

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

Bethel, Alaska
October 12, 2009
1:15 p.m.

MEMBERS PRESENT

Representative Mark Neuman, Co-Chair
Representative Craig Johnson, Co-Chair
Representative Bryce Edgmon
Representative David Guttenberg
Representative Chris Tuck

MEMBERS ABSENT

Representative Kurt Olson
Representative Paul Seaton
Representative Peggy Wilson
Representative Scott Kawasaki

OTHER LEGISLATORS PRESENT

Representative Bob Herron

COMMITTEE CALENDAR

OVERVIEW(S):

Current state of the Arctic/Yukon/Kuskokwim (AYK) salmon fisheries

- HEARD

Informational hearing on HB 227 HOLLITNA BASIN RESERVE

- HEARD

Energy issues including transportation corridor to/from Paimuit/Kalskag

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to report

WITNESS REGISTER

MYRON P. NANENG, SR., President
Association of Village Council Presidents (AVCP)
Bethel, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, charged that the government is mismanaging the Yukon River salmon fishery and urged that the tribes and villages in the region be included in fisheries management decisions.

KAREN GILLIS, Executive Director
Bering Sea Fishermen's Association (BSFA)
Anchorage, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, testified that despite the salmon declines within the AYK Region, the state has not appropriated adequate funds to research and determine the cause.

MARY PETE, Director
Kuskokwim Campus
College of Rural and Community Development
University of Alaska Fairbanks
Bethel, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, spoke from the perspective of an anthropologist as to the importance of fish, particularly salmon, to Alaska Natives.

NICK TUCKER
Emmonak, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, cited improper management by the government as the cause of the Yukon River salmon decline and urged that local people be included in management decisions.

JACK SCHULTHEIS
Emmonak, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, testified that despite the extreme management measures taken on the Yukon River, things have only gotten worse and the lower Yukon economy is now in shambles.

NICK ANDREW, JR.
Ohogamiut Traditional Council
Marshall, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, maintained that state and federal management of the lower Yukon

River fisheries is impairing the ability of Native Alaskans to harvest adequate food supplies.

JULIE RAYMOND-YAKOUBIAN, Social Scientist
Kawerak, Inc.
Nome, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, charged that current state and federal management has resulted in disaster for the region's salmon resources and crippling of subsistence activities.

MIKE SMITH
Tanana Chiefs Conference (TCC)
Fairbanks, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, reviewed TCC's concerns about the viability of Yukon River King Salmon.

GENE PELTOLA, Refuge Manager
Yukon Delta National Wildlife Refuge
U.S. Fish and Wildlife Service (USFWS)
Bethel, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, testified that the Kuskokwim drainage is not in dire straits.

JOHN WHITE, D.D.S.
Bethel, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, urged that the salmon fishery situation in Western Alaska be addressed now, before the fishery completely collapses.

ROBERT NICK
Nunapitchuk, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, urged there be more reliance on the knowledge of local advisory committees and elders when management decisions are being made.

JILL KLEIN, Executive Director
Yukon River Drainage Fisheries Association (YRDFA)
Anchorage, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, stressed the importance of subsistence and supported inclusion of tribal governments in the management of Yukon River salmon.

JOHN HILSINGER, Director
Division of Commercial Fisheries
Alaska Department of Fish & Game (ADF&G)

Juneau, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, answered questions and provided information regarding the state's management of salmon fisheries within the region.

CRAIG FLEENER, Director
Division of Subsistence
Alaska Department of Fish & Game
Anchorage, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, answered questions regarding subsistence.

MARTIN MOORE

Emmonak, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, provided historical income statistics from commercial fishing and reported that closures of the subsistence fisheries have caused hardship to the region's people.

DANI EVENSON, Arctic-Yukon-Kuskokwim Regional Research Supervisor

Division of Commercial Fisheries
Alaska Department of Fish & Game (ADF&G)
Anchorage, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, answered questions and provided information regarding the state's management of salmon fisheries in the region.

JOHN LINDERMAN, Arctic-Yukon-Kuskokwim Regional Supervisor

Division of Commercial Fisheries
Alaska Department of Fish & Game (ADF&G)
Anchorage, Alaska

POSITION STATEMENT: During the hearing on AYK salmon fisheries, answered questions and provided information regarding the state's management of salmon fisheries in the region.

GREG ROCZICKA, Director
Natural Resource Program
Orutsararmuit Native Council
Bethel, Alaska

POSITION STATEMENT: During the informational hearing on HB 227, outlined the importance of the Holitna River drainage for salmon and wildlife production and its importance as a breadbasket to the area's subsistence users.

GRANT FAIRBANKS
Bethel, Alaska

POSITION STATEMENT: During the informational hearing on HB 227, testified that the Holitna River needs to be protected because it is a breadbasket for the area's residents.

MIKE HOFFMAN, Executive Vice President
Association of Village Council Presidents (AVCP)
Bethel, Alaska

POSITION STATEMENT: During the hearing on energy issues and the transportation corridor between Paimuit and Kalskag, urged the state to be a partner in building a road between the Yukon and Kuskokwim rivers.

ACTION NARRATIVE

[1:15:10 PM](#)

CO-CHAIR MARK NEUMAN called the House Resources Standing Committee meeting to order at 1:15 p.m. Present at the call to order were Representatives Edgmon (via teleconference), Guttenberg (via teleconference), Tuck (via teleconference), Johnson (via teleconference) and Neuman. Also present was Representative Herron.

OVERVIEW(S):

^Current state of the Arctic/Yukon/Kuskokwim (AYK) salmon fisheries

[1:15:10 PM](#)

CO-CHAIR NEUMAN announced that the first order of business is a review of the current state of the Arctic-Yukon-Kuskokwim (AYK) salmon fisheries.

[1:15:12 PM](#)

MYRON P. NANENG, SR., President, Association of Village Council Presidents (AVCP), stated that AVCP represents 56 villages on the Yukon-Kuskokwim Delta and that AVCP's concern regarding management of the fisheries in the Arctic-Yukon-Kuskokwim (AYK) Region has been building over the years. As a former member of the "Yukon-Canada fish negotiating team," he said he has attended numerous Board of Fisheries meetings addressing some of the management plans regarding the Yukon and Kuskokwim river area. The state's claim of being the best fishery manager leaves a lot to be desired and the AVCP questions this claim.

"Right now the lower Yukon villages are experiencing economic genocide," he said. The once thriving salmon economy that ran from June through September has all but disappeared.

MR. NANENG announced that AVCP has put the Alaska Department of Fish & Game's (ADF&G) Division of Subsistence and the Yukon River Drainage Fisheries Association (YRDFA) on notice that any management plans coming forth from these entities will not be honored by the AVCP's villages unless there is tribal consultation. The YRDFA is a membership organization that represents those people who have paid dues to be members; it does not represent AVCP's tribal members within the villages.

MR. NANENG pointed out that the region's people are not consulted by ADF&G and the department is managing the Yukon River with sonar only, rather than actually getting out on the water. He recommended the villages be made participants in test fisheries because the river system has changed while the test fisheries stay at the same location. He said Commissioner Denby Lloyd needs to be replaced because ADF&G's management of the fisheries indicates the department does not care and does not want AVCP's people to eat or earn money through commercial fishing. At a time when the need for more research or more money for the region has been most dire, the money has been re-allocated elsewhere.

[1:20:50 PM](#)

MR. NANENG urged that the Division of Subsistence consult with the tribes as well as each and every village, especially when ADF&G identifies a conservation concern and wants to place the burden of conservation on AVCP's people. The conservation burden placed on the people of the lower Yukon villages this past summer was very expensive, he said, both for the lack of food and the lack of money. This winter the people will once again have to choose between food and fuel.

[1:21:51 PM](#)

MR. NANENG, in response to Co-Chair Neuman, explained that based on reports and observations made to AVCP [this past summer], ADF&G relied primarily upon the sonar located at Pilot Station about 80 miles upriver from the mouth of the river. He related that according to the person monitoring the sonar, the sonar on the left side of the river was unreliable and nonfunctional until June 21. Six days into the subsistence season for the lower Yukon people, the Chinook salmon fishery was completely

closed for 10 days. However, people in AVCP's villages observed a strong run of kings prior to the closure and this information was not incorporated into the management plan. Additionally, the Marshall Test Fishery, located about the Pilot Station sonar, was not operational.

[1:23:13 PM](#)

MR. NANENG, in response to Representative Herron, argued that something is wrong with the system when thousands of fish are thrown away out in the Bering Sea while people on the river system are barred from getting 100 salmon for food. If this is continued, then maybe the salmon ought to be listed as endangered because that would impact the people out in the Bering Sea as well as AVCP's people on the river system.

REPRESENTATIVE HERRON asked what the difference would be between including the tribes in management decisions versus the advisory committees.

MR. NANENG replied that over the years AVCP has seen the advisory committees provide input to the Board of Fisheries and the Board of Game only to come away from those meetings with their information ignored, more often than not, when the two boards make their ultimate decisions. That is why it would be better for AVCP's villages, or for ADF&G, or even for the Division of Subsistence, to go to tribal consultation because membership in the tribes is inclusive of all the people living in those communities.

[1:25:56 PM](#)

KAREN GILLIS, Executive Director, Bering Sea Fishermen's Association (BSFA), noted that the AYK Region encompasses over 49 percent of the state. Salmon returns to the AYK have been subject to 15 state and federal disaster declarations in the last 15 years, she reported. Today there are seven stocks of concern around the state and four are in the AYK Region: Norton Sound Subdistrict 1, Chum Salmon; Norton Sound Subdistricts 2 and 3, Chum Salmon; Norton Sound Subdistricts 5 and 6, Chinook Salmon; and Yukon River Chinook Salmon.

MS. GILLIS, in reference to the health of the AYK salmon fisheries, said she thinks the word health is an interesting word because to some people health means abundance and to others it means no illnesses. The characterization by ADF&G that all of Alaska's fisheries are healthy is an overstatement, she

contended. She quoted a statement from a letter in the publication, Sustaining Alaska's Fisheries: Fifty Years of Statehood, in which the ADF&G commissioner wrote:

An essential element of our fishing industry is a management system that uses the best science available to keep species and stocks healthy while allowing for harvests sufficient to support local communities and businesses.

[1:29:00 PM](#)

MS. GILLIS said that while people take understandable pride in the top performing runs in Prince William Sound, Bristol Bay, and other areas, people in the AYK Region do not share that sentiment. The dark side of Alaska salmon runs is found in the rivers of the AYK Region, which have been steadily declining for nearly two decades. More alarming than the declines themselves is that there is no explanation for why this is happening, and it cannot be explained why because there is not enough of the right information.

MS. GILLIS charged that the commissioner's aforementioned letter couches ADF&G's use of the term "best science available." To the Division of Commercial Fisheries, best science available means allocating only 14 percent of the regional management budget to a region that encompasses 49 percent of the state. It means allocating 4 percent of the capital budget to this same region. It means allocating almost 3 percent of the total ADF&G budget toward the Division of Subsistence. And it means allocating more to the commissioner's office and administrative budgets than the combined budgets of the AYK portion of the Division of Commercial Fisheries and the Division of Subsistence. How is ADF&G even attempting to garner the best science available when it does not allocate resources to the fisheries that need the most attention? She contended that AYK is one of the least studied salmon resources in Alaska and, as a result, managers frequently scramble for information to explain the decline which underscores the lack of reliable data on salmon runs.

