

ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS ON
COMMERCIAL, PERSONAL USE, SPORT, AND SUBSISTENCE
REGULATORY PROPOSALS
COMMITTEE OF THE WHOLE
FOR THE

ALASKA PENINSULA, ALEUTIAN ISLANDS, BERING SEA,
AND CHIGNIK PACIFIC COD

ALASKA BOARD OF FISHERIES
MEETING
ANCHORAGE, ALASKA

OCTOBER 27–28, 2022



Regional Information Report No. 4K22-09

The following staff comments were prepared by the Alaska Department of Fish and Game (department) for use at the Alaska Board of Fisheries (board) meeting, October 27–28, 2022 in Anchorage, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change, as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

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Weights and measures (metric)		General		Mathematics, statistics	
centimeter	cm	Alaska Administrative Code	AAC	<i>all standard mathematical signs, symbols and abbreviations</i>	
deciliter	dL	all commonly accepted abbreviations	e.g., Mr., Mrs., AM, PM, etc.	alternate hypothesis	H _A
gram	g			base of natural logarithm	<i>e</i>
hectare	ha	all commonly accepted professional titles	e.g., Dr., Ph.D., R.N., etc.	catch per unit effort	CPUE
kilogram	kg	at	@	coefficient of variation	CV
kilometer	km	compass directions:		common test statistics	(F, t, χ^2 , etc.)
liter	L	east	E	confidence interval	CI
meter	m	north	N	correlation coefficient (multiple)	R
milliliter	mL	south	S	correlation coefficient (simple)	r
millimeter	mm	west	W	covariance	cov
		copyright	©	degree (angular)	°
Weights and measures (English)		corporate suffixes:		degrees of freedom	df
cubic feet per second	ft ³ /s	Company	Co.	expected value	<i>E</i>
foot	ft	Corporation	Corp.	greater than	>
gallon	gal	Incorporated	Inc.	greater than or equal to	≥
inch	in	Limited	Ltd.	harvest per unit effort	HPUE
mile	mi	District of Columbia	D.C.	less than	<
nautical mile	nmi	et alii (and others)	et al.	less than or equal to	≤
ounce	oz	et cetera (and so forth)	etc.	logarithm (natural)	ln
pound	lb	exempli gratia (for example)	e.g.	logarithm (base 10)	log
quart	qt	Federal Information Code	FIC	logarithm (specify base)	log ₂ , etc.
yard	yd	id est (that is)	i.e.	minute (angular)	'
		latitude or longitude	lat or long	not significant	NS
Time and temperature		monetary symbols (U.S.)	\$, ¢	null hypothesis	H ₀
day	d	months (tables and figures): first three letters	Jan, ..., Dec	percent	%
degrees Celsius	°C	registered trademark	®	probability	P
degrees Fahrenheit	°F	trademark	™	probability of a type I error (rejection of the null hypothesis when true)	α
degrees kelvin	K	United States (adjective)	U.S.	probability of a type II error (acceptance of the null hypothesis when false)	β
hour	h	United States of America (noun)	USA	second (angular)	"
minute	min	U.S.C.	United States Code	standard deviation	SD
second	s	U.S. state	use two-letter abbreviations (e.g., AK, WA)	standard error	SE
Physics and chemistry				variance	
all atomic symbols				population	Var
alternating current	AC			sample	var
ampere	A				
calorie	cal				
direct current	DC				
hertz	Hz				
horsepower	hp				
hydrogen ion activity (negative log of)	pH				
parts per million	ppm				
parts per thousand	ppt, ‰				
volts	V				
watts	W				

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MEETING
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OCTOBER 27–28, 2022

Alaska Department of Fish and Game
Division of Commercial Fisheries
351 Research Court
Kodiak, AK 99615

October 2022

ABSTRACT

This document contains Alaska Department of Fish and Game (department) staff comments on commercial regulatory proposals for Alaska Peninsula, Aleutian Islands, Bering Sea, and Chignik Pacific cod, sablefish, and groundfish policy. These comments were prepared by the department for use at the Alaska Board of Fisheries meeting, October 27–28, 2022, in Anchorage, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change, as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

Keywords: Alaska Board of Fisheries (board), Alaska Department of Fish and Game (department), staff comments, regulatory proposals, fisheries, commercial, Pacific cod, groundfish, sablefish

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COMMITTEE OF THE WHOLE: Aleutian Islands and Dutch Harbor commercial pacific cod, Bering sea and Aleutian Islands commercial groundfish, Chignik, Alaska Peninsula, Dutch Harbor and Aleutian Islands commercial groundfish, Aleutian Islands commercial sablefish, and statewide groundfish policy (11 PROPOSALS – CHAIR XXX)

**ALEUTIAN ISLANDS SUBDISTRICT PACIFIC COD
MANAGEMENT PLAN (4 PROPOSALS)**

PROPOSAL 1 – Coordinate season opening dates, clarify reporting and landing requirements, and require pot vessels to deliver their catch prior to hauling stored gear after the fishery closure.

5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Clarify and correct an error in regulation related to season opening dates for the Aleutian Island Subdistrict state-waters Pacific cod fishery (AIS) during instances when the parallel “A” season for catcher-vessels greater than or equal to 60 feet overall length (OAL) pot gear fishery does not close prior to March 15.

This proposal also seeks to establish Alaska Standard Time as the basis for all AIS fishery openings and closures as well as specify daily catch reporting requirements. This proposal would additionally require all fishing gear be removed from the water at the time of the fishery closure except that pot gear may be stored with all bait and bait containers removed and pot doors secured open. Further, pot gear vessels would be prohibited from retrieving stored pot gear until all Pacific cod onboard the vessel has been delivered.

WHAT ARE THE CURRENT REGULATIONS? Three season opening date triggers are established for the AIS fishery. The AIS state-waters season first opens on January 1 for vessels 60 feet or less OAL using trawl, pot and jig gear, and vessels 58 feet or less OAL using longline gear in the Adak Section (state waters between 175° and 178° W long (Figure 1)). The second opening allows pot gear vessels 100 feet or less OAL into the fishery four days after the federal Bering Sea and Aleutian Island parallel “A” season for pot gear catcher-vessels greater than or equal to 60 feet OAL fishery closes. This trigger also opens all waters of the AIS to all vessels eligible to fish at that time. The third trigger opens all state waters of the AIS to trawl vessels 100 feet or less OAL and pot vessels 125 feet or less OAL at 12:00 noon on March 15.

There are no regulations that specify landing requirements at the time of fishery closures or procedures for partial offloads during the season. Additionally, the fishery occurs across two time zones however time zones for openings and closures are not specified in regulation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Correct an oversight in regulation stemming from a January 2020 board meeting which inadvertently resulted in a situation where trawl, pot and jig gear vessels 60 feet or less OAL, and longline vessels 58 feet or less OAL could be precluded from fishing outside of the Adak Section during some years. Allowing under 60-foot vessels access to the entire AIS before, or at the time larger sized vessels are allowed into the fishery has been long standing practice and this proposal would ensure this opportunity continues as intended. Absent this change, smaller sized vessels would be disadvantaged and denied equal opportunity to fish within the full AIS at a time when all other eligible vessels have access to the full fishery.

Fishery managers use daily reporting and fish tickets to determine when the GHL will be achieved. Catch accounting relies on fish tickets being accurate and vessels delivering all fish onboard before they begin to operate their gear again. Partial deliveries of groundfish may occur; therefore, this proposal clarifies that all Pacific cod onboard must be delivered before a vessel can start fishing again and that vessels may not operate groundfish gear in between partial deliveries.

Regulations requiring vessels to report pounds of Pacific cod taken and onboard during the AIS state-waters Pacific cod fishery are ambiguous. Clarifying when vessels need to report, what information the department requires, and how vessels can provide fishery reports will assist the department in managing this fishery. Regulations that require all gear to be out of the water at the time of the closure and for all vessels using pot gear to offload all fish onboard before retrieving their stored gear will aid enforcement and catch accounting for this fishery. This proposal would also clarify that fishery opening and closure occur according to Alaska Time.

BACKGROUND: The AIS state-waters Pacific cod fishery was established in 2006. The *Aleutian Islands Subdistrict Pacific Cod Management Plan* is complex and has been influenced by shore processor availability in Adak, overlapping federal fishery management, and changes in Pacific cod availability in other areas of the state. For much of its history, the AIS fishery has been underutilized. Vessel length regulations, opening dates, and seasonal allocations have been modified frequently to balance harvest opportunity across participants while also encouraging full harvest of the GHL.

In January 2020, the board adopted an out of cycle proposal that allowed pot gear vessels between 60 and 100 feet OAL earlier opportunity to enter the AIS fishery than was previously allowed. This action was also intended to open the remainder of the AIS to all eligible fishery participants up to that point but inadvertently removed a provision that would still trigger the full AIS opening for under 60-foot vessels during years when the trigger to open the season to the larger pot gear vessels does not occur. There is no supporting documentation to indicate this was the intent of the board or public.

Although management plan provisions related to access and GHL allocations have been modified nearly every board cycle since inception of the fishery, most other provisions have not been updated over time. The proposed landing and reporting requirements are common management measures across state managed Pacific cod fisheries and currently in regulation for most other regional state-waters fisheries. The AIS fishery is unique in that it also spans two time zones, Alaska and Hawaii-Aleutian time.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional direct cost for the department.

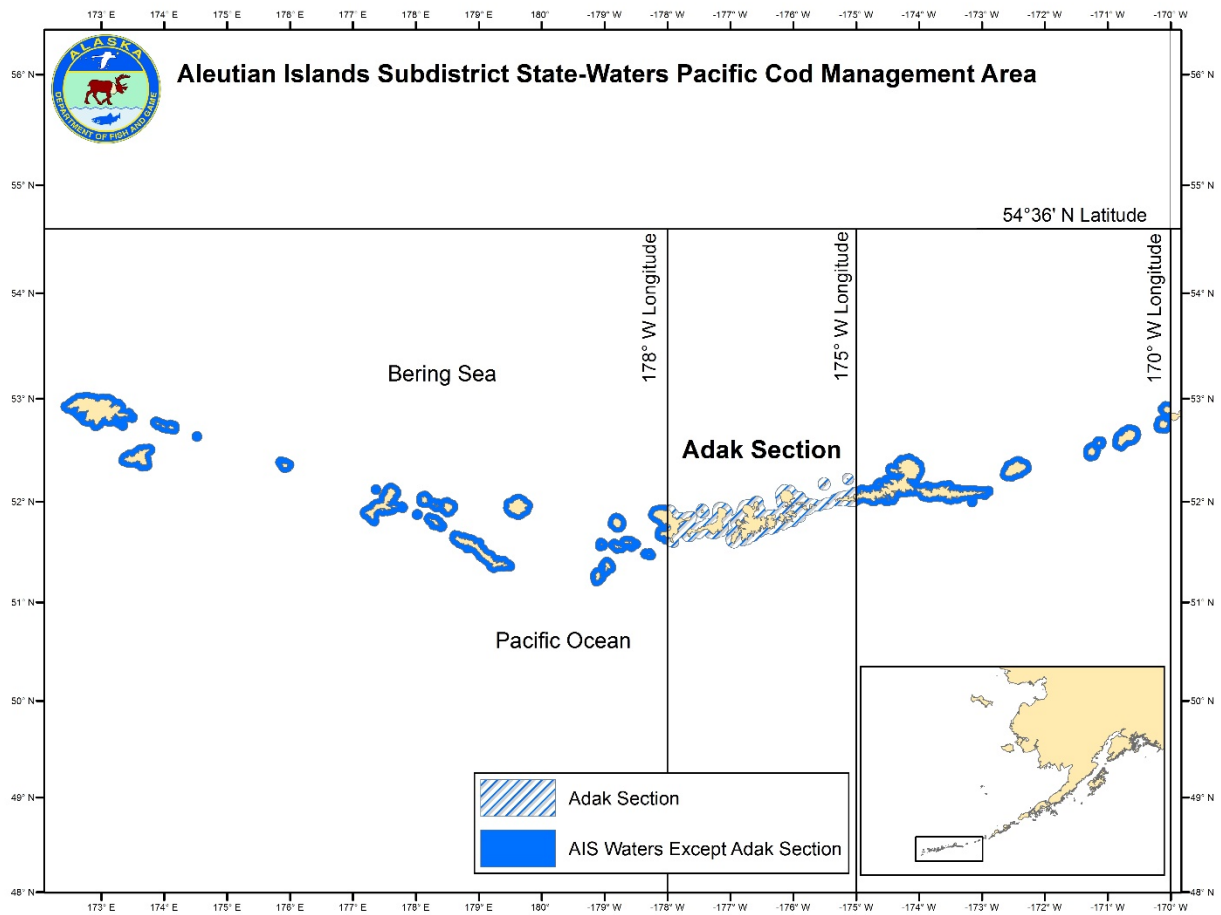


Figure 1.—Map of the Aleutian Islands Subdistrict state-waters Pacific cod fishery management area.

PROPOSAL 2 – Restrict legal gear to pot and mechanical jigging machines, increase pot limit, and limit total harvest by vessels greater than 58 feet in length.

5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

PROPOSED BY: Ronald J Kavanaugh.

WHAT WOULD THE PROPOSAL DO? Open all waters of the Aleutian Islands Subdistrict (AIS), west of 170° W long, on January 1 and limit the fishery to pot vessels 100 feet or less and jig vessels 58 feet or less. Pot vessels would be restricted to operating a total of 120 pots and vessels 59 to 100 feet may not harvest more than 25% of the annual GHL.

