

Byron Mallott
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520 465.5400 Fax
WWW.LTGOV.ALASKA.GOV




530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
907.269.7460 269.0263
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Doug Rickey
Department of Fish & Game

FROM: Scott Meriwether, Office of the Lieutenant Governor 
465.4081

DATE: April 11, 2017

RE: Filed Permanent Regulations: Commercial Fisheries Entry Commission

Commercial Fisheries Entry Commission regulations re: gear code for Southern
Southeast Inside sablefish longline fishery permits (20 AAC 05.220(a))

Attorney General File:	JU2016200943
Regulation Filed:	4/11/2017
Effective Date:	5/11/2017
Print:	222, July 2017

cc with enclosures: Linda Miller, Department of Law
Judy Herndon, LexisNexis

ORDER CERTIFYING THE CHANGES TO REGULATIONS OF THE
COMMERCIAL FISHERIES ENTRY COMMISSION

The attached three (3) pages of regulations dealing with gear codes for the Southern Southeast Inside sablefish longline fishery are certified to be a correct copy of the regulation changes that the Commercial Fisheries Entry Commission adopted at its March 13, 2017 public meeting, under the authority of AS 16.43.110 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and AS 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Ten public comments were received, and the Commercial Fisheries Entry Commission paid special attention to the costs to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date:


March 16, 2017

Juneau, Alaska



Bruce Twomley, Commissioner

FILING CERTIFICATION

I, , Lieutenant Governor for the State of Alaska, certify that
on April 11, 2017 at 140 0 .m., I filed the attached regulations
according to the provisions of AS 44.62.040-44.62.120.



Lieutenant Governor

Effective:

May 11, 2017

Register:

222, July 2017

STATE OF ALASKA)
) ss
FIRST JUDICIAL DISTRICT)

AFFIDAVIT OF COMMISSION ACTION


I, Randy J. Lippert, Paralegal for the Commercial Fisheries Entry Commission, being duly sworn, state the following:

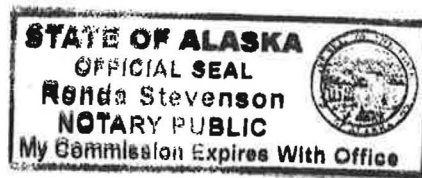
The attached motion, dealing with the gear code for the Southern Southeast Inside sablefish longline entry permits, was adopted by the Commercial Fisheries Entry Commission during its March 13, 2017 meeting.

Date: 3/16/17
Juneau, Alaska


Randy J. Lippert

SUBSCRIBED AND SWORN TO before me this 16 day of March, 2017.


Notary Public in and for the State of Alaska



20 AAC 05.220(a) is amended to read:

- (a) A number code from the following schedule will be used to indicate the specific type of gear for which an interim-use or entry permit is issued:

Code

01	purse seine (hand or power)
1 (A - D)	herring gillnet and seine, combined fishery, with vessel restrictions++
02	beach seine
03	drift gillnet
04	set gillnet
05	hand troll
06	longline (registered vessel length under 60 feet)
07	otter trawl
7 (A - D)	trawl with vessel restrictions++
7 (F - I)	trawl gear for miscellaneous saltwater finfish fishery+++
08	fish wheel
9	pot gear (Area A king and Tanner crab fisheries)
09	pot gear (registered vessel length under 60 feet)
9 (A - D)	pot gear with permit restrictions++
10	ring nets
11	diving gear
12	hand picking**
15	power troll
17	beam trawl

18	shovel
21	pound*
2 (A - B)	scallop dredge (A is for vessels with an overall length of more than 80 feet, and B is for vessels with an overall length of 80 feet or less)
23	mechanical or hydraulic digger
25	dinglebar troll gear
26	power-driven mechanical jigging machine
31	herring gillnet and purse seine, combined permit
34	herring gillnet
37	pair trawl
4 (A - D)	net gear with vessel restrictions (includes trawl or any other gear authorized by the Board of Fisheries that catches fish with nets and, as specified under 5 AAC 28.230, pot gear)++
5 (A - D)	fixed gear with permit restrictions (includes longline or any other gear authorized by the Board of Fisheries that catches fish with fishing hooks and, as specified under 5 AAC 28.230, pot gear)++
61	longline (required for vessels with registered vessel length 60 feet or over, but may be used aboard smaller vessels)++++
6 (A - B)	longline gear for miscellaneous saltwater finfish fishery (A is for vessels with an overall length of 90 feet or over and B is for vessels with an overall length of at least 60 feet but less than 90 feet)
77	institutional (all legal gear types used in a special harvest area or by the holder of an educational entry permit)
80	fishing derby (as authorized under AS 16.05.662)

- 91 pot gear (required for vessels with registered vessel length 60 feet or over, but may be used aboard smaller vessels)
- 97 aquatic farming (required to harvest, from an aquatic farm under 5 AAC 41.200 - 5 AAC 41.400, wild stock of a species identified for culture in the operation permit)
- 99 other

* A herring pound permit allows the incidental use of other gear when operated in compliance with a pound permit issued by the commissioner of fish and game.

** A hand picking permit in the Prince William Sound herring wild spawn-on-kelp fishery includes and authorizes use of diving gear.

++ A permit issued with this gear code restricts the fishing capacity that a permit holder can use, as set out in 20 AAC 05.764, 20 AAC 05.779, 20 AAC 05.823, or 20 AAC 05.831.

+++ For miscellaneous saltwater finfish trawl permits, F-I corresponds to the overall length of the vessel indicated on the permit as follows: F is for an overall length less than 60 feet; G is for an overall length at least 60 feet but less than 90 feet; H is for an overall length 90 feet to 125 feet; and I is for an overall length more than 125 feet. A permit with G, H, or I may be used on a vessel that is smaller than the vessel that corresponds with the permit.

++++ A permit with this gear code issued for the Southern Southeast Inside sablefish

longline fishery includes pot gear.

(Eff. 12/18/74, Register 52; am 4/9/76, Register 58; am 1/1/78, Register 64; am 12/27/79, Register 72; am 12/30/82, Register 84; am 3/16/83, Register 85; am 11/25/84, Register 92; am 11/22/87, Register 104; am 3/3/94, Register 129; am 5/4/95, Register 134; am 12/15/95, Register 136; am 8/9/96, Register 139; am 9/13/2001, Register 159; am 1/2/2003, Register 164; am 11/6/2005, Register 176; am 7/20/2006, Register 179; am 6/1/2013, Register 206; am 5/11/2017, Register 222)

Authority: AS 16.43.100
AS 16.43.110

AS 16.43.140

AS 16.43.990