



## Alaska Joint Board of Fisheries and Game

P.O. Box 115526

Juneau, AK 99811-5526

(907) 465-4110

[www.boardofgame.adfg.alaska.gov](http://www.boardofgame.adfg.alaska.gov)

### ALASKA JOINT BOARD OF FISHERIES AND GAME

March 21-23, 2019

Anchorage, Alaska

#### MEETING SUMMARY

The Joint Board of Fisheries and Game (joint board) convened on Thursday, March 21, 2019 at the Sheraton Hotel in Anchorage. Twelve board members were present: Board of Fisheries (BOF) members Reed Morisky, John Jensen, Orville Huntington, Alan Cain, Israel Payton, Robert Ruffner, and Board of Game (BOG) members Spraker, Nate Turner, Stanley Hoffman, Karen Linnell, Larry Van Daele, and Tom Lamal. Absent from the meeting were BOG member Jerry Burnett and BOF member Fritz Johnson. Board of Game chairman, Ted Spraker served as chair for the meeting.

The meeting opened with introductions and board member ethics disclosure statements, followed by oral reports. ADF&G Boards Support Section provided the joint board with regional advisory committee reports (RC 4), and Megan Krupa with the National Center for Ecological Analysis, provided an overview of the Board of Fisheries proposal dataset project (RCs 8 and 9). United States Senator Dan Sullivan addressed the board via teleconference on Saturday, March 22, 2019.

Public testimony began Thursday afternoon, March 21, and concluded the following morning, March 22. The joint board heard from 17 testifiers, ten of whom were advisory committee representatives (see RC 18 for the testimony list).

The joint board began proposal deliberations upon conclusion of public testimony on March 22. The joint board considered 40 proposals, adopting 22. Joint board action on the following proposals is recorded for each as: C = carried; CA = carried as amended; F = Failed; and NA = no action.

The joint board meeting material and audio are available on the meeting website at: [www.adfg.alaska.gov/index.cfm?adfg=process.jbmeetinginfo&date=03-21-2019&meeting=anchorage](http://www.adfg.alaska.gov/index.cfm?adfg=process.jbmeetinginfo&date=03-21-2019&meeting=anchorage).

#### *Establishment and Membership of Advisory Committees (12 proposals)*

##### **Southeast Region:**

*The audio for board deliberations for this section begins Friday, 3/22/19 at 11:09:27 AM.*

- F** PROPOSAL 1: Designate seats for the community of Craig and the Port St. Nicholas area on the Craig Advisory Committee.

**Western Region:**

*The audio for board deliberations on this section begins Friday, 3/22/19 at 11:19:09 AM.*

- NA PROPOSAL 2: Move the seat designation for the community of Chevak from the Central Bering Sea Advisory Committee to the Coastal Lower Yukon Advisory Committee. *The board took no action due to the opposition by the Central Bering Sea AC.*
- C PROPOSAL 3: Add two undesignated seats to the Central Kuskokwim Advisory Committee.
- C PROPOSAL 4: Move the Stony/Holitna Advisory Committee from the Western Region to the Interior Region.
- NA PROPOSAL 5: Designate two seats on the Stony/Holitna Advisory Committee for the community of Georgetown. *The board took no action due to the request of the proposer to withdraw it.*

**Interior Region:**

*The audio for board deliberations on this section begins Friday, 3/22/19 at 11:47:18 AM.*

- CA PROPOSAL 6: Dissolve the Lake Minchumina Advisory Committee. *The board amended the proposal maintain the AC and decrease the number of seats from 15 to nine with four designated seats and five undesignated seats. (The proposal was reconsidered and amended on March 23 at 4:41:33 PM.)*

**Southwest Region:**

*The audio for board deliberations on this section begins Friday, 3/22/19 at 01:47:25 9M.*

- CA PROPOSAL 7: Reduce the membership for the Lake Iliamna Advisory Committee to ten and add designations for the communities of Pope Vannoy Landing and Port Alsworth. *The board amended the proposal with RC 19 as substitute language which established a single designated seat for the communities of Iliamna, Nondalton and Ports Alsworth. It also set the number of undesignated seats at three.*
- F PROPOSAL 8: Establish seat designations for the Naknek/Kvichak Advisory Committee.

**Arctic Region:**

*The audio for board deliberations on this section begins Friday, 3/22/19 at 02:13:45 PM.*

- C PROPOSAL 9: Change the name of the Kotzebue Advisory Committee to Kotzebue Sound Advisory Committee.
- CA PROPOSAL 10: Reduce the number of undesignated seats for advisory committees in the Arctic region. *The board amended the proposal with RC 20 as substitute language, which sets the membership for the Northern Seward Peninsula, Lower Kobuk and Noatak/ Kivalina ACs as follows:*

Northern Seward Peninsula AC – 9 members

Buckland – 3 representatives  
Deering – 3 representatives  
Undesignated – 3 representatives

Noatak/Kivalina AC – 9 members

Noatak – 3 representatives  
Kivalina – 2 representatives  
Undesignated – 4 representatives

Lower Kobuk AC – 11 members

Noorvik – 3 representatives  
Kiana – 3 representatives  
Selawik – 3 representatives  
Undesignated – 2 representatives

**Statewide:**

*The audio for board deliberations on this section begins Friday, 3/22/19 at 02:31:23 PM.*

CA PROPOSAL 11: Consolidate regulations addressing the creation of advisory committees. *The board amended the proposal with RC 15 as substitute language to include 5 AAC 96.420 regarding factors the joint board will consider when creating advisory committees.*

F PROPOSAL 12: Require members to reside within the committee’s geographic area.

