

Part 6

Fish and Game Advisory Committees and Adoption of Fish and Game Regulations.

Chapter:

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Chapter 96

Local Fish and Game Advisory Committees and Adoption of Fish and Game Regulations

Article

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Article 1

Local Fish and Game Advisory Committees

Section

10. Establishment of a local fish and game advisory committee system.

20. Creation of local fish and game advisory committees.

21. Establishment of advisory committees.

22. (Repealed).

25. (Repealed).

30. (Repealed).

40. Qualifications for members.

45. (Repealed).

50. Functions of local fish and game advisory committees.

60. Uniform rules of operation.

70. (Repealed).

80. (Repealed).

5 AAC 96.010. Establishment of a local fish and game advisory committee system There is established a system of local fish and game advisory committees to provide a local forum for the collection and expression of opinions and recommendations on matters relating to the management of fish and wildlife resources.

History: In effect before 1988

Authority: AS 16.05.260

5 AAC 96.020. Creation of local fish and game advisory committees

(a) The joint board may establish an advisory committee that

represents fish and game user groups in the area served by the committee as required in 5 AAC 96.060(e)(1). A group of 25 interested people may request the joint board to create a committee. The joint board will, to the extent feasible, establish and locate committees to allow an opportunity for all residents of the state to participate in the regulatory system.

(b) A committee must be approved by the joint board before starting its operations. The joint board will appoint the original five members of a committee, at which time the committee shall begin its operations.

(c) The joint board will review requests to create committees. Factors that it will evaluate include:

(1) whether an existing committee could be expanded to include members who represent the interest of the persons making the request;

(2) whether representation of all user groups in the area on existing committees is adequate;

(3) whether residents of the local area are likely to participate actively on the proposed committee;

(4) whether there are likely to be enough qualified people interested in serving on the proposed committee;

(5) whether logistical problems would make it difficult to provide assistance to the proposed committee;

(6) whether the proposed committee would enhance participation in the decision-making process; and

(7) the efficiency of existing committees.

History: In effect before 1983; am 10/9/83, Register 88; am 9/22/85, Register 95; am 2/23/2014, Register 209; am 9/19/2019, Register 231

Authority: AS 16.05.260

5 AAC 96.021. Establishment of advisory committees

(a) The following local fish and game advisory committees are established:

(1) in the Southeast Alaska Region: Angoon, Craig, East Prince of Wales, Edna Bay, Elfin Cove, Juneau-Douglas, Hydaburg, Hyder, Icy Straits, Kake, Ketchikan, Klawock, Klukwan, Pelican, Petersburg, Port Alexander, Saxman, Sitka, Sumner Strait, Tenakee, Upper Lynn Canal, Wrangell, Yakutat;

(2) in the Southcentral Alaska Region: Copper River/Prince William Sound, Prince William Sound/Valdez, Copper Basin, Anchorage, Seward, Kenai/Soldotna, Central Peninsula, Homer, Seldovia, Tok Cutoff/Nabesna Road, Paxson, Denali, Matanuska Valley, Mt. Yenlo, Tyonek, Cooper Landing, Whittier, Susitna Valley;

(3) in the Southwest Alaska Region: Nushagak, Naknek/Kvichak, Lake Iliamna, Nelson Lagoon, Chignik, Kodiak, Sand Point, King Cove, False Pass, Unalaska/Dutch Harbor, Lower Bristol Bay, Togiak;

(4) in the Western Alaska Region: Central Bering Sea, Lower Kuskokwim, Central Kuskokwim, Coastal Lower Yukon, Mid-Lower Yukon, Bethel;

(5) in the Arctic Alaska Region: Northern Norton Sound, Kotzebue Sound, Northern Seward Peninsula, Upper Kobuk, Lower Kobuk, Noatak/Kivalina, North Slope, St. Lawrence Island, Southern Norton Sound; and

(6) in the Interior Alaska Region: Central, Middle Nenana River, Delta, Eagle, Fairbanks, Lake Minchumina, Middle Yukon, Grayling/Anvik/Shageluk/Holy Cross, Koyukuk, McGrath, Ruby, Tanana/Rampart/Manley, Minto/Nenana, Upper Tanana/Fortymile, Yukon Flats, Stony Holitna.

(b) The joint board will, in its discretion, identify a committee established in (a) of this section as representing more than one community, and will, in its discretion, designate one or more seats on the committee for a specific community. Each community is entitled to elect up to the designated number of representatives for the committee, in accordance with 5 AAC 96.060(e)(3).

(c) The following committees are identified as representing more than one community, or, additionally, as having less than 15 members, and the following seats on the committee are designated for each community:

(1) in the Southeast Alaska Region:

(A) Upper Lynn Canal

Haines	8 representatives
Skagway	2 representatives
Klukwan	1 representative
Undesignated	4 representatives

(B) Icy Straits

Hoonah	9 representatives
Gustavus	2 representatives
Undesignated	4 representatives

(C) Ketchikan

Saxman	2 representatives
Undesignated	13 representatives

(D) Saxman (9 members)

Saxman	6 representatives
Ketchikan	2 representatives
Undesignated	1 representative

(E) Edna Bay (7 members)

Edna Bay	7 representatives
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(F) East Prince of Wales

Thorne Bay	1 representative
Coffman Cove	1 representative
Whale Pass	1 representative
Kasaan	1 representative
Undesignated	11 representatives

(2) in the Southcentral Alaska Region:

(A) Copper Basin

Glennallen	2 representatives
Lake Louise	1 representative
Tazlina	3 representatives
Copper Center	2 representatives
Gakona/Gulkana	3 representatives
Kenny Lake	1 representative
Chitina	1 representative
Undesignated	2 representatives

(B) repealed 7/12/98;

(C) Mount Yenlo

Skwentna	4 representatives
Undesignated	11 representatives

(D) Tok Cutoff/Nabesna Road (7 members)

Mentasta	1 representative
Chistochina	1 representative
Undesignated	5 representatives

(E) Whittier (9 members)

Undesignated	9 representatives
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(F) Susitna Valley (7 members)

Undesignated	7 representatives
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(G) Seward (11 members)

Undesignated	11 representatives
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(3) in the Southwest Alaska Region:

(A) Chignik

Chignik	3 representatives
Chignik Lagoon	3 representatives
Ivanoff	3 representatives
Chignik Lake	3 representatives
Perryville	3 representatives

(B) Kodiak

Kodiak	7 representatives
Old Harbor	1 representative
Ouzinkie	1 representative
Port Lions	1 representative
Undesignated	5 representatives

(C) Lake Iliamna (10 members)

Iliamna	1 representative
Nondalton	1 representative
Pedro Bay	1 representative
Kokhanok	1 representative
Igiugig	1 representative
Newhalen	1 representative
Port Alsworth	1 representative
Undesignated	3 representatives

(D) Lower Bristol Bay
 Ugashik 1 representative
 Egegik 2 representatives
 Pilot Point 2 representatives
 Port Heiden 2 representatives
 Undesignated 8 representatives

(E) Nushagak
 Dillingham 5 representatives
 Clarks Point 1 representative
 Ekwok 1 representative
 New Stuyahok 1 representative
 Koliganek 1 representative
 Aleknagik 1 representative
 Togiak 1 representative
 Portage Creek 1 representative
 Manokotak 1 representative
 Undesignated 2 representatives

(F) Togiak
 Togiak 3 representatives
 Manokotak 3 representatives
 Twin Hills 1 representative
 Undesignated 8 representatives

(4) in the Western Alaska Region:

(A) Central Bering Sea
 Chevak 1 representative
 Chefornak 1 representative
 Goodnews Bay 1 representative
 Kipnuk 1 representative
 Kongiganak 1 representative
 Kwigillingok 1 representative
 Mekoryuk 1 representative
 Newtok 1 representative
 Nightmute 1 representative
 Platinum 1 representative
 Quinhagak 1 representative
 Toksook Bay 1 representative
 Tununak 1 representative
 Undesignated 2 representatives

(B) Lower Kuskokwim (14 members)
 Kwethluk 2 representatives
 Napaskiak 2 representatives
 Napakiak 1 representative
 Kasigluk 1 representative
 Oscarville 1 representative
 Nunapitchuk 1 representative
 Tuntutuliak 1 representative
 Tuluksak 1 representative
 Atmauthluak 1 representative
 Akiak 1 representative
 Akiachak 1 representative
 Eek 1 representative

(C) Central Kuskokwim (12 members)
 Crooked Creek 2 representatives
 Aniak 2 representatives
 Chuathbaluk 2 representatives
 Lower Kalskag 2 representatives

Upper Kalskag 2 representatives
 Undesignated 2 representatives

(D) repealed 9/19/2019;