WHAT ARE THE CURRENT REGULATIONS? The AIS state-waters season opens January 1 in the Adak Section (state waters between 175° and 178° W long) for vessels 60 feet or less OAL using trawl, pot and jig gear, and vessels 58 feet or less OAL using longline gear. All waters of the Subdistrict west of 170° W long, are open for vessels 60 feet or less OAL fishing nonpelagic trawl gear and mechanical jigging machines, vessels 100 feet or less OAL fishing pot gear, and vessels 58 feet or less OAL fishing longline gear four days after the federal Bering Sea and Aleutian Island parallel “A” season for catcher-vessels greater than or equal to 60 feet OAL pot gear fishery closes. All state waters of the AIS west of 170° W long, open for vessels fishing trawl gear that are 100 feet or less OAL and vessels fishing pot gear that are 125 feet or less OAL on March 15 (Figure 2). The fishery closes when the GHL is achieved or on December 31, whichever occurs first.

In 2019, the AIS state-waters Pacific cod GHL was established at 31% of the federal Aleutian Islands subarea Pacific cod ABC, with a step-up provision increasing the GHL by 4% each subsequent year the GHL is achieved, up to a maximum of 39% or 15 million pounds whichever is lower. If the GHL is not achieved for 2 consecutive years, the GHL will decrease by 4% each following year down to a minimum of 15% of the federal Aleutian Islands ABC.

The GHL is not further allocated by gear type or vessel size, and vessels fishing pot gear do not have pot limits. All vessels, regardless of gear type, may harvest up to 150,000 pounds of Pacific cod per day and may not have more than 150,000 pounds of unprocessed Pacific cod onboard the vessel at any time. The current vessel size limits and season opening dates were last adopted by the board and implemented during the 2020 season.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Trawl, longline, and pot vessels greater than 100 feet OAL would no longer qualify to participate in the AIS state-waters Pacific cod fishery. Based on recent participation, impacts to longline vessels would likely be low. Longline effort is sporadic with catches of generally less than 10 percent of the total annual harvest when longline effort occurs (Figure 3). Trawl vessels have participated in the AIS fishery every year except one since inception. It is unknown how much the AIS contributes to individual vessel fishing portfolios, however, trawl vessels harvested approximately one half of the total annual catch through 2016. In recent years, trawl effort and catch has diminished (Figure 3). Excluding trawl vessels would result in lost revenue for historical harvesters as well as any associated tender or floating processors.

Pot gear vessels would benefit from this proposal. In practice, pot vessels would be allocated the entire AIS GHL given jig gear participation is nominal. It is unknown if pot vessels could fully harvest current GHLS. The proposal does not specify if the 150,000-pound daily limit would remain in effect. Absent the 150,000-pound daily trip limit, some pot vessels have capacity in excess of the 150,000 pound limit which may offset any forgone harvest due to excluding trawl vessels.

If excluded from the AIS, trawl and longline vessels would be restricted to fishing in applicable federal fisheries and the state parallel fishery except within state waters of the Adak Section (between 175° W long and 178° W long) where current vessel length restrictions require vessels fishing with trawl, pot, mechanical jigging machines, and hand troll gear to be 60 feet or less OAL and longline gear to be 58 feet or less OAL.

BACKGROUND: The AIS state-waters Pacific cod fishery was established in 2006 in response to an emergency petition from the community of Adak. The fishery management plan is complex and has been influenced by shore processor availability in Adak, overlapping federal fishery management, and changes in Pacific cod availability in other areas of the state.

For much of its history, the AIS fishery has been underutilized. Since inception in 2006, vessels using longline, trawl, pot, and jig gear have been able to participate. The number of participating vessels and the vessel size for each gear type has varied over time in response to changing regulations with trawl and pot gear being the primary participants (Tables 1, 2, and 3). Only pot and trawl vessels registered for the 2022 AIS fishery, and most vessels were greater than 60 feet OAL (Table 2). The AIS state-waters GHL is not allocated by gear type or vessel size, with the daily harvest limit acting as an equalizer across gear types and vessel sizes. Proportion of harvest by gear type has fluctuated over the history of the fishery. From 2006 to 2016, harvest was mostly proportionate between trawl and pot vessels, averaging 48% and 47% of the total harvest respectively (longline gear accounted for an average of 5% and jig accounted for 0.2% of the harvest annually). From 2018 to 2020, vessels fishing trawl gear harvested approximately 15% and vessels fishing pot gear harvested approximately 83% of the GHL, with most of the pot harvest landed by 58-foot pot vessels before larger vessels qualify to fish each season. (Figure 3). Longline vessels harvested an average of 0.5% of the harvest across recent years, and there has been no jig participation since 2013.

There are currently no pot limits for the AIS state-waters Pacific cod fishery. The regulatory harvest and delivery limit of 150,000 pounds per vessel generally restricts effort and harvest for most vessels regardless of vessel size or gear type. On average, harvest rates for over 60-foot trawl and pot vessel are similar as are harvest rates among pot and trawl vessels in the under 60-foot size category. Over the last five seasons, vessels fishing pot gear have registered an average of 115 pots per vessel (Table 4). Larger pot boats tend to register more pots each year than vessels less than 60 feet (Table 4), however, vessels 58 feet or less using pot gear have, on average, caught a larger percent of the AIS state-waters GHL annually (Table 5). Trends over the past five seasons show that the proportion of GHL harvested by vessels less than 58 feet OAL using pot gear has been decreasing from 75% in 2018 to less than 40% during the current season. In contrast, vessels greater than 58 feet OAL using pot gear have increased the amount of GHL harvested from less

than 10% in 2018 to 39% for the 2022 season (Table 5). Recent closure of a shore-based processor in Adak likely accounts for decline in harvest by smaller pot vessels.

When the state-waters fishery is closed and a federal Pacific cod fishery is open, the state opens a parallel Pacific cod fishery in state waters adjacent to federal waters which adopts most federal fishery regulations and management measures. Parallel seasons are open to the vessel size and gear type open in adjacent federal waters and harvest during a parallel season is deducted from federal total allowable catch. Federal Pacific cod seasons in the Bering Sea and Aleutian Islands subareas open and close by sector for the entire BSAI area. When the federal Aleutian Islands subarea Pacific cod ABC is reached, the Aleutian Islands subarea closes to directed Pacific cod non-Community Development Quota fishing for the rest of the year. State waters between 175° W long and 178° W long are open to fishing during the parallel season with trawl, pot, mechanical jigging machines, and hand troll gear by vessels no more than 60 feet OAL, and to longline gear by vessels no more than 58 feet OAL.

In 2022, the Adak Section of the AIS state-waters Pacific cod fishery opened for small boats on January 1; however, there was no participation until all waters of the AIS opened on January 27. At that time, pot vessels 100 feet or less, trawl and jig vessels 60 feet or less, and longline vessels 58 feet or less could participate in the fishery. Four larger trawl vessels and one large pot vessel entered the fishery on or after March 15. These vessels were registered to fish on average 14 days, whereas pot vessels less than 100 feet and trawlers less than 60 feet were registered to fish on average 63 days.

The prescribed harvest allocation for the state-waters fishery is currently set at 39% of the federal AI Pacific cod ABC although the 2022 GHF was capped by the 15,000,000-million-pound regulatory maximum. A total of 11 vessels have participated to date, including six pot vessels and five trawl vessels (Table 1). The 2022 season is currently open and harvest is confidential.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Should this proposal be adopted, the department recommends the board consider whether the 150,000-pound daily harvest limit and vessel exclusivity provisions should apply to this fishery.

COST ANALYSIS: Approval of this proposal will result in a nominal additional direct cost for a private person to participate in this fishery. Vessels fishing pot gear would be required to pay up to \$180 to purchase buoy tags needed to enforce the proposed 120 pot limit. Approval of this proposal is not expected to result in an additional direct cost for the department.

Table 1.—Aleutian Islands Subdistrict state-waters Pacific cod fishery number of participating vessels by gear type, 2006–2022.

Year	Longline	Jig	Pot	Trawl	Total
2006 ^a	8	0	2	20	30
2007 ^a	7	1	11	20	39
2008 ^{a,b}	9	5	11	22	47
2009 ^a	6	2	3	16	27
2010 ^{a,c}	1	0	3	13	17
2011 ^a	3	0	1	2	6
2012 ^{a,c}	5	3	5	14	27
2013 ^a	1	0	7	5	13
2014 ^a	0	0	4	4	8
2015 ^a	0	0	0	2	2
2016	0	0	0	6	6
2017	0	0	3	0	3
2018 ^c	0	0	8	6	14
2019	0	0	14	4	18
2020	2	0	7	6	15
2021	0	0	8	5	13
2022	0	0	6	5	11

Source: ADF&G fish ticket database.

Note: 2022 AIS fishery ongoing at the time of this meeting.

^a Vessel number is total for both A and B seasons.

^b Two vessels switched gears during the season.

^c One vessel switched gears during the season.

Table 2.—Number of participating vessels by gear type and vessel size in the Aleutian Islands Subdistrict state-waters Pacific cod fishery, 2006–2022.

Year	Longline		Jig		Pot			Trawl		Total vessels
	less than 58 ft	over 58 ft	less than 61 ft	61 to 125 ft	less than 61 ft	61 to 100 ft	101 to 125 ft	less than 61 ft	61 to 100 ft	
2006 ^a	3	5	0	0	0	0	2	3	17	30
2007 ^b	6	1	1	0	1	1	9	7	13	39
2008 ^c	7	2	5	0	2	3	6	5	17	47
2009 ^d	6	0	2	0	0	0	3	7	9	27
2010 ^{e,f}	0	1	0	0	0	0	3	4	9	17
2011	2	1	0	0	0	0	1	0	2	6
2012 ^{c,g}	5	0	3	0	5	0	0	5	9	27
2013	1	0	0	0	7	0	0	1	4	13
2014	0	0	0	0	4	0	0	2	2	8
2015	0	0	0	0	0	0	0	0	2	2
2016 ^g	0	0	0	0	0	0	0	0	6	6
2017	0	0	0	0	3	0	0	0	0	3
2018 ^c	0	0	0	0	6	0	2	5	1	14
2019	0	0	0	0	11	1	2	2	2	18
2020 ^h	2	0	0	0	5	2	0	2	4	15
2021	0	0	0	0	5	3	0	4	1	13
2022	0	0	0	0	2	3	1	1	4	11

Source: ADF&G fish ticket database.

Note: 2022 AIS fishery ongoing at the time of this meeting.

^a No vessel size restrictions. Vessels as big as 175 feet OAL using longline gear and up to 300 feet OAL using pot gear participated in 2006.

^b Vessel length limited to 125 feet or less OAL for pot gear, 100 feet or less OAL for trawl gear, and 58 feet or less OAL for longline and jig gear.

^c Two vessels switched gear types during the season.

^d B season vessel length limited to 60 feet or less OAL for all gear types.

^e One vessel switched gear types during the season.

^f B season vessel length limited to 60 feet or less OAL for all gear types except pot gear vessels greater than 125 feet OAL allowed.

^g Open in the Adak Section for vessels 60 feet or less OAL for trawl, jig, and pot gear and vessels 58 feet or less OAL for longline gear on January 1. Full fishery open to vessels 125 feet or less OAL for pot gear, 100 feet or less OAL for trawl gear, and 58 feet or less OAL for longline and jig gear.

^h Effective February 28, 2020 - Adak Section for vessels 60 feet or less OAL for trawl, jig, and pot gear and vessels 58 feet or less OAL for longline gear on January 1. Full fishery open to vessels 100 feet or less OAL for pot gear, 60 feet or less OAL for trawl and jig gear, and 58 feet or less OAL for longline gear four days after the BSAI parallel “A” season for catcher-vessel greater than or equal to 60 feet pot gear fishery closed. Full fishery open to vessels 125 feet or less OAL for pot gear and 100 feet or less OAL for trawl gear at 12:00 noon on March 15. This fishery is also an exclusive fishery as of January 18, 2020.

Table 3.—Regulation changes involving vessel size and gear type for the Aleutian Islands Subdistrict state-waters Pacific cod fishery, 2006–2020.

Year of Board of Fisheries meeting	Season regulation effective	Vessel size changes	Gear changes
2006 (February)	2006	No limit on vessel size	Legal gear includes pots, jig, hand troll, trawl, and longline
2006 (October)	2007	Pot vessels 125 feet or less, trawl vessels 100 feet or less, longline and jig 58 feet or less	Pot, jig, longline, and trawl less than 60 feet receive 60% of the GHL; large trawl vessels 60 feet to 124.9 feet receive 40% of the GHL.
2008	2009	Vessel size limited to 60 feet or under for B season only	
2010	2010	Pot vessels 125 feet and less allowed in B season after August 1 st	
2011	2012	When only the Adak section is open pot, jig, trawl, hand troll can be no more than 60 feet and longline gear no more than 58 feet	
2020	2020	All waters of the AIS open four days after the federal BSAI parallel “A” season for catcher-vessel greater than or equal to 60 feet pot gear fishery is closed for pot vessels 100 feet or less, trawl and jig vessels 60 feet or less, and longline vessels 58 feet or less All waters of the AIS open 12:00 noon March 15 for trawl gear no more than 100 feet and pot gear no more than 125 feet	

Source: ADF&G Board of Fisheries meeting summaries.

Notes: Only years when regulations changed are noted in the table and all lengths are overall length of the vessel. Fishery designated exclusive for Pacific cod in February 2020.

Table 4.—Average number of pots registered per vessel fishing with pot gear, by year and vessel size in the Aleutian Islands Subdistrict state-waters Pacific cod fishery, 2018–2022.

