

**ALASKA STATE LEGISLATURE  
HOUSE SPECIAL COMMITTEE ON FISHERIES**

February 21, 2023

10:00 a.m.

**MEMBERS PRESENT**

Representative Sarah Vance, Chair  
Representative Kevin McCabe  
Representative Ben Carpenter  
Representative Craig Johnson  
Representative Louise Stutes  
Representative Rebecca Himschoot

**MEMBERS ABSENT**

Representative CJ McCormick

**OTHER LEGISLATORS PRESENT**

Representative Mike Cronk  
Representative Dan Ortiz

**COMMITTEE CALENDAR**

PRESENTATION(S): ALASKA BYCATCH REVIEW TASK FORCE

- HEARD

**PREVIOUS COMMITTEE ACTION**

No previous action to record

**WITNESS REGISTER**

LINDA KOZAK, Member  
Alaska Bycatch Review Task Force  
Kodiak, Alaska

**POSITION STATEMENT:** Gave the Alaska Bycatch Review Task Force presentation via PowerPoint.

BRIAN GABRIEL, Member  
Alaska Bycatch Review Task Force  
Kenai, Alaska

**POSITION STATEMENT:** Answered questions during the Alaska Bycatch Review Task Force presentation.

KEVIN DELANEY, Member  
Alaska Bycatch Review Task Force  
Kenai, Alaska

**POSITION STATEMENT:** Answered questions during the Alaska Bycatch Review Task Force presentation.

ERIK VELSKO, Member  
Alaska Bycatch Review Task Force  
Homer, Alaska

**POSITION STATEMENT:** Answered questions during the Alaska Bycatch Review Task Force presentation.

STEPHANIE MADSEN, Member  
Alaska Bycatch Review Task Force  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions during the Alaska Bycatch Review Task Force presentation.

#### **ACTION NARRATIVE**

[10:00:30 AM](#)

**CHAIR SARAH VANCE** called the House Special Committee on Fisheries meeting to order at 10:00 a.m. Representatives Carpenter, Stutes and Johnson were present at the call to order. Representatives McCabe and Himschoot arrived as the meeting was in progress. Also present were Representatives Ortiz and Cronk.

#### **PRESENTATION(S): Alaska Bycatch Review Task Force**

CHAIR VANCE announced that the only order of business would be the Alaska Bycatch Review Task Force presentation.

[10:02:28 AM](#)

LINDA KOZAK, Member, Alaska Bycatch Review Task Force Member, before beginning the Alaska Bycatch Review Task Force (ABRT) presentation via PowerPoint [hard copy included in the committee packet], suggested the other members of the task force introduce themselves.

[10:04:46 AM](#)

BRIAN GABRIEL, Member, Alaska Bycatch Review Task Force, introduced himself and shared his background.

[10:06:02 AM](#)

KEVIN DELANEY, Member, Alaska Bycatch Review Task Force, introduced himself and provided his background.

[10:07:36 AM](#)

ERIK VELSKO, Member, Alaska Bycatch Review Task Force, introduced himself and shared his background.

[10:08:31 AM](#)

STEPHANIE MADSEN, Member, Alaska Bycatch Review Task Force, introduced herself and shared her background.

[10:08:53 AM](#)

MS. KOZAK began the PowerPoint presentation. She drew attention to information on slide 2, which read as follows:

Governor Dunleavy created the 17-member Alaska Bycatch Review Task Force (ABRT) to help better understand unintended bycatch of high-value fishery resources in state and federal waters

Bycatch is defined as: Fish which are harvested in a fishery, but are not sold or kept

MS. KOZAK noted the link to the full report, as shown at the bottom of slide 2. She moved on to slide 3, which lists the four objectives given the taskforce by Governor Mike Dunleavy:

- Study what impacts bycatch has on fisheries.
- Evaluate and recommend policies informed by a better understanding of the issue of bycatch of high-value Alaska fishery resources.
- Ensure state agencies are leveraging available resources to better understand the issue of bycatch.
- Utilize the best available science to inform policy makers and the public about these issues.

MS. KOZAK covered the taskforce process, as shown on slide 4, which read as follows:

♣ ABRT members agreed to operate on a consensus-based process.