(E) Coastal Lower Yukon (6 members)
 Scammon Bay 1 representative
 Alakanuk 1 representative
 Kotlik 1 representative
 Emmonak 1 representative
 Hooper Bay 1 representative
 Nunam Iqua 1 representative

(F) Mid-Lower Yukon (7 members)
 Marshall 1 representative
 Russian Mission 1 representative
 St. Marys 1 representative
 Andreafski 1 representative
 Mountain Village 1 representative
 Pilot Station 1 representative
 Pitkas Point 1 representative

(G) Bethel (11 members)
 Undesignated 11 representatives

(5) in the Arctic Alaska Region:

(A) Northern Norton Sound
 Nome 6 representatives
 Elim 1 representative
 Wales 1 representative
 Golovin 1 representative
 City of 1 representative
 White Mountain
 Shishmaref 1 representative
 Teller 1 representative
 Brevig Mission 1 representative
 Undesignated 2 representatives

(B) Northern Seward Peninsula (9 members)
 Buckland 3 representatives
 Deering 3 representatives
 Undesignated 3 representatives

(C) Upper Kobuk (10 members)
 Ambler 3 representatives
 Shungnak 3 representatives
 Kobuk 2 representatives
 Undesignated 2 representatives

(D) Lower Kobuk (11 members)
 Noorvik 3 representatives
 Kiana 3 representatives
 Selawik 3 representatives
 Undesignated 2 representatives

(E) Noatak/Kivalina (9 members)
 Noatak 3 representatives
 Kivalina 2 representatives
 Undesignated 4 representatives

(F) North Slope (9 members)

Barrow	1 representative
Point Hope	1 representative
Point Lay	1 representative
Wainwright	1 representative
Atkasuk	1 representative
Kaktovik	1 representative
Nuiqsut	1 representative
Anaktuvuk Pass	1 representative
Undesignated	1 representative

(G) repealed 12/30/2007;

(H) Southern Norton Sound

Unalakleet	6 representatives
St. Michael	2 representatives
Shaktolik	2 representatives
Stebbins	2 representatives
Koyuk	2 representatives
Undesignated	1 representative

(6) in the Interior Alaska Region:

(A) McGrath

McGrath	6 representatives
Nikolai	3 representatives
Telida	1 representative
Takotna	2 representatives
Undesignated	3 representatives

(B) Middle Nenana River (11 members)

Healy	5 representatives
Clear	3 representatives
McKinley Village	1 representative
Ferry	1 representative
Undesignated	1 representative

(C) Upper Tanana/Fortymile (9 members)

Tok	3 representatives
Northway	1 representative
Tetlin	1 representative
Dot Lake	1 representative
Tanacross	1 representative
Healy Lake	1 representative
Undesignated	1 representative

(D) Yukon Flats

Birch Creek	1 representative
Beaver	2 representatives
Chalkyitsik	2 representatives
Fort Yukon	2 representatives
Arctic Village	2 representatives
Circle	2 representatives
Venetie	2 representatives
Stevens Village	2 representatives

(E) Tanana/Rampart/Manley (9 members)

Manley Hot Springs	2 representatives
Rampart	3 representatives
Tanana	3 representatives
Undesignated	1 representative

(F) Middle Yukon (13 members)

Galena	4 representatives
Kaltag	4 representatives
Nulato	3 representatives
Koyukuk	2 representatives

(G) Koyukuk River

Allakaket	3 representatives
Huslia	3 representatives
Hughes	2 representatives
Alatna	2 representatives
Bettles	2 representatives
Undesignated	3 representatives

(H) Grayling/Anvik/Shageluk/Holy Cross (9 members)

Holy Cross	2 representatives
Grayling	2 representatives
Anvik	2 representatives
Shageluk	2 representatives
Undesignated	1 representative

(I) Minto/Nenana (11 members)

Nenana	5 representatives
Minto	5 representatives
Undesignated	1 representative

(J) Ruby (9 members)

Undesignated	9 representatives
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(K) Eagle (9 members)

Undesignated	9 representatives
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(L) Delta (11 members)

Undesignated	11 representatives
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(M) Central (9 members)

Undesignated	9 representatives
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(L) Delta (11 members)

Undesignated	11 representatives
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(N) Stony/Holitna (8 members)

Sleetmute	2 representatives
Lime Village	2 representatives
Stony River	2 representatives
Red Devil	2 representatives

(O) Lake Minchumina (9 members)

Lake Minchumina	4 representatives
Undesignated	5 representatives

History: In effect before 1983; am 10/9/83, Register 88; am 9/22/85, Register 95; am 8/2/86, Register 99; am 9/15/88, Register 107; am 3/16/89, Register 109; am 11/30/89, Register 112; am 9/26/90, Register 115; am 8/28/91, Register 119; am 6/26/93, Register 126; am 8/16/97, Register 143; am 7/12/98, Register 147; am 12/30/2007, Register 184; am 2/23/2014, Register 209; am 9/19/2019, Register 231; am 9/24/2021, Register 239, Authority: AS 16.05.260

5 AAC 96.022. Determination of compliances Repealed 12/13/79.

5 AAC 96.025. Qualification of members Repealed 12/13/79.

5 AAC 96.030. Composition of local fish and game advisory committees Repealed 10/9/83.

5 AAC 96.040. Qualifications for members To qualify for membership on a committee, a candidate must have knowledge of and experience with the fish and wildlife resources and their uses in the area, and have a reputation within the community consistent with the responsibilities of committee membership.

History: In effect before 1983; am 10/9/83, Register 88
Authority: AS 16.05.260

5 AAC 96.045. Removal for cause Repealed 12/13/79.

5 AAC 96.050. Functions of local fish and game advisory committees A committee may

(1) develop regulatory proposals for submission to the appropriate board;

(2) evaluate regulatory proposals submitted to them and make recommendations to the appropriate board;

(3) provide a local forum for fish and wildlife conservation and use, including any matter related to fish and wildlife habitat; and

(4) repealed 2/23/2014;

(5) repealed 2/23/2014;

(6) cooperate and consult with interested persons and organizations, including government agencies, and encourage youth and elder involvement in committee activities, to accomplish (1) - (3) of this section.

History: In effect before 1983; am 10/9/83, Register 88; am 9/22/85, Register 95; am 2/23/2014, Register 209; am 9/19/2019, Register 231
Authority: AS 16.05.260

5 AAC 96.060. Uniform rules of operation

(a) Each committee must comply with the uniform rules of operation contained in this section.

(b) **Organization.** Each committee is organized under AS 16.05.260.

(c) **Responsibilities.** Each committee is responsible for performing the functions described in 5 AAC 96.010 and 5 AAC 96.050 in accordance with provisions of 5 AAC 96 - 5 AAC 99.

(d) **Title.** Each committee must have a title.

(e) **Membership.**

(1) Each committee must have at least five but not more than 15 members. The joint board may limit the size of a

committee to less than 15 members at the time the committee is established or at committee request. The members must be representative of fish and game user groups in the area served by the committee. To the extent practicable, at least three user groups must be represented on each committee, and membership must include representatives from each town or village located in the area that the committee represents. To ensure full representation of an area, the joint board may assign a seat on the committee to represent a specific user group or specific community.

(2) A newly-elected member that is filling a

(A) vacated seat begins serving immediately and has immediate voting and membership privileges;

(B) seat of a member whose term is expiring will be seated at the first committee meeting that is held after the date that the term of the previous member expires.

(3) repealed 9/19/2019;

(4) repealed 9/19/2019;

(5) repealed 9/19/2019;

(6) repealed 9/19/2019;

(7) repealed 9/19/2019;

(8) repealed 9/19/2019.

(f) **Terms of Members.** Each committee shall establish the terms of the committee's members so that not more than one-third of the committee members' terms expire in one calendar year. Terms commence on July 1 and expire on June 30 of the year designated or, except as specified in (g)(1) of this section, until a successor has been duly elected at the next committee meeting. The maximum length of a term is three years.

