15.332. SEINE SPECIFICATIONS AND OPERATION. (a) In the Eastern, Central Western and Perryville districts no purse seine less than 100 fathoms or more than 225 fathoms in length may be used.

(b) In the Eastern, Central, Western and Perryville districts no hand purse seine less than 100 fathoms or more than 225 fathoms in length may be used.

(c) In the Chignik Bay district no hand purse seine less than 100 fathoms or more than 125 fathoms in length may be used.

(d) No seine may be less than three fathoms in depth.

(e) No lead may be more than 75 fathoms in length. The aggregate length of seine and lead may not be more than 225 fathoms in the Eastern, Central, Western and Perryville districts.

(f) When a purse seine or hand purse seine is in the water for the purpose of taking fish, the seine shall be attached to the licensed vessel operating the gear.

Authority: AS 16.05.251(2) and (4)

5 AAC 15.342. VESSEL IDENTIFICATION. Each fishing vessel in operation shall display its department registration number in permanent symbols at least 12 inches in height, with lines at least one inch wide, plainly visible and unobscured on both sides of the hull or cabin at all times when fishing.

Authority: AS 16.05.250(3)

5 AAC 15.350. CLOSED WATERS. The following are closed waters:

(1) Chignik Lagoon

(A) Within a line from Hume Point to the north side of Chignik Island at 56° 17' 25" N. lat., 158° 35' 30" W. long.;

(B) Mallard Duck Bay: inside a line from Green Point to Chignik Island at 56° 16' 38" N. lat., 158° 34' 54" W. long.;

(2) Kilokak Rocks Bay: inside a line from the southern entrance of the bay at 57° 09' 50" N. lat., 156° 20' 40" W. long., then to the opposite shore 500 yards northeast of the mouth of Kilokak Rocks Creek at 57° 10' 07" N. lat., 156° 20' 40" W. long.;

(3) Agripina River: within a line from 57° 06' 46" N. lat., 156° 23' W. long., to 57° 06' 35" N. lat., 156° 28' 30" W. long.;

CHIGNIK AREA

(4) Chiginagak Bay: north of a line from 57° 00' 33" N. lat., 156° 45' 38" W. long., to 57° 01' 48" N. lat., 156° 41' 51" W. long.;

(5) Nakalilik Lagoon: the lagoon and within 500 yards of the entrance;

(6) Yantarni Lagoon: the lagoon and within 500 yards of the entrance;

(7) Aniakchak River: within a line from approximately 500 yards northeast of the mouth at 56° 45' 43" N. lat., 157° 28' 46" W. long., to a marker on the southern tip of the island directly off the mouth and then to approximately 1,000 yards southwest of the mouth at 56° 45' 20" N. lat., 157° 31' W. long.;

(8) Aniakchak Lagoon: the lagoon and within 500 yards of the entrance;

(9) Kujulik Bay: the southwest end of the bay inside a line from Taps Point, 56° 35' 52" N. lat., 157° 59' W. long., to Long Point, 56° 34' 20" N. lat., 158° 03' 20" W. long., then to a point on the opposite shore at 56° 32' 28" N. lat., 158° 04' 05" W. long.;

(10) Portage Bay: west of a line from 56° 11' 12" N. lat., 158° 35' 40" W. long., to 56° 11' 40" N. lat., 158° 35' 18" W. long.;

(11) Ivan Bay: inside a line from the marker on the northwest shore 1,000 yards from the stream mouth to the marker on the southeast shore 750 yards from the stream mouth;

(12) Humpback Bay: within 1,000 yards of the terminus of Humpback Bay stream (275—502) at 55° 52' 30" N. lat., 159° 20' W. long.;

(13) Ivanof Bay: west of a line from 55° 53' 15" N. lat., 159° 32' W. long. on the northwest shore to the northeast tip of a sand island at 55° 52' 30" N. lat., 159° 31' W. long., to the headland at 55° 51' N. lat., 159° 31' W. long., and within a line from the cannery at 55° 54' 15" N. lat., 159° 29' 25" W. long., to a point on the opposite shore at 55° 52' 30" N. lat., 159° 28' W. long.;

(14) Alfred Creek (271—104): before July 15 the 500-yard closure at the terminus will not apply; the 500-yard closure will apply from July 16 to the end of the salmon fishing season;

(15) Dago Frank Creek (271—105): before July 15 the 500-yard closure at the terminus will not apply; the 500-yard closure will apply from July 16 to the end of the salmon fishing season;

(16) Hook Bay: inside a line from the end of Hook Bay spit at 56° 30' 07" N. lat., 158° 08' 04" W. long., to a point on the north side of the bay at 56° 31' 07" N. lat., 158° 07' 32" W. long.;

(17) unnamed stream at 55° 49' 02" N. lat., 159° 24' 15" W. long.; the 500-yard closure at the terminus does not apply.

Authority: AS 16.05.250(2)

ARTICLE 6. HERING FISHERY

5 AAC 15.610. FISHING SEASON. Repealed 4/8/79.

CHIGNIK AREA

ARTICLE 9. SUBSISTENCE FISHERY

5 AAC 15.910. FISHING SEASONS. Salmon for subsistence purposes may be taken by legal gear except that from June 1 to 48 hours after the cessation of all commercial net fishing in the area, a permit as provided in 5 AAC 39.890(b) is required.

Authority: AS 16.05.250(2) and (3)

5 AAC 15.990. RESTRICTIONS. (a) Salmon may be taken for subsistence purposes by nets except in the area above the department counting tower or weir site in the Chignik River, in Chignik Lake, Black Lake and all tributaries to those lakes.

(b) Salmon may be taken for subsistence purposes by permit only during the open fishing seasons with set gill nets in that portion of the Perryville district within a two-mile radius of the village of Perryville.

Authority: AS 16.05.250(2) and (3)

KODIAK AREA

CHAPTER 18. KODIAK AREA

ARTICLE 1. DESCRIPTION OF AREA

5 AAC 18.100. DESCRIPTION OF AREA. The Kodiak area includes all water of Alaska from the southern entrance of Imuya Bay near Kilokak Rocks at 57° 11' 22" N. lat., 156° 20' 13" W. long., to Cape Douglas at 58° 52' N. lat., 153° 15' W. long., including Kodiak, Afognak and adjacent islands.

Authority: AS 16.05.251(a)(2)

ARTICLE 2. FISHING DISTRICTS

5 AAC 18.200. FISHING DISTRICTS AND SECTIONS. (a) Alitak Bay district: all water between Cape Trinity and Low Cape:

(1) Moser-Olga Bay section: inside a line from Tanner Head at 56° 53' 14" N. lat., 154° 13' 38" W. long., to Middle Reef, then to the northernmost tip of Fox Island, then north to the Moser Peninsula;

(2) Deadman-Portage Bay section: east of a line from Cape Trinity to Middle Reef, then to the northernmost tip of Fox Is and, then north to Moser Peninsula;

(3) Cape Alitak section: all other waters of the district.

(b) Red River district

(1) Gurney Bay section: from Middle Cape to Cape Ikolik;

(2) Ayakulik section: from Cape Ikolik to Low Cape.

(c) Sturgeon River district: all waters from Middle Cape to Cape Karluk.

(d) Karluk district: all waters from Cape Karluk to Cape Kuliuk including the waters of Uyak Bay seaward of a straight line from Cape Kuliuk to the northern tip of Bear Island, then to Kodiak Island, then to midstream of Shelikof Strait.

(e) Uyak Bay district: all waters of Uyak Bay inside of a line from Cape Kuliuk to the northern tip of Bear Island, then to Kodiak Island.

(f) Uganik Bay district: all waters from Cape Kuliuk to Raspberry Cape including Kupreanof Strait west of a line from Inner Point to Bird Point and south of a line from Occident Point to Last Timber Point, and the waters to midstream of Shelikof Strait.

(g) Afognak district: all waters surrounding Shuyak and Afognak Islands and all waters north of a line from Occident Point to Last Timber Point, and all waters northwest of a line from Dolphin Point to Marmot Cape and including the waters to midstream of Shelikof Strait

KODIAK AREA

(1) Southwest of Afognak section: all water west of the longitude of Cape Paramanof ($153^{\circ} 02' 30''$ W. long.), to and including the water north of a line from Occident Point to Last Timber Point and the water southwest of a line from Dolphin Point to Head Point;

(2) North Afognak section: all water east of the longitude of Cape Paramanof ($153^{\circ} 02' 30''$ W. long.), to Tonki Cape, including the water surrounding Shuyak Island;

(3) East Afognak section: all waters from Tonki Cape to Dolphin Point including the waters northeast of a line from Dolphin Point to Head Point.

(h) General district: all water east of a line from Inner Point to Bird Point and southeast of a line from Dolphin Point to Marmot Cape including all water from Cape Trinity to and including Kizhuyak Bay:

(1) Kizhuyak section: all water east of a line from Inner Point to Bird Point and southeast of a line from Dolphin Point to Marmot Cape including all water from Termination Point to and including Kizhuyak Bay;

(2) Chiniak section: all water from Termination Point to Cape Chiniak;

(3) Ugak section: all water from Cape Chiniak to Dangerous Cape;

(4) Sitkalidak section: all water from Dangerous Cape to Cape Kasiak;

(5) Seven Rivers/Kaiugnak section: all water from Cape Kasiak to Cape Trinity.

(i) Mainland district

(1) Wide Bay section: all waters north and west of a line from Cape Kayakliut to Cape Igvak;

(2) Cape Igvak section: all water from the southern entrance of Imuya Bay near Kilokak Rocks to the latitude of Cape Aklek at $57^{\circ} 41' 24''$ N. lat., excluding that water described as the Wide Bay section;

(3) Alinchak section: all water from the latitude of Cape Aklek at $57^{\circ} 41' 24''$ N. lat., to the southern entrance of Dakovak Bay at $58^{\circ} 01' 10''$ N. lat., $154^{\circ} 43' 10''$ W. long.;

(4) Dakavak section: all waters from the southern entrance of Dakavak Bay at $58^{\circ} 01' 10''$ N. lat., $154^{\circ} 43' 10''$ W. long., to Cape Gull;

(5) Kukak section: all waters from Cape Gull to Cape Douglas.

Authority: AS 16.05.251(a)(2)

5 AAC 18.201. SEAWARD BOUNDARY OF DISTRICTS. The seaward boundary of districts and sections in Shelikof Straits is a line all points of which are equidistant from the east and west shore of Shelikof Strait.

Authority: AS 16.05.251(2)

KODIAK AREA

ARTICLE 3. SALMON FISHERY

5 AAC 18.310. FISHING SEASONS. (a) Salmon may be taken from June 14 through October 31 in the following locations:

(1) Sturgeon River, Karluk, Uyak Bay, Uganik Bay, Alitak and Red River districts;

(2) the East Afognak and North Afognak sections of the Afognak district;

(3) the Cape Igvak section of the Mainland district;

(4) in the General district only as follows:

(A) Kizuyak Bay west of the longitude of Otmeloi Point;

(B) Ugak Bay east of the longitude of Narrow Cape and north of the latitude of Dangerous Cape.

(b) Salmon may be taken from July 6 through October 31 in the following locations:

(1) the Wide Bay, Alinchak, Dakavak and Kukak sections of the Mainland district;

(2) the Southwest Afognak section of the Afognak district;

(3) waters of the General district not set forth in (a) of this section.

Authority: AS 16.05.060

AS 16.05.251(2)

5 AAC 18.320. WEEKLY FISHING PERIODS. (a) During the period June 14 through June 30 salmon may be taken one day per week as announced by emergency order.

(b) During the period July 6 through October 31 salmon may be taken five days per week as announced by emergency order.

(c) Prior to August 15 salmon may be taken from 9:00 p.m. on the opening day of the fishing period until 9:00 p.m. on the day the fishing period is closed. From August 15 until October 31 salmon may be taken from 6:00 p.m. on the opening day of the fishing period until 6:00 p.m. on the day the fishing period is closed.

