

**COMMERCIAL, SUBSISTENCE, SPORT, PERSONAL USE
GROUNDFISH (21 proposals)**

General Groundfish

PROPOSAL 191

5 AAC 28.175. Logbooks for the Eastern Gulf of Alaska Area.

Amend logbook requirements for vessels fishing for groundfish with pot and longline gear, as follows:

5 AAC 28.175 (b) is amended to read:

(b) A logbook described in (a) of this section

(1) for longline **and pot** gear must include **permit holder name, vessel information, trip target species, port of landing, date left port, date of landing, crew size, bait used, and gear specifications. Additionally for each [BY] set, the set target species, the date and time the set was deployed and hauled,** the specific location of harvest by latitude and longitude, in degrees and decimal minutes, for start and ending positions, the amount of gear (number of hooks, **skates, or pots**) used, **the amount of gear lost (number of skates or pots lost),** the depth of each set, the **number or** estimated weight, **in round pounds,** of all target species **retained and released at sea,** [TAKEN,] **the number or** [AN] estimated weight, **in round pounds,** of the bycatch retained or discarded at sea, [AND] the tag number of any tagged fish **captured, if gear is impacted by depredation, the amount of gear (number of skates or pots impacted) must be recorded, and any other information that the commissioner determines necessary** [LANDED]; [FOR THE NORTHERN SOUTHEAST INSIDE SUBDISTRICT AND THE SOUTHERN SOUTHEAST INSIDE SUBDISTRICT SABLEFISH FISHERIES, A LOGBOOK MUST INCLUDE A RECORD OF THE ROUND WEIGHT DELIVERED, THE PURCHASING PROCESSOR, AND DATE OF EACH DELIVERY DURING THAT SEASON IF MULTIPLE LANDINGS HAVE BEEN MADE;]

What is the issue you would like the board to address and why? Current logbook regulations do not include all the information that is necessary for management and stock assessment. Logbooks provided to fishery participants contain some fields that are not specified in regulation. Also, with the increased use of pots in groundfish fisheries, logbooks need to be specific to fishing gear; to do this the department needs to distribute gear specific logbooks. During inseason management, staff are forced to delay important decisions while waiting for fishers' clarification regarding missing logbook information. This proposal will shorten the amount of time staff spend processing logbook data, increase the accuracy of logbook information, and create consistency of reporting between gear types.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F24-143)

PROPOSAL 192

5 AAC 77.674 Personal use bottomfish fishery.

Allow pots used in the personal use bottomfish fishery to be longlined.

5 AAC 77.674. Personal use bottomfish fishery

Section (6 - E - ii)

ii) may be longlined

What is the issue you would like the board to address and why? Single pots are a lot of work for what can be a minimal return. We propose being able to longline pots. The remainder of the current regulations would still apply -- namely the 200 fish limit per boat and the portion reading "may not exceed more than 2 pots per permit holder or eight pots per vessel when four or more permit holders are present." Each pot that is added to a longline potentially removes 1,800' or more of ground line and a buoy from the water, reducing the impacts of lost gear, bycatch, and the chance of marine mammal entanglement.

It is our understanding that the author of the original proposal to allow black cod pots intended for the regulation to allow for longlining -- hence the "2 pots per permit holder or eight pots per vessel when four or more permit holders are present". It doesn't make sense that a personal use vessel would have eight shots of +1800' of line, but it does make sense that they might have 8 collapsible pots.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain. This is a joint proposal submitted by Territorial Sportsmen Inc of Juneau and the Juneau-Douglas Advisory Committee.

PROPOSED BY: Territorial Sportsmen Inc / Juneau-Douglas Advisory Committee (EF-F24-100)

PROPOSAL 193

5 AAC 28.171. Rockfish possession and landing requirements of Eastern Gulf of Alaska Area.

In state waters of the Eastern Gulf of Alaska Area, allow CFEC permit holders fishing for groundfish or halibut with mechanical jig and hand troll gear to use a deepwater release mechanism to return rockfish to the ocean, as follows:

5 AAC 28.171. Rockfish possession and landing requirements for Eastern Gulf of Alaska Area

(a) In the Eastern Gulf of Alaska Area, a CFEC permit holder fishing for groundfish or halibut must retain, weigh, and report all rockfish and thornyhead rockfish caught. Except as provided in (b) of this section, all demersal shelf rockfish in excess of 10 percent, round weight, of all target species on board the vessel must be weighed and reported as bycatch overage on an ADF&G fish ticket. All rockfish and thornyhead rockfish in excess of allowable bycatch limits shall be reported as bycatch overage on an ADF&G fish ticket. All proceeds from the sale of excess rockfish and thornyhead rockfish bycatch shall be surrendered to the state. Based on harvest data, the commissioner may, by emergency order, close a fishing season or a bycatch season and immediately reopen a fishing season or a bycatch season during which a different rockfish or thornyhead rockfish bycatch level is allowed.

