

ADVISORY PANEL
Motions and Rationale
February 4-8, 2025 - Anchorage, AK

C4 Chum Salmon Bycatch

Motion

The AP recommends that the Council release the document for Final Action with the following revisions to the alternatives as follows. Additions are in **bold/underline** and deletions are in ~~strikeout~~. Alternatives and options are not mutually exclusive unless otherwise indicated below.

Alternative 1: Status Quo

Alternatives 2 - 4 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 35,400 Western Alaska chum salmon) to 550,000 (~94,050 97,350 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:

Option 1: historical total bycatch by sector using the 3-year average (2020 – 2022)

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

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 non-Chinook 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, with values of 25th and 50th percentiles from 1992-2022** Bethel test fishery CPUE (suboptions: 2,800 or 5,200); 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).

Option 3 (must be selected with Option 1 or 2): 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:

Suboption 1: historical total bycatch by sector using the 3-year average (2020 – 2022)

Suboption 2: historical total bycatch by sector using the 5-year average (2018 – 2022)

Suboption 3: pro rata 25% AFA pollock allocation and 75% historical total bycatch (2020 – 2022)

Suboption 4: pro rata based on AFA apportionment pollock allocation

Further apportionments and transfer provisions are the same as Alternative 2.

Alternative 4: Additional regulatory requirements for Incentive Plan Agreements (IPAs) to be managed within the IPAs.

Establish the following IPA provisions in regulation:

Incorporate industry proposed measures developed to further prioritize avoidance of areas and times of highest proportion of Western Alaska and Upper/Middle Yukon chum salmon stocks and analyze chum salmon avoided and operational tradeoffs.

Include in the IPA regulatory language at 50 CFR 679.21(f)(12)(iii)(E) the following additive changes. 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 Western and Interior Alaska salmon users 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).

Alternative 5: In-season Corridor Cap

PSC cap on total chum salmon in ~~corridor area~~ **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 200,000 total chum salmon (-34,200 Western Alaska chum salmon)~~ **100,000 total chum salmon to 350,000 total chum salmon**. All non-Chinook salmon bycatch accrues to the **combined clusters 1 and 2** area-specific caps, regardless of origin. ~~If the cap is reached during the time period, the area closes to that sector(s) for the rest of the time period.~~ Caps, and area closures **combined clusters 1 and 2 accrual area, and time period** are set in federal regulations. Additional windows for salmon passage and other avoidance measures should be implemented in-season through the contracted Incentive Plan Agreements using in-season fishery data and best available genetic data.

Corridor Area and Management (Options 1 – 3 2 are mutually exclusive):

~~Option 1: Cluster 1~~

~~Option 2: Unimak area~~

~~Option 3: Cluster 2. If selected, cluster 2 cap is 50,000 or 100,000 total chum salmon. (-8,550 or 17,100 Western Alaska chum salmon)~~

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

Sub option 1.1: 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 regulatory criteria for a corridor closure area are set in federal regulation. The corridor closure must be described in the IPA and pre-approved by NMFS before B season. Reaching the cap triggers a corridor closure that must be within combined Clusters 1 and 2 and comprised of a range of 19 – 29 ADF&G stat areas (~50% - 75%). [3] The stat areas chosen should be based on chum catch, pollock CPUE, and historic genetic data.

Apportionment

PSC cap is apportioned among CDQ, catcher processor, mothership and inshore sectors based on:

Sub option 1: historical bycatch in the area by sector using the 3-year average (2020 – 2022)

Sub option 2: historical bycatch in the area by sector using the 5-year average (2018 – 2022)

Sub option 3: pro rata 25% AFA pollock allocation and 75% historical bycatch in the area (2020– 2022)

Sub option 4: pro rata based on AFA pollock allocation

Further apportionments and transfer provisions are the same as Alternative 2.

Additional Decision Points

Option 3: In-season Corridor Cap Adjustment

Request analysts to review whether other data sources such as Bristol Bay chum catch, Yukon River sonar, Anvik sonar, Eagle sonar, etc., could serve as a reliable tool to adjust relieve the corridor cap during periods of higher Western Alaska chum salmon returns.

