

ALASKA BOARD OF FISHERIES
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Pacific Cod for Prince William Sound, Cook Inlet, Kodiak, Chignik,
and South Alaska Peninsula
October 6-10, 2011

Guiding Principles for Groundfish (5 AAC 28.089)
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5 AAC 28.089. Guiding principles for groundfish fishery regulations

(a) With state groundfish management expanding to cover the groundfish resources in the waters of Alaska, the Board of Fisheries (board) will be receiving regulatory proposals for these fisheries. The board will, to the extent practicable, consider the following guiding principles when taking actions associated with the adoption, amendment, or repeal of regulations regarding groundfish fisheries:

(1) conservation of the groundfish resource to ensure sustained yield, which requires that the allowable catch in any fishery be based upon the biological abundance of the stock;

(2) minimization of bycatch of other associated fish and shellfish and prevention of the localized depletion of stocks;

(3) protection of the habitat and other associated fish and shellfish species from nonsustainable fishing practices;

(4) maintenance of slower harvest rates by methods and means and time and area restrictions to ensure the adequate reporting and analysis necessary for management of the fishery;

(5) extension of the length of fishing seasons by methods and means and time and area restrictions to provide for the maximum benefit to the state and to regions and local areas of the state;

(6) harvest of the resource in a manner that emphasizes the quality and value of the fishery product;

(7) use of the best available information presented to the board; and

(8) cooperation with the North Pacific Fisheries Management Council (NPFMC) and other federal agencies associated with groundfish fisheries.

(b) The provisions of this section do not apply to the groundfish fisheries in the Eastern Gulf of Alaska Area and the Prince William Sound Area.

History: Eff. 9/3/97, Register 143; am 5/26/2006, Register 178; am 3/14/2009, Register 189

ALASKA BOARD OF FISHERIES

Operating Procedures

Motion to Reconsider

1. Any member of the Board of Fisheries who voted on the original issue may move to reconsider a vote, regardless of how the member voted on the original issue.
2. A motion to reconsider may be made at any time prior to final adjournment of the Board meeting. A motion to reconsider need not be made on the day the original vote is taken.
3. A motion to reconsider must be supported by a presentation of new evidence that was not before the Board at the time the original vote was taken.
4. A Board member who intends to move for reconsideration should inform the Chairman of his intent.
5. When intent to reconsider is made known, public notice will be given as to when reconsideration will occur.

ADOPTED: April 3, 1980
VOTE: 6/0 (Goll absent)
Anchorage, Alaska

ALASKA BOARD OF FISHERIES

PROCEDURES FOR DELEGATIONS OF AUTHORITY

The Board of Fisheries ("board") makes the following findings:

1. AS 16.05.270 authorizes the board to delegate its authority to adopt regulations under AS 16.05.251 and AS 16.05.258 in accordance with the Administrative Procedure Act (AS 44.62), so that the Commissioner of Fish and Game may adopt regulations on behalf of the board.
2. The need for a delegation of authority most often arises where regulatory action is necessary but it is impossible or impractical to simultaneously convene the entire board, or a quorum of the board, either in person or by telephone.
3. Where regulatory action is necessary but it is impossible to convene the board, the state government may be unable to undertake any regulatory action unless a delegation of authority can be executed.
4. Neither AS 16.05 nor AS 44.62 require a formal meeting of the board in one geographical location to accomplish a delegation of authority.
5. Requiring the board to meet in one physical location or by telephone simultaneously to make a delegation of authority would largely defeat the purpose of AS 16.05.270, since a meeting of the board could eliminate the necessity for a delegation.
6. Delegations of authority have been carried out in the past using a telephone poll of board members or in the alternative, a vote by mail.
7. The type of procedure described in paragraph 6 has been utilized (in the form of notation voting) by federal agencies with the full knowledge of Congress and the approval of federal courts.

THEREFORE, THE BOARD RESOLVES that it hereby interprets AS 16.05 and AS 44.62 to permit telephone polls or mail votes for purposes of executing a delegation of authority; Provided, that in any instance where the commissioner solicits a delegation from the board, he or she shall (1) make a good faith effort to contact all board members so as to enable each of them to vote, and (2) permit board members the opportunity

to discuss the proposed delegation with other board members before voting, if they express a desire to do so; and Provided further, that nothing in this Resolution shall be construed to waive the right of any two board members to call a board meeting under AS 16.05.310.

This resolution replaces #75-2-FB.

This delegation shall remain in effect until revoked by the board.

Dated: March 13th - 1980



Gary Slaven, Chairman
Alaska Board of Fisheries

At: Anchorage, Alaska

Vote: Consensus

- 2) Schedule a reasonable length of time between sessions for board members and staff to take care of personal and business needs. A minimum of 7-10 days between sessions.
- 3) Leave as much of the month of October available for Joint Board of Fisheries and Game meetings as possible.
- 4) Leave as much of the month of March available for Joint Board of Fisheries and Game meetings as possible.
- 5) Do not schedule any board meetings past March 15, when possible.
- 6) Locate meetings in the region of the call for proposals.
- 7) Have each meeting session address one region. The current regional arrangements: Kodiak/Chignik; Alaska Peninsula/Aleutian Islands, Bristol Bay; Arctic/Yukon/Kuskokwim; Cook Inlet; Prince William Sound; and Southeast.
- 8) If one session for one region is projected to last longer than 15 days, schedule more than one session for that region (i.e. Upper Cook Inlet and Lower Cook Inlet or Southeast Commercial fisheries and Other Southeast Finfish).
- 9) Schedule one session for all herring fish proposals. Have this session early in the meeting cycle.
- 10) Schedule one session for all shellfish proposals. Have this session late in the meeting cycle.
- 11) Review each region as noted above approximately every _____ years.
- 12) Administrative items will be considered at the end of the agenda.
- 13) When funding is available, a Joint meeting of the Board of Fisheries and Board of Game will be scheduled before the meeting cycles of the two boards.
- 14) When funding is available, a meeting of the Board of Fisheries to discuss the policies and goals of the board will be scheduled prior to the meeting session's beginning.
- 15) In creating the administrative record, insure that the allocation criteria is fully discussed.

