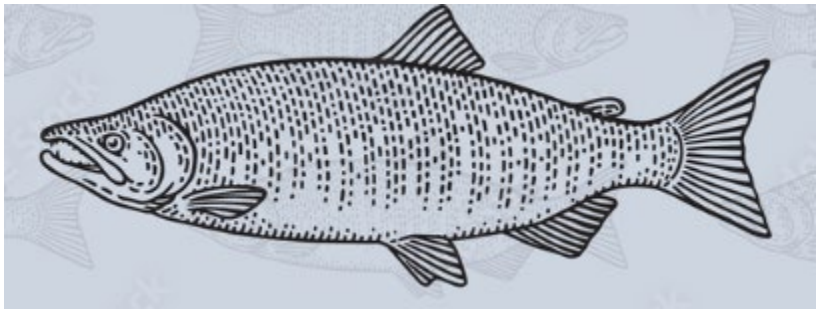
Comment Summary Report

for the

Draft Environmental Impact Statement

and

Regulatory Impact Review



on the

Proposed Amendment to the

Fishery Management Plan for Groundfish of the

Bering Sea/Aleutian Islands Management Area

Bering Sea Chum Salmon Bycatch Management

United States Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Alaska Region

January 2026

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Introduction

The North Pacific Fishery Management Council (Council) is currently considering this proposed action for recommendation to the National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS or NOAA Fisheries). NMFS and Council staff prepared a Draft Environmental Impact Statement (DEIS) to assess the environmental impacts associated with proposed alternative management measures for reducing chum salmon bycatch in the Bering Sea pollock fishery. The purpose of this proposed action is to minimize bycatch of Western Alaska origin chum salmon in the Bering Sea pollock fishery, consistent with the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and other applicable law. NMFS is the lead agency that worked with Council staff to prepare this DEIS in accordance with the National Environmental Policy Act (NEPA).

In February 2025, the Council reviewed a preliminary DEIS for this action. After extensive review and discussion, the Council recommended modifying the alternatives, additional analysis of those modified alternatives, and that NMFS release the DEIS for publication. Council and NMFS staff revised the DEIS based on the Council's recommendation. On September 12, 2025, NMFS released the DEIS for publication and a Notice of Availability was published in the **Federal Register** (90 FR 44189) announcing the availability of the revised DEIS and inviting public comment through January 5, 2026. NMFS and the Council posted the DEIS on their websites.[1]

NMFS received 616 individual submissions of comment. Comments were submitted by cooperating agencies, Tribes, Tribal coalitions, pollock industry associations, other commercial fishing participants or organizations, a community development quota group, local and national conservation organizations, members of the public, and the Environmental Protection Agency. NMFS Alaska Region staff compiled all incoming submissions of comment.

This report summarizes the public comments received during the comment period on the DEIS and informs NMFS, the Council, and the public of the issues that may be addressed as part of the Final EIS (FEIS). Once the Council takes final action on this issue and makes a recommendation to NMFS on a preferred alternative, NMFS will evaluate that recommendation and determine whether to take action. If NMFS takes action on this issue, an FEIS will be prepared. The FEIS will identify the preferred alternative, including the rationale for its selection, and will incorporate changes responsive to public comments and any other warranted changes. The Notice of Availability for the FEIS would publish in the **Federal Register** just prior to or at the same time as the proposed rulemaking for this action.

All comments and their attachments are available at https://www.regulations.gov/docket/NOAA-NMFS-2023-0089/comments.[2] *Please note that some comments submitted by members of the public contain offensive language or disturbing subject matter. These views and expressions do not reflect those of the agency and were posted without alteration to maintain a complete administrative record. Reader discretion is advised*.

[1] https://www.fisheries.noaa.gov/resource/document/draft-environmental-impact-statement-and-regulatory-impact-review-proposed

[2] Alternatively, visit www.regulations.gov and enter the docket number NOAA-NMFS-2023-0089 in the search bar.

This Comment Summary Report presents a summary of substantive comments for the Council to consider in its deliberation for final action on this issue. Comment submissions with substantive content pertinent to the DEIS are included. Substantive content includes assertions, suggested alternatives or actions, data, background information, or clarifications relating to the DEIS document or its preparation.

In preparing the FEIS, NMFS will consider the full content of the original comments, rather than the synopses presented in this report. NMFS will assess and consider comments on the DEIS and may provide responses along with the FEIS. The FEIS may describe any changes made to the DEIS as a result of those comments. Possible outcomes of this process can include the following:

1. Modification of alternatives including the proposed action.

2. Development and evaluation of alternatives not previously given serious consideration by the agency.

3. Supplementation, improvement, or modification of the analysis.

4. Factual corrections.

5. An explanation as to why the comments do not warrant further agency response.

Overview of the Purpose and Need and Alternatives

This section provides the purpose and need and alternatives from the DEIS for context in understanding the comment summaries in the following sections.

Purpose and Need

The Council recommended the following purpose and need statement.

> *Salmon are an important fishery resource throughout Alaska, and chum salmon that rear in the Bering Sea support subsistence, commercial, sport, and recreational fisheries throughout Western and Interior Alaska. Western and Interior Alaska salmon stocks are undergoing extreme crises and collapses, with long-running stock problems and consecutive years' failures to achieve escapement goals, U.S.-Canada fish passage treaty requirements, and subsistence harvest needs in the Yukon, Kuskokwim, and Norton Sound regions. These multi-salmon species declines have created adverse impacts to culture and food security and have resulted in reduced access to traditional foods and commercial salmon fisheries.*
>
> *The best available science suggests that ecosystem and climate changes are the leading causes of recent chum salmon run failures; however, non-Chinook (primarily chum) salmon are taken in the Eastern Bering Sea pollock trawl fishery which reduces the amount of salmon that return to Western and Interior Alaska rivers and subsistence fisheries. It is important to acknowledge and understand all sources of chum mortality and the cumulative impact of various fishing activities. In light of the critical importance of chum salmon to Western Alaska communities and ecosystems, the Council is considering additional measures to further minimize Western Alaskan chum salmon bycatch in the pollock fishery.*
>
> *The purpose of this proposed action is to develop actions to minimize bycatch of Western Alaska origin chum salmon in the Eastern Bering Sea pollock fishery consistent with the Magnuson-Stevens Act, National Standards, and other applicable law. Consistent, annual genetics stock composition information indicates that the majority of non-Chinook bycatch in the pollock fishery is of Russian/Asian hatchery origin; therefore, alternatives should structure non-Chinook bycatch management measures around improving performance in avoiding Western Alaska chum salmon specifically.*
>
> *The Council intends to consider establishing additional regulatory non-Chinook bycatch management measures that reduce Western Alaska chum salmon bycatch; provide additional opportunities for the pollock trawl fleet to improve performance in avoiding non-Chinook salmon while maintaining the priority of the objectives of the Amendment 91 and Amendment 110 Chinook salmon bycatch avoidance program; meet and balance the requirements of the Magnuson-Stevens Act, particularly to minimize salmon bycatch to the extent practicable under National Standard 9; include the best scientific information available including Local Knowledge and Traditional Knowledge as required by National Standard 2; take into account the importance of fishery resources to fishing communities including those that are dependent on Bering Sea pollock and subsistence salmon fisheries as required under National Standard 8; and to achieve optimum yield in the Bering Sea/Aleutian Island (BSAI) groundfish fisheries on a continuing basis, as required under National Standard 1.*

Alternatives

Alternative 2 and 3 are mutually exclusive, as is Alternative 3 and Option 3 of Alternative 5. All other alternatives and options are not mutually exclusive unless otherwise indicated.

Alternative 1: Status Quo

Alternatives 2 through 4 apply to the entire Bering Sea pollock B season, the season in which chum salmon are taken as bycatch (prohibited species catch or PSC).

Alternative 2: Overall bycatch (PSC) limit for chum salmon

Chum salmon PSC limit based on historical total bycatch numbers: range of 100,000 (~17,100 Western Alaska chum salmon) to 550,000 (~94,050 Western Alaska chum salmon). All non-Chinook salmon taken as bycatch during the B season would accrue to the limit, regardless of origin.