Authority: AS 16.05.060

AS 16.05.251(2)

5 AAC 18.330. GEAR. (a) Salmon may be taken by purse seines and beach seines in all districts and sections with the following exceptions:

(1) salmon may not be taken in the water listed in sec. 350 of this chapter;

(2) in the Moser-Cook Bay section of the Alitak Bay district salmon may not be taken by purse seines or beach seines before September 5.

(b) Salmon may be taken by set gill nets in the following areas except as

KODIAK AREA

specified in this subsection and sec. 350 of this chapter:

(1) Karluk district, except for that area between Cape Uyak and Cape Karluk;

(2) Uyak Bay district:

(A) Spiridon Bay, west of the longitude of Hook Point;

(B) Uyak Bay, all water on the west side of Amook Island and the east shore of Uyak Bay north of the latitude of the southernmost tip of Amook Island, and all water in Uyak Bay north of the latitude of the northernmost tip of Amook Island;

(3) Uganik Bay district:

(A) Terror Bay and Uganik passages north of 57° 50' N. lat., and east of 153° 12' 36" W. long.;

(B) South and East Arm Uganik: north of the latitude of Rock Point;

(4) General district:

(A) Anton Larsen Bay north of 57° 52' 18" N. lat.;

(B) Sharatin Bay north of 57° 51' 09" N. lat.;

(C) Kizhuyak Bay north of 57° 50' N. lat., and south of the latitude of inner Point (57° 54' 12" N. lat.);

(D) Marmot Bay: all water enclosed by a line beginning at a point at 57° 54' 12" N. lat., on the east shore of Kizhuyak Bay to Shakmanof Point to Ouzinkie Point (Spruce Island) to South Point to Termination Point (Monashka Bay);

(5) Alitak Bay district in the Moser-Olga Bay section only.

Authority: AS 16.05.251(a)(2),(4)

5 AAC 18.331. GILL NET SPECIFICATIONS AND OPERATION. The aggregate length of set gill nets used by an individual may not exceed 150 fathoms. No more than two set gill nets may be operated by the individual holding the valid interim-use or entry permit card for that gear. Seine webbing may be used on the shore end between high and low water marks. Set gill nets shall be operated in substantially a straight line. No more than 25 fathoms of each net may be used as a single hook. The inshore end of the set gill net shall be attached to the shore above the mean low water mark.

Authority: AS 16.05.251(4)

5 AAC 18.332. SEINE SPECIFICATIONS AND OPERATION. (a) Purse seines and hand purse seines from 100 to 200 fathoms in length may be used. No less than 50 fathoms may be 150 meshes in depth and no part of the seine may be less than 100 meshes in depth.

(b) One lead no more than 100 fathoms in length may be used with each purse seine or hand purse seine. The aggregate length of seine and lead may not exceed 250 fathoms.

KODIAK AREA

(c) Beach seines no less than 100 fathoms nor more than 225 fathoms in length may be used.

(d) Beach seines may not be less than 100 meshes in depth.

(e) When an anchor is used during the operation of a purse seine, hand purse seine or beach seine, only the shoreward end of the seine or lead may be anchored; the seine shall be attached to the licensed vessel, and the vessel may not be anchored.

Authority: AS 16.05.250(3)

5 AAC 16.335. MINIMUM DISTANCE BETWEEN UNITS OF GEAR. No part of a set gill net may be placed or operated within 900 feet of any part of another set gill net.

Authority: AS 16.05.250(3)

5 AAC 18.350. CLOSED WATERS. Salmon may not be taken in the following waters:

(1) Alitak district

(A) Humpy Cove: all waters east of a line from the northern entrance of Seaborg Cove at $56^{\circ} 53' 45''$ N. lat., $153^{\circ} 58' 48''$ W. long., to a point approximately two and three-quarters miles northeast of Hawk Point at $56^{\circ} 51' 1''$ N. lat., $154^{\circ} 03' 39''$ W. long.;

(B) Olga Bay

(i) Upper Olga Bay: north and west of a line from Stockholm Point at $57^{\circ} 07' 40''$ N. lat., $154^{\circ} 06' 36''$ W. long., to the opposite shore at $57^{\circ} 07' 40''$ N. lat., $154^{\circ} 04' 50''$ W. long.;

(ii) Horse Marine: northeast of a line from $57^{\circ} 06' 27''$ N. lat., 154° W. long.; to $57^{\circ} 07' 33''$ N. lat., $154^{\circ} 03'$ W. long.;

(iii) Olga Narrows: south of $57^{\circ} 04' 23''$ N. lat., and north of a line from $57^{\circ} 00' 11''$ N. lat., $154^{\circ} 07' 58''$ W. long., to $57^{\circ} 01' 27''$ N. lat., $154^{\circ} 08' 32''$ W. long.;

(C) Portage Bay

(i) Southeast Arm: east of the longitude of Bert Point;

(ii) Suluc Bay: north of $56^{\circ} 58' 36''$ N. lat.;

(D) Deadman Bay: north of a line from $57^{\circ} 05' 30''$ N. lat., $153^{\circ} 50' 54''$ W. long., to $57^{\circ} 07' 05''$ N. lat., $153^{\circ} 51' 44''$ W. long.;

(E) Sukhoi Lagoon: in the bay and the lagoon;

(2) Red River district

(A) All waters enclosed by a line from a point on Kodiak Island at $57^{\circ} 13' 13''$ N. lat., $154^{\circ} 33' 31''$ W. long., to a point on Ayakulik Island at $57^{\circ} 13' 13''$ N. lat., $154^{\circ} 34' 50''$ W. long., to a point on Kodiak Island at $57^{\circ} 10' 58''$ N. lat., $154^{\circ} 31' 42''$ W. long.;

KODIAK AREA

(B) All waters east of the terminus of the unnamed stream at 57° 16' 21" N. lat., 154° 37' 10" W. long.;

(3) Sturgeon River district

(A) all waters east of a line from Cape Karluk to Sturgeon Head;

(B) all waters of Grant's Lagoon and Halibut Bay Lagoon;

(4) Karluk district: Karluk River within 500 yards of its terminus where it breaks through Karluk Spit into Shelikof Strait;

(5) Uyak Bay district

(A) Uyak Bay: south of 57° 23' 06" N. lat.;

(B) Zachar Bay: within a line from Carlsen Point at 57° 34' 48" N. lat., 153° 50' W. long., northerly to a point at 57° 35' 42" N. lat., 153° 49' 12" W. long.;

(C) Spiridon Bay: east of 153° 42' 24" W. long.;

(6) Uganik Bay district

(A) Little River: within 500 yards from the terminus;

(B) Cannon's Lagoon (Cambell's): in the lagoon and 500 yards from its mouth;

(C) Uganik Bay

(i) South Arm: south of 57° 39' 44" N. lat.;

(ii) East Arm (Mush Bay): within a line from Packers Spit at 57° 44' N. lat., 153° 29' 54" W. long., to a point on the opposite shore at 57° 42' 51" N. lat., 153° 30' 27" W. long. and including the lagoon behind Packers Spit;

(D) North Uganik Passage: south of 57° 49' 30" N. lat., to 57° 48' 30" N. lat.;

(E) Terror Bay: all waters of the bay south of 57° 46' 30" N. lat.;

(7) General district

(A) Kizhuyak Bay

(i) Barbara Cove: within one-half statute mile of the stream terminus;

(ii) all waters south of a line extending from Pestchani Point to a point on the opposite shore at 57° 47' N. lat., 152° 54' W. long.;

(B) Sharatin Bay: south of 57° 50' 41" N. lat.;

(C) Soldier's Bay: within a line from Olmeloi Point to Entrance Point to the southern tip of Low Island to Seredni Point;

KODIAK AREA

(D) Anton Larsen Bay: south of $57^{\circ} 51' 54''$ N. lat.;

(E) Mill Bay and all those waters bounded by a line from Spruce Cape to the northernmost point of Woody Island, then to the northernmost point of Holiday Island, then to the northernmost point of Near Island across to the opposite shore at a point on Kodiak Island shore at $57^{\circ} 47' 25''$ N. lat., $152^{\circ} 23' 23''$ W. long.;

(F) Women's Bay: all waters inside of a line from the tip of Nyman Peninsula at $57^{\circ} 43' 12''$ N. lat., $152^{\circ} 31' 12''$ W. long., to a point on the opposite shore at $57^{\circ} 42'$ N. lat., $152^{\circ} 31' 30''$ W. long.;

(G) Middle Bay: all waters south of a line extending from $57^{\circ} 39' 58''$ N. lat., $152^{\circ} 29' 15''$ W. long., to a point on the opposite shore at $57^{\circ} 39' 30''$ N. lat., $152^{\circ} 28'$ W. long.;

(H) Kalsin Bay: all waters south of a line from a bluff on the east shore at $57^{\circ} 36' 30''$ N. lat., $152^{\circ} 24' 30''$ W. long., to a point on the opposite shore at the southwest corner of the bay at $57^{\circ} 36' 30''$ N. lat., $152^{\circ} 28' 06''$ W. long.;

(I) Ugak Bay

(i) west of $152^{\circ} 52' 30''$ W. long.;

(ii) Eagle Harbor: within one-half statute mile of the terminus of Eagle River;

(iii) Gull Cape Lagoon: in the lagoon;

(iv) Saltery Cove: all waters north of a line from point at $57^{\circ} 29'$ N. lat., $152^{\circ} 43' 06''$ W. long., to a point on the opposite shore at $57^{\circ} 29' 48''$ N. lat., $152^{\circ} 47' 42''$ W. long.;

(J) Kiliuda Bay

(i) west of $153^{\circ} 03' 36''$ W. long.;

(ii) Dog Bay: north of a line from Coxcomb Point to Shearwater Point;

(K) Shearwater Bay: north of a line from $57^{\circ} 20' 23''$ N. lat., $152^{\circ} 52' 47''$ W. long., to $57^{\circ} 20' 45''$ N. lat., $152^{\circ} 53' 30''$ W. long.;

(L) Sitkalidak Strait: north of a line at the latitude of Old Harbor Village and west of $153^{\circ} 12' 48''$ W. long.;

(M) Barling Bay: inside a line from $57^{\circ} 10' 45''$ N. lat., $153^{\circ} 21' 47''$ W. long., to $57^{\circ} 11' 27''$ N. lat., $153^{\circ} 20' 24''$ W. long.;

(N) Kaiugnak Bay: west of $153^{\circ} 39' 32''$ W. long.;

(O) Kiavak Bay: in the lagoon and 500 yards from its mouth;

(P) Kaguyak Bay: west of $153^{\circ} 45' 07''$ W. long.;

KODIAK AREA

(8) Afognak district

(A) Kazakof Bay (Danger Bay): north of 58° 10' 54" N. lat.;

(B) Kitoi Bay: west of a line from 58° 10' 39" N. lat., 152° 17' 13" W. long., to 58° 09' 32" N. lat., 152° 18' 36" W. long.;

(C) Ruth Bay (Izhut): west of 152° 18' 33" W. long.;

(D) Seal Bay: south of 58° 21' 38" N. lat., in the inner West Bay;

(E) Pauls Bay (Perenosa): within one-half statute mile of the terminus of Pauls Creek;

(F) Discoverer Bay: south of 58° 21' 38" N. lat.;

(G) Paramanof Bay

(i) East Arm: east of 152° 45' W. long.;

(ii) South Arm: south of 58° 15' 57" N. lat.;

(H) Malina Bay: east of 152° 55' W. long.;

(I) Afognak Bay: north of a line from Otrubistoi Point to Settlement Point;

(9) Mainland district

(A) Swikshak Lagoon: all waters of the lagoon;

(B) Kukak Bay: all waters west of a line from a point at 58° 18' 52" N. lat., 154° 16' 32" W. long., then to a point at 58° 18' 45" N. lat., 154° 16' 05" W. long., then to a point at 58° 17' 18" N. lat., 154° 17' 23" W. long., then to a point at 58° 15' 56" N. lat., 154° 16' 29" W. long.;

(C) Kafil Bay: within one statute mile outside the entrance of the outer lagoon;

(D) Wide Bay: west of a line from 156° 28' 42" W. long., 57° 17' 55" N. lat., to 156° 31' 59" W. long., 57° 19' 48" N. lat.;

(E) Chiniak Lagoon: in the lagoon and 500 yards from its mouth.