(1) Except that, in directed Mechanical Jig and Hand Troll fisheries, rockfish may be released using an approved deepwater release mechanism.

What is the issue you would like the board to address and why? Currently the retention of all rockfish is mandated in all commercial groundfish fisheries. This is due to the high prevalence of barotrauma and subsequent low survival rates in released rockfish. In recent years, the department has done a lot of work with deepwater release mechanisms to improve survivability of released rockfish in the sport fisheries, and those devices are now required for all participants in the

saltwater sport fishery. In most commercial fisheries, these deepwater release mechanisms are not feasible, however I believe that in directed jig fisheries they could be incorporated fairly easily. Jig fisheries are not that different then the sport fishery in prosecution and each fish is handled individually and it would be fairly straightforward to have release mechanisms in place on your jigging machines, which you could easily use to release rockfish on your next drop of your gear. Having the option to release rockfish in this manner would have all the same benefits that it does in the sport fishery. The ability to release long-lived but low-value non-pelagic rockfish, rockfish species that the department wanted to protect, or in the case of Prince William Sound all rockfish while jigging for other species; would have clear conservation and management benefits.

I would like to see this put into regulation statewide, but I am aware that might not be possible during this Board cycle. I personally have only fished jig fisheries in Prince William Sound and Lower Cook Inlet waters and will submit equivalent proposals in those areas and Statewide Finfish, but am submitting this proposal to the Southeast meeting with the hope that it may foster some discussion and be considered. I am aware that jigging in SE Alaska is more likely to be done on a somewhat larger scale and that it is possible that fishermen consider deepwater release to be less feasible then it is in the regions and fisheries that I am more familiar with. It is worth noting that I am not suggesting mandatory release, only that it be a legal option available to fishermen.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.

PROPOSED BY: Joseph Person

(EF-F24-069)

Sablefish

PROPOSAL 194

5 AAC 01.720. Lawful gear and gear specifications; 5 AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area; and 5 AAC 77.674. Personal use bottomfish fishery.

Reduce the minimum inside diameter of circular escape rings from three and three-fourths inches to three and one-half inches on pots used to take sablefish in the subsistence, commercial, and personal use sablefish fisheries, as follows:

5 AAC 01.720 (5) is amended to read:

(5) in the Northern Southeast Inside Subdistrict and Southern Southeast Inside Subdistrict, a sablefish permit holder's pot gear must have at least two circular escape rings with a minimum inside diameter of three and **one-half** [THREE-FOURTHS] inches installed on opposing vertical or sloping walls and must have individual tunnel eye openings with perimeters of 36 inches or less.

5 AAC 28.130 (f) is amended to read:

(f) In the Eastern Gulf of Alaska Area, pots may not be longlined, except that pots may be longlined in the Northern Southeast Inside Subdistrict and Southern Southeast Inside Subdistrict sablefish fishery. In a directed fishery for sablefish, pots used to take sablefish must have at least two circular escape rings with a minimum inside diameter of three and **one-half** [THREE-FOURTHS] inches installed on opposing vertical or sloping walls.

5 AAC 77.674 (6)(E)(iii) is amended to read:

(E) a permit holder's pot gear

(iii) must have, for each pot, at least two circular escape rings with a minimum inside diameter of three and **one-half** [THREE-FOURTHS] inches installed on opposing vertical or sloping walls and must have individual tunnel eye openings with perimeters of 36 inches or less.

What is the issue you would like the board to address and why? Reducing the escape ring size to three and one-half inches would base the ring size on sablefish maturity information. Estimated length at 50% maturity (L_{50}) of sablefish is 63 cm in the Northern and Southern Southeast Inside Subdistricts. Escape rings of three and one-half inches would continue to minimize catch of immature fish, reduce discard mortality, and maximize catch of larger, more desirable fish. The use of properly sized escape rings results in low catches of immature sablefish while maintaining high catch per unit of effort (CPUE) of mature sablefish. Incorporating an escape ring size of three and one-half inches into subsistence and personal use pot gear would also be consistent with the legal description of commercial sablefish pot gear, if all three changes are adopted. The proposed gear modification is a slight reduction from changes made during the previous board cycle.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F24-141)

PROPOSAL 195

5 AAC 28.110 Sablefish fishing seasons for Eastern Gulf of Alaska Area.

Change the Southern Southeast Inside (SSEI) Subdistrict sablefish fishery season opening and closing dates to be concurrent with the federal Individual Fishing Quota (IFQ) sablefish fishery season dates.

5 AAC 28.110 (2) in the Southern Southeast Inside Subdistrict would amended to say, Clarence Strait Black Cod will be opened and closed the same time as the Federal IFQ Black Cod in the ocean.

