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*NOAA Fisheries Service Says Cherry Point Herring Don't Qualify for Protection*

NOAA Fisheries Service, the federal agency charged with protecting marine fish under the Endangered Species Act, said today that a stock of Puget Sound herring, whose population has fluctuated widely over the past ten years, doesn't qualify for protection under the ESA because it doesn't meet the standard for a "species" under the law.

The stock, known as Cherry Point herring because of its location in the sound, was petitioned for listing under the ESA in May 2004 by a group of environmental organizations.

Last year, NOAA convened an expert panel of biologists, including researchers from its fisheries science facilities in Alaska and Washington, to determine if the herring stock qualified for listing. The panel said that although the stock was separate from nearby stocks of Pacific herring in Puget Sound, the Strait of Georgia and the eastern Strait of Juan de Fuca, it was not biologically "significant" and thus did not meet the agency's standard for listing. If the stock were lost, the panel said, it would likely be re-colonized, would not result in a significant gap in the extensive range of Pacific herring, and would not represent a marked reduction in the fish's genetic diversity.

The science panel concluded that the 40 herring stocks in the Georgia Basin, including the Cherry Point stock, together qualify as a "species" under the ESA, but are not likely to go extinct in the foreseeable future. Some of these stocks, the panel said, may be increasing and others decreasing, but the overall population of herring in the Georgia Basin is at "historically high levels."

Although the size of the Cherry Point stock has more than doubled in the past four years and is at its highest level since 1996, fishery biologists say it is still at only about half the level needed to sustain a commercial fishery.

Herring and herring roe make up a valuable commercial fishery in Alaska, British Columbia, Oregon and California, worth more than \$50 million annually, but their importance for Washington state fishermen has diminished since the closure of large-scale commercial fishing in the early 1980s.

The petition to list the stock was submitted by Northwest Ecosystem Alliance, Center for Biological Diversity, Ocean Advocates, People for Puget Sound, Public Employees for Environmental Responsibility, Sam Wright, and Friends of the San Juans.

See <http://www.nwr.noaa.gov/1salmon/salmesa/marfish.htm> for more information.

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