PSC limits are apportioned among Community Development Quota (CDQ), catcher processor, mothership and inshore sectors (using a blended adjusted CDQ bycatch rate as with amendment 91, with the exception of Option 4) based on: the following options. The suboption must be selected in combination with another option.

> **Option 1**: historical total bycatch by sector using the 3-year average (2020 – 2022)
>
> **Option 2**: historical total bycatch by sector using the 5-year average (2018 – 2022)
>
> **Option 3**: pro rata 25% AFA pollock allocation and 75% historical total bycatch (2020 – 2022)
>
> **Option 4**: pro rata based on AFA pollock allocation
>
> **Suboption**: For any of the four options above, also establish a CDQ chum salmon PSC reserve pool. The CDQ chum salmon reserve pool exists outside of the overall chum salmon PSC limit/corridor cap and may only be accessed by a CDQ group if a CDQ group informs NMFS in writing by November 15 of any year (i.e., prior to the annual groundfish specifications process) of a plan to associate their pollock CDQ with the inshore or mothership sector. Upon such notification, NMFS will apportion an amount of chum salmon PSC to the group(s) from the CDQ chum salmon PSC reserve pool that matches the chum: pollock proportion ratio apportioned to the sector with which it is associating (i.e., mothership or inshore). All CDQ pollock from a group must be associated with the same sector, and sector associations cannot be changed mid-season.

The sector limits are further apportioned at the CDQ group and inshore cooperative level in proportion to each CDQ group and inshore cooperative's pollock allocation. Chum salmon PSC can be transferred among sectors, CDQ groups, and inshore cooperatives. Reaching a limit closes the pollock fishery sector to which the limit applies.

Alternative 3: Overall bycatch (PSC) limit for chum salmon triggered by a Western Alaska chum salmon abundance index. Indices based on the prior year's chum salmon abundance. Options below are mutually exclusive. All non-Chinook salmon taken as bycatch during the B season would accrue to the limit (based on the range specified in Alternative 2), regardless of origin.

Option 1: Three-area chum salmon index based on Yukon River summer + Yukon River fall run abundance (suboptions: 1,713,300 or 2,781,400); Kuskokwim River composed of the Kuskokwim sonar (suboptions: 151,636 or 306,017); Norton Sound composed of summed escapement for the Snake, Nome, Eldorado, Kwiniuk, and North Rivers and total Norton Sound harvest (suboptions: 57,300 or 91,500).

If 3/3 areas are above index threshold, no chum salmon PSC limit the following year.

If 2/3 areas are above index threshold, chum salmon PSC limit the following year is (suboptions: 100,000 to 550,000).

If 1 or no areas are above index threshold, chum salmon PSC limit the following year is 75% of the above limit.

Option 2: Chum salmon index based on Yukon River summer (suboptions: 1,268,700 or 1,978,400) + Yukon River fall run abundance (suboptions: 444,600 or 803,000).

If 2/2 areas are above index threshold, no chum salmon PSC limit the following year.

If 1 or no areas are above index threshold, chum salmon PSC limit the following year is (suboptions: 100,000 to 550,000).

Apportionments and transfer provisions are the same as Alternative 2.

Alternative 4: Additional regulatory requirements for Incentive Plan Agreements (IPAs).

Include in the IPA regulations at 50 CFR 679.21(f)(12)(iii)(E) the following additive changes to further prioritize avoidance of areas and times of highest proportion of coastal Western Alaska and Upper/Middle Yukon chum salmon stocks. These requirements would be added to the existing Federal regulations for IPAs at 50 CFR 679.21(f)(12), and the annual reporting requirements at § 679.21(f)(13) would still apply.

1. Require the pollock sectors to describe in their IPA how genetic stock composition data are included in chum salmon avoidance measures.

2. Require the pollock sectors to describe in their IPAs how they monitor for potential chum salmon avoidance closures more than once per week.

3. Require the use of salmon excluders for the duration of A and B season.

4. Require the pollock sectors to develop chum salmon vessel outlier provisions and implement them within their IPA.

5. Require IPAs to provide weekly salmon bycatch reports to Western and Interior Alaska salmon users to allow for more transparency in reporting.

6. Require the pollock sector IPAs to prohibit fishing in bycatch avoidance areas for all vessels regardless of performance when Alaska Department of Fish & Game (ADFG) weekly stat area bycatch rates exceed 5 chum per ton of pollock (Catcher Processor sector) and 3 times the base rate (Catcher Vessel and Mothership sectors).

Alternative 5: Inseason Corridor Cap

PSC cap on total chum salmon in combined clusters 1 and 2 during June 10 to August 31. Cap range of 50,000 total chum salmon (~8,550 Western Alaska chum salmon) to 350,000 total chum salmon (~59,850 Western Alaska chum salmon). All non-Chinook salmon bycatch in clusters 1 and 2 accrues to the caps, regardless of origin. The caps for combined clusters 1 and 2 and closure time period are set in Federal regulations. Additional windows for salmon passage and other avoidance measures should be implemented inseason through the contractual IPAs using inseason fishery data and best available genetic data. Apportionments and transfer provisions are the same as Alternative 2 and based on historical bycatch within each cluster individually and then combined.

> **Option 1**: If the cap is met during the time period, NMFS closes all ADF&G statistical (stat) areas inside Cluster 1 and 2[3] to that sector(s) for the rest of the time period. The corridor area closure is set in Federal regulations.
>
> > Suboption 1: Reaching the cap triggers a corridor closure comprised of 29 ADF&G stat areas[4]
>
> **Option 2**: If the cap is met during the time period, the IPA's pre-approved corridor area closes to that sector(s) for the rest of the time period. The corridor closure must be described in the IPA and pre- approved by NMFS before the B season. The criteria for a corridor closure area are set in Federal regulation. The corridor closure must (1) be within combined Clusters 1 and 2, (2) be comprised of a range of 19 to 29 ADF&G stat areas (~50% - 75%), and (3) be selected based on chum catch, pollock catch per unit effort (CPUE), and relevant genetic data.
>
> **Option 3**: Abundance-based threshold. Mutually exclusive to Alternative 3.
>
> Chum salmon index based on Yukon River summer and Yukon River fall run reconstructions. If the prior year's chum salmon abundance for both the Yukon River summer and Yukon River fall run reconstructions are at or above the index values, the corridor cap and closure provisions would not apply.
>
> > **Suboption 1**: 75th percentile. Yukon River summer: 2,671,450; Yukon River fall: 1,150,758
> >
> > **Suboption 2**: 90th percentile. Yukon River summer: 3,871,700; Yukon River fall: 1,390,329
>
> **Option 4**: Adjust the Winter Herring Savings Area start date for the pollock fishery from September 1 to September 30.

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

[3] Cluster 1 and 2 refer to the following 40 ADF&G statistical areas: 685730, 685700, 685630, 685600, 685530, 685500, 675700, 675630, 675600, 675530, 675500, 675430, 665630, 665600, 665530, 665500, 655430, 665401, 655630, 655600, 655530, 655500, 655430, 655409, 655410, 655412, 645700, 645630, 645600, 645530, 645501, 645434, 635700, 635630, 635600, 635530, 635504, 625630, 625600, and 625531.

[4] The corridor closure would apply to the following 29 statistical areas: 685730, 685600, 685530, 685500, 675600, 675530, 675500, 675430, 665630, 665600, 665530, 665500, 655630, 655600, 655530, 655500, 645700, 645630, 645600, 645530, 645501, 635700, 635630, 635600, 635530, 635504, 625630, 625600, and 625531.

Public Comment Summaries by Topic

For this report, substantive comments are summarized and categorized by topic. In many cases where comments from more than one commenter addressed the same concern, similar comments were combined and/or summarized in a representative comment that most fully articulates the concern expressed by multiple commenters. Therefore, the number of unique comments under each section in this report does not reflect the number of individual comments on any particular topic or subtopic. Comments with a distinct perspective have generally been summarized in part or whole or are partially extracted from the full comment and may include specific details to convey the context of the point being made.

