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Advisory Announcement

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2023 Parallel Groundfish Fisheries Management for Kodiak, Chignik, South Alaska Peninsula, and Bering Sea–Aleutian Islands Areas

Emergency Order 4-GF-01-23

The Alaska Department of Fish and Game (ADF&G) has issued an emergency order authorizing parallel groundfish fisheries during 2023 in state waters (0 to 3 nautical miles) of the Kodiak, Chignik, South Alaska Peninsula, and Bering Sea–Aleutian Islands Areas. The Chukchi–Beaufort Area will remain closed to groundfish fishing in 2023. Unless otherwise specified, groundfish fisheries in state waters not actively managed by the State of Alaska will open under parallel groundfish rules by adopting most fishing seasons, bycatch limits, area closures, and allowable gear types (sectors) from federal fishery management measures in adjacent waters of the Exclusive Economic Zone (EEZ). Fishery participants should be aware of state regulatory exceptions to federal fishery rules, where state regulations apply to parallel fisheries rather than federal fishery regulations.

Under state regulation, vessel operators participating in parallel groundfish fisheries are not required to possess a federal fishing permit (FFP) or gear endorsement administered through the federal License Limitation Program (LLP). However, it is the responsibility of vessel operators who possess an FFP to understand applicable federal regulations, including but not limited to, regulations regarding closed waters, observer coverage, Pacific cod LLP endorsement, and catch reporting requirements. Vessel operators that relinquish an FFP are responsible for understanding federal regulations for FFP reissue.

Parallel groundfish fishery rules may be modified from those published in the federal register by subsequent emergency order to ensure resource conservation or management consistent with the interest of the economy and general well-being for the people of the State of Alaska.

Federal sector allocations based on processing activity are not recognized in parallel fisheries. Adjacent federal waters opened to a gear sector, whether to both catcher-processor vessels and catcher vessels, or only one of those, will be considered open in state waters to both catcher-processor vessels and catcher vessels until closed to all vessels using the designated gear sector.

Fishery participants should take note of Steller sea lion protection areas in parallel fisheries for walleye pollock, Atka mackerel, and Pacific cod, including areas around sea lion haulouts and rookeries, except where state exceptions to Steller sea lion restrictions apply, as authorized in 5 AAC 28.087(b) *Management measures in parallel groundfish fisheries for protection of Steller sea lions*. Sea lion protection areas are set forth in federal regulations and are adopted for parallel fisheries for walleye pollock, Atka mackerel, and Pacific cod as described by emergency order. As a result, waters of Alaska that are closed to fishing or closed to a specific gear type are so closed to all vessels, regardless of whether the vessel has a federal fishery permit.

Except as noted below, federal regulations implementing Steller sea lion protection measures in parallel fisheries for walleye pollock, Atka mackerel, and Pacific cod are located in 50 CFR 679.22 and in Tables 4, 5, 6, and 12 of 50 CFR 679 updated through December 2014. Vessels participating in parallel fisheries for walleye pollock, Atka mackerel, and Pacific cod, except those using mechanical jigging machine or hand troll gear, must have onboard an activated vessel monitoring system (VMS) approved by National Oceanic and Atmospheric Administration – National Marine Fisheries Service (NOAA Fisheries).

Steller sea lion protection measures are available from NOAA Fisheries offices in Alaska or posted on the NOAA Fisheries website at: <https://www.fisheries.noaa.gov/alaska/commercial-fishing/steller-sea-lion-protection-measures>

During the parallel Pacific cod fishery the Adak Section of the Aleutian Islands Subdistrict (175° W long. to 178° W long.) the State of Alaska has adopted federal regulations implementing Steller sea lion protection measures located in Table 5 to 50 CFR Part 679 (79 FR 75865, December 20, 2004) posted on the NOAA Fisheries website except, only waters within three nautical miles of the Steller sea lion site at Kanaga Island/Ship Rock as described in 5 AAC 58.087(b)(3) are closed to the taking of Pacific cod. Vessels using trawl, pot, mechanical jigging machine, or hand troll gear in the parallel Pacific cod fishery in the Adak Section are restricted to 60 feet overall length (OAL) or less while vessels using longline gear may not exceed 58 feet OAL.

