

PROPOSAL 4

5 AAC 28.272. Sablefish harvest, possession, and landing requirements for Prince William Sound Area.

Clarify possession and landing requirements for the state-managed sablefish fishery in the Prince William Sound Area, as follows:

Add a new subsection (g) to read:

(g) An operator of a vessel retaining sablefish in federal waters may not operate gear in state waters of the Prince William Sound Area during the same trip.

What is the issue you would like the board to address and why? In state waters of the Prince William Sound Area (PWS), sablefish may only be retained during an open directed sablefish season (April 15 – August 31) on board a vessel that is registered to participate in the state-managed PWS sablefish fishery. Retaining sablefish as bycatch is not allowed and the limited entry fishery is managed to a guideline harvest level (GHL). Each registered permit holder receives an annual allowable harvest amount based on vessel categories as described in 5 AAC 28.272. As provided in 5 AAC 28.070 (c)(2), a CFEC permit holder, while taking fish in an area or having taken fish in an area during the same trip, may not have on board an aggregate amount of a groundfish species that exceeds the amount allowed by regulation for that area, regardless of where the groundfish were taken. Therefore, a vessel may not fish in both federal and state waters on the same trip when retaining sablefish at any point during that trip, regardless of fishing order. The issue is when vessels are participating concurrently in federally managed Individual Fishing Quota (IFQ) halibut and IFQ sablefish fisheries in federal waters and then also fish inside state waters during the same trip. This could result in sablefish being harvested out of season, or vessels participating in inside state waters without being registered, or harvest locations of sablefish being misreported. During an IFQ halibut trip, vessels may cross the 3 nmi state waters boundary line, and fish both state waters and federal waters; however, vessels retaining sablefish in federal waters may not also fish inside state waters on that trip. Even when sablefish harvest did not occur inside state waters, this has been an enforcement issue, as well as a management issue, because vessel operators often report all harvest by splitting it between the statistical areas (state and federal waters) without specifying the location where sablefish were taken (e.g., federal waters). In addition to potentially violating limits specified in 5 AAC 28.070 (c)(2), inaccurate reporting on fish tickets violates the statistical areas, districts, and subdistrict reporting provisions found in 5 AAC 39.130 (c)(8), indicating that sablefish harvested in federal waters were retained illegally in state waters. Adding the proposed regulatory language would provide clarity and reduce confusion for the public and department staff and also aid enforcement.

A similar proposal was adopted by the board for the Cook Inlet Area sablefish fishery in December 2019.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F20-131)