Further, some individual comments address more than one interrelated topic in such a way that the comment is not easily separated into the topic framework of this report. For example, a single comment may reference the interconnected topics of impacts of chum salmon declines on Tribal communities and the impacts of status quo or Alternative 1 in the DEIS. Depending on the context, the comment could have been included in either topic's section, however, such comments were generally included in only one topic section. This approach is meant to reduce duplication and is not intended to minimize the importance of other topics within a particular comment.

During the process of identifying substantive content for this report, all comments are treated equally. The emphasis is on the content of the comments. Comments are not weighted by organizational affiliation or other status of commenters. No effort has been made to tabulate the number of comments for or against a specific aspect of the DEIS.

NMFS staff reviewed all comments and prepared and organized these summaries. Due to the limited time available between close of comments on January 5, 2026, and the deadline for posting materials for the February 2026 Council meeting, some comments may be incompletely summarized.

Topic 1: Purpose and Need

- PSC limits under Alternatives 2, 3, and 5 do not satisfy the purpose and need because of the uncertainty around producing more than minimal benefits to chum salmon from Western Alaska river systems (WAK chum salmon). PSC limits will do more to protect Russian and Asian hatchery stocks than WAK chum salmon. They are also uncertain due to the inherent inter-annual variability of stock distributions.
- Based on the uncertainty and potential negative effects to Chinook salmon bycatch, PSC limits under Alternatives 2, 3, and 5 do not satisfy the prioritization of the objectives of Amendments 91 and 110 in the purpose and need.
- By adding additional potential bycatch to PSC limits, the CDQ reserve pool is contrary to the action's purpose and need statement.
- The stated purpose - "to develop actions to minimize bycatch of western Alaska origin chum salmon in the Eastern Bering Sea pollock fishery consistent with the Magnuson-Stevens Act, National Standards, and other applicable law" - is too narrow and fails to capture the measures necessary to curtail the pollock fishery's impact on bycaught species important to Alaska communities and the North Pacific marine and terrestrial ecosystem.

Topic 2: Alternatives

2.a. Alternative 1 - status quo

Comments on Alternative 1 included information from the DEIS and other sources to contextualize the impact of pollock fishery bycatch on WAK chum salmon stocks.

- The DEIS confirms that the pollock fishery is responsible for only a tiny fraction of salmon mortality resulting from the region's fisheries. From 2011 to 2022, on average, adult equivalent chum salmon (AEQ) removals of Coastal Western Alaska ("CWAK") chum salmon attributed to the Bering Sea pollock fishery was just ~1.75%, while State commercial harvests accounted for 89.44%, and subsistence harvests 8.81%.
- In 2022, commercial harvests totaled 810,346 fish, subsistence harvests were 90,453 fish, Area M fisheries accounted for 103,798 CWAK chum and the Bering Sea pollock fishery accounted for 50,885 AEQ CWAK chum. In other words, the associated CWAK chum mortality of the State managed Area M salmon fisheries was double that of the pollock fishery.

A comment included support for Alternative 1, including for the following reasons:

- IPAs stand as proven, performance-based salmon bycatch avoidance programs. Each catcher vessel sector has a federally approved legal contract in the form of an IPA that governs salmon bycatch avoidance measures for its vessels. These measures include real-time data sharing, dynamic area closures, vessel-level accountability, bycatch avoidance incentives, and independent third-party monitoring to minimize bycatch of Chinook and chum salmon. Both the inshore and mothership fleets' fishing activity is monitored regularly and if salmon bycatch exceeds certain thresholds, the weekly Rolling Hot Spot system restricts vessels from sensitive areas until performance improves. A recent update to include the in-season weekly genetic data of chum bycatch has improved prioritization of WAK chum salmon avoidance in the Inshore IPA. The catcher vessel IPAs are dynamic, cooperative, and data-driven management tools and have achieved measurable results outperforming rigid hard caps, as proposed in multiple alternatives.

Many commenters opposed Alternative 1, including for the following reason:

- Recent years of bycatch (e.g., 2020 and 2021) exceeded the fish caught by directed salmon fishers, subsistence harvesters, and sport fishing combined. Only in recent years when under public scrutiny and pressure, has the trawl fleet reduced its bycatch.

Many commenters echoed concerns of Alaska Native communities in Western and Interior Alaska (see Section 4.a) about the salmon declines and indicated that the declines were, at least in part, caused by pollock fishery bycatch. Many also noted that chum salmon runs are integral to the ecosystem and failure to allow them to recover will have catastrophic impacts.

2.b. Alternative 2 - chum salmon PSC limits

No commenters expressed support for Alternative 2 as a stand-alone alternative. The following comments address the alternative and its potential impacts.

- Benefits to WAK chum salmon are uncertain and speculative. The magnitude of the bycatch reductions that could be expected under each alternative are uncertain and speculative, but would largely manifest as negligible improvements of abundance, rather than increased subsistence or commercial fishing opportunities.

- PSC limits that result in early season closures will impair the CDQ Program. Disruption to the pollock fishery could result under Alternative 2 and the magnitude being considered in the estimates of foregone pollock undermines not only economic stability but the very tools intended to advance equity and local development through the CDQ Program.

- Impacts of early season closures would ripple throughout the economy. The retrospective analysis of impacts of Alternative 2 PSC limits on the inshore sector shows that, in the most impacted year, this sector would have had to forgo large percentages of B season revenue. Lost revenue due to early season closures represent real losses: jobs disappearing, processing lines shutting down, and substantial hardship for coastal economies, with profound consequences across Alaska, the west coast and even nationally. They could impact support services and vendors, transportation, and shipping sectors in Alaska. Less pollock shipping could affect shipping traffic through Dutch and Akutan and would jeopardize global food security.

- Potential foregone revenue under Alternative 2, 100,000 PSC limit. The DEIS (Table 1-6) shows estimates of between 266,531 and 272,620 metric tons of pollock will remain unharvested at the highest AEQ WAK chum salmon savings. The resulting first wholesale revenue cost is estimated at over $320 million.

- Impacts to global markets. Existing Alaska pollock markets will be lost to Russian competitors or other whitefish producers in less regulated fisheries.

- PSC limits should be lower during periods of lower abundance. Most PSC limit alternatives permit similar PSC during strong and weak salmon years unless optional triggers are activated, even though the DEIS shows that bycatch impacts are most severe during periods of low abundance.

- PSC limits are too high. The PSC limits being considered in Alternative 2 would need to be below the long-term average to be effective and meet the purpose and need. All of the chum salmon PSC limits, other than 100,000, are too high.

- Alternative 2 PSC limit acts as a backstop. An overall limit on chum salmon bycatch is a critical component of chum salmon bycatch measures. A cap is an essential tool that creates industry incentives to reduce bycatch and serves as a key backstop that ensures there is a meaningful limit on Bering Sea-wide chum salmon bycatch. It also acts as a backstop to protect WAK chum salmon outside of the Alternative 5 inseason corridor. If the true intention of this action is to reduce WAK chum salmon across the Bering Sea pollock trawl fishery throughout the B season (June 10 to November 1), a backstop cap across the entire Bering Sea is necessary.

- Alternative 2 PSC limit protects WAK chum salmon. An overall cap is also an important tool in protecting Western Alaska chum salmon. On average, Western Alaska chum salmon represents 18.6% of bycatch in the Bering Sea pollock fishery. However, this number is variable: in 2015 and again in 2022, roughly one in four chum salmon caught were from Western Alaska. Western

Alaska chum salmon represents a significant portion of the overall bycatch in many years, particularly given the depressed state of many chum salmon runs, and thus an overall limit will be an important tool for reducing bycatch of Western Alaska salmon across the Bering Sea.

2.b.i. Alternative 2 - apportionment options

No comments were received that expressed a preference among the apportionment options.

