

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 SOUTHEAST ALASKA, YAKUTAT, UPPER COPPER RIVER, UPPER SUSITNA RIVER, AND PRINCE WILLIAM SOUND AREAS FINFISH AND GROUND FISH REGULATIONS; SOUTHEAST ALASKA AND YAKUTAT AREAS, KING AND TANNER CRAB REGULATIONS, DUNGENESS CRAB, SHRIMP, AND MISCELLANEOUS SHELLFISH REGULATIONS; PRINCE WILLIAM SOUND AREA, DUNGENESS CRAB, SHRIMP, AND MISCELLANEOUS SHELLFISH REGULATIONS; AND IN STATEWIDE DUNGENESS CRAB, SHRIMP, AND MISCELLANEOUS SHELLFISH REGULATIONS:

- A. In the **commercial, sport, guided sport, and guided sport ecotourism fisheries**: fishing seasons, periods, opening and closing times; bag, possession, size, sex, and harvest limits, harvest levels, thresholds or quotas; bycatch provisions; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; methods and means; gear and vessel restrictions, marking, definitions, operational requirements and limitations, registration and permit requirements; registration areas (including exclusive and super exclusive registration areas), permits, harvest record, harvest marking requirements; management plans for conservation, development and allocation among beneficial uses; guiding principles; require, restrict or prohibit the retention, tendering, sale, release, or purchase of fish; methods of release; registration and reporting requirements for fish guides, guided anglers, catchers, processors, buyers and transporters; onboard observer requirements; fish storage and inspection requirements.
- B. In the **subsistence, and personal use fisheries (finfish and shellfish)**: 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; harvest limits, registration and permit requirements, requirements for marking and possession of fish; management plans for conservation, development and allocation among beneficial uses, and users; identify customary and traditional uses of fish stocks, determine amounts reasonably necessary for subsistence uses, and establish, change or adjust subsistence and personal use fisheries.

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 limited to no more than 100 single sided or 50 double sided pages to the Alaska Department of Fish and Game, Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526, or by fax to (907) 465-6094, so that the comments will be received no later than two weeks prior to the meeting during which the topic will be considered. Unless otherwise specifically specified for a particular meeting in a published notice, written comment over 100 single sided or 50 double sided pages in length 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 will also be accepted after the two-week deadline, but will not be inserted in board member workbooks until the beginning of the meeting. During the meeting written comments limited to 10 single sided or 5 double sided pages in length from any one individual or group may be submitted by hand delivery at any time if 20 copies are provided; 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. Oral comments may also be presented as explained below.

There will be one nonregulatory worksession and four separate regulatory meetings. Each meeting will start at 8:30 a.m. on the dates noted below. The public hearing portions for each regulatory 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 regulatory 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.

Work Session: ACRs, cycle organization, stocks of concern

October 8-10, 2008

Alpine Lodge, 4920 Dale Road, Fairbanks

**Prince William Sound and Upper Copper/Upper Susitna
Finfish and Dungeness crab, Shrimp, Miscellaneous Shellfish**

December 1-7, 2008

Orca Lodge, Orca Road, Cordova

**Southeast and Yakutat Crab, Shrimp, Miscellaneous Shellfish
(including Dungeness, King, and Tanner)**

January 21-27, 2009

Sons of Norway Hall, Sing Lee Alley, Petersburg

**Southeast and Yakutat Finfish
(including salmon, herring, groundfish)**

February 17-26, 2009

Harrigan Centennial Hall, 330 Harbor Drive, Sitka

**Statewide Dungeness Crab, Shrimp, Miscellaneous Shellfish
(except Southeast, Yakutat, and PWS), and Supplemental Issues**

March 16-20, 2009

Egan Center, 555 West 5th Avenue, Anchorage

In addition to the above listed meetings, there will be a hearing in Fairbanks starting at 7:00 p.m. October 9, 2008 for public comment on Prince William Sound and Upper Copper/Upper Susitna finfish and Dungeness crab, shrimp, miscellaneous shellfish topics. This hearing provides an

opportunity for oral public comment for persons not able to attend the hearing in Cordova in December. The board will take oral testimony only from those who register before the cut-off time announced by the board chair at this hearing. The length of oral statements may be limited to five minutes or less. Because this is an extension of the public hearing in Cordova, those persons or organizations that testify at the October 9 portion of the hearing in Fairbanks will not be invited to testify at the December portion of the hearing in Cordova. Depending on the time needed, the board may continue the Fairbanks hearing on October 10.

**Public Hearing on
Prince William Sound and Upper Copper/Upper Susitna
Finfish and Dungeness crab, Shrimp, Miscellaneous Shellfish Topics**

7:00 p.m., October 9, 2008

Alpine Lodge, 4920 Dale Road, Fairbanks

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.**

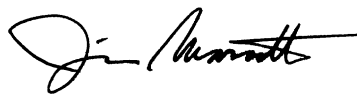
If you are a person with a disability who may need a special accommodation in order to participate in the process on the proposed regulations, please contact Jim Marcotte at (907) 465-4110 no later than two weeks prior to the beginning of each meeting to ensure that any necessary accommodations can be 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: September 4, 2008



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: IN SOUTHEAST ALASKA, YAKUTAT, UPPER COPPER RIVER, UPPER SUSITNA RIVER, AND PRINCE WILLIAM SOUND AREAS FINFISH AND GROUND FISH REGULATIONS; SOUTHEAST ALASKA AND YAKUTAT AREAS, KING AND TANNER CRAB REGULATIONS, DUNGENESS CRAB, SHRIMP, AND MISCELLANEOUS SHELLFISH REGULATIONS; PRINCE WILLIAM SOUND AREA, DUNGENESS CRAB, SHRIMP, AND MISCELLANEOUS SHELLFISH REGULATIONS; AND IN STATEWIDE DUNGENESS CRAB, SHRIMP, AND MISCELLANEOUS SHELLFISH REGULATIONS.
3. Citation of regulations: 5 AAC 01 - 5 AAC 77.
4. Reason for proposed actions: Implement, interpret, or make specific the provisions of AS 16.05 - AS 16.20.
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@alaska.gov

8. The origin of the proposed action:
 staff or state agency
 general public

9. Date: September 4, 2008

Prepared by: _____



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

