

Groundfish

PROPOSAL 215

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

Align state waters sablefish fishing season with federal sablefish fishing season, as follows:

The Board will link the seasons for Black Cod and IFQ fisheries so that they open and close at same time.

What is the issue you would like the board to address and why? Would like to request the Board of Fish open and close the Black Cod Fishery at the same times they allocate for the IFQ

fishery. Thus giving more opportunities to people who participate in other fisheries, allowing them to adjust their schedules.

PROPOSED BY: John Johanson (EF-F20-081)

PROPOSAL 216

5 AAC 28.110. Sablefish fishing seasons for Eastern Gulf of Alaska Area.
Extend sablefish fishing season to December 15, as follows:

The Black Cod Pot Fishery will be extended to end on December 15th instead of November 15th.

What is the issue you would like the board to address and why? Would like to request that the Board of Fish extend the black cod fisheries instead of ending November 15th, extending the fishery until December 15th. By extending the season, fishermen would be able to participate in salmon fall seasons, giving them more time to catch their quota before end of the year.

PROPOSED BY: John Johanson (HQ-F20-043)

PROPOSAL 217

5 AAC 28.165. Lingcod allocation guidelines for Eastern Gulf of Alaska Area.
Adjust lingcod bycatch allocations between groundfish and salmon fisheries, as follows:

5 AAC 28.165. Lingcod allocation guidelines for Eastern Gulf of Alaska Area

- (5) Southern Southeast Outer Coast Sector:
- (D) **two**[SEVEN] percent to bycatch in the commercial groundfish fishery using hand troll gear and mechanical jigging machines;
- (E) **seven**[TWO] percent to bycatch in the commercial salmon troll fishery;

What is the issue you would like the board to address and why? The lingcod bycatch allocation for the commercial salmon troll fishery in the Southern Southeast Outer Coast Sector (SSEOC) is insufficient for the fisheries needs. Currently it stands at 2% of the overall lingcod quota for the (SSEOC) area, where in other areas of Southeast Alaska the troll bycatch allocation is 7-8%.

With such a small allocation, the retention of lingcod in the commercial salmon troll fishery in the SSEOC area often closes well before the end of the summer troll season. This forces the troll fleet to release lingcod caught after the bycatch allowance is met and miss opportunity to retain valuable fish.

Solution:
Transfer 5 of the 7 percent of the lingcod allocated to the commercial groundfish jig fishery, to the commercial salmon troll fishery in the SSEOC sector.

Reasoning:

The lingcod allocated to the commercial groundfish jig fishery in the Southern Southeast Outer Coast Sector (SSEOC) currently stands at 7% of the GHR (guideline harvest range). This has equated to 11,690 round pounds of lingcod per year since 2003.

From 2003 through 2019, a total of only 79 lbs. of lingcod has been landed in the commercial groundfish jig fishery in the SSEOC area.

Transferring 5 of the 7 percent from the commercial groundfish jig fishery to the commercial salmon troll fishery would be a far better use of the lingcod resource.

This would provide a sufficient bycatch allocation of lingcod to the commercial salmon troll fishery in the SSEOC area and still leave the commercial groundfish jig fishery with a lingcod allocation that would more than satisfy the historic needs of that fishery.

PROPOSED BY: Craig Fish and Game Advisory Committee (EF-F20-003)

PROPOSAL 218

5 AAC 28.106. Eastern Gulf of Alaska Area registration.

Establish registration requirements for the Pacific cod directed fishery, as follows:

5 AAC 28.106 (a) is amended to read:

(a) The Eastern Gulf of Alaska Area is a nonexclusive registration area for Pacific cod[.] **and notwithstanding 5 AAC 28.020(a), before a person uses a vessel to operate gear to take Pacific cod in a directed Pacific cod fishery in the Eastern Gulf of Alaska Area, the vessel owner or the owner's agent shall register the vessel with the department by completing a registration form with the vessel's name, management areas the vessel will be fishing in, contact number, and the signature of the owner or owner's agent.**

