

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

The commissioner of the Department of Fish and Game, under delegations of authority issued by the Alaska Board of Fisheries (board) under AS 16.05.270, proposes to adopt regulation changes in Title 5 of the Alaska Administrative Code (AAC), related to registration and reporting requirements for sport fishing services and sport fishing guides and correcting errors and omissions in Title 5 dealing with certain finfish and shellfish fisheries, including the following:

- (1) **5 AAC 02.021. Retention of fish taken in commercial fisheries** is proposed to be repealed and to move the substance to the commercial provisions in 5 AAC 39.010, since the provisions relate to the activities of commercial fishing and not subsistence fishing.
- (2) **5 AAC 15.357. Chignik Area Salmon Management Plan** is proposed to be changed to reinsert a description of certain waters in the terminal harvest area in the Ivanof Bay Section of the Perryville District that may be open in late July that were inadvertently deleted by the publisher of the AAC during printing.
- (3) **5 AAC 18.200. Description of fishing districts and sections** is proposed to be changed to correct errors in the descriptions of the Uyak Bay Section in the Northwest Kodiak District and the Cape Igvak Section in the Mainland District of the Kodiak Area which are incorrectly described due to a printing error by the publisher of the AAC.
- (4) **5 AAC 24.350. Closed waters** is proposed to be changed to correct an error in the description of closed waters in Jonah Bay in the Northern District in the Prince William Sound Area.
- (5) **5 AAC 24.368. Wally Noerenberg (Esther Island) Hatchery Management Plan** is proposed to be changed to correct the management direction that establishes when the Granite Bay Subdistrict will be closed rather than opened.
- (6) **5 AAC 28.250. Closed waters in the Prince William Sound Area** is proposed to be changed to correct an error in the description of closed waters for commercial groundfish fishing with pots in the Prince William Sound Area.
- (7) **5 AAC 29.020. Description of fishing districts and winter boundary line** is proposed to be changed to clarify the description of the winter boundary line for the commercial salmon troll fishery by adding a geographical reference to Ocean Cape with its referenced latitude/longitude coordinate within the description.
- (8) **5 AAC 29.200. Salmon trolling in hatchery special harvest areas** is proposed to be changed to correct the designated cross referenced sections since other applicable new sections that need to be added to the cross reference have been adopted by the board since section was last updated.
- (9) **5 AAC 33.200. Fishing districts and sections** is proposed to be changed to add the correct latitude/longitude coordinates to the referenced geographical areas to clarify the board's intended description of District 11 and its sections in the Southeastern Alaska Area.
- (10) **5 AAC 33.375. District 13: Silver Bay (Medvejie Creek Hatchery) Salmon Management Plan** is proposed to be changed to correct a latitude/longitude coordinate description at Entry Point Light.

- (11) **5 AAC 34.108. Description of blue king crab fishing areas within Registration Area A** is proposed to be changed to move the reference to a portion of Holkham Bay from the District 10 description to District 11 description and correct a typographical error to the reference to Point Astley.
- (12) **5 AAC 38.425. Closed waters for scallops in Registration Area J** is proposed to be changed to clarify the description of closed waters from Cape Chiniak to Marmot Island in the Kodiak vicinity.
- (13) **5 AAC 39.010. Retention of fish taken in a commercial fishery** is proposed to be changed to include the substance of 5 AAC 02.021, which is being repealed under (1) of this notice. This will clarify that the ability that a commercial fisherman may retain fish lawfully taken in a commercial fishery for that person's own use applies to all fish.
- (14) **5 AAC 39.164. Nonpelagic trawl gear restrictions** is proposed to be changed to clarify the state waters closed to nonpelagic trawl gear in the South Alaska Peninsula groundfish registration area and the Bering Sea.
- (15) **5 AAC 52.022. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area** is proposed to be changed to remove a redundant provision that pertains to king salmon removed from the water.
- (16) **5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area** is proposed to be changed to remove redundant provisions that pertain to set lines specifications and to bag and possession limits for salmon.
- (17) **5 AAC 70.011. Seasons and bag, possession, annual, and size limits for the Northwestern Area** is proposed to be changed to repeal corresponding provisions that incorrectly keep closed the Nome River, Snake River, and Solomon River drainages to sport fishing for chum salmon, which were reopened to sport fishing for chum salmon by the board in 2013.
- (18) **5 AAC 75.075 – 5 AAC 75.085** are proposed to be changed to establish registration and reporting requirements for sport fishing services and sport fishing guides due to the impending January 1, 2015 repeal of the enabling statutes for the licensing of sport fishing services and sport fishing guides under AS 16.40.260 – 16.40.299. This includes the adoption by reference of the 2015 version of the Saltwater Charter Logbook and Vessel Registration for those services and guides operating in salt waters and the 2015 version of the Freshwater Sport Fish Guide Logbook and Vessel Registration for the services and guides operating in fresh waters.
- (19) **5 AAC 75.995. Definitions** is proposed to be changed to include definitions for the applicable terms used in Title 5 related to the activities of sport fishing services and sport fishing guides due to the proposed changes under (18) in this notice.

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 Glenn Haight, Executive Director, Department of Fish and Game, Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526. Additionally, the Department of Fish and Game will accept comments by facsimile at (907) 465-6094 and by electronic mail at [glenn.haight@alaska.gov](mailto:glenn.haight@alaska.gov). The comments must be received no later than 5:00 p.m. on December 29, 2014.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Glenn Haight at (907) 465-4110 no later than December 22, 2014 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Glenn Haight, Executive Director at the mailing address, telephone number, or email address above or online on the board's website at <http://www.adfg.alaska.gov/index.cfm?adfg=fisheriesboard.main>.


After the public comment period ends, the commissioner of the Department of Fish and Game will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. 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.**

**Statutory Authority:** AS 16.05.251; AS 16.05.258; AS 16.05.270; AS 16.05.395

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 16.05.251; AS 16.05.258; AS 16.05.395

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

DATE: 11/19/14

  
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Glenn Haight, Executive Director  
Alaska Board of Fisheries  
Department of Fish and Game