

# Outreach Plan for EA/RIR/IRFA on Non-Chinook Salmon Bycatch in the Bering Sea Pollock Fishery

Draft 10/27/10

## I. Genesis for outreach plan

As a result of one of the North Pacific Fishery Management Council's (Council) policy priorities, it is focusing on improving outreach and communications with rural communities and Alaska Native entities and developing a method for systematic documentation of Alaska Native and community participation in the development of fishery management actions.<sup>1</sup> Upon review of several suggestions to expand both ongoing communication and outreach specific to particular projects,<sup>2</sup> the Council initiated a small workgroup to further review potential approaches and provide recommendations. Upon review of the workgroup report in February 2009, the Council approved the workgroup's primary recommendation to initiate a standing committee (the Rural Community Outreach Committee) to provide input to the Council on ways to improve outreach to communities and Alaska Native entities. The committee has three primary tasks: 1) to advise the Council on how to provide opportunities for better understanding and participation from Native Alaska and rural communities; 2) to provide feedback on community impacts sections of specific analyses; and 3) to provide recommendations regarding which proposed Council actions need a specific outreach plan and prioritize multiple actions when necessary. The committee was initiated in June 2009.

In addition to the stated Council policy priority, the need to improve the stakeholder participation process was highlighted during development of the Chinook salmon bycatch analysis. The Council made efforts to solicit and obtain input on the proposed action from Alaska Natives, rural communities, and other affected stakeholders. This outreach effort, specific to Chinook salmon bycatch management, dovetailed with the Council's overall community and Alaska Native stakeholder participation policy.

The Council's Rural Community Outreach Committee met in August 2009 and recommended that the upcoming non-Chinook (chum)<sup>3</sup> salmon bycatch issue be a priority for rural outreach, similar to the Chinook salmon bycatch issue. The Council agreed with this recommendation, to undertake an outreach effort with affected community and Native stakeholders prior to and during the development of the draft EA/RIR/IRFA (analysis), well prior to final Council action. The committee met again in November 2009, with the primary purpose of helping to develop an outreach plan for this issue, given that the Council was scheduled to review the chum bycatch alternatives at its December 2009 meeting. Note that in October, the Council's Salmon Bycatch Workgroup also recommended that outreach begin prior to approval of the final alternatives. Both the workgroup and November committee report are on the Council website. The Rural Community Outreach Committee met again in February 2010, in part to review and finalize the outreach plan.

The outreach plan for chum salmon bycatch management was developed by Council staff with input from NMFS, the Council, the Rural Community Outreach Committee, and affected stakeholders. It is intended to improve the Council's decision-making processes on the proposed action, as well as enable the Council to maintain ongoing and proactive relations with Alaska Native and rural communities. Another of the objectives of the plan is to coordinate with NMFS' tribal consultation activities, to prevent a duplication

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<sup>1</sup>This policy priority is identified in the Council's workplan resulting from the Programmatic SEIS.

<sup>2</sup>[http://www.fakr.noaa.gov/npfmc/Tasking/community\\_stakeholder.pdf](http://www.fakr.noaa.gov/npfmc/Tasking/community_stakeholder.pdf)

<sup>3</sup>While the proposed action would regulate all non-Chinook salmon bycatch, including sockeye, coho, pink, and chum salmon, chum salmon comprises over 99.6% of the total catch in this category (average 2001 – 2007). Thus, the proposed action is commonly referred to as the chum salmon bycatch issue.

of efforts between the Council and NMFS, which includes not confusing the public with divergent processes or providing inconsistent information.

The remainder of the outreach plan outlines the analytical requirements and the tentative schedule for Council action on the chum bycatch issue, and a broad overview of the primary components of the chum salmon bycatch outreach plan. This is a ‘living’ document, and will be updated periodically. The final outreach report will be included, in part or in whole, in the analysis submitted to the Council prior to its final recommendation.

## **II. Analysis and tentative schedule for Council action on chum bycatch in the Bering Sea pollock fishery**

An analytical document is being prepared to assist planning and will serve as the central decision-making document for management measures being developed by Council to manage chum salmon bycatch in the Bering Sea pollock fishery, in compliance with the Magnuson-Stevens Fishery Conservation and Management Act (MSA). Analyses under two laws and an executive order are required to be provided to the Council to inform its decision on this action. The National Environmental Policy Act (NEPA) requires the preparation of either an Environmental Assessment (EA) or an Environmental Impact Statement (EIS). The analysis will also include a regulatory impact review (RIR) as required by Executive Order 12866 and an initial regulatory flexibility analysis (IRFA), as required by the Regulatory Flexibility Act. The document will provide decision-makers and the public with an evaluation of the environmental, social, and economic effects of alternatives for managing chum salmon bycatch in the Bering Sea pollock fisheries. The alternatives for analysis (revised as of June 2010) are attached to this outreach plan and will be updated as necessary (see [Appendix 1](#)).

Currently, the NEPA analysis of the proposed action is scheduled to be an environmental assessment, thus, the following tentative schedule is based on this premise, recognizing that it is possible to determine that an EIS is necessary during development of the analysis. This analytical schedule was approved by the Council at the December 2009 Council meeting, and the proposed outreach meetings (in italics) are incorporated into the schedule below. Multiple aspects were considered in developing the following timeline for the Council’s analysis of proposed changes to the management measures for chum salmon bycatch in the EBS pollock fishery. These include: scope of the analysis (complexity of the Council’s alternatives), staff availability due to analysts’ respective workloads and timeframe for additional responsibilities, the initial determination of the appropriate NEPA document (EA), outreach on the proposed action, and the timing of implementation of any preferred action by the Council. The determination that an EIS is necessary, addition of new alternatives, changes to the meeting schedule, and additional outreach meetings, are examples of factors that could alter the schedule.

**Note that the draft schedule has preliminary review of the analysis in February 2011, outreach meetings primarily in winter 2011, and initial review and selection of a preliminary preferred alternative (PPA) at the June 2011 meeting in Nome.** This allows several advantages with regard to rural community outreach: input provided at the community outreach meetings would be available to the Council *prior* to initial review and selection of a PPA; initial review and selection of a PPA would occur at a Council meeting in rural Alaska; both initial review and final action would occur at Council meetings in Alaska; and there would be more time between the outreach meetings and Council final action for the public to provide input. Final Council action on the proposed action is tentatively scheduled for December 2011, with implementation possible in mid-2013.

### **Analytical schedule (tentative)**

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December 2009	Council review and refine alternatives; discuss timeline; request for staff assistance/data from ADF&G; review draft outreach plan.
February 2010	SSC review of methodological approach for analysis and review of available data/discussion of methods for dealing with data limitations.
March 2010	<i>Presentation to Yukon River Panel (Anchorage)</i>
April 2010	<i>Review of outreach plan.</i>
May 4, 2010	<i>Proposed community teleconference prior to Council final review of alternatives. Staff presents analytical schedule, Council meeting dates, chum bycatch trend data to-date, current suite of alternatives, and information on how to participate in the Council process.</i>
<b>June 2010</b>	<b>Council review and opportunity to revise alternatives prior to preliminary analysis; review of expanded discussion paper on area closure options; report on community teleconference.</b>
December 2010	<i>Presentation to Yukon River Panel (Anchorage)</i>
October – Jan 2011	Preparation of preliminary review.
Mid-January 2011	Preliminary review draft available.
<b>February 2011 (Seattle, WA)</b>	<b>Council preliminary review of impact analysis.</b>
February/March 2011	<i>Rural community outreach meetings on Council preliminary review draft. Potentially eight regional meetings.</i>
February - April 2011	Preparation of revised analysis for initial review.
May 2011	Initial review draft analysis available.
<b>June 2011 (Nome, AK)</b>	<b>Council initial review; review of outreach report; Council selection of preliminary preferred alternative (PPA); must be within range of alternatives analyzed.</b>
<b>December 2011 (tentative)(Anch)</b>	<b>Council final action; selection of final preferred alternative.</b>

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### **III. Outreach components**

The following sections outline the general components of the outreach plan for the proposed action on chum salmon bycatch in the Bering Sea pollock fisheries. These include: direct mailings to stakeholders; community outreach meetings; additional outreach (statewide teleconference, radio/newspaper, press releases); and documentation of rural outreach meeting results.

Note also that NMFS undertook scoping for the alternatives in late March 2009, and the scoping report was provided to the Council in June 2009. Scoping is the term used for involving the public in the NEPA process at its initial stages. Scoping is an early and open process for determining the scope of issues to be addressed in an EA or EIS and for identifying the significant issues related to the proposed action. A principal objective of scoping and public involvement process is to identify a range of reasonable of management alternatives that will delineate critical issues and provide a clear basis for distinguishing among those alternatives and selecting a preferred alternative.

Through the notice of intent, NMFS notified the public that a NEPA analysis and decision-making process for the proposed action has been initiated so that interested or affected people may participate and contribute to the final decision. Scoping is accomplished through written communications and consultations with agency officials, interested members of the public and organizations, Alaska Native representatives, and State and local governments. The formal scoping period began with the publication of a Notice of Intent in the *Federal Register* on January 8, 2009 (74 FR 798). Public comments were due to NMFS by March 23, 2009. In the Notice of Intent, NMFS requested written comments from the public on the range of alternatives to be analyzed and on the environmental, social, and economic issues to be considered in the analysis.

