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NPFMC

1007 W 3rd Ave.

Anchorage, AK 99501-2252

January 25, 2025

Dear Chairman Drobnica,

I am submitting these comments on Agenda Item C-2, Chum Salmon Bycatch, on behalf of the Alaska Longline Fishermen's Association (ALFA). ALFA is a commercial fishing organization that represents and advocates for community-based, small commercial fishing businesses. ALFA's membership includes residents of Bering Sea communities and residents of other coastal fishing communities in Alaska who also harvest chum salmon that spend part of their life cycle in the Bering Sea. ALFA has received national and statewide recognition for its work to rebuild fish stocks, address food security in Alaska and beyond, improve fishery monitoring and protect fish habitat to ensure the socio-economic vitality of coastal communities.

Our members recognize that climate change and the years of exceptionally warm water in the Bering Sea drove chum salmon declines and that climate action is essential. The fishing industry could and should be doing more to communicate to decision makers the urgency of curbing greenhouse gases while addressing our own carbon footprint. The people of western Alaska participate minimally in the society that is driving climate change, yet they are bearing a disproportionate burden. The environmental injustice, and the threats faced by Western Alaska Tribes of food insecurity and cultural extinction, demand Council action.

The Bering Sea Chum Salmon Bycatch Preliminary DEIS and Appendices provide a tremendous amount of information and we appreciate the broad range of data utilized, especially the utilization of Local and Traditional Knowledge from the many affected user groups.

Western Alaska subsistence fishermen historically had the largest dependence on Chinook, typically taking three fourths of the state subsistence harvest in the Yukon and Kuskokwim Rivers.<sup>1</sup> Chum are normally the most abundant salmon species in western Alaska and, with the declines of Chinook salmon, they have become critical for subsistence and commercial fisheries.<sup>2</sup> From 2015-2019, Yukon

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<sup>1</sup> NMFS 2016. Final Environmental Assessment/Regulatory Impact Review for Proposed Amendment 110 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area. Bering Sea Chinook salmon and chum salmon bycatch management measures.

<sup>2</sup> Westley, P.A.H. 2020. Documentation of en route mortality of summer chum salmon in the Koyukuk River, Alaska and its potential linkage to the heatwave of 2019. Ecology and Evolution 2020; 10:10296-10304.

River commercial fishermen harvested over 800,000 chum per year.<sup>3</sup> Yukon River subsistence harvests exceeded 170,000 chum in 2016 and 2017.<sup>4</sup> The collapse of chum returns in 2020 and 2021 closed these fisheries and others throughout western Alaska.

After conservation, the highest priority for use under both state and federal law is subsistence. Subsistence has a preference over all other consumptive uses of the stock when harvests must be restricted.<sup>5</sup> Further, Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) mandates that rural residents of Alaska be given a priority opportunity for customary and traditional subsistence uses, among consumptive uses of fish and wildlife, on federal lands.<sup>6</sup> These priorities and federally recognized rights are not being met in the “in-river” communities of Western Alaska.

Subsistence plays an important role in supporting food security in the state of Alaska, but especially in the more remote communities. Since 2020, ALFA has helped provide fish to communities without access to fishing opportunities. On page 290 of the document, it is noted that TCC has facilitated the distribution of fish to Tribal communities along the Yukon River that are unable to engage in subsistence fishing at an average cost of \$1,968,506.82 per year. The cost of the ever increasing mental and physical health decline of residents of the region, which can be directly linked with declines in salmon abundance, is not noted in the analysis but that wellness cost is substantial and should be noted.

The proposed range for a hard cap on chum salmon under Alternative 2 and 3 is exceedingly large. The idea of a cap at 100,000 fish, which would undoubtedly end up with seasonal closures and foregone harvest, does not appear feasible, yet the pollock fleet had a 2023 cumulative B season chum catch of 111,843, which was less than half of the previous years catch<sup>7</sup>. The 2022 chum bycatch catch by the pollock fleet was half of the 2021 chum bycatch, which was an all time high of 545,901.<sup>8</sup> This decreasing trend in bycatch could be a result of declining chum abundance or the result of pressure placed on the industry to do better.

