

## Native Village of Unalakleet



April 14, 2023

Senator Donald Olson  
State Capitol Room 508  
Juneau, AK 99801  
(907) 465-3707

Dear Senator Olson,

The Native Village of Unalakleet is writing a letter of support for Senate Bill NO. 128. This bill strongly supports the voice of the Yukon, Kuskokwim (YK), and Norton Sound (NS) residents.

The June Area M fisheries is comprised of 98% intercept fisheries. During the 2021 season, the Area M fisherman harvested 1.17 million chums and of those, 57% were bound for the Coastal Western Alaska (CWAK) drainages, which includes the Bristol Bay, YK, and NS River systems. The number of fish harvested in 2021, that were bound for the CWAK, was roughly 667,124 chums. Along with the high number of chums harvested during the June Area M fisheries, fisherman harvested 3,188 Chinook salmon. There are no known spawn grounds for Chinook in the Southern Peninsula rivers. In 2021, Area M fisherman harvested a total of 15,605 Chinooks.

The Alaska Department of Fish and Game (ADF&G) reported that the 2021 season for the YK and NS chums were the lowest escapements they have seen. ADF&G continues to blame the warming waters for the decline in chums and has not believed that the Area M fisheries to be a major contributor to the declining stocks.

Many individuals from YK and NS communities testified about the lack of salmon entering into their river systems, at the Board of Fish (BOF) meeting in February of 2023. Many testifiers felt that ADF&G/BOF are not maintaining the Alaska Constitution which states that subsistence fishing takes priority over sport and commercial fisheries. Yet, ADF&G/BOF are allowing the fisheries to happen in Area M, which is known to harvest CWAK chums. By doing so, this continues to put the burden on the YK and NS residences to be forced not to fish for Chinook and chum salmon.

With the change in ocean temperature and climate change having an effect of salmon we need to minimize the stress of salmon returning to the CWAK. If the fisheries in Area M continues as it is, many will not be able to provide a valuable food source to our native people. We cannot control the change of our climate but we can control the factors of intercept fisheries of our salmon stocks.

The Native Village of Unalakleet thanks you for submitting SB 128. This is a fight our region failed to have passed at the BOF. Thank you for standing up to protect the fish for the CWAK communities.

Sincerely,

DocuSigned by:  
  
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Frank Katchatag, President

Native Village of Unalakleet

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Unalakleet, AK 99684  
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**Native Village of Hooper Bay    City of Hooper Bay  
P.O. Box 169                            P.O. Box 29  
Hooper Bay, AK 99604                Hooper Bay 99604**

**Sea Lion Corporation  
P.O. Box 87  
Hooper Bay, AK 99604**

**Joint Resolution 21-001**

**WHEREAS, Chinook and Chum Salmon migrating to the Yukon/Kuskokwim Rivers have drastically declined over the last ten years as a result of no scientific management for “sustained yield” and prolonged commercial fishing allowed by State and Federal Governments; and**

**WHEREAS, Commercial fishing industry influences the decision making process of the federal and state management processes through decision making bodies of said governments; and**

**WHEREAS, State of Alaska’s harvesting records year after year demonstrate that 98-99% of all salmon harvested were by commercial fishing industry; and**

**WHEREAS, State of Alaska’s harvesting records show year after year demonstrate subsistence and personal use show that average of 1.1% of harvested salmon have very little impact to the overall salmon fisheries; and**

**WHEREAS, State of Alaska and U.S. Government Fisheries programs give high priority to commercial fishing interests allowing “Intercept” Chinook and Chum Salmon Fisheries at False Pass and Gulf of Alaska pollock fisheries to “Bycatch” Chinook Salmon headed to spawning rivers in western Alaska;**

**WHEREAS, these “intercept” and “bycatch” Chinook and Chum salmon spawn in rivers in western Alaska are vital and the mainstay food sources for all Yup’ik People who live in the 56 villages of the Yukon/Kuskokwim Delta;**

**WHEREAS, these “intercept” and “bycatch” chinook and chum salmon caught by commercial fishing interests negatively impacts the lifestyle that the Yup’ik People who once harvested salmon to sustain healthy communities in the customary and traditional way of life;**

**WHEREAS, the State of Alaska and U.S. Government have been jurisdictionally fighting over the right to manage fish and game on lands/waters in western Alaska because of the Alaska National Interests Land Conservation Act (ANILCA) of 1980 yet who is left out of the legal argument are the Yup’ik People’s right to customary and traditional way of life to hunt and fish; and who have done so for millennia; and**

**WHEREAS, Legal entanglements on jurisdiction by state and federal governments whether to recognize the customary and traditional users of chinook and chum salmons by the Yup’ik People has not been protected as expressed under Title VIII of ANILCA’s rural preference provision; and**

**WHEREAS, the State of Alaska management of fisheries managed under the “sustained yield that maximizes benefits to users of the resources through public process that is driven by those users ‘sustained yield’ ” is only driven to benefit the commercial fishing industry’s interests; and**

