



**KAWERAK, INC.**

January 31, 2025

**REPRESENTING**

**Brevig Mission**

**Sitaisaq**

**Council**

**Diomedea**

**Iñaliq**

**Elim**

**Niviarcaurluq**

**Gambell**

**Sivuqaq**

**Golovin**

**Chinik**

**King Island**

**Ugiuvak**

**Koyuk**

**Kuuyuk**

**Mary's Igloo**

**Qawiaraq**

**Nome Eskimo**

**Sitnasuak Inuit**

**Savoonga**

**Sivungaq**

**Shaktoolik**

**Saktuliq**

**Shishmaref**

**Qikiqtaq**

**Solomon**

**Anuutaq**

**St. Michael**

**Taciq**

**Stebbins**

**Tapraq**

**Teller**

**Tala**

**Unalakleet**

**Uñalaqñiq**

**Wales**

**Kinigin**

**White Mountain**

**Iḡaḡuik /**

**Nutchirviq**

From: Melanie Bahnke, President  
Kawerak, Inc.  
PO Box 948  
Nome, AK 99762

To: Angel Drobnica, Chair, NPFMC  
David Witherell, Executive Director, NPFMC  
(Submitted via NPFMC online comment portal)

Re: Comments re NPFMC February 2025 Meeting, Agenda Item C2

Dear Chair Drobnica, Director Witherell, and Council, AP, and SSC members,

Kawerak is herein providing written comment on agenda item C2 (chum salmon bycatch) for the upcoming February 2025 North Pacific Fishery Management Council (NPFMC) meeting. Kawerak is the Alaska Native non-profit Tribal Consortium formed by and working for the 20 federally-recognized Tribes of the Bering Strait region of Alaska.

I. The need for meaningful action

The chum crisis has multiple contributing factors, including decades of cumulative waste of millions of salmon in the pollock fishery, within the context of a changing climate, many years of low abundance, massive direct intercept, and other ecosystem factors all combining together to stress the species. In our region, the crisis is long-running in nature with particularly acute periods. Management must be attuned and responsive to the social and environmental context this crisis is occurring within, and that context is a food security, cultural, biological, and ecological disaster marked by multiple and cumulative negative impacts on salmon and Tribes. That crisis is also defined by an extreme imbalance in the burden of conservation, with Tribes bearing that burden inordinately, including experiencing significant fishing restrictions.

All of this is untenable from the perspective of various mandates and best practices, including the Federal trust responsibility to Tribes, which is a national cornerstone. Significant change is needed moving forward. Significant conservation measures are necessary, both in the pollock fishery as pertains to salmon bycatch, and as pertains to other stressors on salmon.

II. The need to change course

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The NPFMC can carve a legacy moving forward as becoming part of the solution to saving salmon, but it will need to take a very different course, bold steps, and decisive commitment to do so.

The formulation of the Alternatives for the Chum Salmon Bycatch Management Environmental Impact Statement (EIS) to-date seems to have largely been driven by problematic premises, including a lack of full appreciation for the relevance of bycatch to the problem. This is not a defensible position at multiple levels, including from the perspective of Traditional Knowledge (TK), the consideration of which is and should be a part of the best scientific information available. We have significant concerns about the lack of true consideration of TK at the fundamentally deliberative level in the NPFMC process. We are also concerned about the potential for flawed consideration at the Council regarding retrospective analyses of potential impacts to the pollock fishery from this action. Pollock fishery behavior will almost certainly change in the presence of a cap or caps, and bycatch limits well below the historical average are achievable – and necessary to meet the purpose and need for this action.

Much of what is in the existing Alternatives can be reasonably argued to be variations of inaction or something close to it. Aside from Alternative 1 which is explicitly and requisitely ‘no action’, this includes:

- The range of bycatch values in Alternative 2 which are above the historical average
- Values in Alternative 3 which permit bycatch above the historical average (even extending to no cap at all), as well as relying on abundance conditions that are unacceptably poor in order to trigger caps (which creates a shifted baseline in which poor abundance conditions that are unacceptable are treated as acceptable)
- Elements of Alternative 4 which are already in use and/or will be implemented anyway
- The fact that Alternative 5 if implemented on its own could essentially function as no cap at all without a fishery-wide backstop constraint outside a particular corridor sub-area

The federal fishery’s fleets and management system should always be pushing towards zero bycatch. Bycatch is disrespectful to the species that we live in a reciprocal relationship with and harms the environment and communities. Subsistence practices are in line with this management and stewardship ethic and have been so since time immemorial. Many subsistence communities have also even been forced to zero while commercial pollock fishing – even acknowledging its other benefits – continues to waste and profit on the back of the resources which have provided food security for our people for millennia.