Year	Less than 60 feet	60 to 100 feet	Greater than 100 feet	Overall Average
2018	63 ^a	0	200	102
2019	85	120	105	91
2020	107	120 ^a	0	109
2021	116	125	116	118
2022	151	140	220	157

Source: ADF&G Aleutian Islands Subdistrict state-waters Pacific cod registration forms.

Note: 2022 AIS fishery ongoing at the time of this meeting.

^a Number of pots fished was not noted on the registration for one vessel this season.

Table 5.—Participating vessels and proportion of GHL harvested by vessels fishing pot gear, by year and vessel size in the Aleutian Islands Subdistrict state-waters Pacific cod fishery, 2018–2022.

Year	Number of Participating Vessels		Proportion of Total Harvest	
	58 feet or under	Over 58 feet	58 feet or under	Over 58 feet
2018	6	2	75%	< 10%
2019	11	3	86%	3%
2020	5	2	63%	< 20%
2021	5	3	53%	37%
2022	2	4	< 40%	39%
Overall Average	6	3	64%	22%

Source: ADF&G fish ticket database.

Note: 2022 AIS fishery ongoing at the time of this meeting.

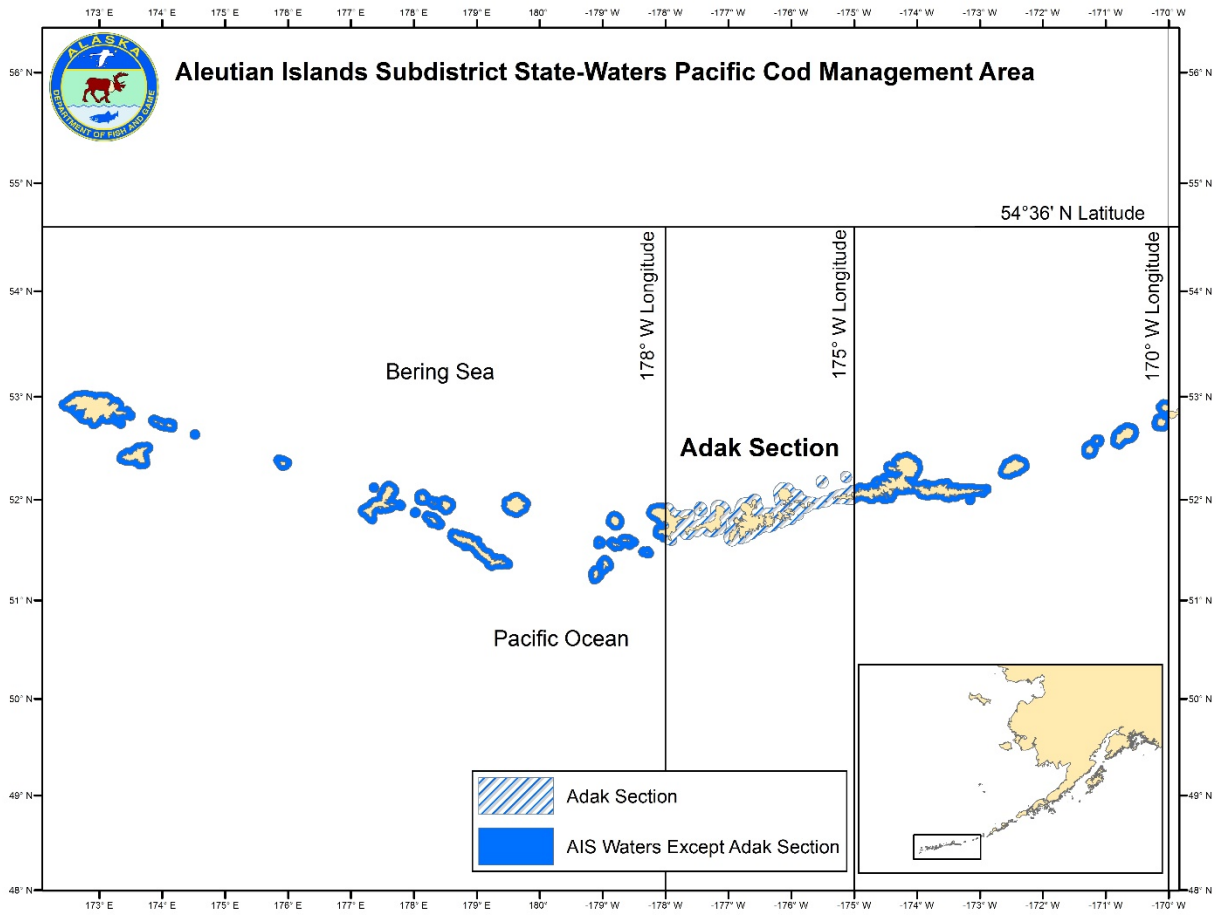


Figure 2.—Map of the Aleutian Islands Subdistrict state-waters Pacific cod fishery management area.

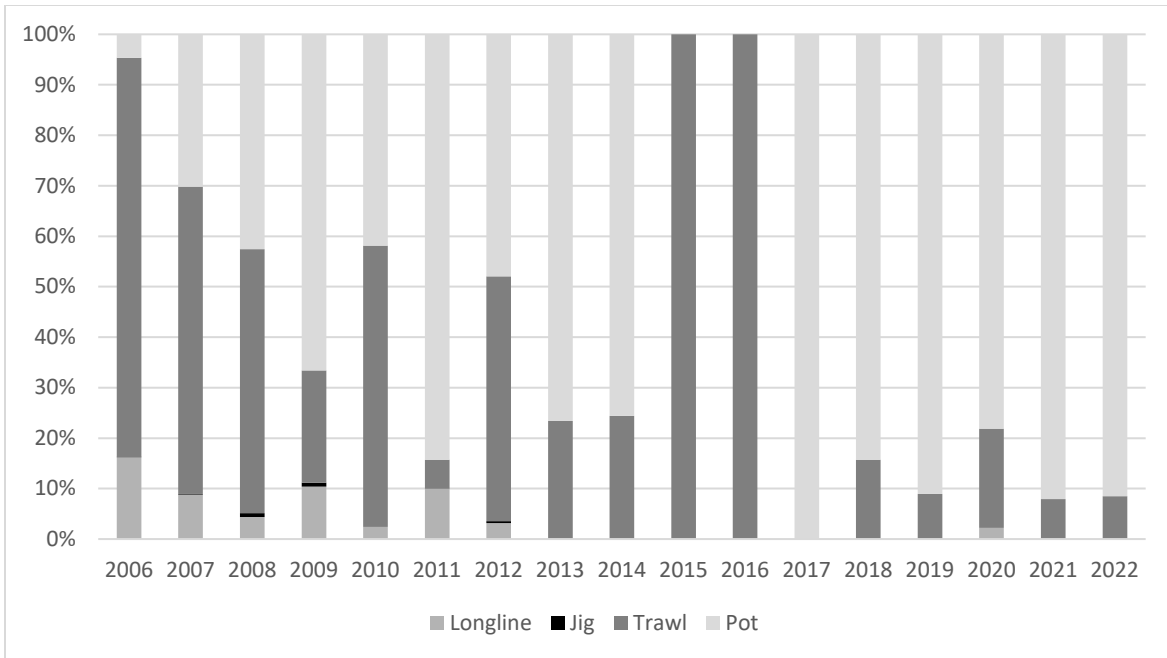


Figure 3.—Proportion of total harvest by gear type in the Aleutian Islands Subdistrict state-waters Pacific cod fishery, 2006–2022. Note: 2022 AIS fishery on-going at the time of this meeting.

PROPOSAL 3 – Change season start date from March 15 to March 1 for trawl gear vessels over 60 feet in length.

5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

PROPOSED BY: Chris Allinson.

WHAT WOULD THE PROPOSAL DO? Amend the *Aleutian Islands Subdistrict state-waters Pacific cod management plan* and move the season date from March 15 to March 1 for trawl vessels greater than 60 feet OAL.

WHAT ARE THE CURRENT REGULATIONS? The AIS state-waters season opens January 1 in the Adak Section (state waters between 175° and 178° W long) for vessels 60 feet or less OAL using trawl, pot and jig gear, and vessels 58 feet or less OAL using longline gear. All waters of the Subdistrict west of 170° W long, are open for vessels 60 feet or less OAL fishing nonpelagic trawl gear and mechanical jigging machines, vessels 100 feet or less OAL fishing pot gear, and vessels 58 feet or less OAL fishing longline gear four days after the federal Bering Sea and Aleutian Island parallel “A” season for catcher-vessels greater than or equal to 60 feet OAL pot gear fishery closes. All state waters of the AIS, west of 170° W long, open for vessels fishing trawl gear that are 100 feet or less OAL and pot gear vessels 125 feet or less OAL at 12:00 noon on March 15 (Figure 4). The fishery closes when the GHL is achieved or on December 31, whichever occurs first.

The AIS GHL is not allocated by gear type or vessel size. All vessels, regardless of gear type, may harvest up to 150,000 pounds of Pacific cod per day and may not have more than 150,000 pounds of unprocessed Pacific cod onboard the vessel at any time. Vessel size limits and season opening dates were last amended in 2020. (Tables 6 and 7).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Given the high frequency of AIS fishery regulatory change over time and variability in processing and market conditions, the effects of this proposal are difficult to assess. In general, this proposal may provide additional harvest opportunity for trawl vessels over 60 feet OAL. During some years, an earlier start may allow trawlers to take advantage of spring spawning aggregations of Pacific cod when trawl gear is most effective. During years when a shore-based processor in the western Aleutians is not operational, allowing trawlers to fish earlier in the season may result in a higher likelihood of achieving the GHL.

Conversely, an earlier start date for trawlers may increase competition for the GHL and reduce fishing opportunity for other gear types, primarily pot gear vessels. Although all vessels are limited to harvesting no more than 150,000 pounds per day, trawl vessels are generally more efficient and capable of harvesting the full daily limit more frequently when Pacific cod density is high.

BACKGROUND: The AIS Pacific cod fishery management plan is complex and has been influenced by shore-based processor availability in Adak, overlapping federal fishery management, and changes in Pacific cod availability in other areas of the state. Season opening and closing dates have been based on the predominant federal sector participating gear type in

each season to maximize opportunity between the state-waters fishery and federal Bering Sea-Aleutian Islands area Pacific cod seasons (Table 6).

The AIS state-waters Pacific cod fishery was established in February 2006 in response to an emergency petition submitted to the board from the community of Adak (Figure 4, Table 7). The 2006 fishery was open to vessels of any size using any gear type with harvest limited to 150,000 pounds per day. At the October 2006 board meeting, the opening date for the 2007 season changed from March 15 to four days after the initial federal Bering Sea-Aleutian Islands catcher-vessel trawl season closure. At that time, the board also limited vessel sizes to vessels 125 feet or less OAL for pot gear, 100 feet or less OAL for trawl gear, and 58 feet or less OAL for longline and jig gear, which is still in current regulations for the overall Subdistrict opening (5 AAC 28.647(d)(3)(b); Tables 6 and 7). The intent of creating the AIS fishery was to incentivize fishing opportunity for smaller sized vessels that deliver catch to local shore-based processors.

For much of its history, the AIS fishery has been underutilized, with the GHL fully achieved in 6 of 17 years (Table 8). Participation has fluctuated over time and is generally low when a processor is not operating in the western Aleutian Islands. Trawl and pot gear vessels have been the primary participants since the inception of the fishery (Table 9). In 2015, the board adopted regulations that opened the season earlier and relaxed vessel size restriction to encourage larger vessels to participate in the fishery in response to seven years of underutilization of the GHL. The fishery was combined into a single season resulting in the current January 1 opening for small vessels in the Adak Section (state waters between 175° and 178° W long) with a full fishery opening west of 170° W long to larger vessels after a triggered opening. An additional, triggered opening of the closure of the federal Aleutian Islands subarea non-CDQ Pacific cod fishery was added in addition to the existing opening triggers four days after the initial federal Bering Sea-Aleutian Islands catcher-vessel trawl season closure or March 15, whichever occurs first (Tables 6 and 7). Even with these changes, participation remained low and the GHL was not achieved in 2016 and 2017 (Tables 8 and 9).

In January 2020, the board again modified the management plan to change the opening dates and added a new trigger opening for pot gear vessels 60 to 100 feet OAL and modified the opening dates such that trawl gear vessels greater than 60 feet and pot vessels less than 125 feet cannot fish prior to March 15 (Tables 6 and 7).

A shore-based processor in Adak began accepting deliveries of Pacific cod towards the end of 2017. In 2018, 2019, and 2020, the full GHL was achieved with more than 75% of the harvest delivered to the shore-based processor in Adak (Table 8). From 2018 to 2020, vessels fishing trawl gear harvested approximately 15% and vessels fishing pot gear harvested approximately 83% of the GHL, with most of the pot harvest landed by 58-foot pot vessels before larger vessels qualify to fish each season. The processor in Adak closed in 2020 resulting in participants having to rely on floating processors and tenders to take deliveries during the 2021 and 2022 seasons. The GHL was achieved in 2021 due to the increased presence of tenders and floating processors in the area. Although the same number of tenders have registered for the current 2022 season (10 tenders registered in 2021 and 2022), there has only been one floating processor participating with most of the harvest landed in Dutch Harbor, Akutan, and King Cove.

Additionally, creation of the Dutch Harbor Subdistrict (DHS) fishery in 2014 combined with substantial declines in Pacific cod abundance in the Gulf of Alaska in 2018 have redistributed state-waters fishing effort away from fisheries in the GOA to the BSAI. This change increased effort and competition among users and reduced season lengths in the DHS and AIS fisheries (Table 6). At that time, AIS was designated nonexclusive for Pacific cod, allowing pot boats 58 feet or less OAL to participate in both the DHS and AIS fisheries during the same season. In December 2019, in response to an ACR, the board modified the management plan and made the AIS state-waters fishery an exclusive registration area for all gear types effective on January 18, 2020 (Table 7).