(g) **Election Procedures.**

(1) **Vacancy.** A committee shall give at least 14 days public notice of a meeting for an election to fill a vacancy. The member elected to fill a vacant seat serves the remainder of the vacant seat's term. A chair may declare a vacancy when a member's term is set to expire or has expired, and shall declare a vacancy when any of the following occurs:

(A) a member's death, resignation, or refusal to accept election;

(B) a member's absence from three consecutive, regularly advertised meetings without reasonable justification, as determined by a majority vote of the committee; or

(C) a member's removal by the joint board for cause;

(2) **Nomination.** The committee may set a time period during which the committee will accept nominations and shall give adequate public notice of the time before accepting nominations. Any committee member or resident of the area

served by the committee as defined in 5 AAC 96.910(10) may submit a nomination. A committee may not reject a nomination for an undesignated seat under 5 AAC 96.021(c) if committee membership is less than the number of members authorized by the joint board;

(3) **Place of election.** Elections for a community seat specified in 5 AAC 96.021(c) may take place in the community for which the seat is specified;

(4) **Quorum requirements for elections.** A committee need not establish a quorum to accept nominations or elect a new member except that, for committees with both community and undesignated seats, election for undesignated seats shall be held at a committee meeting at which a quorum is present;

(5) **Elections.** Each committee member, and each voting-age resident of the area or served by the committee as defined in 5 AAC 96.910(10) who attends the election, may vote on a nomination for membership. Nominees receiving the most votes are elected;

(6) **Election results.** A committee shall forward election results, and each newly-elected or re-elected member shall forward a new member form, to the appropriate regional office of the boards support section not later than 30 days after the election. A newly-elected or re-elected member loses membership status if the member fails to submit a new member form within 30 days after the election;

(7) **Alternates.** Each advisory committee may appoint two alternates. However, any member of an advisory committee who is the sole representative from a community may also appoint an alternate. Each alternate must meet the qualifications under this chapter. When acting as a member of an advisory committee, an alternate is entitled to the benefits, privileges, and responsibilities of a regular member. If an advisory committee appoints an alternate from the remaining nominees from an election, the alternate may fill a vacancy on the advisory committee throughout the year.

(h) Repealed 9/19/2019.

(i) **Officers.** The officers of a committee consist of a chair, a vice-chair, and a secretary. The term of office for officers is two years starting July 1 and ending June 30 of the following year, or until the next meeting when new officers can be elected. Officers are elected by a majority vote of a quorum of a committee.

(j) **Chair.** The chair is the presiding officer.

(k) **Vice-chair.** The vice-chair shall assist the chair and assume chair's duties when the chair is absent.

(l) **Secretary.** The secretary may be, but need not be, a member of the committee. The secretary shall carry out the usual duties associated with the office including maintaining records of the meetings in accordance with 5 AAC 96.060(s). If the secretary is not a committee member, the secretary has no vote on committee business other than nominations for committee membership.

(m) **Replacement of an Officer.** A committee may replace an officer if

(1) the officer resigns from office or from committee membership before his or her term in office, or on the committee, expires;

(2) the committee declares the officer's seat vacant under (g) of this section; or

(3) a quorum of the committee meets and a majority of the full committee membership votes to remove the committee member from office, after giving the officer written notice at least 14 days before the meeting.

(n) **Removal for Cause.** The joint board may remove any member of a committee for cause upon the written request of the majority of all members serving on the committee setting out the reasons for the requested removal. As used in this subsection, "cause" includes

(1) repealed 9/19/2019;

(2) conviction of a crime or imposition of an administrative disciplinary action for behavior inconsistent with the responsibility of a fish and game advisory committee membership within the preceding five years;

(3) serious and substantial disregard for or violation of the provisions of this chapter or 5 AAC 97 governing the committee system, including conduct warranting the imposition of disciplinary measures under Robert's Rules of Order; or

(4) failure, at any time, to meet the qualifications for committee membership.

(o) **Meetings.** An advisory committee is considered a governmental body under the Open Meetings Act, AS 44.62.310 - AS 44.62.319.

(1) **Regular meeting.** A committee shall meet at least twice a year to remain active under 5 AAC 96.450. A committee may meet at times appropriate to the process described in 5 AAC 96.610, and at other times to formulate regulatory proposals, review and comment on proposals, and consider matters appropriate to the committee's functions under 5 AAC 96.050. A chair, the department, or two members of the committee may call a regular meeting.

(2) **Special meeting.** A chair, the department, or two members of the committee may call a special meeting at which any person may submit a statement to the committee on any matter relating to the committee's functions under 5 AAC 96.050 or 5 AAC 96.060(g) or (m).

(p) **Joint Committee Meeting.** Each committee shall cooperate with other committees on matters of mutual interest and concern, and may hold a joint meeting to accomplish this purpose.

(q) **Quorum.** A majority of all the members serving on a

committee constitutes a quorum for the transaction of business. Every action or decision of a majority of the members present at a duly held meeting of a committee, at which a quorum is present, is an act of the committee.

(r) **Rules of Meetings.** Meetings of a committee will, to the extent practicable, be conducted according to the latest edition of Robert's Rules of Order. A committee may implement the disciplinary measures in Robert's Rules of Order except for permanent removal of a member for cause under (n) of this section. A member abstaining from voting may be recorded as an abstention if the member provides an explanation that is included in the committee records. Notwithstanding (q) of this section, if abstention votes are recorded, the action or decision of a majority of the remaining members at a meeting at which a quorum is present is an act of the committee.

(s) **Record of Meetings.** Preliminary recommendations of each committee meeting shall be recorded in writing and forwarded to the boards support section not later than 30 days after the meeting. Before an advisory committee chair or a designee will be allowed to represent the advisory committee before the joint board, the Board of Fisheries, or the Board of Game, the appropriate board may require that the advisory committee submit to the respective board a set of the committee's written recommendations relevant to the topic of the board meeting. In the event a committee is unable to meet with a quorum to approve written recommendations, the committee shall appoint a member other than the secretary to provide a preliminary approval of the recommendations.

(t) **Records.** All correspondence, manuals, meetings minutes, membership listings, newsletters, regulations, requests for new committees, structure and reorganization data, public meeting notices and membership nominations must be forwarded to the boards support section not later than 30 days after the production of the action, so that such records may be kept as a permanent state record and transferred to the Alaska State Archives in accordance with the records retention schedule adopted under AS 40.21.030.

In effect before 1983; am 10/9/83, Register 88; am 9/22/85, Register 95; am 11/30/89, Register 112; am 9/26/90, Register 115; am 7/12/98, Register 147; am 2/23/2014, Register 209; am 9/19/2019, Register 231
Authority: AS 16.05.260

5 AAC 96.070. Report of activities Repealed 10/9/83.

5 AAC 96.080. Interaction of local advisory committees with regional fish and game councils Repealed.

Article 2

Regional Fish and Game Councils

5 AAC 96.200. Establishment of a regional fish and game council system Repealed.

5 AAC 96.210. Fish and game resource management regions Repealed.

5 AAC 96.220. Regional fish and game councils Repealed.

5 AAC 96.230. Qualifications for membership Repealed 10/9/83.

5 AAC 96.240. Non-voting members Repealed 10/9/83.

5 AAC 96.245. Non-voting member Repealed.

5 AAC 96.250. Functions of regional fish and game councils Repealed.

5 AAC 96.260. Uniform rules of operation Repealed.

5 AAC 96.270. Report of activities Repealed 10/9/83.

5 AAC 96.280. Attendance at meetings Repealed.

Article 3

Administration of Local Fish and Game Committees

Section

400. (Repealed).

410. (Repealed).

420. (Repealed).

430. (Repealed).

440. Board assistance.

450. Committee status and change of status.

460. Attendance at meetings.

5 AAC 96.400. Operation of local fish and game advisory committee system Repealed 10/9/83.

5 AAC 96.410. Distribution of local fish and game advisory committees Repealed.

5 AAC 96.420. Review of requests for local fish and game advisory committees Repealed.

5 AAC 96.430. Review of nominations for membership on local fish and game advisory committees Repealed 11/30/89.

5 AAC 96.440. Board assistance The boards will provide information regarding board meetings to committees so that committees may plan maximum participation in the boards' deliberations. In addition, a board may request a committee to meet and to formulate recommendations on a subject or issue identified by the board.

History: In effect before 1983; am 10/9/83, Register 88

Authority: AS 16.05.260

5 AAC 96.450. Committee status and change of status

(a) Repealed 9/19/2019;

(b) Repealed 9/19/2019;

(c) Committees may merge if each affected committee votes to request merger, and if the joint board determines that the merger should occur.

(d) The joint board may merge a dormant committee with a

committee if the boards support section gives the committees notice of the proposed merger, if the dormant committee does not express an intention to meet or if the committee does not do so within a reasonable time after notice, and if the joint board determines that the merger should occur.

(e) The joint board may dissolve a committee if the committee has been dormant for two years and fails to respond to boards support section inquiries about the committee's desire to remain in existence. The joint board may dissolve a committee for failure to act in accordance with the provisions of this chapter and 5 AAC 97.

History: In effect before 1983; am 10/9/83, Register 88; am 9/22/85, Register 95; am 2/23/2014, Register 209; am 9/19/2019, Register 231
Authority: AS 16.05.260

5 AAC 96.460. Attendance at meetings When adequate funding exists the department will, in its discretion, reimburse committee members for the following:

(1) travel to local committee meetings and necessary related expenses;

(2) travel, approved in advance, for the purpose of joint meetings between two or more committees; and

(3) travel and other necessary expenses approved in advance by the boards for committee chairmen or their designees to attend board meetings. A chair's designee must be a committee member.

