

Byron Mallott  
Lieutenant Governor  
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Juneau, Alaska 99811  
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Anchorage, Alaska 99501  
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LT.GOVERNOR@ALASKA.GOV

OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA

MEMORANDUM

**TO:** Kevin Messing, AAC Contact  
Department of Fish and Game

**FROM:** Scott Meriwether  
Special Assistant   
907.465.4081

**DATE:** February 2, 2015

**RE:** Filed Permanent Regulations: Board of Fisheries  
  
Regulations re: Sport Fishing Guiding Services and Guides; 2015 Sport Fish Logbooks  
(5 AAC 75.075 - 5 AAC 75.995)

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Attorney General File:	JU2014200839
Regulation Filed:	February 2, 2015
Effective Date:	March 4, 2015
Print:	213, April 2015

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

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


The attached 9 pages of regulations, dealing with sport fishing services and sport fishing guides reporting and registration requirements, are adopted and certified to be a correct copy of the regulation changes that the commissioner of the Department of Fish and Game adopts under the authority of AS 16.05.251, under a delegation of authority issued by the Board of Fisheries under AS 16.05.270, 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.

Although no public comments were received, the commissioner of the Department of Fish and Game paid special attention to the cost to private persons of the regulatory action being taken.

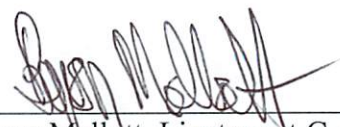
The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 1-6-2015  
Anchorage, Alaska

  
\_\_\_\_\_  
Sam Cotten, Acting Commissioner  
Department of Fish and Game

**FILING CERTIFICATION**

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on Feb 2, 2015, at 940 a.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

  
\_\_\_\_\_  
Byron Mallott, Lieutenant Governor  
State of Alaska

Effective: March 4, 2015.

Register: 213, April 2015.

**Title 5. Fish and Game.**

**Chapter 75. Statewide Provisions.**

**Article 4. Fishing Services and Sport Fishing Guides.**

5 AAC 75.075 is repealed and readopted to read:

**5 AAC 75.075. Sport fishing services and sport fishing guide services; registration requirements; regulation of activities.** (a) An owner of a business intending to conduct sport fishing services shall register with the department before the business conducts sport fishing services. To meet the registration requirements of this section, the owner shall complete and submit a sport fishing operator registration form provided by the department. The following information regarding the business conducting the sport fishing service must be provided on the sport fishing operator registration form:

(1) the name, permanent residence address, local residence address, and mailing address of the owner;

(2) the name of the business;

(3) the areas in which the fishing services will be provided.

(b) Before providing sport fishing guide services, a person shall complete and submit to the department a current annual sport fishing guide registration form provided by the department.

The following information regarding the applicant must be provided on the sport fishing guide registration form:

- (1) the name, permanent residence address, and mailing address of the applicant;
- (2) current Alaska sport fishing license number.

(c) While engaged in providing sport fishing guide services, a sport fishing guide shall have readily available for inspection and shall display upon request of a local representative of the department or a peace officer of the state, and while on salt water or navigable fresh water within six hours after being on salt water a law enforcement representative of the National Marine Fisheries Service or a representative of the United States Coast Guard, the following:

- (1) the sport fishing guide's current
  - (A) sport fishing guide registration form validated by the department; and
  - (B) applicable logbooks as required in 5 AAC 75.076(c);
- (2) a copy of the current sport fishing operator registration form of the sport fishing guide's employer, or, if the sport fishing guide is also a sport fishing operator, the guide's current sport fishing operator registration form;
- (3) current sport fishing licenses, tags, stamps, or permits that are required to engage in the sport fishery for which the sport fishing guide services are provided;
- (4) an identification card issued to the sport fishing guide by a state or federal agency that bears a photograph of the sport fishing guide;



Register 213, April 2015 FISH AND GAME

(5) if on a vessel that provides sport fishing guide services in salt water, the sport fishing license and harvest record of each client on board the vessel. (Eff. 4/18/86, Register 98; am 5/13/95, Register 134; am 4/23/98, Register 146; am 5/19/98, Register 146; am 2/10/2005, Register 173; am 1/1/2008, Register 184; am 3 / 4 /2015, Register 213)

**Authority:** AS 16.05.251 [AS 16.40.270] [AS 16.40.280]

[AS 16.40.260]

5 AAC 75.076(a) is amended to read:

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

(1) State of Alaska, Department of Fish and Game, Division of Sport Fish, 2015

*italicize*

[2014] *Saltwater Charter Logbook and Vessel Registration*, adopted by reference, if operating in salt waters;

(2) State of Alaska, Department of Fish and Game, Division of Sport Fish, 2015

*italicize*

[2014] *Freshwater Sport Fish Guide Logbook and Vessel Registration*, adopted by reference, if operating in fresh waters.