The GHL for the 2022 season was 15,000,000 pounds (the maximum allowable GHL for this fishery). As of September 1, 2022, a total of 11 vessels have participated during the 2022 season; two pot vessels under 60 feet OAL, three pot vessels between 61 and 100 feet OAL, one pot vessel over 100 feet OAL, one trawl vessel under 60 feet OAL, and four trawl vessels over 60 feet OAL (Table 7). The 2022 season is currently ongoing, and harvest is confidential.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in any additional direct cost for a private person to participate in this fishery nor additional costs to the department.

Table 6.—Aleutian Islands Subdistrict state-waters Pacific cod season dates and duration, 2006–2022.

Year	Season	Location	Season dates		Season duration ^a
			Opened	Closed	
2006	A season	West of 170°W long	03/15/06	03/24/06	10
	B season	West of 170°W long	06/10/06	09/01/06	84
2007	A season	West of 170°W long	03/16/07	03/23/07	8
	B season	West of 170°W long	06/10/07	09/01/07	84
		West of 170°W long	10/01/07	12/03/07	64
2008	A season	West of 170°W long	03/10/08	03/18/08	9
	B season	West of 170°W long	06/10/08	07/09/08	30
2009	A season	West of 170°W long	03/25/09	04/01/09	8
		West of 170°W long	04/07/09	06/09/09	64
	B season	West of 170°W long	06/10/09	09/01/09	84
2010	A season	West of 170°W long	03/16/10	06/04/10	81
	B season	West of 170°W long	06/10/10	09/01/10	84
		West of 170°W long	11/15/10	12/31/10	47
2011	A season	West of 170°W long	03/30/11	04/01/11	3
		West of 170°W long	04/05/11	06/09/11	66
	B season	West of 170°W long	06/10/11	09/01/11	84
		West of 170°W long	10/25/11	12/31/11	68
2012	A season	175° to 178°W long	01/01/12	06/09/12	161
		West of 170°W long	03/04/12	04/01/12	29
		West of 170°W long	04/15/12	06/09/12	56
	B season	West of 170°W long	06/10/12	09/01/12	84
2013	A season	175° to 178°W long	01/01/13	06/09/13	160
		West of 170°W long	03/15/13	04/01/13	18
	B season	West of 170°W long	06/10/13	09/01/13	84
2014	A season	175° to 178°W long	01/01/14	06/09/14	160
		West of 170°W long	03/15/14	06/09/14	87
	B season	West of 170°W long	06/10/14	12/31/14	205
2015	A season	175° to 178°W long	01/01/15	06/09/15	160
		West of 170°W long	03/03/15	06/09/15	99
	B season	West of 170°W long	06/10/15	12/31/15	205
2016	b	175° to 178°W long	01/01/16	12/31/16	366
		West of 170°W long	03/13/16	12/31/16	294

-continued-

Table 6.–Page 2 of 2.

Year	Season	Location	Season dates		Season duration ^a
			Opened	Closed	
2017	b	175° to 178°W long	01/01/17	12/31/17	365
		West of 170°W long	02/27/17	12/31/17	308
2018	b	175° to 178°W long	01/01/18	03/23/18	82
		West of 170°W long	03/08/18	03/23/18	16
2019	b	175° to 178°W long	01/01/19	03/17/19	75
		West of 170°W long	03/15/19	03/17/19	2
2020	b	175° to 178° W long	01/01/20	03/23/20	83
		West of 170° W long	02/20/20	02/27/20	8 ^c
		West of 170° W long	02/28/20	03/23/20	25 ^d
		West of 170° W long	03/15/20	03/23/20	9 ^e
2021	b	175° to 178° W long	01/01/21	04/09/21	99
		West of 170° W long	01/25/21	04/09/21	75 ^d
		West of 170° W long	03/15/21	04/09/21	26 ^e
2022 ^f	b	175° to 178° W long	01/01/22		
		West of 170° W long	01/27/22		
		West of 170° W long	03/15/22		

Source: ADF&G Advisory Announcements and emergency orders.

^a In days.

^b In 2016, regulations changed to only one season for Aleutian Islands Subdistrict state-waters Pacific cod.

^c Open to longline gear no more than 58 feet, jig gear no more than 60 feet, pot gear no more than 125 feet, and trawl gear no more than 100 feet overall length until February 27 at 11:59pm Alaska time.

^d Open to longline gear no more than 58 feet, jig gear no more than 60 feet, pot gear no more than 100 feet, and trawl gear no more than 60 feet overall length.

^e Open to longline gear no more than 58 feet, jig gear no more than 60 feet, pot gear no more than 125 feet, and trawl gear no more than 100 feet overall length.

^f 2022 season ongoing at the time of this meeting.

Table 7.—Regulation changes involving vessel size and gear type for the Aleutian Islands Subdistrict state-waters Pacific cod fishery, 2006–2020.

Year of Board of Fisheries Meeting	Season regulation took effect	Vessel size changes	Gear changes
2006 (February)	2006	No limit on vessel size	Legal gear includes pots, jig, hand troll, trawl, and longline
2006 (October)	2007	Pot vessels 125 feet or less, trawl vessels 100 feet or less, longline and jig 58 feet or less	Pot, jig, longline, and trawl less than 60 feet receive 60% of the GHL; large trawl vessels 60 feet to 124.9 feet receive 40% of the GHL.
2008	2009	Vessel size limited to 60 feet or under for B season only	
2010	2010	Pot vessels 125 feet and less allowed in B season after August 1	
2011	2012	When only the Adak section is open pot, jig, trawl, hand troll can be no more than 60 feet and longline gear no more than 58 feet	
2020	2020	All waters of the AIS open four days after the federal BSAI parallel “A” season for catcher-vessel greater than or equal to 60 feet pot gear fishery is closed for pot vessels 100 feet or less, trawl and jig vessels 60 feet or less, and longline vessels 58 feet or less All waters of the AIS open 12:00 noon March 15 for trawl gear no more than 100 feet and pot gear no more than 125 feet	

Source: ADF&G Board of Fisheries meeting summaries.

Notes: Only years when regulations changed are noted in the table and all lengths are overall length of the vessel. Fishery designated exclusive for Pacific cod in February 2020.

Table 8.—Aleutian Islands Subdistrict state-waters Pacific cod harvest, effort, and processor participation, 2006–2022.

Year	GHL ^a	Harvest ^b	GHL Achieved	Vessels	Landings	Floating Processor(s)		Shore-based Processor(s)		
						Number of floating	Proportion GHL processed	Number of shore-based	Adak Proportion GHL Processed	Dutch Harbor, Akutan, King Cove Proportion GHL processed
2006	12,830,772	8,855,602	N	30	^c 87	8	52%	3	15%	< 5%
2007	11,640,288	11,639,001	Y	39	^c 203	7	45%	3	55%	< 5%
2008	11,640,288	11,719,199	Y	45	^c 193	13	76%	3	24%	< 5%
2009	12,037,116	CF	N	27	97	6	25% to 50%	1	< 25%	-
2010	11,508,012	8,785,685	N	16	^c 88	8	72%	2	< 5%	< 5%
2011	15,542,430	CF	N	6	^c 20	3	< 5%	1	-	< 5%
2012	20,767,332	12,341,027	N	26	^c 226	3	13%	2	25% to 50%	-
2013	20,304,366	CF	N	13	151	-	-	3	50% to 75%	-
2014	17,863,874	CF	N	8	133	1	< 5%	-	-	-
2015	18,029,404	CF	N	2	8	1	< 5%	-	-	-
2016	10,476,259 ^f	CF	N	6	39	2	< 25%	-	-	-
2017	12,797,703	CF	N	3	84	1	25% to 50%	1	< 5%	-
2018	12,798,000	CF	Y	13	132	1	< 5%	1	< 75%	-
2019	14,078,500	13,664,555	Y	18	155	2	< 25%	3	> 75%	< 5%
2020	15,000,000	14,907,703	Y	15	187	1	< 15%	2	> 75%	< 5%
2021	15,000,000	14,777,163	Y	13	170	4	> 95%	1	-	> 5%
2022	15,000,000	CF	N ^g	11	152	1	< 15%	1	-	75% to 100%

Source: ADF&G fish ticket database.

Note: CF = Confidential; Y means yes, GHL achieved; N means no, GHL not achieved; “-“ indicates no participation.

^a In whole fish pounds.

^b ADF&G made 3.5 million pounds of the GHL available to National Marine Fisheries Service effective on September 1.

^c Some vessels participated in both A and B seasons.

^d Overage from the A season was deducted from the B season GHL. Initial GHL shown.

^e A season GHL was not fully harvested, remaining A season GHL rolled over into B season GHL; initial GHL shown.

^f Regulation changed to only one season for Aleutian Island Subdistrict state-waters Pacific cod.

^g Season is still currently open. Data provided is as of 6/15/2022.

Table 9.—Aleutian Islands Subdistrict state-waters Pacific cod fishery number of participating vessels by gear type, 2006–2022.

Year	Longline	Jig	Pot	Trawl	Total
2006 ^a	8	0	2	20	30
2007 ^a	7	1	11	20	39
2008 ^{a,b}	9	5	11	22	47
2009 ^a	6	2	3	16	27
2010 ^{a,c}	1	0	3	13	17
2011 ^a	3	0	1	2	6
2012 ^{a,c}	5	3	5	14	27
2013 ^a	1	0	7	5	13
2014 ^a	0	0	4	4	8
2015 ^a	0	0	0	2	2
2016	0	0	0	6	6
2017	0	0	3	0	3
2018 ^c	0	0	8	6	14
2019	0	0	14	4	18
2020	2	0	7	6	15
2021	0	0	8	5	13
2022	0	0	6	5	11

Source: ADF&G fish ticket database.

Note: 2022 AIS fishery ongoing at the time of this meeting.

^a Vessel number is total for both A and B seasons.

^b Two vessels switched gears during the season.

^c One vessel switched gears during the season.

Table 10.—Number of participating vessels by gear type and vessel size in the Aleutian Islands Subdistrict state-waters Pacific cod fishery, 2006–2022.

Year	Longline		Jig		Pot			Trawl		Total vessels
	less than 58 ft	over 58 ft	less than 61 ft	61 to 125 ft	less than 61 ft	61 to 100 ft	101 to 125 ft	less than 61 ft	61 to 100 ft	
2006 ^a	3	5	0	0	0	0	2	3	17	30
2007 ^b	6	1	1	0	1	1	9	7	13	39
2008 ^c	7	2	5	0	2	3	6	5	17	47
2009 ^d	6	0	2	0	0	0	3	7	9	27
2010 ^{e,f}	0	1	0	0	0	0	3	4	9	17
2011	2	1	0	0	0	0	1	0	2	6
2012 ^{c,g}	5	0	3	0	5	0	0	5	9	27
2013	1	0	0	0	7	0	0	1	4	13
2014	0	0	0	0	4	0	0	2	2	8
2015	0	0	0	0	0	0	0	0	2	2
2016 ^g	0	0	0	0	0	0	0	0	6	6
2017	0	0	0	0	3	0	0	0	0	3
2018 ^c	0	0	0	0	6	0	2	5	1	14
2019	0	0	0	0	11	1	2	2	2	18
2020 ^h	2	0	0	0	5	2	0	2	4	15
2021	0	0	0	0	5	3	0	4	1	13
2022	0	0	0	0	2	3	1	1	4	11

Source: ADF&G Aleutian Islands Subdistrict state-waters Pacific cod registration forms.

^a No vessel size restrictions. Vessels up to 175 feet OAL using longline gear and 300 feet OAL using trawl gear participated in 2006.

^b Vessel length limited to 125 feet or less OAL for pot gear, 100 feet or less OAL for trawl gear, and 58 feet or less OAL for longline and jig gear.

^c Two vessels switched gear types during the season.

^d B season vessel length limited to 60 feet or less OAL for all gear types.

^e One vessel switched gear types during the season.

^f B season vessel length limited to 60 feet or less OAL for all gear types except pot gear vessels greater than 125 feet OAL allowed.

^g Open in the Adak Section for vessels 60 feet or less OAL for trawl, jig, and pot gear and vessels 58 feet or less OAL for longline gear on January 1. Full fishery open to vessels 125 feet or less OAL for pot gear, 100 feet or less OAL for trawl gear, and 58 feet or less OAL for longline and jig gear.

^h Effective February 28, 2020 - Adak Section for vessels 60 feet or less OAL for trawl, jig, and pot gear and vessels 58 feet or less OAL for longline gear on January 1. Full fishery open to vessels 100 feet or less OAL for pot gear, 60 feet or less OAL for trawl and jig gear, and 58 feet or less OAL for longline gear four days after the BSAI parallel “A” season for catcher-vessel greater than or equal to 60 feet pot gear fishery closed. Full fishery open to vessels 125 feet or less OAL for pot gear and 100 feet or less OAL for trawl gear at 12:00 noon on March 15. This fishery is also an exclusive fishery as of January 18, 2020.