2.b.ii. Alternative 2 - CDQ reserve pool

No comments expressly supported including the CDQ reserve pool. Comments that opposed the CDQ reserve pool included the following reasons:

- By permitting exceedances through reserve mechanisms, the CDQ reserve pool suboption compromises the cap's function as a true conservation backstop and increases the risk that bycatch levels will remain inconsistent with the recovery needs of subsistence-dependent Western Alaska and Yukon River communities. Every salmon counts to restore abundant stocks, and even a relatively small buffer of additional PSC risks stock recovery. As noted in the DEIS, it is unlikely to be used.

2.c. Alternative 3 - abundance-based chum salmon PSC limit

Although at least one comment implied support for abundance-based PSC limits, none included express support for Alternative 3, either as a stand-alone alternative, or in combination with other alternatives.

Several comments rejected Alternative 3 as a viable alternative, including for the following reasons.

- Reliance on abundance-based limits alone is insufficiently precautionary. While PSC limits tied to the previous year's three-area abundance index could offer a precautionary, conservation-based approach, reliance on abundance-based limits alone, without a fixed annual cap, fails to address key uncertainties, especially given the lack of reliable run reconstructions available for many of Western Alaska's largest chum salmon systems.
- PSC limits lag behind low abundance estimates. Abundance-based management approaches rely on retrospective indicators such as run reconstructions, sonar data, and post-season escapement estimates, all of which the DEIS identifies as subject to uncertainty, variability, and timing lags (DEIS §§2.5.1–2.5.3, 3.3.4.3.1). As a result, these approaches create a structural mismatch between chum salmon status and bycatch management. These approaches therefore delay protective measures until after harm has already occurred, rather than preventing impacts during periods of peak vulnerability.
- PSC limits may not apply during periods of subsistence shortfalls. Abundance-based management may allow uncapped or elevated industrial bycatch in years deemed "high abundance," despite continued subsistence shortfalls and ongoing conservation concerns.
- Abundance thresholds inadequately reflect historical abundance and recent declines. The 25th or 50th percentiles of historical abundance are inappropriate, as these run sizes, similar to those recently experienced by the Yukon, Kuskokwim, and Norton Sound river systems, are widely recognized as crisis-level low, and have triggered closures and reductions for in-river harvest.

The use of such low abundance thresholds at a level to trigger a limit or reduction of chum salmon bycatch by the pollock fleet is not adequate to meet the DEIS Purpose and Need.

Five out of the seven limits analyzed under Alternative 3 are above or approximately at the historical bycatch level of chum salmon by the pollock fishery, and are therefore not action alternatives, but rather, different iterations of Alternative 1, the no action alternative.

2.d. Alternative 4 - Incentive Plan Agreement (IPA) provisions

Many comments supported including Alternative 4 in the preferred alternative, if combined with Alternatives 2 and 5. Some comments, including from fishery organizations, supported Alternative 4 as a standalone alternative. This is for the following reasons:

- IPA modifications in 2022 contributed to recent reductions in chum salmon bycatch. The use of recent or real-time genetic information to inform rolling hot spot closures is the most effective and common-sense approach to reducing bycatch impacts on Western Alaska chum salmon stocks. The analysis notes that, because the six provisions under consideration in Alternative 4 have become standard industry practices since 2022, they are unlikely to incur additional costs to the industry (see DEIS Section 4.3.4, "Alternative 4," page 357). Moreover, these practices may have helped reduce chum salmon bycatch since the 2021 second-all-time-high chum salmon bycatch. Alternative 4 includes a provision to specifically reduce WAK salmon, aligning it with the Purpose and Need.

Many comments opposed Alternative 4 as a standalone option, including for the following reasons.

- The IPA system with no PSC cap or area and time closures to protect chum salmon is not adequate to protect and aid in the recovery of WAK chum salmon. In 2016, the Council and NMFS integrated a chum salmon avoidance program within the trawl fleet's IPAs under Amendment 110, however this integration has not resulted in reduced bycatch. Rather, bycatch of chum salmon by the pollock fishery from 2016 to 2022 was well over the ten-year average and included some of the highest bycatch years since 2006.
- The six provisions proposed to be made regulatory under Alternative 4 have been tools in the industry's toolbox for over 15 years, since the adoption of Amendment 91 in 2011. Yet, instead of employing these tools to minimize chum salmon bycatch, as required under National Standard 9, industry let them gather dust while chum salmon bycatch steadily increased from 2012 to 2021.

Comments included the following proposed changes to the Alternative 4 provisions:

- Under Provision 5, it is unclear how weekly bycatch reporting will be made available and more transparent to Western and Interior Alaska salmon users—and who determines the terms for "transparent" and "accessible" reporting (see DEIS page 211).

  The federally recognized Tribes served by Tanana Chiefs Conference (TCC) should be explicitly included among the Western and Interior Alaska salmon users receiving the weekly salmon bycatch report. Given TCC's role as a cooperating agency on the DEIS and its responsibility to communicate fisheries information to subsistence-dependent communities, TCC requests the opportunity to assist NOAA Fisheries and the IPAs in shaping the format, content, and

accessibility of these weekly reports to ensure they are meaningful, timely, and usable for Tribal governments and Tribal citizens.

- Provision 6 outlines the use of chum bycatch/pollock catch rates to determine avoidance areas––but using rates, rather than whole numbers, does not adequately capture the areas needed to best protect chum salmon.

2.e. Alternative 5 - chum salmon PSC limit and temporary corridor closure area

No comments supported Alternative 5, any option, as a standalone alternative. Many requested that it be combined with other alternatives. The following are overarching concerns about Alternative 5:

- Vessel-level impacts for catcher processor vessels under some of the lower Alternative 5 corridor PSC limits would be highly constraining and significantly limit fishing opportunities within the inseason corridor area. The Fleet Movement Model and associated vessel-level allocation schedules do not accurately account for changes in fleet behavior, and disproportionate vessel-level risk.
- The DEIS documents clear tradeoffs among salmon species, herring, and pollock, particularly when fishing effort is displaced in time or space. Measures that shift effort into later seasons or different areas may increase Chinook salmon or herring bycatch, further complicating conservation outcomes. These tradeoffs must be explicitly weighed in any final action.
- If vessels perceive a risk of area closures due to reaching a PSC limit, this alone is expected to reduce efficiency and increase operational costs. Processors may also conduct their own risk assessments, potentially heightening the level of perceived risk. These heightened concerns can lead to preemptive changes in fishing behavior, such as shifting fishing grounds, reduced catch rates, and less efficient harvest strategies, all of which diminish overall efficiency and yield. These costs compound across the supply chain, from vessel operations to at-sea and shore-based production, and ripple into local economies.

2.e.i. Option 1

Many comments supported including Alternative 5, Option 1 (50,000 PSC) with Alternative 2 (100,000 PSC), including for the following reasons:

- The 40 stat areas under Option 1 and included in genetic clusters 1 and 2 are where WAK chum salmon bycatch is most concentrated. This option includes the largest area for an inseason corridor, representing a precautionary, conservation-based approach. Between 2011 and 2023, approximately 78% (473,567 chum salmon) of the cumulative B season WAK chum salmon bycatch of 610,932 WAK chum salmon occurred in Option 1 stat areas (Table Ad-3). Of the 40 stat areas, 10 have the most annual WAK chum salmon bycatch on average (and in order of most to least) during the corridor period (June 10 to August 31) are 655430, 675500, 645501, 655500, 685530, 665500, 675530, 665430, 665530, and 665600 (DEIS Tables A-1 and A-2). Between 2011 and 2023, 380,441 WAK chum salmon were cumulatively removed as bycatch in those 10 stat areas alone, or 83% of the cumulative WAK chum salmon bycatch between June 10 and August 31 in the Option 1 corridor.

- A spatial conservation area or corridor for WAK chum salmon should be broad enough to allow for some interannual variation in chum salmon migration timing and intensity.
- Long-term Chinook salmon bycatch is high in stat areas 655409, 655410, and 655430 (all of which are included in Option 1).