What is the issue you would like the board to address and why? Would like to see Clarence Strait Black cod season open up as the same time as the Federally operated Black cod in the ocean. This would allow a bigger market for fresh local Black cod to the tourism industry.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain. No

PROPOSED BY: John Johanson (EF-F24-164)

PROPOSAL 196

5 AAC 28.130 Lawful gear for Eastern Gulf of Alaska Area.

Reduce the minimum inside diameter of escape rings in commercial sablefish pots to three and three-eighths inches, as follows:

5 AAC 28.130 (f) is amended to read:

(f) In the Eastern Gulf of Alaska Area, pots may not be longlined, except that pots may be longlined in the Northern Southeast Inside Subdistrict and Southern Southeast Inside Subdistrict sablefish fishery. In a directed fishery for sablefish, pots used to take sablefish must have at least two circular escape rings with a minimum inside diameter of [THREE AND THREE-FOURTHS] **three and three-eighths inches** installed on opposing vertical or sloping walls.

What is the issue you would like the board to address and why? Escape ring size for sablefish

pots: The ADFG has conducted escape ring studies aimed at minimizing bycatch of small immature sablefish to reduce discard mortality and maximize catches of larger, more economically desirable fish. From this research, ADFG has identified 3 and ½ inches as biologically optimal. While we prefer a 3 and ½ inch escape ring specification over the existing regulation, from an economic perspective 3 and ½ inches is not small enough. Both the existing regulation and the size proposed by the Department still allow too many sablefish to escape, given the current size composition of the resource and state of the sablefish markets, to maintain the economic viability of the fishery. By way of background: strong year classes from the late 90s are aging out of the population and three (possibly four) historically large year classes now comprise 75% of the sablefish spawning stock biomass (fishery wide). Rapid increases in coastwide sablefish quotas (quadrupled since 2016) based on these large year classes of small fish have collapsed the sablefish market, reducing prices paid to fishermen across all size categories. To maintain the economic viability of the fishery, fishermen want to retain some sablefish smaller than will remain in a pot with a 3 ½ or 3 and ¾ inch escape rings. Since current regulations allow hook and line fishermen to release or retain sablefish at the surface without specifying a release or retention length, it seems rational and equitable to allow pot fishermen to also self-identify the appropriate release size via escape ring specifications. ALFA and SEAFSA request consideration by the Board of the smaller escape ring size while the population is composed of small fish and market conditions are weak.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain. Yes-- The proposal was requested by a group of fishermen who participate in the State waters sablefish fishery and discussed with representatives from other Southeast AK fishermen organizations. After considerable vetting and discussion with ADFG, ALFA and SEAFSA decided to submit the proposal and we will discuss the proposal with local ACs at upcoming meetings.

PROPOSED BY: Alaska Longline Fishermen's Association and Southeast Alaska Fishermen's Alliance (EF-F24-062)

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)

PROPOSAL 198

5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

Increase the daily bag limit for sablefish in the sport fishery, as follows:

Increase daily bag limit by two from four to six fish per day.

What is the issue you would like the board to address and why? Black Cod/Sablefish harvest: Increase black cod/Sablefish harvest for residents from 4 fish to 6 fish per day for resident sport fishing. The populations of this species has been increasing while halibut has been decreasing. This would allow local resident rod and reel sport fishers to target a more sustainable resource while the halibut is at a 30 year low.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain. Yes, multiple local rod and reel sport fishers have been agreeable to this proposal.

PROPOSED BY: Kurt Mattle

(EF-F24-177)

Lingcod

PROPOSAL 199

5 AAC 28.111. Demersal shelf rockfish fishing seasons for Eastern Gulf of Alaska Area. and 5 AAC 28.113. Lingcod fishing seasons for Eastern Gulf of Alaska Area.

Add a weather delay provision that would postpone the opening date of the directed demersal shelf rockfish and directed lingcod fisheries if weather forecast meets gale warning or higher criteria in management areas in the Eastern Gulf of Alaska Area, as follows:

5 AAC 28.111 (c) is added to read:

(c) For all Eastern Gulf of Alaska demersal shelf rockfish fishing periods, the season opening shall be delayed if the National Weather Service forecast for the management area(s) eligible to be opened contains gale force winds of 35 knots or higher in the forecast 24 hours preceding the season opening or 24 hours after the season opening, in which case, the season opening shall be delayed 24 hours and announcement of this delay will be issued at least 24 hours before the start of the fishery. If after the initial delay gale force winds of 35 knots or higher continue, the season opening shall be delayed an additional 24 hours and may continue on a rolling 24-hour basis as necessary. For the purposes of this paragraph, the corresponding National Weather Service forecast areas for the sections of the Eastern Gulf of Alaska are as follows:

(1) East Yakutat (EYKT) Section: Cape Fairweather to Icy Cape;

(2) Northern Southeast Outside (NSEO) Section: Cape Edgecumbe to Cape Spencer and Cape Spencer to Cape Fairweather;

(3) Central Southeast Outside (CSEO) Section: Cape Decision to Cape Edgecumbe and Cape Edgecumbe to Cape Spencer;

(4) Southern Southeast Outside (SSEO) Section: Dixon Entrance to Cape Decision;

(5) Northern Southeast Inside (NSEI) Subdistrict: Cross Sound, Glacier Bay, Icy Strait, Northern Lynn Canal, Southern Lynn Canal, Northern Chatham Strait, Southern Chatham Strait, Stephens Passage, and Frederick Sound;

(6) Southern Southeast Inside (SSEI) Subdistrict: Dixon Entrance to Cape Decision, Clarence Strait, and Sumner Strait.

5 AAC 28.113 (b) (1) is added to read:

(1) For all Eastern Gulf of Alaska directed lingcod fishing periods, the season opening shall be delayed if the National Weather Service forecast for the management area(s) eligible to be opened contains gale force winds of 35 knots or higher in the forecast for May 15 or May 16, in which case the season opening shall be delayed 24 hours and announcement of this delay will be issued at least 24 hours before the start of the fishery. If after the initial delay gale force winds of 35 knots or higher continue, the season opening shall be delayed an additional 24 hours and may continue on a rolling 24-hour basis as necessary. For the purposes of this paragraph, the corresponding National Weather Service forecast areas for the sections of the Eastern Gulf of Alaska are as follows:

(A) Icy Bay Subdistrict (IBS): Icy Cape to Cape Suckling;

(B) East Yakutat (EYKT) Section: Cape Fairweather to Icy Cape;

(C) Northern Southeast Outside (NSEO) Section: Cape Edgecumbe to Cape Spencer and Cape Spencer to Cape Fairweather;

(D) Central Southeast Outside (CSEO) Section: Cape Decision to Cape Edgecumbe and Cape Edgecumbe to Cape Spencer;

(E) Southern Southeast Outer Coast (SSEOC) Sector: Dixon Entrance to Cape Decision.

What is the issue you would like the board to address and why? If the season opening for the directed demersal shelf rockfish (DSR) or directed lingcod fishery occurs during a period of poor weather (i.e., a gale warning), larger, more sea-worthy vessels are at an advantage to travel to the fishing grounds and begin fishing first. Opening the fishery during poor weather conditions puts vessels and permit holders at risk because of the pressure to fish as soon as the fishery opens. Adding a weather delay provision provides for a safe and fair start to the directed DSR and lingcod fisheries that have had diverse participation in terms of vessel size and port of departure. Additionally, a weather delay may aid management by reducing the likelihood of effort being concentrated in a single area due to weather conditions. Similar weather delay provisions are in place for many other fisheries across the state.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F24-140)

PROPOSAL 200

5 AAC 28.173. Lingcod possession and landing requirements for Eastern Gulf of Alaska Area.

Adopt a catch reporting requirement for directed lingcod fisheries, as follows:

5 AAC 28.173 (h) is added to read:

(h) In a directed lingcod fishery, CFEC permit holders shall contact the department at a telephone number or other means specified by the department at the time of registration and provide the following information to the department as required :

(1) the CFEC permit holder's name;

- (2) the name of the vessel;**
- (3) the groundfish management area(s) in which they are fishing;**
- (4) the number of lingcod retained in each management area;**
- (5) the number of hours fished in each management area; and**
- (6) other information requested by the department for the purpose of managing and conserving lingcod resources.**

What is the issue you would like the board to address and why? The directed fishery for lingcod is fast paced. The East Yakutat Section directed lingcod fishery has the largest allocation (111,000 round lb) and this has been harvested in three days or less on average. The department must make quick decisions on closures based on the approximate catch from each fishing vessel, typically within the first 24 hours of fishing. The department currently asks permit holders to report their catch every 12 to 24 hours for most management areas but compliance is inconsistent and sometimes low. This has resulted in underharvest and overharvest in the directed fisheries. This proposal seeks to implement a catch reporting requirement to assist with lingcod management and promote lingcod conservation by preventing overharvesting.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F24-144)

PROPOSAL 201

5 AAC 28.173. Lingcod possession and landing requirements for Eastern Gulf of Alaska Area.

Clarify lingcod bycatch overage requirements in the Southeast District fisheries for longline halibut and salmon troll fisheries, as follows:

5 AAC 28.173 (a) (1) is amended to read:

- (a) In the Southeast District, a vessel fishing for
 - (1) halibut with longline gear may not land or have on board lingcod in excess of the **allowable bycatch limit** [BYCATCH PERCENTAGE] , specified in the first emergency order of the season, based on the round weight of all halibut on board the vessel[;]. **Lingcod caught in excess of this allowable bycatch limit, based on the weight of halibut on board, must be immediately released at sea. At the time of landing, all lingcod in excess of the allowable bycatch limit must be weighed and reported as bycatch overage on an ADF&G fish ticket. Lingcod bycatch taken in excess of the allowable bycatch limit must be forfeited to the State of Alaska and is subject to law enforcement action.** B[b]ased on harvest, the commissioner may, by emergency order, close the bycatch season and immediately reopen a bycatch season during which a different lingcod bycatch level is allowed;

5 AAC 28.173 (a) (3) is amended to read:

- (a) In the Southeast District, a vessel fishing for
 - (3) halibut and sablefish at the same time **must immediately release at sea lingcod bycatch caught** [MAY NOT LAND OR HAVE ON BOARD LINGCOD] in excess of the **allowable bycatch limit** [BYCATCH PERCENTAGE] [,] specified in the first emergency order of the season, by round weight of all halibut on board the vessel. [;] **Vessels must weigh and report all lingcod in excess of the allowable bycatch limit as**

bycatch overage on an ADF&G fish ticket. Lingcod bycatch taken in excess of the allowable bycatch limit must be forfeited to the State of Alaska and is subject to law enforcement action. B[ased on harvest, the commissioner may, by emergency order, close the bycatch season and immediately reopen a bycatch season during which a different lingcod bycatch level is allowed;

5 AAC 28.173 (a) (5) is added to read:

(a) In the Southeast District, a vessel fishing for

(5) salmon with troll gear must immediately release at sea lingcod bycatch caught in excess of the allowable bycatch limit specified in the first emergency order of the season, by round weight of all salmon on board the vessel. Vessels must weigh and report all lingcod in excess of the allowable bycatch limit as bycatch overage on an ADF&G fish ticket. Lingcod bycatch taken in excess of the allowable bycatch limit must be forfeited to the State of Alaska and is subject to law enforcement action. Based on harvest data, the commissioner may, by emergency order, close the bycatch fishing season and immediately reopen a bycatch season during which a different lingcod bycatch level is allowed.

What is the issue you would like the board to address and why? This would provide clarity regarding lingcod bycatch in excess of the allowable bycatch limit. Also, these regulations would clarify that all lingcod caught above the bycatch limit must be immediately released at sea. There is no mandatory retention requirement for lingcod because unlike rockfish, lingcod do not have a closed swim bladder which allows a higher chance of survival when released immediately at sea. If the allowable bycatch limit for lingcod is exceeded and landed, proceeds from the overage must be forfeited to the State of Alaska and permit holders may be subject to law enforcement action.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F24-145)

PROPOSAL 202

5 AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area.

Clarify that only one line can be used for dinglebar gear in the lingcod fishery, as follows:

5 AAC 28.130 (h)(1) is amended to read:

(h) In the Eastern Gulf of Alaska Area,

(1) **an operational unit of** dinglebar troll gear [IS GEAR THAT] consists of a single line, **referred to hereafter as a “train,” to which one or more leaders, lures, or baited hooks are attached,** that is **fastened to a single troll wire, and is deployed and** retrieved [AND SET] with a **single power** troll gurdy or **single** hand troll gurdy with a terminally attached weight [FROM WHICH ONE OR MORE LEADERS WITH ONE OR MORE LURES OR BAITED HOOKS] pulled through the water while a vessel is making way; only one **operational unit of dinglebar troll gear** [TROLL GURDY LINE OR HAND TROLL GURDY LINE] may be **onboard a vessel or** deployed **from the vessel at or below the surface of the sea** [IN THE WATER] at any time; **all weights, including dinglebars, cannon balls, and other fishing weights must be disconnected from the troll wires of all other gurdies that are mounted on the vessel, and additional trains may not be trailed behind the vessel at any time.**

What is the issue you would like the board to address and why? Vessels participating in the directed lingcod fishery with dinglebar gear are operating multiple lines at the same time leading to increased harvest rates; because of this, permit holders are exceeding guideline harvest levels. There is confusion within the fleet over what constitutes operation of a single line as well as what dinglebar gear is, and reports have suggested that some vessels may be deploying a second line once retrieval of the first line has begun. Vessels fishing in this manner have an advantage over vessels exclusively operating a single line because it takes time to haul gear to the surface, pull the train in, bring lingcod aboard, and then redeploy the gear back to depth. The intent of the original regulation was for fishers to have only one troll wire with one train on board and available to fish, establishing a pace for the fishery as fishers must remove fish from hooks and get the train ready to be deployed again. The amended language serves to clarify the intention of this regulation.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F24-148)

PROPOSAL 203

5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area and 5 AAC 47.060. Lingcod delegation of authority and provisions for management.

