



Reviewer Letter

PLEASE READ CAREFULLY

July 2021

The Alaska Board of Fisheries (board) will consider this book of regulatory proposals at its meetings from November 2021 through March 2022. The proposals concern changes to the state's fishing regulations submitted timely by members of the public, organizations, advisory committees, and ADF&G staff. Proposals are published essentially as received, with the exception of minor edits and removal of graphics and web links. If you submitted a proposal and find the published version does not reflect your intent, please contact Boards Support as soon as possible.

COVID-19 Mitigation Plan. During its 2020/2021 meeting cycle, due to the COVID-19 global pandemic the board postponed its regulatory meetings to 2021/2022. As we move into the 2021/2022 meeting cycle, both the board and ADF&G intend to return to in-person meetings as identified in this book. However, at the time of this publication it is difficult to predict what complications related to COVID-19 will persist as we approach the meetings.

Individuals wishing to attend in-person meetings are advised ADF&G will employ a COVID-19 mitigation plan that complies with the state and hosting community mitigation requirements. While the details of that plan remain to be finalized, it will allow for a range of mitigation measures depending on the status of COVID-19 in the state and meeting community. The plan will also likely involve participant registration and agreement to abide by mitigation measures at the meeting. The mitigation plan will be published well before the board's October work session and ADF&G will work to provide consistent and clear communication to participants leading up to and during the meeting. For those unable to attend in-person, written comments are accepted before and during the meeting.

Proposals. Proposals are often presented as brief statements summarizing intended regulation changes. Proposed changes are also often written in accordance with the Department of Law's drafting standards: additions are **bolded and underlined** while deletions are [BRACKETED AND CAPITALIZED].

Reading all proposals in this book is encouraged. Proposals may apply statewide, affect one region or fishery of the state, or recommend change to multiple fisheries within an area.

The proposals are grouped by board meeting (see the Proposal Index). Within each meeting, proposals are organized by region, fishery, or species. This book notes if a proposal will be heard at more than one meeting. About two weeks before each meeting, the board makes a "roadmap" with the tentative order

proposals will be considered and deliberated on. This usually differs from the order proposals are listed here. Then, the board develops an agenda for each meeting to coordinate with the roadmap.

Public comment requested. The board relies on written comments and oral testimony. Public comment, in combination with advisory committee recommendations and ADF&G staff presentations, provide the board with useful biological and socioeconomic information. Written comments become public documents.

Submit your comments.

Online	boardoffisheries.adfg.alaska.gov
Email	dfg.bof.comments@alaska.gov
Fax	(907) 465-6094
Mail	P.O. Box 115526 Juneau, AK 99811-5526

More about public comments. Comments must be received by each meeting's deadline (typically two weeks prior to a meeting - see the Tentative Meeting Schedule). They are included as part of board member workbooks, listed in each meeting's Index of Comments, and posted on the Boards Support website in advance of the meeting. Requirements include:

- Received by mail, email, fax, in office, or through the Boards Support website.
- 100 single-sided pages or less from any one individual or group.
- Fits on 8½" x 11" paper with adequate margins for three-hole punching. If submitted through email, send as a single Adobe PDF.
- Web links to external documents or multimedia are not accepted.
- Include the author's name and contact information.
- For charts or graphs, cite the source.

Record copies. Written materials received after the on-time deadline, including during board meetings, are termed "record copies". Requirements are the same as above, except:

- Comments are not accepted via email after the on-time deadline.
- Prior to the start of a meeting, comments may be submitted by mail, fax, or hand delivered in office.
- After the start of a meeting, comments may be submitted in person at the meeting. Copies will need to be provided. The actual number of copies needed is posted at the meeting, usually ~25, and may change throughout the duration of the meeting. Comments are also accepted by fax during meetings for those not able to attend.
- 10 single-sided pages or less from any one individual or group per proposal until the board begins deliberations on proposals. Once deliberations start, no more than five single-sided pages.

Oral testimony. The board welcomes oral testimony at each regularly scheduled regulatory meeting. Testimony generally begins the first day of the meeting, extending as long as necessary. There is a sign-up period for testimony at each meeting, found on the meeting agenda. Each person who wishes to speak is generally allotted three minutes for testimony. Advisory committee, federal regional advisory council, and Pacific Northwest Crab Industry Advisory Committee representatives are generally allotted 10 minutes.

