



PSVOA

PURSE SEINE VESSEL OWNERS' ASSOCIATION

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September 5, 2024

**SUBMITTED ELECTRONICALLY**

Anne Marie Eich, Assistant Regional Administrator  
Protected Resources Division  
Alaska Region National Marine Fisheries Service

Attn. Susan Meyer  
P.O. Box 21668  
Juneau, AK 99802

**Re: Proposed Rule NOAA- NMFS-2024-0042**

Dear Ms. Eich:

The Purse Seine Vessel Owners Association (PSVOA) respectfully submits the following comments in **strong opposition** to the listing of Gulf of Alaska (GOA) Chinook salmon as threatened or endangered under the Endangered Species Act (ESA). PSVOA is a commercial fishing organization based in Seattle, Washington, comprised of 285 independently owned commercial fishing vessels. A large majority of PSVOA members participate in Alaska commercial salmon fisheries including Southeast Alaska, Prince William Sound, Kodiak, and Area M.

The ESA process, which is considered one of the most important wildlife conservation laws in the United States, is being undermined by the petition filed by the Wild Fish Conservancy (WFC), a Washington-based NGO, with little connection to Alaska salmon other than its ill-conceived lawsuit seeking to enjoin the Southeast Alaska Chinook troll fishery which was recently rejected by the Ninth Circuit Court of Appeals. Following its review of the petition at issue, NMFS correctly acknowledged that the WFC's petition included "numerous factual errors, omissions, incomplete references, and unsupported assertions and conclusions." Furthermore, the petition did not present "a complete, balanced representation of the relevant facts, including information that may contradict claims in the petition," which is required by the regulations for ESA listing petitions. The WFC's petition is designed to achieve its own agenda, which is to eliminate the commercial harvest of wild caught Chinook salmon in the Gulf of Alaska, and the states of Washington and Oregon. Nevertheless, despite these deficiencies, NMFS surprisingly found that the WFC petition met the minimum bar required to commence this status review to determine whether listing under the ESA is warranted. For the reasons stated below, the answer to the question of whether a status review is warranted is clearly "NO."

The ESA is an inappropriate tool to address a downturn in the productivity of a species. Rather, a listing of endangered or threatened under the ESA is intended to protect a species from

extinction. While NMFS stressed missed escapement goals as part of its rationale for why an ESA listing “may be warranted,” missing escapement goals in some years does not mean that GOA Chinook stocks are either “threatened or endangered.” The ESA defines an endangered species as one that is in danger of extinction in all or a significant part of its range, while a threatened species is one that is likely to become endangered in the near future. According to Alaska Department of Fish and Game (ADF&G) data, GOA Chinook stocks do not reflect a population-level risk of extinction. The State of Alaska manages fisheries for maximum sustained yield (MSY), which represents the number of returning fish a stock needs to sustain itself and provide for a maximum level of harvest. While a failure to achieve an escapement goal might indicate that the stock cannot support a maximum level of harvest, it does not mean that the stock is in danger of going extinct. Escapement goals are utilized to aid in management, both annually as well as in-season, allowing for rapid response by ADF&G to ensure long-term sustainability of a stock.

In response to a downturn in productivity and lower Chinook yield, the Alaska Board of Fisheries and ADF&G have been proactive in reducing Chinook exploitation rates substantially. Additionally, several stocks have been designated as “Stocks of Concern” and associated action plans with proscriptive management measures have been developed and implemented. These actions have resulted in fishery closures, reduced fishing time and effort, and have impacted fisheries targeting other species that incidentally harvest Chinook. These timely reductions in fishing pressure in response to downturns in productivity are indicators of Alaska’s strong and responsive management approach to ensure the long-term productivity of all salmon species, including Chinook/ In addition, the State of Alaska has made substantial investments in salmon research to better understand the causes of recent declines in some GOA Chinook stocks, identify potential solutions, and incorporate climatic variability into fishery management. The investments and research will ensure the long-term health of Alaska salmon stocks.

PSVOA urges NMFS to ensure that the appropriate data and criteria are provided to the status review team, and that ADF&G staff be included as voting members of the team. PSVOA remains hopeful that sound reasoning and common sense will be employed during the status review and decision making process. PSVOA appreciates the opportunity to comment on this issue that has the potential to dramatically impact fisheries, subsistence users, businesses, and coastal communities whose residents rely on the fisheries resource. Thank you for your consideration.

Very truly yours,

*Robert Kehoe*

Robert Kehoe, Executive Director  
Purse Seine Vessel Owner’s Ass’n