

PROPOSAL 30

5 AAC 01.570. Lawful gear and gear specifications.

Add provisions to allow for subsistence harvest of herring spawn on kelp as follows:

5 AAC 01.570 is amended to read:

(g) Herring, **excluding herring spawn**, may be taken only with gillnets. Gillnets used to take herring may not exceed 50 feet in length and two inches in mesh size.

...

(x) Herring spawn on kelp may be taken only by a hand-held unpowered blade-cutting device. Kelp blades, or other aquatic plant species, must be cut at least four inches above the stipe (stem).

What is the issue you would like the board to address and why? This proposal addresses lack of clarity in regulations about the subsistence harvest of herring spawn outside of the Anchorage nonsubsistence area in Lower Cook Inlet. The current C&T finding at 5 AAC 01.566(a)(4) includes herring “in any stage of its life cycle” as defined in the statewide definition of fish. Statewide regulations state that finfish other than salmon, rainbow trout, and steelhead trout may be taken for subsistence purposes at any time in any area of the state by any method unless restricted by the subsistence fishing regulations. Under Cook Inlet subsistence regulations, the only existing gear specification for herring stipulates that herring may only be taken with gillnets (5 AAC 01.570(g)). The proposed amendment to 5 AAC 01.570(g) would clarify that herring spawn is not restricted to harvest by gillnet and would specify harvest methods for herring spawn while protecting attached aquatic plants. This would not restrict harvest of herring spawn on other substrate.

PROPOSED BY: Alaska Department of Fish and Game

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