♣ Focused on the high-value species of salmon, halibut and crab. Regions addressed were the Gulf of Alaska and Bering Sea. ABRT did not address Southeast or Aleutian Islands.

♣ Four committees were formed and prepared recommendations which were submitted to the full Task Force for review in August, 2022.

♣ Recommendations were made on three categories; State Engagement, Research and Management. All recommendations were unanimously approved, with the exception of one management proposal.

♣ Final report (43 pages) was submitted to Governor Dunleavy on November 30, 2022.

[10:12:22 AM](#)

MS. KOZAK, moving to slides 5-6, listed the following four committees of the taskforce: Science, Technology and Innovation; Western Alaska Salmon; Gulf of Alaska Halibut and Salmon; and Bering Sea and Gulf of Alaska Crab. As shown on slide 7, she relayed that the taskforce met 45 times in 2022. Relating to slide 8, she said the taskforce heard 30 presentations, and a partial list of presenters is shown on the slide. She showed a breakdown of the presentations, as shown on slides 9-12.

[10:15:49 AM](#)

MS. KOZAK named the three categories shown on slide 13: state engagement, research, and management. Details on state engagement are shown on slides 14-16, including:

Information and Communication

Establish a process for providing bycatch-related information and resources to Alaskans in a format that is understandable and easily accessible.

Continue to offer the public an opportunity to provide input on North Pacific Council issues before each

meeting. Consideration should be given to additional methods to seek input from stakeholders, tribal entities and communities on bycatch issues.

[10:20:26 AM](#)

MS. KOZAK covered the details regarding research, which begin on slide 17, as follows:

[slide 17]

#### General Recommendations for Process in Developing Research Priorities

The Task Force recommends the state develop an inclusive process for identifying bycatch research, broadly share those research needs and seek partnerships to fund the necessary research.

→ Develop State bycatch research priorities, utilizing input from communities, Alaska Native tribes, industry, and the public, to share with funding entities that would help identify and acquire research funds.

→ Implement strategies to encourage and facilitate industry/agency cooperative research to reduce bycatch and associated mortality.

→ Create methods for collaboration with Alaska Native tribes, organizations and other research entities to better track proposed or funded bycatch research, along with developing opportunities for cooperative projects and combined reporting of findings.

MS. KOZAK covered the information on slide 18, which lists: gear modifications/improved technology; update discard mortality rates; and shifting distribution patterns.

[10:25:03 AM](#)

MS. KOZAK discussed the research recommendations on slide 19, which also shows a graph: Improve our ability to determine the stock of origin of chum and Chinook salmon taken as bycatch; and Reduce bycatch through Improved understanding of distribution and migration patterns of Alaska chum and Chinook salmon stocks. Slide 20, regarding research recommendations read:

Research that helps us understand the relative importance of particular mechanisms for driving abundance of Western Alaska Chinook and chum

- Marine migration patterns relative to groundfish fisheries.
- Improved stock-specific information.
- Improved understanding of fishery impacts.

MS. KOZAK showed slide 21, which read:

Research on additional non-adult abundance estimates

- Critical survival periods for Western Alaska salmon.
- Understand how ocean/climate conditions impact future runs.
- Role of diet, health, and disease on survival and spawning success.

MS. KOZAK showed slide 22, which read:

Note: Much of the salmon research recommendations apply to both the Bering Sea and Gulf of Alaska.

Gulf of Alaska specific salmon research recommendation:

- Conduct annual genetic and spatial assessment of Gulf of Alaska (GOA) Chinook salmon.

MS. KOZAK moved to slide 23, regarding the recommendation for Gulf of Alaska halibut, and gave the following information:

Top Priority

Investigate better ways to estimate total halibut removals and discard mortality

- Impacts of repeated capture/discarding of females, sublegal and legal males.
- Impacts of fishing gear on habitat.
- Increase tagging to better understand movement between management areas.
- Investigate halibut diet and growth rate; changes in length at age.

- Studies on commercial fishery size limit and trade-offs.
- Determine relative fecundity of halibut based on size and age.

