

ADVISORY PANEL
Motions and Rationale
June 7-10, 2022 - Sitka, AK

D1 Salmon Reports

The AP recommends the Council acknowledge the western Alaska salmon crisis and prioritize progress towards elimination of waste of resources and sustainability of all stocks under changing climate futures in the federal fishery.

1. Initiate a discussion paper to

- Examine ²options for, ~~and feasibility of~~ setting a PSC limit for Bering Sea chum salmon bycatch. This should include a compilation of historic bycatch numbers, recent averages, and the feasibility of an Index (similar to the 3-System Index for Chinook salmon bycatch) for the fall run of Yukon chum salmon, such that the cap is lower when the run size drops below a target or threshold.
- Examine ²options for, ~~and feasibility of~~ lowering the Chinook salmon bycatch cap.
- Examine how industry avoidance measures can be improved, such as excluders, more sophisticated and adaptive avoidance measures, etc.
- ³**Examine the genetic data collected in the Area M state water salmon fishery for chum and include a comparison between the number of chum intercepted in that salmon fishery and the EBS federal pollock fishery.**

2. Take a collaborative approach with Tribes to address this problem, including integrating Traditional Knowledge into decision-making, extensively engaging with subsistence communities, encouraging Tribal Consultation regarding salmon, and fostering partnerships with Tribes such as a working group of Tribes, the Council, AFSC, industry, and other experts aimed at exploring ways to¹:

1. reduce bycatch
2. **improve salmon returns to the rivers of western Alaska.**

Amendment to Amendment 1 passed 15-1

Amendment 1 passed 15- 1

Amendment to Amendment 2 failed 6-9

Amendment 2 failed 8-8

Amendment 3 passed 9- 7

Main Motion, as amended, passed 11 -5

Rationale in Favor of Main Motion as Amended

- *Chinook and chum salmon are critical for food, kinship, and culture. Western Alaska communities are experiencing a salmon crisis throughout the region. Subsistence fisheries throughout the region were closed or severely restricted last year and will likely be the same this year. The people and communities in the region depend on salmon for their physical, cultural, and spiritual survival. This motion seeks to provide equitable and fair access across*

user groups and is intended to provide for continued participation in subsistence salmon fisheries. It is also responsive to National Standard 4 in that conservation measures should not solely be driven by economic factors.

- *In 2021, over 530,000 chum salmon were caught as bycatch, which constitutes the second highest bycatch levels since 1991. Chum salmon bycatch has increased dramatically since 2013. In 2020, the number of Chinook caught from the coastal Western Alaska stock was substantially higher than the 10-year average and represented the second highest amount in the last decade. These bycatch levels can not be considered insignificant. Even a 1% impact rate is too high, and a few thousand, or even a few hundred, western Alaska salmon matter to the communities who depend on them.*
- *Urgent action is needed to address the current salmon PSC situation. Given the salmon crisis, it is time to re-examine the current Chinook caps and explore the possibility of establishing a chum salmon cap. At the same time, industry should do everything they can to reduce bycatch below the caps. A discussion paper can also identify what improvements to industry avoidance measures may be possible. While the Council is working on regulatory changes, industry can and should be taking every possible action to reduce bycatch immediately. While industry bycatch reduction measures have resulted in improvements in bycatch levels, these results have not been sufficient to maintain participation by in-river users.*
- *It is critical that Tribes are involved in a collaborative approach to addressing this issue. Everyone must work together to address this issue and find ways to lower bycatch in these times of salmon crisis.*
- *Some AP members in support of the overall motion expressed reservations about aspects of the motion focused on bycatch caps. This was based on data showing environmental factors as the primary cause of wild salmon declines, the very large hatchery composition in bycatch interactions, and the other challenges and tradeoffs with implementing a chum cap and lowering a Chinook cap; however, they felt that a discussion paper at this stage could be a valuable next step for stakeholders. A discussion paper would provide an opportunity to synthesize the most recent reports on salmon genetics, and extract some past analytical work related to chum bycatch, into one document, allowing stakeholders and decision makers a pathway to determine whether any new information or conditions would warrant a different management framework for chum from what we have currently.*

Rationale in Opposition of Main Motion as Amended

- *The Western Alaska Chinook and chum salmon crisis is a critically important issue. Rivers in the region need 1.7 to 1.9 million chum to return. However, the primary focus of this motion is on hard caps for Chinook and chum salmon in the BSAI pollock fishery, which is only one component of the total Chinook and chum salmon mortality.*
- *For Chinook salmon, the current incentive-based program has been and continues to be hugely successful for reducing Chinook salmon PSC in the pollock fishery. Under the incentive-based program, the fleet avoids salmon all the time at all levels of abundance. Lowering the overall hard cap and performance standard will have significant ramifications all the way down to the vessel level and will negatively impact the success of the program by removing the incentive element of Am 91. Vessels and fishermen in the pollock fleet are always avoiding salmon. Avoiding salmon has been first to any fishing efforts for these fishermen. Before a vessel departs the dock or the season starts, captains are talking about where the salmon are and*

where not to fish. They are looking at historical fishing areas of low and high bycatch and they are in constant communication with any fellow fishermen on the grounds to understand where there are areas of less salmon but good pollock. The fishermen are all engaged in communication with each other, seeking the latest technology and tools to use onboard for monitoring and avoiding salmon. All these behaviors are learned and are a result of incentives to avoid salmon. A PSC cap reduction will threaten the utility of the incentive program and the existence/application of these learned behaviors. If the incentives are eroded, the Council risks losing a suite of successful tools and the stable vessel-to-vessel interactions that help avoid and reduce salmon bycatch. As noted by the SSC in their December 2014 minutes, "The benefits of an incentive-based program are particularly true when there are uncertain future fishery conditions and limited information on future Council actions."

