



RECEIVED

MAY 16 2011

NATIVE VILLAGE OF SAVOONGA • P.O. BOX 120, SAVOONGA, AK 99769 • PHONE 984-6414 • FAX 984-602

Chris Oliver  
NPFMC Executive Director  
605 W. 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

Subject: Tribal Consultation and Chum Bycatch in the Polluck Fishery

Dear Mr. Oliver,

Please consider this letter as a formal request to the North Pacific Fishery Management Council for government-to-government consultation regarding chum salmon bycatch by the Pollock fishery. We request that this consultation begin immediately.

We are specifically concerned about the impacts of chum bycatch on our tribe's to harvest the subsistence foods we need to meet our cultural, spiritual, economic and nutritional needs.

We look forward to hearing from you. Please contact me at 907-984-6414 or email me at [stoolie@kawerak.org](mailto:stoolie@kawerak.org).

Sincerely,

Ronnie Toolie, President  
Native Village of Savoonga

Enclosure: Tribal Resoution # 11-15

Cc: Gary Locke, Secretary of Commerce  
Jane Lubchenco, NOAA Administrator  
James Balsiger, Regional Administrator, NMFS

Loretta Bullard, President, Kawerak, Inc.  
Myron Naneng, President, Association of Village Council Presidents  
Jerry Isaac, President, Tanana Chiefs Conference  
Julie Kitka, Alaska Federations of Natives  
U.S. Senator Murkowski  
U.S. Senator Begich  
Congressman Young  
Alaska Senator Donald Olson  
Alaska Representative Neal Foster

**NATIVE VILLAGE OF SAVOONGA**

**RESOLUTION NO. 11 - 14**

**POSITION ON CHUM BYCATCH MANAGEMENT BY THE NORTH PACIFIC  
FISHERY MANAGEMENT COUNCIL.**

**WHEREAS:** NATIVE VILLAGE OF SAVOONGA IS A FEDERALLY  
RECOGNIZED TRIBE; AND

**WHEREAS:** SUBSISTENCE USERWS THROUGHOUT THE NORTON SOUND  
AND BERING STRAIT REGION ARE GRAVELY CONCERNED WITH THE  
CONTINUING DECLINE OF REGIONAL SALMON STOCKS; AND

**WHEREAS:** NORTON SOUND IS NOT MAKING ESCAPEMENT GOALS  
THEREFORE THERE HAS NOT BEEN A LARGE COMMERCIAL FISHING FOR  
CHUM IN NORTON SOUND SINCE 1985; AND

**WHEREAS:** ELIM, WHITE MOUNTAIN, GOLOVIN, NOME RIVERS HAVE  
STOCKS OF CONCERN AND CHUM CLOSURES; AND

**WHEREAS:** WHILE OUR SUBSISTENCE USERS FACE SEVERE RESTRICTIONS  
REGARDING HARVEST OF CHUM SALMON, FEDERAL AND STATE  
MANAGED COMMERCIAL FISHERIES CONTINUE TO HARVEST HUGE  
NUMBERS OF CHUM SALMON BOUND FOR OUR REGION'S RIVERS; AND

**WHEREAS:** THE BOARD OF FISH (BOF) AND NORTH PACIFIC FISHERY  
MANAGEMENT COUNCIL (NPFMC) BOTH ARE RESPONSIBLE FOR  
REGULATIONS WHICH AFFECT WESTERN ALASKA SALMON STOCKS AND  
THOSE FISHERIES WHICH INTERCEPT SALMON BOUND FOR OUR RIVERS;  
AND

**WHEREAS:** 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 THAT INTERCEPT OUR SALMON WITH IMPURITY AND DISREGARD; AND

**WHEREAS:** THE NATIONAL MARINE FISHERIES SERVICE (NMFS) NOTED IN THE BERING SEA SALMON BYCATCH ENVIRONMENTAL IMPACT STATEMENT (EIS) PREPARED IN 2008, *"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. SUPRLUS FISH BEYOND ESCPAEMENT NEEDS AND SUBSISTENCE USE ARE MADE AVAILABLE FOR OTHER USES."* AND

**WHEREAS:** WHILE SUBSISTENCE NEEDS ARE LISTED AS THE FIRST PRIORITY UNDER BOTH STATE AND FEDERAL MANAGEMENT SYSTEMS, OUR REGION'S 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; AND

**WHEREAS:** FEDERAL ACTIONS ARE SUPPOSED TO KEENLY DESCRIBE AND CRITIQUE CUMULATIVE IMPACTS (VIA AREA M INTERCEPTION AND POLLUCK BYCATCH) AND THE PUBLIC IS DUE THAT IMFORMATION; AND

**WHEREAS:** ONCE SALMON BECOME "BYCATCH" IN OTHER FISHERIES, THEY WILL NEVER REACH OUR STREAMS TO SPAWN OR BE AVAILABLE TO THE FAMILIES WHO DEPEND UPON THEM FOR BASIC SUBSITENCE NEEDS; AND

**WHEREAS:** OUR INUPIAT, YUPIK, AND ST. LAWRENCE YUPIK CULTURES AND TRADITIONS ARE BASED ON HUNTING, FISHING AND LIVING OFF THE LAND, SEA AND AIR; WE WANT TO MAINTAIN OUR SUBSISTENCE PRACTICES AND TRADITIONS AND WE PREFER OUR SUBSISTENCE FOODS OVER STORE BOUGHT FOOD; AND

**WHEREAS:** OUR CULTURE IS NOT DISPOSABLE OR REPLACEABLE, OUR SUBSISTENCE NEEDS ARE NO LESS IMPORTANT THAN OFFSHORE COMMERCIAL FISHERIES. EXISTING MANAGEMENT REGIMES REFUSE TO RECOGNIZE THIS AND THEIR NEGLECT, LACK OF PROTECTION ANDMISMANGEMENT OF OUR FISHERIES STOCKS HAS SEVERELY IMPACTED OUR ABILITY TO CARRY ON OUR SUBSISTENCE PRACTICES.

NOW THEREFORE BE IT RESOLVED: NATIVE VILLAGE OF SAVOONGA DOES HEREBY REQUEST THAT THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL INSTITUTE A HARD CAP OF 30,000 CHUM BYCATCH AND THAT

THE POLLUCK FISHERY IS CLOSED UPON REACHING THE HARD CAP WITH NO SECTORS ALLOCATIONS, NO SECTOR TRANSFERS, NO COOPERATIVE PROVISIONS.

BY: Ronnie Toole  
PRESIDENT

**CERTIFICATION**

I, THE UNDERSIGNED SECRETARY OF NATIVE VILLAGE OF SAVOONGA IRA COUNCIL, HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS ADOPTED BY MAJORITY VOTE OF THE NATIVE VILLAGE OF SAVOONGA IRA COUNCIL DURING A DULY CALLED MEETING ON THIS 6<sup>TH</sup> DAY OF MAY, 2011.

BY: Peggy Akey  
SECRETARY

**TRIBAL GOVERNMENT OF NATIVE VILLAGE OF SAVOONGA**

**RESOLUTION NO. 11 - 15**

**ENTITLED: TRIBAL GOVERNMENT OF NATIVE VILLAGE OF SAVOONGA  
REQUEST FOR GOVERNMENT-TO-GOVERNMENT TRIBAL  
CONSULTATION WITH THE NATIONAL MARINE FISHERIES SERVICE  
AND THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL  
REGARDING CHUM BYCATCH.**

**WHEREAS: THE TRIBAL GOVERNMENT OF NATIVE VILLAGE OF  
SAVOONGA IS FEDERALLY RECOGNIZED TRIBE; AND**

**WHEREAS: OUR TRIBAL GOVERNMENT IS CHARGED WITH THE  
PROTECTION OF OUR CULTURE, HERITAGE, ENVIRONMENT AND THE  
FOODS WHICH WE HAVE DEPENDED UPON FOR CENTURIES; AND**

**WHEREAS: THE NPFMC AND NMFS ARE VARIOUSLY REQUIRED BY  
EXECUTIVE MEMORANDUM OF APRIL 29, 1994, U.S. DEPARTMENT OF  
COMMERCE AMERICAN INDIAN AND ALASKA NATIVE POLICY (1995),  
AND/OR EXECUTIVE ORDER 13175 (2000) TO CONSULT WITH FEDERALLY  
RECOGNIZED TRIBAL GOVERNMENTS; AND**

**WHEREAS: ALL FEDERAL AGENCIES ARE MANDATED TO RESPECT TRIBAL  
SELF-GOVERNMENT AND SOVEREIGNTY, HONOR TRIBAL TREATY AND  
OTHER RIGHTS, AND TO MEET THE RESPONSIBILITIES THAT ARISE FROM  
THE UNIQUE LEGAL RELATIONSHIP BETWEEN THE FEDERAL GOVERNMENT  
AND FEDERALLY RECOGNIZED TRIBAL GOVERNMENTS; AND**

