

Bycatch Concerns Emerging From Alaska's Fishing Communities

SUMMARY

Alaska's fisheries are facing significant bycatch management challenges impacting most of our iconic species, including: halibut, crab, Pacific cod, sablefish, salmon and herring. These challenges have been compounded by changing ecosystems and habitat loss. Individually, these issues are deeply problematic for fleets and communities tied directly to that resource. Collectively, they represent an ecosystem-wide concern that warrants holistic scrutiny. While the North Pacific Fishery Management Council (Council) has jurisdiction over these management decisions, the gravity and complexity of these issues and their serious impacts on Alaskan communities and marine ecosystems are a matter of great interest to state leaders and their constituents.

While it will take more than State actions alone to create lasting solutions to these challenges, the State can and *should* be a driving force behind the conservation and management of all fishery resources off Alaska's shores. We are at a critical point in compounded fishery, climate and habitat concerns where a reconsideration of our adaptive management strategies and expectations is needed — particularly around bycatch. A critical consideration in both federal and state programs is that many of these management plans were designed at times of high abundance, but are in some cases now failing to conserve the fishery or maintain equity at levels of low abundance. It is essential that Alaska's people, through its elected representatives and their democratic process, have an opportunity to confront these problems and recommend dynamic solutions and visions for success.

State and Federal laws mandate management to be responsive to Alaska's need for food security, economic stability, cultural practices, and equity for and among communities. However, the interpretation and implementation of those laws is a subject of great conflict, particularly when it comes to bycatch. The following species-focused segments attempt to summarize Alaskans' prevailing concerns about specific bycatch management issues, and the variety of requests being made of management bodies to alleviate their effects. They are the topic of many hundreds of recent public comments and testimony to the Council, and indicate a need for Alaska's leaders to look collectively and critically at the causes, consequences and potential solutions to Alaska's bycatch management challenges.

WHAT COMES NEXT

Representatives from Alaska's fishing communities and community based fleets have and will continue to approach the legislature in building a more robust conversation in Alaska on the future of bycatch management. Short- and long-term ways to address this include:

- Legislative representatives commenting directly to the Council, Administration and ADF&G Commissioner when bycatch issues are before the Council for action.
- An additional, expanded hearing on bycatch issues including stakeholder presentations and public testimony.
- Legislative resolutions addressing fisheries ecosystem concerns like bycatch and their potential solutions, including Magnuson-Stevens Act reauthorization, climate-ready fisheries, habitat conservation, and fishing community resilience.

Species Summaries

HALIBUT

Directed halibut fisheries have been reduced substantially across the North Pacific over the last 30 years as the stock has declined. Alaska's commercial and charter halibut fisheries are based on abundance, while bycatch harvest is set at a static limit and taken "off the top". This means conservation at times of low abundance is a responsibility borne entirely by the directed fisheries. Because of these disparate standards of access, there has been a passive but **drastic** shift in allocation away from the directed halibut fishery to bycatch users.

In the 4CDE region in the Bering Sea, the halibut fishery has been particularly crippled by the devastating and direct effects of bycatch use, in part by large factory trawlers that come north from Seattle to fish for various groundfish species, process at sea and export to Asia. Bycatch and discard of halibut during those groundfish fisheries affects the availability of halibut to all users throughout the species' range, as halibut are highly migratory. For Area 4CDE in particular in 2021, the IPHC projects that **bycatch will account for 63% of all halibut removals**, based on the 3-year average of bycatch mortality. The directed fishery will receive only 35%.

Substantial change in halibut bycatch management is needed for the directed fisheries in Western Alaska to survive, and to restore equity between users. The future of halibut IFQ holders, sport charter operations and communities hangs in the balance. Halibut stakeholders have advocated for many years for halibut bycatch management to be changed to an abundance-based standard. The Council recently opted to exempt the Bering Sea/Aleutian Island cod catcher vessels trawl fleet from an abundance-based standard. In December, the Council is considering final action on an ABM system for the Amendment 80 sector (factory bottom trawlers). Many community representatives strongly support Alternative 4, identifying it as the only alternative being considered that would provide meaningful benefit to the directed fishery.

CRAB

Alaska's crab fleet is in the midst of a serious stock collapse this year, with the closure of the directed red king crab fishery, and the crash of the snow crab fishery. Those fleets are facing a more than \$200 million immediate hit, which will put vessels and fishermen out of business and cause substantial ripple effects in Alaska's communities and throughout the North Pacific. These fleets have worked within the Council process for decades to reduce crab bycatch, and in the last 10 years have particularly attempted but not succeeded in strategic improvements to crab PSC (prohibited species catch) management in the trawl fisheries.

