

Emergency Petition To the Alaska Board of Fisheries

Date: April 23, 2008

To: Mr. Mel Morris, Chairman
Alaska Board of Fisheries

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From: Robert Heyano

Nature of the Petition:

Petitioners seek emergency consideration by the Alaska Board of Fisheries to expand the Egegik and Ugashik commercial fishing districts from June 16, through June 25, 2008. The purpose of the expansion is to responsibly react to a forecasted large run and to reduce the prospect of excessively high foregone harvest.

In 2007, 14.9 million fish escaped commercial harvest; 84% above the escapement goal of 8.1 million. Since 2004, escapement has routinely exceeded the department's escapement goals, by a total of 25 million fish. This foregone harvest is worth \$88 million to fishermen¹ and \$203 million as processed product at first wholesale value. Considering the magnitude of the 2008 run forecast, and without Board action, there is a strong probability that a large foregone-harvest will be repeated.²

The probability is increased by the recent history of under-forecast. Since 2005, the department has consistently under-forecast Bristol Bay sockeye runs, by an average of 9 million fish per year.

Bottom line; this is more than just a plant-capacity issue. Balancing harvesting, habitat, processing capacities and management options involve many variables. Effective solutions are likely to involve many partial responses. There is no single solution.

¹ ADFG: Bristol Bay Salmon Forecast for years 2003-2008 and Bristol Bay Salmon Season Summary for years 2003-2007.

² Note: We use the term foregone-harvest to mean those fish not harvested but which were in excess to the escapement point goal. The escapement goal for 2007 was 8.1 million fish. The total number escaped was 14.9. The under-harvest was, therefore, 6.8 million.

This emergency petition requests consideration for what is perhaps the last significant option available for reducing possible foregone harvest for the Bristol Bay salmon industry in 2008. Responding to the opportunity requires BOF action.

It is too late to address foregone harvest in the 2008 season by adding hardware to increase daily processing capacity in the form of new plants and equipment. But decisive action now can give managers the tools to modify the pace of the fishery and to allow existing harvesting and processing hardware to more efficiently handle anticipated harvest volume.

Statutory and regulatory authority exists:

Under board petition policy; “an emergency is an unforeseen, unexpected event that either threatens a fish or game resource, or an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action and such delay would be significantly burdensome to the petitioners because the resource would be unavailable in the future.” (emphasis added)³

Why this is an emergency:

- An April 8, 2008 department announcement states that; “The Department of Law advises that board approval is necessary in order to open additional area outside of established district boundaries (our emphasis) unless the forecast is considered to be outside of the range of harvests that would have been considered during the initial BOF decisions.”⁴
- Significant new information has become available since the last BOF meeting addressing BB management, in 2006. For example, the 2008 forecast calls for a total return of 40 million fish, 18% higher than the forecast available at the 2006 meeting⁵. And two Bristol Bay salmon seasons have occurred, both of which saw the actual sockeye return exceed the department’s projection, by over 10 million sockeye each year. Further, analysis of recent foregone-harvests was not available during the 2006 meeting. That five year analysis shows that in

³ AS 44.62.270 and 5 AAC 96.625

⁴ Memorandum from D. Gray to Commissioner Lloyd, 2008 Bristol Bay Sockeye Salmon Fishery Issues, April 8, 2008.

⁵ ADFG: Bristol Bay Sockeye Salmon Forecast for the years of 2007 and 2008.

each of those 5 years 4.3 to 7.5 million surplus fish were not harvested.

- Historically, early fishing within established districts has not been sufficiently productive to have an effect on foregone harvest. Since 2003, average cumulative in-district harvest by June 20, is roughly 180,000 fish (excepting 2004 when an expanded area was approved).
- As the department points out in the April 8, announcement, there are similarities between 2007 and the expected 2008 season. The 2008 harvest forecast and the 2007 actual harvest are nearly the same. But the 2007 season also resulted in an under-harvest of 6.8 million fish worth \$25 million at ex-vessel and \$60 million at first wholesale.
- Since 2005, the Bristol Bay sockeye return has exceeded the department's forecast, by an average of 9 million fish each year (27%).
- The 2008 Bristol Bay sockeye processing capacity survey reports processing capacity of 36.3 million fish⁶ - a surprising increase of 10 million fish (38%) in one year.
- The 2008 season is expected to produce more surplus fish than can be harvested and processed. The department notes; "Even though processing capacity appears to be ample in the Bristol Bay sockeye fisheries, this does not guarantee that all fishermen will have a buyer at all times during the season. Processors may choose to limit the number of fishermen they purchase salmon from and still adequately process the salmon available for harvest. The capacity survey is also an estimate of the aggregate capacity for the entire season. Individual processors may still impose limits per period, or for some limited time, because of quality concerns, tendering limitations, daily processing capacity limitations at specific plants, or other operational considerations." ⁷

Unless the Bristol Bay fishery is allowed earlier access to harvest the large forecasted return of sockeye, a large harvestable surplus of Bristol Bay sockeye will go unused.

⁶ Summary of the 2008 Bristol Bay Sockeye Salmon Processing Capacity Survey. ADFG February 11, 2008.

⁷ ibid

Benefits of granting petition:

- Harvesting more fish early in the season permits larger escapements later in the season when more fish are available. This effectively flattens the daily harvest curve and helps create an efficient flow of fish for processors and fishermen. Greater efficiency results in lower unit operating costs and higher margins.
- Early fishing increases the value of the resource. Bristol Bay sockeye harvested, processed and sold fresh in June are worth an average of \$0.80-.90 per pound more than frozen sockeye.⁸
- The proposed expanded districts allow municipalities to track landings and receive resulting tax benefits of larger harvests.
- Early fishing allows fishermen and processors to train crews and fine-tune operations for increased efficiency. When the peak hits, daily capacity is significantly higher (at little or no extra cost). Processors estimate that over the season this head-start adds 7-14 million pounds to their collective capacity.
- Early fishing will delay use of long haul tenders. Due to distances traveled, most long-haul tenders can only be used once during a season. Larger harvests early in the season will reserve such tenders for use during the season's peak.

Specific Elements of the Petition:

- Period covered; June 16-25, 2008.
- Districts expanded; Egegik and Ugashik.
- Expanded districts will include existing district boundaries.
- Existing in-district regulations apply (registration, allowable gear, etc) to the expanded districts.
- Harvest limit of 3.5 million fish. The department may suspend fishing in the expanded district when their projections indicate 3.5 million fish will be harvested in the expanded districts.
- The department may suspend fishing when Pt Moller test fishing projections indicate a total run of 10 million fewer fish than forecasted.
- Fishing will begin on June 16 for 48 hours, followed by a 48 hour closure. Fishing will resume on June 20 for another 48 hours,

⁸ Alaska Department of Revenue, Alaska Salmon Price Report for years 2006-2007.

followed by a 48 hour closure June 22-23. Fishing will resume for another 48 hours on June 24.

- Naknek-Kvichak districts are not expanded out of concern for the affected municipalities' ability to track landings for tax purposes.
- While we recognize that the board cannot direct department funds, the board should emphasize the importance of collecting genetic samples from the expanded districts for future analysis.
- The department may allow setnet-only openings in the regular Egegik and Ugashik districts during the 48 hour driftnet closures.

Attachments:

- A. Description of the proposed expanded districts.