GENERAL ORDER OF BOARD AGENDA

- Call Meeting to Order
- Introduction of Board Members and Staff
- Election of Chair and Vice-Chair (where appropriate)
- Board Member Ethics Disclosures
- All Agency Reports
- All Public Testimony
- All Advisory Committee and Regional Council Reports
- Board Deliberations
- Administrative Items (i.e. Petitions, Resolutions, Findings, Letters, Policy Papers, etc.)
- Adjourn/Recess

GENERAL ADMINISTRATIVE ITEMS

The objective is to provide adequate notice to the potentially affected public of the proposed regulation changes. These tasks are suggested:

- 1) Publish the legal notice in the region where the proposals will be considered (effect).
- 2) During Public Testimony, each individual will be allocated 7 minutes to testify before the board. Each individual will be allowed to testify only once during that session. If they testified at another session on these proposals at another meeting session, they will not be allowed to re-testify on the same proposals.
- 3) During Public Testimony, each organization will be allocated 10 minutes to testify before the board. Each organization will be allowed only one 10 minute block. Other people associated with the organization will need to testify as individuals.
- 4) Official Advisory Committee and Regional Council representatives will be allocated 15 minutes to report on the actions of their organization.
- 5) The blue cards for public testimony will be shuffled, then the list posted for the order of testimony. Special requests for changes in the posted order are to be arranged with the chair and director.

91-128-FB

(Previously Finding #: 91-2-FB)
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ALASKA BOARD OF FISHERIES STANDING RULES

As a guide, the Alaska Board of Fisheries follows the most current version of Robert's Rules of Order in the conduct of the meetings [Note that the Alaska Statutes do not require the board to use any specific parliamentary procedure]. The board has by traditional agreement varied from the written Robert's Rules of Order. Below is a partial list of these variations (known as "Standing Rules") that the board follows:

- Take No Action. Has the effect of killing a proposal or issue upon adjournment. There are two reasons for taking no action: 1) It is found that the proposal is beyond the board's authority; or 2) due to board action on a previous proposal(s).
- Tabling has the effect of postponing indefinitely (Robert's Rules of Order). One of the primary reasons the board tables a proposal/issue is to gather more information during that meeting since a tabled proposal/issue dies when that meeting session adjourns.
- One amendment at a time. As a practice, the board discourages an amendment to an amendment. This is a proper motion by Robert's Rules of Order, however the board tries to avoid the practice because of the complexities of issues.
- Do not change or reverse the intent of a proposal/issue. For example, if a proposal's intent is to restrict a particular fishery and the board wishes to close or expand the fishery, the board will not amend the original proposal. The board will defeat, table or take no action on that proposal and then develop a board generated proposal to accomplish the action they feel is needed.
- "Ruling of the Chair" or "Chair's Ruling". When the chair makes a ruling, the board members have two options; 1) accept the ruling and move on; or 2) appeal/challenge the chair's ruling. By Robert's Rules of Order, the process is as follows (When a chair's decision is appealed/challenged):

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- 1) The chair makes a ruling;
- 2) A member appeals (challenges) the chair's ruling (i.e. "I appeal the decision of the chair") and it is seconded (Note: All board members present can or could appeal/challenge the ruling);
- 3) Any board member can debate the ruling and appeal/challenge (Note: By Robert's Rules the chair and the person appealing/challenging the ruling are the only two who are to debate the issue);
- 4) The question before the board is: "Shall the decision of the chair be sustained?"
- 5) After the result of the vote is announced, business resumes.

- The public depends on or expects the board members to keep an open mind on the issues before the board. To accomplish this the board will listen to and ask questions: 1) staff reports, advisory committee and regional council reports, and 2) during deliberations on the issues, listen to fellow board members points and issues. It is not conducive to soliciting public involvement if the board members express that they already have an opinion and it is up to the public or staff to "change their mind."
- Note another "Standing Rule" contained in Board of Fisheries Finding Number: 80-78-FB. This finding is regarding the Reconsideration Policy of the board.

Adopted: November 23, 1991

Vote: (Yes/No/Absent/Abstain) 5/0/2/0/ [Absent: Robin Samuelson, Tom Elias]

Location: Anchorage International Airport Inn

Mike Martin, Chairman
Alaska Board of Fisheries

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ALASKA BOARD OF FISHERIES

ALLOCATION CRITERIA

The Alaska Supreme Court recently issued a decision, Peninsula Marketing Association vs. State (Opinion No. 3754; dated September 20, 1991), regarding the application of the allocation criteria found in AS 16.05.251(e). The Court interpreted the statute to require the criteria to be considered when allocating between commercial fisheries as well as among the three user groups, commercial, personal use, and sport.

Consistent with the decision of the Court, the board finds that it will utilize the following specific allocation criteria when allocating between fisheries. Note that these criteria are essentially the same as the allocative criteria specified in AS 16.05.251(e), which the board has historically used as set out in 5AAC 39.205, 5AAC 77.007, and 5AAC 75.017.

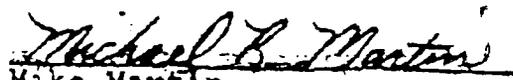
- 1) the history of each personal use, sport, and commercial fishery;
- 2) the characteristics and number of participants in the fisheries;
- 3) the importance of each fishery for providing residents the opportunity to obtain fish for personal and family consumption;
- 4) the availability of alternative fisheries resources;
- 5) the importance of each fishery to the economy of the state;
- 6) the importance of each fishery to the economy of the region and local area in which the fishery is located;
- 7) the importance of each fishery in providing recreational opportunities for residents and nonresidents.

Note that all seven (7) criteria do not necessarily apply in all allocation situations, and any particular criterion will be applied only where the board determines it is applicable.

Adopted: November 23, 1991

Vote: (Yes/No/Abstain/Absent) (5 /0 /0 /2) [Absent: Robin Samuelson, Tom Elias]

Location: Anchorage International Airport Inn


Mike Martin
Chair
Alaska Board of Fisheries

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Adopted: November 23, 1991

Vote: (Yes/No/Abstain/Absent) (5/0/0/2) [Absent: Robin Samuelson, Tom Elias]

Location: Anchorage International Airport Inn



Mike Martin, Chairman
Alaska Board of Fisheries

**Alaska Board of Fisheries Findings
State Waters Pacific Cod Management Plans
Adopted October 29 - 31, 1996, at Wasilla**

Introduction:

The Alaska Board of Fisheries (board) met at Wasilla (October 29-31, 1996) and approved new management plans for the commercial harvesting of Pacific cod in state waters of the Prince William Sound, Cook Inlet, Kodiak, Chignik, and South Alaska Peninsula Areas. The board's action represented the culmination of a two year public process to advance state involvement in management of groundfish resources in Alaska's territorial waters.

The process included strong support from the Governor's office, a re-programming of state funding to support management activities, and extensive interactions with fishermen, processors, industry representatives and community leaders through the board's local Advisory Committee process. The board, through the Alaska Department of Fish and Game (department) staff, also kept the North Pacific Fisheries Management Council (NPFMC) and National Marine Fisheries Service (NMFS) up to date on the development of state groundfish management plans.

Background:

The board was informed of an April 1995 conference, sponsored by the Peninsula Marketing Association and the Alaska Department of Commerce and Economic Development, to discuss development of a state managed groundfish fishery. A report from this conference was supported by the Governor who in turn requested the department to re-program \$200,000 in funding for state groundfish management.

