

- Furlough executive directors two weeks each.
- Set administrative assistant position to other duties for 25% of time.

Reduction Scenario at 5 Percent

Reductions under Status quo and -

- Furlough executive directors for one month each.
- Move publication specialists to 11 months.
- Reduce advisory committee travel funds by \$25K.
- Remove one day from each Board of Fisheries regulatory meeting.

Reduction Scenario at 10 Percent

Reductions under 5 percent scenario and -

- Furlough executive directors for two months each.
- Combine BOG Interior and Arctic meetings.

Potential Savings

There are three cost drivers in Boards Support including administration, board meetings, and advisory committee travel. Savings may be realized to the extent the boards can minimize meeting days. By the Board of Game moving to a three year cycle in January 2015, they eliminated a board meeting each year which will save \$30-50K annually and lower costs to divisions.

Along with less meeting days, a change in board process may find greater savings to divisions. Divisions spend a large block of time writing comments and reports, meeting with advisory committees, and working at board meetings. Changes in board process that reduce this workload might help divisions mitigate program reductions from budget cuts they will sustain in the future.

On the subject of changes to board process, the board received three proposals seeking changes to process. As the proposals were outside the call, they are not part of the formal meeting cycle this year. However, they are provided in record copies for this meeting (RC #6). There has also been significant attention on board process through the Governor's Transition Team findings, the legislature this past session, and discussions regarding tribal co-management. There is additional information on these subjects in this Miscellaneous Section following this memo.

Potential Meeting Cycle Changes

Starting in the early 1990s the board employed a three-year meeting cycle. The three-year cycle provides consistency and opportunity to compel regulatory change on a predictable basis. Some stakeholders say the three-year cycle is too much time between cycles, not allowing for an adequate chance to make critical adjustments. Others say it is not enough time, citing difficulties in developing consistent business plans and high costs from attending meetings. ADF&G is requesting the board review the pros and cons of changing its meeting cycle, and its regulatory process in cooperation with the Board of Game.

In the spirit of discussion, this memo provides a slate of options for meeting cycle change and cost assumptions with each.² It is not Boards Support's position that these options provide a better system than the current schedule, nor are we recommending one over another. Rather, the challenge is to maintain meaningful service to the public during times of dwindling oil revenues. The options below will help promote discussions on ways to approach cost savings. Cost projections for each option are detailed on Table 2 starting on page 7. It is anticipated there may be other scenarios that have greater support following additional review.

- Status Quo: The board makes no changes to its existing schedule.
- Option 1: The board consolidates its Southeast finfish and shellfish proposals to one meeting that lasts up to thirteen days. This is the basis for recommended meeting dates later in this memorandum.
- Option 2: Move to a four-year cycle for regions. An example of groupings may be 1.) Bristol Bay, Chignik, Alaska Peninsula/Bering Sea-Aleutian Island, Arctic/Yukon/Kuskokwim, 2.) Cook Inlet, 3.) Southeast and Prince William Sound, and 4.) Kodiak and all Statewide regulations.
- Option 3: Keep Bristol Bay, Upper Cook Inlet, and Southeast Finfish on a three year cycle and move all other areas to six year cycles.
- Option 4: Move five year cycle for regions. An example of groupings may be 1.) Upper Cook Inlet, 2.) Southeast Finfish and Shellfish, and Kodiak Finfish, 3.) Bristol Bay, Chignik, Alaska Peninsula/Bering Sea-Aleutian Island, 4.) Lower Cook Inlet, Arctic/Yukon/Kuskokwim, and Prince William Sound, and 5.) Statewide Finfish and Shellfish.

Status Quo: No change to existing schedule

If the board opts to maintain status quo on its meeting schedule, Boards Support recommends reducing the number of days for Prince William Sound and Southeast Shellfish by two days each to 5 and 4 days, respectively. Costs in 2014/2015 for all regulatory meetings were \$222,510. Combining this meeting cycle with the previous two meetings based on most recent costs shows the average annual cost to hold regularly scheduled regulatory meetings is \$243,246.

Option 1: Maintain existing three year schedule, but combine Southeast finfish and shellfish

This option brings the Southeast finfish and shellfish together in one meeting. It creates a long meeting, but given the sparse public turnout and interaction at the Wrangell shellfish meeting it appears appropriate to consider. Under this scenario, approximately \$23K is saved by combining these meetings, mainly due to a reduction in travel costs. Averaging this one-year savings over the three year meeting cycle results in an average annual savings of approximately \$7.7K.

