ADVISORY PANEL
Motions and Rationale
February 2-6, 2026

C2 Chum Salmon Bycatch

The AP recommends no changes to the Purpose and Need.

The AP recommends that the Council select Alternative 4 as the preferred alternative for final action.

The preferred alternative language is **bolded**.

Purpose and Need

Salmon are an important fishery resource throughout Alaska, and chum salmon that rear in the Bering Sea support subsistence, commercial, sport, and recreational fisheries throughout Western and Interior Alaska. Western and Interior Alaska salmon stocks are undergoing extreme crises and collapses, with long-running stock problems and consecutive years' failures to achieve escapement goals, U.S.-Canada fish passage treaty requirements, and subsistence harvest needs in the Yukon, Kuskokwim, and Norton Sound regions. These multi-salmon species declines have created adverse impacts to culture and food security and have resulted in reduced access to traditional foods and commercial salmon fisheries.

The best available science suggests that ecosystem and climate changes are the leading causes of recent chum salmon run failures; however, non-Chinook (primarily chum) salmon are taken in the Eastern Bering Sea pollock trawl fishery which reduces the amount of salmon that return to Western and Interior Alaska rivers and subsistence fisheries. It is important to acknowledge and understand all sources of chum mortality and the cumulative impact of various fishing activities.

In light of the critical importance of chum salmon to Western Alaska communities and ecosystems, the Council is considering additional measures to further minimize Western Alaskan chum bycatch in the pollock fishery.

The purpose of this proposed action is to develop actions to minimize bycatch of Western Alaska origin chum salmon in the Eastern Bering Sea pollock fishery consistent with the Magnuson-Stevens Act, National Standards, and other applicable law. Consistent, annual genetics stock composition information indicates that the majority of non-Chinook bycatch in the pollock fishery is of Russian/Asian hatchery origin; therefore, alternatives should structure non-Chinook bycatch management measures around improving performance in avoiding Western Alaska chum salmon specifically.

The Council intends to consider establishing additional regulatory non-Chinook bycatch management measures that reduce Western Alaska chum bycatch; provide additional opportunities for the pollock trawl fleet to improve performance in avoiding non-Chinook salmon while maintaining the priority of

the objectives of the Amendment 91 and Amendment 110 Chinook salmon bycatch avoidance program; meet and balance the requirements of the Magnuson-Stevens Act, particularly to minimize salmon bycatch to the extent practicable under National Standard 9; include the best scientific information available including Local Knowledge and Traditional Knowledge as required by National Standard 2; take into account the importance of fishery resources to fishing communities including those that are dependent on Bering Sea pollock and subsistence salmon fisheries as required under National Standard 8; and to achieve optimum yield in the BSAI groundfish fisheries on a continuing basis, in the groundfish fisheries as required under National Standard 1.

Alternative 1: Status Quo

Alternatives 2 through 5 apply to the entire Bering Sea pollock B season, the season in which chum salmon are taken as bycatch (prohibited species catch or PSC).

Alternative 2: Overall bycatch (PSC) limit for chum salmon

Chum salmon PSC limit based on historical total bycatch numbers: range of 100,000 (~17,100 Western Alaska chum salmon) to 550,000 (~94,050 Western Alaska chum salmon). All non-Chinook salmon taken as bycatch during the B season would accrue to the limit, regardless of origin.

PSC limits are apportioned among CDQ, catcher processor, mothership and inshore sectors (using a blended adjusted CDQ bycatch rate as with Amendment 91, with the exception of Option 4) based on the following options. The suboption must be selected in combination with another option.

> Option 1: historical total bycatch by sector using the 3-year average (2020 – 2022)
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> Option 2: historical total bycatch by sector using the 5-year average (2018 – 2022)
>
> Option 3: pro rata 25% AFA pollock allocation and 75% historical total bycatch (2020 – 2022)
>
> Option 4: pro rata based on AFA pollock allocation
>
> Suboption: For any of the four options above, also establish a CDQ chum salmon PSC reserve pool. The CDQ chum salmon reserve pool exists outside of the overall chum salmon PSC limit/corridor cap and may only be accessed by a CDQ group if a CDQ group informs NMFS in writing by November 15 of any year (i.e., prior to the annual groundfish specifications process) of a plan to associate their pollock CDQ with the inshore or mothership sector. Upon such notification, NMFS will apportion an amount of chum salmon PSC to the group(s) from the CDQ chum salmon PSC reserve pool that matches the chum: pollock proportion ratio apportioned to the sector with which it is associating (i.e., mothership or inshore). All CDQ pollock from a group must be associated with the same sector, and sector associations cannot be changed mid-season.

The sector limits are further apportioned at the CDQ group and inshore cooperative level in proportion to each CDQ group and inshore cooperative's pollock allocation. Chum salmon PSC can be transferred among sectors, CDQ groups, and inshore cooperatives. Reaching a limit closes the pollock fishery sector to which the limit applies.

Alternative 3: Overall bycatch (PSC) limit for chum salmon triggered by a Western Alaska chum salmon abundance index

Indices based on the prior year's chum salmon abundance. Options below are mutually exclusive. All nonChinook salmon taken as bycatch during the B season would accrue to the limit (based on the range specified in Alternative 2), regardless of origin.

Option 1: Three-area chum salmon index based on Yukon River summer + Yukon River fall run abundance (suboptions: 1,713,300 or 2,781,400); Kuskokwim River composed of the Kuskokwim sonar (suboptions: 151,636 or 306,017); Norton Sound composed of summed escapement for the Snake, Nome, Eldorado, Kwiniuk, and North Rivers and total Norton Sound harvest (suboptions: 57,300 or 91,500).

If 3/3 areas are above index threshold, no chum salmon PSC limit the following year.

If 2/3 areas are above index threshold, chum salmon PSC limit the following year is (suboptions: 100,000 to 550,000).

If 1 or no areas are above index threshold, chum salmon PSC limit the following year is 75% of the above limit.

Option 2: Chum salmon index based on Yukon River summer (suboptions: 1,268,700 or 1,978,400) + Yukon River fall run abundance (suboptions: 444,600 or 803,000).