MS. GILLIS stated that the 15 disaster declarations have cried out for attention. Given the state's track record in the AYK Region, BSFA took things into its own hands to undertake a research and restoration effort unlike anything before. The Arctic-Yukon-Kuskokwim Sustainable Salmon Initiative (AYKSSI) was formed by a Memorandum of Understanding (MOU) between the

Bering Sea Fishermen's Association, the Association of Village Council Presidents, Tanana Chiefs Conference, Kawerak, Inc., the Alaska Department of Fish & Game, the National Marine Fisheries Service, and the U.S. Fish and Wildlife Service (USFWS).

[1:32:57 PM](#)

MS. GILLIS said this initiative is one of the largest, successful experiments in the co-management of fisheries and wildlife research in North America. From 2002-2006, the AYKSSI received a total of \$20.5 million from the State of Alaska's portion of the Pacific Coastal Salmon Recovery Fund. The funds were specifically earmarked for use by the collaborative research program. However, beginning with the federal fiscal year 2007, all earmarks within that fund were removed and the ADF&G commissioner's office has since used an in-house process to allocate the funds among a set of users. Of the nearly \$24 million awarded to ADF&G in federal fiscal year 2007/2008, the department allocated only a token amount - less than \$1.5 million - to research funding in the entire AYK Region. As a result of ADF&G's re-direction of funds, the declines of salmon utilized by over 70 subsistence communities are not being addressed. The partnership AYKSSI thought it had with the State of Alaska has vanished. No serious efforts have been made by the department to re-establish funds directed at the AYKSSI. There have been numerous accounts of department personnel expressing dissatisfaction with the initiative, though no concerns have been formally brought to the table.

[1:35:17 PM](#)

MS. GILLIS said she did not come to this hearing to bash ADF&G; rather her job is to find solutions. Many current fishery problems are the legacy of a misplaced belief of the in-exhaustibility of resources. If the state wants to manage these fisheries, then it needs to stop pretending there is not a problem and provide resources to achieve a solution.

[1:36:41 PM](#)

MS. GILLIS, in response to Co-Chair Neuman, said that in addition to the decline of salmon over the years, she has seen a decline in resources to staff positions in the region as well as to projects in the waters. The Nome Nugget recently reported that the state is applying for federal funds for weir sites on the Unalakleet River and she thinks the Chinook stocks on the Unalakleet River are the stocks that are in the most trouble in

Alaska. She also pointed out that the Pilgrim River used to have a lot of Chinook returns, but only had 49 this year.

1:39:31 PM

MS. GILLIS, in further response to Co-Chair Neuman, pointed out that establishment of the AYKSSI meant tribes and state and federal leaders were all at the table to collectively decide where the priorities were within region. It was not the State of Alaska telling AVCP what was going to happen; rather it was the state, AVCP, Kawerak, TCC, and BFSAs agreeing to where funds needed to be channeled. The MOU was signed in 2002 and the funds have been 100 percent obligated and expired in 2007, but there will still be projects in the water next season.

MS. GILLIS, in response to Representative Herron, replied that the health of the salmon is in question because the size of Yukon Chinook has decreased. In regard to this type of pattern, she said she has never seen a record where there is a recovery to larger fish, and while she acknowledges that there are arguments about the validity of this, it is still one of her biggest concerns.

1:42:56 PM

MARY PETE, Director, Kuskokwim Campus, College of Rural and Community Development, University of Alaska Fairbanks, noted that she is trained as an anthropologist and speaks to the salmon resource from the perspective of the human users of that resource. She explained that subsistence in general takes in all manner of resources, including plants, and this goes into the per capita harvest estimates that the Division of Subsistence has been doing. The three regions with the highest pounds per capita production of subsistence are in the AYK Region: the Arctic region with about 515 pounds; the rural Interior region with 613 pounds; and Western Alaska, which is the lower Yukon/lower Kuskokwim region, with about 664 pounds. The state-wide average for rural Alaska shows that fish comprises about 60 percent of that production. In Western Alaska, fish comprises 60-80 percent of the production output annually. In areas where it is 80 percent, salmon figures a huge role in that subsistence production. In fact, she added, the Yupik word for fish is also the word for food. The Yukon River's special case as a trans-boundary river, subject to management by a treaty and an international panel, has caused a lot of strain in the people who use the resource, as well as managers' relationships with the communities in the region.

[1:46:29 PM](#)

MS. PETE said the AYK Region comprises 118, or 52 percent, of the state's 229 tribes. In 2005 the rural population in AYK totaled 43,860 people, with 72 percent of that population being Alaska Native. When Fairbanks and the upper Yukon River are included, the population is about 131,000 people. Therefore, a huge portion of the state's population relies on salmon from that drainage.

[1:47:39 PM](#)

CO-CHAIR NEUMAN asked Ms. Pete to describe any changes she has seen over the past 20-25 years of working either directly or indirectly with the Division of Subsistence.

MS. PETE responded that she started with the division in 1984 and [since then] there has been a huge change in people's views about the role of subsistence. There is data demonstrating its importance and there is real science that demonstrates how it works. There is no longer any question on how it needs to be accommodated. She said she thinks managers in both federal and state government take it seriously and do try to accommodate it and implement the law as required. In the mid-1980s there were questions about why these uses cannot be accommodated in either personal use or sport regulations. They cannot and never can, she continued, because they need to be more liberal and culturally-based. They need to accommodate the way of life that they are supposed to protect. In terms of perspective, there has been a lot of growth in understanding of this really important use and growing respect for it. It is very complicated, especially given that there are situations where very few people are subsistence-only users anymore. People need to have other access in other ways, such as commercial fishing, because this is one of the very few ways that there can be wage employment.

[1:50:42 PM](#)

NICK TUCKER, a subsistence and commercial fisherman, warned that the lower Yukon communities are on the verge of collapse, and this collapse is certain if the state, ADF&G, and the people do not get together. Restoration and rebuilding programs that were well underway to success were disrupted, he said. He recommended looking at areas outside the boundaries of ADF&G management, such as the 122,000 Chinook that were caught as

bycatch in the Bering Sea/Aleutian Islands Pollock fishery and the 2005 bycatch of 700,000 Chums. People must work together on these issues and these issues must be addressed. There needs to be a complete review and examination of how ADF&G manages fisheries. He said he is concerned about the feeding grounds and habitats in the migratory pathway of the region's Chinook Salmon. The villages are the hardest hit every time there are regulations and restrictions. It is getting so bad that many households are forced to choose between heating fuel and food. Additionally, villages have not recouped from the unprecedented 2009 flood. The Board of Fisheries and ADF&G must back off because the communities are already overly depressed, but the salmon resources can still be protected and preserved.

[1:55:07 PM](#)

MR. TUCKER said he is also concerned about over-escapement of salmon which happened in 2005 with the return of about 1 million Chums and that return materialized this fall. In some years there may be a weak run of one species and a healthy run of the other, so there needs to be a re-examination of state priorities on escapement, subsistence, and commercial fishing. It may require a commercial fishery like was done this fall when the Chums were weak and the Coho Salmon were coming in strong. Both could have been lost, but in order to save the Cohos, an emergency order was requested to open up the Coho fishery. He recommended a re-examination of some of the 50-year practices and said innovative ideas should be applied in order to save the salmon for the future.

MR. TUCKER contended that there is a growing over-emphasis on Alaska's treaty obligations with Canada. He maintained that the key treaty words are "we shall endeavor," and that this is what should be done in the fisheries. The minimum border passage of 45,000 Chinook is measured at Eagle, and this fall about 70,000 Chinooks passed through, almost double the minimum. He recommended that it be started out with 10-15 percent of the required passage, and then adjusted as the season progresses.

[1:57:49 PM](#)

MR. TUCKER pointed out that oftentimes the lower Yukon River is bombarded with severe regulations, restrictions, closures, and windows, only to discover the following winter that there had been good escapements. He said he therefore recommends starting out with a 10-15 percent harvest of the protected run and then making adjustments to get some over-escapement. He contended

that the management method of erring on the side of conservation may have been the cause of the catastrophic impact on lower Yukon fisheries. It is time to consider co-management with local people, he continued, because elders and local fishermen know well about the river conditions and how they change every year. He urged the replacement or upgrade of the sonar equipment because of the problem with under-counting. Additionally, the turnover problem with the personnel who actually do the sonar counting needs to be looked at.

[2:02:07 PM](#)

MR. TUCKER urged that local elders and experienced fishermen also be involved in the test fisheries to provide better management. Testing should be moved to other sites when necessary, he said, given that the Yukon River is always changing. The ideal way to test fish abundance is to observe the local fishermen. Fish runs are correlated with the coastal tides and these tides trigger when to fish during the day and where to fish at different distances from the coast line. Local hire is advantageous and can save ADF&G money.

[2:03:09 PM](#)

MR. TUCKER, in regard to subsistence, read a statement by Ms. Ernestine Andrew, now living in Bethel, that was printed in the October 2009 edition of the Greatlander Bush Mailer. Her statement was made in response to the question, Are moose, caribou, and Alaskan fish important to you? He read as follows:

Alaskan food is part of my life, because it is all natural, organically grown, and kept right in my backyard which is the land. I know the fish that swim up the river is fresh, not farmed. The moose is not injected with growth hormones. The greens and berries aren't sprayed with chemicals. My food I catch doesn't go through a laser scanner with a ridiculous high price tag. It is 100 percent natural. We have a 10,000 year sacred attachment to both our summer subsistence fishing and other year round subsistence activities. ... Because we have been forced into larger communities, it takes money to do all our year round subsistence activities. Our fish and game resources are further away due to the noise in the communities. ... Joblessness is very high in our villages, so any income that supports our subsistence activities is both cherished and precious. This is

where our commercial fishing plays a major role.
Today this way of life is threatened. ...

2:05:44 PM

MR. TUCKER, in regard to tribal inclusions, noted that Alaska is unusually vast with cultures and traditions varying from village to village. Dialects and languages have to be translated to other Alaska Natives, he said. It takes years for others to get a good sense of who Alaska Natives are, what they do, and how they live. Many Alaska Natives have two cultures and have learned from their ancestors about tribal law. Alaska Natives know best who they are, how they should live, and how to preserve their resources. It is advantageous to include Native tribes because the knowledge, wisdom, and experience are already there. Alaska Natives have given their allegiance and loyalty, and in return are asking for respect and trust. The first 50 years of fish and game management has been one sided, he said, and that time is past. He continued: "We can think side-by-side, work together, plan together, and study together. At the day's end we can look forward to a more responsible and effective management of our salmon resources and address together other areas that endanger it. ... It will take both of us to save these resources and our communities."

2:09:56 PM

JACK SCHULTHEIS first noted that he has been involved with lower Yukon commercial fisheries since 1974. There has been a commercial fishery on the lower Yukon since 1950, he said, and in the 1960s and forward, the Yukon fishery was classified as one of the most stable fisheries in the state that was under ADF&G management. About 12 years ago a dramatic shift in fish runs occurred in all of Western Alaska from Bristol Bay north. Emergency disasters were declared. The department and other agencies reacted. Today, Bristol Bay is having spectacular and reliable runs. The Kuskokwim River, Norton Sound, and Kotzebue have, for the most part, healed, and most of the fisheries are having healthy returns as well as viable commercial fisheries. There is now a record size Coho run in Norton Sound. Chum, Coho, and King returns in the Kuskokwim are at normal. Kotzebue is having the highest catch rate in the history of the commercial fishery. He acknowledged there are some cases in Western Alaska where there are some issues, but said that for the most part the runs in Western Alaska are back to normal - except the Yukon River.