What is the issue you would like the board to address and why? The current regulatory language does not require directed Pacific cod fishermen to register their vessel prior to fishing. If vessels were required to register, it would help ensure successful management of the fishery by providing an accurate number of vessels fishing and their intentions for delivery. This would assist with scheduling staff for port sampling landings to collect biological information such as length, weight, sex, and age that is used to inform stock health and resulting management decisions. Without registrations, the department does not have a full accounting of vessels participating in the fishery prior to landings, and this can result in either underharvest or overharvest within a management area. Requiring registrations for the directed Pacific cod fishery will also create consistency among directed groundfish fishery requirements, which include requiring vessel registrations for each fishery.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-154)

PROPOSAL 219

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

Clarify lawful gear for rockfish retention, as follows:

5 AAC 28.130 (d) is amended to read:

(d) In the Southeast District,

(1) [EXCEPT AS PROVIDED IN (3) OF THIS SUBSECTION, ROCKFISH AND] lingcod may be taken only by longline, dinglebar troll gear, power troll gear, hand troll gear, and mechanical jigging machines, except that

[(A) IN A DIRECTED FISHERY FOR PELAGIC SHELF ROCKFISH, PELAGIC SHELF ROCKFISH MAY BE TAKEN ONLY BY DINGLEBAR TROLL GEAR, HAND TROLL GEAR, AND MECHANICAL JIGGING MACHINES;] **repealed.**

(B) in a directed fishery for lingcod, lingcod may be taken only by dinglebar troll gear, hand troll gear, and mechanical jigging machines;

...

(3) Pacific cod, **rockfish**, and thornyhead rockfish may be taken only by longline, dinglebar troll gear, power troll gear, hand troll gear, mechanical jigging machines, and pots[;], **except that**

(A) in a directed fishery for pelagic shelf rockfish, pelagic shelf rockfish may be taken only by dinglebar troll gear, hand troll gear, and mechanical jigging machines;

(B) in a directed fishery for demersal shelf rockfish, demersal shelf rockfish may be taken only by longline, dinglebar troll gear, hand troll gear, and mechanical jigging machines

What is the issue you would like the board to address and why? Current regulations do not allow for retention of rockfish species by pot gear. Because most hook and line, pot, and jig vessels are unobserved, full retention and reporting are necessary to account for total mortality of rockfish and to improve management of rockfish. Allowing retention of all rockfish in pot gear, as specified above, will provide the department with better catch information and reduce wastage, which occurs when rockfish are discarded at sea.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-156)

PROPOSAL 220

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

Allow pot gear in the Northern Southeast Inside Subdistrict sablefish commercial fishery, as follows:

(f) In the Eastern Gulf of Alaska Area, pots may not be longlined, except that pots may be longlined in the Southern Southeast Inside Subdistrict **and Northern Southeast Inside Subdistrict** sablefish fishery. At least one buoy on each groundfish pot must be legibly marked with only the permanent department vessel license plate number of the vessel operating the gear. The number must be placed on the top one-third of the buoy in numerals at least four inches high and one-half inch wide, must be in a color contrasting to the color of the buoy, and must be visible above the water surface when the buoy is attached to the groundfish pot. If groundfish pots are longlined under this subsection, a buoy is not required for each pot, but at least one buoy must be attached to the longline, and the buoy must be marked as described in this subsection. 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 four inches installed on opposing vertical or sloping walls.

What is the issue you would like the board to address and why? I am proposing the introduction of longline pot gear in the Northern Southeast Inside Subdistrict sablefish fishery as is allowed in the Southern Southeast Inside Subdistrict sablefish fishery.

The careful release of juvenile sablefish is currently allowed in the NSEI fishery. Pot longlining for sablefish in NSEI would allow release of small sablefish with less physical damage to the fish than release from circle hooks. Pot fishing also eliminates the problem of sand fleas in the NSEI area. Another advantage to pot fishing is the elimination of potential depredation from sperm whales.

