

Kevin Meyer
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520
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Anchorage, Alaska 99501
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Shellene Hutter
Department of Fish and Game

FROM: April Simpson, Office of the Lieutenant Governor 428
465.4081

DATE: March 18, 2019

RE: Filed Permanent Regulations: Board of Fisheries

Board of Fisheries Regulations re: Jan. 15-19, 2019 Anchorage Meeting: Sport Fishing (5 AAC 75.076)

Attorney General File: 2018200693 Part 1

Regulation Filed: 3/18/2019

Effective Date: 4/17/2019

Print: 230, July 2019

cc with enclosures:

Linda Miller, Department of Law
Judy Herndon, LexisNexis

**ORDER CERTIFYING THE CHANGES TO REGULATIONS
OF THE ALASKA BOARD OF FISHERIES**


The attached one page of regulations, dealing with sport fishing logbooks and vessel registration forms are certified to be a correct copy of the regulation changes that the Alaska Board of Fisheries adopted at its January 15th – 19th, 2019 meeting in Anchorage, Alaska, under the authority of AS 16.05.251 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.

On the record, in considering public comments, the Alaska Board of Fisheries 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: 1-29-19
Juneau, Alaska



Douglas Vincent-Lang, Commissioner
Department of Fish and Game

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on MARCH 18, 2019, at 19 9:41 Am., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.



Kevin Meyer, Lieutenant Governor
State of Alaska

Effective: April 17, 2019

Register: 230, July 2019

Title 5. Fish and Game.

Chapter 75. Statewide Provisions.

Article 4. Fishing Services and Sport Fishing Guides.

5 AAC 75.076(a) is amended to read:

(a) A sport fishing guide shall obtain and complete a

italicize (1) State of Alaska, Department of Fish and Game, Division of Sport Fish, 2019
italicize [2018] Saltwater Charter Logbook and Vessel Registration, adopted by reference, if operating in salt water;

italicize (2) State of Alaska, Department of Fish and Game, Division of Sport Fish, 2019
italicize [2018] Freshwater Sport Fish Guide Logbook and Vessel Registration, adopted by reference, if operating in fresh water.

(Eff. 5/19/98, Register 146; am 9/23/98, Register 147; am 5/15/99, Register 150; am 4/16/2000, Register 154; am 5/20/2000, Register 154; am 3/11/2001, Register 157; am 4/5/2002, Register 162; am 2/28/2003, Register 165; am 3/25/2004, Register 169; am 2/10/2005, Register 173; am 5/19/2005, Register 174; am 5/26/2006, Register 178; am 8/12/2007, Register 183; am 1/1/2008, Register 184; am 4/25/2008, Register 186; am 5/23/2009, Register 190; am 6/20/2010, Register 194; am 4/28/2011, Register 198; am 4/1/2012, Register 201; am 3/7/2013, Register 205; am 4/9/2014, Register 210; am 3/4/2015, Register 213; am 3/2/2016, Register 217; am 3/15/2017, Register 221; am 5/19/2017, Register 222; am 4/20/2018, Register 226; am 4 / 17 / 2019, Register 230)

Authority: AS 16.05.251

MEMORANDUM

State of Alaska Department of Law

To: The Honorable Kevin Meyer
Lieutenant Governor
(hand delivery)

Date: March 1, 2019

File No.: 2018200693 Part 1

Tel. No.: 465-3600

From: Susan R. Pollard *SRP*
Chief Assistant Attorney General
and Regulations Attorney
Legislation and Regulations Section

Re: Board of Fisheries Regulations re:
Jan. 15-19, 2019 Anchorage Meeting:
Sport Fishing (5 AAC 75.076)

We have reviewed the attached regulations changes from the Board of Fisheries against the statutory standards of the Administrative Procedure Act. The regulations are regarding fishing services and sport fishing guides. The notice of proposed regulation was published October 26, 2018. Additionally, notice that the board would consider proposal 175, related to saltwater charter logbooks, was given December 14, 2018. We find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The original October 28, 2018 affidavit of newspaper publication was included with the Department of Law project file 2018200692 Part 1, Register 229, (April 2019); we have included a photocopy of that affidavit of publication.