MR. SCHULTHEIS said there is no other way to describe the Yukon other than to say it is a mess. After years of extreme conservative management, severe sacrifices forced down people's throats under the guise of necessary management, and the constant excuse of meeting Canadian escapement, things have only gotten worse. The entire economy on the lower Yukon is now in shambles. At an advisory committee meeting in Marshall last week, adults actually cried over what has happened out here. He noted that he is the general manager of Kwik'pak Fisheries, the last major processor left on the lower Yukon. Ten to fifteen years ago, this fishery had an ex-vessel value to the fishermen of \$15-\$20 million, he said. In 2008, that number shrank to about \$1.5 million. This year, ex-vessel value was \$677,000 or 4 percent of what used to be normal.

[2:14:27 PM](#)

MR. SCHULTHEIS urged the committee to understand the villagers' hardship of trying to exist on 4 percent of what they used to make. The frustration is that despite all the extreme measures, things are getting worse instead of better, he reiterated. Additionally, there never seems to be any answers for why this is happening. Fisheries to the north and south are viable commercial fisheries, but the Yukon River keeps getting churned up over and over.

[2:15:36 PM](#)

MR. SCHULTHEIS pointed out that at one time there were 14 processors actively working on the Yukon. Many were little family-run businesses that operated from Black River on the coast and all the way up through Eagle. Local-hire employment totaled several hundred residents from the villages all along the Yukon. There were fisheries, fish processors, and fish businesses in every district of the Yukon. Payrolls were in the millions of dollars. The first wholesale price of the catch exceeded \$33 million; this year it will barely exceed \$1.3 million. The fishery tied into local commerce - people from the villages were starting their own businesses, such as taxis, restaurants, grocery stores. The economy was starting to flourish and now it is wrapped up in despair. Revenues in these municipalities are primarily from sales taxes. At one time Emmonak had such a healthy sales tax revenue that there was garbage collection, fire protection, and road maintenance. Those services are now things of the past and today Emmonak can barely keep its lights on. The best one can hope for is safe water. Wherever there is poverty there are social problems.

Alcoholism, drug abuse, suicides, burglary, assaults, and domestic violence have all risen since the fishery collapsed and the villages are being overwhelmed by this.

MR. SCHULTHEIS said no other fishery in the state is in this predicament. He related that in 2008, an ADF&G biologist estimated that the harvest of over 1 million Chum Salmon was forgone, which would have put \$6 million into the area's economy. There have been extreme surpluses that led to over-escapement, which in turn led to further run failures. Unreliable sonar reports have prevented and stopped the prosecution of both commercial and subsistence fisheries.

[2:20:08 PM](#)

MR. SCHULTHEIS reported that even worse was that both the state and the U.S. Fish and Wildlife Service wrote citations this season on people who were just trying to get food to eat; people on the verge of total economic collapse were not allowed to eat. Despite a budget of millions of dollars and a staff of 32, ADF&G still cannot at this time say how many salmon came up the river. Would this level of competency be tolerated in any other fishery, he asked.

[2:22:29 PM](#)

NICK ANDREW, JR., Ohogamiut Traditional Council, first thanked Mr. Tucker for his eloquence and for bringing up many of the same points that he wanted to touch on. He also thanked Mr. Schultheis for his economic perspective of this crisis. People are going through hard times, he stressed. Elders are asking when the restrictions on the river will be lifted. He said he and other council members have walked about the village to talk with elders and families. By late June in most years, everyone in the village usually has his or her subsistence King Salmon needs met, but that did not happen in June 2009. The state and federal fisheries managers were relying on the sonar at Pilot Station.

MR. ANDREW related that elders in the village told him and other Ohogamiut Traditional Council members that a lot of fish were going by. Additionally, long-time commercial and subsistence fishermen explained that a fluctuation of the river water up and down indicates a heavy run is passing by the village - this happened three times in June. As more people came forward stating that they did not have any King Salmon, or enough to sustain themselves for the winter, the Ohogamiut Traditional

Council decided to take action. A protest fishery was sanctioned and authorized by the council to send a message to the State of Alaska and the governor that villagers needed fish. The 2008 energy crisis drove the cost of living to the stratosphere. Both ADF&G and the USFWS needed to hear that what they were doing was hurting Marshall and affecting the people's ability to feed themselves in the coming winter.

[2:26:13 PM](#)

MR. ANDREW said the Ohogamiut Traditional Council wants the [Bering Sea/Aleutian Islands] Pollock Fishery to receive some attention. This Pollock fishery kills hundreds of thousands of the villager's salmon resources, he pointed out, and tosses them as bycatch without penalty. That is an injustice to the Alaska Native people who have inherent, customary, and traditional rights to the river and its resources, and these rights are being ignored. He agreed with Mr. Tucker's portrayal of how important salmon are to the Native people. Everything in this day and age needs scientific proof, and Native people have scientific proof that goes back more than 10,000 years. It is time that the state and federal government recognize subsistence priority for rural Alaska Natives, he stressed. This is not an urban versus rural issue, it is a humanitarian issue. Studies show that Alaska Natives in this region eat a lot of wild game and this is scientific fact that cannot be ignored.

[2:28:03 PM](#)

REPRESENTATIVE BOB HERRON asked whether ADF&G has talked with Mr. Andrews about the concerns he just addressed.

MR. ANDREW responded that a delegation came out in late June, following several of his press releases that included the term "civil disobedience." This delegation included ADF&G, USFWS, a state trooper, and several other individuals. There is not a good dialogue with the fisheries managers, he said, and the only dialogue he has had is [ADF&G's] email alerts announcing the openings and closures of subsistence and commercial fishing.

[2:30:07 PM](#)

JULIE RAYMOND-YAKOUBIAN, Social Scientist, Kawerak, Inc., stated she is presenting her testimony on behalf of her organization's constituents. She testified:

Subsistence users throughout the Norton Sound and Bering Strait region are gravely concerned about the continuing decline of our regional salmon stocks. We are particularly frustrated that our residents bear the full burden of conservation for these stocks, while commercial fishermen continue to intercept salmon bound for our rivers with little or no regulation. While our subsistence users face severe restrictions, federal and state-managed commercial fisheries continue to harvest huge numbers of Chum and Chinook salmon bound for our region's rivers. Kawerak supports immediate salmon bycatch limits and other conservation measures for Bering Sea trawl fisheries and the South Peninsula/False Pass Sockeye Salmon fishery to prevent the loss of our important subsistence salmon resources. We also request that funds be appropriated to advance salmon research and restoration efforts in Western Alaska.

As the National Marine Fisheries Service noted in the Bering Sea salmon bycatch environmental impact statement prepared last year: "The first priority for management is to meet spawning escapement goals to sustain salmon resources for future generations. Highest priority use is for subsistence under both state and federal law. Surplus fish beyond escapement needs and subsistence use are made available for other uses." While subsistence needs are listed as the first priority under both state and federal management systems, our regional subsistence fisheries have been given the lowest priority by fisheries managers, in direct conflict with mandated subsistence priority. Commercial fishing interests have been consistently favored by government fisheries managers at both state and federal levels. When did this become acceptable?

Management of Western Alaska salmon falls under the jurisdiction of the Alaska Department of Fish & Game and the National Marine Fisheries Service. Salmon are managed near-shore and in-river by the Alaska Department of Fish & Game to attempt to meet escapement goals set for returning salmon runs and allow subsistence, sport, and commercial fishing to occur if runs are strong enough. The National Marine Fisheries Service manages salmon caught incidentally by off-shore trawl fisheries and they attempt to minimize the impact on large-scale Pollock fishery

without regard for annual fluctuations and salmon returns or state management measures. The management goals of these two agencies are completely contradictory and these differences have resulted in disaster for our salmon resources and a crippling of subsistence activities in our region.

[2:33:34 PM](#)

MS. RAYMOND-YAKOUBIAN pointed out that state salmon regulations are developed by the Board of Fisheries and federal management regulations are developed by the North Pacific Fishery Management Council. She continued: "Regulations developed by these two bodies have placed the future of our declining salmon runs in severe jeopardy, while perpetuating wasteful practices by some commercial fisheries to intercept our salmon with impunity and disregard." The Inupiat, Yupik, and Siberian Yupik cultures and traditions are based on hunting, fishing, and living off the land and these needs are no less important than those of offshore commercial fisheries. Refusal by the existing management regimes to recognize this and protect the fishery stocks has severely impacted the people's ability to carry on their subsistence practices.

MS. RAYMOND-YAKOUBIAN related that the North Pacific Fishery Management Council's recently adopted Chinook Salmon bycatch management plan includes a cap of 60,000 King Salmon for the Bering Sea Pollock fishery. Given that the Pollock industry has exceeded this bycatch number only three times during its twenty-year history, these new bycatch regulations lack any real conservation ethic, she charged. Kawerak supports a bycatch hard cap for the Pollock fishery of 30,000 Chinook Salmon, decreasing over time, along with immediate emergency management measures to protect the region's declining salmon stocks.

MS. RAYMOND-YAKOUBIAN stated that the region's salmon spawning habitat is some of the most pristine in Alaska. For example, she said fishermen in Unalakleet have proposed closures for their own subsistence Chinook fishery to allow for greater escapement. Subsistence users have sacrificed a great deal to conserve weak salmon stocks and the burden of salmon conservation and restoration must be shared between all user groups, including the Pollock and Sockeye fisheries. She pointed out that during 2009 the South Peninsula/False Pass Sockeye fishery harvested as many Chum as it did Sockeye, the largest amount of Chum Salmon bycatch in 15 years. Yet, this fishery continues to operate without a bycatch cap. She said

Kawerak supports Chum Salmon bycatch limits and other conservation measures for the South Peninsula Sockeye Salmon fishery.

MS. RAYMOND-YAKOUBIAN further noted that the North Pacific Fishery Management Council is currently preparing a Chum Salmon bycatch management plan for the Bering Sea Pollock fishery and one option being considered is a bycatch cap of 488,000 Chum Salmon. The Pollock industry has only surpassed this enormous bycatch number once during its 20-year history, she said. It appears that once again Western Alaska's salmon resources will be sacrificed to avoid inconveniencing these Seattle-based fishermen. Kawerak supports a meaningful bycatch cap and other measures which may actually reduce Chum Salmon bycatch in this fishery.

MS. RAYMOND-YAKOUBIAN said the Nome Subdistrict currently has no commercial, sport, or subsistence fisheries that target Chum Salmon, and other regional salmon fisheries are under severe restrictions to allow greater Chum escapement. Yet, several of the rivers failed to meet escapement goals in recent years. The False Pass Sockeye Salmon fishermen and the federally-managed Pollock fishery must share the burden of management options.

[2:38:49 PM](#)

MS. RAYMOND-YAKOUBIAN moved on to the topic of the Arctic-Yukon-Kuskokwim Sustainable Salmon Initiative (AYKSSI), noting that Kawerak supports salmon conservation, restoration, and research efforts that provide solutions to the region's continuing subsistence fishery problems. However, one tool that was available to aide in finding solutions - the AYKSSI - is no longer an option. She related that U.S. Senator Ted Stevens thought the AYKSSI was a good idea and in 2002 it was funded with a \$5 million earmark within the State of Alaska's Pacific Coast Salmon Recovery Fund; but this funding is no longer available. In 2007 a new process was set in place which distributed Pacific Coast Salmon Recovery funding to five states, including Alaska, as well as federally recognized Indian tribes in Washington, Oregon, California, and Idaho. Alaska tribes are ineligible to apply. Funding of the AYKSSI as a program has been wholly curtailed and the ADF&G commissioner is now using an in-house process, called the Alaska Sustainable Salmon Fund, for allocating Pacific Coast Salmon Recovery funds among Alaska regions and specific projects. While ADF&G has discretion to allocate funds to the AYKSSI, it has not done so. Additionally, outside of the AYKSSI program, ADF&G has made only

nominal awards - \$1.2 million out \$23.7 million in 2007/2008 - to do research in the AYK region. This amount represents about 5 percent of the available funding for an area comprising 49 percent of the state.

