

SCOMM

10:42

OVERLAYS

A. LOCAL GOVERNMENT AND SERVICE AREAS

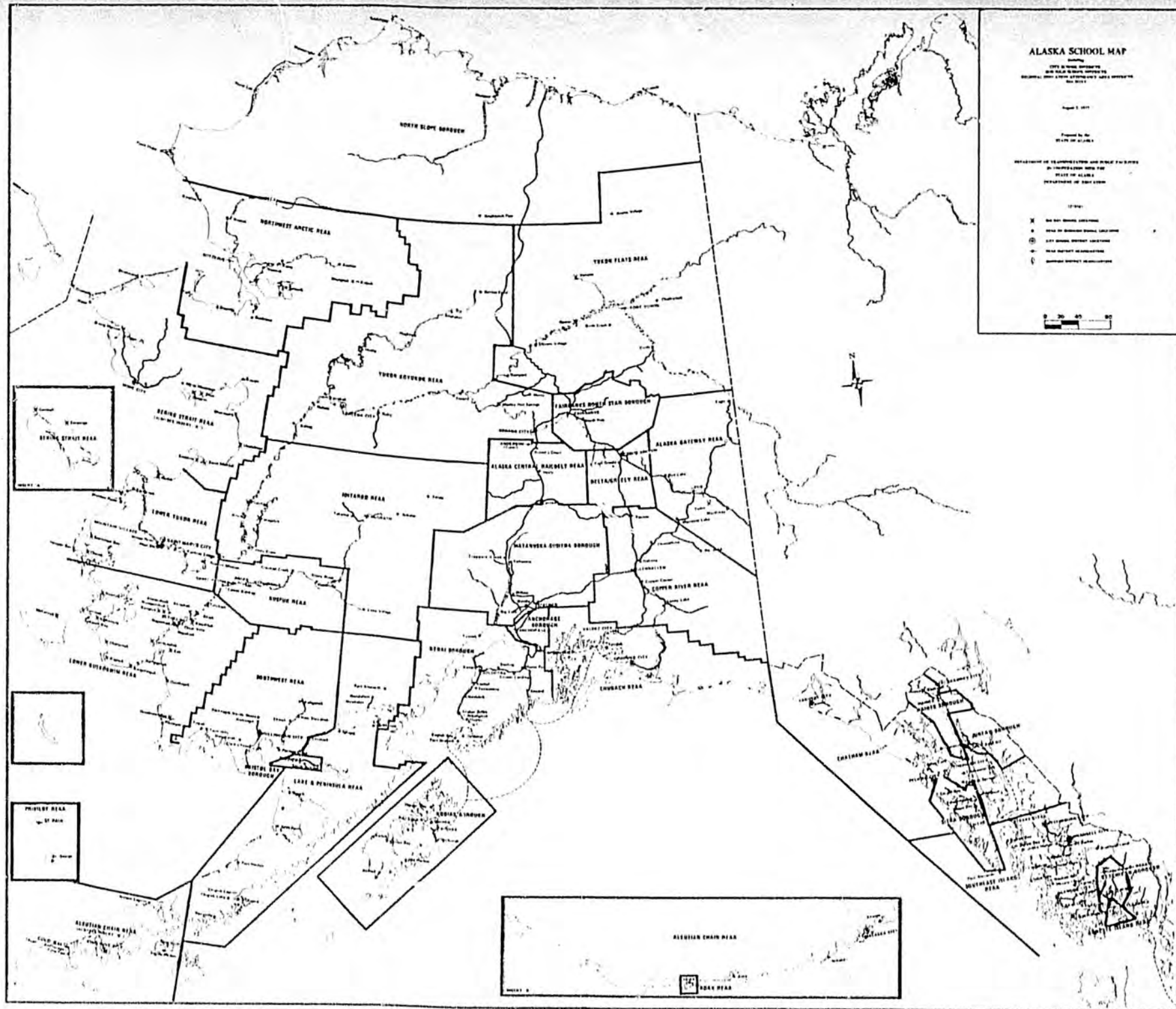
- (A - 1) EXISTING BOROUGHS
- (A - 2) REGIONAL EDUCATIONAL ATTENDANCE AREAS
- (A - 3) COASTAL MANAGEMENT SERVICE AREAS

B. ADMINISTRATIVE DISTRICTS & REGIONS

- (B - 1) DEPT. OF ENVIRONMENTAL CONSERVATION REGIONAL BOUNDARIES
- (B - 2) DEPT. OF PUBLIC SAFETY - TROOPER DETACHMENT AREAS
- (B - 3) DEPT. OF HEALTH & SOCIAL SERVICES - DIVISION OF SOCIAL SERVICES REGIONS
- (B - 4) DEPT. OF TRANSPORTATION AND PUBLIC FACILITIES REGIONAL AND DISTRICT BOUNDARIES
- (B - 5) DEPT. OF HEALTH & SOCIAL SERVICES - DIVISION OF CORRECTIONS REGIONS
- (B - 6) DEPT. OF FISH AND GAME - GAME MANAGEMENT UNITS
- (B - 7) DEPT. OF FISH AND GAME - SPORT FISH REGULATORY AREAS

C. GENERAL

- (C - 1) ALASKA NATIVE CLAIMS SETTLEMENT ACT REGIONAL CORPORATION BOUNDARIES
- (C - 2) CENSUS AREAS - 1980
- (C - 3) ELECTION DISTRICTS - 1974
- (C - 4) STATE PLANNING REGIONS



ALASKA SCHOOL MAP

1974-75 SCHOOL YEAR
 AND YEAR TO YEAR CHANGES
 NATIONAL BUREAU OF ECONOMIC RESEARCH
 1974

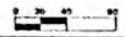
August 1, 1974

Printed by the
 STATE OF ALASKA

DEPARTMENT OF EDUCATION AND PUBLIC SAFETY
 IN COOPERATION WITH THE
 STATE OF ALASKA
 DEPARTMENT OF STATISTICS

1974

- X BOUNDARY CHANGES
- NEW OR CHANGING BOUNDARIES
- ⊕ CITY SCHOOL DISTRICTS
- ⊖ NEW SCHOOL DISTRICTS
- BOUNDARY CHANGES



2/17/2009

TAMARA CHIPS

- NATIVE REGIONAL CORPORATION BOUNDARIES + SUBREGIONAL BREAKDOWNS
- RURAL EDUCATION ATTENDANCE AREAS
- COASTAL ZONE MANAGEMENT
- CENSUS DIVISIONS 1970 & 1980 + ROGERS AND COOLEY
- ELECTION DISTRICTS + FEDERAL FIELD COMMITTEE
- BOROUGHs + FEDERAL STATE LAND USE PLANNING COMMISSION
- JUDICIAL DISTRICTS + MAN IN THE ARCTIC
- STATE PLANNING REGIONS.

Carol Rogers
 new dept. ...
DEPT OF FISH & GAME
 1) GAME MANAGEMENT UNITS
 2) FISH AND GAME ADVISORY COMMITTEES
 3) SUBSISTENCE Fish and Game Conservation Zone
 4) COMM. COMM.
 5) BELLIES APPLICANTS
 6) SPORT FISH

DEPT OF ADMINISTRATION
 1) SURVEY OF SALARIES AND BENEFITS
 uses ELECTION DISTRICTS.

DEPT. Military Affairs

DEPT. HEALTH & SOCIAL SERVICES
 1) HEALTH SERVICE AGENCIES
 2) DIVISION OF CORRECTIONS
 3) DIVISION OF SOCIAL SERVICES

UNIVERSITY OF ALASKA -

COURT SYSTEM
 REGIONAL UNITS
 JUDICIAL DISTRICTS.

Label Added 4/8/81
DEPT. OF PUBLIC SAFETY
 1) FISH & WILDLIFE PROTECTION →
 2) TROOPERS →
 3) MAJOR VEHICLES.
 (Pick up in morning)

DEPT WASH DC
DEPT. OF ECONOMIC DEVELOPMENT

See Donahoe
DEPT. OF REVENUE

PAUL
DEPT. OF MANPOWER PLANNING REGIONS.

DEPT. OF LAW

Training Division
DEPT. OF TRANSPORTATION AND PUBLIC SAFETY

CLEVELAND
DEPT. ENVIRONMENTAL CONSERVATION
 1) WATER RESOURCES
 2) AIR QUALITY CONTROL REGIONS
 3)

Bill Thompson
DEPT. OF EDUCATION
 PRESENTS

John Post
DEPT. OF LABOR

FRANK RUE
DEPT. OF NATURAL RESOURCES

POUG FORE

ATTEMPTING TO CONSTRUCT LAND STATUS MAP OF ALASKA

DEC 1, 1977

MARCH 79

MAP INDICATING CURRENT STATE SELECTIONS

- + PATENTED 21 MIL
- + TENTATIVELY APPROVED $\frac{1}{4}$ ACRES 15 MIL
- + SELECTED - OVER NATIVE SELECTIONS - COURT CASE
D-2
FED. LANDS. MOST CURRENT
L COURT CASE

FEDERAL LANDS

- EXISTING FEDERAL RESERVES
- + NATIONAL PARKS
- + NATIONAL FOREST
- + MILITARY
- + NPR - AK.
- + NATIONAL WILDLIFE RESERVE SYSTEM

D-1

[NATIONAL MONUMENT PROCLAMATION
AND FEDERAL LAND POLICY MANAGE-
MENT ACT - MAP OF JAN 1, 1979]

NATIVE LANDS

- + PRIVATE NATIVE VILLAGE & REGIONAL CORPORATIONS SELECTIONS
- + FORMER RESERVES
- + LAND FROM WHICH COOKWILLET CAN MAKE SELECTIONS.

OVERLAYS

A. LOCAL GOVERNMENT AND SERVICE AREAS

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- (A - 2) REGIONAL EDUCATIONAL ATTENDANCE AREAS
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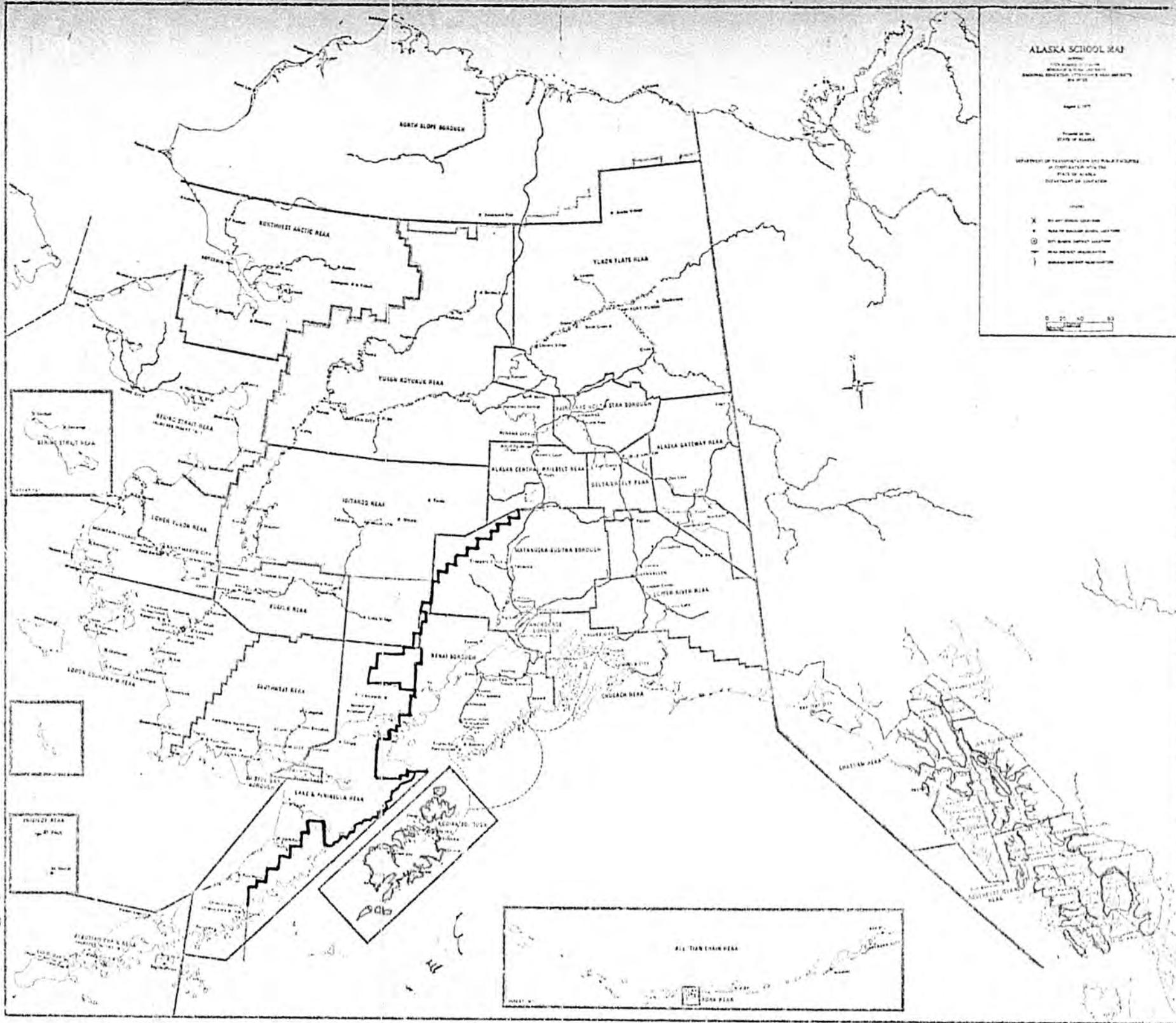
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C. GENERAL

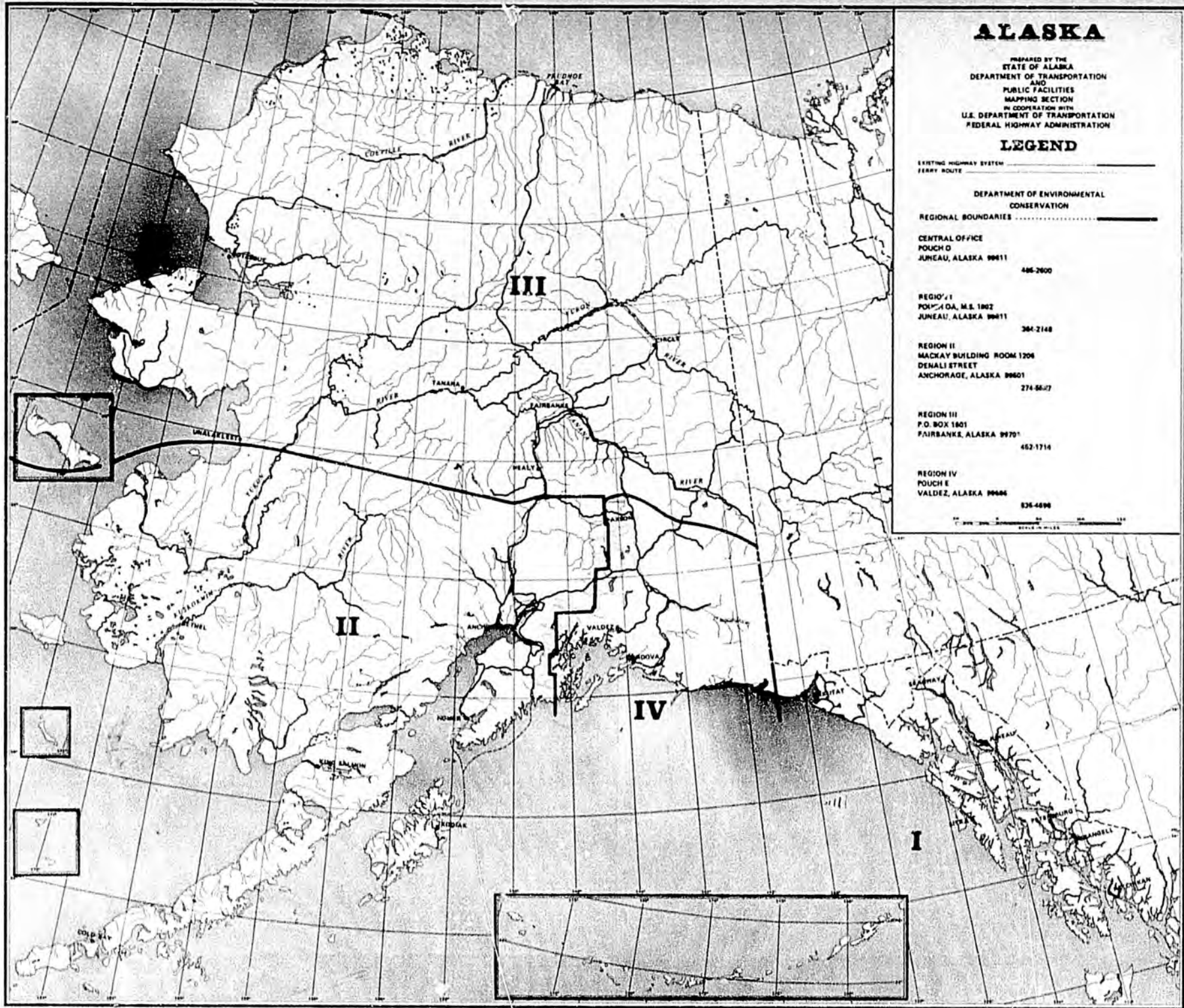
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- (C - 2) CENSUS AREAS - 1980
- (C - 3) ELECTION DISTRICTS - 1974
- (C - 4) STATE PLANNING REGIONS

Handwritten notes in Arabic script, including the word "مدرسة" (school) and other illegible characters.



Vertical handwritten notes in Arabic script along the left margin of the map.

Handwritten scribbles and marks in the lower-left quadrant of the page.



ALASKA

PREPARED BY THE
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND
PUBLIC FACILITIES
MAPPING SECTION
IN COOPERATION WITH
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

LEGEND

EXISTING HIGHWAY SYSTEM _____
FERRY ROUTE _____

DEPARTMENT OF ENVIRONMENTAL
CONSERVATION

REGIONAL BOUNDARIES _____

CENTRAL OFFICE
POUCH D
JUNEAU, ALASKA 99811
486-2600

REGION I
POUCH A, M.S. 1802
JUNEAU, ALASKA 99811
384-2148

REGION II
MACKAY BUILDING ROOM 1206
DENALI STREET
ANCHORAGE, ALASKA 99501
274-5627

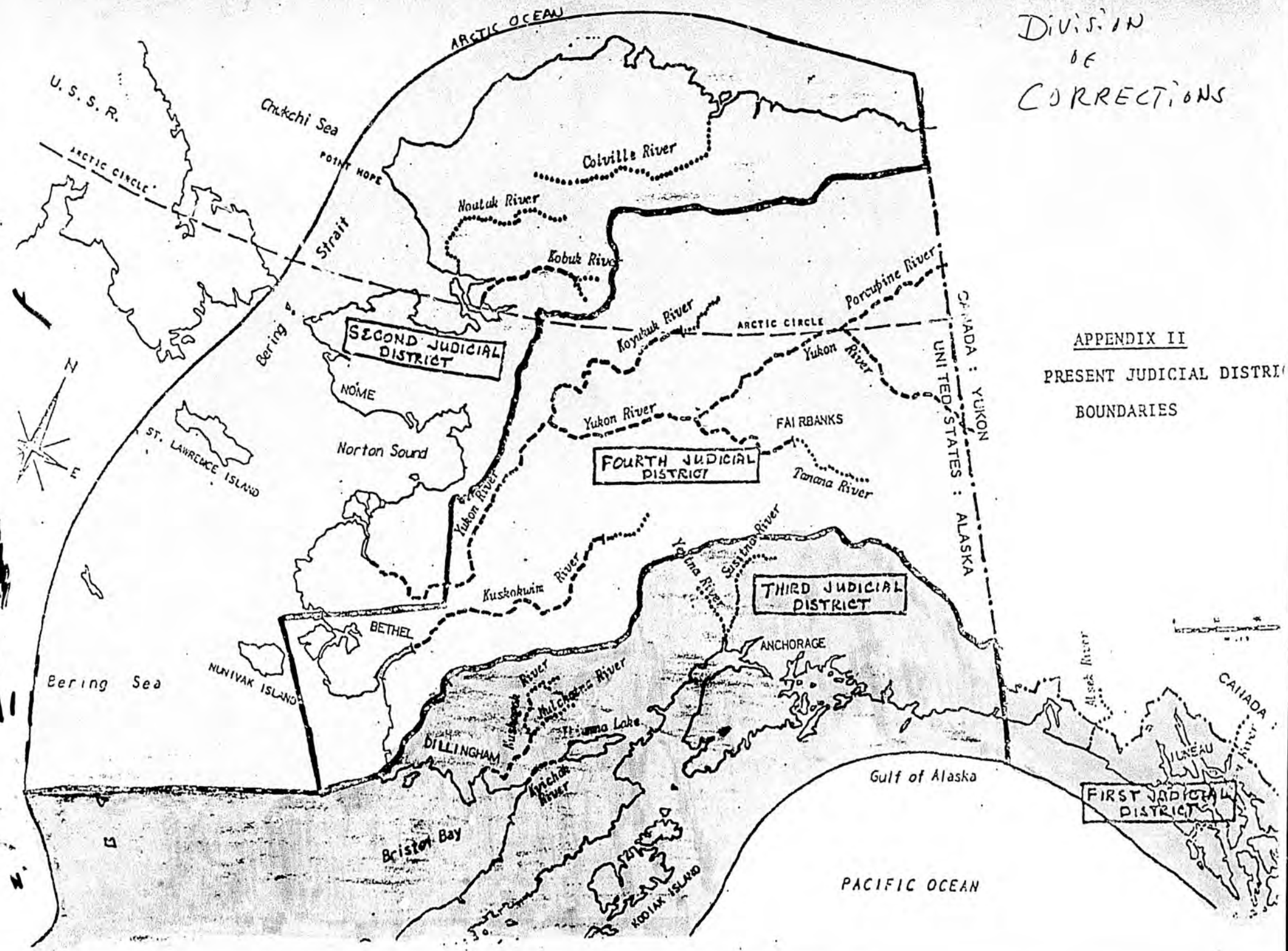
REGION III
P.O. BOX 1801
FAIRBANKS, ALASKA 99701
452-1714

REGION IV
POUCH E
VALDEZ, ALASKA 99686
836-4898

0 200 400 600 800 1000
MILES

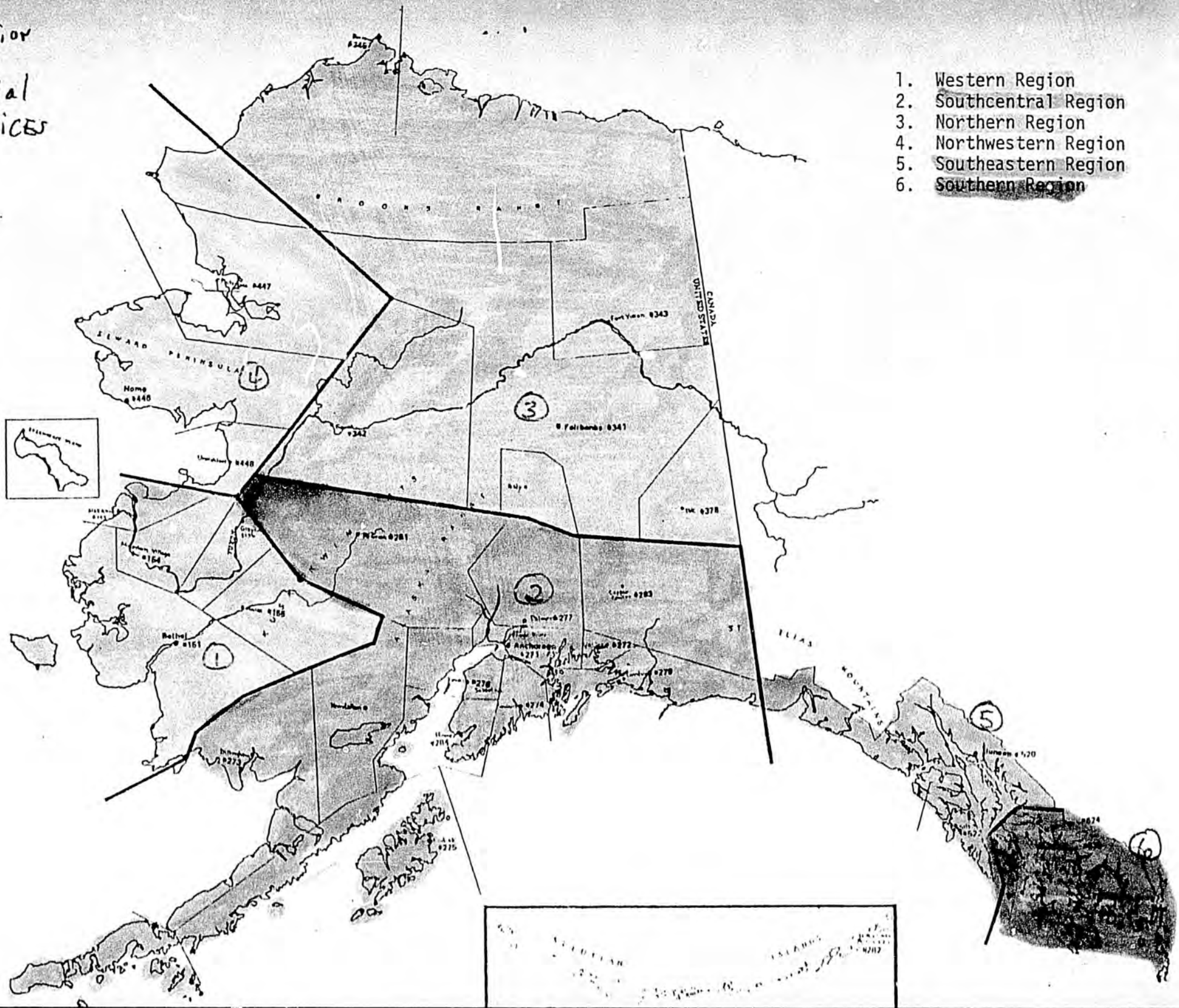
DIVISION
OF
CORRECTIONS

APPENDIX II
PRESENT JUDICIAL DISTRICT
BOUNDARIES



Division
of
SOCIAL
SERVICES

1. Western Region
2. Southcentral Region
3. Northern Region
4. Northwestern Region
5. Southeastern Region
6. Southern Region



Gene -

Please call

Joe Betie (pronounce Bealy)
Health Planning 3038

see if he can get you a map
similar to 3 attached showing
Health Systems Agencies

(1) SE

(2) SC

(3) northern

+ sub agencies if possible.

No big deal if not available
but beginning to show some
interesting planning area
variances

91

also call Art Halmerberg 3170

Did see Services & thank
for maps.

EMS - ~~not~~ ~~Gov. Study~~

4/5/79

Norm Miller / Rich Pauley

HESS - EMS Grant.

Div of Public Health. Dr. Franer.

cooper landing / Healy need small
no. \$'s for support.

Last year Malone \$500,000 for
program. - Keid 250,000 from
Governor.

Engage

looking @ HSA Bd's.

Grant applications - Region 10
HEW.

→ Major percentage in training
coordinators in intensive

→ Profits - Planning } Life support
 implementation } system

communications

transportation.

take

Health Comprehensive Care Board (SHCC) → D P D P

D P D P developing pub. state
health plan - component
EMS - on revised plan

* * need priority setting mechanism
*

new telecommunications board
apptd. will assist w/ EMS.

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED
AS A UNIT IN THE ORIGINAL DOCUMENT.

DUE TO DELAYS IN PRINTING
AND DISTRIBUTION, WE ARE
REQUESTING THAT YOU MAIL
THE QUESTIONNAIRE BACK BY
APRIL 15, 1979.
THANK YOU VERY MUCH.

APR 3 1979

^T
File _____

Shaw Gene

9/
more Districts ?

9/

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

POUCH 0 - JUNEAU 99811

March 29, 1979

The Honorable Arliss Sturgulewski
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Dear Senator Sturgulewski:

Enclosed is a questionnaire on solid waste management sent by the Department of Environmental Conservation to municipalities, Native health corporations, environmental organizations and selected industries throughout Alaska. Part of the Department's efforts is to discover whether Alaskans think this State has solid waste problems and if so, how to solve them. The answers obtained will be used in writing a statewide solid waste management plan.

Since you are familiar with the desires and needs of your constituents, you might wish to complete the questionnaire. Or you might wish to use it to facilitate discussion with community leaders in your district. In any case, we welcome your active participation in the development of the plan.

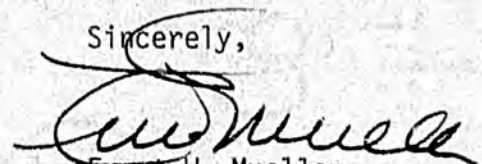
This planning effort is funded by a grant under the Resource Conservation and Recovery Act of 1976, P.L. 94-580. The purpose of the plan is to identify solid waste problems and possible solutions relevant to Alaska's unique cultural and natural characteristics.

It will be used to: a) direct the Department in efficiently allocating its resources to more effectively prevent or minimize the adverse effects of improper solid waste disposal, and b) to assist local governments, private industries and the public in their future planning and decision-making.

The initial draft of the plan will be ready for review in late Spring with completion of the final document scheduled for early 1980.

If you have any questions, please contact me.

Sincerely,



Ernst W. Mueller
Commissioner

Enclosure

A QUESTIONNAIRE ABOUT SOLID WASTE

The Department of Environmental Conservation has begun work on a statewide Solid Waste Management Plan.

WE NEED YOUR HELP!!

What is solid waste anyway?

It's all the discards of our modern society, including:

- garbage, refuse and junk
- litter along highways, in campgrounds and blowing along the Front streets of Alaskan communities
- waste oil drained from cars and snowmachines
- industrial and sewage sludges
- hazardous wastes like toxic chemicals and hospital wastes
- junked vehicles and equipment
- industrial wastes

What is usually done with solid waste?

It is:

- burned or incinerated
- reused
- landfilled
- changed so that heat energy or new products are made
- dumped on convenient lands, waters, or ice

BUT...

Sometimes improper disposal of solid wastes causes problems which affect people and the environment.

SO...

We need to know what your organization considers to be solid waste problems and what your organization thinks can be done to solve them.

PLEASE ANSWER THE QUESTIONS AS THOROUGHLY AS YOU CAN. THEN FOLD THE ENTIRE QUESTIONNAIRE, STAPLE OR TAPE, AND MAIL IT TO THE ADDRESS ON THE BACK OF THE LAST PAGE BY APRIL 1, 1979. POSTAGE HAS ALREADY BEEN PAID.

PART I

Below is a list of Problems, Recycling Possibilities, and Recommendations. Most are identified in the Department of Environmental Conservation's 1978 publication ISSUES AND CHOICES IN ALASKA'S ENVIRONMENT. Sections of this document which refer to solid waste are included for your information. Please rate each item in the columns on the right by circling the number which best describes what your organization thinks of it from a local perspective. Your answers will help us determine the importance and practicality of each one in different geographic localities.

	<u>No</u> <u>Problem</u>	<u>Slightly</u> <u>Serious</u>	<u>Serious</u>	<u>Very</u> <u>Serious</u>
<u>PROBLEMS</u>				
a. Junked or abandoned vehicles	0	1	2	3
b. Random or uncontrolled dumping of garbage and refuse in rural areas	0	1	2	3
c. Improper disposal of solid waste in urban dumps and landfills	0	1	2	3
d. No one responsible for proper disposal in many small communities	0	1	2	3
e. Lack of a comprehensive, on-going statewide clean-up effort	0	1	2	3
f. Inadequate roadside litter barrels	0	1	2	3
g. Absence of any facilities in Alaska for processing or disposing of hazardous wastes	0	1	2	3
h. Other _____	0	1	2	3

The most serious problem is: a. b. c. d. e. f. g. h.

Additional Comments: _____

	<u>Don't</u> <u>Know</u>	<u>Bad</u> <u>Idea</u>	<u>Maybe</u>	<u>Support</u> <u>Concept</u>	<u>Will</u> <u>Support</u> <u>Financially</u>
<u>RECYCLING POSSIBILITIES</u>					
a. Collect and ship south used high-quality office paper	0	1	2	3	4
b. Collect and ship south used low-quality newsprint and cardboard	0	1	2	3	4
c. Burn paper for heat	0	1	2	3	4
d. Collect and ship aluminum cans to Seattle	0	1	2	3	4
e. Collect and ship junked autos to Seattle	0	1	2	3	4
f. Collect and ship used tires to Seattle	0	1	2	3	4
g. Burn combustible municipal wastes for energy	0	1	2	3	4
h. Use waste oil for road oiling and other dust control	0	1	2	3	4

i. Burn waste oil for energy	0	1	2	3	4
j. Reinject waste oil into pipelines	0	1	2	3	4
k. Collect and ship waste oil to Seattle for re-refining	0	1	2	3	4
l. Use wastewater treatment (sewage) sludge as a soil conditioner	0	1	2	3	4
m. Other _____	0	1	2	3	4

The recycling possibility which the Department of Environmental Conservation should pursue most aggressively is: a. b. c. d. e. f. g. h. i. j. k. l.

Additional comments: _____

<u>Don't Know</u>	<u>Bad Idea</u>	<u>Maybe</u>	<u>Support Concept</u>	<u>Will Support Financially</u>
-------------------	-----------------	--------------	------------------------	---------------------------------

RECOMMENDATIONS: What does your organization think of the following ideas?

The appropriate State agencies should:

a. support the use of "community burn barrels" which don't pollute the air for small villages.	0	1	2	3	4
b. provide technical assistance to local governments in their efforts to dispose or reuse waste oil.	0	1	2	3	4
c. educate the public about the benefits of using recycled products.	0	1	2	3	4
d. receive additional funds for systematic roadside litter cleanup.	0	1	2	3	4
e. allow residents of unincorporated communities along State highways to bring solid waste to their sites for proper disposal.	0	1	2	3	4
f. initiate a State policy of purchasing products with the least amount of packaging where quality and price are the same.	0	1	2	3	4
g. set up standard operating procedures for State agencies to save and segregate paper for recycling.	0	1	2	3	4
h. consider expanding markets for products containing recycled materials.	0	1	2	3	4
i. correct purchasing policies and freight rates which discriminate against recycled goods.	0	1	2	3	4
j. research means of using low-grade or municipal wastes.	0	1	2	3	4
k. use a waste and fuel oil mixture to heat several State office buildings as a resource recovery pilot project.	0	1	2	3	4

	<u>Don't Know</u>	<u>Bad Idea</u>	<u>Maybe</u>	<u>Support Concept</u>	<u>Will Support Financially</u>
l. explore the possibility of using sludge to reestablish vegetation on logged areas and highway rights-of-way or for land reclamation after surface mining.	0	1	2	3	4
m. seek to influence federal policy and law in favor of ocean dumping of sludge in Alaska where it is the preferable disposal method and when sludge cannot be otherwise used.	0	1	2	3	4
<u>Legislation should be passed to:</u>					
n. require a high, mandatory fine for litter violations.	0	1	2	3	4
o. fund State peace officers to devote additional effort on enforcing litter statutes.	0	1	2	3	4
p. insure funding of automobile disposal costs equal to the actual costs or removal and disposal in an approved site by local government effort.	0	1	2	3	4
q. give businesses incentives for development of new equipment and new techniques capable of processing recycled materials on a more economical basis.	0	1	2	3	4

Which recommendations should the Department of Environmental Conservation give priority to in the next five years? a. b. c. d. e. f. g. h. i. j. k. l. m. n. o. p. q.

Additional comments: _____

PART II

Please answer the following questions as thoroughly as possible. If the space allowed is not enough for your answer, use the last page or attach additional sheets.

1. What other solid waste problems concern your organization?

2. With respect to the problem which your organization believes to be most serious, how could it be solved?

3. What does your community do with its solid waste? Is its disposal a health hazard? (Examples: Do children come in contact with deposited wastes; Does it attract bears?) If so, why?

4a. If your current disposal site is dangerous or unhealthy to human beings, would your organization support a proper disposal system with local tax funds? 1. Yes 2. No 3. Not dangerous or unhealthy

b. If it is unhealthy to the environment, would your organization support a proper system with local tax funds? 1. Yes 2. No 3. Not unhealthy

c. If it looks or smells bad, would your organization support a proper system with local tax dollars? 1. Yes 2. No 3. Doesn't look or smell bad

5a. "Energy or resource recovery" means that there is a potential for getting useable materials from wastes or that such wastes can be burned for energy. Should resource or energy recovery projects be subsidized by the state? 1. Yes 2. No

b. Local governments? 1. Yes 2. No

c. If so, how many years should they be subsidized? _____

d. What specific kinds of recovery projects should be subsidized? _____

6a. What barriers to energy or resource recovery do you see in your community? _____

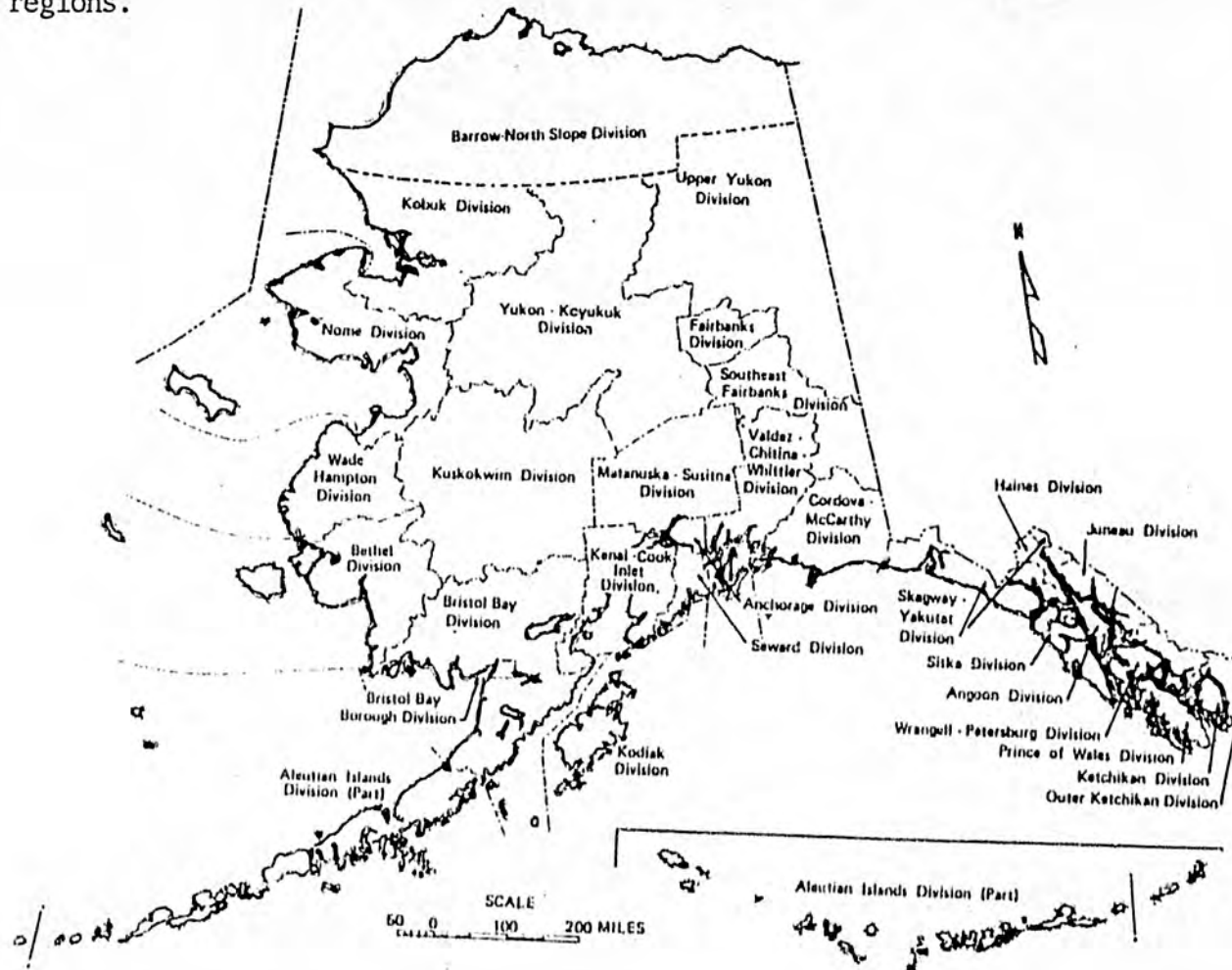
b. in Alaska? _____

7. See pages 31 and 32 in Issues and Choices for background information on these questions.
- a. What level of government should be responsible for solid waste management in the unorganized borough?
 1. Federal
 2. State
 3. Local
 4. A special regional government
 5. No government - it's the individual's responsibility

 - b. What level of government should be responsible for control and cleanup of litter.
 1. Local
 2. State
 3. No one - just enforce the litter statute
 4. Other _____

 - c. There has been some consideration given to forming solid waste management regions. They would be responsible for recycling and disposal of wastes over a larger geographic area than a single community or borough. Do you think this is a reasonable idea? 1. Yes 2. No

 - d. Below is a map of Alaska. Draw lines around areas of the state which might constitute logical regions.



8. Which of the following are the most effective way of assuring that adequate environmental safeguards are considered in building a solid waste facility?
- a. Permits (flexible on a case by case basis)
 - b. Regulations (rigid, standardized)
 - c. Tax incentives
 - d. None - we don't need any safeguards
 - e. Other _____
- _____
9. If you dispose of industrial wastes, what kinds of regulations would hinder or aid your ability to maintain a profitable operation?
- _____
- _____
- _____
10. For industries: if you were to design a set of guidelines, what would you include so as to maintain environmental quality as well as to keep yourself in operation?
- _____
- _____
- _____
11. What other disposal and recycling alternatives and recommendations should the Department of Environmental Conservation address in its plan? _____
- _____
- _____

NAME OF RESPONDENT: _____

ORGANIZATION: _____

YOUR TITLE: _____

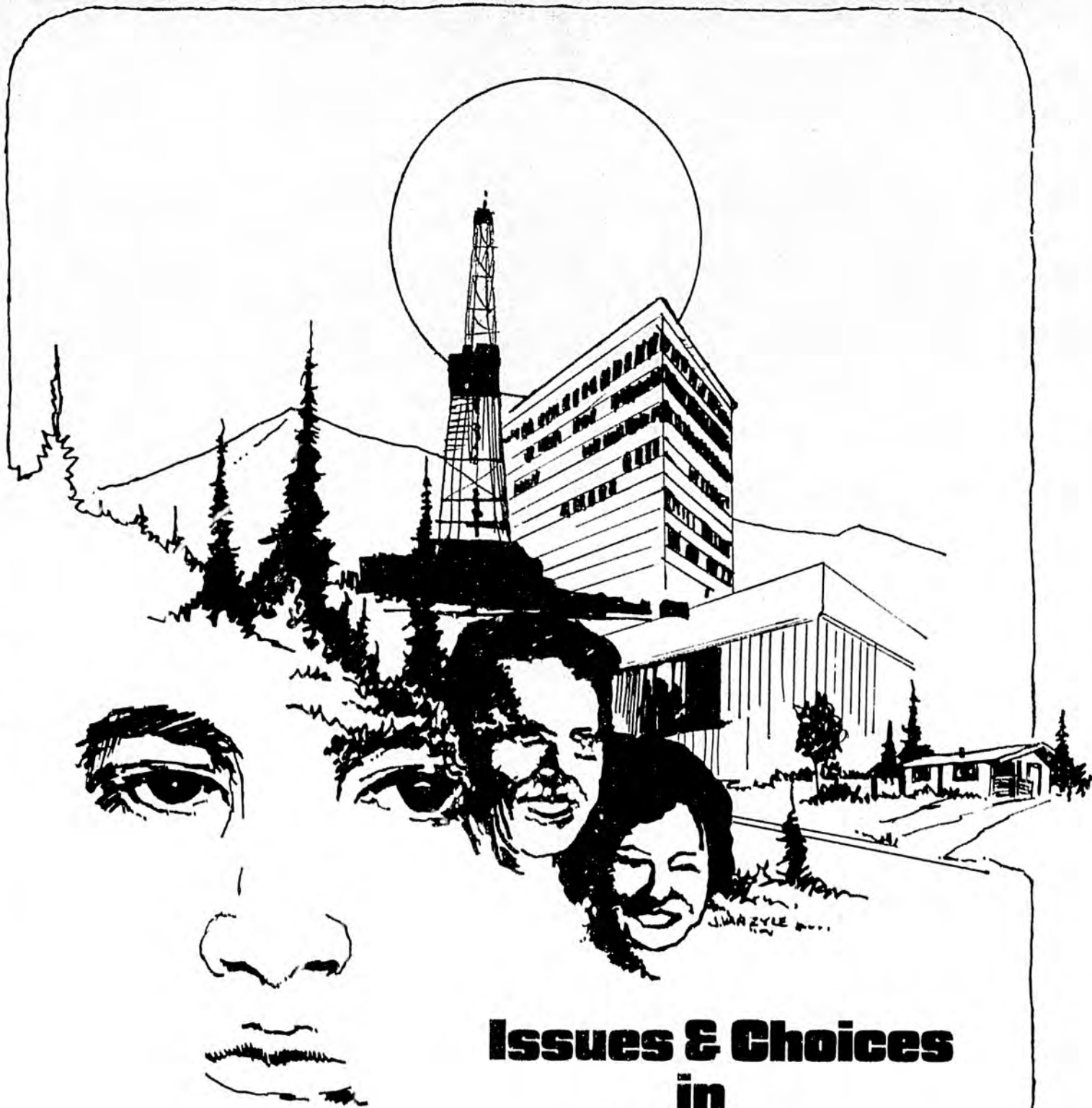
COMMUNITY: _____

Address (optional): _____

Phone (optional): _____

BULK RATE
U. S. Postage
PAID
Juneau, AK 99801
Permit No. 92

Ellen Greenberg
Terrestrial Programs
Department of Environmental Conservation
Pouch 0
Juneau, Alaska 99811



**Issues & Choices
in
Alaska's
Environment**

Division of Planning and Program Coordination
Alaska Department of Environmental Conservation
Pouch O
Juneau, Alaska 99811

September, 1978

With a special thanks to Dorothy Hendrix for her assistance in this project.



LAND

Waste:

Solid Waste Disposal in Small Communities

The Department of Environmental Conservation's Solid Waste Management regulations deal largely with those solid waste disposal situations in which someone — either a private individual or local government — has accepted responsibility for solid waste management in a community. However, there are many communities in Alaska in which no one has assumed responsibility for the community's solid waste. In these communities there may be a local "dump" to which everyone brings garbage, or individuals may dispose of it separately, scattering it about or, for example, burning it on the beach. Improperly disposed solid wastes can have adverse effects on both human and environmental health. Ground and surface waters may become polluted, which can be particularly harmful if these waters are also a drinking supply. Improper disposal can cause disease by direct contact between people and garbage or indirectly between garbage, pets, and people. Open dumps are attractive to a variety of animals, many of which, like flies, rodents, and some birds, can carry disease. Bears, attracted to open dumps, may cause public safety problems. Although the problems inherent in improper solid waste disposal are frequently recognized, many communities do not have the resources to establish approved systems. Often the costs of proper disposal are greatly increased by climatic factors. Both arctic areas and southeastern rain forest areas create special waste disposal problems.

However, we should not be content with the present situation. There are actions which can be taken that reasonably, at fairly low cost, could improve the situation faced by many small communities and temporary work camps. Present day logging camps and such temporary work camps as were built for the construction of the pipeline are required by federal and State laws to meet standards that may be significantly stricter than those adhered to by nearby communities.

LAND

Waste:

Roadside Litter

Everyone agrees that litter is unsightly and that it decreases scenic values. However, litter is not just an aesthetic problem; it is also a financial problem. Much of our litter problem occurs along our ground transportation routes. Alaska, which prides itself on its tourism opportunities, can ill afford having litter detract from this potential. At least thirty to forty percent of the volume of roadside litter consists of beverage containers. Of the remainder, the most noticeable are paper and paper products. Litter accumulation eventually requires clean-up, usually at public expense. Part of the litter problem is people's careless disposal of trash. Another part of the problem is the lack of a comprehensive pick-up program. At the present time, there is no concerted statewide clean-up effort. Some communities sponsor a spring clean-up. The Department of Transportation and Public Facilities cooperates with local governments or groups in a spring roadside clean-up, as long as no significant additional expenses are involved, since there are no extra funds budgeted for this effort. Also, after snow melts, the Department of Transportation and Public Facilities' maintenance crews pick up some roadside trash.

This is not, however, a systematic effort. The Department of Natural Resources is funded to place and empty litter barrels. However, this program is carried out only where the Department of Natural Resources, Division of Parks' personnel are stationed.

No one is responsible for litter clean-up on non-State roads. Local ordinances, even when they exist, are frequently not enforced.

Another aspect of this problem is the accumulation of litter and garbage in small communities along highway routes. Many of these communities have no approved solid waste disposal site or landfill (see Solid Waste Disposal issue).

For years, Alaskans have been aware of the litter problem. Many communities have clean-up drives. However, no truly adequate solution has been found to either the "before the fact" personal littering habit or the "after the fact" litter clean-up program.



LAND

Waste:

Junked Automobiles

The growing numbers of unsightly junked automobiles along Alaska's roadways represent both a source of valuable resources and a costly disposal problem. Some disposal solutions — erosion control along rivers and shores, dumping into lakes or old mines — often result in oil pollution of the land and water and waste the scrap metal resources. Landfill, unless properly controlled, may result in oil pollution, waste of scarce landfill sites, and loss of scrap metal resource. Recycling is the preferred solution. However, in most of Alaska, this solution is not now economical. Automobile hulks need to be collected, crushed, baled, and shipped south for recycling. The value of the scrap falls far short of the cost of towing, storing, preparing, crushing, baling, and shipping. Along the marine and major highway systems, this shortfall can be \$50 per automobile. Costs in less accessible areas are far higher. During 1977, about 30,000 junked Alaskan vehicles were recycled. Most of these junked automobiles were from southcentral Alaska where concentrated numbers keep costs down and where some governmental and private subsidy programs are available. Recently, several Southeastern communities have crushed automobiles and backhauled them on barges to Seattle. Private enterprise, with little or no subsidy, carried out this program.

Responsibility for disposal now rests with either the owner or the junkyard operator. However, the owners of stripped and abandoned automobiles are not usually identifiable.

Waste:

Toxic and Hazardous Wastes

The Alaska Solid Waste Management regulations define hazardous wastes as those "capable of causing injury, disease or impairment of health, or property damage including but not limited to poisons, pesticides, acids, caustics, infectious or pathogenic wastes, radioactive materials, explosive materials, and oil and petroleum products." The regulations also require the Department of Environmental Conservation's approval of each hazardous waste disposal action. The department's policy to date has been to require the neutralization of waste by chemical, biological or physical processes prior to disposal. Wastes which cannot be locally processed are transported out of the State to properly equipped facilities, thus insuring that no hazardous wastes are left to cause future problems.

Except for the waste generated by the Valdez ballast water treatment facility, Alaska currently has no industry that consistently generates large quantities of hazardous wastes. Population growth and petroleum development, however, will undoubtedly bring substantial increases. Those hazardous wastes that do appear are primarily toxic chemicals and pesticides, and they come from a variety of sources.

Alaska's major problem in handling hazardous wastes has been the absence of any hazardous waste processing or disposal facilities in the State. Lack of in-state facilities has meant that hazardous wastes must be shipped out of the state for processing. For several reasons this is a poor solution. First, transportation costs are so high as to encourage illicit disposal. Secondly, many states are taking over control of their hazardous wastes facilities and are discouraging importation of wastes from outside their boundaries. Finally, wastes processed locally may be processed and disposed of by unqualified, poorly equipped persons, an unnecessary hazard in itself.

The Federal Resource Conservation and Recovery Act of 1976 provides for development of a strong national hazardous waste program. It is not certain at this time how applicable this program will be to Alaska. Initial indications are that this program may be far more bureaucratically complex than Alaska's small problems can justify.



LAND

Waste:

Pesticides and Herbicides

Today, man is exposed to an ever increasing number and variety of chemicals. One such group is pesticides which includes herbicides, insecticides and rodenticides. Use of pesticides and herbicides has increased significantly since World War II. New, more toxic compounds have replaced older ones. As agricultural activities expand in Alaska, we can anticipate increased use of these chemicals. Public use of pesticides in Alaska is predominantly for mosquito and biting fly control. In rural areas, mosquito control occurs in June during the time of fish drying and berry plant flowering, possibly contaminating these food sources, especially if airborne spraying is conducted by ill-equipped or poorly trained pilots.

Private pesticide and herbicide use occurs around the home where users can suffer both acute exposure caused by misapplication and chronic, low level exposure. Currently, more herbicide use occurs on Alaskan rights-of-way than in agriculture or home use. Each year highway, pipeline, railroad, and utility rights-of-way are developed and maintained in the State. Since manual and mechanical control of vegetation is expensive, rights-of-way managers see a cost saving in using herbicides. However, when streams and areas near population centers are exposed to herbicides, use of rights-of-way for such public purposes as fishing and berry picking may be adversely affected. It is considered more environmentally sound to establish plant communities along rights-of-way on which repeated use of herbicides is not necessary.

Although the federal government is responsible for establishing the toxicity of these chemicals and for regulations to protect the well-being of man, animals, waters, and habitats, it is impossible to ever fully understand all the hazards of these compounds, singly or in combination. While the use of pesticides and herbicides has benefited us all, continuing incidents indicate a need for concern about unintentional effects of pesticides and herbicides on human health and on the various life forms in the environment. Pesticides often kill pest predators, while pests tend to become resistant. As these synthetic molecules often concentrate in living organisms in the food chain, so too do toxic effects. The natural productive capacity of the soil may be reduced, forcing increased dependency on chemical fertilizers and herbicides. Residues have been found which have required the destruction of farm animals, cessation of fishing, and retirement of residential and agricultural land. Some pesticides and herbicides cause human disease and fetal malformation. It is difficult, if not impossible, to set truly safe tolerances. Additionally, misuse of these chemicals — accidental contamination, careless release, improper disposal — remains a significant problem.

In Alaska, we must weigh the benefits of these chemicals against the risks they pose and not permit their use except when the proposed application can be demonstrated as essential to the intended purpose and without a safer alternative.

LAND

Recycling:

Recycling

American society has in this generation changed from one of mass producer of goods to a mass producer of waste. Throwaway cans, diapers, toothbrushes, and bottles on the domestic scene to disposable bazookas, satellites and vehicles on the national scale have become an acceptable way of life in this country. America is a nation of both wealth and wastefulness. The obvious need to recover many of these wasted resources becomes more evident every day. However, despite public pressure and potential, as well as real, energy and material shortages, resource recovery has a long way to go, particularly in Alaska. Since the white man first came, Alaska has been the end of a one-way road for imported materials. Until very recently the land was large and the problem small, but the problem of wastes is quickly getting out of hand. Recovering the resource value in wastes is one way to reduce the growing problem of both resource shortages and solid waste disposal.

Scrap

Scrap has a monetary value, and reprocessing is less expensive in money and energy terms than original processing. However, lack of easy and inexpensive transport from Alaskan cities to recycling markets, and the dispersed nature of recoverable wastes, are the most significant barriers to material recovery in Alaska. The least expensive rates are from Anchorage to Seattle at approximately \$33.20 per ton for scrap iron.

Higher rates exist and depend on material composition and quantity and on the point of origin of the shipment. In addition to freight costs, reclaimers must also contend with Alaskan prices for collection, processing and storage and with the increased collection costs inherent in low density population.

Feasibility of resource recovery can only be determined by comparing costs with potential return. Some of the recent prices for scrap in Seattle include:

Crushed Autos	\$30-\$35/Ton
Scrap Iron	\$45/Ton
Color-sorted Glass	\$26/Ton
Ledger paper	\$10-\$25/Ton

Despite these obstacles of high cost collection and shipping, material recovery and recycling is being done in

Alaska. Volunteer collection efforts by individuals and environmentally concerned groups have aided in recycling such specific items as paper, aluminum cans, and returnable bottles.

A commercially sponsored project of interest is the Rainier Brewing Company's returnable bottle program in some Alaskan cities. Overall percent-returned figures are not available, but it is estimated that less than five percent of the imported bottles are returned to Seattle. The main benefit of the program appears to be in improved public relations for the brewery.

Recovery of heavy scrap metals, principally iron and steel, appears to be feasible when market prices are high and when sufficient quantities have been gathered. One recovery effort removed more than 10,000 tons of unsightly heavy scrap from a Fairbanks junkyard and shipped it to Taiwan for processing. This was a private enterprise project that did not require a government subsidy. No actual cost information is available.

Junked Automobiles

Another ferrous metal reclamation activity that enhances Alaska's appearance is the collection, crushing and transporting of junked automobiles to Seattle. The first automobile crusher was brought to Anchorage about seven years ago to fulfill a contract with the Greater Anchorage Area Borough. This crusher has recently been in Fairbanks where it crushed approximately 4,000 junked automobiles. A second firm has brought a crusher to Anchorage and has the current contract with the Municipality of Anchorage. In addition to contracted processing, both firms crush vehicles for auto wrecking firms and private parties. The firms estimate a total of more than 25,000 vehicles were processed during 1975.

In addition, the Alaska State Highway Department was awarded over \$500,000 in federal highway beautification funds that were used primarily to remove abandoned automobiles from a zone that extended 1,000 feet to either side of primary highways, and to have them crushed and shipped. Most of this effort was concentrated in the Kenai Peninsula area.

Recycling:

Fluctuating scrap prices and increasing freight rates have meant that automobile crushing and shipping has required a subsidy of from \$15 to nearly \$50. The vehicle processor, who gets salvage rights to the junked vehicle, depends on the difference between the shipping costs and the scrap iron value in Seattle for some or all of his profits.

Paper

Paper recycling in Alaska is presently limited to the conversion of paper into a fire-retardant building insulation product. The company, Urethane Products, has offices in Anchorage and is expanding to Fairbanks. The present source of paper in Anchorage is the local newspapers' overprint copies which bring \$10 per ton. However, demand for the recycled product has been very low, limiting the amount of waste paper bought.

Waste Oil

Waste oil, at last report, was being generated at a rate of 2,000 gallons per day in the Anchorage area alone. It is currently being used by civilian and military organizations for road dust control, except in southeastern Alaska where this use would create runoff problems. In Fairbanks and Whittier, it is being collected and stored for refining at a later date. Service stations presently pay ten to twelve cents per gallon for removal service. Waste oil has many possible uses, including heat generation.

Tires

Automobile tires represent another difficult recycling problem in Alaska. The 1975 Greater Anchorage Area Borough Waste Management Plan projected tire and rubber products disposal at more than ten-million pounds. Presently, only one firm in Alaska retreads automobile tires, averaging approximately 200 per month for the Anchorage market. The rest are discarded. The Greater Anchorage Area Borough Plan discussed returning tires for recycling but noted that freight and handling would require a \$20 per ton subsidy. Such costs must be weighed against conventional disposal costs.

Federal Activities

Although the Federal Government has passed legislation to encourage resource recovery, federal agencies in Alaska have almost no ongoing recovery programs. Military salvage operations are the only continuing efforts that reclaim metal, rags, paper, and other products. These programs have become military tradition, but are not usually economically sound.

Commercial/Industrial Resource Recovery

Commercial and industrial organizations, with a little concentrated effort, can often find ways to recover resources from their own waste products. These activities are usually triggered by the need to save money or by the need to find some place to put a waste that cannot be disposed of in a landfill. One recent example was an oil industry proposal to put contaminated petroleum products and recovered oil-spill oils into local refinery streams for reprocessing. After State agency encouragement, Alyeska recovered considerable scrap after pipeline construction for shipment south.