**WHEREAS: THE NPFMC AND NMFS DEVELOP AND CARRY OUT ACTIONS  
THAT HAVE THE POTENTIAL TO UNIQUELY AND SIGNIFICANTLY AFFECT  
FEDERALLY RECOGNIZED TRIBAL GOVERNMENTS AND THEIR RESOURCES;  
AND**

**WHEREAS: BYCATCH OF CHUM SALMON IN THE POLLUCK FISHING**

INDUSTRY REACHED ALL-TIME HIGHS DURING THE 2007 FISHING SEASON WITH OVER 99,000 CHUM CAUGHT; AND

**WHEREAS:** DECISIONS MADE BY NMFS AND THE NPFMC IN REGARDS TO CHUM BYCATCH IN THE FISHING INDUSTRY REQUIRE TRIBAL CONSULTATION;

**NOW THEREFORE BE IT RESOLVED:** THAT THE TRIBAL GOVERNMENT OF NATIVE VILLAGE OF SAVOONA DOES HEREBY REQUEST THAT THE NATIONAL MARINE FISHERIES SERVICE AND THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL FULFILL THEIR LEGALLY MANDATED REQUIREMENT FOR TRIBAL CONSULTATION AND IMMEDIATELY BEGIN CONSULTATION WITH OUR TRIBE ON THE ISSUE OF CHUM BYCATCH IN THE POLLUCK FISHERY.

#### CERTIFICATION

THE FOREGOING RESOLUTION WAS ADOPTED AT A DULY CALLED AND CONVENED MEETING OF THE NATIVE VILLAGE OF SAVOONGA IRA COUNCILS OF ALASKA ON 6<sup>TH</sup> OF MAY, 2011, BY VOTE OF 8 IN FAVOR, 0 AGAINST, 0 ABSTAIN, 0 ABSENT.

*Ronnie Tuckie*

\_\_\_\_\_  
PRESIDENT

ATTEST:

*Peggy Akoye*

\_\_\_\_\_  
SECRETARY



**Mary's Igloo Traditional Council**

P.O. Box 546 Teller, AK 99778

Ph. (907) 642-3731

Email: [cablowaluk@kawerak.org](mailto:cablowaluk@kawerak.org)

Fax# (907) 642-2189

May 11, 2011

Chris Oliver  
NPFMC Executive Director  
605 W. 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

**RECEIVED**

MAY 16 2011

Subject: Tribal Consultation and Chum Bycatch in the Pollock Fishery

Dear Mr. Oliver,

Please consider this letter as a formal request to the North Pacific Fishery Management Council for government-to-government consultation regarding chum salmon bycatch by the Pollock fishery. We request that this consultation begin immediately.

We are specifically concerned about the impacts of chum bycatch in our tribe's ability to harvest the subsistence foods we need meet our cultural, spiritual, economic and nutritional needs.

We look forward to hearing from you. Please contact me at 907-642-3731 or email [cablowaluk@kawerak.org](mailto:cablowaluk@kawerak.org).

Sincerely,

A handwritten signature in cursive script, appearing to read "Lucy H. Oquilluk".

Lucy H. Oquilluk, President  
Native Village of Mary's Igloo

Cc: Gary Locke, Secretary of Commerce  
Jane Lubchenco, NOAA Administrator  
James Balsiger, Regional Administrator, NMFS  
Loretta Bullard, President, Kawerak, Inc.  
Myron Naneng, President, Association of Village Council Presidents  
Jerry Isaac, President, Tanana Chiefs Conference  
Julie Kitka, Alaska Federations of Natives  
U.S. Senator Murkowski  
U.S. Senator Begich  
Congressman Young  
Alaska Senator Donald Olson  
Alaska Representative Neal Foster



**Mary's Igloo Traditional Council**

P.O. Box 546 Teller, AK 99778

Ph. (907) 642-3731

Email: [cablowluk@kawerak.org](mailto:cablowluk@kawerak.org)

Fax# (907) 642-2189

May 11, 2011

James Balsiger  
Regional Administrator  
NMFS Alaska Region  
PO Box 21668  
Juneau, AK 99802

Subject: Tribal Consultation and Chum Bycatch in the Pollock Fishery

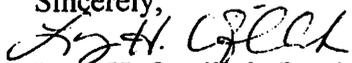
Dear Mr. Balsiger,

Please consider this letter as a formal request to the North Pacific Fishery Management Council for government-to-government consultation regarding chum salmon bycatch by the Pollock fishery. We request that this consultation begin immediately.

We are specifically concerned about the impacts of chum bycatch in our tribe's ability to harvest the subsistence foods we need meet our cultural ; spiritual, economic and nutritional needs.

We look forward to hearing from you. Please contact me at 907-642-3731 or email [cablowluk@kawerak.org](mailto:cablowluk@kawerak.org).

Sincerely,

  
Lucy H. Oquilluk, President  
Native Village of Mary's Igloo

Cc: Gary Locke, Secretary of Commerce  
Jane Lubchenco, NOAA Administrator  
Chris Oliver, North Pacific Fishery Management Council, Executive Director  
Loretta Bullard, President, Kawerak, Inc.  
Myron Naneng, President, Association of Village Council Presidents  
Jerry Isaac, President, Tanana Chiefs Conference  
Julie Kitka, Alaska Federations of Natives  
U.S. Senator Murkowski  
U.S. Senator Begich  
Congressman Young  
Alaska Senator Donald Olson  
Alaska Representative Neal Foster



**Mary's Igloo Traditional Council**

P.O. Box 546 Teller, AK 99778

Ph. (907) 642-3731 Email: [cablowaluk@kawerak.org](mailto:cablowaluk@kawerak.org) Fax# (907) 642-2189

**RESOLUTION NO.11-05-11-02**

**POSITION ON THE CHUM BYCATCH MANAGEMENT BY THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL**

**WHEREAS:** The Mary's Igloo Traditional Council is a federally recognized tribe; AND

**WHEREAS:** Subsistence users throughout the Norton Sound and Bering Strait Region are gravely concerned with the continuing decline of the regional salmon stocks; AND

**WHEREAS:** Norton Sound is not making escapement goals therefore there has not been a large commercial fishing for chum in Norton Sound since 1985; AND

**WHEREAS:** Elim, White Mountain, Golovin, Nome rivers have stocks of concern and chum closures; AND

**WHEREAS:** while our subsistence users face severe restrictions regarding harvest of chum salmon, federal and state managed commercial fisheries continue to harvest huge numbers of chum salmon bound for our region's rivers; AND

**WHEREAS:** the Board of Fish (BOF) and North Pacific Fishery Management Council (NPFMC) both are responsible for regulations which affect Western Alaska salmon stocks and those fisheries which intercept salmon bound for our rivers; AND

**WHEREAS:** regulations developed by those two bodies have placed the future of our declining salmon runs in severe jeopardy, while perpetuating wasteful practices by some commercial fisheries that intercept our salmon with impunity disregard; AND

**WHEREAS:** the National Marine Fisheries Service (NMFS) noted in the Bering Sea Salmon Bycatch Environmental Impact Statement (EIS) prepared in 2008, *"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;* AND

**WHEREAS:** while subsistence needs are listed as the first priority under both state and federal management systems, our region's 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; AND

**WHEREAS:** Federal actions are supposed to keenly describe and critique cumulative impacts (via Area M interception and Pollock bycatch) and the public is due that information; AND

**WHEREAS:** once salmon become "bycatch" in other fisheries, they will never reach our streams to spawn or be available to the families who depend upon them for basic subsistence needs; AND

**WHEREAS:** our Inupiat, Yupik and St. Lawrence Yupik cultures and traditions are based on hunting, fishing and living off the land, sea and air; we want to maintain our subsistence practices and traditions and we prefer our subsistence foods over store bought food; AND

**WHEREAS:** our culture is not disposable or replaceable, our subsistence needs are no less important than offshore commercial fisheries. Existing management regimes refuse to recognize this and their neglect, lack of protection and mismanagement of our fisheries stocks has severely impacted our ability to carry on our subsistence practices.

**NOW THEREFORE BE IT RESOLVED:** The Mary's Igloo Traditional Council does hereby request that the North Pacific Fishery Management Council instate a hard cap of 30,000 chum bycatch and that the Pollock fishery is closed upon reaching the hard cap with no sectors allocations, no sector transfers, no cooperative provisions.