If 2/2 areas are above index threshold, no chum salmon PSC limit the following year.

If 1 or no areas are above index threshold, chum salmon PSC limit the following year is (suboptions: 100,000 to 550,000).

Apportionments and transfer provisions are the same as Alternative 2.

Alternative 4: Additional regulatory requirements for Incentive Plan Agreements (IPAs)

Include in the IPA regulations at 50 CFR 679.21(f)(12)(iii)(E) the following additive changes to further prioritize avoidance of areas and times of highest proportion of coastal Western Alaska and Upper/Middle Yukon chum salmon stocks. These requirements would be added to the existing federal regulations for IPAs at 50 CFR 679.21(f)(12), and the annual reporting requirements at § 679.21(f)(13) would still apply.

1. Require the pollock sectors to describe in their IPA how historical genetic stock composition data are included in chum salmon avoidance measures.

2. Require the pollock sectors to describe in their IPAs how they monitor for potential chum salmon avoidance closures more than once per week.

3. Require the use of salmon excluders for the duration of A and B season.

4. Require the pollock sectors to develop chum salmon vessel outlier provisions and implement within their IPA.

5. Require IPAs to provide weekly salmon bycatch reports to interested Salmon users, Alaska Native Tribes and Tribally-authorized Consortia and Fish Commissions to allow for more transparency in reporting.

6. Require the pollock sector IPAs to prohibit fishing in bycatch avoidance areas for all vessels regardless of performance when ADFG weekly stat area bycatch rates exceed 5 chum per ton of pollock (CP) and 3 times base rate (CV and MS).

7. Establish a reporting benchmark for upper-middle Yukon and CWAK chum to be developed in cooperation with Tribal cooperating management agencies.

Alternative 5: Inseason Corridor Cap

PSC cap on total chum salmon in combined clusters 1 and 2[1] during June 10 to August 31. Cap range of 50,000 total chum salmon (~8,550 Western Alaska chum salmon) to 350,000 total chum salmon (~59,850 Western Alaska chum salmon). All non-Chinook salmon bycatch in clusters 1 and 2 accrues to the cap, regardless of origin. The cap for combined clusters 1 and 2 and closure time period are set in federal regulations. Additional windows for salmon passage and other avoidance measures should be implemented inseason through the contractual Incentive Plan Agreements using inseason fishery data and best available genetic data. Apportionments and transfer provisions are the same as Alternative 2 and based on historical bycatch within each Cluster individually and then combined.

Option 1: If the cap is met during the time period, NMFS closes all ADF&G stat areas inside Cluster 1 and 2 to that sector(s) for the rest of the time period. The corridor area closure is set in federal regulations.

Suboption 1: Reaching the cap triggers a corridor closure comprised of 29 ADF&G stat areas (~75%) in Cluster 1 and 2[2]

Option 2: If the cap is met during the time period, the IPA's pre-approved corridor area closes to that sector(s) for the rest of the time period. The corridor closure must be described in the IPA and preapproved by NMFS before B season. The criteria for a corridor closure area are set in federal regulation. The corridor closure must (1) be within combined Clusters 1 and 2, (2) comprised of a range of 19 to 29 ADF&G stat areas (~50% - 75%), and (3) be selected based on chum catch, pollock CPUE, and relevant genetic data.

Option 3: Abundance-based threshold. Mutually exclusive to Alternative 3.

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[1] Cluster 1 and 2 refer to the following 40 ADF&G statistical areas: 685730, 685700, 685630, 685600, 685530, 685500, 675700, 675630, 675600, 675530, 675500, 675430, 665630, 665600, 665530, 665500, 655430, 665401, 655630, 655600,655530, 655500, 655430, 655409, 655410, 655412, 645700, 645630, 645600, 645530, 645501, 645434, 635700, 635630, 635600, 635530, 635504, 625630, 625600, and 625531.

[2] The corridor closure would apply to the following 29 statistical areas: 685730, 685600, 685530, 685500, 675600, 675530, 675500, 675430, 665630, 665600, 665530, 665500, 655630, 655600, 655530, 655500, 645700, 645630, 645600, 645530, 645501, 635700, 635630, 635600, 635530, 635504, 625630, 625600, and 625531.

Chum salmon index based on Yukon River summer and Yukon River fall run reconstructions. If the prior year's chum salmon abundance for both the Yukon River summer and Yukon River fall run reconstructions are at or above the index values, the corridor cap and closure provisions would not apply.

Suboption 1: 75th percentile. Yukon River summer: 2,671,450; Yukon River fall: 1,150,758

Suboption 2: 90th percentile. Yukon River summer: 3,871,700; Yukon River fall: 1,390,329

Option 4. Adjust the Winter Herring Savings Area start date for the pollock fishery from September 1 to September 30.

Option 3 and 4 are not mutually exclusive and can be selected in combination with Option 1 or 2.

The following amendments were proposed, after the main motion was introduced:

Amendment 1: A substitute motion was proposed and failed:

The AP recommends the Council select the following combination of alternatives for their final action at their February 2026 meeting for approval by the National Marine Fisheries Service:

a. Alternative 2 at an annual PSC limit of 100,000 chum salmon.
    i. The AP recommends apportionment option X
    ii. The AP recommends not including the CDQ Reserve Pool.
b. Alternative 4, with the additions to Provision 5 to:
    i. Share bycatch reports with Tribally-authorized Federally-compacting Consortia and Fish Commissions in western and interior Alaska, not just with "salmon users."
    ii. Present IPA bycatch data in a more usable format than is currently provided, as determined by Tribally authorized Consortia and Fish Commissions and communicated to SeaState and the IPA managers.
c. Alternative 5, Option 1, at a PSC limit of 50,000 chum salmon.
    i. The AP recommends apportionment option X
    ii. The AP recommends not including the CDQ Reserve Pool.
    iii. The AP recommends not linking Alternative 5 to abundance (Option 3) or changing the start of the Winter Herring Savings Area (Option 4).

