

MEMORANDUM

State of Alaska

Department of Law

TO: Glenn Haight
Executive Director
Alaska Board of Fisheries

DATE: November 16, 2016

FILE NO.: JU2016200584

FROM: Seth M. Beausang *SMB*
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SUBJECT: Department of Law
comments on proposals
for the November 30-
December 3, 2016 Board
of Fisheries meeting for
Lower Cook Inlet finfish

The Department of Law has the following comments on the proposals to be considered by the Board of Fisheries at its November 30-December 3, 2016 meeting for Lower Cook Inlet finfish:

Proposal 12: This proposal would create a youth sport fishery for Alaskans between the ages of 6 and 15. Under AS 16.05.251(a)(2)(B), the board has authority to adopt regulations establishing restricted seasons and areas necessary for persons under 16 years of age to participate in sport fishing. For other youth sport fisheries in the state it appears that all persons under 16 years of age are eligible. Were the board to adopt this proposal, the board should articulate a fishery conservation or development rationale for limiting this youth sport fishery to persons between the ages of 6 and 15.

Proposal 13: The board probably does not have statutory authority to create an exclusive area for persons with disabilities to take fish.

Proposal 34: This proposal would allow "party fishing" for all species except king salmon, such that a boat limit would apply instead of individual bag and possession limits. One consideration should be that any regulations that apply to fishing for halibut must be consistent with federal halibut regulations, which impose daily bag limits that apply to individuals.