**WHEREAS, the State of Alaska’s “sustained yield” basis of management of fisheries seem not to recognize that chinook and chum salmon do spawn on the rivers that only benefits the wealthy commercial fishing industries interests and do not listen to subsistence and personal use fisherman; and**

**WHEREAS, the State of Alaska is causing undue harm to the customary and traditional lifestyles of the Yup’ik People by favoring the wealthy and causing economic hardships to many families in the Yukon Kuskokwim Communities; and**

**WHEREAS, this type of “sustained yield” management system is failing the fisheries in the Yukon Kuskokwim Delta Rivers, due to the State of Alaska Fish and Game’s mismanagement and inability to scientifically manage said fisheries; and**

**WHEREAS, the “sustained yield” management system by the State of Alaska is causing many economic hardships and exhausted personal and community resources of the 8,000 Yup’ik Families in the Yukon Kuskokwim Delta Communities (29,000 Yup’ik People) because they cannot participate in traditional and customary practice of smoking salmon for daily sustenance and to share with many extended family members both in rural and urban Yup’ik populations; and**

**NOW THEREFORE BE IT RESOLVED, the Hooper Bay Traditional Council, the City Council, and Sea Lion Corporation to declare the Yukon Kuskokwim Delta communities as an Economic Fishery Disaster Area and hereby provide notice to the U.S. Federal Government and the State of Alaska that it expects them to meet their Treaty, Trust, and Moral obligations to the Yup’ik People; and**

**BE IT FURTHER RESOLVED, that the Yup’ik People request the U.S. Federal Government to declare a fisheries resource failure pursuant to Section 312 of the Magnuson-Stevens Fishery and Conservation and Management Act and cease high seas fishing to adversely impact and intercept salmon headed to the waters of the Yukon Kuskokwim Deltas; and**

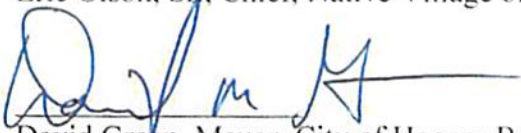
**BE IT FURTHER RESOLVED, the U.S. Federal Government create a federal/state western water management commission (Commission) to review negative impacts caused by high seas fishing and commercial fishing to create a more meaningful science backed fisheries program of state and federal waters. A Commission would be created to include all commercial, subsistence, and personal users with equality and full balance in said commission.**

BE IT FINALLY RESOLVED, the Commission would recommend and manage opening and closures of all fisheries in the high seas and of waterways of western Alaska with the main goal to protect the Salmon Management Program of the State of Alaska

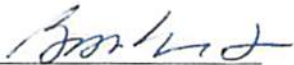
PASSED This day 20<sup>th</sup> of July, 2021



Eric Olson, Sr., Chief, Native Village of Hooper Bay



David Green, Mayor, City of Hooper Bay



Bosco Olson, Sr., President/ Chairman, Sea Lion Corporation

Fairbanks Fish and Game Advisory Committee (FAC)  
c/o 3081 Monteverde Road  
Fairbanks, Alaska 99709

April 18, 2023

To: The Alaska State Legislature

RE: SB128 "An Act temporarily closing the commercial salmon fishery in a portion of the Alaska Peninsula and Aleutian Islands; and providing for an effective date."

Dear Members, Alaska Legislature:

The Fairbanks Fish and Game Advisory Committee (FAC) unanimously supports SB128 regarding the closure of the Area M (South Unimak and Shumigan Islands) June fishery.<sup>1</sup>

This fishery intercepts a significant number of chum salmon every year. SB128 is necessitated because the extreme decline of Chinook and chum salmon in Western Alaska, specifically in the AYK regions of the Yukon and Kuskokwim River demands dramatic conservation measures that substantively reduce intercept and bycatch harvests of chum and Chinook.

As example:<sup>2</sup>

- The Anvik River, a primary producer of Yukon River summer chum has declined by 92% in 2021-22, compared to a previous ten-year average
- Drainage wide, the Yukon River summer chum escapement was the lowest on record in 2021, down 84% of previous ten-year average
- The Lower Kuskokwim River chum salmon declined by 91% over the previous ten-year average
- The Upper Kuskokwim River chum declined by 86%

The result of these declines is dramatic and devastating to AYK subsistence economies and basic stock survival and cannot be overstated:

- AYK rivers have not met many of their escapement goals in the last few years.
- The Yukon River has not met any escapement goals nor has it met its Treaty obligation with Canada in several years
- Amounts Necessary for Subsistence (ANS) for the Yukon and Kuskokwim rivers have not been met for several years
- In 2021 and 2022 the Yukon River had no harvestable surplus of Chinook, coho, summer or fall chum salmon
- The 2023 salmon season on the Yukon River is expected to be similar to 2022 and there is currently no forecast for a harvestable surplus for any sector

The significant interception of depleted stocks in Area M exacerbates a very critical situation, and the lack of substantive action at the February 2023 Alaska Peninsula Board of Fisheries meeting illustrates a lack of Area M willingness to accept their role in the conservation and rebuilding of AYK stocks.

