



North Pacific Fishery Management Council

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Salmon Bycatch Committee REPORT

North Pacific Fishery Management Council
1007 West Third Ave., Suite 400
Anchorage, Alaska 99501

January 25, 2023

Members in attendance:

Rachel Baker	ADF&G and NPFMC (co-chair)
Andy Mezirow	Gray Light Fisheries and NPFMC (co-chair)
Ruth Christiansen	United Catcher Boats
Oscar Evon	Coastal Villages Region Fund
Serena Fitka	Yukon River Drainage Fisheries Association
Jennifer Hooper	Association of Village Council Presidents
Mellisa Johnson	Arctic-Yukon-Kuskokwim Tribal Consortium
Stephanie Madsen	At-Sea Processors Association
Elizabeth Reed	Westward Fishing Company
Steve Ricci	Bristol Bay Economic Development Corporation
Kevin Whitworth	Kuskokwim River Inter-Tribal Fish Commission
Dr. Mike Williams, Sr.	Aniak Native Community

Council staff for the Committee: Dr. Diana Stram

Members of the public, State and agency staff in attendance (all or part of meeting in person and virtual):

Kate Happala and Sarah Marrinan (NPFMC staff), Caroline Behe, Heather Mann, James Mize, Karla Bush, Chris Kondzela, Ernie Weiss, Jill Klein, John Gruver, Christopher Oliver, Intrafish, Kendall Henry, Jill Klein, Mary Furunuss, Gabe Canfield, Cory Graham, Brendan Raymond Yakoubian, Alysha Rischardson, Chris Tran, Josh Keaton, Keenan Sanderson, JW, Paul Matyas, Patrick Barry, Paul Olson, Raychelle Aluaq Daniel, Sam Cunningham, Steve Martell, Terese Schomogyi, Trent Hartfill, Wayne, David Witherell, Maria Davis, Megan Peterson, Autumn Canto, Glenn Merrill, Karen Gillis, Austin Estabrooks, Susie Zagorski, John Jensen

Overview

The Council's Salmon Bycatch Committee convened an in-person meeting with hybrid access on January 25th from 9am to 5pm. The [eAgenda](#) for the meeting is available online. Public comment sign up was provided through the eAgenda. The co-Chairs also allowed individuals to sign-up for public comments verbally and provided the public an opportunity to engage and ask questions on every agenda item.

Introductions and meeting overview

Rachel Baker welcomed committee members and members of the public to the Committee's second meeting, introduced the meeting agenda and proceeded with introductions of committee members and attendees in the room. Diana Stram provided everyone with a technological overview of the Zoom webinar and logistics for people in the room as well as a review of the items available on the Committee's eAgenda. Stephanie Madsen requested to comment on the terminology in the agenda stemming from the Council motion for the Bering Sea pollock industry's Incentive Plan Agreements (IPAs). She specifically requested that a different term than "non-regulatory" be used to describe the IPA provisions because these provisions are not voluntary and there are regulations in place for what must be included in the IPAs. Dr. Stram indicated that she would provide an overview of the regulations for the IPAs later in the agenda and that the Committee would strive to use a different term when referring to them.

State of Alaska Bycatch Task Force Report

Under this agenda item, Karla Bush provided an overview of the recommendations stemming from the State of Alaska Bycatch Task Force report as well as those of the Western Alaska salmon subcommittee. Ms. Bush noted that the report was delivered to Governor Dunleavy in late November 2022 and ADF&G Commissioner Vincent-Lang is currently working with state staff to provide recommendations for next steps. With respect to task force recommendations for salmon research to improve bycatch management, committee members asked clarifying questions regarding the genetic breakouts to western Alaska chum, whether or not only western Alaskan fish were tagged, and some Committee members requested information on why real time genetic identification was not being done. Ms. Baker clarified that some Task Force recommendations are not immediately achievable, e.g., real time genetic stock identification. Ms. Bush noted that Task Force did not establish a timeline and that some recommendations require different timelines.