### III. Next steps on the action

At the outset, and to be clear, we believe that the bycatch caps currently under consideration are too high. As we have stated previously, we believe the goal should be zero bycatch.

#### The need for an overall fishery-wide cap

**In terms of what is currently under consideration, we emphasize first and foremost the importance of implementing a low bycatch cap for the entire fishery, one that is far below the historical bycatch average.**

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We believe that Alternative 3 in its current form is not workable for a number of reasons. Most importantly, the triggers for caps occur at conditions which allow for unacceptably poor abundance, and much of the range for the cap values are also far too high (as anything over the historical bycatch level is similar to inaction). Additionally, in certain scenarios, there would be no limit on chum bycatch at all, which we clearly do not find acceptable and also believe runs contrary to National Standard 9; there should be significant reductions in bycatch at all levels of abundance. This suite of problems in the current configuration of Alternative 3 make-acceptable bycatch that is much too high and abundance levels which are much too low, the opposite of what this action should be aiming for. If Alternative 3 were modified to address these deficiencies regarding cap levels and abundance conditions, then it could potentially be more acceptable.

With regard to an overall cap, of what is currently available for consideration, this therefore leaves Alternative 2. We encourage moving forward towards the adoption of an overall fishery-wide hardcap that is no higher than the lowest end of the existing range noted in Alternative 2. We encourage the adoption of such a cap either on its own or in combination with other alternatives (see below for more information regarding the latter). Bycatch should be significantly below the historical average in order to ensure the federal fishery and its management system are doing everything possible to help rebuild the stock and ensure the sharing of the burden of conservation.

#### The potential value of a combination of elements of Alternatives

We think there could be benefit from continuing the possibility for consideration of implementing elements of a number of the different Alternatives in combination. **As such, in moving forward on this action, we ask that the Council do so in a way which maintains the potential for eventually selecting a combinatory approach. In particular, we want to ensure that close consideration is given to the potential for a combination of the following:**

- **A fishery-wide hardcap that is very low (i.e. well below the historical average, as in the low end of the range in Alternative 2)**
- **A low hardcap for a conservation corridor (e.g. something similar to the ideas in Alternative 5), which also counts towards the overall fishery-wide hardcap**
- **Implementation of improvements to the IPAs (e.g. Alternative 4)**

Elements of the above are, as noted, currently encapsulated in Alternatives 2, 4, and 5. The most ideal configuration for this may or may not be outlined in those Alternatives as they are currently formulated.

We also want to note that selecting only Alternative 4 and/or Alternative 5 would not be acceptable. There must be a cap or caps established in regulation, and they must include a fishery-wide cap. Without a fishery-wide cap as a backstop, a conservation corridor as outlined in Alternative 5 could allow for unconstrained bycatch in other areas of the fishery where vessels are fishing already or where they may move to in response to a conservation corridor sub-area cap. A fishery-wide backstop prevents this potential problematic outcome from occurring. An additional benefit to a backstop is that, if it is low, it likely would also reduce the risk associated with the complex uncertainty in potential outcomes which may occur in the selection of certain areas for a

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conservation corridor. Without such a low overall fishery backstop, Alternative 5 is not a holistic management plan, but rather more of a 'hope' that focusing on one element of the problem will work to address the whole problem. Additionally, while integration across management regimes can be a positive thing if it leads to conservation of resources and community well-being, we do not believe we can or should rely on the dovetailing of conservation corridor measures with other fishery management actions which may only potentially occur (e.g. in Area M) or which may not have durability. An overall fishery-wide bycatch cap, in addition to ensuring a meeting of the purpose and need for the action, also can figure into an overall plan which allows for a dynamic fishery, and is also consonant with an ecosystem-based approach.

#### IV. Additional considerations

While not necessarily having to occur within this EIS process, we want to reiterate our view that it is also important that the Council, NMFS, broader Federal government, and State all continue and prioritize research and development related to implementation of real-time genetics in the fleet; work to coordinate a large-scale approach with all relevant entities as appropriate, including Tribal entities, towards salmon restoration and resilience; ensure State and Federal attention to reducing carbon emissions; ensure State and Federal attention to marine and in-river habitat issues which are relevant to resource sustainability; and direct attention at the Federal level to problems associated with large-scale salmon hatchery releases into the ocean.

Thank you for considering these comments. If you have any questions, please reach out to Dr. Julie Raymond-Yakoubian, Social Science Program Director (907-443-4273, [juliery@kawerak.org](mailto:juliery@kawerak.org))

Sincerely,  
KAWERAK, INC.

*Melanie Bahnke*

Melanie Bahnke, President

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