#### CERTIFICATION

I hereby certify that the following resolution was adopted at a duly convened meeting of the Mary's Igloo Traditional Council at which a quorum was present by a vote of 5 in favor, 0 opposed, 2 absent.

#### ATTEST

  
\_\_\_\_\_  
Lucy H. Oquilluk, President

5-11-11  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Albert W. Oquilluk, Secretary

5/11/11  
\_\_\_\_\_  
Date



**Mary's Igloo Traditional Council**

P.O. Box 546 Teller, AK 99778

Phone: (907) 642-3373 Email: cublowaluk@kawcrak.org Fax# (907) 642-2189

**RESOLUTION NO.11-05-11-03**

**Tribal government of Mary's Igloo Traditional Council request for Government – to – Government Tribal Consultation with the National Marine Fisheries Service and the North Pacific Fishery Management Council regarding Chum Bycatch**

**WHEREAS:** The tribal Government of Mary's Igloo Traditional Council is a federally recognized tribe; AND

**WHEREAS:** Our tribal government is charged with the protection of our culture, heritage, environment and the foods which we have depended upon for centuries; AND

**WHEREAS:** Our tribal government supports the informed and sustainable management of our resources; AND

**WHEREAS:** The NPFMC and NMFS are variously required by Executive Memorandum of April 29, 1994, U.S. Department of Commerce American Indian and Alaska Native Policy (1995), and/or Executive Order 13175 (2000) to consult with Federally Recognized Tribal Governments; AND

**WHEREAS:** All Federal agencies are mandated to respect tribal self-government and sovereignty, honor tribal treaty and other rights, and to meet the responsibilities that arise from the unique legal relationship between the Federal Government and the Federally Recognized Tribal Governments; AND

**WHEREAS:** The NPFMC and NMFS develop and carry out actions that have the potential to uniquely and significantly affect Federally Recognized Tribal Governments and their recourses; AND

**WHEREAS:** Bycatch of chum in the Pollock fishing industry reached all-time highs during the 2007 fishing season with over 99,000 chum caught; AND

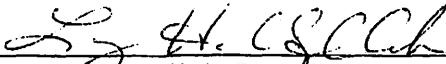
**WHEREAS:** Decisions made by NMFS and the NPFMC in regards to chum bycatch in the fishing industry require tribal consultation; AND

**NOW THEREFORE BE IT RESOLVED:** that the tribal government of the Mary's Igloo Traditional Council does hereby request that the National Marine Fisheries Service and the North Pacific Fishery Management Council fulfill their legally mandated requirements for the tribal consultation and immediately begin consultation with our tribe on the issues of chum bycatch in the Pollock fishery.

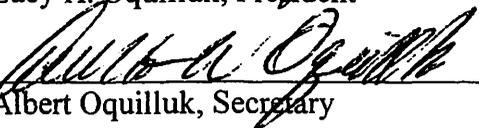
**CERTIFICATION**

I hereby certify that the following resolution was adopted at a duly convened meeting of Mary's Igloo Traditional Council at which a quorum was present by a vote of 5 in favor, 0 opposed, 2 absent.

**ATTEST**

  
\_\_\_\_\_  
Lucy H. Oquilluk, President

5-11-11  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Albert Oquilluk, Secretary

5/11/11  
\_\_\_\_\_  
Date



Native Village of Shishmaref  
Shishmaref I.R.A. Council  
PO Box 72110  
Shishmaref, Alaska 99772  
Ph: (907) 649-3821/2082  
Fax: (907) 649-2104

May 17, 2011

**RECEIVED**  
MAY 23 2011

Chris Oliver  
NPFMC Executive Director  
605 W. 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501-2252

Subject: Tribal Consultation and Chum Bycatch in the Pollock Fishery

Dear Mr. Oliver,

Please consider this letter as a formal request to the North Pacific Fishery Management Council for government-to-government consultation regarding chum salmon bycatch by the Pollock fishery. We request that this consultation begin immediately.

We are specifically concerned about the impacts of chum bycatch on our tribe's ability to harvest the subsistence foods we need meet our culture, spiritual economic and nutritional needs.

We look forward to hearing from you. Please contact me at 907-649-3821 or [knayokpuk@kawerak.org](mailto:knayokpuk@kawerak.org).

Sincerely,

  
IRA President *vice*  
Native Village of Shishmaref

Enclosure (Tribal Resolution # 11-06, 11-07,11-08)

Cc: Gary Locke, Secretary of Commerce  
Jane Lubchenco, NOAA Administrator  
James Balsiger, Administrator, NMFS  
Loretta Bullard, President, Kawerak Inc.  
Myron Naneng, President, Association of Village Council Presidents  
Jerry Isaac, President, Tanana Chiefs Conference  
Julie Kitka, Alaska Federation of Natives  
U.S. Senator Murkowski  
U.S. Senator Begich  
Congressman Young  
Alaska Senator Donald Olson  
Alaska Representative Neal Foster

**NATIVE VILLAGE OF SHISHMAREF  
SHISHMAREF IRA COUNCIL  
P.O. BOX 72110  
SHISHMAREF, ALASKA 99772**

**RESOLUTION NO. 11-08**

**Tribal Government of the Native Village of Shishmaref request for Government-to- Government Tribal Consultation with the National Marine Fisheries Service and the North Pacific Fishery Management Council regarding Chum Bycatch**

**WHEREAS: The tribal government of the Native Village of Shishmaref is federally recognized tribe; AND**

**WHEREAS: Our tribal government is charged with the protection of our culture, heritage, environment and the foods which we have depended upon for centuries; AND**

**WHEREAS: Our tribal government supports the informed and sustainable management if our resources; AND**

**WHEREAS: The NPFMC and NMFS are variously required by Executive Memorandum of April 29, 1994, U.S. Department of Commerce American Indian and Alaska Native Policy (1995), and/or Executive Order 13175 (2000) to consult with Federally Recognized Tribal Governments; AND**

**WHEREAS: All Federal agencies are mandated to respect tribal self-government and sovereignty, honor tribal treaty and other rights, and to meet the responsibilities that arise from the unique legal relationship between the Federal Government and Federally Recognized Tribal Governments; AND**

**WHEREAS: The NPFMC and NMFC develop and carry out actions that have the potential to uniquely and significantly affect Federally Recognized Tribal Governments and their resources; AND**

**WHEREAS: Bycatch of chum salmon in the Pollock Fishing industry reached all-time highs during the 2007 fishing season with over 99,000 chum caught; AND**

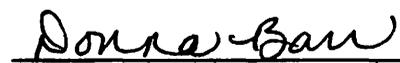
**WHEREAS: Decisions made by NMFS and the NPFMC in regards to chum bycatch in the fishing industry require tribal consultation;**

**NOW THEREFORE BE IT RESOLVED: that the tribal government of the Native Village of Shishmaref does hereby request that the National Marine Fisheries Service and the North Pacific Fishery Management Council fulfill their legally mandated requirement for tribal consultation and immediately begin consultation with our tribe on the issue of chum bycatch in the Pollock fishery.**

Certification

The undersigned hereby certify that the foregoing resolution was adopted at a duly convened meeting of the Shishmaref IRA Council at which a quorum was present, by a vote of 6 in favor, 0 opposed, 0 abstain, on May 10, 2011.

  
Karla Nayokpuk, President

  
Frieda Eningowuk, Secretary Donna Barr  
vice-president

**NATIVE VILLAGE OF SHISHMAREF  
SHISHMAREF IRA COUNCIL  
P.O. BOX 72110  
SHISHMAREF, ALASKA 99772**

**RESOLUTION NO. 11-07**

**POSITION ON CHUM BYCATCH MANAGEMENT BY THE NORTH PACIFIC FISHERY MANAGEMENT  
COUNCIL**

**WHEREAS: The Native Village of Shishmaref is a federally recognized tribe; AND**

**WHEREAS: Subsistence users throughout the Norton Sound and Bering Strait Region are gravely concerned with the continuing decline of regional salmon stocks; AND**

**WHEREAS: Norton Sound is not making escapement goals therefore there has not been a large commercial fishing for chum in Norton Sound since 1985; AND**

**WHEREAS: Elim, White Mountain, Golovin, Nome rivers have stocks of concern and chum closures; AND**

**WHEREAS: while our subsistence users face severe restrictions regarding harvest of chum salmon, federal and state managed commercial fisheries continue to harvest huge numbers of chum salmon bound for our region's rivers; AND**

**WHEREAS: the Board of Fish (BOF) and North Pacific Fishery Management Council (NPFMC) both are responsible for regulations which affect Western Alaska salmon stocks and those fisheries which intercept salmon bound for our rivers; AND**

**WHEREAS: 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 that intercept our salmon with impunity and disregard; AND**