Management and Harvest

5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan

(a) The South Unimak and Shumagin Islands June fisheries harvest both sockeye salmon and chum salmon in a mixed stock fishery during the month of June. The sockeye salmon are predominantly Bristol Bay and Alaska Peninsula origin. The chum salmon are bound for a number of areas, including Japan, Russia, the Arctic-Yukon-Kuskokwim, Bristol Bay, the Alaska Peninsula, and southcentral Alaska. These salmon stocks have historically been harvested along the south Alaska Peninsula during the month of June. This management plan is intended to be consistent with the Policy for the Management of Sustainable Salmon Fisheries (5 AAC 39.222) and the Policy for the Management of Mixed Stock Salmon Fisheries (5 AAC 39.220).

The Area M June salmon season (June 6<sup>th</sup> to the 28<sup>th</sup>) is an intercept fishery, not managed by in-season returns (i.e, escapement goals), like almost every other fishery in Alaska, but by a three-year *South Unimak and Shumagin Islands June Salmon Management Plan* (5 AAC 09.365) and emergency order authority of the Commissioner of Alaska Department of Fish and Game.<sup>3</sup> This unusual management scheme exists because intercepted June fishery salmon stocks are not local but spawn as far north as Kotzebue and as far east as the upper Yukon River.

Area M fishermen<sup>4</sup>, seeking to target sockeye salmon, incidentally catch chum and some Chinook and coho salmon. The number of salmon harvested in the Area M South Peninsula fishery (estimated 67% is the June fishery) has been substantial over the decades and particularly significant for chum in 2021.

| AREA M SOUTH PENINSULA HARVESTS <sup>5</sup> |         |           |         |            |           |
|--|---------|-----------|---------|------------|-----------|
| AVERAGES                                     | CHINOOK | SOCKEYE   | COHO    | PINK       | CHUM      |
| 1921–1950                                    | 9,733   | 1,437,617 | 124,677 | 3,662,680  | 1,288,627 |
| 1951–1980                                    | 2,496   | 662,791   | 44,526  | 2,003,215  | 739,601   |
| 1981–2000                                    | 9,974   | 2,329,336 | 261,808 | 6,673,122  | 1,396,974 |
| 2001–2010                                    | 5,243   | 1,679,958 | 189,379 | 5,958,810  | 908,102   |
| 2011–2020                                    | 16,402  | 2,052,225 | 259,835 | 8,168,107  | 917,786   |
| 2021 HARVEST                                 | 16,122  | 7,477,704 | 357,380 | 16,612,665 | 2,269,141 |
| 2022 HARVEST                                 | 13,000  | 8,018,000 | 52,000  | 5,818,000  | 813,000   |

Earnings for the entire Alaska Peninsula 2021<sup>6</sup>

These earnings quartiles for Area M purse seine and drift gillnet permits in 2021 illustrate how lucrative the Alaska Peninsula fisheries are. This includes the June fishery with other area salmon fisheries.

In a single season, for instance, 10% of the purse seine fleet received 23.7% of the earnings, which in 2021 were an average of \$1,511,726 per permit. The lowest earners in the quartile, about 55% of the fleet, averaged considerably less at \$288,118 per permit.

Non-resident permit holders consistently gross higher than resident, which would indicate large boats and gear capacity. In the summary reports (not shown here) in 2021, there were 51 resident permits fished for an average gross earning of \$591,386 vs. 18 non-resident permits with an average \$808,180 gross earnings.

| <b>S 01M ---- SALMON, PURSE SEINE, AK PENINSULA Year: 2021</b> |         |         |                          |         |           |                   |  |
|--|---------|---------|--------------------------|---------|-----------|-------------------|--|
| Quartile   | Permits |         | Estimated Gross Earnings |         |           |                   |  |
|  | Number  | Percent | Total                    | Percent | Average   |                   |  |
| 1 (high)   | 77      | 10.14   | \$10,582,082             | 23.67   | \$1511726 | actual cumulative |  |
| 2  | 1017    | 14.49   | \$12,205,150             | 27.30   | \$1220515 | actual cumulative |  |
| 3  | 1431    | 20.29   | \$10,972,219             | 24.54   | \$783,730 | actual cumulative |  |
| 4 (low)  | 3869    | 55.07   | \$10,948,482             | 24.49   | \$288,118 | actual cumulative |  |
| Total pounds represented in this table: 76,425,869             |         |         |                          |         |           |                   |  |

| <b>S 03M ---- SALMON, DRIFT GILLNET, AK PENINSULA Year: 2021</b> |         |         |                          |         |           |                   |  |
|--|---------|---------|--------------------------|---------|-----------|-------------------|--|
| Quartile   | Permits |         | Estimated Gross Earnings |         |           |                   |  |
|  | Number  | Percent | Total                    | Percent | Average   |                   |  |
| 1 (high)   | 2020    | 13.70   | \$7,378,318              | 24.82   | \$368,916 | actual cumulative |  |
| 2  | 2949    | 19.86   | \$7,524,290              | 25.31   | \$259,458 | actual cumulative |  |
| 3  | 3483    | 23.29   | \$7,316,473              | 24.61   | \$215,190 | actual cumulative |  |
| 4 (low)  | 63146   | 43.15   | \$7,505,510              | 25.25   | \$119,135 | actual cumulative |  |
| Total pounds represented in this table: 17,769,487               |         |         |                          |         |           |                   |  |