Register 213, April 2015 FISH AND GAME

5 AAC 75.076(e) is amended to read:

(e) The holder of a sport fishing operator **registration issued under** [LICENSE ISSUED UNDER AS 16.40.260 AND] 5 AAC 75.075 is responsible for reporting logbook information and returning the completed logbook of each sport fishing guide it employs to the department in the manner and time frame specified in the logbook. (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 )

**Authority:** AS 16.05.251 [AS 16.40.280]

5 AAC 75.077(a) is amended to read:

(a) Before being used to provide sport fishing guide services, a vessel must be registered annually with the department. A currently **registered** [LICENSED] sport fish business owner, or the owner's authorized agent, shall register each individual vessel operated by the business to provide sport fishing guide services by completing a form provided by the department. At the time of registration, the business owner, or the owner's authorized agent, must provide the

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current division of motor vehicles boat registration number, issued under 2 AAC 70, or the current United States Coast Guard vessel documentation number of each vessel being registered.

(Eff. 2/10/2005, Register 173; am 3 / 4 /2015, Register 213)

**Authority:** AS 16.05.251 AS 16.05.395

5 AAC 75.085(1) is amended to read:

(1) a person conducting guided sport ecotourism fishing shall obtain an annual sport fishing operator **registration** [LICENSE] as specified in 5 AAC 75.075;

5 AAC 75.085(2) is amended to read:

(2) a person holding a valid sport fishing guide **registration** [LICENSE REGISTERED] for the fishery must be present at all times when gear or fish are being handled;

(Eff. 3/14/2008, Register 186; am 3 / 4 /2015, Register 213)

**Authority:** AS 16.05.251 [AS 16.40.260] [AS 16.40.270]

**Article 9. Definitions.**

5 AAC 75.995(a)(39) is amended to read:

(39) "client" means a person who is a member of a fishing party that engages or uses a person to provide sport fishing guide services and who is not a **registered** [LICENSED] sport fishing guide or sport fishing guide crewmember;

5 AAC 75.995(a)(41) is amended to read:

(41) "sport fishing guide" **means a person who is registered to provide sport fishing guide services to persons who are engaged in sport fishing** [HAS THE MEANING GIVEN IN AS 16.40.299];

5 AAC 75.995(a)(42) is amended to read:

(42) "sport fishing guide services"

**(A) means assistance, for compensation or with the intent to receive compensation, to a sport fisherman to take or to attempt to take fish by accompanying or physically directing the sport fisherman in sport fishing activities during any part of a sport fishing trip;**



(B) does not include

(i) sport fishing services; or

(ii) services provided by an assistant, deckhand, or similar person who works directly under the supervision of and on the same vessel as a sport fishing guide [HAS THE MEANING GIVEN IN AS 16.40.299];

5 AAC 75.995(a)(43) is amended to read:

(43) "sport fishing services"

(A) means the indirect provision of assistance, for compensation or with the intent to receive compensation, to a person engaged in sport fishing in taking or attempting to take fish or shellfish by a business that employs a sport fishing guide to provide sport fishing guide services to the person during any portion of a sport fishing trip;

(B) does not include

(i) an activity for which a sport fishing guide registration is required; or

(ii) booking and other ancillary services provided by a tour broker or agent to a sport fishing services operator [HAS THE MEANING GIVEN IN AS 16.40.299];

5 AAC 75.995(a)(49) is amended to read:

(49) "sport fishing guide crewmember" means a person who, for compensation or with intent to receive compensation for services during a day or any portion of a day, provides assistance to clients or a registered [LICENSED] sport fishing guide on board a sport fishing guide vessel;

5 AAC 75.995(b) is amended to read:

(b) In [AS 16.40.299 AND] this chapter, unless the context requires otherwise, "compensation"

(1) means direct or indirect payment, remuneration, and other benefits received in return for services, regardless of the source; in this paragraph, "benefits" includes

(A) wages and other employment benefits given directly or indirectly to an individual or organization; and

