

**PROPOSAL 66 – 5 AAC 92.005. Policy for changing board agenda.** Update the Board of Game’s policy for accepting agenda change requests to make it more consistent with the Joint Board Petition Policy as follows:

**5 AAC 92.005. Policy for changing board agenda.**

(a) The Board of Game (board) may change the board's schedule for considering proposed regulatory changes in response to an agenda change request, submitted on a form provided by the board, in accordance with the following guidelines:

(1) an agenda change request must be to consider a proposed regulatory change outside the board's published schedule and must specify the change proposed and the reason the proposed change should be considered out of sequence. An agenda change request is not intended to address proposals that could have been submitted by the deadline scheduled for submitting proposals;

(2) the board will accept an agenda change request only

(A) [FOR A CONSERVATION PURPOSE OR REASON;] **repealed;**

(B) to correct an error in a regulation; [OR]

(C) to correct an effect of a regulation that was unforeseen when a regulation was adopted; **or**

**(D) if the request identifies a biological concern for the population or a threat to meeting objectives for the population;**

**(E) if the request identifies an unforeseen, unexpected event or effect that would otherwise restrict or reduce a reasonable opportunity for customary and traditional wildlife uses, as defined in AS 16.05.258(f);or**

**(F) if the request identifies an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action and such delay would be significantly burdensome to the petitioners because the resource would be unavailable in the future;**

(3) the board will not accept an agenda change request that is predominantly allocative in nature in the absence of new information that is found by the board to be compelling;

(4) a request must be received by the executive director of the boards support section [AT LEAST 60 DAYS BEFORE THE FIRST REGULARLY SCHEDULED MEETING] **by November 1<sup>st</sup> of that year;**

(5) if one or more agenda change requests have been timely submitted, the board shall meet to review the requests within 30 days following the submittal deadline in subsection (4), and may meet telephonically for this purpose;[.]

**(6) when considering an agenda change request, the board should take into consideration 5 AAC 96.625(d) and 5 AAC 96.625(e);**

**(7) if the board accepts an agenda change request, the board will develop and consider proposals for all agenda change requests for those specified regulations.**

(b) The board may change the board's schedule for consideration of proposed regulatory changes as reasonably necessary for coordination of state regulatory actions with federal agencies, programs, or laws.

**What is the issue you would like the board to address and why?** The criteria for Agenda Change Requests (ACRs) is vague. This has resulted in inconsistency in acceptance of requests

and acceptance of requests that do not need to be addressed out of cycle. Out of cycle proposals are not afforded the full process for advisory committee and public review and comments. It is also confusing for the public to know when an ACR is appropriate. The Department of Fish and Game has provided this proposal to allow the board to address those issues.

Amending the regulation to put it in closer alignment with the Joint Board Petition Policy is one way to ensure that the full Board of Game process for public input and comment is used for all proposals that do not need to be addressed out of cycle.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F17-031)

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