## Boats, Gear and Practices

The South Peninsula June fishery consists of seine, drift gillnet and set gillnet gear sectors. The Alaska Commercial Fisheries Entry Commission (CFEC) reports the following permit information for 2022: (The numbers were identical in 2021)

| YEAR | GEAR TYPE     | # PERMITS | RESIDENT | NON-RES |
|------|---------------|-----------|----------|---------|
| 2022 | DRIFT GILLNET | 162       | 93       | 68      |
| 2022 | SET GILLNET   | 116       | 95       | 16      |
| 2022 | PURSE SEINE   | 121       | 81       | 38      |

Seine and drift gillnet boat size and gear size have increased considerably over the years, resulting in much larger fishing capacity and boats that can stay out on the fishing grounds for much longer periods of time. Seine and drift boats normally deliver to processor tenders on the fishing grounds and can technically be at sea during the entire season.

- “The 58 foot law did not limit fleet capacity. The original intent of the 58 foot limit was to constrain the capacity of the seine fleet. Many years have passed and it can now be seen that limiting length alone did not ultimately constrict or limit fishery capacity. The salmon seine vessel has been held to 58 feet but the vessels have grown considerably in both width and depth. Today's vessels are being constructed with widths of 25-28ft and depths of 11-13ft. This is a far cry from the vessels of fifty years ago and it must have been unforeseen at the time”.<sup>7</sup>
- 
- Section 5 AAC 09.332 - Seine specifications and operations **(a)** Purse seines or hand purse seines may not be less than 100 fathoms nor more than 250 fathoms in length. A purse seine or hand purse seine may not exceed 375 meshes in depth. Seine mesh may not be more than three and one-half inches, except that the first 25 meshes above the headline may not be more than seven inches. **(b)** Leads may not be less than 50 fathoms nor more than 150 fathoms in length. Only one lead may be used with a seine. A lead may be attached to only one end of a seine, and the lead may not be attached to the boat end of the seine. *5 AAC 09.332*
  - Area M seiners can be 400 fathoms in total with the leads
  - Area M Seine boats are Limit Seiners (58' LOA)
- Section 5 AAC 09.331 - Gillnet specifications and operations **(a)** The size and operation of drift gillnets is as follows: **(1)** the aggregate length of drift gillnets on a salmon fishing boat or in use by such boat shall be no more than 200 fathoms in length; **(2)** repealed 6/5/2016; **(3)** in the Northwestern, Unimak, and Southwestern Districts, no drift gillnet may exceed 90 meshes in depth;
  - Drift gillnet boats can be up to 58' in length and as wide as they want
  - Drift gillnet boats are not limited in size but are limited in gear
- Set gillnet operations are a relatively small percentage of the fleet



- Boats can own multiple gear types and permits but can only fish one permit and gear type at a time.

### Chum / Chinook chucking and the need for surveillance

At the February 2023 Area M Board of Fisheries meeting, there was a lot of contentious discussion about “chum and Chinook chucking,” the practice of throwing chum and Chinook overboard if there was a danger of reaching chum caps or other triggers. Area fishermen know the practice exists in varying degrees and it prompted Tanana Chiefs Conference to submit an RC192 (record copy) on amendment language that included the following:

**(f) [e]** All salmon caught by a CFEC permit holder must be retained, and each CFEC permit holder must report the number of salmon caught, including those taken but not sold, on an ADF&G fish ticket. For the purposes of this subsection, "caught" means brought on board the vessel. **All boats will be required to install certified video surveillance that will be used to verify that all caught fish are retained.**

While this action was not supported, it is likely to be pursued in other venues as a necessary component of assessing intercept harvest.

### Area M Genetics

An ADF&G 2022 genetic study, *Genetic Stock Composition of Chum Salmon Harvested in Commercial Salmon Fisheries of the South Alaska Peninsula*, was submitted to the Board for public review on the Friday night before the February 2023 Board meeting. This was a study that carried significant weight in the Board deliberations and yet the public had virtually no time to review and analyze. A few Board members and a majority of the testifiers expressed deep concern over the timing of the report.

There was a Board discussion of the comparison between the 2022 study and the 2007-2009 WASSIP (Western Alaska Salmon Stock Identification Program) study which indicated a similar exploitation rate, but obviously lower actual numbers because of the general reduction in Central Western Alaska (CWAK) chum stocks. However, the 2022 data indicated rates were considered by many to be highly uncertain and could be several times higher than was reported. It was noted that the main reason for error is that almost nothing is known about the chum escapements throughout CWAK. The 2022 genetics report did indicate a high percentage of Asian hatchery stocks.