(B) dues, payments, fees, and other remuneration given directly or indirectly to a fishing club, business, organization, or individual who provides sport fishing guide services;

(2) does not include reimbursement for the actual daily expenses for fuel, food, or bait. (In effect before 1983; am 4/3/83, Register 85; am 4/28/84, Register 90; am 6/30/84, Register 90; am 4/18/86, Register 98; am 6/2/88, Register 106; am 7/30/89, Register 111; am

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6/5/94, Register 130; am 5/13/95, Register 134; am 2/25/98, Register 145; am 4/23/98, Register 146; am 5/19/2001, Register 158; am 3/13/2004, Register 169; am 2/10/2005, Register 173; am 5/26/2006, Register 178; am 9/12/2008, Register 187; am 3/14/2009, Register 189; am 6/10/2010, Register 194; am 6/1/2013, Register 206; am 3 / 4 /2015, Register 213 )

**Authority:** AS 16.05.251

# MEMORANDUM

## State of Alaska Department of Law

To: Honorable Byron Mallott  
Lieutenant Governor  
(hand delivery)

Date: January 30, 2015

File No.: JU2014200839

Tel. No.: 465-3600

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

Re: Board of Fisheries Regulations re:  
Sport Fish Guiding Services and  
Guides; 2015 Sport Fish Logbooks  
(5 AAC 75.075 – 5 AAC 75.995)

We have reviewed the attached regulations from the Board of Fisheries against the statutory standards of the Administrative Procedure Act. These regulations changes were adopted by the commissioner of fish and game under a delegation of authority issued by the Board of Fisheries under AS 16.05.270. The regulations concern sport fishing services and sport fishing guides registration and reporting requirements, including adoption of the 2015 versions of the sport fishing logbooks.

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 November 20, 2014 public notice and the January 6, 2015 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 minor 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 Sam Cotten, Commissioner  
Department of Fish and Game



# MEMORANDUM

## State of Alaska Department of Law

To: Honorable Sam Cotten  
Commissioner  
Department of Fish and Game  
(via email)

Date: January 30, 2015

File No.: JU2014200839

Tel. No.: 465-3600

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

Re: Board of Fisheries Regulations re:  
Sport Fish Guiding Services and  
Guides; 2015 Sport Fish Logbooks  
(5 AAC 75.075 – 5 AAC 75.995)

Under AS 44.62.060, we have reviewed the attached regulations changes by the Board of Fisheries against the statutory standards of the Administrative Procedure Act and approve the changes for filing by the lieutenant governor. These regulations changes were adopted by the commissioner of fish and game under a delegation of authority issued by the Board of Fisheries under AS 16.05.270.

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

The November 20, 2014 public notice and the January 6, 2015 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 minor technical corrections to the regulations in accordance with AS 44.62.125, as shown on the attached copy.

SRP:ljm

cc w/enc: (via email)

Kevin J. Messing, Fishery Regulations Program Coordinator  
AAC Contact  
Department of Fish and Game

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

Forrest Bowers, Deputy Director  
Division of Commercial Fisheries  
Department of Fish and Game

Thomas Brookover, Acting Director  
Division of Sport Fish  
Department of Fish and Game

Lisa Olson, Deputy Director  
Division of Subsistence  
Department of Fish and Game

Bob Powers, Research Analyst  
Division of Sport Fish  
Department of Fish and Game

Enforcement Commander  
Division of Wildlife Troopers  
Department of Public Safety

Seth Beausang, Assistant Attorney General  
Natural Resources Section

**ALASKA BOARD OF FISHERIES  
DELEGATION OF AUTHORITY**


**Sport Fish Guiding Logbooks and Reports**

**#2004-231-FB**

Under the authority of AS 16.05.270, the Alaska Board of Fisheries delegates to the Commissioner of the Department of Fish and Game the authority under as 16.05.251 to adopt and amend regulations, including amendment of 5 AAC 75.076 to provide specific requirements and procedures for completion and submission of sport fishing guide logbooks, or comparable reports, by sport fishing services, operators, and sport fishing guides. This delegation includes authority to amend other regulations as necessary to acknowledge or otherwise conform to the regulations that specifically provide for the logbooks or comparable records.

This delegation of authority supercedes the previous delegation (board finding #98-178A-FB).

