

Public Testimony Sign-Up Sheet

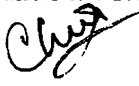
Agenda Item D-2(b) Salmon Bycatch
Workgroup

	NAME (PLEASE PRINT)	AFFILIATION
1	Carl Sidney	
2	Joseph Strongheart	Vukon River Panel
3	Jennifer Hooper	AVCP
4	Becca Robbins Gisclair	YR DFA
5	Bubba Cook	WWF
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

NOTE to persons providing oral or written testimony to the Council: Section 307(1)(I) of the Magnuson-Stevens Fishery Conservation and Management Act prohibits any person "to knowingly and willfully submit to a Council, the Secretary, or the Governor of a State false information (including, but not limited to, false information regarding the capacity and extent to which a United State fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Council, Secretary, or Governor is considering in the course of carrying out this Act.

MEMORANDUM

TO: Council, SSC and AP Members

FROM: Chris Oliver 
Executive Director

ESTIMATED TIME 4 HOURS (all D items)

DATE: May 30, 2007

SUBJECT: BSAI Salmon Bycatch

ACTION REQUIRED

Salmon Bycatch Workgroup Report; refine alternatives for analysis

BACKGROUND

Since approval of Amendment 84(A) in 2005, the Council has been working to refine alternatives for an analysis of additional salmon bycatch reduction measures in the BSAI pollock fishery. In conjunction with continuing efforts to refine alternatives for this analysis (referred to as Amendment 84B), a workgroup was appointed to work with staff in examining the appropriate methodology for establishing trigger caps and hard caps for analysis. The workgroup was appointed in April 2007, and has convened two meetings since that time. A report from the workgroup, including their specific recommendations for the Council, is attached as Item D-2(b)(1). The current suite of alternatives for the Amendment 84B analysis are attached as Item D-2(b)(2). At this meeting, the Council will receive the report of recommendations from the workgroup and may revise the alternatives for the forthcoming analysis.

Salmon Bycatch Workgroup Report

May 17th, 2007

North Pacific Fishery Management Council
305 West 4th Avenue, Suite 306
Anchorage, AK

For more information contact: diana.stram@noaa.gov

In February 2007 the North Pacific Fishery Management Council created a Salmon Bycatch Workgroup. Six members of the public and two co-chairs were nominated to form this committee. The members of the workgroup are:

Stephanie Madsen, co-chair
Eric Olson, co-chair
Becca Robbins Gisclair
Karl Haflinger
John Henderschedt (for John Gruver)
Jennifer Hooper
Paul Peyton
Michael Smith

Staff and members of the public participating in the meetings included: Diana Stram (NPFMC), Jim Ianelli (NMFS AFSC), Mary Furuness (NMFS RO), Alan Haynie (NMFS AFSC), Jason Anderson (NMFS RO) Cathy Coon (NPFMC), Sally Bibb (NMFS RO), Herman Savikko (ADFG), Don Rivard (USFWS/OSM), Russ Holder (USFWS), Anne Vanderhoeven (BBEDC), Chris Stark (UAF/BSFA), Brent Paine (UCB), Dan Bergstrom (ADFG), Jim Seeb (ADFG)

This workgroup held two meetings, on April 27th, 2007 and May 15-16, 2007. Both meetings were held in Anchorage. The agendas for each meeting are attached. The workgroup's objective in holding these meetings was to recommend an appropriate trigger and hard cap methodology to the Council for incorporating into the forthcoming analysis of amendment 84B alternatives of caps and closure areas to reduce salmon bycatch. The meeting format included a variety of presentations on the current status of salmon bycatch in the BSAI Pollock fishery, stock status for AYK salmon stocks, genetic information on stock of origin of salmon species and additional information as relevant to the workgroup's objectives. Materials presented at the May meeting were largely in response to requests made of staff at the April meeting.

Following much discussion, the workgroup puts forward the following as a recommendation to the Council with respect to cap formulation for salmon species:

Salmon Bycatch Workgroup
Amendment 84B
Recommendations for Council Consideration

May 16, 2007

The Salmon Bycatch Workgroup recommends the Council consider the following methodologies for establishing salmon caps and trigger closure options for analysis in Amendment 84B:

1. Trigger Cap Methodology

a. Establish trigger amount as described below (to be reviewed by workgroup following development of closed area recommendations).

