

PROPOSAL 197

5 AAC 01.714. Limitations on participation in subsistence finfish fisheries; 5 AAC 28.180. Prohibitions for Eastern Gulf of Alaska Area; and 5 AAC 77.674. Personal use bottomfish fishery.

Clarify and amend existing regulations regarding subsistence, personal use, and commercial groundfish fisheries in the Northern Southeast Inside Subdistrict and the Southern Southeast Inside Subdistrict, as follows:

5 AAC 01.714 (b) is amended to read:

(b) A **vessel or a** person on board a vessel from which **subsistence fishing gear** [A LONGLINE] is used to take groundfish for subsistence uses in the Northern Southeast Inside Subdistrict or the Southern Southeast Inside Subdistrict, described in 5 AAC 28.105, may not operate commercial **fishing** [LONGLINE] gear **to take groundfish for commercial uses** [FOR GROUND FISH] from that vessel until all subsistence-taken groundfish are offloaded from the vessel **and is subject to the restrictions in 5 AAC 28.180.**

5 AAC 28.180 (a) and (b) are amended to read:

(a) A vessel or a person on board a vessel from which commercial, subsistence, or personal use [LONGLINE] fishing gear was used to take **groundfish** [FISH] in the Northern or Southern Southeast Inside Subdistricts during the 72-hour period immediately before the start of the commercial sablefish fishery in that subdistrict, or from which that gear will be used during the 24-hour period immediately after the closure of the commercial sablefish fishery in that subdistrict, may not participate in the taking of sablefish in that subdistrict during that open sablefish fishing period. A vessel or a person on board a vessel who has harvested and sold that vessel or person's entire equal quota share before the final day of the sablefish season in that subdistrict is exempt from the prohibition on fishing [LONGLINE GEAR] during the 24-hour period immediately following the closure of the sablefish fishery in that subdistrict.

(b) A vessel or person on board a vessel commercial fishing for sablefish in the Northern or Southern Southeast Inside Subdistricts may not operate subsistence or personal use **fishing** [LONGLINE] gear for groundfish from that vessel until all commercial sablefish are offloaded from the vessel.

5 AAC 77.674 (4) is amended to read:

(4) A **vessel or a** person on board a vessel from which **personal use fishing gear is** [A LONGLINE] WAS] used to take bottomfish for personal use in the Northern Southeast Inside Subdistrict or the Southern Southeast Inside Subdistrict, **described in 5 AAC 28.105, may not operate commercial fishing gear to take groundfish for commercial uses from that vessel until all personal use-taken bottomfish are offloaded from the vessel** and is subject to the restrictions in 5 AAC 28.180;

What is the issue you would like the board to address and why? This would prohibit operation of all subsistence groundfish and personal use bottomfish gear from vessels that are commercial fishing for groundfish until all commercially harvested groundfish are offloaded from the vessel and would prohibit operation of commercial gear from vessels that are subsistence groundfish or personal use bottomfish fishing until all subsistence or personal use fish are offloaded from the vessel. The language is updated to include all allowable gear types under subsistence, personal use, and

commercial groundfish fisheries given recent regulatory gear changes. Current regulations are designed to prevent subsistence and personal use-caught fish from being commercially sold by requiring that groundfish taken with longline gear for subsistence and personal use purposes be offloaded from a vessel before that vessel is used to take groundfish in a commercial fishery with longline gear. In recent years there has been an increase in the use of groundfish pot gear including slinky pots, in subsistence, personal use, and commercial groundfish fisheries. Current regulations allow subsistence and personal use groundfish, caught with gear other than longline gear, to be onboard a vessel engaged in commercial groundfish fisheries. By removing the word “longline” from these regulations, the regulations would accurately include all forms of legal gear. Legal gear for the subsistence sablefish fishery includes pot, longline, and mechanical jigging machines; legal gear for the personal use sablefish fishery includes pot, longline, and handheld line; and legal gear for the commercial fisheries includes pot and longline. The department would like to provide clarification to prevent overlap in retention of groundfish species among fisheries and to improve management of groundfish by extending regulatory restrictions to all legal gear types in these fisheries. This proposal also streamlines regulatory wording for consistency among all three fisheries.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-24-142)