The October 28, 2018 public notice and the January 29, 2019 certification of adoption 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.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SRP/ljm
cc w/enc: (via email)

Honorable Douglas Vincent-Lang, Commissioner, Dept. of Fish and Game
Glenn Haight, Executive Director, Board of Fisheries, Dept. of Fish and Game
Sam Rabung, Director, Division of Commercial Fisheries, Dept. of Fish and Game
Forrest Bowers, Deputy Director, Division of Commercial Fisheries, Dept. of Fish and Game
Dave Rutz, Director, Division of Sport Fisheries, Dept. of Fish and Game
Tom Taube, Deputy Director, Division of Sport Fisheries, Dept. of Fish and Game
Lisa Olson, Director, Division of Subsistence, Dept. of Fish and Game
Shellene Hutter, Fishery Regulations Program Coordinator, AAC Contact, Dept. of Fish and Game
Enforcement Commander, Division of Wildlife Troopers, Dept. of Public Safety
Aaron Peterson, Assistant Attorney General, Office of Special Prosecution, Dept. of Law
Seth Beausang, Chief Assistant Attorney General, Natural Resources Section, Dept. of Law
Brad Meyen, Assistant Attorney General, Natural Resources Section, Dept. of Law

NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF THE ALASKA BOARD OF FISHERIES

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulation changes in Title 5 of the Alaska Administrative Code, dealing with fishery and aquatic plant resources in the areas designated below, including the following regulations:

1. IN THE BRISTOL BAY AREA, INCLUDING THE BRISTOL BAY COMMERCIAL HERRING AREA; IN THE ARCTIC-KOTZEBUE, NORTON SOUND-PORT CLARENCE, YUKON, AND KUSKOKWIM AREAS (collectively referred to as Arctic-Yukon-Kuskokwim or A-Y-K Areas), INCLUDING THE KUSKOKWIM AND BERING SEA-KOTZEBUE COMMERCIAL HERRING AREAS, AND IN THE NORTH SLOPE, NORTHWESTERN, YUKON RIVER, TANANA RIVER, AND KUSKOKWIM-GOODNEWS SPORT FISH AREAS; IN THE ALASKA PENINSULA, ALEUTIAN ISLANDS, CHIGNIK, AND ATKA-AMLIA AREAS, INCLUDING THE ALASKA PENINSULA-ALEUTIAN ISLANDS COMMERCIAL HERRING AREA AND THE ALASKA PENINSULA AND ALEUTIAN ISLANDS SPORT FISH AREA; IN THE SOUTH ALASKA PENINSULA, CHIGNIK, BERING SEA-ALEUTIAN ISLANDS, AND CHUKCHI-BEAUFORT COMMERCIAL GROUND FISH AREAS; AND STATEWIDE (GENERAL PROVISIONS) FINFISH :
 - A. In the **commercial, sport, guided sport, personal use, and aquatic plant fisheries:** fishing seasons, periods, and opening and closing times; bag, possession, size, sex, age, and harvest limits; harvest levels, thresholds, goals, and quotas; definitions; bycatch provisions; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; methods and means; gear and vessel restrictions, including marking and operational requirements; registration and permit requirements; registration areas (including nonexclusive, exclusive and superexclusive registration areas); recordkeeping and marking requirements; management plans for conservation and development, including escapement, inriver, and other management goals; landing requirements; provisions for development and allocation among beneficial uses; guiding principles; provisions to regulate, require, restrict or prohibit the retention, tendering, transportation, dispatch, possession, sale, release, or purchase of fish; methods of release; registration, licensing, reporting, and other requirements for sport fishing guides and operators, guided anglers, catchers, processors, buyers, and transporters; onboard observer requirements; fish storage and inspection requirements.
 - B. In the **subsistence fisheries:** identification or modification of customary and traditional subsistence uses and amounts reasonably necessary for subsistence; fishing seasons, periods, and opening and closing times; bag, possession, size, sex, age, and harvest limits; definitions; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; methods and means; gear and vessel restrictions, including marking and operational requirements; registration and permit requirements; recordkeeping and marking requirements; management plans for conservation and development, including escapement, inriver, and other management goals; regulations for the subsistence priority; landing requirements; provisions for development and allocation among beneficial uses and users, including creating and

regulating tier II fisheries; guiding principles; otherwise establish, regulate, change, or adjust subsistence fisheries.

2. The following topics are added to the Bristol Bay Finfish meeting in Dillingham, November 28-December 3, 2018:

- A. IN THE BRISTOL BAY AREA SALMON COMMERCIAL FISHERY: Clarify fishing areas, districts, sections, and gear specifications and operations for Sockeye Salmon Special Harvest Areas in Bristol Bay (*newly assigned Proposal 174, which was accepted as a board generated proposal at the 2018 Work Session*).

- B. IN THE STATEWIDE SPORT FISHERY: Align regulations for sport fishing services and sport fishing guide services in fresh and salt water and update guide registration and reporting regulations (*newly assigned Proposal 175, formerly ACR #11*).

