

NOTICE OF ADOPTION OF EMERGENCY REGULATION  
CONCERNING COMMERCIAL GROUND FISH GEAR RESTRICTIONS BY AREA BY  
EMERGENCY ORDER OF THE ALASKA BOARD OF FISHERIES

On October 13, 2023, the Alaska Board of Fisheries adopted, as an emergency regulation, changes in Title 5 Fish and Game of the Alaska Administrative Code dealing with groundfish conservation, including the following:

**5 AAC 28.050. Lawful gear for groundfish** has changed as follows: Addition of a new subsection allowing the commissioner to close areas to commercial fishing with specific gear types by emergency order to prevent overfishing of rockfish.

The emergency regulation took effect on October 25, 2023, and will expire February 21, 2024. The Alaska Board of Fisheries does not intend to make the emergency regulation permanent by way of the process in AS 44.62.260. However, the Board may adopt a substantially similar regulation at a future regulatory meeting pursuant to AS 16.05.251 and in compliance with the Administrative Procedure Act according to the normal board process.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Art Nelson at 907-267-2292 to ensure that any necessary accommodation can be provided.

A copy of the emergency regulation is available on the Alaska Online Public Notice System at <https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=213025> and by contacting Art Nelson, [art.nelson@alaska.gov](mailto:art.nelson@alaska.gov) at PO Box 115526 Juneau, AK 99811-5526, (907) 267-2292.

**Statutory authority:** AS 16.05.251

**Statutes being implemented, interpreted, or made specific:** AS 16.05.060; AS 16.05.251; AS 16.05.270

**Fiscal information:** The regulations are not expected to require an increased appropriation.

The Department of Fish and Game 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:

<http://www.adfg.alaska.gov/index.cfm?adfg=fisheriesboard.main>

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>.

Date: October 27, 2023

  
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Art Nelson, Executive Director  
Alaska Board of Fisheries

ADDITIONAL REGULATION NOTICE INFORMATION  
(AS 44.62.190(g))

1. Adopting agency: Alaska Board of Fisheries.
2. General subject of regulation: Emergency regulation granting the commissioner emergency order authority to close areas to commercial fishing with specific gear types in statewide commercial groundfish fisheries.
3. Citation of regulation: 5 AAC 28.050(g).
4. Department of Law file number, if any: 2023200523.
5. Reason for the proposed action:  
( X ) Other (identify): Finding of emergency.
6. Appropriation/Allocation: Natural Resources and all RDUs; OMB Component Number 2048.
7. Cost of implementation to the state agency and available funding (in thousands of dollars): It is not possible to estimate the costs. However, these actions are not expected to require an increased appropriation.
8. The name of the contact person for the regulation:  
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:  
 X  Petition for regulation change

10. Date: October 27, 2023

Prepared by:   
Art Nelson, Executive Director  
Alaska Board of Fisheries  
907-267-2292