[2:41:41 PM](#)

MS. RAYMOND-YAKOUBIAN stated that the Bering Strait Region has experienced drastic fish declines since the 1990s and fish returns continue to decline. There are no other regions of the state where regional residents are so dependent on returning fish resources for subsistence where fish returns have declined so precipitously for such a long period where ADF&G has allocated so little research funding.

[2:42:12 PM](#)

MS. RAYMOND-YAKOUBIAN reminded members that only 49 Chinook Salmon were counted at the Pilgrim River weir. Yet, at the Alaska Sustainable Salmon Fund meeting on September 8, 2009, ADF&G applied recovery and conservation funds to Chinook stocks in the Pacific Salmon Treaty region in Southeast Alaska. Does this mean that the AYK Region's Chinook Salmon returns are not depressed enough to be addressed? For years ADF&G has treated subsistence fisheries in the AYK Region as being of lower priority than commercial fisheries. This can be seen in the allocation of staff, resources, attention, and research. It can also be seen in the Board of Fisheries' decision to remove Chum caps, and the North Pacific Fishery Council's decision to set a high Chinook cap. Using the criteria developed by the National Oceanic and Atmospheric Administration for the Pacific Coast Salmon Recovery Fund, the AYK Region has an overwhelming need for continued research.

MS. RAYMOND-YAKOUBIAN related that Kawerak respectfully requests the following: that ADF&G be directed to set aside funds received from the Pacific Coast Salmon Recovery Fund for administration and awarding by the AYKSSI commensurate with the research needs of the area to continue needed research within the AYK Region; that ADF&G set in place processes whereby the recommendations of rural Alaskans are solicited and incorporated into plans to address salmon research and restoration needs; that the House Resources Standing Committee review the unique collaboration of research, communication, and joint efforts of the AYKSSI steering committee and resultant research projects which can and have been used to make fisheries management decisions; that the legislature and the administration send

letters to the [U.S.] Secretary of Commerce in support of establishing a 30,000 Chinook hard cap for the Bering Sea Pollock fishery; that meaningful salmon bycatch limits be established for the South Peninsula/False Pass Sockeye Salmon fishery; and that additional research and restoration funds be made available to address the fishery concerns in Norton Sound.

[2:44:58 PM](#)

CO-CHAIR NEUMAN stated he will be requesting the director to delineate how the \$5 million in 2002 and the 5 percent [\$1.2 million] in 2007/2008 from the Pacific Salmon Recovery Fund were appropriated. In response to Representative Guttenberg, said the testimony of witnesses will be available online.

[2:46:57 PM](#)

MIKE SMITH, Tanana Chiefs Conference (TCC), noted that the TCC represents 42 tribes primarily on the tributaries of the Yukon River. He reiterated that there was an original allocation of money to the AYKSSI and then subsequent allocations over the years. When Congress got rid of the congressional earmarks a couple of years ago, all of the money was rolled into one pot that came to the State of Alaska. The state, at that time, had within its discretion to distribute that money to [AYKSSI], and that is where the less than 5 percent statistic to AYKSSI comes from.

MR. SMITH began his testimony, stating that TCC has had serious concerns regarding the continued viability of Yukon River salmon for quite a few years. The TCC region has been experiencing steep declines for at least two decades, he said. While TCC feels for the down-river commercial interests, the TCC region lost its commercial activities a long time ago and is now losing its subsistence activities as well.

[2:49:42 PM](#)

MR. SMITH offered his opinion that there is no doubt there will be severe effects upon the yearly return of Yukon River King Salmon due to the major ecological changes that are occurring in the environment and the Bering Sea from warming temperatures, regime shifts, and decline in the Pacific Decadal Oscillation. While this cannot be controlled, he said fish management decisions can be. However, subsistence users just cannot compete against the political pressure of commercial interests. For example, at the recent North Pacific Fishery Management

Council, about 10 subsistence users, including TCC, were in attendance, while the commercial interests brought in over 100 people to testify, all of whom had per diem and their travel and hotel paid for. The AYK Region has one of the most pristine fisheries in the world - no agricultural runoff, no clear cut forests, no huge population centers that fish run through - yet, most of the [15] disaster declarations were made prior to ecological concerns; so it was management decisions, he charged.

MR. SMITH said ocean productivity goes through oscillations every 20-30 years and it is now known that ocean productivity is in its downward spiral. At the same time, approximately 80 million hatchery fish have been released, so the ability of wild stocks to maintain their equilibrium and population levels in this type of environment is going to be extremely difficult. He reported that the Bering-Aleutian Salmon International Survey (BASIS) has for some time seen very few juvenile salmon in the Bering Sea, and this equates to low returns in the future.

[2:52:19 PM](#)

MR. SMITH pointed out that over the past few years the [Bering Sea] Pollock fishery has taken record levels of [salmon] bycatch. This bycatch has been known for 20-plus years and the department has consistently, although maybe rightfully so, failed to take that bycatch into account when doing its projections of assessment work. The excuse for that, he predicted, will be that the department did not know how many of those fish were bound for the Yukon River. However, TCC's point is that the department knew some of them were. He said TCC opposes the bycatch limits currently in place. At the North Pacific Fishery Management Council, the State of Alaska pushed the resolution for a 68,000 bycatch limit which, fortunately, was reduced to 60,000; however, TCC thought 30,000 was a more appropriate amount. This shows the state's priority in helping commercial interests versus the terminal-use fishermen, he charged.

MR. SMITH concurred that not enough money has been put toward research. However, he said some of the management decisions made over the past couple of decades have had as much impact on the decline of Yukon River salmon as has the Pollock industry. He related it is now known that the Western Alaska salmon stocks have been over-exploited over the years. Without the ability to clearly determine what a run is, it is unknown whether a stock is being exploited, he continued. He said TCC also believes it has suffered through low escapement goals and TCC does not

believe any stocks, especially King Salmon, have over-escaped. Rather, TCC's perception has always been that those escapement goals need to be higher to fully give the environment its ability to perpetuate as many fish as it can. He said he has attended three of the state's escapement-goal meetings and each time those escapement goals have been lowered. Additionally, he charged that the state's aerial flyby method for determining how many fish have escaped is an inaccurate method. The quality of escapement should also be a consideration, he said. The department fails to determine whether the escapement is composed of non-productive jacks or of small females, and such escapements will not provide any production. Another concern is that TCC fishermen have been observing a decline in the size of King Salmon, an observation which ADF&G has largely "pooh-pooed" and not researched.

2:59:06 PM

MR. SMITH noted that associated with the decline in size of King Salmon is the declining age structure, which goes back to the quality of escapement. He said it is now known that the age structures are declining rapidly: 8-year-old King Salmon are virtually extinct, 7-year-olds are also virtually gone, and the 4-7-year-olds are going through major fluctuations with continuing downward trends. It will be very difficult to bring back 40-60 pound salmon; further, over the last 10 years the average weight of Yukon River King Salmon has dropped from about 20 pounds to 14. He said large females are no longer seen in the river and the bigger the fish, the more eggs, the better the eggs, and the more likely it is to get back big fish.

MR. SMITH addressed TCC's concern about disease in the fish. Disease has fluctuated over the years from a high of 30 percent down to about 15 percent, he said. However, ADF&G is no longer testing for disease. It is the private sector that is providing most of the research on diseases, but there is no funding from the state. Another significant issue is that ADF&G has interpreted the constitutional provision that the state's resources be used for the maximum benefit of Alaskans to mean managing for maximum sustained yield of the state's fisheries. Maximum sustained yield and maximum use of resources to all Alaskans are two completely different things, he said. While maximum sustained yield is a wonderful scientific principle, the problem is that there must be the information to achieve that. The state does not have this information and, once again, this goes back to the funding and priorities established by the department. He charged that there is arrogance on the part of

the department in thinking that it knows what is going on with this issue.

MR. SMITH said TCC is actively pursuing assessment tools. There was no commercial opening on the Yukon River this year, he reported, and it does not look like there will be any openings in the foreseeable future. He said TCC is in a position now to take those biological samples and this goes back to the issue of involving local people, local agencies, and the fishermen in management and operation of these fisheries. For less than \$150,000 this past year, TCC trained and paid its subsistence fishermen to be data collectors and they did a great job. This is the type of cooperation that needs to be done on the Yukon fishery, rather than being in a constant battle with the state. Subsistence users oftentimes find themselves fighting the science behind a lot of these decisions.

CO-CHAIR NEUMAN noted that Mr. Smith is one of the top contenders for appointment to the Board of Fisheries.

[3:05:42 PM](#)

GENE PELTOLA, Refuge Manager, Yukon Delta National Wildlife Refuge, U.S. Fish and Wildlife Service (USFWS), summarized the 2009 season on the Kuskokwim River from his office's standpoint. [Due to poor sound quality, it was difficult to discern much of Mr. Peltola's testimony.] He said escapement for salmon stocks in the Kuskokwim drainage is the responsibility of [ADF&G], as established by the Board of Fisheries. Some of the tools utilized include aerial surveys conducted by ADF&G and the USFWS, the test fishery, and a series of weirs and sonar. Escapement had mixed success with about one-third of the objectives not being met and some that came in the very bottom of the suggested range. He said this does not mean the system is in dire straits; rather, it means there is room for improvement.

MR. PELTOLA reported that Chinook Salmon escapement, with the exception of two rivers, appears to be below average. Overall run timing for all species appears to be fairly normal, he continued. The USFWS looks at this decline and trend over a five-year term. Within the Kuskokwim drainage, a total of 16 commercial periods occurred in District 1 with an estimated ex-vessel value of over half a million dollars. The processor capacity was expanded in 2009 in the Kuskokwim drainage. The USFWS works as a co-manager with the state for subsistence fisheries on the Kuskokwim River, so refuge staff met and spoke

with ADF&G managers on a regular basis throughout the season. He said ADF&G staff did an excellent job of keeping the refuge informed of its intentions and provided up-to-date information for escapement projects. The department sought USFWS input on the decision-making process. Additionally, the refuge participated in each of the 15 working group meetings to gain a broader perspective of how the fisheries were progressing and hear positions and/or concerns from the public and working group members.

[3:09:14 PM](#)

MR. PELTOLA stated that the Kuskokwim drainage is not in as dire straits as others, such as the Yukon. He outlined some of the steps that the refuge feels could improve management of the drainage. As fuel prices rise, subsistence fishermen are limiting their fishing activity to periods of peak abundance. This complicates management decisions since commercial fishing periods are not supported until subsistence needs are met. With increased processing capacity, there may be more pressure on managers to allow for additional commercial fishing periods. This may increase exploitation rates on some species and could potentially reduce subsistence fishing opportunities. Recently there has been a targeted Sockeye Salmon fishery, but there are no formal escapement guidelines fixed for that fishery. Exportation of subsistence cod fish from the region seems or appears to be on the increase. Another tool that could be considered is gear restrictions on mesh size. He added that continued funding for current projects is always problematic and operational costs continually rise. Additional projects are needed in the Kuskokwim drainage and can be fine-tuned to be more cost effective and provide potentially better information for management decisions.

[3:13:56 PM](#)

REPRESENTATIVE HERRON, in regard to going to consistent harvests for subsistence, inquired why wait if it is thought that there is an impending problem.

