

NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF THE ALASKA BOARD OF FISHERIES

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code, dealing with fishery and aquatic plant resources in the areas designated below, including the following:

IN THE KOTZEBUE, NORTON SOUND-PORT CLARENCE, YUKON-NORTHERN, and KUSKOKWIM FINFISH AREAS (collectively referred to as Arctic-Yukon-Kuskokwim or A-Y-K Areas), IN THE BRISTOL BAY, ALASKA PENINSULA, ATKA-AMLIA ISLANDS, ALEUTIAN ISLANDS FINFISH AREAS; IN THE ALASKA PENINSULA-ALEUTIAN ISLANDS, BRISTOL BAY, KUSKOKWIM, AND BERING SEA-KOTZEBUE HERRING FISHERY AREAS; and STATEWIDE (GENERAL PROVISIONS) FINFISH REGULATIONS.

A. In the commercial, sport, guided sport, and personal use fisheries: fishing seasons, periods, opening and closing times; bag, possession, size, sex, and harvest limits, harvest levels or quotas; districts, subdistricts, sections, subsections, areas, and other management boundaries; fish reserve areas, refuges, and sanctuaries; registration areas (including exclusive and superexclusive registration areas) locations open and closed to fishing; methods and means; gear and vessel restrictions, marking and identification, definitions, operational requirements, registration and permit requirements; permits, harvest records, fish tickets, harvest marking requirements; management plans for conservation and development of fisheries; allocation among beneficial uses; restrict, prohibit, or require the retention, sale, or purchase of fish; registration, reporting, logbook, and operating requirements for sport fishing operators and guides, guided anglers, catchers, processors, buyers and transporters; possession, transport, or release of fish; onboard observer requirements; sustainable salmon fisheries policy; salmon escapement goal policy; regulation of fishing as needed for the conservation, development, or utilization of fisheries.

B. In the subsistence fisheries: identify subsistence uses and users; fishing seasons, periods, opening and closing times, harvest levels; methods and means; size, age, and sex limitations; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; gear and vessel restrictions and operational requirements; quotas, bag, possession, and harvest limits; registration and permit requirements, requirements for marking, identification, and possession of fish; management plans for conservation, development and allocation among beneficial uses, and users; identify customary and traditional uses of fish stocks, and establish or change subsistence fisheries.

In addition to the above topics the following SUPPLEMENTARY ITEMS will be considered:

IN THE STATEWIDE AREAS:

1. Authorizing the non-commercial harvest of aquatic plants.
2. Authorizing and regulating the transporting and possession of live fish and reporting requirements.
3. Permitting the use of net pens for the holding of fish.
4. Address specific fishing closures for preserving essential fish habitat.

IN THE SOUTHEAST ALASKA AREA:

5. Allow the use of sport caught pink and chum salmon as legal bait.

For a copy of the proposed regulation changes contact the Alaska Department of Fish and Game, Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526, tel. 907-465-4110 or go to the internet at: <http://www.boards.adfg.state.ak.us/>

You may comment on the regulation changes, including the potential costs to the private persons of complying with the proposed changes, by submitting written comments to the Alaska Department of Fish and Game, Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526, no later than two weeks prior to the meeting during which the topic will be considered to ensure inclusion in the board workbooks.

Written comments may be submitted at any time during the meeting but, as a practical matter comments submitted after the board begins deliberations on relevant proposals are likely to receive less consideration than comments submitted earlier. Comments also may be faxed to (907) 465-6094. Oral comments may also be presented as explained below.

There will be four separate meetings. Each meeting will start at 8:30 a.m. on the dates noted below. The public hearing portions for each meeting will begin immediately after staff reports and continue until everyone who has signed up and is present has been given the opportunity to be heard. Additional public hearings with Board committees may be held throughout the meeting before consideration and adoption of proposed changes in the regulations for the various areas. An agenda will be posted daily during the meeting. 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 five minutes or less. Anyone interested in, or affected by, the subject matter contained in this legal notice should make written or oral comments if they wish to have their views considered by the board.

TENTATIVE MEETING SCHEDULE

Bristol Bay Finfish

December 4, 2006

Dillingham Middle School, Dillingham, AK

Arctic-Yukon-Kuskokwim Finfish

January 31, 2007

Millennium Hotel, 4800 Spenard Road, Anchorage, AK

Alaska Peninsula/Aleutians Islands Finfish

February 6, 2007

Millennium Hotel, 4800 Spenard Road, Anchorage, AK

Statewide Finfish and Supplementary Items

March 9, 2007

Millennium Hotel, 4800 Spenard Road, Anchorage, AK

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 proposal issues to be addressed by the board. Copies of the proposal indices are in the proposal book or at the relevant meeting.

Anyone interested in or affected by subsistence, personal use, sport, guided sport or commercial fishing regulations, is hereby informed that, by publishing this legal notice, the Board of Fisheries may consider any or all of the subject areas covered by this notice. Pursuant to 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 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 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 STAFF.** 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 may need a special accommodation in order to participate in the process on the proposed regulations, please contact Jim Marcotte at (907) 465-4110 no later than two weeks prior to the beginning of each meeting to ensure that any 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 16.020, AS 16.40

Fiscal Information: The proposed regulatory actions are not expected to require an increased appropriation.



Date: October 25, 2006

Jim Marcotte, Executive Director
Alaska Board of Fisheries


ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting Agency: Alaska Board of Fisheries.
2. General subject of regulations: FINFISH IN THE KOTZEBUE, NORTON SOUND-PORT CLARENCE, YUKON-NORTHERN, KUSKOKWIM,, BRISTOL BAY , ALASKA PENINSULA, ATKA-AMLIA ISLANDS, ALEUTIAN ISLANDS AREAS.STATEWIDE (GENERAL PROVISIONS) FOR FISH AND AQUATIC PLANTS .
3. Citation of regulations: 5 AAC 01, 03, 04, 05, 06, 07, 09, 11, 12, 27, 28, 37, 39, 41, 65, 67, 70, 75, 77.
4. Reason for proposed actions: Implement, interpret, or make specific the provisions of AS 16.05 - AS 16.20; AS 16.40.
5. Program category and RDU affected: Natural Resources and all RDUs.
6. 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.
7. The name of the contact person for the regulations:

Jim Marcotte, Executive Director
Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811-5526
(907) 465-4110
Email: jim_marcotte@fishgame.state.ak.us

8. The origin of the proposed action:
 staff or state agency
 general public
 regularly scheduled topics for Board of Fisheries

9. Date: October 25, 2006

Prepared by: 
Jim Marcotte, Executive Director
Alaska Board of Fisheries
(907) 465-4110