At its October 1995 work session, the board accepted a department agenda change request to consider groundfish management plans during the 1996/97 meeting cycle. In the winter of 1995/96, the board issued a call for proposals for statewide groundfish management plans to be deliberated in October 1996. The NPFMC and NMFS were informed of the board's acceptance of the agenda change request and its subsequent call for proposals early on in the process. In response to the published legal notice, 46 proposals were submitted by the public and the department before the April 10, 1996, deadline.

Prior to the October 1996 meeting, Prince William Sound, Cook Inlet, Kodiak, Chignik, and Alaska Peninsula Advisory Committees, and other groups met to formulate recommendations for state waters groundfish fisheries.

Identification of Issues and Concerns:

At its October 1996 meeting, the board heard reports from the department staff, including Bob Clasby, Director of the

Commercial Fisheries Management and Development Division, who explained that the department was fiscally limited in its ability to manage groundfish. The board was informed that insufficient funds were available to conduct independent stock assessment. The department also reported that funding was not available to monitor groundfish fisheries with inherent high bycatch rates, such as trawl or longline gear fisheries. Based on this information, the board found that state water groundfish management plans must operate within the conservation parameters established by federal managers and that allowable gear must have low bycatch rates.

Department staff also provided reviews of the various fisheries, from Prince William Sound westward to the Aleutians. The board also reviewed a letter submitted by NMFS Region Director, Steve Pennoyer, which encouraged a strong partnership between state and federal management. The Pennoyer letter urged the board to consider the need to maintain historic harvest statistics based on federal boundaries when establishing new state management areas. Staffs from NMFS and the NPFMC also made presentations to the board.

The board was advised by the Alaska Department of Law that under the Magnuson-Stevens Act, it should not take actions that would have substantial and adverse impacts on federal management or they could run the risk of preemption.

The board discovered that with the advent of federal IFQ and vessel limitation programs, in the absence of similar state waters effort limitation programs, the department was obligated to either close state waters to all fishers or let all fishers participate in state water fisheries. The board believed these considerations, mandated involvement in management of groundfish fisheries conducted in state waters.

The board heard of the impact of federal IFQs, Community Development Quotas (CDQ), and inshore/offshore allocation programs on state fisheries. The board found that current council management had not addressed the needs of small vessel groundfish fishermen. The board also found that the winter season, specified in the NPFMC management plans, made it difficult for small vessels to fully participate in the fishery.

The board received information on the history of state involvement in the management of groundfish resources. The board learned that the department tailored groundfish, and specifically Pacific cod, management actions in state waters to be consistent with the management actions implemented by federal managers in the adjoining waters of the Exclusive Economic Zone (EEZ). In general, state waters were opened and closed concurrently with the adjacent federal management areas.

The board was informed that the harvest of Pacific cod from state waters has gradually increased in recent years. From 1994-1996, the take in the state water portions of the federal Central and

Western Gulf of Alaska Areas averaged approximately 22.6% of the total harvest. The board discovered that the implementation of federal Individual Fishery Quota (IFQ) and license limitation programs were changing the structure of Alaskan groundfish fisheries and making it difficult for many local fishermen to participate in groundfish harvest.

Given this information, the board decided that it would be appropriate to first develop factors to consider when developing state water groundfish management plans. The board discussed the following factors:

1. Minimize bycatch to the maximum extent practicable.
2. Consider protection of habitat from fishing practices.
3. Slow harvest rates to ensure adequate reporting and analysis for necessary season closures.
4. Utilize such gear restrictions as necessary to create a year round harvest for maximum benefit to local communities, the region and the State.
5. Harvest the resource to maximize quality and value of product.
6. Harvest the resource with consideration of ecosystem interactions.
7. Harvest to be based on the total catch of the stock that is consistent with the principles of sustained yield.
8. Prevent localized depletion of stocks to avoid sport, subsistence and personal use conflicts.
9. Management based upon the best available information presented to the board.
10. Management consistent with conservation and sustained yield of healthy groundfish resources and of other associated fish and shellfish species.
11. State fishery management plans adopted by the Board should not substantially and adversely affect federal fishery management plans adopted by the NPFMC.

At a later meeting, the board adopted a set of guiding principles to consider when developing groundfish management plans.

Board Actions and Deliberations:

Prior to deliberating on the 46 proposals, the board reviewed comprehensive staff reports on Alaska groundfish fisheries. In addition, the board reviewed extensive written public comments and heard oral public comments from 30 individuals and eight advisory committees.

The board found it necessary to limit the scope of the new state management plans to Pacific cod to ensure management obligations were consistent with current department funding.

The board specified that state waters should continue to be open concurrent with the federal season. This represents a continuation of the state's recent management practice of tailoring state water groundfish seasons to coincide with the

seasons in the adjoining EEZ waters. The methods and means regulations for participation in the federally authorized season were not significantly modified. In addition, the board established separate state water Pacific cod fishing seasons to be open following closures of federally authorized seasons.

The board linked guideline harvest levels for the state authorized seasons to a percentage of the total catch of Pacific cod authorized by the NPFMC. The board recognized that the total catch authorized by NPFMC is based on stock assessment surveys and is consistent with principles of sustained yield management. The guideline harvest level for the Prince William Sound Area is set at 25% of the total catch authorized by the NPFMC for the Eastern Gulf of Alaska Area. The state authorized season guideline harvest level is initially set at 15% of the Central and Western Gulf of Alaska catch and apportioned between the Cook Inlet, Kodiak, Chignik, and South Peninsula Areas. Once these fisheries have shown an ability to fully utilize the area's guideline harvest level, the guideline harvest level will be increased to 20%, and similarly, when that level is reached, it will be increased again to a maximum of 25%.

The board recognized that the state authorized season would result in transfer of catch from federal waters to state waters. The board believes the graduated guideline harvest level approach allows for an incremental and gradual shift in the harvest so as to minimize the impact on existing fishing patterns. The board expected the initial 15% guideline harvest level to result in an actual modest increase in the state water take of Pacific cod of approximately 6 - 8 percent over recent year levels. At a 20% state season guideline harvest level, the board anticipated an actual 10 - 12 percent increase in harvest from state waters; at a 25% state season guideline harvest level, the board anticipated a 14 - 16 percent increase in actual harvest from state waters. The board reasoned that the federal season will tend to become shorter, corresponding to less Pacific cod being harvested. The shorter season will lead to a decrease in the proportional share of harvest being taken in state waters during the federal season, because the more efficient trawl and longline gear types generally operate in federal waters.

The board elected to utilize existing salmon management areas in order to provide functional jurisdictional areas for groundfish management plans that are familiar to the local fleets. These areas include; Prince William Sound, Cook Inlet, Kodiak, Chignik and Alaska Peninsula Areas. Public testimony supported utilizing existing salmon management area boundaries. Department comments also supported this approach, because it would be functionally consistent with current staffing and organizational structures. The board, however, recognized the need of federal managers to have the ability to apportion catch from state waters to appropriate federal catch reporting areas. The board received information from the department indicating that, even though different management areas were established, the existing

configuration of state water statistical catch reporting areas would enable catch reporting by federal reporting areas.