Some comments opposed Option 1 for the following reasons:

- Chinook salmon PSC would increase if, in response to the application of an Option 1 PSC limit and closure area, pollock fishing effort is shifted to September and October (most likely under Alt 5, Option 1). The DEIS states that herring PSC could similarly increase.
- When considering Alternative 5, Option 1, even under the highest corridor PSC limit and least adverse apportionment scheme, nearly $15 million in catcher processor sector revenue is projected to be at risk for an uncertain and speculative benefit to WAK chum salmon.

2.e.ii. Suboption 1

A comment supporting adoption of Suboption 1 and 2 provided the following reasoning.

- Haul-specific genetic sampling has indicated that WAK chum salmon are likely distributed similarly to the broader spatio-temporal patterns observed, which generally indicates that WAK chum salmon are more prevalent east of 168 degrees West longitude and earlier in the B season.

A comment opposing Suboptions 1 and 2 provided the following reasoning.

- In contrast to Option 1, stat areas 655430 and 665430 would be exempt from the closure under Suboption 1, and potentially Option 2, despite having historically high overall WAK chum salmon bycatch relative to other stat areas in the corridor area.

2.e.iii. Option 2

A comment supporting Option 2 provided the same reasoning as above for Suboption 1.

Comments opposing Option 2 provided the following reasons.

- The pollock industry would choose 19 to 29 of the 40 stat areas, and could fluctuate those areas year-to-year. The pollock industry may not be inclined to make its selection based on what would best protect WAK chum salmon if doing so would affect profits. Allowing industry to select closure areas risks excluding known high-bycatch areas, undermines transparency, and reduces predictability for subsistence-dependent communities.
- For industry to choose the inseason corridor stat areas preseason would require relying on “imperfect information” (DEIS, page 230).
- There is no weighting system to determine which source of data—chum salmon PSC, pollock CPUE, or genetics data—would be the primary motivator.

- It is critical to look at numbers of chum salmon bycatch by stat area, and not rates, to decipher which stat areas are critical for WAK chum salmon passage because some areas with high bycatch have low rates due to high volume of pollock harvest.

2.e.iv. Option 3

A comment expressed support for Option 3 without explanation.

A comment opposing Option 3 provided the following reasons:

- Linking an inseason corridor cap to Yukon River chum salmon abundance is reactive, rather than proactive; it excludes Kuskokwim stock status; and it would mean this critical inseason corridor could be "turned off" in some years.

2.e.v. Option 4

A comment expressed support for Option 4 without explanation.

A comment opposing Option 4 provided the following reasons:

- The pollock industry continually pits PSC, like chum salmon, Chinook salmon, and herring against one another, spending critical resources and decision-maker time weighing the value of these species when, instead, they could be seeking innovative fishing techniques to avoid all of them.

2.f. Combined preferred alternatives

A comment was submitted that supported a preferred alternative that included all provisions under Alternative 4, and Alternative 5, either Suboption 1 or Option 2, with a higher PSC limit, to reduce WAK chum salmon bycatch.

Many commenters request that the Council adopt a preferred alternative that includes Alternative 2, 100,000 PSC limit, Alternative 4 (all provisions), and Alternative 5, Option 1 (50,000 PSC limit). Their reasons include:

- The only action alternative option analyzed by the DEIS that could fulfill the purpose and need is the lowest cap of 100,000 chum salmon under Alternative 2 in combination with Alternative 5 Option 1, at a 50,000 chum salmon cap within the corridor area. While a closure would be imposed if a sector of the fishery reaches its cap within the corridor area, that closure would only apply to the corridor area, only to that sector, and only until September 1. This alone does not limit the number of chum salmon or WAK chum salmon caught by the pollock fishery.

  Combining the largest possible WAK chum salmon corridor under Alternative 5 with an annual, Bering Sea-wide cap under Alternative 2 ensures all pollock trawl vessels are incentivized to keep their chum salmon bycatch low and promotes lower impacts on WAK chum salmon that swim outside of the corridor area. Moreover, it is responsive to years of Tribal requests to implement a low chum salmon cap on Bering Sea pollock trawl fisheries.

- Without an overall cap on all sectors for the entirety of the B season, there may not be any reduction in chum salmon bycatch of Western Alaska origin or elsewhere. Therefore, if any Alternative 5 option is selected without Alternative 2 at 100,000 chum salmon, it is an iteration

of no action, as there is no actual reduction or limit on chum salmon bycatch by the pollock fishery.

- Adopting Alternative 4 (in combination with Alternatives 2 and 5, Option 1) is responsive to Tribal calls for increased transparency in, and Federal oversight of, this fishery.

Topic 3: Methodology

- Conservation thresholds during collapse conditions. The DEIS does not set a binding conservation threshold linked to minimum escapement or acceptable impact levels for Western Alaska chum salmon, nor does it establish a maximum impact rate or other enforceable safeguards during collapse conditions, despite clear evidence of repeated stock failures.
- Economic impacts of chum salmon declines. Economic impacts on the pollock fishery are analyzed thoroughly. At the same time, subsistence losses and food replacement costs are not evaluated with the same rigor, creating an imbalance in how tradeoffs are presented.
- Statistical area bycatch data. Bycatch numbers for chum salmon and Chinook salmon are needed for each statistical area during the B season to properly evaluate Alternative 5.
- Climate change.
    - Climate change and ecosystem shifts are acknowledged but are generally treated as contextual trends rather than as factors that warrant more conservative bycatch management, despite their importance as environmental baselines and risk multipliers under National Standards 1 and 2.
    - The DEIS should more explicitly address how the combined pressures of climate and bycatch-related impacts may shift productivity baselines for chum salmon in the Bering Sea. The DEIS summarily addresses the direct and indirect effects of shifting climate patterns to Western Alaska chum salmon abundance and productivity (p. 140, DEIS); however, the broader alternative analyses fail to adequately consider known climate-vulnerabilities for chum salmon when evaluating risks and tradeoffs.
- Shifting baselines. In many instances, the DEIS opts to use shorter time frames in their analyses, especially when considering historical bycatch levels and caps. Identifying effective caps and triggers in management is challenging; and utilizing more robust, long-term data consistently will help managers avoid the pitfalls associated with shifting baselines, when biological or management targets are adjusted based on time frames that are too short.
- Long-term impacts. The DEIS fails to identify the long-term benefits of significantly reducing chum salmon bycatch by the pollock fleet, and the adverse impacts of not reducing said bycatch.
- Domestic and international food security benefits. While the Bering Sea pollock fishery benefits Alaska in many ways, serving as a backbone of the state's seafood economy, sustaining employment across multiple sectors, and providing reliable economic activity in regions with few alternatives, it is first and foremost a federally managed fishery under the Department of Commerce and must be overseen with national food security, economic sustainability, and global leadership in mind. It is the largest commercial fishery in the United States, certified

sustainable, and a key pillar of global food security, supplying about 40% of the world's white fish product.

- Retrospective analyses of economic impacts. The fleet has demonstrated the ability to move and attain their quota while reducing chum bycatch in recent years, which negates many of the arguments that a chum salmon PSC cap would limit operational sustainability for the fleet. Estimates of foregone pollock and revenue associated with a chum PSC limit in this analysis are at best a maximum estimate for review and at worst an exaggeration of potential impacts to the pollock fleet, thus casting an inaccurate picture of costs and benefits in the analysis. The final EIS should reduce its reliance on these retrospective analyses due to the high uncertainty in predicting the pollock sector's actions.
- AEQ chum salmon bycatch estimates.
    - Considering the high degree of uncertainty around AEQ estimates and associated impact rate calculations, they should not be used to drive decisions in this action, and their inclusion is questionable.
    - An AEQ estimate approach (that informs an impact rate) is inconsistent with the concept of gravel-to-gravel management. The estimation of AEQ to a given salmon stock only covers the marine juvenile phase to returning spawning adults. The fittest returning chum salmon can release 2,400-3,100 eggs on average. These returning adults could have generated thousands of eggs, fry and smolt that would contribute to a stock's long-term sustainability. Terminating an AEQ or impact rate estimate at returning adults limits the analysis scope and does not consider the entire salmon life history. Every egg is important when every salmon counts, and the AEQ therefore significantly underestimates the impacts of bycatch on chum salmon returns.
- Importance of genetic diversity. The DEIS fails to consider the impacts of bycatch on genetic diversity, and thus chum salmon recovery.
- Traditional and Indigenous Knowledge. The analysis does not consider Traditional and Indigenous Knowledge on equal footing with the quantitative analyses presented. The structure of the DEIS prioritizes Western science and does not provide the opportunity for Indigenous Knowledge to be considered on its own or to co-exist on equal ground.

