

# ALASKA DEPARTMENT OF FISH & GAME

Boards Support Section  
PO Box 115526  
Juneau AK 99811-5526

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## **NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE DEPARTMENT OF FISH AND GAME**

The Alaska Department of Fish and Game (ADF&G) administers all programs and activities free from discrimination based on race, color, national origin, age, sex, religion, marital status, pregnancy, parenthood, or disability. The department administers all programs and activities in compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972.

If you believe you have been discriminated against in any program, activity, or facility please write:

- ADF&G ADA Coordinator, P.O. Box 115526, Juneau, AK 99811-5526.

The department's ADA Coordinator can be reached via phone at the following numbers: (VOICE) 907-465-6077, (Statewide Telecommunication Device for the Deaf) 1-800-478-3648, (Juneau TDD) 907-465-3646, or (FAX) 907-465-6078.

- U.S. Fish and Wildlife Service, 4040 N. Fairfax Drive, Suite 300 Webb, Arlington, VA 22203
- Office of Equal Opportunity, U.S. Department of the Interior, Washington DC 20240.

For information on alternative formats and questions on this publication, please contact the Alaska Department of Fish and Game, Boards Support Section at (907) 465-4110.

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

The Alaska Board of Fisheries proposes to adopt 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 PRINCE WILLIAM SOUND (INCLUDING UPPER COPPER RIVER, UPPER SUSITNA RIVER, PRINCE WILLIAM SOUND SALTWATER, AND COPPER RIVER DISTRICT) FINFISH FISHERIES; SOUTHEAST AND YAKUTAT FINFISH FISHERIES; SOUTHEAST AND YAKUTAT CRAB, SHRIMP, AND MISCELLANEOUS SHELLFISH FISHERIES; AND STATEWIDE DUNGENESS CRAB, SHRIMP AND MISCELLANEOUS SHELLFISH FISHERIES:
  - A. In the **commercial, sport, guided sport, personal use, and aquatic plant fisheries:** fishing seasons, periods, opening and closing times; bag, possession, size, sex, and harvest limits, harvest levels, thresholds or quotas; bycatch provisions; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; methods and means; gear and vessel restrictions, marking, definitions, operational requirements and limitations, registration and permit requirements; registration areas (including exclusive and superexclusive registration areas), permits, harvest record, harvest marking requirements; management plans for conservation, development and allocation among beneficial uses; guiding principles; require, restrict or prohibit the retention, tendering, sale, release, or purchase of fish; methods of release; registration and reporting requirements for fish guides, guided anglers, catchers, processors, buyers and transporters; onboard observer requirements; fish storage and inspection requirements.
  - B. In the **subsistence fisheries:** identify subsistence uses and users; fishing seasons, periods, opening and closing times, harvest levels; methods and means; size, age, and sex limitations; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; gear and vessel restrictions and operational requirements; harvest limits, registration and permit requirements, requirements for marking and possession of fish; management plans for conservation, development and allocation among beneficial uses, and users; identify customary and traditional uses of fish stocks, determine amounts reasonably necessary for subsistence uses, and establish, change or adjust subsistence and personal use fisheries.
2. The following additional topics are added to the Statewide Dungeness Crab, Shrimp, and Miscellaneous Shellfish (except Southeast / Yakutat) Fisheries, and Supplemental Issues Meeting (March 17-20, 2015):
  - A. IN THE BERING SEA DISTRICT TANNER CRAB COMMERCIAL FISHERY: Consider amending the C. bairdi Tanner crab harvest strategy to change the size of exploitable legal male Tanner crab for the purpose of

calculating total allowable catch in waters east of 166° W longitude in the Bering Sea District. *(newly assigned Proposal 268 - formerly ACR #1)*

**B. IN THE NORTON SOUND SECTION KING CRAB COMMERCIAL FISHERY:**

- a. Consider amending the Norton Sound Section red king crab harvest strategy to develop a guideline harvest level for the winter commercial season. *(newly assigned Proposal 269 – formerly ACR #4)*
- b. Consider changing the duration of the Norton Sound winter through-the-ice commercial king crab fishing season. *(newly assigned Proposal 270 – formerly ACR #5)*

**C. IN THE KUSKOKWIM RIVER SUBSISTENCE FINFISH FISHERY:**

- a. Consider requiring four-inch mesh gillnets to be operated only as set gillnets in the Kuskokwim River during times of king salmon conservation. *(newly assigned Proposal 271 – formerly ACR #6)*
- b. Consider providing the commissioner of the Alaska Department of Fish and Game emergency order authority to restrict gillnet gear in the Kuskokwim River drainage. *(newly assigned Proposal 272 – formerly ACR #8)*

**D. IN THE YUKON RIVER SUBSISTENCE SALMON FISHERY:**

- a. Consider changing the date during which drift gillnet fishing for summer chum salmon may begin in the upper section of Yukon River Subdistrict 4A. *(newly assigned Proposal 273 – formerly ACR #9)*
- b. Consider allowing fish wheel fishermen in the Yukon Area to retain king salmon when some harvest is justified based upon inseason run assessment. *(newly assigned Proposal 274 – formerly ACR #10)*

