

Mead Treadwell
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520 465.5400 Fax
WWW.LTGOV.ALASKA.GOV



530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
907.269.7460 269.0263
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Doug Rickey, AAC Contact
Department of Fish and Game

FROM: Scott Meriwether
Special Assistant
907.465.3509

A handwritten signature in blue ink, appearing to be "SM", next to the name Scott Meriwether.

DATE: October 20, 2014

RE: Filed Permanent Regulations: Commercial Fisheries Entry Commission

Regulations re: permit fees, the former statewide weathervane scallop fishery, and salmon net permit re-designation: 20 AAC 05.245; 20 AAC 05.250(b); 20 AAC 05.1425 - 20 AAC 05.1444; 20 AAC 05.1910(h); 20 AAC 05.1942(a)

Attorney General File:	JU2014200591
Regulation Filed:	10/14/2014
Effective Date:	11/13/2014
Print:	212, January 2015

cc with enclosures: Linda Miller, Department of Law
Dean Williams, Administrative Regulation Review Committee
Judy Herndon, LexisNexis

ORDER CERTIFYING THE CHANGES TO REGULATIONS OF
THE COMMERCIAL FISHERIES ENTRY COMMISSION

The attached seven (7) pages of regulations, dealing with reduced permit fees, vessel permits for the former statewide weathervane scallop fishery, and salmon net permit redesignation, are certified to be a correct copy of the regulation changes that the Commercial Fisheries Entry Commission adopted at its August 20, 2014 meeting, under the authority of AS 16.43.110 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

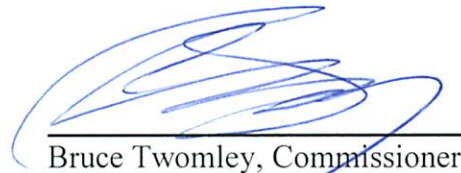
This action is not expected to require an increased appropriation.

Two public comments, both in support, were received, and the Commercial Fisheries Entry Commission paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE:

8/21/14
Juneau, Alaska


Bruce Twomley, Commissioner

FILING CERTIFICATION

I, Mead Treadwell, Lieutenant Governor for the State of Alaska, certify that on October 14, 2014 at 2:40 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.


Lieutenant Governor

Effective: November 13, 2014

Register: 212, January ~~2014~~ 2015

Register 212, January ²⁰¹⁵ ~~2014~~ MISCELLANEOUS BOARDS

(5)

paragraph

20 AAC 05.245(a) is amended by adding a new subsection to read:

<sup>tail
once
more</sup> (9) an applicant for a halibut interim-use permit that is used only to participate in the Western Alaska Community Development Quota (CDQ) Program, as authorized ^{under 16 U.S.C. 1855 (i)(1) (sec.)} by section

305(i)(1) of the Magnuson-Stevens Fishery Conservation and Management Act ^{(16 U.S.C.}

¹⁸⁵⁵⁽ⁱ⁾⁾ may pay an annual base fee corresponding to fee class 1 as specified under (4) of this

subsection if the applicant designates on the application the name of the CDQ community or group on behalf of which the applicant will be participating ^{# delete excess space (if any)} and certifies that the interim-use permit will be used only to harvest halibut under the CDQ program.

20 AAC 05.245(c) is amended to read:

(c) A resident of this state may apply for a reduced fee for the issuance of an interim-use permit or the annual renewal of an interim-use or entry permit if the resident's total family income, as defined for the food stamp program in 7 C.F.R. 273.9 – 273.11, as revised as of January 1, 2014 [2013] and adopted by reference, falls within the poverty guidelines published by the United States Department of Health and Human Services, in the Federal Register on January 22, 2014 [JANUARY 24, 2013] and adopted by reference, and the resident's assets and resources do not exceed those established for the food stamp program in 7 C.F.R. 273.8, as revised as of January 1, 2014 [2013] and adopted by reference. The reduced fee for a resident entry or interim-use permit is 50 percent of the annual base fee determined under (a)(1) – (6) of this section.