Because of the limitations of the 2022 study (limited in area, quickly done, not peer reviewed) AYK testifiers and some Board members urged extreme caution in basing regulatory decisions on its assumptions. Scientists noted that because the run strength of AYK chum and Chinook was so low, it makes the rate of harvest in Area M an even bigger issue than in high abundance times.

AYK testifiers want real-time genetics, similar to what is conducted at Port Moller for the Bristol Bay fishery, that would take samples of *all* species of Area M salmon – Chinook, summer and fall chum, sockeye, coho and pink salmon. Chinook salmon have never been sampled at all.

However, the dire circumstances that face the AYK now cannot wait for another series of studies. Real action to significantly reduce intercept fisheries will tell us more than genetics.

#### Area M Board of Fisheries deliberations February 2023

At the February 2023 Board of Fisheries meeting on Area M (Alaska Peninsula), the Board considered several proposals that would limit the fishing interception of chum salmon while still allowing for sockeye harvest. The most prominent of those proposals was generated by the Fairbanks AC as Proposal #140. Proposal #140 was, in brief, a *compromise* schedule to allow windows of fishing opportunity alternating with periods of closure sufficient to allow for chum passage through the June fishery area. It would have reduced June fishery harvest time by 60% over status quo.

Instead, four members of the Board (majority) supported an Adaptive Management Plan devised by Area M seiners that only reduced harvest time by 12%.<sup>8</sup> The intent is to allow for a flexible time and area management for chum avoidance but it is largely a voluntary plan and has no mechanism for compliance.

The four Board members did not consult with AYK stakeholders on this substitute. Based on testimony by University of Washington renowned biologist, Dr. Daniel Schindler, the single 72-hour stand down in the adopted substitute is insufficient to protect chum salmon passage through the harvest area.<sup>9</sup>

This raises the specter of continued loss of chum salmon in the AYK.

Throughout the course of the Area M Board meeting, about 250 AYK stakeholders testified before the Board, most notably on these points:

- Area M is seeking to maintain and expand their commercial fishery. At the same time, AYK subsistence communities are fighting for the viability of chum salmon populations as well as salmon to meet subsistence needs
- Providing chum salmon to meet essential escapement goals and subsistence needs in the AYK region *is not an allocation*. There is no allocation allowed between subsistence and other sectors has subsistence has the highest priority under the Alaska Constitution<sup>10</sup>
- In times of low abundance, it becomes infinitely more important to get as many fish to spawning grounds as possible
- Current Area M management is prioritizing commercial fishing over escapement and subsistence in violation of state statutes.
- AYK stakeholders are bearing the full burden of conservation of depleted stocks. With harvest at zero or severely restricted and escapement goals not being met, there is no

further conservation action that AYK subsistence fishers can take. Area M harvesters must share in the conservation burden of the loss of AYK stocks being intercepted in Area M.

- Lowering any AYK chum salmon escapement goals to enable continued Area M interception of AYK chum only further endangers AYK chum stocks.
- Area M must create real-time genetic sampling and analysis of all salmon species – Chinook, summer and fall chum, coho, sockeye, as well as pink salmon, to determine in-season stock compositions
- University of Washington fisheries professor and researcher Daniel Schindler noted in that it had been known for decades that Area M commercial sockeye salmon fisheries intercept chum salmon destined for western Alaska river systems Meanwhile, commercial fisheries in Area M have been allowed to continue to exploit these fish without restriction, a situation Schindler said is “antithetical to the sustained yield principle of the Alaska Constitution and in direct conflict with Alaska’s Sustainable Salmon Policy.”<sup>11</sup>
- “History is being made here, because we have two major river systems that have totally collapsed,” Robin Samuelsen, of Dillingham, a Bristol Bay harvester and chairman of the Bristol Bay Economic Development Corp., said. “You don’t know how much this affects people on the Kuskokwim and Yukon. I have seen people dry so damn many times. It’s bad. It’s a human rights issue.”<sup>12</sup>
- Brian Ridley, Chief/Chairman of the Tanana Chiefs Conference (TCC), which represents hundreds of people living in communities along the Yukon and Kuskokwim rivers, said TCC was incredibly disappointed with the decision to prioritize commercial fishing over the needs of subsistence users throughout Alaska by the fisheries board “disregarding its statutory obligations.”<sup>13</sup>

### Sustainable Salmon Policy, Board of Fisheries Findings

There are hundreds of Board of Fisheries Findings that have been developed over the years. Most are only for specific fisheries or circumstance, others are applicable to all Board action. They are listed here as this goes to the heart of much of the AYK testimony at the Alaska Peninsula Board meeting. The Alaska Board of Fisheries is *required* to consider, in all their deliberations:

- Allocation criteria (91-29-FB) 16.05.251.
- Sustainable Salmon Policy (5 AAC 39.222. Policy for the management of sustainable salmon fisheries), including Precautionary approach
- Mixed Stock Fisheries (93-145-FB)
- Statewide Salmon Escapement Goals Policy 5 AAC 39.223
- Subsistence Procedures, including the *Eight Criteria* 5 AAC 99.101

The Chair of the Board (February 2023 Alaska Board of Fisheries) made this comment:

“In references to the Mixed Stock Policy finding. The board framed, by unanimous consensus, the principles on which the policy would be developed. These tenets

included re-asserting the statutory preference for wild stock conservation as well as subsistence preference. Consensus principles were number one: the policy should provide that all users of salmon resources should share, and actions taken to conserve the resource in a manner, which is ideally, fair and proportional to respective harvest at the stock in question.”