Option 2: Move to a four-year cycle with meeting groups of 1.) Western and Southwestern, 2.) Cook Inlet, 3.) Southeast and Prince William Sound, and 4.) Kodiak and all current Statewide regulations

² This analysis does not include the costs of meeting on emergency petitions or work sessions. The board cannot control the number of emergency petitions it receives. Work sessions are generally two days and range from \$30-40K. The most obtainable cost savings associated with work sessions is to conduct the meeting by video- or teleconferencing. This would save upwards of \$30K in travel, venue, and associated costs.

This option casts a meeting cycle of four years for each region. Recommended groups are based on regional similarities and attempting to find balance among workload. The analysis adds work days to some meetings as noted in Table 3. It is assumed the numbers of proposals will increase as more time exists between regions. It is also likely the board will sustain an increase in agenda change requests, but that is not assigned a cost here. Based on these assumptions, the board would save an average of \$66.6K annually by moving to a four year cycle.

Option 3: Keep Bristol Bay, Upper Cook Inlet, and Southeast Finfish on a three year cycle and move all other areas to six year cycles

Under this option, heavily contested regions would remain on three-year cycles while the remainder move to six-year cycles. Six-year cycles are set to better coincide with three-year cycles. Cost savings for this modified schedule are estimated at \$74.7K less than the current three-year average.

Option 4: Move all regions to a five year cycle with meeting groups of 1.) Upper Cook Inlet, 2.) Southeast Finfish and Shellfish and Kodiak Finfish, 3.) Bristol Bay, Chignik, Alaska Peninsula/Bering Sea-Aleutian Island, 4.) Lower Cook Inlet, Arctic/Yukon/Kuskokwim, and Prince William Sound, and 5.) Statewide Finfish and Shellfish

Under this final option, all regions would shift to a five-year cycle. Similar to the other options, proposal numbers and days for meetings is anticipated to increase. The meeting structure is based mainly on workload and not compatibility of regions in a given year. The average annual cost to conduct this meeting schedule is \$142K, over \$100K less on average annually.