Register 212, January 2014 MISCELLANEOUS BOARDS

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20 AAC 05.245(d) is amended to read:

(d) A nonresident may apply for a reduced base fee for the issuance of an interim-use permit or the annual renewal of an interim-use or entry permit if the nonresident's total family income, as defined for the food stamp program in 7 C.F.R. 273.9 – 273.11, as revised as of January 1, 2014 [2013] and adopted by reference, falls within the poverty guidelines published by the United States Department of Health and Human Services, in the Federal Register on January 22, 2014 [JANUARY 24, 2013] and adopted by reference, and the nonresident's assets and resources do not exceed those established for the food stamp program in 7 C.F.R. 273.8, as revised as of January 1, 2014 [2013] and adopted by reference. The reduced base fee for a nonresident entry or interim-use permit is 50 percent of the total fee determined under (a)(4) of this section. In addition to the reduced annual base fee, a nonresident who qualifies for a reduced fee shall pay the annual nonresident surcharge determined under (a)(7) of this section.

20 AAC 05.245(e) is amended to read:

(e) An applicant for a reduced fee under (c) or (d) of this section must apply on the 2015 [2014] *Federal Income Guidelines and Reduced Permit Fee Application*, provided by the commission, as revised as of September 2014 ^{AUGUST} [2013] and adopted by reference, and must provide the documentation identified on that form. (Eff. 10/27/2001, Register 160; am 5/16/2002, Register 162; am 12/21/2002, Register 164; am 12/6/2003, Register 168; am 12/1/2004, Register 172; am 11/6/2005, Register 176; am 10/28/2006, Register 180; am 11/10/2007, Register 184; am 11/23/2008, Register 188; am 11/20/2009, Register 192; am 12/31/2010, Register 196; am 12/25/2011, Register 200; am 12/27/2012, Register 204; am 12/25/2013, Register 208; am 11 / 13 / 2014, Register 212.)

Authority: AS 16.43.100 AS 16.43.140 AS 16.43.160
in
bold AS 16.43.110 AS 16.43.150 AS 16.43.990

Editor's note: A copy of the Commercial Fisheries Entry Commission's form "2015 [2014] *Federal Income Guidelines and Reduced Permit Fee Application*" adopted by reference in 20 AAC 05.245 may be obtained from the Commercial Fisheries Entry Commission, 8800 Glacier Hwy., Suite 109, P.O. Box 110302, Juneau, AK 99811-0302. The form is also available at the Commercial Fisheries Entry Commission's website at <http://www.cfec.state.ak.us/>.

20 AAC 05.250(b) is amended to read:

(b) Instead of the \$100 application fee required under (a) of this section, an applicant may pay a fee of \$50 if the applicant's total family income, as defined for the food stamp program in 7 C.F.R. 273.9 – 273.11, as revised as of January 1, 2014 [2013] and adopted by reference, falls within the poverty guidelines published by the United States Department of Health and Human Services, in the Federal Register on January 22, 2014 [JANUARY 24, 2013] and adopted by reference, and the applicant's assets and resources do not exceed those established for the food stamp program in 7 C.F.R. 273.8, as revised as of January 1, 2014 [2013] and adopted by reference. (Eff. 1/30/87, Register 101; am 1/1/2000, Register 152; am 5/16/2002, Register 162; am 12/21/2002, Register 164; am 12/6/2003, Register 168; am 12/1/2004, Register 172; am 11/6/2005, Register 176; am 10/28/2006, Register 180; am am 12/31/2010, Register 196; 11/10/2007, Register 184; am 11/23/2008, Register 188; am 11/20/2009, Register 192; am 12/25/2011, Register 200; am 12/27/2012, Register 204; am 12/25/2013, Register 208; am 11 / 13 / 2014, Register 212)

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in
bold **Authority:** AS 16.43.100 AS 16.43.110

Register 212, January 2014 MISCELLANEOUS BOARDS

⑤

20 AAC 05.1425 is repealed:

20 AAC 05.1425. Establishment of vessel permit system for statewide weathervane scallop fishery. Repealed. (Eff. 5/6/2004, Register 170; repealed 11 / 13 / 2014, Register 212)

20 AAC 05.1427 is repealed:

20 AAC 05.1427. Limitation of statewide weathervane scallop fishery. Repealed. (Eff. 5/6/2004, Register 170; repealed 11 / 13 / 2014, Register 212)

20 AAC 05.1428 is repealed:

20 AAC 05.1428. Application process for statewide weathervane scallop fishery vessel entry permit. Repealed. (Eff. 5/6/2004, Register 170; repealed 11 / 13 / 2014, Register 212)

