

## ***Herring (9 proposals)***

### **PROPOSAL 95**

#### **5 AAC 27.300. Description of Prince William Sound, 5 AAC 27.305. Fishing Districts, Subdistricts, and Sections, and 5 AAC 27.365. Prince William Sound Herring Management Plan.**

Make numerous changes to management of commercial herring fisheries in Prince William Sound, as follows:

**5 AAC 27.300. Description of Prince William Sound Area.** The Prince William Sound Area **includes all waters of Alaska between 148° 50.25' W. long. (near Cape Fairfield) and 144° W. long. (near Cape Suckling)** [HAS AS ITS WESTERN BOUNDARY A LINE EXTENDING SOUTH FROM CAPE FAIRFIELD, AS ITS EASTERN BOUNDARY A LINE EXTENDING SOUTH FROM CAPE SUCKLING AND AS ITS SOUTHERN BOUNDARY 59° N. LAT.]

#### **5 AAC 27.305. Fishing districts, Subdistricts and Sections.**

(a) **Prince William Sound District: all waters of the Prince William Sound Management Area, excluding the Kayak Island District.** (b) **Kayak Island District: all waters from a line from a point at 60° 01.16' N. lat., 144° 00.00' W. long., to a point at 59° 57.98' N. lat., 144° 00.00' W. long., to a point at 59° 44.29' N. lat., 144° 36.12' W. long., to a point at 60° 17.13' N. lat., 146° 15.02' W. long., to Hook Point at 60° 20.11' N. lat., 146° 15.02' W. long.** [REPEALED]

**5 AAC 27.365. Prince William Sound District Herring Management Plan.** (a) The purpose of the Prince William Sound **District** herring management plan in this section is to describe management strategies for all Prince William Sound **District** herring fisheries and to provide for an optimum sustained yield and an equitable allocation for all user groups. (b) The management plan for herring fisheries in **the** Prince William Sound **District** assumes that all of these fisheries use a single stock of herring which may be harvested at the rate of zero to 20 percent of the spawning biomass. The management year for herring is **January 1 through December 31** [JULY 1 THROUGH JUNE 30]. Guideline harvest levels are established before the **sac roe fisheries** [FOOD AND BAIT SEASON] in the **spring** [FALL] and are based upon the final spawning biomass estimate from the previous year, cohort analysis, and projected recruitment. The minimum spawning biomass threshold is **8400** [22,000] tons, and no fishery may be opened if the estimated spawning biomass is below this threshold level. The department may allow, based upon age class strength, a harvest of herring at an exploitation rate between zero and 20 percent of the projected spawning biomass when that biomass is between 8400 [22,000] tons and 42,500 tons. The department may allow a harvest of herring at a maximum exploitation rate of 20 percent when the total projected spawning biomass is greater than 42,500 tons.

(c) The guideline harvest of herring is allocated by fishery as follows:

- (1) purse seine sac roe fishery: 58.1 percent;
- (2) gillnet sac roe fishery: 3.4 percent;
- (3) food and bait fishery: 16.3 percent;
- (4) spawn-on-kelp not in pounds: 8.0 percent; and
- (5) spawn-on-kelp in pounds: 14.2 percent.

(d) Harvest quotas for the spawn-on-kelp fisheries are derived as follows:

(1) spawn-on-kelp not in pounds: one ton of spawn-on-kelp may be taken for every eight tons of herring allocated to this fishery;

(2) spawn-on-kelp in pounds: the spawn-on-kelp in pounds harvest objective will be set based on the ratio of one ton of spawn on kelp for every 12.5 tons of herring allocated to this fishery; the commissioner, or an authorized designee, shall manage the fishery to achieve this harvest objective by restricting those persons holding a CFEC permit to participate in the fishery to a specified number of kelp blades annually based on the number of permit holders registered under 5 AAC 27.334(a) to fish with pounds, and to an equal portion of the guideline harvest of herring allocated in (c)(5) of this section based on the total number of permit holders.

