

**PROPOSAL 236**

**5 AAC 27.060. Bering Sea Herring Fishery Management Plan; 5 AAC 27.610 Fishing seasons and periods for Alaska Peninsula-Aleutian Islands Area; 5 AAC 27.655 Dutch Harbor Food and Bait Herring Fishery Allocation Plan; 5 AAC 27.865 Bristol Bay Herring Management Plan.**

Increase the Dutch Harbor food and bait herring fishery allocation, eliminate the Dutch Harbor food and bait herring fishery allocations between gear types, and open the Dutch Harbor food and bait herring fishery earlier, as follows:

**5 AAC 27.060. Bering Sea Herring Fishery Management Plan.**

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(d) The department shall manage the herring food and bait fishery that takes place in the Unimak, Akutan, and Unalaska Districts and that portion of the Umnak District east of Samalga Pass (Dutch Harbor fishery) so that it is allocated **ten** [SEVEN] percent of the allowable Togiak District herring fishery harvest determined under the provisions of the Bristol Bay Herring Management Plan in 5 AAC 27.865.

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**5 AAC 27.610 Fishing seasons and periods for Alaska Peninsula-Aleutian Islands Area.**

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(e)(2)(B) by purse seines, from 12:00 noon July **1**[15] through February 28.

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**5 AAC 27.655. Dutch Harbor Food and Bait Herring Fishery Allocation Plan.** (a) The herring available for harvest in the Dutch Harbor food and bait herring fishery under 5 AAC 27.865(b)(4) shall be allocated as follows:

[(1) 86 PERCENT TO THE HERRING SEINE FISHERY;

(2) 14 PERCENT TO THE HERRING GILLNET FISHERY.

(b) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE ALLOCATIONS OF HERRING TO THE HERRING SEINE FISHERY AND TO THE HERRING GILLNET FISHERY UNDER (A) OF THIS SECTION ARE INDEPENDENT OF EACH OTHER. IF THE HARVEST BY A FISHERY IN A GIVEN YEAR IS GREATER THAN THE AMOUNT ALLOCATED TO THAT FISHERY UNDER (A) OF THIS SECTION, THE EXCESS TONNAGE IS SUBTRACTED FROM THE FOLLOWING YEAR'S ALLOCATION TO THAT FISHERY. IF THE HARVEST BY A FISHERY IN A GIVEN YEAR IS LESS THAN THE AMOUNT ALLOCATED TO THAT FISHERY UNDER (A) OF THIS SECTION, NO EFFECT ON FUTURE ALLOCATIONS TO THAT FISHERY WILL OCCUR. AFTER JULY 20, IF THE HERRING GILLNET FISHERY HAS NOT HARVESTED THE HERRING GILLNET FISHERY ALLOCATION, THE REMAINING HERRING GILLNET FISHERY ALLOCATION MAY BE HARVESTED IN EITHER THE HERRING GILLNET FISHERY OR THE HERRING SEINE FISHERY, EXCEPT THAT IF THE HARVEST BY THE HERRING SEINE FISHERY EXCEEDS THE HERRING SEINE FISHERY ALLOCATION ON OR BEFORE JULY 20, THE EXCESS AMOUNT HARVESTED BY THE HERRING SEINE FISHERY WILL BE SUBTRACTED FROM THE REMAINING HERRING GILLNET FISHERY ALLOCATION FOR THAT YEAR AFTER JULY 20 TO ESTABLISH THE

REMAINING ALLOCATION THAT MAY BE HARVESTED BY EITHER OF THE FISHERIES. IF THE HARVEST BY THE HERRING SEINE FISHERY EXCEEDS THE REMAINING ALLOCATION ESTABLISHED UNDER THIS SUBSECTION AFTER JULY 20, THE EXCESS AMOUNT HARVESTED BY THE HERRING SEINE FISHERY WILL BE SUBTRACTED FROM THE FOLLOWING YEAR'S HERRING SEINE FISHERY ALLOCATION SPECIFIED IN (A) OF THIS SECTION.]

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**5 AAC 27.865. Bristol Bay Herring Management Plan.**

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(b) (4) The maximum exploitation rate for the Bristol Bay herring stock is 20 percent. Before opening the sac roe fishery, the department shall set aside approximately 1,500 short tons for the Togiak District herring spawn-on-kelp fishery, and **ten** [SEVEN] percent of the remaining available harvest for the Dutch Harbor food and bait fishery. If the actual harvest is less than the spawn-on-kelp guideline harvest level, the commissioner may reallocate 50 percent of the remainder to the Togiak District herring sac roe fishery.

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**What is the issue you would like the board to address and why?** Anecdotal reports suggest that Pacific herring are present in the eastern Aleutian Islands before July 15. Opening the Dutch Harbor food and bait herring fishery on July 1 rather than July 15 would allow greater harvest opportunity and increase probability the full guideline harvest level will be taken. The Dutch Harbor food and bait herring fishery allocation is based on 7% of the allowable Togiak District herring harvest and the *Dutch Harbor Food and Bait Herring Fishery Allocation Plan* allocates 14% of the guideline harvest level to fishermen using gillnet gear and 86% of the guideline harvest level to fishermen using purse seine gear. A 10% allocation to the Dutch Harbor food and bait fishery will potentially increase the value of that fishery.

**PROPOSED BY:** Alaska Board of Fisheries

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