Adopted: November 13, 2004

  
Art Nelson, Chair  
Alaska Board of Fisheries

11/13/2004  
Date

**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>.

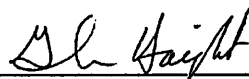
After the public comment period ends, the commissioner of the Department of Fish and Game will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from 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

ADDITIONAL REGULATIONS NOTICE INFORMATION  
(AS 44.62.190(g))

1. Adopting agency: Alaska Board of Fisheries
2. General subject of regulation: Sport Fish Guiding Services and Guides; Sport Fish Logbooks
3. Citation of regulation (may be grouped): 5 AAC 75.075 – 5 AAC 75.085 and 5 AAC 75.995
4. Department of Law file number, if any: JU2014200839
5. 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): \_\_\_\_\_
6. Appropriation/Allocation: Fish and Game Funds
7. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY <u>15</u>	Subsequent Years
Operating Cost	\$ <u>399.6</u>	\$ <u>419.6</u>
Capital Cost	\$ <u>0</u>	\$ <u>0</u>
1002 Federal receipts	\$ <u>0</u>	\$ <u>0</u>
1003 General fund match	\$ <u>0</u>	\$ <u>0</u>
1004 General fund	\$ <u>0</u>	\$ <u>0</u>
1005 General fund/ program	\$ <u>0</u>	\$ <u>0</u>
1037 General fund/ mental health	\$ <u>0</u>	\$ <u>0</u>
Other	\$ <u>399.6</u>	\$ <u>419.6</u>

8. The name of the contact person for the regulations:  
Name: Glenn Haight  
Title: Executive Director  
Address: Boards Support Section  
P.O. Box 115526  
Juneau, AK 99811-5526  
Telephone: (907) 465-4110  
E-mail address: glenn.haight@alaska.gov

9. The origin of the proposed action:

- ☒ Staff of state agency  
☐ Federal government  
☐ General public  
☐ Petition for regulation change  
☐ Other (identify) \_\_\_\_\_

10. Date: 11/19/14

Prepared by: Glenn Haight  
[signature]

Name: Glenn Haight

Title: Executive Director, Board of Fisheries

Telephone: (907) 465-4110

STATE OF ALASKA )  
 ) ss.  
FIRST JUDICIAL DISTRICT )

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


I, Frances H. Leach, Publications Specialist II, 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 registration and reporting requirements for sport fishing services and sport fishing guides in the state has been given by being

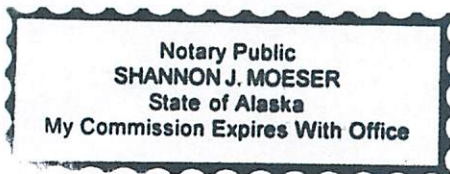
- (1) published in a newspaper or trade publication;
- (2) furnished to interested persons;
- (3) furnished to appropriate state officials;
- (4) furnished to the Department of Law, along with a copy of the proposed regulations;
- (5) electronically transmitted to incumbent State of Alaska legislators;
- (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 15, 2015  
Juneau, Alaska

  
 Frances H. Leach, Publications Specialist II  
 Alaska Board of Fisheries

SUBSCRIBED AND SWORN TO before me this 15<sup>th</sup> day of January, 2015.



Shannon J. Moleson  
Notary Public in and for the  
State of Alaska  
My commission expires: with Office




)

## **AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT**

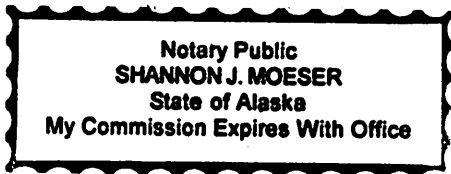
I, Glenn Haight, Executive Director of the Alaska Board of Fisheries, being duly sworn, state the following:

The Department of Fish and Game did not receive any factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Alaska Board of Fisheries regulations on registration and reporting requirements for sport fishing services and sport fishing guides in the state.

Date: January 5, 2015  
Juneau, Alaska

  
Glenn Haight, Executive Director  
Alaska Board of Fisheries

SUBSCRIBED AND SWORN TO before me this 5<sup>th</sup> day of January, 2015.



Shannon J. Moser  
Notary Public in and for the  
State of Alaska  
My commission expires: with office

270233  
#1355604  
\$878.99

# AFFIDAVIT OF PUBLICATION

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Kayla Lavea  
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

November 20, 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 Kayla Lavea

Subscribed and sworn to before

me this 7 day of Jan, 2015



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

MY COMMISSION EXPIRES

## 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

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