

PROPOSAL 297

5 AAC 32.053. Operation of other pot gear.

Amend Dungeness crab pot gear operation requirements for Registration Area J, as follows:

5 AAC 32.053 is amended by expanding subsection (e) and adding subsection (f) to read as follows:

(e) The provisions of (b) of this section do not apply to a person or vessel participating in the commercial Pacific cod fisheries described in 5 AAC 28.467 (Kodiak Area), 5 AAC 28.537 (Chignik Area), [OR] 5 AAC 28.577 (South Alaska Peninsula Area), **5 AAC 28.647 (Aleutian Islands Subdistrict), or 5 AAC 28.648 (Dutch Harbor Subdistrict).**

(f) The provisions of (b–d) of this section do not apply to a person or vessel participating in commercial sablefish fisheries in Registration Area J, as described in 5 AAC 32.400.

What is the issue you would like the board to address and why? Commercial Dungeness crab regulations prohibit vessel operators from 1) operating any pot gear in the 14 days prior to a Dungeness crab season opening and 2) from operating any pot gear, other than Dungeness crab pots, during the Dungeness crab season.

An exemption exists in regulation to allow vessel operators in the Kodiak, Chignik, and South Alaska Peninsula Areas to operate pot gear for Pacific cod in the 14 days prior to the Dungeness crab season opening, in recognition that the Pacific cod pot gear and Dungeness crab fisheries both occur at the same time of year (spring) and that some vessels have historically participated in both fisheries. This proposal would extend this exemption to all state-waters Pacific cod pot gear fisheries in Dungeness crab Registration Area J. The current exemption for Kodiak, Chignik, and South Alaska Peninsula Areas has not led to management or enforcement issues; therefore, the department believes that extending this exemption to all districts of Registration Area J would provide additional flexibility to vessel operators and consistency in regulation without adversely affecting fishery management or catch accounting.

Regulations prohibiting the operation of pot gear, other than Dungeness crab pots, by a vessel participating in a Dungeness crab fishery are intended to aid fishery management and catch accounting by allowing a vessel to participate in only one pot gear fishery at a time. These regulations were adopted prior to the advent of pot gear being used in directed sablefish fisheries. Some vessel operators who have historically participated in both Dungeness crab and directed sablefish fisheries concurrently are now unable to use sablefish pot gear due to these regulations. Little spatial overlap exists between Dungeness crab and sablefish habitat and the department believes allowing vessel operators to operate both types of pot gear concurrently in Registration Area J would provide additional flexibility to individual fishing operations without adversely affecting fishery management, bycatch, or catch accounting.

PROPOSED BY: Alaska Department of Fish and Game

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