

PROPOSAL 155

5 AAC 75.028. Use of underwater spear and speargun

Allow a person using a spear or speargun to take fish while swimming at the water's surface, as follows:

5 AAC 75.028 is amended to read:

Subject to applicable seasons and bag and possession limits, a person who is completely submerged **or swimming on the surface** may use a spear or speargun in salt water to take fish if the spear or speargun is not tipped with an explosive charge.

What is the issue you would like the board to address and why? Current regulations stipulate that anglers must be completely submerged while taking fish with a spear or speargun which effectively prevents spearfishing while snorkeling in shallow bays or other areas where some fish species tend to congregate. Adoption of this proposal would allow anglers to use spears or spearguns more effectively while using snorkeling gear, especially in shallow water, by permitting them to be either swimming on the surface or being completely submerged. Since spearfishing anglers must adhere to local bag and possession limits, seasons and closed waters, those wishing to spearfish do not present a conservation concern for any species already targeted by anglers with rod and reel. This proposed regulation provides clarification to the existing regulation while still being enforceable and not creating a conservation concern.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-072)