3. The following topics are added to the Arctic, Yukon, and Kuskokwim Finfish meeting in Anchorage, January 15-19, 2019:

- A. IN THE SOUTHEASTERN ALASKA AREA SALMON COMMERCIAL AND SPORT FISHERY: Align regulations within the Southeast Alaska King salmon Management Plan and other regulations as applicable with provisions of the Pacific Salmon Treaty annex (*newly assigned Proposal 176, formerly ACR #9*).

- B. IN THE SOUTHEASTERN ALASKA AREA SALMON COMMERCIAL FISHERY: Add purse seine and drift gillnet gear to the Crawfish Inlet Terminal Harvest Area Salmon Management Plan (*newly assigned Proposal 177, which was accepted as a board generated proposal at the 2018 Alaska Peninsula, Chignik, Bering Sea, and Aleutian Islands Pacific cod meeting*).

- C. IN THE YUKON AREA SUBSISTENCE FINFISH FISHERY: Allow chum salmon to be taken by drift gillnets after August 2 in Yukon River Subdistrict 4-A downstream from the mouth of Stink Creek (*newly assigned Proposal 178, which was accepted as a board generated proposal at the 2018 Work Session*).

4. The following topics are added to the Statewide Finfish and Supplemental Issues meeting in Anchorage, March 9-12, 2019:

- A. IN THE ALEUTIAN ISLANDS KING AND TANNER CRAB COMMERCIAL FISHERY:

- i. Adopt a new harvest strategy for golden king crab (*newly assigned Proposal 179, formerly ACR #3*).

- ii. Create a king and Tanner crab fishery west of 170 degrees longitude for vessels under 60 feet (*newly assigned Proposal 180 which was accepted as*

a board generated proposal at the 2018 Alaska Peninsula, Chignik, Bering Sea, and Aleutian Islands Pacific cod meeting).

- B. IN THE COOK INLET AREA SALMON COMMERCIAL FISHERY: Open and close the commercial set gillnet fishery within 600 feet of the North Kalifornsky Beach area independent of fishing time restrictions described in various management plans *(newly assigned Proposal 181, formerly ACR #7)*.

At its 2018 Work Session, the board directed a number of changes and additions to its meeting schedule. The board changed dates for three of its four upcoming regulatory meetings, including the Bristol Bay Finfish meeting (changed to November 28-December 3, 2018), the Alaska Peninsula, Chignik, and Aleutian Islands Finfish meeting (changed to February 21-26), and the Statewide Finfish and Supplemental Issues meeting (changed to March 9-12).

Additionally, the board set a meeting date for its newly formed Hatchery Committee for March 8, 2019, in Anchorage Alaska at the Anchorage Sheraton Hotel. The board is seeking public comment for the committee meeting related specifically to agenda items for the meeting. This public comment is due January 2, 2019 since the board intends to set the committee meeting agenda at its January 15-19, 2019, Arctic, Yukon, and Kuskokwim Finfish meeting in Anchorage.

For a copy of the proposed regulation changes contact the Alaska Department of Fish and Game, (ADF&G) Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526, (907) 465-4110, or www.boardoffisheries.adfg.alaska.gov.

Anyone interested in, or affected by, the subject matter contained in this legal notice should make written or oral comments to have their views considered by the board. You may comment on the proposed regulation changes, including the potential costs to the private persons of complying with the proposed changes, by submitting written comments limited to no more than 100 single-sided or 50 double-sided pages to the ADF&G, Boards Support Section, at P.O. Box 115526, Juneau, AK 99811-5526. Additionally, the Boards Support Section will accept comments by facsimile at (907) 465-6094, by email to dfg.bof.comments@alaska.gov (PDF format only), or online at www.boardoffisheries.adfg.alaska.gov. Individuals and advisory committees directing public comment at an ADF&G office or personnel other than as prescribed above are advised that such comments will not be received and entered as public comment.

Comments are generally due no later than two weeks prior to the meeting during which the topics are considered. Unless otherwise specified for a particular meeting in a published notice, written comments exceeding the page limit from any one individual or group relating to proposals at any one meeting will not be accepted. Written comments limited to 10 single-sided or 5 double-sided pages in length from any one individual or group are accepted after the two-week deadline and inserted in board member workbooks at the beginning of the meeting, and are also accepted during the meeting and until the board begins proposal deliberations.

ADDITIONAL PUBLIC COMMENT STANDARD:

Once a meeting begins and during a meeting written comments from any one individual or group may be submitted by hand delivery at any time if the required number of copies are provided

(typically in excess of 25 copies). Individuals not in attendance at a meeting may fax comments to 907-465-6094. As a practical matter, comments submitted after the board begins deliberations on relevant proposals are likely to receive less consideration than comments submitted earlier.

Once proposal deliberations begin, the board will **ONLY** accept written comments on the topics being considered at the meeting from any one individual or group that are not more than five single-sided pages, or the equivalent number of double-sided pages, unless specific information is requested by the board that requires more pages than allowed under this standard.