The board found it necessary to approve registration and gear limitations to reduce harvest rates and to ensure management consistent with available funding. The board chose to make the Prince William Sound, Cook Inlet, Kodiak, Chignik, and South Alaska Peninsula Areas exclusive registration areas. This action was also selected to provide benefits to local economies that are based largely on small boat fishing.

The board was compelled to further reduce the catch rate by limiting the gear in state managed fisheries to mechanical jigging machines, pots and hand troll gear. These gear types were also selected because of the inherent minimal bycatch and mortality of non target species associated with their use.

The board also limited the number of pots that may be fished to 60 per vessel and the number of mechanical jigging machines to 5 per vessel. To assist in the enforcement of pot limits, the board found it necessary to require each pot to be marked with an identification tag. The board did not limit the units of hand troll gear that may be fished per vessel, because hand troll gear is a very inefficient type of fishing gear.

The board also found it necessary to limit the size of participating vessels in some areas to further reduce catch rates, provide for extended seasons, and provide economic benefits to the regions in which the fishing is conducted. In the Kodiak Area, the board found it necessary to impose a 25,000 pound landing limit, per week, for catcher/processor vessels to reduce Pacific cod catch rates and to improve inseason catch reporting capabilities.

The board recognized that the approved registration and gear requirements may limit the ability of the existing fleets to fully utilize the established guideline harvest levels. To alleviate this potential problem, the board authorized inseason management authority for the department to rescind gear restrictions, vessel size limits, and exclusive registration requirements, in that order, if it became necessary to foster full utilization of established guideline harvest levels.

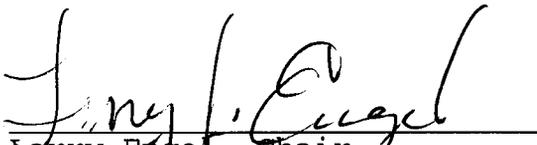
The board found that since the approved plan operated within the Total Allowable Catch (TAC) and Acceptable Biological Catch (ABC) levels established by the NPFMC, the plan was consistent with the state's, NMFS's and NPFMC's sustained yield mandate. The board's approved management plan contained provisions for a slow paced fishery, allowing the department to ensure catches do not exceed the harvest levels set by the board, as well as keeping the harvest at or below the ABC set by the NPFMC. Further the plan did not place a fiscal burden upon the department to conduct stock assessment programs outside of its fiscal means.

At the meeting in October 1996, members of the board repeatedly asked representatives from NMFS whether or not the proposed state groundfish plan would substantially and adversely affect the federal management plan. The board, in response to those direct and pointed inquiries, was consistently and repeatedly informed that the state's proposed groundfish plan would not substantially and adversely affect federal inseason management. These responses led the board to conclude that the state proposed plan would conform to the federal management plan.

At Sitka, Alaska

Date: January 29, 1996

Approved: (7/0/0/0) (Yes/No/Absent/Abstain)


Larry Engel, Chair
Alaska Board of Fisheries

JOINT PROTOCOL
BETWEEN
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL (NPFMC)
ANCHORAGE, ALASKA
and
ALASKA BOARD OF FISHERIES (BOF)
JUNEAU, ALASKA
ON
MANAGEMENT OF FISHERIES
OFF ALASKA

Recognizing that NPFMC has a legal responsibility for reviewing and recommending to the Secretary of Commerce measures for the conservation and management of the fisheries of the Arctic Ocean, Bering Sea, and Pacific Ocean seaward of Alaska, with particular emphasis on the consistency of those measures with the National Standards of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act); and

Recognizing that the State of Alaska has a legal responsibility for conservation and management of fisheries within State waters; and further, that the State system centers around BOF policy, regulations, and procedures which provide for extensive public input; is sufficiently structured to ensure annual revisions; is flexible enough to accommodate resource and resource utilization emergencies; and is understood and familiar to the users of North Pacific fisheries resources; and

Recognizing that many of the fish populations in the Gulf of Alaska and the Bering Sea and Aleutian Islands migrate freely between or spend some of the year in both Federal and State waters; and

Recognizing that State and Federal governmental agencies are limited in fiscal resources, and that the optimal use of these monies for North Pacific fisheries management, research, and enforcement occurs through a clear definition of agency roles and division of responsibilities.

Therefore, NPFMC and BOF enter into this Joint Protocol to achieve coordinated, compatible, and sustainable management of fisheries within each organization's jurisdiction in the Gulf of Alaska and the Bering Sea and Aleutians.

I. Applicable Fisheries

This Joint Protocol applies to all fisheries off Alaska of mutual concern.

II. Duration of the Agreement

This agreement shall be reviewed by both NPFMC and the BOF and revised as necessary.

III. NPFMC and BOF shall undertake the following activities:

- A. NPFMC and BOF shall jointly agree upon and implement an annual management cycle that provides for coordinated, compatible, and sustainable fisheries management in State and Federal waters. Management measures shall be consistent with the national standards of the Magnuson-Stevens Act, with the laws of the State of Alaska, and with all other applicable laws.

B. With regard to groundfish, the annual management cycle shall have the following elements:

1. The NPFMC and BOF will endeavor to coordinate their proposal schedules to the greatest extent practicable.
2. The NPFMC will provide the BOF with the latest stock assessment information shortly after the NPFMC's September meeting, noting any special management or conservation concerns with individual groundfish fisheries. The NPFMC will also review fisheries management proposals that it receives that could have impacts on State programs and forward such proposals to the BOF for consideration at an appropriate BOF meeting. The NPFMC will provide all available information concerning such proposals and will identify particular issues that should be analyzed before taking final action.
3. The BOF at its fall meeting will review groundfish proposals. Those proposals identified as being of mutual concern to both the BOF and NPFMC, will be forwarded to the NPFMC for consideration at its December meeting. The BOF will provide any information available concerning the proposals, and will identify particular issues that should be analysed before taking final action.
4. In December the NPFMC will review stock assessments, set acceptable biological catch and harvest limits, consider proposals and other information received from the BOF, and task staff with developing a discussion paper on potential impacts of the proposals if adopted.
5. Final action by the BOF will occur at their next groundfish meeting following the February joint meeting with the NPFMC. After a BOF final decision, the BOF shall adopt findings explaining the basis for the regulation. This provision shall not apply to emergency regulations, however, justification should be provided to the NPFMC in a timely manner, not less than ten days after the emergency action.

