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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Ron Benkert
Department of Fish and Game

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: December 10, 2020

RE: Filed Permanent Regulations: Department of Fish and Game

Department of Fish and Game Regulation re: use of personal watercraft in Kachemak Bay and Fox River Flats Critical Habitat Areas (5 AAC 95.310)

Attorney General File:	2019200826
Regulation Filed:	12/10/2020
Effective Date:	1/9/2021
Print:	237, April 2021

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis
Rick Green, Special Assistant
Shellene Hunter, Regulations Specialist

ORDER ADOPTING CHANGES TO REGULATIONS
OF THE ALASKA DEPARTMENT OF FISH AND GAME


The attached one page of regulations, dealing with the repeal of the personal watercraft use prohibition in Kachemak Bay and Fox River Flats Critical Habitat Areas (5 AAC 95.310), is adopted and certified to be a correct copy of the regulation changes that the Department of Fish and Game adopts under the authority of AS 16.05.020 and AS 16.20.500 after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Fish and Game paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: Nov 20, 2020



Doug Vincent-Lang, Commissioner
Department of Fish and Game

April Simpson for
↑

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on

December 10, 20 20, at 4:49pm., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

for 

Kevin Meyer, Lieutenant Governor

Effective: January 9, 2021.

Register: 237, April 2021.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on December 11th, 2018.



Kevin Meyer
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**KEVIN MEYER
LIEUTENANT GOVERNOR**

5 AAC 95.310 is repealed:

5 AAC 95.310. Personal watercraft use prohibited. Repealed. (Eff. 5/3/2001, Register 158; repealed 1 / 9 / 2021, Register 237)

5 AAC 95.552(b) is amended to read:

(b) In this section, "personal watercraft" means a vessel that is

(1) less than 16 feet in length;

(2) propelled by a water-jet pump or other machinery as its primary

source of motor propulsion; and

(3) designed to be operated by a person sitting, standing, or kneeling

on the vessel, rather than by a person sitting or standing inside it [HAS THE

MEANING GIVEN IN 5 AAC 95.310(b)]. (Eff. 8/6/2010, Register 195; am 1 / 9 / 2021)

Register 237)

Authority:	AS 16.05.020	AS 16.20.020	AS 16.20.050
	AS 16.05.050	AS 16.20.030	AS 16.20.060