[10:27:40 AM](#)

MS. KOZAK discussed the research recommendations for crab, shown on slides 24-25, as follows:

[slide 24]

Address observed and unobserved mortality caused by gear interactions

- Impacts of repeated capture/discarding.
- Address data gaps regarding uncertainties in the directed crab fisheries and unobserved state pot cod fishery.
- Research habitat disturbance utilizing tools such as the fishing effects model.

[slide 25]

Continued research on critical crab habitat to better inform on open and closed commercial fishing areas

- Tagging studies and other research to determine seasonal movement and distribution.
- Improve understanding of preferred habitat at various life stages.
- Examine Vessel Monitoring System use in developing essential fish habitat models.

MS. KOZAK moved on to slides 26-27, covering management recommendations, which read:

[slide 26]

Management recommendations were developed at the committee level after many meetings, dozens of informational presentations and public comment. The ABRT had additional discussion, made some revisions and came to consensus on all but one issue.

The ABRT considered and adopted 17 management recommendations by unanimous consent for fixed (longline and pot) and trawl gear for the Bering Sea and Gulf of Alaska.

[slide 27]

The following recommendation applies to all species, gear groups and regions

#### Bycatch Utilization

The State of Alaska should support taking incremental measures through the regulatory process to improve bycatch utilization with a particular focus on species that are otherwise marketable, but are caught with non-targeted gear or discards in a directed fishery that are required by regulation.

[10:30:29 AM](#)

MS. KOZAK brought attention to information on slides 28-30, management recommendations for the Bering Sea, which read:

[slide 28]

#### Bering Sea Fixed Gear (longline and pot)

- Evaluate the observer coverage and monitoring for the directed crab and pot cod fisheries.
- Evaluate possible seasonal closures in hot spot areas for pot gear both inside and outside of state managed waters.
- Examine the impact of retaining all legal crab in the directed crab fishery and counting toward IFQ.
- Recommend a rationalization program for the 60' and greater pot cod vessels as a way to manage bycatch and examine prohibited species caps as part of a rationalization program.

[slide 29]

#### Bering Sea Trawl Gear

- Work to achieve real time genetic reporting that provides the composition of Western Alaska salmon in

the bycatch. This can then be used in management of the pollock fishery to avoid areas and times when Western Alaska salmon are on the grounds in the Bering Sea.

→ The State should work to establish a scientific-based chum salmon cap to reduce bycatch of Western Alaska salmon in the pollock fishery in the Bering Sea.

[slide 30]

#### Bering Sea Trawl Gear

→ Review effectiveness of fixed open and closed areas for trawling and continue to examine methods to develop flexible spatial management.

→ A review is recommended for the Bering Sea trawl prohibited species caps (PSC) in relation to crab, to be supported by the State of Alaska. This review would examine the impacts to the resource and trawl sector if trawl crab PSC were to be applied across the entire Bering Sea, instead of only the current sub-areas.

MS. KOZAK covered the information from slides 31-34, regarding management recommendation for the Gulf of Alaska, which read:

[slide 31]

#### Gulf of Alaska Fixed Gear (longline and pot)

→ Following gear modification research, consider regulations for the directed crab fishery and pot cod fishery to reduce incidental take and discard mortality.

→ Address the lack of monitoring in the directed Tanner crab and state waters pot cod fisheries.

[slide 32]

#### Gulf of Alaska Trawl Gear

→ Recommend the State of Alaska initiate review of the open and closed areas in the Gulf of Alaska for pelagic and non-pelagic trawl gear and consider closing new/additional areas to reduce the bycatch of halibut, salmon and Tanner crab.

→ To better quantify removal of prohibited species, it is recommended that trawl catcher vessels in the Gulf of Alaska be required to have 100% observer coverage when engaged in non-pelagic trawling. It is further recommended that the State of Alaska work to obtain funding, either through specific appropriations and/or grants for the additional coverage.

[10:32:37 AM](#)

MS. KOZAK, in response to Representative Stutes, said the proposal she had been speaking to was specific to trawl gear and a lack of monitoring. She noted that the tanner crab fishery in the Gulf of Alaska does not have observer coverage - in the Bering Sea it does.

[10:34:18 AM](#)

MS. KOZAK, in response to Chair Vance, talked about the history of observer coverage percentages.