History: In effect before 1983; am 10/9/83, Register 88; am 9/19/2019, Register 231
Authority: AS 16.05.260

Article 4

Administration of Regional Fish and Game Councils

5 AAC 96.500. Operation of regional fish and game council system Repealed.

5 AAC 96.510. Staff assistance Repealed.

5 AAC 96.520. Regular and special meetings Repealed.

5 AAC 96.530. Attendance at meetings Repealed.

5 AAC 96.540. Direction from the boards Repealed.

Article 5

Adoption of Fish and Game Regulations

Section

600. Meetings.

610. Procedure for developing fish and game regulations.

615. Subsistence proposal policy.

620. (Repealed).

625. Joint board petition policy.

630. Special meetings.

640. Regular meetings.

650. (Repealed).

660. Compliance.

5 AAC 96.600. Meetings

(a) Each board will hold at least one regular meeting a year. Other meetings, including special meetings on specific issues, will be held as the boards consider necessary.

(b) Repealed 9/19/2019.

(c) The joint board will meet as needed to consider matters of mutual concern, including matters relating to committees.
History: In effect before 1983; am 10/9/83, Register 88; am 9/22/85, Register 95; am 10/1/93, Register 127; am 2/23/2014, Register 209; am 9/19/2019, Register 231
Authority: AS 16.05.260 AS 16.05.300 AS 16.05.310 AS 16.05.315

5 AAC 96.610. Procedure for developing fish and game regulations

(a) For the purpose of developing fish and game regulations, each board will observe the procedures set out in this section. The deadlines for each phase will be set by the appropriate board for each meeting and will be announced to committees and the public.

(b) Phase 1. Each board will solicit regulatory proposals to facilitate that board's deliberations. The boards may limit those sections or portions of the existing regulations that will be open for change. The boards will provide forms to be used in preparing proposals. Notices soliciting proposals will be distributed statewide. In order to be considered, a proposal seeking regulatory change in those sections or portions of the regulations open for change must be received by the boards before the designated deadline unless provided otherwise by a board.

(c) Phase 2. After the deadline for receiving proposals, the boards support section shall compile regulatory proposals received on time, including proposals from department staff and other government agencies, distribute them to the public through department offices and the boards support section website, and send them to the committees.

(d) Phase 3. Committees may review the proposals at a public meeting and may request technical and scientific support data and prepared testimony from the department. The boards will receive committee recommendations and solicit public comment.

(e) Phase 4. Each board will give legal notice of timely received proposals. In accordance with the Administrative Procedure Act (AS 44.62), each board will hold a public hearing and will act on proposals or develop alternatives on the subject matter legally noticed. The final decision on all proposals remains the responsibility of a board.

(f) Phase 5. After completion of procedures required by the Administrative Procedure Act (AS 44.62), a board will notify each committee of the actions taken on each committee's respective recommendations and proposals and the reasons for those actions.

History: In effect before 1982; am 6/2/82, Register 82; am 10/9/83, Register 88; am 8/28/91, Register 119; am 2/23/2014, Register 209; am 9/19/2019, Register 231
Authority: AS 16.05.260

5 AAC 96.615. Subsistence proposal policy

(a) It is the policy of the Boards of Fisheries and Game to consider subsistence proposals for topics that are not covered by the notice soliciting proposals under 5 AAC 96.610(a). To be considered by a board, a subsistence proposal must be timely submitted under 5 AAC 96.610(a), and

(1) the proposal must address a fish or game population that has not previously been considered by the board for identification as a population customarily and traditionally used for subsistence under AS 16.05.258; or

(2) the circumstances of the proposal otherwise must require expedited consideration by the board, such as where the proposal is the result of a court decision or is the subject of federal administrative action that might impact state game management authority.

(b) A board may delegate authority to a review committee, consisting of members of the board, to review all subsistence proposals for any meeting to determine whether the conditions in (a) of this section apply.

(c) A board may decline to act on a subsistence proposal for any reason, including the following:

(1) the board has previously considered the same issue and there is no substantial new evidence warranting reconsideration; or

(2) board action on the proposal would affect other subsistence users who have not had a reasonable opportunity to address the board on the matter.

5 AAC 96.620. Supplemental regulations and actions Repealed 10/9/83.

5 AAC 96.625. Joint board petition policy

(a) Under AS 44.62.220, an interested person may petition an agency, including the Boards of Fisheries and Game, for the adoption, amendment, or repeal of a regulation. The petition must clearly and concisely state the substance or nature of the regulation, amendment, or repeal requested, the reason for the request, and must reference the agency's authority to take the requested action. Within 30 days after receiving a petition, a board will deny the petition in writing, or schedule the matter for public hearing under AS 44.62.190 - 44.62.210, which require that any agency publish legal notice describing the proposed change and solicit comment for 30 days before taking action. AS 44.62.230 also provides that if the petition is for an emergency regulation, and the agency finds that an emergency exists, the agency may submit the regulation to the lieutenant governor immediately after making the finding of emergency and putting the regulation into proper form.

(b) Fish and game regulations are adopted by the Alaska Board of Fisheries and the Alaska Board of Game. Annually, the boards solicit regulation changes through regulatory proposals described in 5 AAC 96.610(a). Several hundred proposed changes are usually submitted to each board annually. The Department of Fish and Game compiles the proposals and mails them to all fish and game advisory committees and to other interested individuals.

(c) Copies of all proposals are available at local Department of Fish and Game offices and on the boards support section's website. When the proposal books are available, the advisory committees hold public meetings in the communities and regions they represent, to gather local comment on the proposed changes. Finally, the boards convene public meetings, which have lasted as long as six weeks, taking department staff reports, public comment, and advisory committee reports before voting in public session on the proposed changes.

(d) The public has come to rely on this regularly scheduled participatory process as the basis for changing fish and game regulations. Commercial fishermen, processors, guides, trappers, hunters, sport fishermen, subsistence fishermen, and others plan business and recreational ventures around the outcome of these public meetings.

(e) The Boards of Fisheries and Game recognize the importance of public participation in developing management regulations, and recognize that public reliance on the predictability of the normal board process is a critical element in regulatory changes. The boards find that petitions received under (a) of this section can detrimentally circumvent this process and that an adequate and more reasonable opportunity for public participation is provided by regularly scheduled meetings.

(f) The Boards of Fisheries and Game recognize that in rare instances circumstances may require regulatory changes outside the process described in (b) - (d) of this section. It is the policy of the boards that a petition will be denied and not scheduled for hearing unless the problem outlined in the petition justifies a finding of emergency under AS 44.62.250(a). In accordance with state policy expressed in AS 44.62.270, emergencies will be held to a minimum and are rarely found to exist. Except for petitions dealing with subsistence hunting or subsistence fishing, an emergency is an unforeseen, unexpected event that either threatens a fish or game resource, or an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action and such delay would be significantly burdensome to the petitioners because the resource would be unavailable in the future. Petitions dealing with subsistence hunting or subsistence fishing will be evaluated under these criteria:

(1) the petition must address a fish or game population that has not previously been considered by the board for identification as a population customarily and traditionally used for subsistence under AS 16.05.258; or

(2) the circumstances of the petition otherwise must require expedited consideration by the board, such as where the

proposal is the result of a court decision or is the subject of federal administrative action that might impact state game management authority.

History: Eff. 9/22/85, Register 95; am 8/17/91, Register 119; readopt 5/15/93, Register 126; am 2/23/2014, Register 209; am 9/19/2019, Register 231

Authority: AS 16.05.251 AS 16.05.255 AS 16.05.258

Editor's note: At its November 1 - 7, 1992 meeting, the Joint Board of Fisheries and Game readopted 5 AAC 96.625 in its entirety, without change, under ch. 1, SSSLA 1992 (the 1992 subsistence law), which repealed and reenacted AS 16.05.258.

5 AAC 96.630. Special meetings In conjunction with any special meeting called under 5 AAC 96.600, each board will follow the procedures set out in 5 AAC 96.610 to the extent time permits. However, a board will, in its discretion, modify the procedures, if it would be more suitable for any particular special meeting.

History: In effect before 1983; am 10/9/83, Register 88

Authority: AS 16.05.260

5 AAC 96.640. Regular meetings A board will, in its discretion, modify the procedures set out in 5 AAC 96.610 in conjunction with any regular meeting, if to do so would enhance public, committee participation in the board's deliberations.