The debate on Area M intercept has been going on since before Statehood. In Board of Fisheries meetings over decades, efforts to reduce Area M intercept of salmon has been overcome by the powerful politics of money. But how can we monetize a resource that is required, by our Constitution, to provide first for Alaskan residents?

At the 2023 Tanana Chiefs Conference Convention, the keynote speaker, Eagle-raised Quannah Chasinghorse, made this profound observation:

**“It only took the state of Alaska less than 50 years of management for them to mismanage and decimate our Yukon River salmon, leaving us with nothing,” Chasinghorse said. “While Alaskan commercial fishing continues to feed the rest of the world, our families and communities can’t even feed our children our traditional foods.”**

Does Alaska want to be known as a state that allowed world class salmon runs to become extinct? Does Alaska want to be known as a state that sacrificed its valuable salmon resources to an industrial model that does not care about its citizens and its legal responsibility to subsistence law? Most of us agree there is room for both but the balance right now is definitely tipped in the wrong direction.

SB128 is about saving depleted stocks in the only way humans can... by regulating harvest, bycatch and intercept. By closing the Area M June fishery for a season, we might be able to increase returning AYK chum salmon spawning aggregate significantly in order to rebuild those stocks. SB128 is about providing some hope that there can be a harvestable surplus for subsistence fishers. SB128 is about sharing the burden of conservation for an entire system.

Please support this critical legislation. Thank you.

Sincerely,

John Siegfried, Chair, Fairbanks Fish and Game Advisory Committee (FAC)

Gale K. Vick, Chair, FAC Fisheries Sub-Committee

Cc: Senator Donny Olson  
Alaska State Senate  
Alaska State House of Representatives  
Michael Dunleavy, Governor, State of Alaska  
Senator Lisa Murkowski, U.S. Senate  
Senator Dan Sullivan, U.S. Senate  
Representative Mary Peltola, U.S. House of Representatives  
Fairbanks Fish & Game Advisory Committee Members  
Chief Brian Ridley, Tanana Chiefs Conference (TCC)  
Vivian Korthis, CEO, Association of Village Council Presidents (AVCP)  
Karen Gillis, Executive Director, Bering Sea Fishermen's Association (BSFA)  
Serena Fitka, Executive Director, Yukon River Drainage Fisheries Association (YRDFA)

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<sup>1</sup> 5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan (a) The South Unimak and Shumagin Islands June fisheries harvest both sockeye salmon and chum salmon in a mixed stock fishery during the month of June. The sockeye salmon are predominantly Bristol Bay and Alaska Peninsula origin. The chum salmon are bound for a number of areas, including Japan, Russia, the Arctic-Yukon- Kuskokwim, Bristol Bay, the Alaska Peninsula, and southcentral Alaska. These salmon stocks have historically been harvested along the south Alaska Peninsula during the month of June.

<sup>2</sup> Graphic - *Chum salmon crash threatens the sustainability of AYK salmon stocks*, Dr. Joe Spaeder and Dr. Jim Simon

<sup>3</sup> Except for the Southeast fisheries under the Transboundary Pacific Salmon Treaty with Canada.

<sup>4</sup> The South Peninsula June fishery consists of seine, drift gillnet and set gillnet gear sectors.

<sup>5</sup> 2022 South Alaska Peninsula Salmon Annual Management Report and 2021 Subsistence Fisheries in the Alaska Peninsula, Aleutian Islands, and Atka- Amlia Islands Management Areas

<sup>6</sup> Commercial Fisheries Entry Commission (CFEC)

<sup>7</sup> RC39, Alaska Board of Fisheries Alaska Peninsula 2015

<sup>8</sup> Graphic – *What we asked for vs. what we got* Dr. Joe Spaeder and Dr. Jim Simon

<sup>9</sup> Board member Wood: Windows have been advocated twice here. 72 hours is the proper time. What is your opinion? Dr. Schindler: I can't tell you what that number is. I think we should explore that. What I can tell you with certainty that it has to be long enough for fish to enter and exit that area before they are harvested. Boats are mobile. They can get on fish within 24 hours. Two days gives fish more opportunity to pass through. Three days is a reasonable starting point. But that number could be refined based on some science, computer simulations. One day is not enough... that's pretty clear. That's a big district – fish cannot move through that district in one day.