Authority: AS 16.05.251(2)

ARTICLE 4. BOTTOMFISH FISHERY

5 AAC 18.410. FISHING SEASON. There is no closed season on bottomfish.

Authority: AS 16.05.250(2)

5 AAC 18.450. CLOSED WATERS. Bottomfish may not be taken by seine from June 1 through October 31 in waters listed in sec. 350 of this chapter.

Authority: AS 16.05.251(2)

KODIAK AREA

ARTICLE 5. SMELT FISHERY

5 AAC 18.510. FISHING SEASON. There is no closed season on smelt.

Authority: AS 16.05.250(2)

ARTICLE 6. HERRING FISHERY

5 AAC 18.610. FISHING SEASON. Repealed 4/8/79.

5 AAC 18.630. GEAR. Repealed 4/8/79.

5 AAC 18.632. SEINE SPECIFICATIONS AND OPERATIONS. Repealed 4/8/79.

5 AAC 18.650. CLOSED WATERS. Repealed 4/8/79.

5 AAC 18.660. QUOTAS. Repealed 4/8/79.

ARTICLE 9 SUBSISTENCE FISHERY

5 AAC 18.910. FISHING SEASONS. (a) Salmon for subsistence purposes may be taken by seines and gill nets daily from 6:00 a.m. until 9:00 p.m. during the period May 1 through November 30, except that the commercial salmon net gear and purse seine vessels registered for salmon net fishing may not be used to take salmon for subsistence purposes from June 1 through September 15.

(b) Halibut may be taken from March 1 through October 31.

(c) Steelhead taken incidental to commercial salmon fishing in Karluk Lagoon must be returned to the water unharmed.

Authority: 16.05.251(2)

5 AAC 18.930. GEAR. Halibut for subsistence purposes may be taken only by a single hand-held line.

Authority: AS 16.05.251(4)

5 AAC 18.950. CLOSED WATERS. The following waters are closed to subsistence fishing for salmon at all times:

(1) all waters of Mill Bay and all those waters bounded by a line from Spruce Cape to the northernmost point of Woody Island, then to the northernmost point of Holiday Island, then to a point on Near Island opposite the Kodiak small boat harbor entrance and then to the small boat harbor entrance;

(2) all freshwater systems of Little Afognak River and Portage Creek drainage in Discoverer Bay;

(3) all waters closed to commercial fishing in Barbara Cove, Chiniak Bay, Sallery Cove, Monashka Bay, Pasagshak Bay and Anton Larsen Bay as set forth in sec. 350 of this chapter and within 100 yards of the terminus of Selief Bay Creek;

(4) all waters north and west of a line from Last Point to Rivermouth Point in Afognak Bay.

Authority: AS 16.05.251(2)

KODIAK AREA

5 AAC 18.980. POSSESSION LIMIT FOR HALIBUT. The daily bag and possession limit for halibut is two fish.

Authority: AS 16.05.251(3)

5 AAC 18.985. PERMITS. For subsistence purposes, salmon, trout, char and herring may be taken only under authority of a permit issued by the commissioner or his local representative.

Authority: AS 16.05.251(2),(3),(4) and (12)

5 AAC 18.990. RESTRICTIONS. Subsistence gill net fishermen must be physically present at the net at all times that the net is being fished.

Authority: AS 16.05.251(4)

COOK INLET AREA

CHAPTER 21. COOK INLET AREA

ARTICLE 1. DESCRIPTION OF AREA

5 AAC 21.100. DESCRIPTION OF AREA. The Cook Inlet Area includes all waters of Alaska in Cook Inlet and Resurrection Bay north of Cape Douglas and west of Cape Fairfield, including the Barren Islands.

Authority: AS 16.05.250(2)

ARTICLE 2. FISHING DISTRICTS, SUBDISTRICTS AND SECTIONS

5 AAC 21.200. FISHING DISTRICTS, SUBDISTRICTS AND SECTIONS. (a) Northern district: north of a line extending from Boulder Point at $60^{\circ} 46' 23''$ N. lat., to Shell Platform C, then to a point on the west shore at $60^{\circ} 46' 23''$ N. lat.

(1) Eastern subdistrict: all waters south of the latitude of Point Possession, north of the latitude of Boulder Point, and east of a line from Shell Platform C to a point at $61^{\circ} 02' 40''$ N. lat., $150^{\circ} 40'$ W. long.;

(2) General subdistrict: all waters of the Northern district not specified in (a)(1) of this section.

(b) Central district: between a line extending from Boulder Point at $60^{\circ} 46' 23''$ N. lat., to Shell Platform C, then to a point on the west shore at $60^{\circ} 46' 23''$ N. lat., and the latitude of Anchor Point light

(1) Kustatan subdistrict: waters within a line from the Drift River terminal to the South Kalgin light at $60^{\circ} 20' 48''$ N. lat., $152^{\circ} 09' 42''$ W. long., then northerly along the west side of Kalgin Island to Northwest Point at $60^{\circ} 31' 15''$ N. lat., $155^{\circ} 55' 45''$ W. long., then bearing 43° to Shell Platform C, then to a point on the west shore at $60^{\circ} 46' 23''$ N. lat., excluding the waters of the Kalgin Island subdistrict;

(2) Upper subdistrict: waters within a line from Boulder Point to Shell Platform C, then bearing 223° to the Northwest Point on Kalgin Island at $60^{\circ} 31' 15''$ N. lat., $155^{\circ} 55' 45''$ W. long., then following the eastern shore of Kalgin Island to the South Kalgin light at $60^{\circ} 20' 48''$ N. lat., $152^{\circ} 09' 42''$ W. long., then bearing 224° to the Ninilchik small boat harbor excluding the waters of the Kalgin Island subdistrict;

(3) Kalgin Island subdistrict: waters within a line encompassing Kalgin Island at mean lower low water as delineated by the most recent U.S. Coast and Geodetic Survey chart number 8553;

(4) Lower subdistrict: waters between a line extending from the Ninilchik small boat harbor, then bearing 136° to the South Kalgin light at $60^{\circ} 20' 48''$ N. lat., $152^{\circ} 09' 42''$ W. long., then bearing 236° to a point one nautical mile from the bluff on the northwestern shore of Chisik Island at $60^{\circ} 10' 30''$ N. lat., $152^{\circ} 35'$ W. long., then in a

COOK INLET AREA

southerly direction one nautical mile seaward of the mean high water line to a point at the southern end of the silver salmon set net area at $59^{\circ} 31' \text{ N. lat.}$, then bearing 270° to the shore, and the latitude of the Anchor Point light, excluding the waters of the Chinitna Bay and Kalgin Island subdistricts;

(5) Western subdistrict: waters within a line from the Drift River terminal to the South Kalgin light at $60^{\circ} 20' 48'' \text{ N. lat.}$, $152^{\circ} 09' 42'' \text{ W. long.}$, then bearing 236° to a point one nautical mile from the bluff on the northeast shore of Chisik Island at $60^{\circ} 10' 30'' \text{ N. lat.}$, $152^{\circ} 35' \text{ W. long.}$, then in a southerly direction one nautical mile seaward of the mean high water line to a point at the southern end of the silver salmon set net area at $59^{\circ} 58' 05'' \text{ N. lat.}$, then bearing 270° to the shore, excluding the waters of the Kalgin Island subdistrict;

(6) Chinitna Bay subdistrict: all waters in Chinitna Bay west of a line from Spring Point to Sea Otter Point.

(c) Repealed. (Eff. 5/31/72, Reg. 42)

(d) Southern district: all waters within a line from Anchor Point west to $59^{\circ} 46' 15'' \text{ N. lat.}$, $152^{\circ} 20' \text{ W. long.}$, then south to $59^{\circ} 04' 15'' \text{ N. lat.}$, $152^{\circ} 20' \text{ W. long.}$, then in a northeasterly direction to Cape Elizabeth, then from Cape Elizabeth to Point Adam, including Katchemak Bay

(1) Port Graham subdistrict: all waters east of the longitude of Point Bede and south of the latitude of Point Pogibshi;

(2) Seldovia Bay subdistrict: all waters south of a line from Point Naskowhak to Seldovia Point;

(3) Barbara Creek subdistrict: all waters between the longitudes of Seldovia Point and Nubble Point and south of $59^{\circ} 30' \text{ N. lat.}$;

(4) Tutka Bay subdistrict: all waters east of the longitude of Nubble Point and south of the latitude of Anisom Point on the eastern shore of Eldred Passage at $59^{\circ} 32' 06'' \text{ N. lat.}$, $151^{\circ} 27' 55'' \text{ W. long.}$, including Kasitsna Bay;

(5) Humpy Creek subdistrict: all waters east of a line from Anisom Point to Coal Point and southeast of a line from Coal Point to a point north of Chugachik Island at $59^{\circ} 45' \text{ N. lat.}$, $151^{\circ} 02' 36'' \text{ W. long.}$, then southeast to a point on the mainland at $59^{\circ} 44' 30'' \text{ N. lat.}$, $151^{\circ} 02' 06'' \text{ W. long.}$;

(6) Northshore subdistrict: all waters north of a line from Coal Point to a point north of Chugachik Island at $59^{\circ} 45' \text{ N. lat.}$, $151^{\circ} 02' 36'' \text{ W. long.}$, then northwesterly to a marker one-half statute mile southwest of the terminus of Swift Creek.

(e) Kamishak Bay district: all waters within a line from $59^{\circ} 46' 15'' \text{ N. lat.}$, $153^{\circ} 00' 30'' \text{ W. long.}$, then east to $59^{\circ} 46' 15'' \text{ N. lat.}$, $152^{\circ} 20' \text{ W. long.}$, then south to $59^{\circ} 04' 15'' \text{ N. lat.}$, $152^{\circ} 20' \text{ W. long.}$, then southwesterly to Cape Douglas, including Kamishak Bay

(1) Iniskin Bay subdistrict: all waters north of a line from the point on the east shore of Iniskin Bay near Scott Island at $59^{\circ} 38' 35'' \text{ N. lat.}$, $153^{\circ} 25' 30'' \text{ W. long.}$, to a point north of South Head at $59^{\circ} 37' 20'' \text{ N. lat.}$, $153^{\circ} 33' 30'' \text{ W. long.}$;

COOK INLET AREA

(2) Cottonwood Bay subdistrict: all waters west of a line from South Head north to a point at $59^{\circ} 37' 20''$ N. lat., $153^{\circ} 33' 30''$ W. long.;

(3) Ursus Cove subdistrict: all waters west of the longitude of Ursus Head and north of $59^{\circ} 28' 05''$ N. lat.;

(4) Rocky Cove subdistrict: all waters between $59^{\circ} 28' 05''$ N. lat., and $59^{\circ} 25'$ N. lat. and west of $153^{\circ} 40'$ W. long.;

(5) Bruin Bay subdistrict: all waters between $59^{\circ} 25'$ N. lat., and the latitude of Nordyke Island and west of $153^{\circ} 40'$ W. long.;

(6) Kamishak-Douglas subdistrict: all water east of a line from McNeil Head to Nordyke Island, south of the latitude of Nordyke Island and west of the longitude of Cape Douglas;

(7) McNeil River subdistrict: all water south of the latitude of Nordyke Island and west of a line from McNeil Head to Nordyke Island.

(f) Barren Island district: all waters within a line from Cape Douglas to Cape Elizabeth, then south to $58^{\circ} 52'$ N. lat., $151^{\circ} 53'$ W. long., then west to Cape Douglas.