History: In effect before 1983; am 10/9/83, Register 88; am 9/19/2019, Register 231

Authority: AS 16.05.260

5 AAC 96.650. Staff assistance Repealed 10/9/83.

5 AAC 96.660. Compliance

(a) The failure of a committee or a board to observe procedures set out in this chapter and 5 AAC 97, except as may be required by the Administrative Procedure Act (AS 44.62), does not invalidate a regulation adopted by a board.

(b) The failure of a committee to observe procedures set out in this chapter will be addressed by the boards support section of the department. If the boards support section determines that it is necessary for a particular matter to be addressed by a board or joint board, the boards support section will forward that particular matter to the appropriate board or the joint board for resolution.

Article 6 General Provisions

Section

900. (Repealed).

910. Definitions.

920. (Repealed)

5 AAC 96.900. Removal for cause Repealed 10/9/83.

5 AAC 96.910. Definitions In 5 AAC 96 - 5 AAC 99

(1) "board" means the Board of Fisheries or the Board of Game acting individually;

(2) "joint board" means the Board of Fisheries and the Board of Game acting jointly;

(3) "committee" means a local fish and game advisory committee;

(4) repealed 2/23/2014;

(5) "designee" means a committee member who has been designated by the chair of the committee;

(6) "region" means a fish and game resource management region;

(7) "designated seat" means any seat the joint board assigns, under 5 AAC 96.060, to represent a particular user group or a particular community;

(8) "boards support section" means the section in the department assigned to perform administrative functions and support to the boards and joint board;

(9) "department" means the Department of Fish and Game;

(10) "resident of the area served by the committee" for the purposes of the advisory committee election procedures under 5 AAC 96.060(g) means a person who is a resident as defined in AS 16.05.940(28) and who maintains a domicile in the area served by a committee described in 5 AAC 97.005.

History: In effect before 1983; am 10/9/83, Register 88; am 9/22/85, Register 95; am 2/23/2014, Register 209; am 9/19/2019, Register 231

Authority: AS 16.05.251 AS 16.05.255 AS 16.05.260 AS 16.05.315

5 AAC 96.920. Supplemental action Repealed 10/9/83.

Chapter 97 Advisory Committee Closures

Article

1. Areas of Jurisdiction. (5 AAC 97.005 - 5 AAC 97.005)

2. Emergency Closures. (5 AAC 97.010 - 5 AAC 97.020)

Article 1 Areas of Jurisdiction

Section

5. Areas of jurisdiction for advisory committees.

5 AAC 97.005. Areas of jurisdiction for advisory committees For the purpose of emergency closures on taking fish and game during established seasons, the following areas of jurisdiction are established for the advisory committees specified in this section:

(1) **finfish**

(A) Southeastern Alaska Area

(i) all waters of Alaska between the latitude of Cape Fairweather and the International Boundary at Dixon Entrance;

(ii) fish and game advisory committees with concurrent jurisdiction are Ketchikan Advisory Committee, Craig Advisory Committee, Klawock Advisory Committee, Angoon Advisory Committee, Tenakee Advisory Committee, Hyder Advisory Committee, Sumner Strait Advisory Committee, Edna Bay Advisory Committee, Sitka Advisory Committee, Juneau-Douglas Advisory Committee, Upper Lynn Canal Advisory Committee, Klukwan Advisory Committee, Pelican Advisory Committee, Kake Advisory Committee, Wrangell Advisory Committee, Petersburg Advisory Committee, Hydaburg Advisory Committee, Icy Straits Advisory Committee, Saxman Advisory Committee, Elfin Cove Advisory Committee, Port Alexander Advisory Committee, and East Prince of Wales Advisory Committee;

(B) Yakutat-Yakataga Area

(i) all waters of Alaska north of the latitude of Cape Fairweather and east of the longitude of Cape Suckling;

(ii) fish and game advisory committees with concurrent jurisdiction are Yakutat Advisory Committee and Copper River-Prince William Sound Advisory Committee;

(C) Prince William Sound-Lower Copper River Area

(i) all waters of Alaska west of the longitude of Cape Suckling and east of the longitude of Cape Fairfield, and the Copper River below the Million Dollar Bridge;

(ii) fish and game advisory committees with concurrent jurisdiction are Copper River/Prince William Sound Advisory Committee, Copper Basin Advisory Committee, Prince William Sound/Valdez Advisory Committee, and Whittier Advisory Committee;

(D) Upper Copper River Area

(i) all waters of the Copper River drainage above the Million Dollar Bridge;

(ii) fish and game advisory committees with concurrent jurisdiction are Copper Basin Advisory Committee, Tok Cutoff-Nebesna Road Advisory Committee, and Paxson Advisory Committee;

(E) Cook Inlet-Resurrection Bay Area

(i) all waters of Alaska north of the latitude of Cape Douglas and west of the longitude of Cape Fairfield; (ii) fish and game advisory committees with concurrent jurisdiction are Seward Advisory Committee, Cooper Landing Advisory Committee, Kenai/Soldotna Advisory

Committee, Mt. Yenlo Advisory Committee, Homer Advisory Committee, Anchorage Advisory Committee, Matanuska Valley Advisory Committee, Central Peninsula Advisory Committee, Seldovia Advisory Committee, Denali Advisory Committee, Tyonek Advisory Committee, and Susitna Valley Advisory Committee;

(F) Kodiak-Chignik Area

(i) all waters of Alaska south of the latitude of Cape Douglas and east of a line extending southeast from Kupreanof Point;

(ii) fish and game advisory committees with concurrent jurisdiction are Kodiak Advisory Committee and Chignik Advisory Committee;

(G) Alaska Peninsula-Aleutian Islands Area

(i) all Pacific Ocean waters of Alaska west of a line extending southeast from Kupreanof Point and Bering Sea waters south and west of a line extending northwest from Cape Menshikof;

(ii) fish and game advisory committees with concurrent jurisdiction are Sand Point Advisory Committee, King Cove Advisory Committee, False Pass Advisory Committee, Nelson Lagoon Advisory Committee and Unalaska Advisory Committee;

(H) Bristol Bay Area

(i) all waters of Alaska east of a line from Cape Newenham to Cape Menshikof;

(ii) fish and game advisory committees with concurrent jurisdiction are Iliamna Advisory Committee, Lower Bristol Bay Advisory Committee, Nushagak Advisory Committee, Naknek/Kvichak Advisory Committee, and Togiak Advisory Committee;

(I) Kuskokwim Area

(i) all waters of the Kuskokwim River drainage and all waters of Alaska south of the latitude of Cape Romanzof, north of the latitude of Cape Newenham and including Nunivak and St. Matthew Island waters;

(ii) fish and game advisory committees with concurrent jurisdiction are Lower Kuskokwim Advisory Committee, Central Kuskokwim Advisory Committee, Bethel Advisory Committee, Central Bering Sea Advisory Committee, McGrath Advisory Committee, and Stony/Holitna Advisory Committee;

(J) Lower Yukon Area

(i) all waters of the Yukon River drainage below the mouth of the Bonasila River and waters of Alaska between the latitude of Canal Point Light and the latitude of Cape Romanzof;

(ii) fish and game advisory committees with concurrent jurisdiction are Coastal Lower Yukon Advisory Committee, Mid-Lower Yukon Advisory Committee, Grayling/Anvik/ Shageluk/Holy Cross Advisory Committee, Central Bering Sea Advisory Committee, and Stony/Holitna Advisory Committee;

(K) Upper Yukon River Area

(i) all waters of the Yukon River drainage from the mouth of the Bonasila River to the U.S.-Canada border, excluding the Tanana River drainage;

(ii) fish and game advisory committees with concurrent jurisdiction are Yukon Flats Advisory Committee, Tanana/Rampart/Manley Advisory Committee, Middle Yukon Advisory Committee, Eagle Advisory Committee, Ruby Advisory Committee, Coastal Lower Yukon Advisory Committee, Mid-Lower Yukon Advisory Committee, Grayling/Anvik/Shageluk/Holy Cross Advisory Committee, Minto/Nenana Advisory Committee, Koyukuk River Advisory Committee, Central Advisory Committee, and Stony/Holitna Advisory Committee;

(L) Tanana River Area

(i) all waters of the Tanana River drainage;

(ii) fish and game advisory committees with concurrent jurisdiction are Tanana/Rampart/Manley Advisory Committee, Minto/Nenana Advisory Committee, Delta Advisory Committee, Middle Nenana River Advisory Committee, Tok Cutoff/Nebesna Road Advisory Committee, Upper Tanana/Fortymile Advisory Committee, and Fairbanks Advisory Committee;

(M) Norton Sound-Port Clarence Area

(i) all waters of Alaska between the latitude of Cape Prince of Wales and the latitude of Canal Point Light;

(ii) fish and game advisory committees with concurrent jurisdiction are Northern Norton Sound Advisory Committee and Southern Norton Sound Advisory Committee;

