

**ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON FISHERIES**

February 3, 2022

11:03 a.m.

MEMBERS PRESENT

Representative Geran Tarr, Chair
Representative Louise Stutes, Vice Chair
Representative Jonathan Kreiss-Tomkins
Representative Andi Story
Representative Dan Ortiz
Representative Sarah Vance
Representative Kevin McCabe

MEMBERS ABSENT

All members present

OTHER LEGISLATORS PRESENT

Representative Mike Cronk

COMMITTEE CALENDAR

PRESENTATION: YUKON RIVER CHUM SALMON - COMMISSIONER VINCENT-LANG

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

DOUG VINCENT-LANG, Commissioner
Alaska Department of Fish & Game
Juneau, Alaska

POSITION STATEMENT: Presented the Yukon River Chum Salmon update.

ACTION NARRATIVE

[11:03:37 AM](#)

CHAIR GERAN TARR called the House Special Committee on Fisheries meeting to order at 11:03 a.m. Representatives Tarr, Stutes, Vance, Story, Ortiz, and McCabe were present at the call to order. Representative Kreiss-Tomkins arrived as the meeting was in progress. Also present was Representative Cronk.

PRESENTATION: Yukon River Chum Salmon - Commissioner Vincent-Lang

[11:04:25 AM](#)

CHAIR TARR announced that the only order of business would be a presentation on the Yukon River Chum Salmon by Alaska Department of Fish & Game (ADF&G) Commissioner Doug Vincent-Lang.

[11:05:02 AM](#)

DOUG VINCENT-LANG, Commissioner, Alaska Department of Fish & Game, stated that the House Special Committee on Fisheries had requested that ADF&G provide a report on the findings on the low returns of chum salmon to the Yukon River drainage. He stated that many reasons had been identified as a culprit for the low returns, including bycatch. He stated that sustainable management decisions were made by taking into consideration all of the impacts on low returns and also taking into consideration impacts of management to the fishing industry and communities. He stated that the department had closed in-river and coastal fisheries including subsistence, commercial, sport, and personal use due to the poor returns of chum salmon to the area. He reminded the committee that the Alaska State Constitution and statutes mandate that salmon fisheries be managed to the maximum sustained yield principle and, when returns are low enough that future returns would be put at risk, the department is bound to close fishing, including subsistence fishing. He stated that salmon returns are cyclical, and that while the most recent return was low, it was not the only instance of low returns, and fisheries management had been employed to aid in the restoration of salmon runs in the past. He noted that chum salmon in the Yukon-Kuskokwim area had collapsed in the 1990s and had rebounded in the early 2000s. He stated that the State of Alaska is extremely concerned with the low returns of chum salmon experienced the prior summer impacting food security, culture, and economics. He stated that more than 50,000 residents throughout over 100 different communities are impacted by the chum salmon return. He added that ADF&G understands that commercial fishing activities are important to provide the

resources necessary to support a subsistence lifestyle. He shared that he had visited affected communities and sought feedback on the impacts [of closing the fisheries] experienced by local residents. He stated that the [Dunleavy] administration understood that there is no substitution for subsistence living, and it had distributed salmon to affected communities, and is considering additional distribution of salmon to other affected communities in hopes to, at least partially, offset the effects of the lost food. He added that, where sustainably possible, the department was considering extending moose and caribou hunting in the affected areas and department staff continue to explore other opportunities [to maintain food security in the area.]

[11:08:48 AM](#)

COMMISSIONER VINCENT-LANG stated that he would address the reasons for the poor chum returns and measures that could be adopted in a forensic-type of analysis to the committee. He provided background on the fishery by explaining that there exist two distinct runs of chum salmon to the Yukon River; the summer chum run, which spawns entirely within Alaska, and the fall return, which spawns both in Alaska and in Canada. He explained that the fall chum run is subject to the Pacific Salmon Treaty, which have required border passage objectives to which the summer run is not subject. He stated that one-and-a-half to two million fish are missing based on pre-season projections on the fish run. He stated that many have postulated that [a major reason] is due to bycatch, and he addressed the Bering Sea trawl fishery. He stated that trawl fisheries target pollock and cod, and some chum are captured as bycatch in that fishery. He explained that most of the chum caught as bycatch in that fishery are juvenile and would not have been expected to return on the current year's Yukon River run and that the fish caught two years prior would have been expected in the past year's run. He stated that, two years ago, an estimated 350,000 juvenile chum salmon and, while the number of bycatch fish is large and efforts should be made to reduce that number, the origins of the fish consist of approximately half of Asian origin, and, of the remaining 175,000 fish, only slightly less than half are of western Alaska origin, based on genetic testing. He estimated that approximately only 35,000 fish would have returned to western Alaska if none had been caught as bycatch. He concluded to the committee that bycatch alone would not account for 1.5 - 2 million missing fish. He stated that it was possible that some of the fish had been caught outside of U. S. fisheries,