***Areas of Jurisdiction and Emergency Closures (3 proposals)***

*The audio for board deliberations on this section begins Friday, 3/22/19 at 03:03:35 PM.*

F PROPOSAL 13: Change the advisory committees having jurisdiction for the Cook Inlet-Resurrection Bay area by removing Mt. Yenlo and Denali Advisory Committees.

CA PROPOSAL 14: Update the area of jurisdiction for westward area king crab to include the Kotzebue Fish and Game Advisory Committee. *The board amended the proposal to add the Southern Norton Sound AC to the westward area king crab area of jurisdiction.*

CA PROPOSAL 15: Amend the emergency closure process to exclude advisory committees that have not meet within the last three years. *The board amended the proposal with a technical change to allow notification to the commissioner under 97.010 via electronic mail instead of telegram.*

***Advisory Functions and Uniform Rules of Operation (10 proposals)***

*The audio for board deliberations on this section begins Friday, 3/22/19 at 03:50:05 PM.*

C PROPOSAL 16: Expand the functions of the advisory committees to encourage the involvement of youth and elders.

CA PROPOSAL 17: Reorder and clarify the election procedures under the uniform rules of operation for advisory committees. *The board amended the proposal to remove “duly noticed” from paragraph (G)(4)(c).*

- CA PROPOSAL 18: Clarify the provision that advisory committees may not refuse membership to a nominee. *The board amended the proposal so that it specifies undesignated seats under 5 AAC 96.021(c).*
- C PROPOSAL 20: Amend the removal for cause provisions.
- NA PROPOSAL 19: Simplify the process for removing advisory committee members for having unjustifiable absences from meetings. *The board took no action due to the action on proposal 20.*
- C PROPOSAL 21: Amend the advisory committee vacancy rules.
- NA PROPOSAL 22: Allow advisory committee members to discuss and vote by email, excluding actions for antlerless moose reauthorizations or emergency order closures. *The board no action because the requested change in the proposal would not be allowed under the statutory requirements of the Open Meetings Act.*
- CA PROPOSAL 23: Provide guidance for advisory committee actions having abstentions. *The board amended the proposal so that abstention votes are counted as neutral votes.*
- C PROPOSAL 24: Add language to clarify advisory committee meetings are subject to the Open Meetings Act and modify noncompliant provisions.
- C PROPOSAL 25: Remove redundant provisions for advisory committee officer regulations and clarify duties of the secretary.

***Administration of Advisory Committees (4 proposals)***

*The audio for board deliberations on this section begins Saturday, 3/23/19 at 08:34:00 PM.*

- F PROPOSAL 26: Schedule certain requests for advisory committees to be acted upon by each board during regularly scheduled meetings.
- C PROPOSAL 27: Remove the concept of “active” and “inactive” committees.
- F PROPOSAL 28: Allow advisory committee representatives to be at the board table during deliberations for those proposals the advisory committee authored.
- NA PROPOSAL 29: Allow advisory committee representatives a seat at the board table during deliberations on proposals affecting their region. *The board took no action due to the action and discussion on proposal 28.*

***Process for Adopting Fish and Game Regulations (9 proposals)***

*The audio for board deliberations on this section begins Saturday, 3/23/19 at 11:01:52 PM.*

- C PROPOSAL 32: Repeal the provision for Board of Fisheries members attending advisory committee meetings to be in compliance with the statutory requirement for holding board meetings in specific areas of the state.

- F PROPOSAL 30: Provide a definition for board work sessions and allow submitters of Agenda Changes Requests (ACRs) to provide testimony at work sessions.
- F PROPOSAL 31: Provide a definition for a board hearing of at least three board members with a public comment requirement.
- F PROPOSAL 33: Amend the joint board's procedure for establishing fish and game regulations.
- CA PROPOSAL 34: Amend the joint board's petition policy to correct a contradiction with the subsistence proposal policy. *The board amended the proposal with RC 25 as substitute language which clarifies the boards' ability to adopt emergency regulations in accordance with AS 44.62.250 upon making written findings, and it inserts the two criteria from the subsistence proposal policy into the petition policy.*
- F PROPOSAL 37: Repeal the boards' subsistence proposal policy.
- F PROPOSAL 35: Repeal and rewrite the joint board's petition policy.
- F PROPOSAL 36: Allow a petitioner the opportunity to present information to the boards and establish definitions for unforeseen and unexpected events and situations.
- F PROPOSAL 38: Require the Board of Fisheries to schedule shellfish regulations for any that have been closed by emergency order for 24 consecutive months.

***Errors, Omissions, and Clarifications (2 proposals)***

*The audio for board deliberations on this section begins Saturday, 3/23/19 at 03:24:44 PM.*

- C PROPOSAL 39: Update the regulations to correct errors and omissions.
- C PROPOSAL 40: Amend regulations to align and clarify current practices for advisory committees and the process for adopting fish and game regulations.

**Miscellaneous Actions:**

*The audio for board deliberations on this section begins Saturday, 3/23/19 at 04:03:55 PM.*

The joint board discussed the need for setting a regular schedule for Joint Board meetings. The joint board agreed regulatory meetings should occur approximately every five years to consider regulations dealing with advisory committees and the process for adopting regulations (5 AAC Chapters 96 and 97); subsistence use regulations (5 AAC Chapter 99) will be scheduled every ten years, starting with the next joint board meeting in five years (approximately 2024). The joint board did not set a specific time frame for the next meeting.

The joint board agreed with sending a letter to the Senate President and Speaker of the House to look at changing AS 16.05.300(b) which specifies the location for Board of Fisheries meetings. The law was adopted in 1975 after the Board of Fisheries and Game separated into two separate boards and is no longer applicable given the changing nature of board workload and technology.

The meeting adjourned Saturday, March 23 at approximately 5:50.