In Western Alaska another case involved an airline which had a number of 55 gallon drums of contaminated jet fuel. The fuel could not be legally burned or dumped, and the drums were too rusted to transport safely. The problem was solved when a local miner bought the fuel to burn in his boilers.

Recycling:

(continued)

Municipal Wastes

The largest volume of solid waste containing reclaimable materials is municipal refuse. Although the materials are there, the major difficulty is in economically separating them from the homogeneous mass. Also, the quality of many of these materials is poor.

The primary recoverable resource in refuse, at least in Alaska, is probably energy. This can be recovered by burning the combustible portion of refuse to provide energy for heating or power generation. Refuse may also be burned in an oxygen deficient chamber (pyrolysis) to obtain petroleum-like fuels for later use. Another process produces a charcoal briquette for use in stoker-fed furnaces.

Composting has been a successful method of disposing of solid waste, sludge, and commercial and municipal wastes. The final product is soil. Large scale composting has been used as a disposal/recycling technique in such cold climate places as the state of Maine and Scandinavian countries. It is possible that this method could be used in parts of Alaska. A significant benefit of composting would be that it is less space consuming than more traditional landfills.

Recycling:

Sludge Disposal

Both primary and secondary sewage treatment, required by federal law, produce a solid waste called "sludge." As more Alaskan municipalities expand their treatment systems, more sludge will be produced. We tend to regard sludge as a disposal "problem." The federal Environmental Protection Agency has prohibited ocean dumping of sludge. Many communities, especially in Southeast, incinerate their sludge. Not only is this a costly process, but it can also pollute the air. Other communities look to landfill as a solution to their disposal problem. It can be difficult to find suitable land to use for sludge disposal. However, sludge is not a waste but a potential resource. The "sludge problem" is not really a crisis at all but an opportunity. In the lower forty-eight states, sludge is recycled into a peat-like mulch and sold by a few cities as a soil conditioner. For over fifty years this practice has been profitable. Properly treated, stabilized by composting or other processes, and dried, sludge is safely free of pathogens; since few communities have heavy industry, toxic metal contamination should not be the problem in Alaska that it is in other states. Each community needs to look at sludge in terms of its own needs and economics. A small community may produce a couple of tons of sludge per day and may not be able to use it all. In other communities, reuse and recycling may be possible with some imaginative thought.

LAND

Recycling:

Waste Oil

Disposal of waste oil from public and commercial maintenance shops, as well as from vehicles owned by individuals, is one problem that Alaska shares with other parts of the nation. These waste oils contain toxic substances, including heavy metals. There is no simple acceptable disposal method for waste oil: it can neither be used for land-fill nor disposed of by open burning, and cannot be introduced into sewage systems. Waste oil does, however, have a potential resource value that can be recovered. Used crankcase oil can be rerefined. The technical problems with cleaning and rerefining oil can be overcome and a high-quality lubricating oil can be produced. One of the most promising new rerefining methods involves propane extraction, vacuum distillation, and hydrofinishing (PVH). It has been predicted that the rerefining industry will grow at an annual rate of 23 percent between 1977 and 1985. By 1985, some 125 companies may be refining as much as 840 million gallons of oil each year. Some states have already initiated waste oil management programs, and Phillips Petroleum Co. is now building a PVH plant for the State of North Carolina. Other states, including Alaska, are encouraging waste oil collection and beginning to seriously study the waste oil problem.

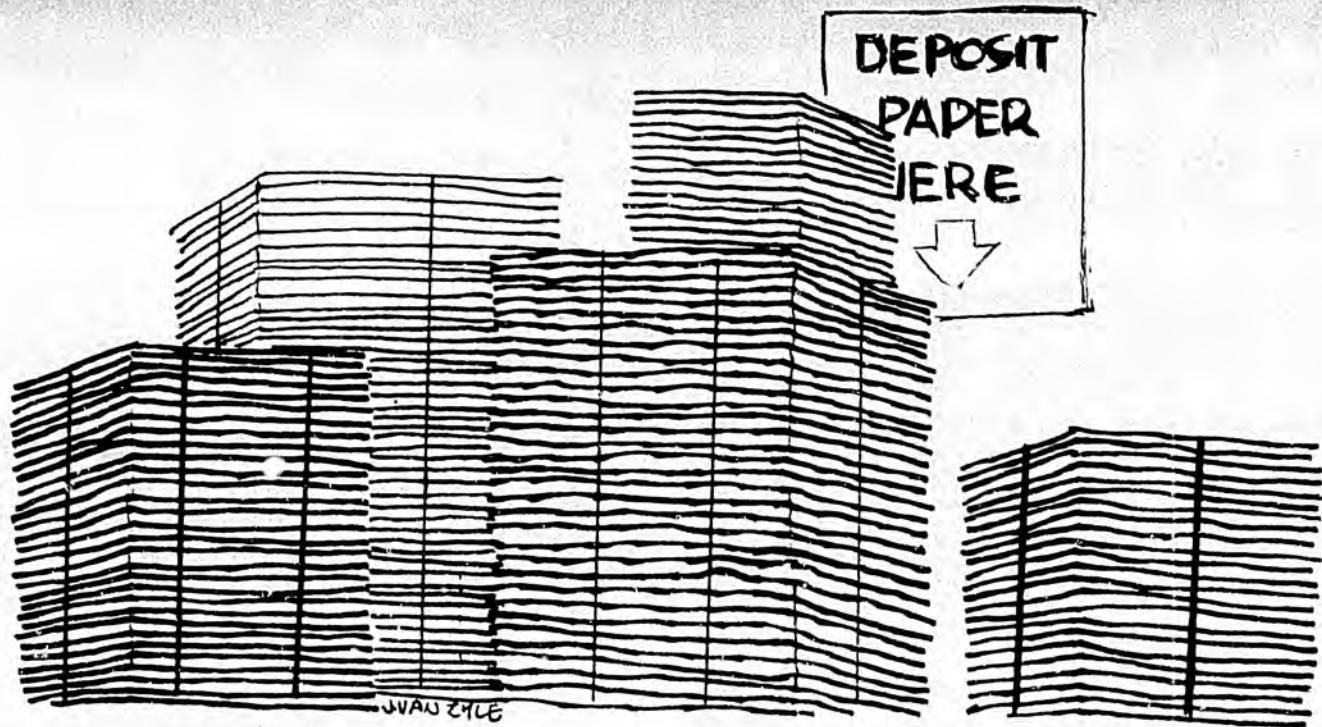
Some Alaskan communities have tried to deal with the problem of waste oil by reusing it. In Anchorage there are two prime collectors of waste oil that provide services to local service stations, bulk plants, garages, airports and other sources. These collectors allow the waste oil to settle in storage tanks. Then it is used to oil roads and construction sites. Although there are no facilities in Alaska for rerefining oil, there are a number of private companies and municipal agencies collecting waste oil for uses other than oiling roads. The Juneau Public Works Department uses waste oil to heat the city shops, and Juneau also ships waste oil to Washington State where it is rerefined. Kodiak tried to adapt its heating burners to use waste oil, but had problems from clogging and corrosion. A fisheries processor in Seward and Petersburg uses special burners which use the heavier waste oil as industrial fuel. The Usibelli Coal Mine at Healy sprays waste oil on coal to control dust and to enhance the BTU value of the coal. However, by and large, the individual who has just changed the oil in his/her car often has little alternative than to illegally dump the waste oil.

Communities need to find alternative uses for waste oil. Experience in other states indicates a variety of possibilities: use in coal fired plants; heating of public buildings; use in asphalt manufacture; reprocessing to heating oil; reinjection into pipelines. Centrally located receiving points should be established for the collection of waste oil here, and consideration should be given for reuse of oil in both



rural and urban communities. It is possible that in the future, enough waste oil could be collected in some regions to provide sufficient quantities for a rerefining operation in Alaska. Assessment of these possibilities requires more data than are now available about the amounts of waste oil generated and requires attention to such traditional Alaskan problems as transportation, scattered sources, and economies of scale. Alternative uses will, therefore, vary from community to community.

Waste oil is an environmental threat if improperly used, and not properly disposed of after use. But with effort, secondary uses for waste oil could be found which might lower the cost of refined petroleum lubricants and fuels. Our supply of petroleum natural resources could be extended by recycling oil. Action by individuals, communities and the State government will determine appropriate Alaskan responses to the waste oil dilemma.



Recycling:

Paper Recycling

Paper and paper products constitute the largest single component of municipal solid waste and litter. It is estimated that Alaskans produce one ton of solid waste per capita per year, forty-five percent of which is paper products. This is approximately 200,000 tons per year.

Most of this paper finds its way to a variety of landfills and dumps scattered around the State. As one of the less dense components of solid waste, paper requires more volume of landfill space per unit weight than others. In some areas of Alaska, landfill space may be at a premium either because of land costs, availability, or, as in southeast Alaska, lack of suitable land for this purpose.

Some categories of paper retain a value even after initial use. For example, recyclers in Seattle will buy used paper stock for prices ranging from \$10 to \$175 per ton. Computer cards have the highest value. Where handling and shipping costs can be kept down, volume users of computer cards have them backhauled to recyclers.

Recyclable waste paper may amount to several thousand tons per year in Alaska, though only a few hundred tons are ever reused. Increased paper prices, diminished resources and increasing volume of usage should spark new interest. As an example of what can be done, it appears that a paper recycling program can be operated by the State or by a private contractor at a profit. State offices in Juneau generate from 20 to 30 tons of recyclable waste paper per month. An equal amount is generated by others in Jun-

eau — local and federal government offices, schools, banks, and so forth. The State's waste paper and other refuse is picked up nightly, compacted, baled, and taken to the municipal landfill. This is a costly process for both state and local taxpayers. However, fully a third of this waste-paper is worth \$80 or more per ton in Seattle. While Alaska's storage and shipping problems create additional costs, there is a high probability that a paper recycling program could be successful, if employees segregated high value waste paper for shipment south. Such a resource recovery program could demonstrate the feasibility of conservation practices to local governments, business and private citizens. It may even be feasible at some future time to recycle waste paper through Alaska's own pulp mills. Assurance of large volume supplies would be necessary to offset expensive equipment costs.

Other methods available for reducing the paper problem involve processing before final disposal. To get higher densities in the landfill, paper, along with other wastes, can be shredded, baled and/or incinerated. If incineration is used, heat may be recovered from the paper fuel, thereby lowering both landfill costs and fuel costs.

Still another method to help solve the paper problem is source reduction. Much of what comes into Alaska is enclosed in multiple packaging. In many cases this is unnecessary. The elimination of excess cardboard and paper packaging would have a marked impact on the amount of paper needing disposal or recycling.

Waste:

Recommendations

1. The State should finance a research, design and demonstration project to produce a low cost, efficient, and simple "community burn barrel" for small communities with waste volumes smaller than those which fall under air quality regulations. Once such a "community burn barrel" has been designed, communities should be given assistance through revenue sharing to buy or build these incinerators and for operation of this waste management system. For unincorporated communities along or connected to highways for which the Department of Transportation and Public Facilities has litter collection responsibilities (or has or can have a disposal site), the Department of Transportation and Public Facilities should allow local residents to bring, at a predetermined time, solid waste for proper disposal.
2. The Department of Transportation and Public Facilities should receive additional funds for systematic roadside cleanup. Furthermore, to impress upon people the need to change personal habits, the Governor should direct all State peace officers to devote additional effort to enforcement of the law prohibiting littering (18 AAC 60.080(a)). A high, mandatory fine should be assessed for violations. The Department of Environmental Conservation should examine the feasibility of establishment of at least one State-owned, contracted or licensed hazardous waste disposal facility. The Department of Environmental Conservation should also consider contracting for hazardous waste disposal at the state-owned facilities in Washington or Oregon. Regulation of in-hospital disposal of pathogenic wastes should remain with the Section of Licensing and Certification of the Department of Health and Social Services. As part of its toxic and hazardous materials responsibilities, the Department of Environmental Conservation should develop expertise to assess the toxic and physical effects of petrochemicals on human and environmental health. Further, the Department should incorporate the most advanced scientific and public health information into its review of industry plans and permit requests.
3. The Department of Environmental Conservation should educate the public regarding the hazards of pesticides and herbicides. Non-toxic means of control should be publicized and encouraged. All users of dangerous pesticides and herbicides should be trained and tested. Broadcast use of herbicides should be strictly controlled by Department of Environmental Conservation regulations. Since little is known about the behavior of herbicides and pesticides in Alaska, agency users of these chemicals should be encouraged to establish monitoring programs to determine length of time residues persist and the mobility of these chemicals in soils and streams.
4. Legislation should be considered which would insure funding of automobile disposal costs equal to the actual costs of disposal by local government effort, with costs to be reimbursed by the Motor Vehicle Division of the Department of Public Safety from the general fund. Where even subsidized recycling is not economical, junked automobiles should have their petroleum products removed, be crushed and buried in an approved sanitary landfill.
5. Until superior technology is developed for long term storage, no water, land or geological formation in Alaska should be used for the storage of nuclear waste materials.

Recycling:

Recommendations

1. The State should present recycling incentives to the public and industry. Elsewhere, bounties paid to non-profit groups for recycling cans and scrap, and loan programs for the development of innovative resource recovery methods have been successful. State agencies could set an example by converting the oil-fired boilers in State-owned buildings to utilize a fuel oil/waste lubricating oil mixture. The State could explore the possibility of using sludge to reestablish vegetation on mined areas or highway rights-of-way, or for land reclamation after surface mining. The Department of Administration should initiate a State policy of purchasing products with the least amount of packaging where quality and price are the same. The Department of Administration should set up standard operating procedures for State government to save and segregate paper for recycling. Federal government offices and other waste paper generators should be encouraged to participate in the same or a similar program.
2. Businesses should be given incentives for development of new equipment and new techniques capable of processing recycled materials on a more economical basis, including possible action by the Department of Commerce and Economic Development to create expanded markets for products containing recycled materials. The Departments of Commerce and Economic Development and Administration should emphasize correction of discriminatory purchasing policies, (possibly including action by the Department of Revenue to change tax policies on depletion allowances and special capital gains benefits) to equalize economic advantages currently given to the use of virgin materials over scrap and reusable resources. Additionally, the State should seek alteration of freight rates determined to be discriminatory or inequitable so that recycled materials are not placed in an unfavorable competitive position with primary materials in serving a common market. Further, the Department of Environmental Conservation should inform the public of high quality products being produced from recycled materials, and of the environmental benefits produced by purchasing these products. The Department of Environmental Conservation should act as a clearinghouse for information on alternative uses and potential commercial uses for waste oil and should provide technical assistance to local governments to help recover the full value of waste oil.
3. The University of Alaska should expand research with emphasis placed on developing means of utilizing low-grade solid waste including unsegregated materials and mixed refuse. Particular attention should be paid to community-scale composting.
4. Alaska should seek to influence federal policy and law in favor of ocean dumping of sludge in Alaska where it is the preferred disposal method and when sludge cannot be otherwise used.
5. Communities, or community groups, should explore possible uses of sanitized sludge, including gardening, gravel pit rehabilitation and sod production.

PLEASE NOTE: THE PRECEDING PAGES WERE TREATED
AS A UNIT IN THE ORIGINAL DOCUMENT.

1) Name of agency or division

(Department of Community and Regional Affairs - Division of Manpower)

2) Name of regions or substate districts specifically created and utilized by your agency

(Manpower Planning Regions)

3) Were the regions or districts utilized by your agency mandated by statute or regulation or were they created internally at the discretion of the department of division? If they were created by statute or regulation please ~~site~~ the citation.

INDICATE

(created internally)

4) How long has current set of regions or districts been utilized?

(since 1976)

5) What was the bases or rationale for delineating the boundaries of your particular regions or districts? (ie. for conformance to other agencies boundaries, relationships to Native Corporation Regions, relationships to major hydrographic provinces)

6) For what purpose or purposes are these regions or districts utilized?

administration

regulatory

statistical gathering

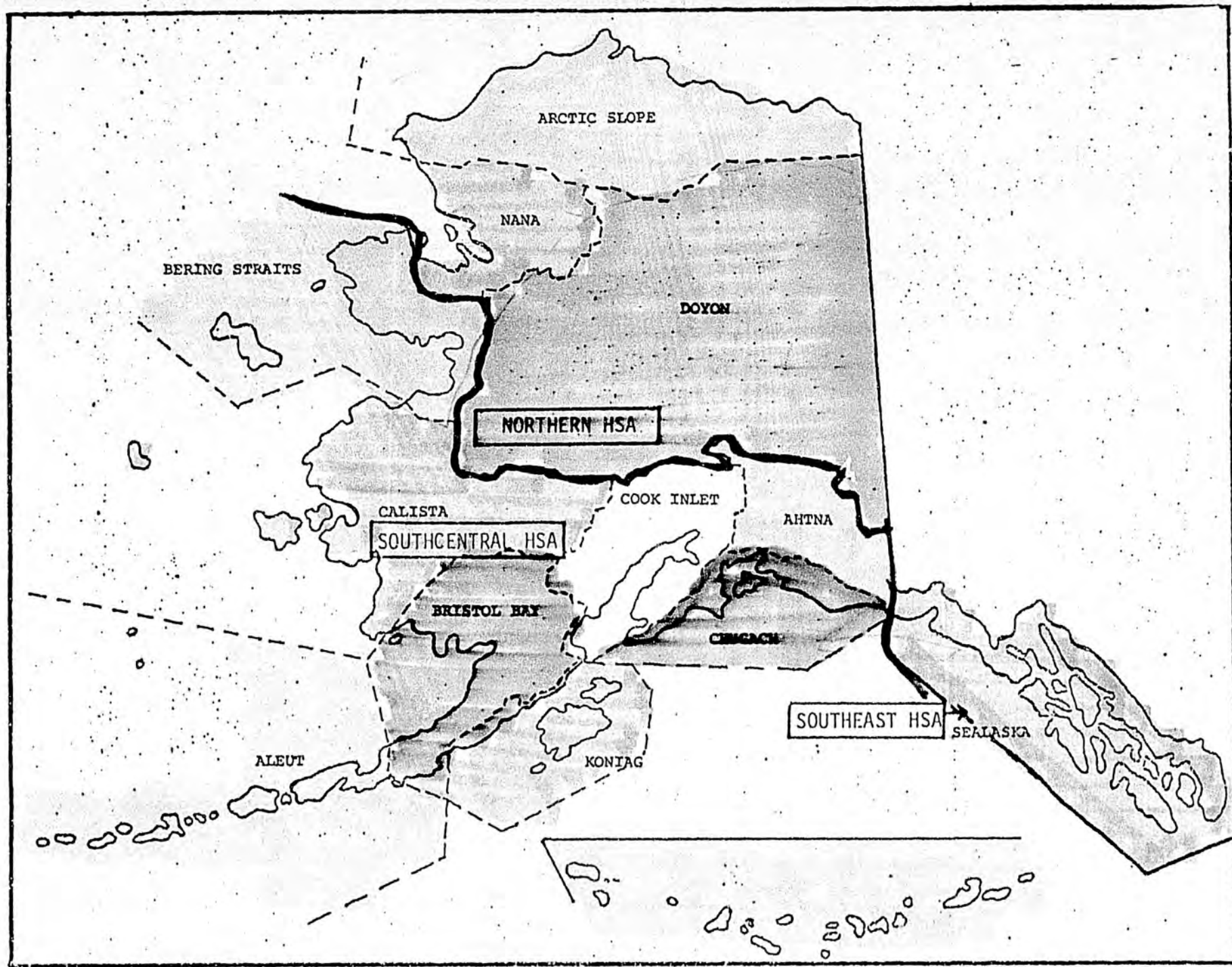
other (please specify)

7) What functions do your regions or districts serve?

8) Are there any Federal or State jurisdictional boundaries your agency relates to or utilizes in the performance of its responsibilities?

(ie. election districts, census divisions, Rural education attendance areas)

HEALTH SERVICE AREAS
NATIVE REGIONAL CORPORATIONS



****PLEASE NOTE****

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DESCRIPTION: MAP

OFFICE OF THE GOVERNOR
DIVISION OF PLANNING AND RESEARCH
AGENCY DISTRICT SERIES

DEPARTMENT OF FISH AND GAME, DIVISION OF COMMERCIAL
FISHERIES REGIONS AND MANAGEMENT AREAS

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DESCRIPTION: MAP

ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES REGIONS
AND MAINTENANCE DISTRICTS
SEPTEMBER 1978

(PREPARED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC
FACILITIES MAPPING SECTION IN COOPERATION WITH U.S. DEPARTMENT OF TRANS-
PORTATION FEDERAL HIGHWAY ADMINISTRATION)

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DESCRIPTION: MAP

ALASKA GAME MANAGEMENT UNITS
INDICATION BOUNDARIES OF AREAS LISTED IN ALASKA HUNTING,
TRAPPING AND GUIDING REGULATIONS

MAP VALID JULY 1, 1978

Alaska State
Planning Regions
and
Substate Districts

December 1976

Prepared by

Division of Policy Development and Planning
Robert E. LeResche, Director

Office of the Governor
Jay S. Hammond, Governor

State of Alaska

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SUMMARY

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, with assistance from other State agencies and the Legislative Council, has conducted a study of region and district usage in the State and of systems devised for dividing the State into units for various governmental purposes.

Three major needs were identified by the study:

1. A rational system of regions and/or districts to serve as the framework for planning and coordinating services provided by Federal and State governments.
2. Designation of an official system of districts or regions for collection of data for planning and programming purposes.
3. A structure for decentralization or delegation of governmental services to allow greater citizen participation in their planning and delivery.

Systems of subdivisions of the State were analyzed, mapped and compared for their capability to serve as vehicles for governmental planning and program delivery. Each one was also evaluated in terms of its long-term usefulness for governmental purposes. Actions by the Legislature toward regionalization of State programs were examined. Current and anticipated demands for regions or districts for State Government use were investigated.

Two types of subdivisions appear to be required:

1. Large regions -- for planning, such as transportation, economic, resources conservation or development.
2. Districts -- for provision of services usually administered by counties, responsibility of Alaska's boroughs except in the Unorganized Borough.

Two sets of subdivision are recommended:

1. Alaska State Planning Regions, large areas whose boundaries are now compatible with existing Census Divisions. The Regions are numbered I, II, III, IV, V, and VI.

2. Alaska Substate Districts, smaller areas whose boundaries follow those of the Rural Educational Attendance Areas (REAA's). These 12 districts meet the constitutional requirements of boroughs and, with the 11 organized boroughs, constitute a statewide system. The Districts are identified as A, B, C, D, E, F, G, H, J, K and L.

Census Divisions, statistical areas established by the U.S. Bureau of the Census, are compatible with the Regions but not with the Districts. The intent is, during the next year, to work on the areas in conflict and decide where common boundaries will be established. Two opportunities enable this process:

1. After Native land selections are completed, Native Regional Corporation boundaries will no longer be necessarily inviolate. Land management and community concerns may not require further existence of those lines.
2. The State has the option of requesting boundary changes in the Census Division before the 1980 Census; requests and justification must be delivered to the Census Bureau by the summer of 1978.

When the Census Divisions are finalized for the 1980 Census, it is anticipated that those divisions will serve as the building blocks of both systems, the Regions and the Districts. Common building blocks will allow use of data in Divisions, Districts or Regions.

A two-stage implementation plan is proposed:

1. By Administrative Order the Governor will designate the recommended two systems as State planning tools and require that State agencies use them in their program planning. Exceptions may be approved by the Governor in specific instances where compliance is not possible or feasible. The same Order will also provide for continued study of district needs in the Unorganized Borough, of boundaries of existing boroughs and of conflicting portions of the region and district systems which need resolution. Federal and local governments will be requested to use the regions and districts in their planning.
2. Results of the study will be presented to the Governor in January 1978 with recommendations for Executive or Legislative action as appropriate.

Maps and descriptions of the recommended systems of regions and districts are included in the report. Also included is a brief history of districting in Alaska, results of a statute search for district requirements, reports of the 1975 Legislative Task Force on Administrative Districts and a suggested Administrative Order for Phase I of the implementation procedure described above.

I. INTRODUCTION

The State of Alaska may top the Nation's record for the number and variety of governmental programs in proportion to its population. Federal, State and local agencies are called upon for many services that are considered private responsibility in other states.

The Federal Government still administers social services to Alaska Natives and maintains extensive land management and military operations. Some of the Federal programs are carry-overs from Territorial days and are expected to eventually phase out. The large majority, however, will undoubtedly continue to be part of the governmental structure in Alaska.

Functions of our State Government, as defined by The Constitution of Alaska, are not substantially different than other states. However, there is no county-level government in much of the state, and consequently, the State assumes a much larger responsibility. Article X, Section 3 of the Constitution provides that:

The entire State shall be divided into boroughs, organized or unorganized. They shall be established in a manner and according to standards provided by law. The standards shall include population, geography, economy, transportation, and other factors. Each borough shall embrace an area and population with common interests to the maximum degree possible. The Legislature shall classify boroughs and prescribe their powers and functions. Methods by which boroughs may be organized, incorporated, merged, consolidated, reclassified, or dissolved shall be prescribed by law.

Legislatures, since Statehood, have given the authority a broad reading - interpreting it as permissive rather than mandatory. The earliest boroughs were created at the request of residents of the areas; later ones were imposed by the Legislature based on the standards set forth in the section quoted above. The policy to date has been that only organized boroughs are delineated and those only when population and economic levels justified the action. No boundaries have been established for unorganized boroughs.

All unincorporated area within the State - 75 percent, approximately - is classified as "the" Unorganized Borough for which the Legislature is the governing body. The Legislature has not chosen to sit as the borough assembly, which leaves this vast area without local government services, except for those communities incorporated as cities.

In order to serve residents of the Unorganized Borough, both State and Federal Government agencies have established systems of regions or districts in whatever pattern seemed appropriate for the performance of that particular agency's responsibilities. For services usually administered at the borough (or county) level, such as health or welfare, districts were drawn broadly enough that each could contain a population center from which staff could operate. Dissatisfaction of rural clients led, over time, to attempts at smaller districts that allowed some resident influence on programs and services. The general practice, historically, has been for each agency to design its own districts. No one set of districts has been designated officially, for either State or Federal use. No approval has been required for adoption of agency district plans.

This proliferation of district boundaries has proved difficult for governmental agencies as well as to their clients. But confusion is not the major problem engendered by the diversity of district patterns. Information by which to evaluate services, to compare levels of service, to expose duplications, and to justify service needs, is either not available or is not usable.

Three critical needs have been spawned by the uncoordinated districting practices. First, some rational system of regions and/or districts must be established as a framework for planning and coordinating governmental services provided by the State and Federal Governments.

Second, the region/district system should be designated, by the State of Alaska, as the official framework for data collection. The resulting accumulation of information would fill the current void in program evaluation opportunities.

The third need is for an interim form of government to allow citizen participation in decision-making on a local level during the period that areas are growing toward organized borough responsibility. Alternative proposals for dividing the unorganized borough into units and decentralizing some State functions are now being studied by staff of the Department of Community and Regional Affairs.

II. DISTRICTS OR REGIONS?

During the course of investigating existing and future divisions of Alaska for this study, the terms "region" and "district" have been used almost interchangeably. The project began its life as a "Substate District Study", was merged temporarily with a legislative "Administrative Districts Task Force", and emerged as the "Regional Boundary Study."

The terminology confusion became critical in the report writing stage and was hardly alleviated by the use of "region/district" or "district/region" with great frequency. A search for justification of either term produced the following information:

1. Dictionary definitions tend to be reciprocal. "Region" is explained as a district and "district" is described as a region.
2. Federal agencies and planning programs use "regional" in the context of multiple. Regional planning agencies are multi-state, multi-county or multi-community. Federal regional councils are multi-state; Federal development regions are multi-state.
3. "District" in its verb form means "to divide or organize into districts. Numerous states have "substate districts" used for administrative purposes.
4. The predominant usages appear to be:
 - a. divide into districts
 - b. build into regions

Therefore, because the chief purpose for the proposed designation of geographic areas appropriate for eventual borough status is to provide substate services and information, we are electing to use "districts" for components of that system. Larger areas, composed of two or more districts, we will call "regions."

III. WHY DESIGNATED REGIONS AND DISTRICTS?

Election districts, described in the Constitution, were the first districts established in Alaska for State Government uses. Since the original districts were delineated in 1958, they have been altered to conform with changing population distribution; the most recent reapportionment occurred in 1974. During the years since Statehood was achieved in 1959, 12 boroughs have organized, one of which was later denied borough status because of legal problems. In addition to the divisions for election and borough government purposes, the State has been divided into sets of from two to forty or more districts or regions, with each set designated for some specific programmatic or data collection activities. Some boundaries are drawn along natural features such as rivers and mountain crests; some follow latitude/longitude or township lines; a few appear to have no rationale except to denote pieces of the whole.

Federal agencies use legal boundaries of national/forests, parks, monuments, recreation areas, or wildlife ranges. They also have developed several sets of arbitrary regions or districts for administration of particular programs. Congress, in passage of the Alaska Native Claims Settlement Act of 1971, authorized the Secretary of Interior to carve up the federally owned land not already classified into one of the national systems, by separating out lands to be studied for possible inclusion into those permanent systems (National Park, Forest, Wildlife Refuge, and Wild and Scenic Rivers). The same act created twelve Native regions and set aside blocks of land from which selected lands will be patented to the Natives.

State government agencies frequently find their efforts frustrated by boundary-related problems. Social service program administrators claim that documentation of need and evaluation of program performance is often impossible because consistent data is not available; that agencies collecting statistics use different boundaries. The complaint is returned from localities where people feel services are duplicated by State and Federal agencies, or more than one of either, in some areas and non-existent in others.

A companion complaint attacks the system which designs services with no participation by the people to be served. Tailoring of programs to match particular characteristics or conditions in individual districts is difficult unless program planning and administration are localized. All communities do not have the same priorities - nor do they all share the same problems.

Alaska is the subject of probably the most monumental data collection efforts in the country - perhaps in the world. Yet Federal agencies are still playing "catch-up" on geological and geophysical investigations; and much of Alaska is still unsurveyed - our resources undetermined. Now is the time to organize the information we have and design a system for adding, storing and retrieving data as it becomes available. Such a system should have the capability to provide information in the contexts or packages most likely to be needed. Federal and State agencies, local governments, Native organizations and private concerns should be able to contribute to and draw from the Alaska Data Bank.

DPDP sponsored a "Show and Tell" session for planners in September 1976. All State agencies having responsibilities involving planning were invited to describe their work and tell the group what their specific needs might be - for plans and for information. Two subjects dominated the "needs" expressed. First priority was for officially designated uniform State districts or service areas, and the second was for a centralized data bank.

Another strong incentive for the State to establish districts is the Federal consistency requirement. Several federally funded programs carry provisions that supported activities must conform to established State districts and/or make use of local governmental bodies. The latest step in the direction of Federal consistency is S.3075, known as the Magnuson Bill or the Intergovernmental Coordination Act of 1976, which is:

"A Bill to establish a national policy on areawide planning and its coordination, to encourage the use of organizations composed of local elected officials to perform Federally assisted or required areawide planning, to require use of planning districts established by states in Federal planning programs..."

Section 704 of S.3075 is specifically aimed toward sub-state planning and development districts:

"Upon the request of the Governor of any state, the head of any Federal department or agency of the United States Government who administers a Federal program which permits or requires the division of a State into two or more planning and development districts for the purpose of performing areawide planning, is required to utilize a substate district plan which conforms to or is consistent with any plan established by the State..."

Unfortunately, S.3075 did not pass in 1976; however, its supporters are planning another try in 1977. Favorable action is predicted early in the new Congress.

Groups in the Bethel and Fairbanks areas have already appealed to the Governor for designation as sub-state districts so they can operate local clearinghouses and deal directly with the Federal Government on specific programs. Community leaders feel that governmentally sponsored services should be more effective with some local control over priorities.

IV. WHAT HAS BEEN DONE

This current effort to sort out the district requirements in Alaska was preceded by at least one other attempt. Early in the 1970's, State agencies and Federal agencies conducting programs in Alaska were polled for descriptions of their district boundaries. The response, plus an intensive follow-up survey, revealed two important facts: (1) that the combined total of State and Federal districting systems were too numerous to deal with in one study, and (2) that no real rhyme or reason emerged when all the district maps were overlaid on a State map. The confusion continued in spite of the fact that some of the multitude of regional breakdowns were intended to end the proliferation by providing a set of common boundaries for all or several purposes.

The 1975 Alaska Legislature, in SLA Chapter 124, provided for reorganization of public education in the Unorganized Borough. Regional Educational Attendance Areas (REAA's) were to be designated, based on boundaries and sub-boundaries of Native corporation regions, in which regional school boards would operate the public schools.

The same Legislature (1975) saw introduction of a resolution, HCR 2, by Representative Mike Miller which proposed that: (1) an interim committee be appointed to "study the subject of the election district boundaries and their continued usefulness for purposes of administration of State services and functions other than elections; and" (2) convene a joint study committee of representatives from the executive, judicial and legislative branches of State Government "to resolve this complex, multifaceted problem to ensure that the public interest in the effective administration of State affairs is served,..." The resolution was not passed.

During the spring of 1975, a work program was being prepared by the Governor's Division of Policy Development and Planning for the FY 76 State Comprehensive Planning Program. This work program, submitted to the U.S. Department of Housing and Urban Development (HUD) for funding, included a Sub-state Districting Study. The stated purpose of the Study was "to untangle the numerous existing boundary systems" used by State agencies and to "identify a usable set of sub-state regions to allow more efficient planning and delivery of governmental services."

A. Legislative Task Force

The measure introduced by Representative Miller was not passed but, at the conclusion of the legislative session, the Legislative Council appointed a task force to study administrative districts, their utility, and their relation to the original and revised election districts. The Administrative Districts Task Force was chaired by a member of the Council and included members representing all State agencies using districts in their programming, DPDP Sub-state Districts Study staff, and the Alaska Municipal League.

The Task Force completed its first chore, researching statutory districting requirements, in December 1975. Completed almost simultaneously was a re-survey of State agency's district usage. Maps prepared for the earlier study were used as the basis for the updating, which was performed in each department under leadership of the department representative on the task force.

The status of the Study, and results of the legal search and the survey were given to the Council in January, 1976. The report, together with a roster for the task force, is attached as Appendix I.

B. 1976 Update

Continuation of the Administrative Districts Task Force and support of the Substate Districts Study was not granted by the Legislative Council. An interim task force, which would have reported to a new Legislature, was apparently not considered a priority.

Another opportunity for completion of the districting study emerged from related programs. DPDP and the Department of Community and Regional Affairs are jointly involved in development of rural policies and regional government alternatives. The study teams joined forces to update State agency district maps and interview program directors about their district plans. Each district map was approved or corrected by the agency head.

V. REGIONAL SYSTEMS IN REVIEW

Alaska's Constitution, Article XIV, established the State's first system of regions - the original election districts. Those districts, designed in 1956, have been altered and divided as required by reapportionment, once in the early 1960's (officially adopted in 1965), and again after the 1970 Census. The most recent districts became official in 1974. Map 1 documents the series of boundaries. Election districts, of course, are always with us, but because their number and boundaries change, they are less than satisfactory for uses that depend upon consistency or a broad data base.

In 1962, George W. Rogers, in The Future of Alaska, described three regions he considered most meaningful for studying social and economic history.

Dr. Rogers joined with Richard A. Cooley during the next year to produce Alaska's Population and Economy, in which they divided two of Dr. Roger's previously designated regions to make a five-region system.

State planning was the purpose to be served by the regional breakdown - "for use by the Division (of State Planning) in the performance of its planning and programming functions..." Two sets of considerations were applied in selecting the regions: (1) they must be functional, "reasonably homogenous, and closely interrelated geographic, social and economic areas" and (2) they must "provide a rational basis for planning and projection of future development..."

Another variation rearranged the regions as administrative centers for State Government with Fairbanks, Anchorage and Juneau, each serving one region. Southeast was a single region in all three sets, which are shown on Map 2.

Data accumulated by the five regions could be combined to also serve either the three-region system's needs, or could be broken down by election district.

The Federal Field Committee for Development Planning in Alaska developed a set of economic subregions which were described in its 1968 publication, A Subregional Economic Analysis of Alaska. In this system, shown on Map 3, as in Roger's and Cooley's, Southeast was one region. None of the other regions matched Roger's and Cooley's. David M. Hickok, director of the University of Alaska's Arctic Environmental Information and Data Center (AEIDC), later described the Committee's attempt to develop a set of regions, each one homogenous in "ethnic populations, physiographic and natural resource patterns, economics and socio-political considerations."

map 2

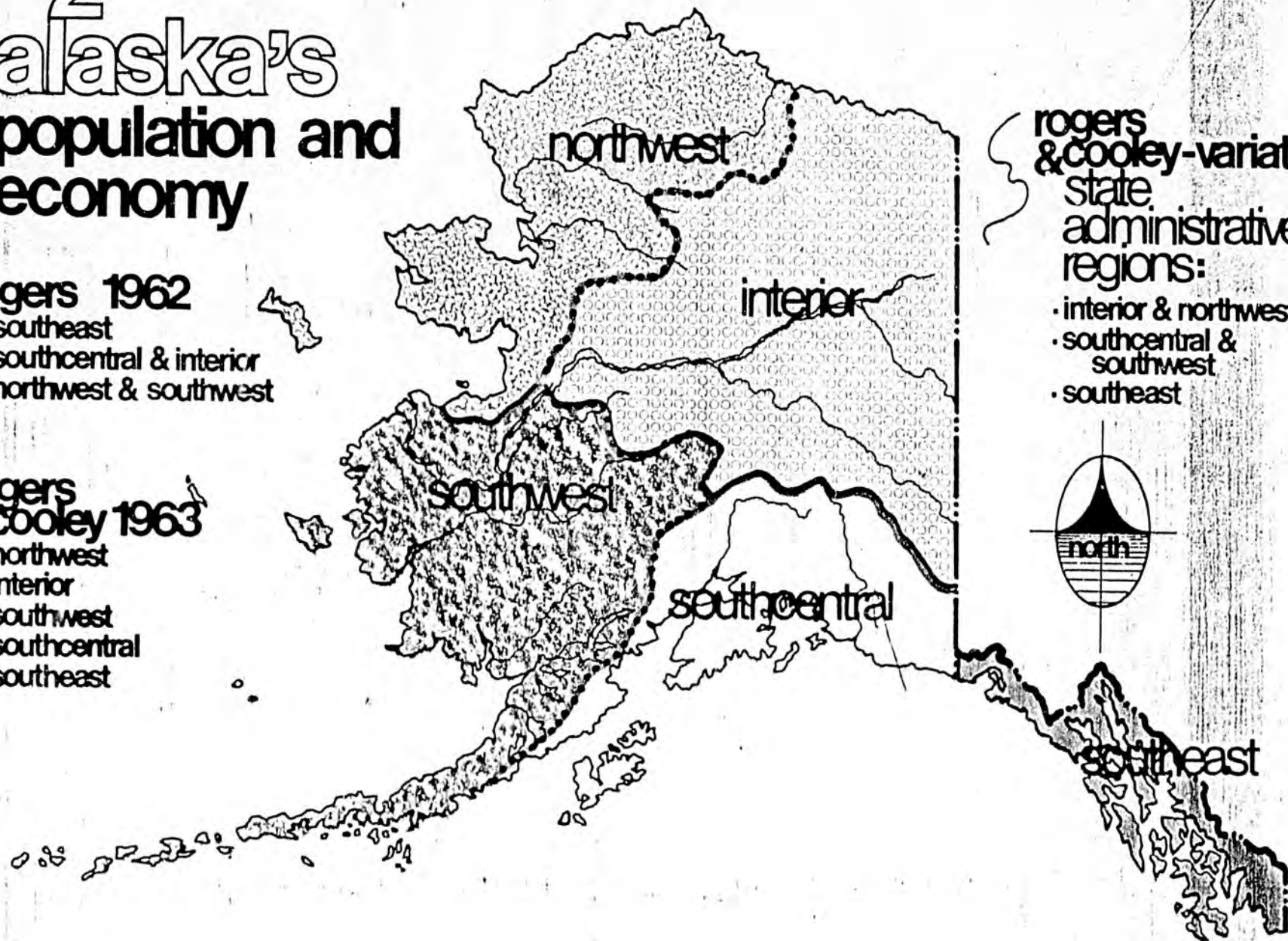
alaska's population and economy

- rogers 1962
- southeast
 - southcentral & interior
 - northwest & southwest

- rogers & cooley 1963
- northwest
 - interior
 - southwest
 - southcentral
 - southeast

rogers & cooley-variation
state
administrative
regions:

- interior & northwest
- southcentral & southwest
- southeast

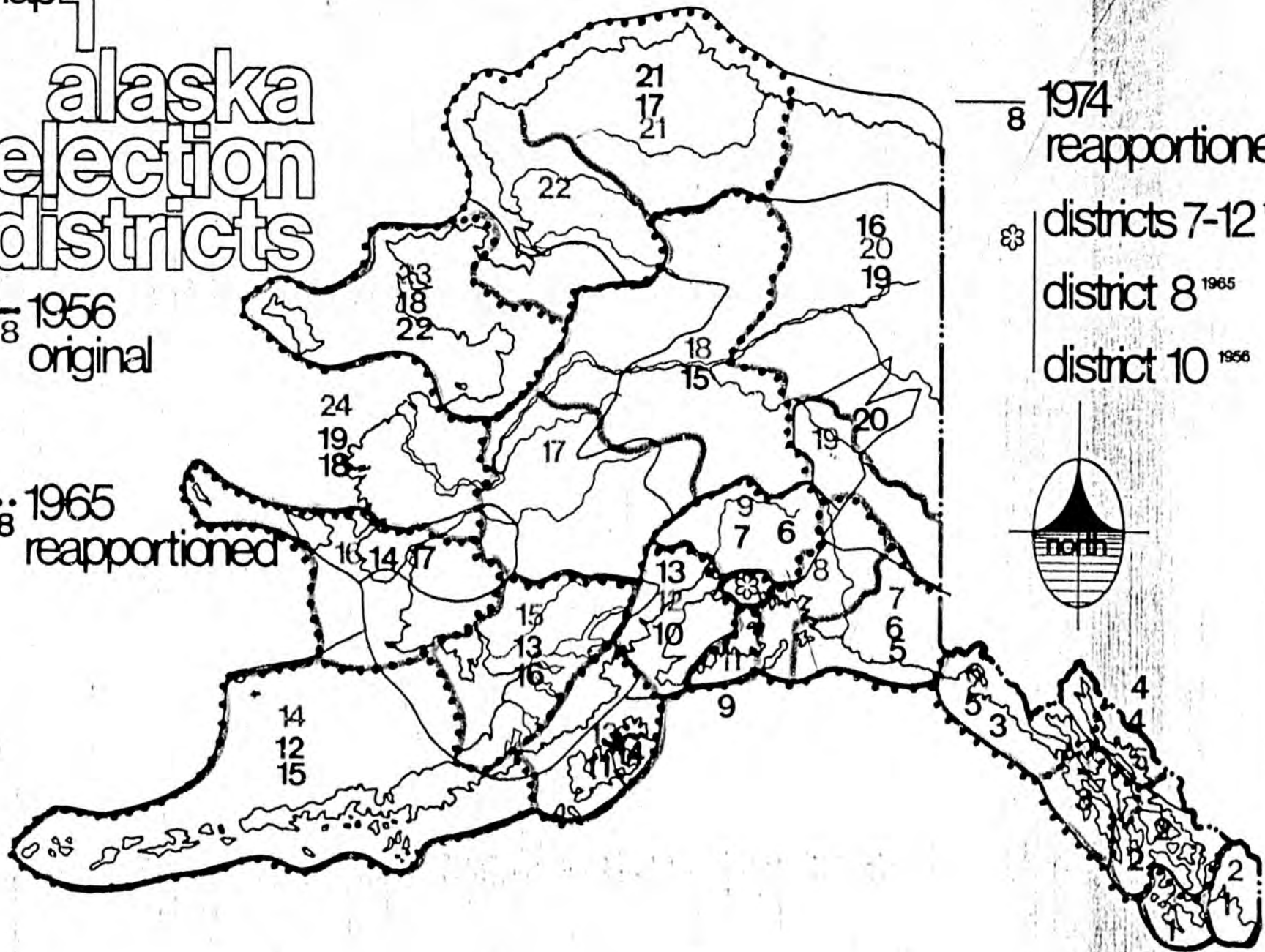


map 1

alaska election districts

— 8 — 1956
original

..... 8 1965
reapportioned



— 8 — 1974
reapportioned

⊛ districts 7-12 1974

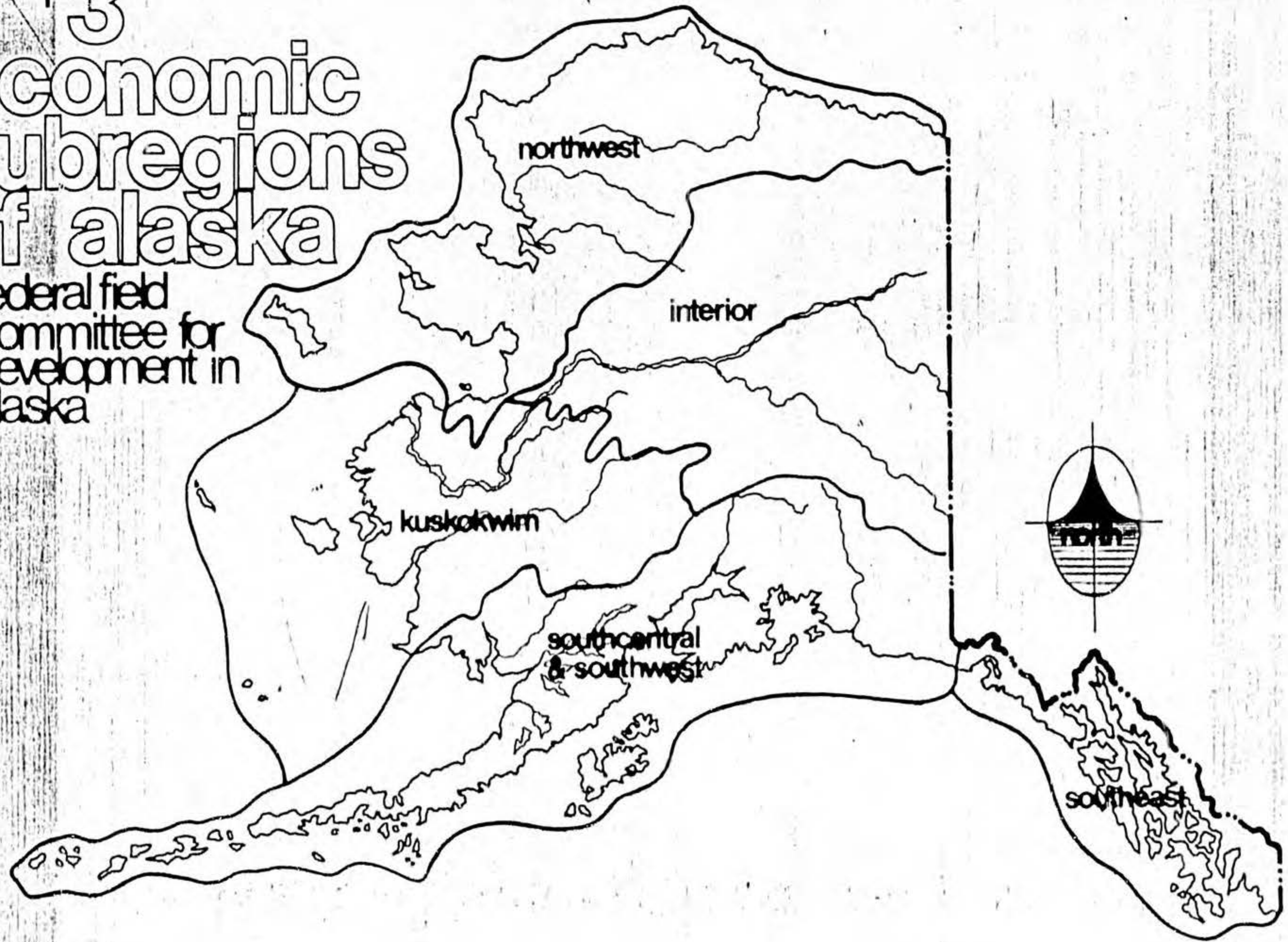
⊛ district 8 1965

⊛ district 10 1956



map 3
economic
subregions
of alaska

federal field
committee for
development in
alaska



Alaska Manpower Outlook for 1970 used a four-region breakdown which could also be disaggregated into election districts. These regions (see Map 4) were used by the Alaska Department of Labor for compilation of labor force, employment, occupational, educational and training information related to manpower planning and training programs.

Congress passed the Alaska Native Claims Settlement Act in late 1971. The Act provisions are responsible for two sets of regional boundaries - both fairly certain to remain a permanent factor in future planning and development in the State. Section 7(a) required the Secretary of the Interior to divide Alaska "into twelve geographic regions, with each region composed as far as practicable of Natives having a common heritage and sharing common interests." Regions approximating the areas covered by the operations of the twelve Native associations were duly established as shown on Map 5.

A Joint Federal-State Land Use Planning Commission was created by the Alaska Native Claims Settlement Act, Section 17(a)(1), and assigned numerous responsibilities for land and other related planning in the State. One of the first programs undertaken by the Commission was compilation of land and other resource data. For this project, a Resources Planning Team was formed to work under Commission direction. The Team members were mostly professional staff people loaned to the Commission and, like the Commission, represented the State and Federal governments about half and half.




Regional divisions established by the Resource Planning Team were chosen as most appropriate for the type of data to be collected and the form in which they envisioned its use. The primary purpose for the regions was for inventorying natural data. The six hydrologic major regions chosen by the Team are shown on Map 6. Each region, except Southeast, is again divided into subregions, all of which encompass major watersheds. Massive data inventories (by far the most extensive in Alaska's history) were compiled by the Resource Planning Team and recorded by region and subregion on maps. The data base associated with these regions has prompted use of the same regional divisions by other Federal and State agencies.

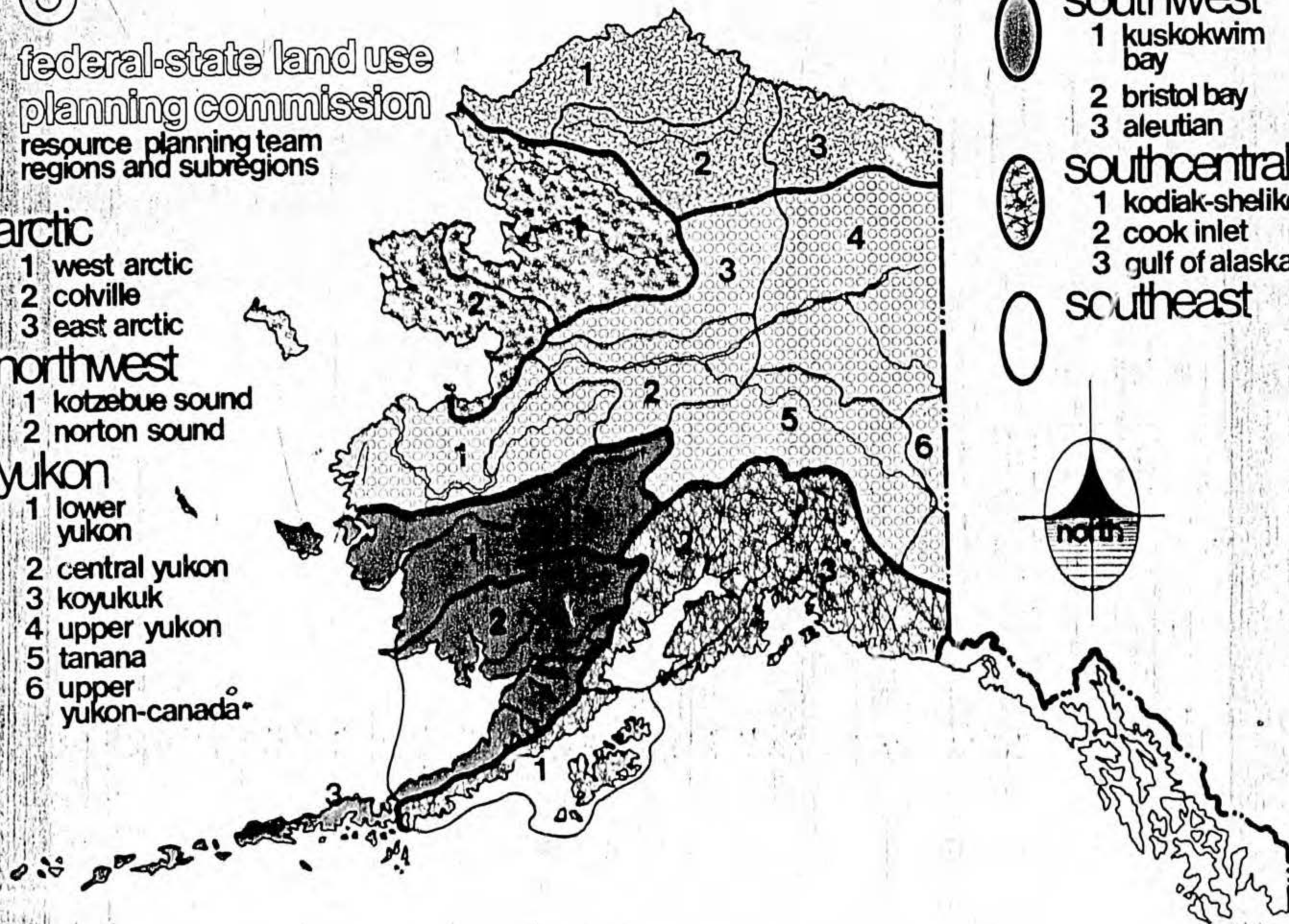
Although the F-S LUPC regions and subregions cannot be broken down into election or census districts, conversion of socio-economic data to complement the natural resource inventories has not presented a serious problem. Six Alaska Regional Profiles were prepared cooperatively by the Commission, the Arctic Environmental Information and Data Center of the University of Alaska, and the Division of Policy Development and Planning in the Office of the Governor. The Profiles cover both natural and man-made environments in each region.

map 6

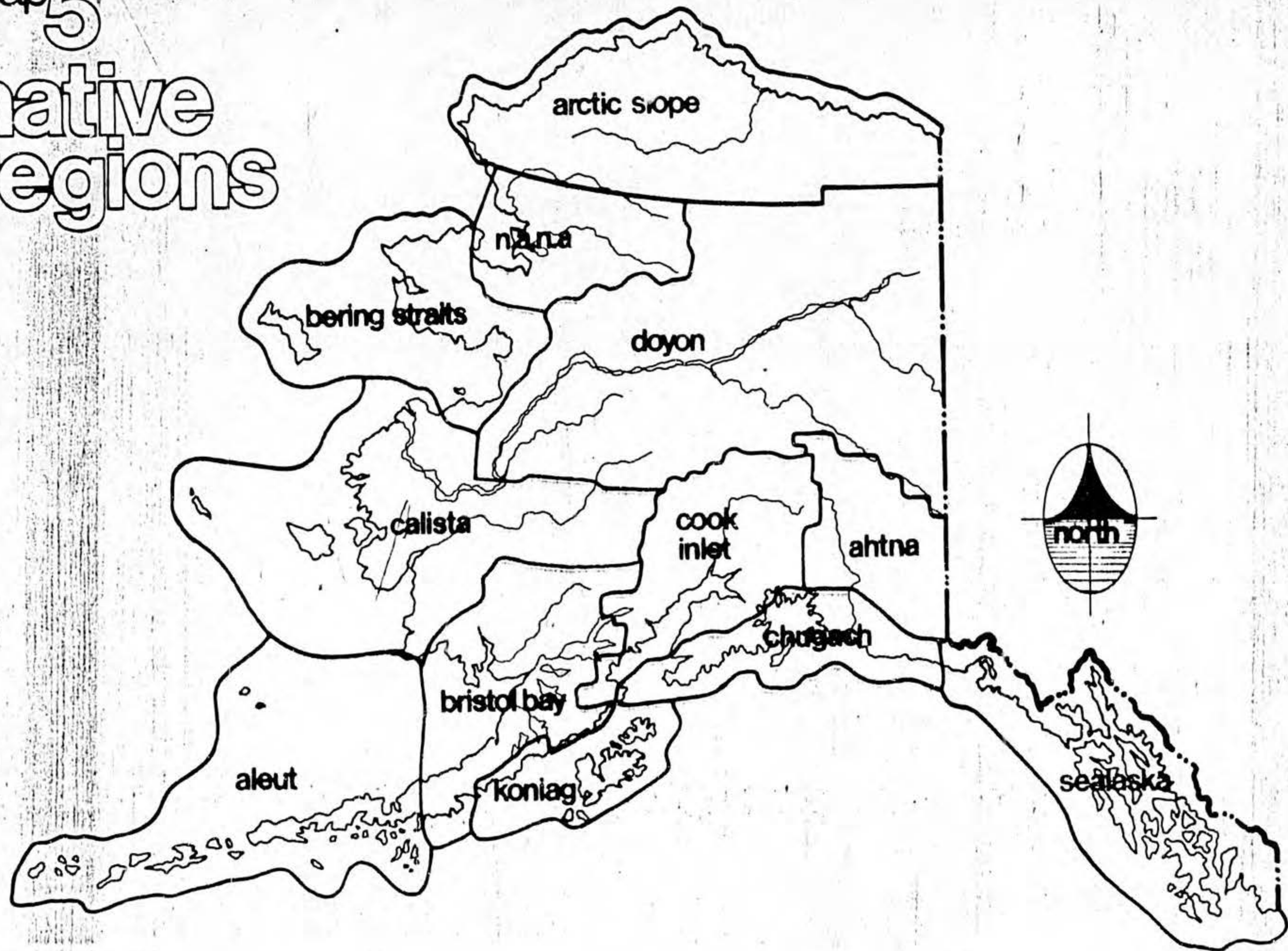
federal-state land use
planning commission
resource planning team
regions and subregions

-  **arctic**
 - 1 west arctic
 - 2 colville
 - 3 east arctic
-  **northwest**
 - 1 kotzebue sound
 - 2 norton sound
-  **yukon**
 - 1 lower yukon
 - 2 central yukon
 - 3 koyukuk
 - 4 upper yukon
 - 5 tanana
 - 6 upper yukon-canada*

-  **southwest**
 - 1 kuskokwim bay
 - 2 bristol bay
 - 3 aleutian
-  **southcentral**
 - 1 kodiak-shelikof
 - 2 cook inlet
 - 3 gulf of alaska
-  **southeast**



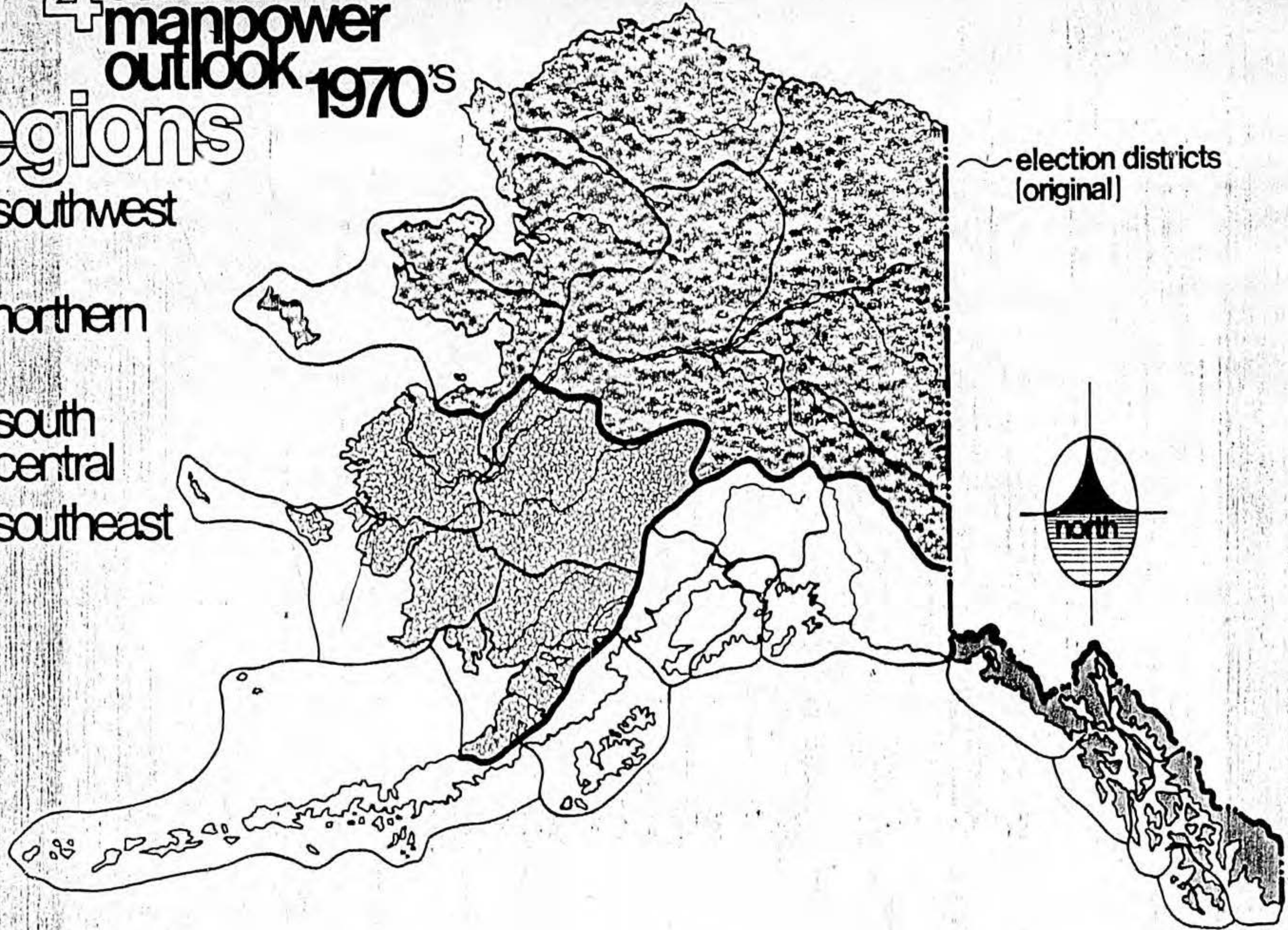
map 5
native
regions



map 4 alaska
manpower
outlook 1970's

regions

- southwest
- northern
- south central
- southeast



election districts
(original)



From the regional systems devised by Rogers and Cooley (Map 2) and the F-S LUPC Resource Planning Team (Map 6), several variations have been developed. Each is important for a particular planning and/or research function. At the University of Alaska's Institute for Social and Economic Research (ISER), a significant research effort, Man-in-the-Arctic-Program, or MAP, is assembling resources and socio-economic information and designing modeling procedures for projecting growth patterns based on alternative policy decisions. For MAP, the five-region Rogers and Cooley system was adapted by separating out the major urban areas, Anchorage and Fairbanks, making two additional regions (see Map 7).