Topic 4: Tribal issues

This section includes many of the comments submitted by Tribes, Tribal organizations, and Regional Advisory Councils to the Federal Subsistence Board. Some Tribal comments have been included under other topics (e.g., National Standards).

4.a. Impacts of chum salmon declines

Many representatives of Alaska Native Tribes expressed the importance of chum salmon and concerns about the impacts of chum salmon declines on their communities, including as follows:

- Chum salmon are vitally important for Kuskokwim River people and ecosystems. They nourish families' physical and mental well-being, providing necessary nutrients and calories to survive

the harsh environment in our region. They feed dog teams used for transportation, work, and recreation. They sustain cultural traditions and heritage, including languages and the art of filleting fish. They fortify the regional mixed subsistence-cash economy. They carry marine-derived nutrients to the ecosystem, proliferating the regional biodiversity of plants and animals that our subsistence-dependent communities rely on.

- Chum salmon are vitally important to the Tribe's way of life, but their abundance in the Kuskokwim River has plummeted to all-time lows, causing direct and disproportionate impacts on the community's food security and cultural continuity.
- Communities in Alaska are currently facing repeated closures of subsistence harvests, king salmon, and crab fisheries, which impacts their income, culture, and nutrition, and are frustrated by declining fish stocks and a regulatory system perceived as disconnected from ecological and economic realities. The Alaskan people are shouldering the primary negative consequences of these regulatory decisions. Fishing is a critical issue in Alaska, with over 60% of residents holding a fishing license, the highest per capita rate in the U.S. Multiple species are collapsing while industrial trawl fleets operate with minimal changes and regulators request more "study" instead of action. Despite over 70% of Alaskans demanding strong bycatch reforms and action against destructive trawl practices, accountability remains limited.
- Chum salmon are vital to Alaska Native subsistence, culture, and well-being, and bycatch in the Bering Sea pollock fishery contributes to pressures that result in harvest restrictions and deep cultural and economic consequences for Tribal communities. We urge NOAA to fully weigh these human dimensions and not treat chum salmon as merely one of many ecosystem components.
- The Tribe is strongly opposed to the vast numbers of Western Alaska chum salmon caught as bycatch by the Bering Sea pollock trawl fishery, noting that over 615,000 fish have been removed since 2011. The continued high, unrestricted bycatch levels exacerbate existing environmental justice burdens on Tribal and rural subsistence communities.
- For far too long the burden of conservation of these dwindling stocks have been borne by the in-river fishermen; the fishermen/women, communities, and families who rely on these returning salmon stocks for their nutritional, cultural, and economic needs and requirements.
- Chum salmon are vitally important for the Tribe’s way of life, including achieving food security, preserving our cultural heritage and traditions, supporting our local economy, and sustaining the ecosystem we depend on. However, chum salmon abundance in the Kuskokwim River has plummeted to all-time lows in recent years. These declines have direct and disproportionate impacts to our community, including to food security, public health, cultural continuity, and intergenerational knowledge transmission, as well as to the ecosystem that we depend on.
- Salmon collapse is causing a loss of Indigenous culture, traditional diets, and adverse effects on the physical, emotional, and spiritual health of Alaska Native communities, which already face environmental threats like permafrost thaw.

4.b. Impacts of status quo

- Different consequences for wasting salmon. In-river fishermen get fined if they throw a salmon overboard by ADF&G, Alaska's Wildlife Troopers or even Federal wildlife officers for illegal wanton waste and have their boat/motor and gear confiscated. But the trawl industry is allowed to commit their legal wanton waste and still keep their boats and gear.

  The continued, unrestricted removal of Western Alaska chum salmon as bycatch exacerbates existing environmental justice burdens on Tribal and rural subsistence communities already subject to severe fishing restrictions.

- Ecosystem impacts. Removing a large quantity of pollock (a forage fish) from the BSAI and Gulf of Alaska groundfish fisheries is disrupting the complex biological ecosystem, leading to documented declines in other populations and stocks in the food chain.

- Bycatch amounts relative to subsistence harvest amounts. Bycatch is managed primarily through voluntary incentive programs and avoidance measures rather than firm caps. This allows industrial interception of salmon at volumes that exceed what many Tribal citizens are permitted to harvest for subsistence. Every salmon taken as bycatch is a salmon unavailable for subsistence use, cultural practice, and community food systems. These impacts are well-documented, not speculative, and supported by decades of observer and genetic data.

  The pollock trawl fishery is responsible for 99% of the annual Bering Sea chum salmon bycatch, and since 2011, they have removed at least 615,000 Western Alaska chum salmon from the ocean. That means over half a million fish that may have returned to rivers to spawn, feed our families, or provide commercial fishing income to support our communities were instead wasted.

- Cumulative and cascading effects. Chum salmon bycatch cannot be evaluated in isolation from other stressors affecting salmon abundance, as they are an integral part of the freshwater and marine ecosystems in Alaska. As chum salmon return to their natal rivers and streams, they bring nutrients (i.e. phosphorus, nitrogen, etc.) that helps promote primary production within freshwater systems, creating the foundation of the food web. Chum salmon in the Bering Sea are considered an important food source for large predators, including marine mammals. As fewer chum salmon are available to these predators, changes in diet composition and occurrence of these animals will disrupt the way of life for the people of this region. Along interior rivers, chum salmon support the population growth of finfish species that remote communities utilize as alternative food sources. The continuation of excessive trawl bycatch compounds existing pressures and exacerbates subsistence restrictions borne by Alaska Native people and our most rural and vulnerable communities.

4.c. Preferred alternative

Most Tribes, Tribal coalitions, and Regional Advisory Councils requested the following preferred alternative:

- Alternative 2 (100,000 chum salmon PSC limit) + Alternative 4 (in its entirety) + Alternative 5, Option 1 (50,000 chum salmon PSC limit).

The reasons given for this preferred alternative are included above in Section 2.f. (Combined Preferred Alternatives).

One Southeast Alaska Tribe asked for the following:

- a binding chum salmon bycatch limit calibrated to biological reference points protective of Tribal harvest needs;
- area or seasonal triggers/closures when chum salmon abundance is below sustainable thresholds;
- mandatory and enforceable avoidance technologies and protocols; and
- provisions that minimize the potential for bycatch tradeoffs with other culturally important species (e.g., Chinook salmon, herring).

4.d. Other recommendations

- Ongoing Tribal consultation. NOAA must ensure that consultation continues in a meaningful, early, and iterative manner as the DEIS moves toward a final record of decision and implementation.

- Subsistence priority under the Alaska Native Claims Settlement Act (ANILCA). ANILCA Title VIII establishes a clear federal priority for subsistence uses by rural Alaska residents, including Alaska Native communities. NMFS must ensure that actions analyzed and ultimately adopted under this DEIS do not result in:

    1) a reduction in subsistence opportunity;

    2) increased competition with subsistence users; or

    3) further restrictions or closures of subsistence salmon fisheries without exhausting alternatives that would reduce impacts elsewhere.

  Although the pollock fishery occurs offshore, chum salmon bycatch directly affects river abundance and triggers subsistence restrictions upstream. These effects must be treated as reasonably foreseeable impacts under ANILCA and NEPA.

  ANILCA requires that subsistence uses of fish and wildlife receive priority over other consumptive uses when resources are limited. Despite this mandate, current management of the Bering Sea pollock trawl fishery continues to allow substantial chum salmon bycatch even as subsistence, ceremonial, and community harvest opportunities are restricted or eliminated in many Alaska Native regions. This outcome disproportionately shifts the conservation burden onto Tribal communities and is inconsistent with ANILCA's subsistence priority, the Council's mission, and the Federal trust responsibility owed to Alaska Native Tribes.