(N) Kotzebue Sound Area

(i) all waters of Alaska between the latitude of Point Hope and the latitude of Cape Prince of Wales;

(ii) fish and game advisory committees with concurrent jurisdiction are Kotzebue Sound Advisory Committee, Upper Kobuk Advisory Committee, Lower Kobuk Advisory Committee, Northern Seward Peninsula Advisory Committee, and Noatak/Kivalina Advisory Committee;

(2) **shellfish**

(A) Southeastern Alaska-Yakutat Area

(i) all waters subject to the jurisdiction of the state between the longitude of Cape Suckling and the International Boundary at Dixon Entrance;

(ii) fish and game advisory committees with concurrent jurisdiction are Angoon Advisory Committee, Ketchikan Advisory Committee, Craig Advisory Committee, Klawock Advisory Committee, Tenakee Advisory Committee, Hyder Advisory Committee, Sitka Advisory Committee, Juneau-Douglas Advisory Committee, Kake Advisory Committee, Upper Lynn Canal Advisory Committee, Klukwan Advisory Committee, Edna Bay Advisory Committee, Wrangell Advisory Committee, Petersburg Advisory Committee, Pelican Advisory Committee, Sumner Strait Advisory Committee, Yakutat Advisory Committee, Hydaburg Advisory Committee, Elfin Cove Advisory Committee, Saxman Advisory Committee, Icy Straits Advisory Committee, Port Alexander Advisory Committee, and East Prince of Wales Advisory Committee;

(B) Prince William Sound Area

(i) all waters subject to the jurisdiction of the state between the longitude of Cape Suckling and the longitude of Cape Fairfield;

(ii) fish and game advisory committees with concurrent jurisdiction are Copper River/Prince William Sound Advisory Committee, Prince William Sound/Valdez Advisory Committee, Seward Advisory Committee, and Whittier Advisory Committee;

(C) Cook Inlet Area

(i) all waters subject to the jurisdiction of the state west of the longitude of Cape Fairfield and north of the latitude of Cape Douglas;

(ii) fish and game advisory committees with concurrent jurisdiction are Seward Advisory Committee, Cooper Landing Advisory Committee, Seldovia Advisory Committee, Homer Advisory Committee, Tyonek Advisory Committee, and Central Peninsula Advisory Committee;

(D) westward area shellfish other than king crab

(i) all Pacific Ocean waters subject to the jurisdiction of the state south of the latitude of Cape Douglas, east of 172° E. longitude and Bering Sea waters east of 172° E. longitude;

(ii) fish and game advisory committees with concurrent jurisdiction are Kodiak Advisory Committee, Chignik Advisory Committee, Sand Point Advisory Committee, King Cove Advisory Committee, False Pass Advisory Committee, and Unalaska Advisory Committee;

(E) westward area king crab

(i) in king crab Registration Area K described in 5 AAC 34.400, the Kodiak Advisory Committee has jurisdiction;

(ii) in king crab Registration Area M described in 5 AAC 34.500, the Chignik Advisory Committee, Sand Point Advisory Committee, King Cove Advisory Committee, and False Pass Advisory Committee have concurrent jurisdiction;

(iii) in king crab Registration Area O described in 5 AAC 34.600, the Unalaska Advisory Committee, Sand Point Advisory Committee, King Cove Advisory Committee, and False Pass Advisory Committee have concurrent jurisdiction;

(iv) in king crab Registration Area Q described in 5 AAC 34.900, the Kodiak Advisory Committee, Chignik Advisory Committee, Sand Point Advisory Committee, King Cove Advisory Committee, False Pass Advisory Committee, Unalaska Advisory Committee, Kotzebue Sound Advisory Committee, Southern Norton Sound Advisory Committee, and Northern Norton Sound Advisory Committee have concurrent jurisdiction;

(3) game

(A) Southeastern Alaska

(i) in Game Management Unit 1(A) described in 5 AAC 92.450(1)(A), the Ketchikan Advisory Committee, Hyder Advisory Committee, Craig Advisory Committee, Klawock Advisory Committee, Saxman Advisory Committee, Hydaburg Advisory Committee, and East Prince of Wales Advisory Committee have concurrent jurisdiction;

(ii) in Game Management Unit 1(B) described in 5 AAC 92.450(1)(B), the Wrangell Advisory Committee, Petersburg Advisory Committee, Sumner Strait Advisory Committee, Kake Advisory Committee, and East Prince of Wales Advisory Committee have concurrent jurisdiction;

(iii) in Game Management Unit 1(C) described in 5 AAC 92.450(1)(C), the Juneau-Douglas Advisory Committee, Upper Lynn Canal Advisory Committee, Klukwan Advisory Committee, Angoon Advisory Committee, Petersburg Advisory Committee, Wrangell Advisory Committee, Tenakee Advisory Committee, Kake Advisory Committee, Sitka Advisory Committee, and East Prince of Wales Advisory Committee have concurrent jurisdiction;

(iv) in Game Management Unit 1(D) described in 5 AAC 92.450(1)(D), the Upper Lynn Canal Advisory Committee, Klukwan Advisory Committee, and Juneau-Douglas Advisory Committee have concurrent jurisdiction;

(v) in Game Management Unit 2 described in 5 AAC 92.450(2), the Craig Advisory Committee, Klawock Advisory Committee, Sumner Strait Advisory Committee, Hyder Advisory Committee, Ketchikan Advisory Committee, Edna Bay Advisory Committee, Wrangell Advisory Committee, Petersburg Advisory Committee, Kake Advisory Committee, Saxman Advisory Committee, Hydaburg Advisory Committee, and East Prince of Wales Advisory Committee have concurrent jurisdiction;

(vi) in Game Management Unit 3 described in 5 AAC 92.450(3), the Petersburg Advisory Committee, Wrangell Advisory Committee, Kake Advisory Committee, Sumner Strait Advisory Committee, Edna Bay Advisory Committee, Sitka Advisory Committee, and East Prince of Wales Advisory Committee have concurrent jurisdiction;

(vii) in Game Management Unit 4 described in 5 AAC 92.450(4), the Sitka Advisory Committee, Juneau-Douglas Advisory Committee, Petersburg Advisory Committee, Pelican Advisory Committee, Wrangell Advisory Committee, Kake Advisory Committee, Angoon Advisory Committee, Tenakee Advisory Committee, Edna Bay Advisory Committee, Klukwan Advisory Committee, Upper Lynn Canal Advisory Committee, Icy Straits Advisory Committee, Elfin Cove Advisory Committee, East Prince of Wales Advisory Committee, and Port Alexander Advisory Committee have concurrent jurisdiction;

(viii) in Game Management Unit 5 as defined by 5 AAC 92.450(5), the Yakutat Advisory Committee, Gastineau Channel (Juneau-Douglas) Advisory Committee, and Copper River/Prince William Sound Advisory Committee have concurrent jurisdiction;

(B) Southcentral Alaska

(i) in Game Management Unit 6 described in 5 AAC 92.450(6), the Seward Advisory Committee, Copper River/Prince William Sound Advisory Committee, Prince William Sound/Valdez Advisory Committee, Copper Basin Advisory Committee, Yakutat Advisory Committee, Whittier Advisory Committee, and Anchorage Advisory Committee have concurrent jurisdiction;

(ii) in Game Management Unit 7 described in 5 AAC 92.450(7), the Seward Advisory Committee, Anchorage Advisory Committee, Kenai/Soldotna Advisory Committee, Central Peninsula Advisory Committee, Homer Advisory Committee, Whittier Advisory Committee, and Cooper Landing Advisory Committee have concurrent jurisdiction;

(iii) in Game Management Unit 8 described in 5 AAC 92.450(8), the Kodiak Advisory Committee and the Anchorage Advisory Committee shall have concurrent jurisdiction;

(iv) in Game Management Unit 11 described in 5 AAC 92.450(11), the Copper Basin Advisory Committee, the Tok Cutoff/Nebesna Road Advisory Committee, the Paxson Advisory Committee, and the Anchorage Advisory Committee shall have concurrent jurisdiction;

(v) in Game Management Unit 12 described in 5 AAC 92.450(12), the Tok Cutoff/Nebesna Road Advisory Committee, Fairbanks Advisory Committee, Delta Advisory Committee, Paxson Advisory Committee, and Upper Tanana/Fortymile Advisory Committee have concurrent jurisdiction;