The scoping report summarizes the comments received during the January 8, 2009 to March 23, 2009, scoping period, and summarizes the issues associated with the proposed action and describes alternative management measures raised in public comment during the scoping process. The purpose of the report is to inform the Council and the public of the results of scoping and to assist in the development of the range alternatives and analysis. NMFS received four written comments from the public and interested parties. (Appendix 1 to the Scoping Report contains copies of the comments.) The NMFS Alaska Region web site contains the notice of intent, the scoping report, and related additional information.<sup>4</sup>

### **Direct mailings to stakeholders**

On September 18, 2009, the Council provided a mailing to over 600 stakeholders, including community governments, regional and village Native corporations, regional non-profit Native corporations, tribal entities, Federal Subsistence Regional Advisory Council coordinators, Community Development Quota corporations, ADF&G Regional Coordinators, and other community or Native entities. The mailing was also sent to previous contacts or individuals that have contacted the Council on salmon bycatch issues, and State legislature and Congressional representatives.

The mailing included a two-page flyer for potential posting in communities. It provided a brief summary of the issue, including bycatch trends, and solicited input from stakeholders identified as being potentially affected by the proposed action. It also provided a summary of the Council's schedule on this issue, methods of contacting the Council, and a website reference to the current suite of alternatives and options. The flyer was intended to inform individuals and communities as to the current stage of the process that the Council was undertaking in December 2009 (i.e., refining alternatives and options and establishing a timeline for analysis). In addition, the flyer noted that pending Council direction in December, it is likely that an outreach plan will be developed for the proposed action, which would likely include regional outreach meetings in rural Alaska, in order to explain the proposed action, provide preliminary analysis, and receive feedback from rural communities.

The Council sent a letter and another mailing to the same group of stakeholders March 31, 2010, to notify the public of the May 4 Statewide teleconference and the scheduled action for the June 2010 Council meeting. The Council was scheduled to conduct a final review and possible revision of the proposed alternatives and options for analysis at the June meeting. The intent of the mailing was to ensure awareness of the current Council schedule, the suite of proposed alternatives, the statewide teleconference, and to solicit feedback on the alternatives and options to be analyzed.

Finally, the Council will send a third mailing to the same group of stakeholders prior to the Council meeting at which initial review and selection of a preliminary preferred alternative is scheduled (tentatively June 2011, in Nome). The intent of this mailing would be to ensure awareness of the suite of

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<sup>4</sup>[http://www.fakr.noaa.gov/sustainablefisheries/bycatch/salmon/non\\_chinook/default.htm](http://www.fakr.noaa.gov/sustainablefisheries/bycatch/salmon/non_chinook/default.htm).

alternatives, the range of impacts analyzed, the schedule for final action, and to solicit input on the selection of the preliminary preferred alternative.

Note that the draft analysis (EA/RIR/IRFA), associated documents, outreach materials, and powerpoint presentations, will all be posted on the Council website as the process occurs and prior to the Council's scheduled meeting for final action. In addition, the Council newsletter will report upon progress and relevant meetings. The public is also able to listen to all Council meetings real-time via the internet if they cannot attend in person. The Council will also consider a follow-up mailing to potentially affected entities as to the results of the Council's final recommendation for chum salmon bycatch reduction measures to the Secretary of Commerce, if, at that point, the website and Council newsletter are not considered sufficient means to reach potentially affected stakeholders.

## **Community outreach meetings (winter 2011)**

### Timing

The approach for community outreach meetings is to work with established community representatives and Native entities within the affected regions and attend annual or recurring regional meetings, in order to reach a broad group of stakeholders in the affected areas. Working with established entities which have regular in-region meetings tends to reach more stakeholders than if the Council hosted its own outreach meeting in the community. It was determined that Council staff would convene individual outreach meetings only as necessary and appropriate, if a regional meeting was not scheduled in a particular area during a timeframe in which Council staff and/or members could attend sufficiently prior to final action.

While direct mailings to solicit feedback are scheduled prior to the alternatives being finalized, and well before the initial review draft analysis is developed, staff proposes conducting outreach meetings in rural Alaska in order to correspond with regularly scheduled regional meetings and the release of a preliminary analysis, but *prior to* the Council's selection of a preliminary preferred alternative (tentatively scheduled for June 2011). This would allow the public to review and provide comments directly on the first version of the impact analysis, such that changes can be made prior to completion of the final analysis, and allow the Council to receive community input prior to its selection of a preliminary preferred alternative.

The outreach budget will likely allow for travel to regional meetings in several communities, but not two rounds of meetings in several communities (both prior to the release of the analysis and after). Thus, the plan outlines seven outreach presentations in various Alaska communities, at regularly scheduled meetings that are intended to reach a broad group of stakeholders. Most of these meetings are in February/March 2011, and a preliminary draft analysis would be available prior to the meetings, such that the public can make substantive comments on the impact analysis. The preliminary review draft analysis is tentatively scheduled for release in mid-January 2011, and the Council is scheduled to review that document at its February 2011 meeting.

### List of potential rural outreach meetings

With regard to community and Native outreach meetings, Council staff has consulted with the coordinators of five of the Federal Subsistence Regional Advisory Councils (RACs), the Association of Village Council Presidents (AVCP), the Tanana Chiefs Conference (TCC), the Yukon River Drainage Fisheries Association (YRDFA), Kawerak, Inc., and the Yukon River Panel, in order to evaluate the potential for time on the agendas of their annual regional meetings. There is a recognized conflict between the AVCP annual meeting October 5 – 7, 2010, in Bethel, and the Council meeting October 4 –

12, in Anchorage, so staff and Council members will be unable to attend the October AVCP meeting.<sup>5</sup> There is also a schedule conflict that will prevent staff from attending the Seward Peninsula RAC meeting in Nome (February 15 – 16). However, the June 2011 Council meeting is scheduled in Nome, which will provide ample agenda time for this issue and public comment. In addition, staff plans to attend the Bering Straits regional conference in Nome in April. In sum, this schedule would encompass seven outreach meetings in the different regions, if scheduling is amenable, and two meetings with the Yukon River Panel in Anchorage.

In sum, through coordination with the meeting sponsors, the Council has planned to schedule outreach on the chum salmon bycatch issue at each of the following regional meetings. All of these meetings are open to the public.

<b>Yukon River Panel*</b>	<b>(Dec 5 – 11, 2010; AK)</b>
<b>Yukon River Drainage Fisheries Assn annual meeting</b>	<b>(Feb 14 – 17, 2011; Mountain Village)</b>
<b>Yukon-Kuskokwim Delta Regional Advisory Council</b>	<b>(Feb 23 – 24, 2011; St. Mary’s)</b>
<b>Eastern Interior Regional Advisory Council</b>	<b>(March 1 – 2, 2011; Fairbanks)</b>
<b>Western Interior Regional Advisory Council</b>	<b>(March 1 – 2, 2011; Galena)</b>
<b>Bristol Bay Regional Advisory Council</b>	<b>(March 9 – 10, 2011; Naknek)</b>
<b>Tanana Chiefs Conference annual meeting</b>	<b>(Mar 15 – 19, 2011; Fairbanks)</b>
<b>Kawerak, Inc. regional conference</b>	<b>(April 2011; Nome)</b>

\*Staff also presented to the Yukon River Panel in April 2010 in Anchorage.

Each of these entities represents an area that encompasses several member villages and/or tribes, and it is recognized that there is some overlap between the various entities, although the participants that attend the meetings may be very different. The Yukon-Kuskokwim Delta RAC represents 42 villages in its management area. The Eastern Interior RAC represents 13 villages along the Yukon or Tanana Rivers and an additional 17 villages within the region. The Western Interior RAC represents 27 villages along the Yukon and Kuskokwim Rivers. The Bristol Bay RAC represents 31 Bristol Bay subsistence communities. The Tanana Chiefs Conference is a tribal consortium of 42 villages in interior Alaska, along the Yukon, Tanana, and Kuskokwim Rivers. The Yukon River Drainage Fisheries Association has members along the entire Yukon River drainage. Kawerak, Inc. is a regional consortium of tribal governments organized as a nonprofit corporation with headquarters in Nome, Alaska. Kawerak provides services to 20 Native villages located on or near the Bering Straits. Please refer to the maps provided in [Appendix 2](#) to see the geographic representation of these entities.

In addition to the above regional/community meetings, Council staff may provide presentations at other meetings, as necessary and possible, recognizing that preparing, attending, and following up with outreach meetings requires staff time and funding. The need for outreach meetings must be balanced with the time needed for staff to complete the analysis.