(g) Outer district: all waters within a line from Point Adam to Cape Elizabeth, then south to $58^{\circ} 52'$ N. lat., $151^{\circ} 53'$ W. long., then east to the longitude of Alijo Point ($149^{\circ} 44' 33''$ W. long.), then north to the mainland of Alaska

(1) Koyuktolik subdistrict: all waters east of the longitude of Point Adam and north of $59^{\circ} 13' 55''$ N. lat.;

(2) Port Chatham subdistrict: all waters north of $59^{\circ} 10'$ N. lat., and east of $151^{\circ} 50'$ W. long.,

(3) Windy Bay subdistrict: all waters west of a line from $59^{\circ} 12' 33''$ N. lat., $151^{\circ} 27' 30''$ W. long. to $59^{\circ} 14' 08''$ N. lat., $151^{\circ} 26' 24''$ W. long.;

(4) Rocky Bay subdistrict: all waters north of a line from $59^{\circ} 14' 08''$ N. lat., $151^{\circ} 26' 24''$ W. long., to $59^{\circ} 12' 50''$ N. lat., $151^{\circ} 19' 15''$ W. long.;

(5) Port Dick subdistrict: all waters of Port Dick north of $59^{\circ} 13' 12''$ N. lat.;

(A) Port Dick North section: all waters of the northern shore of West Arm bounded by a line from the marker at $59^{\circ} 18' 40''$ N. lat., $151^{\circ} 16' 50''$ W. long., south to a point 300 yards offshore then southeasterly to $59^{\circ} 16' 06''$ N. lat., $151^{\circ} 05' 55''$ W. long., then north to the waterfall at $59^{\circ} 16' 40''$ N. lat.;

(B) Port Dick South section: waters of the subdistrict not included in the Port Dick North section;

(6) Nuka Island subdistrict: all waters of Nuka Passage north of a line from Front Point to Nuka Point and south of the latitude of Hardover Point;

(7) East Nuka Subdistrict: all waters of the East Arm of Nuka Bay north of the latitude of Harrington Point.

COOK INLET AREA

(h) Eastern district: all waters east of the longitude of Alio Point ($149^{\circ} 44' 33''$ W. long.), west of the longitude of Cape Fairfield ($148^{\circ} 40'$ W. long.), and north of $58^{\circ} 52'$ N. lat.

(1) Aialik Bay subdistrict: all waters north of a line from Alio Point to Aialik Cape;

(2) Resurrection Bay subdistrict: all waters north of a line from Aialik Cape to Cape Resurrection.

Authority: As 16.05.251(a)(2)

ARTICLE 3. SALMON FISHERY

5 AAC 21.310. FISHING SEASONS. Salmon may be taken as follows:

(1) Northern district from June 25 through August 15, except that when June 25 falls within a closed weekly period, the season will open the next following open weekly period;

(2) Central District:

(A) Western subdistrict for set gill nets from June 18 until closed by emergency order, except that when June 18 falls within a closed weekly period, the season will open the next following opening period;

(B) Upper, Lower, Kalgin Island, Kustatan and Chinitna Bay subdistricts and for drift gill nets in the western subdistrict from June 25 until closed by emergency order with the following exceptions:

(i) when June 25 falls within a closed weekly period, the season will open the next following open weekly period;

(ii) for set gill nets in the Upper subdistrict and for drift gill nets within five miles of the eastern shore of the Upper and Lower subdistricts, the season closes August 15;

(3) Southern district

(A) seine gear season to be opened and closed by emergency order;

(B) set gill net season from the first Monday in June until closed by emergency order;

(4) Kamishak Bay district to be opened and closed by emergency order;

(5) Outer district to be opened and closed by emergency order;

(6) Eastern district

(A) repealed (Eff. 3/26/76, Reg. 57);

(B) repealed (Eff. 3/8/74, Reg. 49);

(C) repealed (Eff. 8/20/71);

COOK INLET AREA

(D) seine gear season to be opened and closed by emergency order after July 1.

Authority: AS 16.05.060

AS 16.05.251(a)(2),(4),(7)

5 AAC 21.320. WEEKLY FISHING PERIODS. (a) in the set gill net fishery

(1) salmon may be taken in the Northern district from 6:00 a.m. Monday until 6:00 p.m. Monday and from 6:00 a.m. Friday until 6:00 p.m. Friday;

(2) salmon may be taken in the Central district from 6:00 a.m. Monday until 6:00 p.m. Monday and from 6:00 a.m. Friday until 6:00 p.m. Friday;

(3) salmon may be taken in the Southern district from 6:00 a.m. Monday until 6:00 a.m. Wednesday and from 6:00 a.m. Thursday until 6:00 a.m. Saturday;

(4) the fishing periods set forth in (1), (2) and (3) of this subsection may be modified by emergency order.

(b) In the drift gill net fishery

(1) salmon may be taken in the Central district from 6:00 a.m. Monday until 6:00 p.m. Monday and from 6:00 a.m. Friday until 6:00 p.m. Friday;

(2) the fishing periods set forth in (1) of this subsection may be modified by emergency order.

(c) In the seine fishery

(1) salmon may be taken in the Chinitna Bay subdistrict of the Central district from 6:00 a.m. Monday until 6:00 p.m. Monday and from 6:00 a.m. Friday until 6:00 p.m. Friday;

(2) salmon may be taken in the Kamishak Bay, Outer, Eastern and Southern districts from 6:00 a.m. Monday until 6:00 a.m. Wednesday and from 6:00 a.m. Thursday until 6:00 a.m. Saturday;

(3) the fishing periods set forth in (1) and (2) of this subsection may be modified by emergency order.

Authority: AS 16.05.060

AS 16.05.251(2)

5 AAC 21.330. GEAR. (a) Hand purse seines and beach seines may be used in the Southern, Kamishak Bay, Outer and Eastern districts, and in the Chinitna Bay subdistrict east of a line from the crane on the south shore to the largest boulder at the landward end of Glacier Spit.

(b) Set gill nets may be used in the following locations:

(1) Southern district: within 1000 feet of beach areas that at mean low water are connected by exposed land to the shore except as specified in (b)(1)(E) of this section, and only in the following locations:

COOK INLET AREA

(A) on Ismailof Island east of $151^{\circ} 13' 02''$ W. long., and the mainland south of Ismailof Island from $151^{\circ} 13' 02''$ W. long., to $151^{\circ} 12' 097''$ W. long.;

(B) between Barbara Point and a point on the north side of McDonald Spit at $59^{\circ} 28' 32''$ N. lat., $151^{\circ} 36' 01''$ W. long.;

(C) from the north side of McDonald Spit at $59^{\circ} 28' 45''$ N. lat., $151^{\circ} 35' 15''$ W. long., east along the outer shoreline of McDonald Spit, and including the entire shoreline of Kasitsna Bay to the headland at the west side of the entrance to Jakolof Bay;

(D) the west shore of Seldovia Bay from Point Nashowhak to a point at the latitude of Powder Island at $59^{\circ} 25' 30''$ N. lat., $151^{\circ} 44' 15''$ W. long.;

(E) from the old cannery site on the south shore of Port Graham along the beach to the point south of English Bay at $59^{\circ} 21' 00''$ N. lat., $151^{\circ} 56' 30''$ W. long.; set gill nets in this water may be used within 2500 feet of beach areas that at mean low water are connected by exposed land to shore;

(2) Northern district: set gill nets may be used only in the following areas:

(A) waters along the north and west coast

(i) from Point McKenzie to $61^{\circ} 09' 32''$ N. lat., $151^{\circ} 02' 54''$ W. long.;

(ii) from $61^{\circ} 09' 22''$ N. lat., $151^{\circ} 03' 07''$ W. long., to $61^{\circ} 00' 52''$ N. lat., $151^{\circ} 04' 38''$ W. long.;

(iii) from $61^{\circ} 07' 41''$ N. lat., $151^{\circ} 04' 45''$ W. long., to $61^{\circ} 00' 04''$ N. lat., $151^{\circ} 23' 56''$ W. long.;

(iv) from $61^{\circ} 00' 47''$ N. lat., $151^{\circ} 23' 32''$ W. long., to $61^{\circ} 00' 44''$ N. lat., $151^{\circ} 22' 51''$ W. long.;

(v) from $61^{\circ} 00' 42''$ N. lat., $151^{\circ} 22' 27''$ W. long., to the southern boundary of the district;

(B) waters along the west coast of Fire Island from North Point to West Point;

(C) waters along the east coast

(i) from Point Possession to the latitude of Birch Hill at approximately $60^{\circ} 55'$ N. lat.;

(ii) from the latitude of Otter Creek to the southern boundary of the district;

(3) Central district: set gill nets may be used only in the following areas:

(A) waters along the west coast

(i) from the northern boundary of the district to $60^{\circ} 43' 53''$ N. lat., $151^{\circ} 48' 36''$ W. long.;

COOK INLET AREA

(ii) from 60° 29' 30" N. lat., 151° 19' W. long., to 60° 28' 30" N. lat., 152° 19' 30" W. long.;

(iii) from 60° 27' 30" N. lat., 152° 19' 44" W. long., to 60° 22' 45" N. lat., 152° 16' 30" W. long.;

(iv) repealed (Eff. 6/28/75, Reg 54);

(v) from 60° 21' 28" N. lat., 152° 21' 30" W. long., to 60° 20' 40" N. lat., 152° 22' 30" W. long.;

(vi) from 60° 16' 11" N. lat., 152° 29' 54" W. long., to 60° 14' 14" N. lat., 152° 32' 37" W. long., and from 60° 13' 25" N. lat., 152° 34' 39" W. long., to the latitude of Chisik Island light;

(vii) near Muddy River from 60° 01' 19" N. lat., 152° 36' 15" W. long., to 59° 58' 05" N. lat., 152° 40' 40" W. long.;

(viii) In Chinitna Bay from 59° 53' 10" N. lat., 153° W. long., to 59° 51' 31" N. lat., 153° 08' 10" W. long.;

(B) waters along the coast of Kalgin Island;

(C) waters along the east coast

(i) from the northern boundary of the district to the northern department marker at the mouth of the Kenai River;

(ii) from the southern department marker at the mouth of the Kenai River to the northern department marker at the mouth of the Kasilof River;

(iii) from the southern department marker at the mouth of the Kasilof River to the latitude of the department marker marking the northern limit of the closed area at the mouth of the Ninilchik River;

(D) Chisik Island.

(c) Drift gill nets may be used in the Central district, however in the Chinitna Bay subdistrict drift gill nets may only be used east of a line from the two large oil tanks on the south shore at 59° 49' 35" N. lat., 153° 5' 32" W. long., to the Department of Fish and Game marker on Glacier Spit at 59° 51' 43" N. lat., 153° 7' 50" W. long.

(d) Repealed. (Eff. 3/8/74, Reg. 49)

(e) Each fisherman shall operate or assist in operating only one type of gear at any one time.

(f) The person who holds the valid interim-use or entry permit card for any salmon net gear shall be physically present during the operation of gear.

(g) Each salmon net interim-use or entry permit card holder shall personally operate or assist in the operation of the gear. "Personally operate or assist in the operation" means being physically present at the gear site and operating gear or assisting or supervising some portion of the immediate fishing operation.

COOK INLET AREA

(h) No person shall operate or assist in the operation of salmon net fishing gear unless the interim-use or entry permit card holder for that gear is in compliance with (g) of this section.

Authority: AS 16.05.251(a)(2),(4)

5 AAC 21.331. GILL NET SPECIFICATIONS AND OPERATION. (a) No person may operate a set gill net that has not been intentionally set, staked, anchored or otherwise fixed, and no person may operate a drift gill net that has been intentionally set, staked, anchored or otherwise fixed.

(b) the maximum size for gill nets is as follows:

(1) on or after June 18 in the Western subdistrict of the Central district: six inches;

(2) on or after June 25: six inches;

(3) during periods and in locations specified by emergency order: 4¾ inches.

(c) A drift gill net may not be more than 150 fathoms in length and 45 meshes in depth. No person may operate more than one drift gill net.

(d) A set gill net may not be longer than 35 fathoms nor more than 45 meshes in depth. Each fisherman is allowed to operate a maximum of 105 fathoms of set gill net in the aggregate. South of the latitude of Anchor Point 30 fathoms of seine webbing may be used on the shore between high and low water levels.

