

Submitted by the Alaska Department of Fish and Game at the request of Board Member Ruffner
February 24, 2019

Substitute language for proposal 159:

5 AAC 27.610. Fishing seasons and periods for Alaska Peninsula-Aleutian Islands Area. (a) In the Sand Point, Pavlof, King Cove, Amak, Port Moller, and Port Heiden Districts, herring may be taken from April 15 through July 15 (sac roe season) only during fishing periods established by emergency order.

(b) Repealed 4/2/88.

(c) Repealed 5/2/92.

(d) Repealed 5/31/98.

(e) In the Unimak, Akutan, Unalaska, Umnak, and Adak Districts, herring may be taken only during fishing periods established by emergency order as follow:

(1) in the sac roe fishery, from April 15 through 12:00 noon, June 24;

(2) in the food and bait fishery,

(A) by gillnets **and purse seine**, from 12:00 noon June 24 through February 28.[; AND]

[(B) BY PURSE SEINES, FROM 12:00 NOON JULY 1 THROUGH FEBRUARY 28.]

(f) A CFEC permit holder must register with the department before participating in the food and bait fishery.

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 **is defined** 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 5, 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 5, THE EXCESS AMOUNT HARVESTED BY THE HERRING SEINE FISHERY WILL BE SUBTRACTED FROM THE REMAINING HERRING GILLNET FISHERY ALLOCATION FOR THAT YEAR AFTER JULY 5 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 5, 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.]