Establish unguided nonresident lingcod regulations, as follows:

SOUTHERN SOUTHEAST AREA: Alaska Residents: 1 per day, 2 in possession, no size limit. Nonresidents: **Unguided anglers: 1 per day, 2 in possession, no size limit. There is an annual limit of 4 fish. Harvest record is required. Guided anglers:** 1 per day, 1 in possession; 30-35 inches or 55 inches and longer. There is an annual limit of 2 fish, 1 of which is 30-35 inches in length, and 1 that is 55 inches or greater in length, harvest record is required

What is the issue you would like the board to address and why? I would like the Board to look at the nonresident ling cod regulations. I would like to see the size restrictions removed for unguided anglers on ling cod and to be more in line with resident regulations. I would like to see unguided anglers have more fishing opportunities.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain. I came up with my idea talking with others about limits and opportunity to retain certain types of fish as an unguided angler that goes to Southeast Alaska every year.

PROPOSED BY: Justin Orr (EF-F24-023)

Pacific cod

PROPOSAL 204

5 AAC 28.130 Lawful gear for Eastern Gulf of Alaska Area.

Allow pots to be longlined in the state waters of the Eastern Gulf of Alaska commercial Pacific cod fishery.

In the Eastern Gulf of Alaska Area, pots may not be longlined, except that pots may be longlined in the Pacific Cod fishery and in the Northern Southeast Inside Subdistrict and Southern Southeast

Inside Subdistrict Sablefish fishery. In a directed fishery for Sablefish pots used to take Sablefish must have at least two circular escape rigs with a minimum inside diameter of three and three-fourths inches installed on opposing vertical or sloping walls.

What is the issue you would like the board to address and why? In the Eastern Gulf of Alaska Area longlining pots for Pacific cod is currently not allowed. Longlining pots have proved to be a very efficient, low bycatch way of harvesting Sablefish in both the Federal and State fisheries. I would like the opportunity to use the same gear in the Pacific Cod fishery.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain. Through conversations with fishery managers and fellow fisherman.

PROPOSED BY: Jared Bright (EF-F24-097)

PROPOSAL 205

5 AAC 77.674. Personal use bottomfish fishery.

Allow personal use retention of Pacific cod and rockfishes, including thornyhead rockfish, in pot gear, as follows:

5 AAC 77.674 (2) is amended to read:

In the personal use taking of bottomfish,

(2) [EXCEPT SABLEFISH] bottomfish may be taken for personal use only by longline or hand held line, **except sablefish, Pacific cod, rockfish, and thornyhead rockfish may be taken for personal use only by longline, hand held line, or pot gear**; for all bottomfish, unattended gear must be marked as described in 5 AAC 77.010(d);

What is the issue you would like the board to address and why? With the recent increase in pot gear use in the personal use sablefish fisheries, Pacific cod and rockfishes caught as bycatch in pot gear must be released. Pacific cod and most rockfish species have a closed swim bladder and suffer embolism mortality when brought to the surface. Current regulations do not allow retention of Pacific cod or rockfishes in personal use pot gear; therefore, these bycatch species are discarded at sea. Allowing retention of Pacific cod and rockfishes will reduce waste and mirror subsistence and commercial pot gear retention regulations for these species.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F24-147)

Rockfish

PROPOSAL 206

5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

Reopen yelloweye sport fishery for residents, as follows:

5 AAC 47.020-General provisions for season, bag, possession, annual, and size limits, and method and means for the salt waters of SE Alaska Area.

(8) rockfish may be taken from January 1-December 31 as follows:...

C) demersal shelf rockfish, as defined in [5 AAC 39.975](#):

i.[EXCEPT AS PROVIDED IN (D) OF THIS PARAGRAPH,] resident: bag limit of one fish; possession limit of two fish; no annual limit; no size limit;

ii.nonresident; no open season; may not be taken or possessed;

D) yelloweye rockfish: [NO OPEN SEASON; MAY NOT BE TAKEN OR POSSESSED]

i.resident: bag limit of one fish; possession limit of two fish; no annual limit; no size limit;

ii. nonresident; no open season; may not be taken or possessed

What is the issue you would like the board to address and why? Starting in 2020, the department closed all directed harvest of yelloweye rockfish in Southeast, citing a sharp decline that had occurred twenty years prior. This closure occurred despite the population having been stable for several years prior to the closure. Since 2015 yelloweye abundance has been increasing, yet all directed harvest remains closed. The increasing biomass combined with the recent closures have combined to leave the majority of the already highly-conservative TAC unharvested in several of the past years

It is time to reopen the resident sport yelloweye fishery which (prior to the closure) was a long-established fishery with a small and consistent harvest for locals to enjoy an occasional fresh yelloweye. The resident sportfishery has historically accounted for only about 2% of the TAC. With over 25-50% of the TAC consistently going unharvested, it is fully appropriate for resident sportfishermen to again be given access to this under-utilized resource.