1. Establish cap based on:

a. Average historical bycatch;

i. 3 years

ii. 5 years

iii. 10 years

b. Percentage increase of :

i. Historical average

ii. Highest year

2. Set cap relative to salmon returns:

a. short term: link historic bycatch to in-river returns

b. long term: Use cumulative acceptable amounts for each river system, pending GSI information (i.e., identify what component of bycatch is from each river and what would be an acceptable amount of bycatch for each river. The cap would be the sum of the acceptable amounts for each of the rivers).

3. Incidental Take Permit amount

4. International treaty considerations

b. Closure Area Determination and Triggers

i. Set separate caps or rates for different closure areas;

ii. Increase size and/or number of closure areas based on number of salmon caught (i.e., the more salmon are caught the more area closed);

iii. Decrease size and/or number of closure areas based on number of salmon caught (i.e., the fewer salmon are caught the more area opened).

c. Close set areas at set times when known bycatch is high in that area (i.e., non-triggered, fixed closures).

i. Long term – Consider time/area bycatch stock composition in closure determinations.

d. Closure duration based on historical hotspot duration.

2. Hard Cap Methodology – *set a hard cap upon attainment of which pollock fishing must stop.*

1. Establish cap for fishery based on:

a. Average historical bycatch;

- i. 3 years
 - ii. 5 years
 - iii. 10 years
 - b. Percentage increase of :
 - i. Historical average
 - ii. Highest year
2. Set cap relative to salmon returns:
 - c. short term: link historic bycatch to in-river returns
 - d. long term: Use cumulative acceptable amounts for each river system, pending GSI information (i.e., identify what component of bycatch is from each river and what would be an acceptable amount of bycatch for each river. The cap would be the sum of the acceptable amounts for each of the rivers).
3. Incidental Take Permit amount
4. International treaty considerations

3. Other Considerations – *Outside of the scope of developing methodologies for establishing caps and triggers*

- a. Implement cost per fish system.
- b. Changes within VRHS system:
 - i. Set a base rate maximum within VHRS system based on desired bycatch limit by season;
 - ii. Increase area available for closure under the VRHS system as total bycatch number increase.
- c. Cap/closure accounting system based on:
 - i. Calendar year (status quo);
 - ii. Salmon biological year (B season plus A season of following year);
 - iii. Specific caps/triggers for A and B seasons.
- d. Effect of season start dates on Chinook bycatch

The Salmon Bycatch Workgroup has not included the elements of Amendment 84A in its recommendations for cap and trigger methodologies as it is assumed to remain in force and continue beyond the implementation of Amendment 84B absent specific Council action to suspend or discontinue the 84A provisions.

The Salmon Bycatch Workgroup also recommends that it be tasked with providing additional review and recommendations to the Council on the following issues:

- a. Review the results of the VRHS in the 2007 A and B seasons;
- b. Review the appropriateness of its trigger methodology recommendations in the context of closure areas that will be recommended by analysts;
- c. Review the likely effects of proposed triggers and caps in the 2007 A and B seasons.

The workgroup specifically noted in formulating their recommendations that it is their understanding that each alternative is not mutually exclusive, and that in fact once the analysis of caps and closures is available, it will be clear that some aspects may be selected in tandem (for example, fixed limit and trigger time/area closures could both be included). The workgroup requested that staff make this clear in the description of alternatives so that both the public and the decision-makers are aware that they may pick a preferred alternative that includes aspects of different cap and closure configurations.

The workgroup noted the contributions to the meeting provided by the assistance of Dr. Jim Ianelli of the Alaska Fisheries Science Center with respect to assisting the workgroup and staff in formulating appropriate methodologies for species specific caps. The workgroup encourages further participation as the analysis progresses, understanding that staff timing and availability are issues between the Council and the agency however. Thus, to the extent possible, the workgroup requests the availability of additional expertise to assist the workgroup and staff as necessary.