**(6) 80 percent of the unharvested remainder of spring sac roe fisheries may be allocated to the fall food and bait fishery.**

**5 AAC 27.XXX. Harvest strategies for the Kayak Island District. (a) this district does not have a history of commercial herring harvest and may be opened to fishing on an exploratory basis with no specified guideline harvest level; Prince William Sound Area herring fisheries CFEC permit holders may participate in this exploratory district using the gear standard specified on their permits; the district listed as exploratory under this paragraph may be opened or closed, based on inseason information such as observed.**

**What is the issue you would like the board to address and why?** Updates to the PWS herring management plan and lowering GHF back to historical levels. These levels were changed in the 1990s and the fishery has remained closed ever since, disenfranchising historic users and an entire generation of younger commercial fisherman who could use a spring fishery and income but have not been able to participate due to this change.

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.** I utilized the language from an ADFG originated proposal for the majority, however modified the GHF level back to the proper historical level.

**PROPOSED BY:** Kenneth Jones (HQ-F24-006)

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**PROPOSAL 96**

**5 AAC 27.365 Prince William Sound Herring Management Plan.**

Change herring management year dates for the Prince William Sound District and create a new food and bait fishery allocation, as follows:

5 AAC 27.365. Prince William Sound **District** Herring Management Plan.

(a) The purpose of the Prince William Sound **District** herring management plan in this section is to describe management strategies for all Prince William Sound **District** herring fisheries and to provide for an optimum sustained yield and an equitable allocation for all user groups.

(b) The management plan for herring fisheries in **the** Prince William Sound **District** assumes that all of these fisheries use a single stock of herring which may be harvested at the rate of zero to 20 percent of the spawning biomass. The management year for herring is **January 1 through December 31** [JULY 1 THROUGH JUNE 30]. Guideline harvest levels are established before the **sac roe fisheries** [FOOD AND BAIT SEASON] in the **spring** [FALL] and are based upon the final spawning biomass estimate from the previous year, cohort analysis, and projected

recruitment. The minimum spawning biomass threshold is 22,000 tons, and no fishery may be opened if the estimated spawning biomass is below this threshold level. The department may allow, based upon age class strength, a harvest of herring at an exploitation rate between zero and 20 percent of the projected spawning biomass when that biomass is between 22,000 tons and 42,500 tons. The department may allow a harvest of herring at a maximum exploitation rate of 20 percent when the total projected spawning biomass is greater than 42,500 tons.

(c) The guideline harvest of herring is allocated by fishery as follows:

- (1) purse seine sac roe fishery: 58.1 percent;
- (2) gillnet sac roe fishery: 3.4 percent;
- (3) food and bait fishery: 16.3 percent;
- (4) spawn-on-kelp not in pounds: 8.0 percent; and
- (5) spawn-on-kelp in pounds: 14.2 percent.

(d) Harvest quotas for the spawn-on-kelp fisheries are derived as follows:

- (1) spawn-on-kelp not in pounds: one ton of spawn-on-kelp may be taken for every eight tons of herring allocated to this fishery;
- (2) spawn-on-kelp in pounds: the spawn-on-kelp in pounds harvest objective will be set based on the ratio of one ton of spawn on kelp for every 12.5 tons of herring allocated to this fishery; the commissioner, or an authorized designee, shall manage the fishery to achieve this harvest objective by restricting those persons holding a CFEC permit to participate in the fishery to a specified number of kelp blades annually based on the number of permit holders registered under 5 AAC 27.334(a) to fish with pounds, and to an equal portion of the guideline harvest of herring allocated in (c)(5) of this section based on the total number of permit holders.

**(3) 80 percent of the unharvested remainder of spring sac roe fisheries may be allocated to the fall food and bait fishery.**

**What is the issue you would like the board to address and why?** CDFU and ADFG collaborated to adopt new language into the Herring Management Plan to define a Prince William Sound District, change the season start and end dates, and add a new subsection that will allow unharvested Sac Roe herring to be harvested in the fall food and bait fishery.