Each meeting will generally start at 8:30 a.m. on the first day of the meeting dates below unless the board directs a different start time. The public oral testimony period of each regulatory meeting begins after staff reports and continues until everyone who has signed up on a timely basis and is present at the meeting has an opportunity to be heard. The board will take oral testimony only from those who register before the cut-off time announced by the board chair at each meeting. The length of oral statements may be limited to three minutes or less. Additional public hearings with board committees may be held during the meeting. Unless otherwise noted, place of public oral testimony is at the locations below.

TENTATIVE MEETING SCHEDULE

Bristol Bay Finfish

November 28-December 3, 2018 (*revised dates*)
Dillingham Middle School Gym, Dillingham
Comment deadline: November 14, 2018

Arctic, Yukon, Kuskokwim Finfish

January 15-19, 2019
Sheraton Hotel, Howard Rock Ballroom, Anchorage
Comment deadline: January 2, 2019

Alaska Peninsula, Chignik, Aleutian Islands Finfish

February 21-26, 2019 (*revised dates*)
Sheraton Hotel, Howard Rock Ballroom, Anchorage
Comment deadline: February 7, 2019

Statewide Finfish and Supplemental Issues

March 9-12, 2019 (*revised dates*)
Sheraton Hotel, Howard Rock Ballroom, Anchorage
Comment deadline: February 20, 2019

Any changes to meeting locations, dates or times, or rescheduling of topics or subject matter will be announced by news release. Please watch for these announcements in the news media or call (907) 465-4110. Please carefully review the ***PROPOSAL INDEX*** available for the meeting for specific proposals to be addressed by the board. Copies of the proposal indices are in the proposal book,

available online at www.boardoffisheries.adfg.alaska.gov, and at the relevant meeting. Any additional proposals will be noticed and made available online and upon request.

Anyone interested in or affected by subsistence, personal use, commercial fishing, sport, guided sport, or aquatic plant regulations are hereby informed that the Board of Fisheries may consider any or all of the subject areas covered by this notice. Under AS 44.62.200(b), the board may review the full range of activities appropriate to any of the subjects listed in this notice. The board may make changes to the subsistence, personal use, sport, guided sport or commercial fishing regulations as may be required to ensure the subsistence priority in AS 16.05.258. On its own motion, after the public hearing, the board may adopt, amend, reject, supplement, or take no action on these subjects without further notice. In addition, the board may adopt other regulations necessary to implement, administer, or enforce the regulations adopted. **THE BOARD IS NOT LIMITED BY THE SPECIFIC LANGUAGE OR CONFINES OF THE ACTUAL PROPOSALS THAT HAVE BEEN SUBMITTED BY THE PUBLIC OR ADF&G.** 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.**

If you are a person with a disability who needs special accommodation in order to participate in the proposed regulation process, please contact Glenn Haight at (907) 465-4110 no later than two weeks prior to the beginning of each meeting to ensure necessary accommodations can be provided.

Statutory Authority: AS 16.05 - AS 16.20, AS 16.40

Statutes Being Implemented, Interpreted, or Made Specific: AS 16.05 - AS 16.20, AS 16.40

Fiscal Information: The proposed regulatory actions are not expected to require an increased appropriation.



Glenn Haight, Executive Director
Alaska Board of Fisheries

10/26/2018
Date

ADDITIONAL REGULATIONS NOTICE INFORMATION

(AS 44.62.190(g))

1. Adopting Agency: Alaska Board of Fisheries.
2. General subject of regulations: IN THE BRISTOL BAY AREA, INCLUDING THE BRISTOL BAY COMMERCIAL HERRING AREA; IN THE ARCTIC-KOTZEBUE, NORTON SOUND-PORT CLARENCE, YUKON, AND KUSKOKWIM AREAS (collectively referred to as Arctic-Yukon-Kuskokwim or A-Y-K Areas), INCLUDING THE KUSKOKWIM AND BERING SEA-KOTZEBUE COMMERCIAL HERRING AREAS, AND IN THE NORTH SLOPE, NORTHWESTERN, YUKON RIVER, TANANA RIVER, AND KUSKOKWIM-GOODNEWS SPORT FISH AREAS; IN THE ALASKA PENINSULA, ALEUTIAN ISLANDS, CHIGNIK, AND ATKA-AMLIA AREAS, INCLUDING THE ALASKA PENINSULA-ALEUTIAN ISLANDS COMMERCIAL HERRING AREA AND THE ALASKA PENINSULA AND ALEUTIAN ISLANDS SPORT FISH AREA; IN THE SOUTH ALASKA PENINSULA, CHIGNIK, BERING SEA-ALEUTIAN ISLANDS, AND CHUKCHI-BEAUFORT COMMERCIAL GROUND FISH AREAS; AND STATEWIDE (GENERAL PROVISIONS) FINFISH .
3. Citation of regulations: 5 AAC 01 - 5 AAC 77.
4. Department of Law file number (if any):
 - JU2018200692 – Bristol Bay Finfish
 - JU2018200693 – Arctic-Yukon-Kuskokwim Finfish
 - JU2018200694 - Alaska Peninsula, Chignik, Aleutian Islands Finfish
 - JU2018200695 – Statewide Finfish and Supplemental Issues
5. Reason for proposed actions: Implement, interpret, or make specific the provisions of AS 16.05 - AS 16.20, AS 16.40.
6. Appropriation/Allocation: Natural Resources and all RDUs
7. Cost of implementation to the state agency and available funding: It is not possible to estimate the costs. However, these actions are not expected to require any additional costs.
8. The name of the contact person for the regulations:

Glenn Haight, Executive Director
Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811-5526
(907) 465-4110
Email: glenn.haight@alaska.gov
9. The origin of the proposed action:
 - ☒ staff or state agency
 - ☒ general public
10. Date: October 26, 2018 Prepared by:

Glenn Haight, Executive Director
Alaska Board of Fisheries
(907) 465-4110

NOTICE OF PUBLIC MEETING OF THE ALASKA BOARD OF FISHERIES

The Alaska Board of Fisheries (board) is meeting for the Arctic, Yukon, and Kuskokwim Finfish meeting in Anchorage, January 15-19, 2019 beginning at 8:30 a.m. at the Sheraton Hotel, 401 E. 6th Avenue Anchorage, Alaska. This regulatory meeting was legally noticed on October 26, 2018.

At this meeting prior to its miscellaneous business agenda, the board may consider an additional item: a partial reconsideration of Proposal 175, or a board generated proposal, to adopt or re-adopt by reference the 2019 versions of the *Saltwater Charter Logbook and Vessel Registration* and the *Freshwater Charter Logbook and Vessel Registration*, in 5 AAC 75.076(a)(1) & (2). The board adopted these documents by reference as part of its action on Proposal 175 at the Bristol Bay Finfish meeting in Dillingham on December 1, 2018. The board preferred to have copies of the documents available for review by the public prior to its action on Proposal 175 but did not. Accordingly, the board hereby directs the public to its website at:

<http://www.adfg.alaska.gov/index.cfm?adfg=fisheriesboard.meetinginfo&date=01-15-2019&meeting=anchorage> where drafts of these documents are now available for public review.

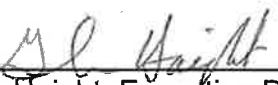
Written comments on this topic or any other proposal or topic to be considered at the Arctic, Yukon, and Kuskokwim Finfish meeting may be mailed to: Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526, or faxed to: (907) 465-6094 until the end of the meeting, and all comments must be submitted in accordance with the instructions in the legal notice for the meeting dated October 26, 2018. The audio of the meeting is intended to be streamed live on the website at:

<http://www.boardoffisheries.adfg.alaska.gov>.

The agenda and other meeting documents are available prior to the meeting on the Alaska Department of Fish and Game, Board of Fisheries, meeting information webpage at: <http://www.adfg.alaska.gov/index.cfm?adfg=fisheriesboard.meetinginfo&date=01-15-2019&meeting=anchorage>.

If you are a person with a disability who needs a special accommodation in order to participate in this public meeting, please contact the Boards Support Section at (907) 465-4110 by 5pm on January 8, 2019, to make any necessary arrangements.

For more information about the meeting, contact Glenn Haight at 465-6095.



Glenn Haight, Executive Director
ADF&G Boards Support Section

December 14, 2018
Date

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

I, Glenn Haight, Executive Director of the Alaska Board of Fisheries, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 5 AAC dealing with sport fishing reporting and registration requirements has been given by being

- (1) published in a 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 proposed 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).

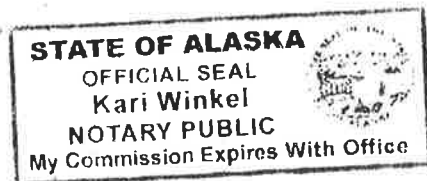
As required by AS 44.62.190(g), additional regulations notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulations notice information also has been posted on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

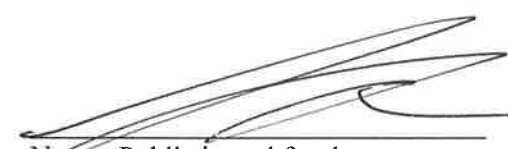
DATE: January 24, 2019
Juneau, Alaska



Glenn Haight, Executive Director
Alaska Board of Fisheries

SUBSCRIBED AND SWORN TO before me this 24 day of January, 2019.