**WHEREAS: the National Marine Fisheries Service (NMFS) noted in the Bering Sea Salmon Bycatch Environmental Impact Statement (EIS) prepared in 2008, "The first priority for management is to meet spawning escapement goals to sustain in 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; AND**

**WHEREAS: while subsistence needs are listed as the first priority under both state and federal management systems, our region's subsistence fisheries have been giving the lowest priority by fisheries managers in direct conflict with mandated subsistence priority. Commercial fishing interest have been consistently favored by government fisheries managers at both state and federal levels; AND**

WHEREAS: once salmon become "bycatch" in other fisheries, they will never reach our streams to spawn or be available to the families who depend upon them for basic subsistence needs; AND

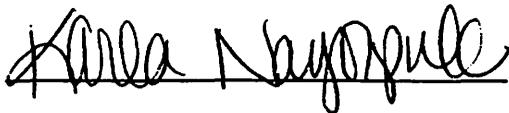
WHEREAS: our Inupiat, Yupik and St. Lawrence Yupik cultures and traditions are based on hunting, fishing and living off the land, sea, air; we want to maintain our subsistence practices and traditions and we prefer our subsistence foods over store bought food; AND

WHEREAS: our culture is not disposable or replaceable, our subsistence needs are no less important than offshore commercial fisheries. Existing management regimes refuse to recognize this and their neglect, lack of protection and mismanagement of our fisheries stocks and has severely impacted our ability to carry on our subsistence practices.

NOW AND THEREFORE BE IT RESOLVED: The Native Village of Shishmaref does hereby request that the North Pacific Fishery Management Council institute a hard cap of 30,000 chum bycatch and that the Pollock fishery is closed upon reaching the hard cap with no sectors allocations, no sector transfers, no cooperative provisions.

#### CERTIFICATION

The undersigned hereby certify that the foregoing resolution was adopted at a duly convened meeting of the Shishmaref IRA Council at which a quorum was present, by a vote of 6 in favor, 0 opposed, 0 abstain, on May 10, 2011.



Karla Nayokpuk, President



Frieda Eningowuk, Secretary Donna Barr  
Vice-president

**NVT/TTC NATIVE VILLAGE OF TELLER  
TELLER TRADITIONAL COUNCIL**

P.O. BOX 567  
TELLER, ALASKA 99778

May 11, 2011

Chris Oliver  
NPFMC Executive Director  
605 W. 4<sup>th</sup> Avenue, Suite 306  
Juneau, Alaska 99501-2252

**RECEIVED**  
MAY 23 2011

Subject: Tribal Consultation and Chum Bycatch in the Pollock Fishery

Dear Mr. Oliver,

Please consider this letter as a formal request to the North Pacific Fishery Management Council for government-to-government consultation regarding chum salmon bycatch by the Pollock fishery. We request that this consultation began immediately.

We are specifically concerned about the impacts of chum bycatch on our tribe's ability to harvest the subsistence foods we need meet our culture, spiritual, economic and nutritional needs.

We look forward to hearing from you. Please contact me at 907-642-3381 or e-mail: [cisabell@kawerak.org](mailto:cisabell@kawerak.org).

Sincerely,



Wesley Okbaok, President  
Native Village of Teller/Teller Traditional Council

Enclosed: Tribal Resolution No. TR 05-11-11-01, TR 05-11-11-02, TR 05-11-11-03

Cc: Gary Locke, Secretary of Commerce  
Jane Lubchenco, NOAA Administrator  
James Balsiger, Regional Administrator, NMFS  
Loretta Bullard, President, Kawerak, Inc.  
Myron Naneng, President, Association of Village Council Presidents  
Jerry Isaac, President, Tanana Chiefs Conference  
Julie Kitka, Alaska Federation of Natives  
U.S. Senator Murkowski  
U.S. Senator Begich  
Congressman Young  
Alaska Senator Donald Olson  
Alaska Representative Neal Foster

**NVT/TTC NATIVE VILLAGE OF TELLER  
TELLER TRADITIONAL COUNCIL**

---

P.O. BOX 567  
TELLER, ALASKA 99778

**Resolution No. TR-05-11-11-02**

**A RESOLUTION ON THE POSITION ON CHUM BYCATCH MANAGEMENT  
BY THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL**

WHEREAS, the Native Village of Teller / Teller Traditional Council is a federally recognized tribe; and

WHEREAS, subsistence users throughout the Norton sound and Bering Strait region are gravely concerned with the continuing decline of regional salmon stocks; and

WHEREAS, Norton sound is not making escapement goals therefore there has not been a large commercial fishing for chum in Norton sound since 1985; and

WHEREAS, Elim, White Mountain, Golovin, Nome rivers have stocks of concern and chum closures; and

WHEREAS, while our subsistence users face severe restrictions regarding harvest of chum salmon, federal and state managed commercial fisheries continue to harvest huge numbers of chum salmon bound for our region's rivers; and

WHEREAS, the Board of Fish (BOD) and North Pacific Fishery Management Council (NPFMC) both are responsible for regulations which affect Western Alaska salmon stocks and those fisheries which intercepts salmon bound for our rivers; and

WHEREAS, 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 that intercept our salmon with impunity and disregard; and

WHEREAS, the National Marine Fisheries Service (NMFS) noted in the Bering Sea Salmon Bycatch Environmental Impact Statement (EIS) prepared in 2008, "*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 escape meant needs and subsistence use are made available for other uses.*" And

WHEREAS, while subsistence needs are listed as the first priority under both state and federal management systems, our region 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; and

WHEREAS, federal actions are supposed to keenly described and critique cumulative impacts (via Area M interception and Polluck bycatch) and the public is due that information; and

**NVT/TTC NATIVE VILLAGE OF TELLER  
TELLER TRADITIONAL COUNCIL**

---

P.O. BOX 567  
TELLER, ALASKA 99778

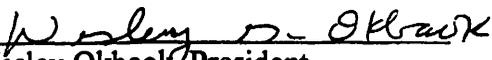
WHEREAS, one salmon become "bycatch" and other fisheries, they will never reach our streams to spawn or be available to the families who depend upon them for basic subsistence needs; and

WHEREAS, our culture is not disposable or replaceable, our subsistence needs are no less important than offshore commercial fisheries. Existing management regimes refuse to recognize this and their neglect, lack of protection and mismanagement of our fisheries stocks have severely impacted our ability to carry on our subsistence practices.

NOW THEREFORE BE IT RESOLVED, Teller Traditional Council does hereby request that the North Pacific Fishery Management Council Institute a hard cap of 30,000 Chum bycatch and that the Pollock fishery is closed upon reaching the hard cap with no sectors allocations, no sector transfers, no cooperative provisions.

**CERTIFICATION**

Passed this 11<sup>th</sup> day of May, 2011 at a duly called and convened Tribal Council meeting by a vote of 7 for, 0 against, 0 abstaining, at which a quorum was present.

  
Wesley Okbaok, President

  
Dolly Kuzruk, Secretary

**NVT/TTC NATIVE VILLAGE OF TELLER  
TELLER TRADITIONAL COUNCIL**

---

P.O. BOX 567  
TELLER, ALASKA 99778

**Resolution No. TR-05-11-11-03**

**ENTITLED: Tribal Government of Teller request for Government-to-Government Tribal Consultation with the National Marine Fisheries Service and the North Pacific Fishery Management Council regarding Chum Bycatch**

WHEREAS, the Native Village of Teller / Teller Traditional Council is a federally recognized tribe; and

WHEREAS, our tribal government is charged with the protection of our culture, heritage, environment and the foods which we have depended upon for centuries; and

WHEREAS, our tribal government supports the informed and sustainable management of our resources; and

WHEREAS, the NPFMC and an NMFS are variously required by Executive Memorandum of April 29, 1994, U.S. Department of Commerce American Indian and Alaska Native Policy (1995), and/or Executive Order 13175 (2000) to consult with Federally Recognized Tribal Governments; and

WHEREAS, all Federal agencies are mandated to respect tribal self-government and sovereignty, honor tribal treaty and other rights, and to meet the responsibilities that arise from the unique legal relationship between the Federal Government and Federally Recognized Tribal Governments; and

WHEREAS, the NPFMC and NMFS develop and carry out actions that have the potential to uniquely and significantly affect Federally Recognized Tribal Governments and their resources; and

WHEREAS, bycatch of chum salmon in the pollock fishing industry reached all-time highs during the 2007 fishing season with over 99,000 chum caught; and

WHEREAS, decisions made by NMFS and the NPFMC in regards to chum bycatch in the fishing industry require tribal consultation;

NOW THEREFORE BE IT RESOLVED, that the tribal government of Teller does hereby request that the National Marine Fisheries Service and the North Pacific Fishery Management Council fulfill their legally mandated requirement for tribal consultation and immediately begin consultation with our tribe on the issue of chum bycatch in the Pollock fishery.