MR. PELTOLA responded that there is a large population center on the Kuskokwim River and any decision [indisc.] ... would be very controversial. He reiterated that the Kuskokwim is not in dire straits.

[3:15:41 PM](#)

JOHN WHITE, D.D.S., pointed out that while everyone talks about size and weight reductions on Yukon King Salmon, equally important is a decrease in fecundity. There just are not as many eggs, he said. While that can be a product of size and weight, fisheries research literature indicates that it is also a hallmark of a long-term declining salmon population. He addressed Representative Herron's question to Mr. Peltola from the angle of being a 35-year commercial fisherman, an 8-year member of the Board of Fisheries, and as chairman of the governing body of the AYKSSI. Committee members are here as fact-finders and therefore the committee cannot know the whole story unless somebody "speaks truth to power," he said. The truth to power in regard to Representative Herron's question is that "you don't wait for a stock of fish to collapse so far before you take action and consideration of how you limit that resource among users." He explained that the Board of Fisheries determines subsistence allocations based on sections in state statute that deal with amounts reasonably necessary. When allocations cannot be met with Tier I measures - which are time, area, and year - then the allocations must be met with Tier II measures. And no one wants to talk about Tier II, he said, because it tears communities apart.

[3:20:05 PM](#)

DR. WHITE recommended that legislators look at the statutes carefully and work with the policy-makers at ADF&G. Legislators need to stay abreast with those policy-makers if they are dodging the question of Tier II. The time to address how to allocate fish when it is getting to a Tier II situation is to address it now, before there is a complete collapse and there are no fish. Do it when there are still enough fish that people can belly up to the table and take responsibility.

DR. WHITE disagreed with statements that ADF&G could fund AYKSSI but chose not to. Rather, he said ADF&G is telling people that it cannot make block grants to the AYKSSI because of a Memorandum of Understanding (MOU) the department has with the National Oceanic and Atmospheric Administration (NOAA). However, he continued, today there is a different opinion and NOAA has stated that it was ADF&G who brought that condition to the MOU. He charged that both the Murkowski and Palin administrations have systematically high-jacked the AYKSSI into research under their bailiwick so they make the determination, and they are not part of the larger cooperative working group. He alleged that there is now evidence that two people in the ADF&G commissioner's office went to the Alaska Congressional

Delegation saying that useable research cannot be gotten from AYKSSI and that this was said even though ADF&G has 2 of 8 seats on the AYKSSI governing body and the same number of seats on the science and technical committee. The AYKSSI now has zero funding. He suggested that what is going on is antagonistic disregard for Western Alaskans. He said AYKSSI will be submitting to the committee a copy of its annual report along with its research plan that was completed with the National Academy of Sciences.

[3:26:00 PM](#)

CO-CHAIR NEUMAN requested that evidence of the aforementioned be provided to committee members.

DR. WHITE agreed to do so.

[3:26:23 PM](#)

DR. WHITE, in response to Representative Herron, stated that he worked intimately with previous ADF&G commissioners and deputy commissioners when he was on the Board of Fisheries. When there are problems of this magnitude, he said he believes it is the commissioner's and deputy commissioner's job to go to meetings and hear the people out. Part of this antagonistic disregard is the commissioner's and deputy commissioner's inability to even show Western Alaskans the grace of showing up.

[3:28:07 PM](#)

ROBERT NICK stated that he writes weekly newspaper articles and this week, after a five-month break, he wrote an article about the subsistence issue. He said that if "we are what we eat" then he is part King Salmon, Chum Salmon, Red Salmon, Silver Salmon, Whitefish, and Blackfish. He said he learned this from his parents and has continued this subsistence lifestyle. For over 50 years he has hunted and fished in a radius of about 125 miles. He can name most of the rivers and lakes and knows where each species of fish spawns. He said that while he has no scientific figures to back up his comments, he has a lifetime of learning how to provide so his family can survive. His ancestors were astute, scientific, and conservation-minded in regard to fish and wildlife resources. They harvested what they needed and no more and that is how he has exercised his own subsistence activity.

MR. NICK noted that when salmon stocks declined in the mid-1990s, he thought about the organizations that would have some input into the co-management of white people and the subsistence fishermen with ADF&G managers and the North Pacific Fishery Management Council. He subsequently became a member of the Lower Kuskokwim Advisory Council as well as the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council. In those capacities he has pursued the co-management concept between state and federal managers and the users on the Yukon and Kuskokwim rivers. An agreement was made for some cutbacks in subsistence activities. He said he was hesitant at first because so many families in the communities depend on salmon resources and he wondered how his family would have enough to get through the winter. However, given the alarming salmon decline, something had to be done.

MR. NICK requested that legislators find ways to minimize the decline of salmon resources in the Kuskokwim and in particular the Yukon River. He said any help that can be given to families enduring this hardship will be appreciated. He urged that more reliance be given to recommendations made by the various Western Alaska advisory committees, as well as more reliance given to elders of the communities. The Yukon, Kuskokwim, and other rivers have pristine spawning habitat, he added.

[3:39:00 PM](#)

CO-CHAIR NEUMAN inquired whether Mr. Nick feels his voice, as a member of advisory councils and his many life experiences, is heard by ADF&G staff.

MR. NICK replied yes, the recommendations of the advisory committees in both rivers are heard. He noted that the federal regional advisory council's do allow technical elder knowledge contracts.

[3:42:22 PM](#)

REPRESENTATIVE HERRON asked whether, in Mr. Nick's opinion, the salmon is endangered.

MR. NICK replied yes, due to the current lax management of the salmon as they migrate to the rivers. In further response, he said the number one impact is food for the table; some people were unable to harvest enough to survive this winter. Another impact and concern that he has is for future generations and

whether there will be salmon. Even if economies fail, the resources of the land can still provide.

[3:44:53 PM](#)

JILL KLEIN, Executive Director, Yukon River Drainage Fisheries Association (YRDFA), explained that YRDFA has worked for the past 20 years to bring fishermen together along the Yukon River. The board is comprised of 30 members and alternates who work together by consensus. A nonprofit, nongovernmental organization, YRDFA works to promote healthy wild salmon fisheries and is the only river-wide fishing organization along the river. She said YRDFA supports and works with subsistence and commercial fisheries. She offered YRDFA's belief that in regard to overall management, the in-season managers are trying the best they can to manage the fishery with the tools that they have.

MS. KLEIN stated there is a lot of unreliability in salmon returns, as well as challenges with the past fisheries and the tools being relied upon. There is a need for more information regarding the marine lifecycle of salmon and issues such as the number, age, and size of salmon needed on the spawning grounds. She related that YRDFA heard the sonar was not working properly this past summer; she added that Pilot Station has had numerous problems over the years. Sonar is an important management tool and it needs to be addressed both with funds and a review of best management practices as to how to use this tool to manage the fishery.

MS. KLEIN said the lower Yukon test fisheries are always contested by local people. She related that management says the test fisheries must stay in the same places year after year to have a more controlled scientific process and long-term data that can be relied upon. Fishermen, however, change their sites year after year, fishing in different places when conditions change to maximize their opportunity. Thus, there is a big discrepancy between methods of fishers and managers. In her ten years with YRDFA, she said this issue does not seem to be getting resolved.

MS. KLEIN noted the importance of subsistence and reported that right now subsistence is the biggest fishery on the Yukon River. The fish are needed for both food and culture. Subsistence activities have been greatly impacted with regulations, such as the windows and reduced fishing time, and, this year, the closure of the first pulse. She allowed that meeting

subsistence needs along the river is challenging and upriver subsistence needs are just as important as lower river subsistence. One of the greatest challenges is how to let subsistence users fish the lower Yukon while passing enough fish upriver for fishing and spawning.

MS. KLEIN conveyed YRDFA's support for including tribes in management. She noted that YRDFA has been working with management and includes tribal people in its efforts. The tribes want government-to-government relationships and to be at the decision-making table, she said, and YRDFA will work to help in this process as best it can. True co-management must include all the government agencies, tribal governments, and nongovernmental entities working together.

[3:49:37 PM](#)

MS. KLEIN said the three top impacts of salmon are: the potential loss of the salmon, or the amounts necessary for subsistence; which would then lead to the loss of the people that rely on the salmon; and the subsequent loss of the cultures that exist in Alaska and make Alaska, Alaska. To prevent this, the salmon must be sustained, the people need to be involved and supportive of the process, and there needs to be the funds to sustain the process of working together.

[3:51:03 PM](#)

JOHN HILSINGER, Director, Division of Commercial Fisheries, Alaska Department of Fish & Game, first introduced the other ADF&G staff present and offered the regrets of Commissioner Lloyd who had a previously scheduled meeting with the Board of Fisheries. He noted that the commissioner has had meetings in the region in the last five months. He said today's testimony indicates how complicated management of these stocks is. Involvement in this management includes: the North Pacific Fishery Management Council, Alaska Department of Fish & Game, U.S. Fish and Wildlife Service, and the Yukon River Panel. They work together to come up with a set of management plans and strategies that work and it may not be surprising that it is not always 100 percent successful.

MR. HILSINGER explained that the Yukon fishery is exceptionally difficult to manage because of the size of the area and the time. It takes a salmon about one month to swim from the mouth of the Yukon River to the border. Then it is several more weeks before that salmon reaches some of the spawning grounds in

Canada, some of which are as far as British Columbia. The result of a decision made by a manager in Emmonak is not apparent until five or six weeks later, which makes managing with precision a great challenge. This challenge can be seen in some of the results - in 2007 and 2008, escapement was short in Canada and many of the Canadian commercial and First Nations fisheries had to be cut in half. During those years there was substantial U.S. commercial and subsistence fisheries, so in 2009 managers did not want to be short of the escapement goal in Canada for the third year in a row.

MR. HILSINGER described the many challenges of managing a mixed-stock fishery that runs through a gauntlet of fisheries all the way up the river. The fish spawn in numerous tributaries along the way; for example, after the fish pass the sonar at Pilot Station, a large number then go up the Tanana and other tributaries. It is difficult to assess in-season how many of those Canadian fish are actually in the run. Great strides have been made with genetic work in recent years for getting information on the size of that Canadian run. The run that goes into Canada represents about half of the total Yukon Chinook Salmon run, so it is critically important that those fish be protected. He acknowledged that these fish are vitally important to everybody along the river. He pointed out that after the confluence of the Tanana River, the vast majority of passing fish are the Canadian fish and it is necessary to protect those stocks.

MR. HILSINGER stated that ADF&G staff met extensively last winter with the public from all along the river to try to develop a management strategy to shift the subsistence harvest from the Canadian portion of the run over to the U.S. stocks which have been much healthier in recent years. He explained that next year's management plans will be based on the results of this year's fisheries and the actions that were taken, of which many of the actions were unprecedented. He pointed out that ADF&G staff has done a lot to garner and use public input to develop management plans - for example, staff works with the Kuskokwim Working Group and Yukon River Drainage Fisheries Association, and attends advisory committee meetings and regional advisory council meetings. He said ADF&G will try to do even more, as is being requested.

[4:00:29 PM](#)

CO-CHAIR NEUMAN inquired whether the \$5 million in funding has been used up.

MR. HILSINGER responded that he thinks much of Dr. White's description of that process was very accurate. He related his understanding that there was an initial earmark of \$5 million from the federal government and subsequent earmarks of about \$3.5-\$5 million per year for five years, totaling a little over \$20 million. That money has not been completely used up, but it has been fully allocated to projects, some of which are nearing completion and at which point that money is gone.

CO-CHAIR NEUMAN asked how much of the \$5 million was spent toward the AYKSSI.