Notary Public in and for the
State of Alaska
My commission expires: W/office

AFFIDAVIT OF ORAL HEARING

I, Glenn Haight, Executive Director of the Alaska Board of Fisheries, being sworn, state the following:

From January 15th - 19th 2019, at the Sheraton Hotel in Anchorage, Alaska the Alaska Board of Fisheries presided over a public hearing held under AS 44.62.210 for the purpose of taking testimony in connection with the adoption of changes to 5 AAC dealing with sport fishing registration and reporting requirements.

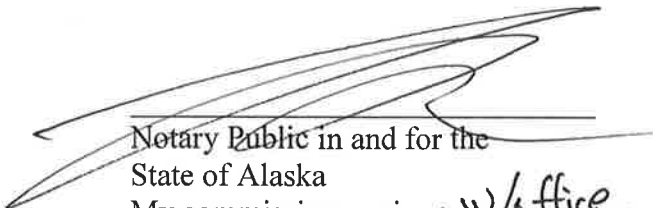
DATE: January 24, 2019
Juneau, Alaska



Glenn Haight, Executive Director
Alaska Board of Fisheries

SUBSCRIBED AND SWORN TO before me this 24 day of January, 2019.





Notary Public in and for the
State of Alaska

My commission expires: w/office

ANCHORAGE DAILY NEWS

AFFIDAVIT OF PUBLICATION

Account #: 270233

ST OF AK/DEPT OF FISH AND GAME
PO BOX 115526
JUNEAU, AK 998115526

Order#
Cost

0001429723
\$2,091.60

Product ADN-Anchorage Daily News
Placement 0300
Position 0301

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Sarah Jennett

being first duly sworn on oath deposes and says that he/she 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

October 28, 2018

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

Sarah Jennett

Subscribed and sworn to before me
this 7th day of December, 2018

Britney Thompson

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

MY COMMISSION EXPIRES

2/23/2019

Notary Public
BRITNEY L. THOMPSON
State of Alaska
My Commission Expires Feb 23, 2019

NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF THE ALASKA BOARD OF FISHERIES

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1. IN THE BRISTOL BAY AREA, INCLUDING THE BRISTOL BAY COMMERCIAL HERRING AREA; IN THE ARCTIC-KOTZEBUE, NORTON SOUND-PORT CLARENCE, YUKON, AND KUSKOKWIM AREAS (collectively referred to as Arctic-Yukon-Kuskokwim or A-Y-K Areas), INCLUDING THE KUSKOKWIM AND BERING SEA-KOTZEBUE COMMERCIAL HERRING AREAS, AND IN THE NORTH SLOPE, NORTHWESTERN, YUKON RIVER, TANANA RIVER, AND KUSKOKWIM-GOODNEWS SPORT FISH AREAS; IN THE ALASKA PENINSULA, ALEUTIAN ISLANDS, CHIGNIK, AND ATKA-AMLIA AREAS, INCLUDING THE ALASKA PENINSULA-ALEUTIAN ISLANDS COMMERCIAL HERRING AREA AND THE ALASKA PENINSULA AND ALEUTIAN ISLANDS SPORT FISH AREA; IN THE SOUTH ALASKA PENINSULA, CHIGNIK, BERING SEA-ALEUTIAN ISLANDS, AND CHUKCHI-BEAUFORT COMMERCIAL GROUND FISH AREAS; AND STATEWIDE (GENERAL PROVISIONS) FINFISH :

A. In the commercial, sport, guided sport, personal use, and aquatic plant fisheries: fishing seasons, periods, and opening and closing times; bag, possession, size, sex, age, and harvest limits; harvest levels, thresholds, goals, and quotas; definitions; bycatch provisions; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; methods and means; gear and vessel restrictions, including marking and operational requirements; registration and permit requirements; registration areas (including nonexclusive, exclusive and superexclusive registration areas); recordkeeping and marking requirements; management plans for conservation and development, including escapement, inriver, and other management goals; landing requirements; provisions for development and allocation among beneficial uses; guiding principles; provisions to regulate, require, restrict or prohibit the retention, tendering, transportation, dispatch, possession, sale, release, or purchase of fish; methods of release; registration, licensing, reporting, and other requirements for sport fishing guides and operators, guided anglers, catchers, processors, buyers, and transporters; onboard observer requirements; fish storage and inspection requirements.