(vi) in Game Management Unit 13 described in 5 AAC 92.450(13), the Paxson Advisory Committee, Copper Basin Advisory Committee, Middle Nenana River Advisory Committee, Tok Cutoff/Nebesna Road Advisory Committee, Denali Advisory Committee, Anchorage Advisory Committee, Matanuska Valley Advisory Committee, Copper River/Prince William Sound Advisory Committee, and Susitna Valley Advisory Committee have concurrent jurisdiction; (vii) in Game Management Unit 14 described in 5 AAC 92.450(14), the Mt. Yenlo Advisory Committee, Matanuska Valley Advisory Committee, Anchorage Advisory Committee, Whittier Advisory Committee, Denali Advisory Committee, and Susitna Valley Advisory Committee have concurrent jurisdiction;

(viii) in Game Management Unit 15 described in 5 AAC 92.450(15), the Central Peninsula Advisory Committee, Kenai/Soldotna Advisory Committee, Cooper Landing Advisory Committee, Homer Advisory Committee, Seldovia Advisory Committee, Seward Advisory Committee, and Anchorage Advisory Committee have concurrent jurisdiction; (ix) in Game Management Unit 16 described in 5 AAC 92.450(16), the Central Peninsula Advisory Committee, Anchorage Advisory Committee, Mt. Yenlo Advisory Committee, Matanuska Valley Advisory Committee, Denali Advisory Committee, Cooper Landing Advisory Committee, Tyonek Advisory Committee, Kenai/Soldotna Advisory Committee, and Susitna Valley Advisory Committee have concurrent jurisdiction;

(C) Bristol Bay-Western Alaska

(i) in Game Management Unit 9 as defined by 5 AAC 92.450(9), the Naknek/Kvichak Advisory Committee, Iliamna Advisory Committee, Nelson Lagoon Advisory Committee, Chignik Advisory Committee, Kodiak Advisory Committee, Sand Point Advisory Committee, King Cove Advisory Committee, False Pass Advisory Committee, Anchorage Advisory Committee, and Lower Bristol Bay Advisory Committee have concurrent jurisdiction;

(ii) in Game Management Unit 10 as defined by 5 AAC 92.450(10), the False Pass Advisory Committee and the Unalaska Advisory Committee shall have concurrent jurisdiction;

(iii) in Game Management Unit 17 as defined by 5 AAC 92.450(17), the Nushagak Advisory Committee, the Naknek/Kvichak Advisory Committee, Iliamna Advisory Committee, and Togiak Advisory Committee have concurrent jurisdiction;

(iv) in Game Management Unit 18 as defined by 5 AAC 92.450(18), the Central Bering Advisory Committee, Lower Kuskokwim Advisory Committee, Bethel Advisory Committee, Coastal Lower Yukon Advisory Committee, Mid-Lower Yukon Advisory Committee, Central Kuskokwim Advisory Committee, and Stony/Holitna Advisory Committee have concurrent jurisdiction;

(D) Northern Alaska

(i) in Game Management Unit 19 described in 5 AAC 92.450(19), the McGrath Advisory Committee, Central Kuskokwim Advisory Committee, Lower Kuskokwim Advisory Committee, Bethel Advisory Committee, Lake Minchumina Advisory Committee, Anchorage Advisory Committee and Stony/Holitna Advisory Committee have concurrent jurisdiction;

(ii) in Game Management Unit 20 described in 5 AAC 92.450(20), the Central Advisory Committee, Fairbanks Advisory Committee, Middle Nenana River Advisory Committee, Paxson Advisory Committee, Tok Cutoff/Nebesna Road Advisory Committee, Eagle Advisory Committee, Denali Advisory Committee, Delta Advisory Committee, Yukon Flats Advisory Committee, Lake Minchumina Advisory Committee, Tanana/Rampart/Manley Advisory Committee, Minto/Nenana Advisory Committee, and Upper Tanana/Fortymile Advisory Committee have concurrent jurisdiction;

(iii) in Game Management Unit 21 described in 5 AAC 92.450(21)(D), the Ruby Advisory Committee, Middle Nenana River Advisory Committee, Central Kuskokwim Advisory Committee, Mid-Lower Yukon Advisory Committee, Coastal Lower Yukon Advisory Committee, Middle Yukon Advisory Committee, Koyukuk Advisory Committee, Grayling/Anvik/Shageluk/Holy Cross Advisory Committee, Fairbanks Advisory Committee, Lake Minchumina Advisory Committee, Tanana/Rampart/Manley Advisory Committee, and Stony/Holitna Advisory Committee have concurrent jurisdiction;

(iv) in Game Management Unit 22 described in 5 AAC 92.450(22), the Northern Norton Sound Advisory Committee, Kotzebue Sound Advisory Committee, Northern Seward Peninsula Advisory Committee, Southern Norton Sound Advisory Committee, and St. Lawrence Island Advisory Committee have concurrent jurisdiction;

(v) in Game Management Unit 23 described in 5 AAC 92.450(23), the Kotzebue Sound Advisory

Committee, Northern Norton Sound Advisory Committee, Northern Seward Peninsula Advisory Committee, Upper Kobuk Advisory Committee, Lower Kobuk Advisory Committee, and Kivalina-Noatak Advisory Committee have concurrent jurisdiction;

(vi) in Game Management Unit 24 described in 5 AAC 92.450(24), the Koyukuk Advisory Committee, Ruby Advisory Committee, Tanana/Rampart/Manley Advisory Committee, Middle Yukon Advisory Committee, and Fairbanks Advisory Committee have concurrent jurisdiction;

(vii) in Game Management Unit 25 described in 5 AAC 92.450(25), the Central Advisory Committee, Yukon Flats Advisory Committee, Tanana/Rampart/Manley Advisory Committee, Minto/Nenana Advisory Committee, Eagle Advisory Committee, and Fairbanks Advisory Committee have concurrent jurisdiction;

(viii) in Game Management Unit 26 described in 5 AAC 92.450(26), the North Slope Advisory Committee and Fairbanks Advisory Committee have concurrent jurisdiction.

History: In effect before 1980; am 7/11/81, Register 79; am 10/9/83, Register 88; am 8/2/86, Register 99; am 11/30/89, Register 112; am 9/26/90, Register 115; am 4/1/93, Register 125; am 7/12/98, Register 147; am 2/23/2014, Register 209; am 9/19/2019, Register 231

Authority: AS 16.05.260

Editor's note: Under the authority of AS 44.62.125 (b), the regulations attorney added sub-subparagraph (3)(A)(viii) to 5 AAC 97.005 as of Register 151, October 1999. The Joint Boards of Fisheries and Game had adopted that sub-subparagraph, but it was inadvertently omitted by the publisher in 1990.

Article 2 Emergency Closures

Section

10. Advisory committee emergency closures.

15. (Repealed).

20. (Repealed).

5 AAC 97.010. Advisory committee emergency closures

(a) After delegation of authority from the commissioner, a committee may initiate an emergency closure during an established season for the taking of fish or game within its area of jurisdiction described in 5 AAC 97.005, under the procedures in this section. No committee may initiate an emergency opening.

(b) After initiation of an emergency closure by a committee, a majority of the members of a majority of the active committees in the affected area of jurisdiction described in 5 AAC 97.005 must, by affirmative vote, ratify the action. For the purpose of this section, "active committees" are those

committees that have met in a regular or special meeting within the last three years. A committee member may not vote by proxy or delegation. An emergency closure initiated by a committee is not effective until reviewed by the commissioner under (c) and (d) of this section and until field announcement is made under (f) of this section.

(c) An emergency closure initiated by a committee must be based on sound conservation reasoning and the sustained-yield principle. An emergency closure initiated by a committee must be necessary for the immediate protection of a stock, species, or population, and may not be initiated for the purpose of achieving primarily social, economic, or other nonbiological goals. The commissioner or his authorized representative shall review the emergency closure initiated by a local advisory committee to ensure compliance with these standards.

(d) At least 48 hours before an emergency closure is to become effective, the chair of a committee voting to initiate an emergency closure must

(1) notify the commissioner by electronic communication, telephone, or in writing, of

(A) the decision to initiate the emergency closure;

(B) the time, area, and species involved;

(C) which committees the initiating committee contacted; and

(D) the vote of each committee regarding the closure; and

(2) deliver to the department office nearest the affected area a signed affidavit identifying the roll call vote of the committee, and a written emergency order, following the format specified in the Advisory Committee Emergency Order Manual printed by the department, stating the findings of fact made by the committee to justify the closure, and specifying the evidence relied upon by the committee.

(e) Upon receipt of the documents specified in (d)(2) of this section, the commissioner shall make a reasonable effort to contact the chair of other committees of the appropriate council, so that the committee can vote for or against ratifying the closure. The commissioner shall notify the chair or vice-chair of the appropriate board, of a committee's emergency closure action. The commissioner shall provide the appropriate board with a copy of all written material pertinent to the emergency closure.

(f) The commissioner shall take appropriate action to make field announcement of the emergency closure within 48 hours after receipt of the documents specified in (d)(2) of this section, if the commissioner finds that the closure meets the standards of (b), (c), and (d) of this section. An emergency closure becomes effective after formal field announcement by the commissioner or his authorized representative.