Contrary to sensationalized accounts, the December 2022 NOAA *Assessment of the DSR Stock Complex in SE Outside Subdistrict of the GOA* shows that SE yelloweye population was healthy prior to the 2020 closure and continue to be healthy. Specifically:

- All three NOAA models show a consistent upward trend in yelloweye biomass since at least 2013 (See Table 14.8)
- Average length of both male and female yelloweye has been increasing in all SE subdistricts (East Yakutat, Northern SE Outside, Central SE Outside and Southern SE Outside) since at least 2010 (See figures 14.13 -14.16)
- The yelloweye catch has been consistently managed to a level well below the Over Fishing Limit for about 2 decades, with a typical year's catch being only about 50% of this threshold. (See Fig 14.5)
- The Yelloweye CPUE in the 2021 IPHC longline survey was up in all SE subdistricts (East Yakutat, Northern SE Outside, Central SE Outside and Southern SE Outside) compared to 2016. (See Table 14.3)

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain. The Sitka AC supported proposal 230 in 2022 which was very similar.

PROPOSED BY: Tad Fujioka

(EF-F24-020)

PROPOSAL 207

5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

Allow retention of demersal shelf rockfish by nonresidents, as follows:

Establish a bag and possession limit for Demersal Shelf Rockfish (DSR) for Non-Residents. Non-Resident bag limit of one fish; possession limit of two fish; annual limit of two fish; no size limit.

What is the issue you would like the board to address and why? Establish in regulation a bag, possession and annual limit for DSR species (Quillback, Copper, Canary, China and Tiger). There is no survey and/or data that shows a conservation concern for the DSR species. Anglers commonly catch all species of rockfish in SE AK and the inability to harvest these species is a lost opportunity to the sport fishery. Most anglers agree that all the DSR rockfish are excellent table fare and readily abundant. The mandatory use of deep water release mechanisms has significantly reduced release mortality.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain. Yes, but this prop is being submitted on behalf of myself. A daily bag limit of 1 fish and an annual bag limit of 2 fish is very reasonable.

PROPOSED BY: Kurt Whitehead (EF-F24-029)

PROPOSAL 208
5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

Allow retention of demersal shelf rockfish by nonresidents, as follows:

Establish a bag and possession limit for Demersal Shelf Rockfish (DSR) for Non-Residents.

Non-Resident bag limit of one fish; possession limit of one fish; annual limit of one fish; no size limit.

What is the issue you would like the board to address and why? Currently, non-residents cannot harvest any DSR species (Quillback, Copper, Canary, China and Tiger). There is no survey and/or data that shows a conservation concern for the DSR species. Anglers commonly catch all species of rockfish in Southeast Alaska and the inability to harvest these species is a lost opportunity to the sport fishery. Most anglers agree that all the DSR rockfish are excellent table fare and readily abundant. The mandatory use of deep water release mechanisms has significantly reduced release mortality.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain. Yes. This prop was developed in the Craig AC.

PROPOSED BY: Craig AC (EF-F24-031)

PROPOSAL 209
5 AAC XX.XXX New Section. Pelagic rockfish delegation of authority and provisions for management.

Establish provisions for a resident priority within emergency order authority for pelagic rockfish, as follows:

Direct the department to confine EO restrictions to non-resident anglers and hold resident anglers harmless unless residents are harvesting at least half of the sport catch:

5 AAC 47.020-General provisions for season, bag, possession, annual, and size limits, and method and means for the salt waters of SE Alaska Area.

(8) rockfish may be taken from January 1-December 31 as follows:

1. pelagic rockfish: bag limit of five fish, possession limit of 10 fish, no annual limit; **Unless the resident harvest of pelagic rockfish has exceeded 50% of the sport harvest for 2 consecutive years, the department shall not use EO authority to reduce resident limits or season length.**

What is the issue you would like the board to address and why? In response to a decade-long trend of increasing harvest of pelagic rockfish by non-residents, beginning in 2016 ADFG repeatedly used EO authority to reduce bag limits for non-residents and residents in Central Southeast Outside (CSEO) alike. In 2018, the BoF specifically refuted that practice by amending ADFG-sponsored proposal 127 which would have permanently reduced the bag limit for all anglers from 5 fish to 3 fish, with RC406 which affirmed the historic 5 fish limit for residents while dropping the non-resident limit to 3.

However, lacking the authority to hold resident anglers harmless as the increase in non-resident harvest resumed, in 2023 ADFG again used EO authority to reduce the CSEO resident and nonresident bag limits. The Sitka AC would like the BoF to authorize the department to prioritize resident access of pelagic rockfish and to direct the department to refrain from reducing resident limits of pelagic rockfish as a means of addressing increased harvest by non-residents.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain. The Sitka AC supported proposal 127 in 2018 which was very similar.