Option 4: Adjust the Winter Herring Savings Area start date from September 1 to September 30

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

The AP requests staff to expand the analysis to consider the impacts to CDQ should CDQ pollock be leased in the non-CP sectors, and separately, the broader consideration of crab habitat impacts within the habitat section.

[1] The combined Clusters 1 and 2 refer to the genetic cluster areas reported by the Alaska Fisheries Science Center Auke Bay Lab in the annual genetic reports. The ADF&G stat areas included in combined Clusters 1 and 2 are 685730, 685700, 685630, 685600, 685530, 685500, 675700, 675630, 675600, 675530, 675500, 675430, 665630, 665600, 665530, 665500, 665430, 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 29 ADF&G stat areas that a corridor closure would be comprised of: 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

[3] For Analytical purposes the stat areas included in the high range of 29 ADF&G stat areas are 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. Additionally for analytical purposes, the stat areas included in the low range of 19 ADF&G stat areas are 685600, 685530, 675600, 675530, 675500, 665600, 665530, 665500, 655600, 655530, 655500, 645600, 645530, 645501, 635600, 635530, 635504, 625600, and 625531.

Amendment 1 (strike Bethel and add Kuskokwim) passed 18-0

Amendment 2 (strike 350,000 change to 300,000) failed 5-13

Amendment 3 (strike relieve, change to adjust) passed 18-0

Main Motion as amended passed 17-1

Rationale in Favor of Amended Main Motion

General:

- *The AP acknowledges the public testimony regarding the ongoing crisis with the failure of salmon returns to many western Alaska river systems, which has profound social, cultural, and economic impacts to communities throughout Western and Interior Alaska.*
- *This motion encompasses a reasonable range of alternatives to support final action in December 2025. The recommended revisions should still allow timely final action.*
- *This motion is responsive to oral and written public comment and includes the breadth of suggested options for final action spoken to in public comment. The motion is also responsive to public comment about potential impacts to CDQ transferability and to crab habitat.*
- *The pollock fishery includes a diverse set of participants and each sector prosecutes and experiences the fishery in very different ways. The set of alternatives and options included in the motion attempts to give a wide range of choices for the Council in order to balance those considerations.*
- *The AP heard testimony from Aleutian communities regarding the importance of pollock to their communities; the analysis states how pollock pays the fixed expenses and allows for processors to remain open for other fisheries. An early B Season Bering Sea pollock closure could even affect the ability of the last remaining processor to remain open to process WGOA (Area 610) pollock. There are a lot of downstream impacts and one AP member noted the need to be mindful to not create a secondary crisis while trying to protect WAK salmon.*
- *While still in support of the overall amended main motion, one AP member was concerned that the hard cap structure in Alternatives 2 and 3 do not directly minimize bycatch of Western Alaska chum, but emphasize reduction in overall chum bycatch regardless of origin. While there was continued public support for these alternatives, other public comment indicated this may result in vessels moving to areas where the overall chum bycatch rates are lowest, not necessarily where Western Alaska chum rates may be lowest, in order to stay under their vessel level hard cap limit. This is reflected in the pollock fishery data from the years 2021 and 2022, which the analysis referenced. One AP member noted concern that the overall chum hard caps in Alternative 2 and 3 do not have the correct incentives and are not responsive to the Purpose and Need.*
- *The continued inclusion of Alternative 4 and the in-season management that continues to occur through the IPAs is critical to the pollock fishery to be able to avoid WAK Chum to the extent practicable. Low constraining caps will degrade the efficacy of the IPAs' tools and accountability to the vessel level.*

Alternative 5, specifically:

- *Revisions to Alternative 5 are important for viability, and to maintain the purpose and need, especially the conservation of WAK Chum. Full clusters being closed are not viable and disproportionately impact the multiple pollock sectors.*
- *Modifying Alternative 5 to include a combined 1 and 2 cluster approach is responsive to a significant portion of public testimony and to the action's purpose and need statement, as combined clusters 1 and 2 cover the area where the majority of the WAK chum bycatch has been caught as bycatch (approximately 70% on average).*
- *Combined clusters 1 and 2 ensure that the responsibility to focus on WAK chum avoidance is more proportionate among the pollock sectors. Additionally, it allows the individual sectors to tailor their avoidance to their operations.*

- *Alternative 5 Option 2 is responsive to the concerns of some AP members and those heard in public testimony and could allow for a more dynamic and effective management of chum salmon bycatch relative to static area closures considered in other alternatives and options.*
- *Specific to Alternative 5, option 3: The analysis and public testimony noted that chum abundance can be cyclic in the Bering Sea. This action is considering caps during a time of low chum abundance, without addressing how this management would operate during periods of high chum abundance. The fleet is working to minimize both overall number of chum salmon, while keeping the focus on bycatch of WAK salmon. Concern was expressed about the difficulty of reducing WAK chum bycatch with increased inputs of Russian and Asian hatchery chum salmon. The analysis has shown (Table 3-16) that even though 2017 was one of the highest overall chum bycatch years, its impact on WAK chum was low (below 1%) due to the run size on the Yukon being very high at ~2.3 million fish.*
- *Specific to Alternative 5, option 4: The Winter Herring Savings Area date change would provide the catcher vessel fleet increased flexibility for the remainder of the B season, and with existing data available is not expected to further delay the analysis.*

Rationale Against the Main Motion

- *One AP member had strong concerns about not including a lower bound in the range of corridor closure caps that would correspond to the percent reduction in cluster area found in Alternative 5, Option 2. (I.e. if the reduction could be 25-50% of a cluster, the cap range should also include a lower bound that is less than 100,000 fish.)*

Rationale in Support of Amendment 1

- *Responsive to input provided through traditional knowledge holders via the Kuskokwim River Inter-Tribal Fish Commission.*
- *The inclusion of the Kuskokwim River sonar as a replacement for the Bethel Test Fishery is a prime example of using traditional knowledge to inform fisheries management.*

Rationale in Support of Amendment 2

- *300,000 encompasses the upper bounds of the numbers already analyzed in the preliminary DEIS. These numbers were previously agreed upon as realistic boundaries in previous deliberation. Although concerns were expressed about the individual vessel-level apportionment at 300,000, the increase to 350,000 is not a small incremental change and draws the action further away from savings to Western Alaska chum.*

Rationale Against Amendment 2

- *The analysis should show that an increase of 50,000 to the cap range should not have a major impact on WAK chum salmon savings, but will have a big impact for the sectors that will be allocating fish out to the individual vessels.*
- *The inclusion of a range up to 350,000 chum is responsive to public testimony from small vessels that may choose not to even fish B season if their individual apportionment is too small to make it worth the effort to get to the Bering Sea.*
- *Increasing the range for analysis is also responsive to the concerns about foreign hatchery fish, which are being released in large numbers out of the control of the United States. If the corridor cap is reached based on the unexpected catch of foreign hatchery fish, the fleet could be moved into areas with higher WAK chum which is in conflict with the Purpose and Need for this action.*

- *The amendment proposed a maximum cap value that is already included in the range proposed in the original motion. The analysis will include a discussion of that cap level, and maintaining a wide range of options as in the original motion is appropriate. The Council could still consider the value proposed at final action. This higher cap level is also important in the context of the proposed cap adjustment in Alternative 5 Option 3.*

Rationale in Support of Amendment 3

- *This amendment expands the analysis of Option 3 from only pausing the cap, to looking at an abundance index that would adjust the cap upwards from the range chosen for the overall area. Staff could look at incremental increases to that cap based on abundance, including a level that the cap would no longer trigger an area closure.*
- *This amendment is responsive to the concerns about increased foreign hatchery production of chum salmon as well as hope that Western Alaska chum salmon stocks rebound. It is also responsive to the continued trend towards abundance based management of all fisheries in the North Pacific.*