(g) An emergency closure adopted by a committee under this

section expires 120 days after its effective date or when superseded by regulation.

History: In effect before 1980; am 7/11/81, Register 79; am 10/9/83, Register 88; am 9/19/2019, Register 231

Authority: AS 16.05.260

5 AAC 97.015. Authority of the boards over emergency closures Repealed 10/9/83.

5 AAC 97.020. Notice to the public of emergency closures Repealed 10/9/83.

Chapter 98

Areas of Jurisdiction for Antlerless Moose Seasons

Article

1. Areas of Jurisdiction. (5 AAC 98.005 - 5 AAC 98.005)

Article 1

Areas of Jurisdiction

5 AAC 98.005. Areas of jurisdiction for antlerless moose seasons For the purpose of implementing AS 16.05.780, antlerless moose seasons require approval by a majority of the active local advisory committees for the affected game management unit or subunit. For the purpose of this section, an "active local advisory committee" is a committee that holds a meeting and acts on the proposal. The following advisory committees, as established in 5 AAC 96.021, have jurisdiction over antlerless moose hunts in the units and subunits specified in this section:

(1) in the Southeast Alaska Region:

(A) Unit I: Hyder, Icy Straits, Juneau - Douglas, Ketchikan, Klukwan, Saxman, Upper Lynn Canal

(i) committees with represented communities in subunit 1(A): Hyder, Ketchikan, Saxman;

(ii) committees with represented communities in subunit 1(B): none;

(iii) committees with represented communities in subunit 1(C): Icy Straits, Juneau - Douglas;

(iv) committees with represented communities in subunit 1(D): Klukwan, Upper Lynn Canal;

(B) Unit 3: Kake, Petersburg, Wrangell;

(C) Unit 5: Yakutat

(i) committees with represented communities in subunit 5(A): Yakutat;

(ii) committees with represented communities in subunit 5(B): none;

(2) in the Southcentral Alaska Region:

(A) Unit 6: Copper River/Prince William Sound, Prince William Sound/Valdez, Whittier

(i) committees with represented communities in subunit 6(A): none;

(ii) committees with represented communities in subunit 6(B): none;

(iii) committees with represented communities in subunit 6(C): Copper River/Prince William Sound;

(iv) committees with represented communities in subunit 6(D): Prince William Sound/Valdez, Whittier;

(B) Unit 7: Cooper Landing, Seward;

(C) Unit 11: Copper Basin, Tok Cutoff/Nabesna Road;

(D) Unit 13: Copper Basin, Denali, Paxson, Tok Cutoff/Nabesna Road

(i) committees with represented communities in subunit 13(A): Copper Basin;

(ii) committees with represented communities in subunit 13(B): Paxson;

(iii) committees with represented communities in subunit 13(C): Copper Basin, Tok Cutoff - Nabesna Road;

(iv) committees with represented communities in subunit 13(D): Copper Basin;

(v) committees with represented communities in subunit 13(E): Denali;

(E) Unit 14: Anchorage, Matanuska Valley, Susitna Valley

(i) committees with represented communities in subunit 14(A): Matanuska Valley, Susitna Valley;

(ii) committees with represented communities in subunit 14(B): Susitna Valley;

(iii) committees with represented communities in subunit 14(C): Anchorage;

(F) Unit 15: Central Peninsula, Homer, Kenai/Soldotna, Seldovia

(i) committees with represented communities in subunit 15(A): Kenai/Soldotna; (ii) committees with represented communities in subunit 15(B): none;

(iii) committees with represented communities in subunit 15(C): Central Peninsula, Homer, Seldovia;

(G) Unit 16: Mt. Yenlo, Susitna Valley, Tyonek

(i) committees with represented communities in subunit 16(A): Susitna Valley;

(ii) committees with represented communities in subunit 16(B): Mt. Yenlo, Tyonek;

(3) in the Southwest Alaska Region:

(A) Unit 9: Chignik, False Pass, King Cove, Lake Iliamna, Lower Bristol Bay, Naknek/Kvichak, Nelson Lagoon, Sand Point

(i) committees with represented communities in subunit 9(A): none;

(ii) committees with represented communities in subunit 9(B): Lake Iliamna;

(iii) committees with represented communities in subunit 9(C): Naknek/Kvichak;

(iv) committees with represented communities in subunit 9(D): False Pass, King Cove, Nelson Lagoon, Sand Point;

(v) committees with represented communities subunit 9(E): Chignik, Lower Bristol Bay;

(B) Unit 17: Nushagak, Togiak

(i) committees with represented communities in subunit 17(A): Togiak;

(ii) committees with represented communities in subunit 17(B): none;

(iii) committees with represented communities in subunit 17(C): Nushagak;

(4) in the Western Alaska Region:

(A) Unit 18: Bethel, Central Bering Sea, Coastal Lower Yukon, Lower Kuskokwim, Mid - Lower Yukon;

(B) Unit 19: Central Kuskokwim, Stony/Holitna

(i) committees with represented communities in subunit 19(A): Central Kuskokwim, Stony/Holitna;

(ii) committees with represented communities in subunit 19(B): none;

(iii) committees with represented communities in subunit 19(C): none;

(iv) committees with represented communities in subunit 19(D): none;

(5) in the Arctic Alaska Region:

(A) Unit 22: Northern Norton Sound, St. Lawrence Island, Southern Norton Sound

(i) committees with represented communities in subunit 22(A): Southern Norton Sound;

(ii) committees with represented communities in subunit 22(B): Northern Norton Sound, Southern Norton Sound;

(iii) committees with represented communities in subunit 22(C): Northern Norton Sound;

(iv) committees with represented communities in subunit 22(D): Northern Norton Sound, St. Lawrence Island;

(v) committees with represented communities in subunit 22(E): Northern Norton Sound;

(B) Unit 23: Lower Kobuk, Noatak/Kivalina, Northern Seward Peninsula, Kotzebue Sound, Upper Kobuk;

(C) Unit 26: North Slope

(i) committees with represented communities in subunit 26(A): North Slope;

(ii) committees with represented communities in subunit 26(B): North Slope;

(iii) committees with represented communities in subunit 26(C): North Slope;

(6) in the Interior Alaska Region:

(A) Unit 12: Upper Tanana/Fortymile;

(B) Unit 19: McGrath

(i) committees with represented communities in subunit 19(A): none;

(ii) committees with represented communities in subunit 19(B): none;

(iii) committees with represented communities in subunit 19(C): none;

(iv) committees with represented communities in subunit 19(D): McGrath;

(C) Unit 20: Delta, Eagle, Fairbanks, Lake Minchumina, Middle Nenana River, Minto/Nenana, Tanana/Rampart/Manley, Upper Tanana/Fortymile

(i) committees with represented communities in subunit 20(A): Middle Nenana River, Minto/Nenana;

(ii) committees with represented communities in subunit 20(B): Fairbanks, Minto/Nenana, Tanana/Rampart/Manley;

(iii) committees with represented communities in subunit 20(C): Lake Minchumina, Middle Nenana River;

(iv) committees with represented communities in subunit 20(D): Delta, Upper Tanana/Fortymile;

(v) committees with represented communities in subunit 20(E): Eagle;

(vi) committees with represented communities in subunit 20(F): Tanana/Rampart/Manley;

(D) Unit 21: Grayling/Anvik/Shageluk/Holy Cross (G.A.S.H.), Middle Yukon, Ruby

(i) committees with represented communities in subunit 21(A): none;

(ii) committees with represented communities in subunit 21(B): none;

(iii) committees with represented communities in subunit 21(C): none;

(iv) committees with represented communities in subunit 21(D): Middle Yukon, Ruby;

(v) committees with represented communities in subunit 21(E): Grayling/Anvik/Shageluk/Holy Cross (G.A.S.H.);

(E) Unit 24: Koyukuk

(i) committees with represented communities in subunit 24(A): none;

(ii) committees with represented communities in subunit 24(B): Koyukuk;

(iii) committees with represented communities in subunit 24(C): Koyukuk;

(iv) committees with represented communities in subunit 24(D): Koyukuk;

(F) Unit 25: Central, Yukon Flats

(i) committees with represented communities in subunit 25(A): Yukon Flats;

(ii) committees with represented communities in subunit 25(B): none;

(iii) committees with represented communities in subunit 25(C): Central;

(iv) committees with represented communities in subunit 25(D): Yukon Flats.

History: In effect before 1983; am 4/21/83, Register 86; am 8/1/2014, Register 211; am 9/19/2019, Register 231; am 9/24/2021, Register 239.

Authority: AS 16.05.260 AS 16.05.780