Some have speculated that there would be a gear conflict with hook longliners if pot longlining was permitted in NSEI. With the long season for catching the allowable catch this is not likely a problem. Last year when my husband, son and I fished our permit in late August, we were the only NSEI fishers in our area. Our pot strings are much shorter than hook longlines (400 fathoms for pot longline vs 2,250 fathoms for hook longlines) making gear conflict less likely between pot/hook strings if there were multiple fishers in one area.

PROPOSED BY: Dawn Gillman

(EF-F20-035)

PROPOSAL 221

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

Reduce the minimum inside diameter of circular escape rings from four inches to three and three-fourths of an inch on pots used to take sablefish, 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 Southern Southeast Inside Subdistrict sablefish fishery. At least one buoy on each groundfish pot must be legibly marked with only the permanent department vessel license plate number of the vessel operating the gear. The number must be placed on the top one-third of the buoy in numerals at least four inches high and one-half inch wide, must be in a color contrasting to the color of the buoy, and must be visible above the water surface when the buoy is attached to the groundfish pot. If groundfish pots are longlined under this subsection, a buoy is not required for each pot, but at least one buoy must be attached to the longline, and the buoy must be marked as described in this subsection. 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 [FOUR INCHES] **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? The current regulatory language is based on estimated length at 50% maturity (L_{50}) of sablefish (63 cm) in the Northern and Southern Southeast Inside Subdistricts and supplemental research from British Columbia, Canada, which has a minimum escape ring size of 3.5 inches and a L_{50} of 55 cm. The proposed regulatory modification

to reduce the minimum inside diameter of the escape ring size from 4 inches to 3.75 inches is based on results of an escape ring experiment conducted during the department's sablefish marking pot survey in 2019. The optimal escape ring size results in low catches of immature sablefish while maintaining high catch per unit of effort (CPUE) of mature sablefish. To analyze the impact of escape rings on capture efficiency and size-selectivity of sablefish, pots with three alternative escape ring sizes (3.5, 3.75, and 4.0 inches) were evaluated alongside control pots with no escape rings. The results of this study indicated that pots with 3.75-inch escape rings minimized catches of small, immature fish, thus reducing discard mortality, and maximized catches of larger, more desirable fish. Escape rings greater than 3.75 inches may not provide any additional benefits.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-158)

PROPOSAL 222

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

Require CFEC permit holders fishing for groundfish or halibut using hook-and-line, pot, or jig gear in the Eastern Gulf of Alaska Area to retain and land all rockfish, including thornyhead rockfish, as follows:

5 AAC 28.171 (a), (b), (f), and (g) are amended to read:

- (a) In the **Eastern Gulf of Alaska Area** [SOUTHEAST DISTRICT], a CFEC permit holder fishing for groundfish or halibut must retain, weigh, and report all **rockfish and thornyhead rockfish caught** [DEMERSAL SHELF ROCKFISH TAKEN]. 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 [DEMERSAL SHELF] 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 [DEMERSAL SHELF] rockfish **or thornyhead rockfish** bycatch level is allowed.
- (b) In the **Eastern Gulf of Alaska Area** [SOUTHEAST DISTRICT], a person operating a trawl vessel shall retain, weigh, and report all [DEMERSAL SHELF] rockfish **and thornyhead rockfish caught** [TAKEN]. All demersal shelf rockfish in excess of one 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 [DEMERSAL SHELF] rockfish **and thornyhead rockfish** bycatch shall be surrendered to the state.
- ...
- (f) [IN ADDITION TO THE REQUIREMENTS OF (A) OF THIS SECTION, IN THE NORTHERN SOUTHEAST INSIDE AND SOUTHERN SOUTHEAST INSIDE SUBDISTRICTS, A CFEC PERMIT HOLDER FISHING FOR GROUND FISH OR HALIBUT

MUST RETAIN, WEIGH, AND REPORT ALL ROCKFISH TAKEN. ALL 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 BYCATCH SHALL BE SURRENDERED TO THE STATE.] **Repealed.**

