

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 COMMERCIAL HERRING AREA, AND IN THE 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-ALEUTIAN ISLANDS SPORT FISH AREA; IN THE EASTERN GULF OF ALASKA, PRINCE WILLIAM SOUND, COOK INLET, KODIAK, SOUTH ALASKA PENINSULA, CHIGNIK, BERING SEA-ALEUTIAN ISLANDS, AND CHUKCHI-BEAUFORT COMMERCIAL GROUND FISH AREAS; AND STATEWIDE (GENERAL PROVISIONS) FINFISH REGULATIONS OR OTHER POSSIBLE SUPPLEMENTAL ISSUES, INCLUDING ISSUANCE OF BOARD FINDINGS, DELEGATIONS OF AUTHORITY FROM THE BOARD OF FISHERIES, OR HATCHERY OPERATIONS.

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, annual or other 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, annual or other 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. OTHER CHANGES TO TITLE 5 AS NECESSARY TO ACCOMMODATE ANY CHANGES TO TITLE 5 AS DESCRIBED ABOVE SUCH AS CROSS REFERENCES OR OTHER AFFECTED FISHERIES.

The proposed regulations changes are available on the Board of Fisheries meeting information website at www.boardoffisheries.adfg.alaska.gov or from the ADF&G Boards Support Section office at (907) 465-4110.

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 by the announced deadlines listed below, limited to no more than 100 single-sided or 50 double-sided pages.

New this cycle, Boards Support will utilize an online form at www.boardoffisheries.adfg.alaska.gov, that will allow comments to be uploaded as a file or entered manually. With the new online form in place, Boards Support will no longer accept comments via email. Written comments are strongly encouraged to be submitted online. Additionally, comments will be accepted if sent by mail to ADF&G, Boards Support Section, at P.O. Box 115526, Juneau, AK 99811-5526 or by facsimile to (907) 465-6094.

Comments are generally due no later than two weeks prior to the meeting during which the topics are considered. The specific comment deadline for each meeting is listed below. 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.

ADDITIONAL PUBLIC COMMENT STANDARD:

Once the meetings begin, comments will again be accepted online at www.boardoffisheries.adfg.alaska.gov, by hand delivery at the meeting, or via fax to 907-465-6094. Comments submitted during the meetings are limited to ten single-sided pages until proposal deliberations begin. At that time, the board will **ONLY** accept written comments that are not more than five single-sided pages unless specific information is requested by the board that requires more pages than allowed under this standard.

As a practical matter, comments submitted after the board begins deliberations on relevant proposals are likely to receive less consideration than comments submitted earlier. Additionally, groups of people submitting numerous, form-like comments containing similar language during the meeting is

not advisable, and Boards staff will be unable to process and distribute the comments to the board during the meeting. These types of comments will be grouped together or summarized for the board in a single submission.

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 for the public and 10 minutes or less for fish and game advisory committee and regional advisory council representatives. Updates related to public testimony and submitting public comments will be provided via advisory announcement closer to the start of each meeting. Please watch the board's website for any updates or sign up to receive announcements via email at www.boardoffisheries.adfg.alaska.gov.

TENTATIVE MEETING SCHEDULE

Work Session

October 25–26, 2022

Egan Civic and Convention Center, Anchorage

Comment deadline: October 11, 2022

Alaska Peninsula, Aleutian Islands, Bering Sea, and Chignik Pacific Cod Meeting

October 27–28, 2022

Egan Civic and Convention Center, Anchorage

Comment deadline: October 11, 2022

Bristol Bay Finfish

November 29–December 3, 2022

Dena'ina Center, Anchorage

Comment deadline: November 14, 2022

Arctic / Yukon / Kuskokwim Finfish

January 14–18, 2023

Egan Civic and Convention Center, Anchorage

Comment deadline: December 30, 2022

Alaska Peninsula / Aleutian Island / Chignik Finfish

February 20–25, 2023

Dena'ina Center, Anchorage

Comment deadline: February 6, 2023

Statewide Finfish and Supplemental Issues

March 10–13, 2023

Egan Civic and Convention Center, Anchorage

Comment deadline: February 23, 2023

Any changes to meeting locations, dates or times, or rescheduling of topics or subject matter will be announced by advisory announcement. Please watch for these announcements on the board’s website 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.

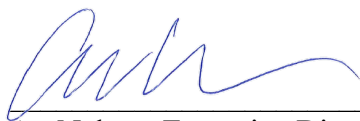
Anyone interested in or affected by subsistence, personal use, commercial fishing, sport, guided sport, aquatic plant regulations or hatchery operations are hereby informed that the Board of Fisheries may consider any or all of the subject areas covered by this notice. Under AS 44.62.200(b), the board 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 Art Nelson at (907) 267-2292 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.



Art Nelson, Executive Director
Alaska Board of Fisheries

9/12/2022

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 COMMERCIAL HERRING AREA, AND IN THE 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-ALEUTIAN ISLANDS SPORT FISH AREA; IN THE EASTERN GULF OF ALASKA, PRINCE WILLIAM SOUND, COOK INLET, KODIAK, SOUTH ALASKA PENINSULA, CHIGNIK, BERING SEA-ALEUTIAN ISLANDS, AND CHUKCHI-BEAUFORT COMMERCIAL GROUND FISH AREAS; AND STATEWIDE (GENERAL PROVISIONS) FINFISH REGULATIONS OR OTHER POSSIBLE SUPPLEMENTAL ISSUES, INCLUDING ISSUANCE OF BOARD FINDINGS, DELEGATIONS OF AUTHORITY FROM THE BOARD OF FISHERIES, OR HATCHERY OPERATIONS.
3. Citation of regulations: 5 AAC 01 - 5 AAC 99.
4. Department of Law file numbers:
 - 2022200302 - AK Peninsula/Aleutians/Bering Sea/Chignik Pacific Cod Board Meeting October 2022
 - 2022200303 - Bristol Bay Finfish Board Meeting November 2022
 - 2022200304 - Arctic/Yukon/Kuskokwim Finfish Board Meeting January 2023
 - 2022200305 - AK Peninsula/Aleutians/Chignik Finfish Board Meeting February 2023
 - 2022200306 - Statewide Finfish & Supplemental Issues Board Meeting March 2023
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:

Art Nelson, Executive Director
Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811-5526
(907) 267-2292
Email: art.nelson@alaska.gov

9. The origin of the proposed action:

- staff or state agency
- general public

10. Date:

Prepared by:

Art Nelson, Executive Director
Alaska Board of Fisheries
(907) 267-2292