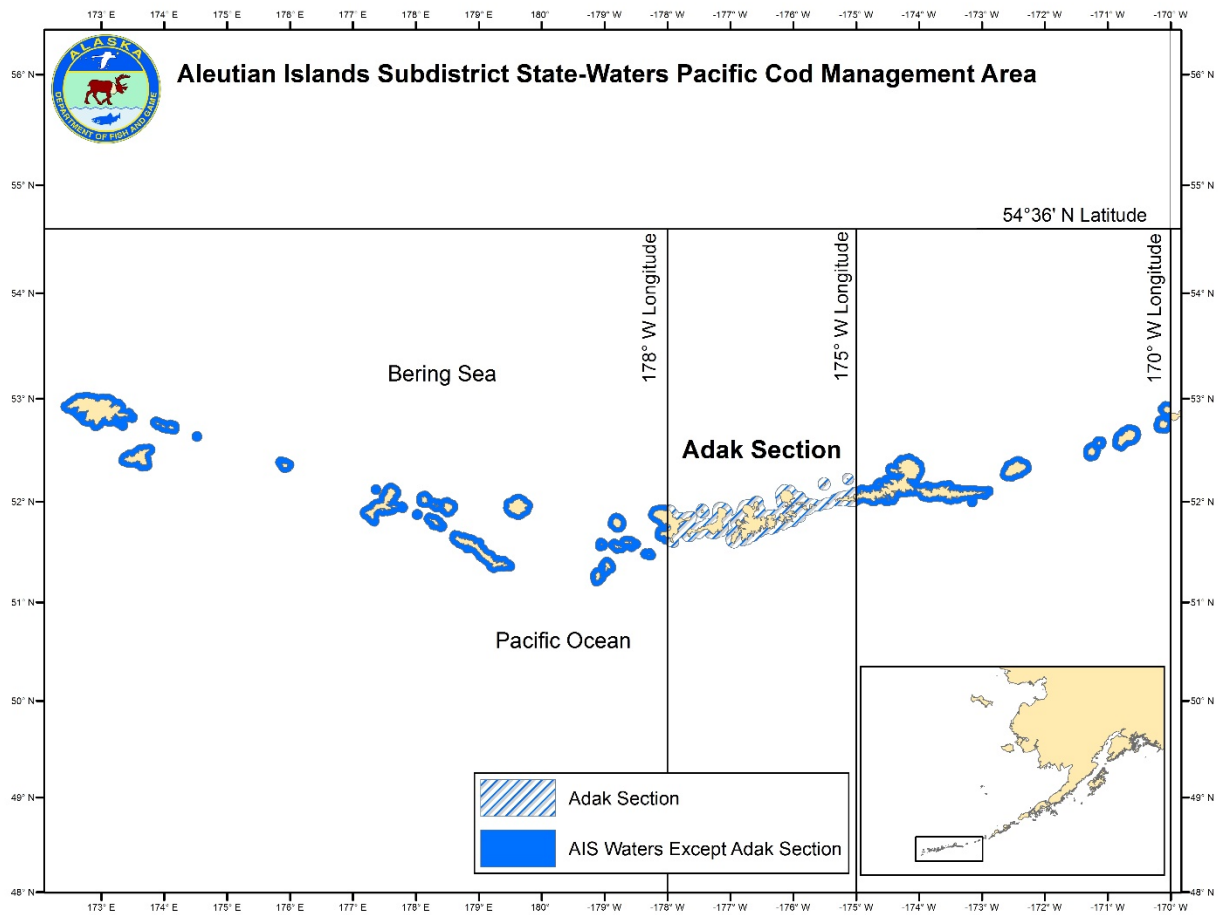


Figure 4.—Map of the Aleutian Islands Subdistrict state-waters Pacific cod fishery management area.

PROPOSAL 4 – Change season start date from March 15 to March 1 for trawl gear vessels over 60 feet in length.

5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

PROPOSED BY: Steve Beard.

WHAT WOULD THE PROPOSAL DO? Amend Aleutian Islands Subdistrict state-waters Pacific cod management plan and move the season date from March 15 to March 1 for trawl vessels greater than 60 feet OAL.

This proposal is identical in scope and intent to Proposal 3.

WHAT ARE THE CURRENT REGULATIONS? See comments for Proposal 3.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? See comments for Proposal 3.

BACKGROUND: See comments for Proposal 3.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in any additional direct cost for a private person to participate in this fishery nor additional costs to the department.

DUTCH HARBOR SUBDISTRICT PACIFIC COD MANAGEMENT PLAN (2 PROPOSALS)

PROPOSAL 5 – Reduce maximum allowable vessel size to 55 feet in length inside state waters near Unalaska Bay.

5 AAC 28.648. Dutch Harbor Subdistrict Pacific Cod Management Plan.

PROPOSED BY: Unalaska Native Fishermen’s Association.

WHAT WOULD THE PROPOSAL DO? Prohibit pot gear vessels 55 feet or greater OAL from participating in the Dutch Harbor Subdistrict (DHS) state-waters Pacific cod fishery around Unalaska Bay between Priest Rock 53° 45.87' N lat, 166° 59.25' long and Bishop Point 53° 58.42' N lat, 166° 57.00' W long, encompassing all waters of statistical areas 665403 and 665335.

WHAT ARE THE CURRENT REGULATIONS? The DHS includes state-waters of the Bering Sea east of 170° W long, west of 162° 30.00' W long, south of 55° 30' N lat, and north of 53° 06.11' N lat (Figure 5). Only pot gear vessels 58 feet or less OAL may participate in the state-waters fishery, and no more than 60 pots may be operated by a vessel. Other than closure areas for the protection of Steller sea lions, there are no restrictions on where vessels can fish within the subdistrict. Statistical area 665335 is currently closed to vessels fishing with pelagic and nonpelagic trawl gear in the parallel Pacific cod season.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Restricting vessel length in this area may reduce gear interactions with vessels participating in the parallel groundfish fisheries while the DHS state-waters season is open.

BACKGROUND: In 2013, the board adopted the *Dutch Harbor Subdistrict state-waters Pacific Cod Management Plan* for vessels, 58 feet or less OAL fishing pot gear, with the first state-waters season occurring in 2014. During the 2014 and 2015 seasons, the DHS was limited to state-waters of the Bering Sea between 164° W long and 167° W long. In 2015, the board expanded waters of the DHS to include most state-waters of the Bering Sea between 164° W long and 170° W long. In 2018, the board further expanded the eastern boundary to 162° 30' W long (Figure 5).

The GHF is based on a percentage of the federal Bering Sea Subarea Pacific cod ABC and the season opens seven days after closure of the federal BSAI season for longline and pot gear catcher vessels less than 60 feet OAL. The state-waters GHF has been achieved every year since the inception of the fishery. From 2014 through 2021, annual harvest averaged about 28 million pounds of Pacific cod. Exvessel value averaged \$9.9 million and an average of 27 vessels annually participated in the fishery (Table 11). The state-waters season for pot gear generally starts in late January/early February and the season remains open for 50 days on average.

Annually, 96% of the DHS pot fleet consists of vessels greater than 55 feet OAL (Table 12), with only one vessel under 55 feet OAL participating annually since 2015. The proposed restricted area would include all waters of statistical areas 665403 and 665335, where limited effort and minimal harvest has occurred (Table 13). Less than 5% of the GHF has been harvested annually within

these two statistical areas, except for the 2014 and 2015 seasons, when the subdistrict encompassed a smaller area (Table 13).

Two distinct Pacific cod fisheries can occur within state waters of the DHS simultaneously: the parallel Pacific cod fishery and the state-waters DHS Pacific cod fishery. Parallel seasons are open to the same vessel size and gear type open in adjacent federal waters with harvest deducted from federal total allowable catch. During the DHS state-waters season, the parallel fishery for vessels 60 feet or less OAL fishing pot gear is closed but parallel Pacific cod fisheries for other gear types and vessel sizes are often open, allowing larger vessels fishing pot gear and vessels fishing other gear types to be fished inside DHS concurrently. Since the DHS state-waters fishery began, parallel fishery participation has occurred within the greater subdistrict as well as within statistical areas 665403 and 665335 (Table 14). Within statistical areas 665403 and 665335 the only parallel Pacific cod harvest that has occurred concurrent to the DHS season was by vessels under 60 feet OAL operating longline gear, with an average of two vessels harvesting each season (Table 14).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in any additional direct cost for a private person to participate in this fishery nor additional costs to the department.

Table 11.—Dutch Harbor Subdistrict state-waters Pacific cod effort, guideline harvest level (GHL), harvest, and exvessel value for pot gear, by year, 2014–2022.

Year	Vessels	Landings	GHL (pounds)	Harvest (pounds)	Price per pound	Exvessel value
2014	16	205	17,863,874	17,666,510	\$0.28	\$5,006,797
2015	14	183	18,029,404	17,636,103	\$0.27	\$4,763,751
2016	24	421	35,979,072	35,519,920	\$0.28	\$9,846,051
2017	24	349	33,721,562	33,247,414	\$0.30	\$10,067,240
2018	32	286	28,360,000	29,055,603	\$0.41	\$11,817,047
2019	37	431	31,922,600	32,345,033	\$0.45	\$14,182,650
2020	40	569	30,927,000	30,928,649	\$0.43	\$13,068,227
2021	29	412	27,292,000	27,585,848	\$0.39	\$10,328,249
2022 ^a	29	543	37,196,000	34,864,687	\$0.47	\$16,079,482
Avg.	27	378	29,032,390	28,761,085	\$0.36	\$10,573,277

Source: ADF&G fish ticket database.

^a The 2022 DHS season is ongoing. Data as of 7/6/2022.

Table 12.—Number of vessels fishing pot gear by overall vessel length in the Dutch Harbor Subdistrict state-waters Pacific cod fishery, 2014–2022.

Year	Less than 56 ft	56 to 58 ft	Total vessels
2014	1	15	16
2015	1	13	14
2016	1	23	24
2017	1	23	24
2018	1	31	32
2019	1	36	37
2020	1	39	40
2021	2	27	29
2022 ^a	1	28	29

Source: ADF&G Dutch Harbor Subdistrict state-waters Pacific cod registration forms.

^a The 2022 DHS season is ongoing. Data as of 9/6/2022.

Table 13.—Number of vessels fishing pot gear by overall vessel length category harvesting within statistical areas 665335 and 665403 during the Dutch Harbor Subdistrict state-waters Pacific cod fishery, 2014–2022.

Year	Less than 56 ft	56 to 58 ft	Total vessels	Proportion of harvest in 665335 & 665403
2014	1	3	4	31%
2015	1	3	4	8%
2016	0	4	4	2%
2017	0	3	3	2%
2018	0	1	1	CF
2019	0	2	2	CF
2020	0	5	5	4%
2021	1	2	3	3%
2022 ^a	0	3	3	3%

Source: ADF&G fish ticket database.

Notes: CF = confidential data

^a The 2022 DHS season is ongoing. Data as of 9/6/2022.

Table 14.—Number of vessels by gear type fishing parallel Pacific cod within statistical areas 665335 and 665403 while the Dutch Harbor Subdistrict state-waters Pacific cod fishery is open, 2014–2022.

Year	Longline
2014	5
2015	3
2016	1
2017	3
2018	1
2019	4
2020	3
2021	1
2022 ^a	1
Average	2

Source: ADF&G fish ticket database.

Notes: Data does not include discards at sea

^a The 2022 DHS season is ongoing. Data as of 9/6/2022.

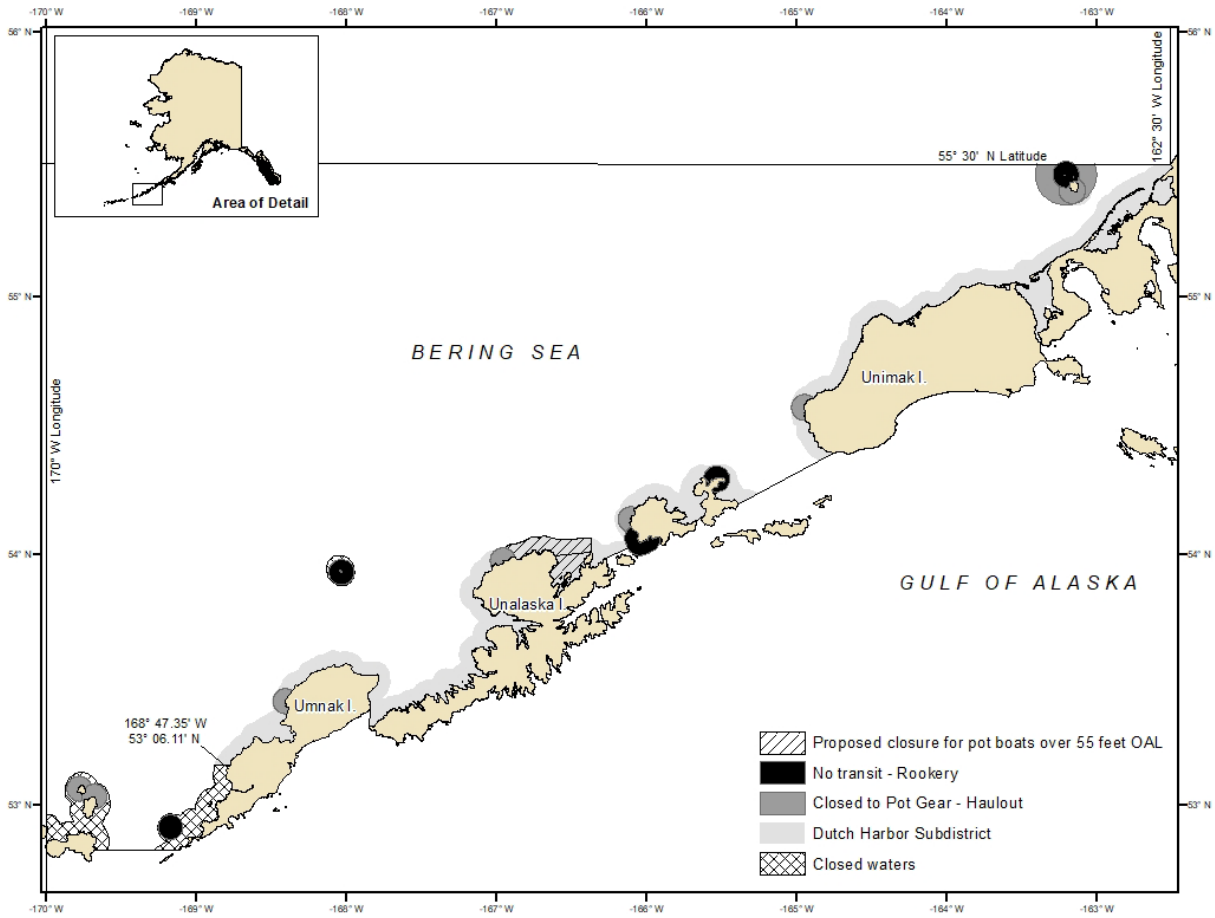


Figure 5.—Map of current boundaries and proposed restricted area for participating vessels fishing pot gear that are greater than 55 feet OAL during the Dutch Harbor Subdistrict state-waters Pacific cod fishery.