Substitute Motion fails 2-17

Amendment 2 to add a new number 7 to Alternative 4 was withdrawn.

7. Establish a goal of reducing the impact rate to upper-middle Yukon chum to under 1 percent and the total AEQ removals of CWAK chum to under 1% of all other removals.

Amendment 3 to add a new number 7 to Alternative 4 was proposed and passed:

7. Establish a reporting benchmark for upper-middle Yukon and CWAK chum to be developed in cooperation with Tribal cooperating management agencies.
Amendment passes 17-2

Amendment 4 to edit number 5 of Alternative 4 was proposed as follows and passed as amended:

5. Require IPAs to provide weekly salmon bycatch reports to *Alaska Native Tribes and Tribally-authorized Consortia and Fish Commissions* ~~Western and Interior Alaska salmon users~~ to allow for more transparency in reporting.

An amendment to the amendment that would add the term *'interested salmon users'* to the list of groups to be sent the salmon bycatch reports *passed without objection.*
Amended amendment passes 17-2

Amendment 5 to edit number 6 of Alternative 4 was proposed and failed:

6. Require the pollock sector IPAs to prohibit fishing in bycatch avoidance areas for all vessels regardless of performance when ADFG weekly stat area bycatch rates exceed 5 chum per ton of pollock (CP) and 3 times *the* base rate *or 3 times the base rate floor, whichever is lower* (CV and MS).
Amendment fails 2-15

Amendment 6 to include an amended Alternative 5 as a Final Preferred Alternative was proposed and failed:

Alternative 5: Inseason Corridor Cap

PSC cap on total chum salmon in combined clusters 1 and 2 during June 10 to August 31. Cap of 225,000 total chum salmon. **Chum salmon will be apportioned using the 3 year historic average.** ~~range of 50,000 total chum salmon (~8,550 Western Alaska chum salmon) to 350,000 total chum salmon (~59,850 Western Alaska chum salmon).~~ All non-Chinook salmon bycatch in clusters 1 and 2 accrues to the cap, regardless of origin. The cap for combined clusters 1 and 2 and closure time period are set in federal regulations. Additional windows for salmon passage and other avoidance measures should be implemented in season through the contractual Incentive Plan Agreements using inseason fishery data and best available genetic data. Apportionments and transfer provisions are the same as Alternative 2 and based on historical bycatch within each Cluster individually and then combined.

Option 1: If the cap is met during the time period, NMFS closes all ADF&G stat areas inside Cluster 1 and 2 to that sector(s) for the rest of the time period. The corridor area closure is set in federal regulations.

Suboption 1: Reaching the cap triggers a corridor closure comprised of 29 ADF&G stat areas (~75%) in Cluster 1 and 2

Option 2: If the cap is met during the time period, **the IPA's will determine the state area closure in season once the cap level is triggered**. ~~pre-approved corridor area closes to~~

~~that sector(s) for the rest of the time period. The corridor closure must be described in the IPA and preapproved by NMFS before B season. The criteria for a corridor closure area are set in federal regulation.~~ The corridor closure must (1) be within combined Clusters 1 and 2, (2) comprised of ~~a range of~~ 19 ~~to 29~~ ADF&G stat areas (~50%~~- 75%~~), and (3) be selected based on chum catch, pollock CPUE, and relevant genetic data.

Option 3: Abundance-based threshold. Mutually exclusive to Alternative 3.

Chum salmon index based on Yukon River summer and Yukon River fall run reconstructions. If the prior year's chum salmon abundance for both the Yukon River summer and Yukon River fall run reconstructions are at or above the index values, the corridor cap and closure provisions would not apply.

Suboption 1: 75th percentile. Yukon River summer: 2,671,450; Yukon River fall: 1,150,758

Option 5: Vessels that choose not to join an IPA are prohibited from fishing in the inseason corridor during the B season

Option 6: Establish a CDQ chum salmon reserve pool. The CDQ chum salmon PSC buffer exists outside of and is above the overall chum salmon PSC limit/corridor cap chosen, utilizing the calculations as used in Table 2-27, at a PSC limit of 225,000 and using a 3-year average apportionment, ie 19,193 chum. The CDQ chum salmon PSC buffer will be internally managed through a CDQ contractual agreement. The CDQ contractual agreement will develop restrictions around the specific conditions under which the additional CDQ chum salmon PSC buffer may be accessed (when it is fished outside of the catcher processor sector). The additional amount of chum salmon PSC buffer will be allocated to individual CDQ groups in proportion to their relative pollock allocation and done through the annual specifications process. The CDQ sector would be required to report annually to the Council on whether and under what conditions the CDQ chum salmon PSC buffer was utilized.
Amendment fails 2-15

Amended Main Motion passes 13-4

Rationale in Support of Amended Main Motion

- *The AP recognized and appreciated the extensive and valuable contributions made to the DEIS and action by the Analysts, cooperating agencies, and all other contributors which delivered a thorough and comprehensive analysis.*
- *The AP noted the following from the Action's Purpose and Need:*
    - *The severity of the crisis in Western and Interior Alaska and that the best available science identifies ecosystem and climate change as the primary drivers of recent chum salmon run failures.*