<sup>10</sup> The Department staff comments designated Proposal #140 as allocative

<sup>11</sup> "Fisheries Board Votes to Limit Restrictions on Area M Commercial Chum Harvest", March 1, 2023. *Fishermen's News*

<sup>12</sup> "Fisheries Board Votes to Limit Restrictions on Area M Commercial Chum Harvest", March 1, 2023. *Fishermen's News*

<sup>13</sup> Fisheries Board Votes to Limit Restrictions on Area M Commercial Chum Harvest", March 1, 2023. *Fishermen's News*

## Norton Bay Inter-Tribal Watershed Council

P.O. Box 15332  
Fritz Creek, AK 99603  
Phone: (907)890 - 3737  
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April 20, 2023

Senator Donald Olson  
State Capitol Room 508  
Juneau, AK 99801  
(907) 465-3707

Dear Senator Olson:

The Norton Bay Watershed Council (NBWC) is a 501(c)(3) non-profit tribal organization focused on protection and sustainable management of water and subsistence resources, climate change adaptation planning, Alaska Native tribal sovereignty and environmental human rights in the Norton Bay Watershed, located on the Seward Peninsula, Alaska. The Norton Bay Watershed Council is writing a letter of support for Senate Bill NO. 128. This bill strongly supports the voice of the Yukon, Kuskokwim (YK), and Norton Sound (NS) residents.

In an event that sent shockwaves through the Alaska Peninsula region in 2021, the Arctic Yukon-Kuskokwim chum salmon fishery suddenly collapsed, requiring emergency closures of commercial and subsistence fisheries and shipping fish into the region. According to Mike Brubaker with the Alaska Native Tribal Health Corporation, unlike the celebrations of record salmon returns in Bristol Bay that same year, in the Arctic Yukon-Kuskokwim, there was only

the heart break of empty fish houses, lost jobs and livelihoods and disbelief that a salmon run that has spanned the ages, could just...stop. It is a story that resonates with many communities across Alaska. Disbelief in the current state of our fisheries, and uncertainty for the future. [...] A reminder that one strong fishery in one season does not spell success and that many fisheries are struggling or in decline.<sup>1</sup>

2022 saw even fewer salmon returning to the Yukon River. According to the Alaska Department of Fish and Game, the number of Chinook swimming up the river at Pilot

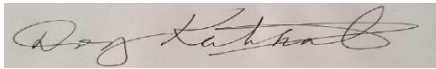
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<sup>1</sup> Mike Brubaker, "Boom and Bust," *The Northern Climate Observer*, September 10, 2021, <https://www.leonetwork.org/en/newsletters/newsletter/CBBB4E8D-5E47-49B0-9D62-BFBBE980EAD4?edition=E86287E9-C48D-454D-B5C2-0BD466B1E5AB&q=>.

Station, near the Bering Sea coast, was the worst ever as of mid-July.<sup>2</sup> For the rest of the summer, according to ADF&G, “the drainage-wide run may be under 50,000 fish, which is so small that escapement goals may not be met in any tributaries.” As a result, Chinook fishing was closed all along the river and its drainages. Similarly, the agency reported that as of mid-July, the “chum salmon run [was] anticipated to be critically low,”<sup>3</sup> which means that even subsistence harvests, likely, will be closed for at least the start of the fall season.

Both of these cases are clear evidence of the need for protective measures such as that provided in SB 128 – that the Area M purse seine fleet to stand down for at least part of the commercial salmon openers to prevent the interception of AYK-bound chum stocks for this season.

Sincerely,



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Doug Katchatag

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<sup>2</sup> Alaska Department of Fish and Game Division of Commercial Fisheries, “2022 Yukon River Salmon Summer Fishery Announcement #17, Summer Update #7, Yukon Area Salmon Fishery,” July 12, 2022,

<https://www.adfg.alaska.gov/static/applications/dcfnewsrelease/1403134452.pdf>.

<sup>3</sup> Alaska Department of Fish and Game Division of Commercial Fisheries, “2022 Yukon River Salmon Fall Fishery Announcement #1 Coastal District and Districts 1-3 Subsistence Fishing Schedule,” July 14, 2022.



April 20, 2023

Re: Senate Bill 128

Dear Senator Olson and Legislative Committee members:

On behalf of the Yukon River Inter-Tribal Watershed Council (a non-profit organization composed of 57 Yukon River and Yukon River tributaries tribe members) we thank you for introducing this bill for passage. We support this bill.

The Alaska Constitution sets out the parameters to protect our Alaska natural resources. Salmon is one of the most valuable resources we need to protect. It is no secret that our Chinook and Chum salmon numbers are dwindling in returns to the Kuskokwim and Yukon River and its tributaries as well as the Norton Sound rivers for the past few years. The Board of Fisheries has voted down Proposal 140 to limit time in Area M commercial fisheries to allow the mixed Salmon fish that migrate through Area M to these spawning areas. The State of Alaska direly needs to protect this resource. In doing so, the Board of Fish is not fulfilling its obligation under our constitution.

Therefore, we request passage of Senate Bill 128.

Thank you for the opportunity to provide support for this bill.