20 AAC 05.1430 is repealed:

20 AAC 05.1430. Initial issuance of statewide weathervane scallop fishery vessel entry permit. Repealed. (Eff. 5/6/2004, Register 170; repealed 11 / 13 / 2014, Register 212)

20 AAC 05.1432 is repealed:

20 AAC 05.1432. General provisions for the statewide weathervane scallop fisheries vessel permit system. Repealed. (Eff. 5/6/2004, Register 170; repealed 11 / 13 / 2014, Register 212)

Register 212, January 2014 MISCELLANEOUS BOARDS
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20 AAC 05.1434 is repealed:

20 AAC 05.1434. Substitution of statewide weathervane scallop vessel. Repealed.

(Eff. 5/6/2004, Register 170; repealed 11 / 13 / 2014, Register 212)

20 AAC 05.1436 is repealed:

20 AAC 05.1436. Transfer of statewide weathervane scallop vessel entry permit.

Repealed. (Eff. 5/6/2004, Register 170; repealed 11 / 13 / 2014, Register 212)

20 AAC 05.1438 is repealed:

20 AAC 05.1438. Annual renewal of statewide weathervane scallop vessel entry permit. Repealed. (Eff. 5/6/2004, Register 170; repealed 11 / 13 / 2014, Register 212)
(am 12/1/2004, Register 172)
in
bold the period

20 AAC 05.1440 is repealed:

20 AAC 05.1440. Annual fees for statewide weathervane scallop vessel entry permit. Repealed. (Eff. 5/6/2004, Register 170; repealed 11 / 13 / 2014, Register 212)
in
bold the period

20 AAC 05.1441 is repealed:

20 AAC 05.1441. Transfer and vessel substitution fees for the statewide weathervane scallop fishery. Repealed. (Eff. 5/6/2004, Register 170; repealed 11 / 13 / 2014, Register 212)
in
bold the period

Register 212, January 2014 MISCELLANEOUS BOARDS

20 AAC 05.1443 is repealed:

20 AAC 05.1443. Applicability of 20 AAC 05.1425 — 20 AAC 05.1444. Repealed.
(am 11/23/2008, Register 188;
(Eff. 5/6/2004, Register 170; repealed 11 / 13 / 2014, Register 212)

*hold the
period*

20 AAC 05.1444 is repealed:

20 AAC 05.1444. Definitions for 20 AAC 05.1425 — 20 AAC 05.1444. Repealed.
(Eff. 5/6/2004, Register 170; repealed 11 / 13 / 2014, Register 212)

*hold the
period*

20 AAC 05.1910(h) is amended to read:

(h) The fee to process permanent transfers and emergency transfers of interim-use and entry permits is \$50. Instead of the \$50 processing fee, the transferor or transferee may pay a fee of \$25 if both the transferor and transferee's total family incomes, as defined for the food stamp program in 7 C.F.R. 273.9 – 273.11, as revised as of January 1, **2014** [2013] and adopted by reference, fall within the poverty guidelines published by the United States Department of Health and Human Services, in the Federal Register on **January 22, 2014** [JANUARY 24, 2013] and adopted by reference, and neither the transferor's or transferee's assets and resources exceed those established for the food stamp program in 7 C.F.R. 273.8, as revised as of January 1, **2014** [2013] and adopted by reference.

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← (Eff. 12/18/74, Register 52; am 11/26/87, Register 104; am 7/16/94, Register 131; am 5/4/95, Register 134; am 10/7/95, Register 136; am 12/29/2000, Register 156; am 10/31/2001, Register 160; am 5/6/2002, Register 162; am 12/21/2002, Register 164; am 12/6/2003, Register 168; am 12/1/2004, Register 172; am 11/6/2005, Register 176; am 10/28/2006, Register 180; am 11/10/2007, Register 184; am 11/23/2008, Register 188; am 11/20/2009, Register 192; am

Register 212, January 2014 MISCELLANEOUS BOARDS

(5)

12/31/2010, Register 196; am 12/25/2011, Register 200; am 12/27/2012, Register 204; am 12/25/2013, Register 208; am 11 / 13 / 2014, Register 212)

Authority: AS 16.05.520

bold AS 16.43.100

> . <

AS 16.43.110

AS 16.43.160

20 AAC 05.1942(a) is amended to read:

(a) A person who holds salmon net permits in more than one administrative area, and has designated an area of intended fishing as provided in 20 AAC 05.1940 may, before using the permit in THE [INITIAL ANNUAL OPENING OF] the salmon net fishery designated, redesignate the area in which the person intends to fish.

