January 30, 2026

Angel Drobnica, Chair
North Pacific Fisheries Management Council
1007 West 3rd Ave., Suite 400
L92 Building, 4th floor
Anchorage, Alaska 99501

RE: Bering Sea Chum Bycatch Management Draft Environmental Impact Statement and Regulatory Review (DEIS)

Dear Chair Drobnica,

The undersigned Community Development Quota (CDQ) groups appreciate the opportunity to comment on the Bering Sea Chum Bycatch Management Draft Environmental Impact Statement and Regulatory Review (DEIS).

The CDQ Program was established to support the economies of Western Alaska communities by providing access to federal fisheries and reinvesting those benefits in local communities. Our six groups serve 65 communities and more than 30,000 residents through fisheries investments, scholarships and workforce development, vocational training, infrastructure projects, and direct community assistance. The CDQ program's fisheries participation provides $80-100 million in programs and benefits to Western Alaska annually[1], and its economic reach throughout Alaska is exponentially larger**.**

We recognize that chum salmon management in the North Pacific is highly complex and that there are significant challenges in identifying management measures for the Bering Sea pollock fishery that can measurably address the crisis affecting Western Alaska salmon. As the DEIS notes, chum salmon encountered in the pollock fishery include a substantial and increasing proportion of hatchery-origin fish from Russia and Asia. These fish make up the majority share of total chum encounters, representing approximately 69% in 2023[2], but they are outside U.S. management control and do not represent Western Alaska stocks, making changes in total chum bycatch a poor indicator of conservation outcomes and complicating the use of traditional hard-cap tools for chum**.**

We also fully acknowledge the severe declines in several Western Alaska salmon runs and the profound impacts on subsistence users, food security, and cultural continuity. The DEIS makes clear that these declines stem from multiple drivers, primarily climate-related changes in ocean conditions, survival, and productivity, while fishery removals from bycatch in the pollock fishery account for

[1] McKinley Research Group, 2023 Report, four-year average of 2017-2020 data.
[2] DEIS, Figure 1-2, p.22

less than 1.75%[3] on average of total WAK chum mortality. These intersecting challenges create a situation in which the desire to respond to a real and urgent crisis is strong, but the Council's ability to take action that would produce meaningful, measurable biological benefits is limited. Additional management measures may be able to incrementally reduce risk and improve avoidance, but they cannot resolve the underlying causes of the declines or guarantee noticeable improvements for in-river users**.**

The DEIS also highlights that pollock is critical to coastal Alaska's economy and supports a wide range of services, employment, and market access for other Bering Sea fisheries. For the CDQ Program, pollock contributes on average 60% of total gross first wholesale revenues[4] and enables ongoing economic development, community investment, and local employment opportunities across the communities we serve.

For these reasons, any action taken by the Council should be proportionate to the anticipated biological benefits to Western Alaska river systems. The CDQ Program supports management measures that meaningfully improve avoidance and reduce risk where practicable. At the same time, expectations must remain realistic. The DEIS struggles to quantify the degree to which additional bycatch reductions in the pollock fishery would translate into measurable increases in escapement or changes in in-river fishing opportunities. It is therefore important that this action be understood as an effort to improve management, rather than as a guarantee of significant or quantifiable benefits to in-river chum salmon users.

Alternative 2 Does Not Meet Purpose and Need

The DEIS does not provide a scientific basis for concluding that a hard cap would effectively achieve the stated Purpose and Need of this action. The paper is explicit that the conservation benefits of further reducing chum bycatch in the pollock fishery are uncertain and difficult to quantify, particularly given the influence of climate-driven factors on Western Alaska (WAK) chum abundance, the level of WAK removals from other fisheries, and the predominance of hatchery chum in the bycatch composition. Even under the most restrictive cap scenarios, the analysis does not demonstrate a clear relationship between lower bycatch levels and improved escapement or returns. This uncertainty is especially concerning given that some cap levels under Alternative 2 could impose substantial economic costs and operational constraints.

Total chum caps do not distinguish between WAK chum and non-WAK chum. As Russian and Asian hatchery production has increased, non-WAK chum now comprise a growing and majority share of pollock fishery encounters. A management approach focused solely on total chum bycatch risks closing fishing based on non-WAK chum and even potentially increasing the proportion of WAK chum encountered if fleets avoid areas with high total chum abundance but lower WAK composition. A clear example of this occurred between 2021-2022 when the amount of bycatch decreased by over

[3] DEIS, Table 3-33, p. 183
[4] DEIS, Figure 4-10, p. 320.

half as the fleet tried to avoid total chum from 545,901 to 242,309, yet the WAK chum component of that bycatch slightly increased from 51,512 to 55,724[5].