PROPOSAL 6 – Establish new framework for setting annual state-waters Pacific cod GHLS.

5 AAC 28.648. Dutch Harbor Subdistrict Pacific Cod Management Plan.

PROPOSED BY: Aleutian Pribilof Island Community Development Association, Bristol Bay Economic Development Corporation, Coastal Villages Region Fund, and Yukon Delta Fisheries Development Association.

WHAT WOULD THE PROPOSAL DO? Create a 5-tier abundance-based allocation framework for setting the DHS Pacific cod GHL. The lowest GHL allocation would be 10% of the federal Bering Sea Subarea Pacific cod ABC and the maximum GHL allocation would be 44,092,400 pounds (20,000 mt). A step-down provision of 1% would additionally be implemented each season the GHL is not achieved when the federal ABC is increasing or static, to a minimum of 10%. The GHL would only increase with corresponding increase of an ABC biomass tier, to a maximum of 44,092,400 pounds. Proposed tiers and GHL allocation modifiers as follows:

Tier	Federal Bering Sea Pcod ABC (metric tons)	Federal Bering Sea Pcod ABC Biomass (millions of pounds)	Maximum Proportion Allocated to DHS state-waters GHL
1	< 100,000 mt	< 220.5	10%
2	100,000–124,999	220.5–275.6	11%
3	125,000–149,999	275.6–330.7	12%
4	150,000–153,845	330.7–339.2	13%
5	≥ 153,846	≥ 339.2	44,092,400-pound cap

ABC Tier Level Change	GHL Achieved	GHL Allocation Modifiers (step-downs)
↑	Yes	Increase according to tier to a maximum of 13% or 44,092,400 pounds, whichever is less
↑	No	No increase according to tier; Decrease 1% based on fishery performance to a minimum of 10%
↓	Yes	Decrease according to tier
↓	No	Decrease according to tier
—	Yes	No change from previous season(s)
—	No	If abundance increases within a tier: Decrease 1% based on fishery performance to a minimum of 10% If abundance decreases within a tier: No change from previous season(s)

WHAT ARE THE CURRENT REGULATIONS? The DHS state-waters Pacific cod pot fishery GHL was set at 8% of the federal Bering Sea Subarea Pacific cod ABC beginning with the 2019 season. If the GHL is achieved during a calendar year, the GHL allocation increases by 1% of the ABC for the subsequent calendar year. The GHL increases by an additional 1% of the federal ABC each year the GHL is achieved up to a maximum of 15% of the ABC. The 2022 DHS GHL was set at 11% of the federal ABC. There is no maximum GHL for this fishery beyond the 15% allocating limit nor is there a stepdown provision to reduce the GHL if the full GHL from the previous year is not achieved.

The DHS is an open access fishery. Pot gear vessels 58 feet or less OAL may participate in the fishery. No more than 60 pots may be operated by a vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would result in GHLs that are more responsive to changes in Bering Sea Pacific cod biomass and provide some predictability as to maximum size of the DHS fishery. Future GHLs would be capped at 13% of the Bering Sea Pacific cod ABC, 2% lower than the maximum rate of 15% currently allowed in regulation. The proposed maximum harvest cap would prevent the GHL from increasing when Pacific cod biomass exceeds 339,200,000 pounds. There are no provisions in the proposal that would allow for an increase in harvest rate based solely on achievement of the GHL, as is currently allowed in regulation. As proposed, the GHL would increase only when there is an increase in federal ABC and the GHL was achieved the previous season. Any change to the GHL, higher or lower than status quo, would result in a corresponding increase or decrease in TAC for federal participants.

The proposed GHL cap is higher than any GHL previously established for the DHS (Table 15). In the short term, this proposal could result in higher GHLs than would be allowed under current regulation. Conversely, under prevailing biomass levels and DHS fishery effort, this proposal could result in lower GHLs beginning in 2024 when current regulation would potentially allow for a 14% GHL allocation. Maximum fishing capacity for the DHS fleet is generally unknown and therefore it's unknown if the current, or proposed, maximum limits would be achieved.

As proposed, if the GHL is not achieved in the first year, the GHL allocation would be debited 1% the following year (unless there is a step down in tier level due to decreased abundance). It's possible that due to the proposed fishery performance modifiers, the GHL could be reduced and become stranded below the maximum prescribed limits, even during periods of high biomass.

The proposed tier system could result in shorter or longer state-water seasons depending on annual Pacific cod ABC. The current timing of the DHS season generally corresponds with Pacific cod spawn timing in the Bering Sea. The effects of concentrating removals inside state waters of the DHS versus in federal waters on the overall productivity of the stock are unknown. Extending season lengths past the spawning period may have the effect of splitting the season into the initial mid-winter fishery when Pacific cod are spawning, followed by a period of low or no effort during spring/summer months when boats would likely move to more productive fisheries then return to fish DHS in fall when the Pacific cod start aggregating again prior to spawning in winter. Leaving the season open would effectively close state waters to parallel fishing by vessels 60 feet or less

OAL fishing pot gear. Additionally, extending season lengths beyond the spawning period could result in lower product recovery for processors and potentially lower prices for harvesters.

BACKGROUND: The *Dutch Harbor Subdistrict state-waters Pacific Cod Management Plan* was first adopted in 2013 and the first state-waters season occurred in 2014. The current management plan allocates a proportion of the federal Bering Sea Subarea Pacific cod ABC to the DHS GHL, allowing the GHL to fluctuate, in part, with Pacific cod abundance in addition to fishery performance. The initial GHL for the Dutch Harbor Subdistrict was based on 3% of the combined federal Bering Sea Subarea and Aleutian Islands Subarea ABC (Table 15). In 2014, the NPFMC adopted separate Pacific cod ABCs for the Bering Sea and Aleutian Islands subareas in response to genetic differences across the two stocks and declining Aleutian Islands Pacific cod abundance. In 2015, the board modified the DHS Pacific cod management plan in accordance with the federal change to ensure the DHS GHL was based exclusively on the Bering Sea Subarea ABC and increased the allocation to 6.4% of the Bering Sea Subarea ABC. In 2018, the board adopted the current management plan which set the allocation for the 2019 DHS Pacific cod fishery at 8% of the Bering Sea Subarea ABC with a step-up provision of 1% each year the GHL is achieved to maximum of 15% of the Bering Sea Subarea ABC (Tables 15 and 16). Once the final step up is achieved, the GHL will remain fixed at 15% of the federal ABC regardless of biomass trends or state-waters fishery performance.

The federal BSAI Pacific cod TAC is subdivided across 11 harvesting sectors (Table 17). Since 1999, each federal harvesting sector has received a separate allocation of Pacific cod TAC. Any increase in the state-waters GHL proportionally reduces the federal TAC across all federal harvesting sectors to ensure the combined state and federal allocations do not exceed the overall ABC. Most federal Pacific cod fisheries are divided into A (opening January 1) and B seasons (opening September 1); except for the under 60-foot OAL pot gear-longline (hook and line) sector that receives one initial allocation on January 1 and subsequent harvest opportunities rely on reallocation of unused federal TAC from other sectors. The DHS state-waters season for pot gear opens seven days after closure of the federal BSAI season for longline and pot gear catcher vessels less than 60 feet OAL. The state-waters season for pot gear generally starts in late January/early February and the season remains open for 50 days on average.

Two distinct Pacific cod fisheries can occur within state waters of the DHS: the parallel Pacific cod fishery, and the state-waters DHS Pacific cod fishery. Parallel seasons are open to the same vessel size and gear type (harvesting sectors) that are open in adjacent federal waters, with harvest deducted from federal TAC. When a state-waters fishery is open, the parallel fishery is closed for the vessel length and gear type occurring in the state-waters fishery. Approximately 1% of the overall federal TAC is harvested annually during parallel seasons. Harvesters in the federal under-60 foot OAL pot gear sector are mainly the same participants in the DHS state-waters Pacific cod fishery (Table 16).

The state-waters GHL has been achieved every year since the inception of the fishery with annual state-waters fishery harvest averaging 28.8 million pounds of Pacific cod (Table 18). Vessel participation has ranged between 14 and 40 vessels, with 29 vessels participating in the most recent two seasons. The 2022 GHL was set at 37,196,000 pounds and as of September 10, 2022, 95% of

the GHL has been harvested. At 37 million pounds, the 2022 DHS state-waters fishery was the fourth largest Pacific cod fishery in the state.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 15.—Bering Sea Subarea Pacific cod ABC apportionment and proposed state-waters allocations for comparison, in pounds, by year, 2014–2022.

Year	Federal Pacific cod Bering Sea biomass estimates		State-waters (GHL) under current regulations		State-waters (GHL) under proposed - tier system		
	ABC (pounds)	ABC (metric tons)	Percent of ABC	GHL (pounds)	Percent of ABC	Calculated GHL (pounds)	Maximum GHL (pounds)
2014	562,173,000	255,000	3%	17,863,874	^a 13%	73,082,490	44,092,400 ^c
2015	562,173,000	255,000	3%	18,029,404	^a 13%	73,082,490	44,092,400 ^c
2016	562,173,000	255,000	6.4%	35,979,072	^b 13%	73,082,490	44,092,400 ^c
2017	526,899,400	239,000	6.4%	33,721,562	^b 13%	68,496,922	44,092,400 ^c
2018	443,124,600	201,000	6.4%	28,360,000	^b 13%	57,606,198	44,092,400 ^c
2019	399,032,600	181,000	8%	31,922,600	^b 13%	51,874,238	44,092,400 ^c
2020	343,637,616	155,873	9%	30,927,000	^b 13%	44,672,890	44,092,400 ^c
2021	272,940,503	123,805	10%	27,292,000	^b 11%	30,023,455	30,023,455
2022	338,148,162	153,383	11%	37,196,000	^b 13%	43,959,261	43,959,261
Ave	445,589,098	202,118	7%	29,032,390	13%	57,320,048	42,514,391

Source: Annual federal rule (Table 1) harvest specifications and ADF&G fish ticket database.

^a GHL established based on combined federal Bering Sea and Aleutian Islands ABC

^b GHL established based on federal Bering Sea ABC

^c Under proposed 5-tier process, the GHL would have been capped at 44,092,400 pounds

Table 16.—Dutch Harbor Subdistrict pot gear Pacific cod harvest during state-waters and parallel fisheries, in pounds, as a percent of the ABC, by year, all gear combined, 2014–2022.

Year	Bering Sea ABC (pounds)	State-waters (GHL)			Parallel (TAC)			State-waters and parallel		
		Vessels	Harvest (pounds)	Percent of ABC	Vessels	Harvest (pounds)	Percent of ABC	Vessels	Harvest (pounds)	Percent of ABC
2014	562,173,000	16	17,666,510	3.1%	26	9,091,342	1.6%	42	26,757,852	4.7%
2015	562,173,000	14	17,636,103	3.1%	52	8,254,027	1.5%	66	25,890,130	4.6%
2016	562,173,000	24	35,519,920	6.3%	44	6,859,949	1.2%	68	42,379,869	7.5%
2017	526,899,400	24	33,247,414	6.3%	56	6,371,313	1.2%	80	39,618,727	7.5%
2018	443,124,600	32	29,055,603	6.6%	55	7,733,375	1.8%	87	36,788,978	8.4%
2019	399,032,600	37	32,345,033	8.1%	65	8,430,722	2.1%	102	40,775,755	10.2%
2020	343,637,616	40	30,928,649	9.0%	61	4,749,525	1.4%	101	35,678,174	10.4%
2021	272,940,503	29	27,585,848	10.1%	41	1,750,428	0.6%	70	29,336,276	10.8%
2022 ^a	338,148,162	29	34,864,687	10.3%	20	2,431,891	0.7%	49	37,296,578	11.0%
Ave.	531,308,600	22	28,761,085	7.0%	47	6,185,841	1.0%	74	34,946,927	8.0%

Source: Federal harvest specifications and ADF&G fish ticket database.

^a Season is currently open. Data is as of 7/6/2022.

Table 17.—Bering Sea–Aleutian Islands federal Pacific cod harvesting sectors and TAC allocations, 2022.