(Eff. 5/21/78, Register 66; am 11 / 13 / 2014, Register 212)

Authority: AS 16.43.100

bold AS 16.43.110
[AS 16.43.110(a)]

[AS 16.43.140(c)]

AS 16.43.140

MEMORANDUM


State of Alaska Department of Law

TO: Hon. Mead Treadwell
Lieutenant Governor

DATE: September 11, 2014

FILE NO.: JU2014200591

TELEPHONE NO.: 465-3600

FROM: Steven C. Weaver 
Sr. Assistant Attorney General and
Assistant Regulations Attorney
Legislation/Regulations Section--Juneau

SUBJECT: Regulations re: permit fees,
the former statewide
weathervane scallop fishery,
and salmon net permit
re-designation (20 AAC
05.245; 20 AAC 05.250(b);
20 AAC 05.1425 - 20 AAC
05.1444; 20 AAC 05.1910(h);
20 AAC 05.1942(a))

We have reviewed the attached regulations from the Commercial Fisheries Entry Commission. I have reviewed this project under a specific delegation dated September 11, 2014 from the Regulations Attorney. A duplicate of this memorandum is being furnished to Bruce Twomley, the commission chair, along with a copy of the regulations.

The Department of Law has reviewed the attached regulations against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum and the attached duplicate memorandum dated September 11, 2014 constitute the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The regulation changes were adopted by the Commercial Fisheries Entry Commission after the close of the public comment period. The regulations update provisions relating to permit fees and re-designation of a permittee's salmon net permit area, and repeal provisions relating to the former statewide weathervane scallop salmon fishery to reflect the repeal in 2002 of former AS 16.43.450 - 16.43.520.

The certification order for the regulations states that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made a few technical corrections to conform the regulations with the drafting manual under AS 44.62.060 and 44.62.125. The corrections are shown on the attached copy of the regulations.

SCW

cc w/enc:

Bruce Twomley, Chair
Commercial Fisheries Entry Commission

MEMORANDUM


State of Alaska Department of Law

TO: Bruce Twomley, Chair
Commercial Fisheries Entry Commission

DATE: September 11, 2014

FILE NO.: JU2014200591

TELEPHONE NO.: 465-3600

FROM: Steven C. Weaver 
Sr. Assistant Attorney General and
Assistant Regulations Attorney
Legislation/Regulations Section--Juneau

SUBJECT: Regulations re: permit fees,
the former statewide
weathervane scallop fishery,
and salmon set net permit
re-designation (20 AAC
05.245; 20 AAC 05.250(b);
20 AAC 05.1425 - 20 AAC
05.1444; 20 AAC 05.1910(h);
20 AAC 05.1942(a))

Under AS 44.62.060, we have reviewed the attached regulations changes by the Commercial Fisheries Entry Commission, and approve the changes for filing by the lieutenant governor. I have reviewed this project under a specific delegation dated September 11, 2014 from the Regulations Attorney. A duplicate original of this memorandum is being furnished to the lieutenant governor, along with the seven pages of regulations and the related documents.

You might wish to contact the lieutenant governor's office to confirm the filing date and effective date of the attached regulation changes.

The July 16, 2014 public notice and the August 21, 2014 certification order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

In accordance with AS 44.62.125(b)(6), some corrections have been made in the regulations, as shown on the attached copy.

