

**PROPOSAL 278**

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

Include pots as lawful gear for halibut, as follows:

5 AAC 28.051 is amended to read:

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

...

5 AAC 39.145(1) is amended to read:

...

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

...

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

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

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**PROPOSAL 279**

**5 AAC 01.280. Subsistence fishing permits.**

Extend Kuskokwim River subsistence salmon fishing permit sunset date one year, as follows:

5 AAC 01.280(2) is amended to read:

...

(2) the provisions of (1) of this section do not apply after December 31, 2022 [2021].

...

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

Since 2010, king salmon returns to the Kuskokwim River have been below historical averages and some of the lowest on record. These low returns have prompted management restrictions to the Kuskokwim River subsistence salmon fishery. At the August 2015 Kuskokwim Subsistence Salmon Panel meeting (panel) in Bethel, the panel heard testimony from panel members in support of a limited permit system that would allow for the harvest of king salmon during times of conservation.

The Alaska Board of Fisheries (board) met in Anchorage from March 20–24, 2017 to discuss proposals relating to subsistence fishing permits within the Kuskokwim River. The board adopted Proposal 276, establishing a limited permit system in Kuskokwim River waters from the Yukon Delta National Wildlife Refuge boundary at Aniak upstream to the headwaters of the Kuskokwim River. The proposal included a sunset date of December 31, 2021.

The COVID-19 global pandemic shifted the normal Arctic-Yukon-Kuskokwim Alaska Board of Fisheries finfish meeting from January 2022 to January 2023. Therefore, this permit system will expire prior to the regular board meeting, eliminating permits as a management option during years of low king salmon abundance.

**PROPOSED BY:** Alaska Department of Fish and Game. *(formerly known as ACR #3)*  
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**PROPOSAL 280**

**5 AAC 27.865. Bristol Bay Herring Management Plan.**

Extend Bristol Bay Herring Management Plan sunset dates one year, as follows:

5 AAC 27.865 (b) is amended to read:

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(5) after the herring spawn-on-kelp harvest and the Dutch Harbor food and bait fishery have been subtracted, the remaining harvestable surplus is allocated to the Togiak District herring fishery; the department shall manage for a removal of 30 percent of that surplus by the gillnet fleet and 70

percent by the purse seine fleet, except that the allocations in this subsection shall be 20 percent by the gillnet fleet and 80 percent by purse seine fleet through December 31, 2022[2021];

....

(8) through December 31, 2022[2021], if the department's inseason projection of the Togiak District gillnet harvest is less than the guideline harvest level, the commissioner may reallocate 50 percent of the remaining gillnet guideline harvest level to the Togiak District purse seine fleet.

**What is the issue you would like the board to address and why?** In 2018, the Alaska Board of Fisheries (board) adopted Proposal 46 increasing the allocation of harvestable surplus Togiak sac roe herring to the purse seine fleet (80 percent of harvestable surplus) and reducing the gillnet fleet allocation (20 percent of harvestable surplus). In addition, the proposal allowed up to 50 percent of the unharvested gillnet fishery allocation to be reallocated to the purse seine fleet. This was done to provide more opportunity to utilize the annual herring guideline harvest level. Proposal 46 included a sunset date of December 31, 2021. The COVID-19 global pandemic shifted the normal Bristol Bay finfish board meeting schedule to December 2022. Therefore, these provisions will expire prior to the regular board meeting. In adopting the sunset provisions, the board intended to revisit them during the regularly scheduled meeting. This ACR is submitted to provide the board an opportunity to evaluate these sunset provisions at the next in cycle Bristol Bay Finfish meeting, as originally intended.

**PROPOSED BY:** Alaska Department of Fish and Game. *(formerly known as ACR #4)*  
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