    - *The focus is on management actions that minimize bycatch of Western Alaska origin chum salmon specifically, while understanding all sources of chum mortality and cumulative impacts across fisheries and communities.*
    - *That the majority of the chum bycatch in the pollock fishery is of Russian and Asian hatchery origin.*
- *Alternative 4 directly responds to the need to further minimize Western Alaska chum bycatch in the pollock fishery, and is the most responsive to balancing the importance of pollock with the importance of salmon to fishing and subsistence communities. It also balances conservation and impacts, avoids disproportionately impacting one sector over another, and maintains the ability of the BSAI groundfish fisheries to sustainably achieve optimum yield on a continuing basis.*
- *The AP noted that the DEIS indicates that the pollock fishery's impact on WAK Chum is less than 2%, which is a very small contribution to total Western Alaska chum mortality compared to all removals.*
- *AP members noted that supporting Alternative 4 alone is not status quo and is an action that builds on decades of demonstrated effectiveness and would codify additional measures for each sector's IPA into federal regulation. Once codified, the fleet is locked into meeting these enhanced measures that not only focus efforts on WAK chum conservation but are also aimed at mitigating future high chum bycatch years, improve transparency, and accountability. The AP felt that the approval process of the IPAs, the written annual IPA reports submitted to NMFS, and the public annual IPA Reports to the Council provide accountability for vessels in the IPAs, transparency to the public, and the ability for responsive improvements to be made to the IPAs.*
- *Alternative 4 allows the continued use of the best scientific information available to adapt to changes in percentages of WAK chum on the grounds under changing climate and ecosystem conditions consistent with MSA and the National Standards. It also addresses how chum bycatch occurs in episodic pulses and large quantities with a great degree of temporal and spatial variability throughout the B Season Chum show up in episodic pulses and quantities along with a great degree of temporal and spatial variability throughout the B season.*
- *The provisions in Alternative 4 respond to bycatch on a weekly and bi-weekly basis, using the most recent catch data, in-season and annual genetics, to inform where the fleet should or must avoid fishing, rather than relying on historic averages and encounters from previous fishing years and conditions.*
- *The provisions in Alternative 4 can adapt to changing ocean conditions and will continue to hone in on providing conservation benefits to WAK chum, despite uncontrollable NE and SE Asia hatchery salmon in the Bering Sea and future geopolitical dynamics, unlike any cap or PSC limit.*
- *The AP felt that the tools in the IPA allow continuous learning and adaptation to focus avoidance where and when WAK chum risk is highest while keeping all vessels equally accountable. This provides the fleet the ability to achieve the lowest WAK chum possible by using the IPA's incentive based tools.*
- *Alternative 4 references "chum" instead of "Western Alaska chum" because when vessels encounter chum on the grounds, they do not know the origin of the chum they are*

encountering. However, the intent is still to use the inseason genetics available after delivery to move the fleet away from chum of Western Alaska origin.

- *AP members noted that although there was significant public testimony requesting a hard cap under Alternative 2 and an inseason corridor cap under Alternative 5, that Alternative 4 alone was the only alternative under consideration that fully met the purpose and need to reduce bycatch of Western Alaska chum, and was the only option with the potential to bring positive outcomes to inriver returns.*
- *The AP noted that communication is important. It's the foundation of cooperative management in the pollock fishery. IPAs work by way of as much information as possible. Alternative 4 will improve transparency and therefore accountability via communication.*
- *The motion maker noted that the lowest possible bycatch is the goal, on a haul, daily, and weekly and seasonal basis. Fishermen take it seriously, prioritize salmon avoidance, try their best, and continue to adapt.*
- *The motion maker noted that Alternative 4 achieves balance across National Standards 1, 2, 4, 7, 8, 9, and 10.*
    - *NS1 - Optimum Yield: Maintains sustainable harvest opportunity while reducing WAK chum risk.*
    - *NS2 - Best Scientific Information Available: Incorporates AEQ estimates, inseason weekly genetics, daily in-season data, and real time decision making.*
    - *NS4 - Fairness: Avoids disproportionate impacts on one sector or size of vessels over another.*
    - *NS7 - Minimize Costs: Compared to other alternatives, it builds on existing systems rather than imposing new, costly, and rigid regulatory structures.*
    - *NS8 - Fishing Communities: Preserves shore-based processing opportunities in multiple Alaska coastal communities for all fisheries and focuses conservation efforts on WAK chum specifically with the goal of supporting the return of WAK chum runs.*
    - *NS9 - Minimize Bycatch to the Extent Practicable: Minimizes bycatch through precise, adaptive, and effective tools to the extent practicable.*
    - *NS10 - Safety: Promotes safety by maintaining cooperative structure and avoiding competition under a constraining bycatch cap in limited areas, which would lead to compressed seasons, concentrated effort on remaining open fishing grounds, and long trips which exacerbate issues from tired crew and risk to poor weather.*

Rationale in Opposition to Amended Main Motion

- *This action became too siloed from the beginning. The changes to the purpose and need to focus on only Western Alaska chum salmon narrowed the ability to create a larger tool box. The alternatives at hand do not afford enough flexibility to meet the needs of both the industry and the affected salmon users. The narrow scope of both the purpose and need and the alternatives created a siloed suite of potential avenues that have led to a situation where alternative 4, which is basically status quo from the last few years, becomes the preferred alternative. This is not enough.*
- *The alternatives in this analysis did not offer a middle ground for industry and salmon users, especially in-river salmon users to find agreement. Both the main motion and the substitute*

motion were too polarized to find compromise. This is a failure in itself and it is unfortunate that the alternatives in the DEIS did not provide both regulatory flexibility and regulatory accountability for the future.

- *The industry first took up this action around 2010 at the onset of Amendment 91. That action began as salmon bycatch but was bifurcated into Chinook and Chum salmon, then Chinook was prioritized. The decision to prioritize Chinook salmon avoidance both in regulation and in fleet operations influenced the increase in chum salmon bycatch and was a stepping stone to this action. If all salmon avoidance had been prioritized by the industry and codified in IPA's at the time of Amendment 91, then this action may not have been necessary. This has proven that without the inclusion of chum into salmon bycatch avoidance measures, codified into regulation, the industry did not and may not continue to take meaningful steps. Though alternative 4 is an important step on the path to continued salmon avoidance, the industry had those tools all along and chose not to implement them or prioritize them.This shows the need for a backstop aside from IPA's to keep the industry accountable. Only over the last 4-5 years has the regulatory and public pressure encouraged industry to take measures into their own hands and make meaningful changes. These changes have been tremendous and proven to work, but without the pressure there is concern that these measures are not enough. Amendment 91 includes a hard cap. It also has performance standards and abundance provisions. These are all alternative options that could have been utilized in this action. A larger tool chest would have been more helpful.*
- *The tools in alternative 4 have been available all along.The industry needs the flexibility of these tools, but also needs more accountability in regulation. Self regulation failed and only under pressure to do better did it start to work. These alternatives do not offer a realistic place to add more of a regulatory backstop to alternative 4.*
- *The stark division between industry and affected salmon users in relation to the alternatives in the DEIS, show that motion is not enough. There is no compromise offered between all affected parties. This has placed industry against culture and human health, both mental and physical.*