(g) [IN ADDITION TO THE REQUIREMENTS OF (A) OF THIS SECTION, IN THE EASTERN GULF OF ALASKA AREA, A CFEC PERMIT HOLDER FISHING FOR GROUND FISH OR HALIBUT MUST RETAIN, WEIGH, AND REPORT ALL BLACK ROCKFISH TAKEN. ALL BLACK 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 BYCATCH SHALL BE SURRENDERED TO THE STATE.] **Repealed.**

What is the issue you would like the board to address and why? This proposal mirrors federal rockfish retention requirements to provide better estimates of rockfish catch, reduce waste and incentives to discard, and maintain consistency between state and federal fisheries management. Rockfish have a closed swim bladder and suffer embolism mortality when caught. Many rockfish are discarded at sea. The department does not have true accounting of total mortality without full retention requirements in place. Because most hook and line, pot, and jig vessels are unobserved, full retention and reporting are necessary to account for total mortality of rockfish and to improve management of rockfish. Black, dark, and blue rockfish and demersal shelf rockfish (DSR) are managed by the State of Alaska in both state and federal waters, and current regulations require full retention of these rockfish only. Requiring full retention of all rockfish in all state waters, as specified above, will provide the department with better catch information; reduce wastage, which occurs when rockfish are discarded at sea; and will mirror new federal rockfish retention regulations, which also include full retention requirements for thornyhead rockfish.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-157)

PROPOSAL 223

5 AAC 01.720. Lawful gear and gear specifications; and 5 AAC 77.674. Personal use bottomfish fishery.

Establish and clarify gear specifications of a groundfish pot for the subsistence 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 three-fourths inches installed on opposing vertical or sloping walls and must have individual tunnel eye openings with perimeters 36 inches or less.

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

(E) a permit holder’s pot gear

(i) may not exceed two pots per permit holder or eight pots per vessel when four or more permit holders are present; [AND]

(ii) may not be longlined; **and** [.]

(iii) must have at least two circular escape rings with a minimum inside diameter of three and three-fourths inches installed on opposing vertical or sloping walls and must have individual tunnel eye openings with perimeters 36 inches or less.

What is the issue you would like the board to address and why? The current regulatory language loosely defines legal pot gear for the subsistence and personal use sablefish fisheries. Incorporating an escape ring size of three and three-fourths inches into subsistence and personal use pot gear would significantly reduce the catch of small, immature sablefish and would maintain the catch of larger and more mature sablefish. Requiring individual tunnel eye openings with perimeters 36 inches or less would reduce halibut and sleeper shark bycatch. These requirements would protect immature sablefish from discard mortality and would help secure the future viability of the fishery.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-153)

PROPOSAL 224

5 AAC 77.674. Personal use bottomfish fishery.

Allow rod and reel as lawful gear to harvest rockfish for personal use, as follows:

Allow rod and reel for personal use of rockfish. It's hard to us seniors to pull a skate.

What is the issue you would like the board to address and why? Residents can't retain rockfish by using a rod and reel. Resident have a low impact on rockfish and should be able to use a rod and reel for personal use.

PROPOSED BY: Randall Jahnke (HQ-F20-076)

PROPOSAL 225

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

Modify sablefish bag, possession, and nonresident annual limits based on sablefish abundance in NSEI and SSEI sections, as follows:

5 AAC47.020 (17)(A) resident: **Set** bag limit of four fish; possession limit of four fish; no size limit; annual limit of eight fish **as a baseline. Increase baseline limits by one fish when ABC reaches 1M pounds and thereafter an additional one fish for every 100,000 pounds over 1M with a cap of six fish daily; possession limit of six fish; no size limit; no annual limit.**

5 AAC 47.020 (17)(B) nonresident: **Set** bag limit of four fish; possession limit of four fish; no size limit; annual limit of eight fish; **as a baseline. Increase baseline limits by one fish when ABC reaches 1M pounds and thereafter an additional one fish for every 100,000 pounds over 1M**

with a cap of six fish daily; possession limit of six fish; no size limit ; annual limit of twelve fish.