Finally, the DEIS projects that most cap levels under Alternative 2 could result in significant forgone pollock harvests in some years, with revenue losses throughout the fishery. For CDQ communities, if realized, these revenue losses could significantly impact the programs that we fund and employment that we provide in the most economically challenged regions of the United States, without a demonstrable conservation benefit.

Alternative 4

The CDQ sector fully supports Alternative 4, which codifies changes in the Incentive Plan Agreements focused on minimizing Western Alaska chum. A key aspect of these new provisions is the expanded use of in-season genetic information, which has improved information sharing and strengthened internal incentives. These enhancements have helped the fleet refine avoidance areas more effectively when encountering chum.

A genetic sample taken from a "lightning strike" event in the 2025 fishery showed that WAK composition was far lower than historic averages, giving the fleet important insight into the significant influence of hatchery fish in those tows. Genetic data also provided the weekly and cumulative number of WAK chum captured, which is the ultimate metric that the Purpose and Need set out to address. Finally, genetic data also demonstrate substantial in-season variability, underscoring the need for adaptive, real-time management.

Codifying these IPA-based practices will preserve strong incentives and support continued improvements in fleet-wide performance.

Alternative 5

We appreciate that Alternative 5 is structured in recognition that WAK chum bycatch has spatial and temporal patterns.

By focusing management measures on an in-season corridor where WAK composition is highest, this approach aligns more closely with the action's Purpose and Need than an overall hard cap. To be effective, however, the alternative must continue to recognize and incentivize evolving genetic work and data collection. This means that for Option 2 to have the greatest potential for targeted avoidance, the selected cap must be set at a sufficient level, and the timing proposed for identifying closure areas needs to be changed so that decisions are informed by in-season WAK chum spatial distribution.

If Alternative 5 is selected, a cap at the upper end of the analyzed range would help avoid disproportionate vessel-level impacts that weaken the intent of the action. A very low cap, especially as Russian and Asian hatchery production continues to rise, could cause vessels to prioritize avoidance of the overall cap rather than avoidance of Western Alaska chum. This would undermine

[5] DEIS, Table 3-28, p. 177.

the purpose of the action, and disrupt key elements of the incentive plan agreements and ongoing genetic work that are expressly designed to influence the fleet to avoid Western Alaska chum.

Additionally, for Alternative 5 to function effectively, management responses must be able to reflect current-year genetic information and support continued refinement of genetic tools, rather than rely on assumptions based solely on historical patterns.[6] As currently structured, there are significant limitations associated with requiring exempt or open statistical areas to be identified during the harvest specifications process. While some historical patterns of WAK chum distribution exist, they vary among years, and ocean conditions affecting salmon distribution are not fully predictable at the time of harvest specification. Requiring exempt areas to be identified the year before harvest creates the risk that management measures will not align with actual WAK distribution during the fishing season, potentially resulting in biologically ineffective closures. To address this, the date specified in Option 2 should be reevaluated to ensure it aligns with the availability of in-season genetic information and the timing of in-season management decisions. Adjusting this date would help ensure that the corridor structure remains responsive to current-year conditions while supporting continued investment in genetic tools.

We also recognize that the cap level, apportionment selection, and corridor design chosen under Alternative 5 may have disproportionate implications for the inshore sector. If Alternative 5 is advanced, establishing a reasonable cap that balances conservation objectives with the operational needs of all sectors participating in the pollock fishery will be important.

CDQ Reserve Pool

If the Council moves forward with a cap under either Alternative 2 or Alternative 5, CDQ groups believe it is essential to maintain existing inter-sector flexibility through a PSC reserve pool or a supplemental PSC apportionment tied to specific restrictions. This flexibility matters because, aside from the AFA option, all PSC apportionment alternatives in the analysis are based on the historical average chum PSC used by CDQ groups on Catcher-Processor (CP) platforms. Historically, the CP sector has a lower bycatch rate than the Catcher Vessel (CV) sector.

Although CDQ harvest has occurred almost entirely on CPs to date, groups are concerned that further declines in CP harvest capacity could drive changes in harvest partners and require a shift of some or all of a CDQ group's B-season pollock harvest to a CV platform. If a CP platform became unavailable, or if a group chose to move sectors for other reasons, CDQ groups would need access to a sufficient PSC buffer to allow harvest on a catcher vessel platform.