Sincerely,

Theresa Clark  
Executive Director





**KAWERAK, INC.**

**REPRESENTING**

**Brevig Mission**

*Sitaisaq*

**Council**

*Akauchak*

**Diomede**

*Injaliq*

**Elim**

*Neviarcuarluaq*

**Gambell**

*Sivuqaq*

**Golovin**

*Chinik*

**King Island**

*Ugiuvak*

**Koyuk**

*Kuuyuk*

**Mary's Igloo**

*Iglaaruk*

**Nome Eskimo**

*Sitnasuami Inuit*

**Savoonga**

*Sivungaq*

**Shaktoolik**

*Saktuliq*

**Shishmaref**

*Kigiqtaq*

**Solomon**

*Anjuutaq*

**St. Michael**

*Taciq*

**Stebbins**

*Tapraq*

**Teller**

*Tupqaḡruk*

**Unalakleet**

*Uḡalaqtiq*

**Wales**

*Kinigin*

**White Mountain**

*Natchigvik*



*Tungwenuk Family Qupak Design, used with permission*

To: Alaska State Legislature,

Subject: Bering Straits/Norton Sound Region Subsistence users and Tribal Entities in support of Senate Bill 128.

Kawerak, Inc. is a regional Tribal consortium composed of the 20 federally recognized Tribes in the Bering Strait Norton Sound region. Kawerak strives in advancing the capacity of its people and Tribes for the benefit of the region. Kawerak offers many programs to our constituents one of which is the Subsistence Resources Program advocating for subsistence resources and subsistence users.

Since Time Immemorial, the Inupiaq, Yupik, and Siberian Yupik people have subsisted on Salmon caught and prepared in the Bering Straits/Norton Sound. For over 30 years the Subsistence Catch of Salmon in the Bering Straits/Norton Sound Region have been severely declining resulting until very recently subsistence closures that lasted nearly three decades.

Management decisions regarding fisheries in the South Unimak and Shumagin Islands Salmon Management Plan have relied heavily on escapement goals for the Aleutian and Alaska Peninsula waterways to manage the Area M Intercept Fishery without considering the escapement goals for the Bering Straits/Norton Sound Region.

The major issue is the prevention of salmon to return to Western Alaska waters to spawn and replenish already distressed fish spawning grounds. This action is and has been proven to be the Area M Salmon Interception Fishery as identified by Scientific Fishery studies conducted by various groups and by Western Alaska Sustainable Salmon Initiative Program (WASSIP). Those studies have shown that intercepted fish bound for Western Alaska are being taken out of their traditional routes to their home river systems and salmon are not meeting escapement goals.

The argument can be made that this violates **Alaska Statute 16.05.790** which prevents blockading a fish or game animal from being hunted or fished in any part of its habitat.

One chronic cause is the adopting of regulatory measures that favor commercial harvest and denying subsistence harvesters their opportunity through Alaska Statute 16.05.258. The continued practice of fishing a fishery to the point of collapse should and must be stopped for everyone concerned.

Arguments for continued fisheries activities have been made that commercial fishers will lose their livelihood and be forced to stop fishing if further regulation is necessary.

**KAWERAK, INC.**

PO Box 948 • Nome Alaska 99762 • 907.443.5231 • [www.kawerak.org](http://www.kawerak.org)

Advancing the capacity of our people and tribes for the benefit of the region.

While Kawerak, Inc. sympathizes, people in the Bering Straits/Norton Sound Region have had closure of their subsistence fishing as a last resort, a chum salmon closure that lasted nearly 30 years, the Southern Seward Peninsula was the only subregion in Alaska that had a Tier II chum salmon fishery. Subsistence users bear the burden of conservation, had citations and have had gear confiscated. Yet commercial salmon fishing industry in Area M has had no closures, and still allowed to fish.

Escapement goals aside and Subsistence priorities notwithstanding, the goal of a Governing body should be to preserve the species being harvested. The continued process for managing a resource without considering, all variables, such as their home river system, escapement goals, and ensuring that these numbers are being met to sustain the population of those waterways is reckless and irresponsible.

The result of nonaction by ADF&G and AK Board of Fish has moved the Salmon Population in Western Alaskan Waters towards and may push them to extinction in those waters; and the most tragic thing is that this was completely avoidable through respectful regulatory measures and sound management practices.

Kawerak, Inc. Believes that SB 128 is a positive step in reaching the goal of a Sustainable Subsistence Harvest Population as put forth in AS 16.05.258. We offer an amendment to SB 128, that it be extended for at least 10-15 years to allow salmon destined for western Alaska to make it to their home spawning grounds, meet escapement goals, replenish already dangerously low stocks and to allow subsistence users to fish as they have done so since time immemorial. The salmon crash did not happen overnight, it will take decades to recover. Both Chum & King Salmon are multi year fish, a closure for the month of June over two years will not be sufficient time in order for either to replenish already low returns and for both stocks to recover fully.

*Melanie Bahnke*

Melanie Bahnke  
President  
Kawerak, Inc.

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