TABLES

Table 1. 2017 Projection Scenarios

Alaska Department of Fish & Game, Boards Support				
FY17 Boards Support Summary Projections	Current w/ No Change	Reduction Scenarios at:		
		0%	5%	10%
Revenues				
General Fund	\$ 1,389,100	\$ 1,389,100	\$ 1,319,645	\$ 1,250,190
I/A Receipts	\$ 320,000	\$ 320,000	\$ 320,000	\$ 320,000
Total Revenues	\$ 1,709,100	\$ 1,709,100	\$ 1,639,645	\$ 1,570,190
Expenditure Assumptions				
Headquarters				
Employee Payroll Projection	\$ 706,367	\$ 670,959	\$ 639,941	\$ 611,582
Non-board meeting travel / staff meeting	\$ 18,077	\$ 3,000	\$ 3,000	\$ 3,000
Training	\$ 3,000	\$ -	\$ -	\$ -
Equipment, overhead, supplies	\$ 86,907	\$ 86,907	\$ 86,907	\$ 86,907
Total Boards Support Expenses	\$ 814,351	\$ 760,865	\$ 729,847	\$ 701,488
Board Meetings / Other				
BOF Work Session - Kenai	\$ 38,681	\$ 4,232	\$ 4,232	\$ 4,232
BOG Orientation TBA	\$ 1,358	\$ 1,308	\$ 1,308	\$ 1,308
BOF Lower Cook Inlet - Homer	\$ 52,710	\$ 48,560	\$ 44,322	\$ 44,322
BOF Kodiak - Kodiak	\$ 53,903	\$ 49,543	\$ 45,572	\$ 45,572
BOF Upper Cook Inlet - Anchorage	\$ 131,380	\$ 116,980	\$ 112,812	\$ 112,812
BOF Statewide K&T - Anchorage	\$ 56,592	\$ 51,177	\$ 47,312	\$ 47,312
BOG Work session	\$ 5,190	\$ 5,090	\$ 5,090	\$ 5,090
BOG Interior Meeting	\$ 61,864	\$ 61,364	\$ 61,364	\$ 48,886
BOG Arctic/Western	\$ 45,058	\$ 44,583	\$ 44,583	\$ 34,405
BOF Debriefing Meeting	\$ 1,006	\$ -	\$ -	\$ -
BOG Debriefing Meeting	\$ 3,774	\$ -	\$ -	\$ -
Big Game Commercial Services Board	\$ 1,814	\$ -	\$ -	\$ -
BOF Notices	\$ 3,300	\$ 3,300	\$ 3,300	\$ 3,300
BOG Notices	\$ 3,300	\$ 3,300	\$ 3,300	\$ 3,300
BOF Call for Proposals	\$ 600	\$ 600	\$ 600	\$ 600
BOG Call for Proposals	\$ 600	\$ 600	\$ 600	\$ 600
Proposal books	\$ 13,000	\$ 5,000	\$ 5,000	\$ 5,000
BOF Potential Emergency Petitions	\$ 9,148	\$ 9,148	\$ 9,148	\$ 9,148
BOF Committee Meetings	\$ 16,081	\$ 5,000	\$ 5,000	\$ 5,000
BOG Potential Emergency Petitions	\$ 9,964	\$ 9,964	\$ 9,964	\$ 9,964
BOG Committee Meetings	\$ 8,281	\$ 5,000	\$ 5,000	\$ 5,000
BOG Planning Meetings	\$ 1,107	\$ 1,107	\$ 1,107	\$ 1,107
BOF Miscellaneous Travel	\$ 5,000	\$ 1,500	\$ 1,500	\$ 1,500
BOG Miscellaneous Travel	\$ 5,000	\$ 1,500	\$ 1,500	\$ 1,500
Total Board Meetings / Other	\$ 528,709	\$ 428,855	\$ 412,614	\$ 389,957
Advisory Committees				
Reg. Coord. & Prg & Cap Costs	\$ 346,644	\$ 329,986	\$ 329,986	\$ 329,986
Southeast Region	\$ 1,700	\$ 1,700	\$ 1,484	\$ 1,283
Southcentral Region	\$ 22,900	\$ 22,900	\$ 19,990	\$ 17,278
Southwest Region	\$ 35,900	\$ 35,900	\$ 31,338	\$ 27,086
Western Region	\$ 48,145	\$ 48,145	\$ 42,027	\$ 36,325
Arctic Region	\$ 27,935	\$ 27,935	\$ 24,385	\$ 21,077
Interior Region	\$ 53,700	\$ 53,700	\$ 46,876	\$ 40,516
Total Advisory Committees	\$ 536,923	\$ 520,265	\$ 496,086	\$ 473,550
Total Expenditures	\$ 1,879,983	\$ 1,709,985	\$ 1,638,547	\$ 1,564,995
Net Surplus (Deficit)	\$ (170,883)	\$ (885)	\$ 1,098	\$ 5,195

Table 2: Boards Support Section Cost Estimates for Changes in Meeting Schedules

Status Quo

Status Quo: No change from existing schedule					
Meeting Scenario	Projected		Estimated Cost	Average Proposals / Day	Average Cost / Day
	Days	Proposals			
Cycle 1: Upper and Lower Cook Inlet Finfish, Kodiak, Statewide King and Tanner	26	361	\$ 241,552	13.9	\$ 9,290.46
Cycle 2: Southeast/Yakutat Finfish and Shellfish, PWS Finfish, Statewide Dungeness, Other	22	328	\$ 222,510	14.9	\$ 10,114.09
Cycle 3: Alaska Peninsula/Aleutian Islands-Bering Sea/Chignik, AYK, Bristol Bay, Statewide Finfish	29	251	\$ 265,675	8.7	\$ 9,161.21
AVERAGE ANNUAL COST UNDER STATUS QUO			\$ 243,246		

Notes: Projected days are based on the number of meeting days in the most recent cycle. The number of proposals is the average from the last four meeting cycles. Estimated costs are from the most recent meeting cycles and includes travel, honorariums, staff overtime, venue, and rental expenses.

Option 1

Option 1: Consolidate Southeast finfish and shellfish meetings					
Meeting Scenario	Projected		Estimated Cost	Average Proposals / Day	Average Cost / Day
	Days	Proposals			
Cycle 1: Upper and Lower Cook Inlet Finfish, Kodiak, Statewide King and Tanner	26	361	\$ 241,552	13.9	\$ 9,290.46
Cycle 2: Southeast/Yakutat Finfish and Shellfish, PWS Finfish, Statewide Dungeness, Other	22	328	\$ 199,273	14.9	\$ 9,057.86
Cycle 3: Alaska Peninsula/Aleutian Islands-Bering Sea/Chignik, AYK, Bristol Bay, Statewide Finfish	29	251	\$ 265,675	8.7	\$ 9,161.21
AVERAGE ANNUAL COST UNDER OPTION 1			\$ 235,500		
NET ANNUAL SAVINGS FROM STATUS QUO			\$ 7,746		

Notes: The change in cost is calculated at \$5,000/day once at a meeting. Cost savings is mainly related to travel costs to and from.