**NVT/TTC NATIVE VILLAGE OF TELLER  
TELLER TRADITIONAL COUNCIL**

---

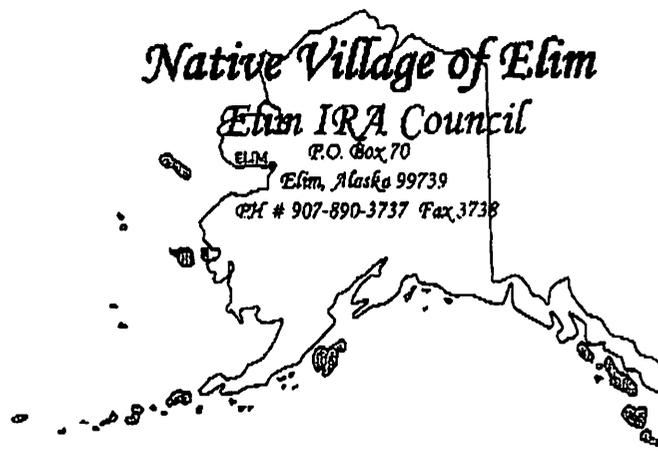
P.O. BOX 567  
TELLER, ALASKA 99778

**CERTIFICATION**

Passed this 11<sup>th</sup> day of May, 2011 at a duly called and convened Tribal Council meeting by a vote of 7 for, 0 against, 0 abstaining, at which a quorum was present.

Wesley Okback  
Wesley Okback, President

Dolly R. Kugzruk  
Dolly Kugzruk, Secretary



## RESOLUTION # 11-14

**A RESOLUTION BY THE NATIVE VILLAGE OF ELIM REQUEST FOR GOVERNMENT-TO-GOVERNMENT TRIBAL CONSULTATION WITH THE NATIONAL MARINE FISHERIES SERVICE AND THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL REAGARDING CHUM BYCATCH**

WHEREAS: The Native Village of Elim is federally recognized tribe; AND

WHEREAS: Our tribal government is charged with the protection of our culture, heritage, environment and the foods which we have depended upon for centuries; AND

WHEREAS: Our tribal government supports the informed and sustainable management of our resources; AND

WHEREAS: The NPFMC and NMFS are variously required by Executive Memorandum of April 29, 1994, U.S. Department of Commerce American Indian and Alaska Native Policy (1995), and/or Executive Order 13175 (2000) to consult with Federally Recognized Tribal Governments; AND

WHEREAS: The NPFMC and NMFS develop and carry out actions that have the potential to uniquely and significantly affect Federally Recognized Tribal Governments and their resources; AND

WHEREAS: Decisions made by NMFS and the NPFMC in regards to chum bycatch in the fishing industry require tribal consultation;

NOW THEREFORE BE IT RESOLVED: that the tribal government of The Native Village of Elim does hereby request that the National Marine Fisheries Service and the North Pacific Fishery Management Council fulfill their legally mandated requirement for tribal consultation and immediately begin consultation with our tribe on the issue of chum bycatch in the Pollock fishery.

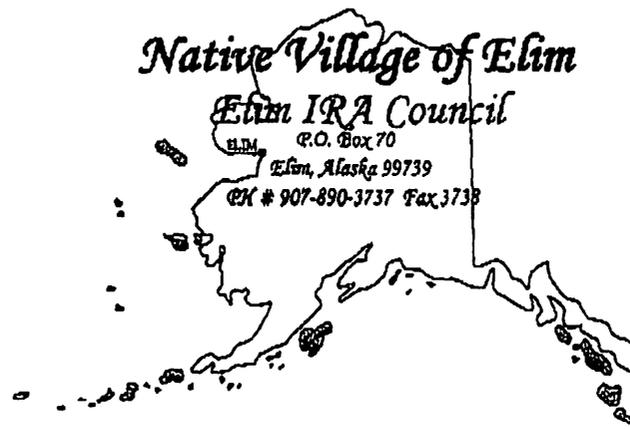
## CERTIFICATION

The foregoing Resolution was adopted at a duly called and convened meeting of the

NVE of Alaska on 5-18-11, by of vote of 7 IN Favor,

0 AGAINST, 0 ABSENT.

[Signature]

**RESOLUTION 11-15****POSITION ON CHUM BYCATCH MANAGEMENT BY THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL**

**WHEREAS:** The Native Village of Elim is a federally recognized tribe; AND

**WHEREAS:** Subsistence users throughout the Norton Sound and Bering Strait Region are gravely concerned with the continuing decline of regional salmon stocks; AND

**WHEREAS:** Norton Sound is not making escapement goals therefore there has not been a large commercial fishing for chum in Norton Sound since 1985; AND

**WHEREAS:** Elim, white Mountain, Golovin, Nome rivers have stocks of concern and chum closures; AND

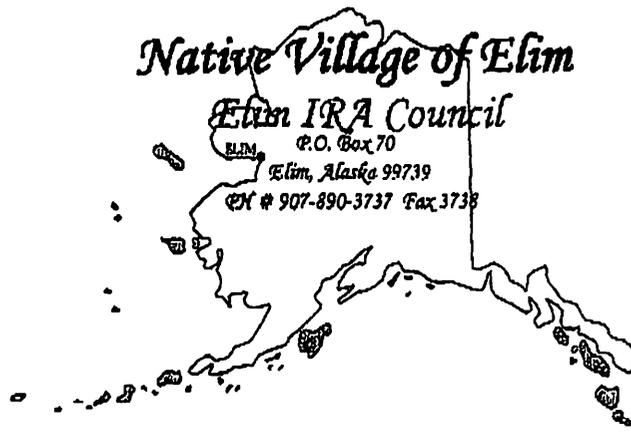
**WHEREAS:** While our subsistence users face severe restrictions regarding harvest of chum salmon, federal and state managed commercial fisheries continue to harvest huge numbers of chum salmon bound for our region's rivers; AND

**WHEREAS:** the Board of Fish (BOF) and North Pacific Fishery Management Council (NPFMC) both are responsible for regulations which affect Western Alaska salmon stocks and those fisheries which intercept salmon bound for our rivers; AND

**WHEREAS:** 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 that intercept our salmon with impunity and disregard; AND

**WHEREAS:** the National Marine Fisheries Service (NMFS) noted in the Bering Sea Salmon Bycatch Environmental Impact Statement (EIS) prepared in 2008, *"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."* AND

**WHEREAS:** while subsistence needs are listed as the first priority under both state and federal management systems, our regions 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; AND

WHEREAS: Federal actions are supposed to keenly describe and critique cumulative impacts (via Area M interception and Polluck bycatch) and the public is due that information; AND

WHEREAS: once salmon become "bycatch" in other fisheries, they will never reach our streams to spawn or be available to the families who depend upon them for basic subsistence needs; AND

WHEREAS: our Inupiat, Yupik and St. Lawrence Yupik cultures and traditions are based on hunting, fishing and living off the land, sea and air; we want to maintain our subsistence practices and traditions and we prefer our subsistence foods over store bought food; AND

WHEREAS: our culture is not disposable or replaceable, our subsistence needs are no less important than offshore commercial fisheries. Existing management regimes refuse to recognize this and their neglect, lack of protection and mismanagement of our fisheries stocks has severely impacted our ability to carry on our subsistence practices.

NOW THEREFORE BE IT RESOLVED: the Native Village of Elim does hereby request that the North Pacific Fishery Management Council institute a hard cap of 30,000 chum bycatch and that the Polluck fishery is closed upon reaching the hard cap with no sectors allocations, no sector transfers, no cooperative provisions.

By: *[Signature]*

CERTIFICATION

I, the undersigned Secretary of the Native Village of Elim, hereby certify that the foregoing resolution was adopted by majority vote of the during a duly called meeting on this 18<sup>th</sup> day of May 2001.

By: *Wallace D. [Signature]*

**NATIVE VILLAGE OF ELIM IRA****POB 70****Elim, Alaska 99739****(907) 890-3737 Telephone****(907) 890-3738 Fax**

April 6, 2011

Eric Olson, Chair  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Avenue  
Anchorage, AK 99501

RE: Northern Bottom Trawl Boundary

Dear Chairman Olson,

The Native Village of Elim IRA is concerned about bottom trawling that occurs within our subsistence use area and migratory pathways of the resources we rely on.

