

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

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

1. IN THE PRINCE WILLIAM SOUND AREA (INCLUDING THE UPPER COPPER RIVER AND UPPER SUSITNA RIVER AREA) FINFISH FISHERIES; SOUTHEASTERN ALASKA AND YAKUTAT AREAS FINFISH AND SHELLFISH FISHERIES, INCLUDING ALL SOUTHEASTERN ALASKA AND YAKUTAT AREAS CRAB, SHRIMP, AND MISCELLANEOUS SHELLFISH FISHERIES; AND STATEWIDE DUNGENESS CRAB, SHRIMP, AND MISCELLANEOUS SHELLFISH (EXCEPT SOUTHEASTERN ALASKA AND YAKUTAT AREAS) FISHERIES:
 - A. In the **commercial, sport, guided sport, personal use, and aquatic plant fisheries:** fishing seasons, periods, and opening and closing times; bag, possession, size, sex, age, and harvest limits; harvest levels, thresholds, goals, and quotas; definitions; bycatch provisions; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; methods and means; gear and vessel restrictions, including marking and operational requirements; registration and permit requirements; registration areas (including nonexclusive, exclusive and superexclusive registration areas); recordkeeping and marking requirements; management plans for conservation and development, including escapement, inriver, and other management goals; landing requirements; provisions for development and allocation among beneficial uses; guiding principles; provisions to regulate, require, restrict or prohibit the retention, tendering, transportation, dispatch, possession, sale, release, or purchase of fish; methods of release; registration, licensing, reporting, and other requirements for sport fishing guides and operators, guided anglers, catchers, processors, buyers, and transporters; onboard observer requirements; fish storage and inspection requirements.
 - B. In the **subsistence fisheries:** identification or modification of customary and traditional subsistence uses and amounts reasonably necessary for subsistence; fishing seasons, periods, and opening and closing times; bag, possession, size, sex, age, and harvest limits; definitions; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; methods and means; gear and vessel restrictions, including marking and operational requirements; registration and permit requirements; recordkeeping and marking requirements; management plans for conservation and development, including escapement, inriver, and other management goals; regulations for the subsistence priority; landing requirements; provisions for development and allocation among beneficial uses and users, including creating and regulating tier II fisheries; guiding principles; otherwise establish, regulate, change, or adjust subsistence fisheries.
2. The following topic is added to the Prince William Sound Finfish meeting in Valdez, December 1-5, 2017:

- A. IN THE YUKON AREA SUBSISTENCE FINFISH FISHERY: Decrease the size of the area closed to subsistence fishing through the ice for northern pike on the Chatanika River (*newly assigned Proposal 228, formerly ACR #1*).
3. The following topics are added to the Southeast and Yakutat Finfish and Shellfish meeting in Sitka, January 11-23, 2018:
- A. IN THE SOUTHEASTERN ALASKA AREA PERSONAL USE FISHERY: Require a permit for the taking of king crab for personal use and amend the bag and possession limits (*newly assigned Proposal 234 which was accepted as a board generated proposal at the 2017 Work Session*).
 - B. IN THE SOUTHEASTERN ALASKA AREA DUNGENESS CRAB COMMERCIAL FISHERY: Repeal the Southeastern Alaska Area Dungeness Crab Fisheries Management Plan and amend the fishing seasons (*newly assigned Proposal 235 which was accepted as a board generated proposal at the 2017 Work Session*).
4. The following topics are added to the Statewide Dungeness, Shrimp and Other Miscellaneous Shellfish meeting in Anchorage, March 6-9, 2018:
- A. IN THE ALEUTIAN ISLANDS AREA KING CRAB COMMERCIAL FISHERY: Repeal fixed total allowable catch (TAC) and adopt an Aleutian Islands Area golden king crab harvest strategy that uses biomass estimates generated from the Alaska Department of Fish and Game stock assessment model to establish TAC (*newly assigned Proposal 229, formerly ACR #2*).
 - B. IN THE YUKON AREA SUBSISTENCE AND COMMERCIAL FINFISH FISHERIES:
 - i. Allow use of drift gillnets to harvest salmon for subsistence uses in Yukon Area Subdistricts 4-B and 4-C (*newly assigned Proposal 230, formerly ACR #13*).
 - ii. Repeal the prohibition on subsistence fishing in Yukon Area Districts 1 and 2 during the first pulse of king salmon (*newly assigned Proposal 231, formerly ACR #14*).
 - iii. Consider criteria to allow sale of Yukon River king salmon caught incidentally during open commercial fishery periods for other salmon species (*newly assigned Proposal 232, formerly ACR #15*).
 - iv. Clarify Yukon Area District 1 boundary, allow set gillnets to be operated up to three nautical miles seaward from any grassland bank in District 1, and reduce waters closed to commercial fishing for salmon in District 1 (*newly assigned Proposal 233, formerly ACR #18*).

- C. IN THE ALASKA PENINSULA-ALEUTIAN ISLANDS AREA COMMERCIAL HERRING FISHERY: Increase the Dutch Harbor food and bait herring fishery allocation, eliminate the Dutch Harbor food and bait herring fishery allocations between gear types, and change the season for the Dutch Harbor food and bait herring fishery (*newly assigned Proposal 236 which was accepted as a board generated proposal at the 2017 Work Session*).

For a copy of the proposed regulation changes contact the Alaska Department of Fish and Game, (ADF&G) Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526, (907) 465-4110, or www.boardoffisheries.adfg.alaska.gov.