#### Council member and staff participation

This outreach plan proposes to have one to two Council members attend each regional meeting, with one to two Council staff analysts, including the lead analyst on the project. Primary NMFS staff working on the analysis would also be invited. Council staff would provide presentations on the Council process, outreach efforts, and the proposed action on chum salmon bycatch reduction measures. Council staff and members would be available to answer questions, and staff would document the results of each meeting. In addition to input that can be incorporated into the impact analysis, the results of the outreach meetings

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<sup>5</sup>The AVCP represents 56 tribes in the Yukon-Kuskokwim Delta.

would be provided to the Council prior to final action in the form of an outreach report (see the *Documenting Results* section below).

#### Coordination with NMFS on tribal consultations

The primary Federal mandate for tribal consultation is Executive Order 13175, which requires executive agencies<sup>6</sup> to establish regular and meaningful consultation and collaboration with Indian tribes<sup>7</sup> in the development of Federal policies that have tribal implications.<sup>8</sup> While it is NMFS' legal obligation to undertake formal tribal consultation with Federally-recognized tribes and Native corporations under E.O. 13175, Council staff will coordinate with NMFS, if and when a formal tribal consultation is requested. For example, Council staff could provide an overview or background presentation on the proposed action as part of Council public outreach, and NMFS could conduct the tribal consultation as a separate, private part of that meeting. Council staff/members could participate in the tribal consultation upon request of the tribe, depending upon scheduling.

#### **Additional outreach**

The outreach plan also includes: 1) conducting radio interviews for rural community radio stations; 2) providing information and/or a press release to newspapers in regional hubs; and 3) conducting a Statewide teleconference.

In order to get feedback prior to the Council's final review of the alternatives (tentatively scheduled for June 2010), this plan includes a **Statewide teleconference** on May 4, 2010. The primary purpose was an orientation for the public, such that people understand the basics of the alternatives proposed and ways to provide formal input to the Council (e.g., written and oral testimony), prior to the June 2010 Council meeting. This purpose would be accomplished by providing a short presentation on the proposed action and Council process, and using most of the time for questions and concerns from the public. A secondary purpose of the call is to document public input on the suite of alternatives, which would be provided to the Council in June. However, the primary purpose is as an informational tool, as opposed to a public hearing. Note that while the Council finalized alternatives in June 2010, there is an extremely broad suite of alternatives proposed, and the Council can modify the alternatives at any time throughout the process if the issue is scheduled for review. The June action was primarily to allow the analysts a starting point from which to base the analysis.

Other guidance pertaining to the statewide teleconference, as suggested by the Rural Community Outreach Committee included:

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<sup>6</sup> Executive Order 13175 (*Consultation and Coordination with Indian Tribal Governments*) states that for the purpose of the order, 'agency' means any authority of the U.S. that is an 'agency' under 44 U.S.C. 3502(1), other than those considered to be independent regulatory agencies, as defined in 44 U.S.C. 3502(5). In 44 U.S.C. 3502(1): the term "agency" means any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency, but does not include - (A) the General Accounting Office; (B) Federal Election Commission; (C) the governments of the District of Columbia and of the territories and possessions of the United States, and their various subdivisions; or (D) Government-owned contractor-operated facilities, including laboratories engaged in national defense research and production activities.

<sup>7</sup> "Indian tribe" means an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges exists as an Indian tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994, 25 U.S.C. 479a. Note that Section 161 of the Consolidated Appropriations Act of 2004 (Public Law 108-199), as amended by Section 518 of the Consolidated Appropriations Act of 2005 (Public Law 108-447), extends the consultation requirements to Alaska Native corporations.

<sup>8</sup> "Policies that have tribal implications" refers to regulations, legislative comments or proposed legislation, and other policy statements or actions that have substantial direct effects on one or more Indian tribes, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and tribes.

- Limit the call to 2 - 3 hours.
- Clearly articulate the purpose of the call.
- Provide a 2 or 3 minute time limit for questions.
- Provide a mailing/flyer to the list of community and Native contacts that includes: the suite of alternatives; the schedule for action, including community outreach meetings; information on the teleconference; and notice that those who RSVP with the Council that they will attend the teleconference will have the first priority for asking questions.
- In addition to the RSVP list, attempt to take questions from a broad geographic range.
- Work with regional organizations to provide hub sites, where many community members could call in together. Examples provided: Kawerak in Nome, Northwest Arctic Borough in Kotzebue, AVCP in Bethel, Unalakleet.
- Provide a visual (powerpoint) presentation that those with web access could follow real-time.
- Make the powerpoint available on the Council website prior to the call.
- Research whether there is a limitation on the number of callers that can be on the same line.
- Close the call with a reminder of how to participate in the Council process, and the opportunity to provide formal input to the Council in late May/June.

The presentation provided by Council staff during the teleconference is posted here: [http://www.fakr.noaa.gov/npfmc/current\\_issues/bycatch/chumPPT410.pdf](http://www.fakr.noaa.gov/npfmc/current_issues/bycatch/chumPPT410.pdf). The audio recording of the teleconference is provided here: <http://www.box.net/shared/j37fjq8i1>.

### **Documenting results**

Council staff documented input provided during the community teleconference on May 4, 2010, and provided that report to the Council at its June 2010 meeting. The Council also reviewed and refined the suite of alternatives at the June meeting (see Appendix 1). The report on the Statewide teleconference is attached as **Appendix 3**.

Council staff will also document input provided at the regional meetings, including any public testimony. An outreach report will be prepared to document the outreach process and results of the regional meetings. A short summary of each meeting will be provided in the outreach report as a brief reference. In addition, details of the regional meetings attended, a description of the participants, and the comments provided (by category) will be compiled. Resolutions or motions that result from any of these meetings will be appended to the report.

Note that as initial review of the analysis is scheduled for June 2011, the outreach report documenting community input will be presented to the Council at that meeting, which means in conjunction with the initial review draft analysis (i.e., Council selection of a preliminary preferred alternative). The outreach report will also be included in the Secretarial review draft analysis that is submitted to the Secretary of Commerce after the Council makes a final recommendation.

Appendix 1. Alternatives proposed for analysis of chum salmon bycatch measures in the EBS pollock fishery (revised as of June 2010)

**Alternative 1 – Status Quo**

Alternative 1 retains the current program of the Chum Salmon Savings Area (SSA) closures triggered by separate non-CDQ and CDQ caps with the fleet’s exemption to these closures per regulations for Amendment 84 and as modified by the Amendment 91 Chinook bycatch action.

**Alternative 2 – Hard Cap**

Component 1: Hard Cap Formulation (with CDQ allocation of 10.7%)

- a) 50,000
- b) 75,000
- c) 125,000
- d) 200,000
- e) 300,000
- f) 353,000

Component 2: Sector Allocation

Use blend of CDQ/CDQ partner bycatch numbers for historical average calculations.

- a) No sector allocation
- b) Allocations to Inshore, Catcher Processor, Mothership, and CDQ
  - 1) Pro-rata to pollock AFA pollock sector allocation
  - 2) Historical average
    - i. 2007-2009
    - ii. 2005-2009
    - iii. 2000-2009
    - iv. 1997-2009
  - 3) Allocation based on 75% pro-rata and 25% historical
  - 4) Allocation based on 50% pro-rata and 50% historical
  - 5) Allocation based on 25% pro-rata and 75% historical

For Analysis:

CDQ	Inshore CV	Mothership	Offshore CPS
3.4%	81.5%	4.0%	11.1%
6.7%	63.3%	6.5%	23.6% <sup>9</sup>
10.7%	44.77%	8.77%	35.76%

Suboption: Allocate 10.7% to CDQ, remainder divided among other sectors (see table above).

Component 3: Sector Transfer

- a) No transfers or rollovers
- b) Allow NMFS-approved transfers between sectors
  - Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:
    - 1) 50%

<sup>9</sup> Note the actual midpoint is CDQ = 7.05%, CV 63.14%, Mothership 6.39%, CP 23.43% . However as noted by staff during Council deliberation numbers reflected in the table are an existing option as the historical average from 2005-2009 allocated 50:50 pro-rata AFA to historical average by section.

- 2) 70%
- 3) 90%
- c) Allow NMFS to roll-over unused bycatch allocation to sectors that are still fishing

**Component 4: Cooperative Provision**

- a) Allow allocation at the co-op level for the inshore sector, and apply transfer rules (Component 3) at the co-op level for the inshore sector.

Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:

- 1) 50%
- 2) 70%
- 3) 90%
- b) Allow NMFS to rollover unused bycatch allocation to inshore cooperatives that are still fishing.

**Alternative 3 – Trigger Closure**

**Component 1: Trigger Cap Formulation**

- Cap level
- a) 25,000
  - b) 50,000
  - c) 75,000
  - d) 125,000
  - e) 200,000

Application of Trigger Caps

- a) Apply trigger to all chum bycatch
- b) Apply trigger to all chum bycatch between specific dates

Trigger limit application:

Two options for application of trigger caps for area closure options (applied to caps under consideration)

- 1- Cumulative monthly proportion of cap (left-side of table below)
- 2- Cumulative monthly proportion AND monthly limit (left and right sides of table together. Note monthly limit should evaluate +/- 25% of distribution below)

Option of cumulative versus monthly limit for trigger area closures (assuming a trigger cap of 100,000 fish). Monthly limit based on minimum of monthly cumulative value and 150% of monthly historical proportion.

