

Bill to protect herring fishery will meet legal challenges

A bill designed to clear up potential legal problems with the so-called "superexclusive" fisheries in Western Alaska was signed into law last week by Gov. Steve Cowper.

The bill, spearheaded in the state Senate by Sen. John Binkley, R-Bethel, was designed to protect resident commercial fishermen who work the annual herring fisheries near Goodnews Bay, Cape Roanoke, Nunivak Island, Nelson Island, and Norton Sound.

The law, which took effect immediately on the governor's signature, clarifies and defines the Board of Fisheries' authority to set up the superexclusive zones. State attorneys say the new law will fend off legal challenges by fishermen seeking to open up the areas to non-resident fishermen.

The fisheries board has set up superexclusive areas for herring, salmon, crab and shellfish fisheries

around the state for the last four years. They are designed to help local fishermen with few other commercial opportunities to make the most of a given fishery.

The herring fisheries in Western Alaska have been the focus of the special areas, however, because larger vessels follow the runs northward as the season progresses, limiting the potential harvest for locally based boats. The new bill gives the board the authority to limit the number of districts in which a permit holder could fish in a given year.

The clarification was needed because the Nome District Court last year ruled that the board did not have the proper authority.

A challenge to the superexclusive herring fisheries is still pending in Sitka Superior Court, but state lawyers have said this new law should answer any questions the court might raise.