BSAI federal Pacific cod harvesting sectors	2022 TAC allocations (%)	2022 TAC (pounds)
Bering Sea CDQ	NA	32,191,569
Aleutian Islands CDQ	NA	3,253,990
Longline catcher processor	48.7%	143,358,524
Longline catcher vessel \geq 60 ft	0.2%	588,628
Pot catcher processor	1.5%	4,415,814
Pot catcher vessel \geq 60 ft	8.4%	24,726,794
Longline or pot catcher vessel <60 ft	2.0%	5,888,487
Trawl catcher vessel	22.1%	65,377,413
AFA trawl catcher processor	2.3%	6,803,396
Amendment 80 trawl catcher processor	13.4%	39,640,913
Jig	1.4%	4,142,443
Total	100.0%	330,387,970

Source: Federal Register Volume 87, No. 41; Wednesday March 2, 2022. Table 8

Table 18.—Dutch Harbor Subdistrict state-waters Pacific cod effort, GHL, harvest, and exvessel value, by year, 2014–2022.

Year	Vessels	Landings	GHL (pounds)	Harvest (pounds)	Price per pound	Exvessel value
2014	16	205	17,863,874	17,666,510	\$0.28	\$5,006,797
2015	14	183	18,029,404	17,636,103	\$0.27	\$4,763,751
2016	24	421	35,979,072	35,519,920	\$0.28	\$9,846,051
2017	24	349	33,721,562	33,247,414	\$0.30	\$10,067,240
2018	32	286	28,360,000	29,055,603	\$0.41	\$11,817,047
2019	37	431	31,922,600	32,345,033	\$0.45	\$14,182,650
2020	40	569	30,927,000	30,928,649	\$0.43	\$13,068,227
2021	29	412	27,292,000	27,585,848	\$0.39	\$10,328,249
2022 ^a	29	543	37,196,000	34,864,687	\$0.47	\$16,079,482
Avg.	27	378	29,032,390	28,761,085	\$0.36	\$10,573,277

Source: ADF&G fish ticket database.

^a Season is currently open. Data is as of 7/6/2022.

BERING SEA-ALEUTIAN ISLANDS AND SOUTH ALASKA PENINSULA AREA LEGAL GEAR, LANDING REQUIREMENTS, AND SEASON DATES (2 PROPOSALS)

PROPOSAL 7 – Clarify gear marking and landing requirements for groundfish fisheries in the Bering Sea-Aleutian Islands Area.

5 AAC 28.629. Lawful gear for Bering Sea - Aleutian Islands Area. and 5 AAC 28.681. Landing Requirements for Bering Sea - Aleutian Islands Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Consolidate and align the BSAI buoy marking, lawful gear, and landing requirement regulations for BSAI Pacific cod with other regional groundfish fisheries.

WHAT ARE THE CURRENT REGULATIONS? Current regulations for lawful gear and landing requirements define legal gear types but do not specify buoy marking or specify which fisheries may longline pot gear. Buoy marking and pot longline regulations are established for the *Aleutian Islands Subdistrict Pacific Cod Management Plan* but are absent from other BSAI groundfish fishery management plans.

Landing requirements for the *Aleutian Islands District and Western District of the South Alaska Peninsula Area Sablefish Management Plan* for sablefish fishery require vessels to deliver catch within 72 hours of the closure. Landing requirements are absent for all other BSAI state managed groundfish fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Vessels would be required to land all catch within 72 hours of a fishery closure and mark buoys with their ADF&G vessel number and, for pot longlines, label longline buoys with “GFL” to designate groundfish longline. These actions will enable the department to better manage fishery closures for all BSAI groundfish fisheries and allow department and enforcement personnel to better identify gear ownership and type.

BACKGROUND: In recent years, state-waters Pacific cod fisheries in the Bering Sea and Aleutian Islands have developed into large and fully exploited fisheries. While fishery management plans have developed for these fisheries, other area-wide regulations, such as gear marking and landing requirements have yet to be updated and applied to all relevant fisheries. The proposed changes are consistent to most other groundfish gear marking and landing regulations around the state. Most vessels required to conform to the proposed regulations also participate other regional groundfish fisheries where these regulations already exist.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional direct cost for the department.

PROPOSAL 8 – Amend South Alaska Peninsula season opening weather delay criteria.

5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Align South Alaska Peninsula commercial Pacific cod pot gear fishery weather delay criteria with current National Weather Service (NWS) forecast areas and practices.

WHAT ARE THE CURRENT REGULATIONS? The South Alaska Peninsula Pacific cod season for vessels using pot gear opens at 12:00 noon March 7, or 7 days after closure of the Western Gulf of Alaska (WGOA) federal/parallel Pacific cod pot gear sector A season, whichever is later.

The season opening is delayed 24 hours if the NWS marine forecast for Castle Cape to Cape Sarichef (PKZ155) issued at 4:00 AM on the scheduled opening date contains a gale warning for the next 48 hours. Weather delays continue on a rolling 24-hour basis until there is no gale warning in the 48-hour forecast or until 7 days beyond the initial opening date when Pacific cod pot gear season opens, regardless of the marine forecast.

NWS forecasting practices have changed since weather delay provisions were last addressed by the board. In practice, NWS only issues marine forecasts warnings that extend 36 hours into the future, not 48 hours.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The current regulation is structured to delay the season based on information that is not available (a gale warning issued more than 36 hours in advance). In practice, nothing will change if this proposal is adopted, but the regulation would be aligned with current NWS forecasting practices and will therefore be less confusing and easier to communicate.

BACKGROUND: Weather delay provisions do not inform conservation or management of Pacific cod stocks. They reflect permit holder preference and are intended to improve vessel safety at the start of the season when vessels are transporting gear or traveling to the fishing grounds and they may also provide a more equitable start during competitive fisheries for smaller vessels less capable of operating in heavy seas. This proposal is intended to coordinate changes in NWS forecast methodology and allow users an opportunity to review and/or recommend changes to the board relative to weather delay provisions.

The naming convention for NWS forecast areas also changed since this regulation was adopted (e.g., “Castle Cape to Cape Sarichef” formally became Area PKZ155). This proposal seeks to reflect that change in the weather delay regulations.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

**CHIGNIK, SOUTH ALASKA PENINSULA, DUTCH
HARBOR SUBDISTRICT, ALEUTIAN ISLANDS
SUBDISTRICT JIG GEAR REGISTRATION AND SEASON
DATES (1 PROPOSAL)**

PROPOSAL 9 – Remove vessel registration exclusivity for state-waters jig gear fisheries and open all state-waters Pacific cod seasons for jig gear on January 1.

5 AAC 28.506. Chignik Area registration; 5 AAC 28.537. Chignik Area Pacific Cod Management Plan; 5 AAC 28.556. South Alaska Peninsula registration; 5 AAC 28.577 South Alaska Peninsula Pacific Cod Management Plan; 5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan; 28.648. Dutch Harbor Subdistrict Pacific Cod Management Plan.

PROPOSED BY: Gregory Gabriel.

WHAT WOULD THE PROPOSAL DO? The Kodiak, Chignik, South Alaska Peninsula and Bering Sea-Aleutian Islands Areas would be designated as nonexclusive registration areas for vessels participating in black rockfish and state-waters Pacific cod jig gear fisheries, and a unified opening date of January 1 would be established for state-waters Pacific cod jig gear seasons in those areas.

WHAT ARE THE CURRENT REGULATIONS? Each black rockfish and state-waters Pacific cod fishery occurs within a registration area that is designated superexclusive, exclusive, or nonexclusive (Tables 19 and 20). Exclusivity restrictions are as follows:

1. A vessel registered for a superexclusive fishery may not be used to take that species (black rockfish or Pacific cod) in any other registration area in the same calendar year;
2. A vessel registered for an exclusive fishery may not be used to take that species in any other exclusive or superexclusive registration area in the same calendar year, although the vessel may be used in other nonexclusive fisheries during the same calendar year; and
3. A vessel registered for a nonexclusive fishery may not be used to take that species in any other superexclusive registration area in the same calendar year, although the vessel may be used in other nonexclusive fisheries, and one exclusive fishery, during the same calendar year.

The Kodiak, South Alaska Peninsula, and Aleutian Islands Subdistrict Management Plans currently provide the department with authority to designate areas as nonexclusive registration areas for vessels targeting Pacific cod with jig gear after a specified date if the guideline harvest level is not expected to be fully harvested before the regulatory closure on December 31 (Table 19). Notably, the *Chignik Area Pacific Cod Management Plan* does not provide this authority. The Dutch Harbor Subdistrict is a nonexclusive registration area for vessel targeting Pacific cod with jig gear, so specific authority to designate it as a nonexclusive area is not necessary.

The department does not currently have the authority to designate areas as nonexclusive registration areas for vessels targeting black rockfish.

Season opening dates for state-waters Pacific cod jig gear fisheries vary by registration areas but generally occur between January 1 and March 15, except for the Dutch Harbor Subdistrict which opens on May 1 (Table 19). The season opening date for black rockfish fisheries in all areas is January 1 (Table 20).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A nonexclusive registration area designation for all black rockfish and state-waters Pacific cod jig gear fisheries would provide operational flexibility for existing jig gear vessels and may increase jig effort overall. Vessels would have greater opportunity to transition across registration areas based on factors such as availability of jig gear GHL, time of year, or other fishing opportunities in the same area. The effect of this proposal on jig gear harvest rates of black rockfish and Pacific cod in specific registration areas is largely unknown. However, Pacific cod jig gear GHL allocations are not fully harvested during most years and any increase in jig gear harvest would increase the likelihood of achieving GHLs. Potential increases in jig gear effort or vessel movement across registration areas is not expected to adversely impact the department's ability to sustainably manage these fisheries, however, increases in targeted Pacific cod harvest could increase harvest of associated bycatch species.

Opening state-waters Pacific cod jig gear fisheries on January 1 would increase season lengths in the Chignik, South Alaska Peninsula, and Dutch Harbor Subdistrict registration areas. Longer state-waters seasons could increase the amount of harvest accruing towards the GHLs, increasing the likelihood of achieving GHLs. Conversely, a January 1 opening date would preempt the parallel Pacific cod jig gear fisheries in these areas and could lead to less harvest accruing towards the federal Pacific cod jig gear sector TAC allocations. Less harvest accruing towards the jig gear TACs would decrease the likelihood of TACs being achieved which could result in reductions in the annual TAC allocations under the current federal stair-step jig gear allocation scheme. If the state-waters Pacific cod jig gear season opening dates were moved to January 1, parallel Pacific cod jig gear seasons would only open after the state-waters seasons closed; if the state-waters seasons did not close, the parallel seasons would not open.

BACKGROUND: Black rockfish and state-waters Pacific cod jig gear fisheries are open access. However, current regulations prevent vessels from participating in multiple fisheries for a given species during the same calendar year if registration areas are designated as exclusive or superexclusive. Exclusive or superexclusive area designations were initially implemented to maintain opportunity for local fleets. Black rockfish GHLs are established by the department annually. State-waters Pacific cod GHLs are based on a percentage of the Pacific cod ABC from the adjacent federal regulatory area. Each registration area has specified Pacific cod GHL allocations for jig gear, except for the Aleutian Islands Subdistrict (Table 21).

The majority of jig gear harvest occurs in spring and early summer. Black rockfish and Pacific cod jig gear effort and harvest varies across registration areas and between years, although in general GHLs are not fully harvested in most years, with the notable exception being the Kodiak Area black rockfish fishery (Tables 21 and 22).

Pacific cod management plans for the Aleutian Islands, South Alaska Peninsula, and Kodiak registration areas provide the department the authority to designate registration areas as nonexclusive for vessels targeting Pacific cod with jig gear. Further, if it appears unlikely that the jig gear GHL allocation will be fully harvested, the Kodiak, Chignik, and South Alaska Peninsula management plans also provide the authority to make unharvested jig gear GHL available to

vessels using other legal gear types, referred to as GHL rollover. The nonexclusive designation date and the date that the GHL rollover can occur vary by area (Table 19). Current regulations that allow the department to relax exclusivity do not substantially increase jig gear harvest rates or increase the likelihood of jig gear GHGs being achieved. This is because these management actions can only be taken later in the year, after the majority of jig gear effort and harvest has occurred.

After federal Pacific cod sector allocations were introduced in 2012, state-waters Pacific cod jig gear season opening dates were coordinated such that state-waters seasons opened 48 hours after the closure of the federal/parallel jig gear seasons. Since that time, state-waters jig gear season opening dates have been modified based on local fleet preference, resulting opening dates that vary by registration area (Table 19).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 19.—State-waters Pacific cod jig gear fishery registration type, season opening date, GHL rollover date, and nonexclusive designation date, by area.

State-waters Pacific cod jig gear fishery	Area registration type	Season opening date	GHL rollover date	Nonexclusive designation date
Kodiak	Exclusive	January 1	April 1 and after CGOA pot B	June 10
Chignik	Superexclusive	March 15	August 15	none
South Alaska Peninsula	Exclusive	After WGOA jig A or March 15	After WGOA pot B	October 30
Dutch Harbor Subdistrict	Nonexclusive	May 1	none	NA
Aleutian Islands Subdistrict	Exclusive	January 1	NA	After DHS pot

Table 20.—Black rockfish jig gear fishery registration type and season opening date, by area.

Black rockfish jig gear fishery	Area registration type	Season opening date
Kodiak	Superexclusive	January 1
Chignik	Superexclusive	January 1
South Alaska Peninsula	Nonexclusive	January 1
Dutch Harbor Subdistrict	Nonexclusive	January 1
Aleutian Islands District	Nonexclusive	January 1

Table 21.—Average state-waters Pacific cod jig gear effort, guideline harvest level (GHL) allocation, and harvest, by area, 2017–2021.