Anyone interested in, or affected by, the subject matter contained in this legal notice should make written or oral comments to have their views considered by the board. You may comment on the proposed regulation changes, including the potential costs to the private persons of complying with the proposed changes, by submitting written comments limited to no more than 100 single-sided or 50 double-sided pages to the ADF&G, Boards Support Section, at P.O. Box 115526, Juneau, AK 99811-5526. Additionally, the Boards Support Section will accept comments by facsimile at (907) 465-6094, by email to dfg.bof.comments@alaska.gov (PDF format only), or online at www.boardoffisheries.adfg.alaska.gov. Individuals and advisory committees directing public comment at an ADF&G office or personnel other than as prescribed above are advised that such comments will not be received and entered as public comment.

Comments are generally due no later than two weeks prior to the meeting during which the topics are considered. Unless otherwise specified for a particular meeting in a published notice, written comments exceeding the page limit from any one individual or group relating to proposals at any one meeting will not be accepted. Written comments limited to 10 single-sided or 5 double-sided pages in length from any one individual or group are accepted after the two-week deadline and inserted in board member workbooks at the beginning of the meeting, and are also accepted during the meeting and until the board begins proposal deliberations.

ADDITIONAL PUBLIC COMMENT STANDARD:

Once a meeting begins and during a meeting written comments from any one individual or group may be submitted by hand delivery at any time if the required number of copies are provided (typically in excess of 25 copies). Individuals not in attendance at a meeting may fax comments to 907-465-6094. As a practical matter, comments submitted after the board begins deliberations on relevant proposals are likely to receive less consideration than comments submitted earlier.

Once proposal deliberations begin, the board will **ONLY** accept written comments on the topics being considered at the meeting from any one individual or group that are not more than five single-sided pages, or the equivalent number of double-sided pages, unless specific information is requested by the board that requires more pages than allowed under this standard.

Each meeting will generally start at 8:30 a.m. on the first day of the meeting dates below unless the board directs a different start time. The public oral testimony period of each regulatory meeting begins after staff reports and continues until everyone who has signed up on a timely basis and is present at the meeting has an opportunity to be heard. 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 three minutes or less. Additional public hearings with board committees may be held during the meeting.

TENTATIVE MEETING SCHEDULE

Prince William Sound Finfish

December 1-5, 2017

Valdez Convention & Civic Center, Valdez

Comment deadline: November 17, 2017

Southeast and Yakutat Finfish & Shellfish

January 11-23, 2018

Harrigan Centennial Hall, Sitka

Comment deadline: December 28, 2017

Statewide (Except Southeast and Yakutat) Dungeness Crab, Shrimp, Other Miscellaneous Shellfish and Supplemental Issues

March 6-9, 2018

Egan Civic and Convention Center

Comment deadline: February 23, 2018

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 proposals to be addressed by the board. Copies of the proposal indices are in the proposal book, available online at www.boardoffisheries.adfg.alaska.gov, and at the relevant meeting. The board may also include accepted agenda change requests as new proposals following its October 17-19, 2017 work session. Any additional proposals will be noticed and made available online and upon request.

Anyone interested in or affected by subsistence, personal use, commercial fishing, sport, guided sport, or aquatic plant regulations are hereby informed that the Board of Fisheries may consider any or all of the subject areas covered by this notice. Under 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 subsistence, 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 the 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 ADF&G.** 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 needs special accommodation in order to participate in the

proposed regulation process, please contact Glenn Haight at (907) 465-4110 no later than two weeks prior to the beginning of each meeting to ensure 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 16.20, AS 16.40

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



Glenn Haight, Executive Director
Alaska Board of Fisheries

10/27/2017

Date

ADDITIONAL REGULATIONS NOTICE INFORMATION

(AS 44.62.190(g))

1. Adopting Agency: Alaska Board of Fisheries.
 2. General subject of regulations: IN THE PRINCE WILLIAM SOUND AREA (INCLUDING THE UPPER COPPER RIVER AND UPPER SUSITNA RIVER AREA) FINFISH FISHERIES; SOUTHEASTERN ALASKA AND YAKUTAT AREAS FINFISH AND SHELLFISH FISHERIES, INCLUDING ALL SOUTHEASTERN ALASKA AND YAKUTAT AREAS CRAB, SHRIMP, AND MISCELLANEOUS SHELLFISH FISHERIES; AND STATEWIDE DUNGENESS CRAB, SHRIMP, AND MISCELLANEOUS SHELLFISH (EXCEPT SOUTHEASTERN ALASKA AND YAKUTAT AREAS) FISHERIES.
 3. Citation of regulations: 5 AAC 01 - 5 AAC 77.
 4. Department of Law file number (if any):
 - JU2017200511 – Prince William Sound Finfish
 - JU2017200512 – Southeast and Yakutat Finfish and Shellfish
 - JU2017200513 – Statewide Dungeness Crab, Shrimp, Miscellaneous Shellfish and Supplemental Issues
 5. Reason for proposed actions: Implement, interpret, or make specific the provisions of AS 16.05 - AS 16.20, AS 16.40.
 6. Appropriation/Allocation: Natural Resources and all RDUs
 7. 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.
 8. The name of the contact person for the regulations:

Glenn Haight, Executive Director
Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811-5526
(907) 465-4110
Email: glenn.haight@alaska.gov
 9. The origin of the proposed action:
 - staff or state agency
 - general public
 10. Date: October 27, 2017
- Prepared by:
Glenn Haight, Executive Director
Alaska Board of Fisheries
(907) 465-4110