- Monitoring and enforcement. Robust monitoring and enforcement, including 100% observer coverage and electronic monitoring, must accompany implementation. Effective implementation and proposed alternatives under the DEIS must be informed by credible data and consistent enforcement—both of which may require additional funding and capacity to produce the best available science for decision-making. Salmon bycatch data must be transparent and disaggregated to inform stock-specific management and allow Tribes and

Alaskans to understand how bycatch affects runs important to their communities. Adaptive management frameworks should be co-developed with Tribal government partners, and provisions should be made to revisit management measures if new science or Indigenous Knowledge suggests adjustments are needed.

Ensure robust monitoring, transparency, and enforcement with adequate staff, capacity and funding to implement tribal, state, and Federal science and research activities.

- Additional analysis. Analysis in DEIS needs to focus on: 1) the abundance trends of chum salmon stocks important to Tribal subsistence fisheries and the degree to which bycatch contributes to those trends; 2) cumulative impacts of bycatch in combination with climate-driven changes in ocean conditions, freshwater habitat degradation, and other fisheries pressures; and 3) subsistence impact pathways, including reductions in allowable harvest levels and downstream effects on food security, cultural practices, and Tribal economies. Furthermore, impacts on Tribal communities in Southeast Alaska, whose salmon runs may be genetically and ecologically linked to broader North Pacific and Bering Sea stocks, must be explicitly considered and quantified where feasible rather than generalized.

Topic 5: National Standards

For context in understanding the following comment summaries, see the full text of the National Standards at https://www.ecfr.gov/current/title-50/chapter-VI/part-600/subpart-D?toc=1.

5.a. General

- Management approaches which impose large and certain economic costs in exchange for minimal and uncertain biological gains do not represent a practicable or effective response to the subsistence salmon crisis. Such outcomes risk undermining National Standards 1, 8, and 9 of the Magnuson-Stevens Act by reducing optimum yield, destabilizing fishing-dependent communities, and failing to achieve meaningful bycatch reduction benefits.
- The MSA requires NMFS and the Council to meet all ten National Standards in management of Federal fisheries.
- Placing excessive restrictions on the BS pollock industry could deal a serious blow to domestic fishery production, but also jeopardize global food security.

5.b. National Standard 1 - optimum yield

- National Standard 1 – Prevent Overfishing and Achieve Optimum Yield (OY) Management – measures must prevent overfishing while achieving optimum yield, which explicitly includes consideration of social, cultural, and ecological factors, not solely economic yield (16 U.S.C. § 1802(33)). Chum salmon bycatch that contributes to depressed stock conditions undermines OY for subsistence-dependent Tribal communities and must be addressed through enforceable limits.
- The DEIS clearly indicates that none of the action alternatives are expected to jeopardize the attainment of the National Standards, including National Standard 1, to achieve the OY of the

Bering Sea groundfish fisheries, of which the B season pollock total allowable catch (TAC) is a part.

- The analysts conclude in DEIS Section 6.1 that the action alternatives under consideration are not expected to interfere with the achievement of OY on a continuing basis simply because the alternatives are not expected to reduce overall groundfish harvests in the Bering Sea below 1.4 million metric tons, which constitutes the lower bound of the established OY range. However, through the annual specifications process, the Council establishes an OY or Maximum Sustainable Yield through the harvest specifications process on an annual basis. If the overall groundfish TAC in the Bering Sea was routinely set at 2.0 million metric tons and regulations prematurely prohibit TAC from being achieved on an annual basis, (e.g.: pollock harvests are routinely forgone due to an overly constraining chum salmon PSC limit) this would constitute a management action inconsistent with National Standard 1.

5.c. National Standard 2 - scientific information

- Claims of discrete genetic spawning populations occurring within the CWAK stock complex are not supported by any current genetic scientific information.
- The ongoing statements proclaiming that bycatch and intercept of salmon in the marine environment are the leading anthropogenic drivers of chum salmon declines are simply not supported by the best available scientific information and are also directly contradicted by Table 3-33/Figure 3-19 and Section 4.4.4.2 of the DEIS. Further, there is no scientific evidence to support the proposition that fishery removals accumulate across decadal scales to drive population level declines for a species with a 7-year life cycle.
- The FEIS needs to include information on WAK chum salmon harvests in State of Alaska fisheries (e.g., Area M salmon fisheries). This will ensure a comprehensive picture of known WAK chum salmon harvests from all sources to ensure the proposed action is understood in the context of known sources of harvests and mortality. Otherwise, the DEIS fails to capture the very limited ability of the Bering Sea pollock fishery to appreciably reduce anthropogenic sources of mortality.
- The 2004 Programmatic Supplemental Environmental Impact Statement (“PSEIS”) and 2015 Supplemental Information Report (“SIR”) are inadequate to adapt to current and future ocean conditions. They apply the National Standards in an unbalanced manner, and have aggravated the severe burdens placed upon Alaska’s most dependent fishing participants, Alaska Native people, and coastal communities. NMFS and the Council cannot rely heavily upon the 2004 PSEIS and 2015 SIR as a basis for evaluation and selection of an alternative here for chum salmon bycatch measures.
- Tribes and Indigenous groups from western Alaska, who have resided and fished for chum salmon on the Yukon, Kuskokwim, and other waterbodies for time immemorial hold vast and intimate knowledge of the marine, freshwater, and terrestrial ecosystems and species. Many of the same Tribes, elders, and Indigenous representatives provided oral testimony to the Council requesting a PSC limit much lower than those analyzed under the DEIS. These Indigenous testifiers provided Traditional Ecological Knowledge to the Council during this testimony,

speaking on the need for conservation of chum salmon by all that impact the returning runs. The DEIS fails to fully incorporate this Traditional Ecological Knowledge in the analysis of the Alternatives and the National Standard 2 assessment.

- The DEIS fails to incorporate readily available Traditional Ecological Knowledge and western scientific information regarding the importance of each chum salmon returning to its natal freshwater body to the future chum salmon genetic diversity, rebuilding populations, and supporting ecosystem health and resiliency.

5.d. National Standard 6 - variations and contingencies

- National Standard 6 requires that management account for variability and contingency. Rigid PSC caps ignore the growing influence of environmental variability, including shifts in ocean temperature, prey availability, and salmon migration patterns. Management must account for these contingencies rather than penalize U.S. fleets for outcomes driven by climate-related factors beyond their control.

5.e. National Standard 8 - communities

- Alternative 5, Option 1 may result in the entire southeastern Bering Sea closing to pollock fishing for multiple weeks during the B season, while not allowing a practicable fishing opportunity for smaller vessels outside of the closed area. This could have cascading negative effects on the local communities of Dutch Harbor and Akutan, thereby rendering the management outcome inconsistent with National Standards 8 and 9.

- Alaska Native Tribes are fishing communities under the MSA, and subsistence impacts—lost harvest opportunity, food insecurity, cultural disruption—must be fully analyzed and minimized. The DEIS must not prioritize industrial fishery efficiency at the expense of Tribal subsistence lifeways.

5.f. National Standard 9 - bycatch

- To minimize chum salmon bycatch under National Standard 9, a low overall PSC limit is needed. An overall limit on chum salmon bycatch is a critical component of chum salmon bycatch measures. A cap is an essential tool that creates industry incentives to reduce bycatch and serves as a key backstop that ensures there is a meaningful limit on Bering Sea-wide chum salmon bycatch. NMFS and the Council are obligated to reduce salmon bycatch under National Standard 9. While other features, such as Alternatives 4 and 5, may provide additional bycatch reduction tools, they must be layered with a low overall cap in regulation to ensure bycatch reduction is achieved.

- Recent reductions in chum bycatch in the Bering Sea pollock fishery demonstrate that a chum limit of 100,000 or less is practicable. A practicability analysis must look at more than possible economic losses to the fishery, but must examine the net benefit to the nation, including to the fishery targeting the bycaught species, non-market value of bycatch species, environmental consequences and recreational values.