Area	Vessel count	Number of landings	Jig GHL allocation	Jig GHL	Harvest (lb)	Percent of jig
				allocation (lb)		GHL allocation harvested
Kodiak	28	118	50%	2,180,315	585,915	26.9%
Chignik	<1	1	10%	305,244	CF	CF
South Alaska Peninsula	16	82	15%	1,254,062	363,344	29.0%
Dutch Harbor Subdistrict	1	4	Fixed	100,000	CF	CF
Aleutian Islands Subdistrict	0	0	None	NA	0	0.0%

Notes: CF = confidential; NA = not applicable. The full jig gear GHL allocation was not available for harvest in 2019 in South Alaska Peninsula due to pot gear overage.

Table 22.—Average black rockfish jig gear effort, guideline harvest level (GHL), and harvest, by area, 2017–2021.

Area	Vessel count	Number of landings	GHL (lb)	Harvest (lb)	Percent of GHL harvested
Kodiak	13	71	120,000	106,167	88.5%
Chignik	1	2	100,000	CF	CF
South Alaska Peninsula	3	9	75,000	20,840	27.8%
Bering Sea–Aleutian Islands	6	8	90,000	884	0.1%

Notes: CF = confidential

ALEUTIAN ISLANDS DISTRICT AND WESTERN DISTRICT OF THE SOUTH ALASKA PENINSULA SABLEFISH MANAGEMENT PLAN (1 PROPOSAL)

PROPOSAL 10 – Define harvest allocation for the Aleutian Islands and Western District of the South Alaska Peninsula state-waters sablefish fishery.

5 AAC 28.640. Aleutian Islands District and Western District of the South Alaska Peninsula Area Sablefish Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Define in regulation the annual allocation for the state-waters Aleutian Islands sablefish GHL as a proportion of the federal Bering Sea – Aleutian Islands sablefish ABC.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations that define the proportion of federal ABC allocated to the Aleutian Islands and Western Districts state-waters sablefish fishery. The GHL has been historically set at 5% of the federal ABC since 2006.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Formalizing the Aleutian Islands and Western Districts sablefish GHL allocation in regulation will provide stability and transparency for stakeholders participating in this fishery.

BACKGROUND: In 1995, the Alaska Department of Law concluded the newly implemented federal sablefish IFQ system could not limit harvest of sablefish inside state waters only to IFQ holders. The department subsequently closed most state-waters to all sablefish fishing except for areas where historical harvest of sablefish in state waters was sufficient to allow for manageable fisheries. The Aleutian Islands District and Western District of the South Alaska Peninsula Area state-waters sablefish fishery was subsequently established to include all state waters of the Aleutian Islands District west of 170° W long and waters of the Bering Sea south of Cape Serichef (54° 36' N lat; Figure 6). A GHL of 400,000 pounds was initially established for the fishery based on the annual average harvest that occurred inside state waters during the federal fishery for the previous four years. This harvest represented approximately 5% of the annual combined federal Bering Sea and Aleutian Islands sablefish ABC. The state-waters sablefish GHL has been set at approximately 5% of the combined federal BSAI ABC since 2006.

State-waters sablefish season dates coincide with the federal IFQ season. Longline, pots (which may be longlined), mechanical jigging machines, and hand troll are legal gear types for this fishery. Sablefish may be retained as bycatch in state waters when the state-waters sablefish fishery is open, with the state adopting by annual emergency order bycatch rates established in federal regulations.

The GHL was achieved annually from 1996 to 2002 but was not fully achieved from 2003 to 2021. Total fishery value peaked in 2022 at \$2.2 million (Table 23). From 2003 to 2021, most harvesters that participated in the state-waters sablefish fishery also participated in the federal fishery. Relatively few vessels fished exclusively in the state-waters fishery (Table 24). Higher abundance, improved availability of sablefish inside state-waters, and higher prices have increased interest in the state-waters sablefish fishery in recent years. Six of the 23 vessels that participated in the 2022 season did not hold IFQ/CDQ. Over 85% of the 2022 GHL was harvested by those vessels.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional direct cost for the department.

Table 23.—Aleutian Islands state-waters sablefish fishery guideline harvest level (GHL), harvest, effort, value, and season dates, 1995–2022.

Year	GHL ^a	Harvest ^a	Vessels	Landings	Average price per pound ^b	Fishery value ^c	Season dates		Season duration ^d
							Opened	Closed	
1995	400,000	269,220	35	59	\$2.96	\$0.50	03/15/95	11/15/95	246
1996	280,000	401,463	35	67	\$2.54	\$0.64	03/15/96	07/26/96	134
1997	270,000	317,562	37	75	\$3.55	\$0.71	03/15/97	07/20/97	128
1998	270,000	254,578	38	101	\$2.18	\$0.35	03/15/98	11/15/98	246
1999	250,000	279,778	24	38	\$2.69	\$0.47	03/15/99	08/16/99	155
2000	400,000	446,560	28	59	\$3.04	\$0.86	03/15/00	07/15/00	123
2001	425,000	464,241	31	99	\$2.85	\$0.79	05/15/01	08/08/01	86
2002	460,000	477,970	24	59	\$2.95	\$0.88	05/15/02	07/16/02	63
2003	630,000	473,426	40	104	\$3.58	\$0.92	05/15/03	11/15/03	185
2004	660,000	323,969	28	76	\$2.69	\$0.47	05/15/04	11/15/04	185
2005	550,000	203,498	27	72	\$2.79	\$0.27	05/15/05	11/15/05	185
2006	640,000	177,935	16	54	\$3.55	\$0.42	05/15/06	11/15/06	185
2007	638,000	269,282	25	59	\$3.49	\$0.62	05/15/07	11/15/07	185
2008	584,000	156,293	20	48	\$3.90	\$0.41	05/15/08	11/15/08	185
2009	542,000	279,510	24	65	\$4.90	\$0.85	05/15/09	11/15/09	185
2010	535,000	209,063	25	60	\$5.89	\$0.79	05/15/10	11/15/10	185
2011	523,000	200,635	26	73	\$7.65	\$0.98	05/15/11	11/15/11	185
2012	472,000	222,775	26	86	\$5.94	\$0.84	05/15/12	11/15/12	185
2013	442,000	222,379	16	47	\$4.42	\$0.62	05/15/13	11/07/13	177
2014	347,000	161,022	13	37	\$5.33	\$0.54	03/08/14	11/07/14	245
2015	346,000	153,823	15	44	\$5.81	\$0.56	03/14/15	11/07/15	239
2016	298,503	78,710	15	38	\$4.77	\$0.25	03/19/16	11/07/16	234
2017	331,682	119,913	23	58	\$4.44	\$0.39	03/11/17	11/07/17	242
2018	381,000	34,897	25	47	\$3.28	\$0.07	03/24/18	11/07/18	229
2019	385,400	110,272	23	55	\$3.00	\$0.21	03/15/19	11/14/19	245
2020	429,800	397,624	20	56	\$1.42	\$0.39	03/14/20	11/15/20	247
2021	894,200	119,979	24	54	\$2.12	\$0.20	03/06/21	12/07/21	277
2022	1,292,000	1,246,230	23	73	\$2.66	\$2.20	03/06/22	08/11/22	159

Source: ADF&G fish ticket database.

Note: GHL = guideline harvest level; fishery value not exact due to differences in pricing and grading of landed catch at the dock.

^a In whole fish pounds; 2006 to present does not include discards at sea.

^b Price per pound of landed weight; 2006 to present only includes fish sold for human consumption.

^c Fishery value based on landed weight, in millions of dollars; 2006 to present includes human consumption and fish meal.

^d In days.

Table 24.—Number of participating vessels by management program during the Aleutian Islands state-waters sablefish fishery, 2013–2022.

Year	State managed Sablefish	IFQ/CDQ	Nondirected catch ^a	Total ^b
2013	3	17	2	22
2014	1	15	0	16
2015	1	14	1	16
2016	1	13	2	16
2017	2	19	4	25
2018 ^c	3	15	7	25
2019	2	17	1	20
2020	1	12	8	21
2021	1	14	11	26
2022	6	11	7	24

Source: ADF&G fish ticket database.

^a Vessels were fishing in other fisheries and retained sablefish bycatch within state waters.

^b Some vessels fished multiple management programs during the season.

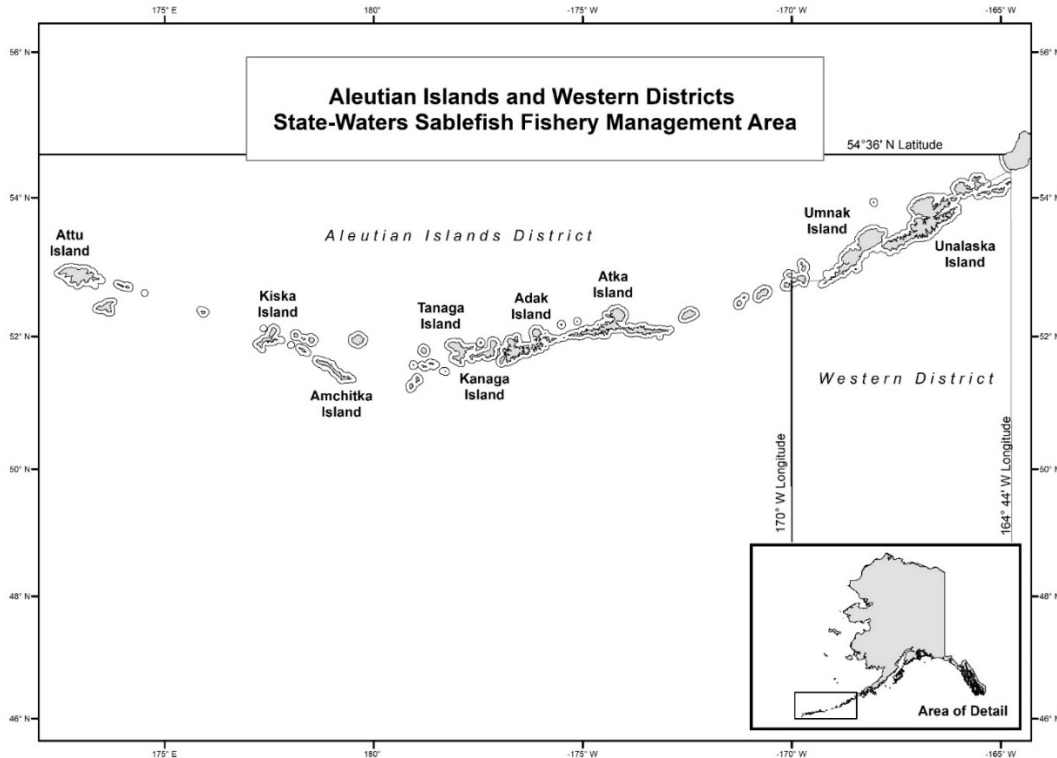


Figure 6.—Map of the Aleutian Islands District and Western District of the South Alaska Peninsula Area state-waters sablefish fishery management area.

POLICY (1 PROPOSAL)

PROPOSAL 161 – Create and establish Alaska Board of Fisheries policy regarding the management of groundfish fishery resources in waters of Alaska (To be heard at the Pacific cod meeting and deliberated during the Statewide Finfish and Supplemental Issues meeting).

5 AAC 28.XXX. New section.

PROPOSED BY: Alaska Fisheries Development Foundation.

WHAT WOULD THE PROPOSAL DO? This would create and establish Alaska Board of Fisheries policy regarding the management of groundfish fishery resources in waters of Alaska, similar to 5 AAC 28.089. *Guiding Principles for Groundfish Fishery Regulations* that were repealed in 2013.

WHAT ARE THE CURRENT REGULATIONS? There is no overarching policy statement or set of defined objectives specific to groundfish fisheries in waters of Alaska, rather direction on how these fisheries are to be managed is provided throughout Alaska statute and administrative code. Because each groundfish fishery is unique the board and department have favored fishery-specific regulatory development over broad, statewide policy statements.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would provide guidance for the board and public on factors considered by the board when deliberating changes to groundfish fishery regulations in waters of Alaska. This proposal would not impact the way groundfish fisheries are managed but may improve transparency in how changes to groundfish regulations are evaluated by the board.

BACKGROUND: The board adopted 5 AAC 28.089. *Guiding Principles for Groundfish Fishery Regulations* in 1997, at a time when groundfish fisheries were expanding in waters of Alaska. This regulation contained eight principles the board would consider, to the extent practicable, when taking regulatory action on groundfish fisheries. These principles did not apply in several management areas (Eastern Gulf of Alaska, Prince William Sound, Kodiak, and Chignik Areas) where groundfish fishery management plans had already been adopted by the board thereby creating an inconsistency in how groundfish proposals would be deliberated across the state. As groundfish fisheries matured and management plans were refined it became apparent that the guiding principles were no longer necessary because key elements of the principles were either codified in other regulations or already being considered by the board when deliberating groundfish fishery proposals. In 2013 the board repealed the guiding principles to promote regulatory simplicity and reduce duplicative regulations. A transcript of deliberations repealing the guiding principles will be provided as a record copy.

Most Alaska commercial fisheries carry sustainability certifications issued by the Marine Stewardship Council (MSC) and/or Responsible Fisheries Management (RFM), which many US and global markets require to purchase Alaska seafood. Both certifications for Pacific cod currently carry a condition related to the lack of written, fishery-specific objectives for state waters

Pacific cod fisheries. The RFM certification also carries this condition for the state waters walleye pollock fishery in Prince William Sound. If these conditions are not addressed, sustainability certification is likely to be removed for these state fisheries in the next assessment cycle. The department participated in audits of these fisheries by MSC and RFM and worked with stakeholders in drafting this proposal to satisfy sustainability certification conditions.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. While the department does not believe this proposal is necessary to carry out its sustained yield mandate, the department recognizes the importance of third-party sustainability certification to the fishing industry in maximizing value derived from Alaska's fishery resources.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional direct cost for the department.