

## **PROPOSAL 171**

**5 AAC 39.205, 5 AAC 75.017, and 5 AAC 77.007. Criteria for the allocation of fishery resources among personal use, sport, and commercial fisheries.**

Modify criteria for the allocation of fishery resources among personal use, sport, and commercial fisheries, as follows:

Criteria for the allocation of fishery resources among personal use, sport, and commercial fisheries.

**(a)** Before adopting regulation that allocate fish among personal use, sport, and commercial fisheries, the board will, as appropriate to particular allocation decisions, consider the factors set out in AS. 16.05.251 (e).

**(b)** The allocation of fishery resources should follow an adaptive management process. Adaptive Management is the on-going process of evaluating if numerically based management objectives and stated Board intent have been met and adjusting management strategies in response. This process includes periodic re-evaluation and updating of the management goals and objectives to ensure they are relevant to current conditions and needs.

**(c)** Allocation decisions are often closely aligned with historical use of the resource; however, while historical use may be taken into consideration when reviewing and making an allocation decision, this criterion alone shall not be determinate.

**(d)** When allocating fishery resources within the Nonsubsistence Use Areas of the State as described in 5 AAC 99.015 the Board shall consider those factors listed in this section in the following order of importance with the degree of importance descending from criteria 1 through 7,

- (1)** The importance of each fishery for providing residents the opportunity to harvest fish for personal and family consumption;
- (2)** The number of residents and nonresidents who have participated in each fishery in the past and the number of residents and nonresidents who can reasonably be expected to participate in the future;
- (3)** The importance of each fishery to the economy of the region and local area in which the fishery is located;
- (4)** The importance of each fishery to the economy of the state;
- (5)** The history of each personal use, sport, guided sport, and commercial fishery with emphasis on the previous 20 years;
- (6)** The importance of each fishery in providing recreational opportunities for residents and nonresidents;
- (7)** The availability of alternative fisheries resources of similar characteristics.

**What is the issue you would like the board to address and why?** Here is the State statute that provides the Board of Fisheries with direction for allocation of fisheries resources. This statute was adopted in 1989. The Board subsequently complied with the statute by adopting it in

regulation, essentially by reference, in 1991. No action has been taken to amend or improve the regulation since that time.

Sec. 16.05.251. Regulations of the Board of Fisheries. (e) The Board of Fisheries may allocate fishery resources among personal use, sport, guided sport, and commercial fisheries. The board shall adopt criteria for the allocation of fishery resources and shall use the criteria as appropriate to particular allocation decisions. The criteria may include factors such as

- (1) The history of each personal use, sport, guided sport, and commercial fishery;
- (2) The number of residents and nonresidents who have participated in each fishery in the past and the number of residents and nonresidents who can reasonably be expected to participate in the future;
- (3) The importance of each fishery for providing residents the opportunity to obtain fish for personal and family consumption;
- (4) The availability of alternative fisheries resources;
- (5) The importance of each fishery to the economy of the state; Rev. Jan. 2018
- (6) The importance of each fishery to the economy of the region and local area in which the fishery is located;
- (7) The importance of each fishery in providing recreational opportunities for residents and nonresidents.

The Board adopted in regulation criteria for the allocation of fishery resources in 1991 and placed the regulations in the general sections for commercial fish (5 AAC 39), sport fish (5 AAC 75) and personal use (5 AAC 77). The following is the one proposal that we submit that will address each of the three sections in the same manner.

**PROPOSED BY:** Kenai River Sportfishing Association (HQ-F18-046)  
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