Month	Cumulative		Monthly limit	
	Cumulative Proportion	Monthly Cumulative	Monthly proportion	Monthly limit
June	10.8%	10,800	10.8%	10,800
July	31.5%	31,500	20.7%	31,050
August	63.6%	63,600	32.1%	48,150
September	92.3%	92,300	28.6%	42,900
October	100.0%	100,000	7.7%	11,550

**Component 2: Sector allocation**

Use blend of CDQ/CDQ partner bycatch numbers for historical average calculations.

- a) No sector allocation
- b) Allocations to Inshore, Catcher Processor, Mothership, and CDQ
  - 1) Pro-rata to pollock AFA pollock sector allocation
  - 2) Historical average
    - i. 2007-2009
    - ii. 2005-2009
    - iii. 2000-2009
    - iv. 1997-2009
  - 3) Allocation based on 75% pro-rata and 25% historical
  - 4) Allocation based on 50% pro-rata and 50% historical
  - 5) Allocation based on 25% pro-rata and 75% historical

**For Analysis:**

CDQ	Inshore CV	Mothership	Offshore CPS
3.4%	81.5%	4.0%	11.1%
6.7%	63.3%	6.5%	23.6% <sup>10</sup>
10.7%	44.77%	8.77%	35.76%

Suboption: Allocate 10.7% to CDQ, remainder divided among other sectors.

**Component 3: Cooperative Provisions**

- a) Allow allocation at the co-op level for the inshore sector, and apply transfer rules (Component 3) at the co-op level for the inshore sector.
  - Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:
    - 1) 50%
    - 2) 70%
    - 3) 90%
- b) Allow NMFS to roll-over unused bycatch allocation to cooperatives that are still fishing

**Component 4: Area and Timing Options**

Groupings of ADFG area closures by month that represent 40%, 50%, 60% of historical bycatch. The analysis should include quantitative analysis of the 50% closure options and qualitative analysis of the 40% and 60% closure options.

**Component 5: Timing Option – Dates of Area Closure**

- a) Trigger closure when the overall cap level specified under Component 1(a) was attained
- b) Discrete small closures would close when a cap was attained and would close for the time period corresponding to periods of high historical bycatch

**Component 6: Rolling Hot Spot (RHS) system – Similar to status quo (with RHS system in regulation), participants in a vessel-level (platform level for Mothership fleet) RHS would be exempt from regulatory triggered closure below.**

- 1. A large area trigger closure (encompassing 80% of historical bycatch).

<sup>10</sup> Note the actual midpoint is CDQ = 7.05%, CV 63.14%, Mothership 6.39%, CP 23.43% . However as noted by staff during Council deliberation numbers reflected in the table are an existing option as the historical average from 2005-2009 allocated 50:50 pro-rata AFA to historical average by section.

Sub-option: RHS regulations would contain an ICA provision that the regulatory trigger closure (as adopted in Component 4 apply to participants with a rate in excess of 200% of the Base Rate

In constructing an ICA under this component, the following aspects should be considered:

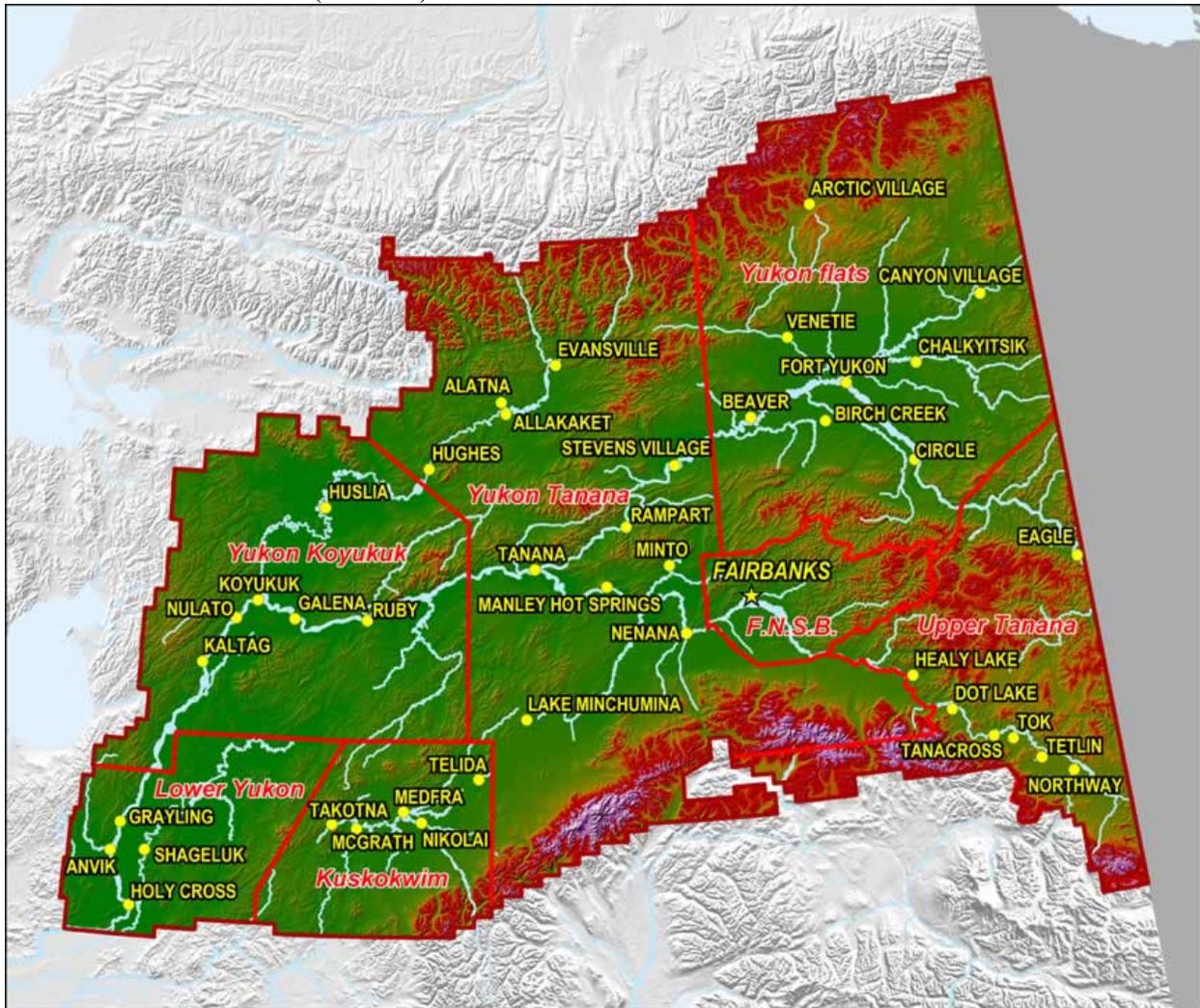
- Closures that would address timing & location of bycatch of Western AK chum stocks.

In addition, include the following items in the initial review analysis:

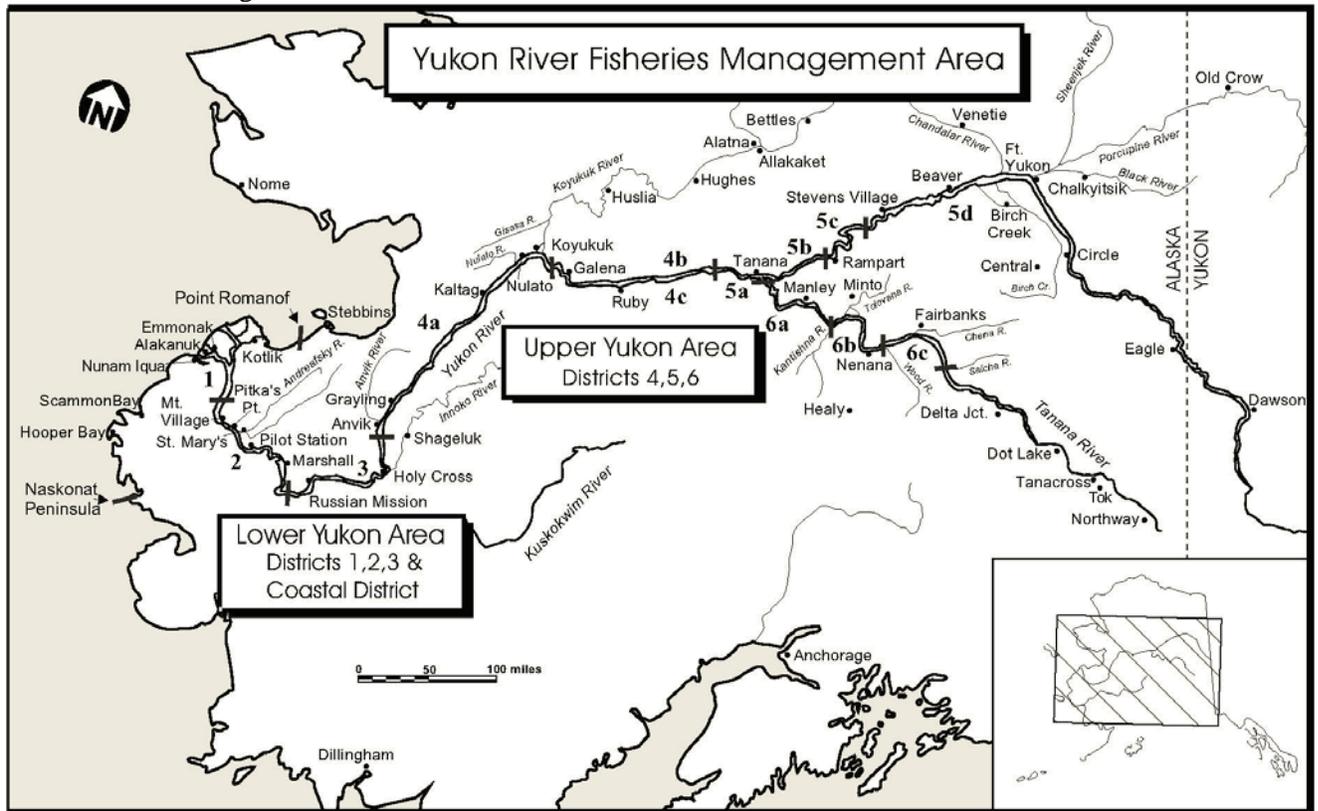
1. Analyze discrete area approach normalized across years (i.e. proportion of salmon caught in an area in a year rather than numbers of salmon);
2. Discuss how Component 6 would be applied;
3. In depth description of the rolling hot spot regulations (Amendment 84), focusing on parameters that could be adjusted if the Council found a need to refine the program to meet objectives under Component 7. Specifically analyze:
  - a. the base rate within the RHS program;
  - b. the options for revising the tier system within the RHS program;
  - c. the Council's options for revising the fine structure within the RHS program. Analysis should include a discussion of the meaningfulness of fines, including histograms of number and magnitude of fines over time as well as a comparison of penalties under the RHS program to agency penalties and enforcement actions for violating area closures.
4. Discussion from NMFS of catch accounting for specific caps for discrete areas, and area aggregations described in Component 5 and for areas within those footprints that may have other shapes that could be defined by geographic coordinates [Component 6(c)] Discussion from NMFS on the ability to trigger a regulatory closure based on relative bycatch within a season (with respect to catch accounting system and enforcement limitations) considering changes in bycatch monitoring under Amendment 91.
5. Contrast a regulatory closure system (Components 5 and 6) to the ICA closure system (Component 7) including data limitations, enforcement, potential level of accountability (i.e., fleet-wide, sector, cooperative, or vessel level).
6. Examine differences between high bycatch years (i.e. 2005) and other years to see what contributes to high rates (i.e. timing/location, including fleet behavior and environmental conditions).
7. Examine past area closures and potential impacts of those closures on historical distribution of bycatch and on bycatch rates (qualitative); include 2008 and 2009 data and contrast bycatch distribution under VRHS versus the Chum Salmon Savings Area.

Appendix 2. Maps of villages represented by the entities holding regional meetings at which outreach is proposed to be scheduled

Tanana Chiefs Conference (42 tribes)

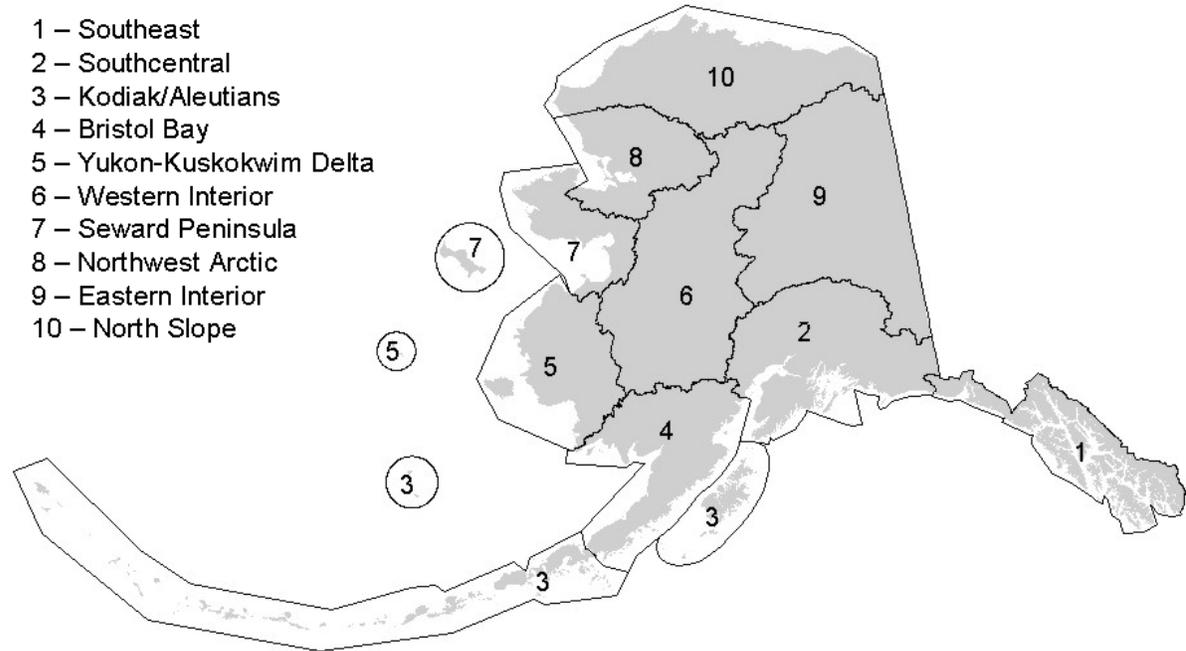


Yukon River Drainage Fisheries Association



Federal Subsistence Regional Advisory Council meetings scheduled to attend in February/March 2011: Eastern Interior, Western Interior, Yukon-Kuskokwim Delta, and Bristol Bay. There is a schedule conflict with the Seward Peninsula RAC meeting.

## Regional Advisory Council Areas



Kawerak, Inc. (20 villages)



Image (c)2006 TerraMetrics & (c)2005 Google

## **Summary of statewide teleconference on proposed alternatives to limit non-Chinook (chum) salmon bycatch in the Bering Sea pollock fisheries**

### **North Pacific Fishery Management Council May 4, 2010**

#### **Purpose**

Both the Rural Community Outreach Committee and the North Pacific Fishery Management Council (Council) recommended conducting a statewide public teleconference prior to the June 2010 Council meeting, thus, this effort was included in the Council's outreach plan on this issue.<sup>1</sup> The primary purpose of the teleconference was an orientation for the public on the alternatives currently proposed to evaluate new management measures to limit non-Chinook (chum) salmon bycatch in the Bering Sea pollock fisheries.<sup>2</sup> The teleconference was intended to help the public understand the Council process, the basics of the alternatives proposed, and ways to provide formal input to the Council. A secondary purpose was to document public input on the suite of alternatives and general concerns related to the issue, and provide that feedback to the Council in June.

The timing of the teleconference was such that the public would have an opportunity to understand the proposed action and how to provide comment on the issue, prior to the Council finalizing alternatives for analysis in June. The June Council action will provide a starting point from which to base the preliminary analysis, recognizing that the Council can modify the alternatives at Council meetings throughout the analytical process. The preliminary analysis for the proposed action will be developed from June 2010 through January 2011, with the Council's first review scheduled for its February 2011 meeting.

#### **Logistics and participation**

The teleconference was publicized in several ways: email notices, postings on the Council website, Federal Register notice, newspaper notices, and direct mailings to stakeholders. The mailing was sent March 31, to notify the public of the teleconference, the current suite of alternatives under consideration, and the analytical and Council schedule for action. The mailing was sent to over 600 individuals and entities, including community governments, regional and village Alaska Native corporations, regional non-profit Alaska Native corporations, tribal entities, Federal Subsistence Regional Advisory Council coordinators, Community Development Quota corporations, ADF&G Regional Coordinators, and other community or Alaska Native entities.

Key contacts in western Alaska were also contacted and asked to host a site at which community residents could participate, and/or publicize the call in their organization's newsletter or email listserve. Newspapers contacted were the Nome Nugget, Bristol Bay Times (Dillingham), Tundra Drums (Bethel), and the Arctic Sounder (Kotzebue).

The teleconference was open to the public, and hosted by the Council and the Alaska Sea Grant Marine Advisory Program. The call was moderated and recorded by EventBuilder.<sup>3</sup> A toll-free number was

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<sup>1</sup> The Council's outreach plan for the Bering Sea chum salmon bycatch issue is provided here:

[http://www.fakr.noaa.gov/npfmc/current\\_issues/bycatch/ChumOutreach410.pdf](http://www.fakr.noaa.gov/npfmc/current_issues/bycatch/ChumOutreach410.pdf)

<sup>2</sup> The Council's alternatives are provided here (last revision in February 2010):

[http://www.fakr.noaa.gov/npfmc/current\\_issues/bycatch/ChumBycatchMotion210.pdf](http://www.fakr.noaa.gov/npfmc/current_issues/bycatch/ChumBycatchMotion210.pdf)

<sup>3</sup> EventBuilder is a provider of online event technology and conferencing services that provides event management, online registration and web and audio conferencing. [www.eventbuilder.com](http://www.eventbuilder.com).

provided, and an unlimited number of lines could be accommodated. The audio file for the teleconference is available at: <http://www.box.net/shared/j37fjq8i1>.

