

## **PROPOSAL 182**

### **5 AAC 27.XXX. New section.**

Establish provisions for a herring sac roe purse seine permit holder participating in the Sitka Sound sac roe herring fishery to use open pound instead of purse seine fishing gear.

5 AAC 27.XXX. Management plan for herring spawn on kelp in open pound fishery in Sections 13-A and 13-B.

(a) In section 13-A south of the latitude of Point Kakul (Saulisbury Sound) and in Section 13-B north of the latitude of Aspid Cape (Sitka Sound), a CFEC permit holder in the G01A fishery may choose to operate an open pound instead of purse seine gear during the current regulatory year under provisions of this section;

(b) Prior to the open season, permit holders who choose to participate in the spawn on kelp fishery must register with the department by March 1. Permit holders may only fish with one gear type in a given season.

(c) A permit holder may operate up to four open pound structures as specified in 5 AAC 27.130.

(1) only two pound structures per registered permit holder may be fished in the waters described in 5 AAC 27.150(7);

(2) open pound structures located in the waters described in 5 AAC 27.150(7) may only be allowed one line to shore.

(d) The annual GHL for the Sitka Sound commercial sac roe herring fishery shall be reduced by dividing the current years GHL by the number of CFEC permits eligible to participate in the G01A fishery, multiplying that total by the number of permit holders registered to fish open pound gear and then subtracting that total from the GHL. The maximum GHL reduction for each registered open pound is 200 tons per registered permit holder.

(e) The maximum allowed harvest of spawn on kelp product is 100,000 pounds in aggregate. Any spawn on kelp product in excess of this limit may be utilized toward another permit holders harvest until the raft of product is empty. Any additional excess spawn on kelp product shall remain in the water.

(f) Spawn on kelp pound structures and other equipment used in a spawn on kelp pound fishery must be marked as follows:

(1) before kelp is added to a pound, a permit holder must plainly and legibly mark the permit holder's first and last name and five digit CFEC permit number in a conspicuous place on the pound; the sign must be vertical, and the markings must be clearly visible and above the surface of the water at all times; the letters and numbers used to identify a pound must be at least six inches high with lines at least one-half inch wide and must contrast with the background; the sign must be left on the pound structure the entire time any part of the pound or pound system is in the water;

(g) A permit holder may place the permit holder's kelp in no more than four pounds. Before kelp is introduced into the spawn on kelp pound, a permit holder must store the kelp in a manner that prevents herring from spawning on the kelp.

(h) A permit holder must be physically present at the permit holder's pound fishing site during operation of the pound. For the purpose of this subsection, "operation of the pound" means:

(1) when an open pound is being moved; and

(2) when kelp product is being collected from the pound.

(i) A permit holder must be physically present when the permit holder's herring spawn on kelp product produced in the pound is being landed.

(j) A permit holder shall completely remove all pounds and associated equipment from the waters by 12 noon June 10 through March 1 of the following year;

(k) An open pound is considered to be fishing once kelp has been attached to the open pound structure and is considered to have stopped fishing once all of the spawn on kelp product has been removed from the open pound structure.

(l) Each permit holder is responsible for all operations of the pound and pound system.

5 AAC 27.130(c)-(d) are amended to read:

5 AAC 27.130. Lawful gear for Southeastern Alaska Area. (a) Herring may be taken during the open season by purse seines and gillnets.

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(c) Herring pounds for the taking of spawn on kelp in pounds may be operated only under terms of a permit issued by the commissioner and as provided in 5 AAC 27.185 **and 5 AAC 27.XXX.**

(d) A herring pound for the herring spawn on kelp pound fishery may be a closed pound or open pound and may be operated only as provided in 5 AAC 27.185 **and 5 AAC 27.XXX.**

**What is the issue you would like the board to address and why?** Herring roe product markets are still declining and have been for years. The Sitka sac roe seine fishery once had participation from all permit holders, many more tenders, spotter pilots, and other support skiffs because there was enough value in the fishery to justify the expense. There used to be some money in sac roe. Today, due to continued declining market conditions, there are fewer permit holders participating, far fewer tenders, and no spotter pilots or many additional support skiffs because the economies of the fishery are in such decline. The prices paid today are a far cry from what they were in the heyday...in fact, the price paid this year for the fish was less than 10% of the peak values seen in the mid 1990's. The product form coming from the fishery is only sac roe and the fishery would benefit by encouraging different uses, product forms, and harvest methods to be developed by existing permit holders who have invested in the fishery. I propose allowing existing G01A (Sitka sac roe seine) permit holders to choose between seining sac roe or using the alternative gear of open pounds to harvest roe on kelp. In past years this would have been a good thing for the permit holders who were unable to participate in the fishery due to continued constrained and devalued markets for sac roe. It also would be good for those who participated and wish to gain more value for their efforts beyond the traditional seine fishery. Additionally, there is no mortality associated with open pound roe on kelp fisheries so the value of the resource would be increased while removing less fish from the biomass.

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.** This proposal has been brought before the Board of Fisheries for quite some time now and the current state of herring markets should make it clear that it should be approved. Something needs to be done as status quo has not made any forward progress.

**PROPOSED BY:** Ryan Kapp

(EF-F24-049)

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