SCW

cc w/enc: Doug Rickey, Regulations Contact
Commercial Fisheries Entry Commission

Kevin Messing, Regulations Contact
Department of Fish & Game

Vanessa M. Lamantia
Assistant Attorney General
Natural Resources Section--Juneau

MEMORANDUM

State of Alaska Department of Law

TO: Hon. Mead Treadwell
Lieutenant Governor

DATE: September 11, 2014

FILE NO.: JU2014200591

TELEPHONE NO.: 465-3600

FROM: Susan R. Pollard *SRP*
Chief Assistant Attorney General
& Regulations Attorney
Legislation/Regulations Section—Juneau

SUBJECT: Specific delegation of authority
regarding regulations review on
Commercial Fisheries Entry
Commission regulations re:
permit fees, the former statewide
weathervane scallop fishery, and
salmon net permit re-designation
(20 AAC 05.245; 20 AAC
05.250(b); 20 AAC 05.1425 -
20 AAC 05.1444; 20 AAC
05.1910(h); 20 AAC 05.1942(a))

By this memorandum, I am delegating my authority as Regulations Attorney under AS 44.62 to Assistant Attorney General Steven C. Weaver for the above-referenced regulations project. Under this delegation of authority, Steven Weaver has my full authority under AS 44.62 to conduct the legal review under AS 44.62 and take necessary actions on this regulations project.

If you have questions, please let me know.

SRP:SCW

cc w/enc:

Scott C. Meriwether, AAC Coordinator
Office of the Lieutenant Governor

Steven C. Weaver
Sr. Assistant Attorney General
Legislation/Regulations Section—Juneau

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

AFFIDAVIT OF COMMISSION ACTION

I, Doug Rickey, Law Specialist for the Commercial Fisheries Entry Commission, being duly sworn, state the following:

The attached motion dealing with reduced permit fees, vessel permits for statewide weathervane scallop fishery, and salmon net permit redesignation was adopted by the Commercial Fisheries Entry Commission during its August 20, 2014 meeting.

Date: 8/21/2014
Juneau, Alaska

Doug Rickey
Doug Rickey
Law Specialist

SUBSCRIBED AND SWORN TO before me this 21 day of August, 2014.



[Signature]
Notary Public in and for
the State of Alaska.

My commission expires: 10/1/2016

COMMERCIAL FISHERIES ENTRY COMMISSION MEETING

August 20, 2014

Excerpt from Unapproved Minutes

Commissioner Ben Brown moved and Commissioner Bruce Twomley seconded the following motion:

I move that we adopt the amendments to 20 AAC 05.245, 250, 1425 through 1444, 1910 and 1942, as set out on pages one through seven of the proposed regulations before us.

The motion carried unanimously.

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

AFFIDAVIT OF NOTICE OF PROPOSED ADOPTION OF REGULATIONS
AND FURNISHING OF ADDITIONAL INFORMATION

I, Doug Rickey, Law Specialist, Commercial Fisheries Entry Commission, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes in regulations dealing with reduced permit fees, vessel permits for statewide weathervane scallop fishery, and salmon net permit redesignation has been given in accordance with AS 44.62.190(a) by being:

- (1) published in newspaper or trade publication;
- (2) furnished to interested persons;
- (3) furnished to appropriate state officials;
- (4) furnished to the Department of Law, along with a copy of the regulations;
- (5) electronically transmitted to incumbent State of Alaska legislators;
- (6) furnished to the Legislative Affairs Agency, Legislative Legal and Research Services;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);
- (8) furnished electronically, along with a copy of the regulations, to the Legislative Affairs Agency, the chairs of the Natural Resources Committee of the Alaska Senate and House of Representatives, the Administrative Regulation Review Committee, and the legislative council.

As required by AS 44.62.190(d), additional regulations notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and furnished to those in (5) and (6) of the list above. The additional regulations notice information also has been posted on the Alaska Online Public Notice System.

DATE: 8/21/2014
Juneau, Alaska


Doug Rickey, Law Specialist

SUBSCRIBED AND SWORN TO before me this 21 day of August 2014.

Notary Public in and for the State of Alaska
My commission expires: 12/01/2025



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\$ 453.20

AFFIDAVIT OF PUBLICATION

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Joleesa Stepetin
being first duly sworn on oath deposes and
says that he is a representative of the
Anchorage Daily News, a daily newspaper.
That said newspaper has been approved
by the Third Judicial Court, Anchorage,
Alaska, and it now and has been published
in the English language continually as a
daily newspaper in Anchorage, Alaska,
and it is now and during all said time was
printed in an office maintained at the
aforesaid place of publication of said
newspaper. That the annexed is a copy of
an advertisement as it was published in
regular issues (and not in supplemental
form) of said newspaper on

July 16, 2014

and that such newspaper was regularly
distributed to its subscribers during all of
said period. That the full amount of the fee
charged for the foregoing publication is not
in excess of the rate charged private
individuals.

