

Brevig Mission Diomedes Erim Gambell Golovin Kayuk Nome Saint Michael Savoonga Shaktoolik Stebbins Teller Unalakleet Wales White Mountain

March 13, 2013

Alaska Board of Fisheries c/o  
Alaska Department of Fish and Game  
Boards Support Section  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: (907) 465-6094

**Re: Opposition to Proposal 243 – Inclusion of Herring in 5 AAC 39.212. Forage Fish Management Plan**

Dear Alaska Board of Fisheries Members:

This letter is to express Norton Sound Economic Development Corporation's (NSEDC) opposition to Proposal 243 regarding the inclusion of herring in the State of Alaska's Forage Fish Management Plan (FFMP) under 5 AAC 39.212.

NSEDC is the Community Development Quota (CDQ) entity representing 15 member communities in the Norton Sound/Bering Strait region. NSEDC is charged with creating sustainable economies and infrastructure for our member communities, and this is largely achieved through the development of regional commercial fisheries. Commercial herring fishing presents an important opportunity for our region and residents, both in its current state and in regard to potential future growth.

NSEDC's opposition to this proposal is based on a number of factors:

- Herring do not fit within the framework and intent of the FFMP.
- The proposal indiscriminately treats all herring in Alaska's waters the same, despite the fact that the Bering Sea herring display drastic differences in physical size, age composition, biomass abundance and regulatory protections than herring in other regions of the state.
- Proposal 243 was generated in response to concerns and perceived problems regarding a specific region of the state; yet, if approved, it would implement a statewide, *one-size-fits-all* regulatory change to the detriment of the residents and economy of western Alaska.
- The Bering Sea herring resource throughout western Alaska is robust, sustainably exploited (significantly under-exploited in Norton Sound), and adequately protected from over-exploitation by existing regulations through 5 AAC 27.060.

*"NSEDC will participate in the Bering Sea fisheries to provide economic development through education, employment, training, and financial assistance to our member communities."*



### **Herring do not warrant classification under the FFMP**

It's a fish-eat-fish world in the ocean, and all fish serve as forage for one or more species. However, the FFMP was never intended to simply be a catalog of fish that serve as a food source for commercially important fish and other valued species. The intent of the plan under 5 AAC 39.212 was to provide extra protection to certain species which were not already being commercially fished.

In the case of Bering Sea herring, these protections are already in place under 5 AAC 27.060 for an abundant and sustainably managed herring biomass. Herring's inclusion under 5 AAC 39.212 would constitute a duplicative, unnecessary and ultimately punitive measure.

Through the Bering Sea Herring Fishery Management Plan (5 AAC 27.060), minimum biomass thresholds have been established for all Bering Sea commercial herring fishing districts. These thresholds require a minimum biomass level to be present before a commercial fishery can occur. With these thresholds and sustainable management practices in place, for decades the herring biomass in the Bering Sea has been abundant and growing.

In addition to herring, there are other fish that are appropriately not listed under the Forage Fish Management Plan, but still play a role in feeding commercially targeted species. Some serve this function more clearly than herring. For example, there is a strong predator-prey relationship between coho and pink salmon. Like herring, pink salmon are not listed under the FFMP; and, like herring, they should not be listed since they are already covered by adequate regulatory protections.

### **Statewide management of herring under the FFMP ignores differences in stocks**

Bering Sea herring are very much a different fish than the herring found elsewhere in Alaska. An attempt to manage herring statewide through the FFMP ignores large differences between the stocks and creates unnecessary and potentially punitive regulations for Bering Sea fisheries.

Bering Sea herring, which as a stock should be viewed as a continuum from Bristol Bay to Norton Sound, are approximately twice the size of those found in Alaskan waters to the south. Size does matter in the food chain, and Bering Sea herring likely serve a different forage role than their smaller counterparts to the south.

Bering Sea herring stocks also differ in their age composition. The wide distribution of ages in the Bering Sea herring stocks that stretch from Bristol Bay to Norton Sound evidences their strength and sustainability. According to the Alaska Department of Fish and Game (ADF&G), Arctic-Yukon-Kuskokwim (AYK) herring samples taken since 2010 suggest that more than 56 percent of the 2013 population will be comprised of herring ages 8 and older, with 42 percent attributable to 6- and 7-year-olds<sup>1</sup>. In Bristol Bay, ADF&G forecasts that 8-year-old herring will make up the largest portion of the return in 2013, with 7- and 8-year-olds making up nearly 47 percent of the anticipated return<sup>2</sup>. Such a depth in age composition is a sign of a sustainable exploitation rate and a robust population. It is not uncommon to find herring that are 13 years old or older in Bristol Bay and Norton Sound.

---

<sup>1</sup> ADF&G News Release, "2013 Arctic-Yukon-Kuskokwim Herring Outlook," Feb. 25, 2013.

