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1 IN THE SENATE BY THE FINANCE COMMITTEE
2 CS FOR SPONSOR SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 62 (Finance)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 Relating to the bycatch of herring in
6 the Bering Sea groundfish trawl fisher-
7 ies.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 WHEREAS herring are caught incidentally in the Bering Sea and discard-
10 ed by fisheries targeting groundfish, and this incidental catch is known as
11 bycatch; and

12 WHEREAS there is a significant relationship between the magnitude of
13 the offshore harvest of herring and the conservation crisis facing discrete
14 stocks of the western Alaska herring fisheries; and

15 WHEREAS the Alaska Board of Fisheries has identified a serious re-
16 source conservation problem with western Alaska herring stocks that are
17 continuing to decline; and

18 WHEREAS two western Alaska commercial sac-roe fisheries, Nelson Island
19 and Nunivak Island, are projected to be closed in 1990; and

20 WHEREAS closure of these fisheries will create an economic crisis in
21 the affected communities; and

22 WHEREAS continued decline of herring stocks will result in restric-
23 tions or closures of the herring subsistence fishery which is a central
24 component of the subsistence economies of the communities in the Nelson
25 Island area; and

26 WHEREAS the anticipated stock decline of 43 percent in the Togiak area
27 will reduce stock abundance to near harvest threshold levels in 1990 and
28 below the threshold for commercial harvests in 1991 if no recruitment is
29 observed in 1990; and

1 WHEREAS similar declines are occurring in other western Alaska herring
2 stocks; and

3 WHEREAS the bycatch of herring by groundfish trawlers in the Bering
4 Sea is reported to amount to an exploitation rate of at least five percent,
5 but it is believed that the data on which this estimate is based represents
6 only a small proportion of the actual herring bycatch due to unobserved and
7 unreported discharges of herring at sea; and

8 WHEREAS the amount and quality of data available about herring bycatch
9 will improve when the National Marine Fisheries Service meets its goal in
10 the Bering Sea of 30 percent observer coverage for vessels in the 60 to 150
11 feet class and 100 percent for vessels over 150 feet; and

12 WHEREAS even with this amount of observer coverage, a problem still
13 exists in determining the herring bycatch and mortality in tows that are
14 retrieved but released without ever being brought on board; and

15 WHEREAS these tows are not accounted for in current statistical data
16 regarding herring bycatch and mortality; and

17 WHEREAS herring suffer significantly higher levels of mortality, as
18 compared to other species, in encounters with trawl gear; and

19 WHEREAS the Board of Fisheries has removed provisions that would allow
20 an increase in the Dutch Harbor food and bait herring fishery in the event
21 that the harvest by the Togiak sac-roe herring fishery is below the allow-
22 able exploitation rate; and

23 WHEREAS the Board of Fisheries has directed the Department of Fish and
24 Game to close the Dutch Harbor bait fishery if subsistence herring harvests
25 are being affected anywhere in western Alaska; and

26 WHEREAS the efforts of the Board of Fisheries and the Department of
27 Fish and Game to address this issue and to support trawl closures to im-
28 prove the opportunity for resource recovery, including expanded state
29 enforcement within the territorial sea, are to be saluted and supported;

1 and

2 WHEREAS the North Pacific Fishery Management Council, at its January
3 1990 meeting, put the public on notice that the council may take emergency
4 action on the herring bycatch issue at its April 1990 meeting; and

5 WHEREAS the council also decided to address the herring bycatch issue
6 during its 1990 regulatory amendment cycle;

7 BE IT RESOLVED that the Alaska State Legislature respectfully requests
8 the North Pacific Fishery Management Council to take emergency action at
9 its April 1990 meeting to implement herring bycatch controls before the
10 critical period between June and December 1990 when herring migrate through
11 areas fished by the groundfish trawl fleet; and be it

12 FURTHER RESOLVED that the Alaska State Legislature respectfully re-
13 quests the North Pacific Fishery Management Council to take action to
14 document the amount of herring bycatch and mortality from released tows and
15 at a minimum provide for observers to document the number of occurrences
16 and classify them by tonnage categories; and be it

17 FURTHER RESOLVED that the Alaska State Legislature respectfully re-
18 quests the North Pacific Fishery Management Council to consider implement-
19 ing a level of observer coverage in the Bering Sea that is higher than the
20 goal already set as a way of obtaining even more accurate information about
21 herring bycatch and mortality; and be it

22 FURTHER RESOLVED that the council respond to the concerns of the
23 fishermen in western Alaska and of the State of Alaska during the 1990
24 regulatory amendment cycle as it addresses the herring bycatch issue.

25 COPIES of this resolution shall be sent to the Honorable Robert A.
26 Mosbacher, Sr., Secretary of the U.S. Department of Commerce; the Honorable
27 Don W. Collinsworth, Chairman, North Pacific Fishery Management Council;
28 the Honorable Steven Pennoyer, Regional Director, Alaska Region, National
29 Marine Fisheries Service; and to the Honorable Ted Stevens and the

- 1 Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S.
- 2 Representative, members of the Alaska delegation in Congress.