

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

January 31, 2023

10:00 a.m.

MEMBERS PRESENT

Representative Sarah Vance, Chair
Representative Kevin McCabe
Representative CJ McCormick
Representative Ben Carpenter
Representative Louise Stutes

MEMBERS ABSENT

All members present

OTHER LEGISLATORS PRESENT

Representative Mike Cronk

COMMITTEE CALENDAR

PRESENTATION(S): YUKON KUSKOKWIM FISHERIES COLLAPSE UPDATE

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

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

POSITION STATEMENT: Gave a PowerPoint presentation, titled "State of Artic Yukon and Kuskokwim (AYK) Fisheries."

ACTION NARRATIVE

[10:00:12 AM](#)

CHAIR SARAH VANCE called the House Special Committee on Fisheries meeting to order at 10:00 a.m. Representatives Carpenter, Stutes, and Vance were present at the call to order.

Representatives McCabe and McCormick arrived as the meeting was in progress.

PRESENTATION(S) : YUKON KUSKOKWIM FISHERIES COLLAPSE UPDATE

[10:02:04 AM](#)

CHAIR VANCE announced that the only order of business would be a presentation on the Yukon and Kuskokwim fisheries.

[10:02:17 AM](#)

The committee took an at-ease from 10:02 a.m. to 10:09 a.m.

[10:09:02 AM](#)

DOUG VINCENT-LANG, Commissioner, Alaska Department of Fish and Game (ADF&G), gave a PowerPoint presentation, titled "State of Artic Yukon and Kuskokwim (AYK) Fisheries" [hard copy included in the committee packet]. He started on slide 2, which showed a map of the salmon management areas in the state. He explained that there are also treaty obligations when salmon spawn in both the U.S. and Canada.

COMMISSIONER VINCENT-LANG continued to slide 3 showing a bar graph of the Yukon River's total king salmon run. The graph showed that the size of salmon runs fluctuate, and he pointed out that in the last several years there has been a decline in king salmon production statewide. He mentioned the restrictions that have been put in place. He stated that under the Pacific Salmon Treaty, there is an obligation to allow up to 55,000 fish to pass into Canada, and he commented that this obligation has not been met in recent years, as seen on the graph.

COMMISSIONER VINCENT-LANG continued to slide 4 and pointed out that the Yukon River king salmon harvest has failed to meet the amount necessary for subsistence. He added that the amount has only been met twice over the past 15 years. He stated that the treaty is taking precedence over subsistence. He moved to slide 5 and addressed the Yukon River summer chum salmon total run. He pointed out that this graph only shows fish that spawned entirely in U.S. waters. He pointed out that there has been very poor escapement even though it was expected to be average.

[10:15:19 AM](#)

COMMISSIONER VINCENT-LANG showed slide 6, titled "Yukon River Summer Chum Salmon Harvest by Type." He explained that ADF&G has been meeting amounts necessary for subsistence (ANS), but from 2020 to 2022, there was severely restricted commercial and subsistence fishing, and from 2021 to 2022, there was no commercial fishing. He moved to slide 7 and pointed out the failed escapement goals from 2020 through 2022. He noted that 2022 had shown improvements and a slight rebuilding. He moved to slide 8 and discussed the Yukon River chum salmon subsistence and personal use harvests, which also failed escapement goals from 2020 to 2022. He pointed out a chart on slide 9 and discussed the Kuskokwim River king salmon escapement from 1990 to 2022.

[10:17:57 AM](#)

COMMISSIONER VINCENT-LANG continued to a graph on slide 10, which showed the current ANS range on the Kuskokwim River. He stated that although escapement goals are being met, ADF&G is not meeting ANS ranges. He noted that the jurisdictional issues in the Lower Kuskokwim River have contributed to this outcome. He displayed slide 11 and stated that the chum salmon situation for the Kuskokwim River is like the situation in the Yukon River, as it was way below average in terms of returns and for ANS in 2020 through 2022. He highlighted the graphs on slide 12, which showed a reduced production rate from 2018 forward. He moved to slide 13, titled "Kuskokwim River Sockeye Salmon." He pointed out that this is a "bright spot," as sockeye salmon have performed well across coastal Western Alaska. He moved to the summary on slide 14, which shows reduced productivity, results of reduction, and increased productivity. He stressed the impact on local communities, cultural practices, and economy. He paused for questions from committee members.

[10:22:29 AM](#)

REPRESENTATIVE MCCABE asked why the federal government has control over the king salmon on the Lower Kuskokwim River.

COMMISSIONER VINCENT-LANG answered that last spring the federal government sued ADF&G and the State of Alaska, claiming that the state's management was interfering with the management of the Federal Subsistence Board. A federal judge in Alaska has restrained ADF&G from issuing emergency orders in the Lower Kuskokwim River until the case is heard. In response to a follow-up question, he expressed the expectation that the injunction would be put in place this year. He added that the

Kuskokwim River is a navigable waterway owned by the state; however, it is adjacent to or near abutting federal land.