[10:36:38 AM](#)

MS. KOZAK, in response to Representative Ortiz, described 100 percent observance versus "200 percent," which she explained just means there are two observers, day and night. To Chair Vance, she said she could not give more exact details.

[10:38:37 AM](#)

MS. MADSEN, in response to a question from Representative McCabe, said federal law requires two observers on board, and that does not include the captain. She said 100 percent observer coverage usually applies to "catcher vessels" where there is also an observer on shore in the plant. Regarding 30 percent coverage, she shared that "all catch is calculated by those vessels that have coverage." In response to a question about mortality rate, she said, "Trawl is usually 100 percent mortality."

MS. KOZAK noted the different mortality rates for crab depending on fishing method.

[10:42:12 AM](#)

MS. KOZAK, in response to Representative Ortiz, provided the background for current research. She stated that halibut funding

is on-going. To a follow-up question, she said funding is both at the federal and state level.

[10:43:43 AM](#)

MS. KOZAK returned to the PowerPoint, to the information on slide 33, which read:

Gulf of Alaska Trawl Gear

→ It is recommended that a regulatory requirement be approved for the Gulf of Alaska pelagic trawl fleet, including any tenders of pelagic trawl caught fish, to have 100% electronic monitoring. It is further recommended that the State of Alaska work with National Marine Fisheries Service, our federal delegation, and others to work to acquire funding to install electronic monitoring equipment on all GOA catchers and tenders.

→ It is recommended the State of Alaska propose that the NPFMC consider development of an abundance-based management program for halibut bycatch in the GOA as a way to address bycatch during fluctuations of halibut biomass. 3

[10:45:42 AM](#)

MS. KOZAK, to a question from Representative McCabe about halibut "high grading," deferred to Brian Gabriel.

[10:46:38 AM](#)

MR. GABRIEL discussed mortality, size limit, and the International Pacific Halibut Commission's (IPHC's) consideration of eliminating "the U32 requirement."

[10:48:04 AM](#)

MS. KOZAK noted that IPHC determined that at this point in time it would not remove the under 32-inch requirement. In response to a follow-up question from Representative McCabe about making the price per pound the same for all sizes of halibut to avoid high grading, indicated that this issue is not as big a problem as it once was. She said the mortality rate for handling halibut is "not that high."

[10:50:22 AM](#)

MR. VELSKO confirmed the problem may have been greater in the past but is not significant now, with a 50-60 cents difference between smaller and larger fish.

[10:52:28 AM](#)

MS. KOZAK, in response to Chair Vance, spoke about the process of reviewing abundance space management.

[10:54:03 AM](#)

MR. GABRIEL, referring back to a question previously asked by Representative Ortiz, spoke about lost gear in halibut fisheries and regulations for halibut trolling.

MS. KOZAK returned to the PowerPoint, to slide 34, which read:

Gulf of Alaska Trawl Gear

→ It is recommended that the State of Alaska investigate the value of requiring full retention of Tanner crab in all GOA trawl fisheries for a period of time to adequately assess removals.

→ As a means of reducing and managing bycatch and associated mortality of high value species within the Gulf of Alaska, it is recommended that rationalization-type management tools be considered.

MS. KOZAK, in response to Chair Vance, offered details related to the term "rationalization-type management."

[10:57:37 AM](#)

MS. KOZAK, in response to Representative Cronk, said trolling is done on the East and West Coasts of the United States, but said she cannot speak as to the Hawaiian or Caribbean Islands. In response to Representative McCabe, she talked about the individual fishing quota (IFQ). She then acknowledged the expertise of the members of the taskforce.

[11:01:04 AM](#)

MS. KOZAK returned to the PowerPoint, to slide 35, to describe research and management relationships.

[11:02:44 AM](#)

MS. KOZAK, in response to Representative Himschoot, offered her understanding that while the chum and chinook salmon crisis occurring in the Yukon-Kuskokwim region was a catalyst for the governor's administrative order, he expanded the scope. To a follow-up question, she deferred to Ms. Madsen for response.

MS. MADSEN talked about a salmon by-catch committee and upcoming report in April. She mentioned 67 percent by-catch being Asian in origin, which makes it difficult to develop mitigation measures for Western Alaska.

