

PROPOSAL 250

5 AAC 58.026. Shellfish harvest recording form required.

Include an appeal process for failure to report for the Tanner crab sport fishery harvest recording form, as follows:

5 AAC 58.026 is amended to read:

(a) Before harvesting shellfish with pots, a person must obtain a sport fishing shellfish harvest recording form, described in 5 AAC 75.016 and provided by the department. Upon taking shellfish with pots, and before concealing the shellfish from plain view or removing the shellfish from the fishing site, the person must enter, in ink, the **harvest** and catch information requested in the form. A person who fails to comply with the requirements of this subsection or 5 AAC 75.016, **including any requirement to return harvest and catch information to the department**, may be ineligible to **obtain a shellfish harvest recording form** [PARTICIPATE] during the following **season** [CALENDAR YEAR] in the fishery for which the form was required, **unless the permit applicant demonstrates to the department that failure to report was due to unavoidable circumstances.**

What is the issue you would like the board to address and why? Prior to 2017, the noncommercial Tanner crab fisheries in Cook Inlet – Resurrection Bay included subsistence, personal use and sport fisheries. These noncommercial fisheries required a permit for participation and all fisheries were included in one permit. In 2017, the Board of Fisheries (board) eliminated the personal use Tanner crab fishery in Cook Inlet – Resurrection Bay because it was redundant to the sport fishery. As a result, a separate permit was needed for the sport fishery; it was only offered online with reporting only available online. 5 AAC 58.026 requires a shellfish harvest recording form prior to harvesting shellfish with pots in the Cook Inlet – Resurrection Bay Area. In addition, it specifies that a person who fails to comply with the requirements may be ineligible to participate in the next calendar year’s fishery. Online permits and reporting provide the department a more functional process to identify persons who have not reported their harvest and deny permits as provided in regulation for persons who do not report. Sport fishing regulation is needed to outline an appeal process for permittees that fail to comply with permit requirements, similar to statewide personal use and subsistence permit regulations.

PROPOSED BY: Alaska Department of Fish and Game

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