NPFMC Salmon Bycatch Workgroup meeting

April 27, 2007

9:00am-3:00pm

Lupine Room, Hilton Hotel

Anchorage, AK

- 9:00 Introductions, overview of workgroup objectives and schedule for formulating recommendations (Madsen/Olson)
- 9:30 Overview of bycatch patterns in recent years, stock status for AYK stocks, stock of origin information, Council schedule for 2007 salmon bycatch alternatives and analysis (Stram)
- 11:00 Overview of methodology for previous catch limits for salmon species and other PSC species in North Pacific (Stram)

12:00-1:00pm Lunch Break

- 1:00 – 2:00 Discussion of possible options for catch limit methodologies (Stram/Ianelli- by phone)
- 2:00-3:00 Information and analytical needs for May workgroup meeting, Schedule for May 15-16 meeting to formulate recommendations

Background materials available:

Staff discussion paper February 2007

http://www.fakr.noaa.gov/npfmc/current_issues/bycatch/Salmonbycatch_discpaper207.pdf

Powerpoint presentations and abstracts from the SSC Salmon bycatch workshop March 2007:

http://www.fakr.noaa.gov/npfmc/current_issues/bycatch/bycatch.htm

Alternatives under consideration by the Council for amendment package 84B-1:

http://www.fakr.noaa.gov/npfmc/current_issues/bycatch/Salmon407/Amendment84Balternatives407.pdf

Amendment 84 (action by Council October 2005):

http://www.fakr.noaa.gov/npfmc/current_issues/bycatch/SalmonbycatchEA_1005.pdf
(note that this is a very large file, excerpts regarding stock status and stock of origin information will be available at the meeting)

NPFMC Salmon Bycatch Workgroup meeting

May 15-16, 2007

Aleutian/Lupine Room, Hilton Hotel

Anchorage, AK

Draft Agenda

Meeting objective: Salmon Bycatch Workgroup to formulate recommendations for the Council on appropriate methodology for establishing trigger and hard caps for salmon species

Topics to be addressed:

- 1- Catch estimation: procedure for extrapolating from observer estimates to unobserved catch to obtain Regional Office reported PSC numbers.
- 2- Discussion of PSC for salmon 1993-2007 (A and B season). Tables to be made available at the meeting.
- 3- Halibut PSC limits: review methodology for establishing halibut PSC limits in BSAI and GOA
- 4- Discussion of PSC accounting period beginning September 1 (summary of previous analysis of this proposed change).
- 5- Salmon subsistence and commercial catch estimates: precision of estimates (tentative discussion depending upon information availability)
- 6- Salmon stock of origin information: (updated information on the 2005/06 seasons if possible)
- 7- Data analyses requested at April 27 meeting:
 - a. % of chum catch within CVOA in recent years
 - b. Application of previous trigger limit methodology for Chinook and chum using recent years
 - c. Estimate of adult equivalency using age (length data) and published stock of origin estimates
 - d. Proposed methodology for establishing upper limit on salmon catch (hard cap)
- 8- Discussion of methodology for hard cap
- 9- Discussion of methodology for trigger cap
- 10- Workgroup recommendations:
 - a. Hard cap methodology
 - b. Trigger cap methodology

Problem Statement and Suite of Alternatives for Amendment Package 84B
(**bold** are additions from February 2007 Council meeting)

Problem Statement:

The Council and NMFS have initiated action to exempt AFA qualified and CDQ vessels participating in the intercooperative voluntary rolling hotspot system (VRHS) from regulatory Bering Sea salmon bycatch savings areas. Analysis and refinement of the current salmon savings areas may be necessary in the event pollock vessels either surrender or lose their exemption and return to fishing under the regulatory salmon bycatch program.

Further, alternatives to the VRHS system and/or the regulatory salmon bycatch program should be developed to assess whether they would be more effective in reducing salmon bycatch. The following amendment packages are not intended to preclude the intercooperative annual review as required under Amendment 84.