What is the issue you would like the board to address and why? Commercial sablefish ABC (Allowable Biological Catch) in the NSEI (Northern Southeast Inside) Subdistrict and SSEI (Southern Southeast Inside) Subdistrict have shown an increase in recent years, while resident and non-resident sport anglers bag limits have not changed since they were originally established in 2009. Recreational angler opportunity should be linked to abundance as done with the commercial sablefish AHO (Allowable Harvest Opportunity). A cap in bag limits would ensure sport harvest would not exceed sport/commercial allocation percentages similar to that of other sport fish species.

PROPOSED BY: Alaska Charter Association (HQ-F20-004)

**Proposal 225 was corrected 11/16/2020 to remove the eight fish resident annual limit.*

PROPOSAL 226

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

Establish bag and possession limit for slope rockfish, as follows:

5 AAC 47.020 **(8) (C) slope rockfish: bag limit of one fish; possession limit of one fish; no annual limit; no size limit;**

What is the issue you would like the board to address and why? Establish in regulation a bag limit for slope rockfish.

PROPOSED BY: Alaska Charter Association (HQ-F20-005)

PROPOSAL 227

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

Reduce the nonpelagic rockfish bag and possession limits and prohibit retention of yellow rockfish, as follows:

Non-pelagic rockfish: bag limit of 1 fish; possession limit of 2 fish; of which none may be yelloweye.

What is the issue you would like the board to address and why? The harvest of all non-pelagic rockfish species was closed by emergency order in the Southeast Alaska sport fishery during 2020. The closure was based on survey data indicating a decline in yelloweye abundance. There is no survey data indicating a decline in other non-pelagic species such as copper, quillback, canary, vermillion, silvergray, bocacio, etc. which are commonly caught sport fishing and are all excellent table fare. Anglers commonly catch all species of non-pelagic rockfish and the inability to harvest species other than yelloweye is a lost opportunity to the sport fishery. The mandatory use of deep water release mechanisms will significantly reduce release mortality of incidentally caught

yelloweye and other rockfish that are not harvested. ADFG passed an emergency order for 2020 allowing the harvest of Slope Rockfish (Bocacio, Silvergray, Vermillion, Rougheye, Shortraker, Redstripe, etc.) The emergency order also outlines exactly which Demersal Shelf Rockfish you cannot harvest during 2020 (Yelloweye, China, Copper, Quillback, Tiger and Canary.)

Total Sport Harvest of non-pelagic rockfish removal in kilograms (harvest and release mortality estimates) for Southeast Outside waters has averaged approximately 48,000 kilograms in the last 10 years (2009-2018).

Northern Southeast Outside waters has averaged approximately 6,000kgs. which is 12% of the harvest.

Central Southeast Outside (CSEO-Sitka) has averaged approximately 30,600kg. which is 64% of the harvest.

Southern Southeast Outside (SSEO-W. POW) has averaged approximately 11,600kg. which is 24% of the harvest.

Yelloweye rockfish has been the preferred species of non-pelagic harvest and has also been the majority of harvest followed by quillback and copper.

This proposal will allow anglers to harvest any of the non-pelagic rockfish per day other than Yelloweye. The only non-pelagic species with a conservation concern is Yelloweye. Most anglers on the West side of POW agree that the most abundant non-pelagic rockfish species caught are Quillback. Most anglers also agree that Copper, Canary and China rockfish are all excellent table fare and readily abundant. Without this proposal, anglers will be denied the harvest of Tiger, Quillback, Copper, China and Canary rockfish.