With urgency now even more elevated, there is voluntary work taking place to reduce instances of crab bycatch in other pot fisheries through gear modification and avoidance.

However, crab stakeholders have recently asked the Council for additional regulatory protections in critical habitat areas to add to those voluntary efforts. Over the last several years, the fleet has also requested that management look critically at unobserved crab mortality and habitat impacts — i.e. crab that are killed but not brought up in nets, and habitat that is damaged through on-bottom gear contact. Assessing and accounting for unobserved crab mortality in multiple fisheries is a high priority for crab conservation. This includes assessing how much time mid-water trawl nets spend on the ocean bottom, which is currently unknown even though observer data includes crab and other benthic species. In addition, as mid-water trawlers work to avoid salmon bycatch, they may fish closer to the ocean floor, increasing impacts on crab. Finally, crab stakeholders are concerned about fishing impacts from bycatch at times of the year when and in areas where crab are molting and mating, making them more vulnerable and at a higher risk of mortality.

SABLEFISH

Directed sablefish fishermen have raised concerns over the past several years as Bering Sea trawl fisheries have far exceeded their allocation of sablefish, which is harvested as incidental catch in the harvesting of other groundfish. This fleet has exceeded its allowable harvest by up to four and five times its initial allocation (5-7 million pounds over the limit established pre-season). These fully rationalized programs lack any management mechanism to stop or slow harvest in response to meeting or even far surpassing an incidental catch allocation. The directed sablefish fishery, on the other hand, has an allocation based on abundance and closes when that allocation is reached. While the cause of these overages is related to a complex series of ecosystem and fishery changes, the lack of any management mechanism to respond to it has drawn substantial criticism from fishery stakeholders, who see it as another inequity between management of a species when it's non-target collateral damage, versus when it's a directed fishery.

Additionally, a high proportion of that incidental catch is juvenile sablefish, which are entering the resource biomass en force after over a decade of poor reproductive success for the stock. Sablefish fishermen, who are eager to see the stock rebound after years of declines, have advocated for the Council to address the overages not just to restore equity between the user groups, but to allow those small sablefish to remain in the water, grow, and add to the resource available to all harvesters.

PACIFIC COD

Similar to the issue in sablefish, substantial overages in one fleet's incidental catch of Pacific cod in recent years has resulted in significant consequences for directed cod fishermen. The AFA catcher processor fleet receives an allocation of Pacific cod each year to cover incidental harvest while prosecuting other groundfish fisheries. For the last two consecutive years, and several others in the past decade, this fleet has exceeded its allowable Pcod

harvest by several million pounds. To date, that fleet has harvested 200% of its initial allocation, or 5.6 million pounds more than its established "limit".

This fully rationalized fishery, prosecuted by factory trawlers based outside of Alaska, lacks a management mechanism to slow or stop harvest when this incidental catch limit has been met or even far exceeded. In the case of Pacific cod, this has immediate impacts on directed cod fishermen. Managers have to "cover" these discarded overages by transferring unharvested cod from other pools of quota. This removes opportunity from directed cod fishermen that would have otherwise harvested that quota, and from the coastal and supply chain economy to which it would have contributed.

SALMON

A variety of salmon systems across Alaska are experiencing critical run failures, especially king and chum salmon, with significant detrimental impact to subsistence, commercial and recreational harvesters. In particular, communities along the Yukon River are experiencing a devastating loss this year, as they faced a season with no subsistence harvest of chum or chinook salmon. On the Kuskokwim, the 2021 Chinook salmon run was 47% below the long-term average and residents met less than one-third of their long-term harvest needs. Dozens of representatives from the Yukon-Kuskokwim and Norton Sound regions have testified to the Council recently, asking to revisit the limits and control mechanisms used to minimize harvest of chum and chinook salmon. While salmon intercepted in Bering Sea trawl fisheries originate from a wide range of North Pacific salmon systems, any intercept of Yukon-bound salmon is a detriment to communities currently unable to access that local food resource.

At a time when salmon runs in some regions of the state are at levels of collapse, stakeholders are calling for conservative use and management in all fisheries, including trawl fisheries intercepting salmon as bycatch. However, some management protocols seem to maximize use of bycatch allotments, treating the limit as more of a target than a maximum tolerable amount. For instance, in August this year, NMFS transferred 1,350 chinook salmon from the Gulf pollock fishery to the non-rockfish program catcher vessel sector to allow for additional salmon bycatch by that sector after it reached its own limit.

Salmon fishermen are asking decision makers to improve equity between groups in the use and conservation of salmon resources, and to improve understanding of the genetic composition of salmon being intercepted in non-salmon fisheries.