(e) Set gill nets shall be operated in substantially a straight line. No more than 20 yards of each set gill net may be used as a single hook.

(f) Repealed. (Eff. 3/8/74, Reg. 49)

Authority: AS 16.05.251(a)(2),(4)

5 AAC 21.332. SEINE SPECIFICATIONS AND OPERATION. Hand purse seines and beach seines may not be less than 90 fathoms in length and 100 meshes in depth, nor more than 250 fathoms in length and 300 meshes in depth. Detachable or loose leads are not permitted.

Authority: AS 16.05.250(3)

5 AAC 21.334. IDENTIFICATION OF GEAR. (a) Each gill net in operation shall have a suitable bright red keg or buoy at one end shall be plainly and legibly marked with both the permanent department registration number and the initials of the operator.

(b) Markers described in 5 AAC 35.280 are not required for set gill nets.

Authority: AS 16.05.251(4)

5 AAC 21.335. MINIMUM DISTANCE BETWEEN UNITS OF GEAR. No part of a drift gill net or set gill net may be placed or operated within 600 feet of any part of another set gill net except in the Chinitna Bay subdistrict where this restriction does not apply to drift gill nets.

Authority: AS 16.05.251(4)

5 AAC 21.336. IDENTIFICATION OF GILL NET VESSEL. Each gill net fishing vessel in operation shall display its permanently assigned department registration number in

COOK INLET AREA

permanent symbols at least 12 inches in height, with lines at least one inch wide, plainly visible and unobscured on both sides of the hull or cabin at all times while fishing. Numbers must be in colors contrasting with the background. The term "vessel" includes skiffs and dories used in the fishery operation.

Authority: AS 16.05.251(4) and (12)

5 AAC 21.350. CLOSED WATER. (a) Salmon may not be taken within one statute mile of the terminus of any of the following salmon streams: Kenai River, Kasilof River, Ninilchik River, Swanson Creek, Bishop Creek, Deep Creek, Stariski Creek, Anchor River, Throe-mile Creek, Chuit River, Nikolai Creek, McArthur River, Kustatan River, Katnu River, Drift River, Kalgin Island Stream on the west coast of Kalgin Island, and salmon may not be taken near the Grecian River inside a line commencing at the Department of Fish and Game marker one mile north of Grecian River at $60^{\circ} 14' 06''$ N. lat., $152^{\circ} 32' 45''$ W. long., east to a Department of Fish and Game buoy located one mile offshore, then south 2.6 miles to a Department of Fish and Game buoy at $60^{\circ} 11' 30''$ N. lat., $152^{\circ} 30' 30''$ W. long., then west 1.6 miles to a Department of Fish and Game buoy at $60^{\circ} 11' 30''$ N. lat., $152^{\circ} 34' 10''$ W. long., then north to the Department of Fish and Game marker located one mile west of Grecian River at $60^{\circ} 13' 25''$ N. lat., $152^{\circ} 34' 10''$ W. long.

(b) Ninilchik River: waters between the latitude of a marker located approximately one statute mile north of the Ninilchik boat harbor entrance and the latitude of Anchor Point light and extending offshore for a distance of one-fourth statute mile from mean lower low water.

(c) Turnagain Arm and Knik Arm: east of a line from $61^{\circ} 02' 21''$ N. lat., $150^{\circ} 23' 38''$ W. long., to the site of the old West Point light on Fire Island, then along the eastern shore of Fire Island to North Point, then to $61^{\circ} 14' 38''$ N. lat., $149^{\circ} 59' 33''$ W. long.

(d) Kachemak Bay

(1) northeast of a line from a Department of Fish and Game marker at $59^{\circ} 44' 30''$ N. lat., $151^{\circ} 02' 06''$ W. long., to a Department of Fish and Game marker on the shore one-half statute mile southwest of the terminus of Swift Creek;

(2) all waters along the north shore of Kachemak Bay from Anchor Point west to a Department of Fish and Game marker located approximately 1.8 miles east of the Homer Spit at $59^{\circ} 38' 51''$ N. lat., $151^{\circ} 27'$ W. long., including Homer Spit and extending two miles offshore;

(3) waters of China Pool Bay south and east of the Homer Electric Association power line;

(4) waters of Sadie Cove south of $59^{\circ} 30'$ N. lat.;

(5) waters of Tuika Bay southeast of the Homer Electric Association power line;

(6) waters of Jakalof Bay south of $59^{\circ} 28' 04''$ N. lat.;

(7) waters of Seldovia Bay south of the latitude of Powder Island;

(8) waters of Port Graham Bay south of $59^{\circ} 20' 26''$ N. lat.

COOK INLET AREA

(e) Kamishak Bay

(1) waters of Cottonwood Bay west of a line from a point at 59° 38' 27" N. lat., 153° 39' 15" W. long., to a point at 59° 37' 30" N. lat., 153° 40' W. long.;

(2) all waters west of the longitude of Chenik Head (145° 03' 50" W. long.), north of 59° 12' 30" N. lat. and the south of 59° 13' 50" N. lat.

(f) Outer District

(1) waters of Port Chatham east of the spit at 151° 44' 12" W. long.;

(2) waters of Windy Bay west of 151° 32' 40" W. long.

(g) Resurrection Bay

(1) waters north of a line from a Department of Fish and Game marker at the Alaska Ferry dock to the Department of Fish and Game marker at the southwest corner of the Alaska Freight Line dock;

(2) silver salmon may not be taken north of a line from Cape Resurrection to Avalik Cape.

(h) In any bay, estuary, slough or lagoon less than 300 feet in width at mean low tide.

(i) In all other streams or rivers within 500 yards of the terminus or as posted.

Authority: AS 16.05.251(2)

ARTICLE 4. BOTTOMFISH FISHERY

5 AAC 21.410. FISHING SEASON. There is no closed season on bottomfish.

Authority: AS 16.05.250(2)

5 AAC 21.430. GEAR. (a) Bottomfish may be taken by trawls and longlines in all districts.

(b) Bottomfish may be taken by pots in all districts except in Kachemak Bay east of a line from Anchor Point to Point Bede and in Resurrection Bay north of a line from Cape Resurrection to Callisto Head.

(c) Bottomfish may be taken in the Outer and Eastern districts by sunken gill nets under the authority of a permit issued by the commissioner. The permit may specify open areas, fishing periods, gear specifications and operating specifications, and may require completion by the vessel operator of log books supplied by the department.

Authority: AS 16.05.251(4)

ARTICLE 5. SMELT FISHERY

5 AAC 21.510. FISHING SEASONS. (a) Smelt may be taken in the Northern and Central districts from October 1 to June 1.

(b) Smelt may be taken in the Eastern, Outer, Southern and Kamishak Bay districts from January 1 to December 31.

COOK INLET AREA

(c) Smelt may not be taken in fresh water.

Authority: AS 16.05.251(a)(2)

5 AAC 21.531. GILL NET SPECIFICATIONS AND OPERATION. (a) The mesh size of a gill net used for taking smelt may not be more than two and one-half inches.

(b) No set gill net may exceed 35 fathoms in length. Each fisherman is allowed to operate 105 fathoms of set gill net in the aggregate.

(c) No person may operate a drift gill net that is more than 150 fathoms in length.

Authority: AS 16.05.251(a)(4)

5 AAC 21.534. IDENTIFICATION OF GEAR. Gill nets used for taking smelt shall have a keg or buoy at one end and shall be plainly and legibly marked with both the permanent department registration number and the initials of the operator.

Authority: AS 16.05.250(3)

5 AAC 21.535. MINIMUM DISTANCE BETWEEN UNITS OF GEAR. No part of a set gill net may be placed or operated within 600 feet of any part of another set gill net.

Authority: AS 16.05.251(a)(4)

5 AAC 21.550. CLOSED WATER. Smelt may not be taken in any water listed in sec. 350 (a), (b) and (c) of this chapter.

Authority: AS 16.05.251(a)(2)

ARTICLE 6. HERRING FISHERY

5 AAC 21.610. FISHING SEASONS. Repealed 4/8/79.

5 AAC 12.630. GEAR. Repealed 4/8/79.

5 AAC 21.631. GILL NET SPECIFICATIONS AND OPERATION. Repealed 4/8/79.

5 AAC 21.632. SEINE SPECIFICATIONS AND OPERATION. Repealed 4/8/79.

5 AAC 21.634. IDENTIFICATION OF GEAR. Repealed 4/8/79.

5 AAC 21.650. CLOSED WATERS. Repealed 4/8/79.

5 AAC 21.660. GUIDELINE HARVEST LEVELS. Repealed 4/8/79.

ARTICLE 8. FRESHWATER FISHERY

5 AAC 21.850. CLOSED WATERS. Commercial fishing is prohibited in Lake Louise, Susitna Lake and Tyone Lake.

Authority: AS 16.05.250(2)

5 AAC 21.880. PERMITS. A permit is required as specified in 5 AAC 39.780.

Authority: AS 16.05.250(3)

ARTICLE 9 SUBSISTENCE FISHERY

5 AAC 21.910. FISHING SEASONS. (a) Salmon may be taken for subsistence purposes only as follows:

COOK INLET AREA

(1) in the Northern district from 6:00 a.m. July 30 until 6:00 a.m. September 21 during open commercial fishing periods;

(2) in the Central district from 6:00 a.m. August 16 during open commercial fishing periods;

(3) in the Southern district from 6:00 a.m. August 16 until the close of the commercial salmon fishing season during open weekly subsistence salmon fishing periods;

(4) repealed (Eff. 3/6/77, Reg. 61).

(b) Bottomfish may be taken from January 1 through December 31.

(c) Repealed. (Eff. 10/12/74, Reg 52)

(d) Smelt

(1) may be taken in that portion of the Kenai River from its mouth upstream to the Soldotna bridge from April 1 through May 31;

(2) may be taken in salt water from April 1 through May 31.

(e) Herring

(1) may be taken in that portion of the Kenai River from its mouth upstream to the Kenai bridge from April 1 through May 31;

(2) may be taken in salt water from April 1 through May 31 in the Northern and Central districts and throughout the year in the remaining districts of Cook Inlet.

(h) Halibut may be taken from March 1 through October 31.

Authority: AS 16.05.251(2)

5 AAC 21.920. WEEKLY FISHING PERIODS. (a) Salmon may be taken in the Northern and Central districts only during open commercial salmon fishing periods.

(b) Salmon may be taken in the Southern district from 6:00 a.m. Monday until 6:00 a.m. Wednesday and from 6:00 a.m. Thursday until 6:00 a.m. Saturday.

Authority: AS 16.05.251(2)

5 AAC 21.930. GEAR. (a) Salmon may be taken only as follows:

(1) in the Northern district by set gill nets in the locations set forth in sec. 330(b)(2) of this chapter;

(2) in the Central district by set gill nets and drift gill nets in the locations set forth in sec. 330(b)(3) and (c) of this chapter;

(3) in the Southern district set gill nets no longer than 20 fathoms may be used in any area open to commercial salmon fishing;

(4) repealed (Eff. 3/6/77, Reg. 61);

(5) repealed (Eff. 3/6/77, Reg. 61).

COOK INLET AREA

(b) Bottomfish may be taken in conformance with commercial regulations.

(c) In the taking of smelt the mesh size of gill nets may not be more than two inches and the net may not exceed 50 feet in length.

(d) Repealed. (Eff. 10/12/74, Reg. 52)

(e) In the taking of herring the mesh size of gill nets may not be more than two inches and the net may not exceed 50 feet in length.

(f) Halibut may be taken only by a single hand-held line.

Authority: AS 16.05.251(2) and (4)

5 AAC 21.934. IDENTIFICATION OF GEAR. (a) Repealed. (Eff. 3/8/74, Reg. 49)

(b) Repealed. (Eff. 3/8/74, Reg. 49)

(c) Herring: set gill nets used for taking herring shall have a float attached at one end which shall carry the name and address of the owner.

(d) Smelt: set gill nets used for taking smelt shall have a float attached at one end which shall carry the name and address of the owner.

