

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

The Alaska Board of Fisheries will hold a special meeting April 19, 2023 via web-conference to consider proposed regulation changes in Title 5 of the Alaska Administrative Code, dealing with fishery resources in the areas designated below, including the following regulations:

1. IN THE KUSKOKWIM AREA, INCLUDING KUSKOKWIM BAY, FINFISH REGULATIONS OR OTHER POSSIBLE SUPPLEMENTAL ISSUES, INCLUDING ISSUANCE OF BOARD FINDINGS, DELEGATIONS OF AUTHORITY FROM THE BOARD OF FISHERIES. This regulatory meeting is limited to the scope of the issues and concerns raised in the matter of supplemental proposal 173, which can be reviewed here <https://www.adfg.alaska.gov/static/regulations/regprocess/fisheriesboard/pdfs/2022-2023/proposals/173.pdf>.
  - 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, annual or other 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, annual or other 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. OTHER CHANGES TO TITLE 5 AS NECESSARY TO ACCOMMODATE ANY CHANGES TO TITLE 5 AS DESCRIBED ABOVE SUCH AS CROSS REFERENCES OR OTHER AFFECTED FISHERIES.

The proposed regulations change (Proposal 173) is available on the Board of Fisheries meeting information website at [www.boardoffisheries.adfg.alaska.gov](http://www.boardoffisheries.adfg.alaska.gov) or from the ADF&G Boards Support Section office at (907) 465-4110. Consideration of Proposal 173 was scheduled during the Board of Fisheries Statewide Regulations meeting. The board will not reconsider any other proposals during this special meeting.

Anyone interested in, or affected by, the subject matter contained in this legal notice should submit written comment to have their views considered by the board. Oral testimony will not be heard at this meeting. 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 by the announced deadlines listed below, limited to no more than 100 single-sided or 50 double-sided pages.

Written comment can be submitted online at <https://arcg.is/1rXDem>. Written comments can be uploaded as a file (.doc or .pdf) or entered manually into the website. Written comments are not accepted via email. Additionally, comments will be accepted if sent by mail to ADF&G, Boards Support Section, at P.O. Box 115526, Juneau, AK 99811-5526 or by facsimile to (907) 465-6094. Written comments must be received by Boards Support no later than April 7, 2023.

Individuals and advisory committees directing public comment to 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.

Please watch the board's website for any updates or sign up to receive announcements via email at [www.boardoffisheries.adfg.alaska.gov](http://www.boardoffisheries.adfg.alaska.gov).

**TENTATIVE MEETING SCHEDULE:**

**Special Meeting to Consider Proposal 173**

April 19, 2023

Meeting begins at 4:30 p.m.

To be held by electronic or telephonic means

Meeting will be live-streamed online at [www.boardoffisheries.adfg.alaska.gov](http://www.boardoffisheries.adfg.alaska.gov), or

Listen-only via telephone:

Phone number: +1 253 205 0468, Meeting ID: 842 8449 8598

**COMMENT DEADLINE: April 7, 2023**

*Submit written comments here: <https://arcg.is/1rXDem>*

Any change to the meeting date or time, will be announced by advisory announcement. Please watch for any announcement on the board's website or call (907) 465-4110.

Anyone interested in or affected by subsistence, personal use, commercial fishing, sport, guided sport, aquatic plant regulations or hatchery operations 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 Art Nelson at (907) 267-2292 no later than April 7 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.



Art Nelson, Executive Director  
Alaska Board of Fisheries  
March 17, 2023

ADDITIONAL REGULATIONS NOTICE INFORMATION  
(AS 44.62.190(g))

1. Adopting Agency: Alaska Board of Fisheries.
2. General subject of regulations: IN THE KUSKOKWIM AREA, INCLUDING KUSKOKWIM BAY, FINFISH REGULATIONS OR OTHER POSSIBLE SUPPLEMENTAL ISSUES, INCLUDING ISSUANCE OF BOARD FINDINGS, OR DELEGATIONS OF AUTHORITY FROM THE BOARD OF FISHERIES.
3. Citation of regulations: 5 AAC 01 - 5 AAC 99.
4. Department of Law file numbers: 2022200304 - Arctic/Yukon/Kuskokwim Finfish Board Meeting January, March, and April 2023
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:
  - Art Nelson, Executive Director
  - Alaska Board of Fisheries
  - PO Box 115526
  - Juneau, AK 99811-5526
  - (907) 267-2292
  - Email: [art.nelson@alaska.gov](mailto:art.nelson@alaska.gov)
9. The origin of the proposed action:
  - staff or state agency
  - general public
10. Date: Prepared by:
  - Art Nelson, Executive Director
  - Alaska Board of Fisheries
  - (907) 267-2292