

**PROPOSAL 168**

**5 AAC 75.003. Emergency order authority.**

Extend emergency order authority to allow restrictions of sport fisheries in contaminated waters, as follows:

5 AAC 75.003 is amended to read:

(5) In **all waters** [STOCKED WATERS], if waters become contaminated, or **in stocked waters** during times of low hatchery output, the commissioner may, by emergency order, modify methods and means, reduce bag limits, or institute a catch-and-release fishing only fishery.

**What is the issue you would like the board to address and why?** In 2019 the board modified the department emergency order authority to restrict stocked waters to catch-and-release fishing when potentially unsafe levels of per- and polyfluoroalkyl substances (PFAS) were detected in the water or fish tissue. The presence of PFAS has since been detected in other water waterbodies that are not stocked and where wild finfish species are present. The only option currently for other waters (not stocked) that have become contaminated is to close them and not provide sport fishing opportunity. Allowing catch-and-release only fishing in contaminated waters would provide fishing opportunity while still taking a precautionary measure for public safety.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F22-070)

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