MR. HILSINGER explained there was a total of about \$20 million that was allocated to the AYKSSI over a five-year period, and virtually all of that has been spent for the purposes of the initiative. [The AYKSSI] did a research plan and many research projects have been funded over the years; for example, ADF&G conducted many of those projects and many were conducted by federal agencies and universities.

[4:02:55 PM](#)

CO-CHAIR NEUMAN inquired how much of that money was used to ensure there was a collaborative effort between all the user groups to have meetings in local communities and work together.

MR. HILSINGER related his understanding that all of the funding was spent on that - all of that money went to the research program that was developed by the AYKSSI. In further response, he explained that the AYKSSI had an advisory panel and a scientific/technical committee. People made proposals for projects, these were reviewed by the scientific/technical committee, that committee made recommendations to the panel, and the panel then decided which projects to fund.

[4:04:32 PM](#)

REPRESENTATIVE HERRON asked whether there is a publication that details the expenditure of those dollars.

MR. HILSINGER replied yes and offered to provide the publication.

[4:04:57 PM](#)

CO-CHAIR NEUMAN inquired whether the department agrees that the sonar did not work.

MR. HILSINGER answered that ADF&G's programs suffered from the same things the fishermen suffered from: high water, debris, and silt. He said news reports were incorrect about the sonar malfunctioning, rather the sonar reached its limitations because of the high water and silt, similar to a jet being unable to land in the fog even though it has instruments. He recognized the need to do a better job with that project because of its importance as the in-season management tool along with the test nets. The test nets also showed very low catches, he continued. In addition to the normal test nets that operate in a consistent location from year to year, ADF&G also had a mesh-size study that used local fishermen who fished in locations of their choice to see whether ADF&G was missing large numbers of fish in other areas, and it was learned that this did not seem to be the case. He said ADF&G knew early on that the sonar was undercounting due to the high water and silt and was very open about that. The YRDFA sponsors weekly teleconferences with people from the mouth of the river to the headwaters at Teslin Lake in which people receive updates on the run status, all the projects, as well as updates from the people on their own subsistence fishing. Throughout this weekly process, ADF&G was very open with telling people that the early sonar counts were conservative and this was factored into the department's decision making.

[4:08:07 PM](#)

REPRESENTATIVE HERRON requested Mr. Hilsinger to delineate what more ADF&G will do to garner a greater amount of public input.

MR. HILSINGER responded that one thing he learned this summer is that the word does not always get spread very broadly through the communities. For example, while a lot of people are on the YRDFA teleconferences and at the various meetings, the word does not always get passed along to the people not in attendance. There has been discussion about how to disseminate the word so those not involved in the meetings will know what is going on.

[4:09:38 PM](#)

REPRESENTATIVE HERRON asked what, in Mr. Hilsinger's opinion, is the number one impact on salmon.

MR. HILSINGER replied that research funded by the AYKSSI and conducted by ADF&G staff and Dr. Greg Ruggerone ["Retrospective Analysis of AYK Chinook Salmon Growth" by G.T. Ruggerone, J.L. Nielsen, and B. Agler], found that over a 15-year period, Yukon River Chinook Salmon went through consistent and substantial below-average growth at all the different life stages from fresh water to marine. However, in Kuskokwim salmon this growth pattern went up and down between below-average, average, and above-average. He said this indicates to him that there are some different conditions in the rearing environments and the ocean environments of Yukon fish as opposed to Kuskokwim fish, and this may explain some of the concerns about smaller salmon and poorer returns on the Yukon relative to the Kuskokwim. He added that it is a real open question how the ocean environment is going to treat these fish in the future.

4:12:28 PM

CO-CHAIR NEUMAN understood there were two different funding programs. There was the money from the Alaska Sustainable Salmon Fund that went to the AYKSSI program and was used by 2007, and there was the \$23.7 million from [fiscal year] 2007/2008 that the state received from the fund, of which about 5 percent, or \$1.2 million, was allocated for the AYK Region.

MR. HILSINGER answered that he does not know exact numbers of the fund because he does not deal with it much, but he knows there were targets for funding by area and the AYK Region was around \$1.5 million, although perhaps only \$1.2 million actually got funded. A decision was made that changed the allocation of money from block grants, like that which AYKSSI got, to a statewide approach. The Kenai River Sportfishing Association also had a block grant that was switched over, he added. The proposals now come in directly to the department and the department's scientific/technical committee reviews the proposals and decides which ones to fund.

CO-CHAIR NEUMAN pointed out that 51 of the 69 projects funded through the Alaska Sustainable Salmon Fund were ADF&G projects, so it can be seen that other projects took a back seat which is of concern to the people speaking here today.

MR. HILSINGER offered to put together a list of the projects and the amounts they were funded to show how the money was divided between the two halves of the state. He explained that the total statewide funding includes allocations to a number of department projects in Southeast Alaska, of which only a portion

is allocated for expenditure west of Cape Suckling, which would be the Central Region, AYK, and westward.

4:16:44 PM

REPRESENTATIVE GUTTENBERG inquired whether there are milestones that happen if the U.S. misses the escapement for Canada. For example, is there something that happens the first year, something else that happens the second year, and so forth, and when those things happen, is there any ability to influence what happens on the escapement issue.

MR. HILSINGER explained that the Yukon River Panel meets twice a year and each year sets the escapement goal. An escapement goal is actually written into the agreement, but due to the difficulty over time trying to meet that goal, the panel annually sets interim escapement goals for each year. Whether there are milestones toward that in any given year, depends on how the panel approaches it. For a number of years there was the approach of a two-cycle or three-cycle rebuilding program over which to reach specific escapement targets, and management plans were worked out to achieve those targets. While there is not necessarily a hard penalty for not reaching that target in any given year, the goals are taken very seriously by both sides of the border. It is always a difficult discussion at the panel meeting about what that escapement goal is going to be and what will be done to meet it. Under the agreement everyone is bound to do their very best to maintain adequate escapement in Canada. Since Canada's escapement is about half the run, it is in Alaska's best interest to ensure there is adequate escapement into Canada.

4:20:22 PM

REPRESENTATIVE GUTTENBERG asked whether the determination of what constitutes half the run is made at the mouth of the river or is an overall expectation of what will be coming in. He further asked whether this includes bycatch.

MR. HILSINGER responded that it is not that half of the run belongs to Canada, it is that the fish that spawn in Canada produce about half of the run. Therefore, maintaining adequate escapement in Canada is necessary to continue that same relative level of production to the extent that it is possible. Additionally, those Canadian fish are extremely valuable commercially because of their high oil content. These are the fish that swim through the entire Alaska portion of the Yukon

River; therefore they are the vast majority of the fish that Alaskans in the upper Yukon depend upon. He reiterated that getting adequate escapement is not done because these fish somehow belong to Canada, but because these fish are such an important resource. The way this works in practical terms of harvest is that the agreement includes catch shares. The U.S. receives about 75 percent of the catch of those Canadian Chinook and the Canadians get about 25 percent, so the U.S. gets the lion's share of the benefit of those stocks.

REPRESENTATIVE GUTTENBERG said he would like to hear the Canadian perspective on what is adequate, what is 25 percent, and how Canadians view U.S. management, given that Alaska's people on the river do not believe a good management job is being done.

[4:24:35 PM](#)

CRAIG FLEENER, Director, Division of Subsistence, Alaska Department of Fish & Game, noted that he is originally from Fort Yukon, Alaska. He said previous witnesses provided excellent subsistence information and he will therefore remain available for questions rather than make a presentation.

[4:26:03 PM](#)

REPRESENTATIVE EDGMON inquired where ADF&G is in terms of its overall budget request relative to today's discussion. He further asked what the director would like to see in the department's budget that is not included at this point.

MR. HILSINGER explained that his department works with the Office of Management & Budget (OMB) to put together the governor's budget, which will be out in mid-December [2009]. The department has put together its requests and is waiting to see how they fare against all the other requests. He said ADF&G rates the needs of the Yukon River very highly. Five increments were funded by the legislature last year. It is too early to tell what the governor is going to do, but the department is hopeful Governor Parnell will look favorably upon the Yukon.

[4:27:52 PM](#)

REPRESENTATIVE EDGMON surmised ADF&G is looking for additional resources to address the lower Yukon situation, but that the aforementioned is all Mr. Hilsinger can divulge at this time.

MR. HILSINGER answered correct. Once it is known what the governor has decided to request, there will be the possibility of taking another shot at it in the governor's amended budget and sometimes those requests come in through the legislature and sometimes the governor.

[4:29:30 PM](#)

REPRESENTATIVE HERRON asked whether the Division of Subsistence is allowed to be a strong advocate for subsistence.

MR. FLEENER replied he has a lot of flexibility in working with Commissioner Lloyd, who has asked a lot of questions of him and given him the freedom to talk about issues. Therefore, he would have to say that subsistence is pretty important. However, he pointed out, the real problem is that there is not a full understanding by all Alaskans as to what subsistence really is. Some of the problems faced by the division are that people from different parts of the state think differently about subsistence - some do not believe there are subsistence users even though the state has a priority, potentially, for all Alaskans; some believe that they are 100 percent subsistence users; and there is a gradient in between. This makes it really tough when he is trying to encapsulate the subsistence issue, especially in the subsistence debate. When he goes into the rural communities, those residents believe they know what subsistence is. When he goes into urban communities, those residents have an understanding of subsistence. The many different ideas about what subsistence means is very problematic for him, he stressed. He said he thinks the boards treat it differently as well, and so does the legislature. The department does place a high value on subsistence and it has to because it is the priority, he pointed out.

[4:33:47 PM](#)

MARTIN MOORE reported that on September 8, 1968, Mr. Jacob Johnson and Robert Nick received money from the Economic Development Administration (EDA) to start an economic stimulus in the Yukon and Kuskokwim rivers. The Yukon Delta Fish Marketing Cooperative received \$775,600 and Kuskokwim Fishermen's Cooperative received \$662,500. Other fish processing enterprises invested as well, including Mr. Axel Johnson and various canneries and processors. In regard to Bering Sea fisheries, he said these past fish processing companies were multi-million dollar investments and operations, although he believes it was more like billions of dollars.

However, the above processing plants have closed their doors, leaving jobless people.

MR. MOORE stated that in 2003 there were 703 permit holders in "Y 1, 2, and 3." These permit holders are business operators and have much investment in the fishing industry. In 2003 they paid fish permit licenses in the amount of \$42,900 to the state. Today they are experiencing the same financial constraints as the commercial fish processors of the past. Lack of fishing since the fishery disaster in the year 2000 lingers on. From 1977-1999, the total income value of commercial salmon to fishermen totaled \$158,838,080. This equates to an average [annual] income for the commercial fishermen in "Y 1, 2, and 3" of \$6,906,003. Lots of income continued in 2003, with an average income of \$3,322 to each of the 570 [fishermen]. In 2004, 607 participated in the fishing industry and the average income was \$4,000 [per participant]. In 2005, average income to each of the 598 fishermen was \$3,000. In 2006, average income to each of the 594 participants was \$4,946. He offered his opinion that commercial fish processors and private commercial permit holders should qualify for the same recognition in the financial packages authorized by President Obama in the [American Recovery and Reinvestment Act of 2009] that was received by manufacturing companies in the Lower 48. Finding new alternatives to business enterprises is the next solution in addition to escalating energy costs, he added.