- *The majority of chum PSC over time has been shown to be from Asia, mostly hatchery fish. Because of this, a chum salmon PSC cap will likely have little positive impact on Western Alaska chum salmon returns. Additionally, previous analyses have demonstrated that a chum salmon PSC cap has a high potential of forcing the pollock fleet into fishing times and areas that result in increased catches of Chinook, potentially pushing the numbers up closer to Chinook threshold limits and caps to the detriment of the incentive program.*
- *The inshore and offshore pollock sectors have put forth non-regulatory tangible plans to address chum salmon PSC reductions for the 2022 B-season and they should be given the opportunity to show success. The Council should wait to take any action on potential chum salmon management measures until after the 2022 B season fishery, when the results of the voluntary measures the pollock fleet has agreed to take to reduce chum encounters can be evaluated.*
- *Regarding the third bullet under item #1, there is concern with how useful the information would be given that the industry is constantly working to improve their avoidance measures. There will likely be a lag due to the pollock industry being very engaged in bycatch avoidance measures at all times with improvements ongoing. It would be more useful to examine improvements in genetics, spatial and temporal distributions of discrete schools of WAK chum, and data gaps that would shed light on the overall health of the salmon returns to Western Alaska river systems.*

Rationale for Amendment 1

- *The original language of the motion focused solely on a reduction in salmon PSC when the ultimate goal should be on improving western coastal Alaska salmon stock status. Based on the extensive information presented in the multiple staff reports, a broader picture encompassing things like disease, predation, and impacts from Asian hatchery salmon releases (and the impact of each of these on salmon stock recovery) is needed in order to understand why western Alaska salmon runs have failed and what is the most important aspect to focus on for recovery.*
- *The amendment would still include exploring ways to achieve greater reductions in salmon PSC while also being more reflective of the first paragraph of the motion referring to a changing climate change. Limiting the scope to "bycatch only" does not acknowledge that there are multiple causes of salmon decline.*

Rationale in Opposition to Amendment 1

- *Making the scope too broad removes focus from the topic of bycatch. While there may be multiple factors affecting salmon returns and recovery, the management of salmon PSC is within direct control of the Council. As such, focus on PSC reduction should be retained. Topics beyond bycatch reduction should be taken up as a separate action.*

Rationale in Opposition of Amendment 2

- *In public testimony from the At Sea Processor and United Catcher Boats, a number of measures were noted that will be voluntarily undertaken to reduce chum salmon bycatch. These measures mirror the current IPA for remaining under the Chinook hard cap but without the consequences or incentives. This noted effort and plan demonstrates that it is "feasible" for the industry to adapt to the need to reduce chum salmon bycatch. In assessing the options in a discussion paper, most commonly alternative 1 is no action. This alternative could demonstrate that it is not feasible to respond to this request. Leaving the term "options" maintains the intent of the amendment.*

Rationale in Favor of Amendment 2

- *The extensive information presented in the multiple staff reports under this agenda item clearly show that the current Chinook and chum salmon crisis is a complex, multi-faceted problem. One of the main purposes of a discussion paper is to present a broad outline and history of a topic as well as the tradeoffs of any potential action. For this agenda item, a discussion paper would also help the public and Council to identify and define its priorities as they relate to the salmon PSC management. While priority has been placed on the avoidance and minimization of Chinook salmon, it is important to recognize that priorities shift, especially under rapidly changing environmental conditions. As such, it is important for a discussion paper to not presuppose any outcomes. Language requesting an examination of options related to Chinook and chum salmon PSC caps presupposes those outcomes. Substituting language asking for the examination of the feasibility of Chinook and chum salmon PSC caps better reflects the traditional intent of a Council discussion paper.*
- *actively point at issues and research that will help accomplish its goals under the MSA.*

Rationale in Favor of Amendment 3

- *The ADF&G staff report included information about the health of chum fisheries around the state. For an accurate discussion of chum salmon PSC management, especially given the 2020 & 2021 poor Y-K returns, it is important to include context of how all sources of mortality may be affecting the status and recovery of Western Alaska chum salmon. There is concern that the Area M fishery is a major contributing factor, and the assessment of that impact should be included in any discussion going forward. The transparency of all chum salmon removals, including those from state water fisheries, should be included in order for the Council to have the best scientific information available for informing any potential management action.*

Rationale in Opposition of Amendment 3

- *While potentially informative, the inclusion of information related to the Area M fishery does not provide data that will lead to a management action under the Council's authority. This information is readily available to the public, and would be more appropriately discussed at a later stage in the process.*