

95-154-FB

(Previously Finding #95-02-FB)

ALASKA BOARD OF FISHERIES

**DELEGATION OF AUTHORITY REGARDING REQUIRING ONBOARD OBSERVERS FOR CATCHER VESSELS IN THE RED AND BROWN KING CRAB FISHERY IN THE ADAK AREA AND THE BROWN KING CRAB FISHERY IN THE DUTCH HARBOR AREA.**

In accordance with AS 16.05.270, the Alaska Board of Fisheries delegates to the commissioner of the Alaska Department of Fish and Game the authority to adopt and make permanent changes to the following regulation.

5 AAC 39.645. SHELLFISH ONBOARD OBSERVER PROGRAM. Amend 5 AAC 39.645 to include requirements for a mandatory onboard observer program for all catcher vessels that take red or brown king crab in the Adak Area described in 5 AAC 34.700 and brown king crab in the Dutch Harbor Area described in 5 AAC 34.600.


This proposed regulatory change was submitted to the Board of Fisheries at its January 1995 meeting in Dillingham, Alaska as a petition. The petition was accepted and subsequently scheduled for public hearing and deliberation at the March 1995 board meeting in Anchorage, Alaska.

The department inadvertently did not public notice the proposed change in regulation in the supplemental notice to proposed changes in regulations. However, the department was able to submit a timely notice of public meeting (practical notice) to announce that the board would be considering a delegation of authority to the commissioner of the Alaska Department of Fish and Game, after hearing staff reports and public testimony in regards to the proposed change in regulation.

Since the March 1995 board meeting is the last scheduled meeting of the board's 1994-95 board cycle, the board is delegating its authority to the commissioner in order to implement the regulation prior to the 1995 fisheries.

Approved: March 18, 1995

Vote: 6-0, with one absent

  
Larry J. Engel, Chairman  
Alaska Board of Fisheries