<sup>2</sup> ADF&G News Release, "2013 Togiak Herring Forecast," Oct. 16, 2012.



The current management and regulatory structure allows for an abundance of herring in the Bering Sea. Bering Sea herring stocks have been shown to be healthy and stable in the last decade, and are growing in the Norton Sound region where the biomass has approximately doubled in that time. Herring represent the largest biomass of any fish species in Norton Sound. For nearly two decades in the 1980s and '90s, approximately 5,000 tons of herring were harvested annually from Norton Sound while the biomass continued to grow. For the last decade, the commercial herring harvest in Norton Sound has been considerably smaller, allowing for even more significant growth of the biomass.

ADF&G's forecasts for the 2013 herring seasons in Togiak and the AYK region further illustrate the abundance and health of the Bering Sea herring fisheries. The predicted biomass of nearly 170,000 tons of Togiak herring in 2013 would be approximately 113 percent of the recent 10-year average, according to the ADF&G's 2013 Togiak Herring Forecast issued Oct. 16, 2012. "We consider this population to be healthy and sustainable," ADF&G notes in the release.

In its 2013 AYK Herring Outlook released on Feb. 25, 2013, ADF&G anticipates a potential biomass of 116,483 tons and an allowable harvest of 23,173 tons for the northeastern Bering Sea herring stocks, half of which would be available in Norton Sound. In their own words, the ADF&G states "a harvest of this magnitude in the AYK herring fishery would be one of the largest on record."

The attributes of the Bering Sea herring population in terms of size, age composition and abundance signify that the current management and regulatory protections in place are more than adequate. Strictly regulating herring as a forage fish under 5 AAC 39.212 ignores the differences between the state's populations of herring and would duplicate the already robust protective measures afforded Bering Sea herring through the Bering Sea Herring Fishery Management Plan (5 AAC 27.060).

**A listing unnecessarily stifles economic opportunity**

Listing herring under the FFMP could negatively impact one of the few accessible economic opportunities in coastal western Alaska while doing nothing for a resource that is already robustly protected and substantially under-harvested in Norton Sound.

The inclusion of herring in the FFMP would deny any expansion of commercial herring fishing. This is especially troubling for NSEDC and the Norton Sound/Bering Strait region where there are areas with no commercial herring fishery set in regulation. At the same time, over the last decade, the herring resource has experienced significant growth with just a fraction of the available harvest achieved.

NSEDC operates the sole fish buying operation in the Norton Sound/Bering Strait region. Commercial herring fishing is among the fisheries NSEDC supports, and is an economic opportunity depended upon by a growing number of our region's residents. Historically it was the largest commercial fishery in Norton Sound before market conditions reduced its significance.

Even on a smaller scale, herring fishing in Norton Sound is still an important income opportunity. This earl-season commercial fishery helps our resident fishermen economically prepare for the later salmon, crab and halibut fisheries. In 2010 and 2011, an average of 33 permit holders earned a combined \$460,000 over the two years fishing Norton Sound herring. This fishing income is spread even further when the uncounted number of crewmembers who work the fishery are factored in. This average of



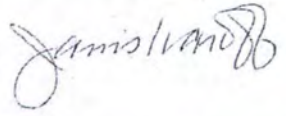
\$7,000 annually per permit holder is extremely important, especially since the income arrives just after the region's long winter when earning opportunities are even more scarce.

It appears that Proposal 243 was developed in response to a regional concern for herring outside of the Bering Sea. If implemented, however, this proposal will have a statewide impact. In the case of Norton Sound, this impact could be that some of our residents sit on the shore while one of the few commercial fishing opportunities potentially available to them swims by.

Currently, there is no herring fishery in regulation for portions of St. Lawrence Island, home to two of NSEDC's member communities and an area where there has been interest in developing potential fisheries. A recently developed halibut fishery has provided significant income for Savoonga fishermen. Implementation of Proposal 243 would prohibit residents of Savoonga and Gambell from seeking a herring fishery off portions of their coast, even if it were found that herring abundance similar to that in Norton Sound was also accessible from St. Lawrence Island. Approving this proposal would also preclude expanding the current herring fisheries in areas like Port Clarence and Kotzebue if the biomass and market supported expansion.

The sustainability and robust regulation of the Bering Sea herring fisheries makes Proposal 243 unnecessary at best. At worst, Proposal 243 potentially curtails the economic benefit and future potential of commercial herring fishing for the communities and residents of western Alaska while delivering no benefit for herring stocks. For these reasons we respectfully ask that the members of the Alaska Board of Fisheries vote against Proposal 243.