Option 2

Option 2: Change to a four year meeting cycle					
Meeting Scenario	Projected		Estimated Cost	Average Proposals / Day	Average Cost / Day
	Days	Proposals			
Cycle 1: Upper and Lower Cook Inlet Finfish - Starting in 2016	20	310	\$ 163,169	15.5	\$ 8,158.45
Cycle 2: Southeast/Yakutat Finfish and Shellfish, PWS Finfish - Starts in 2017	20	286	\$ 159,038	14.3	\$ 7,951.90
Cycle 3: Alaska Peninsula/Aleutian Islands-Bering Sea/Chignik, AYK, Bristol Bay - Starts in 2018	26	245	\$ 210,893	9.4	\$ 8,111.27
Cycle 4: Statewide Dungeness, Other Kodiak, Statewide King and Tanner, Statewide Finfish - Starts in 2019	20	149	\$ 160,017	7.5	\$ 8,000.85
AVERAGE ANNUAL COST UNDER OPTION 2			\$ 176,649		
NET ANNUAL SAVINGS FROM STATUS QUO			\$ 66,596		

Notes/Assumptions:

- * There will be a 10% increase in the number of proposals over the historical average.
- * Costs for adding days is held consistent at \$5,000/day.
- * Cycle 1 is two meetings for Lower and Upper Cook Inlet. Upper Cook Inlet increases the number of days by 2 to 16 days.
- * Cycle 2 is two meetings for Southeast and Prince William Sound. Southeast includes both shellfish and finfish, increases the number of days by 2 to 15 days. May consider adding Prince William Sound Shellfish to the PWS finfish meeting.
- * Cycle 3 is three meetings. One day is added to each meeting.
- * Cycle 4 is two meetings, one for all Statewide shellfish and one for Kodiak Finfish and Statewide finfish. The current schedule for these combined meetings is 9 days each. One day will be added to each meeting.

Table 3 (cont.)

Option 3

Option 3: Bristol Bay, Upper Cook Inlet, Southeast stay at three years, all others go to six					
Meeting Scenario	Projected			Average Proposals / Day	Average Cost / Day
	Days	Proposals	Estimated Cost		
Cycle 1: Upper and Lower Cook Inlet Finfish, Kodiak Finfish - Starting in 2016	23	353	\$ 200,437	15.4	\$ 8,714.65
Cycle 2: Southeast/Yakutat Finfish and Shellfish, PWS Finfish - Starts in 2017	19	286	\$ 149,038	15.1	\$ 7,844.11
Cycle 3: Bristol Bay Finfish, Chignik, Alaska Peninsula/Aleutian Islands - Bering Sea - Starts in 2018	18	176	\$ 160,866	9.8	\$ 8,937.00
Cycle 4: Upper Cook Inlet and Statewide Finfish - Starting in 2019	20	298	\$ 176,014	14.9	\$ 8,800.70
Cycle 5: Southeast/Yakutat Finfish and Shellfish, Statewide Shellfish - Starts in 2020	24	299	\$ 180,845	12.5	\$ 7,535.21
Cycle 6: Bristol Bay, AYK - Starts in 2021	15	158	\$ 144,198	10.5	\$ 9,613.20
AVERAGE ANNUAL COST UNDER OPTION 3			\$ 168,566		
NET ANNUAL SAVINGS FROM STATUS QUO			\$ 74,679		

Notes/Assumptions:

- * There will be a 10% increase in the number of proposals over the historical average for all meetings.
- * Costs for adding days is held consistent at \$5,000/day.
- * Cycle 1 is three meetings for Kodiak, Lower Cook Inlet, and Upper Cook Inlet. Upper Cook Inlet and Kodiak hold at 14 and 4 days respectively, while Lower Cook Inlet increases one day.
- * Cycle 2 is two meetings for Southeast and Prince William Sound. Southeast includes both shellfish and finfish and holds at 13 days. PWS is at 6 days.
- * Cycle 3 is two meetings. Bristol Bay holds at 8 days while Alaska Pen, all, increases one day.
- * Cycle 4 is two meetings. Upper Cook Inlet holds at 14 days while Statewide Finfish increases 1 day to 6 days.
- * Cycle 5 is two meetings for Southeast and Statewide Shellfish. Southeast includes both shellfish and finfish and holds at 13 days. Statewide shellfish combines Tanner, King, Dungeness, and all others and adds two days total.
- * Cycle 6 is two meetings. Bristol Bay holds at 8 days while AYK increases 1 day to 7 days.