Amendment Package B-1

Establish new regulatory salmon savings systems taking into account the most recent available salmon bycatch data. In developing alternatives include an analysis of the need and implementation strategy for appropriate caps as bycatch control measures. This package should be completed first and implemented when ready so that salmon savings regulations are based on the best available information.

Option: Adjust the Chinook and non-Chinook regulatory closure areas periodically based on the most current bycatch data available, such as the 2-3 year rolling average of bycatch rates by species and area.

Process for determining caps:

A Council appointed workgroup (with analysts' assistance) will evaluate approaches for establishing caps and make recommendations to the Council accordingly.

***Types of caps under consideration (by species):**

- **Trigger caps (closes discrete areas to in-season fishing)**
- **Fixed cap (closes all areas to the pollock fishery)**

***Methodologies to consider in evaluating appropriate caps:**

1. **Abundance-based caps (this would be a framework only since required information is currently unavailable)**
2. **Fixed caps: updated fixed values caps**
3. **Combination (e.g., a stair-step of catch limits based on some measure of abundance)**

Candidate closure areas:

Council to review suggested closures for inclusion in analysis (analysts to provide candidate closures for Council review)

Time/area closures:

1. **Evaluate discrete areas with individual trigger limits by area**
 - **Option to close during discrete temporal periods only**
2. **Evaluate discrete areas with aggregate trigger limits to close all areas**
 - **Option to close during discrete temporal periods only**
3. **Fixed temporal closure (closes during a discrete time period(s) annually and is not dependant upon a trigger to close)**

AGENDA D-2(b)
Supplemental
JUNE 2007

Elizabeth Andrews PhD
Alaska Department of Fish and Game
P.O. Box 115526
Juneau, AK 99811-5526
Phone: (907)465-4147
Fax: (907)465-2066



Frank Quinn
Fisheries and Oceans Canada
100 - 419 Range Road
Whitehorse, Yukon Y1A 3V1
Phone: (867)393-6719
Fax: (867)393-6738

RECEIVED
MAY 17 2007
N.P.F.M.C.

May 4, 2007

Chris Oliver, Executive Director
North Pacific Fishery Management Council
605 West 4th, Suite 306
Anchorage, Alaska 99501-2252

Dear Mr. Oliver:

Thank you for the invitation and opportunity for several of our Panel representatives to attend the recent Salmon Bycatch Workshop hosted by the Scientific and Statistical Committee (SSC) of the NPFMC in Anchorage on March 27, 2007. We appreciated becoming more informed of existing research and stock-origins of salmon caught in BSAI trawl fisheries and to testify before the SSC.

The SSC assessment that there was insufficient information to develop a recommendation for the Council regarding biomass-based "triggers" or "caps" increases our concern that the Council may continue to defer addressing this important issue. This may not be a conservation concern that the SSC can address, but we agree with the assessment by Dr. Franz Mueter that there are fairness and allocation concerns which the Council should address.

As an international advisory body of fishermen and managers from Alaska and the Yukon Territory established under the Yukon River Salmon Agreement, Yukon River Panel members remain extremely concerned with the record high numbers of salmon which have been caught in the BSAI trawl fishery in 2007. These numbers continue the trend of high bycatch numbers which has been developing and increasing over the last several years. This trend is inconsistent with the US/Canada Yukon River Agreement (12), Attachment B, Annex IV, Chapter 8 of the Pacific Salmon Treaty. The Agreement states:

The Parties shall maintain efforts to increase the in-river run of Yukon River origin salmon by reducing marine catches and by-catches of Yukon River salmon. They shall further identify, quantify and undertake efforts to reduce these catches and bycatches.

C. Oliver

page 2

May 4, 2007

Increasing salmon bycatch in the Bering Sea is a reallocation of the in-river return of Yukon River salmon destined for communities along the Yukon River in Alaska and in the Yukon Territory in Canada. We are not opposed to responsibly managed sustainable fisheries; however, we are opposed to reallocation of the Western Alaska salmon resources without representation and assessment. To date, superficial economic comparison of the value of the fish has been used to justify the increasing Bering Sea salmon bycatch. We believe this assessment is incomplete and should be expanded to include biological, social, cultural, and spiritual impacts to Yukon River drainage residents.