The State of Alaska has adopted, under 5 AAC 28.055 *Seabird avoidance measures in groundfish fisheries*, federal seabird avoidance regulations in 50 CFR 679.24. These regulations are applicable in state waters for longline vessels greater than 26 feet OAL. Information on federal seabird avoidance regulations are posted on the NOAA Fisheries website at: <https://www.fisheries.noaa.gov/alaska/bycatch/seabird-avoidance-gear-and-methods>

Commercial fishing gear is prohibited in waters of Alaska surrounded by federal essential fish habitat (EFH) areas. State waters are closed by 5 AAC 39.167 *Commercial fishing gear prohibited in waters of Alaska surrounding essential fish habitat areas*. EFH areas are described in federal regulation 50 CFR 679.22 posted on the NOAA Fisheries website at: <https://www.fisheries.noaa.gov/alaska/habitat-conservation/essential-fish-habitat-efh-alaska>.

This emergency order also coordinates State of Alaska groundfish retention limits for black rockfish, dark rockfish, lingcod, and sablefish with a 2023 NOAA Fisheries administered exempted fishing permit (EFP) for pelagic trawl gear vessels targeting walleye pollock in the Kodiak, Chignik, South Alaska Peninsula, and Bering Sea-Aleutian Islands areas. The purpose of the 2023 EFP is to evaluate the utility of electronic monitoring systems in lieu of observers for at-sea monitoring for compliance of fishery management regulations.

Parallel groundfish fishery participants that purchase or process raw groundfish should be aware of electronic reporting and recordkeeping requirements in 5 AAC 39.130(k) that comply with federal electronic reporting and recordkeeping requirements in 50 CFR 679.5 posted on the NOAA Fisheries website at: <https://www.fisheries.noaa.gov/alaska/resources-fishing/recordkeeping-and-reporting-federal-fisheries-alaska>

The following groundfish fisheries are not managed under parallel regulations as these fisheries are actively managed by ADF&G. Parallel fisheries are not adopted because seasons, bycatch limits, and other management measures are established in state regulation or in this, or subsequent emergency order.

1. The lingcod *Ophiodon elongates* fishery.
2. The black rockfish *Sebastes melanops* fishery in the Kodiak, Chignik, and South Alaska Peninsula areas, and state waters of the Bering Sea–Aleutian Islands Area.
3. The dark rockfish *Sebastes ciliatus* fishery in the Kodiak, Chignik, South Alaska Peninsula and Bering Sea–Aleutian Islands areas.

4. The state-waters Pacific cod *Gadus macrocephalus* fisheries in the Kodiak, Chignik, and South Alaska Peninsula areas, and the Aleutian Islands and Dutch Harbor subdistricts of the Bering Sea–Aleutian Islands Area.
5. The state-waters sablefish *Anoplopoma fimbria* fishery in the Western District of the South Alaska Peninsula Area and Aleutians Islands District of the Bering Sea–Aleutian Islands Area.

Additionally, this emergency order establishes bycatch rates for federally managed species harvested during directed fisheries for the state-managed species listed above by adopting the applicable maximum retainable amounts described in federal regulation under Table 10 to Part 679 – Gulf of Alaska Retainable Percentages or Table 11 to Part 679 – BSAI Retainable Percentages found on the Electronic Code of Federal Regulations website at <https://www.ecfr.gov/current/title-50/chapter-VI/part-679> or available from NOAA Fisheries offices in Alaska.

For additional information on state-waters or parallel groundfish fisheries or to obtain a copy of the 2023 parallel groundfish fishery emergency order contact ADF&G offices in Kodiak (907-942-1840) or Dutch Harbor (907-581-1239).

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