Option 4

Option 4: Meeting cycles go to five years					
Meeting Scenario	Projected			Average Proposals / Day	Average Cost / Day
	Days	Proposals	Estimated Cost		
Cycle 1: Upper Cook Inlet Finfish - Starting in 2016	14	269	\$ 116,232	19.2	\$ 8,302.29
Cycle 2: Southeast/Yakutat Finfish and Shellfish, Kodiak Finfish - Starts in 2017	17	265	\$ 142,878	15.6	\$ 8,404.59
Cycle 3: Bristol Bay Finfish, Chignik, Alaska Peninsula/Aleutian Islands - Bering Sea - Starts in 2018	18	176	\$ 160,866	9.8	\$ 8,937.00
Cycle 4: Lower Cook Inlet, AYK, Prince William Sound - Starting in 2019	18	175	\$ 140,392	9.7	\$ 7,799.56
Cycle 5: Statewide Finfish and Shellfish - Starts in 2020	17	106	\$ 151,132	6.3	\$ 8,890.12
AVERAGE ANNUAL COST UNDER OPTION 4			\$ 142,300		
NET ANNUAL SAVINGS FROM STATUS QUO			\$ 100,946		

Notes/Assumptions:

- * There will be a 10% increase in the number of proposals over the historical average for all meetings.
- * Costs for adding days is held consistent at \$5,000/day.
- * Cycle 1 is one meeting for Upper Cook Inlet. Upper Cook Inlet holds at 14.
- * Cycle 2 is two meetings for Southeast and Kodiak. Southeast includes both shellfish and finfish and holds at 13 days. Kodiak increases a day.
- * Cycle 3 is two meetings. Bristol Bay holds at 8 days while Alaska Pen, all, increases one day.
- * Cycle 4 is three meetings. Lower Cook Inlet holds at 5 days, while PWS and AYK increase one day to 6 and 6 respectively.
- * Cycle 5 is two meetings for Statewide Shellfish and Finfish. Statewide shellfish combines Tanner, King, Dungeness, and all others and adds two days total. Statewide finfish adds a day.

These three proposals were received for the 2015/2016 call, but determined non-responsive and instead appropriate for a Joint Board meeting.

PROPOSAL XXX - 5 AAC 96.610. Procedure for developing fish and game regulations.

Amend the Joint Board’s procedure for establishing fish and game regulations as follows:

5 AAC 96.610. Procedure for developing fish and game regulations

(a) For the purpose of developing fish and game regulations, each board will observe the procedures set out in this section. The deadlines for each phase will be set by the appropriate board for each meeting and will be announced to committees and the public.

(b) Phase 1. Each board will solicit regulatory proposals or comments to facilitate that board's deliberations. The boards may limit those sections or portions of the existing regulations that will be open for change. The boards will provide forms to be used in preparing proposals. Notices soliciting proposals will be distributed statewide. In order to be considered, **all [A] proposals, including board generated proposals,** must be received by the boards before the designated deadline [UNLESS PROVIDED OTHERWISE BY A BOARD].

(c) Phase 2. After the deadline for receiving proposals, the boards support section shall compile all proposals received on time, including proposals from department staff, **the board,** and other government agencies, distribute them to the public through department offices, and send them to the committees.

(d) Phase 3. Committees may review the proposals at a public meeting and may request technical and scientific support data and prepared testimony from the department.

(e) Phase 4. Each board will give legal notice of timely received proposals. In accordance with the Administrative Procedure Act (AS 44.62), each board will hold a public hearing and will act on proposals [OR DEVELOP ALTERNATIVES ON THE SUBJECT MATTER LEGALLY NOTICED]. **Board amendments are limited as to not contradict the original intent of the proposal.** The final decision on all proposals remains the responsibility of a board.

(f) Phase 5. After completion of procedures required by the Administrative Procedure Act (AS 44.62), a board will **promptly** notify each committee of the actions taken on each committee's respective recommendations and proposals and the reasons for those actions.