including by Russian fishers, but the origins of those caught fish remain unknown. He stated that Russian trawlers [unlike Alaska trawlers] do not have neutral, independent observers on board their vessels. He stated that Alaska, as a member of the North Pacific Fishery Management Council, had written a letter to the United States Secretary of State to request collaboration on better catch accounting and genetic analysis of Russian trawler bycatch of salmon. He stated that if the bycatch numbers were comparable to the Alaska trawler bycatch fishery, bycatch alone would not be the main factor in the poor return of chum salmon. He stated that the department will continue to seek data from the Russian fisheries. He added that western Alaska chum salmon could also be caught in mixed stock fisheries within state waters, such as those along the Alaska Peninsula, in which an estimated 2.2 million chums were harvested in those fisheries and through genetic testing it is known that approximately 600,000 of those are of western Alaska origin, and half of which are known to be of Bristol Bay origin. He cautioned that limitations on genetic testing did not allow for a complete distinction between Yukon River and Norton Sound salmon, although the department was making progress in that area of study.

[11:12:42 AM](#)

COMMISSIONER VINCENT-LANG stated that most of the harvest of western Alaska chum salmon takes place during the June fishery, and chums caught later in the year are of local stocks, and the June fishery alone would not explain what happened [to cause the poor return.] He added that fall chums, which are not harvested in that fishery also collapsed, which indicates that the fishery alone is not the cause of the poor returns. He added that the estimates were based on genetic data from years in which there existed high abundance of summer chum salmon in western Alaska which, despite being the best available data, may overestimate the projected harvest of western Alaska stocks. He stated that ADF&G staff are preparing a study proposal to update the genetic composition of Alaska Peninsula fisheries, to begin in June, and will be funded by food security funds and a request for FY 2022 supplemental funds had been made to continue that work. He characterized the study as critical, as the data used currently is over a decade old, and chum salmon composition across the drainages has changed. He stated that he had also directed staff to identify opportunities for the exercise of his emergency order authority to reduce intercept of western Alaska chum salmon during the June season, should low returns occur. He added that the Alaska Board of Fish will discuss the [chum

fishery] during its next annual meeting cycle. He stated that, several years prior, a marine survival study involving multiple agencies to determine impacts to salmon survival in the deep blue ocean. He stated that the study was providing clues and insights to forecast and manage the fisheries more effectively. He stated that it had been discovered that the first few months of life in the marine environment may be critical to projecting the long-term survival of chum salmon. He expressed an interest in the department expanding the study into the Bering Sea and Gulf of Alaska, subject to supplemental capital project funding. He added that the department is participating in various deep blue ocean surveys to better understand marine survival in the open ocean. He stated that there exist many challenges to [studying marine life] in the open ocean because telemetry studies do not work in saltwater, and the ocean is a much larger environment in which to operate than in a river environment. He added that funds from the Pacific Salmon Commission through the North Pacific Research Board had been designated towards the department staff's effort of researching in the north Gulf of Alaska and the Bering Sea, including funding staff on board National Oceanic and Atmospheric Administration (NOAA) research vessels and two staff members who are scheduled to be on board a Russian research vessel. He added that the department was working with the U. S. congressional delegation to secure additional resources at the federal level to continue the research.

