C-2 Bering Sea Salmon Bycatch
Council motion
December 13, 2014

The Council releases the analysis of Chinook and chum salmon bycatch measures in the Bering Sea pollock fishery for public review with the following revisions (additions are in bold underline; deletions are stricken). SSC recommendations should be addressed as practicable prior to release of the public review draft.

Purpose and need statement: *The current chum salmon bycatch reduction program under Am 84 does not meet the Council's objectives to prioritize Chinook salmon bycatch avoidance, while preventing high chum salmon bycatch and focusing on avoidance of Alaska chum salmon stocks; and allow flexibility to harvest pollock in times and places that best support those goals. Incorporating chum salmon avoidance through the Incentive Plan Agreements (IPAs) should more effectively meet those objectives by allowing for the establishment of chum measures through a program that is sufficiently flexible to adapt to changing conditions quickly.*

Chinook salmon are an extremely important resource to Alaskans who depend on local fisheries for their sustenance and livelihood. Multiple years of historically low Chinook salmon abundance have resulted in significant restrictions for subsistence users in western Alaska and failure to achieve conservation objectives. The current Chinook salmon bycatch reduction program under Am 91 was designed to minimize bycatch to the extent practicable in all years, under all conditions of salmon and pollock abundance. While Chinook salmon bycatch impact rates have been low under the program, there is evidence that improvements could be made to ensure the program is reducing Chinook salmon bycatch at low levels of salmon abundance. This could include measures to avoid salmon late in the year and to strengthen incentives across both seasons, either through revisions to the IPAs or regulations.

Alternatives: (Note: action alternatives are not mutually exclusive.)

Alternative 1. No action.

Alternative 2. Remove BSAI Am 84 regulations and incorporate chum salmon avoidance into the Am 91 Incentive Plan Agreements. **An annual exemption from the Chum Salmon Savings Area is contingent upon participation in an incentive plan agreement that includes the provisions below.** Revise regulations at 50 CFR 679.21(c)(13) to include associated reporting requirements for chum salmon. Revise regulations at 50 CFR 679.21(c)(12)(iii)(B)(3) to include chum salmon bycatch avoidance as follows:

(3) Description of the incentive plan.
The IPA must contain a written description of the following:

(i) The incentive(s) that will be implemented under the IPA for the operator of each vessel participating in the IPA to avoid Chinook salmon and chum salmon bycatch under any condition of pollock and Chinook salmon abundance in all years;

(ii) The incentive(s) to avoid chum salmon should not increase Chinook salmon bycatch;

(iii) The rewards for avoiding Chinook salmon, penalties for failure to avoid Chinook salmon at the vessel level, or both;

(iv) How the incentive measures in the IPA are expected to promote reductions in a vessel's Chinook salmon and chum salmon bycatch rates relative to what would have occurred in absence of the incentive program;

(v) How the incentive measures in the IPA promote Chinook salmon savings and chum salmon savings in any condition of pollock abundance or Chinook salmon abundance in a manner that is expected to influence operational decisions by vessel operators to avoid Chinook salmon and chum salmon;

(vi) How the IPA ensures that the operator of each vessel governed by the IPA will manage that vessel's Chinook salmon bycatch to keep total bycatch below the performance standard described in paragraph (f)(6) of this section for the sector in which the vessel participates;

(vii) How the IPA ensures that the operator of each vessel governed by the IPA will manage that vessel's chum salmon bycatch to avoid areas and times where the chum salmon are likely to return to Western Alaska; and

(viii) The rolling hot spot program for chum salmon bycatch avoidance and an agreement to provide notifications of closure areas and any violations of the rolling hot spot program to at least one third party organization representing western Alaskans who depend on non-Chinook salmon and do not directly fish in a groundfish fishery.

Alternative 3. Revise Federal regulations to require that IPAs include the following provisions:

Option 1. Restrictions or penalties targeted at vessels that consistently have significantly higher Chinook salmon PSC rates relative to other vessels fishing at the same time. Include a requirement to enter a fishery-wide in-season PSC data sharing agreement.

Option 2. Required use of salmon excluder devices, with recognition of contingencies.

Suboption: Required use of salmon excluder devices, with recognition of contingencies, from Jan 20 – March 31, and Sept 1 until the end of the B season.

Option 3. A rolling hotspot program that operates throughout the entire A and B seasons.

Option 4. Salmon savings credits last for a maximum of three years for savings credit based IPAs.

Option 5. Restrictions or performance criteria used to ensure that Chinook salmon PSC bycatch rates in the month of October are not significantly higher than those achieved in the preceding months.

Alternative 4. Revise the Bering Sea pollock fishery seasons:

Option 1. Change the start date of the Bering Sea pollock B season to June 1.

Option 2. Shorten the Bering Sea pollock fishery to end on [suboptions: September 15, October 1 or October 15].

Option 3. Reallocate pollock A and B season apportionments to:
Suboption: 45% (A) and 55% (B), with A to B season rollovers
Suboption: 50% (A) and 50% (B), with A to B season rollovers

Alternative 5. Revise Federal regulations to lower the performance standard under Am 91 in years of low Chinook salmon abundance per the options below. Low abundance is defined as ~~≤500,000~~ **250,000** Chinook salmon, based on the ~~total~~ **post-season inriver** Chinook salmon run size index of the **Unalakleet, Upper Yukon, and Kuskokwim** ~~coastal WAK~~ aggregate stock grouping in a [option: year or average of two years]. Sectors that exceed the applicable performance standard, in 3 out of 7 years, would be held to their proportion of the **annual applicable performance standard in future years (for example, either 47,591 or an option selected below, whichever is in place that year).** ~~hard cap of 47,591 in perpetuity.~~ **If an option is selected under Alternative 5 that establishes a performance**

standard lower than the opt-out cap, then in a year in which the lowered performance standard is in place, the opt-out cap would be equal to the lower performance standard. In a year in which the lowered performance standard is in place and there are no approved IPAs, the PSC limit allocated to sectors would equal the lower performance standard.

Option 1. 25% reduction (35,693)
Option 2. 60% reduction (19,036)

~~Suboption: Apply the reduction [25% or 60%] to the B season portion of the performance standard only.~~
Suboption: Reduce the 60,000 hard cap in years of low Chinook salmon abundance by the same proportion as the performance standard.

The analysis should continue to include the regulatory amendments recommended by NMFS in Section 2.6 of the initial review draft, such that they could be incorporated into a preferred alternative at final action, if desired. Under Alternative 3, the analysis should incorporate and evaluate the industry responses to the options, as practicable, in the public review draft.