We have heard the recent high bycatch amounts indicate significant increases in Western Alaska salmon populations. Although this may be true, it is inconsistent with the observed size of the Yukon River Chinook salmon in-river run from 1990 to 1997. Yukon River Chinook salmon runs during this period provided fish to meet escapement objectives, achieved subsistence harvest goals, and provided for commercial fisheries averaging more than 100,000 Chinook salmon. During this same time period, the Bering Sea bycatch averaged 41,000 Chinook salmon per year.

Although in recent years (2002-2006) Yukon River Chinook salmon escapement goals were met and subsistence harvests achieved, the commercial harvest of Chinook salmon decreased approximately 60% to an average of 40,000 salmon, somewhat commensurate with the run size. During this same time period, however, the Bering Sea bycatch averaged approximately 65,000 Chinook salmon per year and has increased 10-fold over the 2000 harvest and every year since 2003. Further, a record harvest of 75,000 Chinook salmon was taken in the groundfish fishery in 2005, only to be surpassed in 2006 by a new bycatch record harvest of 88,000 Chinook salmon.

Such dramatic increases in the Yukon River Chinook salmon run size have not been observed. Indeed, the Chinook salmon runs returning to the Yukon River have fluctuated in size since 2001. This information does not demonstrate that increased Chinook salmon bycatch translates into increased Yukon in-river Chinook salmon runs. It does appear, however, that the harvest rate by the groundfish fishery on Chinook salmon is steadily increasing at an alarming rate.

The Chinook salmon bycatch during 2007 may approach 100,000 salmon since more than 77,000 Chinook salmon have already been taken during the "A" season alone. Therefore, we urgently request the Council immediately initiate meaningful approaches to dramatically lower the salmon catch-level triggers for closing groundfish fisheries, utilizing a numerical limit on the total number of salmon which can be caught. We understand the Council's Salmon Bycatch Workgroup is discussing these and other issues and will be making recommendations to the Council.

It is our position that any new approach to limit salmon bycatch in the Bering Sea be consistent with the treaty requirement to *"increase the in-river run of Yukon River origin salmon by reducing marine catches and by-catches of Yukon River salmon"* which is contained in the US/Canada Yukon River Agreement, December 2002. We also request

C. Oliver

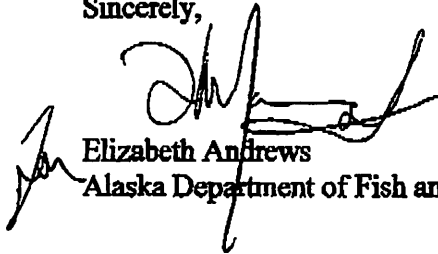
page 3

May 4, 2007

the bycatch harvest numbers since 2002 not be included in development of new catch-level triggers because we believe including those figures would be inconsistent in spirit and substance with the Yukon River Salmon Agreement.

We appreciate the opportunity to share our concerns with you.

Sincerely,



Elizabeth Andrews
Alaska Department of Fish and Game



Frank Quinn
Department of Fisheries and Oceans

D-26

Elizabeth Andrews PhD
Alaska Department of Fish and Game
P.O. Box 115526
Juneau, AK 99811-5526
Phone: (907)465-4147
Fax: (907)465-2066



Frank Quinn
Fisheries and Oceans Canada
100 - 419 Range Road
Whitehorse, Yukon Y1A 3V1
Phone: (867)393-6719
Fax: (867)393-6738

May 1, 2007

Chris Oliver, Executive Director
North Pacific Fishery Management Council
605 West 4th, Suite 306
Anchorage, Alaska 99501-2252

Dear Mr. Oliver:

Thank you for the invitation and occasion for several of our Panel representatives to attend the recent Salmon Bycatch Workshop hosted by the Science and Statistical Committee of the NPFMC in Anchorage on March 27, 2007. We appreciated the opportunity to become more informed of existing research and stock-origins of salmon caught in BSAI trawl fisheries and to testify before the Committee.