[11:16:33 AM](#)

COMMISSIONER VINCENT-LANG described a new research program that had been federally funded. He explained that there exists a run and harvest assessment with sonar tracking and genetic stock analysis of a lower tributary of the Porcupine River in Alaska to study the declines in the fall salmon run of Canadian origin which return to the Yukon River. He stated the startup and in-season study would aid in meeting the obligations of the Pacific Salmon Treaty to report U. S. harvest data. He added that there was underway a comprehensive subsistence survey to collect summer and fall chum subsistence harvest and use and need data, for all Yukon River salmon stocks. He further explained that there had been calls for rehabilitation of runs using enhancement [funds.] He noted that most of the use of enhancement has been on chinook salmon, due to declines in abundance of that species and suggested that the decline in chum runs could be integrated into the work already being done on chinook. He stated that ADF&G staff would draft a Yukon area comprehensive salmon plan for his review and approval as a

necessary first step, along with discussion with the Yukon panel of the Pacific Salmon Treaty. He suggested that there exists a need for planning and preparation before it would be possible to increase fish stocks. He expressed sympathy with those affected by low salmon runs and assured the committee that the department was taking steps to identify the causes and would use sound management to address the issues.

11:19:29 AM

REPRESENTATIVE ORTIZ asked whether there exists no cap or limit on bycatch of chum salmon within the pollock fleet.

COMMISSIONER VINCENT-LANG confirmed that no cap limits are in place in bycatch of chum, but limits did exist for chinook salmon and the chum were a part of that same fishery.

REPRESENTATIVE ORTIZ asked what the origin was of the estimated bycatch previously described by the Commissioner.

COMMISSIONER VINCENT-LANG answered that NOAA monitors the entire trawl fishery and provides data and fish for genetic sampling.

REPRESENTATIVE ORTIZ asked, without any limits on bycatch of chum salmon, how the number of bycatch could be reduced.

COMMISSIONER VINCENT-LANG answered that the department would need to review data collected on bycatch within the trawl fishery to determine where more chum are being caught. He stated that action had recently been taken to reduce the number of halibut bycatch in the Bering Sea, in which nets were raised off of the sea floor and could potentially have led to additional salmon bycatch. He cautioned that the fishery is very dynamic and the fishery is not rationalized. He stated that rationalization has been the most effective step in reducing bycatch of all species due to more time and space for fishers to operate more cleanly.

11:23:29 AM

REPRESENTATIVE VANCE asked whether the projections of the upcoming chum runs had improved.

COMMISSIONER VINCENT-LANG answered that the near-shore marine survey contained the data used for projections and that was currently under review by department staff. He hypothesized that the next projection would likely remain low, but that hope

existed that future runs would improve. He added that the major factor affecting chum salmon returns is their life out in the ocean. He added that salmon out in the ocean have higher energy demands and less nutritious food sources leading to a decline in survival and them returning sooner, at a smaller age, from the ocean. He added that predation and competition for food sources exist. He noted that the ocean conditions are changing and could benefit salmon food sources.

[11:26:05 AM](#)

REPRESENTATIVE VANCE asked what the timeline of implementing the data research findings into the fishery would be.

COMMISSIONER VINCENT-LANG stated that food security funds would be required to undertake the research, and it would not likely be completed in the upcoming season. He stated that other research efforts that are underway would also not likely be implemented to the next season's management decisions and those research efforts were also based on funding. He estimated that management programs would bear results of the research within the next one to two years.

REPRESENTATIVE VANCE asked, within Area M, there appeared to be a discrepancy between reported and observed bycatch and asked how increased accountability may be brought.

COMMISSIONER VINCENT-LANG asked whether the area in question was in the Bering Sea or in the Gulf of Alaska.

REPRESENTATIVE VANCE stated her concern was within Area M.

COMMISSIONER VINCENT-LANG answered that Area M is within the Gulf of Alaska and are state managed salmon fisheries and are not bycatch. He offered the clarification that fish are bycatch when they are not targeted [by the fishery.] He added that the chum salmon fishery was important to take into consideration when investigating the reasons for low returns. He explained that fish tickets and genetic studies exist for those fisheries. He stated that trawl fisheries in the Gulf of Alaska are federally managed fisheries and have an observer program and offered to investigate whether there exists a discrepancy in NOAA reported data and observer reported data.

[11:30:38 AM](#)

REPRESENTATIVE MCCABE stated that the observer program was important and discrepancies in reporting should be investigated. He added that the year 2022 is the International Year of the Salmon, and research vessels would be deployed to conduct research on developing a "likely suspects" framework. He asked whether ADF&G has a "likely suspects" framework including some of the previously discussed potential contributing factors [to declining chum salmon runs.]