Signed Joleesa Stepetin

Subscribed and sworn to before me
this 16th day of July, 2014

Britney Thompson

Notary Public in and for
The State of Alaska.
Third Division
Anchorage, Alaska
MY COMMISSION EXPIRES

05/18/15



NOTICE OF PROPOSED CHANGES IN REGULATIONS AND OF A PUBLIC MEETING

COMMERCIAL FISHERIES ENTRY COMMISSION

BRIEF DESCRIPTION

The Commercial Fisheries Entry Commission proposes to change regulations on reduced permit fees, vessel permits for statewide weathervane scallop fishery, and salmon net permit redesignation.

The Alaska Commercial Fisheries Entry Commission proposes to adopt regulation changes in Title 20, Chapter 05 of the Alaska Administrative Code dealing with miscellaneous regulations, including the following:

The Commission proposes to:

1. Amend 20 AAC 05.245(a) by adding a new section refining the procedure to allow reduced fees for fishermen who only fish halibut as part of the Western Alaska Community Development Quota (CDQ) Program;
2. Amend 20 AAC 05.245(c-e), 20 AAC 05.250(b), and 20 AAC 05.1910(h) to update the references to the federal guidelines used to determine eligibility for reduced permit fees;
3. Repeal all regulations relating to a vessel permit system for the former statewide weathervane scallop fishery (20 AAC 05.1425 - 20 AAC 05.1444); and
4. Amend 20 AAC 05.1942(a) to allow fisherman to redesignate their salmon net permit area if they have not yet used their salmon permit in the area first designated in the same calendar year.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Doug Rickey at Commercial Fisheries Entry Commission, 8800 Glacier Highway, Suite 109, P.O. Box 110302, Juneau, AK 99801-8079 or by email: doug.rickey@alaska.gov. The comments must be received no later than 5:00 p.m. on August 18, 2014.

If you are a person with a disability who may need a special accommodation in order to participate in this process, please contact Doug Rickey at (907) 789-6160 no later than August 13, 2014, to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Doug Rickey, Law Specialist, Commercial Fisheries Entry Commission, 8800 Glacier Highway, Suite 109, P.O. Box 110302, Juneau, AK 99801-8079, (907) 789-6160, Fax: (907) 789-6170, email doug.rickey@alaska.gov or go to <http://www.cfec.state.ak.us>.

After the public comment period ends, the Commercial Fisheries Entry Commission will either adopt these or other provisions dealing with the same subject without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED. Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 16.43.100; AS 16.43.110(a)

Statutes Being Implemented, Interpreted, or Made Specific: AS 16.43.100; AS 16.43.110; AS 16.43.140; AS 16.43.150; and AS 16.43.160.

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

Under the Open Meetings Act (AS 44.62.310), the Commission will conduct a public meeting in the Commission's Conference Room, 8800 Glacier Highway, Suite 109, Juneau, Alaska, on August 20, 2014 at 3:00 p.m. to consider action upon the proposed regulations. You can contact Doug Rickey for a copy of the agenda on the Friday before the scheduled meeting. No public testimony will be accepted at this meeting.

The Commission 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 Commission's Notice of Proposed Regulation Changes. To be added to or removed from the list, send a request to CFEC at 8800 Glacier Highway, Suite 109, P.O. Box 110302, Juneau, AK 99801-8079, or email: doug.rickey@alaska.gov, giving your name, and either your email address or mailing address, as you prefer for receiving notices.

By Direction of the
Commercial Fisheries Entry Commission
Bruce Twomley, Chairman
Ben Brown, Commissioner

NOTICE OF PROPOSED CHANGES IN REGULATIONS
AND OF A PUBLIC MEETING

COMMERCIAL FISHERIES ENTRY COMMISSION

BRIEF DESCRIPTION
The Commercial Fisheries Entry Commission proposes to change regulations on reduced permit fees, vessel permits for statewide weathervane scallop fishery, and salmon net permit redesignation.