PROPOSED BY: Craig Fish and Game Advisory Committee (EF-F20-040)

PROPOSAL 228

5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

Reduce the nonpelagic rockfish bag and possession limits and prohibit the retention of yelloweye rockfish by nonresidents in the SSEI Section, as follows:

5 AAC 47.020

(8) rockfish January 1-December 31

(B) non-pelagic rockfish; bag and possession limit of 1 fish per day; no retention of yelloweye by non-residents in SSEI.

The fishery has been managed under emergency order (EO) for numerous years, so it is unclear how to accurately address existing and proposed specific language, so intent language is provided

What is the issue you would like the board to address and why? The Department has been managing section (8) (B) bag limits for rockfish under EO authority for numerous years, and for the calendar year 2020, has prohibited the retention of nonpelagic rockfish in all waters of southeast. Data used to justify this action is based on commercial harvest records from southeast outside waters, and based on yelloweye rockfish biomass and then applied those findings to all management areas and types of nonpelagic rockfish. Department data shows that the majority of the harvest of yelloweye by sportfishermen is from non-resident harvest. We would like the Department to take a stairstep approach to cutting possession limits, and if necessary due to conservation concerns, have the BOF adopt a differential harvest limit for residents and non-residents. We would also like the Department to gather better data on local stocks by implementing some type of log book requirement for anglers.

PROPOSED BY: Ketchikan Fish and Game Advisory Committee (HQ-F20-046)

PROPOSAL 229

5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

Establish lingcod bag, possession, size, and annual limits for nonresidents in the Central Southeast Outside Waters section, as follows:

LINGCOD

- Season: May 16–November 30.
- Charter operators and crew members may not retain lingcod while clients are on board the vessel.
- [NORTHERN] **Central Southeast Outside Waters** Lingcod Area:
- Alaska Residents—No size limit: 1 per day, 2 in possession.
- Nonresidents—1 per day, 1 in possession; [30–35 INCHES] **30 – 45 inches**, or 55 inches and longer, annual limit of 2 fish, one of which is [30–35 INCHES] **30 – 45 inches** in length, and one that is 55 inches or greater in length, harvest record required.

What is the issue you would like the board to address and why? The current Lingcod regulations for non-resident anglers in central southeast Alaska outside waters (CSEO) allows harvest of one fish 30-35 inches, and one 55 inches or greater in length. The 30-35 inch slot is very narrow and it is challenging for non-resident’s to have an opportunity to harvest a legal Lingcod even over a multiday effort. Harvesting a trophy Lingcod greater than 55 inches is very rare. Department data shows that under the current slot limit (instituted in 2007), that sport harvest in CSEO waters has been under allocation for all years (2007-2019), with the exception of the year 2014 where allocation was reached. Further, the Department has lumped CSEO Lingcod management with northern southeast Alaska outside waters (NSEO) which is problematic because the NSEO has met or has been over allocation for the years 2003-2006, and 2014. Managing CSEO and NSEO together is likely preventing anglers in the CSEO Lingcod area from meeting harvest allocation and has reduced reasonable opportunity for non-resident anglers.

I propose that in effort to get CSEO sport Lingcod back in line with allocation, and to provide a more reasonable opportunity for non-resident anglers to retain a Lingcod, that the Board of Fish

should consider taking the following action, 1) direct the Department to manage CSEO separate from NSEO, 2) increases the slot limit to 30-45 inches in CSEO waters.

PROPOSED BY: Sitka Fish and Game Advisory Committee (HQ-F20-088)

PROPOSAL 230

5 AAC 47.065. Demersal shelf rockfish delegation of authority and provisions for management.

Amend the Demersal shelf rockfish delegation of authority and provisions for management to provide a resident priority, as follows:

5 AAC 47.065 - Demersal shelf rockfish delegation.

The most recent year that the resident sport Demersal Shelf Rockfish (DSR) limits were not overridden by emergency order was 2005. The all-gear TAC in 2000-2005 was 330-450 tons per year. In recent years the all-gear TAC has been down about 40% since that time period. I propose that (unless the resident sport harvest exceeds 10% of the all-gear TAC), residents be assured a bag and possession limit of at least 1 yelloweye and 3 total DSR year-round throughout the region. This is approximately a 50% reduction from the 2 yelloweye and 5 total DSR of the 2005 era. To that accomplish this, I suggest adoption of the following language:

Section 5 AAC 47.065 - Demersal shelf rockfish delegation of authority and provisions for management

Under 5 AAC 28.160, the Board of Fisheries has allocated 16 percent of the annual allowable catch of the demersal shelf rockfish in the Southeast Outside Subdistrict, described in 5 AAC 28.105(a) (4), to the sport fishery. If the commissioner determines that the demersal shelf rockfish sport fishing regulations must be modified to keep the sport fishery within its allocation, the commissioner may, by emergency order, require one or more of the following management measures:

- (1) reduced bag and possession limits for nonresident anglers;
- (2) repealed 6/17/2018;
- (3) charter operators and crewmembers may not retain demersal shelf rockfish while clients are on board the vessel;
- (4) annual limits for demersal shelf rockfish for nonresident anglers;
- (5) reduce the bag and possession limits for resident anglers;
- (6) repealed 6/17/2018;
- (7) annual limits for demersal shelf rockfish for resident anglers;
- (8) time and area closures.

Except that unless resident sport anglers would otherwise be expected to account for more than 10% of the total all-gear demersal shelf rockfish allowable catch, provision (5) shall not be used to reduce the bag and possession limits for resident anglers to less than 3 demersal shelf rockfish including 1 yelloweye daily and in possession, nor shall provision (7) be invoked, nor provision (8) be applied to resident anglers.

What is the issue you would like the board to address and why? Over the past fifteen years, resident sport anglers have faced increasingly severe restrictions on DSR--specifically for yelloweye which is the most highly-prized species. The general provision resident bag limit found in 5 AAC 47.020 (8)(B) of 5 DSR --including up to 2 yelloweye, has been overridden by ever-more restrictive Emergency Orders every year since 2006. In 2020 the resident sport DSR season was closed throughout all of Southeast. While in times of lowered abundance all non-subsistence user groups should reduce their harvest to some degree, as a quasi-subsistence fishery that provides locals with fresh fish for the table, the resident sportfishery should be among the last to see severe restrictions. DSR abundance estimates did drop significantly 10-25 years ago, and resident sport bag limits were significantly reduced at that time, but the estimated abundance has remained basically flat since 2016 indicating that recent harvest levels are sustainable.

Unlike the non-resident sport effort, the number of resident anglers in Southeast has been stable for decades and shows no indication of increasing. Hence, under a fixed bag limit the total resident harvest should also be stable except as the result of changes in DSR abundance.

PROPOSED BY: Tad Fujioka (EF-F20-111)

PROPOSAL 231

5 AAC 75.006. Harvest record for finfish with annual limit. and 5 AAC 47.060. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

Amend harvest record recording requirements for lingcod, as follows:

LINGCOD

Season: May 16–November 30.

- Charter operators and crew members may not retain lingcod while clients are on board the vessel.

Northern Southeast Lingcod Area:

- Alaska Residents—No size limit: 1 per day, 2 in possession.
- Nonresidents—1 per day, 1 in possession; 30–35 inches or 55 inches and longer, annual limit of 2 fish, one of which is 30–35 inches in length, and one that is 55 inches or greater in length, harvest record required **including the length of the fish in inches.**

Southern Southeast Lingcod Area

- Alaska Residents—No size limit: 1 per day, 2 in possession.
- Nonresidents—1 per day, 1 in possession; 30–45 inches or 55 inches and longer, annual limit of 2 fish, one of which is 30–45 inches in length, and one that is 55 inches or greater in length, harvest record required **including the length of the fish in inches.**

What is the issue you would like the board to address and why? Currently, nonresident anglers in central southeast Alaska (CSEO) are allowed one Lingcod 30-35 inches in length, and one 55 inches or greater annually. For non-resident anglers in southern southeast Alaska (SSEO), the slot limit is 30-45 inches, and one greater than 55 inches in length annually. Upon landing/retention of a Lingcod, anglers must record the date of harvest, the area the fish was caught, and the species

