

20 AAC 05.220(a) is amended to read:

20 AAC 05.220. Gear codes. (a) A number code from the following schedule will be used to indicate the specific type of gear for which an interim-use or entry permit is issued:

Code

- 01 purse seine (hand or power)
- 1 (A - D) herring gillnet and seine, combined fishery,
 with vessel restrictions++
- 02 beach seine
- 03 drift gillnet
- 04 set gillnet
- 05 hand troll
- 06 longline (registered vessel length under 60 feet)
- 07 otter trawl
- 7 (A - D) trawl with vessel restrictions++
- 7 (F - I) trawl gear for miscellaneous saltwater finfish fishery+++
- 08 fish wheel
- 9 pot gear (Area A king and Tanner crab fisheries)
- 09 pot gear (registered vessel length under 60 feet)
- 9 (A - D) pot gear with permit restrictions++
- 10 ring nets
- 11 diving gear
- 12 hand picking**
- 15 power troll

- 17 beam trawl
- 18 shovel
- 21 pound*
- 2 (A – B) scallop dredge (A is for vessels with an overall length of more than 80 feet, and B is for vessels with an overall length of 80 feet or less)
- 23 mechanical or hydraulic digger
- 25 dinglebar troll gear
- 26 power-driven mechanical jigging machine
- 31 herring gillnet and purse seine, combined permit
- 34 herring gillnet
- 37 pair trawl
- 4 (A - D) net gear with vessel restrictions (includes trawl or any other gear authorized by the Board of Fisheries that catches fish with nets and, as specified under 5 AAC 28.230, pot gear)++
- 5 (A - D) fixed gear with permit restrictions (includes longline or any other gear authorized by Board of Fisheries that catches fish with fishing hooks and, as specified under 5 AAC 28.230, pot gear)++
- 61 longline (required for vessels with registered vessel length 60 feet or over, but may be used aboard smaller vessels)
- 6 (A – B) longline gear for miscellaneous saltwater finfish fishery (A is for vessels with an overall length of 90 feet or over and B is for vessels with an overall length of at least 60 feet but less than 90 feet)
- 77 institutional (all legal gear types used in a special harvest area or by the holder of an

educational entry permit)

80 fishing derby (as authorized under AS 16.05.662)

91 pot gear (required for vessels with registered vessel length 60 feet or over, but may be used aboard smaller vessels)

97 aquatic farming (required to harvest, from an aquatic farm under 5 AAC 41.200 – 5 AAC 41.400 wild stock of a species identified for culture in the operation permit

99 other

* A herring pound permit allows the incidental use of other gear when operated in compliance with a pound permit issued by the commissioner of fish and game.

** A hand picking permit in the Prince William Sound herring wild spawn-on-kelp fishery includes and authorizes use of diving gear.

++ A permit issued with this gear code restricts the fishing capacity that a permit holder can use, as set out in 20 AAC 05.764, 20 AAC 05.779, 20 AAC 05.823, or 20 AAC 05.831.

+++ For miscellaneous saltwater finfish trawl permits, F-I corresponds to the overall length of the vessel indicated on the permit as follows: F is for an overall length less than 60 feet; G is for an overall length at least 60 feet but less than 90 feet; H is for an overall length 90 feet to 125 feet; and I is for an overall length more than 125 feet. A permit with G, H, or I may be used on a vessel that is smaller than the vessel that corresponds with the permit.

(Eff. 12/18/74, Register 52; am 4/9/76, Register 58; am 1/1/78, Register 64; am 12/27/79, Register 72; am 12/30/82, Register 84; am 3/16/83, Register 85; am 11/25/84, Register 92; am 11/22/87, Register 104; am 3/3/94, Register 129; am 5/4/95, Register 134; am 12/15/95, Register 136; am 8/9/96, Register 139; am 9/13/2001, Register 159; am 1/2/2003, Register

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164; am 11/6/2005, Register 176; am 7/20/2006, Register 179; am ____/____/_____,

Register _____)

Authority: AS 16.43.100 AS 16.43.110 AS 16.43.140

20 AAC 05.230(a)(1)(B) is amended to read:

(B) Where regulations of the Board of Fisheries allow,

(i) salmon set gillnet entry permits issued for Administrative Area E (Prince William Sound) are valid in all waters of and adjacent to the Pacific Ocean between the longitude of Cape Fairfield and the longitude of Icy Cape; and

(ii) salmon set gillnet and salmon drift gillnet entry permits issued for Area T (Bristol Bay) are valid in Area T and [FROM JANUARY 1 THROUGH JUNE 30 IN THE CINDER RIVER AND INNER PORT HEIDEN SECTIONS OF AREA M (PENINSULA-ALEUTIANS), AND, FROM AUGUST 1 THROUGH DECEMBER 31 IN THE CINDER RIVER AND INNER PORT HEIDEN SECTIONS AND THAT PORTION OF THE ILNIK SECTION WITHIN ILNIK LAGOON AND ALL WATERS INSIDE THE SEAL ISLANDS, AS DEFINED] **in the areas and at the times specified** in 5 AAC 09.200(a)(1) - (a)(3).