C. A joint NPFMC-BOF committee, not to exceed three members from each body, will be formed and meet in January and at other times as necessary to review available analyses, proposals, and any other matters of mutual concern, and to provide recommendations to the joint NPFMC and BOF.

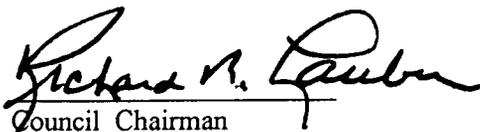
D. The NPFMC and BOF will meet jointly in Anchorage each February to consider proposals, committee recommendations, the analysis, and any other issues of mutual concern. All interested persons and agencies shall have the opportunity to submit comments to the NPFMC and BOF at these meetings on proposals identified as being of mutual concern, and other matters as appropriate.

E. NPFMC and BOF shall encourage ADF&G and NMFS, in carrying out their responsibilities, to consult actively with each other, with NPFMC and BOF, and other agencies as appropriate, in order to prevent duplication of research, management, and enforcement effort and to make optimum use of the resources available for management of the fisheries.

F. The intent of this protocol is to provide long term cooperative, compatible management systems that maintain the sustainability of the fisheries resources in State and Federal waters.

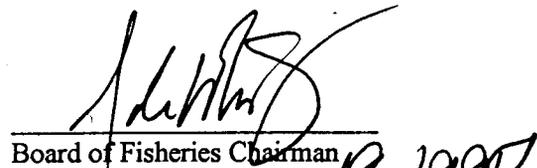
Approved:

For the North Pacific Fishery Management Council


Richard M. Leuben
Council Chairman

Mar. 7, 1997
Date

For the Alaska Board of Fisheries


Board of Fisheries Chairman
March 19, 1997
Date

**ALASKA BOARD OF FISHERIES
POLICY ON WRITTEN FINDINGS FOR ADOPTION OF REGULATIONS
99 - 184 - BOF**

Generally, written findings explaining the reasons for the Board of Fisheries' regulatory actions governing Alaska's fisheries are not required by law. The Alaska Supreme Court has specifically held that decisional documents are not required where an agency exercises its rulemaking authority. *Tongass Sport Fishing Association v. State*, 866 P.2d 1314, 1319 (Alaska 1994). "Adoption of a decisional document requirement is unnecessary and would impose significant burdens upon the Board." *Id.* The Board recognizes, however, its responsibility to "clearly voice the grounds" upon which its regulations are based in discussions on the record during meetings so that its regulatory decisions reflect reasoned decision-making. *Id.* The Board also recognizes that there may be times when findings are appropriate to explain regulatory actions that do no result in adoption of a regulation.

Even though written findings are generally not a legal requirement, the Board recognizes that there are certain situations where findings are, in fact, legally required or advisable or where findings would be useful to the public, the Department of Fish and Game, or even the Board itself. The Board will, therefore, issue written findings explaining its reasons for regulatory actions in the following circumstances:

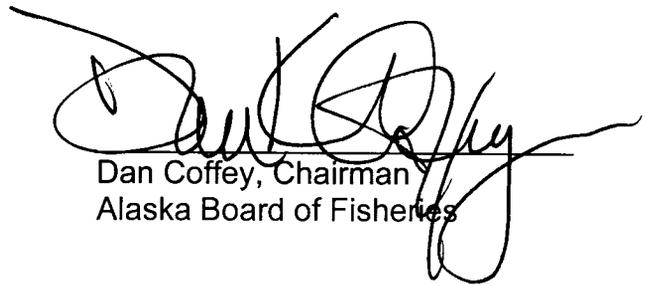
1. The Board will provide written explanations of the reasons for its decisions concerning management of crab fisheries that are governed by the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs as required by that plan.
2. The Board will, in its discretion and in consultation with the Department of Law, provide written findings for regulatory decisions regarding issues that are either already the subject of litigation or are controversial enough that litigation is likely.
3. The Board will, in its discretion, provide written findings for regulatory actions where the issues are complex enough that findings may be useful to the public in understanding the regulation, to the department in interpreting and implementing the regulation, or to the Board in reviewing the regulation in the future.
4. The Board will, in its discretion, provide written findings for regulatory actions where its reasons for acting are otherwise likely to be misconstrued by the public, the legislature, or other state or federal agencies.

The chair will assign responsibility for drafting written findings to board committees, individual board members, department staff (with division director approval), or others, as appropriate for the circumstances.

Written findings must be approved by a majority of the full Board membership. Approval may be by a vote on the record at a Board meeting or by individual signatures of Board members upon circulation of a written finding. Only those Board members that participated in the regulatory decision will be eligible to vote on the findings for that regulatory decision. Board members are not required to vote for or against adoption of findings based on their individual vote on the underlying regulatory decision. A Board member who votes in favor of the regulatory decision may vote against adoption of the findings; a Board member who votes in opposition to a regulatory action may, nevertheless, vote for adoption of the written findings.

Written findings adopted by the Board will be numbered according to year and sequence of adoption. The executive director will maintain copies of all Board findings and make them available for review by the Board, department, and the public.

ADOPTED: 10/27, 1999
Fairbanks, Alaska



Dan Coffey, Chairman
Alaska Board of Fisheries

VOTE: 7/0

**ALASKA BOARD OF FISHERIES
DELEGATION OF AUTHORITY TO
CORRECT TECHNICAL ERRORS IN REGULATIONS**

99 - 192 - FB

(Replaces Finding 96-163-FB)

The Board of Fisheries ("board") makes the following findings:

1. The board characteristically adopts numerous regulations during the course of any year.
2. Many of the regulations adopted by the board are highly complex and interrelated with other regulations already in force.
3. In view of the volume of regulatory proposals considered by the board at each meeting, it is impossible to prevent occasional ambiguities, inconsistencies, or other technical shortcomings in regulations adopted by the board.
4. Technical deficiencies in regulations may preclude successful prosecution of regulatory violations, or prevent the intent of the board from being fully implemented or other consequences not desired by the board. Technical deficiencies may include some or all of the following items; formatting problems; typographical errors made during publication; conflicting regulations; lack of definition of terms and modification of terminology to reflect changes in technology.
5. It is impractical, unnecessary, and contrary to the public interest to initiate action by the full board to make technical corrections in the regulations.
6. The commissioner and staff of the Department of Fish and Game, and personnel of the Departments of Law and Public Safety are most likely to notice technical deficiencies in the regulations as a result of daily administration of Title 16 and regulations adopted by the board.

THEREFORE THE BOARD RESOLVES that it hereby makes the following delegation of its rulemaking authority under AS 16.05.251 and AS 16.05.258 to the commissioner of the Department of Fish and Game to be carried out under AS 16.05.270:

- A. The commissioner may adopt, in accordance with the Administrative Procedure Act (AS 44.62), permanent or emergency regulations of a technical nature designated to eliminate inconsistencies, ambiguities, or other technical deficiencies in existing regulations of the board where the board's intention is clear.

