



**ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS  
P.O. BOX 219  
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**ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS  
EXECUTIVE BOARD OF DIRECTORS**

**BETHEL, ALASKA**

**MARCH 5, 2013**

**RESOLUTION No. 13-03-03**

**TITLE:** Calling for the State of Alaska to Institute Legal Challenges and Take Other Actions to Invalidate the North Pacific Fishery Management Council's Actions Allowing 60,000 Chinook Salmon to be Taken as By-Catch in the Bering Sea Pollock Fishery

**WHEREAS** The Association of Village Council Presidents (AVCP) is the recognized tribal organization and non-profit Alaska Native regional corporation for its fifty-six member indigenous Native villages within Western Alaska and supports the endeavors of its member villages, and

**WHEREAS** AVCP fully supports its member villages in all aspects of their self-determination, health and well-being, and

**WHEREAS** Healthy and abundant Chinook Salmon stocks of the Yukon and Kuskokwim Rivers are essential to the cultural, nutritional and economic well-being and way of life of the tribal villages and peoples who live along these river drainages, and

**WHEREAS** Food security is a basic human right recognized by the United Nations and affirmed by the United States in the UN Declaration of Rights of Indigenous Peoples, and

**WHEREAS** The Chinook stocks in the Yukon and Kuskokwim River drainages, and Chinook stocks throughout the Arctic-Yukon-Kuskokwim region, are in a serious state of decline, resulting in closed commercial fisheries and subsistence fisheries restricted to the point where villages are not attaining the amount needed to satisfy their basic needs and tribal members have been issued citations and had their nets confiscated for fishing for Chinook salmon to feed their families, and

**WHEREAS** The projected Chinook runs for the Yukon and Kuskokwim Rivers next season are projected to demonstrate a more drastic decline, and recent information demonstrates that this trend has existed over the last decade or more, and

**WHEREAS** Representatives of the State of Alaska joined other members of the North Pacific Fishery Management Council (NPFMC) in voting to allow as many as 60,000 Chinook salmon to be wasted as by-catch in the Bering Sea Pollock trawl fishery each year, and a large percentage of these Chinook have been scientifically shown to be headed to the Yukon and Kuskokwim Rivers; and

**WHEREAS** The State and NPFMC decided to allow this large by-catch despite knowing that the Chinook stocks on the Yukon and Kuskokwim Rivers are in trouble, that the

tribal people who depend upon these salmon for cultural, nutritional and economic survival are suffering, and that international agreements with Canada regarding Yukon Chinook cannot be satisfied (at least without extreme sacrifices by Villages throughout the U.S portion of the Yukon; and

**WHEREAS** The State of Alaska is quick to sue the Federal agencies anytime it thinks that a resource classification, for example a listing as endangered or threatened under the Endangered Species Act, will impact any potential development or any desire of industry, and the State has either filed litigation or threatened to do so for the related to ESA listings for Polar Bears and several other marine mammal species; and

**WHEREAS** The State of Alaska has also filed numerous lawsuits against the Federal agencies related to these agencies' efforts to protect the Alaska Native subsistence way of life and the tribes' customary and traditional hunting and fishing practices and needs, despite the State's failure to keep its promise for a rural subsistence priority or a constitutional amendment allowing for a meaningful State subsistence priority.

**NOW THEREFORE BE IT RESOLVED** that the Association of Village Council Presidents Executive Board calls on the State of Alaska Governor and Attorney General to file a lawsuit challenging the NPFMC's decision to allow 60,000 Chinook salmon to be wasted as by-catch annually in the Bering Sea Pollock fishery, to seek relief through this lawsuit that would instead minimize and within a reasonable time work to eliminate Chinook by-catch, and to work with AVCP in this litigation, and


**BE IT FURTHER RESOLVED** that as an alternative to litigation, the State of Alaska representatives to the NPFMC introduce a formal process to, without delay, reconsider its decision on Chinook by-catch, and that the State work in this reconsiderations to significantly reduce allow Chinook by-catch below 60,000 and eventually eliminate this by-catch, and

**BE IT FURTHER RESOLVED** that the State of Alaska work with AVCP to establish a through federal legislation a significant per fish fine for by-catch of Chinook salmon in the Pollock fishery and dedicate funds derived from these fines to research designed to identify Chinook stocks taken as by-catch, ways to eliminate by-catch, and science into the causes of the decline in Chinook stocks through the AYK region, and to establish a tribal voting seat on the NPFMC.

**ADOPTED** by the Association of Village Council Presidents during an Executive Board Meeting held at Bethel, Alaska, this 5th day of March 2013 with a duly constituted quorum.

**CERTIFIED:**

  
Raymond J. Watson, Chairman

  
Myron P. Naneng Sr., President