Rationale in Support of Failed Substitute Motion (amendment 1)

- *Chum salmon are essential for traditional ways of life in Western and Interior Alaska. They provide food security, nutrition, mental and emotional well-being, cultural enrichment and identity, economies and livelihood, and ecosystems and biodiversity, as described in the analysis and Tribal and public input. However, Western Alaska chum salmon stocks are showing extreme declines from historic abundance levels. Waste should end so we can start getting fish, spawners and eggs into the river systems.*
- *The combination of alternatives in the substitute motion achieves the most savings of WAK chum.This is clear from the DEIS Section 3.3.4.7 and from the analyses presented by multiple organizations.*
- *This motion is responsive to the detailed analyses and consensus ask of many Tribal entities.*
- *We need to achieve bycatch levels that are far lower than the historical average.*
- *The motion incorporates Alternative 4 in its entirety, with modifications to Provision 5, to ensure Tribal entities are assured receipt of bycatch reports, and that the reporting data is provided in an easily usable format.*

- *The motion incorporates the largest version of the Alternative 5 corridor at the lowest end of the cap range. This can serve as a useful tool to target areas of the highest chum bycatch.*
    - *The majority of WAK chum salmon are caught in the 40 stat areas in genetic clusters 1 and 2 proposed for a migratory corridor.*
    - *The analysis and public and Tribal input have been clear that the widest spatial corridor is needed to protect as much of the Western Alaska chum salmon migratory area as possible*
    - *This also ensures that areas with very large bycatch - like stat area 655430 - are contained within the corridor, which is not the case with all the options in this Alternative.*
    - *Option 3 is not included because public and Tribal input do not support linking the corridor to Yukon River stock abundance. It does not cap bycatch at all levels of abundance which is practicable, and it is only based on one river system.*
    - *The motion does not include Option 4 to change the start of the Winter HSA. While this may be bycatch-neutral, this is a concerning problem of damaging other species when bycatch reductions are put into place.*
- *The motion also incorporates the low bycatch number for Alternative 2, setting up a layered dual cap system.*
    - *Without an overall cap, there is no constraint on the bycatch outside the corridor. That includes the 40 percent of bycatch already occurring outside the corridor, everything after the corridor closure, and any displaced fishing effort from the corridor cap.*
    - *The pollock fleet can achieve below 100,000 fish - they have in two of the past 15 years and across the last three years on average.*
    - *The motion does not include a recommendation for the apportionment option of the cap under Alternative 2.*
    - *The motion also does not include a recommendation for the CDQ reserve pool because the DEIS shows how this option will allow for additional chum salmon PSC, which does not meet the Purpose & Need of this action, nor align with the rationale for the 100,000 cap*
- *Economic considerations to note*
    - *It is very clear that Tribes are suffering dire economic consequences from lack of chum salmon.*
    - *Regarding pollock economics:*
        - *The fleet has been able to meet its TAC and ex-vessel value in years of low bycatch, and also in the face of other caps on Chinook.*
        - *All estimates of foregone pollock and revenue assume the pollock fleet would not change its behavior to avoid hitting a chum PSC limit; we all know this will not be the case.*
        - *Even so, it must be acceptable under this action to discuss minor reductions in pollock revenue when salmon communities are being forced to deal with loss of access to salmon, food security, economic opportunity, and cultural identity.*

- *Impacts of bycatch on chum stocks.*
    - *The limitations of the AEQ are well documented in written public comments.*
    - *The models are highly uncertain, whereas Traditional Knowledge shared in the analysis and through Knowledge Holder input is certain in confirming every fish and egg counts. Were this a balanced and equitable analysis, and were National Standard 2 adhered to, Traditional Science would be given equal to or greater weight than a highly uncertain AEQ or impact rate model.*
    - *Every salmon counts, especially now, and we need to do everything to counteract the waste of millions of chum wasted over past decades and increase fish, spawners and eggs coming back into the rivers.*
- *The staff presentation [slide 20] showed that one way to measure the scale of conservation impact, or conservation benefit, of this action would be to move the impact rate of upper/middle Yukon fall chum bycatch to less than the 1% average.*
    - *Genetic data and Yukon fall chum run reconstructions from 2023 and 2024, the industry managed to have an estimated impact rate of 0.7% in 2023 and 0.9% in 2024. In 2025, preliminary data suggests the impact rate increased to over 2%.*
    - *This demonstrates that in order to hold the pollock fishery to the less than 1% impact rate to Yukon fall chum, fishing needs to occur like it did in 2023 and 2024 – which means new IPA provisions plus operating under a self-imposed 200,000 chum cap.*

- *The motion seeks to make that self-imposed cap regulatory, and to lower it as much as possible per input from Tribes and the public. Table 3-41 shows that the only cap that will drive the impact rate below 1% is a 100,000 chum cap.*

Rationale in Opposition to Failed Substitute Motion (Amendment 1)

- *An AP member noted that the inclusion of an Alternative 2 hard cap does not align with the Purpose and Need as much as Alternative 4 alone does because an overall cap limits total chum bycatch without focusing specifically on Western Alaska origin chum.*
- *The AP also noted that the chum caps would be more likely to impose rigid constraints that risk disproportionate impacts on fleets and communities. Chum caps limit operational flexibility within the pollock fishery which is needed to use the WAK chum avoidance tools in Alternative 4 in the most precise and responsive way, in order to obtain measurable conservation benefits for Western Alaska chum salmon.*
- *The AP noted that at the cap levels included in the motion, the entire pollock fishery would have had closures in 12 of the last 13 years, and referenced public testimony that indicated during closures processors would still have costs of more than $100,000 per day and vessels would also still have expenses with revenue including boat payments and insurance.*
- *The AP referenced the analysis and public testimony that pollock allows shoreside processors to support year round operations for other fisheries and felt that this motion would create additional economic harm and losses to processors, harvesters of all sectors and coastal communities. An AP member specifically noted the Western Gulf of Alaska (WGOA), which has*

already seen devastating impacts from the loss of a processor and relies on Bering Sea plants to process their GOA pollock, fixed gear and trawl cod, and IFQ halibut and sablefish. Kodiak pollock vessels participate in the BS pollock fishery, and fixed gear fleets from Kodiak also rely on BS fisheries as a critical part of their annual business plan since smaller GOA fisheries alone do not provide enough annual income.