Regional Educational Attendance Areas (REAA's) were mandated by the 1975 Legislature to provide a vehicle for local control and operation of the public schools. AS 14.08.031 required the Department of Community and Regional Affairs to consult with the Department of Education and local communities to "divide the unorganized borough into educational service areas using the boundaries or sub-boundaries of the regional corporations established under the Alaska Native Claims Settlement Act..." Other cultural and socio-economic considerations were also to be included in the selection process.

A team of State officials toured the rural areas to discuss boundary suggestions with the local people, to get their views and to explain how the new educational system would work. The 21 REAA's established under terms of the law are shown on Map 8.

Creation of the REAA's interrupted an effort which began in 1972 to regionalize the State for governmental purposes. SLA 1972, Chapter 200, established the Department of Community and Regional Affairs and charged the new Department to assess regional governmental needs and present alternatives for the Unorganized borough.

Study of unorganized borough development, governmental services and related questions was revived in 1976. Among the considerations is a plan for division of the territory into units that could, when feasible, become organized boroughs. Map 9 shows the proposed boundaries which are being discussed with State agencies and other interested organizations and individuals. Also shown on Map 9 are the 11 currently organized boroughs.

Alaska Water Resources Sub-areas (Map 10) were approved in April 1976 by the Alaska Water Study Committee after serious consideration of alternatives. Water and other resource data compiled by the F-S LUPC is vital to the water planning

map 10

alaska water resources subareas

region
1901

region
1902

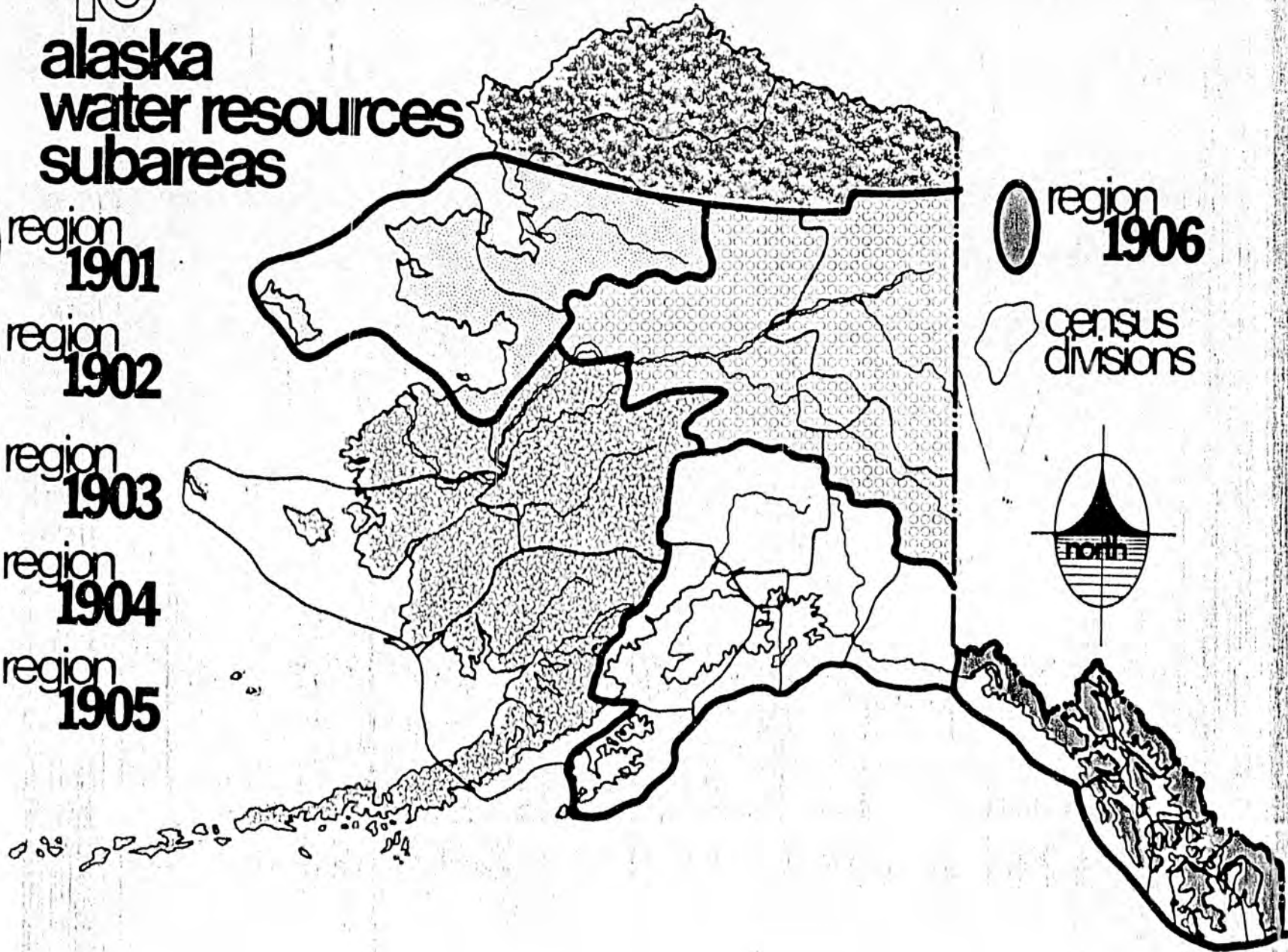
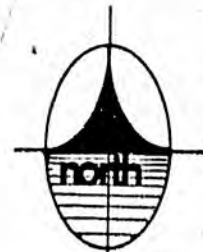
region
1903

region
1904

region
1905

region
1906

census
divisions

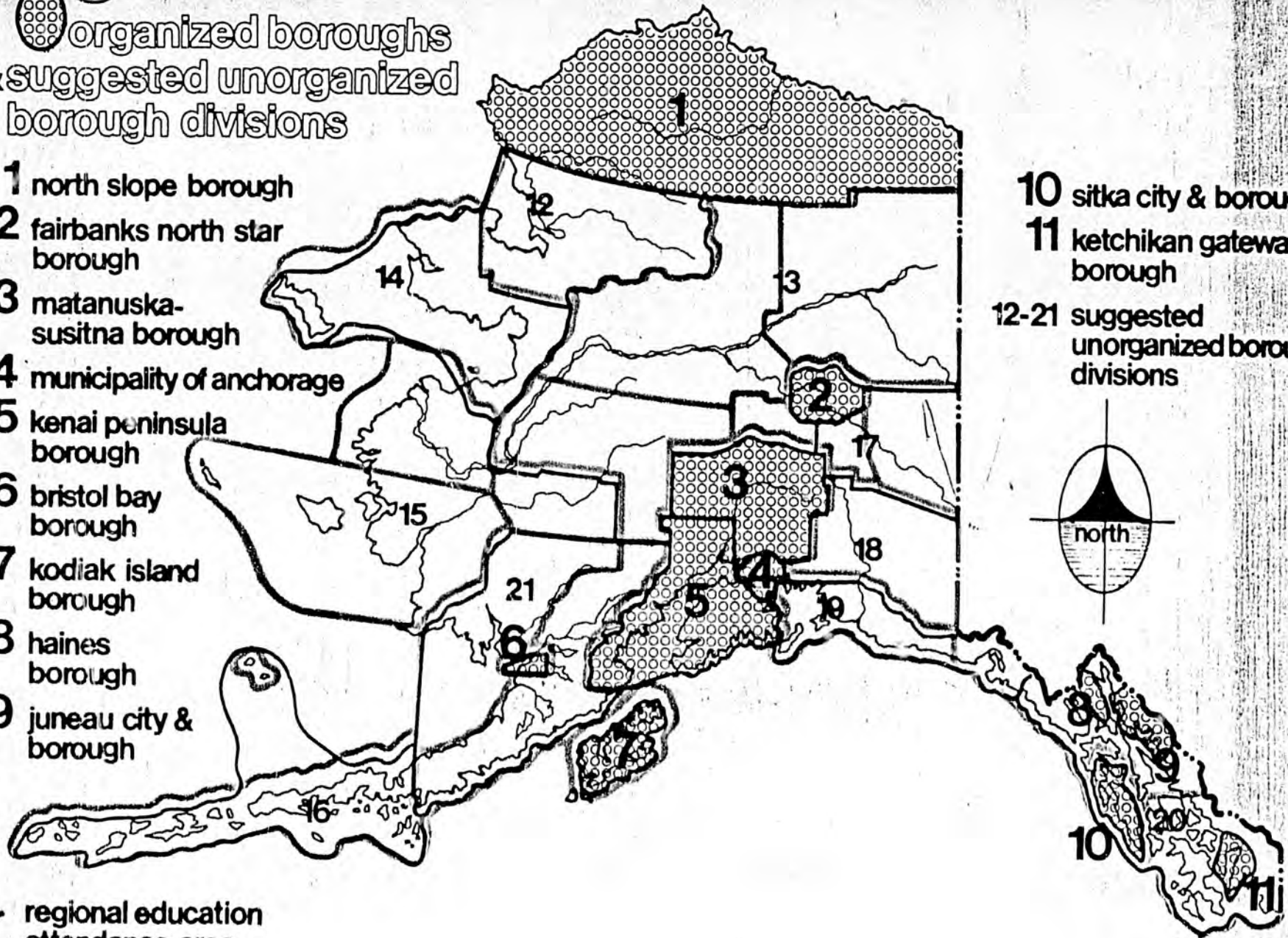


map 9

organized boroughs
& suggested unorganized
borough divisions

- 1 north slope borough
- 2 fairbanks north star borough
- 3 matanuska-susitna borough
- 4 municipality of anchorage
- 5 kenai peninsula borough
- 6 bristol bay borough
- 7 kodiak island borough
- 8 haines borough
- 9 Juneau city & borough

- 10 sitka city & borough
- 11 ketchikan gateway borough
- 12-21 suggested unorganized borough divisions



— regional education attendance area

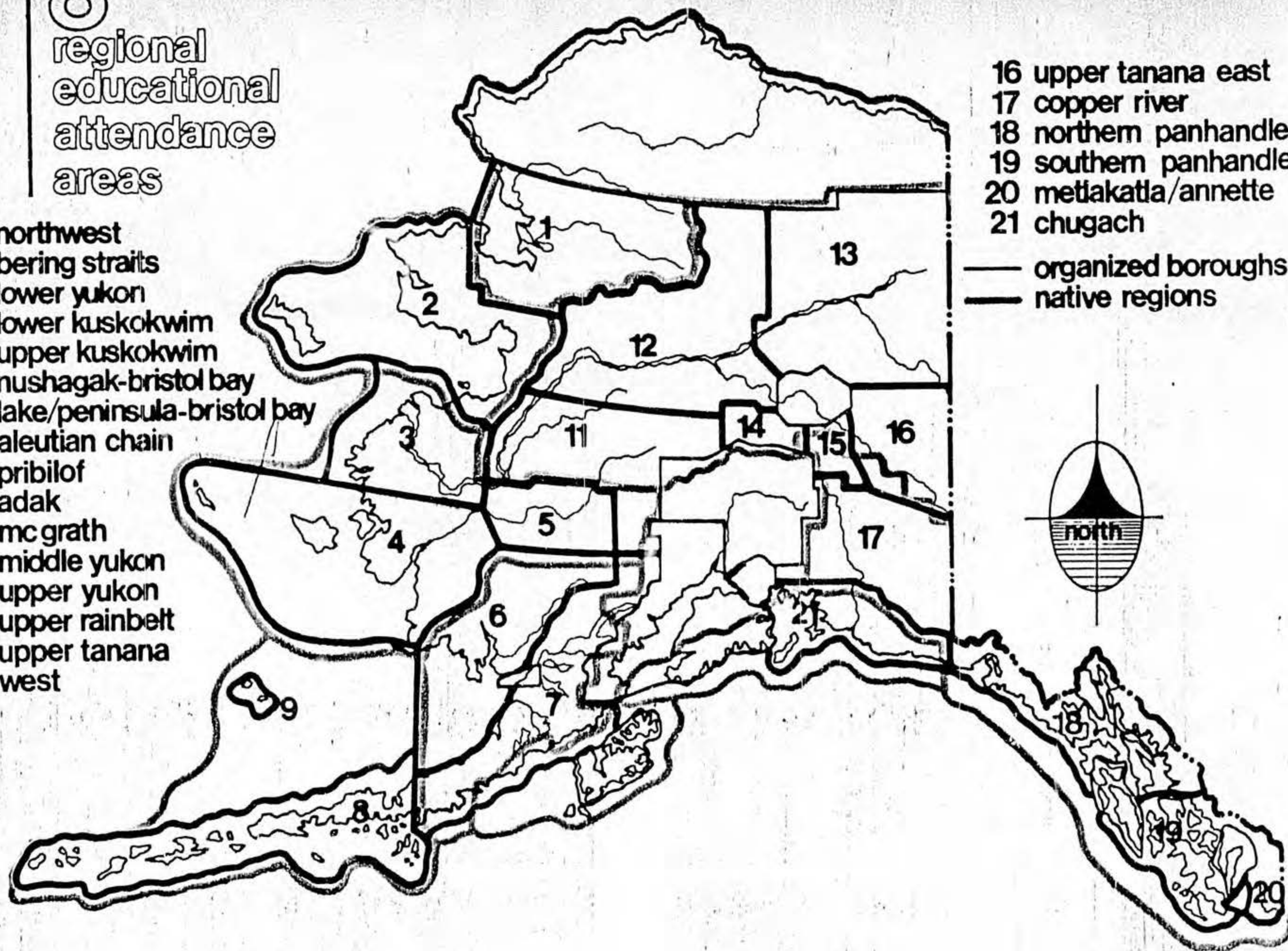
map 8

regional educational attendance areas

- 1 northwest
- 2 bering straits
- 3 lower yukon
- 4 lower kuskokwim
- 5 upper kuskokwim
- 6 nushagak-bristol bay
- 7 lake/peninsula-bristol bay
- 8 aleutian chain
- 9 pribilof
- 10 adak
- 11 mcgrath
- 12 middle yukon
- 13 upper yukon
- 14 upper rainbelt
- 15 upper tanana west

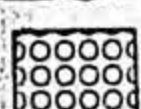

- 16 upper tanana east
- 17 copper river
- 18 northern panhandle
- 19 southern panhandle
- 20 metlakatla/annette
- 21 chugach

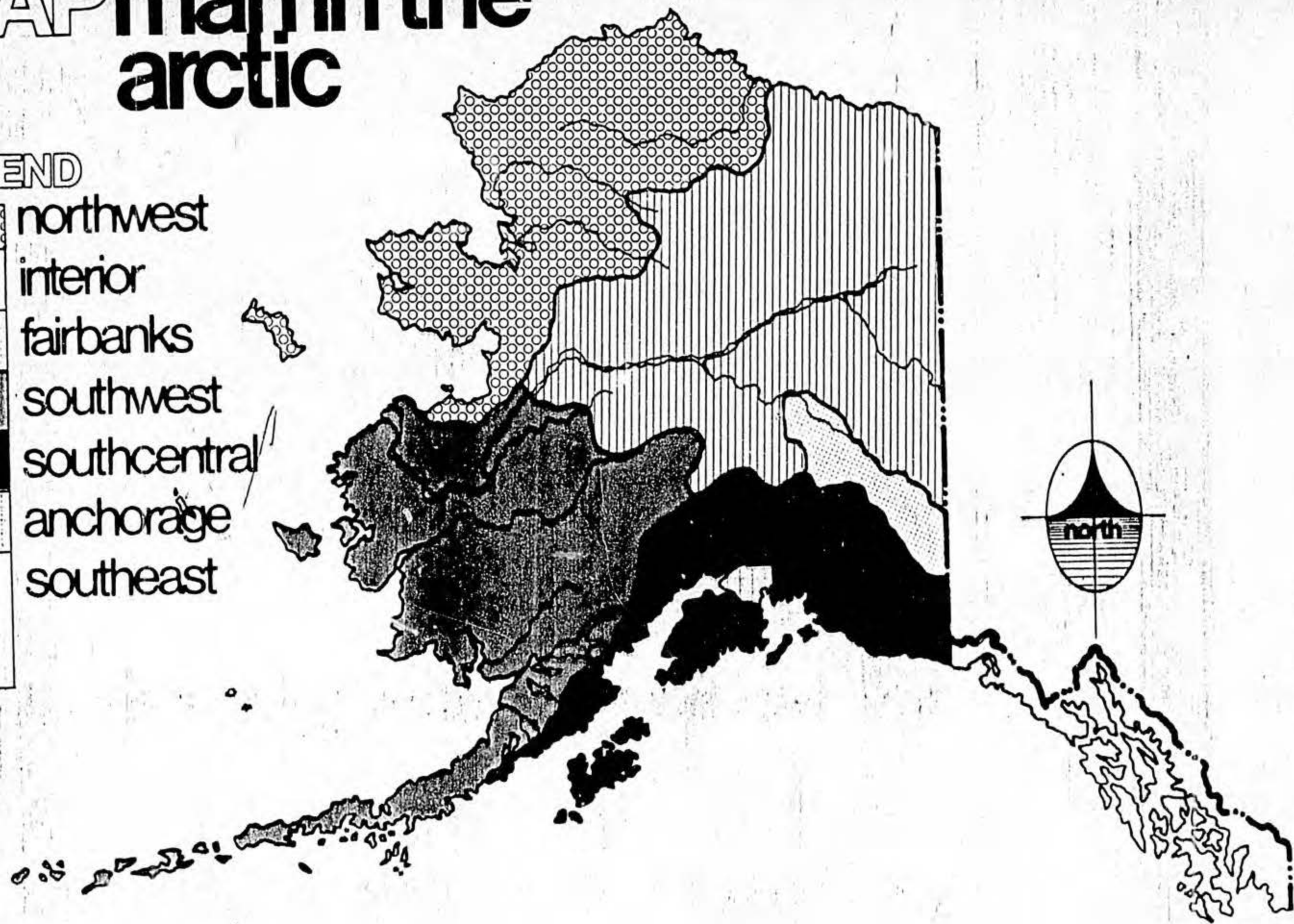
— organized boroughs
— native regions



MAP map in the arctic

LEGEND

	northwest
	interior
	fairbanks
	southwest
	southcentral
	anchorage
	southeast



map 7

program; for that reason departures from the hydrologic regions were given close attention. Final boundaries, however, follow census division lines which makes it possible to use census data without the need for conversion. LUPC inventories are more easily adjusted because they are mapped.

Map 11 is a system of regions proposed by the State Division of Parks, Department of Natural Resources, for the framework of an Alaska State-wide Comprehensive Outdoor Recreation Program. The Division currently is using a set of regions based on those of the F-S LUPC--a logical affiliation because of the wealth of natural resource data available for those regions. Now, however, a new five-year planning program is being submitted to the Bureau of Outdoor recreation. BOR requires that the State's recreation plan use official State Planning regions.

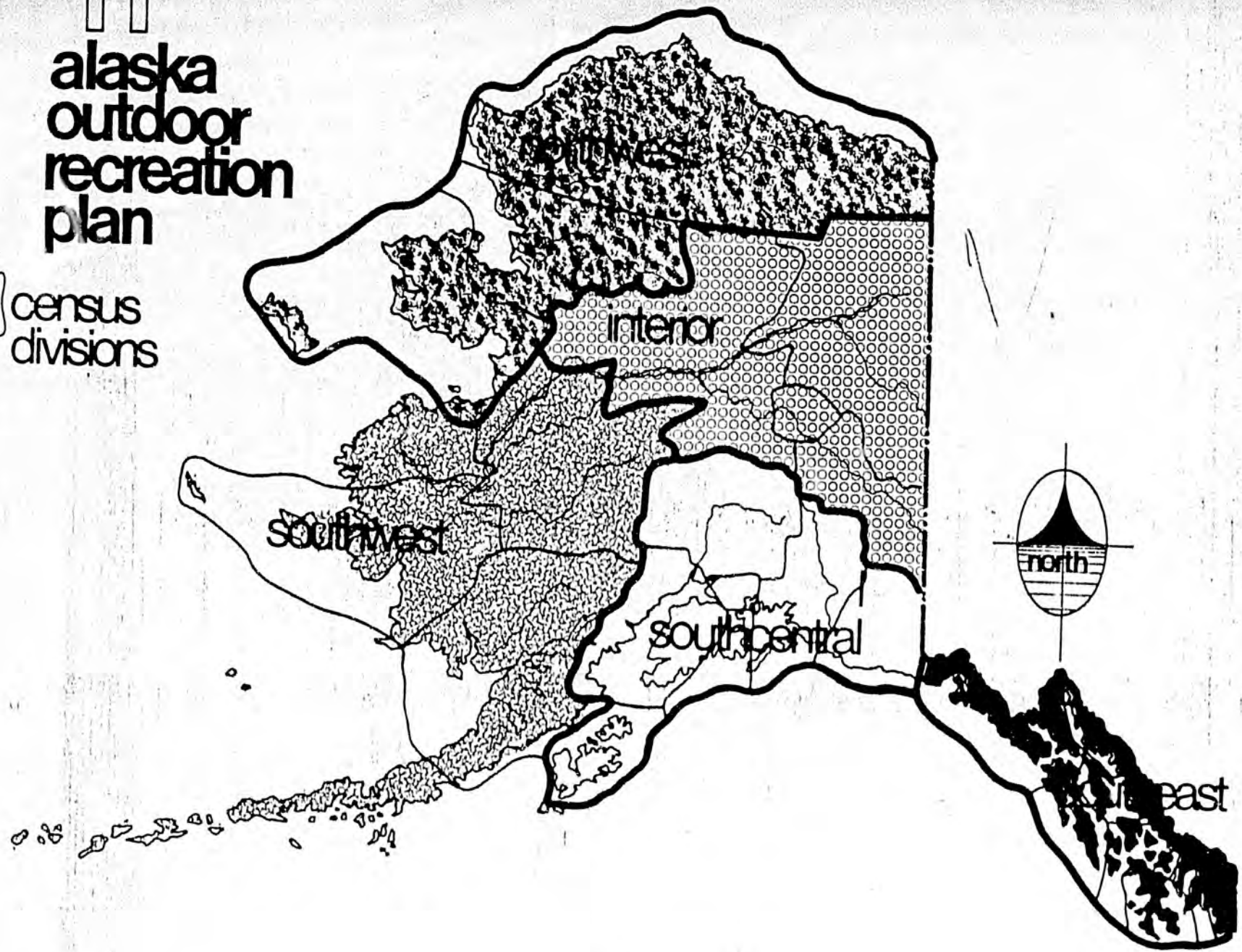
Principal concerns expressed by the park planners are: (1) that the basic integrity of the F-S LUPC be maintained and (2) that major regions adopted conform, in large measure, to existing Census Division boundaries. The recommended system, Map 11, does both, as shown by the listing of regional components.

The regional systems described above are only representative of the broad range of divisions used or recommended for use in Alaska. Numbers of agencies using districting plans have varied over the period covered by the study. The most recent survey examined 42 sets of regions or districts, used by 28 State agencies, operating within 13 line departments plus the University of Alaska, Office of the Governor/Lt. Governor, the Judicial Branch, and the Federal-State Land Use Planning Commission. Boundaries of the Native Regional Corporations and U.S. Bureau of the Census divisions, although not created by the State, are included in the study because they are important components of many other sets as well as being used regularly by some State agencies.

map 11

alaska outdoor recreation plan

 census
divisions



VI. THE SELECTION PROCESS

One major decision about regionalizing or subdividing the State came easily: no one set of regions or districts could fulfill the needs of all agencies. The next decision was not so easy; how many different sets of boundaries can be justified on the basis of particular requirements? This question called for some analysis of existing regional systems and development of criteria by which to judge the needs and the capability of boundary systems to meet those needs.

A. Existing Regions/Districts

District systems in use appeared to fall into two main groups: (1) those which divided the State into two to eight large areas, and (2) those which created twelve or more districts. Large area (regional) systems included Man-in-the-Arctic (MAP), Alaska Water Study, Alaska Outdoor Recreation Plan, and several others. Dominant in this group are the Rogers and Cooley five region system and the hydrologic regional system adopted by the Federal-State Land Use Planning Commission. This system, however, actually falls into both size groups, since the six major regions are again divided into subregions.

The second group, consisting of smaller unit (district) systems, is dominated by two primary sets: (1) the Native regions created for implementation of the Alaska Native Claims Settlement Act and (2) the census divisions established by the U.S. Bureau of the Census as statistical areas.

Obviously, the needs for regions vary. Agencies which use substate areas for program administration have different requirements than an agency concerned with natural resource management or statistical data collection. Districts used by the Division of Lands for forest protection, for example, include only areas containing forests. Fish and Game divisions use districts drawn according to location of the resources they manage. Public Safety deploys State Troopers regionally, based on population and people-related activities. Even within the groups of large areas (regions) or smaller areas (districts), purposes of the subdivisions are divergent.

B. Results of the Sorting

Separation of region maps into the two categories put 30 into the large area systems, of which four were also subdivided into smaller units. Twelve systems have 12 or more units. Two agencies reported that regional systems submitted earlier

are no longer used. The 1976 updating survey disclosed that 18 agency regional maps have been changed since the previous survey in 1975.

Of the 30 large area systems, only three were actually constructed by combining census divisions. Nine more sets have boundaries similar enough to those in the Census system that adjustments could readily be made to achieve conformity. Some agencies, in fact, have already indicated a willingness to alter their regions as necessary, to match the State regional plan.

Smaller area systems, or districts, range from Native Regional Corporations, numbering 12, to the Census Divisions, which total 29. Not one of the 11 other small unit systems is based on Census divisions, but most of them are close enough to census boundaries that adjustments would not be difficult. Native corporation regions are now legally established as are existing boroughs and the REAA's. The suggested division of the Unorganized borough, if accomplished, would probably become boroughs, at which time they would also become census districts. REAA's, created by State law, do have authority to merge with each other or with a borough, which may mean that their boundaries would eventually coincide with those of census divisions.

C. Objectives to be Achieved

Reiteration of the reasons why Alaska should have designated regions is appropriate before reviewing selection criteria. Many individuals, representing governmental agencies at Federal, State and local levels, have offered suggestions for regional breakdowns of the State. Usually the suggestions are accompanied by statements of need. Briefly, they desire to:

1. Eliminate confusion of overlapping boundaries.
2. Provide comparative information for evaluation of programs and determination of priorities.
3. Coordinate programs/efforts of Federal, State and local governments.
4. Improve consistency of data.
5. Increase efficiency in management and financial activities of governments.
6. Gear programs to particular desires and needs of people.

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:

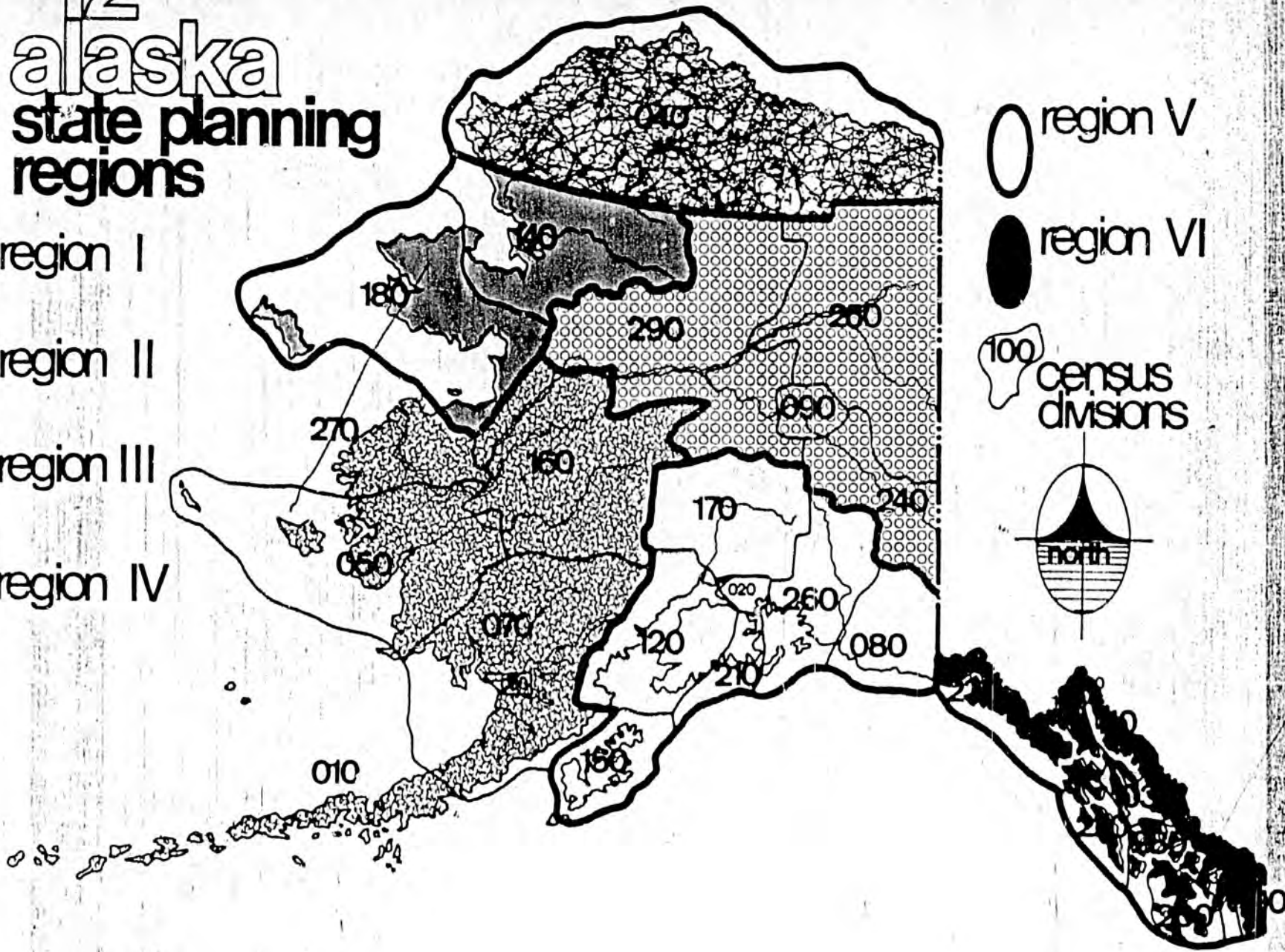
	<u>Census Divisions</u>	<u>F-S LUPC Subregions</u>
Region I	No. 040. Barrow	No. 1.1 West Arctic 1.2 Colville 1.3 East Arctic
Region II	140. Kobuk 180. Nome	2.1 Kotzebue Sound 2.2 Norton Sound
Region III	090. Fairbanks 240. Southeast-Fairbanks 250. Upper Yukon 290. Yukon-Koyukuk	3.2 Central Yukon 3.3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

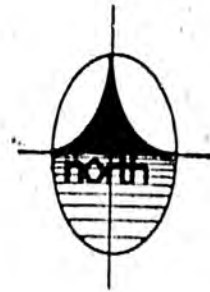
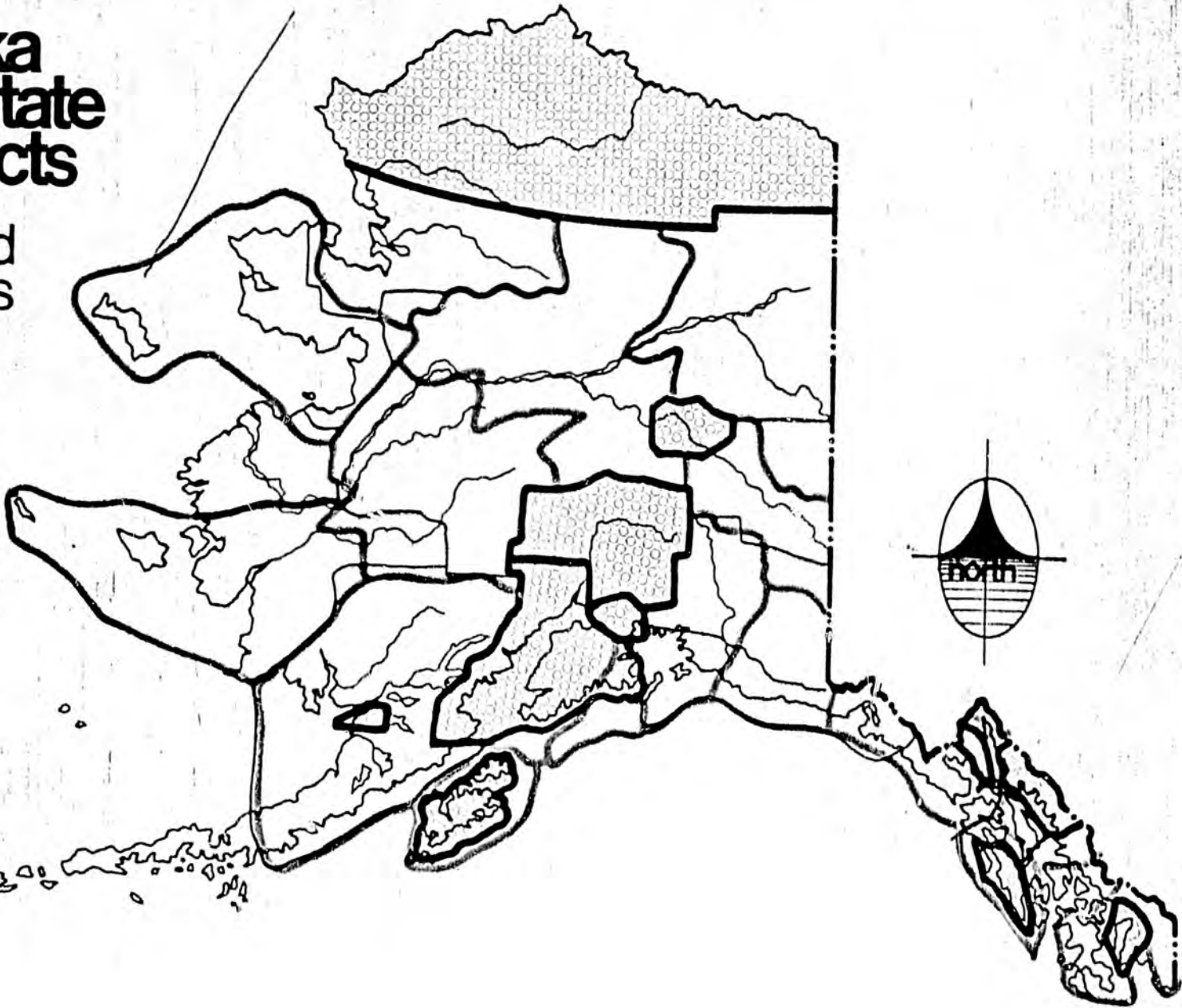
Following the objective of State Government, to increase the capabilities for self-government and self-determination of Alaska's rural communities, the proposed districts, shown on Map 13, are designed for transition to eventual borough status. Prime considerations in delineating these districts must 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.

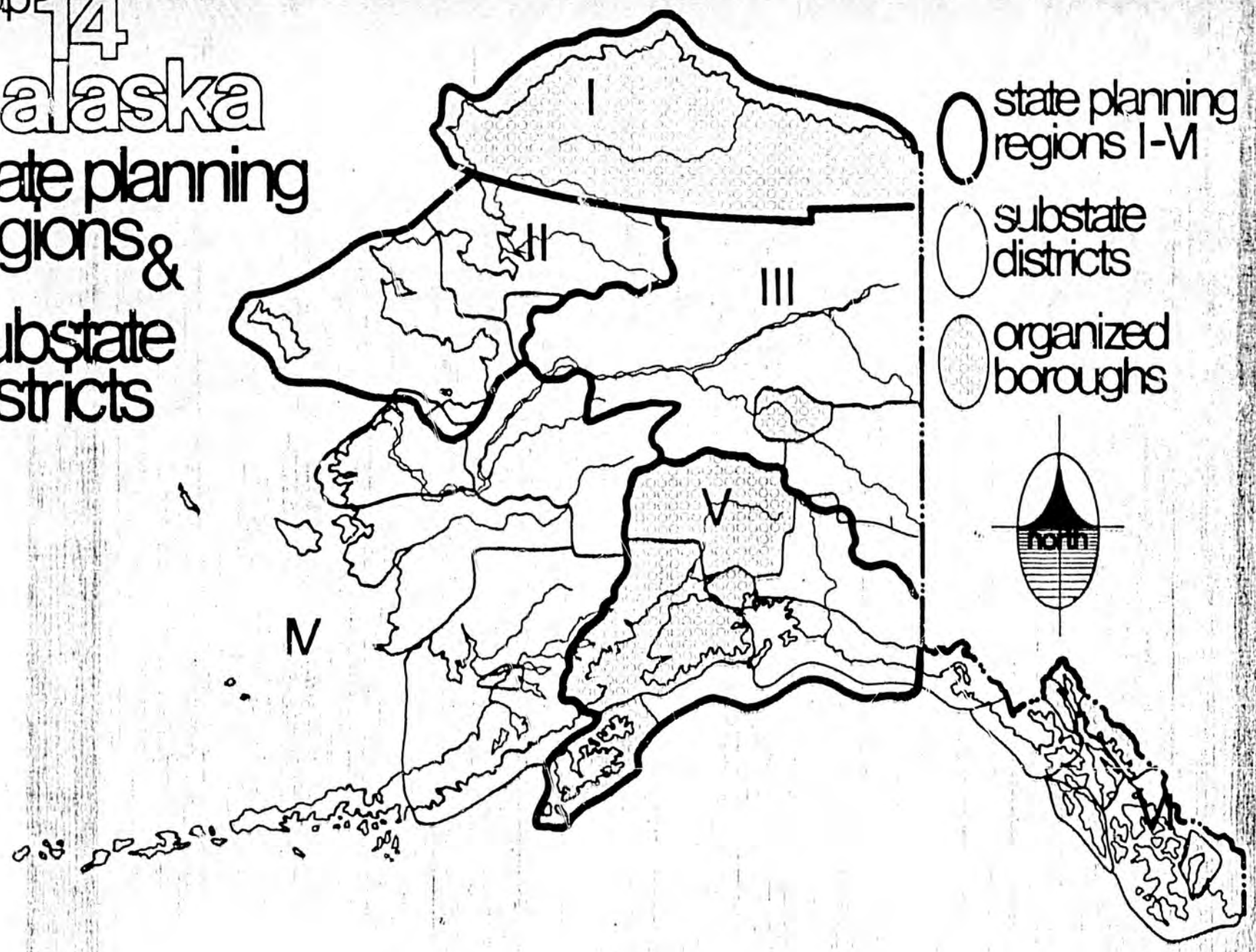
Monitoring of agency progress in adapting programs to the Regions and Districts can become a part of the budget review process. Each decentralized program should include a map of service districts, field offices or other regional assignments.

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.

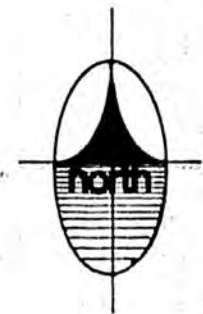
When the Region/District system is completed and approved, the Governor should officially designate the regions and districts as requirements for State agency planning. The recommendation of this study is designation by Executive Order which allows the Governor to initiate use of the boundaries; the 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



- state planning regions I-VI
- substate districts
- organized boroughs



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.

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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

POUCH Y, STATE CAPITOL
JUNEAU, ALASKA 99811
(907) 465-3800

MEMORANDUM

January 6, 1976

SUBJECT: Administrative Districts Questionnaire Analysis
TO: Administrative Districts Task Force
FROM: Herb Pierson, Legislative Intern *[Signature]*

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

ADMINISTRATIVE DISTRICTS

MEMBERS:

REP. LARRY DAVIS, CHAIRPERSON
BOX 172
NOME 99762
PHONE 443-2393 (HOME)

DEPT. OF ADMINISTRATION
RICHARD W. FREER
Pouch C
Juneau 99811
PHONE 465-2201 (office)

DEPARTMENT OF FISH & GAME
DEAN PADDOCK
Support Bldg.
Juneau 99811
PHONE 465-4109 (office)

DEPARTMENT OF COMMERCE
LANGHORNE MOTLEY
Commissioner
Pouch D
Juneau 99811
PHONE 465-2500 (office)

DEPARTMENT OF HEALTH & SOC.SERV.
DAVID FREER
Pouch H-01
Juneau 99811
PHONE 465-3030 (office)

Alternate:
RICHARD EAKINS
Pouch D
Juneau 99811
PHONE 465-2500 (office)

DEPARTMENT OF HIGHWAYS
JOHN BECKER
P.O. Box 1467
Juneau 99802
PHONE 364-2121 (office)

DEPARTMENT OF COMMUNITY &
REGIONAL AFFAIRS
LEE McANERNEY
Commissioner
Pouch B
Juneau 99811
PHONE 475-4700 (office)

DEPARTMENT OF LABOR
DAVID GALE
P. O. Box 3-7000
Juneau 99802
PHONE 586-1347 (office)

DEPARTMENT OF REVENUE
ERIK SIMPSON

DEPARTMENT OF LAW
(Member not yet
appointed)

ADMINISTRATIVE SERVICES
PHIL WALL, DIRECTOR
POUCH SA
Juneau 99811
PHONE 465-2313

DEPARTMENT OF MILITARY AFFAIRS
MAJ. GEN. C.F. NECRASON
338 Denali Street
Anchorage 99501
PHONE 277-7661 (office)

DEPARTMENT OF EDUCATION
JEFF C. JEFFERS
Pouch F
Juneau 99811
PHONE 465-2830 (office)

Alternate:
LT. COL. ROGER T. SCHNELL
338 Denali Street
Anchorage 99501
PHONE 277-7661 (office)

DEPARTMENT OF ENVIRONMENTAL
CONSERVATION
A. L. EAGLE
Pouch O
Juneau 99801
PHONE 465-2604

JUDICIAL BRANCH
ARTHUR H. SNOWDEN II
303 K Street
Anchorage 99501
PHONE 274-8611 (office)

DEPARTMENT OF NATURAL RESOURCES
GUY MARTIN, Commissioner
Pouch M
Juneau 99811
PHONE 465-2400 (office)

DIVISION OF ELECTIONS
PATTY ANN POLLEY
Pouch AS
Juneau 99811
PHONE 586-6181 (office)

Alternate:
BILL FACKLER
Pouch M
Juneau 99811
PHONE 465-2400 (office)

OFFICE OF THE LT. GOVERNOR
TERRY DALE
Pouch AA
Juneau 99811
PHONE 465-3520 (office)

Alternate:
MIKE SMITH
323 E. 4th Street
Anchorage, 99501
PHONE 279-5577 (office)

MUNICIPAL LEAGUE
MARILYN MILLER
204 Franklin Street
Juneau 99811
PHONE 586-1325 (office)

DEPARTMENT OF PUBLIC SAFETY
FRANK GORHAM
Pouch N
Juneau 99811
PHONE 465-4333 (office)

DIVISION OF POLICY DEVELOPMENT
AND PLANNING
OFFICE OF THE GOVERNOR
KAE ALLRED
Pouch AD
Juneau 99811
PHONE 465-3540 (office)

DEPARTMENT OF PUBLIC WORKS
TRACY D. KADOR
Pouch Z
Juneau 99811
PHONE 465-3990 (office)

STAFF SUPPORT:

Stuart C. Hall, Staff Attorney
Pouch Y
Juneau
PHONE 465-3800 (office)

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.

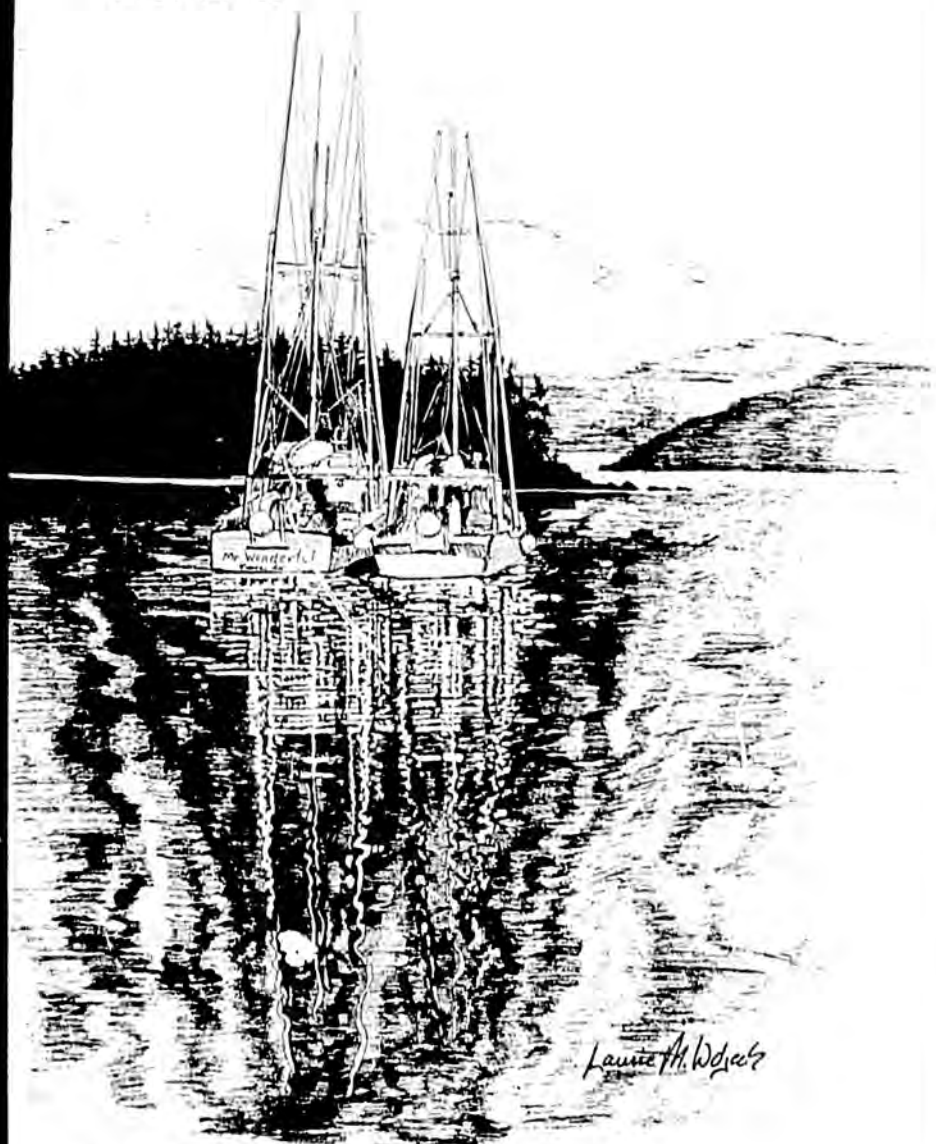
Each agency shall furnish my Office of Budget and Management with region or district map for each program submitted for funding which is administered on a regional or district basis.

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.

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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 owners shall 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 willfully 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 Kuiuhtulik 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.

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(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 Kollands

(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;

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(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 Arolik 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.

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(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.

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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

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(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

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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 Singigrachak 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

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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 Andrafsky 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:

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(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)

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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 Holitna 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;

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(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:

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(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 Rodo 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

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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 Sall River, Hess Creek and Blue Creek;

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

(B) Streams: Roy 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;

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(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 Aniak 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 Menchikof.

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 Mershikof 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)

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(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)

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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 Alkaska Peninsula area includes all waters of Alaska from Cape Mensehikof 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 Mensehikof and Moffet Point.:

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

(2) Port Heiden section: all waters southeast of a line from Strogonof 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 Strogonof 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 Vodapoini Point;

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

(6) Br'kofski Bay section: all waters between Vodapoini 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 Wosnesenski 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;

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(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.

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

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(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 Ilnik 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

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(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)

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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;

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(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) Warmsprings Bay: all waters southeast of a line from a point on the south shore of the bay at 54° 56' 28" N. lat., 163° 15' 45" W. long., to a point on the north shore of the bay at 54° 57' 16" N. lat., 163° 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° 45' 15" N. lat., 163° 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° 57' 30" N. lat., 162° 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° 06' N. lat., 162° 23' W. long., to a point on the north shore at 55° 07' N. lat., 162° 23' W. long., and within 1000 yards of any salmon stream;

(C) Kinzarof Lagoon area: all waters north of a line from 55° 13' 25" N. lat., 162° 43' 25" W. long., to 55° 16' 10" N. lat., 162° 34' 25" W. long.;

(11) Deer Island

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

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

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

(13) Volcano and Bear Bay

(A) all waters north of a line from 55° 13' 24" N. lat., 162° 01' 24" W. long., to 55° 13' 51" N. lat., 161° 58' W. long.;

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(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 1-½ 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) Dorenoi 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;

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(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;

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(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 Iktii at 55° 58' 45" N. lat., 158° 30' W. long.;

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(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' 134" 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 Aniakchak Lagoon

(1) Cape Kumlik section: all waters, including Sutwik Island, between the latitude of the southernmost marker 500 yards from the mouth of Aniakchak 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.;

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(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.

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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

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(1) Southwest of Afognak section: all water west of the longitude of Cape Paramanof (153° 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° 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° 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° 41' 24" N. lat., to the southern entrance of Dakovak Bay at 58° 01' N. lat., 154° 43' 10" W. long.;

(4) Dakovak section: all waters from the southern entrance of Dakovak Bay at 58° 01' N. lat., 154° 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)

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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) Uyak 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

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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.

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(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 $56^{\circ} 51' N.$ 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., $154^{\circ} W.$ 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) Sulua 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 $57^{\circ} 13' N.$ lat., $154^{\circ} 33' 31''$ W. long., to a point on Ayakulik Island at $57^{\circ} 13' N.$ 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.;

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(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;

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(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 $57^{\circ} 42' 42''$ 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., $152^{\circ} 28' 40''$ 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 $57^{\circ} 29' 48''$ 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.;

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(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 (Perenos): 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) Kaffia 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)

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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 Solief 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)

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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° 46' 23" N. lat., to Shell Platform C, then to a point on the west shore at 60° 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° 02' 40" N. lat., 150° 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° 46' 23" N. lat., to Shell Platform C, then to a point on the west shore at 60° 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° 20' 48" N. lat., 152° 09' 42" W. long., then northerly along the west side of Kalgin Island to Northwest Point at 60° 31' 15" N. lat., 155° 55' 45" W. long., then bearing 43° to Shell Platform C, then to a point on the west shore at 60° 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° 31' 15" N. lat., 155° 55' 45" W. long., then following the eastern shore of Kalgin Island to the South Kalgin light at 60° 20' 48" N. lat., 152° 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° 20' 48" N. lat., 152° 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° 10' 30" N. lat., 152° 35' W. long., then in a

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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 $59^{\circ} 31' N.$ 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 $60^{\circ} 20' 48'' N.$ lat., $152^{\circ} 09' 42'' W.$ long., then bearing 236° to a point one nautical mile from the bluff on the northeast shore of Chisik Island at $60^{\circ} 10' 30'' N.$ lat., $152^{\circ} 35' W.$ 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 $59^{\circ} 58' 05'' N.$ 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 $59^{\circ} 46' 15'' N.$ lat., $152^{\circ} 20' W.$ long., then south to $59^{\circ} 04' 15'' N.$ lat., $152^{\circ} 20' W.$ 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 $59^{\circ} 30' N.$ 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 $59^{\circ} 32' 06'' N.$ lat., $151^{\circ} 27' 55'' W.$ 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 $59^{\circ} 45' N.$ lat., $151^{\circ} 02' 36'' W.$ long., then southeast to a point on the mainland at $59^{\circ} 44' 30'' N.$ lat., $151^{\circ} 02' 06'' W.$ long.;

(6) Northshore subdistrict: all waters north of a line from Coal Point to a point north of Chugachik Island at $59^{\circ} 45' N.$ lat., $151^{\circ} 02' 36'' W.$ 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 $59^{\circ} 46' 15'' N.$ lat., $153^{\circ} 00' 30'' W.$ long., then east to $59^{\circ} 46' 15' N.$ lat., $152^{\circ} 20' W.$ long., then south to $59^{\circ} 04' 15'' N.$ lat., $152^{\circ} 20' W.$ 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 $59^{\circ} 38' 35'' N.$ lat., $153^{\circ} 25' 30'' W.$ long., to a point north of South Head at $59^{\circ} 37' 00'' N.$ lat., $153^{\circ} 33' 30'' W.$ long.;

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(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 Aligo 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.

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(h) Eastern district: all waters east of the longitude of Alijo Point (149° 44' 33" W. long.), west of the longitude of Cape Fairfield (148° 40' W. long.), and north of 58° 52' N. lat.

(1) Aialik Bay subdistrict: all waters north of a line from Alijo 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);

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(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:

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(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 $59^{\circ} 21'$ 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.;

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(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.

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(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

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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 16.05.25(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° 14' 06" N. lat., 152° 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° 11' 30" N. lat., 152° 30' 30" W. long., then west 1.6 miles to a Department of Fish and Game buoy at 60° 11' 30" N. lat., 152° 34' 10" W. long., then north to the Department of Fish and Game marker located one mile west of Grecian River at 60° 13' 25" N. lat., 152° 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° 02' 21" N. lat., 150° 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° 14' 38" N. lat., 149° 59' 33" W. long.

(d) Kachemak Bay

(1) northeast of a line from a Department of Fish and Game marker at 59° 44' 30" N. lat., 151° 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° 38' 51" N. lat., 151° 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° 30' N. lat.;

(5) waters of Tuika Bay southeast of the Homer Electric Association power line;

(6) waters of Jakalof Bay south of 59° 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° 20' 26" N. lat.

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(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.

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(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:

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(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).

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(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

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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)

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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 $61^{\circ}01'51''$ N. lat.;

(2) Port Fidalgo subdistrict: waters east of $146^{\circ}24'$ 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 $60^{\circ}49'22''$ N. lat., $147^{\circ}51'$ W. long., including Glacier Island, Fairmount Island, Perry Island and adjacent islands and the Naked Island group, excluding water of Unakwik Inlet north of $61^{\circ}01'$ N. lat.

(e) Unakwik district: waters of Unakwik Inlet north of $61^{\circ}01'$ N. lat.

(f) Coghill district: water north and west of a line from a point on the mainland shore at $60^{\circ}49'22''$ N. lat., $147^{\circ}51'$ W. long., to the west island of the Bald Head Chris Island group at $60^{\circ}48'$ N. lat., $147^{\circ}51'30''$ W. long., to Egg Rocks at $60^{\circ}46'30''$ N. lat., $147^{\circ}57'37''$ W. long., to Point Culcross at $60^{\circ}45'37''$ N. lat., $148^{\circ}08'37''$ W. long., to Esther Rock at $60^{\circ}48'14''$ N. lat., $148^{\circ}10'31''$ W. long., to Point Pigot at $60^{\circ}48'15''$ N. lat., $148^{\circ}20'47''$ W. long.

(g) Northwestern district: water south and west of a line from Point Pigot at $60^{\circ}48'15''$ N. lat., $148^{\circ}20'47''$ W. long., to Esther Rock at $60^{\circ}48'14''$ N. lat., $148^{\circ}10'31''$ W. long., to Point Culcross at $60^{\circ}45'37''$ N. lat., $148^{\circ}08'37''$ 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 $60^{\circ}40'45''$ N. lat., $148^{\circ}13'45''$ W. long., including Passage Canal, Blackstone Bay and Cochrane Bay;

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(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.

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(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 50

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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)

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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;

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(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 $60^{\circ} 24'$ 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;

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(32) Montague District:

(A) Zaikoff Bay: within 1000 yards of the southeastern shore of the bay from a point at 60° 17' 50" N. lat., 147° W. long., to the head of the bay;

(B) Rocky Bay: within a line from a point at 60° 21' 50" N. lat., 147° 06' 15" W. long., to a point at 60° 20' 39" N. lat., 147° 05' 15" W. long.;

(C) Stockdale Harbor: within a line from a point at 60° 19' 37" N. lat., 147° 11' 50" W. long., to a point at 60° 18' 37" N. lat., 147° 11' 30" W. long.;

(D) Port Chalmers: within a line from a point at 60° 17' N. lat., 147° 11' 52" W. long., to a point at 60° 16' 07" N. lat., 147° 12' 37" W. long., to a point at 60° 15' 30" N. lat., 147° 12' W. long., to a point at 60° 14' 24" N. lat., 147° 33' W. long., to a point at 60° 13' 54" N. lat., 147° 14' 45" W. long., to a point at 60° 13' 08" N. lat., 147° 16' 33" W. long.;

(E) Hanning Bay: within a line from a point at 59° 59' N. lat., 147° 41' W. long., to a point at 59° 57' 08" N. lat., 147° 42' 55" W. long.;

(F) MacLeod Harbor: within a line from a point at 59° 53' 22" N. lat., 147° 46' W. long., to a point at 59° 52' 30" N. lat., 147° 46' 23" W. long.;

(33) Port Etches: east of a line from 60° 21' 07" N. lat., 146° 34' W. long., 60° 20' 07" N. lat., 146° 32' 45" W. long., and south of a line from 60° 19' 45" N. lat., 146° 34' W. long., to 60° 19' 04" N. lat., 146° 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° 27' 45" N. lat., and west of a line at 145° 50' W. long.;

(38) Canoe Passage: within the passage south of 60° 31' N. lat.;

(39) Eaglek Bay: north of 60° 53' N. lat.;

(40) repealed 4/8/79.