The call occurred from 9 am – 11 am on May 4. Council analysts, Nicole Kimball and Dr. Diana Stram, provided a 30 minute presentation on the proposed action, community outreach plan, and Council process, with 90 minutes remaining for questions and comments from the public. Callers provided their name and location. The powerpoint presentation was posted on the Council website two weeks prior to the teleconference, and is attached as **Appendix 1**.

The call log, which indicates the number of callers, their location, and the amount of time they participated, is provided as **Appendix 2**. A total of 73 unique lines called in, which effectively means a minimum of 73 people participated, as there were several sites with more than one person on the line. Note that the call log indicates that 86 lines participated, but several of those were from the same number, resulting in a total number of 73 individual lines (e.g., a person called in for a portion of the call, hung up, then called back in later). Individual phone numbers of participants are not provided in the call log to protect confidentiality. The maximum number of lines participating at any one time was 53. Thirty-one different locations were represented, with 20 of those being small Alaska villages.

### **Summary of questions and comments**

The following provides a brief summary of participants' questions and comments. About 25 questions and/or comments were provided, by 18 participants. For detail and an exact account of both the questions and responses, please refer to the audio file at: <http://www.box.net/shared/j37fjq8i1>.

1. *Edward Mark, Quinhagak. Natural Resource Director, Native Village of Quinhagak.* Rural villages have an unwritten rule about not wasting resources in subsistence hunting and gathering, thus, it is counter-intuitive to set a goal for how much salmon can be wasted in the form of bycatch. Edward questioned whether there were programs implemented to distribute chum salmon bycatch for use by community residents. A follow-up comment focused on Alternative 2; if a hard cap is selected, he supports the lowest cap possible.
2. *Victor Lord, Nenana. Commercial and subsistence salmon fisherman, Tanana River.* Question about where the pollock fishery operates, and how the Council and NMFS know where they operate (i.e., what is the managers' level of confidence in the pollock fishery's areas of operation). Also a question about the timing for public comment on this issue at the June 2010 Council meeting.
3. *Ted Suckling, Nenana. Yukon River Drainage Fisheries Association.* Question about whether there are observers on all pollock vessels, and how much the public and fisheries managers can rely on observers' bycatch estimates.
4. *Tom Okleasik, Kotzebue. Planning Director, Northwest Arctic Borough.* Question about whether the bycatch trend analysis will incorporate the natural population variation in the salmon stocks, and whether it accounts for past commercial fisheries effects (i.e., bycatch in previous years). A second question focused on the results of the finer scale, less aggregated genetic information that may be available in 2011, and whether and how indigenous people will have a role in the research process with NMFS (i.e., sample taking, interpretation of results, etc.).
5. *Don Rivard, Anchorage. Office of Subsistence Management, USFWS.* Question on whether BSAI Amendment 91 (Chinook salmon bycatch action) is on track for possible approval by the Secretary of Commerce this year, with implementation by NMFS in January 2011. Related question as to how Amendment 91 will be addressed or incorporated in the chum salmon bycatch

analysis (i.e., as part of the status quo). A follow-up question on whether the action taken under BSAI Amendment 91 to limit Chinook salmon bycatch is likely to also serve to limit chum bycatch.

6. *Julie Raymond-Yakoubian, Nome. Anthropologist, Kawerak, Inc.* Question regarding what specific steps the Council is taking to engage with NMFS on tribal consultation issues, to make sure that tribal issues are taken into consideration and addressed prior to a Council decision.
7. *Louie Green, Nome. Subsistence and commercial salmon fisherman.* Comment that the Nome subdistrict has given all the Chinook and chum salmon to intercept fisheries that it can handle; the region is losing its salmon culture and salmon cannot afford to be wasted through bycatch. Question about how the recent oil spill in the Gulf of Mexico may affect the Council's approach and decision-making on fisheries management in the Bering Sea.
8. *Morris Nuparuk (sp.?), Elim.* Comment: Since 1964, residents have been documenting how many salmon have passed the salmon counting tower in their area; a reduction in the number of salmon making it to the river has been recognized since the pollock fishery started picking up in the 1980s. In the 1970s, local fishermen could fish at least two 48-hour periods, every week. Currently, fishermen are usually on standby for a salmon opener. Question about whether there is any funding set-aside from the pollock fishery to re-stock rivers and tributaries.
9. *Charlie Fitka, St. Michael. IRA Council, subsistence and commercial salmon fishermen, Yukon River.* Comment that residents have been limited in both subsistence and commercial salmon fisheries in recent years. He was fined in 2009 for subsistence fishing; he did not have a radio and was unaware that ADF&G had reduced the net size limits. Question focused on how are we going to control bycatch of salmon in the Bering Sea when the subsistence way of life is being controlled by ADF&G. Comment continued that there is too much waste and we cannot let this amount of bycatch continue.
10. *Edward Mark, Quinhagak. Natural Resource Director, Native Village of Quinhagak.* Question on whether there is a tagging system in place in the Area M (commercial salmon) fisheries so that we can determine to which rivers (e.g., Yukon or Kuskokwim) chum salmon are migrating. If a tagging system is not in place, can we incorporate such a system in this proposed action.
11. *Lisa Ragone, Juneau. USCG.* Comment regarding the current rolling hot spot closure system (status quo, Alternative 1); it appears that the pollock fishery has a hard time avoiding salmon, even when they are trying to do so. Request to explain the new 'zone' closure system, and the size of the areas proposed for pollock closures, under Alternative 3.
12. *Ted Suckling, Nenana. Yukon River Drainage Fisheries Association.* Comment: Residents in his region (Interior) fish at the headwaters of the Tanana River, and are concerned with getting enough salmon up the river to spawn. They support a management system that would keep bycatch as low as possible. Question on how the Council determined the numbers of salmon that represent the range of hard caps under Alternative 2. What is the basis for those options?
13. *Nancy Swanson, Anchorage. National Park Service.* Comment to encourage staff to include in the analysis how the Federal management system for subsistence would be affected by the alternatives proposed (i.e., do not limit the analysis to how ADF&G management is affected). As the analysis is developed, analysts should consider Title 8 of ANILCA (subsistence priority), both in terms of providing an understanding of Title 8 in the analysis and in developing the alternatives for evaluation.

14. *Louie Green, Nome. Subsistence and commercial salmon fisherman.* Question regarding whether there have been any new genetic subsamples of Chinook and chum salmon taken in the Nome subdistrict. If not, why haven't they been requested.
15. *Tim Smith, Nome. Nome Fishermen's Association.* Question about whether it is reasonable to attempt to manage chum salmon bycatch without considering commercial salmon fisheries in Area M, especially in light of providing an ecosystem approach to fisheries management. Discussions on the approach at the February 2010 Council meeting were concerning; if Area M is a substantial mortality factor, it need to be incorporated into overall management system for chum salmon. Follow-up question related to the Community Development Quota (CDQ) Program. The Norton Sound Economic Development Corporation (NSEDC), representing Bering Straits communities, did not communicate the position they were going to recommend to the Council on Chinook salmon bycatch to the public in advance. Question on whether the CDQ groups have any obligation to communicate with their constituents on chum salmon bycatch.
16. *John Chase, Kotzebue. Northwest Arctic Borough.* Comment that he hopes that the Council can put significant weight on the comments provided by subsistence users of salmon throughout this process.
17. *Muriel Morse, Anchorage (originally from Koyuk). Alaska Marine Conservation Council.* Comment that it is necessary to recognize that Yupik is the primary language for many affected stakeholders in rural Alaska. In the future, the Council should consider providing translation services during teleconferences, outreach meetings, and Council meetings, in order to increase understanding and participation.
18. *Jetta Minerva, Galena. Subsistence specialist, Koyukuk and Nowitna National Wildlife Refuge.* Comment on the treaty between the U.S. and Canada, which requires that the U.S. provide 45,000 Chinook salmon. The Council needs to take into consideration salmon treaty obligations, and also recognize that in the past year it took a significant effort by Yukon fishery managers and sacrifices by subsistence users to meet the treaty obligation.
19. *Victor Lord, Nenana. Commercial and subsistence salmon fisherman, Tanana River.* Question about the timing of the A and B seasons for the Bering Sea pollock fishery and its relationship to Chinook and chum salmon bycatch. Question as to whether fisheries managers put more emphasis on the B season, in terms of chum salmon bycatch.
20. *Sam ??, Quinhagak.* Comment: The CDQ group in the Quinhagak region (Coastal Village Region Fund) helps local villages with their commercial fisheries management. Question about whether the pollock fishery can be mandated to provide funds for genetic research and management (funding provided directly to the State of Alaska), and specific fisheries projects in western Alaska. Question as to whether there is a way to use funds generated from violations in the pollock fishery to assist and be allocated to specific fisheries projects in western Alaska.
21. *Louie Green, Nome. Subsistence and commercial salmon fisherman.* Comment that the CDQ groups have funds for restoration and rehabilitation of fisheries. Question about the basis for the initial allocations to the CDQ groups; one of the criteria being the population of the communities represented by each group. Question about whether that basis constitutes a legal obligation to the CDQ group's constituency to communicate their positions on issues and state how they are going to use the public resource. Concern about the CDQ community liaisons and Board of Directors being the conduit for the public to receive information on the CDQ group.