The Committee assessment that there was insufficient information to develop a recommendation for the Council regarding biomass-based "triggers" or "caps" increases our concern that the Council may continue to defer addressing this important issue. This may not be a conservation concern that the Science and Statistical Committee can address, but we agree with the assessment by Dr. Franz Mueter that there are fairness and allocation concerns which the Council should address.

As an international advisory body of fishermen and managers from Alaska and the Yukon Territory established under the Yukon River Salmon Agreement, Yukon River Panel members remain extremely concerned with the record high numbers of salmon which have been caught in the BSAI trawl fishery in 2007. These numbers continue the trend of high bycatch numbers which has been developing and increasing over the last several years. This trend is inconsistent with the U.S./Canada Yukon River Agreement (12), Attachment B, Annex IV, Chapter 8 of the Pacific Salmon Treaty. The Agreement states:

The Parties shall maintain efforts to increase the in-river run of Yukon River origin salmon by reducing marine catches and by-catches of Yukon River salmon. They shall further identify, quantify and undertake efforts to reduce these catches and bycatches.

Increasing salmon bycatch in the Bering Sea is a reallocation of the in-river return of Yukon River salmon destined for communities along the Yukon River in Alaska and in the Yukon Territory in Canada. We are not opposed to responsibly managed sustainable fisheries, however we are opposed to reallocation of the Western Alaska salmon resources without representation and assessment. To date, superficial economic comparison of the value of the fish has been used to justify the increasing Bering Sea salmon bycatch. We believe this assessment is incomplete and should be expanded to include biological, social, cultural, and spiritual impacts to Yukon River drainage residents.

We have heard the recent high bycatch amounts indicate significant increases in Western Alaska salmon populations. Although this may be true, it is inconsistent with the observed size of the Yukon River Chinook salmon in-river run from 1990 to 1997. Yukon River Chinook salmon runs during this period, provided fish to meet escapement objectives, achieve subsistence harvest goals, and provide for commercial fisheries averaging more than 100,000 Chinook salmon. During this same time period, the Bering Sea bycatch averaged 41,000 Chinook salmon per year.

Although in recent years (2002-2006) Yukon River Chinook salmon escapement goals have been met and subsistence harvests have been achieved, the commercial harvest of Chinook salmon has decreased approximately 60%, to an average of 40,000 salmon somewhat commensurate with the run size. During this same time period, however, the Bering Sea bycatch averaged approximately 65,000 Chinook salmon per year. Additionally, bycatch harvests have increased 10-fold over the 2000 harvest, with the bycatch take increasing every year since 2003. Further, a record harvest of 75,000 Chinook salmon were harvested in the ground fishery in 2005, only to be surpassed in 2006 by a new bycatch record harvest of 88,000 Chinook salmon. Such dramatic increases in the Yukon River Chinook salmon run size have not been observed. Indeed, the Chinook salmon run returning to the Yukon River has fluctuated in size since 2001. This information does not demonstrate that increased Chinook salmon bycatch translates into increased Yukon in-river Chinook salmon runs. It does appear, however, that the harvest rate by the ground fishery on Chinook salmon is steadily increasing at an alarming rate.

The Chinook salmon bycatch during 2007 may approach 100,000 salmon since more than 77,000 Chinook salmon have already been taken during the "A" season alone. Therefore, we urgently request the Council immediately initiate meaningful approaches to dramatically lower the salmon catch-level triggers for closing groundfish fisheries, utilizing a numerical limit on the total number of salmon which can be caught. It is our position that any new approach to limit salmon bycatch in the Bering Sea be consistent with the treaty requirement to "*increase the in-river run of Yukon River origin salmon by reducing marine catches and by-catches of Yukon River salmon*" which is contained in the U.S./Canada Yukon River Agreement, December 2002. We also request the bycatch harvest numbers since 2002 not be included in development of new catch-level triggers

because we believe including those figures would be inconsistent in spirit and substance with the Yukon River Salmon Agreement.

We appreciate the opportunity to share our concerns with you.

Sincerely,

Elizabeth Andrews
Alaska Department of Fish and Game

Frank Quinn
Department of Fisheries and Oceans