PROPOSED BY: Sitka AC

(EF-F24-019)

PROPOSAL 210

5 AAC 47.020. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

Reduce the bag and possession limit for pelagic rockfish in Southeast Alaska, as follows:

5 AAC 47.020(8)(A) is amended to read:

...

- (A) pelagic rockfish: bag limit of **three** [FIVE] fish; possession limit of **six** [10] fish; no annual limit; no size limit;

What is the issue you would like the board to address and why? The sport harvest of pelagic rockfish has been on an increasing trend in the Southeast Alaska region and is assumed to be associated with shifting patterns of effort by charter (guided) anglers as restrictions on Pacific halibut and king salmon have been in effect. The department is currently working to develop a stock assessment for black rockfish in Southeast Alaska through the Statewide Rockfish Initiative.

The anticipated continued increase in harvest and the potential for overexploitation of pelagic rockfish warrants a precautionary management approach.

The harvest of pelagic rockfish has increased in Southeast Alaska despite recent action to reduce harvest opportunity in the Sitka area where the majority of pelagic rockfish have historically been harvested. Rockfish harvest in the vicinity of Prince of Wales Island and the Ketchikan Areas have continued to increase and are now nearing the levels of pelagic rockfish harvest observed in the Sitka Area before management action was taken.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F24-179)

PROPOSAL 211

5 AAC 28.171. Rockfish possession and landing requirements for Eastern Gulf of Alaska Area.

Clarify regulations regarding fish ticket documentation of rockfish overages in the groundfish and halibut fisheries. Also, add a demersal shelf rockfish (DSR) overage reporting requirement for the Eastern Gulf of Alaska salmon troll fishery, as follows:

5 AAC 28.171 (a) is amended to read:

(a) In the Eastern Gulf of Alaska Area, a CFEC permit holder fishing for groundfish or halibut must retain, weigh, and report all rockfish and thornyhead rockfish caught. Except as provided in (b) of this section, all demersal shelf rockfish in excess of 10 percent, round weight, of all target species on board the vessel must be weighed and reported as bycatch overage on an ADF&G fish ticket. All rockfish and thornyhead rockfish in excess of allowable bycatch limits shall be reported as bycatch overage on an ADF&G fish ticket. **Rockfish and thornyhead rockfish exceeding bycatch limits may be retained for personal use or donation and must be documented as overage on the fish ticket.** All proceeds from the sale of excess rockfish and thornyhead rockfish bycatch shall be surrendered to the state. Based on harvest data, the commissioner may, by emergency order, close a fishing season or a bycatch season and immediately reopen a fishing season or a bycatch season during which a different rockfish or thornyhead rockfish bycatch level is allowed.

5 AAC 28.171 (i) is added to read:

(i) In the Eastern Gulf of Alaska Area, a CFEC salmon troll permit holder operating hand or power troll gear during an open commercial salmon fishing period is not required to retain incidental rockfish caught while fishing for salmon but must weigh and report, on an ADF&G fish ticket, all demersal shelf rockfish retained in excess of bycatch limits established by emergency order, based on the round weight of all salmon on board the vessel, and must report it as bycatch overage on an ADF&G fish ticket. Rockfish bycatch taken in excess of allowable limits may be retained by the permit holder for personal use or donation and must be documented as overage on the fish ticket. All proceeds from the sale of excess rockfish bycatch shall be surrendered to the state. Based on harvest data, the commissioner may, by emergency order, close a fishing season or a bycatch season and immediately reopen a fishing season or a bycatch season during which a different rockfish bycatch level is allowed.

What is the issue you would like the board to address and why? This clarifies that rockfish, including thornyhead rockfish, bycatch overages may be retained for personal use or donation by CFEC permit holders fishing for groundfish or halibut. Current regulations only specify that rockfish overages may be sold but they do not explicitly state that overages may be retained for personal use or donation which has been standard practice. This would clarify regulations for processors, permit holders, managers, and enforcement. Also, this proposal would establish that rockfish must be reported on a fish ticket and clarify the regulations regarding overages in the salmon troll fishery. At present, the salmon troll fishery does not have full retention requirements for any groundfish species and DSR are the only rockfish restricted to a bycatch allowance. However, because there are bycatch allowances for DSR species but no full retention requirements, regulations do not support that DSR bycatch overage may be retained for personal use or donation and therefore must be discarded at sea or subject to law enforcement action if landed. This would improve consistency on how DSR bycatch overages are managed across the region and among fisheries and would assist groundfish staff in accounting for DSR bycatch in the salmon troll fishery by reducing DSR discards at sea.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F24-146)