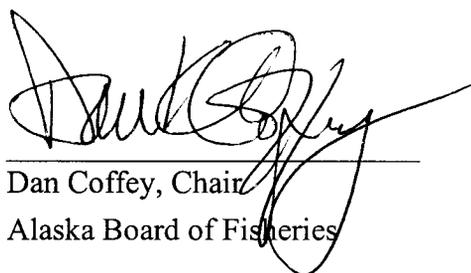
B. The commissioner may reopen board regulatory projects after filing of the original regulations, and may sign a new adoption order reflecting the board's adoption of the regulations where the regulations were noticed and adopted by the board within the current or previous regulatory cycle, and through administrative error, the regulations are not correctly reflected in the administrative code. The commissioner may make technical corrections in the regulations so long as they continue to be consistent with the board's original intent.

C. All regulations adopted by the commissioner under this delegation must be consistent with all current expressions of the board intent. Regulations that would result in a significant substantive amendment or addition to existing board regulations not covered by the board's original intent are not permitted, and a separate delegation must be obtained for significant and substantive changes.

D. This resolution replaces Finding # 96-163-FB.

E. This delegation of authority shall remain in effect until revoked by the board.

ADOPTED: October 29, 1999
Fairbanks, Alaska



Dan Coffey, Chair
Alaska Board of Fisheries

VOTE: _____

ALASKA BOARD OF FISHERIES
POLICY STATEMENT

Policy for Formation and Role of Committees at Board Meetings

#2000-199-FB

INTRODUCTION

During the past three (3) years, in response to its workload and in a desire to increase public participation, the Board has employed a committee process during the course of its meetings throughout the state of Alaska. This committee process has changed and developed over these three years in response public and department comments and the experiences of the Board in using the committee process.

It is expected that this process will continue to evolve as the needs of the public, the Board and the Department continue to evolve. As such, the committee process is meant to be dynamic and flexible. However, despite the expected future refinements, now that the committee process has been through a three-year Board cycle, it is appropriate for the Board to consider formal adoption of a Policy Statement on the Board committee process.

The Board recognizes that the public relies on the predictability of the regulatory process. The purpose of adopting this Policy Statement and the attached description of the committee process is to place the committee process in the records of the Board. Thus, the adoption of this Policy Statement will define the purpose, the formation and the role of Board committees. Over time, all participants in the Board process can be knowledgeable and effective participants before the Board of Fisheries.

DISCUSSION

A major strength of the Board committee process lies in its broad-based public participation format. To accommodate greater levels of public involvement, to enable the Board to receive and utilize the volume of information presented to it and to effectively handle the increased number of proposals seeking regulatory changes, the Board has found it desirable to create internal Board committees. The Board has found that these committees allow the Board to complete its work timely and effectively, with full consideration of the content and purpose of the many proposals before it each year.

The Board considers the use of committees as an expansion of its traditional processes; not as a replacement for such long-standing information gathering activities as staff and advisory committee reports, public testimony, written comments or informal contacts between Board members and the public. The Board committees are intended to enhance the process, not become a substitute for existing process.

While the committee process, of necessity, involves less than the full Board, nothing about the committee process is intended to, or has the consequence of, replacing the judgment of the full Board on all proposals before it at any regulatory meeting. The Board has taken steps to insure that its committees do not dictate/direct the outcome of any vote on any proposal. These steps include limiting participation by Board members to less than the number of Board members necessary to determine the outcome of the vote on any proposal. In addition, Board committees avoid predetermining the outcome by organizing the written materials presented to the Board so that they are readily available for review by the full Board, by presenting detailed reports on the committee's work and by fostering and encouraging debate during the deliberative process.

The goals and purposes of the Board committee process include but are not limited to the following:

1. Acquisition of additional detailed information from both the public and staff.
2. Providing a consensus-building forum that assists in the understanding and resolution of complex and controversial conservation, allocation, fishery resource, habitat and management issues.
3. Enhancing the interaction among the Board, the public and department staff which results in broader public understanding of the regulatory decisions of the Board and the Department's management of the fisheries.
4. Promoting efficient use of time by organizing and grouping similar proposals, reducing redundancy and organizing the huge volume of written materials provided before and during meetings by the department and the public.
5. Insuring completion of the Board's work within fiscal and temporal constraints.

The Board now finds as follows:

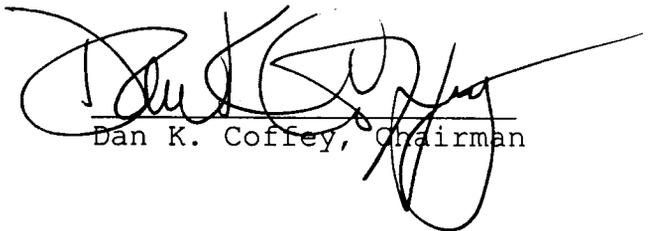
1. The goals and objectives are appropriate;
2. The statements of fact accurately reflect the beliefs and opinions of the Board as to the matters stated;
3. The committee process has, over a full three-year cycle of the Board, resulted in the goals and objectives having consistently been met.

Based on the findings, the Board of Fisheries resolves as follows:

1. The Policy Statement is hereby adopted as the policy of the Board of Fisheries.
2. The description of the committee process attached to this Policy Statement will be followed, in most circumstances, by the Board during the course of its regulatory meetings, subject always to the exceptional circumstance as determined by the Board.
3. The committee process is intended to be dynamic and flexible to meet the needs of the public, the Board and the Department. Thus, this Policy Statement and the attached description of the committee process are subject to ongoing review and amendment by the Board.

DATED at Anchorage, Alaska this 23rd day of March, 2000.

Vote
(Miller Absent)



Dan K. Coffey, Chairman

PROCEDURES FOR BOARD OF FISHERIES MEETING COMMITTEES

#2000-200-FB

INTRODUCTION

The description of the processes in this Memorandum are applicable to Board committees that meet during a regulatory Board meeting. They are not applicable to the Board's standing committees and task forces that conduct business throughout the year on number matters. Examples of standing committees are the Joint Protocol Committee that works with the North Pacific Fishery Management Council and the Legislative Committee that is responsible for all matters before the Alaska State Legislature.

The meeting committees consist of Board members only. Members of the public who participate in the committee process are advisers to the committee, but are not committee members themselves. Advisory committee representatives are ex-officio members of any advisory panel to any committee with which they wish to serve.

DESCRIPTION OF THE COMMITTEE PROCESS

The committee formation process for each regulatory year will commence shortly after proposals for that regulatory year are received and compiled. Appropriate department staff, working with Board members assigned by the Chair, will group and preliminarily assign proposals, grouped by appropriate topic, to committees for each scheduled regulatory meeting during the year. Proposal roadmaps will likewise be developed that mesh with committee proposal groupings. Preliminary staff assignments for committees will also be considered during the initial proposal review.