B. In the subsistence fisheries: identification or modification of customary and traditional subsistence uses and amounts reasonably necessary for subsistence; fishing seasons, periods, and opening and closing times; bag, possession, size, sex, age, and harvest limits; definitions; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; methods and means; gear and vessel restrictions, including marking and operational requirements; registration and permit requirements; recordkeeping and marking requirements; management plans for conservation and development, including escapement, inriver, and other management goals; regulations for the subsistence priority; landing requirements; provisions for development and allocation among beneficial uses and users, including creating and regulating tier II fisheries; guiding principles; otherwise establish, regulate, change, or adjust subsistence fisheries.

2. The following topics are added to the Bristol Bay Finfish meeting in Dillingham, November 28-December 3, 2018:

A. IN THE BRISTOL BAY AREA SALMON COMMERCIAL FISHERY: Clarify fishing areas, districts, sections, and gear specifications and operations for Sockeye Salmon Special Harvest Areas in Bristol Bay (newly assigned Proposal 174, which was accepted as a board generated proposal at the 2018 Work Session).

B. IN THE STATEWIDE SPORT FISHERY: Align regulations for sport fishing services and sport fishing guide services in fresh and salt water and update guide registration and reporting regulations (newly assigned Proposal 175, formerly ACR #11).

3. The following topics are added to the Arctic, Yukon, and Kuskokwim Finfish meeting in Anchorage, January 15-19, 2019:

A. IN THE SOUTHEASTERN ALASKA AREA SALMON COMMERCIAL AND SPORT FISHERY: Align regulations within the Southeast Alaska King Salmon Management Plan and other regulations as applicable with provisions of the Pacific Salmon Treaty annex (newly assigned Proposal 176, formerly ACR #9).

B. IN THE SOUTHEASTERN ALASKA AREA SALMON COMMERCIAL FISHERY: Add purse seine and drift gillnet gear to the Crawford Inlet Terminal Harvest Area Salmon Management Plan (newly assigned Proposal 177, which was accepted as a board generated proposal at the 2018 Alaska Peninsula, Chignik, Bering Sea, and Aleutian Islands Pacific cod meeting).

C. IN THE YUKON AREA SUBSISTENCE FINFISH FISHERY: Allow chum salmon to be taken by drift gillnets after August 2 in Yukon River Subdistrict 4-A downstream from the mouth of Stink Creek (newly assigned Proposal 178, which was accepted as a board generated proposal at the 2018 Work Session).

4. The following topics are added to the Statewide Finfish and Supplemental Issues meeting in Anchorage, March 9-12, 2019:

A. IN THE ALEUTIAN ISLANDS KING AND TANNER CRAB COMMERCIAL FISHERY:

i. Adopt a new harvest strategy for golden king crab (newly assigned Proposal 179, formerly ACR #3).

ii. Create a king and Tanner crab fishery west of 170 degrees longitude for vessels under 60 feet (newly assigned Proposal 180 which was accepted as a board generated proposal at the 2018 Alaska Peninsula, Chignik, Bering Sea, and Aleutian Islands Pacific cod meeting).

B. IN THE COOK INLET AREA SALMON COMMERCIAL FISHERY: Open and close the commercial set gillnet fishery within 600 feet of the North Kalifornsky Beach area independent of fishing time restrictions described in various management plans (newly assigned Proposal 181, formerly ACR #7).

At its 2018 Work Session, the board directed a number of changes and additions to its meeting schedule. The board changed dates for three of its four upcoming regulatory meetings, including the Bristol Bay Finfish meeting (changed to November 28-December 3, 2018), the Alaska Peninsula, Chignik, and Aleutian Islands Finfish meeting (changed to February 21-26), and the Statewide Finfish and Supplemental Issues meeting (changed to March 9-12).

Additionally, the board set a meeting date for its newly formed Hatchery Committee for March 8, 2019, in Anchorage Alaska at the Anchorage Sheraton Hotel. The board is seeking public comment for the committee meeting related specifically to agenda items for the meeting. This public comment is due January 2, 2019 since the board intends to set the committee meeting agenda at its January 15-19, 2019, Arctic, Yukon, and Kuskokwim Finfish meeting in Anchorage.

For a copy of the proposed regulation changes contact the Alaska Department of Fish and Game, (ADF&G) Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526, (907) 465-4110, or Error! Hyperlink reference not valid. www.boardoffisheries.adfg.alaska.gov.

...subject matter contained in this regular notice should make written or oral comments to have their views considered by the board. You may comment on the proposed regulation changes, including the potential costs to the private persons of complying with the proposed changes, by submitting written comments limited to no more than 100 single-sided or 50 double-sided pages to the ADF&G, Boards Support Section, at P.O. Box 115526, Juneau, AK 99811-5526. Additionally, the Boards Support Section will accept comments by facsimile at (907) 465-6094, by email to dfg.bof.comments@alaska.gov (PDF format only), or online at www.boardoffisheries.adfg.alaska.gov. Individuals and advisory committees directing public comment at an ADF&G office or personnel other than as prescribed above are advised that such comments will not be received and entered as public comment.