The Alaska Commercial Fisheries Entry Commission proposes to adopt regulation changes in Title 20, Chapter 05 of the Alaska Administrative Code dealing with miscellaneous regulations, including the following:

The Commission proposes to:

1. Amend 20 AAC 05.245(a) by adding a new section refining the procedure to allow reduced fees for fishermen who only fish halibut as part of the Western Alaska Community Development Quota (CDQ) Program;
2. Amend 20 AAC 05.245(c-e), 20 AAC 05.250(b), and 20 AAC 05.1910(h) to update the references to the federal guidelines used to determine eligibility for reduced permit fees;
3. Repeal all regulations relating to a vessel permit system for the former statewide weathervane scallop fishery (20 AAC 05.1425 – 20 AAC 05.1444); and
4. Amend 20 AAC 05.1942(a) to allow fisherman to redesignate their salmon net permit area if they have not yet used their salmon permit in the area first designated in the same calendar year.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Doug Rickey at Commercial Fisheries Entry Commission, 8800 Glacier Highway, Suite 109, P.O. Box 110302, Juneau, AK 99801-8079 or by email: doug.rickey@alaska.gov . The comments must be received **no later than 5:00 p.m. on August 18, 2014.**

If you are a person with a disability who may need a special accommodation in order to participate in this process, please contact Doug Rickey at (907) 789-6160 no later than August 13, 2014, to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Doug Rickey, Law Specialist, Commercial Fisheries Entry Commission, 8800 Glacier Highway, Suite 109, P.O. Box 110302, Juneau, AK 99801-8079, (907) 789-6160, Fax: (907) 789-6170, email doug.rickey@alaska.gov or go to <http://www.cfec.state.ak.us>.

After the public comment period ends, the Commercial Fisheries Entry Commission will either adopt these or other provisions dealing with the same subject without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.** Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 16.43.100; AS 16.43.110(a)

Statutes Being Implemented, Interpreted, or Made Specific: AS 16.43.100; AS 16.43.110; AS 16.43.140; AS 16.43.150; and AS 16.43.160.

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

Under the Open Meetings Act (AS 44.62.310), the Commission will conduct a public meeting in the Commission's Conference Room, 8800 Glacier Highway, Suite 109, Juneau, Alaska, on **August 20, 2014 at 3:00 p.m.** to consider action upon the proposed regulations. You can contact Doug Rickey for a copy of the agenda on the Friday before the scheduled meeting. No public testimony will be accepted at this meeting.

The Commission 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 Commission's Notice of Proposed Regulation Changes. To be added to or removed from the list, send a request to CFEC at 8800 Glacier Highway, Suite 109, P.O. Box 110302, Juneau, AK 99801-8079, or email: doug.rickey@alaska.gov, giving your name, and either your email address or mailing address, as you prefer for receiving notices.

By Direction of the
Commercial Fisheries Entry Commission
Bruce Twomley, Chairman
Ben Brown, Commissioner

/s/ Bruce Twomley

Date: July 14, 2014.

ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting Agency: Commercial Fisheries Entry Commission
2. General subject of regulation: Amends or repeals regulations on reduced permit fees, vessel permits for statewide weathervane scallop fishery, and salmon net permit area redesignation.
3. Citation of regulation (may be grouped): 20 AAC 05.245, 250, 1425-1444, 1910 and 1942.
4. Reason for the proposed action:
☐ compliance with federal law
☒ compliance with new or changed state statute
☐ compliance with court order
☒ development of program standards
☐ other: (please list)
5. RDU/component affected: Natural Resources Management, Commercial Fisheries Entry Commission
6. Cost of implementation to the state agency and available funding (in thousands of dollars)

	Initial Year FY2015	Subsequent Years
Cost	\$ <u>0</u>	\$ <u>0</u>
General Funds	\$ _____	\$ _____
Federal Funds	\$ _____	\$ _____
Other Funds	\$ _____	\$ _____
(specify)	_____	_____

7. The name of the contact person for the regulations:
Name Doug Rickey
Title Law Specialist
Address P.O. Box 110302, Juneau, AK 99811
Telephone 789-6160
E-mail address doug.rickey@alaska.gov

8. The origin of the proposed action:
☒ staff of state agency
_____ federal government
_____ general public
_____ petition for regulation
_____ other (please list)

9. Date: July 15, 2014
Prepared by: /s/ Doug Rickey
Name (typed) Doug Rickey
Title (typed) Law Specialist
Phone: 789-6160