At its work session each fall, the Board will evaluate and provide further refinement to the draft roadmaps and preliminary committee organization and assignments. Board member responsibilities for and assignments to committees will be determined at the fall work session. The goal is to have all committee structures, including Board member and staff assignments, completed before the respective regulatory meeting occurs. Committee roadmaps with Board member assignments will be distributed to the public after the fall work session. The roadmaps and the committee assignments are subject to change in the face of unforeseen circumstances or changed conditions.

COMMITTEE PROCEDURES DURING REGULATORY MEETINGS

The practices and procedures to which committees will attempt to adhere during Board regulatory meetings are as follows:

1. Early during each regulatory meeting the Board Chair will provide a brief description of how the committee system works and will further direct the public's attention to the location of a posted committee roadmap and committee assignments. The Chair will also announce that a copy of the Board's Policy Statement and this procedural description on the role of committees is available from the Board's Executive Director upon request.
2. Board committees consist solely of Board members appointed by the Board Chair. Advisory committee representatives and public panel participants are not committee members, but rather are advisors to the committee. Department staff as well as other state and federal agencies staff will provide technical assistance to committees.
 - A) Public panel participants are generally stakeholders in the fisheries under consideration. They may be CFEC permit holders, crewmen, processors, executive directors of associations, and private citizens.
 - B) A Board member will serve as a chairperson for each committee.
 - C) The Board Chair will announce the location and time of all committee meetings.
 - D) All committee meetings are open to anyone that desires to attend, although participation is limited to the advisory committee representatives, the public panel participants, the technical advisors, the department staff and the committee members.
3. Individuals that desire to serve as public panel participants to any committee should make their availability known to the chair of the respective committee. Willingness to serve can be expressed by personal contact with a committee chair or during presentation of formal oral testimony. Committee chairs are to keep a list of prospective public panel participants

during the course of the meeting.

A) Attendance at the Board meeting during the presentation of staff reports and presentation of oral testimony is generally a prerequisite to serving as a public panel participant to a committee at most meetings. This requirement will be most prevalent at meetings having high levels of attendance.

B) Advisory Committee representatives are ex-officio members of all public panels to all committees and may move between committees as they choose.

4. At the conclusion of public testimony, the chair of the respective committees will develop a preliminary list of public panel participants. The goal of the selection process will be to insure, as far as practicable, that there is appropriate and balanced representation of fishery interests on all committees. Tentative assignments will be reviewed by the Board as a whole and then posted for public review. After public review the Board Chair, in session on the record, will ask the public for concurrence or objections to the panel membership. Reasonable adjustments to membership on public panels will be accommodated.

5. Parliamentary procedures for committee work will follow the "New England Town Meeting" style. Public panel participants, upon being recognized by the committee chair, may provide comments, ask questions of other public panel members, ADF&G staff or the committee members or may otherwise discuss the issues assigned to a committee. Committee chairs will attempt to manage meetings in a manner that encourages exchange of ideas, solutions to complex issues and resolution of misunderstandings. Participants are required to engage in reasonable and courteous dialogue between themselves, Board committee members and with ADF&G staff. Committee meetings are intended to provide opportunities for additional information gathering and sometimes for dispute resolution. Committees are not a forum for emotional debate nor a platform for repeating information already received through public testimony and the written record. Department staff will be assigned to each committee to keep notes of discussions and consensuses reached, if any.

A) Formal votes will not normally be taken by the committees, but proposals or management plans that

receive public panel consensus, either negative or positive, will be noted in the committee report.

B) The committee process, in the absence of consensus will attempt to bring greater clarity to individual proposals and to complex conservation or allocation concerns.

6. Advisory Committee representatives serving on public panels are not constrained to merely presenting the official positions of their Advisory Committee (as is required while providing public testimony). When participating in the committee process, Advisory Committee representatives may express both the official positions of their committee as well as their personal views on issues not acted upon or discussed by their Advisory Committee. They must, however, identify which of the two positions they are stating. The Board recognizes Advisory Committee representatives as knowledgeable fisheries leaders who have a sense of their community's position on issues that come before the Board. Therefore, the Board believes that Advisory Committee representatives must be able to function freely during committee meetings.

7. After a committee has completed its work with its public panel, the committee chair will prepare a report with assistance from other members of the committee and department staff. The format of this report, which becomes part of the public record, is attached to this policy. The primary purpose of a committee report is to inform the full Board of the committee work in synopsis form. The report will additionally serve as a compilation index to Advisory Committee, public and staff written materials (record copies, public comments and staff reports) relative to the proposals assigned to the respective committees. Committee reports will be clear, concise, and in all cases, will attempt to emphasize "new information" that became available during the committee process, i.e., information that had not previously been presented to the full Board in oral or written form.

A) In order to provide focus, committee reports should include recommendations relative to most proposals.

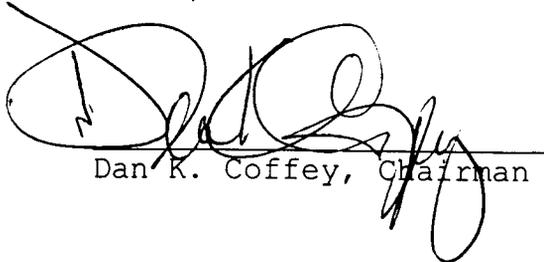
B) If a committee has developed a proposal to replace or modify an existing proposal, the substitute proposal should be prepared and attached the to

committee report.

- C) Committee reports will not include recommendations for proposals when such recommendations will predetermine the ultimate fate of the proposal. For example, when the full Board consists of six or few voting members (because of absence, abstention or conflict of interest) a committee of three should not provide a negative recommendation on a proposal.
8. Committee reports will be made available to the public in attendance at the meeting prior to the Board beginning deliberations on proposals. The Board Chair will publicly announce when reports are expected to be available for review by members of the public. The public will be encouraged to provide written comments to the Board (submittal of record copies) regarding the content of the committee reports and/or to personally contact Board members to discuss the reports.
- A) The Board Chair will provide sufficient time between release of committee reports and deliberations for the preparation of written comments or for verbal communications with individual Board members to occur.
9. Board deliberations will begin after the full Board has had time to review committee reports, after the public in attendance has had an opportunity to respond to the reports, and after the full Board has had an opportunity to review the public's comments made in response to the committee reports. During the course of deliberations, committee chairs will present their committee's report and initially will lead the discussion relative to proposals assigned to their committee.
10. The full Board shall be involved in the debate or discussion of all proposals and will make regulatory decisions based on all information received to the record, including information from committees.

Adopted by the Board in Anchorage on March 23, 2000.

