

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 COOK INLET (INCLUDING THE KENAI PENINSULA, KENAI RIVER DRAINAGE, COOK INLET–RESURRECTION BAY SALTWATER, ANCHORAGE BOWL DRAINAGES, KNIK ARM DRAINAGES, SUSITNA RIVER DRAINAGE, AND WEST COOK INLET SPORT FISH MANAGEMENT AREAS) AND KODIAK AREAS FINFISH FISHERIES REGULATIONS OR OTHER POSSIBLE SUPPLEMENTAL ISSUES, INCLUDING ISSUANCE OF BOARD FINDINGS, DELEGATIONS OF AUTHORITY FROM THE BOARD OF FISHERIES, OR MANAGEMENT OF HATCHERY OPERATIONS;
 - 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 topics are added to the Lower Cook Inlet Finfish meeting in Homer, November 28–December 1, 2023:
 - A. IN THE BRISTOL BAY AREA SPORT FISHERY: Repeal the no bait regulation and allow the use of non-roe bait for salmon, other than king salmon in the Togiak River drainage (*newly assigned Proposal 256, formerly ACR 9*).

- B. IN THE SOUTHEAST ALASKA SPORT AND COMMERCIAL FISHERIES:
Amend the *Southeast Alaska King Salmon Management Plan* to align with new methods to set catch limits adopted by the Pacific Salmon Commission including potential changes to 5 AAC 29.060. *Allocation of king salmon in the Southeastern Alaska-Yakutat Area. (newly assigned Proposal 257, formerly ACR #11).*
 - C. IN THE SOUTHEAST ALASKA SPORT AND COMMERCIAL FISHERIES:
Amend the *Southeast Alaska King Salmon Management Plan* including potential changes to 5 AAC 29.060. *Allocation of king salmon in the Southeastern Alaska-Yakutat Area.*to align with changes adopted by the Pacific Salmon Commission to maintain the troll and sport fishery allocations (*newly assigned Proposal 258, formerly ACR #12*).
 - D. IN THE SOUTHEAST ALASKA SPORT AND COMMERCIAL FISHERIES:
Manage the Southeast Alaska king salmon sport fishery to not exceed the annual sport fishery harvest allocation (*newly assigned proposal 259, formerly ACR #13*).
3. 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.

At its 2023 Work Session held October 12–13, 2023 in Anchorage, AK, in addition to the four accepted Agenda Change Requests, the board reduced the duration of the Upper Cook Inlet Finfish meeting by one day. The revised meeting dates are February 23–March 6, 2023.

The proposed regulation changes are available on the Board of Fisheries meeting information website at www.boardoffisheries.adfg.alaska.gov or from the ADF&G Boards Support Section office at (907) 465-4110.

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 by the announced deadlines listed below, limited to no more than 100 single-sided or 50 double-sided pages.

Comments can be submitted on these proposals through the Board of Fisheries website at www.boardoffisheries.adfg.alaska.gov and navigating to the page for each specific meeting. The board does not accept written comments sent via email. Comments can also be 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.

Comments are generally due no later than two weeks prior to the meeting during which the topics are considered. The specific comment deadline for each meeting is listed below. 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.

ADDITIONAL PUBLIC COMMENT STANDARD:

Once the meetings begin, comments will again be accepted online at www.boardoffisheries.adfg.alaska.gov, by hand delivery at the meeting, or via fax to 907-465-6094. Comments submitted during the meetings are limited to ten single-sided pages until proposal deliberations begin. At that time, the board will **ONLY** accept written comments that are not more

than five single-sided pages unless specific information is requested by the board that requires more pages than allowed under this standard.

As a practical matter, comments submitted after the board begins deliberations on relevant proposals are likely to receive less consideration than comments submitted earlier. Additionally, groups of people submitting numerous, form-like comments containing similar language during the meeting is not advisable, and Boards staff will be unable to process and distribute the comments to the board during the meeting. These types of comments will be grouped together or summarized for the board in a single submission.

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 for the public and 10 minutes or less for fish and game advisory committee and regional advisory council representatives. Updates related to public testimony and submitting public comments will be provided via advisory announcement closer to the start of each meeting. Please watch the board's website for any updates or sign up to receive announcements via email at www.boardoffisheries.adfg.alaska.gov.

TENTATIVE MEETING SCHEDULE

Lower Cook Inlet Finfish

November 28–December 1, 2023

Land's End Resort, Homer

Comment deadline: November 13, 2023

Kodiak Finfish

January 9–12, 2024

Kodiak Marketplace, Kodiak

Comment deadline: December 26, 2023

Upper Cook Inlet Finfish

February 23–March 6, 2024

Egan Convention Center, Anchorage

Comment deadline: February 8, 2024

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. 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 Art Nelson at (907) 267-2292 no later than two weeks prior to the beginning of each meeting to ensure necessary accommodations can be provided.

The ADF&G, Boards Support Section keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the department's notices of proposed regulation changes. To be added to or removed from the list, send a request to the Department of Fish and Game Boards Support Section at P O Box 115526 Juneau, AK 99811, by phone at (907) 465-4110, or via our website at:

www.boardoffisheries.adfg.alaska.gov giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

Individuals can also sign up to receive automated notifications of all State of Alaska notices, including public notice for regulation changes, by subscribing to the Alaska Online Public Notices System here: <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx>.

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

10/20/2023

Date

ADDITIONAL REGULATIONS NOTICE INFORMATION

(AS 44.62.190(g))

1. Adopting Agency: Alaska Board of Fisheries.
2. General subject of regulations: IN THE COOK INLET (INCLUDING THE KENAI PENINSULA, KENAI RIVER DRAINAGE, COOK INLET-RESURRECTION BAY SALTWATER, ANCHORAGE BOWL DRAINAGES, KNIK ARM DRAINAGES, SUSITNA RIVER DRAINAGE, AND WEST COOK INLET SPORT FISH MANAGEMENT AREAS) AND KODIAK AREAS FINFISH FISHERIES REGULATIONS; AND SOUTHEAST ALASKA AND BRISTOL BAY FINFISH FISHERIES.
3. Citation of regulations: 5 AAC 01 - 5 AAC 77.
4. Department of Law file number (if any):
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; OMB Component Number 2048.
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
9. The origin of the proposed action:
 staff or state agency
 general public
10. Date: October 20, 2023
Prepared by:
Art Nelson, Executive Director
Alaska Board of Fisheries
(907) 267-2292