

**PROPOSAL 278**

**5 AAC 028.051. Gear for halibut and 5 AAC 39.145. Escape mechanisms for shellfish and groundfish pots.**

Include pots as lawful gear for halibut, as follows:

5 AAC 28.051 is amended to read:

- (a) Unless otherwise specified in this chapter, halibut may be taken only by hand troll gear, mechanical jigging machines, dinglebar troll gear, **pots**, and longlines.
- (b) All commercial [LONGLINE OR SKATE GEAR] buoys or kegs must be marked with the permanent vessel license plate number of the vessel operating the gear.

...

5 AAC 39.145(1) is amended to read:

...

(1) a sidewall, which may include the tunnel, of all shellfish, **halibut**, and groundfish pots must contain an opening equal to or exceeding 18 inches in length, except that in shrimp pots the opening must be a minimum of six inches in length; the opening must be laced, sewn, or secured together by a single length of untreated, 100 percent cotton twine, no larger than 30 thread; the cotton twine may be knotted at each end only; the opening must be within six inches of the bottom of the pot and must be parallel with it; the cotton twine may not be tied or looped around the web bars;

...

**What is the issue you would like the board to address and why?** The International Pacific Halibut Commission (IPHC) and National Marine Fisheries Service (NMFS) manage fishing for Pacific halibut through regulations established under the authority of the Halibut Act. In 2018, the IPHC recommended, and the U.S. approved, [regulations](#) to authorize the retention of halibut by vessels using pot gear throughout Alaska. In 2020, the Secretary of Commerce approved a [final rule](#) to amend federal regulations to require vessel operators using pot gear and holding sufficient halibut individual fishing quota (IFQ) or community development quota (CDQ) to retain legal-sized halibut in the Bering Sea/Aleutian Islands IFQ or CDQ halibut or sablefish fisheries, as recommended by the North Pacific Fishery Management Council and the IPHC. Allowing the use of pot gear helps to address whale depredation on discarded halibut and allows for more efficient harvest of halibut in areas with whale depredation. State regulations at 5 AAC 28.051 do not authorize pots as a legal gear type and are therefore inconsistent with current federal and IPHC regulations.

**PROPOSED BY:** Alaska Department of Fish and Game. *(formerly known as ACR #1)*

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