The current CDQ reserve pool option contains a problematic pre-season notification requirement, but the analysis identifies a workable and straightforward solution. The paper notes that a CDQ reserve

[6] In this regard, since 2024, CDQ groups and the State of Alaska have contributed funding to the Bristol Bay Science and Research Institute (BBSRI) In-season Chum Salmon Genetics Project. This project has proven itself to be a reliable, science-based tool, to help the Bering Sea pollock fleet and fishery managers identify and mitigate interactions with Western Alaska chum salmon during the fishery. The project provides near real-time identification of whether chum salmon bycatch originates from Western Alaska rivers or foreign hatchery programs, allowing managers and the fleet to better avoid WAK chum salmon while keeping Alaska's largest fishery open and accountable. In a testament to the project's importance and value, the U.S. Congress recently appropriated $3.5 million for BBSRI to continue and enhance its efforts through B Season 2030.

or buffer does not need to be administered through Federal regulation or require pre-season notification to NMFS. Chapter 5 outlines a simple approach in which CDQ groups partnered with catcher vessels could establish a private, contractual framework to manage a shared buffer of chum salmon PSC. This buffer would be accessed only under defined circumstances, and would be governed internally by CDQ entities.

The framework would need to align with the intent of the buffer, and would apply only when a group needed to harvest its B-season pollock on a catcher vessel rather than a catcher processor. Under this approach, CDQ groups would not need to declare intent to use the buffer during the annual harvest specifications process, and NMFS would not be responsible for in-season administration of the pool.

This structure directly addresses the primary shortcomings of the regulatory reserve pool concept as currently structured. Most notably, it avoids the November 15 notification requirement that would render a reserve pool ineffective in the event of emergencies or unforeseen disruptions. As noted, PSC limits cannot be modified mid-year, and events that affect harvesting capacity, such as vessel breakdowns, mechanical failures, or market disruptions, can occur well after harvest specifications are finalized. A reserve pool that requires advance notice would not be responsive to those circumstances.

Functionally, we interpret the DEIS to mean that under a hard-cap alternative, if the primary apportionment option is based on average use or a pro rata approach, the CDQ sector could receive an additional amount of PSC, subject to the conditions described above, based on the rate associated with the catcher vessel sector. The DEIS also recognizes, and CDQ groups agree, that a CDQ-managed buffer would likely be used only rarely, provided harvest capacity in the CP sector does not decline further, and given the strong economic incentives for CDQ groups to remain within their primary harvesting arrangements. The analysis further notes that even when such a buffer is available, it represents maximum potential use and therefore should not be interpreted as equivalent to actual expected chum mortality.

Regardless of the apportionment scheme used, a CDQ reserve pool must be considered separately from the overall cap. A pool is intended to serve as insurance, and its use is anticipated to be limited. As the DEIS highlights, there are many factors that indicate utilization of the pool would be less than the total in any given year. Including the pool in the overall cap calculation unnecessarily constrains other sectors and is counterproductive, as CDQ would receive a lower initial PSC limit. The CDQ pool should not be used as leverage to reduce overall chum PSC.

Importantly, the DEIS frames this approach as consistent with historical CDQ management and policy. The CDQ Program was intentionally designed to rely on partnerships and adaptive harvesting arrangements, recognizing that CDQ groups often do not fully control harvesting platforms and must be able to respond to changing conditions to fully utilize their allocations. A contractually managed buffer aligns with that design by allowing CDQ groups to manage risk internally, without imposing additional administrative burden on NMFS or reducing important flexibility for our sector.

For these reasons, if a hard cap alternative is advanced, the CDQ Program supports the non-regulatory buffer approach with annual reporting measures as outlined in the DEIS. This approach,

moreover, is grounded in the CDQ Program's statutory mandate to provide our villages with the opportunity to participate and invest in the Bering Sea's fisheries, and support economic development and poverty alleviation in Western Alaska. It is also consistent with various MSA National Standards, including National Standard 8, providing for sustained community participation.

The CDQ Program remains committed to working with the Council, NMFS, and all sectors to advance management measures that genuinely improve outcomes for Western Alaska salmon while sustaining the economic foundation that supports our communities. We support approaches that are grounded in the best available science, responsive to in-season information, and structured to maintain the flexibility necessary for CDQ groups to meet their statutory purpose. As the Council moves toward final action, we encourage continued focus on measures that meaningfully target WAK chum bycatch reduction, make good use of genetic tools, and avoid unnecessary economic harm to the communities that depend on the pollock fishery. We appreciate the Council's attention to these issues and look forward to continued collaboration in developing a durable, effective management framework

Sincerely,

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