COMMISSIONER VINCENT-LANG answered that ADF&G was supporting the work being done on the International Year of the Salmon by directing funds from the North Pacific Research Board and the Pacific Salmon Commission as well as several ADF&G staff on board the research vessels as well as on board a Russian research vessel. He stated that ADF&G does not have its own "likely suspects" framework, but that it was participating in the development of the framework with other agencies. He suggested that one year of studies would not result in enough data to implement management tools and cautioned that much information [affecting salmon returns] is in the ocean. He added that, over the last decade, chinook returns have declined in conjunction with the enactment of the Marine Mammal Protection Act, which has increased the number of natural salmon predators in the ocean. He stated that research efforts underway are the first attempt to understand what affects salmon in the big ocean, in which salmon spend the majority of their life stages. He stated that salmon are returning smaller, younger, and with signs of predation and there are predictors that show that the ocean is not as friendly as it used to be for salmon.

[11:36:19 AM](#)

REPRESENTATIVE MCCABE asked whether ADF&G has suggestions for the trawl fleet to voluntarily limit bycatch with best practices while research is underway. He asked whether measures such as LED lights to lead desired fish, or a smaller sample run to determine whether the potential for bycatch exists so that a trawler could relocate its net to a set that would involve less bycatch. He stated that the U.S. Department of Commerce had declared a fishery disaster going back to 2018. He asked whether funds had been designated to ADF&G through the economic disaster declaration.

COMMISSIONER VINCENT-LANG stated that the observer program was expensive but necessary, and it was the intent of the department to draft a report on findings of the independence and

verifiability of the program. He expressed his agreement with Representative McCabe's suggestions of practices that would mitigate bycatch. He added that for implementation of the practices and methods described, fishers need additional time to plan and implement those practices. He stated that the race for as many fish in as short a period of time as possible prohibited fishers from implementing LED lights or other measures. He stated that rationalized fisheries would enable quota shares to be caught over a longer period of time, which could enable experimentation of practices to reduce bycatch. He noted that pollock and cod was rationalized, and chinook was capped, and it was under consideration to cap chum fisheries. He stated that rationalization of the Gulf of Alaska trawl fishery would allow for more time for fishers to experiment to reduce bycatch.

[11:41:48 AM](#)

COMMISSIONER VINCENT-LANG answered Representative McCabe's inquiry on disaster declarations by explaining the process. He explained that fishers can request a declaration of disaster under the Magnusson Stevens Act or the Interjurisdictional Fisheries Act, which ADF&G reviews to determine whether the request meets the criteria set forth in the Acts. The department coordinates communication with the U. S. Secretary of Commerce through the governor's office for a determination of whether a disaster has occurred. When a disaster is declared by the U. S. Secretary of Commerce, it does not mean that there is necessarily money made available and that funds would be made available through congressional appropriation, which the Secretary may award to anywhere in the country in which a disaster has been declared. He further explained that the State of Alaska engages in a public process to develop a spend plan, which is then submitted to the U. S. Secretary of Commerce and the U. S. Office of Management & Budget for review and approval and, once the spend plan is approved, the funds are directed to an organization located in the State of Oregon for distribution [to areas affected in Alaska.] He expressed that while he was happy that the federal government had agreed with the declaration of disaster, he cautioned that the process for the receipt of [disaster relief funds] is a long, drawn-out process. He added that coordination with the U. S. Congressional Delegation was taking place to streamline the process for receiving disaster funds and, to date, no award had been made.

[11:44:47 AM](#)

CHAIR TARR offered that future committee hearings may be held so that the committee could fully understand the disaster declaration processes underway.

[11:45:13 AM](#)

REPRESENTATIVE KREISS-TOMKINS asked what the estimated total bycatch was in Area M and in the Bering Sea trawl fisheries.

COMMISSIONER VINCENT-LANG answered that [projections] demonstrated one-and-a-half to two million chums were missing from the Yukon run, and bycatch would account for 30,000 to 40,000 of those fish. He added that Area M was an intercept fishery and estimated to consist of another 300,000 fish. He added that the projections had been based on studies during which Yukon chum were at relatively high abundance. He added that intercept fisheries [data] are more reflective of the abundance of the fish.