The traditional subsistence resources that we harvest from the sea include ~~Uguli, Spotted & Ringed Seals, Balbut, Eomua, King & Silver Salmon, Crab, and Herring Eggs~~. It is also a traditional custom and necessary for us to trade foods with other villages. Harvesting and trading subsistence foods defines our subsistence economy and way of life. It is important that we maintain and respect the integrity of the natural ocean ecosystem so that we can continue to practice our way of life many generations to come.

In June 2007 the North Pacific Fishery Management Council (NPFMC) adopted a northern boundary for bottom trawl fisheries in the Bering Sea, and committed to reconsidering the segment of the boundary around Kuskokwim Bay to Nunivak Island in 2011. The current boundary is too close to the land allowing bottom trawl activity in areas we depend on for subsistence.

The Native Village of Elim IRA recommends moving the boundary farther out from the land so that bottom trawl fisheries may not operate within 50 miles from the northern and southern ends of Kuskokwim Bay, Etolin Strait and Nunivak Island or within areas important to our subsistence resources.

Sincerely,

~~for resources applicable to your community!~~

Robert Keith,  
President



# NATIVE VILLAGE OF GAMBELL

P.O. BOX 90 • Gambell, Alaska 99742  
Telephone: (907) 985-5346 • FAX: (907) 985-5014

May 11, 2011

RECEIVED  
MAY 20 2011

Chris Oliver  
NPFMC Executive Director  
605 W. 4<sup>th</sup> Avenue, Suite 306 ..  
Anchorage, Ak. 99501-2252

Subject: Tribal Consultation and Chum Bycatch in the Pollock Fishery

Dear Mr. Oliver,

Please consider this letter as a formal request to the national Marine Fisheries Service for government-to-government consultation regarding chum salmon bycatch b the Pollock fishery. We request that this consultation begin immediately.

We are specifically concerned about the impact of chum bycatch on our tribe's ability to harvest the subsistence foods we need meet our cultural, spiritual, economic and nutritional needs.

We look forward to hearing from you. Please contact me at (907) 985-5346 or [ivercampbell@yahoo.com](mailto:ivercampbell@yahoo.com).

Sincerely,

Iver Campbell, IRA Council President  
Native Village of Gambell

Enclosures (Tribal Resolution #'s 11-16, 11-17, & 11-18)

Cc: Gary Locke, Secretary of Commerce  
Jane Lubchenco, NOAA Administrator  
Chris Oliver, North Pacific Fishery Management Council Executive Director  
Loretta Bullard, President, Kawerak, Inc.  
Myron Naneng, President, Association of Village Council Presidents  
Jerry Isaac, President, Tanana Chiefs Conference  
Julie Kitka, Alaska Federation of Natives  
U.S. Senator Murkowski  
U.S. Senator Begich  
Congressman Yong  
Alaska Sentor Donald Olson  
Alaska Representative Neal Foster



# NATIVE VILLAGE OF GAMBELL

P.O. BOX 90 • Gambell, Alaska 99742  
Telephone: (907) 985-5346 • FAX: (907) 985-5014

NATIVE VILLAGE OF GAMBELL  
IRA COUNCIL

## RESOLUTION 11-18

**ENTITLED: Tribal government of Native Village of Gambell request for Government-to-Government Tribal Consultation with the National Marine Fisheries Service and the North Pacific Fishery Management Council regarding Chum Bycatch**

WHEREAS: The tribal government of Native Village of Gambell is federally recognized tribe; AND

WHEREAS: Our tribal government is charged with the protection of our culture, heritage, environment and the foods which we have depended upon for centuries; AND

WHEREAS: Our tribal government supports the informed and sustainable management of our resources; AND

WHEREAS: The NPFMC and NMFS are variously required by Executive Memorandum of April 29, 1994, U.S. Department of Commerce American Indian and Alaska Native Policy (1995), and/or Executive Order 13175 (2000) to consult with Federally Recognized Tribal Governments; AND

WHEREAS: All Federal agencies are mandated to respect tribal self-government and sovereignty, honor tribal treaty and other rights, and to meet the responsibilities that arise from the unique legal relationship between the Federal Government and Federally Recognized Tribal Governments; AND

WHEREAS: The NPFMC and NMFS develop and carry out actions that have the potential to uniquely and significantly affect Federally Recognized Tribal Governments and their resources; AND

WHEREAS: Bycatch of chum salmon in the Pollock fishing industry reached all-time highs during the 2007 fishing season with over 99,000 chum caught; AND

WHEREAS: Decisions made by NMFS and NPFMC in regards to chum bycatch in the fishing industry require tribal consultation;

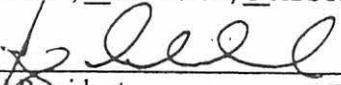
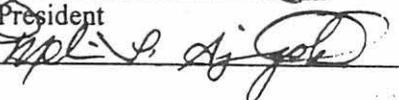
NOW THEREFORE BE IT RESOLVED: that the tribal government of Native Village of Gambell does hereby request that the National Marine Fisheries Service and the North Pacific Fishery Management Council fulfill their legally mandated requirement for tribal consultation and immediately begin consultation with our tribe on the issue of chum bycatch in the Pollock fishery.

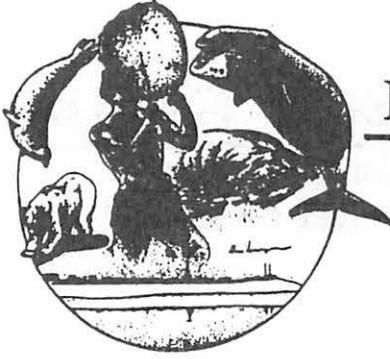
## CERTIFICATION

The foregoing Resolution was adopted at a duly called and convened meeting of the Native Village of Gambell of Alaska on 17th MAY, 2011, by of vote of  
7 IN Favor, 0 AGAINST, 0 ABSTAIN, 0 ABSENT.

Tribal President

Attest:



# NATIVE VILLAGE OF GAMBELL

P.O. BOX 90 • Gambell, Alaska 99742  
Telephone: (907) 985-5346 • FAX: (907) 985-5014

NATIVE VILLAGE OF GAMBELL  
IRA COUNCIL

RESOLUTION 11-17

## POSITION ON CHUM BYCATCH MANAGEMENT BY THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

WHEREAS: Native Village of Gambell is a federally recognized tribe; AND

WHEREAS: Subsistence users throughout the Norton Sound and Bering Strait Region are gravely concerned with the continuing decline of regional salmon stocks; AND

WHEREAS: Norton Sound is not making escapement goals therefore there has not been a large commercial fishing for chum in Norton Sound since 1985: AND

WHEREAS: Elim, White Mountain, Golovin, Nome rivers have stocks of concern and chum closures; AND

WHEREAS: while our subsistence users face severe restrictions regarding harvest of chum salmon, federal and state managed commercial fisheries continue to harvest huge numbers of chum salmon bound for our region's rivers; AND

WHEREAS: the Board of Fish (BOF) and North Pacific Fishery Management Council (NPFMC) both are responsible for regulations which affect Western Alaska salmon stocks and those fisheries which intercept salmon bound for our rivers; AND

WHEREAS: 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 which that intercept our salmon with impunity and disregard; AND

WHEREAS: the National Marine Fisheries Service (NMFS) noted in the Bering Sea Salmon Bycatch Environmental Impact Statement (EIS) prepared in 2008, "*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.*" AND

WHEREAS: while subsistence needs are listed as the first priority under both state and federal management systems, our region's 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; AND

WHEREAS: Federal actions are supposed to keenly describe and critique cumulative impacts (via Area M interception and Pollock bycatch) and the public is due that information: AND

WHEREAS: once salmon become "bycatch" in other fisheries, they will never reach our streams to pawn or be available to the families who depend upon them for basic subsistence needs; AND

WHEREAS: our Inupiat, Yupik and St. Lawrence Yupik cultures and traditions are based on hunting, fishing and living off the land, sea and air; awe want to maintain our subsistence practices and traditions and we prefer our subsistence foods over store bought food; AND

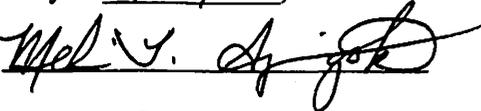
WHEREAS: our culture is not disposable or replaceable, our subsistence needs are no less important than offshore commercial fisheries. Existing management regimes refuse to recognize this and their neglect, lack of protection and mismanagement of our fisheries stocks has severely impacted our ability to carry on our subsistence practices.

NOW THEREFORE BE IT RESOLVED: Native Village of Gambell does hereby request that the North Pacific Fishery Management Council institute a hard cap of 30,000 chum bycatch and that the Pollock fishery is closed upon reaching the hard cap with no sectors allocations, no sector transfers, no cooperative provisions.