Authority: AS 16.05.250(3)

5 AAC 21.950. CLOSED WATERS. (a) Subsistence fishing for salmon is prohibited in the locations set forth in sec. 350 of this chapter.

(b) Subsistence fishing for herring and smelt is prohibited in the Central district east of 152° W. long. and south of the latitude of Ninilchik.

Authority: AS 16.05.2351(2)

5 AAC 21.960. QUOTAS. Not more than 50 salmon may be taken under the authority of a subsistence permit.

Authority: AS 16.05.250(4)

5 AAC 21.980. PERMITS. (a) Salmon may be taken for subsistence purposes under authority of a permit which may be obtained from the local representative of the department. Each subsistence fisherman taking salmon shall keep accurate records of the catch involved, by species, location caught, date of the catch, and other such information as the department may require. Only one salmon subsistence permit will be issued to each person during a year.

(b) Smelt may be taken for subsistence purposes in freshwater under authority of a permit which may be obtained from the local representative of the department, except that a permit is not required for the Kenai River. Each subsistence fisherman taking smelt shall keep accurate records of the catch involved, location caught, and date of the catch, and other such information as the department may require.

(c) Freshwater species except for trout, grayling, char and burbot may be taken for subsistence purposes in freshwater under authority of a permit which may be obtained from the local representative of the department. Such permits may be issued for such areas and at such times as the commissioner or his representative may feel is warranted. Each subsistence fisherman taking any freshwater species shall keep accurate records of the catch involved, by species, location caught and date of the

COOK INLET AREA

catch, and other information as the department may require.

Authority: AS 16.05.250(2) and(3)

5 AAC 21.990. RESTRICTIONS. (a) Subsistence fisherman taking herring and smelt in the Kenai River must be physically present at the net at all times the net is being fished.

(b) Dip nets may not be used for taking smelt in the waters of the Kenai Peninsula.

(c) Gill nets used for taking smelt in the Kenai River may not exceed 20 feet in length.

(d) The doily bag and possession limit for halibut is two fish.

Authority: AS 16.05.251(2) and (4)

5 AAC 21.992. SIZE LIMITS. Repealed. (Eff. 10/12/74, Reg. 52)

PRINCE WILLIAM SOUND AREA

CHAPTER 24. PRINCE WILLIAM SOUND AREA

ARTICLE 1. DESCRIPTION OF AREA

5 AAC 24.100. DESCRIPTION OF AREA. The Prince William Sound area includes all waters of Alaska between Cape Fairfield and Cape Suckling.

Authority: AS 16.05.250(2)

ARTICLE 2. FISHING DISTRICTS, SUBDISTRICTS AND SECTIONS

5 AAC 24.200. FISHING DISTRICTS, SUBDISTRICTS AND SECTIONS. (a) Copper River district: all waters of Hinchinbrook Island between Hook Point and Boswell Rock including Boswell Bay waters south of a line from Boswell Rock to the radio tower at Whitshed Village, and waters between Whitshed Village and Cape Martin.

(b) Bering River district: all waters between Cape Martin and Cape Suckling.

(c) Eastern district: waters of the eastern mainland shore from the radio tower at Whitshed Village to Point Freemantle, including Bligh Island, Goose Island and other adjacent islands

(1) Valdez subdistrict: waters north of 61° 01' 51" N. lat.;

(2) Port Fidalgo subdistrict: waters east of 146° 24' W. long.

(d) Northern district: water of the northern mainland shore from Point Freemantle to a point at the southern entrance of Esther Passage at 60° 49' 22" N. lat., 147° 51' W. long., including Glacier Island, Fairmount Island, Perry Island and adjacent islands and the Naked Island group, excluding water of Unakwik Inlet north of 61° 01' N. lat.

(e) Unakwik district: waters of Unakwik Inlet north of 61° 01' N. lat.

(f) Coghill district: water north and west of a line from a point on the mainland shore at 60° 49' 22" N. lat., 147° 51' W. long., to the west island of the Bald Head Chris Island group at 60° 48' N. lat., 147° 51' 30" W. long., to Egg Rocks at 60° 46' 30" N. lat., 147° 57' 37" W. long., to Point Culcross at 60° 45' 37" N. lat., 148° 08' 37" W. long., to Esther Rock at 60° 48' 14" N. lat., 148° 10' 31" W. long., to Point Pigot at 60° 48' 15" N. lat., 148° 20' 47" W. long.

(g) Northwestern district: water south and west of a line from Point Pigot at 60° 48' 15" N. lat., 148° 20' 47" W. long., to Esther Rock at 60° 48' 14" N. lat., 148° 10' 31" W. long., to Point Culcross at 60° 45' 37" N. lat., 148° 08' 37" W. long., to the light on the south shore of the entrance to Port Nellie Juan including all water within one nautical mile of Culcross Island.

(1) Whittier subdistrict: all waters west of a line from Point Pigot to a point at 60° 40' 45" N. lat., 148° 13' 45" W. long., including Passage Canal, Blackstone Bay and Cochrane Bay;

PRINCE WILLIAM SOUND AREA

(2) Culcross Island subdistrict: all waters east of a line from Point Pigot to a point at 60° 40' 45" N lat., 148° 13' 45" W. long., south of 60° 48' 38" N. lat., and west of a line from Esther Rock to the light on the shore of the entrance to Port Nellie Juan including all waters within one nautical mile of Culcross Island, and north of a line from Port Nellie Juan light to a point on the mainland at 60° 36' 30" N. lat., 148° 11' 15" W. long., including Culcross Passage;

(3) Port Nellie Juan subdistrict: all waters southwest of a line from a point on the mainland at 60° 36' 30" N. lat., 148° 11' 15" W. long., to the Port Nellie Juan light including Port Nellie Juan and Kings Bay.

(h) Eshamy district: waters within one nautical mile of the mainland shore from the outer point on the north shore of Granite Bay to the light on the south shore of the entrance to Port Nellie Juan.

(i) Southwestern district: mainland waters from the outer point on the north shore of Granite Bay to Cape Fairfield and all waters surrounding Knight Island, Chenega Island, Bainbridge Island, Evans Island, Elrington Island, Latouche Island and adjacent islands.

(1) Port San Juan subdistrict: water of Elrington Passage north of 60° N. lat., and water within one mile of the northern and eastern shore of Evans Island, from Evans Point south to the latitude of the northern tip of Elrington Island;

(2) General subdistrict: all water of the district not described as the Port San Juan subdistrict

(j) Montague district: waters surrounding Montague Island, Green Island, Middleton Island and adjacent islands.

(k) Southeastern district: waters surrounding Hawkins Island, Hinchinbrook Island and the adjacent islands, except the waters of Hinchinbrook Island on the southeast shore between Hook Point and Boswell Rock.

Authority: AS 16.05.251(a)(2)

ARTICLE 3. SALMON FISHERY

5 AAC 24.301. SEAWARD BOUNDARY OF DISTRICTS. For the purpose of managing the historical salmon net fishery in the vicinity of the Copper River and Bering River, the outer boundary of the Copper River and Bering River districts is a line three miles seaward from a line from Cape Suckling to Cape St. Elias on Kayak Island to Hook Point on Hinchinbrook Island.

Authority: AS 16.05.251(a)(2)(7)

5 AAC 24.310. FISHING SEASONS. (a) In the Copper River district, salmon may be taken by drift gill nets from May 15 until closed by emergency order, except that when May 15 falls on a closed weekly fishing period the season will open the next following weekly open fishing period.

(b) In the Bering River district, salmon may be taken by drift gill nets from June 12 until closed by emergency order, except that when June 12 falls on a closed weekly fishing period the season will open the next following weekly open fishing period.

PRINCE WILLIAM SOUND AREA

(c) In the Coghill district and Unakwik district salmon may be taken from June 18 until closed by emergency order, except that when June 18 falls on a closed weekly fishing period the season will open the next following open weekly fishing period.

(d) The Eshamy district is closed to the taking of salmon.

(e) In the Eastern, Northern, Northwestern, Montague and Southeastern districts salmon may be taken from July 16 until closed by emergency order.

(g) In the Southwestern district salmon may be taken from July 16 until closed by emergency order except that the Port San Juan subdistrict is opened and closed by emergency order.

(h) Repealed 4/8/79.

Authority: AS 16.05.060

AS 16.05.251(a)(2),(4)

5 AAC 24.320. WEEKLY FISHING PERIODS. (a) In the Copper River and Bering River districts, salmon may be taken prior to August 7 from 6:00 a.m. Monday until 6:00 a.m. Wednesday and from 6:00 p.m. Thursday until 6:00 a.m. Saturday. From August 7 to August 31, fishing is permitted from 6:00 a.m. Monday until 6:00 p.m. Thursday. After August 31, fishing is permitted from 7:00 a.m. Monday until 7:00 p.m. Thursday.

(b) In the Coghill and Unakwik districts, salmon may be taken prior to July 1 from 6:00 a.m. Monday until 9:00 p.m. Thursday; after June 30, salmon may be taken from 6:00 a.m. Monday until 9:00 p.m. Friday.

(c) In all other districts, salmon may be taken from 6:00 a.m. Monday until 9:00 p.m. Friday.

Authority: AS 16.05.251(a)(2)

5 AAC 24.330. GEAR. (a) Drift gill nets may be used in the Coghill, Unakwik, Eshamy, Copper River and Bering River districts.

(b) Set gill nets may be used in the Eshamy district.

(c) Purse seines may be used in all districts except the Eshamy, Copper River and Bering River districts which are closed to purse seines.

(d) Repealed. (Eff. 3/8/74, Reg. 49)

Authority: AS 16.05.250(2) and (3)

5 AAC 24.331. GILL NET SPECIFICATIONS AND OPERATION. (a) Copper River and Bering River districts

(1) each drift gillnet vessel may operate no: more than one gill net; no drift gill net may exceed 150 fathoms in length, hung measure; no more than two vessels may operate together, and while operating together may not have on board each vessel gill nets of more than 150 fathoms in length, hung measure;

(2) a gill net fished by a valid interim-use or entry permit holder may not be fastened in any manner to a gill net fished by another interim-use or entry permit holder.

(3) gill nets with mesh less than eight inches may not be more than 60

PRINCE WILLIAM SOUND AREA

meshes in depth; gill nets with mesh size eight inches or larger may not be more than 40 meshes in depth.

(b) Eshamy, Coghill and Unakwik districts

(1) in the Eshamy district, a set gill net shall not be longer than 100 fathoms and shall be set in substantially a straight line; each fisherman is allowed a maximum of 150 fathoms of set gill nets in the aggregate; no more than 20 yards of each set gill net may be used as a hook and only one such hook is permitted on a set gill net; each fisherman is allowed a maximum of three set gill nets;

(2) in the Eshamy district, no fisherman may fish or have on board more than 150 fathoms of set gill net in the aggregate;

(3) the operation of each gill net shall be performed or assisted by the fisherman who holds the valid interim-use or entry permit card for that gear;

(4) drift gill nets may not be longer than 150 fathoms;

(5) in the Eshamy district, set gill nets may be attached to seine webbing on the inshore end not to exceed 10 fathoms in length; the seine webbing may remain set during the open fishing season;

(6) before July 1 in the Coghill district and at all times in the Eshamy district and Unakwik district, gill nets with mesh size less than eight inches may not be more than 60 meshes in depth, and gill nets with mesh size eight inches or larger may not be more than 40 meshes in depth.

(c) For the purpose of this regulation, a gill net shall be considered to be a drift gill net unless it has been intentionally set, staked, anchored or otherwise fixed.

(d) Vessels that are in transit from one fishing district to another fishing district may be towed and each vessel may carry its own legal limit of fishing gear in the aggregate.

Authority: AS 16.05.251(a)(2),(4)

5 AAC 24.332. SEINE SPECIFICATIONS AND OPERATION. (a) No purse seine may be less than nine and one-half fathoms or more than 17 fathoms in depth, or less than 125 fathoms or more than 150 fathoms in length, hung measure, or with mesh greater than four inches, except that the first 25 meshes immediately above the lead line may be of larger mesh. Leads exceeding 75 fathoms in length may not be used.

