

**PROPOSAL 190**

**5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.**

Establish requirements to guide in Upper Cook Inlet personal use fisheries as follows:

**before engaging in guiding services for personal use fishing in upper cook inlet guides must register with the department**

**(e) an owner of a business shall register with the department before the business conducts personal use fishing services. to meet the registration requirements of this section, the owner shall complete and submit to the department a current annual personal use fishing operator registration form provided by the department. the following information regarding the business conducting sport fishing services must be provided on the form:**

**(1) the name and permanent mailing address of the owner;**

**(2) the name of the business and current Alaska business license number, issued under 12 AAC 12.**

**(f) a person shall register with the department before the person conducts personal use fishing guide services. to meet the registration requirements of this section, a person shall complete and submit to the department a current annual personal use fishing guide registration form provided by the department. the following information regarding the applicant must be provided on the form:**

**(1) the applicant's name and permanent mailing address;**

**(2) the applicant's current Alaska sport fishing license number.**

**(g) while providing personal use fishing guide services, a person shall have readily available for inspection and shall display upon request of a representative of the department or a peace officer of the state, and while providing personal use fishing guide services on salt water or while on navigable fresh water within six hours after providing such services on salt water, a person shall have readily available for inspection and shall display upon request of a law enforcement representative of the national marine fisheries service or a representative of the united states coast guard, the following:**

**(1) the person's current personal use fishing guide registration or card; and**

**(2) the current personal use fishing operator registration or card, or a copy, of the person's employer or the person;**

**(3) the person's current sport fishing license, harvest records, tags, stamps, or permits that are required to engage in the personal use fishery for which the personal use fishing guide services are provided;**

**(4) an identification card issued to the person by a state or federal agency that bears a photograph of the person;**

**(h) a personal use fishing guide or a registered personal use fishing operator may not**

**(1) aid in the commission of a violation of as 16.05 - as 16.40 or a regulation adopted under as 16.05 - as 16.40 by an fisher person who is a client of the person or operator; or**

**(2) permit the commission by an fisher person who is a client of the person or operator of a violation of as 16.05 - 16.40 or a regulation adopted under as 16.05 - 16.40 that the personal use fishing guide knows or reasonably believes is being or will be committed without**

**(a) attempting to prevent it, short of using force; and**

**(b) reporting the violation.**

**What is the issue you would like the board to address and why?** Currently there are no requirements to guide personal use fisheries. This proposal would do two things: first it would make personal use guides in the most popular personal use fishery in the state follow the exact same requirements as sport fishing guides. Second it would require that UCI guides be residents of Alaska as they would be required to possess a UCI personal use salmon permit. This data would require a minimum of work for the department as there is already a system to register sport fishing guides, the forms could be updated for minimal cost to include a box to check for personal use fishing guides. It is crucial for future management decisions to have data on this growing industry.

Furthermore such implementation would allow the department to deny permits of guides who allow regulations to be broken under their watch.

As a sport fishing guide I find it quite frankly insulting that I spend thousands of dollars to get permits to let clients catch and release rainbow trout upriver while guides can harvest hundreds of fish per day with zero permitting.

Alternatives: Require reporting of guide services used on return of the permit. This would be confusing and lead to less relevant information. It is highly likely that most P/U guides are also sport fishing guides, and thus putting the burden on the guide would be simple to implement and yield the highest quality data.

**PROPOSED BY:** Patrick P McCormick

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