

96-160-FB

Alaska Board of Fisheries

DELEGATION OF AUTHORITY REGARDING AUTHORITY TO CLOSE RIPARIAN  
HABITAT AREAS IN THE FRESH WATERS OF UPPER COOK INLET

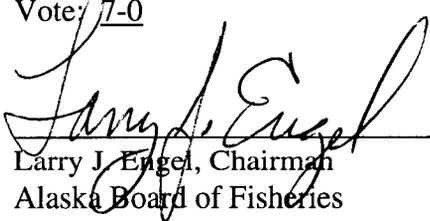
(Finding # 96-FB-04)

In accordance with AS 16.05.270, the Alaska Board of Fisheries delegates to the commissioner of the Alaska Department of Fish and Game the authority to adopt and make permanent changes in 5 AAC 56 and 5 AAC 61 and any other appropriate regulations to close riparian habitat areas along the fresh waters of Upper Cook Inlet if the Commissioner determines that in-river fisheries are likely to result in riparian habitat loss which could negatively affect the fishery resources of the fresh waters of Upper Cook Inlet. Only public lands are covered under this delegation. If the rationale for the action taken under this delegation changes, the commissioner may use emergency order authority contained in the Riparian Fishery Management Plans in 5 AAC 56 and 5 AAC 61 to reopen the fishery based on the criteria specified in this plan.

The board also delegates authority to the commissioner to make necessary administrative changes to any appropriate regulations in Title 5 of the Alaska Administrative Code, if the changes in regulations under this delegation creates any conflicts with existing regulations.

Adopted: February 26, 1996  
Anchorage, Alaska

Vote: 7-0

  
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Larry J. Engel, Chairman  
Alaska Board of Fisheries