

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

The commissioner of the Department of Fish and Game, under a delegation of authority issued by the Alaska Board of Fisheries (board) under AS 16.05.270, proposes to adopt regulation changes in Title 5 of the Alaska Administrative Code, related to correcting errors and omissions in Title 5 dealing with certain subsistence, commercial, and sport finfish and shellfish fisheries, including the following:

- (1) **5 AAC 01.625. Waters closed to subsistence fishing** is proposed to be changed to clarify the exception to closed waters while subsistence fishing under a permit in the Prince William Sound Area.
- (2) **5 AAC 01.716. Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses** is proposed to be changed to clarify the description of certain portions of Districts 12 and 13 of the Southeastern Alaska Area in which there is a customary and traditional finding for subsistence uses of various finfish species.
- (3) **5 AAC 06.320. Fishing periods** is proposed to be changed to correct an error related to the commercial salmon fishing period for the Cape Peirce, Osviak, and Matogak sections in the Bristol Bay Area.
- (4) **5 AAC 27.831. Gillnet specifications and operations for Bristol Bay Area** is proposed to be changed by repealing a provision related to the opening of fishing periods by emergency order with 100-fathom length limits for commercial herring gillnet. In 2010, the board changed the 50-fathom length limit to a 100-fathom length limit making the need for a liberalized emergency order fishing period moot.
- (5) **5 AAC 27.899. Superexclusive use areas in Kuskokwim Area** is proposed to be changed by repealing a provision that refers to the former Nunivak Island District cooperative purse seine herring fishery under 5 AAC 27.894, which was repealed in 2006.
- (6) **5 AAC 28.105. Description of Eastern Gulf of Alaska Area districts, subdistricts, sections, and sectors** is proposed to be changed to correct an error in the description of the Icy Bay Subdistrict for the commercial groundfish fishery.
- (7) **5 AAC 28.200 and 5 AAC 28.205. Description of Registration Area E (Prince William Sound) and 5 AAC 38.200 and 5 AAC 38.205. Description of Registration Area E (Prince William Sound) districts and sections** are proposed to be changed to correct an omission in the description of the Prince William Sound area and the Outside District for the commercial groundfish and miscellaneous shellfish fisheries in order to be described the same as the changes made for other fishery management areas made in 2012.
- (8) **5 AAC 31.505. Description of Registration Area J districts and sections** is proposed to be changed to correct an error in the description of the Morzhovoi Bay Section of the South Peninsula District commercial shrimp fishery.

- (9) **5 AAC 38.425. Closed waters for scallops in Registration Area J** is proposed to be changed to clarify board intent that the specified closed waters were intended to include the adjacent federal waters.
- (10) **5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of the Southeast Alaska Area** is proposed to be changed to correct an error in a description that references Long Lake in the Ketchikan vicinity.
- (11) **5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet–Resurrection Bay Saltwater Area** is proposed to be changed to correct an error related to a bag limit for king salmon.
- (12) **5 AAC 74.010. Seasons, bag, possession, and size limits, and methods and means for the Tanana River Area** is proposed to be changed to correct an omission related to sport fishing for salmon in the Tangle Lake system and the use of set lines in Clearwater Lake.
- (13) **In sport fishing chapters 5 AAC 47 – 5 AAC 71** certain provisions related to annual limits for king salmon and rainbow/steelhead trout are proposed to be changed by repealing redundant regulations regarding the requirement for a harvest record on a harvest recording form and annual limits because of a statewide provision regarding those has made it unnecessary to repeat in the area specific chapters. The proposed changes also include shellfish harvest recording form provisions and including references to the statewide provisions for finfish and shellfish harvest records in the applicable general or special provision sections within each chapter.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Glenn Haight, Executive Director, Alaska Board of Fisheries, P.O. Box 115526, Juneau, AK 99811-5526 or by facsimile at (907) 465-6094. The comments must be received no later than 5:00 p.m. on December 2, 2013.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Glenn Haight at (907) 465-6094 no later than November 25, 2013 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Glenn Haight, Executive Director at the mailing address or telephone number above.

After the public comment period ends, the commissioner of the Department of Fish and Game will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. 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.**

Statutory Authority: AS 16.05.251; AS 16.05.258; AS 16.05.270

Statutes Being Implemented, Interpreted, or Made Specific: AS 16.05.251; AS 16.05.258

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 11-1-13



Glenn Haight, Executive Director
Alaska Board of Fisheries
Department of Fish and Game

ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

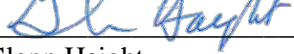
1. Adopting agency: Alaska Board of Fisheries
2. General subject of regulation: Certain subsistence, sport, and commercial fisheries in the state.
3. Citation of regulation (may be grouped): 5 AAC 01 – 5 AAC 74
4. Department of Law file number, if any: JU2013200622
5. Reason for the proposed action: Correct errors and omissions in Title 5 and update certain regulations based on board intent.
6. Appropriation/Allocation: Natural Resources
7. Cost of implementation to the state agency and available funding (in thousands of dollars): No costs are expected in FY 2014 or in subsequent years.
8. The name of the contact person for the regulations:

Name: Glenn Haight
Title: Executive Director, Board of Fisheries
Address: Department of Fish and Game
P.O. Box 115526
Juneau, AK 99811-5526

Telephone: (907) 465-4110
E-mail address: glenn.haight@alaska.gov

9. The origin of the proposed action: staff of state agency

10. Date: 11-1-13

Prepared by: 
Name: Glenn Haight
Title: Executive Director, Board of Fisheries
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