Dr. Pat Barry from Auke Bay Lab indicated that efforts are being pursued for quicker turnaround time of genetic reports (currently one year) and that a pilot project is being pursued to have a mobile lab in Bristol Bay sampling shoreside sector chum bycatch being delivered to a processing plant. Dr. Barry noted that these are very early discussions on how to implement this project and the scientists need more time to about how these data can be used to move fleet around and how industry could use these data. There are also issues to be worked out with the National Marine Fisheries Service's Observer Program to obtain these samples in the future as current regulations do not allow for this. Stephanie Madsen indicated that the pollock fleet is using the current chum bycatch data within their IPAs to help identify bycatch hot spots to be avoided based on data available from the previous year. Kevin Whitworth stressed the importance and urgency of further research to determine the stock of origin on finer scales. Specifically that we need to better understand the environmental factors affecting these salmon given climate change and that these salmon are the ones that are surviving to reproduce under current environmental conditions thus it's critical to understand what genetic features are allowing for them to survive. More broadly, there was some discussion among Committee members for how to obtain funding to support the various research efforts suggested, and there was support for seeking broad and diverse research institutions for salmon and competitive funding and to ideally work cooperatively to obtain funds. It was noted that the Council does not fund research but can lend support.

Finally, the Committee discussed the Task Force recommendations for a scientifically based chum salmon bycatch cap. Ms. Bush noted the Task Force's recommendation was specific to chum salmon because the Bering Sea pollock fishery has had a Chinook salmon bycatch cap in-place since 2011. The Task Force did not provide additional details on how a cap would be formulated and upon what timeline, only that it should be focused upon western Alaskan chum salmon stock avoidance.

Review the process and timeline for initiating an amendment/analysis

The Committee received a presentation from Dr. Stram that provided an overview of the Council's timeline and process for initiating an amendment to a groundfish fishery management plan and a timeline for promulgating regulations for an amendment once recommended to the Secretary of Commerce. Specific to the Committee's work tasked by the Council, Dr. Stram also provided an overview of the process for developing a purpose and need statement to accompany alternatives for initiating an analysis. Dr. Stram used the 2012 Chum Salmon Bycatch Management Measures EA/RIR posted to the committee agenda as an example and noted the Council's alternatives must address the purpose and need statement it develops. She noted that the 2012 Chum management measures purpose and need statement could be used as a starting point to assist committee members with developing a revised purpose and need for any recommended chum management measures to come from the committee. Committee members commented on the long-term timing issues with taking regulatory action (~ 2 years) while members of the Bering Sea pollock industry noted that the benefit of the IPA structure is that they are able to take action immediately to avoid western Alaskan chum.

Andy Mezirow pointed to public comment the Committee received from SalmonState requesting immediate action but cautioned that the Council must follow the process outlined by Dr. Stram to meet all legal and procedural obligations under both the Magnuson Stevens Act (MSA) and the National Environmental Policy Act (NEPA). Dr. Stram also clarified that the amount of time required for staff to complete an analysis, and for that analysis to undergo review by the Council and its advisory bodies, is contingent on the complexity of the alternatives. For example, Amendment 91 to the Bering Sea groundfish fishery management plan that established the Chinook bycatch cap for the pollock fleet took a long time to develop as did Amendment 110 to create the Three-river index that lowered the Chinook bycatch cap in times of low Chinook abundance across western Alaska. However, with the system currently in place via Amendment 91, implementation issues for Amendment 110 were much more streamlined and proceeded quickly.

Discuss regulatory and non-regulatory¹ management measures for consideration

Regulatory measures:

Dr. Stram provided an overview of the 2012 Chum salmon bycatch management measures analysis and the alternatives that were considered by the Council at that time. The 2012 analysis evaluated four alternatives – Status quo (no action), a hard cap, triggered closures, with inter-cooperative exemption, and triggered closure with inter-cooperative exemption and options for non-exempt closures. Dr. Stram explained each alternative, including that a range of cap levels (applied either in June/July only or across the whole B season) as well as triggered area closures were considered. The rationale for looking at June/July only measures (whether for a cap or a triggered closure) were based on the genetic information available at that time which indicated that more western Alaskan chum were present in the bycatch during those months. Ms. Baker noted that with more systematically collected genetic data since 2011 (because of the observer and monitoring changes required by regulations under Amendment 91), the Council and the National Marine Fisheries Service have a better understanding of the spatial and temporal variation in the presence of western Alaska chum bycatch on the pollock fishing grounds and the simplified temporal assumptions used to inform the 2012 chum bycatch cap alternative (i.e., Alternative 2) no longer apply. Andy Mezirow further indicated that the 2012 chum bycatch alternatives were developed over several

¹ The Committee Report reflects the naming convention of the eAgenda for the January 2023 meeting. However, as noted in the Introductory section of this report, the Committee received feedback to consider other language than 'non-regulatory' which is commonly used to refer to industry IPAs. The IPAs do have regulatory components, namely the provisions for bycatch reduction set by the Council, though the pollock industry can create (and publicly report on) unique solutions to meeting those regulatory provisions.

iterations of consideration by the Council. One Committee member indicated that while the Council's focus has thus far been on chum salmon, the Council and the Committee should also be considering Chinook. Ms. Baker indicated that **while the Council has heard from Committee members and members of the public about the continued importance of Chinook, the Committee has been tasked by the Council to focus on developing concepts and alternatives to address *chum* salmon bycatch.**

The committee discussed the issues associated with trying to set a cap that is focused on western Alaska chum. Dr. Stram explained that, while it is possible to look at times and spatial areas in which western Alaska chum is more prevalent in the bycatch, that the fish of various stock compositions are always mixed together in varying amounts. As a result, **it is not possible to set a cap that applied only to WAK chum and the Committee/Council would instead be looking to find measures that would better protect western Alaska chum with understanding that any cap would apply to all chum salmon regardless of their stock of origin.** Mr. Mezirow noted that the goal of protecting WAK chum salmon is to increase the number of salmon returning to spawning grounds and eventually meet subsistence needs in western Alaska river systems.

Committee members discussed that it is important to look at other measures as well, such as time/area closures as a bycatch cap is not the only option available to the Council and the National Marine Fisheries Service to address or limit chum bycatch, and Dr. Stram further clarified that there will be a broader impact analysis brought forward once the Council adopts alternatives and initiates an analysis. The Committee was reminded that, as with the previous chum analysis, the analysts would also address potential impacts to Chinook of any management measures under consideration. Dr. Stram explained the analysts would also look at adult equivalency (AEQ) for chum using similar methods as the Chinook adult equivalency model, but due to the data limitations discussed at the Committee's November 2022 meeting, there would be additional assumptions to complete a chum AEQ. An AEQ estimate is an important component to understanding the impact of salmon bycatch because not all salmon caught as bycatch would return to spawn each year, and that is important to address in understanding the potential impacts of different measures to estimate how much of an effect a Council bycatch action may have on the number of salmon returning to spawning grounds.

Dr. Stram cautioned however that it is important to set expectations about how refined an analysis of impacts can be. **The genetic breakouts for chum salmon bycatch are at the level of the Coastal West Alaskan (CWAK) group and Upper Yukon. Further refinements to individual rivers are not possible. Therefore, quantifying the impacts of chum salmon bycatch to individual river systems with respect to the impacts on commercial or subsistence salmon fishing within rivers is limited.** The Committee discussed and requested additional information across different river systems and which have higher or lower returns in a given year as these differ. An example was noted of the high returns to the Kotzebue area which the Norton Sound saw limits returns.

Presentation of IPA reports:

IPA representatives from the inshore Catcher Vessel/Mothership sectors and the Catcher Processor sector provided an overview of their respective IPA measures in place to address chum salmon bycatch, as well as the modifications that were made in the 2022 B-season in response to the Council's [June 2022 motion](#). Some Committee members questioned the efficacy of the IPA measures given a general increasing trend in chum salmon bycatch since 2011, and Dr. Stram clarified that IPA representatives are required to provide an annual report to the Council detailing their avoidance efforts for chum and Chinook and an estimate of the efficacy of these measures. IPA representative noted that they are modifying measures to better address chum as they have seen an increasingly large number of chum salmon on the pollock grounds in recent years. The measures are also specifically targeted at vessel level behavior and individual incentives to increase bycatch avoidance at all levels of encounters while maintaining a priority for Chinook salmon avoidance. Questions were posed regarding data-sharing and it was clarified that

there are regulatory requirements for data sharing via SeaState and that the IPAs may try to make their bycatch information more accessible to the public.

