

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](http://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](mailto:dfg.bof.comments@alaska.gov) (PDF format only), or online at [www.boardoffisheries.adfg.alaska.gov](http://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](http://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.



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Glenn Haight, Executive Director  
Alaska Board of Fisheries

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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