(41) all waters of Sawmill Bay, Evans Island, north and west of a line from 60° 03' 40" N. lat., 147° 59' 20" W. long., to 60° 02' 40" N. lat., 148° 01' 35" W. long.;

(42) Nelson Bay within a line from a point at 60° 39' 25" N. lat., 145° 39' 45" W. long., to 60° 38' 52" N. lat., 145° 38' 33" W. long.

(d) The waters described in this section are closed to commercial salmon fishing.

Authority: AS 16.05.251(c)(2)

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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-

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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.

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(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)

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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

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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 consistency 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.

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(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;

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- (2) catch per unit of effort and rate of harvest;
- (3) relative abundance of herring within the area in comparison with pre-season 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.

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(c) The mesh size of a herring gill net may not be less than 2-1/8 inches nor more than 2 1/2 inches, except that in registration areas T, W, and Q the maximum mesh size may not exceed three inches.

Authority: AS 16.05.251(a),(2),(4),(7)

5 AAC 27.055. PERMITS FOR HERRING SPAWN. The taking of herring spawn for commercial purposes may be conducted under the terms of a permit issued by the commissioner or his authorized representative, unless otherwise provided in secs. 100-990 of this title.

Authority: AS 16.05.251(a)(2),(3),(4),(7),(10),(11)

5 AAC 27.070. REGISTRATION AND INSPECTION DOCUMENTS. (a) A vessel being registered for a registration area under sec. 20 of this chapter, if the necessary information is provided and the vessel is otherwise in compliance with the regulations of this title, must be issued a registration certificate after the owner or his authorized agent complete registration forms available from the local representative of the department. The registration certificate must be signed by the registrant, kept immediately available at all times during fishing operations by the vessel operator and shown upon request to any authorized representative of the department.

(b) A vessel landing herring in a registration area other than the area for which the vessel is validly registered at the time under the authorization in sec. 30 (b) of this chapter shall attach the registration certificate to the department copy (yellow copy) of the fish ticket at the time the herring are landed. In order to become registered again for any registration area the vessel owner or operator must comply with (a) of this section and sec. 20 of this chapter.

Authority: AS 16.05.251(a)(4),(12)
AS 16.05.690

ARTICLE 3. PROHIBITIONS.

5 AAC 27.090. UNLAWFUL POSSESSION OF HERRING OR HERRING GEAR. (a) It is unlawful for any person to possess unprocessed herring aboard a vessel licensed as a commercial fishing vessel within any registration area unless the vessel is registered for the area (except on vessels used with beach seines and set gill nets) and the season is open, or unless the person is acting under the authorization of sec. 30 (b) of this chapter. This prohibition does not apply to herring possessed for subsistence or personal bait purposes if otherwise consistent with applicable regulations.

(b) It is unlawful for any person to possess aboard a vessel licensed as a commercial fishing vessel within any registration area any herring or any gear used in the taking of herring, if the herring or herring gear are prohibited by other regulations in this chapter governing the registration area. If a vessel is acting under the authorization of sec. 30 (b) of this chapter, that vessel is governed by the regulations of the area for which it is registered at the time.

(c) It is unlawful for any person to possess, purchase, sell, barter or transport herring within the state or within waters subject to the jurisdiction of the state if that person knows or has reason to know that that herring was taken or possessed in contravention of the regulations of this chapter.

Authority: AS 16.05.251(a)(4),(7),(10)
AS 16.05.720
AS 16.05.900
AS 16.05.920

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5 AAC 27.092. UNLAWFUL ACTS WITHIN AN ADJACENT SEAWARD BIOLOGICAL INFLUENCE ZONE. It is unlawful for any person to take, attempt to take, cause to be taken, or possess herring, or to operate, attempt to operate or cause to be operated any vessel or gear or to possess any gear or to take, attempt to take, cause to be taken, or fail to take any action, in violation of sec. 10(b) of this chapter.

Authority: AS 16.05.251(a)(4),(7),(10)
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 27.096. VIOLATION OF REPORTING REQUIREMENTS. (a) It is unlawful for any person to file a fish ticket representing the catch governed by the fish ticket as having been taken in a particular statistical area when in fact the catch or part of the catch were taken in another statistical area.

(b) It is unlawful to file any fish ticket containing information which has been purposely falsified.

Authority: AS 16.05.251(a)
AS 16.05.690
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 27.097. VIOLATION OF LANDING REQUIREMENT. It is unlawful for any vessel acting under the authorization of sec. 30 (b) of this chapter to land an amount of herring, 10 percent or greater or less than the amount stated under sec. 30 (c) of this chapter.

Authority: AS 16.05.251(a)(4),(10)
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 27.098. VIOLATION OF REGULATIONS. It is unlawful for any person to violate any of the regulations of this chapter.

Authority: AS 16.05.020
AS 16.05.060
AS 16.05.251
AS 16.05.690
AS 16.05.720
AS 16.05.900
AS 16.05.920

ARTICLE 4. STATISTICAL AREA A;

SOUTHEASTERN ALASKA AREA.

5 AAC 27.100. DESCRIPTION OF STATISTICAL AREA. Statistical area A has as its western boundary a line extending south from Cape Fairweather and as its southern boundary a line extending west from the International Boundary at Dixon Entrance.

Authority: AS 16.05.251(a)(2)

5 AAC 27.105. DESCRIPTION OF DISTRICTS. Districts are as described in 5 AAC 33.200.

Authority: AS 16.05.251(a)(2)

5 AAC 27.110. FISHING SEASONS. (a) Herring may be taken from October 1 through February 28 in the following districts and sections: 1,2,3,4,5,6,7,8,9,10,11-B,11-

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C, 12, 13-A, 13-B south of the latitude of Goddard Hot Springs, 13-C, 14, 15-A and 16 *except* for locations within these districts set forth in (b) of this section. Herring may be held alive in pots or pounds in these areas as specified in permits issued by the commissioner pursuant to sec. 180 of this chapter.

(b) Herring fishing seasons will be established by emergency order in the following districts and sections:

(1) in the purse seine fishery herring may be taken in the following sections:

- (A) section 11-A, north of the Shrine of St. Therese;
- (B) section 11-D;
- (C) section 13-B, north of the latitude of Goddard Hot Springs;
- (D) section 15-C;

(2) in the set gill net fishery herring may be taken in the following districts and sections:

- (A) section 1-F, only that portion between Point Sykes and Foggy Point to a distance two nautical miles from the shore;
- (B) district 2, only the water of Kasaan Bay;
- (C) section 11-A, only the water north of the Shrine of St. Therese;
- (D) sections 15-B and 15-C.

(c) There is no closed season on herring taken by an individual for subsistence purposes or for his own use as bait, except that commercially licensed herring vessels may not be used to take herring for personal use from March 15 through June 15 in the locations set forth in (b) of this section.

(d) Herring fishing seasons for herring pounds are as follows:

(1) in district 6, only the water of Scow Bay north of the latitude of Mountain Point and south of the latitude of Blunt Point, from January 1 until a closing date made by emergency order;

(2) in district 10, only the water of Farragut Bay, from January 1 until a closing date made by emergency order;

(3) in section 11-A, the following areas are opened and closed by emergency order:

- (A) Tee Harbor, south of the latitude of Point Stephens;
- (B) Indian Cove, inside a line from Indian Point to a point at 58° 22' 5" N. lat., 134° 42' 18" W. long.;

(4) in the following districts and sections from September 1 through March 31 unless closed earlier by emergency order:

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(A) district 1;

(B) district 2;

(C) district 3;

(D) district 4;

(E) district 5;

(F) district 6, excluding waters of Wrangell Narrows;

(G) district 7;

(H) district 8;

(I) district 9;

(J) district 10, excluding waters of Farragut Bay;

(K) district 11, excluding waters of Tee Harbor south of the latitude of Point Stephens and Indian Cove inside a line from Indian Point to a point at 58° 22' 35" N. lat., 134° 42' 18" W. long.;

(L) district 12;

(M) district 13;

(N) district 14;

(O) district 15;

(P) district 16.

Authority: AS 16.05.060

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

5 AAC 27.130. GEAR. (a) Herring may be taken during the open season by purse seines, trawls and gill nets, except that trawls may only be used from October 1 through February 28.

(b) Herring pounds may be used under the terms of a permit issued by the commissioner.

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

5 AAC 27.131. GILL NET SPECIFICATIONS AND OPERATION. (a) Not more than 100 fathoms of herring gill net in the aggregate, may be operated from any licensed fishing vessel, except that no more than 50 fathoms may be operated during fishing periods specified by emergency order for the reduced gear. No single herring gill net may exceed 50 fathoms in length at any time.

(b) Herring gill nets must be set with an anchor at each end.

(c) Each set gill net in operation must be buoyed at both ends and each buoy shall be plainly and legibly marked with the permanent vessel plate number (ADF&G number) of the vessel fishing the gear.

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(d) No herring gill net may be reset after an announced closing time and no herring set gill net may remain in the water four hours after the closing time.

Authority: AS 16.05.060

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

5 AAC 27.132. SEINE SPECIFICATIONS AND OPERATION. (a) No herring purse seine may be more than 200 fathoms in length.

(b) No herring purse seine may be more than 1700 meshes in depth from March 1 through June 30.

(c) A purse seine is considered to have ceased fishing when all the rings are out of the water.

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

5 AAC 27.150. WATER CLOSED TO HERRING FISHING. (a) Herring may not be taken in Wrangell Harbor inside a line from the southwest point of the Alaska Wood Products, Inc. wharf to the light on Shekesti Point.

(b) Herring may not be taken by beach seine on any herring spawning grounds except for personal use as bait as provided in sec. 110(c) of this chapter.

(c) Wrangell Narrows is closed to herring purse seining between the latitude of Blunt Point and the longitude of Prowley Point light.

(d) Herring may not be taken in section 1-E west of a line from Point Francis to Tatoosh Island to Caamano Point.

(e) Herring may not be taken in Pybus Bay north and west of a line from Point Pybus to the southern tip of Elliott Island and north of the latitude of the southern tip of Elliott Island.

(f) Herring may not be taken in Gambier Bay north of the latitude of Gambier Point light.

(g) Herring may not be taken in any water of Favorite Bay.

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

5 AAC 27.160. QUOTAS. (a) The combined set gill net and purse seine guideline harvest level for the following fishing districts and sections is 3000 tons:

(1) section 1-F, only that portion lying between Black Island and Foggy Point to a distance of two nautical miles from the shore;

(2) district 2, only the water of Kasaan Bay;

(3) section 11-A, north of the Shrine of St. Therese;

(4) section 11-D;

(5) section 13-B, only the water north of the latitude of Goddard Hot Springs;

(6) section 15-A, only the water of Chilkoot Inlet north of the latitude of Seduction Point;

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(7) section 15-B;

(8) section 15-C.

(b) The herring catch quota for herring pounds in section 11-A is 120 tons with 60 tons to be taken in Tee Harbor and 60 tons to be taken in Indian Cove.

(c) The herring catch quota for herring pounds in Farragut Bay is 100 tons.

(d) The herring catch quota for herring pounds in Scow Bay is 100 tons.

(e) The herring catch quota for herring pounds in each of the following districts or portions of thereof is 100 tons except as otherwise provided in this section:

(1) district 1;

(2) district 2;

(3) district 3;

(4) district 4;

(5) district 5;

(6) district 6, excluding water of Wrangell Narrows;

(7) district 7;

(8) district 8;

(9) district 9;

(10) district 10, excluding water of Farragut Bay;

(11) district 11, excluding water of Tee Harbor south of the latitude of Point Stephens and Indian Cove inside a line from Indian Point to a point at 58° 22' 35" N. lat., 134° 42' 18" W. long.;

(12) district 12;

(13) district 13;

(14) district 14;

(15) district 15;

(16) district 16.

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

5 AAC 27.180. PERMITS FOR HERRING POUNDS. (a) Herring pound operators shall obtain a permit issued by the commissioner before April 1 for the water specified in sec. 110(d)(1)-(3) of this chapter, and before September 1 for the water specified in sec. 110(d)(4) of this chapter.

(b) No person operating a herring pound in that water listed in sec.

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110(d)(1)-(3) of this chapter may sell, offer to sell, or otherwise enter into or authorize a commercial transaction for the disposition of herring taken from that pound if he knows or has reason to know that such herring will be used for other than fresh bait purposes.

(c) No person may transport herring taken from a pound in that water listed in sec. 110(d)(1)-(3) of this chapter for delivery to another party if he knows or has reason to know that that herring will be used for other than fresh bait purposes.

(d) The commissioner may attach to a permit issued under this section for herring pounds operating in that water listed in sec. 110(d)(1)-(3) of this chapter any conditions he considers necessary with respect to any aspect of the pound operation in order to preclude or render impractical the use of herring taken by that pound for other than fresh bait purposes. The commissioner may revoke a permit issued under this section for failure to comply with the conditions attached to it.

Authority: AS 16.05.251(a)(2),(4),(6),(10),(12)

ARTICLE 5. STATISTICAL AREA D;

YAKUTAT AREA.

5 AAC 27.200. DESCRIPTION OF STATISTICAL AREA. Statistical area D has as its western boundary a line extending south from Cape Suckling and as its southern boundary a line extending west from Cape Fairweather.

Authority: AS 16.05.251(a)(2)

5 AAC 27.205. DESCRIPTION OF DISTRICTS. Districts are as described in 5 AAC 30.200.

Authority: AS 16.05.251(a)(2)

5 AAC 27.210. FISHING SEASON. Herring may be taken from October 1 through February 28.

Authority: AS 16.05.251(a)(2)

5 AAC 27.230. GEAR. Herring may be taken by purse seines, gill nets and trawls.

Authority: AS 16.05.251(a)(4)

ARTICLE 6. STATISTICAL AREA E;

PRINCE WILLIAM SOUND AREA.

5 AAC 27.300. DESCRIPTION OF AREA. Statistical area E has as its western boundary a line extending south from Cape Fairfield, as its eastern boundary a line extending south from Cape Suckling and as its southern boundary 59° N. lat.

Authority: AS 16.05.251(a)(2)

5 AAC 27.305. FISHING DISTRICTS, SUBDISTRICTS, AND SECTIONS. (a) General district: all water of Alaska between the longitude of Cape Fairfield and the longitude of Cape Suckling, exclusive of the Montague district and the Northern district as defined in (b) and (c) of this section.

(b) Montague district: all water encompassed by a line beginning at a point at 60° 35' N. lat., 146° 58' 30" W. long., then southeasterly to a point at 60° 09' 30" N. lat., 146° 42' W. long., then southwesterly to a point at 59° 46' N. lat., 147° 40' W. long., then westerly to a point at 59° 46' N. lat., 148° 04' W. long., then northerly to a point at 60° 15' 30" N. lat., 147° 32' W. long., then northerly to the point of beginning.

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(c) Northern district: all water encompassed by a line from a point on Knowles Head at 60° 42' N. lat., 146° 40' W. long., then west to a point at 60° 42' N. lat., 146° 58' 30" W. long., then north to a point at 60° 50' N. lat., 146° 58' 30" W. long., then north to a point at 60° 50' N. lat., 146° 58' 30" W. long., then west to a point at 60° 50' N. lat., 147° 20' W. long., then north to a point on the mainland at 60° 53' 45" N. lat., 147° 20' W. long.

Authority: AS 16.05251(a)(2)

5 AAC 27.310. FISHING SEASONS. (a) Herring may be taken from October 1 through February 28 in the General district. In the Montague district and Northern district, herring fishing seasons will be established by emergency order. During the period from July 1 through October 1, Herring may not be taken in any water closed throughout the year to salmon fishing.

(b) The opening and closing dates for the herring spawn on kelp fishery will be made by emergency order.

(c) The opening and closing dates for taking herring or herring spawn on kelp in pounds will be established by emergency order.

Authority: AS 16.05.060

AS 16.05.251(a)(2),(11)

5 AAC 27.330. GEAR. (a) Herring may be taken only by purse seines from March 1 through June 30; herring pounds may be used north and east of a line from Porcupine Point to Point Freemantle under permit conditions specified in sec. 380 of this chapter.

(b) Herring spawn on kelp may be taken by hand cutting as specified in sec. 333 of this chapter.

Authority: AS 16.05.251(a)(2),(43),(11)

5 AAC 27.331. GILL NET SPECIFICATIONS AND OPERATION. Not more than 150 fathoms of herring gill net, in the aggregate, may be operated from any licensed fishing vessel from October 1 through February 28.

Authority: AS 16.05.251(a)(4)

5 AAC 27.332. SEINE SPECIFICATIONS AND OPERATION. No purse seine may be more than 1,000 meshes in depth and more than 150 fathoms in length from March 1 to June 30.

Authority: AS 16.05.251(a)(4)

5 AAC 27.333. KELP HARVEST SPECIFICATIONS AND OPERATION. Herring spawn on kelp may be harvested by a hand-held unpowered blade-cutting device. Kelp plant blades must be at least four inches above the stipe (stem).

Authority: AS 16.05.251(a)(4),(11)

5 AAC 27.350. WATERS CLOSED TO HERRING FISHING. The Northern district is closed to herring fishing north and east of a line from Porcupine Point to Point Freemantle from April 1 through April 30, except that this restriction does not apply to the use of herring pounds under the terms of a permit issued under sec. 380 of this chapter.

Authority: AS 16.05.251(a)(2)

5 AAC 27.360. GUIDELINE HARVEST LEVELS. (a) The guideline harvest level is 5000 tons during the period March 1 through June 30.

(b) The guideline harvest level for herring spawn on kelp is 200 tons.

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(c) The guideline harvest level for herring spawn on kelp in herring pounds in the water north and east of a line from Porcupine Point to Point Freemantle is eight tons.

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

5 AAC 27.380. PERMITS. (a) In the herring spawn on kelp fishery, permits are required as follows:

(1) harvest permits must be obtained by each fisherman before commercial fishing;

(2) harvest permits may not be transferred to another person;

(3) harvest permits must be in the possession of the permittee and be readily available for inspection while the permittee is in possession of herring spawn on kelp.

(b) Herring pound operators must obtain a permit issued by the commissioner with the area of operation specified on the permit and with the following permit conditions;

(1) herring must be released after spawning and pounds must stay in place until the herring eggs attached to the pound structure have hatched;

(2) the size of each pound must be specified by the permit;

(3) the method of capture and retainment, and other guidelines determined by the commissioner, in his discretion, to be necessary for the conservation and management of herring and the public health, safety and general welfare may be specified by the permit;

(4) the permit must specify locations from which kelp may be taken or transplanted for use in a pound as a substrate for the production of herring spawn on kelp.

Authority: AS 16.05.251(a)(2),(3),(4),(7),(11)

ARTICLE 7. STATISTICAL AREA H;

COOK INLET AREA.

5 AAC 27.400. DESCRIPTION OF STATISTICAL AREA. Statistical area H has as its eastern boundary extending south from Cape Fairfield and as its southern boundary a line extending east from Cape Douglas at 58° 52' N. lat.

Authority: AS 16.05.251(a)(2)

5 AAC 27.405. DESCRIPTION OF DISTRICTS. Districts are as described in 5 AAC 21.200.

Authority: AS 16.05.251(a)(2)

5 AAC 27.410. FISHING SEASONS. (a) Herring may be taken in the Northern and Central district from April 15 to June 30.

(b) Herring may be taken in the Eastern, Outer, Southern and Kamishok Bay districts from July 1 through February 28. During the period April 15 to June 30 the fishery will be opened and closed by emergency order.

Authority: AS 16.05.060

AS 16.05.251(a)(2)

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5 AAC 27.430. GEAR. (a) In the Southern, Outer, Eastern and Komishak Bay districts herring may be taken only by purse seines from April 15 to June 30, and by seines, gill nets and trawls from July 1 through February 28.

(b) In the Northern and Central districts herring may be taken only by gill nets from April 15 to June 30, except that in the Chinitna Bay subdistrict herring may only be taken by set gill nets.

(c) Herring pounds may be used from October 1 through April 15 under terms of a permit secured from the commissioner, or his authorized representative.

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

5 AAC 27.431. GILL NET SPECIFICATIONS AND OPERATION. (a) No herring set gill net may exceed 35 fathoms in length. Each fisherman is allowed to operate 105 fathoms of set gill net in the aggregate.

(b) No person may operate a herring drift gill net that is more than 150 fathoms in length.

Authority: AS 16.05.251(a)(4)

5 AAC 27.432. SEINE SPECIFICATIONS AND OPERATION. During the period April 15 to June 30, no purse seine may be more than 1000 meshes in depth or more than 150 fathoms in length.

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

5 AAC 27.434. IDENTIFICATION OF GEAR. Set gill nets used for taking herring must have a keg or buoy at one end and must be plainly and legibly marked with both the permanent department registration number and the initials of the operator.

Authority: AS 16.05.251(4),(5)

5 AAC 27.435. MINIMUM DISTANCE BETWEEN UNITS OF GEAR. No set gill net may be placed or operated within 600 feet of another set gill net, except that this provision does not apply in the Chinitna Bay subdistrict.

Authority: AS 16.05.251(4)

5 AAC 27.450. WATERS CLOSED TO HERRING FISHING. (a) Herring may not be taken in any waters listed in 5 AAC 21.350. (a)-(c).

(b) Herring may not be taken in the Resurrection Bay small boat harbor from April 16 through September 30.

Authority: AS 16.05.251(a)(2)

5 AAC 27.460. GUIDELINE HARVEST LEVELS. During the period April 15 through June 30 the guideline harvest level for herring is 4,000 tons.

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

ARTICLE B. STATISTICAL AREA K;

KODIAK AREA.

5 AAC 27.500. DESCRIPTION OF AREA. Statistical area K has as its northern boundary a line extending east from Cape Douglas at 58° 52' N. lat., as its western boundary a line extending south from Cape Kumlik, as its southern boundary 55° N. lat., and as its eastern boundary 150° W. long.

Authority: AS 16.05.251(a)(2)

HERRING FISHERY

5 AAC 27.505. DESCRIPTION OF DISTRICTS. Districts are described as in 5 AAC 18.200.

Authority: AS 16.05.251(a)(2)

5 AAC 27.510. FISHING SEASONS. Herring may be taken from May 1 through February 28.

Authority: AS 16.05.251(a)(2)

5 AAC 27.530. GEAR. Herring may only be taken by seines, gill nets and trawls, except that trawls may not be used to take herring from May 1 through June 30 in the Sturgeon River, Karluk, Uyak Bay, Uganik Bay and Afognak districts.

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

5 AAC 27.531. GILL NET SPECIFICATIONS AND OPERATION. During the period May 1 through June 30, the aggregate length of herring gill nets in use by any herring interim-use or entry permit holder may not exceed 300 fathoms, and no single herring gill net may exceed 150 fathoms in length.

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

5 AAC 27.532. SEINE SPECIFICATIONS AND OPERATION. During May 1 through June 30 no purse seine may be more than 1,000 meshes in depth or more than 150 fathoms in length.

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

5 AAC 27.550. WATER CLOSED TO HERRING FISHING. During the period June 12 through October 31, herring may not be taken in the water listed in 5 AAC 18.350 and in the water described in 5 AAC 39.290.

Authority: AS 16.05.251(a)(2)

5 AAC 27.560. GUIDELINE HARVEST LEVELS. The annual guideline harvest level is 15,000 tons. During the period May 1 through June 30, guideline harvest levels are as follows:

(1) Sturgeon River, Karluk, Uyak Bay, Uganik Bay and Afognak districts: 800 tons;

(2) General, Alitak Bay and Red River districts: 800 tons;

(3) Kukak section of the Mainland district: 400 tons;

(4) Wide Bay, Cape Igvak, Alinchak and Dakavak sections of the Mainland district: 400 tons.

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

ARTICLE 9. STATISTICAL AREA M

SOUTH PENINSULA, ALEUTIAN ISLANDS AREA

5 AAC 27.600. DESCRIPTION OF AREA. Statistical area M has as its eastern Pacific Ocean boundary a line extending south from Cape Kumlik, as its western boundary 172° E. long., and as its northern boundary in the Bering Sea 54° 36' N. lat.

Authority: AS 16.05.251(a)(2)

5 AAC 27.605. DESCRIPTION OF DISTRICTS. Districts are as described in 5 AAC 09.200 (c)-(f), 5 AAC 12.200 and 5 AAC 15.200 (b)-(e)

Authority: AS 16.05.251(a)(2)

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5 AAC 27.610. FISHING SEASONS. There is no closed season on herring.

Authority: AS 16.05.251(a)(2)

5 AAC 27.650. WATER CLOSED TO HERRING FISHING. (a) East of the longitude of Scotch Cap herring may not be taken from June 1 through September 30 in any waters closed to salmon fishing.

(b) West of the longitude of Scotch Cap herring may not be taken from May 1 through September 30 in any waters closed to salmon fishing.

Authority: AS 16.05.251(a)(2)

ARTICLE 10. STATISTICAL AREA N;

NORTH PENINSULA AREA.

5 AAC 27.700. DESCRIPTION OF STATISTICAL AREA. Statistical area N has as its Bering Sea southern boundary 54° 36' N. lat., and as its northern boundary a line extending west from Cape Mensehikof, and as its western boundary the International Date line in the Bering Sea.

Authority: AS 16.05.251(a)(2)

5 AAC 27.705. DESCRIPTION OF DISTRICTS. (a) The Southern district consists of all waters of statistical area N south of 56° N. lat.

(b) The Northern district consists of all water of Alaska north of 56° N. lat.

(c) The General district consists of all water of statistical area N not described in (a) and (b) of this section.

Authority: AS 16.05.251(a)(2)
AS 16.10.190

5 AAC 27.710. FISHING SEASONS. (a) In the Northern district herring may be taken from May 1 through June 30.

(b) In the Southern district there is no closed season on herring.

Authority: AS 16.05.251(a)(2)

5 AAC 27.730. GEAR. (a) In the Northern district herring may be taken only by purse seines and gill nets.

(b) In the Southern district herring may be taken by purse seines, gill nets, and trawls.

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

5 AAC 27.750. WATERS CLOSED TO HERRING FISHING. (a) Herring may not be taken from June 1 through September 30 in any waters of Alaska closed to salmon fishing.

(b) The General district is closed to herring fishing.

Authority: AS 16.05.251(a)(2)
AS 16.10.190

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ARTICLE 11. STATISTICAL AREA T;

BRISTOL BAY AREA.

5 AAC 27.800. DESCRIPTION OF STATISTICAL AREA. Statistical area T has as its southern boundary a line extending west from Cape Menshikof and as its northern boundary a line extending west from Cape Newenham, and as its western boundary the International Date Line in the Bering Sea.

Authority: AS 16.05.251(a)(2)

5 AAC 27.805. FISHING DISTRICTS. (a) The Togiak district consists of all water of Alaska between the longitude of Cape Constantine and the longitude of Cape Newenham.

(1) Kulukak section: all water between the longitude of Right Hand Point and the longitude of Cape Constantine;

(2) Nunavarchak section: all water between the longitude of Right Hand Point and the longitude of Rocky Point;

(3) Togiak section: all water between the longitude of Rocky Point and the longitude of Tongue Point;

(4) Hagemeister Strait section: all water between the longitude of Tongue Point and the longitude of Cape Newenham.

(b) The Bay district consists of all water of Alaska area not described in (a) of this section.

(c) The General district consists of all water of statistical area T not described in (a) and (b) of this section.

Authority: AS 16.05.251(a)(2)
AS 16.10.190

5 AAC 27.810. FISHING SEASONS. Herring may only be taken from May 1 through June 30 and only in the Togiak district and the Bay district.

Authority: AS 16.05.251(a)(2)

5 AAC 27.830 GEAR. (a) Herring may be taken only by purse seines and gill nets, and only in the Togiak district and the Bay district.

(b) Herring spawn on kelp may be taken only by hand picking and hand operated rakes.

Authority: AS 16.05.251(a)(4),(7),(11)

5 AAC 27.831. GEAR SPECIFICATIONS AND OPERATION. (a) No single herring gill net may exceed 150 fathoms in length and the aggregate length of gill nets in use by an individual may not exceed 150 fathoms.

(b) Each gill net in operation must be buoyed at both ends and at least one buoy must be plainly and legibly marked with the permittee's herring interim-use or entry permit number.

(c) No herring purse seine may exceed 850 meshes in depth or 150 fathoms in length.

Authority: AS 16.05.251(a)(4),(5)

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5 AAC 27.850. CLOSED WATER. Metervik Bay is closed to herring fishing north of a line from a marker at 58° 49' 6" N. lat., 159° 47' 15" W. long., to a marker at 58° 49' 58" N. lat., 159° 45' 45" W. long. This closure does not apply to the taking herring spawn on kelp.

Authority: AS 16.05.251(a)(2)

5 AAC 27.860. GUIDELINE HARVEST LEVEL. The guideline harvest level for the taking of herring is 12,000 metric tons.

Authority: AS 16.05.251(a)(3)

5 AAC 27.862. BUYER REPORTING REQUIREMENTS. In addition to the requirements of 5 AAC 39.130(f) each buyer shall register with a department representative on the fishing grounds and shall submit or provide, on forms supplied by the department, the following information or requirements:

(1) identification and description of all processing vessels to be employed in the herring fishery or herring spawn on kelp fishery;

(2) establishment of a daily schedule for reporting of all herring or herring spawn on kelp purchased from fishermen, or other processing records as specified by a department representative;

(3) fish tickets must be submitted before the departure of each buyer from the area, and not later than 10 days after termination of buying operations in the area.

Authority: AS 16.05.251(a)(4), (5), (7) and (12)
AS 16.05.690

ARTICLE 12, STATISTICAL AREA W;

SECURITY COVE, ETOLIN STRAIT AREA.

5 AAC 27.870. DESCRIPTION OF STATISTICAL AREA. Statistical area W has as its southern boundary a line extending west from Cape Newenham and as its northern boundary a line extending west from Dall Point, and as its western boundary the International Date Line in the Bering Sea.

Authority: AS 16.05.251(a)(2)

5 AAC 27.875. DESCRIPTION OF DISTRICTS. (a) The Security Cove district consists of all water of Alaska between the latitude of the northernmost point of Carter Spit and the latitude of Cape Newenham, excluding the Goodnews Bay district.

(b) The Goodnews Bay district consists of that portion of Goodnews Bay inside a line between Department of Fish and Game markers placed near the bay entrance and a line between Department of Fish and Game markers placed near the mouth of the Ufigig River and on the opposite shore near the mouth of the Tunulik River.

Authority: AS 16.05.251(a)(2)

5 AAC 27.880. FISHING SEASONS. (a) Herring may be taken in the Security Cove district from May 1 through June 30.

(b) The fishing season in the Goodnews Bay district is opened and closed by emergency order.

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

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5 AAC 27.885. GEAR. Herring may be taken only with gill nets.

Authority: AS 16.05.251(a)(4)

5 AAC 27.888. GILL NET SPECIFICATIONS AND OPERATION. (a) No single herring gill net may be less than 50 fathoms in length and the aggregate length of herring gill net in use by an individual may not exceed 100 fathoms in length. Not more than 150 fathoms of herring gill net may be operated from any licensed fishing vessel.

(b) Each gill net in operation must be buoyed at both ends and at least one buoy must be plainly and legibly marked with the permittee's herring interim-use or entry permit number.

Authority: AS 16.05.251(a)(4),(5)

5 AAC 27.890. WATER CLOSED TO HERRING FISHING. (a) Herring may not be taken for commercial purposes in any waters of statistical area W that are not set forth in sec. 875 of this chapter.

(b) Herring spawn on kelp and herring spawn on any other substrate may not be taken for commercial purposes in any waters of statistical area W.

Authority: AS 16.05.251(a)(2)
AS 16.10.190

5 AAC 27.895. GUIDELINE HARVEST LEVELS. (a) The guideline harvest level for taking herring in the Security Cove district is 3 $\frac{1}{2}$ metric tons.

(b) The guideline harvest level for taking herring in the Goodnews Bay district is 100 metric tons.

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

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

5 AAC 27.897. POSSESSION OF SALMON. Salmon taken incidentally in conjunction with commercial herring fishing must be returned to the water.

Authority: AS 16.05.251(a)(2),(4),(10)

ARTICLE 13. STATISTICAL AREA Q;

BERING SEA, KOTZEBUE AREA.

5 AAC 27.900. DESCRIPTION OF STATISTICAL AREA. Statistical area Q has as its southern boundary a line extending west from Dall Point and as its northern boundary a line extending west from Point Hope, and as its western boundary the International Date Line in the Bering Sea and Chukchi Sea.

Authority: AS 16.05.251(a)(2)

5 AAC 27.905. DESCRIPTION OF DISTRICTS. (a) The Cape Romanzov district consists of all water of Alaska between the latitude of Dall Point and 62° N. lat.

(b) The Norton Sound district consists of all water of Alaska between the latitude of Cape Douglas and the latitude of Canal Point light:

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(1) Northern section: waters north of 64° N. lat.;

(2) Southern section: water south of 64° N. lat.

(c) The Port Clarence district consists of all waters of Alaska between the latitude of Cape Douglas and the latitude of Cape Prince of Wales.

(d) The Kotzebue district consists of all waters of Alaska between the latitude of Cape Prince of Wales and the latitude of Point Hope.

Authority: AS 16.05.251(a)(2)

5 AAC 27.910. FISHING SEASONS. Herring may be taken from May 1 through July 31 only in the districts listed in sec. 905 of this chapter.

Authority: AS 16.05.251(a)(2)

5 AAC 27.930. GEAR. Herring may be taken only with purse seines, beach seines and gill nets.

Authority: AS 16.05.251(a)(4)

5 AAC 27.931. GILL NET SPECIFICATIONS AND OPERATION. (a) Not more than 150 fathoms of herring gill net may be operated from any licensed fishing vessel and no single herring gill net may exceed 50 fathoms in length.

(b) Each gill net in operation must be buoyed at both ends and at least one buoy must be plainly and legibly marked with the permittee's herring interim-use or entry permit number.

Authority: AS 16.05.251(a)(4),(5)

5 AAC 27.932. SEINE SPECIFICATIONS AND OPERATION. No seine may be more than 850 meshes in depth and no seine may be more than 150 fathoms in length.

Authority: AS 16.05.251(a)(4)

5 AAC 27.950. WATERS CLOSED TO HERRING FISHING. (a) In the Cape Romanzov district, the waters east of the longitude of Point Smith are closed to herring fishing.

(b) The following waters in the Norton Sound district are closed to herring fishing after June 19:

(1) between Penny River and Topkok Head;

(2) between Rocky Point and Cape Darby;

(3) between Elim Point, located approximately threefourths of a mile east of Elim, and Kwik River;

(4) between the Kuiuhtulik River, eight miles southwest of Koyuk, and Island Point;

(5) between Sineak River near Cape Denbigh and Black Point.

(c) The Port Clarence district east of a line from Point Jackson to Cape Riley is closed to herring fishing.

(d) Herring may not be taken in any waters of statistical area Q that are not set forth in sec. 905 of this chapter.

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(e) The Cape Romanzov district is closed to the commercial taking of herring spawn on kelp or on any other substrate.

Authority: AS 16.05.251(a)
AS 16.10.190

5 AAC 27.960. GUIDELINE HARVEST LEVELS. (a) The guideline harvest level for taking herring in the Cape Romanzov district is 350 metric tons.

(b) The guideline harvest level for taking herring in the Norton Sound district is 500 metric tons, distributed as follows:

(1) Northern section: 350 metric tons;

(2) Southern section: 150 metric tons.

(c) The guideline harvest level for taking herring in the Port Clarence district is 150 metric tons.

(d) The guideline harvest level for taking herring in the Kotzebue district is 150 metric tons.

(e) The guideline harvest levels set forth in (a)-(d) of this section represent pre-season estimated levels of allowable herring harvests which will not jeopardize the viability of herring stocks. A district or section may close to herring fishing before or after the guideline harvest level has been reached if principles of management and conservation dictate such action, based on the biological condition of the stocks.

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

5 AAC 27.980. POSSESSION OF SALMON. Salmon taken incidentally in conjunction with commercial herring fishing must be returned to the water.

Authority: AS 16.05.251(a)(2),(4),(10)

YAKUTAT AREA

CHAPTER 30. YAKUTAT AREA

ARTICLE 1. DESCRIPTION OF AREA

5 AAC 30.100. DESCRIPTION OF AREA. The Yakutat area includes all waters of Alaska between Cape Suckling and Cape Fairweather.

Authority: AS 16.05.250(2)

ARTICLE 2. FISHING DISTRICT

5 AAC 30.200. FISHING DISTRICTS. (a) Yakataga district: all waters of Alaska between Cape Suckling and Icy Cape.

(b) Yakutat district: all waters of Alaska between Icy Cape and Cape Fairweather.

Authority: AS 16.05.250(2)

ARTICLE 3. SALMON FISHERY

5 AAC 30.310. FISHING SEASONS. (a) Salmon may be taken by set gill nets as follows:

(1) In the Yakataga district the opening and closing dates will be made by emergency order;

(2) in the Yakutat district

(A) Alsek and East Rivers, from the first Monday in June until a closing date to be made by emergency order;

(B) Yakutat Bay, from the second Monday in June until a closing date to be made by emergency order;

(C) Situk-Ahrhclin Inlet and Lost River, from the third Monday in June until a closing date to be made by emergency order;

(D) Itallo River, the opening and closing dates will be made by emergency order;

(E) in the remainder of the district, from the fourth Monday in June to a closing date to be made by emergency order.

(b) Salmon may be taken by troll gear seven days a week with the following exceptions:

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(1) in the waters of Yakutat Bay east of a line from Ocean Cape to Pt. Manby, the weekly fishing period for trolling, from August 1 through September 20 shall be the same as for set gill netting;

(2) coho salmon may be taken from June 15 through September 20;

(3) king salmon may be taken from all waters of the Yakutat area, except Yakutat Bay east of a line from Ocean Cape to Point Manby, from April 15 through October 31. In Yakutat Bay east of a line from Ocean Cape to Point Manby, there is no closed season for king salmon.

Authority: AS 16.05.060

AS 16.05.250(2) and (3)

5 AAC 30.320. WEEKLY FISHING PERIODS. Salmon may be taken by set gill nets during the open fishing seasons as follows:

(1) In the Yakataga district, from 12:01 p.m. Monday through 12:00 noon Thursday;

(2) in the Yakutat district:

(A) from the various opening dates through the first Sunday in August salmon may be taken from 6:00 a.m. Monday through 6:00 p.m. Wednesday, except from the Alsek River where salmon may be taken from 12:01 p.m. Monday through 12:00 noon Friday and the East River where salmon may be taken from 12:01 p.m. Monday through 12:00 noon Thursday.

(B) from the first Monday in August until the closing date, salmon may be taken from 12:01 p.m. Monday through 12:00 noon Thursday.

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

5 AAC 30.330. GEAR. Salmon may be taken by set gill nets and troll gear.

Authority: AS 16.05.250(3)

5 AAC 30.331. GILL NET SPECIFICATIONS AND OPERATION. (a) Set gill nets with mesh size smaller than eight inches may not be deeper than 45 meshes and set gill nets with mesh size eight inches or larger may not be deeper than 35 meshes. The individual and aggregate lengths of any and all set gill nets aboard a vessel or in use by any person may not be more than the following in hung measure:

(1) in the Yakutat district

(A) Yakutat Bay and Disenchantment Bay, one net not to exceed 75 fathoms;

(B) Situk-Ahrnklin Inlet and Lost River, one net not to exceed 20 fathoms, except for Divide Slough where one net not to exceed 15 fathoms may be used;

(C) Itallo River, Yaltze River and Yana River, one net not to exceed 25 fathoms;

(D) Dangerous River and Alsek River, each net not to exceed 25 fathoms in length or less than 10 fathoms in length; the aggregate length not to exceed 75 fathoms;

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(E) Akwe Inlet, two nets not to exceed 20 fathoms each; the aggregate length not to exceed 40 fathoms;

(F) East River, two nets not to exceed 20 fathoms each; the aggregate length not to exceed 40 fathoms;

(G) Repealed 4/8/79.

(H) Other waters of the district, including the surf line beyond the outermost bars at mean low tide, one net not to exceed 15 fathoms;

(2) In the Yakataga district

(A) Tsiu River, one net not to exceed 20 fathoms;

(B) Eight Mile River, one net not to exceed 15 fathoms;

(C) the remainder of the district, one net not to exceed 25 fathoms.

(b) Gill net gear or other fishing devices may not obstruct more than two-thirds of any salmon migratory waterway. In the intertidal zone this applies at any stage of the tide.

(c) A set gill net shall be operated in substantially a straight line, except that in Disenchantment Bay and Yakutat Bay a set gill net may have no more than 15 fathoms of its length used as a single hook.

(d) Each set gill net in operation shall be marked by clusters of bright red floats or corks at both ends, each cluster to be legibly marked with the set net registration number of the operator.

(e) The operation of each set gill net shall be performed or assisted by the fisherman who holds the valid interim-use or entry permit card for that gear.

Authority: AS 16.05.251(a)(4),(5)

5 AAC 30.335. MINIMUM DISTANCE BETWEEN UNITS OF GEAR. No part of a set gill net may be operated within 100 yards of any part of another set gill net.

Authority: AS 16.05.250(3)

5 AAC 30.350. CLOSED WATERS. (a) Fishing is prohibited as follows:

(1) Alsek River: Above a point approximately three miles below the "basin";

(2) Situk River: at the marker approximately one-half mile west of Strawberry Point to the cut bank on the eastern side of the terminus of Johnson Slough;

(3) Ankau Inlet: all waters;

(4) Italo River: above the upper markers at approximately one-half mile upstream;

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

(6) East River: above the markers approximately four miles upstream;

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(7) Akwe River: above the markers approximately six and one-half miles upstream;

(8) Lost River: above the markers approximately 500 yards above the outermost tree line on the west bank;

(9) Old Village Lagoon: all waters.

(b) Emergency order extensions or reductions of the closed waters listed in this section do not apply to trolling from June 1 through September 30 except as specifically provided by the emergency order.

Authority: AS 16.05.060
AS 16.05.251(2)

5 AAC 30.392. SIZE LIMIT AND LANDING OF KING SALMON. King salmon taken must measure at least 28 inches from tip of snout to tip of tail or 23 inches from the midpoint of the clethral arch to the tip of the tail. The heads of all fin clipped king salmon must remain attached to the fish until sold. Undersized fish which are taken must be returned to the water without injury. The restrictions in this section do not apply to gill net fishing.

Authority: AS 16.05.251(a)(3),(4),(7)

5 AAC 30.393. LANDING OF COHO SALMON. The heads of all fin clipped coho salmon must remain attached to the fish until sold.

Authority: AS 16.05.251(3),(4),(7)

ARTICLE 4. BOTTOMFISH FISHERY

5 AAC 30.410. FISHING SEASON. There is no closed season on bottomfish.

Authority: AS 16.05.250(2)

ARTICLE 6. HERRING FISHERY

5 AAC 30.610. FISHING SEASON. Repealed 4/8/79.

5 AAC 30.630. GEAR. Repealed 4/8/79.

ARTICLE 9. SUBSISTENCE FISHERY

5 AAC 30.980. PERMITS. (a) Trout and char may be taken only under authority of a permit issued by the department.

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

Editor's Note: A permit for taking salmon for subsistence purposes is required as per 5 AAC 39.890(b).

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5 AAC 30.990. RESTRICTIONS. (a) Subsistence fishing for salmon is not permitted within the period 48 hours before, during, or within the period 48 hours after an open commercial salmon net fishing season. This applies to each river or bay fishery individually.

(b) Subsistence fishermen shall remove the dorsal fin from subsistence-caught salmon when taken.

(c) Halibut may be taken from March 1 through October 31, and only by a single hand-held line. The daily bag and possession limit is two halibut.

Authority: AS 16.05.251(2),(3), and(4)

SOUTHEASTERN ALASKA AREA

CHAPTER 33. SOUTHEASTERN ALASKA AREA

ARTICLE 1. DESCRIPTION OF AREA

5 AAC 33.100. DESCRIPTION OF AREA. The Southeastern Alaska area includes all waters of Alaska between Cape Fairweather and Dixon Entrance.

Authority: AS 16.05.250(2)

ARTICLE 2. FISHING DISTRICTS AND SECTIONS

5 AAC 33.200. FISHING DISTRICTS AND SECTIONS. (a) District 1: all contiguous waters of Alaska east and north of a line from Caamano Point to a point on the International Boundary at 131° 45' W. long.

(1) section 1-A: all waters of Portland Canal north of the latitude of Hattie Island light;

(2) section 1-B: all waters south of section 1-A and east of a line extending three miles due west from Foggy Point south to intersect a line between Barren Island light and Lord Rock light, then to Lord Rock light, and then to the International Boundary;

(3) section 1-C: waters of the district between a line from a point at 55° 12' 13" N. lat., 133° 5' 42" W. long., located on Point Sykes to a point at 55° 12' N. lat., 131° 5' 30" W. long., located ½ mile northwest of Point Sykes to Point Alava, and a line from Point Eva to Cactus Point;

(4) section 1-D: waters of the district between a line from Point Eva to Cactus Point and a line from Nose Point to Snail Point;

(5) section 1-E: waters of the district between a line from Caamano Point to Point Higgins and a line from Nose Point to Snail Point;

(6) section 1-F: all other waters of the district.

(b) District 2: all waters south of a line from Narrow Point to Lemesurier Point, west of District 1 to a line from Point Marsh light to 132° 17' 30" W. long. on the International boundary.

(c) District 3: all waters north of a line from Point Marsh light to 132° 17' 30" W. long. on the International Boundary to Cape Muzon, and east of a line beginning at Eagle Point on Dall Island and passing successively through Point Arboleda, Point San Roque, Cape Ulitka, Cape Lynch to the southwest entrance point of Halibut Harbor on Kosciuszko island, and south of the latitude of Anesketil Point.

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(d) District 4: all waters north of Cape Muzon, west of District 3, and south of a line from Helm Point on Coronation Island to Cape Lynch.

(e) District 5: waters of Sumner Strait, north and east of a line from Cape Decision to Helm Point to Cape Lynch to the southwest entrance point of Halibut Harbor, and north of the latitude of Aneskett Point, west of a line from Point Baker to Point Barrie, and south of a line from Point Camden to Salt Point light on Keku Strait.

(f) District 6: all waters of Clarence Strait north of a line from Narrow Point to Lemesurier Point to Ernest Point to the most southerly point on Etolin Island, Stikine Strait south of the latitude of Round Point, Sumner Strait west of a line from Point Alexander to Low Point, and east of a line from Point Baker to Point Barrie, Wrangell Narrows south and west of a line from Prolewy Point to the northern tip of Milkof Island, and all waters of Duncan Canal.

(1) section 6-A: waters north and west of a line from Luck Point to Point Stanhope to Lincoln Rock light to Key Reef light to Nesbitt Reef light to Point Nesbitt, and west of a line from Low Point to Point Alexander, and east of a line from Point Barrie to Point Baker;

(2) section 6-B: waters enclosed by a line from Lincoln Rock light to the westernmost point of Screen Islands to the westernmost point of Marsh Island to the westernmost point of Steamer Rocks to Mariposa Rock buoy to Point Nesbitt to Nesbitt Reef light to Key Reef light to Lincoln Rock light;

(3) section 6-C: all other waters of the district.

(g) District 7: all contiguous waters of Ernest Sound and Bradfield Canal east of a line from Lemesurier Point to Ernest Point to the most southerly point of Etolin Island, Zimovia Strait south of the latitude of Nemo Point, and Eastern Passage and Blake Channel south of a line from Babblers Point to Hour point

(1) section 7-A: waters of the district north of the latitude of Point Eaton;

(2) section 7-B: waters of the district south of the latitude of Point Eaton.

(h) District 8: waters of Frederick Sound south of a line from Wood Point to Beacon Point (excluding Wrangell Narrows), Stikine Strait, Sumner Strait, Zimovia Strait and Eastern Passage inside a line from Point Alexander to Low Point to Round Point to Nemo Point to Hour Point to Babblers Point.

(i) District 9: all waters of Frederick Sound and Chatham Strait south of the latitude of Point Gardner, south of the latitude of the southern tip of Elliott Island and west of a line from the southern tip of Elliott Island to Point Macartney, north and west of a line from Point Camden to Salt Point light, north of a line from Cape Decision to Helm Point and waters south of a line projected southwest of Cape Ommaney

(1) section 9-A: waters of the district west of a line from Nation Point on Coronation Island to the latitude of Point Gardner two miles west of Point Gardner.

(2) section 9-B: waters of the district east of a line from Nation Point on Coronation Island to the latitude of Point Gardner two miles west of Point Gardner.

(j) District 10: Frederick Sound, Stephens Passage and contiguous waters north of a line from Beacon Point to Wood Point, east of a line from Point Macartney to the

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southern tip of Elliott Island, north of the latitude of the southern tip of Elliott Island, Seymour Canal south of $57^{\circ} 37' N.$ lat., and south of a line from Point League to Point Hugh.

(k) District 11: Stephens Passage and contiguous waters north of a line from Point League to Point Hugh and Seymour Canal north of $57^{\circ} 37' N.$ lat., south of the latitude of Little Island light and east of a line from Little Island light to Point Retreat light

(1) section 11-A: waters of the district north and west of a line from a point at $58^{\circ} 12' 20'' N.$ lat., $134^{\circ} 10' W.$ long., to the Coast Guard marker and light on Point Arden;

(2) section 11-B: waters of the district north of the latitude of Midway Island light and south and east of a line from a point at $58^{\circ} 12' 20'' N.$ lat., $134^{\circ} 10' W.$ long., to the Coast Guard marker and light on Point Arden.

(3) section 11-C: waters of the district south of the latitude of Midway Island light to a line from Point League to Point Hugh;

(4) section 11-D: all waters of Seymour Canal north of $57^{\circ} 37' N.$ lat.

(l) District 12: all waters of Lynn Canal and Chatham Strait south of the latitude of Little Island light to the latitude of Point Gardner, west of a line from Little Island light to Point Retreat light, east of a line from Point Couverden to Point Augusta, and east of a line from Point Hayes to Point Thatcher.

(m) District 13: all waters between a line projected southwest from Cape Ommaney and a line extending west from Column Point, and west of a line from Point Hayes to Point Thatcher

(1) section 13-A: waters of the district north of the latitude of Neva Point light and Peril Strait south of the latitude of Pogibshi Point;

(2) section 13-B: waters of the district south of the latitude of Neva Point light;

(3) section 13-C: waters of the district north of the latitude of Pogibshi Point and west of a line from Point Hayes to Point Thatcher in Peril Strait.

(n) District 14: all waters of Icy Strait west of a line from Point Couverden to Point Augusta, east of a line projected south from Cape Spencer and north of a line projected west from Column Point

(1) section 14-A: waters of the district west of a line beginning at $58^{\circ} 13' N.$ lat., $135^{\circ} 57' W.$ long., to Lemesurier Island to Point Carolus;

(2) section 14-B: waters of the district east of a line beginning at $58^{\circ} 13' N.$ lat., $135^{\circ} 57' W.$ long., to Lemesurier Island to Point Carolus and west of a line from Point Sophia to Excursion Point at $58^{\circ} 22' 30'' N.$ lat., $135^{\circ} 29' W.$ long.;

(3) section 14-C: waters of the district east of a line from Point Sophia to Excursion Point at $58^{\circ} 22' 30'' N.$ lat., $135^{\circ} 29' W.$ long.

(o) District 15: all waters of Lynn Canal north of the latitude of Little Island light

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(1) section 15-A: waters of the district north of the latitude of Sherman Rock light;

(2) section 15-B: waters of Berners Bay east of a line from Point St. Mary to Point Bridget;

(3) section 15-C: waters of the district south of the latitude of Sherman Rock light and west of a line from Point St. Mary to Point Bridget.

(p) District 16: all waters north of District 13, west of a longitude of Cape Spencer and south of a line projected southwest from Cape Fairweather.

Authority: AS 16.05.251(a)(2)

ARTICLE 3. SALMON FISHERY

5 AAC 33.310. FISHING SEASONS AND WEEKLY FISHING PERIODS. (a) in the purse seine fishery, salmon may be taken in the following districts with the opening and closing dates to be made by emergency orders and with weekly fishing periods from 6:00 a.m. Sunday through 6:00 p.m. Wednesday, except as otherwise provided in this section:

(1) district 1, sections 1-C, 1-D, 1-E and 1-F only;

(2) district 2;

(3) district 3;

(4) district 4, from the first Sunday in July until a closing date made by emergency order;

(5) district 5;

(6) district 6, sections 6-B and 6-C only;

(7) district 7;

(8) district 9;

(9) district 10;

(10) district 11, sections 11-A and 11-D only;

(11) district 12;

(12) district 13;

(13) district 14.

(b) salmon may be taken by hand troll gear and power troll gear from January 1 through December 31 in all districts except as provided in sec. 350 of this chapter and except as follows:

(1) during the period April 16 through September 20 salmon may be taken by hand troll gear:

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(A) in the following locations only during the periods set forth in (B) of this subsection;

(i) district 1;

(ii) district 12 north of the latitude of Point Hepburn;

(iii) section 13-A east of the surfline and south of the latitude of Khaz Point and section 13-B east of the surfline and north of the latitude of Aspid Cape;

(iv) district 14;

(v) section 15-A and section 15-C;

(B) April 16-April 23

April 30-May 7

May 14-May 21

May 28-June 4

June 11-June 18

June 25-July 2

July 9-July 16

July 23-July 30

August 6-August 13

August 20-August 27

September 3-September 10

September 17-September 20;

(2) during the period April 16 through September 20 salmon may be taken by power troll gear in district 12 north of the latitude of Point Hepburn, district 14, section 15-A and section 15-C only during the fishing periods set forth in (b)(1)(B) of this section;

(3) in district 8 from the third Sunday in June through September 30 the weekly fishing period for trolling is the same as for gillnetting;

(4) during the period November 1 through April 14 king salmon may not be taken north of the latitude of Cape Spencer and south and west of a line commencing at Cape Spencer and extending successively through Yakobi Rock, Cape Cross, Point Theodore, Cape Edward, Khaz Point, Point Slocum, Klokachef Island, Cape Georgiana, Point Amelia, Cape Edgecumbe, Point Woodhouse, Rogers Island, Aspid Cape, North Cape, 56° 22' 46" N. lat., 134° 57' W. long., 56° 19' 30" N. lat., 134° 54' W. long., Puffin Point, Babrovoi Point, Cape Ommaney, Hazy Islands, Cape Addington, Cape Chirikof, Cape Bartolome, Cape Felix, Bruin Point, Sakie Point, Cape Augustina, Rockwell Point, Ritter Point, Point Bazan, Security Point, Point Cornwallis, Liscome Point, Wolk Point, 54° 39' 52" N. lat., 132° 43' 32" W. long., Cape Muzon, Point Nunez, Cape Chacon, West Rock, Yellow Rocks, Tree Point, Lord Rock, and south to a point at 130° 49' W. long. on the International Boundary.

(5) coho salmon may not be taken from September 21 through June 14;

(6) in addition to the limitations set forth in (1)-(5) of this subsection the following restrictions are effective:

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(A) in section 1-E salmon may be taken only from July 13 through April 30;

(B) in section 1-C, salmon may be taken only from August 15 through April 30;

(C) in section 1-F east of a line from Kirk Point to Mary Island light to Cone Island salmon may be taken only from July 13 through April 30, except that in water of section 1-F east of a line from Black Island to the westernmost point on Slate Island to White Reef to Black Rock to Kirk Point including all water of Boca de Quadra not set forth in sec. 350 (b) (9) of this chapter, salmon may be taken only from August 1 through September 20;

(D) in section 6-A north and east of a line from Mitchell Point to Point Colpoys to MacNamara Point salmon may be taken only from June 15 through April 15;

(E) in section 6-A south of a line from Point Colpoys to Macnamara Point, section 6-B and section 6-C north of the latitude of Lincoln Rock salmon may be taken only from August 15 through April 15;

(F) in district 8 salmon may only be taken from the third Monday in June through April 15, subject to the limitations set forth in (3) of this subsection;

(G) in district 10 south and east of a line from Boulder Point to Bay Point salmon may be taken only from June 15 through April 15;

(H) in district 11 salmon may be taken only in sections 11-C and 11-D and only from June 15 through April 15;

(I) in district 12 north of the latitude of Point Coverden salmon may be taken only from June 15 through April 15;

(J) in district 15 salmon may be taken only in sections 15-A and 15-C from June 15 through April 15.

(7) Repealed 4/8/79.

(8) Repealed 4/8/79.

(c) In the drift gill net fishery, salmon may be taken only in open waters of the districts and sections listed in this subsection with the closing dates to be made by emergency order and with weekly fishing periods from 12:01 Monday through 12:00 noon Thursday except as follows:

(1) in district 1, the weekly fishing period shall be from 12:01 p.m. Sunday through 12:00 noon Thursday;

(A) section 1-A opens by emergency order;

(B) section 1-B opens on the third Sunday of June;

(2) district 6, sections 6-A and 6-B open on the third Monday of June;

(3) district 8 opens on the third Monday of June;

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(4) district 11

(A) section 11-B opens on the third Monday in June;

(B) section 11-C opens by emergency order;

(5) district 15

(A) section 15-A opens on the third Monday in June;

(B) section 15-C opens on the second Monday in August.

(d) Repealed. (Eff. 2/18/73, Reg. 45)

Authority: AS 16.05.060
AS 16.05.251(a)(2),(4)

5 AAC 33.312. FISHING ZONES FOR TROLL GEAR. (a) In the troll fishery there are established the following zones, in which the department shall apply management and conservation regulations set out in this chapter:

(1) terminal fishing areas for troll gear are final interception zones for spawning king and coho salmon bound for major mainland systems and may be high use recreational areas; terminal fishing areas are:

(A) Behm Canal terminal fishing area which consists of sections 1-C, 1-D and 1-E;

(B) Stikine River terminal fishing area which consists of district 8 and section 7-A;

(C) Taku-Berner's terminal fishing area which consists of sections 11-A, 11-B, 11-C and 15-B;

(D) Chilkat River terminal fishing area which consists of section 15-A;

(2) terminal fishing corridors for troll gear are inside water migration routes to milling areas and approaches to major king and coho salmon systems and may be medium-use recreational areas; terminal fishing corridors are:

(A) Behm Canal-Portland Canal terminal fishing corridor which consists of sections 1-A, 1-B and 1-F;

(B) West Prince of Wales terminal fishing corridor which consists of district 3;

(C) Upper Clarence Strait-Ernest Sound terminal fishing corridor which consists of district 6 north of the latitude of Lincoln Rock light and section 7-B.