What is the issue you would like the board to address and why? The clear intent of our constitutional framers and early legislators was to include the public in the process of managing and allocating our fish and game resources. Unfortunately, this intent toward public participation has in recent years been frustrated by a commingling of the functions of the Board of Fish with the Department of Fish and Game, the result of which has been public exclusion. The problem that has developed is that board factions are developing proposals outside of the public purview. While individual members of the public and Advisory Committees (ACs) must submit their proposals in advance of board meetings, the board factions and department staff can work on proposal language with no notice to the public. This language is often adopted as board regulation without the public having opportunity to engage in its development. Proposals submitted by the public and ACs can be amended by the board and modified to the extent that the original intent of the proposal is lost or is contradictory in nature. It is the intent of this board proposal to place the public on equal footing with the Board of Fish; as well as, introduce transparency to the public process of developing fish regulations.

PROPOSED BY: Tammie Wilson

(EF-C15-068)

PROPOSAL XXX – 5 AAC 96.635. Board generated proposals. Establish the joint board’s criteria for generating board proposals in regulation as follows:

The following would be added to the codified:

The Board of Fisheries shall meet all four criteria (elements) when deliberating the proposed development and scheduling of a board of fish generated proposal.

1. Is it in the best interest of the public?
2. Is there urgency in considering the issue?
3. Are current processes insufficient to bring the subject to the board’s attention?
4. Will there be reasonable and adequate opportunity for public comment?

What is the issue you would like the board to address and why? Board of Fish generated proposals. In recent board meetings the board has generated several “board generated proposals”, we feel did not follow the Joint Boards policy (2013-34-JB). Many advisory committees and members of the public were unsatisfied with the process used to produce these proposals. We have noticed that the policy for board generated proposals is not in codified, yet ACR’s and normal calls for proposals are. To insure that the public interest is evaluated and to protect the integrity of the board of fish, we have submitted proposed language that should be added to the Code of Regulations. A similar proposal has been sent to the Board of Game because this action should not wait a decade for a Joint Board meeting.

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (HQ-F15-068)

**ALASKA BOARD OF FISHERIES
REGULATION PROPOSAL FORM 2015-2016
PO BOX 115526, JUNEAU, ALASKA 99811-5526**

**Indicates a required field*

BOARD OF FISHERIES REGULATIONS

- Subsistence Personal Use
 Sport Commercial

Other policies and procedures under the local fish and game advisory committees chapter in regulation.

***Which meeting would you like to submit your proposal to?**

- Alaska Peninsula/Aleutian Island/Chignik Finfish Arctic-Yukon-Kuskokwim Areas Finfish
 Bristol Bay Area Finfish XXXX Statewide Provisions for Finfish

Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.

1. Alaska Administrative Code Number 5 AAC 96.625 Joint board petition policy

***2. What is the issue you would like the board to address and why?**

Inconsistency with BOF/BOG policies and resolutions #2000-203-BOF, #80-81-FB.
Non compliance to the Administrative Procedures Act AS 44.62.XXX, AS 44.62.220, AS 44.62.210, AS 44.62.180 – 44.62.290.
Administrative code lacks definitions for "unforeseen or unexpected" and who makes that decision based on what criteria. 5 AAC 96.625 (a) (f)

The petitioners do not have the opportunity to present their support information or address questions and inequities in other information submitted by the Department of Fish and Game or other responders. Petitioners should have their right to present and defend their petitions in an open and transparent manner and all testifiers should be under oath to be accountable for their information and actions.

***3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**
5 AAC 96.625 Joint board petition policy

(a) Under AS 44.62.220, an interested person may petition an agency, including the Boards of Fisheries and Game, for the adoption, amendment, or repeal of a regulation. The petition must clearly and concisely state the substance or nature of the regulation, amendment, or repeal requested, the reason for the request, and must reference the agency's authority to take the requested action. Within 30 days after receiving a petition, a board will deny the petition in writing, or schedule the matter for public hearing under AS 44.62.190-44.62.210, which require that the agency shall give each interested person or the person's authorized representative, or both, the opportunity to present statements, arguments, or contentions in writing, with

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describing the proposed change and solicit comment for 30 days before taking action. AS 44.62.230 also provides that if the petition is for an emergency regulation, and the agency finds that an emergency exists, the agency may submit the regulation to the lieutenant governor immediately after making the finding of emergency and putting the regulation into proper form.

5 AAC 96.910 Definitions

The Board of Fisheries will define what an unforeseen or unexpected event means or an unforeseen or unexpected situation means in clear and concise terms that the public may understand.

It is not clear if it is the BOF/BOG who makes this decision as individual board members or it is solely under the authority of the Commissioner of Fish and Game.

*Submitted By: Paul A. Shadura II
Individual As an Individual

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