

NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF THE ALASKA BOARD OF FISHERIES

The Alaska Board of Fisheries proposes to adopt regulation changes contained in Title 5 of the Alaska Administrative Code, dealing with fishery and aquatic plant resources in the areas designated below, including the following:

IN THE COOK INLET, KODIAK, AND CHIGNIK AREAS FINFISH FISHERY REGULATIONS; AND STATEWIDE KING AND TANNER CRAB FISHERY REGULATIONS:

- A. In the **commercial, sport, guided sport, and personal use finfish fisheries:** fishing seasons, periods, opening and closing times; bag, possession, size, and harvest limits, harvest levels or quotas; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; methods and means; gear and vessel restrictions, marking and identification, definitions, operational requirements, registration and permit requirements; permits, harvest records, fish tickets, harvest marking requirements; management plans for conservation and development of fisheries; allocation among beneficial uses; restrict, prohibit, or require the retention, sale, or purchase of fish; registration, reporting, logbook, and operating requirements for fish guides, guided anglers, catchers, processors, buyers and transporters; possession, transport, or release of fish; onboard observer requirements; regulation of fishing as needed for the conservation, development, or utilization of fisheries.
- B. In the **subsistence finfish fisheries:** identify subsistence uses and users; fishing seasons, periods, opening and closing times, harvest levels; methods and means; size, age, and sex limitations; districts, subdistricts, sections, subsections, areas, and other management boundaries; area open and closed to fishing; gear and vessel restrictions and operational requirements; harvest limits, registration and permit requirements, requirements for marking and possession of fish; management plans for conservation, development and allocation among beneficial uses, and users; identify customary and traditional uses of fish stocks, and establish or change subsistence fisheries.
- C. In the **commercial, sport, guided sport, subsistence, and personal use king and Tanner crab fisheries:** fishing seasons, periods, opening and closing times; harvest levels, harvest limits or quotas; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; methods and means; gear and vessel restrictions; registration areas (including exclusive and super exclusive registration areas), and operating restrictions, requirements and definitions; management plans for conservation, development and allocation among beneficial uses; restrict or prohibit the retention, sale, or purchase of fish; onboard observer requirements; provisions to rationalize the Bering Sea/Aleutian Islands king and Tanner crab fisheries.

In addition to the above topics the following supplementary items will be considered:

- D. STATEWIDE HALIBUT SPORT FISH REGULATIONS: Changing regulations to mirror federal regulations.
- E. STATEWIDE SPORT, PERSONAL USE, AND SUBSISTENCE SHELLFISH REGULATIONS: Changing regulations to allow and standardize proxy fishing requirements.
- F. COOK INLET AREA: Changing regulations to allow subsistence harvest of shellfish in Kachemak Bay.
- G. STATEWIDE COMMERCIAL GROUND FISH: Trip limits in state waters Pollock fisheries.
- H. ALEUTIAN ISLANDS AREA GROUND FISH: Amend or Repeal Aleutian Islands District Walleye Pollock Management Plan to close the fishery. Amend Aleutian Islands District

Pacific Cod Management Plan to: impose new maximum vessel size limitations; change A/B season split, seasons and gear sector allocations; change tunnel size limitations for groundfish pots.

- I. STATEWIDE COMMERCIAL AND SPORT DEFINITIONS: Modify vessel length provisions to allow bulbous bows.
- J. STATEWIDE COMMERCIAL GROUND FISH: Change seabird avoidance measures to align with federal regulations.
- K. STATEWIDE COMMERCIAL SCALLOP REGULATIONS: Changes to and development of scallop management plans to provide for enforceable state waters scallop harvest limitations following the sunset of scallop vessel limited entry provisions.
- L. STATEWIDE COMMERCIAL AND SPORT DEFINITIONS: Updating definitions to include Dark Rockfish (*S. ciliatus*).
- M. UPPER COPPER RIVER AND UPPER SUSITNA AREA AND ARCTIC-YUKON-KUSKOKWIM REGION: Revising Stocked Waters Management Plans to provide flexibility to address reduced hatchery production.
- N. BRISTOL BAY AREA: Changing the boundaries of the Ugashik District.

For a copy of the proposed regulation changes contact the Alaska Department of Fish and Game, Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526, tel. (907) 465-4110 or go to the internet at: <http://www.boards.adfg.state.ak.us/>

You may comment on the regulation changes, including the potential costs to the private persons of complying with the proposed changes, by submitting written comments limited to 100 single sided or 50 double sided pages to the Alaska Department of Fish and Game, Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526, or by fax to (907) 465-6094, no later than two weeks prior to the meeting during which the topic will be considered. Unless otherwise specifically specified for a particular meeting in a published notice, written comment over 100 single sided or 50 double sided pages in length from any one individual or group relating to proposals at any one meeting will not be accepted; during a meeting written comments limited to 10 single sided or 5 double sided pages in length from any one individual or group may also be submitted by hand delivery at any time if 20 copies are provided; but, as a practical matter comments submitted after the board begins deliberations on relevant proposals are likely to receive less consideration than comments submitted earlier. Oral comments may also be presented as explained below.