(D) Frederick Sound terminal fishing corridor which consists of district 10, section 11-C and section 11-D;

(E) Lynn Canal-Upper Chatham Strait terminal fishing corridor which consists of district 12 north of the latitude of Point Hepburn, and section 15-C;

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(3) intermediate fishing corridors are major entry ways used by king and coho salmon to inside water districts and are generally light-use recreational areas; intermediate fishing corridors are:

(A) Clarence Strait intermediate fishing corridor which consists of district 2 and district 6 south of the latitude of Lincoln Rock light;

(B) Sumner Strait intermediate fishing corridor which consists of district 5;

(C) Lower Chatham Strait intermediate fishing corridor which consists of district 9 east of the surfline, district 12 south of the latitude of Point Hepburn and section 13-C;

(D) Icy Strait-Cross Sound intermediate fishing corridor which consists of district 14;

(E) Sitka Sound-Salsbury Sound-Lisianski intermediate fishing corridor which is section 13-B east of the surf line and north of the latitude of Aspid Cape and section 13-A south of the latitude of Khaz Point and east of the surfline and including Lisianski Inlet south of a line from Column Point to Soapstone Point and Lisianski Strait north of the latitude of Point Theodore;

(4) the Coastal fishing zone is all outer coastal fishing waters and consists of the territorial waters of Alaska west of districts 4, 9, 13, and 16, district 4, district 9 west of the surf line, district 16 and 13 excluding section 13-C and excluding the waters described in (a)(3)(E) of this section.

(5) the Seaward Biological Influence Zone consists of all waters west of the Coastal Fishing Zone bounded on the south by the latitude of the International Boundary at Dixon Entrance, bounded on the north by the latitude of Cape Fairweather and bounded on the west by 144° W. long.; the Seaward Biological Influence Zone is an area in which the Department obtains biological and fishing effort data and other information necessary for the formulation of effective conservation and management regulations in order to protect and maintain king and coho salmon resources of the state.

(b) As used in this chapter "surf line" means the line described in sec. 310(b)(4) of this chapter commencing at Cape Spencer and terminating on the International Boundary at Dixon Entrance.

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

5 AAC 33.313. APPLICATION OF COASTAL TROLLING REGULATIONS. (a) Notwithstanding any other provision of this chapter, all salmon trolling regulations are applicable to the Coastal Fishing Zone, as described in sec. 312(a)(4) of this chapter, shall be applicable also in the adjacent Seaward Biological Influence Zone.

(b) Persons on a salmon trolling vessel navigating within the Seaward Biological Influence Zone shall conduct their operations and activities in full compliance with the regulations applicable to the Coastal Fishing Zone.

(c) The commissioner may suspend the application of this section wholly or partially in the Seaward Biological Influence Zone if he finds that such application:

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(1) does not tend to facilitate enforcement of regulations applicable to the Coastal Fishing Zone or other territorial waters;

(2) does not tend to protect or conserve king or coho salmon inhabiting territorial waters of Alaska; or

(3) that the state has an insufficient interest in the king or coho salmon 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 33.330. GEAR. Salmon may be taken with purse seines, troll gear and drift gill nets in the districts and sections as listed in sec. 310 of this chapter, except that hand troll gear may not be used in the water of the coastal fishing zone as described in sec. 312(a)(4) of this chapter excluding the water of Alaska north of 56° 08' 45" N. lat., (one mile south of Cape Ommaney) and south of the latitude of Redfish Cape.

Authority: AS 16.05.251(a)(2), (4), (7)

5 AAC 33.331. GILL NET SPECIFICATIONS AND OPERATION. (a) No person shall operate a gill net vessel that has on the reel more than one legal limit of gill net gear. Extra gill net gear may be carried on board the vessel. The lead line and cork line must be tied or bound separately from one another and the net sacked.

(b) The maximum depth of gill nets is as follows:

(1) nets with mesh smaller than eight inches may not be deeper than 60 meshes;

(2) nets with mesh eight inches or larger may not be deeper than 40 meshes;

(3) in districts 8 and 11, gill nets may not be deeper than 40 meshes before the third Sunday in June.

(c) The minimum and maximum length of gill nets is as follows:

(1) in district 1, gill nets may not be less than 100 fathoms or more than 200 fathoms in length;

(2) in district 6, gill nets may not be less than 125 fathoms or more than 300 fathoms in length;

(3) in district 8, gill nets may not be less than 125 or more than 300 fathoms in length;

(4) in district 11, gill nets may not be less than 100 fathoms or more than 150 fathoms in length, except that after the third Saturday in June the maximum length will increase to 200 fathoms;

(5) in district 15, gill nets may not be less than 50 fathoms or more than 200 fathoms in length.

(d) In districts 8 and 11: gill net mesh may not be greater than six inches from the third Sunday in June through July 18.

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(e) In district 15: gill net mesh may not be greater than six inches before July 18.

(f) Gill net mesh may not be less than five and one-half inches in districts 1, 6 and 8, and five and three-eighths inches in district 11 during a season for such gear specified by emergency order.

(g) Gill net mesh may not be less than six and one-quarter inches in districts 6 and 8 after August 15 during a season for that gear specified by emergency order.

(h) Gill net mesh may not be less than six and one-quarter inches in district 15 after August 15 during a season for that gear as specified by emergency order.

Authority: AS 16.05.251(2) and (4)

5 AAC 33.332. SEINE SPECIFICATIONS AND OPERATION. (a) No purse seine may be less than 150 meshes or more than 450 meshes in depth, or less than 150 fathoms or more than 250 fathoms in length, hung measure.

(b) Seine mesh may not be more than four and one-half inches, except the first 25 meshes above the lead line may not be more than seven inches.

(c) No lead may be more than 75 fathoms in length.

(d) Repealed. (Eff. 4/26/70, Reg. 33)

Authority: AS 16.05.251(4)

5 AAC 33.335. MINIMUM DISTANCE BETWEEN UNITS OF GEAR. Repealed. (Eff. 2/18/73, Reg 45)

5 AAC 33.350. CLOSED WATER. (a) The water listed in this section is closed water except as follows:

(1) water listed in this section and within 500 yards of the terminus of any salmon stream are open to trolling from October 1 through May 30 unless otherwise provided in this section;

(2) emergency order extensions or reductions of the closed water listed in this section do not apply to trolling from June 1 through September 30 except as specifically provided by such emergency order.

(b) District 1

(1) Portland Canal: north of the latitude of Engineer's Point;

(2) Tombstone Bay: between the latitudes of Turn Point and Bræzy Point;

(3) Hidden Inlet: all water;

(4) Fillmore Inlet: north of the latitude of Male Point;

(5) Willard Inlet: north of the latitude of Male Point;

(6) Edwards Passage: north of the latitude of Akeku Point;

(7) Nakat Bay: north of the latitude of High Point;

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- (8) Very Inlet: all water;
 - (9) Boca de Quadra: east of $130^{\circ} 50'$ W. long.;
 - (10) Smeaton Bay: east of $130^{\circ} 43' 30''$ W. long.;
 - (11) Rudyard Bay: east of $130^{\circ} 42' 27''$ W. long.;
 - (12) Behm Canal: between a line from Nose Point to Snail Point and a line from Cactus Point to Point Eva, this closure shall apply to trolling throughout the year;
 - (13) Neets Bay: east of Clam Island;
 - (14) Traitors Cove: all water;
 - (15) Naha Bay: Roosevelt Lagoon and within one statute mile of the falls at the outlet of Roosevelt Lagoon;
 - (16) Moser Bay: all water;
 - (17) Port Stewart: all water;
 - (18) Helm Bay: all water;
 - (19) Raymond Cove: within a line from Mike Point to $55^{\circ} 37' 45''$ N. lat., $131^{\circ} 51' 50''$ W. long.;
 - (20) Vallendar Bay: within 1,000 yards of the head stream terminus;
 - (21) Tongass Narrows: between a line from Point Higgins to Vallendar Point and a line from Gravina Point to the Mountain Point navigation light, except by trolling;
 - (22) Ward Cove: all water;
 - (23) George Inlet: north of $55^{\circ} 19' 36''$ N. lat.;
 - (24) Carroll Inlet: north of $55^{\circ} 24' 16''$ N. lat.;
 - (25) Thorne Arm: north of the latitude of Eve Point;
 - (26) Lucky Cove: within 1,000 yards of the stream terminus;
 - (27) Tamgas Harbor: north of Deer Point;
 - (28) Ray Anchorage: all water;
- (c) District 2
- (1) Nichols Bay: all water;
 - (2) Moira Sound
 - (A) North Arm: inside a line from Crowell Point to Point Halliday;

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(B) Johnson Cove: all water;

(C) West Arm: west of 132: 12' W. long.;

(D) South Arm: south of 54° 57' N. lat.;

(3) Port Johnson and Dolomi Bay: west of the longitude of Moss Point;

(4) Cholmondelay Sound

(A) Cholmondelay Sound: east of Divide Head including Dora Bay, Kitkum Bay and Lancaster Cove closed south of 55° 13' 09" N. lat.;

(B) South Arm, West Arm and Sunny Cove: west of 132° 14' 28" W. long.;

(5) Polk Inlet, Paul Bight and McKenzie Inlet, west of the longitude of Khayyam Point;

(6) repealed (Eff. 2/18/73, Reg. 45);

(7) Twelvemile Arm: south of 55° 29' 10" N. lat.;

(8) Karta Bay: west of a line beginning at 55° 33' 52" N. lat., 132° 32' 40" W. long., and projected north through 55° 35' 05" N. lat., 132° 29' 55" W. long.;

(9) Thorne Bay: west of 132° 28' 35" W. long.;

(10) Tolstoi Bay: south of 55° 39' N. lat.

(d) District 3

(1) Hunter Bay: all waters;

(2) Klakas Inlet: north of 55° N. lat.;

(3) Keete Inlet: all water;

(4) Nutkwa Inlet: north of 55° 06' N. lat.;

(5) Hetta Harbor: all water;

(6) Hetta Inlet: north of the latitude of Simmons Point;

(7) Eek Inlet: all water;

(8) Sukkwan Strait at Hydaburg: all water of Sukkwan Strait west of the longitude of Sallery Point, including South Pass east of the longitude of Goat Island light, and all waters of North Pass;

(9) Ham Cove: all water;

(10) Kasook Inlet: all water within one statute mile of the head;

(11) Soda Bay: east of 133° W. long.;

(12) Tlevak Straits: all water north of 55° 15' N. lat.;

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- (13) Ulloa Channel: all water east of $133^{\circ} 10'$ W. long.;
- (14) Port Refugio: all water south of $55^{\circ} 17' 20''$ N. lat.;
- (15) Port Real Marina: all waters east of $133^{\circ} 34' 30''$ W. long., west of a line from Point Arrecife to Point Gorda and north of a line from Point San Leonardo to Canal Point, except by trolling;
- (16) Portillo Channel: all water between a line from Point Arrecife to Point Amargura and a line from Point Santa Gertrudis to Point Animas except by trolling;
- (17) Trocadero Bay: east of $133^{\circ} 01'$ W. long.;
- (18) Port San Nicholas: east of $133^{\circ} 04'$ W. long.;
- (19) Klawock Inlet: all waters east of Klawock and Peratrovich Islands north of a line connecting the northern extremities of Peratrovich and Wadleigh Islands including Big Salt Lake;
- (20) Shinaku Inlet and Big Salt Lake: north of the latitude of Point Ildefonso;
- (21) Salt Lake Bay: all water;
- (22) Warm Chuck Inlet: north of $55^{\circ} 44' 30''$ N. lat.;
- (23) Nassuk Bay: all waters south of $55^{\circ} 44'$ N. lat.;
- (24) El Capitan and Tuxekan Passages: all contiguous waters east of $133^{\circ} 20'$ W. long.;
- (25) Edna Bay: all water;
- (26) Tokeen Bay: all water;
- (27) Van Sant Cove: within 1,000 yards of the stream terminus;
- (28) Devilfish Bay: all water;
- (29) Hessa Inlet: all water;
- (30) within 500 yards of the unnamed stream at $55^{\circ} 22' 01''$ N. lat., $133^{\circ} 04' 38''$ W. long., except by trolling;
- (31) within 500 yards of the unnamed stream at $55^{\circ} 22' 28''$ N. lat., $133^{\circ} 06' 04''$ W. long., except by trolling;
- (32) within 500 yards of the unnamed stream at $55^{\circ} 22' 25''$ N. lat., $133^{\circ} 10' 34''$ W. long., except by trolling.
- (e) District 4: Manhattan Arm: east of $133^{\circ} 10'$ W. long.;
- (f) District 5

SOUTHEASTERN ALASKA AREA

(1) Keku Strait: north of $56^{\circ} 32'$ N. lat. (north end of Monte Carlo Island) including all waters of Seclusion Harbor and south of a line from Point Camden to Salt Point light;

(2) Port Beauclerc

(A) oil water north of $56^{\circ} 20'$ N. lat.;

(B) all water of the southern arm south of $56^{\circ} 17'$ N. lat.;

(C) all water of the unnamed cove located west of Edwards Island;

(3) Affleck Canal

(A) all water of Bear Harbor and north of $56^{\circ} 16' 20''$ N. lat.;

(B) all water of Kell Bay west of $134^{\circ} 08' 15''$ W. long.;

(4) Calder Bay: north of $56^{\circ} 11' 12''$ N. lat.;

(5) El Capitan Passage: east of a line extending north from $56^{\circ} 08' 53''$ N. lat., $133^{\circ} 27' 37''$ W. long.;

(6) Shipley Bay: east of $133^{\circ} 33' 25''$ W. long.;

(7) Hole in the Wall, northwest coast of Prince of Wales Island: all water;

(8) Alvin Bay: all water within two nautical miles of the head of the bay;

(9) Reid Bay: all water within one nautical mile of the head of the bay;

(10) Barrie Creek: within 1,000 yards of the terminus of the stream.

(g) District 6

(1) Salmon Bay: all waters within a line extending from Rookery Island to a point one mile on either side of the bay;

(2) Red Bay: south of the latitude of Pin Point;

(3) Steamer Bay: south of the latitude of Point Harrington;

(4) Ratz Harbor: all water;

(5) Barnes Lake, at the head of Lake Bay: all waters inside Stevenson Island south of $56^{\circ} 01' 42''$ N. lat., $132^{\circ} 54' 22''$ W. long.;

(6) Whale Pass: from the north end of Thorne Island to $56^{\circ} 04'$ N. lat.;

(7) McHenry Inlet: east of $132^{\circ} 25'$ W. long.;

(8) Rocky Bay, west coast of Etolin Island: within one statute mile of the head of the bay;

SOUTHEASTERN ALASKA AREA

(9) Mossman Inlet: north of a line one mile north of the latitude of Marble Point;

(10) Lake Bay: west of a line from Keg Point to $56^{\circ} 01' 42''$ N. lat., $132^{\circ} 54' 22''$ W. long.;

(11) Exchange Cove: all waters;

(12) Totem Bay: north and east of a line from Totem Point to the southern tip of Shingle Island to Mitchell Point;

(13) Kah Sheets Bay: all waters;

(14) Duncan Canal: all water north of the latitude of the northern tip of Butterworth Island, except that only that water north of the latitude of the northern tip of Grief Island is closed to trolling;

(15) Wrangell Narrows: all water north of Point Alexander except by trolling;

(16) Navy Creek: all water east of Burnett Islands and south and east of a line from South Burnett Island to a point at $56^{\circ} 03' 30''$ N. lat., $132^{\circ} 27' 57''$ W. long.

(h) District 7

(1) Anita Bay: all waters except by trolling;

(2) Olive Cove: all waters;

(3) Thom's Place, Zimovia Strait: all waters;

(4) Fool's Inlet: within one nautical mile of the head of the bay;

(5) Bradfield Canal: east of $131^{\circ} 55' 30''$ W. long., except by trolling which is closed from April 16 through September 30;

(6) Blake Channel and Eastern Passage: all waters except by trolling which is closed from April 16 through September 30;

(7) Vixen Inlet: inside Sunshine Island;

(8) Santa Anna Inlet: inside Point Santa Anna;

(9) Canoe Pass: all waters north of 56° N. lat.;

(10) Menefee Inlet: north of $56^{\circ} 05'$ N. lat.;

(11) Union Bay: 1,000 yards from stream terminus;

(12) Zimovia Strait: all waters north of the latitude of Thorns Point except by trolling;

(13) Fisherman's Chuck: west of $132^{\circ} 12'$ W. long.

(i) District 8

SOUTHEASTERN ALASKA AREA

(1) Blind Slough: all waters;

(2) Stikine River: inside a line from Babbler Point to Hour Point, along the shore of Wrangell Island, to Point Highfield to the southern end of Liesnoi Island to the southern end of Greys Island to the small island near the eastern entrance of Blind Slough, to the nearest point of Mitkof Island, to the prominent point of Mitkof Island nearest Coney Island, to the northern end of Coney Island, to a point 500 yards north of Jap Creek on the mainland shore; this closure applies to trolling throughout the year;

(3) Five Mile Creek: south of the latitude and west of the longitude of Sukoi Island except by trolling.

(j) District 9

(1) Tebenkof Bay

(A) Elena Bay: north and east of a line from $56^{\circ} 29' 56''$ N. lat., $134^{\circ} 06' 28''$ W. long. to Elena Point;

(B) Petrof Bay: south of $56^{\circ} 22' 20''$ N. lat.;

(C) Thetis Bay: within one nautical mile of all streams;

(2) Bay of Pillars: east of $134^{\circ} 11' 40''$ W. long.;

(3) Security Bay: all waters south of $56^{\circ} 49' 40''$ N. lat.;

(4) Saginaw Bay: within a line from the southwest shore at $56^{\circ} 51' 36''$ N. lat. to the northeast shore at $56^{\circ} 53' 06''$ N. lat.;

(5) Red Bluff Bay: west of $134^{\circ} 45' 28''$ W. long.;

(6) Gut Bay: west of $134^{\circ} 43' 28''$ W. long.;

(7) Port Walter: all waters including Little Port Walter;

(8) Murder Cove: north of $57^{\circ} 01' 45''$ N. lat.;

(9) Eliza Harbor: within 1,000 yards of head stream;

(10) Kadake Bay: all waters;

(11) Hamilton Bay: south of the latitude of Point Hamilton;

(12) Port Camden: south of $56^{\circ} 41' 30''$ N. lat.;

(13) Little Pybus Bay: north of $57^{\circ} 14' 50''$ N. lat.

(k) District 10

(1) Port Houghton

(A) All waters within lines projected south and east from the southern tip of Walter Island;

SOUTHEASTERN ALASKA AREA

(B) east of $133^{\circ} 11' W.$ long.;

(2) Windham Bay: east of $133^{\circ} 27' 10'' W.$ long., one fourth mile west of the narrows;

(3) Farragut Bay: all waters of Francis Anchorage;

(4) Gambier Bay: west of $134^{\circ} W.$ long.;

(5) Pybus Bay: Cannery Cove and West Arm inside a line running from $57^{\circ} 18' 24'' N.$ lat., $134^{\circ} 07' 55'' W.$ long. to an unnamed island at $57^{\circ} 18' 43'' N.$ lat., $134^{\circ} 07' 30'' W.$ long. and then to a point at $57^{\circ} 19' 20'' N.$ lat., $134^{\circ} 06' 20'' W.$ long.;

(6) Hobart Bay: east of $133^{\circ} 23' 40'' W.$ long.;

(7) Dry Bay: within 1,000 yards of the stream terminus.

(l) District 11

(1) Auke Bay: inside a line from Point Louisa to Outer Point; this closure does not apply to trolling from October 1 through April 15;

(2) Taku Inlet: north of a line from the Annex Creek Powerhouse to Trollers Anchorage;

(3) Slocum Inlet: all waters;

(4) Taku Harbor: all waters;

(5) Limestone Inlet: all waters;

(6) Seymour Canal

(A) all waters lying north of an east-west line originating at a point on Swan Island located at $57^{\circ} 56' 20'' N.$ lat., $134^{\circ} 12' 10'' W.$ long., and west of the longitude of Staunch Point, including all waters of Windfall Harbor and Swan Cove;

(B) Mole Harbor: inside Beacon Rock;

(C) Pleasant Bay: all waters;

(r) Port Snettisham

(A) Speel River: all waters north of the latitude of the old pulp mill wharf at $58^{\circ} 07' N.$ lat.;

(B) Gilbert Bay: all waters east of the longitude of Sentinel Point.

(m) District 12

(1) Wilson Cove: all waters;

(2) Whitewater Bay: within a line from Point Caution to $50^{\circ} 15' 37'' N.$ lat., $134^{\circ} 36' 25'' W.$ long.;

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(3) Chaik Bay: east of 134° 30' 27" W. long.;

(4) Hood Bay: all waters of the North and South Arms, except by trolling;

(5) Kootznahoo Inlet: all waters except by trolling;

(6) Hawk Inlet: all waters east and north of a line from Point Marsden to a point one-half nautical mile northwest of Point Marsden at 58° 04' 20" N. lat., 134° 49' 15" W. long., then to Hawk Point except by trolling;

(7) Funter Bay: all waters except by trolling;

(8) Howard Bay: north of Point Howard except by trolling;

(9) Freshwater Bay: inside the innermost island;

(10) Tenakee Inlet: all waters west of the longitude of the northernmost point of Corner Bay except by trolling;

(11) Basket Bay: all waters;

(12) Kelp Bay, Middle Arm and South Arm: west of 134° 56' 59" W. long.;

(13) Warm Springs Bay: all waters;

(14) False Bay: all waters.

(n) District 13

(1) Lisianski Inlet: south of Pelican City, except by trolling;

(2) Salt Lake Lagoon, Takanis Bay: the lagoon and within 500 yards of the mouth of the lagoon;

(3) Stag Bay: all waters;

(4) Goulding Harbor: all waters;

(5) Black Bay: all waters;

(6) Sister Lake: inside a line from 57° 37' 42" N. lat., 136° 00' 30" W. long., to 57° 38' 05" N. lat., 136° 00' 40" W. long.;

(7) Waterfall Cove, Slocum Arm: all waters;

(8) Fish Bay, northwest coast of Baranof Island: east of 135° 35' 10" W. long.;

(9) Hoonah Sound, North Arm: all waters west and north of a line at 57° 44' 20" N. lat., 135° 43' 40" W. long., to 57° 43' 50" N. lat., 135° 44' 40" W. long.;

(10) Ushk Bay: west of Ushk Point;

(11) Rodman Bay: all waters west and south of a line at 57° 28' 20" N. lat., 135° 20' 40" W. long., to 57° 28' 50" N. lat., 135° 21' 30" W. long.;

SOUTHEASTERN ALASKA AREA

(12) Saook Bay: all waters west and south of a line at 57° 26' 15" N. lat., 135° 11' 40" W. long., to 57° 26' 40" N. lat., 135° 12' 15" W. long.;

(13) Hanus Bay: south of a line Point Hanus to Point Moses;

(14) Nakwasina Passage: from Allan Point to a line two miles east of Neba Point;

(15) Nakwasina Sound: all waters east of a line from a prominent point at 57° 11' 39" N. lat., 135° 23' 24" W. long., to 57° 12' 12" N. lat., 135° 24' 36" W. long.;

(16) Katlian Bay: all waters north and east of prominent points at 57° 09' 30" N. lat., 135° 21' 55" W. long. and 57° 09' 07" N. lat., 135° 22' 35" W. long.;

(17) Redoubt Bay: within 1½ statute miles of the terminus of the outlet stream of Redoubt Lake;

(18) Port Banks: all waters;

(19) Still Harbor: all waters;

(20) Redfish Bay: all waters inside a line from Overhang Point and a point at 56° 20' 49" N. lat., 134° 51' W. long.;

(21) Big Branch Bay: all waters;

(22) Sitkoh Bay: all waters of the northwest arm;

(23) Patterson Bay: all waters;

(24) Fick Cove: all waters;

(25) Starrigaven Bay: all waters inside a line from 57° 08' 27" N. lat., 135° 22' 35" W. long. to the ferry terminal dock.

(a) District 14

(1) Dundas Bay: north of 58° 20' N. lat.;

(2) Port Althrop: all waters, except by trolling;

(3) Idaho Inlet: all waters, except by trolling;

(4) Mud Bay: south of the latitude of Quartz Point;

(5) Port Frederick: all waters, except by trolling from October 1 through June 15 with a line extending from Inner Point Sophia to the northwest extremity of Halibut Island and then 323° to Chichagof Island;

(6) Spasski Bay: from Neck Point to Spasski Island to a point at 58° 05' 38" N. lat., 135° 13' 15" W. long., except by trolling;

(7) Whitestone Harbor: all waters except by trolling;

SOUTHEASTERN ALASKA AREA

(8) Homeshore Creek at 58° 16' 15" N. lat., 135° 20' 45" W. long: within 500 yards of the terminus except by trolling;

(9) Excursion Inlet: all waters except by trolling;

(10) Glacier Bay: north of 58° 27' 54" N. lat., except by trolling;

(p) District 15

(1) Chilkat Inlet: north of the latitude of Letnikof light;

(2) Lutak Inlet: northwest of a line between Tanani Point and Taiya Point;

(3) Taiya Inlet: all waters inside a line from Taiya Point to the mouth of Dayehas Creek, except by trolling;

(4) St. James Bay: all waters except by trolling.

Authority: AS 16.05.060

As 16.05.251(a)(2),(4)

5 AAC 33.392. SIZE LIMIT AND LANDING OF KING SALMON. King salmon taken must measure at least 28 inches from tip of snout to tip of tail (in its natural open position) or 23 inches from the midpoint of the cleithral arch to the tip of the tail. The heads of all fin clipped king salmon must remain attached to the fish until sold. Undersized fish which are taken must be returned to the water without injury. The size limit restrictions in this section do not apply to gill net and purse seine fishing.

Authority: AS 16.05.251(a),(3),(4),(7)

5 AAC 33.393. LANDING OF COHO SALMON. The heads of all fin clipped coho salmon must remain attached to the fish until sold.

Authority: AS 16.05.251(a),(3),(4),(7)

ARTICLE 4. BOTTOMFISH FISHERY

5 AAC 33.410. FISHING SEASONS. (a) Sablefish may be taken as follows:

(1) in district 9 north and east of a line from Cape Ommaney to Nation Point, districts 10, 11, 12, section 13-C, districts 14 and 15, from September 1 through November 15 or until a quota of 850,000 pounds has been taken, whichever is earlier;

(2) in districts 1, 2, 3, 5, 6, 7, and 8, from June 15 through November 15;

(3) in districts 4 and 16 and sections 13-A and 13-B, there is no closed season.

(b) There is no closed season on other species of bottomfish.

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

5 AAC 33.430. GEAR. (a) Sablefish may be taken with longlines and pots.

(b) Longline vessels may have aboard or use for taking bait, gill nets with mesh size of not over two and one-half inches and made of not greater than number 20 gill net thread.

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(c) Repealed. (Eff. 3/19/78, Reg. 65).

(d) Repealed June 2 1978, Reg. 67.

(e) Fishing for bottomfish other than sablefish with sunken or diving gill nets may be conducted only under 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(a)(2),(3),(4),(7)

ARTICLE 5. SMELT FISHERY

5 AAC 33.510. FISHING SEASON. There is no closed season on smelt.

Authority: As 16.05.250(2)

ARTICLE 6. HERRING FISHERY

5 AAC 33.610. FISHING SEASONS. Repealed 4/8/79.

5 AAC 33.630. GEAR. Repealed 4/8/79.

5 AAC 33.631. GILL NET SPECIFICATIONS AND OPERATION. Repealed 4/8/79.

5 AAC 33.632. SEINE SPECIFICATIONS AND OPERATION. Repealed 4/8/79.

5 AAC 33.650. CLOSED WATERS. Repealed 4/8/79.

5 AAC 33.660. QUOTAS. Repealed 4/8/79.

5 AAC 33.670. REGISTRATION. Repealed, eff. 3/8/74, Reg. 49.

5 AAC 33.680. PERMITS. Repealed 4/8/79.

5 AAC 33.690. RESTRICTIONS. Repealed, eff. 3/8/74, Reg. 49.

ARTICLE 9. SUBSISTENCE FISHERY

5 AAC 33.980. PERMITS. For subsistence purposes, salmon, trout, char and herring spawn on kelp may be taken only under authority of a permit issued by the department.

Authority: AS 16.05.250(2)

5 AAC 33.990. RESTRICTIONS. (a) Subsistence fishing is prohibited as follows:

(1) in district 1, salmon may not be taken in

(A) Ketchikan Creek and Thomas Basin;

(B) Mahoney Creek in George Inlet;

SOUTHEASTERN ALASKA AREA

(C) Naha Bay: Roosevelt Lagoon and within one statute mile of the falls at the outlet of Roosevelt Lagoon;

(2) in district 11, salmon may not be taken in

(A) Auke Bay and tributary streams inside a line from Point Louisa through Coghlan and Spuhn Islands to the southern tip of Mendenhall Peninsula;

(B) creeks and rivers tributary to Gastineau Channel, but excluding Montana Creek and Fish Creek;

(C) the Taku River drainage;

(3) in district 13, Redoubt Bay, salmon may not be taken by gill net or seine in any waters of the bay closed to commercial fishing;

(4) in district 15, Lynn Canal, including Chilkat, Chilkoot and Lutak inlets, salmon may not be taken for subsistence purposes during the closed periods of the commercial net fishery;

(5) permits for taking king and coho salmon for subsistence purposes shall not be issued, except for coho salmon in Chilkat River adjacent to Klukwan Reservation;

(6) in taking salmon, the use of set gill net gear is prohibited except in the mainstream of the Chilkat River north of the latitude of Zimovia Point; the permit holder shall be present at the net while it is fishing;

(7) in taking salmon, the use of gill nets is prohibited in districts 1, 2, 3, and 4.

(b) Halibut may be taken for subsistence purposes from March 1 through October 31, and only by a single hand-held line. The daily bag and possession limit is two halibut.

Authority: AS 16.05.251(2), (3) and (4)

INTERNATIONAL WATER AREA

CHAPTER 36. INTERNATIONAL WATER AREA

ARTICLE 1. DESCRIPTION OF AREA

5 AAC 36.010. DESCRIPTION OF AREA. The International Water area includes all waters outside Alaska's three-mile limit, i.e., beyond those described in 5 AAC 39.975(13).

Authority: AS 16.05.250(2)
AS 16.10.190

ARTICLE 3. SALMON

5 AAC 36.020. SALMON NET AND LONGLINE FISHING PROHIBITED. It is unlawful for a citizen of the state to take, by use of any type of net or longline, any salmon within the international waters of the Pacific Ocean.

Authority: AS 16.05.250(2) and (3)
AS 16.10.190

5 AAC 36.030. TRANSPORTATION AND POSSESSION. It is unlawful to transport through the Pacific Ocean waters of the state, or to have possession in this state, any salmon taken by any type of net or longline in international waters of the Pacific Ocean or within the territorial waters of this state or of another state or country where fishing for salmon with nets or longline is unlawful.

Authority: AS 16.05.250(2) and (3)
AS 16.10.200

AQUATIC PLANTS

CHAPTER 37. AQUATIC PLANTS

ARTICLE 1. HARVEST PROVISIONS

5 AAC 37.100 PERMITS. Processors or buyers of aquatic plants shall obtain a harvest permit issued by the commissioner or his authorized representative prior to operating, including the following provisions:

- (1) the area of operation shall be restricted to one or more fishing districts;
- (2) species to be harvested;
- (3) method of harvest shall be restricted to mechanical cutting or handpicking;
- (4) plants shall be removed from the water at the time of harvesting;
- (5) aquatic plants where used as substrate for herring spawn may be harvested only as otherwise provided in this title.

Authority: AS 16.05.250(13)

5 AAC 37.150. CLOSED WATERS. All waters of Khaz Bay are closed to the taking of aquatic plants.

Authority: AS 16.05.250(13)

ARTICLE 2. SEASONS

5 AAC 37.200. SEASONS. The opening and closing dates of harvesting aquatic plants will be made by emergency order.

Authority: AS 16.05.250(13)
AS 16.05.060

ARTICLE 9. RESTRICTIONS

5 AAC 37.900. RESTRICTIONS. Transplanting of aquatic plants is prohibited except as provided in this title for the issuance of permits by the commissioner for the purpose of producing herring spawn on kelp in pounds.

Authority: AS 16.05.251(a)(11)

GENERAL PROVISIONS

CHAPTER 39. GENERAL PROVISIONS

ARTICLE 1. GENERAL

5 AAC 39.105. TYPES OF LEGAL GEAR. (a) All gear shall be operated in a manner conforming to its basic design.

(b) The size of meshes of a gill net shall be substantially consistent.

(c) All references to mesh size in the regulations are considered to be "stretched measure."

(d) Unless otherwise provided in this title, the following are legal types of gear:

(1) a gill net is a net primarily designed to catch fish by entanglement in the mesh and consisting of a single sheet of webbing hung between cork line and lead line, and fished from the surface of the water;

(2) a set gill net is a gill net that has been intentionally set, staked, anchored or otherwise fixed;

(3) a drift gill net is a drifting gill net that has not been intentionally staked, anchored or otherwise fixed;

(4) a purse seine is a floating net designed to surround fish and which can be closed at the bottom by means of a free-running line through one or more rings attached to the lead line;

(5) a hand purse seine is a floating net designed to surround fish and which can be closed at the bottom by pursing the lead line;

(6) a beach seine is a floating net designed to surround fish which is set from and hauled to the beach;

(7) power gurdy troll gear consists of a line or lines with lures or baited hooks which are drawn through the water by a gurdy;

(8) hand troll gear consists of a line or lines with lures or baited hooks which are drawn through the water from a vessel by hand trolling, strip fishing or other types of trolling, and which are retrieved by hand power or hand powered crank and not by any type of electrical, hydraulic, mechanical or other device or attachment;

(9) a fishwheel is a fixed, rotating device for catching fish which is driven by river current or other means of power;

GENERAL PROVISIONS

(10) a trawl is a bag-shaped net towed through the water to capture fish or shell fish;

(11) a pot is a portable structure designed and constructed to capture and retain fish and shellfish alive in the water;

(12) a ring net is a bag-shaped net suspended from a circular or rectangular frame;

(13) a longline is a stationary buoyed or anchored line or a floating, free drifting line with lures or baited hooks attached;

(14) a shovel is a hand-operated implement for digging clams or cockles;

(15) a mechanical clam digger is a mechanical device used or capable of being used for the taking of clams;

(16) a scallop dredge is a dredge-like device designed specifically for and capable of taking scallops by being towed along the ocean floor;

(17) a fyke net is a fixed, funneling (fyke) device used to entrap fish;

(18) a lead is a length of net employed for guiding fish into a seine;

(19) an anchor is a device used to hold a salmon fishing vessel or net in a fixed position relative to the beach; this includes using part of the seine or lead, a ship's anchor or being secured to another vessel or net that is anchored;

(20) a herring pound is an enclosure used primarily to retain herring alive over extended periods of time;

(21) diving gear is any type of hard hat or skin diving equipment;

(22) a hydraulic clam digger is a device using water or a combination of air and water to remove clams from their environment;

(23) a grappling hook is a hooked device with flukes or claws and attached to a line and operated by hand;

(24) a dip net is a bag-shaped net suspended from a frame, which may not exceed five feet in any outside dimension, is attached to a single handle and is operated by hand;

(25) a mechanical jigging machine is a mechanical device with line and hooks used to jig for bottomfish.

Authority: AS 16.05.251(a)(4)

5 AAC 39.110. CREWMEMBER FISHING LICENSE REQUIREMENTS. (a) Each commercial fisherman who does not hold a valid interim-use or entry permit card issued by the Commercial Fisheries Entry Commission shall obtain a crewmember fishing license before fishing in any waters of Alaska. A crewmember fishing license is not required for the holder of a valid interim-use or entry permit card.

GENERAL PROVISIONS

(b) Not more than one crewmember fishing license may be obtained by a person during any one calendar year unless a duplicate license is requested in compliance with AS 16.05.480(c).

(c) A crewmember licensee who does not hold a valid interim-use or entry permit card may crew in any fishery if the holder of a valid interim-use or entry permit card for that fishery is present and actively engaged in the operation of a fishing gear.

(d) A valid interim-use or entry permit card holder may crew in any fishery, except that a salmon net permit holder may crew in salmon net fisheries only in that salmon net registration area for which he holds a valid salmon net permit card.

(e) In this section "crew" means the activities of a commercial fisherman as defined in AS 16.05.940(2) and "present and actively engaged in the operation of" means being present at the gear site and operating gear or assisting or supervising some portion of the immediate fishing operation.

Authority: AS 16.05.251(4), (5) and (12)
AS 16.05.450
AS 16.05.480

5 AAC 39.115. DESIGNATION OF SALMON NET REGISTRATION AREA. A person who holds salmon net gear permits for more than one registration area listed in sec. 120(d) of this chapter shall designate upon a form provided by the Commercial Fisheries Entry Commission the single area in which he desires to net fish in that year. The area so designated must be an area for which the person holds a valid salmon net permit.

Authority: AS 16.05.251(4), (5) and (12)

5 AAC 39.120. REGISTRATION OF COMMERCIAL FISHING VESSELS. (a) A person who owns a commercial fishing vessel or his authorized agent shall register that vessel by completing a vessel license application or renewal form and submitting it to the Commercial Fisheries Entry Commission. Vessel registration is required before fishing or transporting fish in any waters of Alaska.

(1) a vessel, if it is in compliance with all regulations governing registration and if it displays a license issued under AS 16.05.530, is considered to be registered under the laws of the state and may be employed in the taking or transporting of fish;

(2) in this section

(A) "employ" or "employed" means taking or attempting to take fish, or transporting fish which have been taken or any operation of a vessel aiding or assisting in the taking or transporting of fish;

(B) "in compliance with all regulations governing registration;" includes registration required by secs. 20 and 70 of chs. 31, 32, 34, 35, and 38 and includes district or subdistrict registration requirements of chs. 03-38 of this title, and includes the provisions of this section;

(C) "registered under the laws of the State" means that a vessel displays a license described in 20 AAC 05.958 and issued under AS 16.05.530, and that the registration provisions of chs. 03-39 of this title have been complied with and evidence of compliance is immediately available at all times during fishing or transporting operations, and can be shown upon request to any authorized representative of the department;

GENERAL PROVISIONS

(3) it is unlawful to take, attempt to take or possess unprocessed fish aboard a vessel in the waters of Alaska unless the vessel is registered under the laws of the state.

(b) Area registration requirements for shellfish vessels are as specified in the registration regulations in chs. 31—38 of this title.

(c) Area registration requirements for salmon net fishing vessels are as follows:

(1) a person who owns a fishing vessel to be used to take salmon with net gear, or his authorized agent, shall register for an area by designating on the vessel license application or renewal form the vessel's one area of intended salmon net gear operation for the year; it is unlawful for a vessel to engage in salmon net fishing in an area other than the single area selected;

(2) in this section the term "area" means any registration area listed in (d) of this section, except that

(A) in salmon net registration area T, vessel registration is also required for a fishing district as specified in 5 AAC 36.370;

(B) in salmon net registration areas W, Y and Z vessel registration is also required for a fishing subdistrict as specified in 5 AAC 03.370;

(3) a vessel registered for an area of salmon net fishing in compliance with (c)(1) of this section will be issued, by the Commercial Fisheries Entry Commission, a vessel license area tab for that year; it is unlawful for a vessel to fish in the area of registration unless the vessel displays the area tab on the vessel license number plate; no vessel owner or operator may possess for each vessel, or no vessel may display, more than one vessel license area tab;

(4) a person who owns a fishing vessel registered for an area of intended operation in compliance with (c)(1) of this section or his authorized agent may reregister it for a different salmon net registration area under the following conditions:

(A) the reregistration of a salmon net fishing vessel shall be authorized

(i) by the commissioner upon receipt of proof in writing that the vessel has been lost through sinking, destruction, or extensive mechanical breakdown, or that the vessel operator has suffered serious injury, sickness or death during the open season; or

(ii) by the Commercial Fisheries Entry Commission upon receipt of a written certification or personal affidavit stating that the vessel has not been used for salmon net fishing in the original area of registration;

(B) a person authorized to reregister a vessel must complete a reregistration form issued by the Commercial Fisheries Entry Commission and submit it to the commissioner together with any previously issued vessel license area tab;

(C) it is unlawful for a vessel to fish in the area of reregistration unless the vessel displays the appropriate area tab on the vessel license number plate;

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(D) area reregistration under this section shall supersede the original area registration as if the original area registration had never been made.

(d) Salmon net registration areas are the following code letters with the following described areas:

Code
Letter

Area

A—Southeastern Alaska area

D—Yakutat area

E—Prince William Sound area and the Yakataga district of the Yakutat area

H—Cook Inlet area

K—Kodiak area

L—Chignik area

M—Alaska Peninsula and Aleutian Islands area

T—Bristol Bay area and:

January 1 through June 30, the Cinder River and Port Heiden sections of the Northern district of the Alaska Peninsula area,

August 1 through December 31, the Cinder River area, Port Heiden and Ilnik sections of the Northern district of the Alaska Peninsula area

W—Kuskokwim district of the Arctic-Yukon-Kuskokwim area

X—Kotzebue district of the Arctic-Yukon-Kuskokwim area

Y—Yukon district of the Arctic-Yukon-Kuskokwim area

Z—Norton Sound district of the Arctic-Yukon-Kuskokwim area

(e) Evidence of proper registration or licensing shall be kept immediately available at all times during fishing operations and shall be shown upon request to any authorized representative of the department.

(f) The provisions of this section do not apply to halibut fishing.

Authority: AS 16.05.251(2), (4), (5) and (12)

AS 16.05.490

AS 16.05.510

5 AAC 39.130. REPORTS REQUIRED OF PROCESSORS, BUYERS AND FISHERMEN. (a) Each person, company firm or other organization who purchases unprocessed fish, or processes fish or by-products of fish shall

(1) furnish to the department each calendar year before operating a written statement of intent to operate with a description of the nature, extent and location of the operation on forms available from the department;

(2) submit, no later than January 31, an accurate and complete summary of the previous year's operation on Fish and Game Form 122, which is available from the department;

(3) furnish, verbally or in writing, purchasing or processing records as requested by the department or its representative.

(b) Each buyer of fish and shellfish and each fisherman selling to buyers not licensed to process fish shall keep a record of each purchase on fish tickets or other forms supplied by the department. Fish tickets shall be submitted to the local department representative at least once a week or as otherwise specified by the department for each particular area and fishery. The record shall include the following:

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- (1) the name of the company or individual buying the fish;
- (2) the name of the fisherman from whom the fish were purchased;
- (3) the name or the Coast Guard number of the vessel employed in taking fish;
- (4) the date of the landing of the fish;
- (5) the department registration number or set net number, whichever is applicable;
- (6) the type of gear by which the fish were taken;
- (7) the nearest headland or bay or statistical catch area in which the fish were taken;
- (8) information applicable to the following species:
 - (A) the number and pounds of salmon by species;
 - (B) the number and pounds of king, dungeness and Tanner crab;
 - (C) the pounds of other fish or shellfish by species;

(9) the Commercial Fisheries Entry Commission permit number of the operator of the unit of gear with which the fish were taken, imprinted on the fish ticket from the valid permit card; the imprinting requirement of this subsection may be suspended by the department only after notification from the buyer or fisherman that the permit card is lost, transferred or destroyed or the imprinter is malfunctioning; if the above circumstances arise then the permit number shall be handwritten on the fish ticket by the buyer;

(10) other information the department may require.

(c) Each fisherman shall furnish to the buyer factual catch data necessary for completion of reports required by the department.

(d) Each shellfish fisherman shall furnish in writing to the department, directly or through the buyer, data necessary for reports required by the department.

(e) The following information regarding the transporting of unprocessed fish shall be transmitted to an authorized representative of the department either verbally, in writing or by telephone:

(1) the number and species of salmon taken in any regulatory area shall be reported before being transported to any other area or out of the state;

(2) the numbers or pounds by species of all other fish shall be reported before being transported out of the state.

(f) Operators of floating fish processing vessels, before the time of operation, shall report in person, by radio or by telephone to the local department representative. The report must include the initial processing location, by district, subdistrict and the exact latitude and longitude of the location and the date of the

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intended operation. Before moving the operation and upon arriving at a new location, the operator shall notify the local department representative in person, by radio or by telephone of the new location of operation by district, sub-district and exact latitude and longitude. The local department representative may waive all or part of the above description requirements if, in his discretion, if it is not necessary for the conservation or management of the fishery in that area.

(g) It is unlawful for any person, company, firm or other organization who or which purchases or processes fish or their by-products to purchase or otherwise receive or transport roe from subsistence-caught salmon. In the Arctic-Yukon-Kuskokwim area, each person, company, firm or other organization who or which purchases unprocessed salmon or processes salmon or their by-products shall submit to the department a weekly report summarizing his or its salmon and commercial salmon roe production. In the Arctic-Yukon-Kuskokwim area, each purchaser or processor of commercial salmon roe shall notify a department representative at least 24 hours before the roe is transported from the district in which it was taken.

Authority: AS 16.05.251(a)
AS 16.05.690

5 AAC 39.140. INSPECTION OF FISHERY ESTABLISHMENTS. For purposes of inspection, representatives of the department shall have free and unobstructed access to all canneries, salteries and other fish processing establishments.

Authority: AS 16.05.180

5 AAC 39.145. ESCAPE MECHANISM FOR SHELLFISH AND BOTTOMFISH POTS. All shellfish and bottomfish pots shall contain an opening in the webbing of a side wall of the pot which has been laced, sewn or secured together by untreated cotton twine or other natural fiber no larger than 120 thread, which upon deterioration or parting of the twine produces an opening in the web with a perimeter equal to or exceeding one half of the tunnel tie opening perimeter. Dungeness crab pots may have the pot lid tie-down straps secured to the pot at one end by untreated cotton twine no larger than 120 thread, as a substitute for the above requirement.

Authority: AS 16.05.251(4)
AS 16.10.125

5 AAC 39.150. EXPLOSIVES, CHEMICALS AND POISONS UNLAWFUL. The use of an explosive, chemical or poison in the taking or killing of fish or shellfish is prohibited, except that chemical baits or lures may be used to attract shellfish.

Authority: AS 16.05.250(3)

5 AAC 39.155. SEINE DRUMS UNLAWFUL. It shall be unlawful to have mounted aboard any seine vessel a seine drum or reel around which a seine can be coiled or rolled.

Authority: AS 16.05.250(3)
As 16.10.120

5 AAC 39.160. MAXIMUM LENGTH OF SALMON SEINE VESSEL. 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 waters of the state before January 1, 1962, as 50-foot, official Coast Guard register length vessels.

Authority: AS 16.05.251(4)

5 AAC 39.170. MONOFILAMENT PURSE SEINE WEB UNLAWFUL. It is unlawful to use single or multiple strand monofilament purse seine web. For the purpose of this regulation, "monofilament" means any single filament having more than 50 denier, that is weighing more than 50 grams per 9,000 meters of filament.

Authority: AS 16.05.250(3)

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5 AAC 39.180. TIME LIMIT FOR PRESERVATION OF SALMON. It is unlawful to preserve for sale as food any salmon, unless it has been canned, salted, iced, frozen, brine chilled, smoked or dried within 48 hours after being killed.

Authority: AS 16.05.250(3)

5 AAC 39.190. DRIVING SALMON PROHIBITED. It is unlawful to drive or attempt to drive salmon from waters closed to salmon fishing.

Authority: AS 16.05.251(7) and (8)
AS 16.10.010

5 AAC 39.195. ANNOUNCEMENT OF EMERGENCY ORDERS. Announcement of emergency orders will be publicized and made known to interested persons, fishermen, buyers, packers and canneries by one or more of the following means if possible:

(1) radio transmission by department stations;

(2) notices posted at canneries and public places;

(3) press releases and announcements in local newspapers and commercial radio stations;

(4) telegrams and commercial radio facilities.

Authority: AS 16.05.060

5 AAC 39.197. UNLAWFUL POSSESSION OF FISH. No person may possess, purchase, sell, barter or transport fish within the state or within waters subject to the jurisdiction of the state if that person knows or has reason to know that the fish were taken or possessed in contravention of chs. 03-39 of this title.

Authority: AS 16.05.251(10)

5 AAC 39.198. COMMERCIAL FISHING AND RELATED OPERATIONS BY ALIENS NOT LAWFULLY ADMITTED TO THE UNITED STATES. (a) Foreign vessels or aliens or both are prohibited from:

(1) the catching, taking, or harvesting of fish resources;

(2) the tendering, offloading, or other movement or handling of fish resources until processing has been completed;

(3) the processing of fish resources; or

(4) any attempt at, preparation for, or assistance of the foregoing; with the intent of disposing of the fish resources for profit, or by sale, barter, trade, or in commercial channels.

(b) As used in this section, "processing" means completion of:

(1) cooking;

(2) canning;

(3) smoking;

(4) salting, which means uniformly mixing with a minimum salting level of at least 20% of the weight of the fish resources;

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(5) drying; or

(6) freezing.

(c) Aliens and foreign vessels are not prohibited from transporting fish resources outside the state, or engaging in other business activities respecting fish resources after processing has been completed. Any vessel used pursuant to this authorization, whether domestic or foreign;

(1) must not be equipped for the harvesting of fish resources; and

(2) must be in compliance with applicable state and federal laws.

(d) The commissioner, after consultation with the Board of Fisheries, may under conditions and limitations determined by him, grant a limited exception to this section with respect to a particular fishery and permit foreign vessels to process fish resources at an existing or constructive port, or to transport fish resources outside the state from an existing or constructive port that processing takes place, if he determines after investigation that:

(1) the volume of fish resources expected to be taken in the fishery under current regulations exceeds the anticipated processing capability of facilities operated by United States processors;

(2) there is no practical opportunity for United States processors to make emergency arrangements to handle excess volume;

(3) there is a likelihood of substantial wastage of fish resources taken in the fishery if foreign processing or transportation capacity is not utilized; and

(4) there is no significant likelihood of clandestine foreign fishing operations if the exception is granted.

(e) With respect to paragraph (d) of this section the commissioner may recognize and designate constructive ports provided:

(1) the ports are within the internal waters of the state;

(2) there is no existing port within a reasonable running time from fishing grounds which are the subject of a substantial fishery; and

(3) there is no significant opportunity for clandestine violations of (a) of this section or evasion of other applicable state and federal laws and regulations.

(f) The provisions of this section apply to foreign vessels and aliens in the internal waters and the territorial sea of the state.

(g) As used in this section:

(1) "aliens" means aliens not admitted to the United States with immigrant or other resident alien status under the immigration and naturalization laws of the United States;

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(2) "existing ports" means those Alaskan marine ports designated in 19 C.F.R. sec. 1.2;

(3) the phrase "foreign vessels and aliens" includes foreign vessels staffed with aliens, foreign vessels staffed with U.S. citizens, and U.S. vessels staffed with aliens; and

(4) "foreign vessels" means vessels not documented under the laws of the United States or documented under the laws of a state.

Authority: AS 16.05.251
AS 16.05.475
AS 16.05.905
AS 16.05.910
AS 16.05.920
AS 16.05.940

ARTICLE 2. SALMON FISHERY

5 AAC 39.230. GEAR. Only those gill nets, seines, troll lines, fishwheels, spears or other appliances as provided for in chs. 03-39 of this title may be used to take salmon.
AS 16.05.250(3)

5 AAC 39.240. GENERAL GEAR SPECIFICATIONS AND OPERATION. (a) A salmon fishing vessel shall operate, assist in operating, or have aboard it or any boat towed by it, only one legal limit of salmon fishing gear in the aggregate except as otherwise provided in this title.

(b) Unhung gear sufficient for mending purposes may be carried aboard fishing vessels.

(c) A purse seine, hand purse seine or beach seine may not be fished simultaneously with gill net gear by any individual or vessel.

(d) Salmon fishing nets shall be measured, either wet or dry, by determining the maximum or minimum length of the cork line when the net is fully extended with traction applied at one end only.

(e) The interim-use or entry permit card holder is responsible for the operation of the net.

Authority: AS 16.05.251(4)

5 AAC 39.250. GILL NET SPECIFICATIONS AND OPERATION. (a) The trailing of gill net web is prohibited at any time or place where fishing is not permitted.

(b) Set gill nets shall be removed from the water during any closed period.

(c) Gill net web must contain no less than 25 filaments until December 31, 1978. After December 31, 1978, gill net web must contain no less than 30 filaments.

Authority: AS 16.05.251(4)

5 AAC 39.260. SEINE SPECIFICATIONS AND OPERATION. (a) In the use of purse seines and hand purse seines, not more than one anchor may be used to hold the seine boat during a set.

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

(c) A purse seine is considered to have ceased fishing when all the rings are out of the water.

(d) A hand purse seine is considered to have ceased fishing when both ends of the seine are fast to the vessel.

(e) A beach seine is considered to have ceased fishing when all of the lead line is above the water on the beach.

(f) Where the use of leads is permitted, a purse seine vessel may not have or use more than one lead of a legal length and depth, without purse rings attached, and with a minimum mesh size of seven inches.

Authority: AS 16.05.251(4)

5 AAC 39.270. TROLL SPECIFICATIONS AND OPERATION. (a) A maximum of four trolling lines may be operated from any vessel.

(b) A trolling vessel may have, or use for taking bait, gill nets of a mesh not more than 2½ inches and made of not greater than number 20 gill net thread.

(c) Each vessel engaged in power trolling must display its permanent vessel plate number (ADF&G number) in permanent symbols of black on a white background. Each number must be at least twelve inches in height, with lines at least one inch wide, and must be permanently affixed and displayed plainly visible and unobscured on both sides of the hull or cabin at all times.

(d) Each vessel engaged in hand trolling must display the letters HT in permanent block letters on both sides of the vessel. Each letter must be painted on both sides of the vessel hull or cabin in a color contrasting with the background, at least four inches in height, at least one-half inch in width, plainly visible and unobscured at all times. No hand troll vessel may display its permanent vessel plate number (ADF&G number) in any location other than on the vessel license plate.

Authority: AS 16.05.251(a)(4),(5),(7)

5 AAC 39.280. IDENTIFICATION OF STATIONARY FISHING GEAR. Any person, company or corporation owning, operating or using a set gill net or fishwheel shall place in a conspicuous place on or near the set gill net or fishwheel the name of the person, company or corporation owning, operating and using it, together with a permanently assigned department registration number. Numbers shall be at least six inches in height with lines at least one inch wide and shall be painted in contrasting colors, except as otherwise provided in this title.

Authority: AS 16.05.250(3)

5 AAC 39.290. CLOSED WATERS. (a) Commercial fishing for salmon is prohibited at all times within the streams and rivers of Alaska and within a radius of 500 yards, both seaward and landward from a point beginning midway of a line between the seaward extremities of the exposed tideland banks at mean lower low water, of any salmon stream or as specified in regulations having particular application to designated streams or areas.

(b) The department may post any closed area designated in (a) of this section by appropriate markers. The department shall place such markers as close as practically possible to the distance or location specified by the applicable regulation or

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emergency order. However, where markers have been deployed, it is unlawful to take salmon for commercial purposes on the streamward side of the area indicated by the markers and as described in (a) of this section.

(c) Where markers as described above have been lost or destroyed or are not in place, the area closed to commercial salmon fishing is as specified by the applicable regulation or emergency order.

(d) The Ugashik, Yukon and Kuskokwim Rivers, the Yakutat area and any other river where a legal commercial fishery now exists are the only exceptions to this closure.

Authority: AS 16.05.251(2)

ARTICLE 3. GROUNDFISH FISHERY

5 AAC 39.380. GEAR FOR BOTTOMFISH. (a) Bottomfish may be taken by trawls, hand troll gear, seines, mechanical jigging devices, longlines and pots except as legal gear may be further restricted by the bottomfish gear regulations of chs. 03-39 of this title and except as follows:

(1) king and tanner crab pots as defined in chs. 34 and 35 of this title may not be used to take bottomfish in the areas where the regulations define those pots;

(2) bottomfish taken by power gurdy troll gear being fished for salmon consistent with applicable state laws and regulations are legally taken and possessed;

(3) in the Southeastern Alaska and Yakutat areas, as specified in 5 AAC 33.430, and in the Cook Inlet area, as specified in 5 AAC 21.430, bottomfish may also be taken by sunken or diving gill nets under the terms of a permit.

(b) All commercial longline or skate gear buoys or kegs, and buoys for bottomfish pots and sunken gill nets shall be marked with the permanent registration number of the vessel fishing the gear.

(c) It is unlawful for any person to possess any salmon or halibut aboard a vessel that has taken or is equipped to take bottomfish with a mechanical jigging machine. No person may purchase or sell any salmon or any halibut from any vessel while purchasing or selling bottomfish taken with a mechanical jigging machine.

Authority: AS 16.05.251(4) and (5)

5 AAC 38.381. GEAR FOR HALIBUT. Halibut may be taken by hand troll gear and longlines, except that halibut incidentally taken by power troll gear being fished for salmon consistent with applicable state laws and regulations are legally taken and possessed.

Authority: AS 16.05.251(2), (3) and (4)

5 AAC 39.382. LIMITATIONS WHILE FISHING FOR SHELLFISH. (a) Validly registered king crab vessels may not be used to take bottomfish with pots in areas closed to king crab fishing.

(b) Validly registered shrimp trawl vessels may not be used to take bottomfish with trawls in areas closed to shrimp trawl fishing.

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(c) Validly registered tanner crab vessels may not be used to take bottomfish with pots in areas closed to tanner crab fishing.

(d) Validly registered dungeness crab vessels may not be used to take bottomfish with pots in areas closed to dungeness crab fishing.

Authority: AS 16.05.251(2),(4),(10),(12)

5 AAC 39.390. LIMITATIONS FOR HALIBUT. It is unlawful to take, fish for, or possess for commercial purposes any species of halibut (*Hippoglossus*) in a manner inconsistent with the 1978 regulations of the International Pacific Halibut Commission.

5 AAC 39.395. LIMITATIONS FOR GROUND FISH. In the Gulf of Alaska it is unlawful to take, fish for, or possess for commercial purposes any species of groundfish in a manner inconsistent with the regulations of the U.S. Secretary of Commerce (Title 50, Part 672) governing the taking of groundfish which implement the secretary's Fishery Management Plan for Groundfish of the Gulf of Alaska.

Authority: AS 16.05.251
AS 16.05.920

ARTICLE 4. SMELT FISHERY

5 AAC 39.410. GEAR. Legal gear, as defined in sec. 105 of this chapter, may be used to take smelt.

Authority: AS 16.05.250(3)

ARTICLE 5. HERRING FISHERY

5 AAC 39.510. GEAR. Repealed 4/8/79.

5 AAC 39.520. OBSTRUCTIONS. Repealed 4/8/79.

5 AAC 39.580. PERMITS FOR HERRING SPAWN. Repealed 4/8/79.

ARTICLE 7. FRESHWATER FISHERY

5 AAC 39.734. IDENTIFICATION OF GEAR. All gear, while in operation, shall be plainly and legibly marked with the operator's name and permanent registration or permit number.

Authority: AS 16.05.250(3)

5 AAC 39.780. PERMIT REQUIRED. Whitefish, sheefish, char, trout, pike, smelt, burbot and lamprey in fresh and salt water may be taken or purchased under the authority of a permit secured from the commissioner or his local representative. The permit may be issued to either the fisherman or the buyer. These species, when taken incidentally in conjunction with commercial salmon fishing, are legally taken and possessed without a permit, unless otherwise provided in this title. The permit may designate the time and area of fishing and the type and amount of fishing gear. The species to be harvested may be designated and the number of fish may be limited under terms of the permit.

Authority: AS 16.05.251(a),(2),(3),(4),(7)

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ARTICLE 8. SUBSISTENCE FISHERY

5 AAC 39.885. SEASONS, GEAR AND AREAS. Shellfish, aquatic plants and fish other than salmon may be taken for subsistence purposes at any time in any area of the state by any method unless restricted by the subsistence fishing regulations in chs. 03-39 of this title.