The industry has proven that they can reduce bycatch, hence a bycatch cap near to 550,000 does not incentivize the industry. If any caps are considered they need to be within the range of what the industry has proven that they are able to do. We are concerned that these bycatch caps are increasingly treated as allocations, and often looked to as a right to fish up to that amount, similar to how MRA are often utilized as more of an allocation target rather than a bycatch limit.

We recognize the importance of the economy of scale that pollock provides the processing plants and that this fishery often helps to keep processing opportunities available for other smaller fisheries. A closure of more processing plants at this time would continue to consolidate processing and further

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<sup>3</sup> JTC. 2021, Appendix B3. See also Alaska Department of Fish and Game. 2017. 2017 Preliminary Yukon River Summer Season Summary, Appx C.

<sup>4</sup> JTC. 2021, Appendix B3 & B4.

<sup>5</sup> AS 16.05.258

<sup>6</sup> 16 U.S.C. 3114

<sup>7</sup> NMFS 2025. Preliminary Draft Environmental Impact Statement for Proposed Amendment to the Fishery Management Plan for Groundfish of the Bering Sea/Aleutian Islands Management Area

<sup>8</sup> *Id.*

harm our fleet of small boat fishermen, some of whom have already lost fishing opportunities in regions where processors have closed their doors.

Alternative 4 provides clear benefits and the IPA's have already taken considerable measures to decrease chum salmon bycatch. ALFA strongly supports the six provisions outlined in Alternative 4 and especially requests increased transparency in IPA reporting. We understand that there is further work being done on in season genetic testing to continue to strengthen the ability to avoid western Alaska chum. We strongly recommend an update on that project with additional information shared to the broader public.

Alternative 5 has a lot of potential for WAK specific chum savings and we look forward to further discussion at the SSC, AP and Council around the ways in which this alternative could work for the pollock industry and other user groups. This alternative provides a cap specific to regional areas of known high proportion of WAK chum, but does not completely close the fishery once the cap is met. Prioritizing avoidance in Cluster 1 and Unimak corridors should be the main topic for discussion and a cap amount in the lower ranges between 50,000-100,000 should be seriously considered. We acknowledge that there is potential for increased chinook encounters if the cap is met and area closures cause vessels to fish later in the year, but the industry has proven that they can keep their bycatch low and continue to work within the IPA's to do so.

After NMFS finalized Amendment 91 in 2011, the Council began considering chum bycatch again.<sup>9</sup> The 2012 problem statement recognized that chum salmon support an important subsistence and commercial fishery and the potential for high levels of chum bycatch – or even lower but chronic bycatch levels - could adversely impact fishing dependent communities in western Alaska.<sup>10</sup> The Council concluded it was impossible to reduce chum bycatch without increasing chinook bycatch or reducing revenues for the pollock industry and took no action.<sup>11</sup> **We urge the council to not make the same mistake at this time.** Between 2016 and 2021 the industry took over 2.3 million chum as bycatch, or an average of over 390,000 chum per year.<sup>12</sup> Meanwhile the salmon dependent communities of Western Alaska have experienced seasonal fishing closures which conflict with Indigenous fishing seasons and cultural practices, leading to tensions and further marginalizing Indigenous fishers from participating in the stewardship of their own lands and waters. The imposition of Western management frameworks that restrict when or how subsistence harvests can take place have criminalized traditional fishing practices, encouraging Alaska Natives to hide activities or face legal penalties.<sup>13</sup> The hardships that this has caused, far outweighs displaced fishing opportunities and forgone revenue to the pollock sector.

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<sup>9</sup> NPFMC. 2012. Initial Review Draft Environmental Assessment Bering Sea chum salmon PSC management measures. November 2012. Discussion paper review of problem statement: Council needs to incentivize chum avoidance while achieving optimum yield from target fishery and minimizing Chinook bycatch; NPFMC. 2022. Discussion Paper D1 Chum Salmon Bycatch

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> Stevens, C., and Black, J. 2019. I am a criminal: Criminalization of Indigenous fishing practices. Accessed 23 September 2024. <https://alaskasalmonandpeople.org/region/yukon/>.

Thank you for the opportunity to comment.  
Sincerely,

Linda Behnken, Executive Director