There will be five separate meetings. Each meeting will start at 8:30 a.m. on the dates noted below. The public hearing portions for each meeting will begin immediately after staff reports and continue until everyone who has signed up and is present has been given the opportunity to be heard. Additional public hearings with Board committees may be held throughout the meeting before consideration and adoption of proposed changes in the regulations for the various areas. An agenda will be posted daily during the meeting. The board will take oral testimony only from those who register before the cut-off time announced by the board chair at each meeting. The length of oral statements may be limited to five minutes or less. Anyone interested in, or affected by, the subject matter contained in this legal notice should make written or oral comments if they wish to have their views considered by the board.

Lower Cook Inlet Finfish and Supplemental Issues D through I

November 13-16, 2007

10 page limit does not apply at this meeting
Land's End, 4786 Homer Spit Road, Homer

Chignik Finfish
January 10-12, 2008
Egan Center, 555 West Fifth Avenue, Anchorage

Kodiak Finfish
January 14-18, 2008
Elk's Lodge, 102 Marine Way, Kodiak

Upper Cook Inlet Finfish
February 1-12, 2008
Coast International Inn, 3450 Aviation Avenue, Anchorage

**King and Tanner Crab (statewide except Southeast/Yakutat)
and Supplemental Issues J through N**
March 3-9, 2008
Coast International Inn, 3450 Aviation Avenue, Anchorage

Any changes to meeting locations, dates or times, or rescheduling of topics or subject matter will be announced by news release. Please watch for these announcements in the news media or call (907) 465-4110. Please carefully review the **PROPOSAL INDEX** available for the meeting for specific proposal issues to be addressed by the board. Copies of the proposal indices are in the proposal book or at the relevant meeting.

Anyone interested in or affected by subsistence, personal use, sport, guided sport or commercial fishing regulations, is hereby informed that, by publishing this legal notice, the Board of Fisheries may consider any or all of the subject areas covered by this notice. Pursuant to AS 44.62.200(b), the board may review the full range of activities appropriate to any of the subjects listed in this notice. The board may make changes to the personal use, sport, guided sport or commercial fishing regulations as may be required to ensure the subsistence priority in AS 16.05.258. On its own motion, after public hearing, the board may adopt, amend, reject, supplement, or take no action on these subjects without further notice. In addition, the board may adopt other regulations necessary to implement, administer, or enforce the regulations adopted. **THE BOARD IS NOT LIMITED BY THE SPECIFIC LANGUAGE OR CONFINES OF THE ACTUAL PROPOSALS THAT HAVE BEEN SUBMITTED BY THE PUBLIC OR STAFF.** The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.**

If you are a person with a disability who may need a special accommodation in order to participate in the process on the proposed regulations, please contact Jim Marcotte at (907) 465-4110 no later than two weeks prior to the beginning of each meeting to ensure that any necessary accommodations can be provided.

Statutory Authority: AS 16.05 - AS 16.20, AS 16.40

Statutes being implemented, interpreted, or made specific: AS 16.05 - AS 16.020, AS 16.40

Fiscal Information: The proposed regulatory actions are not expected to require an increased appropriation.

Date: 10/12/07



Jim Marcotte, Executive Director
Alaska Board of Fisheries

ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting Agency: Alaska Board of Fisheries.
2. General subject of regulations: FISHERY REGULATIONS IN THE COOK INLET AREA, KODIAK AREA, CHIGNIK AREA, SOUTH ALASKA PENINSULA AREA, ALEUTIAN ISLANDS AREA AND STATEWIDE GROUND FISH FISHERY, SPORT, PERSONAL USE, AND SUBSISTENCE SHELLFISH FISHERIES, BRISTOL BAY AREA, UPPER COPPER RIVER AND UPPER SUSITNA AREA, ARCTIC-YUKON-KUSKOKWIM REGION SPORT FISHERY, SALMON TROLL FISHERY, KING CRAB FISHERY, TANNER CRAB FISHERY, STATEWIDE SCALLOP FISHERY GENERAL PROVISIONS, SPORT FISHERY STATEWIDE PROVISIONS.
3. Citation of regulations: 5 AAC 01 - 5 AAC 77.
4. Reason for proposed actions: Implement, interpret, or make specific the provisions of AS 16.05 - AS 16.20.
5. Program category and RDU affected: Natural Resources and all RDUs.
6. Cost of implementation to the state agency and available funding: It is not possible to estimate the costs. However, these actions are not expected to require any additional costs.
7. The name of the contact person for the regulations:

Jim Marcotte, Executive Director
Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811-5526
(907) 465-4110
Email: jim.marcotte@alaska.gov

8. The origin of the proposed action:
 staff or state agency
 general public

9. Date: October 12, 2007

Prepared by: 
Jim Marcotte, Executive Director
Alaska Board of Fisheries
(907) 465-4110