

PROPOSAL 165

5 AAC 39.105. Types of legal gear.

Establish salmon excluder requirements for all pelagic trawl gear operated inside state waters, as follows:

We recognize that pelagic trawl fisheries are part of Alaska's seafood economy. Our goal is to improve the enforcement and accountability of existing regulations and ensure that this gear type can operate responsibly as part of Alaska's sustainable fisheries.

Proposed amendment to 5 AAC 39.105:

Add new section:

(c) Salmon Excluder Requirement.

All pelagic trawl gear used in the commercial harvest of groundfish within Alaska state waters must be equipped with an approved salmon excluder device that has been tested and verified to reduce salmon bycatch effectively.

The Alaska Department of Fish and Game shall:

- Establish performance-based criteria for excluder devices;
- Maintain a list of approved excluders based on field testing and scientific review;
- Implement a phased compliance timeline and outreach strategy to ensure industry adaptation.

Failure to comply with this regulation may result in enforcement action, including fines or loss of fishing privileges in state waters.

What is the issue you would like the board to address and why? The current regulatory definition of pelagic trawl gear under 5 AAC 39.105 does not include specific bycatch mitigation measures, particularly for salmon bycatch. This omission allows midwater, or pelagic, trawl fisheries in state waters to operate without standardized and enforceable protections for salmon stocks, some of which are in decline or listed under conservation concern.

Evidence from National Marine Fisheries Service (NMFS), North Pacific Fishery Management Council (NPFMC), and stakeholder observations indicate that pelagic trawl gear often comes into contact with the seafloor and operates in mixed-species zones where salmon are present. Without mandatory salmon excluders, these operations pose a direct risk to salmon populations, many of which are crucial to subsistence, sport, and commercial fisheries, and central to Alaska's culture and food security.

A recent example of this was the required early closure of the Gulf of Alaska (GOA) pollock fishery after it reached its prohibited species cap of Chinook salmon. Mandated use of salmon excluders in state waters would further work to avoid interactions with prohibited species.

Requiring salmon excluders will promote sustainability and reduce bycatch and is an approach already under consideration at the NPFMC in both the BSAI and GOA under Exempted Fishing Permits.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain. This proposal was developed in concert with the members and supporters of the Alaska Healthy Habitat Alliance.

PROPOSED BY: The Alaska Healthy Habitat Alliance

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