(Eff. 12/18/74, Register 52; am 5/12/75, Register 54; am 4/9/76, Register 58; am 2/25/77, Register 61; am 1/21/78, Register 65; am 3/2/80, Register 73; am 1/2/81, Register 77; am 1/29/82, Register 81; am 10/30/82, Register 84; am 12/30/82, Register 84; am 2/29/84, Register 89; am 10/28/84, Register 92; am 11/25/84, Register 92; am 12/29/84, Register 92; am 4/13/85, Register 94; am 8/24/85, Register 95; am 9/26/85, Register 95; am 12/22/85, Register 96; am 11/22/87, Register 104; am 12/20/87, Register 104; am 8/20/89, Register 111; am 1/17/91, Register 117; am 1/2/92, Register 121; am 2/11/95, Register 133; am 5/4/95, Register 134; am 12/14/95, Register 136; am 12/4/96, Register 140; am 1/21/98, Register 145; am 5/16/2002, Register 162; am 9/21/2003, Register 167; am 5/6/2004, Register 170; am 12/1/2004, Register 172; am 11/6/2005, Register 176; am 12/21/2005,

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Register 176; am 11/23/2008, Register 188; am 11/20/2009, Register 192; am 12/31/2010,

Register 196; am ____/____/_____, Register _____)

Authority: AS 16.43.100 AS 16.43.110 AS 16.43.200

20 AAC 05.425(a) is amended to read:

20 AAC 05.425. Application and annual renewal of interim-use permit. (a) Application for the issuance or renewal of an interim-use permit must be made to the commission on a form provided by the commission. If the application is submitted by mail or **electronic imaging** [FACSIMILE], the application must be signed by the applicant or by an agent authorized in accordance with 20 AAC 05.1960. An applicant may submit an application to renew an interim-use permit on the online licensing system at the commission's website. The total annual fee for the permit or permits being applied for or renewed must be submitted with the application.

(Eff. 12/18/74, Register 52; am 1/1/78, Register 64; am 10/30/82, Register

84; am 6/5/83, Register 86; am 2/29/84, Register 89; am 6/16/86, Register 98; am 11/22/87,

Register 104; am 11/26/87, Register 104; am 11/10/2007, Register 184; am 11/23/2008,

Register 188; am ____/____/_____, Register ____)

Authority: AS 16.43.100 AS 16.43.110(a) AS 16.43.220

20 AAC 05.560(a) is amended to read:

20 AAC 05.560. Annual renewal of entry permit.

(a) Application for annual renewal of an entry permit must be made to the commission on a form provided by the commission. If the renewal form is submitted by mail or **electronic imaging** [FACSIMILE], the renewal form must be completed and signed by the permit holder, or by an agent authorized in accordance with 20 AAC 05.1960. An applicant may submit an application to renew an entry permit on the online licensing system at the commission's website. The total annual fee for the permit or permits being renewed must be submitted with the application.

(Eff. 12/18/74, Register 52; am 1/1/78, Register 64; am 1/2/81, Register 77; am 6/5/83, Register 86; am 2/29/84, Register 89; am 11/22/87, Register 104; am 11/26/87, Register 104; am 12/31/98, Register 148, am 11/10/2007, Register 184; am 11/23/2008, Register 188; am ____/____/____, Register ____)

Authority: AS 16.43.110 AS 16.43.150

20 AAC 05 is amended by adding a new section to read:

20 AAC 05.565. Reinstatement of entry permit forfeited under AS 16.43.150(d). (a)

An entry permit forfeited under AS 16.43.150(d) may be reinstated by the commission only upon a showing of good cause, payment of any unpaid renewal fees not waived by the commission, and a finding that reinstatement would be consistent with the purposes of AS 16.43.290.

(b) Good cause under this section includes: administrative closure for the entire season of the specific fishery for which nonpayment of permit fees led to forfeiture of the permit, or other objectively verifiable causes of inability to pay permit renewal fees, determined by the Commission to be good cause, such as temporary illness or disability, death of the permit holder, or the loss of a vessel or equipment through sinking, destruction, or extensive mechanical breakdown.

(c) Good cause does not include the effects of economic, biological, or regulatory variables that are normally part of the risk of doing business as a fisherman, such as an economic choice, retirement from the fishery, permanent illness or disability, lack of a market for the sale of the fishery resource or for the sale of the permit, or the fishery being subject to fleet reduction measures such as the proposal or administration of a buy-back program, retirement of nontransferable permits, or employment of more than one permit in the operation of gear.

Authority: AS 16.43.100 AS 16.43.140 AS 16.43.150
AS 16.43.110

20 AAC 05.1935(d) is amended to read:

(d) The person requesting release of the information shall complete the form described in (a) or (b) in its entirety. When submitting the form in person, the person shall produce government-issued photo identification for inspection by commission employees. If the form is being submitted by mail, the person shall first have the form notarized. If the form is being sent by **electronic imaging** [FACSIMILE], the person shall first have the form notarized, and after facsimile transmission, shall mail the original form to the commission. The commission will not release information under this section until it possesses the original, completed request form. (Eff. 5/16/2002, Register 162; am 12/21/2002, Register 164; am ____/____/_____, Register ____)

Authority: AS 16.43.110 AS 16.43.975