- Some alternatives, such as Alternative 5, Option 1, may close significant portions of the fishery, while not offering practicable fishing opportunities for smaller vessels outside of the closed area with cascading negative effects on local communities.

Topic 6: National Environmental Policy Act (NEPA)

6.a. General

- The Environmental Protection Agency (EPA) commented that pursuant to the NEPA and Section 309 of the Clean Air Act, the EPA is required to review and comment publicly on any proposed federal action subject to NEPA's environmental impact requirement. The DEIS evaluates the reasonably foreseeable environmental effects of chum salmon bycatch management strategies that include overall catch limits, abundance-based limits, and in-season corridor caps. The EPA did not identify any significant public health, welfare, or environmental quality concerns, and has no recommendations to further improve the analysis.
- Proceeding with a knowingly low-benefit, high-cost action simply to signal responsiveness violates both the spirit and procedural requirements of NEPA. This disconnect between real economic harm and minimal conservation gain—while also failing to address the primary drivers of WAK chum salmon decline, including environmental change and impacts from other fisheries—fails to meet the Administrative Procedures Act's requirement for reasoned decision-making and renders the proposed action legally indefensible.
- Requests made during the NEPA scoping period that were not addressed in the DEIS:
    - Provide a PSC limit under Alternative 2 and 3 that is low enough to provide a meaningful impact in the short and long term for WAK chum salmon populations. The PSC limit should include a limit that protects subsistence and direct target users of chum salmon.
    - Analysis must address the cultural, spiritual, and social impacts to users as well as the economic losses associated with salmon declines in western Alaska communities.
    - Incorporation of local and traditional knowledge and Traditional Ecological Knowledge as a key component of the DEIS analysis.
    - PSC limits should be based on Ecosystem-Based Fisheries Management, and alternatives should consider management measures that reduce bycatch of Chinook salmon and other bycaught species as well as chum salmon. Reduction in pollock harvest should be considered in alternatives.
- The DEIS fails to consider benefits of overall caps for Alaskan and Pacific Northwest salmon. Many stocks from eastern Gulf of Alaska, Pacific Northwest, and Southwest Alaska are below long-term averages. Looking at Alaska and Pacific Northwest chum salmon as a whole (Western Alaska combined, eastern Gulf of Alaska/Pacific Northwest and Southwest Alaska), Alaskan and Pacific Northwest chum represent 47.1% of the chum bycatch in the pollock fishery (Table 3-28, p.177, DEIS). Alaskan and Pacific Northwest chum salmon are a key prey and predator species in marine and terrestrial ecosystems and are important for food security and commercial fisheries up and down the coast.

- The DEIS discounts the benefits to environmental justice, to cultural and traditional practices and values, food security, and the ecosystem a reduction in chum salmon bycatch would have.
- The DEIS fails to take a hard look at the direct, indirect, and cumulative favorable impacts the reduction in chum salmon bycatch could effectuate on the marine and upriver ecosystems and communities. The DEIS overestimates the cost of reducing chum salmon bycatch to the pollock fishery and underestimates the benefit to chum salmon, local communities, the State of Alaska, and the Nation.
- The DEIS inaccurately assesses the cost to the pollock fishery. The pollock fleet has shown it can change its fishing to reduce bycatch, and yet the DEIS foregone revenue projections are based on an assumption of no changed fishing behavior. Chum bycatch by the Bering Sea pollock fishery was 112,303 in 2023, 35,130 in 2024, and 151,334 in 2025. In those same years the pollock fleet caught 98-100% of their TAC.

6.b. Reasonable range of alternatives not considered

- Use of historical bycatch averages to set PSC limit alternatives results in alternatives similar to status quo. The options analyzed for imposing a cap were determined based on the average bycatch of chum salmon by the pollock fishery from 2011-2023. Six of the seven options under consideration are for a limit above or approximately at the historical average of chum salmon caught by the pollock fishery.
- The alternatives were developed using inappropriate criteria. The criterion of economic hardship to the pollock fishery that was used to determine the range of alternatives was inappropriate. The alternative screening criteria should have been alternatives that ensure the least environmentally damaging alternative and those that meet the stated purpose and need of minimizing chum salmon bycatch. Such screening criteria and review could have ensured that alternatives considered for measures imposed on the pollock fishery would have included the least environmentally damaging alternative.
- An alternative with a cap well below 100,000 was inappropriately excluded. The DEIS fails to explain how the National Standards are considered or why a hard cap below 100,000 chum salmon, which the pollock fishery has shown in recent years is a viable option, does not meet all National Standards.
- The DEIS does not offer more than a single action alternative. The only action alternative that fulfills the purpose and need is Alternative 2, with a 100,000 PSC limit, and Alternative 5, Option 1, with a 50,000 PSC limit.

Topic 7: General comments

The following topics appear beyond the scope of the purpose and need for this action, but are summarized below either due to general relevance to trawl fishing and bycatch, or the fishery management process.

7.a. Use of trawl gear

Many comments, including subsistence, commercial, and sports fishermen, call for restrictions or a ban on the use of trawl gear, and increased monitoring and enforcement. Some asked for a multi-year moratorium on trawl fishing unless and until salmon species recover and in-river fishing opportunities return. Their reasons included as follows:

- The impacts that salmon declines are having on the culture, health, and traditional way of living of Alaska Natives who rely on them. (see Section 4.a for more on this issue)
- Concerns about impacts on seafloor fish habitat (e.g., halibut nursing grounds), ecosystems, and nontarget species such as crab, halibut, and salmon. Some also expressed concern that removal of pollock reduces prey availability for salmon, which feed on juvenile pollock, among other prey.
- Pelagic trawling impacts on the sea bottom. Comments note that studies show that trawl nets contact the bottom 40% to 80% of the time on average, with rates up to 100% on factory ships, despite being classified as “midwater” gear that should stay off the seafloor.
- Trawl bycatch also includes marine mammals, such as seals, sea lions, and whales.
- The loss of fisheries and damages to ecosystems in other areas, allegedly due in part to trawling, such as the East Coast, Pacific Northwest, and Katchemak Bay, Alaska.
- The impacts salmon declines are having on other fishing communities around Alaska, such as Anchor Point, Homer, and communities in the Matanuska-Susitna Valley.
- The impacts of trawling on Chinook salmon, which no longer return to the Yukon and Koyukuk Rivers.
- The impacts of trawling on ecosystems and nontarget species internationally.
- The impacts of trawling on the environment through the release of carbon from the ocean floor.
- Unobserved mortality in trawl gear.

7.b. Zero bycatch

Many comments asked that there be a chum salmon bycatch/PSC limit of zero bycatch, including for the following reasons:

- Impacts of salmon declines on food security for Alaska Natives. Comments note that affected villages lack easy access to food stores and have no place to work and suggest that NOAA representatives visit these villages in-person to gain a better understanding.
- No bycatch should be permitted while communities in Western and Interior Alaska are suffering due to salmon declines.
- Bycatch is a form of waste that should not be permitted.
- Inequity in that the pollock fishery is permitted to bycatch while subsistence fisheries are very limited or closed and sport fisheries are highly regulated.

7.c. Imposing a fee-based structure for bycatch management

Some comments urged changes to bycatch management that involved imposing a fee ($2.50-$7.50/lb, or market rate) for bycatch combined with strict monitoring, enforcement, and management provisions, and changes to National Standard 1. Many also suggested requiring that the salmon bycatch be required to be canned and distributed to feed people in need. Some noted that salmon bycatch from Alaska rivers is a state resource for which compensation is due and that the collected fees should go to the State.

7.d. Concerns about the fishery management process

Many commenters expressed concern that the current fishery management process heavily favors commercial fisheries and profits over conservation concerns, or the interests of people who live, work, and fish in Alaska. Some contend that the process is corrupted by money.

Some criticized NOAA Fisheries for ignoring the impacts that trawling has on the ecosystem.

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