Tips for comments.

- Identify proposal(s). Clearly state the proposal number you wish to discuss and if you support or oppose the proposal. If the comments support a modification in the proposal, indicate “support as amended” with the preferred amendment in writing.
- Commenting on more than one proposal. If making comments on more than one proposal, simply list the next proposal number followed by your comments. There is no need for separate pages or to submit multiple comments.
- Explain why. Help the board understand your rationale by identifying factors to take into account when acting on a proposal.
- Keep comments brief and clear. Board members are extremely busy. Clearly stating proposal numbers and one’s position with supporting rationale will assist board members.
- Follow the requirements. Pages in excess of the page limit and comments not in the proper format will be discarded. Testimony greater than the allotted time will be cut short.
- The sooner the better. As a practical matter comments submitted after the board begins deliberations are likely to receive less consideration than comments submitted earlier.
- Write clearly. Whether typed or handwritten, use dark ink and write legibly.
- Use the committee process for detailed comments. The board considers specific proposals, grouped by subject, during committees as a way to receive much greater detail from the participating public. Public testimony should be tailored to encompass major items of importance. Fine details may be reserved for committee work.
- Be polite. Inflammatory material may be excluded or redacted, and public testimony may be cut short.

Advisory committees. Advisory committees written recommendations should be submitted in the format prescribed by the board; boards staff can provide the right form. Recommendations should note the number of committee members in attendance as well as other stakeholders in attendance during meetings. Remember, advisory committee recommendations must be developed at a meeting where the conditions of the Open Meetings Act (AS 44.62.310) were met. When providing public testimony, provide commentary and explain the committee’s current discussion. Expressing minority opinions is helpful. Reading off proposal numbers and committee recommendations is difficult to follow; your written comments should cover this sort of summary. For additional information on providing public comment, refer to the Advisory Committee Manual.

Additional instructions for advisory committee chairs. Advisory committee chairs are responsible for calling committee meetings to review proposals and provide recommendations. In order to efficiently budget and provide for travel, pre-planning is essential. Chairs are to identify to Boards Support by November 15 if they anticipate an advisory committee representative might attend one of the meetings. Failure to provide early notice may prevent the advisory committee from traveling should adequate funding be unavailable.

Special notes. The board applies various statutes and policies when considering proposals. When addressing proposals affecting subsistence uses, the board provides for a reasonable opportunity for subsistence consistent with Alaska Statute 16.05.258 and regulation 5 AAC 99.010(b). When addressing allocations among commercial, sport, guided sport, and/or personal use fisheries, the board applies its Allocation Criteria (AS 16.05.251(e)). When addressing salmon fisheries it may apply the Mixed Stock Salmon Policy (5 AAC 39.220) and the Sustainable Salmon Fisheries Policy (5 AAC 39.222). You may wish to review these statutes, regulations, and policies when preparing comments for the board. See the board’s website or call Boards Support staff listed in this book to learn more about the board process.

Persons with a disability needing special accommodations in order to comment on the proposed regulations should contact the Boards Support Section at (907) 465-4110 no later than two weeks prior to the scheduled meeting to make any necessary arrangements.

Thank you for taking an active role in Alaska's fisheries management regulatory process.

Sincerely,



Glenn Haight
Executive Director



ADF&G • Boards Support Section

www.boards.adfg.state.ak.us

ALASKA BOARD OF FISHERIES

2021/2022 CYCLE TENTATIVE MEETING SCHEDULE

(This tentative schedule shifts the 2020/2021 meeting to 2021/2022. Subsequent meeting cycles all shift down a year.)

