

Nancy Dahlstrom
Lieutenant Governor
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Shellene Hutter
Department of Fish and Game

FROM: April Simpson, Office of the Lieutenant Governor
465.4081

A handwritten signature in blue ink, likely belonging to April Simpson, the Office of the Lieutenant Governor.

DATE: April 26, 2023

RE: Filed Permanent Regulations: Board of Fisheries

Board of Fisheries regulations re: Subsistence in Neva Creek (5 AAC 01.745(h)(1)(B)(ii))

Attorney General File:	2023200005
Regulation Filed:	4/26/2023
Effective Date:	5/26/2023
Print:	246, July 2023

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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April 26, 2023

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *5 AAC 01.745(h)(1)(B)(ii): Board of Fisheries - Subsistence in Neva Creek*
Our file: 2023200005

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Board of Fisheries against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Board of Fisheries after the close of the public comment period.

The regulations concern increases for the annual and possession limits of sockeye salmon in Neva Creek in the subsistence fishery in District 14 of the Juneau Management Area.

The March 21, 2023 public notice and the April 24, 2023 order adopting changes both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

No technical corrections were necessary to conform the regulations in accordance with AS 44.62.125.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: **Rebecca C. Polizzotto**
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

Digitally signed by
Rebecca C. Polizzotto
Date: 2023.04.26
14:42:11 -08'00'

RCP/fcb

CC w/enclosure: Shellene Hutter
Department of Fish and Game

Aaron C. Peterson, Assistant Attorney General
Department of Law

Steven C. Weaver, Assistant Attorney General
Department of Law

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

The attached 1 page of regulations, dealing with regulations to change the bag and possession limits in Neva Creek from 10 to 20 for sockeye salmon as described in 5 AAC 01.745(h)(1)(B)(ii), are 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, AS 16.05.251, AS 16.05.258, and AS 16.05.270 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.

Although no public comments were received, 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: 4/24/2023
Anchorage, Alaska

DocuSigned by:
Doug Vincent-Lang
32E3FEFE58284DB

Douglas Vincent-Lang, Commissioner
Department of Fish and Game

April Simpson for

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on _____, 2023, at _____.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

for *April Simpson*
Nancy Dahlstrom, Lieutenant Governor
State of Alaska

Effective: May 26, 2023

Register: 24th July 2023

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, 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, 2022.




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**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Title 5. Fish and Game.

Part 1. Commercial and Subsistence Fishing and Private Nonprofit Salmon Hatcheries.

Chapter 01. Subsistence Finfish Fishery.

Article 14. Southeastern Alaska Area.

5 AAC 01.745(h)(1)(B)(ii) is amended to read:

(ii) Neva Creek: the possession and annual limit is 20 [10] sockeye

salmon;

(In effect before 1988; am 5/23/88, Register 106; am 6/25/89, Register 110; readopt 5/15/93, Register 126; am 6/19/97, Register 142; am 6/3/2000, Register 154; am 6/5/2016, Register 218; am 9/19/2019, Register 231; am 10/16/2022, Register 244; am 5 / 26 / 2023, Register 246)

Authority: AS 16.05.251 AS 16.05.258