Public testimony

The Committee received oral testimony from Brenden Raymond-Yakoubian (Kawerak, Inc), Susie Zagorski (United Catcher Boats) and Paul Olson (the Boat Company), as well as questions from Vivian Korthuis (Association of Village Council Presidents) and Gabe Canfield. Rose Fosdick has also provided some commentary earlier in the meeting on the perspective of in-river users in the Nome region. Some testifiers emphasized the need to institute a chum cap and suggested some concepts relative to their design and implementation. They highlighted the ongoing salmon crisis, the impacts that have been felt in-river, and the urgency for the Council to take action. Additional research priorities were also identified by one testifier. One testifier described the catcher vessel IPAs and process for evaluating their efficacy. Mike Williams, a member of the Committee, also provided some commentary due to connectivity issues earlier in the meeting. He noted his background as a fisher, hunter, father and grandfather on the Kuskokwim River and noted the fundamental importance of healthy salmon returns to a subsistence way of life and the ongoing food security issues his region has been facing due to poor salmon returns.

March meeting planning and requests for additional information of staff

After discussion of the information items staff provided at this meeting, and reconsidering items yet to be addressed at the upcoming meeting on March 20th and 21st, the Committee augmented some of their information requests for the March meeting to the extent that information is available. It was further clarified by staff that items for inclusion should be related to drafting alternatives and purpose and need while a full impact analysis of measures will be forthcoming in a staff analysis if the Council moves forward with initiating one.

The following is a list of information requests of staff for March Salmon Bycatch Committee meeting (items in ~~strike out~~ were covered at the January 25th meeting)

1. Temperature changes (warm and cold patterns) compared to bycatch.
2. How do temperature changes interact with prey conditions?
3. Salmon encounter rates compared to pollock total allowable catch (TAC).
4. How or what conditions have changed since 2012? E.g., increased CDQ dependence on pollock; in river subsistence restrictions, some synthesis of local and traditional knowledge by in river salmon users across western Alaskan regions.
5. ~~Review State of Alaska Bycatch Task Force recommendations and information available on the Task Force website.~~
6. ~~Pollock fishery avoidance measures in 2022 for chum salmon.~~
7. ~~Process for initiating analysis of alternative management measures for chum salmon bycatch.~~
8. Expansion of the discussion of Council rationale for current management priorities for salmon bycatch (i.e., Chinook).
9. Information to help inform consideration of indexing to some estimate of chum salmon abundance (eg run reconstructions that exist, additional escapement and weir information across other river systems)
10. Vessel information on closures for chum as compared to chum bycatch concentrations/hot spots in data

The co-Chairs requested that Committee members work either individually or in groups to draft purpose and need statements for consideration by the Committee in March. This could build on the 2012 purpose and need or be a new purpose and need. Additionally, Committee members were requested to provide conceptual bycatch management action alternatives for consideration. These items, particularly draft purpose and need statement(s), are requested to be emailed to Dr. Stram by March 6th and staff will then work to synthesize them for posting to the Committee's eAgenda no later than March 10th. **The co-**

Chairs indicated that the primary goals of the March 20-21 meeting are to provide a consensus recommendation to the Council on a purpose and need and if possible conceptual alternatives for Council consideration at its April 2023 meeting. Committee members providing their prepared materials to staff for their synthesis (as able) in advance of the March meeting will provide an efficient approach for the next meeting and help to facilitate the Committee's ability to develop recommendations to the Council. Staff was also requested to send out periodic reminders of the upcoming deadlines to the Committee.

The meeting adjourned at 4:30pm.