Prince William Sound Finfish and Shellfish (except shrimp); Southeast and Yakutat Finfish and Shellfish; Statewide All Shellfish (including Prince William Sound shrimp, excluding all other Prince William Sound shellfish, Southeast, and Yakutat)

Meeting Dates	Topics	Location	Comment Deadline
October 20-21, 2021 [2 days]	Work Session ACRs, cycle organization, Stocks of Concern	Anchorage Egan Civic and Convention Center	Oct. 6, 2021
Nov. 30-Dec. 6, 2021 [7 days]	Prince William Sound/Upper Copper and Upper Susitna Rivers Finfish and Shellfish (Except shrimp)	Cordova The Cordova Center	Nov. 15, 2021
January 4-15, 2022 [12 days]	Southeast and Yakutat Finfish and Shellfish	Ketchikan Ted Ferry Civic Center	Dec. 22, 2021
March 10, 2022 [1 day]	Hatchery Committee	Anchorage TBD	Feb. 23, 2022
March 11-16, 2022 [6 days]	Cook Inlet, Kodiak, Westward, Arctic Shellfish and Shellfish General Provisions, and Prince William Sound Shrimp	Anchorage TBD	Feb. 24, 2022

Proposal Deadline: Not applicable (*was April 24, 2020*)

Total Meeting Days: 28

Agenda Change Request Deadline: Monday, August 23, 2021 [*60 days prior to fall work session*]



Alaska Department of Fish and Game
Board of Fisheries
 P.O. Box 115526
 Juneau, AK 99811-5526
 (907) 465-4110
www.adfg.alaska.gov

Long-Term Meeting Cycle

(Three-year cycle)

The board meeting cycle generally occurs from October through March. The board considers changes to regulations on a region-based schedule. The fisheries include subsistence, sport, guided sport, personal use, and commercial. Special petition and agenda change request procedures are available for the board to consider out-of-cycle requests.

NOTES:

- 1) In the year preceding a board cycle, the board will announce a call for proposal that prescribes which regions, species, and fisheries are set for regulatory review.
- 2) The proposal deadline is April 10 every year. If April 10 falls on a weekend, the proposal deadline is the Friday preceding that weekend.

Meeting Areas and Species
Prince William Sound Area all Finfish and Shellfish (except Shrimp) Southeast/Yakutat Areas all Finfish and Shellfish Cook Inlet, Kodiak, Westward, Arctic Shellfish and Shellfish General Provisions, and Prince William Sound Shrimp <i>Meeting Cycle Years: 2021/2022 2024/2025 2027/2028 2030/2031</i>
Alaska Peninsula/Bering Sea-Aleutian Island/Chignik Areas all Finfish Arctic-Yukon-Kuskokwim Areas all Finfish Bristol Bay Area all Finfish Statewide Provisions for Finfish <i>Meeting Cycle Years: 2022/2023 2025/2026 2028/2029 2031/2032</i>
Cook Inlet Area all Finfish Kodiak Area all Finfish <i>Meeting Cycle Years: 2023/2024 2026/2027 2029/2030 2032/2033</i>

The meeting cycle repeats itself every three years. This schedule was adopted November 9, 1990 and revised based on workload and public participation.



Alaska Department of Fish and Game
Board of Fisheries
P.O. Box 115526
Juneau, AK 99811-5526
(907) 465-4110
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Member List
July 2021

NAME	TERM EXPIRES
McKenzie Mitchell	6/30/2023
Märit Carlson-Van Dort (Chair)	6/30/2024
Gerad Godfrey	6/30/2022
John Jensen	6/30/2023
Vacant	6/30/2023
Israel Payton	6/30/2022
John Wood	6/30/2024

Alaska Board of Fisheries members may be reached at:

ALASKA DEPARTMENT OF FISH AND GAME
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526
(907) 465-4110 PHONE
(907) 465-6094 FAX

www.boardoffisheries.adfg.alaska.gov

Glenn Haight, Executive Director, Alaska Board of Fisheries
e-mail: glenn.haight@alaska.gov

BOARDS SUPPORT SECTION STAFF LIST

(JULY 2021)

Alaska Department of Fish and Game
Mailing address: P.O. Box 115526, Juneau, AK 99811-5526
Physical location: 1255 West 8th Street
Phone: (907) 465-4110; Fax: (907) 465-6094

HEADQUARTERS

Board of Fisheries

Glenn Haight, Exec. Director II, 465-6095
Jessalynn Rintala, Pub. Specialist II, 465-6097