Authority: AS 16.05.251(2),(3),(4) and (11)

5 AAC 39.890. RESTRICTIONS. (a) Salmon and halibut may be taken for subsistence purposes only by residents.

(b) Salmon may be taken only under terms of a permit issued by the commissioner or his local representative or as otherwise provided in this title. 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. Gill nets used for subsistence fishing under the terms of a permit for salmon may not exceed 50 fathoms in length, except as provided in 5 AAC 09.930.

(c) The number of salmon taken for subsistence purposes shall not exceed the limits set out in permits issued under the authority of this title.

(d) It is unlawful to buy, sell or barter subsistence-caught fish or parts thereof, except as permitted by the purchase and sale of salmon roe regulations in ch. 03 of this title.

(e) Fishing for, taking or molesting any fish by any means, or for any purpose, is prohibited within 300 feet of any dam, fish ladder, weir, culvert or other artificial obstruction.

(f) The use of explosives and chemicals is prohibited except as provided in sec. 150 of this chapter.

(g) Subsistence fishing by the use of a line attached to a rod or pole is prohibited except when fished through the ice in the Bristol Bay and Arctic-Yukon-Kuskokwim areas.

(h) Each subsistence fisherman shall plainly and legibly inscribe his first initial, last name, and address on his fishwheel, or on a keg or buoy attached to unattended fishing gear.

(i) Salmon taken under authority of a subsistence permit may not be used as bait for commercial fishing purposes.

Authority: AS 16.05.251(2),(3),(4) and (12)
AS 16.05.920
AS 16.05.940(17)

ARTICLE 9. DEFINITIONS

5 AAC 39.975. DEFINITIONS. In chs. 03-39 of this title

(1) "alien" means a person who is not a citizen of the United States, and who does not have a petition for naturalization pending before a district court;

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(2) "bag limit" means the maximum legal take per person per day, even if part or all of the fish are preserved;

(3) "buyer" means a person who purchases fish from the fisherman who caught the fish or who, for commercial purposes, processes fish he has caught himself;

(4) "depth of net" means the perpendicular distance between cork line and lead line expressed as either linear units of measure or as a number of meshes, including all of the web of which the net is composed;

(5) repealed (Eff. 2/18/73, Reg. 45);

(6) "gear" means any type of fishing apparatus;

(7) "inclusive season dates" means whenever the doing of an act between certain dates or from one date to another is allowed or prohibited, the period of time thereby indicated includes both dates specified; the first date specified designates the first day of the period, and the second date specified designates the last day of the period;

(8) "legal limit of fishing gear" means the maximum aggregate of a single type of fishing gear permitted to be used by one individual or boat, or combination of boats in any particular regulatory area, district or section;

(9) "local representative" means the nearest or most accessible officer of the department or a person designated by the commissioner to perform specific functions for the department;

(10) "Salmon stream" means any stream used by salmon for spawning or for travelling to a spawning area;

(11) "stretched measure" means the average length of any series of consecutive meshes measured from inside the first knot and including the last knot when wet after use; the 10 meshes, when being measured, shall be an integral part of the net, as hung, and measured perpendicular to the selvages; measurements shall be made by means of a metal tape measure while the 10 meshes being measured are suspended vertically from a single peg or nail, under five-pound weight, except as otherwise provided in this title;

(12) "subsistence fishing" means the taking, fishing for, or possession of fish, shellfish, or other fishery resources for personal use and not for sale or barter except as otherwise provided in this title; gear which may be utilized for subsistence fishing is provided in sec. 105 of this chapter except where permissible gear is specified by the subsistence fishing regulations in chs. 03-39 of this title;

(13) "waters of Alaska" means the waters north and west of the International Boundary at Dixon entrance including those extending three miles seaward

(A) from the coast;

(B) from lines extending from headland to headland across all bays, inlets, straits, passes, sounds and entrances;

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(C) from an island or group of islands, including the islands of the Alexander Archipelago, and the waters between the groups of islands on the mainland;

(14) "salmon stream terminus" means a line drawn between the seaward extremities of the exposed tideland banks of any salmon stream at mean lower low water;

(15) repealed (Eff. 8/14/70, Reg. 35);

(16) "ton" means 2,000 pounds avoirdupois weight;

(17) "king crab" means any or all of the following species:

(A) *Paralithodes camtschatica* (red king crab);

(B) *Paralithodes platypus* (blue king crab);

(C) *Paralithodes brevipes*;

(D) *Lithodes aequispina* (brown king crab);

(18) "tanner crab" or "snow crab" means all species of the genus *Chionoecetes*;

(19) "dungeness crab" means the species *Cancer magister*;

(20) "household" means a person or persons having the same residence;

(21) "bottomfish" means any marine finfish except halibut, osmerids, herring and salmonids;

(22) "to operate fishing gear" means:

(A) the deployment of gear in the water of Alaska;

(B) the removal of gear from the water of Alaska;

(C) the removal of fish or shellfish from the gear during an open season or period; or

(D) possession of a gill net containing fish during an open fishing period;

(23) "possession limit" means the maximum number of fish a person may have in his possession if the fish have not been canned, salted, frozen, smoked, dried or otherwise preserved so as to be fit for human consumption after a 15-day period;

(24) "hung measure" means the maximum length of the cork line when measured wet or dry with traction applied at one end only.

Authority: AS 16.05.251
AS 16.05.940

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5 AAC 39.997. ABBREVIATIONS AND SYMBOLS. (a) The abbreviations a.m. and p.m. indicate antemeridian and postmeridian respectively for either Standard Time or Daylight Saving Time in conformance with the official time in use for Alaska.

(b) The symbols $^{\circ}$, $'$, $''$, indicate degrees, minutes and seconds, respectively, of longitude or latitude, based on the North American datum of 1927.

(c) Lat. and long. indicate latitude and longitude, respectively.

(d) E. indicates east, N. indicates north, W. indicates west, and S. indicates south. All bearings and directions shall be construed to be true bearings and true directions.

Authority: AS 16.05.250

ATTENTION FISHERMEN

You can assist in the protection of your fishery resources.

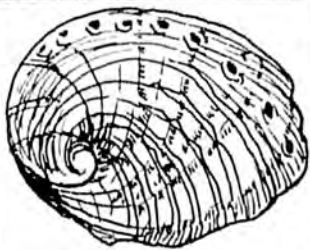
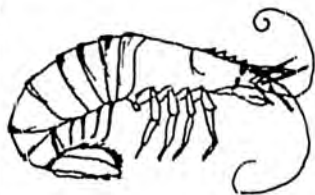
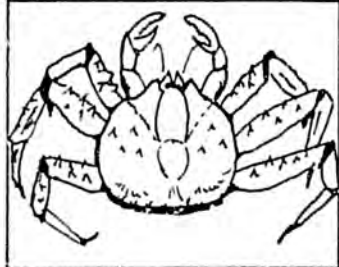
If you observe a violation of the fishery laws you can assist the Alaska Division of Fish and Wildlife Protection by immediately recording the following information and reporting it to the nearest office of the Alaska Department of Public Safety.

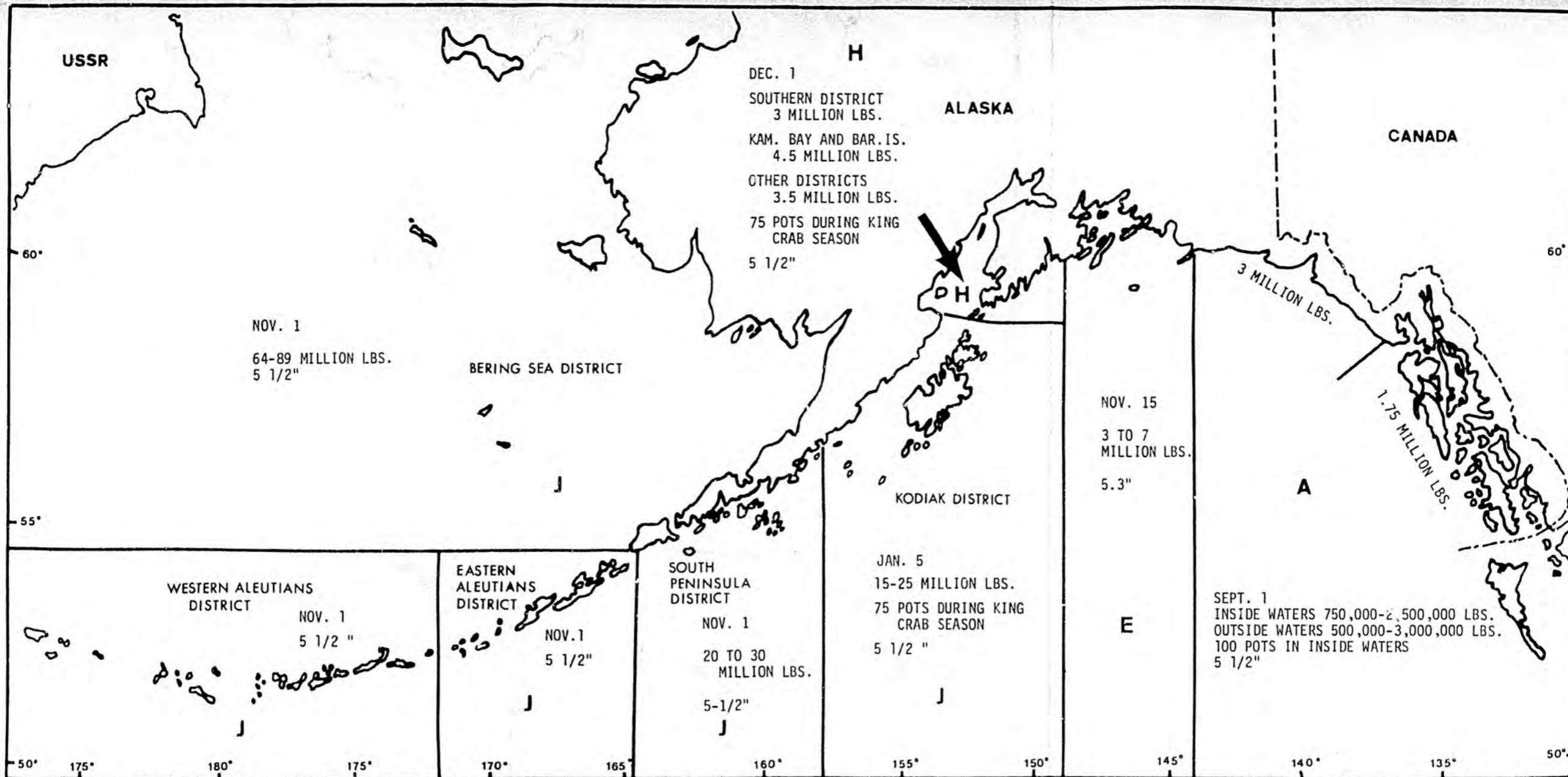
<u>Date of Violation</u>	<u>day</u> <u>month</u> <u>year</u>
<u>Time of Violation</u>	<u>hour</u> <u>minutes</u>
<u>Location of Violation</u>	Exact location i.e., Bay, Cove, Strait, Inlet, Island— specify longitude and latitude of possible.
<u>Type of Fishery</u>	Troll, pot, seine, gillnet, etc.
<u>Type of Violation</u>	Closed waters, closed period, illegal gear, etc.
<u>Description of Vessel and Persons</u>	Names, numbers, colors, port of registration, number of persons aboard and physical descriptions
<u>Witnesses to Violation</u>	include names of persons, vessels in the area who have or may have observed the violation.
<u>Photographs</u>	Show violator in relation to identifiable land formations or other physical features of the area if possible.
<u>Statement</u>	Concise statement of the violation in order of events.

At the earliest possible date submit this information to the nearest office of the Alaska Department of Public Safety or to an authorized Department of Fish and Game representative.

1978

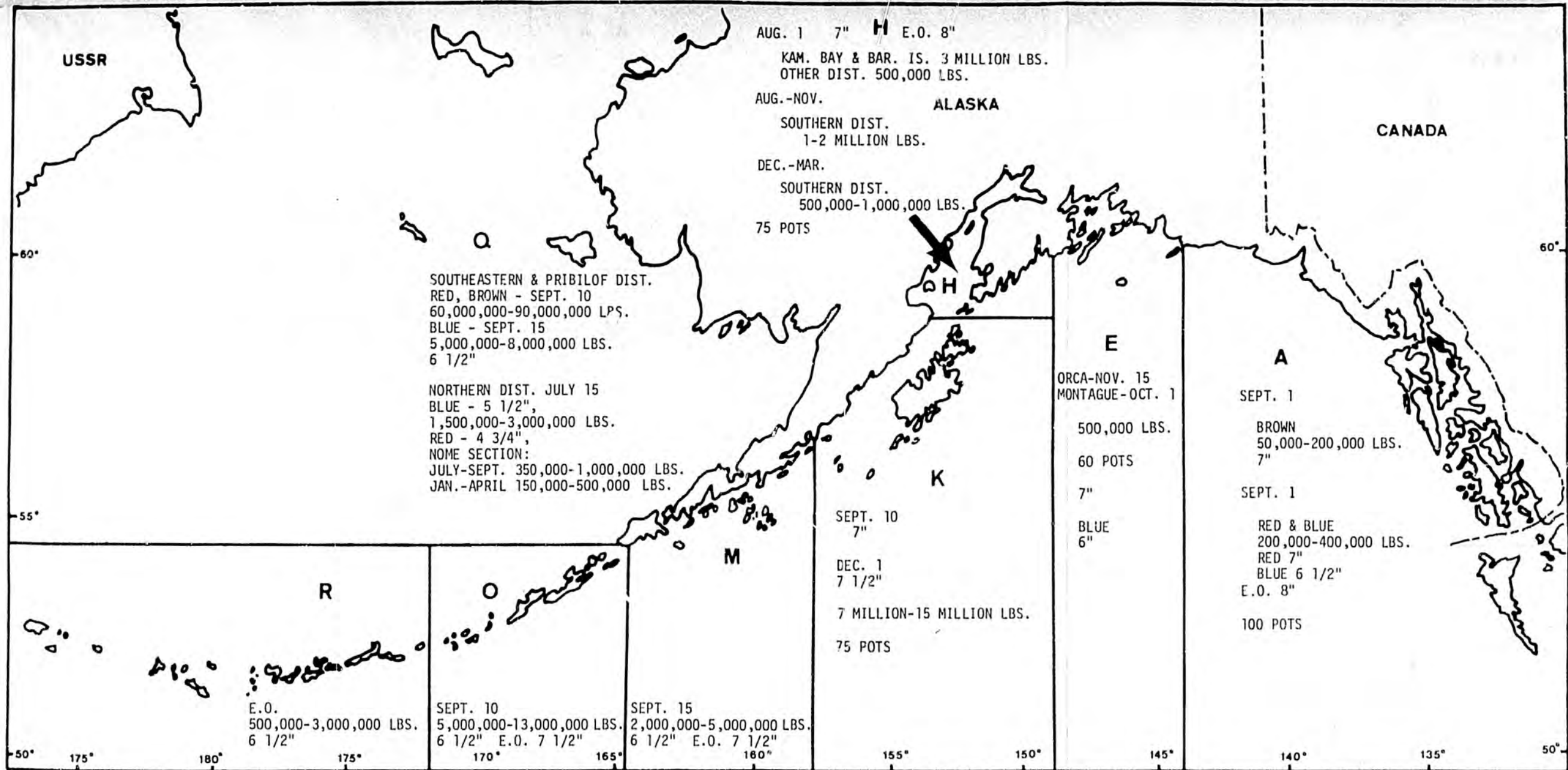
Alaska Commercial Fishing Shellfish Regulations





TANNER CRAB FISHERY

NOTATIONS INDICATE: OPENING DATES
GUIDELINE HARVEST LEVELS
POT LIMITS, WHEN APPLICABLE
MINIMUM LEGAL SIZE
E.O. = EMERGENCY ORDER



KING CRAB FISHERY

NOTATIONS INDICATE: OPENING DATES
 GUIDELINE HARVEST LEVELS
 POT LIMITS, WHEN APPLICABLE
 MINIMUM LEGAL SIZE
 E.O. = EMERGENCY ORDER

ALASKA

Department of Fish and Game

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

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.

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1978/79 EDITION

CHANGES TO REGULATIONS IN THIS BOOKLET

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

Jay S. Hammond, Governor

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Ronald O. Skoog

Commercial Fisheries Division., Management Field Offices

of the

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Cordova	424-3213	King Salmon	246-3341	Unalaska	581-1239
Dillingham	842-3811	Kodiak	486-4167	Wrangell	874-3822
Fairbanks	452-1531	Nome	443-2825	Yakutat	784-3255

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 find 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.

SELECTED ALASKA STATUTES

SEC. 16.05.480. CREWMEMBER FISHING LICENSE. (a) A commercial fisherman who does not hold a permit issued under ch. 43 of this title shall obtain a crewmember fishing license. The fee for the license is \$10 for residents and \$30 for nonresidents. All crewmember fishing licenses are non-transferable and shall be retained in the possession of the licensee, readily accessible for inspection at all times.

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

(c) The commissioner of revenue or his authorized agent may issue a duplicate crewmember fishing license as a replacement for a license issued under (a) of this section. A fee of \$2 shall be charged for each duplicate license, and the duplicate may not be issued unless the commissioner or his agent is satisfied that the original has been lost or destroyed.

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. 16.50.520. 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 owner shall 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.

SELECTED ALASKA STATUTES

SEC. 16.05.632. IDENTIFICATION OF SHELLFISH POTS OR BUOYS, OR BOTH, USED IN THE TAKING OF KING CRAB AND REQUIREMENTS FOR BUOYS. (a) Registration tags for the identification of shellfish pots or buoys, or both, used in the taking of king crab are required in areas in which the board has regulations limiting the total amount of shellfish pots allowed per vessel. Registration tags shall

- (1) be issued by the Department of Fish and Game under regulations promulgated by the board;
- (2) be nontransferable, unless the shellfish pot license issued under sec. 630 of this chapter is transferred in accordance with sec. 670 of this chapter, in which case the registration tags shall be transferred with the license;
- (3) be individually numbered, designating the year of issuance;
- (4) be permanently affixed to each shellfish pot or buoy, or both, used in the taking of king crab, whichever in the determination of the board is appropriate for identification, and in a manner determined to be appropriate by the board;
- (5) conform to other requirements determined to be appropriate by the board; and
- (6) be issued and renewed for a fee equal to the cost of obtaining the registration tags plus reasonable administrative costs, under procedures determined to be appropriate by the Department of Fish and Game.

(b) The unauthorized production, reproduction, sale, exchange, distribution, or use of registration tags required in (a) of this section is prohibited.

(c) In addition to meeting other requirements imposed by law, each shellfish pot used in the taking of king crab shall be connected to one durable "sea lion" buoy of an appropriate type and diameter as specified by the board. The buoy shall conform to other specifications determined to be appropriate by the board.

(d) For the purposes of this section

- (1) "board" means the Board of Fisheries;
- (2) "registration tags" means any tag, tape, or other identification device or method determined to be appropriate by the board.

(e) Upon conviction of a person of a violation of (a) or (b) of this section or a regulation adopted under (a) or (b) of this section, the court shall, in addition to any other penalty imposed by law, revoke the violator's shellfish pot license for a period of not less than 12 consecutive months nor more than five years and, in addition, restrict the boat used in a violation of (a) of this section from being used in the taking of king crab for the same period as the shellfish pot license is revoked. After the restriction is imposed, if the boat is used in the taking of king crab within the period of restriction, it shall be seized and forfeited to the state as provided in sec. 195 of this chapter.

EDITOR'S NOTE.—Sections 630 and 670 of this chapter, referred to in paragraph (2) of subsection (a), were repealed by sec. 19, ch. 105, SLA 1977, effective January 1, 1978.

Section 1, ch. 103, SLA 1977, provides: "INTENT. It is the intent of this Act to require positive identification of shellfish pots or buoys, or both, used in the taking of king crab within areas in which the Board of Fisheries has regulations limiting the total amount of gear allowed per vessel in order to

- (1) more adequately enforce shellfish pot limits for king crab;
- (2) assist in preventing the theft of gear;
- (3) prevent the transfer of gear to prohibited areas; and
- (4) better manage the fishery by providing a visible means of determining how much gear is actually being fished."

SELECTED ALASKA STATUTES

SEC. 16.05.665. FALSIFICATION OF APPLICATION FOR LICENSE.

(1) 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 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.

SELECTED ALASKA STATUTES

(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 landings of fish, shellfish or fishery products, and annual statistical reports of buyers and processors required by regulation 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. 16.05.920. 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

SELECTED ALASKA STATUTES

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, 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 a 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 fishery resources for personal use and not for sale or barter, 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;

SEC. 16.10.055. INTERFERENCE WITH COMMERCIAL FISHING GEAR. A person who willfully 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.

SELECTED ALASKA STATUTES

SEC. 16.10.125. USE OF TERMINATION DEVICE ON SHELLFISH AND BOTTOM FISH POT REQUIRED. The Board of Fisheries shall, by regulation, prescribe a termination device or devices for all shellfish and bottom fish pots. In this section "termination device" means a biodegradable seam or panel or other device which renders the pot incapable of holding shellfish or bottom fish for more than six months when it is continuously immersed in sea water.

SEC. 16.10.180. LEGISLATIVE FINDINGS. The legislature finds and recognizes these facts:

- (1) Migratory fish and migratory shellfish are present in commercial quantities inside and outside the territorial waters of the state.
- (2) Migratory fish and migratory shellfish taken from the waters of the state are indistinguishable, in most cases, from those taken from the adjacent high seas.
- (3) Substantial quantities of migratory fish and migratory shellfish move inshore and offshore intermittently and at various times during a given year and in so doing often enter and leave territorial waters of the state.
- (4) To conserve the migratory fish and migratory shellfish found inside the waters of the state it is necessary to strictly enforce local laws and regulations.
- (5) By making certain laws and regulations passed or promulgated for the regulation of the coastal fishery applicable to the adjacent high sea areas, enforcement of these laws and regulations is facilitated.
- (6) Conservation regulations should not be promulgated to impose economic sanctions.

SEC. 16.10.190. RULES AND REGULATIONS. The Board of Fisheries may promulgate rules and regulations to carry out the purposes of secs. 180-230 of this chapter defining the adjacent high seas areas, migratory fish and migratory shellfish and to make coastal fishery rules, and regulations governing the manner, means, conditions and time for the taking of migratory fish and migratory shellfish applicable in designated adjacent high sea areas.

SEC. 16.10.200. UNLAWFUL TAKING PROHIBITED. It is unlawful for a person taking migratory fish and migratory shellfish in high sea areas designated by the Board of Fisheries or in violation of the rules and regulations promulgated by the Board of Fisheries governing the taking of migratory fish and migratory shellfish in the designated areas to possess, sell, offer to sell, barter, offer to barter, give or transport in the state, including the waters of the state, migratory fish or migratory shellfish.

SELECTED ALASKA STATUTES

SEC. 16.10.210. UNLAWFUL SALE OR OFFER PROHIBITED.

It is unlawful for a person to possess, purchase, sell or offer to sell in the state migratory fish or migratory shellfish taken on the high seas knowing that they were taken in violation of a rule or regulation promulgated by the Board of Fisheries governing the taking of migratory fish or migratory shell fish in certain areas designated by the board or the commissioner.

SEC. 16.10.220. PENALTIES FOR VIOLATION OF SEC. 200 or 210 OF THIS CHAPTER. A person who violates secs. 200 or 210 of this chapter 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 both.

SEC. 16.10.240. TRANSPORTATION OF KING, DUNGENESS OR TANNER CRAB. No person may take out of, ship, transport, or send from this state any live king crab, species *Paralithodes camtschatica*, live dungeness crab, species *Cancer magister*, or live tanner crab, species *Chionoecetes bairdi*, except that all of these species may be shipped live via air freight after prepackaging.

SEC. 16.10.250. PENALTY. A person, association, or corporation violating sec. 240 of this chapter or contributing to or cooperating in the violation of sec. 240 of this chapter 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. Each unlawful removal of live crab is a separate offense. Vessels and equipment used in or in aid of a violation of sec. 240 of this chapter may be seized and disposed of as provided in AS 16.05.190. Conviction under sec. 240 of this chapter is grounds for suspension of a fishing license or permit by the Department of Fish and Game.

SEC. 16.10.270. PURCHASE OF FISH BY THE POUND. (a) A primary 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. 16.43.140. PERMIT REQUIRED. (a) After January 1, 1974, no person may operate gear in the commercial taking of fishery resources without a valid entry permit or a valid interim-use permit issued by the commission.

(b) A permit is not required of a crewman or other person assisting in the operation of a unit of gear engaged in the commercial taking of fishery resources as long as the holder of the entry permit or the interim-use permit for that particular unit of gear is at all times present and actively engaged in the operation of the gear.

(c) A person may hold more than one interim-use or entry permit issued or transferred under this chapter only for the following purposes:

- (1) fishing more than one type of gear;
- (2) fishing in more than one administrative area;
- (3) harvesting particular species for which separate interim-use or entry permits are issued.

SELECTED ALASKA STATUTES

SEC. 16.43.150. TERMS AND CONDITIONS OF ENTRY PERMIT; ANNUAL RENEWAL. (a) Each entry permit authorizes the permittee to operate a unit of gear within a specified administrative area.

(b) The holder of an entry permit shall have the permit in his possession at all times when engaged in the operation of gear for which it was issued.

(c) Each entry permit is issued for a term of one year and is renewable annually.

(d) Failure to renew an entry permit for a period of two years from the date of last renewal results in a forfeiture of the entry permit to the commission, except as waived by the commission for good cause.

(e) An entry permit constitutes a use privilege which may be modified or revoked by the legislature without compensation.

(f) An entry permit survives the death of the holder.

(g) An entry permit may not be:

(1) pledged, mortgaged, leased, or encumbered in any way;

(2) transferred with any retained right of repossession or foreclosure; or

(3) attached, distrained, or sold on execution of judgment or under any other process or order of any court.

(h) Upon the death of an entry permit holder, the permanent permit shall be transferred by the commission directly to the surviving spouse by right of survivorship unless a contrary intent is manifested. When no spouse survives, the rights of the decedent pass as part of his estate.

SEC. 16.43.170. TRANSFER OF ENTRY PERMITS. (a) Entry permits and interim-use permits are transferable only through the commission as provided in this section and sec. 180 of this chapter and under regulations adopted by the commission.

(b) Except as provided in (c) of this section, the holder of an entry permit may transfer his permit to another person or to the commission upon 60 days notice of intent to transfer under regulations adopted by the commission. No sooner than 60 days nor later than 12 months from the date of notice to the commission, the holder of an entry permit may transfer his permit. If the proposed transferee, other than the commission, can establish present ability to participate actively in the fishery, the commission shall approve the transfer and reissue the entry permit to the transferee.

(c) If the number of outstanding entry permits for a fishery is greater than the optimum number of entry permits established under secs. 290-300 of this chapter, the holder of an entry permit who qualified for that entry permit in a priority classification designated under sec. 250(c) of this chapter may transfer his permit only to the commission. The transfer to the commission shall be made under the buy-back provisions of secs. 310-320 of this chapter.

SEC. 16.43.180. EMERGENCY TRANSFERS. (a) The commission shall adopt regulations providing for the temporary transfer of entry permits and interim-use permits to alleviate hardship caused by illness, disability, or death of a permit holder so that another person may operate the transferor's vessel and gear, or another vessel and other gear if the transferor's has been destroyed or seriously damaged, for the remainder of the season, or in the case of illness or disability, for the duration of the illness or disability if that is shorter than the remainder of the season. Interim-use permits are otherwise nontransferable.

SELECTED ALASKA STATUTES

(b) The commission shall adopt regulations providing for the temporary transfer of an entry permit upon the death of the permittee pending final disposition of the permit as a part of the permittee's estate.

SEC. 16.43.350. APPLICATIONS OF REGULATIONS OF BOARD OF FISHERIES. Nothing in this chapter limits the powers of the Board of Fisheries, including the power to determine legal types of gear and the power to establish size limitations or other uniform restrictions applying to a certain type of gear. Holders of interim-use permits or entry permits issued under this chapter are subject to all regulations adopted by the Board of Fisheries.

CHAPTER 31. SHRIMP FISHERY
ARTICLE 1. STATISTICAL AREAS

5 AAC 31.005. STATISTICAL AREAS ESTABLISHED.

(a) For the shrimp fishery, there are established the following statistical areas with the following code letters:

Code Letter

- A- Southeastern Alaska-Yakutat area, comprised of the waters specified in sec. 100 of this chapter.
- E- Prince William Sound area, comprised of the waters specified in sec. 200 of this chapter.
- H- Cook Inlet area, comprised of the waters specified in sec. 300 of this chapter.
- G- Outer Cook Inlet area, comprised of waters specified in sec. 400 of this chapter.
- J- Westward area, comprised of waters specified in sec. 500 of this chapter.

(b) Each statistical area consists of:

(1) a registration area, comprised of all the waters within the statistical area which are territorial waters of Alaska; and

(2) an adjacent seaward biological influence zone, comprised of all the waters within the statistical area which are 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 shrimp resources of the state.

(d) Adjacent seaward biological influence zones are areas which the department shall utilize to obtain biological and fishing effort data and other information necessary for the formulation of comprehensive and effective conservation and management regulations governing shrimp 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. 010 of this chapter.

Authority: AS 16.05.251

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5 AAC 31.010. APPLICATION OF REGULATIONS.

(a) Notwithstanding any other provision of this chapter, all regulations in this chapter applicable to a registration area shall be applicable also in its 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 regulation 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 such application:

(1) does not tend to facilitate enforcement of regulations applicable to a registration area;

(2) does not tend to protect or conserve shrimp inhabiting territorial waters of Alaska; or

(3) that the state has an insufficient interest in the shrimp inhabiting the zone to warrant extension of the jurisdiction of the state to the zone.

Authority: AS 16.05.251

5 AAC 31.020. REGISTRATION. (a) Registration area H is an exclusive registration area for shrimp trawl vessels and a nonexclusive registration area for shrimp pot vessels. No shrimp trawl vessel registered for an exclusive registration area may be registered for any other area during a registration year, except that a vessel registered for area H may also be registered for area G.

(b) The registration areas in statistical areas A, E, G and J are nonexclusive registration areas. A vessel or gear may be registered for any or all of the nonexclusive registration areas during any registration year.

(c) All shrimp fishing gear shall be registered for the registration area or areas selected prior to fishing shrimp. All shrimp vessels shall be registered by the owner or his authorized agent in a nonexclusive registration area prior to fishing. All shrimp trawl vessels shall be registered by the owner or his authorized agent in an exclusive registration area prior to June 1.

(d) The registration year shall be April 15 through April 14.

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(e) A registration shall not be considered valid until the vessel has complied with the inspection requirements of sec. 030(1) of this chapter.

(f) The late registration of a shrimp trawl vessel may be permitted by the commissioner in the case of the loss of a registered vessel by sinking or destruction. The late registration shall be for the area in which the lost vessel was registered. For purposes of this subsection, loss of the vessel is considered to mean such vessel is incapable of being used to take shrimp during the open shrimp season in the area for which it is registered. Loss of a vessel shall be documented by submission of proof, in writing, that the vessel is sunk or destroyed.

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

5 AAC 31.030. LANDING AND INSPECTION REQUIREMENTS. (a) Within 72 hours prior to a season opening or at any time during the open season prior to fishing, any shrimp trawl vessel registered for an exclusive registration area or for a nonexclusive registration area must be inspected by a Department of Public Safety or Department of Fish and Game employee or designee of either department, at inspection points specified in this chapter. There shall be no shrimp on board. Successful completion of the inspection shall validate the registration for the area.

(b) Except as provided in (c) of this section, all vessels must land all shrimp in the area for which they are validly registered at the time.

(c) A shrimp trawl vessel validly registered for an area which desires to land shrimp in another registration area must contact by radio a Department of Public Safety or Department of Fish and Game employee or a designee of either department prior to leaving the statistical area encompassing the area for which the vessel is registered, and shall submit to such inspection at such location as the employee or designee may require. The employee or designee contacted by the vessel must be an employee or designee located in the registration area for which the vessel is validly registered at the time. A vessel acting pursuant to this authorization at the time of landing its catch shall have no greater amount of shrimp on board than were present at the time of any inspection.

(d) A vessel making radio contact pursuant to (c) of this section shall state to the employee or designee of the Department of Public Safety or the Department of Fish and Game the amount of shrimp on board at the time.

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(e) When a vessel lands shrimp pursuant to the authorization in (c) of this section the registration under which the vessel is operating becomes invalid. In order to again become validly registered for an area, the vessel must comply with (a) of this section.

(f) Inspection shall not be commenced prior to 72 hours before the opening of any registration area. A valid registration shall become invalid after the closure of the season for the registration area.

Authority: AS 16.05.251 (2),
(4),(7),(12)

5 AAC 31.035. CLOSURE OF REGISTRATION AREAS.

(a) The commissioner shall monitor the condition of shrimp 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 shrimp 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;
- (2) catch per unit of effort and rate of harvest;
- (3) relative abundance of shrimp within the area in comparison with pre-season expectations of the department;
- (4) such guideline harvest levels as may be promulgated by regulation;
- (5) general information on the condition of shrimp within the area; and
- (6) information pertaining to the maximum sustainable yield level of shrimp within the registration area.

(d) Within five days after the closure of any registration area, the owner of any vessel registered for that area may formally request the commissioner to reopen the area. The commissioner shall personally review pertinent information on the condition of shrimp within the area, and shall formally announce his decision within 14 days of the receipt of the request.

(e) After 72 hours following the closure of any registration area, no vessel registered for that area may have on board shrimp in waters subject to the jurisdiction of the state unless;

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(1) the vessel is validly registered for another registration area and the season is open in the area; and

(2) the vessel is otherwise in compliance with secs. 010 and 030 of this chapter.

(f) The foregoing provisions of this section are applicable also to closures of districts, subdistricts, sections, or any other portion of a statistical area.

Authority: AS 16.05.060
AS 16.05.251 (2),
(3),(10)

ARTICLE 2. GENERAL SPECIFICATIONS AND RESTRICTIONS

5 AAC 31.050. GEAR FOR SHRIMP. (a) Shrimp may be taken by pots or trawls unless otherwise provided in this chapter.

(b) All shrimp pot buoys shall be legibly marked with the permanent department registration number of the vessel used to fish the gear.

(c) A vessel engaged in shrimp trawl fishing is considered to have ceased fishing when its otter doors or trawl beam is visible at the surface; when the otter doors or trawl beam is not visible at the surface or aboard the vessel, it is considered prima facie evidence that the trawl is fishing.

Authority: AS 16.05.251 (4)

5 AAC 31.070. REGISTRATION AND INSPECTION DOCUMENTS. (a) A vessel being registered for a registration area pursuant to sec. 010 of this chapter, if the necessary information is provided and the vessel is otherwise in compliance with the regulations of this title, shall be issued a registration certificate. The registration certificate shall be signed by the registrant, kept immediately available at all times during fishing operations by the vessel operator and shall be shown upon request to any authorized representative of the department.

(b) A vessel being submitted to an inspection pursuant to sec. 030 of this chapter shall be issued an inspection certificate upon successful completion of the inspection. No vessel shall be given an inspection certificate unless a current registration certificate for that registration area is displayed to the Department of Fish and Game or Department of Public Safety designee or employee conducting the inspection. The inspection certificate shall be signed by the current vessel operator and shall be shown upon request at any time to any authorized representative of the Department of Fish and Game or the Department of Public Safety.

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(c) A vessel landing shrimp in a registration area other than the area for which the vessel is validly registered at the time pursuant to the authorization in sec. 030 (d) of this chapter shall attach the inspection certificate to the back of the department copy (yellow copy) of the fish ticket at the time the shrimp are landed.

Authority: AS 16.05.250 (3),
(14)
AS 16.05.690

5 AAC 31.071. INTERIM APPLICATION OF REGULATIONS. Repealed effective June 28, 1975, Register 54.

5 AAC 31.075. REPORTING OF SHRIMP CATCHES LOST OR NOT PURCHASED. (a) Each shrimp fisherman shall indicate on the fish ticket at the time of landing any shrimp harvested which are not purchased by the processor or buyer, or which have been dumped at sea.

(b) Each buyer of shrimp shall indicate on the fish ticket the gross weight of shrimp not purchased from a load.

Authority: AS 16.05.251 (2),
(3),(4)

ARTICLE 3. CONDITIONS FOR LICENSE

5 AAC 31.085. AGREEMENTS FOR USE PRIVILEGE.

(a) Any person who has applied for and been issued a valid interim-use permit card for shrimp pots, beam trawls or otter trawls or a commercial fishing vessel license or who has registered a vessel or any gear for a shrimp registration area has agreed:

(1) to engage in fishing for shrimp only in a statistical area encompassing a registration area for which the vessel is validly registered;

(2) to engage in fishing for shrimp only in districts where the season is open in statistical areas which are subdivided into districts;

(3) to engage in fishing for shrimp only if the season in the registration area for which the vessel is validly registered is open;

(4) to engage in fishing for shrimp in statistical areas in compliance with all regulations (including gear limitations or prohibitions) governing shrimp fishing in the registration area encompassed by the statistical area; and

(5) to comply with the provisions and requirements of 5 AAC 39.130.

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(b) A permit holder or registrant further agrees that the agreement contained in subsection (a) of this section shall have the force of regulation.

(c) The permit holder or registrant has entered into the above described agreement in return for receiving from the state a use privilege to fish for shrimp inhabiting waters subject to the jurisdiction of the state, and is entitled to all rights and privileges to engage in such fishing for shrimp consistent with applicable laws and regulations.

Authority: AS 16.05.250 (7)
AS 16.05.690

ARTICLE 4. PROHIBITIONS

5 AAC 31.090. UNLAWFUL POSSESSION OF SHRIMP OR SHRIMP GEAR. (a) It is unlawful for any person to possess unprocessed shrimp aboard a vessel licensed as a commercial fishing vessel within any registration area unless the vessel is validly registered for the area and the season is open, or unless the person is acting pursuant to the authorization of sec. 030(c) of this chapter.

(b) It is unlawful for any person to possess aboard a vessel licensed as a commercial fishing vessel within any registration area any shrimp or any gear used in the taking of shrimp which are prohibited by other regulations in this chapter governing such registration area. If a vessel is acting pursuant to the authorization of sec. 030(c) of this chapter, that vessel shall be governed by the regulations of the area for which it is validly registered at the time.

(c) It is unlawful for any person to possess, purchase, barter, sell, or transport shrimp within the state or within waters subject to the jurisdiction of the state if that person knows or has reason to know that such shrimp were taken or possessed in contravention of the regulations of this chapter.

Authority: AS 16.05.250 (3),
(7),(10)
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 31.091. UNLAWFUL ACTS WITHIN AN ADJACENT SEAWARD BIOLOGICAL INFLUENCE ZONE. It is unlawful for any person to:

(1) take, attempt to take, cause to be taken, or possess shrimp, or

(2) to operate, attempt to operate or cause to be operated any vessel or gear or to possess any gear, or

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(3) to take, attempt to take, cause to be taken, or fail to take any action, in violation of sec. 010(b) of this chapter.

Authority: AS 16.05.251 (4),
(7),(10)
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 31.096. VIOLATION OF REPORTING REQUIREMENTS. (a) It is unlawful for any person to file a fish ticket representing the catch governed by the fish ticket as having been taken in a particular statistical area when in fact the catch or part of the catch were taken in another statistical area.

(b) It is unlawful to file any fish ticket containing information which has been purposely falsified.

Authority: AS 16.05.250
AS 16.05.690
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 31.097. VIOLATION OF LANDING REQUIREMENT. It shall be unlawful for any vessel acting pursuant to the authorization of sec. 030(c) of this chapter to land an amount of shrimp ten per cent greater or less than the amount stated under sec. 030(d) of this chapter.

Authority: AS 16.05.250 (4),
(10)
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 31.098. VIOLATION OF REGULATIONS. It is unlawful for any person to violate any of the regulations of this chapter.

Authority: AS 16.05.020
AS 16.05.060
AS 16.05.250
AS 16.05.699
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 31.099. APPLICATION OF THIS CHAPTER. Requirements set forth in this chapter shall be deemed to refer to shrimp fishing only, unless otherwise specified.

Authority: AS 16.05.251

**ARTICLE 5. STATISTICAL AREA A — REGULATIONS
FOR REGISTRATION AREA**

5 AAC 31.100. DESCRIPTION OF STATISTICAL AREA. Statistical area A has as its western boundary a line extending south from Cape Suckling, and as its southern boundary the International Boundary at Dixon Entrance, and as its seaward boundary the 400 fathom (732 m) depth contour.

Authority: AS 16.05.251 (2)

5 AAC 31.105. DESCRIPTION OF DISTRICTS. Districts shall be as described in 5 AAC 30.200 and 5 AAC 33.200.

Authority: AS 16.05.250 (2)

5 AAC 31.110. FISHING SEASONS. There is no closed season on shrimp except that in the combined areas of district 8, district 10 east of the longitude of Cape Fanshaw, district 6 north of the latitude and east of the longitude of Point Baker, and district 7 east of the longitude of Babblar Point and north of the latitude of the northernmost point of Black Island, shrimp may not be taken by trawls from February 15 through April 30.

Authority: AS 16.05.250 (2),
(3)

5 AAC 31.115. GUIDELINE HARVEST LEVELS. The following are guideline harvest ranges for the shrimp trawl fishery in the districts specified:

- (1) district 6: 250,000 to 950,000 pounds (113 to 431 m.t.);
- (2) district 7: 10,000 to 70,000 pounds (5 to 32 m.t.);
- (3) district 8: 80,000 to 300,000 pounds (36 to 136 m.t.);
- (4) district 10: 5,000 to 350,000 pounds (5 to 159 m.t.).

Authority: AS 16.05.251 (2),
(3),(4)

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PRINCE WILLIAM SOUND

5 AAC 31.125. **LAWFUL GEAR.** Shrimp may be taken by pots, beam trawls and otter trawls except as follows:

(1) shrimp may not be taken by otter trawls in the combined areas of district 3, district 10 east of the longitude of Cape Fanshaw, and district 6 north of the latitude and east of the longitude of Point Baker.

(2) in districts 6, 8, and 10, the minimum mesh size for beam trawls shall be determined by the stretch measure of a series of 10 consecutive meshes measured when wet after use, from selvage to selvage, with the knots pulled together, so that the longest possible distance covered by 10 meshes as measured from the inside of the first knot in the series to the outside of the last knot in the series shall not be less than 11½ inches (29 cm); this shall apply equally to synthetic and cotton mesh; allowance for shrinkage shall be made if pre-shrunk web is not used;

(3) during the open shrimp season in districts 1, 2, 3 and 4, a maximum of 150 shrimp pots may be fished from any registered shrimp vessel;

(4) all shrimp pots left in saltwater unattended longer than a two-week period shall have all bait and bait containers removed and all doors secured fully open.

Authority: AS 16.05.251 (2),
(4)

5 AAC 31.140. **INSPECTION POINTS.** Inspection points are located at Ketchikan, Wrangell, Petersburg, Sitka, Juneau and Yakutat or at other locations specified by the department.

Authority: AS 16.05.250 (2),
(3),(7)

ARTICLE 6. STATISTICAL AREA E — REGULATIONS FOR REGISTRATION AREA

5 AAC 31.200. **DESCRIPTION OF STATISTICAL AREA.** Statistical area E has as its western boundary a line extending south from Cape Fairfield, and as its eastern boundary a line extending south from Cape Suckling, and as its seaward boundary the 400 fathom (732 m) depth contour.

Authority: AS 16.05.251 (2)

5 AAC 31.210. **FISHING SEASONS.** There is no closed season on shrimp.

Authority: AS 16.05.250 (2)

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PRINCE WILLIAM SOUND COOK INLET

5 AAC 31.225. **LAWFUL GEAR.** (a) All shrimp pot buoys fished under a single registration shall be legibly marked with the permanent department registration number of the vessel fishing the gear.

(b) A shrimp pot is a pot with tunnel eye openings which individually do not exceed 15 inches (38 cm) in perimeter.

Authority: AS 16.05.251 (4)

5 AAC 31.240. **INSPECTION POINTS.** Inspection points are located at Cordova and Valdez, or at other locations specified by the department.

Authority: AS 16.05.250 (2),
(3),(7)

ARTICLE 7. STATISTICAL AREA H—REGULATIONS FOR REGISTRATION AREA

5 AAC 31.300. **DESCRIPTION OF STATISTICAL AREA.** Statistical area H has as its southern boundary a line extending east from Cape Douglas at 58° 52' N. lat. and includes all waters west of a line from a point at 58° 52' N. lat., 151° 53' W. long., to Cape Elizabeth to Point Adam, including all waters of Cook Inlet and Kachemak Bay.

Authority: AS 16.05.251 (2)

5 AAC 31.305. **DESCRIPTION OF DISTRICTS.** Districts shall be as described in 5 AAC 21.200 (a),(b),(d),(e), and (f).

Authority: AS 16.05.251 (2)

5 AAC 31.310. **FISHING SEASON.** (a) There is no closed season on shrimp fishing with pots unless the season is closed pursuant to sec. 035 of this chapter.

(b) Shrimp may be taken by trawls from June 1 through March 31 unless the registration area is closed earlier by emergency order. Individual districts may be opened or closed during the season as determined by the commissioner.

Authority: AS 16.05.060
AS 16.05.250 (2),
(3)

5 AAC 31.315. **GUIDELINE HARVEST LEVELS.**
Guideline harvest levels are:

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COOK INLET OUTER COOK INLET

(1) for pots in Kachemak Bay inside a line from Point Pogibshi to Anchor Point:

- (A) June 1 through September 30: 100,000 pounds (45 m.t.);
- (B) October 1 through May 31: 500,000 pounds (227 m.t.);

(2) for trawls in Kachemak Bay inside a line from Point Pogibshi to Anchor Point:

- (A) June 1 through October 31: 2,500,000 pounds (1,134 m.t.);
- (B) November 1 through March 31: 2,500,000 pounds (1,134 m.t.).

Authority: AS 16.05.251 (2),
(3),(4)

5 AAC 31.335. CLOSED WATERS. Shrimp fishing with trawls is prohibited northeast of a line extending from Coal Point to the northeast tip of Glacier Spit.

Authority: AS 16.05.250 (2),
(3)

5 AAC 31.340. INSPECTION POINTS. Inspection points are located at Homer or at other locations specified by the department.

Authority: AS 16.05.250 (2),
(3),(7)

ARTICLE 8. STATISTICAL AREA G—REGULATIONS FOR REGISTRATION AREA

5 AAC 31.400. DESCRIPTION OF STATISTICAL AREA. Statistical area G has as its western boundary a line from Point Adam to Cape Elizabeth to a point at 58° 52' N. Lat. 151° 53' W. long., and as its eastern boundary a line extending south from Cape Fairfield (148° 50' W. long.) and as its seaward boundary the 300 fathom (549 m) depth contour.

Authority: AS 16.05.251 (2)

5 AAC 31.405. DESCRIPTION OF DISTRICTS. Repealed (eff. 7/17/77, Reg. 63)

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OUTER COOK INLET WESTWARD

5 AAC 31.410. FISHING SEASONS AND LAWFUL GEAR. (a) There is no closed season on shrimp fish with pots.

(b) Shrimp may be taken by trawls from June 1 through February 28 unless the registration area is closed earlier by emergency order.

Authority: AS 16.05.060
AS 16.05.251 (2),
(3),(4)

5 AAC 31.415. GUIDELINE HARVEST LEVELS. Repealed (eff. 7/17/77, Reg. 63).

5 AAC 31.425. LAWFUL GEAR. Repealed (eff. 7/17/77, Reg. 63).

5 AAC 31.440. CLOSED WATERS. Repealed (eff. 7/17/77, Reg. 63).

5 AAC 31.440. INSPECTION POINTS. Inspection points are located at Homer, Seward, and Kodiak, or at other locations specified by the department.

Authority: AS 16.05.251 (2)
(4),(7)

5 AAC 31.445. SUBSISTENCE FISHERY. Repealed (eff. 7/17/77, Reg. 63).

ARTICLE 9. STATISTICAL AREA J—REGULATIONS FOR REGISTRATION AREA

5 AAC 31.500. DESCRIPTION OF STATISTICAL AREA. Statistical area J includes all Pacific Ocean waters south of the latitude of Cape Douglas, west of 150° W. long., east of 172° E. long. and seaward to the 300 fathom (549 m) depth contour, and all Bering Sea waters east of 172° E. long.

Authority: AS 16.05.251 (2)

5 AAC 31.505. DESCRIPTION OF DISTRICTS. (a) Kodiak district: all waters of statistical area J east of a line extending south from Kilokak rocks;

(1) Inner Marmot Bay section: all waters of Marmot Bay and adjacent bays east of a line from Inner Point to Afognak Point and west of a line from Cape Izhut to Miller Point;

(2) Ugak Bay section: all waters west of a line from Narrow Cape to the northernmost point of Ugak Island, to $57^{\circ} 10' N.$ lat., $152^{\circ} 19' W.$ long., to $57^{\circ} 03' N.$ lat., $152^{\circ} 37' 05'' W.$ long., including all of Ugak Bay;

(3) Kiliuda Bay section: all waters west of $152^{\circ} 37' 55'' W.$ long., and north of $57^{\circ} 03' N.$ lat., including the waters of Sitkalidak Strait east of a line from Bush Point to a point on Sitkalidak Island at $57^{\circ} 12' 55'' N.$ lat., $153^{\circ} 13' 05'' W.$ long.;

(4) Two Headed Island section: all waters of Sitkalidak Strait west of a line from Bush Point on Sitkalidak Island at $57^{\circ} 12' 55'' N.$ lat., $153^{\circ} 13' 05'' W.$ long., and waters south of $57^{\circ} 03' N.$ lat., inshore of a line from $57^{\circ} 03' N.$ lat., $153^{\circ} 37' 05'' W.$ long., to Cape Sitkinak, and east of a line from a point on the Aliulik Peninsula at $56^{\circ} 46' 10'' N.$ lat., $153^{\circ} 54' W.$ long., to Whirlpool Point;

(5) Southern section; all waters west of a line from a point on the Aliulik Peninsula at $56^{\circ} 46' 10'' N.$ lat., $153^{\circ} 54' W.$ long., to Whirlpool Point and shoreward of a line from Dolina Point to Cape Alitak;

(A) Olga Bay subsection: that portion of the Southern section north of Olga Narrows and including all of Olga Bay;

(B) Alitak Bay subsection: that portion of the Southern section not included in the Olga Bay subsection;

(6) Uyak Bay section: all waters east of a line from Cape Uyak to Cape Kuliuk, including all of Uyak Bay;

(7) Uganik Bay section: all waters of Uganik Bay, Vi koda Bay and Kupreanof Strait east of a line from Miners Point to Raspberry Cape and west of a line from Inner Point to Afognak Point;

(8) West Afognak section: all waters east of a line from Raspberry Cape to Black Cape to Eagle Cape, south of the latitude of Eagle Cape and west of the easternmost portion of Cape Curren Narrows, including all of Raspberry Strait;

(9) North Afognak section: all waters shoreward of a line from Tonki Cape to $58^{\circ} 26' N.$ lat., $151^{\circ} 59' W.$ long., to Point Banks and east of Cape Curren Narrows including the waters of Tonki Bay;

(10) Kukak Bay section: all waters west of the midstream of Shelikof Strait, south of a line from Black Cape to Cape Nukshak and north of the latitude of Cape Kuliak;

(11) Marmot Island section: all waters south of the latitude of Tonki Cape ($58^{\circ} 21'$ N. lat.) excluding the waters of Tonki Bay, and all waters north of the northernmost point of Long Island at $57^{\circ} 47' 30''$ N. lat., and east of a line from Cape Izhut to Miller Point;

(12) Chiniak Bay section: all waters of Chiniak Bay south of $57^{\circ} 47' 30''$ N. lat., and west of a line from Cape Chiniak to $57^{\circ} 47' 30''$ N. lat., $152^{\circ} 04' 30''$ W. long.;

(A) Kalsin Bay subsection: that portion of the Chiniak Bay section south of $57^{\circ} 47' 30''$ N. lat., west of a line from Cape Chiniak to Humpback Rock to the southernmost point of Long Island;

(B) Inner Chiniak Bay subsection: that portion of the Chiniak Bay section south of $57^{\circ} 47' 30''$ N. lat., west of a line from Cape Chiniak to $57^{\circ} 47' 30''$ N. lat., $152^{\circ} 04' 30''$ W. long., and east of a line from Cape Chiniak to Humpback Rock to the southernmost point of Long Island.

(b) Chignik district: all waters west of a line extending south from Kikokak Rocks and east of a line from Kupreanof Point to the easternmost point of Castle Rock, and east of a line extending 135° southeast from the easternmost Point of Castle Rock;

(1) Kujulik Bay section: all waters west of a line from Cape Kumlik to the westernmost point of Sutwik Island, north of a line from Foggy Cape to the southernmost point of Nakehamik Island, and east of a line from the northernmost point of Nakehamik Island to Cape Kumliun;

(2) Chignik Bay section: all waters west of a line from Cape Kumliun to the northernmost point of Nakehamik Island to Castle Cape;

(3) Kuiukta Bay section: all waters north of a line from Cape Ikti to the southern entrance of Herring Lagoon at $55^{\circ} 57' 30''$ N. lat., $158^{\circ} 38' 45''$ W. long.;

(4) Mitrofanina Island section: all waters west of the longitude of Seal Cape ($158^{\circ} 26'$ W. long.) and north of the latitude of Kupreanof Point ($55^{\circ} 34'$ N. lat.), east of the longitude of the southernmost point of Chiachi Island ($159^{\circ} 07'$ W. long.) and east of a line from Star Point to the northernmost point of Chiachi Island, excluding the waters of the Kuiukta Bay section;

(5) Ivanof Bay section: all waters west of a line from Star Point to the northernmost point of Chiachi Island, west of the longitude of the southernmost point of Chiachi Island ($159^{\circ} 07'$ W. long.) and north of the latitude of Kupreanof Point ($55^{\circ} 34'$ N. lat.).

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(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 such application:

(1) does not tend to facilitate enforcement of regulations applicable to a registration area;

(2) does not tend to protect or conserve dungeness crab inhabiting territorial waters of Alaska; or

(3) that the state has an insufficient interest in the dungeness crab inhabiting the zone to warrant extension of the jurisdiction of the state to the zone.

Authority: AS 16.05.251

5 AAC 32.020. REGISTRATION. (a) All registration areas except those areas specified in subsection (b) of this section are nonexclusive registration areas. A vessel or gear may be registered for any or all of the nonexclusive registration areas during a registration year. A vessel or gear registered for any nonexclusive area may not be used in any exclusive registration area during the same registration year.

(b) The registration area in statistical area E is an exclusive registration area. A vessel or gear registered in area E may not be used to fish dungeness crab in any other area during the same registration year.

(c) All dungeness crab fishing gear and vessels shall be registered for the registration area or areas selected prior to fishing dungeness crab.

(d) The registration year shall be January 1 through December 31.

(e) A registration shall not be considered valid until the vessel has complied with the inspection requirements of sec. 030(a) of this chapter.

(f) A vessel validly registered to fish for king crab in any king crab registration area may not be fishing for dungeness crab in any other king crab registration area.

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

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5 AAC 32.030. LANDING AND INSPECTION REQUIREMENTS. (a) Within 72 hours prior to a season opening or at any time during the open season prior to fishing any vessel registered for an exclusive registration area or for a nonexclusive registration area must have its hold or live tanks inspected by a Department of Public Safety or a Department of Fish and Game employee or a designee of either department, at inspection points specified in this chapter. There shall be no dungeness crab on board. Successful completion of the inspection shall validate the registration for the area.

(b) Except as provided in (c) of this section, all vessels must land all dungeness crab in the area for which they are validly registered at the time.

(c) A vessel validly registered for an area which desires to land dungeness crab in another area must contact by radio a Department of Public Safety or a Department of Fish and Game employee or designee prior to leaving the statistical area encompassing the registration area for which the vessel is registered, and shall submit to such inspection at such location as the employee or designee may require. The employee or designee contacted by the vessel must be an employee or designee located in the registration area for which the vessel is validly registered at the time. A vessel acting pursuant to this authorization shall at the time of landing its catch have no greater amount of dungeness crab on board than were present at the time of any inspection.

(d) A vessel making radio contact pursuant to (c) 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 dungeness crab on board at the time.

(e) When a vessel lands dungeness crab pursuant to the authorization in (c) of this section, the registration under which the vessel is operating becomes invalid. In order to again become validly registered for an area, the vessel must comply with (a) of this section.

(f) Inspections shall not be commenced prior to 72 hours before the opening of any registration area. A valid registration shall become invalid 72 hours after the closure of the season for the registration area.

(g) Additional inspection points for inspections required by (e) of this section may be authorized by the commissioner if he finds that:

(1) existing inspection points are imposing an unusual and material hardship which the affected fishermen cannot themselves mitigate.

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(2) the department has no practical means of making special administrative accommodations regarding existing inspection points; and

(3) authorization of additional inspection points would not result in a significant likelihood of unauthorized fishing or other management or enforcement problems.

Authority: AS 16.05.251 (2),
(4),(7),(12)

5 AAC 32.035. CLOSURE OF REGISTRATION AREAS.

(a) The commissioner shall monitor the condition of dungeness crab 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 dungeness crab 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;

(2) catch per unit of effort and rate of harvest;

(3) such guideline harvest levels as may be promulgated by regulation;

(4) the proportion of immature or soft-shell dungeness crab being handled;

(5) general information on the condition of dungeness crab within the area; and

(6) information pertaining to the maximum sustainable yield level of dungeness crab within the registration area.

(d) Within five days after the closure of any registration area, the owner of any vessel registered for that area may formally request the commissioner to reopen the area. The commissioner shall personally review pertinent information on the condition of dungeness crab within the area, and shall formally announce his decision within 14 days of the receipt of the request.

(e) Within 72 hours after the closure of any registration area, no vessel registered for that area may bring dungeness crab into waters subject to the jurisdiction of the state unless:

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(1) the vessel is validly registered for another registration area and the season is open in that area; and

(2) the vessel is otherwise in compliance with secs. 020 and 030 of this chapter.

(f) The foregoing provisions of this section are applicable also to closures of districts, subdistricts, sections, or any other portion of a statistical area.

Authority: AS 16.05.060
AS 16.05.251 (2),
(4),(10)

ARTICLE 2. GENERAL SPECIFICATIONS AND RESTRICTIONS

5 AAC 32.050. GEAR FOR DUNGENESS CRAB.

(a) Dungeness crab may be taken only by pots, ring nets or diving gear unless otherwise provided in this chapter.

(b) All crab pot and ring net buoys shall be legibly marked with the permanent department registration number of the vessel fishing the gear. In areas where regulations limit the number of pots a person may operate with a vessel for taking a species of crab, the buoys shall bear a single department registration number and this number shall be that of the vessel used in operating the gear. In areas and for species without pot limits, the buoys may be marked with more than one registration number. These numbers shall be the numbers of the vessels used in operating the gear.

(c) Each dungeness crab pot shall have two circular escape rings of 4-3/8 inches (11 cm) minimum inside diameter on opposite sides of the pot and located on the upper one-half vertical plane on the pot, effective May 1, 1979.

Authority: AS 16.05.251 (4)

5 AAC 32.055. SIZE LIMITS. (a) No male dungeness crab may be taken that is less than 6½ inches (165 mm) in shoulder width, unless otherwise provided in this chapter.

(b) Shoulder width measurement of dungeness crab shall be the straightline distance across the carapace immediately anterior to the tenth anterolateral spine and shall not include the spines.

Authority: AS 16.05.251 (3),
(4),(7),(10)

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5 AAC 32.057. FEMALE AND UNDERSIZE CRABS. Female dungeness crabs and male crabs of less than minimum size, may not be taken. Such crab which have been taken shall be immediately returned unharmed to the sea.