REPRESENTATIVE KREISS-TOMKINS asked, since the Bering Sea trawl fishery was 100 percent observed, whether the estimate of 300,000 to 400,000 chum bycatch was estimated with certainty.

COMMISSIONER VINCENT-LANG stated that all genetic testing has a margin for error and other factors, and he answered that the estimate was "in the ballpark" and that the department was confident in the estimate of between 300,000 - 400,000 chum caught as bycatch.

REPRESENTATIVE KREISS-TOMKINS asked what the total number of chum bycatch including those which may not have come from the Yukon River, Kuskokwim River, and Norton Sound watersheds.

COMMISSIONER VINCENT-LANG answered that, 2 years prior, the total number was estimated to be 200,000 to 300,000 and may fluctuate, especially during years of low chum returns.

REPRESENTATIVE KREISS-TOMKINS acknowledged the complexity of ascertaining the reasons for low returns. He suggested that two "levers" of management exist; the first, to impose limits on bycatch and the second to impose catch limits through the Board of Fish process in the Area M fishery. He asked the Commissioner's opinion on the two apparent available management "levers."

COMMISSIONER VINCENT-LANG answered that he was hesitant to endorse a hard limit on chum bycatch in the absence of data

analysis and at the risk of increasing the number of chinook caught as bycatch. He stated that, regarding the Board of Fish management of the Alaska Peninsula fisheries, new information would become available to inform the Board's decisions going forward. He speculated that, should large numbers of chum salmon be caught in [the Area M] fishery, the Board would likely reconsider the allocation management of that fishery. He added that, when subsistence fishing is closed in an area, the migratory route of the salmon should be examined, and efforts should be made to reduce the amount of chum salmon harvested in other areas.

[11:50:56 AM](#)

REPRESENTATIVE STORY asked what requested studies are anticipated to be funded through the State of Alaska and what studies would be funded through the federal government so that the legislature could best advocate for the collection of data necessary to inform management decisions.

COMMISSIONER VINCENT-LANG answered that the FY 2022 state-funded studies were the Alaska Marine Salmon Program and a capital funding request for \$1.5 million in unrestricted general funds (UGF) for studies in the north Bering Sea. He added that another study funded through the State is for stock identification of salmon harvested in Southeast Alaska as shown in a \$2 million capital UGF funding request. He stated that advocacy through the U. S. Congressional delegation for funding for international vessel field work research by NOAA would be most helpful.

[11:53:35 AM](#)

REPRESENTATIVE STUTES asked what the cap was for the Bering Sea or Gulf of Alaska chum pot fisheries.

COMMISSIONER VINCENT-LANG offered to follow up to provide the requested information to the committee.

[11:54:04 AM](#)

CHAIR TARR stated that, during a previous legislative session, a resolution was passed in support of the International Year of the Salmon and collaborated with legislators in the State of Washington and the State of Oregon in support of deep blue ocean studies. She noted that February to April of 2022 was the period which the research vessels would be conducting their

multi-country studies. She encouraged the committee to embark on additional learning opportunities of what research efforts were taking place.

[11:55:41 AM](#)

REPRESENTATIVE MCCABE restated his interest in bycatch reduction practices and acknowledged that differences exist among fisheries and that technologies may be more effective in some fisheries than in others. He suggested that, should additional time be necessary for fishers to test experimental bycatch reduction technologies, the department could consider allowing extra time on the fishing grounds prior to rationalization of the fisheries.

[11:57:35 AM](#)

CHAIR TARR stated that there would be a resolution presented to the current legislature regarding the Alaska Ocean Cluster which would involve the University of Alaska and private companies to develop new technologies to reduce bycatch. She invited the commissioner to participate in ongoing conversations regarding the reduction of bycatch and other efforts underway. She asked the commissioner whether he could provide a ten-year outlook on research projects and noted that, in her first term as a lawmaker, a law had been passed funding a salmon research project, but that work had discontinued due to lack of funding.

COMMISSIONER VINCENT-LANG agreed to provide additional information to the committee and allowed that near-shore and freshwater areas could be adequately researched at the state level. He stated that partnerships are required to conduct deep-water ocean studies. He offered to provide additional information at the committee's pleasure regarding disaster programs in the next few weeks.

[12:01:02 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Fisheries meeting was adjourned at 12:01 p.m.