By:   
Iver Campbell Pres.

#### CERTIFICATION

I, THE UNDERSIGNED Secretary of the Native Village of Gambell, hereby certify that the foregoing resolution was adopted by majority vote of the IRA Council during a duly called meeting on this 11~~th~~ day of MAY, 2011.

By:   
Secretary



**City of Brevig Mission**

**P.O. Box 85100**

**Brevig Mission, Alaska 99785**

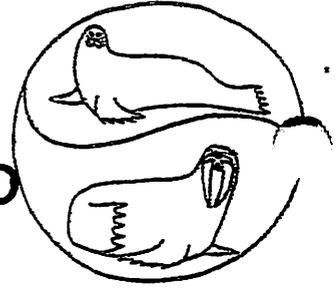
*City Clerk – 907.642.3038*

*Bookkeeper – 907.642.3851*

*FAX – 907.642.2194*

*Email: [mavor\\_kts@yahoo.com](mailto:mavor_kts@yahoo.com)*

**RECEIVED**  
**MAY 20 2011**



**RESOLUTION 11-04-26-04**

**A RESOLUTION OF THE CITY OF BREVIG MISSION SUPPORTING A RECOMMENDATION FROM THE FEDERAL SUBSISTENCE BOARD TO THE NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL TO ESTABLISH A LIMIT OF 30,000 CHUM SALMON TAKEN AS BYCATCH IN THE BERING SEA AND ALEUTIAN ISLANDS POLLOCK FISHERIES.**

**WHEREAS,** Brevig Mission, Alaska is a member-community of Norton Sound Economic Development Corporation (NSEDC), a private 501(c)(4) non-profit corporation representing fifteen (15) member communities in the Bering Strait region in Northwestern Alaska and is one of six Community Development Quota (CDQ) organizations in Alaska, and;

**WHEREAS,** Western Alaska salmon dependent communities have experienced severe restrictions on chum salmon harvesting opportunity. It is known that significant number of chum salmon bound for Western Alaska streams are taken as Bycatch in the Bering Sea and Aleutian Islands Pollock fisheries, and;

**WHEREAS,** the chum salmon taken as Bycatch are from mixed stocks and there is no methodology available for identifying with sufficient accuracy where fish taken as Bycatch would have gone to spawn if they had not been caught, and;

**WHEREAS,** chum salmon returns to some Western Alaska streams have been reduced to a few hundred fish, and;

**WHEREAS,** the high numbers of chum salmon taken as Bycatch represent an unacceptable threat to the health and survival of Western Alaska stocks by reducing the numbers returning below the number needed to escapement, and;

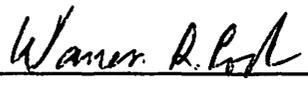
**WHEREAS,** the harvest of chum salmon as Bycatch in the Pollock fisheries has imposed an unacceptable burden on Western Alaska salmon dependent communities by reducing the numbers available for harvesting.

**NOW THEREFORE BE IT RESOLVED:** That the City of Brevig Mission City Council assembly supports the establishment of a limit of 30,000 chum salmon taken as Bycatch in the Bering Sea and Aleutian Islands Pollock fisheries.

**BE IT FURTHER RESOLVED:** A Bycatch limit of 30,000 chum salmon establishes a reasonable balance between the economic interests of the Pollock trawl industry and the needs of subsistence users for chum salmon.

**PASSED and APPROVED** by a duly constituted quorum of the City of Brevig Mission City Council assembly this 10<sup>th</sup> day of May 2011, by a vote of 4 for and 0 against with 3 abstentions.

Signed:   
Mayor: Reggie K. Barr

ATTEST:   
City Clerk: Warren S. Rock

SEAL:



**World Wildlife Fund  
Arctic Field Program**  
406 G. Street, Suite 303  
Anchorage, AK 99501 USA

Tel: (907) 279-5504  
Fax: (907) 279-5509

[www.worldwildlife.org](http://www.worldwildlife.org)

May 31, 2011

Mr. Eric Olson  
Chair  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Street, Suite 306  
Anchorage, AK 99501-2252

Jim Balsinger  
Regional Administrator  
NOAA Fisheries, Alaska Region  
709 W. 9<sup>th</sup> Street  
Juneau, AK 99802-1668

**Re: Chum Salmon Bycatch Item C-5**

Dear Mr. Olson and Mr. Balsinger,

On behalf of World Wildlife Fund (WWF) I submit these comments on the Bering Sea Aleutian Islands (BSAI) chum salmon bycatch reduction measures being considered by the North Pacific Fishery Management Council (Council).

Chum salmon span the most extensive range of any salmon species, extending south to the Sacramento River in California and the island of Kyushu in the Sea of Japan and north to the Arctic Ocean from the Mackenzie River in Canada and the Lena River in Siberia. In both the Asian and North American regions where chum salmon are present, they function as critical ecosystem components and comprise a crucial food source for indigenous peoples in those regions. Chum salmon also play a vital role in the economic viability of communities on both sides of the Bering Sea, providing important commercial opportunities in fisheries they support as well as a source of protein for local user groups.

WWF also acknowledges the importance of the BSAI Pollock fisheries in feeding the global marketplace, and further recognizes that the Pollock fishery must be allocated a portion of the annual chum salmon catch in order to operate. WWF believes that with the appropriate use of time/area closures, bycatch reduction devices, and trigger/hard caps on chum bycatch, the allocation of chum salmon needed by the Pollock fishery to operate could be significantly lower than the levels proposed in the Environmental Assessment (EA). As you know, allocations of chum salmon are also needed in Alaska and Canada by directed commercial fisheries, subsistence harvesters, recreational users, and for ecosystem integrity. To help ensure that chum returns are adequate for each user group and for ecosystem health alike, WWF recommends the Council take swift action to permanently and significantly reduce the bycatch of chum salmon in the BSAI Pollock fishery.

WWF recommends the Council develop adaptive management measures that can regulate chum salmon bycatch amounts even in years when chum abundance is low. In previous years, the use of a hard cap would have helped to reduce chum salmon caught in the Pollock fishery in certain years, while in other years the hard cap would have done little or nothing to reduce chum bycatch. A hard cap can be an effective tool if it is responsive to the abundance of chum, if it is set low enough to reduce impacts on those chum runs with yield concerns, and

is implemented in conjunction with other management tools, such as graduated trigger levels and time and area closures.

WWF further recommends the Council develop management measures that can regulate chum salmon bycatch amounts in years when Chinook salmon levels cannot meet the needs of subsistence users. Western Alaska villages were again plagued by low Chinook salmon returns in the summer of 2010, which made international news and showed the plight of indigenous families throughout Western Alaska who depend on these fisheries. Despite their hardships, these communities sacrificed to help ensure Canadian Chinook harvesters got their needed share. Chum salmon remains a yield concern for Norton Sound. The Yukon and Kuskokwim Rivers had yield concerns until very recently, with local residents continuing to observe diminished runs. Thus, the Council has a responsibility to address the issue of chum salmon bycatch and to ensure that chum salmon runs, are robust, especially during times of low Chinook returns.

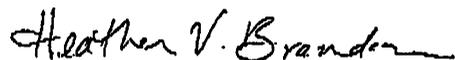
WWF does not believe that the *status quo*, the Voluntary Rolling Hot Spot (VRHS) system, alone is adequate to control chum bycatch. While VRHS has been shown to reduce bycatch by 8% in the days following its trigger, there is no way to quantify if this was due to the VRHS system. Furthermore, VRHS did not prevent the huge bycatch numbers in 2005. Low salmon returns in Western Alaska continue to be a problem even with the VRHS system in place.

Given the global reach of WWF, we would like to emphasize the necessity for the Council to take an international perspective in its deliberations on solving the chum salmon bycatch problem. Current stock of origin science indicates that a large proportion of chum salmon captured in the BSAI Pollock fishery are of Japanese or Russian origin. There is speculation that a large proportion of this bycatch is fish originating from hatchery production. However, these two observations are irrelevant in the context of reducing chum salmon bycatch, because a Pollock trawler or fishery observer cannot distinguish between an Asian hatchery chum and an Alaskan wild chum. While chum bycatch may partly consist of hatchery fish, this does not mean we should wait to take steps to protect vulnerable wild stocks. Without more standardized and regularly analyzed stock of origin data, it would be inappropriate to simply pass off chum salmon bycatch as inconsequential or disposable in light of a perceived high proportion of hatchery or foreign fish.

In conclusion, WWF urges the Council to take action to implement management measures that will reduce all chum salmon bycatch in the BSAI Pollock fishery during years of both low and high chum and Chinook abundance. This reduction will benefit other chum salmon user groups and help maintain marine and terrestrial ecosystem function.