Changing the season start date will help ADFG open the fishery when the harvest threshold is reached. The July 1 start date hampers ADFG's ability to open the fishery for the fall food and bait fishery, because biomass estimates aren't available until late fall. Starting the season on January 1 will allow the department to open the sac roe fishery first based on a fall biomass estimate.

The rollover clause will allow unharvested sac roe to be harvested in a more valuable food and bait fishery. Commercial groundfish fishermen are paying exorbitant prices for bait. Allowing this resource to be harvested locally in Area E will alleviate some of the cost burden on the groundfish fleet.

Recently the Board and CFEC formed a Herring Revitalization Committee. This rollover clause is a simple but effective way to achieve the State's intent to revitalize our once thriving local herring fishery.

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.** We developed this proposal with ADFG.

**PROPOSED BY:** Cordova District Fishermen United (CDFU)

(EF-F24-116)

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**PROPOSAL 97**

**5 AAC 27.365 Prince William Sound Herring Management Plan.**

Reduce the minimum herring spawning biomass threshold, as follows:

(b) The management plan for herring fisheries in Prince William Sound assumes that all of these fisheries use a single stock of herring which may be harvested at the rate of zero to 20 percent of the spawning biomass. The management year for herring is July 1 through June 30. Guideline harvest levels are established before the food and bait season in the fall and are based upon the final spawning biomass estimate from the previous year, cohort analysis, and projected recruitment. The minimum spawning biomass threshold is **16,000** [22,000] tons, and no fishery may be opened if the estimated spawning biomass is below this threshold level. The department may allow, based upon age class strength, a harvest of herring at an exploitation rate between zero and 20 percent of the projected spawning biomass when that biomass is between **16,000** [22,000] tons and 42,500 tons. The department may allow a harvest of herring at a maximum exploitation rate of 20 percent when the total projected spawning biomass is greater than 42,500 tons.

**What is the issue you would like the board to address and why?** In 1994 the minimum herring biomass threshold was raised to 22,000 tons from 8,400 tons. Since this increase, there have been essentially zero commercial herring fisheries operating in Prince William Sound. The 8,400 minimum biomass was based on an aerial survey data biomass estimate. In 1994, the department switched to ASL sampling to build a model and used the data from a longer time series to establish a threshold. The current threshold is based on a 25 percent biomass. The time series used was based on 1980's herring biomasses, which was an above average level of herring productivity for the Prince William Sound Area. It is our understanding that if the department had switched the existing aerial survey model from the 8,400 ton threshold to ASL model, the threshold should have been closer to 16,000 tons. This 16,000 tons would reflect a biomass estimate without incorporating a longer time series of data and setting a threshold at 25 percent of unfished biomass. We would like the department to use a longer data set from 1980-2024 to establish a new minimum spawning biomass threshold. By using a longer time series, it reflects what the true unfished biomass is in Prince William Sound.

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.**

**PROPOSED BY:** Cordova District Fishermen United (CDFU)

(EF-F24-119)

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**PROPOSAL 98**

**5 AAC 27.300. Description of Prince William Sound Area.**

Align Prince William Sound herring and salmon management area descriptions, as follows:

5 AAC 27.300 is amended to read:

**The Prince William Sound Area includes all waters of Alaska between 148° 50.25' W. long. (near Cape Fairfield) and 144° W. long. (near Cape Suckling). [THE PRINCE WILLIAM**

SOUND AREA HAS AS ITS WESTERN BOUNDARY A LINE EXTENDING SOUTH FROM CAPE FAIRFIELD, AS ITS EASTERN BOUNDARY A LINE EXTENDING SOUTH FROM CAPE SUCKLING AND AS ITS SOUTHERN BOUNDARY 59° N. LAT.]

**What is the issue you would like the board to address and why?** The Prince William Sound Area herring and salmon fisheries boundaries do not align. The current herring fishery management area east boundary overlaps the Yakutat Area western boundary, and its south boundary is outside of state managed waters.