- *The AP noted that Alternative 5 disproportionately harms the inshore sector who harvests more than 90% of their pollock from the inseason corridor and that all catcher vessels, but particularly smaller family-owned and operated vessels, do not have the ability to travel long distances to harvest pollock due to product quality time restrictions, safety, and expense. Public testimony indicated that an Alternative 5 cap would be so small at the vessel level that fishermen would not be able to fish during the corridor timeframe; this would then push them into fishing in the Fall when Chinook salmon avoidance becomes difficult.*
- *AP members noted that although 84% of WAK chum salmon are taken by the pollock fishery within the inseason corridor, the cap under Alternative 5 could still be reached with Asian hatchery chum since WAK chum are still only 20% of the total chum salmon taken in that area.*
- *The AP felt that Alternative 2 and 5, especially at these cap levels, were untenable for the ability of any fisheries to survive in Alaska due to the interconnectedness of processors, vessels, and coastal communities.*
- *The Scientific and Statistical Committee has been clear and consistent across both its April 2024 and February 2025 reviews that there remains substantial uncertainty regarding whether the proposed chum bycatch management action will deliver measurable conservation benefits to Western Alaska chum salmon.*
    - *The SSC acknowledged that the costs and risks to the pollock fleet — including vessel-specific economic impacts, operational constraints, and safety concerns — are tangible and unevenly distributed.*
    - *Taken together, the SSC record does not support a conclusion that this action clearly produces meaningful or measurable benefits to WAK chum salmon relative to the costs imposed on the pollock fleet.*
- *The MSA requires that we reduce impacts on weak stocks in the most effective way not to equalize pain. Conservation outcomes, not shared sacrifice, are the legal and biological standards we must meet.*
- *This action overstates the role of WAK chum bycatch in the pollock fishery as a leading or major cause of salmon declines on the Middle and Upper Yukon.*
- *An AP member noted that exclusion of Option 4 in Alternative 5 was concerning because the Winter Herring Savings Area is an important area in September to avoid salmon in the fall, especially in years when the herring are abundant elsewhere on the grounds.*
- *The AP heard that the fleet needs the ability to avoid multiple PSC species in season, which includes avoiding unintended consequences to chinook or chum by moving the fleet away from abundant levels of another PSC species like herring.*
- *NS9 and the responsibility of the pollock fleet is to minimize bycatch to the extent practicable and the Winter HSA is an area that would allow for that to be more practicable.*
- *In the analysis Table 3-63 shows that less chum bycatch occurred in the Winter HSA during September. Section 3.4.1.4.5. in the DEIS aligns the expectations of PSC in the Winter Herring*

Savings area in September with testimony from the CP representatives. Neutral impacts or reduced Chinook salmon PSC results by providing more flexibility in the fall months to avoid PSC. The Winter HSA in the fall is an important area to avoid so as not to risk increasing other PSC.

- *An AP member noted that the corridor closure in Alternative 5 would rely on retrospective models, broad assumptions, and static triggers that cannot respond to changing in season and future ocean conditions as well as Alternative 4 can.*
- *The AP felt that IPAs and incentives that mitigate impacts to WAK chum would be negatively altered if an overall chum cap was also implemented. Any chum limit will change the incentive landscape and shift attention from WAK chum to avoiding overall chum, of which the majority is Asian and Russian hatchery chum. The focus shifts from specific WAK avoidance to risk in vessel management, force vessels to fish faster, later, or in worse conditions, reduce incentives to share information once caps are near. This would protect large numbers of Asian hatchery chum while offering uncertain conservation benefit to WAK stocks.*
- *The AP heard from communities, companies, individuals, and Alaskans requesting to carefully select an alternative that won't do economic harm to businesses, support services, and communities throughout Alaska, but will provide meaningful benefits to WAK chum. Many businesses affected by economic impacts likely to result from a chum cap, are small or localized businesses and have limited flexibility.*
- *The analysis showed hard caps, constraining overall chum limits, and static time-area closures were shown to result in substantial forgone pollock and therefore revenue. Revenue from pollock supports families, Alaskan communities and businesses, CDQs, and other Alaskan Fisheries, all for a minimal conservation gain for WAK chum salmon when compared to conservation benefits from IPA measures and Alt 4 provisions.*

Amendment 2 was withdrawn

Rationale in Support of Amendment 3

- *The upper middle Yukon run is protected by the Yukon River Treaty. This needs to be as low as possible to minimize bycatch impacts to the stock. The Yukon fall chum could be added to the current 7-year moratorium.*
- *This can help facilitate communication between industry and salmon users for better understanding of the ongoing and evolving salmon crisis.*
- *Yukon Fall chum runs are significantly below average. 2025 Run size was 184,000 which is below escapement goal of 300,000 - 600,000 and below the average run size of about 944,000.*
- *The burden of conservation on WAK needs to be shared amongst all people*
- *This language establishes an aspirational benchmark or target for the fleet to aim for and will assist in both increasing communication between users and making WAK chum avoidance an explicit goal.*
- *The motion maker intended the benchmark to be close to the proposed numbers in the withdrawn motion, recognizing the challenges in determining AEQ and impact rates outside of this process.*

Rationale in Opposition to Amendment 3

- *AP members in opposition noted that it was unclear what the expectation of the amendment is and what it commits the pollock fleet to do. They also noted that it was not analyzed in the DEIS by analysts or NMFS.*
- *It was also noted that the amendment language lacked clarity in the difference between a "reporting benchmark" (aspirational) and a "reporting requirement" (must be met).*
- *An AP member felt that it was redundant and the amendment could have fallen into the current reporting requirement.*