Vote: 6-0-1
(Miller absent)


Dan K. Coffey, Chairman

**ALASKA BOARD OF FISHERIES
POLICY ON EMERGENCY PETITION PROCESS
#2000-203- BOF**

The Board of Fisheries often receives petitions for emergency changes to its regulations during times of the year when it is not meeting and no meeting is scheduled within the next 30 days. The Alaska Administrative Procedures Act (APA) requires that the Board shall, within 30 days of receipt of a petition, deny the petition in writing or schedule the matter for public hearing. AS 44.62.230. 5 AAC 96.625(f) establishes criteria for acceptance or denial of an emergency petition, but it does not establish the procedure the Board will go through to address the petition. This policy lays out the procedure that the Board will follow upon receipt of a petition for an emergency change to its regulations.

If the Board is in session or scheduled to meet within 30 days of receipt of an emergency petition, the executive director will schedule the petition for consideration by the Board on the agenda of the current or upcoming meeting.

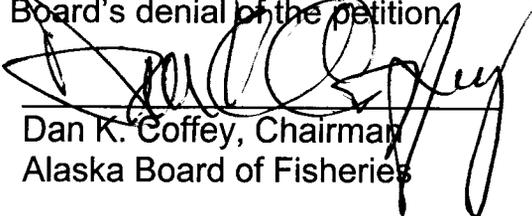
If the Board is not in session and is not scheduled to meet within 30 days of receipt of an emergency petition, the executive director will transmit to each Board member a copy of the petition, a cover memo in the form attached to this policy, and any information furnished by the Alaska Department of Fish and Game in response to the petition. After reviewing this information, each Board member will, on the cover memo, indicate his or her vote to deny the petition or schedule a special meeting for Board consideration and possible adoption of the petition, date and sign the document, and return it to the executive director as soon as practicable.

Pursuant to AS 16.05.310, if two or more Board members vote in favor of a special meeting to consider the emergency petition, then the executive director will, after consultation with the Board chair and members, schedule a public meeting of the Board at which it will consider acceptance or denial of the petition.

If two or more Board members do not vote in favor of a special meeting, the petition will be considered denied, and the executive director will write a letter to the petitioner indicating the Board's denial of the petition.

ADOPTED: November 5, 2000
Anchorage, Alaska

VOTE: 7 - 0



Dan K. Coffey, Chairman
Alaska Board of Fisheries

ALASKA BOARD OF FISHERIES
FINDING OF SUPPORT IN THE FINDING OF EMERGENCY FOR
ALEUTIAN ISLANDS DISTRICT West of 170° PACIFIC COD FISHERY
2006-246-FB
February 26, 2006

The Alaska Board of Fisheries finds that an emergency exists and emergency regulations providing for an Aleutian Islands District Pacific Cod Management Plan are necessary for the immediate preservation of the public peace, health, safety, or general welfare. The facts constituting the emergency include the following:

Economic opportunities for residents of Adak and other areas in the Aleutians are limited, and the tax base is highly dependent on fisheries. The small remote community of Adak, redeveloping after closure of a naval base, has lost access to fishery resources in recent years due to factors beyond its control such as crab rationalization which reduced it from packing 80 percent of the Western Brown Crab to 30 percent, stellar sea lion closures which prevent harvest of a federal Pollock allocation, and early harvests of the Pacific Cod total allowable catch, which is shared by the Bering Sea and Aleutian Islands Areas, before Pacific Cod are generally available for harvest in the Aleutians resulting in a fall in the Aleutian Islands harvest percentage from a high of 20.8 percent in 2000 to 10.2 percent in 2005. The federal "A" season for Pacific cod has been becoming steadily more compressed in recent years, with the quota reached on March 24 in 2004 and March 13 in 2005, and with closure as early as the first week of March possible in 2006. The majority of the vessels in the small boat fleet do not hold federal LLP's and are limited to participation in fisheries within State waters. Compression of the Pacific cod season, makes it uneconomic for small vessels to gear up and participate in the fishery and is further reducing the already limited opportunities available in the Adak area in both its exiting trawl fleet and its developing fixed gear fleet and this compression is contributing to an economic crisis which endangers the redevelopment of Adak.

In December 2005, the Board originally noticed an intent to adopt proposal 399, a Pacific Cod Management Plan for the Aleutians, at its January meeting, allowing sufficient time for regular regulations to become effective, however, the North Pacific Fisheries Management Council and the National Marine Fisheries Service requested a joint meeting with the Board prior to Board action, expressing concerns about the proposal, including concerns about impacts on resource conservation and sustained yield management, impacts on Stellar sea lions, the possibility of triggering formal consultation under section seven of the Endangered Species Act, impacts on other fisheries, the ability to rollover unharvested Pacific Cod, bycatch concerns, catch accounting concerns, enforcement concerns, and impacts on the related Federal Amendment 85 process. Pursuant to its groundfish guiding principles under 5 AAC 28.089 and its Joint Protocol agreement with the North Pacific Fisheries Management Council, the Board agreed to this request, and thereby resolved a number of urgent issues including insuring that the fishery would not create problems under the Endangered Species Act or violate sustained yield management principles. The decision to consult with the North Pacific Management Council and the National Marine Fisheries Service and to address the issues raised by these agencies made it impossible to adopt regular regulations that would be effective in time to allow a season for the Aleutians to open in March of 2006 impossible, regular regulations could not be effective until April of 2006, by which time the federal parallel fishery would be closed and the total allowable catch for the federal A season would be taken and unavailable to a State waters fishery. Failure to have the regulations in effect for the 2006 season would endanger

development of the fishery in the latter part of 2006 and in 2007, and would be highly detrimental to the welfare of the Adak community and small boat fishermen in the Aleutian Islands area.

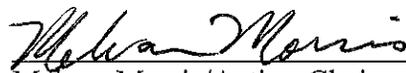
In the absence of emergency regulations, due to the timing of Pacific Cod Fishery, severe winter weather conditions in the Aleutians, and a dangerous pass between Adak and the state waters fishing grounds, the small boat fleet would be very limited in its ability to safely participate in the early season and could participate fully and economically only by ignoring weather constraints which often preclude the safe operation of small boats in the Aleutians. Failure to have the regulations in effect for the 2006 season would thus be likely to result in significant public safety issues.

Based on the foregoing facts, emergency regulations with an immediate effective date, providing for a state waters Aleutian Islands Pacific cod management plan, stretching out the season and providing a reasonable opportunity for Pacific cod to be harvested in commercially viable quantities in the Aleutian Islands are needed in order to preserve both the public safety and welfare. The board delegates authority to the Commissioner or the commissioner's designee to prepare and file a formal finding of emergency along with the emergency regulations that reflect the board's actions taken during the February 20 - 26, 2006 meeting.

ADOPTED: FEB. 26, 2006

VOTE: 4/1/1/1

ABSTAIN: NELSON



Melvan Morris/Acting Chair