Respectfully,



Janis Ivanoff, President & CEO  
Norton Sound Economic Development Corporation



Charlie Lean, Fisheries Research and Development Director  
Norton Sound Economic Development Corporation



RC20  
JR

scanned &  
mailed 2/21/2013  
pc

# Sitka Tribe of Alaska



Tribal Government for Sitka, Alaska

February 12, 2013

Dave Gordon, Area Management Biologist  
Alaska Department of Fish and Game  
304 Lake St., Rm. 103  
Sitka, AK 99835

**RE: Request for Reduction of the 2013 Sitka Sound Herring Sac Roe Fishery GHL**

Dear Mr. Gordon,

I write on behalf of Sitka Tribe of Alaska (STA), tribal government for over 4,500 tribal citizens located in Sitka, Alaska. As a tribal government, STA is responsible for health, welfare, safety and culture of its citizens. In light of the uncertainties surrounding status of the Sitka Sound herring stock biomass, STA respectfully requests that the State of Alaska lower the Sitka Sound Sac Roe Fishery's 2013 Guideline Harvest Level (GHL) currently set at 11,055 tons.

The Sitka Tribe of Alaska (STA) realized that the drastic reduction of the 2012 Sitka Sound herring biomass would result in a significantly lower 2013 GHL for the sac roe fishery. STA would like to commend the Alaska Department of Fish and Game for acknowledging the uncertainty of the forecasted 2013 biomass and reducing the GHL an additional 25 percent to 11,055 tons. Although this conservation measure is due to uncertainties over the accuracy of the projected spawning biomass, STA feels additional "unknowns" need to be considered when establishing the 2013 GHL.

The ASA model is inherently, albeit unintentionally, biased in that it is unable to incorporate the ocean survivals of juvenile herring (1, 2 and 3 year olds) into its spawning biomass projection. STA has stressed that a precipitous decline in the ocean survival of juvenile herring would go unnoticed and result in an overexploitation of the stock for 3 - 4 years before the model would begin to catch up with the actual stock status. It appears this shortfall of the model may have contributed to the overestimation of the 2012 spawning biomass.

In 2012 the majority of herring fisheries along the west coast of North America, from California to Alaska, fell short of meeting their harvest goals. A prevalence of small unmarketable herring, projected biomasses not being realized and thresholds not being met were the main causes of this shortfall and could be an indication of changing ocean conditions.

Biologist believe that predation by whales is one of the key factors inhibiting the recovery of herring stocks in Prince William Sound, which collapsed following the Exxon Valdez oil spill. It is believed that whales are consuming 20% of the herring population annually, which is equal to what the dormant herring fishery removed from the biomass. About 5,000 humpback whales

RECEIVED

FEB 21 2013

DEPT. OF FISH & GAME  
COMMISSIONER'S OFFICE



RL 20

feed in Southeast Alaska and populations are increasing by 6-7% annually. Considering these whales consume up to 3,000 pounds of forage fish per day, the potential impacts on herring stocks throughout Southeast are significant.

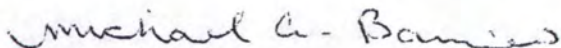
Numerous studies have documented the direct impact of salmon on larval, juvenile and adult herring (Brodeur 1990). Annually, nearly 75,000,000 juvenile hatchery salmon are released into the waters of Sitka Sound shortly after the hatch out of herring eggs deposited in the spring. Over the years, increasing hatchery releases have coincided with an increase in the herring biomass but it is unknown what effect these elevated salmon releases will have on the declining Sitka Sound herring stock.

In April of 2012, the Lenfest Forage Fish Task Force, a group of 13 preeminent marine and fisheries scientists from around the world, released a report titled "*Little Fish, Big Impact*" which is a comprehensive study of science and management of forage fish populations throughout the world. The report acknowledges the economic importance of forage fisheries but it also states that forage fish are worth twice as much to supportive fisheries (as prey for salmon, ground fish, etc.). To minimize the risk of over exploitation, the report recommends a harvest rate of one-half the maximum sustained yield and not to exceed 10%.

In lieu of an established integrated ecosystem based management plan and in light of the uncertainties listed above, STA requests the State of Alaska follow the recommendations of the Lenfest report and reduce the 2013 GHL to 50% of the current maximum sustained yield or to 7,370 tons. This adjustment results in an overall harvest rate of 10%, which is allowable under 5 AAC 27.160(g) and will lower the risk of overexploitation that could cause irreparable harm to the Sitka Sound herring stock and the entire ecosystem.

If you have any questions regarding this request, please contact STA's Resource Protection Director Jeff Feldpausch at (907)747-7469 or email [j.feldpausch@sitka.alaska.gov](mailto:j.feldpausch@sitka.alaska.gov).

Sincerely,



Michael Baines  
Council Chairman

Cc: Cora Campbell, ADF&G Commissioner  
Alaska Board of Fish