Rationale in Support of Amendment 4

- *Numerous Tribal representatives, including from Tanana Chiefs Conference, Kawerak Inc., and Kuskokwim River Inter-Tribal Fish Commission, that they would like the regulations for this provision to explicitly state that the weekly in-season IPA reports be delivered to Tribes and Tribally-authorized entities working in fisheries on Tribes' behalf.*
- *This will also help pave the way towards improved outreach, communication, and dialogue between industry and Tribes, as many AP members and testifiers from Tribes and from industry have said they want.*
- *Report delivery directly to Tribes and Tribally-authorized Consortia and Fish Commissions can give Tribal folks the ability to express exactly what data would give us the most assurance of transparency from the fleet.*
- *This amendment moves us closer to an underlying goal of improved communication directly between Tribes and the pollock industry about what's going on in the fishery, what data we can all use to understand where Western Alaska fish are, and how they can be better avoided.*

Rationale in Opposition to Amendment 4

- *The original provision language was already inclusive and encompassed the ability to provide the weekly IPA report to those listed. The specificity was redundant.*

Rationale in Support of Amendment 5

- *50 CFR § 679.21 allows the use of the base rate instead of the floor if it is higher. The base rate floor is fixed at 0.19 for June and July. It is stair-stepped to 0.5 in Aug and 1.0 in September. However, the base rate is averaged from bycatch rates; it's just a reflection of how things are going with bycatch. It can be above the base rate floor. This is allowing too high of a base rate as the standard for avoidance. This amendment states that the metric for the base rate or floor should be whichever is the <u>lower</u>, not the <u>higher</u> of the two.*

    - *Within the top 5 stat areas for highest overall WAK bycatch, base rates per refigured Table 3-36 ranged from roughly **0.5 to 0.75** in the horseshoe around Unimak island and 2.5 to 6 along shelf edge.*
    - *The inshore sector's July 2019 chum PSC rate inside corridor was 0.28 chum/mt and in August 2020 its PSC rate was 0.5 chum/mt.*
    - *In 2021, the B season bycatch rate highest value was 2.98 chum/mt*
    - *In 2022, the B season bycatch rate was the highest in the Pribilofs at 0.9.*
- *Not all vessels are prohibited from fishing in a hotspot during a given week. This provision of Alternative 4 importantly makes it so all vessels would be closed out of super hotspots, and the amendment is trying to make this more reflective of what needs to happen to minimize impact to WAK chum.*
- *There are concerns that closure areas are not aligned with the timing of WAK migration.*
- *Closure areas are largest East of 168 degrees West longitude in June and July to match the time and areas when Western Alaska chum salmon are more likely to be encountered.*
- *Rolling Hot Spot closures for chum salmon avoidance from 2011-2023 were most frequently implemented in July and it was common for multiple closures to be in effect during the same week. In 2022 and 2023, RHS closures were implemented more in late July and August.*
- *In 2022, the first avoidance area went into effect June 29 to July 30. Two more areas were identified on July 19, one of which was extended until Aug 15. These areas align with the shelf edge, where bycatch rates were high. These avoidance areas may have increased fishing effort further east in the Shelf grounds. WAK chum increased from 9.3% (50,755 fish) in 2021 to 23.0% (54,091 fish) in 2022.*
- *Conversations should really be about numbers, not bycatch rates. Rates obscure the number of chum actually being taken as bycatch. Through IPA reporting to Tribes and Tribal Consortia, we could better account for when and where CWAK and Up-Mid Yukon are being caught as bycatch.*

Rationale in Opposition to Amendment 5

- *The AP noted that the amendment included proposed changes that have not been analyzed in the DEIS, by IPA managers, or SeaState and cannot be incorporated at Final Action.*
- *There was also concern that the amendment could inhibit the functional relationship of provision 6 within the IPA's rolling hotpots. It was also anticipated that there would potentially be unknown impacts to vessels in the inshore and mothership IPAs.*
- *It was also noted that provision 6 was included in the DEIS over a year ago and concerns with rates could have been brought up before Final Action so it could be addressed.*

- *While opposed to the amendment, one AP member noted that the amendment highlighted the need for improved communication by the IPA cooperatives regarding how they operate, why rates are used, and how base rates are determined.*

Rationale in Support of Amendment 6

- *Option 2 was preferred because IPAs have access to the best available science and data in real time during the fishing season. It makes no sense to base closures on last year's fishery, especially in times of rapidly changing ocean conditions. The tools exist and the IPA's are already able to track and implement data informed closure areas.*
- *A 225,000 cap number was chosen based on the data in table 3-56 on p. 215 of the DEIS.*
- *This is 27,000 above the historic average of total chum bycatch in the corridor.Including the CDQ reserve pool it would be an additional 19,000+ fish for potential access. The fleet has proven ability to stay within this range within the corridor. It is not an unrealistic goal to stay within recent historical average*
- *The 3 yr average apportionment was chosen after consultation with the CV fleet, who would be most affected by this action and this was their preferred apportionment.*
- *Option 3 was chosen because it is the closest option for a sunset provision for this action based on abundance and a hopeful rebound of Western Alaska chum salmon.*
- *The CDQ reserve pool was included to offer operational flexibility to the CDQ groups to ensure harvest of their quota and returned benefits to their communities. Though likely not to be used, in the event the CDQ decided to harvest their quota with the CV or mothership sector it would be given the buffer to do so under historic apportionment. This extra 19,000 fish is still divided between the 6 CDQ groups. This format was spoken to by staff and preferred in public testimony. This does not require an opt in prior to the season to allow in season flexibility if the need arises. It created accountability and a framework of both access to the reserve pool as well as reporting.*
- *The Council has a difficult task of balancing the needs of the people of Western Alaska, the pollock fishery and the public outcry for accountability alongside the MSA national standards. This amendment is an attempt to do so by adding in a backstop aside from the measures the IPAs have been taking and that the main motion intends to codify.*
- *It's unfortunate that modern society requires regulations for us to be held accountable.*
- *The pollock sector has proven that they make meaningful reductions in chum salmon bycatch through IPAs. They've done a tremendous job of reducing their bycatch and fully holding themselves accountable for the issues that have been brought forward in this issue, but this isn't a new issue and this isn't the first time it's been brought forward. It's the first time that the pollock industry has been threatened by regulatory action regarding chum salmon avoidance.It took the threat of regulatory action and to be fully held accountable in regulation for them to make these meaningful changes that have had fantastic results.*
- *Though there is obvious support for moving ahead with alternative 4, there is also sentiment to not have that be the sole action. The sector has proven and it was said in public comment that they prioritized chinook avoidance because they were told to do so. They had the opportunity to take measures within the IPA's and as a fleet to avoid both chum and chinook, but chinook was prioritized. Chinook action under amendment 91 includes both IPA provisions and a hard*

