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Bullard
4/24/24

CS FOR HOUSE RESOLUTION NO. 8(FSH)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES VANCE, Cronk, Rauscher, McCabe, Allard

A RESOLUTION

Encouraging the Department of Fish and Game to support and promote certain regulations relating to fisheries bycatch.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

WHEREAS the Magnuson-Stevens Fishery Conservation and Management Act authorizes the state to have a majority of six seats on the 11-member North Pacific Fishery Management Council; and

WHEREAS the North Pacific Fishery Management Council is given authority to manage fisheries in the Arctic Ocean, Bering Sea, and Pacific Ocean seaward of the state; and

WHEREAS all fisheries managed by the North Pacific Fishery Management Council have bycatch, which the Magnuson-Stevens Act defines as "fish which are harvested in a fishery, but which are not sold or kept for personal use, [including] economic discards and regulatory discards"; and

WHEREAS National Standard 9 of the Magnuson-Stevens Act provides that fisheries-related conservation and management measures must, to the extent practicable, minimize bycatch and, to the extent bycatch cannot be avoided, minimize the mortality of such bycatch; and

1 **WHEREAS** current conservation and management measures implemented by the
2 North Pacific Fishery Management Council, while allowing for the harvest of hundreds of
3 millions of pounds of seafood, also annually result in tens of millions of pounds of bycatch in
4 the Bering Sea and Gulf of Alaska waters seaward of the state; and

5 **WHEREAS** most bycatch is currently discarded as dead fish; and

6 **WHEREAS** many of the species discarded as bycatch are species that are commonly
7 sold, processed, and consumed as marine protein, yet these fish are discarded as bycatch
8 because they have been caught with the wrong gear, at the wrong time, or outside what the
9 existing regulatory structure permits; and

10 **WHEREAS** the Alaska Bycatch Review Task Force, established by Governor
11 Dunleavy, and the Alaska Bycatch Advisory Council, established by the commissioner of fish
12 and game, are tasked with exploring the issue of bycatch and providing recommendations to
13 policymakers for the purposes of improving the health and sustainability of the state's
14 fisheries and protecting the state's record as a leader of fisheries conservation and
15 sustainability; and

16 **WHEREAS**, the North Pacific Fishery Management Council has considered potential
17 protective measures for tanner crab in the Gulf of Alaska and, between 2019 and 2023,
18 conducted research in Department of Fish and Game statistical areas 525630 and 525702 to
19 observe tanner and king crab distributions, examine tanner crab catch and bycatch by target
20 groundfish fisheries and gear types, and document fishery observer coverage in areas around
21 Kodiak Island; and

22 **WHEREAS** the National Marine Fisheries Service issued a final rule to implement
23 Amendment 123 to the Fishery Management Plan for Groundfish of the Bering Sea and
24 Aleutian Islands Management Area (Amendment 123), which establishes a process for setting
25 the Pacific halibut prohibited species catch limit applicable to certain Bering Sea and Aleutian
26 Island trawl harvesters based on halibut abundance; and

27 **WHEREAS** adoption of an abundance-based management plan was recommended by
28 the North Pacific Fishery Management Council at its December 2021 meeting as a necessary
29 action to minimize the catch of prohibited species to the extent practicable without
30 compromising the ability to attain optimum yield in the Bering Sea and Aleutian Islands
31 Management Area groundfish fisheries; and

1 **WHEREAS** the final rule to implement Amendment 123 balances the interests of the
2 directed commercial halibut fishery and the Amendment 80 sector, the largest halibut user
3 groups in the Bering Sea and Aleutian Islands Management Area, as well as other users,
4 including subsistence and recreational users, by implementing abundance-based halibut limits
5 for the Amendment 80 sector; and

6 **WHEREAS** the final rule to implement Amendment 123 went into effect on
7 January 1, 2024, and the prohibited species catch limits established by this action will apply to
8 the Amendment 80 sector in 2024; and

9 **WHEREAS**, before implementation, Amendment 123 was subject to a long, thorough
10 process by the North Pacific Fishery Management Council that included many levels of
11 analysis and deliberation; and

12 **WHEREAS** a broad coalition of commercial fishermen, charter operators, processors,
13 and community organizations representing the wide range of halibut-dependent communities
14 across the state and the Pacific Northwest have formed a coalition called the Halibut Defense
15 Alliance to ensure full implementation of Amendment 123;

16 **BE IT RESOLVED** that the House of Representatives encourages the Department of
17 Fish and Game, through the department's regulatory authority, and the commissioner of fish
18 and game, through the commissioner's seat on the North Pacific Fishery Management
19 Council, to support full implementation of Amendment 123 to the Fishery Management Plan
20 for Groundfish of the Bering Sea and Aleutian Islands Management Area; and be it

21 **FURTHER RESOLVED** that the House of Representatives encourages the
22 Department of Fish and Game and the commissioner of fish and game, through the
23 commissioner's seat on the North Pacific Fishery Management Council, to increase efforts to
24 protect tanner crab, including developing a detailed evaluation of the potential effects of any
25 protective measures of tanner crab, which may include implementing additional closures, gear
26 restrictions, or required observer coverage on the fisheries and bycatch, and to study the
27 effectiveness of any protective measures implemented and effects of those measures on
28 fishing behavior; and be it

29 **FURTHER RESOLVED** that the House of Representatives encourages the
30 Department of Fish and Game and the commissioner of fish and game, through the
31 commissioner's seat on the North Pacific Fishery Management Council, to maintain and

- 1 promote broad protections for the species important to residents of the state, specifically
2 salmon, halibut, and crab.