22. *Paul Beans, Mountain Village.* Comment that there have been significant reductions on the Yukon River and throughout rivers in western Alaska for both the commercial and subsistence salmon fisheries in recent years, specifically 2008 and 2009. Management measures include shorter seasons, gear restrictions, and overall closures. Question concerning whether the Council has considered taking action to shorten the seasons for the Bering Sea pollock fishery (e.g., cut both A and B seasons in half, in order to share the conservation burden).
23. *Phillip ??, Minto.* Question about why Chinook and chum bycatch in the pollock fishery were so low in 2008. Interest in replicating the management and industry actions taken in 2008 to avoid salmon bycatch; fold those types of actions into the current suite of chum salmon alternatives.
24. *Jetta Minerva, Galena. Subsistence specialist, Koyukuk and Nowitna National Wildlife Refuge.* Question on the survival rate of Chinook and chum salmon caught as bycatch in the Bering Sea pollock fishery.
25. *Ted Suckling, Nenana. Yukon River Drainage Fisheries Association.* Question and concern about why the Bering Sea pollock fishery takes precedence over the subsistence salmon fishery, as subsistence is a way of life.

## Appendix 1: Powerpoint presentation provided prior to and during May 4 teleconference



**North Pacific Fishery Management Council**  
Presentation on Bering Sea chum salmon bycatch alternatives  
May 4, 2010  
Diana Stram & Nicole Kimball  
North Pacific Fishery Mgmt Council  
(907)271-2809  
[diana.stram@noaa.gov](mailto:diana.stram@noaa.gov), [nicole.kimball@noaa.gov](mailto:nicole.kimball@noaa.gov)

The slide features a background image of a fishing boat on the water with snow-capped mountains in the distance. A small circular logo is visible in the bottom right corner.

### Who are we?

The North Pacific Fishery Management Council (Council) and National Marine Fisheries Service (NMFS):

- Together manage U.S. Federal fisheries off Alaska (3-200 miles)
- Management is coordinated (and in some cases jointly managed) with the State of Alaska
- Council makes recommendations to NMFS
- NMFS approves, implements, and enforces them

### Who is on the Council?

15 total members

- 11 voting
  - 4 designated seats (heads of: NMFS, ADF&G, Washington & Oregon Depts of Fish and Wildlife)
  - 7 appointed seats (5 Alaska & 2 Washington)
- 4 non-voting
  - USCG, Pacific States, Dept of State, US Fish & Wildlife

### Council meetings

- 5 meetings per year
- 3 in Anchorage, 1 in AK fishing community, 1 in Seattle or Portland
- Each meeting is ~8 days
- All meetings open to the public
- Many opportunities for public comment, including written and oral testimony on each agenda item
- Audio link available to listen to Council meetings remotely (real-time)

### Magnuson Stevens Act

- Council management of fisheries is governed by the Magnuson-Stevens Act (Federal law)
- Council primarily manages groundfish (Pacific cod, pollock, flatfish, sablefish, rockfish, etc); shellfish; halibut allocations
- Management areas: Bering Sea, Aleutian Islands, and Gulf of Alaska
- Includes management of bycatch in these fisheries

### Magnuson Stevens Act

- 10 National Standards – Council and NMFS must consider several factors, including:
- Minimizing bycatch to extent practicable (e.g., salmon bycatch),
  - Preventing overfishing while achieving, on a continuing basis, the optimum yield from each fishery (e.g., the Bering Sea pollock fishery),
  - Providing for the sustained participation and minimize adverse impacts on fishing communities.

## Council Decision Process

- Proposal presented to Council from public, stakeholder group, or Council
- If desired, Council initiates analysis of alternatives and options
- Council receives input on draft analyses and issues from its Scientific and Statistical Committee, Advisory Panel, various issue-specific committees, and the public at each meeting

## Council Decision Process (cont.)

Analysis proceeds through:

- Initial review draft
  - further refine alternatives if necessary
- Public review draft
  - final council decision (selection of preferred alternative)
- Final Council decision is then submitted to the Secretary of Commerce

## NMFS rulemaking process

- NMFS publishes a proposed rule to implement the regulations (**status of Chinook bycatch measures under Am. 91**)
- Comments received on PR
- Secretary can approve, disapprove, or partially approve the Council's decision
- If approved by Secretary, NMFS publishes final rule (responds to comments from PR)
- Final rule establishes effective date

## Opportunities for public comment

- During each Council meeting
  - Science and Statistical Committee
  - Advisory Panel
  - Council
- Council committees (e.g., Salmon Bycatch Workgroup)
- During rulemaking
  - Comment solicited on analysis and rule

## Salmon bycatch in the Bering Sea pollock fisheries

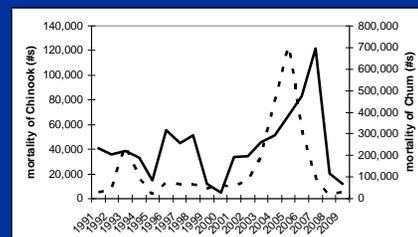
- Bering Sea pollock fishery catches salmon as bycatch (primarily Chinook and chum)
- Bycatch, by law, is counted but cannot be retained or sold
  - Some salmon is donated to food banks



## Salmon bycatch trends

- 4 sectors in pollock fishery: offshore catcher processors, inshore catcher vessels, motherships, CDQ
- Differential bycatch by sector

(Chinook is solid line; chum is dotted line in graph below)



## Council action

- The Council has been managing salmon bycatch using time-area closures since the mid-1990s
- Fixed time-area closures are not responsive to changing conditions
- Since 2005, Council has been evaluating different management measures
- The Council is addressing Chinook and non-Chinook (chum) salmon bycatch in separate actions

## Status of Chinook bycatch action (BSAI Am. 91)

- Council recommended hard cap
- Proposed rule was published March 23, 2010  
<http://www.fakr.noaa.gov/prules/75fr14016.pdf>
- Comments on FMP language were due April 19; comments on proposed rule due to NMFS by **May 7**
- Expected implementation by January 2011

## Council proposed action on non-Chinook (chum) bycatch

- Status quo: time/area closures that the pollock fleet is exempt from because they voluntarily participate in a rolling hotspot closure system
- Alternative management measures considered:
  - Revised time/area closure system
  - Hard caps

Alternatives posted at:  
[www.fakr.noaa.gov/nplmc/current\\_issues/bycatch/ChumBycatchMotion210.pdf](http://www.fakr.noaa.gov/nplmc/current_issues/bycatch/ChumBycatchMotion210.pdf)

## Current chum alternatives: Alternative 1

- Alternative 1 (Status quo): voluntary rolling hotspot closure system
- Provides exemption from current salmon savings area since 2006
  - System of short-term (3 to 7 day) moving, discrete area closures based on real-time high bycatch areas
  - Closures apply to 10 pollock sectors or cooperatives with the highest bycatch

## Current chum alternatives: Alternative 2

- Alternative 2: Hard caps ranging from 50,000-353,000 non-Chinook salmon
- Range initially based on historical bycatch trends 1997-2009; rounded and lowered by Council in December 2009
  - Divided by sector similar to Chinook
  - No incentive program included at present

## Current chum alternatives: Alternative 3

- Alternative 3: Triggered time/area closures
- Staff developing proposed discrete closure system based on recent bycatch patterns
  - Zonal approach being considered:
    - 3 zones in EBS which when triggered would enact discrete closure system
    - Areas, zones and appropriate trigger thresholds being revised for Council consideration in June

### Schedule for Council action on chum (short-term)

- Action in June 2010: Review/revise alternatives and initiate analysis
- Information to be provided to Council in June:
  - Cap calculations based on Council motion (sector allocation changes)
  - Proposed area closures and zonal trigger approach
  - Review results of statewide teleconference on alternatives (May 4)
  - Update on genetics, both Chinook and chum

### Current genetic breakouts: chum

- Analysis will consider observed bycatch stock composition using genetic samples from 2005 – 2009
- Stock composition currently available by aggregate groupings only (micro-satellite baseline):
  - Japan/Korea/China/southern Russia
  - Russia
  - Upper/Middle Yukon River
  - Coastal western Alaska/lower Yukon River
  - Alaska Peninsula
  - Southeast AK/PWS/northern British Columbia
  - Skeena River
  - British Columbia/Washington
- Future stock composition may be reported on finer scale, capability no sooner than 2011 (two marker systems: SNPs + micro-satellite)