(b) Leads set for fishing must be removed from the water during closed fishing periods and during the closed season within two hours after such closure.

Authority: AS 16.05.250(3)

5 AAC 24.334. IDENTIFICATION OF GEAR. (a) Each gill net in operation shall have a keg or buoy at each end and shall be plainly and legibly marked with the permanent department vessel registration number in such a manner that ownership can be readily determined.

(b) Each lead for fishing shall have at each end a buoy, cork or float which shall be plainly and legibly marked with the permanent department vessel registration number in such manner that ownership can be readily determined.

Authority: AS 16.05.250(3)

PRINCE WILLIAM SOUND AREA

5 AAC 24.335. MINIMUM DISTANCE BETWEEN UNITS OF GEAR. No part of a set gill net may be placed or operated within 100 fathoms of any part of another set gill net.

Authority: AS 16.05.250(3)

5 AAC 24.350. CLOSED WATER. (a) In the Copper River district within a line from Government Rock to a point 500 yards seaward of the junction of Mountain Slough, Center Slough and Eyak River, then east within a line bounded by markers located approximately two miles seaward of the grass banks, and at all times within sloughs and in Boswell Bay within the bay.

(b) In the Bering River district

(1) from opening of season through August 8: east of a line from a point one-half the distance between Point Hey and Strawberry Point to the northwesternmost point on Kanak Island and east of a line from the southeasternmost point of Kanak Island to the southernmost point of Cape Suckling;

(2) August 9 until end of season: east of a line from Point Hey to the northeasternmost point of Kanak Island and east of a line from the southeasternmost point of Kanak Island to the southernmost point on Cape Suckling.

(c) Salmon may not be taken in the following locations:

(1) Sheep Bay: within 1,000 yards of the terminus of the stream at the head of the bay;

(2) Orca Inlet west of a line from $60^{\circ} 34' 30''$ N. lat., $145^{\circ} 46' 45''$ W. long., to $60^{\circ} 34'$ N. lat., $145^{\circ} 44' 30''$ W. long.;

(3) Comfort Cove: within 1,000 yards of the terminus of the stream at the head of the bay;

(4) Olsen Bay: north of $60^{\circ} 44' 05''$ N. lat.;

(5) St. Mathew Bay: within 2,000 yards of the terminus of the stream at the head of the bay;

(6) Two Moon Bay: within 1,000 yards of the terminus of the stream at the head of the east arm of the bay;

(7) Irish Cove: within the bay south of $60^{\circ} 46' 10''$ N. lat.;

(8) Whalen Bay: within the bay east of $146^{\circ} 15' 02''$ W. long.;

(9) Beartrap Bay: within 1,000 yards of the terminus of the stream at the head of the bay;

(10) Fish Bay, north side of Port Fidalgo: north of $60^{\circ} 48' 50''$ N. lat.;

(11) Landlocked Bay: within the bay east of the narrows at $146^{\circ} 34'$ W. long.;

(12) Galena Bay: within a line from $60^{\circ} 55' 40''$ N. lat., $146^{\circ} 38' 02''$ W. long., to $60^{\circ} 56' 27''$ N. lat., $146^{\circ} 36' 02''$ W. long., and within 1000 yards of the terminus of Indian Creek;

PRINCE WILLIAM SOUND AREA

(13) Jack Bay: within 1,000 yards of the termini of all salmon streams of the bay;

(14) Port Valdez: within the port east of $146^{\circ} 30' 30''$ W. long.;

(15) Sawmill Bay: within 1,000 yards of terminus of the salmon stream on the west shore of the bay north of the lagoon;

(16) Long Bay, north of Glacier Island: within 1,000 yards of the termini of all salmon streams in the bay;

(17) Wells Bay, north of Fairmount Island: within 1,000 yards of the termini of the two streams at the head of the bay;

(18) Unakwik Inlet: within 1,000 yards of the termini of all salmon streams in the inlet;

(19) Esther Passage: Within 1,000 yards of the termini of all salmon streams in the passage;

(20) College Fiord: north of a line extending from $61^{\circ} 04' 30''$ N. lat., 148° W. long., to $61^{\circ} 03' 30''$ N. lat., $147^{\circ} 55' 25''$ W. long before July 1; after June 30 within 500 yards of the terminus of the Coghill River and within the cove immediately north of the Coghill River mouth;

(21) Wells Passage: within 2,000 yards of the termini of all salmon streams in Wells Passage, including its tributaries, Cochrane Bay, Blackstone Bay and Passage Canal; in addition, Port Wells north of $60^{\circ} 52' 30''$ N. lat., in the Northwestern district shall be closed;

(22) Long Bay, tributary to Culross Passage: south of $60^{\circ} 41' 42''$ N. lat.;

(23) Port Nellie Juan: within 1,000 yards of the termini of all salmon streams in the port;

(24) East Finger Bay: within the bay;

(25) West Finger Bay: within the bay;

(26) Eshamy Bay and its tributary waters: all waters within the lagoon and its tributaries and within 100 yards outside the narrows at the entrance of the lagoon;

(27) Gumboot Creek, on the northwestern shore of Eshamy Bay: within 1,000 yards of the terminus of the stream;

(28) Dangerous Passage: Ewan Bay west of $148^{\circ} 08' 30''$ W. long., Paddy Bay north of $60^{\circ} 24' 30''$ N. lat., and within 1,000 yards of all other salmon streams in Dangerous Passage between $148^{\circ} 08' 45''$ W. long., and $148^{\circ} 02' 30''$ W. long.;

(29) Jackpot Bay: within the bay;

(30) Whale Bay: south of $60^{\circ} 14' 02''$ N. lat.;

(31) Port Baingridge: within the middle north arm;

PRINCE WILLIAM SOUND AREA

(32) Montague District:

(A) Zaikoff Bay: within 1000 yards of the southeastern shore of the bay from a point at $60^{\circ} 17' 50''$ N. lat., 147° W. long., to the head of the bay;

(B) Rocky Bay: within a line from a point at $60^{\circ} 21' 50''$ N. lat., $147^{\circ} 06' 15''$ W. long., to a point at $60^{\circ} 20' 39''$ N. lat., $147^{\circ} 05' 15''$ W. long.;

(C) Stockdale Harbor: within a line from a point at $60^{\circ} 19' 37''$ N. lat., $147^{\circ} 11' 50''$ W. long., to a point at $60^{\circ} 18' 37''$ N. lat., $147^{\circ} 11' 30''$ W. long.;

(D) Port Chalmers: within a line from a point at $60^{\circ} 17' 52''$ N. lat., $147^{\circ} 11' 52''$ W. long., to a point at $60^{\circ} 16' 07''$ N. lat., $147^{\circ} 12' 37''$ W. long., to a point at $60^{\circ} 15' 30''$ N. lat., $147^{\circ} 12' 30''$ W. long., to a point at $60^{\circ} 14' 24''$ N. lat., $147^{\circ} 33' 30''$ W. long., to a point at $60^{\circ} 13' 54''$ N. lat., $147^{\circ} 14' 45''$ W. long., to a point at $60^{\circ} 13' 08''$ N. lat., $147^{\circ} 16' 33''$ W. long.;

(E) Hanning Bay: within a line from a point at $59^{\circ} 59' 41''$ N. lat., $147^{\circ} 41' 41''$ W. long., to a point at $59^{\circ} 57' 08''$ N. lat., $147^{\circ} 42' 55''$ W. long.;

(F) MacLeod Harbor: within a line from a point at $59^{\circ} 53' 22''$ N. lat., $147^{\circ} 46' 46''$ W. long., to a point at $59^{\circ} 52' 30''$ N. lat., $147^{\circ} 46' 23''$ W. long.;

(33) Port Etches: east of a line from $60^{\circ} 21' 07''$ N. lat., $146^{\circ} 34' 20''$ W. long., to $60^{\circ} 20' 07''$ N. lat., $146^{\circ} 32' 45''$ W. long., and south of a line from $60^{\circ} 19' 45''$ N. lat., $146^{\circ} 34' 20''$ W. long., to $60^{\circ} 19' 04''$ N. lat., $146^{\circ} 35' 30''$ W. long.;

(34) Constantine Harbor: within the harbor;

(35) Shelter Bay, Hinchinbrook Island: within 1,000 yards of the terminus of the outlet stream of the lagoon;

(36) Anderson Bay: within the bay;

(37) Hawkins Cutoff—Orca Inlet area: south of a line at $60^{\circ} 27' 45''$ N. lat., and west of a line at $145^{\circ} 50'$ W. long.;

(38) Canoe Passage: within the passage south of $60^{\circ} 31'$ N. lat.;

(39) Eaglek Bay: north of $60^{\circ} 53'$ N. lat.;

(40) repealed 4/8/79.

(41) all waters of Sawmill Bay, Evans Island, north and west of a line from $60^{\circ} 03' 40''$ N. lat., $147^{\circ} 59' 20''$ W. long., to $60^{\circ} 02' 40''$ N. lat., $148^{\circ} 01' 35''$ W. long.;

(42) Nelson Bay within a line from a point at $60^{\circ} 39' 25''$ N. lat., $145^{\circ} 39' 45''$ W. long., to $60^{\circ} 38' 52''$ N. lat., $145^{\circ} 38' 33''$ W. long.

(d) The waters described in this section are closed to commercial salmon fishing.

Authority: AS 16.05.251(c)(2)

PRINCE WILLIAM SOUND AREA

ARTICLE 4. BOTTOMFISH FISHERY

5 AAC 24.410. FISHING SEASON. There is no closed season on bottomfish.
Authority: AS 16.05.250(2)

ARTICLE 5. SMELT FISHERY

5 AAC 24.510. FISHING SEASON. There is no closed season on smelt.
Authority: AS 16.05.250(2)

ARTICLE 6. HERRING FISHERY

5 AAC 24.605. FISHING DISTRICTS, SUBDISTRICTS AND SECTIONS. Repealed 4/8/79.

5 AAC 24.610. FISHING SEASONS. Repealed 4/8/79.

5 AAC. 24.630. GEAR. Repealed 4/8/79.

5 AAC 24.632. SEINE SPECIFICATIONS AND OPERATION. Repealed 4/8/79.

5 AAC 24.633. KELP HARVEST SPECIFICATIONS AND OPERATION. Repealed 4/8/79.

5 AAC 24.650. CLOSED WATERS. Repealed 4/8/79.

5 AAC 24.660. GUIDELINE HARVEST LEVELS. Repealed 4/8/79.

5 AAC 24.680. PERMITS. Repealed 4/8/79.

ARTICLE 8. FRESHWATER FISHERY

5 AAC 24.850. CLOSED WATERS. Crosswind Lake is closed to commercial fishing for whitefish, char and allied species.

Authority: AS 16.05.250(2)

ARTICLE 9. SUBSISTENCE FISHERY

5 AAC 24.900. FISHING DISTRICTS AND SUBDISTRICTS. Upper Copper River district: all waters of the Copper River from the confluence of the Slana River downstream to a line 200 yards upstream from the confluences of Haley Creek and Canyon Creek in Wood's Canyon as designated by markers on each bank.

(1) Chitina subdistrict: all waters of the main Copper River from a line drawn between the north bank of the Kotsina River (approximately $\frac{3}{4}$ mile upstream from the Chitina-McCarthy Road Bridge across the Copper River) west to the west bank of the Copper River downstream to a line 200 yards upstream from the confluences of Haley Creek and Canyon Creek in Wood's Canyon as designated by markers on each bank;

(2) Glennallen subdistrict: all waters of the main Copper River from the confluence of the Slana River downstream to a line drawn between markers from the north bank of the Kotsina River (approximately $\frac{3}{4}$ mile upstream from the Chitina-

PRINCE WILLIAM SOUND AREA

McCarthy Road Bridge across the Copper River) west to the west bank of the Copper River.