MR. MOORE, in reference to the subsistence issue, said two 18-hour openings per week for Chinook Salmon have not been acceptable for those whose dependence is the highest. The closure of fall Chum and Coho salmon was a hindrance to many people who depend on them for subsistence food in winter. "Dependence on fisheries of subsistence is the major importance for many of our people," he said, "especially for those that are jobless." It was unacceptable to have only two 24-hour openings for fall Chums and Cohos for subsistence users. [The sonar] at Pilot Station is not dependable, he continued, otherwise the fishermen at Wade Hampton census district should not have been so badly hampered.

[4:42:54 PM](#)

DANI EVENSON, Arctic-Yukon-Kuskokwim Regional Research Supervisor, Division of Commercial Fisheries, Alaska Department of Fish & Game, addressed what the department is doing about the concerns being heard today. Yukon River fisheries are challenging, she explained. There are three mouths to the river

with numerous side channels and the wind and tides can carry fish in virtually any direction. Managers are challenged to quickly and accurately assess the runs. It is a mixed-stock fishery and it is difficult to prosecute one fishery over another when certain stocks are weak. The department has challenges with its assessment projects just from the sheer size of the river. For that reason, management looks at an aggregate of projects: the test fishery and Pilot Station sonar, which are primary in-river projects; age composition of the run, genetic composition of the run; and subsistence harvest information. In years like this when the department's projects are challenged due to high water, it is the subsistence harvest that identifies this is a problem.

MS. EVENSON said the department recognizes the lower Yukon test fishery nets are not in good sites. The eddies shifted this year due to the prolonged flooding and amount of sediment, and are no longer comparable with historical data. Next year ADF&G will enter Emmonak earlier to re-evaluate the sites and will be looking to local people for identifying the most appropriate net sites. In regard to the Pilot Station sonar, she noted there is an ongoing study that is independently validating the sonar estimates using genetics. The data from that study is currently being analyzed and results should be available within the next year. The department is looking into the use of side-scanning sonar to get further off-shore during high water, high silt events. An evaluation of the test fishing program will occur by testing larger, longer nets and fishing of different sites because sonar can only capture numbers of fish, not the species. The department has already begun looking at alternative sites for the sonar, she continued, and has done transects both upriver and downriver from the current location. Additionally, the department will be looking at its species apportionment model to see if adjustments can be made there. She cautioned that no project will ever be perfect as there will always be high water and low water; however, the department is doing the best it can.

[4:48:00 PM](#)

JOHN LINDERMAN, Arctic-Yukon-Kuskokwim Regional Supervisor, Division of Commercial Fisheries, Alaska Department of Fish & Game, first noted that he oversees both the research management and administrative programs for the commercial fisheries within the AYK Region. He said some of the testimony today has been heard before and some is new information. In regard to how much the department incorporates and listens to the public with

respect to management actions and strategies, he said information is solicited from the fishers. Management strategies cannot be successful without incorporating the public's knowledge and the department's buy-in, he noted.

MR. LINDERMAN pointed out that this year the department faced a very difficult situation on the Yukon because it did not feel that at least a portion of the run was going to be adequate to provide for all the needs of subsistence fishermen throughout the drainage. The department tried to take actions through public input on how to best address that. He acknowledged that some things could have been done better and there are probably things the department can do differently in the future. Information will be evaluated into the winter and there will be further discussions and outreach to the public as to future management strategies. He said it is important to listen to the public and incorporate those ideas with respect to management actions because the people on the ground know the resource well. Both parties can learn from each other, he added.

Informational hearing on HB 227 HOLITNA BASIN RESERVE

[4:50:30 PM](#)

CO-CHAIR NEUMAN announced that the next order of business is an informational hearing on HOUSE BILL NO. 227, "An Act establishing state fish and game reserves; creating the Holitna River Basin Hunting, Fishing, and Trapping Reserve; and providing for an effective date."

CO-CHAIR NEUMAN turned over the hearing to Representative Herron.

[4:51:07 PM](#)

REPRESENTATIVE HERRON explained that establishment of the Holitna River Basin Hunting, Fishing, and Trapping Reserve has been proposed by the people in this region for several years, and the legislature is now moving forward with it.

[4:52:13 PM](#)

GREG ROCZICKA, Director, Natural Resource Program, Orutsararmuit Native Council, first noted that Orutsararmuit Native Council is the tribal governing body in Bethel. He further noted he has been involved in the front lines of resource management issues at regional, state, and international levels for over 20 years

and he served two terms on the Board of Game, including serving as chairman. He said the Holitna drainage has been recognized for its productive values and contributions to the Kuskokwim as a whole. It was initially considered for protection under the Alaska National Interest Lands Conservation Act (ANILCA) as a National Wildlife Refuge or Wild and Scenic River, but it did not get included.

MR. ROCZICKA related that area residents have been requesting the Holitna drainage be established as a refuge since the mid-1980s. It is an extremely productive area of Western Alaska that has provided a large diversity of subsistence and other harvest opportunity ever since statehood. It is the largest drainage feeding the Kuskokwim watershed and is prime habitat for moose, bear, caribou, and furbearers. In addition, it is an important rearing and staging area for all species of salmon, including a unique species of river spawning and rearing sockeye not found in any other area of the state. Recent radio telemetry studies funded by AYKSSI monies - which have now been decreased by 400 percent - and the federal Office of Subsistence Management found that one-third of the Chinook Salmon, one-third of the Chum, two-thirds of the Sockeye, and one-fourth of the Coho running the Kuskokwim spawn in the Holitna drainage. He pointed out that the Kuskokwim drainage provides 50 percent of the total Chinook Salmon subsistence harvest for the entire state of Alaska.

MR. ROCZICKA specified that the Holitna is also unique in that its productive habitat encompasses a wide area rather than being confined to a relatively narrow river corridor. He said the Holitna drainage is what can be called a breadbasket area. This concept could be transferred to other sub-regions of the state that have similar high quality habitat and productivity that would qualify them for an elevated level of management protection. He cited Game Management Unit (GMU) 20E and portions of GMU 13 as examples of other breadbasket subregions.

[4:58:13 PM](#)

MR. ROCZICKA reviewed what HB 227 does not do. He said it would not preclude or prevent any of the activities currently allowed on state-managed lands. It would not override any existing management authorities of affected state management agencies. It would not prevent or preclude any existing access, conditions, or requirements. It would not change any existing hunting, fishing, or trapping regulations.

MR. ROCZICKA pointed out that what HB 227 will do is create an elevated oversight and implementation of Alaska's Intensive Management Law to ensure maintenance of these activities into the future and prevent policy and administrative reluctance to conduct active management such as predator control programs. The legislation would close the loopholes that animal welfare organizations have used to stop [predator control] programs. It would do this by requiring the use of biological science as the burden of proof rather than political science. For example, he said the Holitna River used to be one of the most productive areas in the region for moose hunting and was utilized by 23 villages. However, in 2006, ten years after [Ballot Measure 3] shut down the [predator control] programs in that area, the Holitna River was entirely closed to hunting.

[5:01:26 PM](#)

REPRESENTATIVE HERRON stated that in a meeting he had with them, both the Alaska Department of Fish & Game and the Department of Natural Resources (DNR) supported HB 227.

MR. ROCZICKA added that in 2006 or 2007 a proposal was in front of the Board of Game to make the Holitna a separate game management unit. At that same time, initial legislation was drafted, but due to political complications from other legislation and ballot initiatives it did not go forward. The record from that time includes formal statements of support from the Lower Kuskokwim Advisory Committee, Central Kuskokwim Advisory Committee, Stony-Holitna Advisory Committee, Anchorage Advisory Committee, Board of Game, and Kuskokwim River Salmon Management Working Group. He said "Sleetmute and Orutsararmuit Native Councils" sponsored resolutions at that time which were unanimously supported by the Association of Village Council Presidents and there was also a letter of support from Calista Corporation.

[5:02:51 PM](#)

MR. ROCZICKA pointed out that this proposal has undergone extensive public and administrative review and that that input has been incorporated. So far it has received very positive response, most of which has been primarily from the wildlife conservation side, but state agencies cannot officially support it until the administration does. Right now, there is formal support from the Board of Game. The Board of Fisheries has referred the issue to its habitat committee until such time as

legislation is actually on the table. He will speak to the Board of Fisheries tomorrow during its work session, he noted.

5:04:37 PM

GRANT FAIRBANKS stated he has lived on and worked on the Holitna River for 36 years. He said he has worked, as well, with the Sleetmute Traditional Council for 36 years trying to get the Holitna River the recognition it deserves.

MR. FAIRBANKS, in response to Co-Chair Neuman, said the mouth of the Holitna River is located 250 miles upriver from Bethel. He recalled that in 1978 or 1979 the Alaska National Interest Lands Conservation Act (ANILCA) included the Holitna River for designation as a Wild and Scenic River because studies showed it was a very unique part of the United States. At that time the State of Alaska and the federal government were battling over ownership of the Holitna River. The state took over ownership and since then the Village of Sleetmute and other people have been trying to get the state to recognize the Holitna for what it is and give it the protection it needs. He related that the Holitna River is a spawning area for all species of salmon, and that one-third to one-half of all the salmon spawn in the Holitna.

MR. FAIRBANKS added that he has attended 11 hearings and 30 meetings over the last 30-some years trying to garner some type of protection for the Holitna River. He thanked Representative Herron for sponsoring HB 227 and Mr. Roczicka for writing the bill. This is not just about salmon, he pointed out. It is about moose. Many years ago when the state was writing the Kuskokwim Area Plan, a gigantic overlay was taken to all the villages in this area. Twenty-five villages indicated that their residents hunted moose up the Holitna. He recalled counting boats and moose hunters in the early 1980s and cited one hunting season in which there were 600 moose hunters and 300 boats, and the hunter success rate was 60 percent. There is no hunting there now, he continued, but the stocks are being built back up. This legislation is about salmon, moose, furbearers, and all the animals up there. He concluded, "We are just trying to get a bill passed that will give it some protection so that people in the state of Alaska will see that the highest and best use of that area is a ... breadbasket; it is a place where people can hunt and fish and trap and we need some type of protection for that so that we can quit going to all these hearings...."

[5:08:38 PM](#)

REPRESENTATIVE HERRON described the Kuskokwim-Holitna area as being a piece of heaven. He said he will be requesting that HB 227 be scheduled as early as possible in January [2010] and the House Special Committee on Fisheries will be the first committee of hearing and the House Resources Standing Committee will be the second.

Current state of the Arctic/Yukon/Kuskokwim (AYK) salmon fisheries

[5:09:41 PM](#)

CO-CHAIR NEUMAN announced that the next order of business is a return to the topic of AYK salmon fisheries.

REPRESENTATIVE HERRON asked whether the salmon in any of the main river systems of the AYK Region are threatened.

MS. EVENSON responded that threatened is not the term she would use to describe it. She said extreme volatility has been seen in the runs, particularly in the Yukon River. While there have been low runs, there have also been a couple of good runs, such as the 2005 run. Although it is not great and not the sustained level that was seen in the 1980s, it is reasonable. Escapements were met, subsistence uses were met, and there were reasonable commercial fishing opportunities. She said that right now Yukon Chinook are listed as a stock of concern, as is Norton Sound [fall Chum Salmon], and the department is using conservative management to address that.

[5:11:36 PM](#)

REPRESENTATIVE HERRON inquired whether consistent subsistence harvest should be implemented now rather than later.

MR. LINDERMAN replied his primary concern with taking such a tact is that once there are tiered-type fisheries, it becomes extremely difficult to get out of those fisheries. The impact that it would have on subsistence fishers in regard to opportunity and ability to utilize those resources would be substantial. He said he thinks that everyone - the public, the departments, federal agencies - would want to ensure that going in that direction is absolutely necessary before such a step is taken.