REPRESENTATIVE MCCABE asked if the "404 primacy" that the state is working on would be helpful for a resolution.

COMMISSIONER VINCENT-LANG expressed the belief that the state is vested in the statehood compact, and as a result, it is the state's authority to manage fish and game resources, not the federal government's authority. He said ADF&G would fight to maintain this authority. In response to a follow-up question, he explained that ADF&G manages the salmon resources for sustainability, and this includes the fisheries dependent upon this resource. He explained that the minimum returns the department is targeting would be the minimum of the escapement goal range. He made it clear that ADF&G does not believe these resources are in danger of extinction. He went on to explain several of the things ADF&G is moving forward on, ranging from using Covid-19 funds, working with governmental organizations, implementing a marine science program, and utilizing money in the budget to extend into the north Gulf of Alaska to find out if there are common linkages. He noted that projects also require cooperation of other international entities.

COMMISSIONER VINCENT-LANG, in response to a committee question, answered that there is evidence salmon are returning at reduced numbers, sizes, and at younger ages. He expressed the understanding that this last piece of evidence indicates something is affecting most of the fish. He suggested that warmer waters are a contributing factor.

COMMISSIONER VINCENT-LANG continued to slide 16, which addressed the Bycatch Review Task Force. He confirmed that recommendations from the task force would determine ADF&G's actions. In response to a committee question, he stated that the Bycatch Review Task Force is made up of a wide range of individuals from across the state, including members of various commercial and sport fishing groups and industries, including those from the AYK region. He stated that within approximately 9 months, the group had conducted up to 50 meetings, and as a result, ADF&G came up with a set of solid recommendations. In response to a follow-up question, he stated that a decision on whether to continue the task force has not been made. He continued that ADF&G does not know if there will be anything more to report until some of the recommendations are implemented. He continued that other ADF&G actions concern chum salmon in the Bering Sea, and in the past year, it has worked

with the Bering Sea trawl fisheries to learn about self-regulation, which resulted in significant reductions of chum salmon bycatch. He said ADF&G is asking the industry to look at innovative ways to reduce bycatch of all species.

10:46:50 AM

REPRESENTATIVE STUTES asked how ADF&G is working with the long line or pot fishermen and their bycatch situation.

COMMISSIONER VINCENT-LANG explained that ADF&G is looking at electronic monitoring and increasing observer coverage to avoid bycatch, and to get better estimates of what is happening in these two gear types. In response to a follow-up question, he stated that there is a requirement in some of the bigger fisheries with long line or pot fishing gear in the Bering Sea, but the smaller and medium size fisheries are not 100 percent monitored.

REPRESENTATIVE MCCABE asked about the difference between bycatch in pot and trawl fisheries.

COMMISSIONER VINCENT-LANG responded that the methods are all unique in how fish are caught, and bycatch is affected. He gave examples of how different species are affected with different gear used. In response to a follow-up question bycatch concerning the mortality rate, he reiterated that this depends on a wide range of issues associated with the gear, such as how long the pot gear is "soaked" and the size of the trap on the pots. He expressed uncertainty concerning the exact bycatch fatality rate. He moved to slide 17, which addressed working with partners concerning fisheries disasters. The slide highlighted the development of the Spend Plan, disaster funding, and in-river studies with partners. He stated that this is all with the hope of affecting returns and survival.

REPRESENTATIVE CARPENTER, concerning the Spend Plan, questioned what percentages would be put into the research portion, the administration for research portion, and the portion for individual fishers for the disaster relief.

COMMISSIONER VINCENT-LANG explained that ADF&G has been successful in getting additional federal money through the Pacific Salmon Treaty; therefore, this money would be going toward answering these questions. He further responded that 15 to 20 percent of the money would be going to non-research.

CHAIR VANCE questioned how the Spend Plan would affect subsistence users.

COMMISSIONER VINCENT-LANG acknowledged that there is frustration over the federal designation of Pacific states to develop these plans, and the amount of time it would take. He said that ADF&G has taken steps with the Pacific states to speed the process up. He stated that public review would also play a major part in how the money is spent, although this would take more time. In response to a follow-up question, he confirmed that there have been positive responses to community involvement in the Spend Plan.

COMMISSIONER VINCENT-LANG concluded on slide 18, summarizing the entities ADF&G is working with. He added that ADF&G is open to working with other partners as well.

CHAIR VANCE asked whether the in-river incubation boxes would be under the educational permit system.

COMMISSIONER VINCENT-LANG responded that the proposed incubation boxes would be implemented through the hatchery-permitting program.

CHAIR VANCE asked if there was a difference between a full-scale hatchery and the proposed incubation boxes.

COMMISSIONER VINCENT-LANG expressed the opinion that survival could be increased by using the incubation boxes.

CHAIR VANCE commented on having the Bycatch Review Task Force available for questions so members would have a better understanding of how the state should proceed.

[11:14:40 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Fisheries meeting was adjourned at 11:15 a.m.