[11:05:28 AM](#)

MS. KOZAK added that the Board of Fisheries currently is working on Area M salmon proposals. She said 3.8 billion chum salmon are released annually. She echoed Ms. Madsen's comment about the tremendous amount of Asian fish annually. In response to a comment by Representative McCabe about determining the genetics of fish, she deferred to Ms. Madsen.

MS. MADSEN said cannot respond to that question.

[11:08:28 AM](#)

MS. KOZAK, in response to Representative Ortiz, said ABRT's recommendations went to the governor. Recommendations on how bycatch research is done are reviewed by the Alaska Department of Fish & Game, she indicated.

CHAIR VANCE stated the purpose of the taskforce presentation is to determine the legislature's next steps regarding research, jurisdiction, and management [of the state's fisheries].

[11:11:55 AM](#)

MS. KOZAK, in response to Representative Ortiz, talked about the appointment of taskforce members. She noted that the State of Alaska has a seat on the North Pacific Council.

[11:13:16 AM](#)

MS. KOZAK, in response to remarks from Representative Cronk about the disappearance of salmon from the Yukon River, said she is not familiar with Western Alaska. In response to comments from Representative McCabe regarding the crucial need for fish to keep some cultures alive, she said it was a big job to study

fisheries in the Bering Sea and the Gulf of Alaska. She agreed there may be a need for targeted taskforce advisory groups. She said ABRT made a recommendation for a permanent advisory body, but as yet no final decisions have been made on development of that.

[11:17:37 AM](#)

MR. VELSKO replied to previous questions from Representative McCabe regarding Canadian management of bycatch and observer coverage.

[11:22:41 AM](#)

MS. MADSEN noted that vessel catch information is on the National Marine Fisheries Service (NMFS) website.

[11:23:41 AM](#)

MR. VELSKO, in response to a question from Representative C. Johnson, said he does not know what percentage of catch falls under the category of "zero observer."

[11:25:40 AM](#)

MS. KOZAK, in response to a question from Representative Carpenter about whether consideration had been made as to the relation of the technology used by the fisheries to bycatch, said it had been, indirectly; one of the recommendations from the taskforce was improvement of technology and for the fixed gear fleet to put some modifications of technology into regulation. In response to a follow-up question, she explained that the taskforce had just 9.5 months to do its work, thus limited its discussion topics.

[11:31:24 AM](#)

MS. KOZAK, in response to Chair Vance, offered some history regarding the Magnuson-Stevens Fishery Conservation and Management Act.

[11:34:23 AM](#)

MS. KOZAK, in response to Representative McCabe's expressing frustration that too many entities manage Alaska's fisheries, pointed out that within three miles [of Alaska's coastline], the state manages its fisheries; outside of that the federal

government manages the fisheries, and that process is "convoluted." In response to a follow-up question, she said allowed catch in halibut sport fishing - specifically the biological management of the halibut - is regulated by the International Pacific Halibut Commission (IPHC).

[11:37:51 AM](#)

MS. MADSEN, in response to questions asked by Chair Vance on behalf of the public, explained the concept of throwing back bycatch. Prohibited species must be thrown back; they cannot be sent to foodbanks; in general, they are those that have "high value." There is by-catch that can be kept, but only up to a certain level. She clarified that salmon is allowed to be given to foodbanks, as is halibut. She noted that SeaShare manages the fish to foodbank operations out of Bainbridge, Washington, but with locations in many parts of Alaska.

MS. KOZAK noted that the taskforce had heard a presentation given by SeaShare.

MS. MADSEN continued sharing information about bycatch. She said she is not aware of anything that was changed by the aforementioned Act as relates to the way bycatch is managed. In response to a previous question from Representative Carpenter, she spoke about the number of great climate scientists in the North Pacific Region.

[11:45:07 AM](#)

MS. KOZAK, in response to a question from Representative Carpenter as to whether a gillnetter must follow the same rules regarding bycatch as does a trawler, answered yes. In response to follow-up clarification that Representative Carpenter sought to know whether the risk is the same, she said that is not something the taskforce addressed.

CHAIR VANCE thanked the presenters and speakers for their work on the taskforce.

[11:50:10 AM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House Special Committee on Fisheries meeting was adjourned at 11:50 a.m.