

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**[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)