**E. IN THE BRISTOL BAY SALMON COMMERCIAL FISHERY:** Consider changing the Naknek-Kvichak District boundary line at Graveyard Point to include two historically fished set net sites. *(newly assigned Proposal 275 – formerly ACR #11)*

**F. IN THE STATEWIDE COMMERCIAL FISHERY GENERAL PROVISIONS:** Consider redefining the method used to determine maximum overall length of salmon purse seine vessels. *(newly assigned Proposal 276 – formerly ACR #26)*

The board will continue its work on Proposal 44, tabled at the January 2014 Kodiak finfish meeting during the 2013/2014 meeting cycle. The board tabled Proposal 44 and created the Gulf of Alaska Pollock Work Group to gain greater information on the pros and cons of creating a state

waters pollock fishery. Starting in April 2014, and later in October 2014, the Work Group met and accumulated information related to Proposal 44. It is anticipated the board will convene another work group meeting and resume work on Proposal 44 at its March 2015 Statewide meeting.

At its 2014 work session the board created the Kuskokwim Subsistence Salmon Panel to meet with Kuskokwim communities and stakeholders to obtain feedback on newly assigned Kuskokwim River Subsistence Finfish Fishery proposals 271 and 272, and Kuskokwim River king salmon subsistence fishing. The work group will travel to the region and convene meetings to gain feedback prior to hearing these proposals at the Statewide meeting in Anchorage in March 2015. The panel may also carry additional observations and recommendations to the Board's October 2015 work session.

The board will hold a special meeting of appropriate regulatory agencies and stakeholders to gain information on newly assigned Proposal 276. The board plans to hold this meeting on a date to be determined at the Southeast and Yakutat Finfish Meeting, February 23 – March 3, 2015, in Sitka, Alaska.

For a copy of the proposed regulation changes contact the Alaska Department of Fish and Game, Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526, (907) 465-4110, or <http://www.adfg.alaska.gov/index.cfm?adfg=fisheriesboard.main>.

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 Alaska Department of Fish and Game, 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](mailto:dfg.bof.comments@alaska.gov) (PDF format only), or online at <http://www.adfg.alaska.gov/index.cfm?adfg=fisheriesboard.main>. Comments are 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 accepted until the board begins proposal deliberations.

#### **ADDITIONAL PUBLIC COMMENT STANDARD:**

During a meeting written comments from any one individual or group may be submitted by hand delivery at any time if 28 copies are provided. 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 begins at meetings, 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 timely and is present 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. 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. Additional public hearings with board committees may be held during the meeting before proposal deliberation.

## **TENTATIVE MEETING SCHEDULE**

### **Prince William Sound Upper Copper/Upper Susitna Finfish**

December 3-8, 2014

Mt. Eccles Elementary School, 201 Adams Street, Cordova, Alaska

### **Southeast and Yakutat Crab, Shrimp, and Miscellaneous Shellfish**

January 21-27, 2015

Nolan Center, 1096 Outer Drive, Wrangell, Alaska

### **Southeast and Yakutat Finfish**

February 23-March 3, 2015

Harrigan Centennial Hall, 330 Harbor Drive, Sitka, Alaska

### **Statewide Dungeness Crab, Shrimp, Miscellaneous Shellfish (except Southeast and Yakutat) and Supplemental Issues**

March 17-20, 2015

Sheraton Hotel, 216, 401 E 6<sup>th</sup> Avenue, Anchorage, Alaska

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 <http://ww.boards.adfg.state.ak.us/>, and at the relevant meeting.

Anyone interested in or affected by subsistence, personal use, commercial fishing, sport, guided sport, or aquatic plant regulations is 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 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 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 STAFF.** 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.



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Glenn Haight, Executive Director  
Alaska Board of Fisheries

11/03/2014

Date

ADDITIONAL REGULATIONS NOTICE INFORMATION

(AS 44.62.190(g))

1. Adopting Agency: Alaska Board of Fisheries.
2. General subject of regulations: IN THE PRINCE WILLIAM SOUND (INCLUDING UPPER COPPER RIVER, UPPER SUSITNA RIVER, PRINCE WILLIAM SOUND SALTWATER, AND COPPER RIVER DISTRICT) FINFISH FISHERY; SOUTHEAST AND YAKUTAT FINFISH FISHERIES; SOUTHEAST AND YAKUTAT CRAB, SHRIMP, AND MISCELLANEOUS SHELLFISH FISHERIES; AND STATEWIDE (except Southeast and Yakutat) DUNGENESS CRAB, SHRIMP AND MISCELLANEOUS SHELLFISH FISHERIES.
3. Citation of regulations: 5 AAC 01 - 5 AAC 77.
4. Department of Law file number (if any):
  - JU2014200580 – Prince William Sound and Upper Copper/Upper Susitna Rivers Finfish
  - JU2014200581 – Southeast and Yakutat Shellfish
  - JU2014200582 – Southeast and Yakutat Finfish
  - JU2014200583 – Statewide Dungeness, Shrimp, and Miscellaneous Shellfish (except Southeast and Yakutat) 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
8. The origin of the proposed action:
  - staff or state agency
  - general public
9. Date: November 3, 2014 Prepared by:  
Glenn Haight, Executive Director  
Alaska Board of Fisheries  
(907) 465-4110