Authority: AS 16.05.251(2)

5 AAC 24.910. FISHING SEASONS. (a) Salmon for subsistence purposes may be taken by fishwheel or dip net as follows:

(1) in the Chitina subdistrict from June 1 through September 30;

(2) in the Glennallen subdistrict from June 1 through September 30;

Authority: AS 16.05.251(2),(4)

5 AAC 24.920. WEEKLY FISHING PERIODS. (a) Salmon for subsistence purposes may be taken by fishwheel as follows:

(1) in the Chitina subdistrict from 8:00 p.m. Tuesday until 8:00 a.m. Thursday and from 8:00 p.m. Friday until 8:00 p.m. Sunday;

(2) in the Glennallen subdistrict seven days per week.

(b) Salmon for subsistence purposes may be taken by dip net as follows:

(1) in the Chitina subdistrict seven days per week;

(2) in the Glennallen subdistrict seven days per week.

5 AAC 24.930. GEAR. (a) Salmon may be taken by the following types of gear:

(1) in freshwater: fishwheels and dip nets;

(2) in saltwater: gill nets and purse seines.

(b) Halibut may be taken only by a single hand-held line.

Authority: AS 16.05.251(2) and (4)

5 AAC 24.934. IDENTIFICATION OF GEAR. Repealed. (Eff. 3/8/74, Reg. 49)

5 AAC 24.980. PERMIT. Salmon and whitefish for subsistence purposes may be taken under authority of a yearly permit designating the time and area of fishing which may be procured from the local representative of the department. Each subsistence fisherman shall keep accurate records of the catch involved, showing the number of salmon taken by species, location, and date of the catch and such other information as the department may require. Subsistence fishing reports shall be completed on forms provided by the department, and submitted to the department office from which the permit was issued at a time specified by the department for each particular area and fishery. Only one permit will be issued to each household per year.

Authority: AS 16.05.250(2),(3) and (4)

5 AAC 24.990. RESTRICTIONS. (a) Salmon may be taken for subsistence from the confluence of the Slana River downstream to a line between the confluences of Haley Creek and Canyon Creek in Wood's Canyon. All tributaries of the Copper River, and the main Copper River upstream from the Slana River and downstream from the confluences of Haley Creek and Canyon Creek are closed to subsistence salmon fishing.

PRINCE WILLIAM SOUND AREA

(b) Repealed, eff. 6/2/78, Reg. 66.

(c) In areas open to commercial fishing and in conformance with commercial fishing regulations, the subsistence salmon limit is 10 salmon.

(d) Crosswind Lake is closed to all subsistence fishing.

(e) Fishwheels used for subsistence fishing may not be rented, leased or otherwise used for personal gain; subsistence fishwheels shall be removed from the water at the end of the permit period. Each permittee may operate one fishwheel at any one time.

(f) No commercial fisherman may hold a subsistence permit during the salmon net fishing season in salmon registration area E as described in 5 AAC 39.120.

(g) Repealed. (Eff. 3/8/74, Reg. 49)

(h) Subsistence fishing for salmon is prohibited in any area closed to commercial salmon fishing, except as otherwise provided in this chapter.

(i) Halibut may be taken from March 1 through October 31. The daily bag and possession limit is two halibut.

(j) Only one subsistence salmon permit may be issued for fishing in either or both of the Glennallen and Chitina subdistricts. The total annual possession limit for each permit is as follows:

(1) dip nets: Chitina and Glennallen subdistricts:

(A) 15 salmon for a permit issued to an individual not a member of a household under (B);

(B) 30 salmon for a permit issued to the head of a household;

(2) fishwheels;

(A) if the gross family income for the previous year exceeds \$6,000;

(i) 15 salmon for a permit issued to an individual not a member of a household under (1)(B) of this subsection;

(ii) 30 salmon for a permit issued to the head of a household;

(B) if the gross family income for the previous year is less than \$6,000;

(i) 200 salmon for a permit issued to an individual not a member of a household under (1)(B) of this subsection;

(ii) 500 salmon for a permit issued to the head of a household;

(k) The total annual possession limit for the permittee must be entered on each permit by the department representative issuing the permit. The department representative may require necessary evidence from an applicant to determine the applicable possession limit and residence of the applicant.

Authority: AS 16.05.251(2),(3),(4),(12)

HERRING FISHERY

CHAPTER 27. HERRING FISHERY.

ARTICLE 1. STATISTICAL AREAS.

5 AAC 27.005. STATISTICAL AREAS ESTABLISHED. (a) For the herring fishery, there are established the following areas with the following code letters:

Code Letter

- A— Southeastern Alaska Area, comprised of the water specified in sec. 100 of this chapter
- D— Yakutat Area, comprised of the water specified in sec. 200 of this chapter
- E— Prince William Sound Area, comprised of the water specified in sec. 300 of this chapter
- H— Cook Inlet Area, comprised of the water specified in sec. 400 of this chapter
- K— Kodiak Area, comprised of the water specified in sec. 500 of this chapter
- M— South Peninsula- Aleutian Islands Area, comprised of water specified in sec. 600 of this chapter
- N— North Peninsula Area, comprised of the water specified in sec. 700 of this chapter
- T— Bristol Bay Area, comprised of the water specified in sec. 800 of this chapter
- W— Security Cove, Etolin Strait area, comprised of the water specified in sec. 870 of this chapter
- Q— Bering Sea, Kotzebue Area, comprised of the water specified in sec. 900 of this chapter

(b) Each statistical area consists of:

(1) a registration area, comprised of all the waters within the statistical area which is territorial water of Alaska; and

(2) an adjacent seaward biological influence zone, comprised of all the water within the statistical area which is not part of the registration area.

(c) Registration areas are areas in which the department shall apply conservation and management regulations in order to protect and maintain the herring resources of the state.

(d) Adjacent seaward biological influence zones are areas which the department shall use to obtain biological and fishing effort data and other information necessary for the formulation of comprehensive and effective conservation and

HERRING FISHERY

management regulations governing herring resources inhabiting the registration area. However, regulations governing the registration area will also be applied in the adjacent seaward biological influence zone consistent with sec. 10 of this chapter.

5 AAC 27.010. APPLICATION OF REGULATIONS. (a) All regulations in this chapter applicable to a registration area are applicable also in its adjacent seaward biological influence zone, unless the regulations in this chapter do not specifically provide for any open fishing season nor specify lawful gear for any part of the registration area or adjacent seaward biological influence zone.

(b) Persons on a vessel navigating within an adjacent seaward biological influence zone shall conduct their operations and activities in full compliance with the regulations applicable to the appurtenant registration area.

(c) The commissioner may suspend the application of this section wholly or partially in any adjacent seaward biological influence zone if he finds that that application:

(1) does not tend to facilitate enforcement of regulations applicable to the registration area;

(2) does not tend to protect or conserve herring inhabiting territorial water of Alaska; or

(3) that the state has an insufficient interest in the herring inhabiting the zone to warrant extension of the jurisdiction of the state to the zone.

Authority: AS 16.05.251(a)
AS 16.10.190

5 AAC 27.020. REGISTRATION. (a) All registration areas are non-exclusive registration areas except as specified in (a)(2) of this section. A vessel may be registered for any or all of the registration areas during a registration year, except as follows:

(1) no vessel may be registered for more than one area at a time;

(2) during the period July 1 through February 28 the registration area in statistical area E is an exclusive registration area; vessels registered for area E during July 1 through February 28 may not be used to fish for herring in any other registration area during that period and vessels used to fish for herring in other registration areas during July 1 through February 28 may not be used to fish herring in registration area E during that period.

(b) Except as provided in (f) of this section, all herring fishing gear and vessels must be registered for a registration area before fishing. Area registration is accomplished by completing a registration form available from the local representative of the department.

(c) Vessel and gear area registration may be changed by the vessel owner or operator by completing a form provided by a local representative of the department. In addition, the local department representative may authorize changes of area registration over the radio or telephone if contact is made by the vessel operator, if the local representative finds that to do so would be consistent with sound enforcement policy.

HERRING FISHERY

(d) The registration year is March 1 through the last day of February.

(e) Compliance with the registration requirements of this chapter does not waive the herring entry permit requirements of the Commercial Fisheries Entry Commission.

(f) The provisions of this section do not apply to set gill net and beach seine herring fishing.

Authority: AS 16.05.251(a)(2),(4),(10),(12)

5 AAC 27.030. LANDING REQUIREMENTS. (a) Except as provided in (b) of this section, each vessel must land all herring in the area for which it is registered at the time.

(b) A herring seine, trawl or drift gill net vessel registered for an area which desires to land herring in another registration area must contact by radio a Department of Public Safety or a Department of Fish and Game employee or designee of either department before leaving the statistical area encompassing the area for which the vessel is registered, and shall submit to an inspection at the location as the employee or designee requires. A vessel acting pursuant to this authorization shall at the time of landing its catch have no greater amount of herring on board than were present at the time of any inspection.

(c) A vessel making radio contact under (b) of this section shall state to the employee or designee of the Department of Public Safety or Department of Fish and Game the amount of herring on board at the time.

(d) When a vessel lands herring under the authorization in (b) of this section, the registration under which the vessel is operating becomes invalid. In order to again become registered for an area, the vessel must again comply with the registration requirements of sec. 20 of this chapter.

(e) For purposes of (b) of this section vessels registered for the registration area in statistical areas Q, W, T or N shall make radio contact at Cold Bay, Dutch Harbor, Bethel, Dillingham or Nome.

(f) The commissioner may suspend and reinstate any or all of the requirements of (b), (c) and (d) of this section for any particular registration areas if he finds that to do so would be in the public interest.

Authority: AS 16.05.020

AS 16.05.251(a)(2),(4),(7),(12)

ARTICLE 2. GENERAL SPECIFICATIONS

5 AAC 27.035. CLOSURE OF REGISTRATION AREAS. (a) The commissioner shall monitor the condition of herring stocks in all statistical areas through the use of such data and information as are practically available.

(b) When the commissioner finds that continued fishing effort would jeopardize the viability of herring within a registration area, he shall close the registration area by emergency order.

(c) In determining whether to close a registration area, the commissioner shall consider all appropriate factors to the extent there is information available on such factors. Factors which may be considered include:

(1) the effect of overall fishing effort within the statistical area encompassing the registration area;

HERRING FISHERY

- (2) catch per unit of effort and rate of harvest;
- (3) relative abundance of herring within the area in comparison with preseason expectations of the department;
- (4) guideline harvest levels which may be adopted by regulation;
- (5) the proportion of immature or spawned out herring being handled or landed;
- (6) general information on the condition of herring within the area;
- (7) information pertaining to the maximum sustainable yield level of herring within the registration area;
- (8) timeliness and accuracy of catch reporting by buyers within the registration area to the extent that such timeliness or accuracy may reasonably be expected to affect proper management; and
- (9) adequacy of subsistence harvests within the registration area.

(d) The foregoing provisions of this section are applicable also to closures of any portion of a statistical area or registration area.

(e) After 24 hours following the closure of any registration area, no vessel registered for that area may have herring on board in water subject to the jurisdiction of the state unless:

- (1) the vessel is registered for another registration area and the season is open in the area, and;
- (2) the vessel is otherwise in compliance with secs. 20 and 30 of this chapter.

Authority: AS 16.05.060

AS 16.05.251(a)(2),(3),(4),(7),(10)

AS 16.05.251(b)

5 AAC 27.045. DISCRETIONARY OPENINGS. In any registration area or portion of one, the commissioner may delay the opening beyond the earliest date specified in the regulations if he finds that such delay would effect preservation of the public peace, health, safety or general welfare.

Authority: AS 16.05.020

AS 16.05.060

AS 16.05.251(a)(2)

5 AAC 27.050. GEAR FOR HERRING. (a) During any open herring fishing season in any registration area, herring may only be taken by those seines, gill nets, trawls or pounds permitted by the regulations in secs. 100-990 of this chapter. In areas where no legal gear is specified by the regulations in secs. 100-990 of this chapter for use during an open herring fishing season, herring may be taken by legal types of gear set forth in 5 AAC 39.105(d).

(b) No net or other obstruction may be placed across the entrance to any lagoon or bay that may prevent the free passage of herring.