Comments are generally due no later than two weeks prior to the meeting during which the topics are considered. Unless otherwise specified for a particular meeting in a published notice, written comments exceeding the page limit from any one individual or group relating to proposals at any one meeting will not be accepted. Written comments limited to 10 single-sided or 5 double-sided pages in length from any one individual or group are accepted after the two-week deadline and inserted in board member workbooks at the beginning of the meeting, and are also accepted during the meeting and until the board begins proposal deliberations.

ADDITIONAL PUBLIC COMMENT STANDARD:

Once a meeting begins and during a meeting written comments from any one individual or group may be submitted by hand delivery at any time if the required number of copies are provided (typically in excess of 25 copies). Individuals not in attendance at a meeting may fax comments to 907-465-6094. As a practical matter, comments submitted after the board begins deliberations on relevant proposals are likely to receive less consideration than comments submitted earlier.

Once proposal deliberations begin, the board will ONLY accept written comments on the topics being considered at the meeting from any one individual or group that are not more than five single-sided pages, or the equivalent number of double-sided pages, unless specific information is requested by the board that requires more pages than allowed under this standard.

Each meeting will generally start at 8:30 a.m. on the first day of the meeting dates below unless the board directs a different start time. The public oral testimony period of each regulatory meeting begins after staff reports and continues until everyone who has signed up on a timely basis and is present at the meeting has an opportunity to be heard. The board will take oral testimony only from those who register before the cut-off time announced by the board chair at each meeting. The length of oral statements may be limited to three minutes or less. Additional public hearings with board committees may be held during the meeting. Unless otherwise noted, place of public oral testimony is at the locations below.

TENTATIVE MEETING SCHEDULE

Bristol Bay Finfish
November 28-December 3, 2018 (revised dates)
Dillingham Middle School Gym, Dillingham
Comment deadline: November 14, 2018

Arctic, Yukon, Kuskokwim Finfish
January 15-19, 2019
Sheraton Hotel, Howard Rock Ballroom, Anchorage
Comment deadline: January 2, 2019

Alaska Peninsula, Chignik, Aleutian Islands Finfish
February 21-26, 2019 (revised dates)
Sheraton Hotel, Howard Rock Ballroom, Anchorage
Comment deadline: February 7, 2019

Statewide Finfish and Supplemental Issues
March 9-12, 2019 (revised dates)
Sheraton Hotel, Howard Rock Ballroom, Anchorage
Comment deadline: February 20, 2019

Any changes to meeting locations, dates or times, or rescheduling of topics or subject matter will be announced by news release. Please watch for these announcements in the news media or call (907) 465-4110. Please carefully review the PROPOSAL INDEX available for the meeting for specific proposals to be addressed by the board. Copies of the proposal indices are in the proposal book, available online at www.boardoffisheries.adfg.alaska.gov, and at the relevant meeting. Any additional proposals will be noticed and made available online and upon request.

Anyone interested in or affected by subsistence, personal use, commercial fishing, sport, guided sport, or aquatic plant regulations are hereby informed that the Board of Fisheries may consider any or all of the subject areas covered by this notice. Under AS 44.62.200(b), the board may review the full range of activities appropriate to any of the subjects listed in this notice. The board may make changes to the subsistence, personal use, sport, guided sport or commercial fishing regulations as may be required to ensure the subsistence priority in AS 16.05.258. On its own motion, after the public hearing, the board may adopt, amend, reject, supplement, or take no action on these subjects without further notice. In addition, the board may adopt other regulations necessary to implement, administer, or enforce the regulations adopted. THE BOARD IS NOT LIMITED BY THE SPECIFIC LANGUAGE OR CONFINES OF THE ACTUAL PROPOSALS THAT HAVE BEEN SUBMITTED BY THE PUBLIC OR ADF&G. 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.

If you are a person with a disability who needs special accommodation in order to participate in the proposed regulation process, please contact Glenn Haight at (907) 465-4110 no later than two weeks prior to the beginning of each meeting to ensure necessary accommodations can be provided.

Statutory Authority: AS 16.05 - AS 16.20, AS 16.40

Statutes Being Implemented, Interpreted, or Made Specific: AS 16.05 - AS 16.20, AS 16.40

Fiscal Information: The proposed regulatory actions are not expected to require an increased appropriation.

_____/s/_____
Glenn Haight, Executive Director
Alaska Board of Fisheries

Date ____10/26/2018____