REPRESENTATIVE HERRON asked whether that is not what is being done now even though it is being called windows instead of tiers.

MR. LINDERMAN said he thinks the department would need to see similar actions taken over a much longer time period than what has been seen so far. He acknowledged that the level of unprecedented action taken for management this year on the Yukon is "certainly maybe pushing that envelope with respect to tiers." However, he said that question cannot yet be answered because the department still needs to get its subsistence harvest estimates and see whether or not subsistence fishers had the ability to catch everything they needed for the season. He said that testimony today, as well as testimony from the public in general, shows that many people had a lot of difficulty in achieving their needs. Once the department has its subsistence harvest estimates, he continued, it will have a much better idea of how that compares to previous years. The subsistence fishing schedule, which was one of the actions implemented in 2001 when the stock of concern designation was placed on Chinook Salmon, was designed to still provide adequate opportunity for subsistence fishers while trying to spread that harvest out over a larger portion of the run and meet upriver needs, as well as to achieve the treaty obligations into Canada for Chinook. It is not at the level of a tiered fishery as long as that opportunity is being provided for subsistence fishers to meet their needs. Although some folks may feel that ADF&G is not doing that, the amounts necessary or reasonably necessary for subsistence have been achieved in the years since the schedule was put in place.

CO-CHAIR NEUMAN allowed members of the audience to ask questions.

[5:16:28 PM](#)

DR. WHITE inquired why not discuss with a rational public how to limit a fishery before it completely collapses, rather than waiting until it does collapse and trying to hold that same discussion, which is what happened when Nome was placed under Tier II.

MR. LINDERMAN answered that it comes down to the resiliency that is inherent to salmon populations in general - it is not just a single year. He pointed out that in 2009 it was not the entire Yukon River stock that was of concern, it was specifically the Canadian portion of the stock for which there was concern in

achieving adequate escapement. The resiliency of populations to rebound from negative conditions that result in poor runs is significant within salmon populations. The department would need to see [poor runs] for more than a single year before it would feel the need for a Tier II-type fishery.

DR. WHITE said his question was not answered because he is not saying to go to Tier II, rather he is saying to discuss with the public what elements should be included in a Tier II fishery should the stock collapse in the future.

MR. LINDERMAN said he questions the necessity of discussing "what-if scenarios" with the public because this could cause unnecessary worry and alarm in the public.

[5:19:55 PM](#)

CO-CHAIR NEUMAN interjected that the department has acknowledged it is trying to continue with an outreach program to discuss things with local people and that it is probably time to talk about possibilities.

DR. WHITE suggested talking with people and having transparency prior to stock collapse, as opposed to having the same discussion when there is all the emotional turbulence after a collapse.

[5:21:10 PM](#)

REPRESENTATIVE HERRON asked whether the department is extremely concerned about where the fish stocks are at.

MR. LINDERMAN replied yes. He said this is reflected in the current processes the state has in place with respect to stock-of-concern designations for Yukon Chinook as well as fall Chum within Norton Sound. He said the Kuskokwim is a good example of where he was coming from in answer to Dr. White's question. Five years ago, these same questions were being asked in regard to both Chinook and Chum salmon on the Kuskokwim, but since then there has been a remarkable turnaround and the Kuskokwim has seen tremendous runs, especially with Chum. The Tier II question was raised at that time and this is where his concern comes from with respect to creating unnecessary alarm in the public.

[5:23:21 PM](#)

CO-CHAIR NEUMAN observed that when it comes to fisheries the issues are similar regardless of location within the state. He asked Mr. Hilsinger to share what discussions managers might have amongst themselves when making management decisions.

MR. HILSINGER agreed and said that many times over the last 20 years he has thought about how similar the upper Cook Inlet and the Yukon actually are. Both are mixed-stock, mixed-species, gauntlet-style fisheries with a long time lag between the fisheries at one end and the fisheries at the other. At 2000 miles long, the Yukon's problems are multiplied dramatically, he added. Managers go through the process every year of thinking how the management can be adapted. One example is the analysis that staff did on the Canadian escapement goal. It was discovered that the means by which the Canadians were assessing the escapement into Canada was flawed, and there was actually about twice as many fish crossing the border as was thought. Things were re-analyzed and adjustments were made in the escapement goal that will be of benefit to people on both sides of the border. The work to better assess those escapement goals will continue.

MR. HILSINGER explained that managers will look closely at the actions taken this year, such as the closure on the first pulse to shift harvest off the Canadian fish. Decisions will be made when managers have next year's forecast and after sitting down with people along the river to get their ideas as well. He said it is important to him that the department do a better job and try to improve the precision in management. He pointed out that on one hand the department is criticized for being too restrictive while at the same time there is concern about the viability of the run.

MR. HILSINGER noted that many of the management actions have significant implications for people. For example, a Tier II fishery would basically mean the end of the commercial fishery on the Yukon, and testimony was given as to what that would mean to people on the lower river. The impacts can be vastly different at different places along the river, he pointed out, so managers want to be extremely careful when considering actions. Managers do want to work more on Pilot Station and there are ideas for projects to try to improve that and get a better understanding of how the fish move through there as well as a better understanding of species apportionment. It is difficult to be specific at this point until next year's forecasts are received and staff has met with the public.

5:31:10 PM

REPRESENTATIVE HERRON thanked witnesses and stated that the committee needs to take this information and move forward.

CO-CHAIR NEUMAN said everyone loses when there is not enough escapement and Alaskans are in this together. The government should be working with the people; the people should not have to worry about administration of the fisheries and should be able to feed their families. Work will continue on these problems and it will be a cooperative effort.

Energy issues including transportation corridor to/from Paimuit/Kalskag

5:35:40 PM

CO-CHAIR NEUMAN announced that the final order of business is the transportation corridor between Paimuit and Kalskag.

5:36:15 PM

MIKE HOFFMAN, Executive Vice President, Association of Village Council Presidents (AVCP), stated he is on the Denali Commission's Transportation Advisory Committee, as well as several other boards in the region. He explained that the proposed transportation corridor is a road connecting the closest points between the Kuskokwim River and the Yukon River, a distance of 32 miles. He said he likes to think of it as connecting the two lifelines to rural Alaska that is much needed. This road would help with the region's energy problems and would also help the lower Yukon fishing disaster.

MR. HOFFMAN noted that in 1931 the "road commission" agreed to build two tramways connecting 72 miles between the Kuskokwim and the Yukon at Kalskag and Russian Mission. In 1969 the villages of Kalskag and Russian Mission wanted to fix this up, but did not have means or the money to do so. To illustrate that things have not changed over the decades, he read the following excerpts from the summary report of a 1981 State of Alaska feasibility study for putting in a canal:

Many young people are finding it necessary to leave the smaller villages for Bethel, Fairbanks, and Anchorage in search of jobs. Potential exists for jobs and income at the local level from a renewable to nonrenewable resource development. This development

cannot take place without adequate transportation needs. Also needed are lower transportation rates for refined petroleum products and alternatively low energy cost for the availability of propane, coal, wood, and hydropower. The connection between the Yukon and Kuskokwim rivers can play a major role in Alaska's evolving energy plan by means of supplying Alaska-produced fuel and fuel products to lower Yukon and Kuskokwim river districts into Western Alaska coasts. Without such a connection Western Alaskan heating oil needs will continue to be supplied by the U.S. West Coast at a heavy economic drain to the state. Interior-produced coal and the benefits of abundant, less expensive North Slope-produced propane would be excluded for Western Alaska use. The best means for providing the Yukon-Kuskokwim crossing is a heavy-duty gravel road with a dock at each end. The best location is a 33-mile route extending from Kalskag Airport on the Kuskokwim River to a point on Paimuit Slough. This selected means and route is the least environmentally intrusive than any other proposed joining of the two rivers. It is the most efficient to operate and maintain and it serves the greatest number of people. It will also be the least expensive inter-connection.

[5:41:28 PM](#)

MR. HOFFMAN related that the 1981 project goal was "to facilitate transportation, lower costs of living, spur resource development and local employment, and provide basic improvements that could lead to a wider market for Alaska's suppliers." He pointed out that this remains the same today and that because general cargo and heating fuel supplies for Western Alaska must presently be ordered almost exclusively from the Lower 48, Western Alaska feels more closely tied to Seattle than the rest of Alaska. Even if the proposed Yukon-Kuskokwim crossing did not lower prices for Western Alaska, the eventual realization of the alternative marketplace would stem from the flow of outgoing dollars and help draw the state together by allowing purchases and delivery from within. Bringing together the two halves of Alaska is more important than immediately achieving a positive cost/benefit ratio.

MR. HOFFMAN said AVCP obtained funds from the Denali Commission and matched them through its own transportation department to do another feasibility study - a route reconnaissance that started

this fall and will continue into spring 2010. Mapping will take place in May 2010 and at that time the report will be reviewed and the cost estimates on the road will be updated.

5:43:54 PM

MR. HOFFMAN recalled that last year "ARCO" and "BP" had a meeting in Fairbanks at which a gasline was discussed that would come down to a point on the lower Yukon River where a bullet line would be built across to the Kuskokwim. It was further indicated in this discussion that the cost of propane and natural to Western Alaska would be reduced to 50 cents per gallon. He related that the state's transportation mission statement says the state will put funds where they will affect the most people. However, he argued, at some point the state needs to step up an effort to reduce energy costs in rural Alaska. Cost of fuel is outrageous in this region and any help from the state would be much appreciated.

5:46:01 PM

CO-CHAIR NEUMAN recounted that on September 15, 2009, Harry Noah, Project Manager for the In-State Gas Project, included in his proposal a 10-inch or 12-inch natural gas spur pipeline running from Nenana to Southwest Alaska. The goal for an Alaska stand-alone pipeline is flow by 2015, with eventual expansion to assist in the development of Donlin Creek Mine and other mineral sites between Bethel and Nenana. The pipeline would be built via a winter road over three seasons and would include suspending the pipeline over the rivers. This could very well be the start of a pioneer road to Western Alaska that could reduce the cost of living, create jobs, and provide economic diversity. He related a discussion in which Representative Herron said to him that some people in Western Alaska like living in the region because it is not connected and some look at a connection as an opportunity for jobs, schools, and economic development. He asked for Mr. Hoffman's viewpoint in this regard.

MR. HOFFMAN responded that AVCP has committed through compacting with 56 villages and about 20 villages have compacted with AVCP's transportation. He said AVCP is going to build up the infrastructure in all of the compacted villages. He acknowledged that would not lower the cost of fuel and food in those villages, and said he believes what is needed is a connection between rural Alaska and urban Alaska. One such connection could be from Nenana downriver to his proposed road.

This 32-mile road would be one of the first connections that he is talking about for the region. None of the region's 56 villages is connected by road - all transportation is via air, and the cost of aviation here is outrageous.

[5:51:07 PM](#)

REPRESENTATIVE HERRON surmised that Mr. Hoffman is suggesting that Representative Neuman, as co-chair of the House Resources Standing Committee, get behind a 32-mile road between the two largest river systems in Alaska, given that former Governor Palin's suggested project for a transportation corridor from Fairbanks to Nome will take a long time to happen.

MR. HOFFMAN added that he is not asking the state to do this on its own, rather AVCP has already started this process and is looking for the state to partner with it.

[5:53:00 PM](#)

CO-CHAIR NEUMAN opined that this is doable and that the probability of shipping propane down the Yukon River from a gasline is very real. He urged Mr. Hoffman to not give up. He thanked everyone for participating in the hearing.

REPRESENTATIVE HERRON offered his thanks to participants.

[5:55:17 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 5:55 p.m.