Authority: AS 16.05.250 (3),
(7),(10)

5 AAC 32.070. REGISTRATION AND INSPECTION DOCUMENTS. (a) A vessel being registered for a registration area pursuant to sec. 020 of this chapter, if the necessary information is provided and the vessel is otherwise in compliance with the regulations of this title, shall be issued a registration certificate. The registration certificate shall be signed by the registrant, kept immediately available at all times during fishing operations by the vessel operator and shall be shown upon request to any authorized representative of the Department of Fish and Game or the Department of Public Safety.

(b) A vessel being submitted to an inspection pursuant to sec. 030 of this chapter shall be issued an inspection certificate upon successful completion of the inspection. No vessel shall be given an inspection certificate unless a current registration certificate for that registration area is displayed to the Department of Fish and Game or Department of Public Safety employee or designee conducting the inspection. The inspection certificate shall be signed by the current vessel operator and shall be shown upon request at any time to any authorized representative of the Department of Fish and Game or the Department of Public Safety.

(c) A vessel landing dungeness crab in a registration area other than the area for which the vessel is validly registered at the time pursuant to the authorization in sec. 030 (d) of this chapter shall attach the inspection certificate to the back of the department copy (yellow copy) of the fish ticket at the time the dungeness crab are landed.

Authority: AS 16.05.250 (3),
(14)
AS 16.05.690

5 AAC 32.071. INTERIM APPLICATION OF REGULATIONS. Repealed effective June 28, 1975. Register 54.

ARTICLE 3. CONDITIONS FOR LICENSE

5 AAC 32.085. AGREEMENTS FOR USE PRIVILEGE. (a) Any person who has applied for and been issued a valid interim-use permit card for dungeness crab pots or a commercial fishing vessel license or who has registered a vessel or any gear for a dungeness crab registration area has agreed:

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(1) to engage in fishing for dungeness crab only in a statistical area encompassing a registration area for which the vessel is validly registered;

(2) to engage in fishing for dungeness crab only in districts where the season is open in statistical areas which are subdivided into districts;

(3) to engage in fishing for dungeness crab only if the season in the registration area for which the vessel is validly registered is open;

(4) to engage in fishing for dungeness crab in statistical areas in compliance with all regulations (including gear limitations or prohibitions) governing dungeness crab fishing in the registration area encompassed by the statistical area; and

(5) to comply with the provisions and requirements of 5 AAC 39.130.

(b) A permit holder or registrant further agrees that the agreement contained in subsection (a) of this section shall have the force of regulation.

(c) The permit holder or registrant has entered into the above described agreement in return for receiving from the state a use privilege to fish for dungeness crab inhabiting waters subject to the jurisdiction of the state, and is entitled to all rights and privileges to engage in such fishing for dungeness crab consistent with applicable laws and regulations.

Authority: AS 16.05.250 (7)
AS 16.05.690

ARTICLE 4. PROHIBITIONS

5 AAC 32.090. UNLAWFUL POSSESSION OF DUNGENESS CRAB OR DUNGENESS CRAB GEAR. (a) It is unlawful for any person to possess unprocessed dungeness crab aboard a vessel licensed as a commercial fishing vessel within any registration area unless the vessel is validly registered for the area and the season is open, or unless the person is acting pursuant to the authorization of sec. 030 (c) or sec. 035 (e) of this chapter.

(b) It is unlawful for any person to possess aboard a vessel licensed as a commercial fishing vessel within any registration area any dungeness crab or any gear (including aggregate amounts of gear) used in the taking of dungeness crab which are prohibited by other regulations of this chapter governing such registration area. If a vessel is acting pursuant to the authorization of sec. 030 (c) of this chapter, that vessel shall be governed by the regulations of the area for which it is validly registered at the time.

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(c) It is unlawful for any person to possess, purchase, barter, sell, or transport dungeness crab within the state or within waters subject to the jurisdiction of the state if that person knows or has reason to know that such dungeness crab were taken or possessed in contravention of the regulations of this chapter.

Authority: AS 16.05.250 (3),
(7),(10)
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 32.091. UNLAWFUL ACTS WITHIN AN ADJACENT SEAWARD BIOLOGICAL INFLUENCE ZONE.

It is unlawful for any person:

(1) to take, attempt to take, cause to be taken, or possess dungeness crab;

(2) to operate, to attempt to operate, or cause to be operated any vessel or gear or to possess any gear; or

(3) to take, attempt to take, cause to be taken, or fail to take any action in violation of sec. 010 (b) of this chapter.

Authority: AS 16.05.251 (4),
(7),(10)
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 32.096. VIOLATION OF REPORTING REQUIREMENTS. (a) It is unlawful for any person to file a fish ticket representing the catch governed by the fish ticket as having been taken in a particular statistical area when in fact the catch or part of the catch were taken in another statistical area.

(b) It is unlawful to file a fish ticket containing any information which has been purposely falsified.

Authority: AS 16.05.250
AS 16.05.690
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 32.097. VIOLATION OF LANDING REQUIREMENT. It shall be unlawful for any vessel acting pursuant to the authorization of sec. 030 (c) of this chapter to land an amount of dungeness crab ten per cent greater or less than the amount stated under sec. 030 (d) of this chapter.

Authority: AS 16.05.250 (4),
(10)
AS 16.05.720
AS 16.05.900
AS 16.05.920

5AAC 32.098. VIOLATION OF REGULATIONS.
It is unlawful for any person to violate any of the regulations
of this chapter.

Authority: AS 16.05.020
AS 16.05.060
AS 16.05.250
AS 16.05.690
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 32.099. APPLICATION OF THIS CHAPTER.
Requirements set forth in this chapter shall be deemed to
refer to dungeness crab fishing only, unless otherwise speci-
fied.

Authority: AS 16.05.251

ARTICLE 5. STATISTICAL AREA A
(SOUTHEASTERN ALASKA — YAKUTAT)
REGULATIONS FOR REGISTRATION AREA

5 AAC 32.100. DESCRIPTION OF STATISTICAL
AREA. Statistical area A has as its western boundary a line
extending south from Cape Suckling, and as its southern bound-
ary the International Boundary at Dixon Entrance, and as
its seaward boundary the 400 fathom (732 m) depth contour.

Authority: AS 16.05.251 (2)

5 AAC 32.105. DESCRIPTION OF DISTRICTS. Districts
are as described in 5 AAC 30.200 and 5 AAC 33.200.

Authority: AS 16.05.250 (2)

5 AAC 32.110. FISHING SEASONS. Dungeness crab
may be taken or possessed from June 1 through February 28.

(1) repealed (eff. 7/17/77, Reg. 63);

(2) repealed (eff. 7/17/77, Reg. 63);

(3) repealed (eff. 6/12/76, Reg. 58).

Authority: AS 16.05.251 (2)

5 AAC 32.125. **LAWFUL GEAR.** (a) All crab pots left in saltwater unattended longer than a two-week period shall have all bait and bait containers removed and all doors secured fully open.

(b) Not more than 300 dungeness crab pots per vessel may be fished in waters south and east of Cape Spencer.

(c) Not more than 600 dungeness crab pots per vessel may be fished in waters north and west of Cape Spencer, including the Yakutat and Yakutaga districts.

(d) No vessel may have crab pots fishing simultaneously in the areas described in (b) and (c) of this section.

(e) Two escape rings 4-3/8 (11 cm) in minimum inside diameter, located on the vertical plane, shall be provided for each dungeness crab pot after December 31, 1977.

(f) A dungeness crab pot is a pot with tunnel eye openings which individually do not exceed 30 inches (76 cm) in perimeter.

Authority: AS 16.05.251 (2),
(4)

5 AAC 32.140. **INSPECTION POINTS.** Inspection points are located at Ketchikan, Wrangell, Petersburg, Sitka, Juneau and Yakutat or at other locations specified by the department.

Authority: AS 16.05.250 (2),
(3),(7)

5 AAC 32.145 **SUBSISTENCE FISHERY.** In the taking of dungeness crab:

(1) the daily bag and possession limit is 20 crabs per person;

(2) the minimum legal size for dungeness crab is 6½ inches (165 mm) in shoulder width;

(3) spears and gaffs are not permitted in district 1 and in district 13;

(4) all crab pots left in salt water unattended longer than a two-week period shall have all bait and bait containers removed and all doors secured fully open;

DUNGENESS CRAB FISHERY

SOUTHEASTERN YAKUTAT PRINCE WILLIAM SOUND

(5) live holding facilities utilized to accumulate or pool multiple bag limits by an individual or individuals are not permitted.

Authority: AS 16.05.251 (2),
(3),(4),(7),(10)

5 AAC 32.150. CLOSED WATERS. All water of Gastineau Channel north of a line from Marmion Island light to Point Salisbury are closed to commercial fishing for dungeness crab.

Authority: AS 16.05.251 (2)

ARTICLE 6 STATISTICAL AREA E (PRINCE WILLIAM SOUND) REGULATIONS FOR REGISTRATION AREA

5 AAC 32.200. DESCRIPTION OF STATISTICAL AREA. Statistical area E has as its western boundary a line extending south from Cape Fairfield and as its eastern boundary a line extending south from Cape Suckling, and as its seaward boundary the 200 fathom (366 m) depth contour.

Authority: AS 16.05.251 (2)

5 AAC 32.205. DESCRIPTION OF DISTRICTS. (a) Orca Inlet district: all water of statistical area E north of a line from Point Bentinck to Point Whitshed, east of a line from Salmo Point to a point on the mainland at $60^{\circ} 37' 54''$ N. lat., $145^{\circ} 45' 33''$ W. long., and south of a line from Makaka Point to a point on Hinchinbrook Island at $60^{\circ} 28' 54''$ N. lat., $146^{\circ} 22' 51''$ W. long.

(b) Northern district: all water of statistical area E west of a line from Salmo Point to a point on the mainland at $60^{\circ} 37' 54''$ N. lat., $145^{\circ} 45' 33''$ W. long., north of a line from Makaka Point to a point on Hinchinbrook Island at $60^{\circ} 28' 54''$ N. lat., $146^{\circ} 22' 51''$ W. long., north of a line from Cape Hinchinbrook to Seal Rocks ($60^{\circ} 10'$ N. lat., $146^{\circ} 50'$ W. long.), and west of the longitude of Seal Rocks ($60^{\circ} 10'$ N. lat., $146^{\circ} 50'$ W. long.).

(c) Copper River district: all water of statistical area E south of a line from Point Bentinck to Point Whitshed, south of a line from Cape Hinchinbrook to Seal Rocks ($60^{\circ} 10'$ N. lat., $146^{\circ} 50'$ W. long.), and east of the longitude of Seal Rocks ($60^{\circ} 10'$ N. lat., $146^{\circ} 50'$ W. long.).

Authority: AS 16.05.251 (2)

5 AAC 32.210. FISHING SEASONS. Dungeness crab may be taken as follows:

(1) Orca Inlet district: from a date specified by emergency order after September 1 until May 31;

(2) Northern district: January 1 through December 31;

(3) Copper River district: April 1 through November 30.

Authority: AS 16.05.060
AS 16.05.251 (2)

5 AAC 32.225. LAWFUL GEAR. (a) In the taking of dungeness crab:

(1) no more than 250 crab pots per vessel may be used except as provided in (a) (2) of this section;

(2) in the Orca Inlet district no more than 100 crab pots per vessel may be used;

(3) an escape hole of four inches (10 cm) in minimum diameter and so located as to permit the escape of undersized crab shall be provided for each pot.

(b) A dungeness crab pot is a pot with tunnel eye openings which individually do not exceed 30 inches (76 cm) in perimeter.

Authority: AS 16.05.251 (2),
(4),(10)

5 AAC 32.230. IDENTIFICATION OF GEAR. In the taking of dungeness crab;

(1) all floats and buoys fished under a single registration number must be identically marked, and the colors and design used must be registered with the department before fishing commences;

(2) when fishing for or taking crab, no individual or vessel may operate or assist in operating crab pots with buoys of more than one color design registered with the department or more than one legal limit of gear in the aggregate.

Authority: AS 16.05.250 (3),
(14)

5 AAC 32.240. INSPECTION POINTS. Inspection points are located at Cordova, Valdez, and at other locations specified by the department.

Authority: AS 16.05.250 (2),
(3),(7)

ARTICLE 7
STATISTICAL AREA H (COOK INLET)
REGULATIONS FOR REGISTRATION AREA

5 AAC 32.300. DESCRIPTION OF STATISTICAL AREA. Statistical area H has as its eastern boundary a line extending south from Cape Fairfield, and as its southern boundary a line extending east from Cape Douglas at $58^{\circ} 52'$ N. lat.

Authority: As 16.05.251 (2)

5 AAC 32.305. DESCRIPTION OF DISTRICTS. Districts are as described in 5 AAC 21.200.

Authority: AS 16.05.250 (2)

5 AAC 32.310. FISHING SEASONS. Dungeness crab may be taken as follows:

(1) in the Southern district northeast of a line from Coal Point to the Northeast tip of Glacier Spit, from September 1 through April 30;

(2) in the Southern district west of a line from Coal Point to the northern tip of Yukon Island and north of the latitude of the northern tip of Yukon Island ($59^{\circ} 32' 06''$ N. lat.) from May 1 through December 31;

(3) in the remainder of the Cook Inlet area, from January 1 through December 31.

Authority: AS 16.05.251 (2)

5 AAC 32.325. LAWFUL GEAR. (a) In the taking of dungeness crab in the Southern district, no individual may operate, assist in operating, or have on board more than 150 pots; in the Northern, Central, Kamishak Bay, Outer, and Eastern districts, no individual may operate, or assist in operating, or have on board more than 250 pots.

(b) A dungeness crab pot is a pot with tunnel eye opening perimeters which individually do not exceed 30 inches (76 cm).

Authority: AS 16.05.251 (2),
(4)

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COOK INLET WESTWARD

5 AAC 32.330. IDENTIFICATION OF GEAR. In the taking of dungeness crab all pot and ring net buoys fished under a single registration shall be consecutively numbered starting with the number one, and they shall be legibly marked with the permanent department registration number; these floats and buoys must be constructed or marked in such a way as to be readily distinguishable from the floats or buoys used on king crab pots.

Authority: AS 16.05.250 (3),
(7), (14)

5 AAC 32.340. INSPECTION POINTS. Inspection points are located at Homer and Seward or at other locations specified by the department.

Authority: AS 16.05.250 (2),
(3), (7)

ARTICLE 8 STATISTICAL AREA J (WESTWARD) REGULATIONS FOR REGISTRATION AREA

5 AAC 32.400. DESCRIPTION OF STATISTICAL AREA. Statistical area J includes all Pacific Ocean waters south of the latitude of Cape Douglas, west of 151° W. long., east of 172° E. long., and seaward to the 200 fathom (366 m) depth contour, and all Bering Sea waters east of 172° E. long.

Authority: AS 16.05.251 (2)

5 AAC 32.405. DESCRIPTION OF DISTRICTS. (a) Kodiak district, all waters of statistical area J between the latitude of Cape Douglas and the longitude of Kilokak Rocks, including Chirikof Island.

(b) Chignik district: all waters of statistical area J west of the longitude of Kilokak Rocks and east of a line from Kupreanof Point to the easternmost point of Castle Rock, and east of a line extending 135° southeast from the easternmost point of Castle Rock.

(c) South Peninsula district: all Pacific Ocean waters of statistical area J west of a line from Kupreanof Point to the easternmost point of Castle Rock and west of a line extending 135° southeast from the easternmost point of Castle Rock, and east of the longitude of Cape Sarichef.

(d) North Peninsula district: all Bering Sea waters of statistical area J east of the longitude of Cape Sarichef.

(e) Aleutian district: all waters of statistical area J west of the longitude of Cape Sarichef.

5 AAC 32.410. FISHING SEASONS. Dungeness crab may be taken or possessed from May 1 through December 31, except that in the Kodiak district south of the latitude of Boot Point and south of the latitude of Cape Ikolik dungeness crab may be taken from June 15 through December 31.

Authority: AS 16.05.251 (2)

5 AAC 32.420. SIZE LIMITS. Repealed (eff. 7/17/77, Reg. 63)

5 AAC 32.425. LAWFUL GEAR. (a) Dungeness crab may be taken by pots or ring nets only.

(b) A dungeness crab pot is a pot with tunnel eye openings which individually do not exceed 30 inches (76 cm) in perimeter.

(c) During the closed dungeness crab season in the Kodiak district of statistical area J, all dungeness crab pots shall be removed from the water.

Authority: AS 16.05.251 (4)

5 AAC 32.440. INSPECTION POINTS. Inspection points are located at Kodiak, Sand Point, Dutch Harbor and other locations specified by the department.

Authority: AS 16.05.250 (2),
(3),(7)

CHAPTER 34. KING CRAB FISHERY
ARTICLE 1. STATISTICAL AREAS

5 AAC 34.005. STATISTICAL AREAS ESTABLISHED.

(a) For the king crab fishery, there are established the following areas with the following code letters:

Code Letter

- A- Southeastern Alaska - Yakutat Area, comprised of the waters specified in sec. 100 of this chapter.
- E- Prince William Sound Area, comprised of the waters specified in sec. 200 of this chapter.
- H- Cook Inlet Area, comprised of the waters specified in sec. 300 of this chapter.
- K- Kodiak Area, comprised of the waters specified in sec. 400 of this chapter.
- M- Alaska Peninsula Area, comprised of the waters specified in sec. 500 of this chapter.
- O- Dutch Harbor Area, comprised of the waters specified in sec. 600 of this chapter.
- R- Adak Area, comprised of the waters specified in sec. 700 of this chapter.
- Q- Bering Sea Area, comprised of the waters 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 are territorial waters of Alaska; and

(2) an adjacent seaward biological influence zone, comprised of all the waters within the statistical area which are 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 king crab resources of the state.

(d) Adjacent seaward biological influence zones are areas which the department shall utilize to obtain biological and fishing effort data and other information necessary for the formulation of comprehensive and effective conservation and management regulations governing king crab 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. .010 of this chapter.

Authority: AS 16.05.251

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5 AAC 34.010. APPLICATION OF REGULATIONS.

(a) Notwithstanding any other provision of this chapter, all regulations in this chapter applicable to a registration area shall be applicable also in its 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 such application:

(1) does not tend to facilitate enforcement of regulations applicable to a registration area.

(2) does not tend to protect or conserve king crab inhabiting territorial waters of Alaska; or

(3) that the state has an insufficient interest in the king crab inhabiting the zone to warrant extension of the jurisdiction of the state to the zone.

Authority: AS 16.05.251

5 AAC 34.020. REGISTRATION. (a) All registration areas except those specified in subsection (b) of this section are exclusive registration areas. No vessel nor gear may be registered in more than one exclusive registration area during a registration year.

(b) The registration areas in statistical areas R and Q are nonexclusive registration areas. A vessel and gear may be registered for either or both of the nonexclusive registration areas together with one exclusive registration area during any registration year, except that a vessel or gear registered for area H may not be used to fish king crab in any other registration area.

(c) All king crab fishing gear shall be registered for the one exclusive registration area or nonexclusive registration areas before fishing king crab. All king crab vessels shall be registered by the owner or his authorized agent in a nonexclusive registration area prior to fishing. All king crab vessels shall be registered by the owner or his authorized agent in an exclusive registration area prior to August 1.

(d) The registration year shall be June 28 through June 27.

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(e) A registration shall not be considered valid until the vessel has complied with the inspection requirements of sec. 030 (a) or (b) of this chapter.

(f) The late registration of a king crab vessel may be permitted by the commissioner in the case of the loss of a registered vessel by sinking or destruction. The late registration shall be for the area in which the lost vessel was registered. For purposes of this subsection, loss of the vessel is considered to mean such vessel is incapable of being used to take king crab during the open king crab season in the area for which it is registered. Loss of a vessel shall be documented by submission of proof, in writing, that the vessel is sunk or destroyed.

(g) No operator of a king crab vessel registered for an exclusive registration area may operate any other king crab vessel registered for any other exclusive registration area.

(h) A vessel validly registered to fish for king crab in any king crab registration area may not be fishing any species of crab in any other king crab registration area.

Authority: AS 16.05.251 (2),
(4),(10),(12)

5 AAC 34.030. LANDING AND INSPECTION REQUIREMENTS. (a) Within 24 hours prior to a season opening or at any time during the open season prior to fishing, any vessel registered for an exclusive registration area must have its holds or live tanks inspected by a Department of Public Safety or a Department of Fish and Game employee or a designee of either department, at inspection points specified in this chapter. There shall be no king crab on board. Successful completion of the inspection shall validate the registration for the area.

(b) Within 36 hours prior to fishing in statistical area Q and within 48 hours prior to fishing in statistical area R, any registered king crab vessel must have its holds or live tanks inspected by a Department of Public Safety or a Department of Fish and Game employee or designee of either department, at inspection points specified in this chapter. There shall be no king crab on board. Successful completion of the inspection shall validate the registration for the area.

(c) Except as provided in (d) of this section, all vessels must land all king crab in the area for which they are validly registered at the time.

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(d) A vessel validly registered for an area which desires to land king crab 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 prior to leaving the statistical area encompassing the area for which the vessel is registered, and shall submit to such inspection at such location as the employee or designee may require. The employee or designee contacted by the vessel must be an employee or designee located in the registration area for which the vessel is validly registered at the time. A vessel acting pursuant to this authorization shall at the time of landing its catch have no greater amount of king crab on board than were present at the time of any inspection.

(e) A vessel making radio contact pursuant to (d) 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 king crab on board at the time.

(f) When a vessel lands king crab pursuant to the authorization in (d) of this section, the registration under which the vessel is operating becomes invalid. In order to again become validly registered for an area, the vessel must comply with (a) or (b) of this section.

(g) For purposes of this section a vessel validly registered for the registration area in statistical area Q landing king crab at Dutch Harbor, Akutan or King Cove shall be deemed to have landed their catch in the area for which they are validly registered at the time.

(h) For purposes of (d) of this section, vessels registered for the registration area in statistical area Q shall make radio contact at Dutch Harbor.

(i) The commissioner may suspend any or all of the requirements of (d), (e) and (f) of this section for particular registration areas if he finds that to do so would be in the public interest.

(j) Inspection shall not be commenced prior to 24 hours before the opening of any exclusive registration area.

(k) A valid registration shall become invalid 72 hours after the closure of the season in all exclusive registration areas and 24 hours after the closure of the season in all non-exclusive registration areas.

Authority: AS 16.05.020
AS 16.05.251 (2),
(4),(7),(12)

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5 AAC 34.033. TENDERS. (a) A vessel incapable of being utilized to take king crab by virtue of the lack of gear or equipment on board may be used to tender another vessel fishing for king crab if such other vessel is otherwise in compliance with the regulations of this chapter. Prior to engaging in any tendering operation, a tendering vessel shall notify a local representative of the department of the name of the vessel or vessels which the tendering vessel will be tendering.

(b) If the tendering vessel desires to land king crab from the tendered vessel in a registration area in which the tendered vessel is not validly registered at the time, the tendering vessel shall comply with the requirements of (d) and (e) of sec. 030 of this chapter. In addition, the tendered vessel shall make radio contact with a Department of Public Safety or a Department of Fish and Game employee or a designee of either department within three hours of the time such contact is made by the tendering vessel. The employee or designee contacted by the tendered vessel must be an employee or designee located in the registration area for which the vessel is validly registered at the time.

(c) The exception provided for in (h) of sec. 030 of this chapter shall also apply with respect to (b) of this section.

Authority: AS 16.05.250 (2),
(3),(10),(14)

5 AAC 34.035. CLOSURE OF REGISTRATION AREAS.

(a) The commissioner shall monitor the condition of king crab 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 king crab 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;

(2) catch per unit of effort and rate of harvest;

(3) relative abundance of king crab within the area in comparison with pre-season expectations of the department;

(4) such guideline harvest levels as may be promulgated by regulation;

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(5) the proportion of immature or softshell king crab being handled;

(6) general information on the condition of king crab within the area; and

(7) information pertaining to the maximum sustainable yield level of king crab within the registration area.

(d) Within five days after the closure of any registration area an individual holding a king crab permit issued by the Commercial Fisheries Entry Commission or the owner of any vessel registered for that area may formally request the commissioner to reopen the area. The commissioner shall personally review pertinent information on the condition of king crab within the area, and shall formally announce his decision within 14 days of the request.

(e) After 72 hours following the closure of all exclusive registration areas and after 24 hours following the closure of all nonexclusive registration areas, no vessel registered for that area may have king crab on board in waters subject to the jurisdiction of the state unless:

(1) the vessel is validly registered for another registration area and the season is open in the area; and;

(2) the vessel is otherwise in compliance with secs. 029 and 030 of this chapter.

(f) The foregoing provisions of this section are applicable also to closures of districts, subdistricts, sections, or any other portion of a statistical area.

Authority: AS 16.05.251 (2),
(3),(4),(7),(10)

5 AAC 34.040. PARTIAL CLOSURE OF REGISTRATION AREAS. (a) Pursuant to the procedures set forth in (a), (b) and (c) of sec. 035 of this chapter, the commissioner may close a registration area for certain species of king crab.

(b) After 72 hours following the closure of all exclusive registration areas and after 24 hours following the closure of all nonexclusive registration areas for a certain species of king crab no vessel registered for that area may have that species of king crab on board in waters subject to the jurisdiction of the state unless:

(1) the vessel is validly registered for another registration area and the area is open for that species of king crab; and

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(2) the vessel is otherwise in compliance with secs. 020 and 030 of this chapter.

(c) Subsection (d) of sec. 035 of this chapter shall apply to partial closures.

(d) Unless otherwise stated, all references in this chapter to closures of registration areas shall not be deemed applicable to partial closures.

Authority: AS 16.05.060
AS 16.05.250 (2),
(3),(10)

5 AAC 34.045. DISCRETIONARY OPENINGS. In areas where the commissioner is authorized to open the season by emergency order, 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 16.05.250 (2)

ARTICLE 2. GENERAL SPECIFICATIONS AND RESTRICTIONS

5 AAC 34.050. GEAR FOR KING CRAB. (a) King crab may be taken only by pots, ring nets, or diving gear, unless otherwise provided in this chapter.

(b) At least one buoy on each king crab pot or ring net shall be legibly marked with the permanent department registration number of the vessel fishing the gear. The buoy shall bear a single department registration number and this number shall be that of the vessel used in operating the gear. Registration numbers shall be painted on the top one-third of the buoy in numerals at least four inches in height and one-half inch in width in a contrasting color to that of the buoy. The buoy markings shall be legibly inscribed and visible on the buoy above the water surface when attached to the crab pot.

(c) During the closed season for king crab in any given king crab registration area, king crab pots shall either be removed from the water or stored, with all bait and bait containers removed, in 25 fathoms (46 m) of water or less, unless otherwise specified in this chapter. Pots with all doors secured fully open and with all bait and bait containers removed may be stored in water depths greater than the maximum permissible depth for 72 hours prior to the opening of the king crab season, and for 72 hours after the season closure where the pots are fished.

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(d) The owner or operator of a king crab vessel that is lost through sinking may apply to the commissioner for a permit to legal-size king crab obtained when his pots are recovered himself or his authorized agent even though the crab season is closed in the area. The fish ticket shall show the delivery made by the lost vessel.

(e) Repealed, (eff. 6/2/78, Reg. 66).

Authority: AS 16.05.251 (2),
(4),(12)
AS 16.05.690

5 AAC 34.060. SIZE LIMIT FOR KING CRAB. (a) No male king crab may be taken or possessed that are less than seven inches (178 mm) in width of shell, unless otherwise provided in this chapter.

(b) Width measurement of king crab shall be the straight-line distance across the carapace at a right angle to a line midway between the eyes to the midpoint of the posterior portion of the carapace and shall include the spines.

Authority: AS 16.05.251 (3),
(4),(7),(10)

5 AAC 34.065. FEMALE AND UNDERSIZE KING CRAB. Female king crab, and male king crab of less than minimum size, may not be taken or possessed. Such crab which have been taken shall be immediately returned to the sea unharmed.

Authority: AS 16.05.250 (3),
(4),(7),(10)

5 AAC 34.070. REGISTRATION AND INSPECTION DOCUMENTS. (a) A vessel being registered for a registration area pursuant to sec. 020 of this chapter, if the necessary information is provided and the vessel is otherwise in compliance with the regulations of this title, shall be issued a registration certificate. The registration certificate shall be signed by the registrant, kept immediately available at all times during fishing operations by the vessel operator and shall be shown upon request to any authorized representative of the department.

(b) A vessel being submitted to an inspection pursuant to sec. 030 of this chapter shall be issued an inspection certificate unless a current registration certificate for that registration area is displayed to the Department of Fish and Game or Department of Public Safety designee or employee conducting

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the inspection. The inspection certificate shall be signed by the current vessel operator and shall be shown upon request at any time to any authorized representative of the Department of Fish and Game or the Department of Public Safety.

(c) A vessel landing king crab in a registration area other than the area for which the vessel is validly registered at the time pursuant to the authorization in sec. 030 (d) of this chapter shall attach the inspection certificate to the back of the department copy (yellow copy) of the fish ticket at the time the king crab are landed.

Authority: AS 16.05.250 (3),
(14)
AS 16.05.690

5 AAC 34.075. LIMITATIONS ON TAKING FOR SUBSISTENCE PURPOSES. (a) In the taking of king crab for subsistence purposes, the possession limit is 6 crabs per person south of 60° N. lat.

(b) All king crab pots used for subsistence fishing and left in salt water unattended longer than a two-week period shall have all bait and bait containers removed and all doors secured fully open.

(c) Registered king crab vessels may not be used to take king crab for subsistence purposes for a period beginning 14 days prior to the opening and ending 14 days after the closure of the season for the registration area or areas for which the vessel is registered.

Authority: AS 16.05.250 (2),
(3),(4)

ARTICLE 3. CONDITIONS FOR LICENSE

5 AAC 34.085. AGREEMENTS FOR USE PRIVILEGE. (a) Any person who has applied for and been issued a valid interim-use permit card for king crab pots or a commercial fishing vessel license or who has registered a vessel or any gear for a king crab registration area has agreed:

(1) to engage in fishing for king crab only in a statistical area encompassing a registration area for which the vessel is validly registered;

(2) to engage in fishing for king crab only in districts where the season is open in statistical areas which are subdivided into districts;

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(3) to engage in fishing for king crab only if the season in the registration area for which the vessel is validly registered is open;

(4) to engage in fishing for king crab in statistical areas in compliance with all regulations (including partial closures) governing king crab fishing in the registration area encompassed by the statistical area; and

(5) to comply with the provisions and requirements of 5 AAC 39.130.

(b) A permit holder or registrant further agrees that the agreement contained in subsection (a) of this section shall have the force of regulation.

(c) The permit holder or registrant has entered into the above described agreement in return for receiving from the state a use privilege to fish for king crab inhabiting waters subject to the jurisdiction of the state, and is entitled to all rights and privileges to engage in such fishing for king crab consistent with applicable laws and regulations.

Authority: AS 16.05.250 (7)
AS 16.05.690

ARTICLE 4. PROHIBITIONS

5 AAC 34.090. UNLAWFUL POSSESSION OF KING CRAB OR KING CRAB GEAR (a) It is unlawful for any person to possess unprocessed king crab aboard a vessel licensed as a commercial fishing vessel within any registration area unless the vessel is validly registered for the area and the season is open, or unless the person is acting pursuant to the authorization of sec. 030 (d) or sec. 035 (e) of this chapter. The prohibition shall not apply to king crab possessed for subsistence purposes if otherwise consistent with applicable regulations.

(b) It is unlawful for any person to possess aboard a vessel licensed as a commercial fishing vessel within any registration area any king crab or any gear (including aggregate amounts of gear) used in the taking of king crab, if such king crab or king crab gear are prohibited by other regulations in this chapter governing such registration area. If a vessel is acting pursuant to the authorization of sec. 030 (d) of this chapter, that vessel shall be governed by the regulations of the area for which it is validly registered at the time.

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(c) It is unlawful for any person to possess, purchase, sell, barter, or transport king crab within the state or within waters subject to the jurisdiction of the state if that person knows or has reason to know that such king crab were taken or possessed in contravention of the regulations of this chapter.

Authority: AS 16.05.250 (3),
(7),(10)
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 34.092. UNLAWFUL ACTS WITHIN AN ADJACENT SEAWARD BIOLOGICAL INFLUENCE ZONE. It is unlawful for any person:

(1) to take, attempt to take, cause to be taken, or possess king crab;

(2) to operate, attempt to operate or cause to be operated any vessel or gear or to possess any gear; or

(3) to take, attempt to take, cause to be taken, or fail to take any action, in violation of sec. 010 (b) of this chapter.

Authority: AS 16.05.251 (4),
(7),(10)
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 34.095. UNLAWFUL POSSESSION OF KING CRAB POTS. (a) It is unlawful for any person to possess any king crab pots in an operable condition within any registration area unless:

(1) the person is aboard a vessel registered for that area and the season is open; or

(2) the person is acting pursuant to the authorization of sec. 030 (d) of this chapter; or

(3) the person is using such gear in the taking of king crab for subsistence purposes in accordance with applicable regulations.

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(b) For purposes of this section, a registration area which has been partially closed pursuant to sec. 040 of this chapter shall be considered an area where the season is open.

(c) For purposes of this section, a king crab pot in an "operable condition" is a king crab pot which does not have the doors secured fully open and the bait and bait containers removed.

Authority: AS 16.05.250 (2),
(3)
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 34.096. VIOLATION OF REPORTING REQUIREMENTS. (a) It is unlawful for any person to file a fish ticket representing the catch governed by the fish ticket as having been taken in a particular statistical area when in fact the catch or part of the catch were taken in another statistical area.

(b) It is unlawful to file any fish ticket containing information which has been purposely falsified.

Authority: AS 16.05.250
AS 16.05.690
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 34.097. VIOLATION OF LANDING REQUIREMENT. It shall be unlawful for any vessel acting pursuant to the authorization of sec. 030 (d) of this chapter to land an amount of king crab ten per cent greater or less than the amount stated under sec. 030 (e) of this chapter.

Authority: AS 16.05.250 (4),
(10)
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 34.098. VIOLATION OF REGULATIONS. It is unlawful for any person to violate any of the regulations of this chapter.

Authority: AS 16.05.020
AS 16.05.060
AS 16.05.250
AS 16.05.690
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 34.099. APPLICATION OF THIS CHAPTER. Requirements set forth in this chapter shall be deemed to refer to king crab fishing only, unless otherwise specified.

Authority: AS 16.05.251

**ARTICLE 5. STATISTICAL AREA A—REGULATIONS
FOR REGISTRATION AREA**

5 AAC. 34.100. DESCRIPTION OF STATISTICAL AREA. Statistical area A has as its western boundary a line extending south from Cape Suckling, and as its southern boundary the International Boundary at Dixon Entrance, and as its seaward boundary the 400 fathom (732 m) depth contour.

Authority: AS 16.05.251 (2)

5AAC 34.105. DESCRIPTION OF DISTRICTS. Districts shall be as described in 5 AAC 30.200 and 5 AAC 33.200.

Authority: AS 16.05.250 (2)

5 AAC 34.110. FISHING SEASONS. (a) Red and blue king crab seven inches (178 mm) or larger in width of shell may be taken or possessed from September 1 through January 31, or until the registration area is closed by emergency order.

(b) Brown king crab seven inches (178 mm) or larger in width of shell may be taken or possessed from September 1 through August 14, unless the registration area is closed earlier by emergency order.

(c) During periods to be opened and closed by emergency order, king crab eight inches (203 mm) or larger in width of shell may be taken or possessed.

Authority: AS 16.05.060
AS 16.05.251 (2),
(3), (4), (7), (10)

5 AAC 34.115. GUIDELINE HARVEST LEVELS. (a) The guideline harvest range for red and blue king crab is 200,000 to 400,000 pounds, (91 to 181 m.t.).

(b) The guideline harvest range for brown king crab is 50,000 to 200,000 pounds (23 to 91 m.t.).

Authority: AS 16.05.251 (3)

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5 AAC 34.120. SIZE LIMITS. No male king crab may be taken or possessed that are less than seven inches (178 mm) in width of shell with the following exceptions:

(1) king crab less than seven inches (178 mm) in width of shell may be transported through or into the registration area for the purpose of delivery to a processor; king crab may not be fished in the registration area until after delivery of king crabs taken in areas with minimum sizes of less than seven inches (178 mm);

(2) king crab eight inches (203 mm) or greater in width of shell may be taken as provided in sec. 110 (c) of this chapter;

(3) blue king crab may be taken that are 6½ inches (165 mm) or greater in width of shell.

Authority: AS 16.05.251 (3),
(4),(7),(10)

5 AAC 34.125. LAWFUL GEAR. (a) King crab may be taken by pots only. King crab taken by other means must be immediately returned unharmed to the sea.

(b) Otter trawls with a ground line or head line exceeding 60 feet (18 m) in length may not be aboard a vessel engaged in taking or transporting king crab.

(c) A king crab pot is a pot with rigid tunnel eye openings which individually are a minimum of five inches (13 cm) in one dimension, and tunnel eye opening perimeters which individually are larger than 30 inches (76 cm).

(d) During any king crab season an aggregate of not more than 100 king and tanner crab pots may be fished from any registered king crab vessel in the following waters:

(1) north and east of a line from Point Manby to Ocean Cape;

(2) Lituya Bay east of the longitude of Harbor Point;

(3) north and east of a line commencing at Icy Point and extending successively through Cape Spencer, Cape Cross, Klokachef Island, Cape Edgecumbe, North Cape, Cape Ommaney, Cape Bartolome, Cape Muzon and south to its intersection with the International Boundary.

Authority: AS 16.05.251 (2),
(4),(10)

5 AAC 34.140. INSPECTION POINTS. Inspection points are located at Ketchikan, Wrangell, Petersburg, Sitka, Juneau and Yakutat or at other locations specified by the department.

Authority: AS 16.05.250 (2),
(3),(7)

5 AAC 34.145. SUBSISTENCE FISHING. In the Southeastern Alaska area:

(1) red and blue king crab may not be taken from April 1 through June 30;

(2) only male king crab 7 inches (178 mm) or larger in width of shell may be taken or possessed.

Authority: AS 16.05.251 (2),
(3),(4),(7),(10)

5 AAC 34.150. CLOSED WATERS. All waters of Gastineau Channel north of a line from Marmion Island light to Point Salisbury are closed to commercial fishing for king crab.

Authority: AS 16.05.251 (2)

ARTICLE 6. STATISTICAL AREA E—REGULATIONS FOR REGISTRATION AREA

5 AAC 34.200. DESCRIPTION OF STATISTICAL AREA. Statistical area E has as its western boundary a line extending south from Cape Fairfield, and as its eastern boundary a line extending south from Cape Suckling, and as its seaward boundary the 400 fathom (732 m) depth contour.

Authority: AS 16.05.251 (2)

5 AAC 34.205. DESCRIPTION OF DISTRICTS. (a) Orca district: all waters of statistical area E east of a line from Point Freemantle to the eastern tip of Smith Island to Montague Point, east of a line from Zaikoff Point to Seal Rocks ($60^{\circ} 10' N. lat., 146^{\circ} 50' W. long.$), north of a line from Seal Rocks ($60^{\circ} 10' N. lat., 146^{\circ} 50' W. long.$) to Cape Hinchinbrook, and north of a line from Point Bentinck to Point Whitshed.

(b) Montague district: all waters of statistical area E west of a line from Point Freemantle to the eastern tip of Smith Island to Montague Point, west of a line from Zaikoff Point to Seal Rocks ($60^{\circ} 10' N. lat., 146^{\circ} 50' W. long.$), south of a line from Seal Rocks ($60^{\circ} 10' N. lat., 146^{\circ} 50' W. long.$) to Cape Hinchinbrook and south of a line from Point Bentinck to Point Whitshed.

Authority: AS 16.05.251 (2)

5 AAC 34.210. FISHING SEASONS. King crab may be taken as follows:

(1) Orca district from November 15 through March 15, unless closed earlier by emergency order;

(2) Montague district from October 1 through March 15, unless closed earlier by emergency order.

Authority: AS 16.05.060

AS 16.05.251 (2)

5 AAC 34.215. GUIDELINE HARVEST LEVELS. The guideline harvest level is 500,000 pounds (227 m.t.)

Authority: AS 16.05.251 (3)

5 AAC 34.220. SIZE LIMITS. The minimum legal size for blue king crab is six inches (152 mm) in width of shell.

Authority: AS 16.05.251 (3),

(4),(7),(10)

5 AAC 34.225. LAWFUL GEAR. (a) In the taking of king crab, pots only may be used and king crab taken by any other means must be immediately returned unharmed to the sea.

(b) Trawls with a ground line not exceeding 60 feet (18 m) may be used for taking bait.

(c) During any king crab season an aggregate of not more than 60 king crab pots may be fished from any registered king crab vessel.

(d) A king crab pot is a pot with rigid tunnel eye openings which individually are a minimum of five inches (13 cm) in one dimension, and tunnel eye opening perimeters which are individually larger than 30 inches (76 cm).

(e) During the open season for king crab, all shellfish pots other than those described as dungeness crab, tanner crab, and shrimp pots must conform to the specifications in (d) of this section.

Authority: AS 16.05.251 (2),

(4),(10)

5 AAC 34.240. INSPECTION POINTS. Inspection points are located in Cordova and Valdez or at other locations specified by the department.

Authority: AS 16.05.250 (2),
(3),(7)

ARTICLE 7. STATISTICAL AREA H—REGULATIONS
FOR REGISTRATION AREA

5 AAC 34.300. DESCRIPTION OF STATISTICAL AREA. Statistical area H has as its eastern boundary a line extending south from Cape Fairfield, and as its southern boundary a line extending east from Cape Douglas at 58° 52' N. lat.

Authority: AS 16.05.251 (2)

5 AAC 34.305. DESCRIPTION OF DISTRICTS. Districts shall be as described in 5 AAC 21.200.

Authority: AS 16.05.250 (2)

5 AAC 34.310. FISHING SEASONS. King crab may be taken as follows:

(1) from August 1 through March 15, king crab seven inches (178 mm) or greater in width of shell may be taken or possessed unless the registration area is closed earlier by emergency order;

(2) during periods to be opened and closed by emergency order king crab eight inches (203 mm) or greater in width of shell may be taken or possessed.

Authority: AS 16.05.060
AS 16.05.251 (2),
(3),(7),(10)

5 AAC 34.315. GUIDELINE HARVEST LEVELS. Guideline harvest levels are:

(1) Southern district:

(A) August 1 through November 30: 1,000,000 to 2,000,000 pounds (454 to 507 m.t.);

(B) December 1 through March 15: 500,000 to 1,000,000 pounds (227 to 454 m.t.);

(2) Kamishak Bay and Barren Islands districts:
3,000,000 pounds (1,361 m.t.);

(3) the total of all other districts: 500,000 pounds
(227 m.t.)

Authority: AS 16.05.251 (2),
(3)

5 AAC 34.320. SIZE LIMITS. King crab may be taken or possessed that are seven inches (178 mm) or greater in width of shell with the following exceptions:

(1) king crab eight inches (203 mm) or greater in width of shell may be taken or possessed as provided in sec. 310 (2) of this chapter;

(2) king crab less than seven inches (178 mm) in width of shell may be transported through or into the registration area for the purpose of delivery to a processor; king crab may not be fished in the registration area until after delivery of king crab taken in areas with minimum legal sizes of less than seven inches (178 mm) in shell width.

Authority: AS 16.05.251 (3),
(4),(7),(10)

5 AAC 34.325. LAWFUL GEAR. (a) King crab may be taken with pots or ring nets only. King crab taken by means other than pots or ring nets must immediately be returned unharmed to the sea.

(b) During any king crab season an aggregate of not more than 75 king and tanner crab pots may be fished from any registered king crab vessel.

(c) Otter trawls with a ground line or head line exceeding 60 feet (18 m) in length may not be aboard a vessel engaged in taking or transporting king crab.

(d) In the Southern and Kamishak Bay districts during the closed season for king crab, king crab pots shall either be removed from the water or stored in 15 fathoms (27 m) of water or less, with all doors secured fully open and all bait and bait containers removed.

(e) A king crab pot is a pot with rigid tunnel eye openings which individually are a minimum of five inches (13 cm) in one dimension and tunnel eye opening perimeters which individually are larger than 30 inches (76 cm).

Authority: AS 16.05.251 (2),
(4),(10)

5 AAC 34.330. IDENTIFICATION OF GEAR. Repealed effective June 12, 1976, Register 58.

5 AAC 34.335. CLOSED WATERS. King crab fishing is prohibited inside the area encompassed by a line south from Anchor Point to the intersection with a line west from the tip of Homer Spit.

Authority: AS 16.05.250 (2)

5 AAC 34.340. INSPECTION POINTS. Inspection points are located at Homer and Seward or at other locations specified by the department.

Authority: AS 16.05.250 (2),
(3),(7)

5 AAC 34.345. SUBSISTENCE FISHERY. King crab may be taken by any legal gear as described in sec. 050 of this chapter. There is no size or sex limitation on king crab. There is no closed season on king crab except as provided in sec. 075 (c) of this chapter.

Authority: AS 16.05.250 (2),
(3),(7),(10)

ARTICLE 8. STATISTICAL AREA K—REGULATIONS FOR REGISTRATION AREA

5 AAC 34.400. DESCRIPTION OF STATISTICAL AREA. Statistical area K has as its northern boundary a line extending east from Cape Douglas and as its western boundary a line extending south from Cape Kumlik, and as its seaward boundary the 300 fathom (549 m) depth contour.

Authority: AS 16.05.251 (2)

5 AAC 34.405. DESCRIPTION OF DISTRICTS. (a) Northeast district: all waters northeast of a line extending 168° southeast from Cape Barnabas, and east of a line extending north from the northern tip of Shuyak Island at $152^{\circ} 20'$ W. long., and the waters east of a line from Inner Point to Afognak Point in Whale Passage and Afognak Strait, and the waters east of $152^{\circ} 30'$ W. long., in Shuyak Strait.

(b) Southeast district: all waters southwest of a line extending 168° southeast from Cape Barnabas and east of a line extending 222° southwest from Cape Trinity.

(c) Southwest district: all waters west of a line extending 222° southwest from Cape Trinity, south of a line from Cape Ikolik on Kodiak Island to Cape Kilokak at the southern entrance of Imuya Bay on the Alaska Peninsula at 57° 11' 15" N. lat., 156° 19' W. long., and east of the longitude of the southern entrance of Imuya Bay at 156° 19' W. long.

(d) Semidi Island district: all waters west of 156° 19' W. long. at Cape Kilokak and east of the longitude of Cape Kumlik at 157° 27' W. long.

(e) Shelikof district: all waters north of a line from Cape Kilokak on the Alaska Peninsula to Cape Ikolik on Kodiak Island, and those waters west of a line from Inner Point to Afognak Point in Whale Passage and Afognak Strait, and those waters west of 152° 30' W. long. in Shuyak Strait, and the waters west of the longitude of the northern tip of Shuyak Island at 152° 20' W. long.

Authority: AS 16.05.251 (2)

5 AAC 34.410. FISHING SEASONS. King crab may be taken as follows:

(1) from 6:00 a.m. on September 10 through November 30 unless closed earlier by emergency order, king crab seven inches (178 mm) or greater in width of shell may be taken or possessed;

(2) from 6:00 a.m. December 1 through January 15 unless closed earlier by emergency order, king crab 7½ inches (191 mm) or greater in width of shell may be taken or possessed.

Authority: AS 16.05.060
AS 16.05.251 (2),
(3),(7),(10)

5 AAC 34.415. GUIDELINE HARVEST LEVELS. The guideline harvest level is 7,000,000 to 15,000,000 pounds (3174 to 6804 m.t.) of king crab.

Authority: AS 16.05.251 (3)

5 AAC 34.420. SIZE LIMITS. No male king crab may be taken or possessed that is less than seven inches (178 mm) in width of shell with the following exceptions:

(1) king crab less than seven inches (178 mm) in width of shell may be transported through or into the registration area for the purpose of delivery to a processor; king crab may not be fished in the registration area until after delivery of king crab taken in areas with minimum sizes of less than seven inches (178 mm);

(2) king crab $7\frac{1}{2}$ inches (191 mm) or greater in width of shell may be taken as provided in sec. 410 (2) of this chapter.

Authority: AS 16.05.251 (2),
(3),(4),(7),(10)

5 AAC 34.425. **LAWFUL GEAR.** (a) King crab may be taken by pots or ring nets only. King crab taken by any other means shall be immediately returned unharmed to the sea.

(b) Otter trawls with head or ground lines in excess of 60 feet (18 m) may not be aboard a vessel engaged in taking or transporting king crab.

(c) A king crab pot is a pot with rigid tunnel eye openings which individually are a minimum five inches (13 cm) in one dimension, and tunnel eye opening perimeters which individually are larger than 30 inches (76 cm).

(d) During the open king crab season, all shellfish pots other than those described as dungeness, tanner, and shrimp pots shall conform to the specifications in (c) of this section.

(e) During any king crab season an aggregate of not more than 75 king and tanner crab pots may be fished from any registered king crab vessel.

Authority: AS 16.05.251 (2),
(4),(10)

5 AAC 34.430. **IDENTIFICATION OF GEAR.** Repealed effective June 12, 1976, Register 58.

5 AAC 34.440. **INSPECTION POINTS.** Inspection points are located at Kodiak or other locations specified by the department.

Authority: AS 16.05.251 (2),
(4),(7)

ARTICLE 9. STATISTICAL AREA M—REGULATIONS
FOR REGISTRATION AREA

5 AAC 34.500. DESCRIPTION OF STATISTICAL AREA. Statistical area M has as its eastern boundary a line extending south from Cape Kumlik, and as its western boundary a line extending south from Scotch Cap light, and as its seaward boundary the 200 fathom (366 m) depth contour. The statistical area includes all waters of Bechevin Bay and Isanotski Strait south of a line from Chunak Point to Cape Krenitzen.

Authority: AS 16.05.251 (2)

5 AAC 34.505. DESCRIPTION OF DISTRICTS. (a) Unimak Bight district: all waters of statistical area M west of the longitude of Point Petrof on Sanak Island ($162^{\circ} 49' 25''$ W. long.) and west of a line from Point Petrof to Cape Pankof.

(b) Central district: all waters of statistical area M east of the longitude of Point Petrof on Sanak Island ($162^{\circ} 49' 25''$ W. long.) and east of a line from Point Petrof to Cape Pankof, and west of a line from Kupreanof Point to the easternmost point of Castle Rock, and west of a line extending 135° southeast from the easternmost point of Castle Rock.

(c) West Chignik district: all waters of statistical area M east of a line from Kupreanof Point to the easternmost point of Castle Rock, and east of a line extending 135° southeast from the easternmost point of Castle Rock.

Authority: AS 16.05.250 (2)

5 AAC 34.510. FISHING SEASONS. King crab may be taken as follows:

(1) from 12:00 noon September 15 until closed by emergency order, king crab $6\frac{1}{2}$ inches (165 mm) or greater in width of shell may be taken or possessed;

(2) during periods opened by emergency order until January 15, king crab $7\frac{1}{2}$ inches (191 mm) or greater in width of shell may be taken or possessed.

Authority: AS 16.05.060
AS 16.05.251 (2),
(3),(7),(10)

5 AAC 34.515. GUIDELINE HARVEST LEVELS.

The guideline harvest level is 2,000,000 to 5,000,000 pounds (909 to 2273 m.t.).

Authority: AS 16.05.251 (2),
(3)

5 AAC 34.520. SIZE LIMITS. (a) No male king crab may be taken or possessed that is less than 6½ inches (165 mm) in width of shell.

(b) King crab 7½ inches (191 mm) or greater in width of shell may be taken as provided in sec. 510 (2) of this chapter.

Authority: AS 16.05.251 (2),
(3),(7),(10)

5 AAC 34.525. LAWFUL GEAR. (a) King crab may be taken by pots only. King crab taken by means other than pots must be immediately returned unharmed to the sea.

(b) Otter trawls with a ground line exceeding 60 feet (18 m) in length may not be aboard a vessel engaged in taking or transporting king crab.

(c) A king crab pot is a pot with rigid tunnel eye openings which individually are a minimum of five inches (13 m) in one dimension and tunnel eye opening perimeters which individually are larger than 30 inches (76 cm).

(d) During the open season for king crab, all shellfish pots other than those described as dungeness, tanner, and shrimp pots must conform to the specifications in (c) of this section.

(e) Repealed (eff. 7/17/77, Reg. 63).

Authority: AS 16.05.251 (2),
(4),(10)

5 AAC 34.540. INSPECTION POINTS. Inspection points are located at Sand Point and other locations specified by the department.

Authority: AS 16.05.250 (2),
(3),(7)

ARTICLE 10. STATISTICAL AREA O—REGULATIONS
FOR REGISTRATION AREA

5 AAC 34.600. DESCRIPTION OF STATISTICAL AREA. Statistical area O has as its eastern boundary the longitude of Scotch Cap light, and as its western boundary 172° W. long., and as its seaward boundaries the 800 fathom (1463 m) depth contour, excluding the waters of statistical area Q.

Authority: AS 16.05.251 (2)

5 AAC 34.605. DESCRIPTION OF DISTRICTS. (a) Akun district: all waters of statistical area O east of 165° $34'$ W. long., and north of the latitude of Jackass Point (54° $06' 35''$ N. lat.).

(b) Akutan district: all Bering Sea waters of statistical area O west of 165° $34'$ W. long., east of the longitude of Koriga Point on Unalaska Island (166° $59' 50''$ W. long.), and north of a line from Erskine Point on Unalaska Island to Jackass Point on Akun Island.

(c) Egg Island district: all Pacific Ocean waters of statistical area O east of the longitude of Udagak Strait on Unalaska Island (166° $15'$ W. long.) south of a line from Erskine Point on Unalaska Island (53° $59'$ N. lat., 166° $16' 45''$ W. long.) to Jackass Point on Akun Island, then to 54° $06' 35''$ N. lat., 164° $44' 45''$ W. long., including the waters of Beaver Inlet and Udagak Strait.

(d) Unalaska district: all Bering Sea waters of statistical area O west of the longitude of Koriga Point on Unalaska Island (166° $59' 50''$ W. long.), east of Cape Tanak on Umnak Island (168° W. long.) and north of a line from Kettle Cape on Umnak Island (53° $16' 40''$ N. lat., 168° $07'$ W. long.), to Konets Head on Unalaska Island (53° $19'$ N. lat., 167° $51'$ W. long.).

(e) Western district: all Bering Sea waters of statistical area O west of the longitude of Cape Tanak on Unalaska Island and all Pacific Ocean waters of king crab registration area O west of the longitude of Udagak Strait (166° $16'$ W. long.) and south of a line from Kettle Cape on Umnak Island (53° $16' 40''$ N. lat., 168° $07'$ W. long.) to Konets Head (53° $19'$ N. lat., 167° $51'$ W. long.) on Unalaska Island, excluding the waters of Udagak Strait and Beaver Inlet.

Authority: AS 16.05.251 (2)

5 AAC 34.610. FISHING SEASONS. King crab may be taken as follows:

(1) from 12:00 noon, September 10 through February 15 or until closed by emergency order, king crab 6½ inches (165 mm) or greater in width of shell may be taken or possessed;

(2) during periods to be opened and closed by emergency order, king crab 7½ inches (191 mm) or greater in width of shell may be taken or possessed.

Authority: AS 16.05.060
AS 16.05.251 (2),
(3),(7),(10)

5 AAC 34.615. GUIDELINE HARVEST LEVELS. The guideline harvest level is 5,000,000 to 13,000,000 pounds (2268 to 5897 m.t.) of king crab.

Authority: AS 16.05.251 (2),
(3)

5 AAC 34.620. SIZE LIMITS. (a) No male king crab may be taken or possessed that is less than 6½ inches (165 mm) in width of shell.

(b) King crab 7½ inches (191 mm) or greater in width of shell may be taken as provided in sec. 610 (2) of this chapter.

Authority: AS 16.05.251 (3),
(7),(10)

5 AAC 34.625. LAWFUL GEAR. (a) King crab may be taken by pots only. King crab taken by other means than pots must be immediately returned unharmed to the sea.

(b) A king crab pot is a pot with rigid tunnel eye openings which individually are a minimum of five inches (13 cm) in one dimension, and tunnel eye opening perimeters which individually are larger than 30 inches (76 cm).

(c) During the open season for king crab, all shellfish pots other than those described as dungeness, tanner and shrimp pots, must conform to the specifications in (b) of this section.

(d) During the closed season for king crab, king crab pots may be stored:

(1) by removal from the water or storage in 25 fathoms (46 m) of water or less;

(2) in Hot Springs Bay on Akutan Island inside of a line from Ridge Point to $54^{\circ} 12' 40''$ N. lat., $165^{\circ} 52'$ W. long;

(3) in Kalekta Bay on Unalaska Island inside a line from Erskine Point to Cape Kalekta.

(e) King crab pots when stored in the water shall have all doors secured fully open and all bait and bait containers removed.

Authority: AS 16.05.251 (2),
(4),(10)

5 AAC 34.640. INSPECTION POINTS. Inspection points are located at Unalaska and other points specified by the department.

Authority: AS 16.05.250 (2),
(3),(7)

5 AAC 34.650. DISTRICT REGISTRATION. (a) Vessels and gear registered for the area O registration area must also be registered for a district within area O prior to fishing. Vessels and gear may not be registered for more than one district at a time. The registration district shall be indicated on the inspection certificate.

(b) Vessel and gear district 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 at Dutch Harbor may authorize changes of district registration over the radio if radio contact is made by the vessel operator, provided the local representative finds that to do so would be consistent with sound enforcement policy.

(c) After a change of district registration has been made, the vessel must move all king crab gear to the new district within 36 hours of the change.

(d) District registrations may be changed to any other district within area O, except that no vessel or gear may be registered twice for the Akutan, Egg Island and Akun districts in any one season.

(e) Except as provided in (c) of this section no vessel licensed as a commercial fishing vessel may have any unprocessed king crab on board within any district in registration area O unless the vessel is registered for that district, or is transporting king crab through or into that district.

(f) A vessel may be used for the taking of king crab within a district only if it is currently registered for the district and is validly registered for area O.

(g) The commissioner may suspend and reinstate any of the requirements of this section if he finds that to do so would be in the public interest.

Authority: AS 16.05.250 (2),
(3),(14)

ARTICLE 11. STATISTICAL AREA R—REGULATIONS
FOR REGISTRATION AREA

5 AAC 34.700. DESCRIPTION OF STATISTICAL AREA. Statistical area R has as its eastern boundary 172° W. long., and as its western boundary 172° E. long., and as its seaward boundaries the 500 fathom (914 m) depth contour.

Authority: AS 16.05.251 (2)

5 AAC 34.705. DESCRIPTION OF DISTRICTS. (a) North Amlia district: all Bering Sea waters of statistical area R east of the longitude of North Cape on Atka Island ($174^{\circ} 09'$ W. long.), north of the latitude of Cape Utalug ($52^{\circ} 06'$ N. lat.), including all waters of Nazan Bay.

(b) South Amlia district: all Pacific Ocean waters of statistical area R east of the longitude of Cape Kigum on Atka Island ($175^{\circ} 20' 30''$ W. long.) and southerly of a line from Cape Kigum to Cape Utalug on Atka Island, then to the westernmost point of Amlia Island at $52^{\circ} 05' 50''$ N. lat., then east to 172° W. long.

(c) North Atka district: all Bering Sea waters of statistical area R east of longitude of Cape Kigum on Atka Island ($175^{\circ} 20' 30''$ W. long.), west of the longitude of North Cape on Atka Island ($174^{\circ} 09'$ W. long.) and northerly of a line from Cape Kigum to Cape Utalug on Atka Island excluding all waters of Nazan Bay.