Additionally, there is no geospatial reference in this regulation to accurately define the western and eastern boundaries of the Prince William Sound Area. Defining these boundaries along lines of longitude will allow for a consistent and repeatable point of reference for those involved in area fisheries.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F24-139)

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**PROPOSAL 99**

**5 AAC 27.305. Fishing districts, subdistricts and sections.**

Define commercial herring fishery districts in Prince William Sound, as follows:

5 AAC 27.305. Fishing districts, subdistricts and sections.

**(a) Prince William Sound District: all waters of the Prince William Sound Management Area, excluding the Kayak Island District.**

**(b) Kayak Island District: all waters from a line from a point at 60° 01.16' N. lat., 144° 00.00' W. long., to a point at 59° 57.98' N. lat., 144° 00.00' W. long., to a point at 59° 44.29' N. lat., 144° 36.12' W. long., to a point at 60° 17.13' N. lat., 146° 15.02' W. long., to Hook Point at 60° 20.11' N. lat., 146° 15.02' W. long.**

**What is the issue you would like the board to address and why?** Currently there is not a regulation defining the waters around Kayak Island within Area E to operate a herring fishery. This regulation will define the boundaries to allow the department to implement an exploratory fishery. Defining the Prince William Sound District apart from the Kayak Island subdistrict will allow managers to operate both fisheries effectively.

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.** We developed this proposal with ADFG.

**PROPOSED BY:** Cordova District Fishermen United (CDFU) (EF-F24-115)

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**PROPOSAL 100**

**5 AAC 27.XXX New Section.**

Adopt a Kayak Island District herring management plan, as follows:

**5 AAC 27.XXX. Harvest strategies for the Kayak Island District. (a) this district does not have a history of commercial herring harvest and may be opened to fishing on an exploratory basis with no specified guideline harvest level; Prince William Sound Area herring fisheries**

**CFEC permit holders may participate in this exploratory district using the gear standard specified on their permits; the district listed as exploratory under this paragraph may be opened or closed, based on inseason information such as observed stock abundance, harvest levels, and changes in fish behavior or harvest patterns, including such changes in the adjacent Prince William Sound District;**

**What is the issue you would like the board to address and why?** CDFU and ADFG collaborated to develop language for an exploratory herring fishery near Kayak Island. There is a biomass of herring that has been spawning near Kayak Island which has no historical harvest, but operates within the Area E region. We are unsure how a fishery would operate in this area. A good first step is language that defines that existing Area E herring permit holders are allowed to harvest these herring if the department decides to open the exploratory fishery. Breaking Kayak Island out of the existing management plan allows the department to execute a fishery.

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.** We developed this proposal with ADFG.

**PROPOSED BY:** Cordova District Fishermen United (CDFU) (EF-F24-117)  
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**PROPOSAL 101**

**5AAC 27.365. Prince William Sound Herring Management Plan.**

Adopt a new exploratory fishery for herring in the eastern portion of the Prince William Sound Management Area, as follows:

5AAC 27.365 Prince William Sound Herring Management Plan

b) The management plan for herring fisheries in Prince William Sound assumes that all of those fisheries (ADD) (NORTH OF A LINE FROM CAPE PUGET TO CAPE CLEARE, FROM ZIAKOF POINT TO CAPE HINCHINBROOK AND FROM STRABERRY HILL TO WHITEHED) use a single stock of herring which may be harvested at the rate of zero to 20 percent of the spawning biomass. (Leave the remainder of (b) intact

ADD new (f) PRINCE WILLIAM SOUND WATERS SOUTH OF A LINE FROM CAPE PUGET TO CAPE CLEARE, FROM ZIAKOF POINT TO CAPE HINCHINBROOK AND FROM STRAWBERRY HILL TO WHITSHED WILL BE MANAGED AS EXPLORATORY IN COORDINATION WITH ADFG WITH A MINIMUM HARVEST OBJECTIVE OF 500 TONS WITH EXISTING GEAR REGULATIONS AND NO GEAR ALLOCATIONS.

**What is the issue you would like the board to address and why?** Currently Prince William Sound Herring are all considered a single stock. About 15 years ago a significant biomass of herring has been spawning in the vicinity of Kayak Island. There has been samples collected and sporadic aerial surveys conducted documenting this phenomenon. In 2023 over 32 miles of spawn was observed in this area. Unfortunately this population is not being considered part of the Price William Sound stock and is not included in the overall assessment of the Prince William Sound herring population even though it is within the defined boundaries of area E.