(Lingcod in this instance). The intent of the current regulation is to provide opportunity to retain Lingcod in an effort to stay within the allocation for sport, while simultaneously providing opportunity for anglers to retain trophy Lingcod (55 inches or greater). The state record Lingcod from 2002 was 68.25 inches long (ADFG Trophy Fish Program), so catching a trophy Lingcod that is greater than 55 inches is likely a unique opportunity. The issue is that there is no enforcement mechanism to prevent non-resident anglers from retaining two Lingcod that are within the slot or two that are greater than 55 inches on separate days. I proposed that when a non-resident harvests a Lingcod in all of southeast Alaska, anglers would be additionally required to write the length of the fish on the back of the license. This proposed regulation change is not onerous for non-resident anglers or charter boat captains because they are already required to measure the fish and make a harvest record on the back of the fishing license. The proposed change would provide the Alaska State Wildlife Troopers with an enforcement mechanism to enforce the current size limits, and likely we would see a further reduction in annual sport harvest of Lingcod which translates into opportunities to modify (increase) the restrictive slot limit.

PROPOSED BY: Sitka Fish and Game Advisory Committee (HQ-F20-087)

PROPOSAL 232

5 AAC 28.1XX. New section.

Create a new spiny dogfish pot fishery in Southeast Alaska, as follows:

Create a new Spiny Dogfish pot fishery in Southeast Alaska with regulations as described below to be determined by ADF&G.

What is the issue you would like the board to address and why?

1. Spiny Dogfish are currently an underutilized fishery.
2. In processing Spiny Dogfish nearly all of the carcass is utilized, (including some organs) except the head. When markets are developed this fishery could provide new revenue streams and opportunities for fishers, processors and communities.
3. Spiny Dogfish tend to travel in large dense packs by size and sex. Longline Spiny Dogfish fisheries in British Columbia's Strait of Georgia have resulted in concerns over the inability to fish selectively, resulting in unwanted harvests of fecund females. A pot fishery could resolve those issues by the fact that the fish are harvested live and can be released unharmed, coupled with regulations on:
 - a. Season duration,
 - b. Pot limits
 - c. Tunnel size
 - d. Escapement rings
 - e. legal size retention (slot limits)

- It is important to realize from the outset -this is not a hook-and-line proposal, it is a live capture fishery that is being considered;
- Fish will come up live and can be sorted, sized, sexed, and unwanted catch such as fecund females and bycatch, can be released live, reducing mortality of all discards including bycatch;
- It can be managed by, among other things, tunnel ring size, slot limits and pot limits;

- Spiny Dogfish are an underutilized species -there are not too many species left in that category
- If we leave them alone (unexploited) they will proliferate and become a problem across many fisheries and gear types. They are already a problem in some areas of the west coast.
- It will take marketing to create a demand. Finding markets will have its challenges but if there can be a market for Asian Tilapia raised in sewage treatment pools, surely we can sell whitefish filets from our pristine Alaskan waters.
- U.S. fishermen and processors are no strangers to selling fish into foreign markets and Europe might be a good place to start where they are already consuming similar products;
- There are many similarities between Arrowtooth Flounder and Spiny Dogfish. Arrowtooth went largely unexploited, proliferated, and became a problem. Now steps are being taken to harvest, process and market them. Arrowtooth fillets in a New York supermarket selling at \$12.00 a pound.
- Although there is the possibility to obtain a Commissioner's Permit the process can be cumbersome and daunting to most fishermen, whereas if there is a fishery on the books, fishermen and processors are more likely to take advantage of it.

In summary: Our hope is that by starting a discussion now we may be able to get out ahead of this one, not trying to play catch-up after it has become a problem as with Arrowtooth.

PROPOSED BY: Don Westlund and Larry McQuarrie (HQ-F20-028)