### Schedule for Council action on chum (long-term)

- June 2010: Development of preliminary analysis starts
- Dec 2010: Presentation to Yukon River Panel
- February 2011: Council review of preliminary analysis
- Feb/March 2011: Regional outreach meetings in western AK
- June 2011 (Nome): Council review of initial review analysis (select prelim preferred alt)
- Late 2011: Tentative Council final action

### Rural community outreach: chum salmon bycatch

Council's Rural Community Outreach Committee has helped develop a chum salmon bycatch outreach plan, similar to Chinook plan, with improvements

- Outreach plan includes:
  - Statewide mailings (throughout process)
  - Statewide teleconference: May 4
  - 9 regional meetings targeted in western AK (2010/early 2011): Association of Village Council Presidents, 5 Subsistence RACs, Yukon River Drainage Fisheries Assn, Tanana Chiefs Conference, Kawerak, plus Yukon River Panel
  - Documentation of outreach results; report to Council early in process

### Rural community outreach: chum salmon bycatch

- 9 regional meetings possible in western AK (primarily Feb/March 2011):
- 2 Council members and Council analysts
  - Working with regional organizations to be on agenda of their meetings
  - Timing of regional meetings is prior to Council's selection of preliminary preferred alternative (June 2011, Nome)
  - Timing of regional meetings will allow input to be considered and incorporated into analysis

### How to provide public input to the Council

- **Write a letter to the Council.** Send letters by mail or fax to:  
North Pacific Fishery Management Council  
605 W 4th Ave Suite 306  
Anchorage, AK 99501  
Fax: (907) 271-2817; Phone: (907) 271-2809
- **Testify at a Council meeting** when the Council will discuss a particular action. Each agenda is posted on the Council website the month before the Council meeting. You may send a letter by mail or fax to the Council to the address above. If sent at least a week prior to the meeting, your letter will be in the Council notebooks.
- **Check the Council website below, or contact us to find out about upcoming agenda items.**  
Council website: <http://www.alaskafisheries.noaa.gov/npfmc>

## Appendix 2: Audio call log for May 4 teleconference

Location	Start Time (PST)	End Time (PST)	Duration
Anchorage, AK	5/4/2010 9:59	5/4/2010 10:04	5
Anchorage, AK	5/4/2010 11:04	5/4/2010 11:18	14
Anchorage, AK	5/4/2010 11:19	5/4/2010 11:42	23
Anchorage, AK	5/4/2010 9:55	5/4/2010 11:53	118
Anchorage, AK	5/4/2010 9:59	5/4/2010 11:53	114
Anchorage, AK	5/4/2010 10:05	5/4/2010 11:53	108
Anchorage, AK	5/4/2010 10:00	5/4/2010 11:53	113
Anchorage, AK	5/4/2010 9:43	5/4/2010 11:53	130
Anchorage, AK	5/4/2010 9:59	5/4/2010 11:53	114
Anchorage, AK	5/4/2010 11:42	5/4/2010 11:53	11
Anchorage, AK	5/4/2010 10:02	5/4/2010 11:53	111
Anchorage, AK	5/4/2010 9:59	5/4/2010 11:53	114
Anchorage, AK	5/4/2010 9:59	5/4/2010 11:53	114
Anchorage, AK	5/4/2010 10:12	5/4/2010 11:53	101
Bethel, AK	5/4/2010 10:08	5/4/2010 10:12	4
Bethel, AK	5/4/2010 10:07	5/4/2010 10:23	16
Boston, MA	5/4/2010 10:02	5/4/2010 11:34	92
Chevak, AK	5/4/2010 10:05	5/4/2010 11:53	108
Eagle River, AK	5/4/2010 10:00	5/4/2010 10:38	38
Elim, AK	5/4/2010 10:09	5/4/2010 10:22	13
Elim, AK	5/4/2010 10:24	5/4/2010 10:30	6
Elim, AK	5/4/2010 10:39	5/4/2010 11:09	30
Elim, AK	5/4/2010 11:15	5/4/2010 11:31	16
Elim, AK	5/4/2010 11:06	5/4/2010 11:53	47
Fairbanks, AK	5/4/2010 10:02	5/4/2010 10:43	41
Fairbanks, AK	5/4/2010 10:46	5/4/2010 10:49	3
Fairbanks, AK	5/4/2010 10:14	5/4/2010 11:35	81
Fairbanks, AK	5/4/2010 10:00	5/4/2010 11:36	96
Fairbanks, AK	5/4/2010 10:04	5/4/2010 11:53	109
Fairbanks, AK	5/4/2010 9:59	5/4/2010 11:53	114
Fairbanks, AK	5/4/2010 10:07	5/4/2010 11:53	106
Fort Yukon, AK	5/4/2010 10:03	5/4/2010 10:39	36
Galena, AK	5/4/2010 9:57	5/4/2010 10:02	5
Galena, AK	5/4/2010 10:02	5/4/2010 11:53	111
Gambell, AK	5/4/2010 10:06	5/4/2010 10:17	11
Homer, AK	5/4/2010 9:59	5/4/2010 11:53	114
Juneau, AK	5/4/2010 10:02	5/4/2010 11:12	70
Juneau, AK	5/4/2010 10:00	5/4/2010 11:53	113
Juneau, AK	5/4/2010 9:51	5/4/2010 11:53	122
Juneau, AK	5/4/2010 10:31	5/4/2010 11:53	82
Juneau, AK	5/4/2010 9:59	5/4/2010 11:53	114
Juneau, AK	5/4/2010 10:00	5/4/2010 11:53	113
Kodiak, AK	5/4/2010 9:55	5/4/2010 10:18	23
Kodiak, AK	5/4/2010 10:17	5/4/2010 11:08	51
Kodiak, AK	5/4/2010 10:01	5/4/2010 11:51	110
Kodiak, AK	5/4/2010 10:04	5/4/2010 11:53	109
Kotzebue, AK	5/4/2010 10:29	5/4/2010 11:53	84
Kotzebue, AK	5/4/2010 9:59	5/4/2010 11:53	114
Kwethluk, AK	5/4/2010 11:35	5/4/2010 11:46	11
Kwigillingok, AK	5/4/2010 10:02	5/4/2010 10:57	55
Kwigillingok, AK	5/4/2010 11:26	5/4/2010 11:53	27
Lewisville, TX	5/4/2010 9:52	5/4/2010 10:07	15
Minto, AK	5/4/2010 10:23	5/4/2010 11:53	90
Mountain Village, AK	5/4/2010 10:50	5/4/2010 11:39	49
Mountain Village, AK	5/4/2010 11:40	5/4/2010 11:53	13
Nenana, AK	5/4/2010 10:01	5/4/2010 11:53	112
Nome, AK	5/4/2010 10:00	5/4/2010 10:03	3
Nome, AK	5/4/2010 10:46	5/4/2010 10:47	1
Nome, AK	5/4/2010 10:03	5/4/2010 11:22	79
Nome, AK	5/4/2010 9:57	5/4/2010 11:53	116
Nome, AK	5/4/2010 11:25	5/4/2010 11:53	28

Nome, AK	5/4/2010 10:48	5/4/2010 11:53	65
Nome, AK	5/4/2010 10:05	5/4/2010 11:53	108
Nunam Iqua, AK	5/4/2010 9:59	5/4/2010 10:02	3
Nunam Iqua, AK	5/4/2010 10:03	5/4/2010 10:28	25
Nunapitchuk, AK	5/4/2010 10:12	5/4/2010 11:53	101
Quinhagak, AK	5/4/2010 9:58	5/4/2010 11:53	115
Quinhagak, AK	5/4/2010 11:30	5/4/2010 11:53	23
Savoonga, AK	5/4/2010 9:58	5/4/2010 11:53	115
Scammon Bay, AK	5/4/2010 10:23	5/4/2010 10:55	32
Scammon Bay, AK	5/4/2010 10:07	5/4/2010 11:53	106
Scammon Bay, AK	5/4/2010 10:56	5/4/2010 11:53	57
Seattle, WA	5/4/2010 8:58	5/4/2010 9:00	2
Seattle, WA	5/4/2010 9:01	5/4/2010 9:03	2
Seattle, WA	5/4/2010 10:00	5/4/2010 10:58	58
Seattle, WA	5/4/2010 10:55	5/4/2010 11:51	56
Seattle, WA	5/4/2010 10:03	5/4/2010 11:53	110
Seattle, WA	5/4/2010 10:03	5/4/2010 11:53	110
Seattle, WA	5/4/2010 10:08	5/4/2010 11:53	105
Shageluk, AK	5/4/2010 10:54	5/4/2010 11:43	49
St. Michael, AK	5/4/2010 10:08	5/4/2010 11:53	105
Toksook Bay, AK	5/4/2010 9:57	5/4/2010 10:32	35
Vancouver, WA (Event Manager)	5/4/2010 9:34	5/4/2010 11:53	139
Washington, DC	5/4/2010 11:04	5/4/2010 11:53	49
Total Duration			5663

\*PST = Pacific standard time.

Source: EventBuilder, May 5, 2010.