Board of Game

Kristy Tibbles, Exec. Director I, 465-6098
Annie Bartholomew, Pub. Specialist II, 465-4046

REGIONAL OFFICES

Southeast Region (North of Frederick Sound)

Annie Bartholomew
P.O. Box 115526
Juneau, AK 99811-5526
Phone: 465-4046
Fax: 465-6094

Western Region

Vacant
P.O. Box 1467
Bethel, AK 99559
Phone: 543-2931
Fax: 543-2021

Southeast Region (South of Frederick Sound)

Jessalynn Rintala
P.O. Box 115526
Juneau, AK 99811-5526
Phone: 465-6097
Fax: 465-6094

Arctic Region

Vacant
P.O. Box 689
Kotzebue, AK 99752
Phone: 442-1717
Fax: 442-2420

Southcentral Region

Charity Lehman
333 Raspberry Road
Anchorage, AK 99518-1599
Phone: 267-2354
Fax: 267-2489

Interior Region

Vacant
1300 College Road
Fairbanks, AK 99701-1599
Phone: 459-7263
Fax: 459-7258

Southwest Region

Taryn O'Connor-Brito
P.O. Box 1030
Dillingham, AK 99576
Phone: 842-5142
Fax: 842-5514

(DRAFT)

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 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; CRAB, SHRIMP, AND MISCELLANEOUS SHELLFISH FISHERIES FOR ALL REGIONS STATEWIDE INCLUDING SOUTHEAST, YAKUTAT, PRINCE WILLIAMS SOUND, COOK INLET, KODIAK, WESTWARD, AND ARCTIC; AND STATEWIDE SHELLFISH GENERAL PROVISIONS (except Southeast and Yakutat) FISHERIES:
 - 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.

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 22 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

Work Session

October 20-21, 2021

Egan Civic and Convention Center, Anchorage

Comment deadline: October 6, 2021

Prince William Sound Finfish and Shellfish (except Shrimp)

November 30-December 6, 2021

Cordova Convention Center, Cordova

Comment deadline: November 15, 2021

Southeast and Yakutat Finfish & Shellfish

January 4-15, 2022

Ted Ferry Civic Center, Ketchikan

Comment deadline: December 22, 2021

Cook Inlet, Kodiak, Westward, Arctic Shellfish, Prince William Sound Shrimp, Statewide Shellfish General Provisions and Supplemental Issues

March 11-16, 2022

Egan Civic and Convention Center

Comment deadline: February 24, 2022

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.**

COVID-19 Mitigation Plan. During its 2020/2021 meeting cycle, due to the COVID-19 global pandemic the board postponed its regulatory meetings to 2021/2022. In 2021/2022 meeting cycle, it

is the intent to conduct the postponed meetings in-person. At this time it is difficult to predict what complications related to COVID-19 will persist as we approach the meetings.

Individuals wishing to attend in-person meetings are advised ADF&G will employ a COVID-19 mitigation plan. The plan will allow for a range of mitigation measures depending on the status of COVID-19 in the state and meeting community. The plan may involve participant registration and agreement to abide by mitigation measures at the meeting. The mitigation plan will be published prior to the October 2021 work session and ADF&G will provide consistent and clear communication to participants leading up to and during the meeting.

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

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 FISHERIES, SOUTHEAST AND YAKUTAT FINFISH FISHERIES; SOUTHEAST AND YAKUTAT SHELLFISH CRAB, SHRIMP, AND MISCELLANEOUS SHELLFISH FISHERIES, AND ALL STATEWIDE CRAB, SHRIMP AND MISCELLANEOUS SHELLFISH (except Southeast and Yakutat) FISHERIES.
 3. Citation of regulations: 5 AAC 01 - 5 AAC 77.
 4. Department of Law file number (if any):
 - JU2020-21-0567 – Prince William Sound Finfish and Shellfish (except shrimp)
 - JU2020-21-0568 – Southeast and Yakutat Finfish and Shellfish
 - JU2020-21-0571 – Statewide Shellfish (including PWS shrimp) 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 27, 2021
- Prepared by:
Glenn Haight, Executive Director
Alaska Board of Fisheries
(907) 465-4110