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.** I had conversations with other interested parties as well as ADFG representatives

**PROPOSED BY:** Rob Nelson

(EF-F24-043)

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**PROPOSAL 102**

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

Allow commercial fishery permit holders to harvest herring for the own use as bait, as follows:

**5 AAC 27.XXX. Harvest of bait by permit holders in Prince William Sound District. The holder of a valid Prince William Sound Herring permit may take but may not sell herring for use as bait.**

- (1) herring may be taken at any time;**
- (2) herring may be taken by any gear specified in 5 AAC 39.105;**
- (3) in the 72 hours before and 72 hours after an open commercial herring sac roe fishing period in the Prince William Sound Area, a vessel, crewmember, or permit holder that participates in that commercial herring sac roe fishing period may not take herring under this section in any district in the Prince William Sound Area;**
- (4) a person or vessel may not take more than one ton of herring in a calendar year.**
- (5) any herring that is harvested under 5 AAC.27.XXX will be deducted from the Prince William Sound food and bait fishery allocation under 5 AAC 27.365**

**What is the issue you would like the board to address and why?** There is a consistent challenge and issue that there is a lack of bait access in Area E. Adopting this regulation would give the department a tool to allow a small harvest of bait in Area E if we are below the 22,000 ton threshold to execute a fall food and bait fishery. There are similar regulations in other areas that allow for 1 ton of bait to be harvested by permit holders.

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.**

**PROPOSED BY:** Cordova District Fishermen United (CDFU)

(EF-F24-118)

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**PROPOSAL 103**

**5 AAC 27.332. Seine Specifications and Operations for Prince William Sound Area.**

Allow dual permit commercial herring purse seine operations in Prince William Sound, as follows:

5 AAC 27.332. Seine specifications and operations for Prince William Sound Area. A person may not operate a purse seine that is more than 1,025 meshes in depth and more than 150 fathoms in length from April 15 through June 30.

Except. Two Prince William Sound sac roe herring seine CFEC permit holders may concurrently fish from the same vessel and jointly operate a single purse seine that is up to a maximum 1700meshes in depth and 200 fathoms of length, and a person holding two Prince William Sound sac roe herring seine CFEC permits may operate a single purse seine that is a maximum 1700 meshes in depth and 200 fathoms of length, under this section. When two Prince William Sound sac roe herring seine CFEC Permit holders fish from the same vessel and jointly operate additional seine gear, and when a person holding two Prince William Sound sac roe herring seine CFEC Permits operates additional seine gear, the vessel must display its ADF&G permanent license plate

number followed by the letter “D” to identify the vessel as a dual permit vessel. The letter “D” must be removed or covered when the vessel is operating with only one CFEC permit on board the vessel. The permanent license plate number and letters must be displayed.

- (A) in letters and numerals 12 inches high with lines at least one inch wide;
- (B) in a color that contrasts with the background;
- (C) on both sides of the hull; and
- (D) in a manner that is plainly visible at all times when the vessel is being operated;

When two CFEC permit holders jointly operate gear each permit holder

- (A) must be on board the fishing vessel and present
- (B) is responsible for ensuring that the entire unit of gear is operated in a lawful manner.

**What is the issue you would like the board to address and why?** Currently, there are way too many limited entry sac roe seine permits for the small quota that Prince William Sound can support. There is also a very limited market for herring and especially for sac roe products. Allowing for permit stacking of permits will help incentivize permit holders to group up on fewer participating vessels making it a tenable fishery for a few participants. In the 80s this fishery was known to be exceptionally congested and dangerous with many boats, tenders, and airplanes all crammed into very small areas for very few fish. Adopting this change will improve safety and viability for bringing back a small economically viable herring fishery in prince william sound.

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.** In coordination with other individual fisherman.

**PROPOSED BY:** Kenneth B. Jones

(HQ-F24-010)

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