

Original sponsor(s): SEN. BINKLEY, Sturgulewski

1 IN THE SENATE BY THE RESOURCES COMMITTEE  
2 HOUSE CS FOR CS FOR SS FOR SENATE JOINT RESOLUTION NO. 62 (Resources)  
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 authority to close trawl fisheries within the territorial sea and increased

1 state enforcement, are to be saluted and supported; and

2 WHEREAS the North Pacific Fishery Management Council, at its April  
3 1990 meeting voted to request that the Secretary of Commerce put in place  
4 an emergency rule on herring bycatch beginning June 15, setting a bycatch  
5 cap of 2.5 percent of the observed Eastern Bering Sea herring spawning  
6 biomass; and

7 WHEREAS the council has also decided to address the herring bycatch  
8 issue during its 1990 regulatory amendment cycle;

9 BE IT RESOLVED by the Alaska State Legislature that the North Pacific  
10 Fishery Management Council respond to the concerns of the fishermen in  
11 western Alaska and of the State of Alaska during the 1990 regulatory amend-  
12 ment cycle as it addresses the herring bycatch issue; and be it

13 FURTHER RESOLVED that the North Pacific Fishery Management Council  
14 establish permanent herring bycatch controls as part of the Bering Sea and  
15 Aleutian Islands Groundfish Fishery Management Plan during the 1990 regu-  
16 latory amendment cycle and that the bycatch controls take effect April 1,  
17 1991, at a rate equal to or less than one percent of observed herring  
18 spawning biomass; and be it

19 FURTHER RESOLVED that the Alaska State Legislature respectfully re-  
20 quests the Regional Director of the National Marine Fisheries Service,  
21 Alaska Region, and the Secretary of Commerce to implement the emergency  
22 action taken by the North Pacific Fishery Management Council in setting a  
23 cap on the bycatch of herring; and be it

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

29 FURTHER RESOLVED that the Alaska State Legislature respectfully

1 requests the North Pacific Fishery Management Council to consider imple-  
2 menting a level of observer coverage in the Bering Sea that is higher than  
3 the goal already set fleet-wide, including 100 percent coverage for all  
4 boats participating in zones and at times of high herring bycatch, as a way  
5 of obtaining even more accurate information about herring bycatch and  
6 mortality.

7 COPIES of this resolution shall be sent to the Honorable Robert A.  
8 Mosbacher, Sr., Secretary of the U.S. Department of Commerce; the Honorable  
9 Don W. Collinsworth, Chairman, North Pacific Fishery Management Council;  
10 the Honorable Steven Pennoyer, Regional Director, Alaska Region, National  
11 Marine Fisheries Service; and to the Honorable Ted Stevens and the Honor-  
12 able Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S.  
13 Representative, members of the Alaska delegation in Congress.