(d) Adak district: all waters of statistical area R west of the longitude of Cape Kigum on Atka Island ($175^{\circ} 20' 30''$ W. long.), and east of $179^{\circ} 15'$ W. long.

(e) Petrel Bank district: all waters of statistical area R west of $179^{\circ} 15'$ W. long., east of 179° E. long., south of $54^{\circ} 36'$ N. lat., and north of $51^{\circ} 45'$ N. lat.

(f) Western Aleutians district: all waters of statistical area R west of $179^{\circ} 15'$ W. long., excluding the Petrel Bank district.

Authority: AS 16.05.251 (2)

5 AAC 34.710. FISHING SEASONS. (a) Red king crab may be taken or possessed during periods to be opened and closed by emergency order.

(b) Brown king crab may be taken or possessed during periods to be opened and closed by emergency order.

Authority: AS 16.05.060
AS 16.05.251 (2)

5 AAC 37.715. GUIDELINE HARVEST LEVEL. The guideline harvest level is 500,000 to 3,000,000 pounds of red king crab.

Authority: AS 16.05.251 (3)

5 AAC 34.720. SIZE LIMITS. No male king crab may be taken or possessed that is less than 6½ inches (165 mm) in width of shell.

Authority: AS 16.05.251 (3),
(7),(10)

5 AAC 34.725. LAWFUL GEAR. (a) King crab may be taken by pots only. King crab taken by other means than pots must be immediately returned unharmed to the sea.

(b) A king crab pot is a pot with rigid tunnel eye openings which individually are a minimum of five inches (13 cm) in one dimension, and tunnel eye opening perimeters which individually are larger than 30 inches (76 cm).

(c) During the open season for king crab, all shellfish pots other than those described as dungeness, tanner and shrimp pots, must conform to the specifications in (b) of this section.

(d) During the closed season for king crab, king crab pots may be stored in 30 fathoms (55 m) of water or less, or by removal from the water.

(e) King crab pots when stored in the water shall have all doors secured fully open and all bait and bait containers removed.

Authority: AS 16.05.251 (2),
(4),(10)

5 AAC 34.740. INSPECTION POINTS. Inspection points are located at Adak and other points specified by the department.

Authority: AS 16.05.250 (2),
(3),(7)

ARTICLE 12. STATISTICAL AREA S—REGULATIONS
FOR REGISTRATION AREA

5 AAC 34.800. DESCRIPTION OF STATISTICAL AREA. Repealed (eff. 6/2/78, Reg. 66).

5 AAC 34.805. DESCRIPTION OF DISTRICTS. Repealed, (eff. 6/2/78, Reg. 66).

5 AAC 34.810. FISHING SEASONS. Repealed, (eff. 6/2/78, Reg. 66).

5 AAC 34.820. SIZE LIMITS. Repealed, (eff. 6/2/78, Reg. 66).

5 AAC 34.825. LAWFUL GEAR. Repealed, (eff. 6/2/78, Reg. 66).

5 AAC 34.840. INSPECTION POINTS. Repealed, (eff. 6/2/78, Reg. 66).

ARTICLE 13. STATISTICAL AREA Q—REGULATIONS
FOR REGISTRATION AREA

5 AAC 34.900. DESCRIPTION OF STATISTICAL AREA. Statistical area Q includes the waters of the Bering Sea and Chukchi Sea including all tributary bays except Bechevin Bay and Isanotski Strait (as described in sec. 500 of this chapter), north of $54^{\circ} 36'$ N. lat. (the latitude of Cape Sarichef) east of a line from $54^{\circ} 36'$ N. lat., $171^{\circ} 23'$ E. long., to $65^{\circ} 32'$ N. lat., $168^{\circ} 55'$ W. long., to $68^{\circ} 21'$ N. lat., $168^{\circ} 55'$ W. long., (the U.S. - Russia Convention Line of 1867), and south of the latitude of Point Hope ($68^{\circ} 21'$ N. lat.).

Authority: AS 16.05.251 (2)

5 AAC 34.905. DESCRIPTION OF DISTRICTS. (a) Southeastern district: all Bering Sea waters of statistical area Q east of 168° W. long., and south of the latitude of Cape Newenham ($58^{\circ} 39'$ N. lat.,) including all waters of Bristol Bay.

(b) Pribilof district: all Bering Sea waters of statistical area Q west of 168° W. long., and south of the latitude of Cape Newenham ($58^{\circ} 39'$ N. lat.).

(c) Northern district: all waters of statistical area Q north of the latitude of Cape Newenham ($58^{\circ} 39'$ N. lat.):

(1) Nome section: all waters east of a line from Cape Douglas to Cape Romanzov;

(2) General section: all waters of the Northern district not included in the Nome section.

Authority: AS 16.05.251 (2)

5 AAC 34.910. FISHING SEASONS. (a) Repealed effective June 28, 1975, Register 54.

(b) In the Southeastern and Pribilof districts red and brown king crab may be taken or possessed from 6:00 p.m. September 10 through April 15 unless closed earlier by emergency order.

(c) In the Southeastern and Pribilof districts blue king crab may be taken or possessed from 12:00 noon September 15 through May 31, unless closed earlier by emergency order.

(d) In the Northern district red and blue king crab may be taken or possessed from 12:00 noon July 15 through 12:00 noon September 3 or until closed by emergency order. Additionally, in the Nome section red and blue king crab may be taken from January 1 through April 30 unless closed by emergency order.

Authority: AS 16.05.060
AS 16.05.251 (2)

5 AAC 34.915. GUIDELINE HARVEST LEVELS. (a) The guideline harvest level for red and brown king crab in the Southeastern district is 60,000,000 to 90,000,000 pounds (27,216 to 40,823 m.t.).

(b) The guideline harvest level for blue king crab in the Pribilof district is 5,000,000 to 8,000,000 pounds (2268 to 3629 m.t.).

(c) The guideline harvest level for blue king crab in the Northern district is 1,500,000 to 3,000,000 pounds (680 to 1360 m.t.).

(d) The guideline harvest level for red king crab in the Nome section of the Northern district is:

(1) July 15 through September 3: 350,000 to 1,000,000 pounds (159 to 454 m.t.);

(2) January 1 through April 30: 150,000 to 500,000 pounds (68 to 227 m.t.).

Authority: AS 16.05.251 (2),
(3)

5 AAC 34.920. SIZE LIMITS. (a) Red, blue and brown king crab 6½ inches (165 mm) or greater in width of shell may be taken or possessed in the Southeastern and Pribilof districts.

(b) Red king crab 4¾ inches (121 mm) or greater in width of shell may be taken or possessed in the Northern district.

(c) Blue king crab 5½ inches (140 mm) or greater in width of shell may be taken or possessed in the Northern district.

Authority: AS 16.05.251 (2),
(3),(7),(10)

5 AAC 34.925. LAWFUL GEAR. (a) King crab may be taken by pots only. King crab taken by means other than pots must be immediately returned unharmed to the sea.

(b) A king crab pot is a pot with rigid tunnel eye openings which individually are a minimum of five inches (13 cm) in one dimension, and tunnel eye opening perimeters which individually are larger than 30 inches (76 cm).

(c) During the open season for king crab, all shellfish pots other than those described as dungeness, tanner, and shrimp pots, must conform to the specifications in (b) of this section.

(c) Otter trawls with a ground line or head line exceeding 60 feet (18 m) in length may not be aboard any vessel engaged in taking or transporting king crab.

(e) In the Nome section of the Northern district king crab pots may be of any dimension or size during the period January 1 through April 30. The name and address of the gear operator shall be legibly inscribed on a stake attached to gear fished under the ice.

(f) During the closed season for any species of king crab, king crab pots may be stored in the Southeastern district in the waters south of 58° N. lat., north of 57° N. lat., west of 164° W. long., and east of 166° W. long.

Authority: AS 16.05.251 (2),
(4),(7),(10)

5 AAC 34.940. INSPECTION POINTS. Inspection points are located at Unalaska and other locations specified by the department.

Authority: AS 16.05.250 (2),
(3),(7)

5 AAC 34.945. SUBSISTENCE FISHING. King crab may be taken for subsistence purposes in the Nome section under authority of a permit which may be obtained from a local representative of the department. Each subsistence fisherman taking king crab shall keep accurate records of his catch by species, location, date of catch and other information the department may require.

Authority: AS 16.05.251 (2),
(3),(4),(7),(10)

5 AAC 34.960. APPLICATION OF REGULATIONS IN THE NOME SECTION. During the period January 1 through April 30 the following regulations in this chapter do not apply in the Nome Section: 5 AAC 34.020, 5 AAC 34.030, 5 AAC 34.033, 5 AAC 34.040 (b),(c), 5 AAC 34.050 (c), (d), 5 AAC 34.070, 5 AAC 34.925 (c) and 5 AAC 34.940. For the purposes of this chapter any craft used to transport king crab over the ice from the fishing location to a buyer is not considered a vessel.

Authority: AS 16.05.251

CHAPTER 35. TANNER CRAB FISHERY

ARTICLE 1. STATISTICAL AREAS

5 AAC 35.005. STATISTICAL AREAS ESTABLISHED.

(a) For the tanner crab fishery, there are established the following statistical areas with the following code letters:

Code Letter

- A- Southeastern Alaska-Yakutat area, comprised of the waters specified in sec. 100 of this chapter.
- E- Prince William Sound area, comprised of the waters specified in sec. 300 of this chapter.
- H- Cook Inlet area, comprised of the waters specified in sec. 400 of this chapter.
- J- Westward area, comprised of the waters specified in sec. 500 of this chapter.

(b) Each statistical area consists of:

(1) a registration area, comprised of all the waters within the statistical area which are territorial waters of Alaska; and

(2) an adjacent seaward biological influence zone, comprised of all the waters within the statistical area which are 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 tanner crab resources of the state.

(d) Adjacent seaward biological influence zones are areas which the department shall utilize to obtain biological and fishing effort data and other information necessary for the formulation of comprehensive and effective conservation and management regulations governing tanner crab 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. 010 of this chapter.

Authority: AS 16.05.251

TANNER CRAB FISHERY

5 AAC 35.010. APPLICATION OF REGULATIONS.

(a) Notwithstanding any other provision of this chapter, all regulations in this chapter applicable to a registration area shall be applicable also in its 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 such application:

(1) does not tend to facilitate enforcement of regulations applicable to a registration area;

(2) does not tend to protect or conserve tanner crab inhabiting territorial waters of Alaska; or

(3) that the state has an insufficient interest in the tanner crab inhabiting the zone to warrant extension of the jurisdiction of the state to the zone.

Authority: AS 16.05.251

5 AAC 35.020. REGISTRATION. (a) All registration areas except those areas specified in subsection (b) of this section are exclusive registration areas. No vessel or gear registered for an exclusive registration area may be registered for any other registration area during a registration year.

(b) The registration areas in statistical areas A and J are nonexclusive registration areas. A vessel or gear may be registered for any or all of the nonexclusive registration areas during any registration year.

(c) All tanner crab fishing gear shall be registered for the registration area or areas selected prior to fishing tanner crab. All tanner crab vessels shall be registered by the owner or his authorized agent in a nonexclusive registration area prior to fishing. All tanner crab vessels shall be registered by the owner or his authorized agent in an exclusive registration area during the period 30 days prior to the scheduled opening date of fishing.

(d) The registration year shall be August 1 through July 31.

(e) A registration shall not be considered valid until the vessel has complied with the inspection requirements of sec. 030 (a) of this chapter.

5 AAC 35.097. VIOLATION OF LANDING REQUIREMENT. It shall be unlawful for any vessel acting pursuant to the authorization in sec. 030 (c) of this chapter to land an amount of tanner crab ten percent greater or less than the amount stated under sec. 030 (d) of this chapter.

Authority: AS 16.05.250 (4),
(10)
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 35.098. VIOLATION OF REGULATIONS. It is unlawful for any person to violate any of the regulations of this chapter.

Authority: AS 16.05.020
AS 16.05.060
AS 16.05.250
AS 16.05.690
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 35.099. APPLICATION OF THIS CHAPTER. Requirements set forth in this chapter shall be deemed to refer to tanner crab fishing only, unless otherwise specified.

Authority: AS 16.05.251

ARTICLE 5.
STATISTICAL AREA A (SOUTHEASTERN
ALASKA—YAKUTAT)
REGULATIONS FOR REGISTRATION AREA

5 AAC 35.100. DESCRIPTION OF STATISTICAL AREA. Statistical area A has as its western boundary a line extending south from Cape Suckling, and as its southern boundary the International Boundary at Dixon Entrance, and as its seaward boundary the 400 fathom (732 m) depth contour.

Authority: AS 16.05.251 (2)

5 AAC 35.110. FISHING SEASONS. Tanner crab may be taken from September 1 through May 1 unless the registration area is closed earlier by emergency order.

Authority: AS 16.05.060
AS 16.05.250 (2)

TANNER CRAB FISHERY

SOUTHEASTER
YAKUTAT

5 AAC 35.115. GUIDELINE HARVEST LEVELS.

The guideline harvest ranges are as follows:

(1) in the water between the longitude of Cape Spencer and the longitude of Cape Suckling: 500,000 to 3,000,000 pounds (227 to 1361 m.t.);

(2) in the water east of the longitude of Cape Spencer: 750,000 to 1,500,000 pounds (340 to 1134 m.t.).

Authority: AS 16.05.251 (2),
(3)

5 AAC 35.125. **LAWFUL GEAR.** (a) Tanner crab may be taken by pots and ring nets.

(b) Repealed, (eff. 6/2/78, Reg. 66).

(c) During the open tanner crab season not more than 100 king and tanner crab pots in the aggregate may be fished from any registered tanner crab vessel in the following waters:

(1) Lituya Bay east of the longitude of Harbor Point;

(2) north and east of a line commencing at Icy Point and extending successively through Cape Spencer, Cape Cross, Kiokachef Island, Cape Edgecumbe, North Cape, Cape Ommaney, Cape Bartolome, Cape Muzon and south to its intersection with the International Boundary;

(3) north and east of a line from Point Manby to Ocean Cape.

(d) A tanner crab pot is a pot with rigid tunnel eye openings which individually are a maximum of five inches (13 cm) in one dimension, and tunnel eye opening perimeters which individually are larger than 30 inches (76 cm), or a pot which tapers inward from its base to a top consisting of one horizontal opening of undescribed size.

Authority: AS 16.05.251 (2),
(4),(7)

5 AAC 35.140. **INSPECTION POINTS.** Inspection points are located at Ketchikan, Wrangell, Petersburg, Sitka, Juneau, and Yakutat or at other locations specified by the department.

Authority: AS 16.05.250 (2),
(3),(7)

SOUTHEASTERN
YAKUTAT

TANNER CRAB FISHERY

PRINCE WILLIAM SOUND

5 AAC 35.145. SUBSISTENCE FISHING. (a) The possession limit for tanner crab is 30 crabs per person per day.

(b) All crab pots left in salt water unattended longer than a two-week period shall have all bait and bait containers removed and all doors secured fully open.

Authority: AS 16.05.250 (3),
(4),(10)

5 AAC 35.150. CLOSED WATERS. All water of Gastineau Channel north of a line from Marmion Island light to Point Salisbury are closed to commercial fishing for tanner crab.

Authority: AS 16.05.251 (2)

ARTICLE 6.

STATISTICAL AREA E (PRINCE WILLIAM SOUND)
REGULATIONS FOR REGISTRATION AREA

5 AAC 35.300. DESCRIPTION OF STATISTICAL AREA. Statistical area E has as its western boundary a line extending south from Cape Fairfield and as its eastern boundary a line extending south from Cape Suckling, and as its seaward boundary the 400 fathom (732 m) depth contour.

Authority: AS 16.05.251 (2)

5 AAC 35.305. DESCRIPTION OF DISTRICTS. (a) Northern district: all waters of statistical area E north and west of a line from the southern entrance of Port Nellie Juan at $60^{\circ} 36' N.$ lat. to Point Eleanor to the eastern tip of Smith Island to Johnstone Point, and north of a line from Point Bentinck to Point Whitshed.

(b) Western district: all waters of statistical area E east of the longitude of Cape Fairfield ($148^{\circ} 53' W.$ long.), south of a line from the southern entrance of Port Nellie Juan at $60^{\circ} 36' N.$ lat., to Point Eleanor to the eastern tip of Smith Island to Montague Point, west of a line from Zaikof Point to Seal Rocks ($60^{\circ} 10' N.$ lat., $146^{\circ} 50' W.$ long.), and west of the longitude of Seal Rocks ($146^{\circ} 50' W.$ long.).

(c) Eastern district: all waters of statistical area E east of the longitude of Seal Rocks ($146^{\circ} 50' W.$ long.) east of a line from Seal Rocks ($60^{\circ} 10' N.$ lat., $146^{\circ} 50' W.$ long.) to Cape Hinchinbrook, south of a line from Point Bentinck to Point Whitshed, and west of the longitude of Cape Suckling ($59^{\circ} 59' N.$ lat., $143^{\circ} 53' W.$ long.).

(d) Hinchinbrook district: all waters of statistical area E east of a line from Montague Point to the eastern tip of Smith Island, south of a line from the eastern tip of Smith Island to Johnstone Point, north and east of a line from Cape Hinchinbrook to Seal Rocks (60° 10' N. lat., 146° 50' W. long.) and east of a line from Seal Rocks (60° 10' N. lat., 146° 50' W. long.) to Zaikof Point.

Authority: AS 16.05.251 (2)

5 AAC 35.310. FISHING SEASONS. Tanner crab may be taken from November 15 to May 31 unless closed earlier by emergency order.

Authority: AS 16.05.060
AS 16.05.251 (2)

5 AAC 35.315. GUIDELINE HARVEST LEVEL. The guideline harvest level is 3,000,000 to 7,000,000 pounds (1361 to 3175 m.t.).

Authority: AS 16.05.251 (2),
(3)

5 AAC 35.320. SIZE LIMITS. No male tanner crab may be taken or possessed that is less than 5.3 inches (135 mm) in greatest width of shell.

Authority: AS 16.05.251 (3),
(7),(10)

5 AAC 35.325. LAWFUL GEAR. (a) In the taking of tanner crab, pots only may be used and tanner crab taken by any other means must be immediately returned unharmed to the sea.

(b) A tanner crab pot is a pot with rigid tunnel eye openings which individually are a maximum of five inches (13 cm) in one dimension, and tunnel eye opening perimeters which individually are larger than 30 inches (76 cm) or a pot which tapers inward from its base to a top consisting of one horizontal opening of undescribed size.

(c) Two escape rings 4¼ inches (121 mm) in minimum inside diameter, so located on the vertical plane to permit the escape of undersized crabs, shall be provided for each tanner crab pot.

Authority: AS 16.05.251 (4),
(10)

TANNER CRAB FISHERY

PRINCE WILLIAM SOUND

COOK INLET

5 AAC 35.340. INSPECTION POINTS. Inspection points are located at Cordova, Valdez or at other locations specified by the department.

Authority: AS 16.05.250 (2),
(3),(7)

ARTICLE 7. STATISTICAL AREA H (COOK INLET) REGULATIONS FOR REGISTRATION AREA

5 AAC 35.400. DESCRIPTION OF STATISTICAL AREA. Statistical area H has as its eastern boundary a line extending south from Cape Fairfield and as its southern boundary a line extending east from Cape Douglas at 58° 52' N. lat.

Authority: AS 16.05.251 (2)

5 AAC 35.405. DESCRIPTION OF DISTRICTS. Districts shall be as described in 5 AAC 21.200.

Authority: AS 16.05.250 (2)

5 AAC 35.410. FISHING SEASONS. Tanner crab may be taken:

(1) in the Southern district from December 1 through April 30 unless closed earlier by emergency order;

(2) in the Central, Kamishak Bay, Barren Islands, Outer and Eastern districts from December 1 through May 31 unless closed earlier by emergency order.

Authority: AS 16.05.060
AS 16.05.251 (2)

5 AAC 35.415. GUIDELINE HARVEST LEVELS. Guideline harvest levels for tanner crab are as follows:

(1) Southern district: 3,000,000 pounds (1361 m.t.);

(2) Kamishak Bay and Barren Islands districts: 4,500,000 pounds (2041 m.t.);

(3) total of all other Cook Inlet districts: 3,500,000 pounds (1588 m.t.).

Authority: AS 16.05.251 (2),
(3)

TANNER CRAB FISHERY

COOK INLET WESTWARD

5 AAC 35.425. **LAWFUL GEAR.** (a) Tanner crab may be taken by pots or ring nets only. Tanner crab taken by means other than pots or ring nets must immediately be returned unharmed to the sea.

(b) During any king crab season an aggregate of not more than 75 king and tanner crab pots may be fished from any registered tanner crab vessel.

(c) A tanner crab pot is a pot with rigid tunnel eye openings which individually are a maximum of five inches (13 cm) in one dimension, and tunnel eye opening perimeters which individually are larger than 30 inches (76 cm), or a pot which tapers inward from its base to a top consisting of one horizontal opening of undescribed size.

Authority: AS 16.05.251 (2),
(4),(5),(10)

5 AAC 35.435. **CLOSED WATERS.** Tanner crab fishing is prohibited inside the area encompassed by a line south from Anchor Point to the intersection with a line west from the tip of Homer Spit.

Authority: AS 16.05.250 (2)

5 AAC 35.440. **INSPECTION POINTS.** Inspection points are located at Homer, Seward and at other locations specified by the department.

Authority: AS 16.05.250 (2),
(3),(7)

ARTICLE 8. STATISTICAL AREA J (WESTWARD) REGULATIONS FOR REGISTRATION AREA

5 AAC 35.500. **DESCRIPTION OF STATISTICAL AREA.** Statistical area J has as its northern boundary a line extending east from Cape Douglas, as its eastern boundary 150° W. long., as its western boundary 172° E. long., as its seaward boundary the 400 fathom (732 m) depth contour, and includes all waters of the Bering Sea east of 172° E. long.

Authority: AS 16.05.251 (2)

5 AAC 35.505. DESCRIPTION OF DISTRICTS. (a) Kodiak district: all Pacific Ocean waters of statistical area J south of the latitude of Cape Douglas, west of 150° W. long. and east of the longitude of Cape Kumlik.

(b) South Peninsula district: all Pacific Ocean waters of statistical area J between the longitude of Cape Kumlik and the longitude of Scotch Cap light.

(c) Eastern Aleutian district: all waters of statistical area J between the longitude of Scotch Cap light and 172° W. long., and south of $54^{\circ} 36'$ N. lat.

(d) Western Aleutian district: all waters of statistical area J west of 172° W. long. and south of $54^{\circ} 36'$ N. lat.

(e) Bering Sea district: all Bering Sea waters of statistical area J north of $54^{\circ} 36'$ N. lat.:

(1) Southeastern subdistrict: all waters of the Bering Sea district east of 168° W. long., and south of the latitude of Cape Newenham ($58^{\circ} 39'$ N. lat.), including all waters of Bristol Bay;

(2) Pribilof subdistrict: all waters of the Bering Sea district west of 168° W. long., and south of the latitude of Cape Newenham ($58^{\circ} 39'$ N. lat.);

(3) Northern subdistrict: all waters of the Bering Sea north of the latitude of Cape Newenham ($58^{\circ} 39'$ N. lat.);

(A) Nome section: all waters of Norton Sound between the longitude of Penny River and the longitude of Topkok Head;

(B) General section: all waters of the Northern subdistrict not included in the Nome section.

Authority: AS 16.05.251 (2)

5 AAC 35.510. FISHING SEASONS. Tanner crab may be taken:

(1) in the Kodiak district from January 5 through April 30 unless closed earlier by emergency order, except in that portion of the Kodiak district from the longitude of Kilokak Rocks ($156^{\circ} 20' 13''$ W. long.) to the longitude of Cape Kumlik ($157^{\circ} 27'$ W. long.) tanner crab may be taken from January 5 through May 15;

(2) in the South Peninsula district from November 1 through 12:00 noon May 15 unless closed earlier by emergency order;

(3) in the Eastern Aleutian district from November 1 through 12:00 noon June 15 unless closed earlier by emergency order;

(4) in the Western Aleutian district from November 1 through 12:00 noon June 15 unless closed earlier by emergency order;

(5) in the Bering Sea district from 12:00 noon November 1 through 12:00 noon June 15 unless closed earlier by emergency order, except that tanner crab other than *Chionoecetes bairdi* may be taken or possessed from 12:00 noon November 1 through 12:00 noon September 3 unless closed earlier by emergency order.

Authority: AS 16.05.060
AS 16.05.251 (2)

5 AAC 35.515. GUIDELINE HARVEST LEVELS.
Guideline harvest levels are as follows:

(1) in the Kodiak district: 15,000,000 to 25,000,000 pounds (6,804 to 11,340 m.t.);

(2) in the South Peninsula district: 20,000,000 to 30,000,000 pounds (9,072 to 13,608 m.t.);

(3) in the Bering Sea district: 64,000,000 to 89,000,000 pounds (29,038 to 40,381 m.t.) *C. bairdi* tanner crab.

(A) repealed, (eff. 6/2/78, Reg. 66);

(B) repealed, (eff. 6/2/78, Reg. 66).

Authority: AS 16.05.251 (2),
(3)

5 AAC 35.525. LAWFUL GEAR. (a) A tanner crab pot is a pot with rigid tunnel eye openings which individually are a maximum of five inches (13 cm) in one dimension, and tunnel eye opening perimeters which individually are larger than 30 inches (76 cm), or a pot which tapers inward from its base to a top consisting of one horizontal opening of undesignated size.

(b) Repealed (effective 7/17/77, Reg. 63).

(c) During the closed season for tanner crab, tanner crab pots may be stored:

(1) east of 172° W. long;

(A) by removal from the water or storage in 25 fathoms (46 m) of water or less;

(B) in Hot Springs Bay on Akutan Island inside of a line from Ridge Point to 54° 12' 40" N. lat., 165° 42' W. long.;

(C) in Kalekta Bay on Unalaska Island inside of a line from Erskine Point to Cape Kalekta;

(2) west of 172° W. long. in 30 fathoms (55 m) of water or less, or by removal from the water;

(3) in the Southeastern subdistrict of the Bering Sea district in the waters south of 58° N. lat., north of 57° N. lat., west of 164° W. long., and east of 166° W. long.

(d) Tanner crab pots when stored in the water shall have all doors secured fully open and all bait and bait containers removed.

Authority: AS 16.05.251 (2),
(4)

5 AAC 35.540. INSPECTION POINTS. Inspection points are located at Kodiak, Sand Point, Dutch Harbor and at other locations specified by the department.

Authority: AS 16.05.251 (2),
(4),(7)

ARTICLE 9.

STATISTICAL AREA M (WESTWARD) REGULATIONS FOR REGISTRATION AREA

5 AAC 35.600. DESCRIPTION OF STATISTICAL AREA. Repealed effective February 6, 1976, Register 57.

5 AAC 35.605. DESCRIPTION OF DISTRICTS. Repealed effective February 6, 1976, Register 57.

5 AAC 35.610. FISHING SEASONS. Repealed effective February 6, 1976, Register 57.

5 AAC 35.625. LAWFUL GEAR. Repealed effective February 6, 1976, Register 57.

5 AAC 35.640. INSPECTION POINTS. Repealed effective February 6, 1976, Register 57.

CHAPTER 38. MISCELLANEOUS SHELLFISH
ARTICLE 1. STATISTICAL AREAS

5 AAC 38.005. STATISTICAL AREAS ESTABLISHED.

(a) For the miscellaneous shellfish fishery, there are established the following statistical areas with the following code letters:

Code letter

- A- Southeastern Alaska—Yakutat area, comprised of the waters in sec. 100 of this chapter.
- E- Prince William Sound area, comprised of the waters specified in sec. 200 of this chapter.
- H- Cook Inlet area, comprised of the waters specified in sec. 300 of this chapter.
- J- Westward area, comprised of the waters specified in sec. 400 of this chapter.

(b) Statistical areas are areas which the department shall utilize to obtain biological and fishing effort data and other information necessary for the formulation of comprehensive and effective conservation and management regulations governing miscellaneous shellfish resources inhabiting territorial waters of Alaska. However, regulations governing territorial waters will be applied to the remainder of the statistical area consistent with sec. 010 of this chapter.

Authority: AS 16.05.251

5 AAC 38.010. APPLICATION OF REGULATIONS.

(a) Notwithstanding any other provision of this chapter, all regulations in this chapter applicable to territorial waters of Alaska shall be applicable also to the remainder of the statistical area or areas encompassing the territorial waters.

(b) Persons on a vessel navigating within a statistical area shall conduct their operations and activities in full compliance with the regulations applicable to the territorial waters of Alaska encompassed by the statistical area.

(c) The commissioner may suspend the application of this section wholly or partially in any statistical area if he finds that such application:

(1) does not tend to facilitate enforcement of regulations applicable to territorial waters of Alaska;

(2) does not tend to protect or conserve miscellaneous shellfish inhabiting the statistical area to warrant extension of the jurisdiction of the state throughout the area.

Authority: AS 16.05.251

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5 AAC 38.020. REGISTRATION. (a) For the miscellaneous shellfish fishery, all territorial waters of Alaska shall be considered one registration area. All miscellaneous shellfish gear shall be registered, and all miscellaneous shellfish vessels shall be licensed and registered prior to fishing for any miscellaneous shellfish during a registration year.

(b) The registration year shall be January 1 through December 31.

Authority: AS 16.05.251 (12)

5 AAC 38.035. AREA CLOSURES. (a) The commissioner shall monitor the condition of miscellaneous shellfish 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 miscellaneous shellfish resources in territorial waters of Alaska within any statistical area, he shall close such waters by emergency order.

(c) In determining whether to close territorial waters of Alaska, 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 territorial waters of Alaska;

(2) catch per unit of effort and rate of harvest;

(3) relative abundance of miscellaneous shellfish resources in the area in comparison with pre-season expectations of the department;

(4) such guideline harvest levels as may be promulgated by regulation;

(5) the proportion of immature shellfish being handled;

(6) general information on the condition of miscellaneous shellfish within the area; and

(7) information pertaining to the maximum sustainable yield level of miscellaneous shellfish within the area.

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(d) Within five days after the closure of any territorial waters of Alaska, the owner of any vessel registered for miscellaneous shellfish may formally request the commissioner to reopen such waters. The commissioner shall personally review pertinent information on the condition of the species within the area, and shall formally announce his decision within 14 days of the receipt of the request.

Authority: AS 16.05.060
AS 16.05.251 (2),
(3),(4),(7),(10)

5 AAC 38.050. GEAR FOR CLAMS. (a) In territorial waters of Alaska within statistical areas E, H and J razor clams may be taken by shovels or forks.

(b) In territorial waters of Alaska within statistical area J hardshell clams may be taken by hydraulic or mechanical clam diggers, shovels, or forks.

(c) In territorial waters of Alaska within statistical area H hardshell clams may be taken with forks and shovels. Permits may be issued by the commissioner authorizing the taking of hardshell clams by mechanical or hydraulic diggers in specific locations.

(d) In accordance with (c) of this section hydraulic or mechanical clam diggers may be used to take razor clams in territorial waters of Alaska in statistical area J west of the longitude of Kilokak Rocks and in the following locations in statistical areas J, H and E:

(1) in the Mainland district, as described in 5 AAC 18.200 (i), of the Kodiak area between Cape Chiniak and Kilokak Rocks;

(2) on the west side of Cook Inlet between Cape Douglas and Spring Point;

(3) within that portion of the Polly Creek razor clam beach bounded on the north by a line beginning at a beach marker approximately one-half mile (0.8 km) south of the mouth of Polly Creek and extending seaward 135° , and on the south by a line beginning at a beach marker approximately $1\frac{1}{2}$ miles (2.4 km) south of the mouth of Polly Creek and extending seaward 135° .

(4) on the western Copper River delta and in Orea Inlet in the Prince William Sound area.

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(e) Prior to taking clams with hydraulic clam diggers in an area of intended operation a permit shall be obtained from the commissioner. An application for permit shall specify the location of intended operation, the proposed duration of operation, and detailed specifications of the gear. An application shall be refused or a permit restricted or terminated by the commissioner if he finds that the operation of the gear may injure or jeopardize the continued viability of clams and other resources inhabiting the area of intended operation.

Authority: AS 16.05.251 (2),
(4)

5 AAC 38.055. GEAR FOR SCALLOPS. (a) Scallops may be taken by trawls or scallop dredges.

(b) Scallop dredge rings with less than four inch (101 mm) inside diameter shall not be carried aboard scallop fishing vessels.

Authority: AS 16.05.251 (4)

5 AAC 38.060. GEAR FOR OCTOPI AND SQUID. Legal gear as defined in 5 AAC 39.105, including pot gear as described in chs. 31, 32, 34 and 35 of this title, may be used to take octopi and squid.

Authority: AS 16.05.251 (4)

5 AAC 38.061. SEASON FOR OCTOPI AND SQUID. There is no closed season for octopi and squid.

Authority: AS 16.05.251 (2)

5 AAC 38.062. PERMITS FOR SEA CUCUMBERS, SEA URCHINS AND SEA SNAILS. Prior to taking sea cucumbers, sea urchins or sea snails a permit shall be obtained from the commissioner. An application for a permit shall specify the location of the intended operation, the proposed duration of the operation, detailed specifications of the proposed gear, and an estimate of desired harvest. An application shall be refused, or a permit refused or terminated by the commissioner if he finds that the operation of the gear may injure or jeopardize the continued viability of sea cucumbers, sea urchins or sea snails, or other resources inhabiting the area of intended operation.

Authority: AS 16.05.251 (2),
(4),(5),(7),(10),
(12)

5 AAC 38.065. PERMITS FOR OYSTERS. A permit shall be obtained from the commissioner before any oysters

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or oyster spat are transported into the state. An affidavit from the supplier of oysters or oyster spat stating that the shipment is free of predaceous or parasitic forms of animal life must accompany the application for permit.

Authority: AS 16.05.250 (7),
(10),(14)

5 AAC 38.068. CORAL HARVESTING. Coral may be taken under the terms of a permit issued by the commissioner. An application for a permit shall specify the location of intended operation, the proposed duration of operation, and detailed specifications of the gear. An application may be refused or a permit restricted or terminated by the commissioner if he finds that the operation of the gear may jeopardize the continued viability of coral or other resources inhabiting the area of intended operation.

Authority: AS 16.05.251 (7),
(10),(12)

5 AAC 38.070. REGISTRATION DOCUMENTS. A vessel being registered for miscellaneous shellfish pursuant to sec. 020 of this chapter shall, if properly licensed and otherwise in compliance with regulations, be issued a registration certificate. The registration certificate shall be signed by the registrant, kept immediately available at all times during fishing operations and shall be shown upon request to any authorized representative of the Department of Fish and Game or the Department of Public Safety.

Authority: AS 16.05.250 (3),
(7),(14)

ARTICLE 3. CONDITIONS FOR LICENSE

5 AAC 38.085. AGREEMENTS FOR USE PRIVILEGE.
(a) Any person who has applied for and been issued a valid interim-use permit card for any gear used in the taking of miscellaneous shellfish, or a commercial fishing vessel license, or who has registered to fish for miscellaneous shellfish, or who has been issued a permit to fish for miscellaneous shellfish by the commissioner, has agreed:

(1) to engage in fishing for a species of miscellaneous shellfish within a statistical area only if the season for that species in the waters subject to the jurisdiction of the state within that statistical area is open;

(2) to refrain from fishing for miscellaneous shellfish in any closed waters within any statistical area;

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(3) to engage in fishing for miscellaneous shellfish only in districts permitted and in compliance with regulations governing such districts where statistical areas are subdivided into districts;

(4) to engage in fishing for miscellaneous shellfish in statistical areas in compliance with all regulations (including gear limitations or prohibitions and permit requirements) governing miscellaneous shellfish fishing in waters subject to the jurisdiction of the state encompassed by the statistical area; and

(5) to comply with the requirements and provisions of 5 AAC 39.130.

(b) A permit holder or registrant further agrees that the agreement contained in subsection (a) of this section shall have the force of regulation.

(c) The permit holder or registrant has entered into the above described agreement in return for receiving from the state a use privilege to fish for miscellaneous shellfish inhabiting waters subject to the jurisdiction of the state, and is entitled to engage in such fishing for miscellaneous shellfish consistent with applicable laws and regulations.

Authority: AS 16.05.251 (7)
AS 16.05.690

5 AAC 38.090. UNLAWFUL POSSESSION OF MISCELLANEOUS SHELLFISH. (a) It is unlawful for any person to possess unprocessed miscellaneous shellfish aboard a vessel licensed as a commercial fishing vessel within territorial waters of Alaska in any statistical area unless the season for that species within those waters is open.

(b) It is unlawful for any person to possess aboard a vessel licensed as a commercial fishing vessel within territorial waters of Alaska any species of miscellaneous shellfish or any gear used in the taking of any species of miscellaneous shellfish if such shellfish or shellfish gear are prohibited by the regulations of this chapter governing such waters.

(c) It is unlawful for any person to possess, purchase, barter, sell, or transport miscellaneous shellfish within the state or within territorial waters of Alaska if that person knows or has reason to know that such shellfish were taken or possessed in contravention of the regulations of this chapter.

Authority: AS 16.05.251 (4),
(7),(10)
AS 16.05.720
AS 16.05.900
AS 16.05.920

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5 AAC 38.091. UNLAWFUL ACTS WITHIN A STATISTICAL AREA. It is unlawful for any person:

(1) to take, attempt to take, cause to be taken, or possess miscellaneous shellfish;

(2) to operate, attempt to operate or cause to be operated any vessel or gear or to possess any gear, or

(3) to take, attempt to take, cause to be taken, or fail to take any action, in violation of sec. 010 (b) of this chapter.

Authority: AS 16.05.251 (4),
(7),(10)
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 38.096. VIOLATION OF REPORTING REQUIREMENTS. (a) It is unlawful for any person to file a fish ticket representing the catch governed by the fish ticket as having been taken in a particular statistical area when in fact the catch or part of the catch were taken in another statistical area.

(b) It is unlawful for any person to file a fish ticket containing any information which has been purposely falsified.

Authority: AS 16.05.250
AS 16.05.690
AS 16.05.720
AS 16.05.900
AS 16.05.920

5 AAC 38.098. VIOLATION OF REGULATIONS. It is unlawful for any person to violate any of the regulations of this chapter.

Authority: AS 16.05.060
AS 16.05.250
AS 16.05.690
AS 16.05.720
AS 16.05.900
AS 16.05.920

ARTICLE 5.
STATISTICAL AREA A (SOUTHEASTERN ALASKA—
YAKUTAT) REGULATIONS GOVERNING WATERS
SUBJECT TO THE JURISDICTION OF THE STATE

5 AAC 38.100. DESCRIPTION OF STATISTICAL AREA. Statistical area A has as its western boundary a line extending south from Cape Suckling, and as its southern boundary the International Boundary at Dixon Entrance, and as its seaward boundary the 400 fathom (732 m) depth contour.

Authority: AS 16.05.251 (2)

5 AAC 38.105. DESCRIPTION OF DISTRICTS. Districts are as described in 5 AAC 30.200 and 5 AAC 33.200.

Authority: AS 16.05.250 (2)

5 AAC 38.110. FISHING SEASON FOR CLAMS.
(a) There is no closed season on clams, except that clam harvesting may be conducted only under the terms of a permit issued by the commissioner. The permits may specify the species to be harvested, method of fishing, area of operation, harvest levels and other related specifications.

(b) Repealed effective June 12, 1976, Register 58.

Authority: AS 16.05.251 (2),
(3),(4), (7),(10)

5 AAC 38.115. SUBSISTENCE FISHERY FOR CLAMS. In the taking of geoducks the bag limit is six geoducks per person per day.

Authority: AS 16.05.250 (4)

5 AAC 38.120. FISHING SEASON FOR SCALLOPS. There is no closed season on scallops.

Authority: AS 16.05.250 (2)

5 AAC 38.133. ABALONE FISHING PERMITS. Abalone fishing shall be conducted only under authority of a permit issued by the commissioner. The permits may specify means and methods of fishing and open areas. In addition to any specifications contained in the permits, the following general regulations shall apply:

(1) abalone under $3\frac{1}{2}$ inches (89 mm) in greatest diameter of shell may not be taken in districts 1, 2, 3, 4, 5, and 6; abalone under $3\frac{1}{2}$ inches (89 mm) in greatest diameter of shell may not be taken for subsistence purposes while fishing commercially;

(2) abalone under 3½ inches (89 mm) in greatest diameter of shell may not be taken in districts 9, 10, 11, 12, 13 and 14;

(3) sublegal-sized abalone which are inadvertently taken shall be replaced on rocks similar to those inhabited by abalone, instead of being thrown overboard from vessels;

(4) gaffs and spears are not permitted.

Authority: AS 16.05.251 (2),
(3),(4),(10),(12)

5 AAC 38.135. SUBSISTENCE FISHERY FOR ABALONE. In the taking of abalone:

(1) the possession limit is 50 abalone per person;

(2) the minimum legal size is three inches (76 mm) in greatest diameter of shell.

Authority: AS 16.05.251 (3),
(4),(7),(10)

ARTICLE 6.

STATISTICAL AREA E (PRINCE WILLIAM SOUND) REGULATIONS GOVERNING WATERS SUBJECT TO THE JURISDICTION OF THE STATE

5 AAC. 38.200. DESCRIPTION OF STATISTICAL AREA. Statistical area E has as its western boundary a line extending south from Cape Fairfield and as its eastern boundary a line extending south from Cape Suckling, and as its seaward boundary the 400 fathom (732 m) depth contour.

Authority: AS 16.05.251 (2)

5 AAC 38.210. FISHING SEASON FOR CLAMS. There is no closed season on clams.

Authority: AS 16.05.250 (2)

5 AAC 38.212. MINIMUM LEGAL SIZE FOR CLAMS. The minimum legal size for razor clams is 4½ inches (114 mm) in length of shell.

Authority: AS 16.05.251 (3),
(4),(7),(10)

5 AAC 38.220. FISHING SEASON FOR SCALLOPS. There is no closed season on scallops.

Authority: AS 16.05.250 (2)

5 AAC 38.230. FISHING SEASON FOR SEA SNAILS.
Sea snails may be taken from November 15 through May 31
unless closed earlier by emergency order.

Authority: AS 16.05.251 (2)

ARTICLE 7.
STATISTICAL AREA H (COOK INLET)
REGULATIONS GOVERNING WATERS
SUBJECT TO THE JURISDICTION OF THE STATE

5 AAC 38.300. DESCRIPTION OF STATISTICAL
AREA. Statistical area H has as its eastern boundary a line
extending south from Cape Fairfield, and as its southern
boundary a line extending east from Cape Douglas at 58°
52' N. lat.

Authority: AS 16.05.251 (2)

5 AAC 38.310. FISHING SEASON FOR CLAMS.
(a) There is no closed season on razor clams.

(b) There is no closed season on clams other than razor
clams.

Authority: AS 16.05.250 (2)

5 AAC 38.314. CLOSED WATERS FOR CLAMS.
Razor clams may not be taken on the east side of Cook In-
let from the Kenai River to the end of Homer Spit.

Authority: AS 16.05.250 (2)

5 AAC 38.315. SUBSISTENCE FISHERY FOR CLAMS.
Clams may be taken during commercial and sport fish seasons.

Authority: AS 16.05.250 (2)

5 AAC 38.320. FISHING SEASON FOR SCALLOPS.
There is no closed season on scallops.

Authority: AS 16.05.250 (2)

5 AAC 38.324. CLOSED WATERS FOR SCALLOPS.
Scallops may not be taken in the following waters:

(1) Cook Inlet north of a line from Cape Douglas to
Point Adam;

(2) inshore from a line from Point Adam to Cape Elizabeth then to the southwestern point of Peled Island then to the southern point of East Chugach Island then to Gore Point;

(3) Nuka Bay inside a line from Yalik Point to 59° 27' 30" N. lat.; 150° 22' 50" W. long.

Authority: AS 16.05.250 (2)

ARTICLE 8.
STATISTICAL AREA J (WESTWARD)
REGULATIONS GOVERNING WATERS
SUBJECT TO THE JURISDICTION OF THE STATE

5 AAC 38.400. DESCRIPTION OF STATISTICAL AREA. Statistical area J includes all Pacific Ocean waters south of the latitude of Cape Douglas, west of 150° W. long., east of 172° E. long., and seaward to the 300 fathom (549 m) depth contour and all Bering Sea waters east of 172° E. long.

Authority: AS 16.05.251 (2)

5 AAC 38.410. FISHING SEASONS FOR CLAMS. There is no closed season on clams.

Authority: AS 16.05.250 (2)

5 AAC 38.420. FISHING SEASONS FOR SCALLOPS. Scallops may be taken:

(1) from June 1 through March 31 in the Pacific Ocean waters north of 57° 37' 07" N. lat., and east of 152° 09' 01" W. long. (Cape Chiniak light) and the waters of Shelikof Strait north of 57° 17' 20" N. lat. (the latitude of Cape Ikolik);

(2) from July 15 through March 31 in the Pacific Ocean waters south of the latitude of Cape Chiniak light and waters east of the longitude of Cape Barnabas, excluding those waters northwest of a line from Cape Barnabas to Narrow Cape;

(3) there is no closed season for scallops in the remainder of statistical area J except as provided in sec. 425 of this chapter.

Authority: AS 16.05.250 (2)

5 AAC 38.425. CLOSED WATERS FOR SCALLOPS.
Scallops may not be taken:

(1) in the Pacific Ocean waters of the Alaska Peninsula area between the longitude of Scotch Cap and the longitude of Cape Pankof, and inshore of a line extending from Cape Pankof to Bay Point on Unga Island to West Head on Unga Island to Dent Point on the west side of Stepovak Bay to Bluff Point on Kupreanof Peninsula;

(2) in those waters of Shelikof Strait east of the longitude of Kilokak Rocks and south of $57^{\circ} 17' 20''$ N. lat. (the latitude of Cape Ikolik) and in those waters of the Pacific Ocean east of the longitude of Kilokak Rocks and west of the longitude of Cape Barnabas.

Authority: AS 16.05.250 (2)

CHAPTER 39. GENERAL PROVISIONS
ARTICLE 1. GENERAL

5 AAC 39.105. TYPES OF LEGAL GEAR. (a) All gear shall be operated in a manner conforming to its basic design.

(d) Unless otherwise provided in this title, the following are legal types of gear;

(10) a trawl is a bag-shaped net towed through the water to capture fish or shellfish;

(11) a pot is a portable structure designed and constructed to capture and retain fish and shellfish alive in the water;

(12) a ring net is a bag-shaped net suspended from a circular or rectangular frame;

(14) a shovel is hand-operated implement for digging clams or cockles;

(15) a mechanical clam digger is a mechanical device used or capable of being used for the taking of clams;

(16) a scallop dredge is a dredge-like device specifically for and capable of taking scallops by being towed along the ocean floor;

(21) diving gear is any type of hard hat or skin diving equipment;

(22) a hydraulic clam digger is a device using water or a combination of air and water to remove clams from their environment;

Authority: AS 16.05.251 (3)

5 AAC 39.110. CREWMEMBER FISHING LICENSE REQUIREMENTS. (a) Each commercial fisherman who does not hold a valid interim-use or entry permit card issued by the Commercial Fisheries Entry Commission, shall obtain a crewmember fishing license before fishing in any waters of Alaska. A crewmember fishing license is not required for the holder of a valid interim-use or entry permit card.

(b) Not more than one crewmember fishing license may be obtained by a person during any one calendar year, unless a duplicate license is requested in compliance with AS 16.05.480 (c).

SELECTED GENERAL PROVISIONS

(c) A crewmember licensee who does not hold a valid interim-use or entry permit card, may crew in any fishery if the holder of a valid interim-use or entry permit card for that fishery is present and actively engaged in the operation of the fishing gear.

(d) A valid interim-use or entry permit card holder may crew in any fishery, except that a salmon net permit holder may crew in salmon net fisheries only in that salmon net registration area for which he holds a valid salmon net permit card.

(e) In this section "crew" means the activities of a commercial fisherman as defined in AS 16.05.940 (2) and "present and actively engaged in the operation of" means being present at the gear site and operating gear or assisting or supervising some portion of the immediate fishing operation.

Authority: AS 16.05.251 (4),
(5),(12)
AS 16.05.450
AS 16.05.480

5 AAC 39.120. REGISTRATION OF COMMERCIAL FISHING VESSELS. (a) A person who owns a commercial fishing vessel or his authorized agent shall register that vessel by completing a vessel license application or renewal form and submitting it to the Commercial Fisheries Entry Commission. Vessel registration is required before fishing or transporting fish in any waters of Alaska.

(1) a vessel, if it is in compliance with all regulations governing registration and if it displays a license issued under AS 16.05.530, is considered to be registered under the laws of the state and may be employed in the taking or transporting of fish;

(2) in this section:

(A) "employ" or "employed" means taking or attempting to take fish, or transporting fish which have been taken or any operation of a vessel aiding or assisting in the taking or transporting of fish;

(B) "in compliance with all regulations governing registration" includes vessel registration required by secs. 010 and 070 of chs. 31, 32, 34, 35, and 38 and includes district or subdistrict registration requirements of chs. 03-38 of this title, and includes the provisions of this section;

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(C) "registered under the laws of the State" means that a vessel displays a license described in 20 AAC 05.958 and issued under AS 16.05.530, and that the registration provisions of chs. 03-39 have been complied with and evidence of compliance is immediately available at all times during fishing or transporting operations, and can be shown upon request to any authorized representative of the department;

(3) it is unlawful to take, attempt to take or possess unprocessed fish aboard a vessel in the waters of Alaska unless the vessel is registered under the laws of the state.

(b) Area registration requirements for shellfish vessels are as specified in the registration regulations in chapters 31-38 of this title.

(e) Evidence of proper registration or licensing shall be kept immediately available at all times during fishing operations and shall be shown upon request to any authorized representative of the department.

Authority: AS 16.05.251 (2),
(4),(5),(12)
AS 16.05.490
AS 16.05.510

5 AAC 39.130. REPORTS REQUIRED OF PROCESSORS, BUYERS AND FISHERMEN. (a) Each person, company, firm or other organization who purchases unprocessed fish, or processes fish or by-products of fish shall:

(1) furnish to the department each calendar year before operating, a written statement of intent to operate with a description of the nature, extent and location of the operation on forms available from the department;

(2) submit, no later than January 31, an accurate and complete summary of the previous year's operation on Fish and Game form 122, which is available from the department;

(3) furnish, verbally or in writing, purchasing or processing records as requested by the department or its representative.

(b) Each buyer of fish or shellfish shall keep a record of each purchase on fish tickets or other forms supplied by the department. Fish tickets shall be submitted to the local department representative at least once a week or as otherwise specified by the department for each particular area and fishery. Shellfish fish tickets shall be completed in full and signed at the time of delivery. The record shall include the following:

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- (1) the name of the company or individual buying the fish;
- (2) the name of the fisherman from whom the fish were purchased;
- (3) the name or Coast Guard number of the vessel employed in taking the fish;
- (4) the date of landing of the fish;
- (5) the department registration number or set net number, whichever is applicable;
- (6) the type of gear by which the fish were taken;
- (7) the nearest headland or bay or statistical catch area in which the fish were taken;
- (8) information applicable to the following species;
 - (A) the number of salmon by species; the pounds of salmon by species when fish are purchased by pound;
 - (B) the number and pounds of king, dungeness and tanner crab;
 - (C) the pounds of other fish or shellfish by species;
- (9) the Commercial Fisheries Entry Commission permit number of the operator of the unit of gear with which the fish were taken, imprinted on the fish ticket from the valid permit card; the imprinting requirement of this subsection may be suspended by the department only after notification from the buyer or fishermen that the permit card is lost, transferred or destroyed or the imprinter is malfunctioning; if the above circumstances arise then the permit number shall be handwritten on the fish ticket by the buyer;
- (10) such other information as the department may require.
 - (c) Each fisherman shall furnish to the buyer factual catch data necessary for completion of reports required by the department.
 - (d) Each shellfish fisherman shall furnish in writing to the department, directly or through the buyer, data necessary for reports required by the department.
 - (e) The following information regarding the transporting of unprocessed fish shall be transmitted to an authorized representative of the department either verbally, in writing or by telephone:

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(1) the number and species of salmon taken in any regulatory area shall be reported before being transported to any other area or out of the state;

(2) the numbers or pounds by species of all other fish shall be reported before being transported out of the state.

(f) Seven days before moving the location of operation, operators of floating fish processing vessels shall report verbally, in writing, or by telegram to the nearest department office. The report shall include the present processing location and the exact latitude and longitude of the location of the intended operation.

Authority: AS 16.05.251
AS 16.05.690

5 AAC 39.140. INSPECTION OF FISHERY ESTABLISHMENTS. For the purpose of inspection, representatives of the department shall have free and unobstructed access to all canneries, salteries and other fish processing establishments.

Authority: AS 16.05.180

5 AAC 39.145. ESCAPE MECHANISM FOR SHELLFISH AND BOTTOMFISH POTS. All shellfish and bottomfish pots shall contain an opening in the webbing of a side wall of the pot which has been laced, sewn or secured together by untreated cotton twine or other natural fiber no larger than 120 thread, which upon deterioration or parting of the twin produces an opening in the web with a perimeter equal to or exceeding one half of the tunnel eye opening perimeter. Dungeness crab pots may have the pot lid tie-down straps secured to the pot at one end by untreated cotton twine no larger than 120 thread, as a substitute for the above requirement.

Authority: AS 16.05.251 (4)
AS 16.10.125

5 AAC 39.150. EXPLOSIVES, CHEMICALS AND POISONS UNLAWFUL. The use of an explosive, chemical or poison in the taking or killing of fish or shellfish is prohibited, except that chemical baits or lures may be used to attract shellfish.

Authority: AS 16.05.250 (3)

5 AAC 39.195. ANNOUNCEMENT OF EMERGENCY ORDERS. Announcement of emergency orders will be publicized and made known to interested persons, fishermen, buyers, packers and canneries by one or more of the following means if possible:

SELECTED GENERAL PROVISIONS

- (1) radio transmission by department stations;
- (2) notices posted at canneries and public places;
- (3) press releases and announcements in local newspapers and commercial radio stations;
- (4) telegrams and commercial radio facilities.

Authority: AS 16.05.060

5 AAC 39.197. UNLAWFUL POSSESSION OF FISH.

No person may possess, purchase, sell, barter or transport fish within the state or within waters subject to the jurisdiction of the state if that person knows or has reason to know such fish were taken or possessed in contravention of the regulations of chapters 03-39 of this title.

Authority: AS 16.05.251 (10)

5 AAC 39.382. LIMITATIONS WHILE FISHING FOR SHELLFISH. (a) Validly registered king crab vessels may not be used to take bottomfish with pots in areas closed to king crab fishing.

(b) Validly registered shrimp trawl vessels may not be used to take bottomfish with trawls in areas closed to shrimp trawl fishing.

(c) Validly registered tanner crab vessels may not be used to take bottomfish with pots in areas closed to tanner crab fishing.

(d) Validly registered dungeness crab vessels may not be used to take bottomfish with pots in areas closed to dungeness crab fishing.

Authority: AS 16.05.251 (2),
(4),(10),(12)

ARTICLE 8. SUBSISTENCE FISHERY

5 AAC 39.885. SEASONS, GEAR AND AREAS. Shellfish, aquatic plants and fish other than salmon may be taken for subsistence purposes at any time in any area of the state by any method unless restricted by the subsistence fishing regulations in chapters 3-39 of this title.

Authority: AS 16.05.251 (2),
(3),(4),(11)

SELECTED GENERAL PROVISIONS

5 AAC 39.890. RESTRICTIONS.

(d) It is unlawful to buy, sell or barter subsistence caught fish or parts thereof.

(f) The use of explosives and chemicals is prohibited except as provided in sec. 150 of this chapter.

(h) Each subsistence fisherman shall plainly and legibly inscribe his first initial, last name, and address on his fishwheel, or on a keg or buoy attached to unattended fishing gear.

Authority: AS 16.05.251 (2),
(3),(4)
AS 16.05.920
AS 16.05.940 (17)

ARTICLE 9. DEFINITIONS

5 AAC 39.975. DEFINITIONS. In chapters 03-39 of this title:

(1) "alien" means a person, who is not a citizen of the United States, and who does not have a petition for naturalization pending before the district court;

(2) "bag limit" means the maximum legal take per person per day, even if part or all of the fish are preserved;

(3) "buyer" means a person who purchases fish from the fisherman who caught the fish or who, for commercial purposes, processes fish he has caught himself;

(4) "gear" means any type of fishing apparatus;

(7) "inclusive season dates" means whenever the doing of an act between certain dates or from one date to another is allowed or prohibited, the period of time thereby indicated includes both dates specified; the first date specified designates the first day of the period, and the second date specified designates the last day of the period;

(8) "legal limit of fishing gear" means the maximum aggregate of a single type of fishing gear permitted to be used by one individual or boat, or combination of boats in any particular regulatory area, district or section;

(9) "local representative" means the nearest or most accessible officer of the department or a person designated by the commissioner to perform specific functions for the department;

(16) "ton" means 2,000 pounds avoirdupois weight;

SELECTED GENERAL PROVISIONS

(17) "king crab" means any or all of the following species:

- (A) *Paralithodes camtschatica* (red king crab);
- (B) *Paralithodes platypus* (blue king crab);
- (C) *Paralithodes brevipes*;
- (D) *Lithodes aequispina* (brown king crab);

(18) "tanner crab" or "snow crab" means all species of the genus *Chionoecetes*;

(19) "dungeness crab" means the species *Cancer magister*.

(22) "to operate fishing gear" shall mean the deployment of gear in the waters of Alaska, the removal of gear from the waters of Alaska, or the removal of fish or shellfish from the gear;

(23) "possession limit" means the maximum number of fish a person may have in his possession if the fish have not been canned, salted, frozen, smoked, dried or otherwise preserved so as to be fit for human consumption after a 15-day period.

Authority: AS 16.05.251
AS 16.05.940

5 AAC 39.997. ABBREVIATIONS AND SYMBOLS.

(a) The abbreviations a.m. and p.m. indicate antemeridian and postmeridian respectively for either Standard Time or Daylight Saving Time in conformance with the official time in use for Alaska.

(b) The symbols $^{\circ}$, $'$, $''$, indicate degrees, minutes and seconds, respectively, of longitude or latitude, based on the North American datum of 1927.

(c) Lat. and long. indicate latitude and longitude, respectively.

(d) E. indicates east, N. indicates north, W. indicates west, and S. indicates south. All bearings and directions shall be construed to be true bearings and true directions.

Authority: AS 16.05.250

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	

ATTENTION FISHERMEN

You can assist in the protection of your fishery resources.

If you observe a violation of the fishery laws you can assist the Alaska Division of Fish and Wildlife Protection by immediately recording the following information and reporting it to the nearest office of the Alaska Department of Public Safety.

<u>Date of violation</u>	<u>day</u> <u>month</u> <u>year</u>
<u>Time of violation</u>	<u>hour</u> <u>minutes</u>
<u>Location of violation</u>	Exact location i.e., Bay, Cove, Strait, Inlet, Island - specify longitude and latitude if possible.
<u>Type of fishery</u>	Troll, pot, seine, gillnet, etc.
<u>Type of violation</u>	Closed waters, closed period, illegal gear, etc.
<u>Description of vessel and persons</u>	Names, numbers, colors, port of registration, number of persons aboard and physical descriptions
<u>Witnesses to violation</u>	Include names of persons, vessels in the area who have or may have observed the violation.
<u>Photographs</u>	Show violator in relation to identifiable land formations or other physical features of the area if possible.
<u>Statement</u>	Concise statement of the violation in order of events.

At the earliest possible date submit this information to the nearest office of the Alaska Department of Public Safety or to an authorized Department of Fish and Game representative.