cap. So the need for regulation, specific to chum is at hand and an accountability measure outside of the IPA's and industry self regulation is needed.

- *Now the level of that accountability is another issue within itself because if we set a cap that's low like 100,000 range it's going to shut down the fishery that is gonna have ripple effects across the entire state that could and will be similar to what is occurring in Western Alaska. A cap too low has more potential to trigger a closure and potential shut down of the fishery and decreased processor output and economic impact to communities.*
- *The intent of this amendment is not to shut down fisheries, processors of those dependent on them. It is to create true accountability.The industry has had the opportunity all along to help shape and inform these alternatives to come to a meaningful solution to this issue. We are working within the alternatives in the DEIS and this is an option that helps balance the needs of all salmon users while not blindly impacting the fishery.*
- *Without more flexible alternatives, such as frameworks, stair steps, performance standards or sunset provisions, this is an option that offers industry flexibility in the closure areas, and a regulatory backstop above the IPA's.*
- *Nothing in alternative 4 specifically addresses Western Alaska chum salmon. The measures, though pointed, do not specifically mention nor address WAK chum. Alternative 5 is distinct in its format to address the corridor most traveled by this group of salmon and was intentionally crafted and worded to protect Western Alaska chum. This addition would be the only thing in this motion that ties to the purpose and need of reducing bycatch of WAK chum.*
- *The alternatives in this analysis did not offer a middle ground for industry and salmon users, especially in-river salmon users to find agreement. Both the main motion and the substitute motion were too polarized to find compromise. This is a failure in itself and it is unfortunate that the alternatives in the DEIS did not provide both regulatory flexibility and regulatory accountability for the future.This amendment is an attempt to find compromise between the dialogue and Industry has proven that they can work to these standards.*

Support of the CDQ chum salmon buffer suboption:

- *It is imperative that the CDQ buffer be included if the Council chooses to take the path of a hard cap alternative.*
- *The CDQ buffer provides the necessary flexibility to preserve the original integrity of the CDQ pollock quota, ie inter-sector flexibility in the event to any unforeseen emergencies, whether related to capacity concerns, environmental changes, or marketability.*
- *The CDQ buffer will protect the fundamental feature of the CDQ program, it will ensure, that we are able to continue to fulfill our federal mandate to generate revenues from our fishing allocations that we put to work in promoting economic development,*

alleviating poverty, providing employment, and creating sustainable local economies in the 65 Western Alaska communities that they represent.

- *The CDQ buffer is not to be used as leverage to lower the overall cap, as this would be to the detriment to both the CDQ, and non-CDQ sectors.*
- *The CDQ buffer would rarely, if ever, be accessed, which the DEIS clearly illustrates, but does provide an assurance that cannot be replaced by any other means.*

Rationale in Opposition to Amendment 6

- *AP members in opposition to the Amendment did not feel that it added additional accountability to the action that isn't otherwise included by Alternative 4 alone and that it reduced flexibility.*
- *The failed substitute motion included Alternative 5 with the lowest cap level and this amendment was similar with a more moderate cap level and different inseason corridor option. Although the amendment is not as severe as the failed substitute motion, AP members noted that it would still disproportionately impact small inshore vessels, shoreside processors, and coastal communities.*
- *AP members noted that their rationale in opposition to the substitute motion also aligned with their rationale in opposition to this amendment.*
- *An AP member acknowledged that it could take a little longer to feel the full impacts of this alternative, including losing shoreside processors, an AP member noted it was still inevitable under this amendment even with more moderate caps.*
- *All chum salmon caught under this amendment accrues to the hard cap regardless of whether it is WAK chum or Asian hatchery chum salmon; an AP member reiterated earlier rationale that while the majority of WAK chum are caught within this corridor, the majority of the total chum caught in the corridor are Asian hatchery chum, not WAK chum. The AP reiterated that we have no control over Asian hatchery chum releases which have continued to increase in recent years.*
- *In response to the intent of the amendment being about accountability, an AP member noted that the trawl fleets and freezer longline fleets are the only fisheries in the Bering Sea that are 100% accountable paid for by participants.*
- *Without a hard-cap it is unnecessary to develop a CDQ reserve pool*
- *AP members felt this alternative does not meet the purpose and need of the action and that it undermines the Rolling Hot Spot Program.*
- *As evidenced in testimony, AP members believed that at the vessel level, inshore caps would be so low, particularly for small vessels, that they would wait to fish their pollock quota until September or October to avoid hitting a constraining chum cap. The inclusion of Alternative 5 would explicitly create a tradeoff between chum and chinook because they would be fishing when chinook is known to be at the highest potential in the B season. This is not responsive to the purpose and need and does not maintain the objective of Amendment 91 and 110 to prioritize Chinook avoidance.*

- *AP members disagreed with the amendment maker's intent that a fixed, closed area is going to provide a better outcome as compared to that of a dynamic rolling hotspot closure program.*
- *The DEIS did not flesh-out the potential impacts by displaced trawl fishing effort on crab and crab habitat. Specifically, Opilio and Blue King Crab, both of which are considered "overfished".*

E Staff Tasking

The AP received the staff report and public testimony on this agenda item and took no action.