Thank you for your time and consideration of these comments.

Respectfully,



Heather V. Brandon  
Arctic Field Program  
World Wildlife Fund



**KAWERAK, INC.** • P.O. Box 948 • Nome, AK 99762

TEL: (907) 443-5231 - FAX: (907) 443-4452

SERVING THE  
VILLAGES OF:  
BREVIG MISSION  
COUNCIL  
DIOMEDE  
ELIM  
GAMBELL  
GOLOVIN  
KING ISLAND  
KOYUK  
MARY'S ISGLOO  
NOME  
SAVOONGA  
SHAKTOOLIK  
SHISHMAREF  
SOLOMON  
STEBBINS  
ST. MICHAEL  
TELLER  
UNALAKLEET  
WALES  
WHITE MOUNTAIN

May 25, 2011

North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501-2252

Dear Members:

I am writing to request the North Pacific Fishery Management Council to set in place meaningful and effective measures to limit the number of non-Chinook salmon which may be caught in the Bering Sea Pollock fishery.

Subsistence users throughout the Norton Sound and Bering Strait Region are very concerned with the poor returns of our chum salmon stocks. We are frustrated that our residents bear the burden of conservation for these stocks. While our subsistence users face severe restrictions, federal and state managed commercial fisheries continue to harvest huge numbers of chum salmon bound for our region's rivers.

Management of Western Alaskan salmon falls under the jurisdiction of the Alaska Department of Fish and Game (ADF&G) and the National Marine Fisheries Service. Salmon are managed near shore and in river by ADF&G 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. NMFS manages salmon caught incidentally by offshore trawl fisheries, and they attempt to minimize the impact on the large scale Pollock fishery without regard for annual fluctuations in salmon returns or state management measures. The management goals of these two agencies are contradictory, and these differences have resulted in disaster for our salmon resources and a crippling of subsistence activities in our region.

As the National Marine Fisheries Service (NMFS) noted in the Bering Sea Salmon Bycatch Environmental Impact Statement (EIS) 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, actions speak louder than words. Our region's 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. We sincerely hope that this process is different in that the Council takes meaningful action to protect our stocks.

In attachment 1, I have attached several charts which summarize the chum by catch for both Area M Sockeye fishery and the Pollock fishery as compared with harvest statistics for Northern Norton Sound. There have been suggestions that those years in which the Area M sockeye and Pollock fisheries catch high

number of chum are a result of high numbers of chum overall. It can't be a coincidence that in 2009, when the Area M fisheries caught 1.6 million chums in their fishery, it was the worst year on record, for chum returns (and other salmon species) to Northern Norton Sound. None of the rivers in Northern Norton Sound with an established chum escapement, made escapement that year. There is a connection between high by catch numbers and the return of western Alaska salmon to their river of origin.

We noticed in the EA, that, Nome Subdistrict 1, in terms of its chum returns was "glossed over" and compiled into a single spreadsheet with an escapement goal of 23,000-35,000 chum amongst all the rivers, the suggestion being if 23,000 -35,000 chums returned amongst all these rivers, everything was just fine and dandy. We disagree with this approach and conclusion. Chum run return data in the EA for the most part, is only provided for five years, which is a very short time frame in which to assess the health of our chum returns.

Northern Norton Sound has a long history of not making or *barely* making chum escapement in many of our salmon bearing streams. Northern Norton Sound ranges from the Port Clarence/Teller area all the way to Koyuk in Eastern Norton Sound, or a distance of about 200 miles.

Basically, you have a stretch of coast 200 miles long where chum returns have been depressed for the past 15 years. If Northern Norton Sound were imposed over a stretch of coast in the lower 48, it would extend from Seattle Washington to Salem Oregon. This is a huge area with a long history of depressed chum returns which must be protected, so that the stocks can rebuild and those of us who live here, can fish to feed our families. A minimal return over an area this large would not be acceptable in the lower 48 and is not acceptable here. Attachment 2 summarizes weir or tower counts at various locations around Norton Sound. In summary:

Between 1993 and 2010, Nome River did not make chum escapement 7 out of 18 years or 38% of the time. They *barely* made escapement in 1994 and 2001.

Between 2000 and 2010, the Niukluk River (which flows into the Fish River) did not make chum escapement 5 out of 11 years or 45% of the time and *barely* made escapement in 2000, 2001, 2002 and 2006.

Between 2003 and 2010, the Eldorado River did not make chum escapement 3 out of 11 years or 21% of the time and *barely* made escapement in 2008.

Between 2003 and 2010, the Kwiniuk River (by Elim) did not make chum escapement 3 out of the past 8 years or 37% of the time, this despite reduced escapement goals. Prior to the early 1990's, the escapement goal for the Kwiniuk was 25,000 chums. In the early 90's, it was reduced to 18,000 chums. Within the past ten years, an escapement goal range was established for the Kwiniuk – from 11,500-23,000 chums. By reducing the escapement goal, it gives the appearance of healthy fish returns, when in reality the returns have declined substantially over time.

We note that there is absolutely no mention of the Pilgrim River returns in the EA. The Pilgrim River flows into Port Clarence. Basically the EA discusses Northern Norton Sound and jumps to a discussion of the runs in the Kotzebue region.

The ADFG has not established a chum escapement goal for the Pilgrim River. In 2009, the chum return was at the lowest count (5,427) since the weir count began in 2003. Other non-chinook returns are also greatly reduced and some species are close to extinction as reflected in the following Pilgrim weir counts:

	2003	2004	2005	2006	2007	2008	2009	2010
Chinook	1016	925	216	275	501	137	52	44
Chum	15,200	10,239	9,685	45,361	35,334	24,988	5,408	25,379
Coho	677	1,573	304	973	605	260	18	272
Sockeye	42,729	85,417	55,951	52,323	43,432	20,448	950	1,654
Pink	14,100	50,760	13,218	17,701	3,616	92,664	485	29,239

On a personal note, I grew up in Nome and have watched our fish returns, particularly our chum, diminish. Over the years, our ability to subsistence fish for chums has been severely restricted. Yet despite the restrictions locally, our chum are still in trouble. I note in the EA Executive Summary, that the chart on page XX (which summarizes the fish returns in 2010) states that all rivers in NNS made escapement in 2010. While it's a summary page, it gives the appearance that our runs are in good condition, when they're not.

See attachment 3. This summarizes the active permit numbers in Northern Norton Sound and the number of fish that have been caught recently in the commercial fishery in the Elim & Koyuk area. The Nome Subdistrict 1 commercial fishery for chums was shut down in 1986 due to our depressed stocks and remain closed today. It's only in the last couple of years that the fishery in eastern Norton Sound has been re-opened for fishing. This gives a better picture of our chum returns over time. . . if there are no chums, there is no fishery.

The annual harvest summary on page 190 of the EA, reflects that fewer chums are being harvested. Folks are catching fewer fish, not because they do not want chum, but because the limits and restrictions and closures within Northern Norton Sound, have restricted our ability to fish. My family has camped on the banks of the Pilgrim River since the late 50's and we have watched our fish runs diminish to almost nothing. When we began camping on the Pilgrim – the fish runs were so abundant you could “about walk across the river on the backs of fish” to quote my father. Last summer, I caught some trout and 1 chum salmon on the Pilgrim, because I track the returns and know how awful the returns were in 2009. Throughout the late 60's and 70's, our family was restricted to catching 21 salmon in total as our subsistence quota. In the early 2000's, the subsistence quota was raised to 40 fish. When the Sockeye salmon increased, the quota for Sockeye was raised. Even when the sockeye run was at an all time high, we did not observe the abundance of fish that used to occur in the Pilgrim.

We do not subsistence fish in the sense of the word on the Pilgrim. We get a subsistence permit and catch a few fish on the Pilgrim (if it's open). Because my boyfriend was born and raised in White Mountain and my mother was from White Mountain, we feel comfortable going to Fish River to subsistence fish in volume.

The Inuit name of the people of White Mountain is Igithlamuit – or Fish River people. Even on the Fish River, the chum runs are depressed. In 2009, we went to fish camp on the Fish River as is usual and

encountered a group of youth from Nome, who were there to be taught how to catch, cut, dry, and preserve fish. The group leader told me that the group was having to run up and down the Fish River in a boat to find fish, in an effort to seine them. They caught 66 chums in a seine and gave them to us - that was our catch for the year. This on a river, where until the late 60's, every family went fishing and caught anywhere from 3-6,000 salmon each, to feed themselves and their dogs.

Many Nome residents are doing the same thing as my family, in that they have to go further afield to catch fish for subsistence purposes, which impacts those rivers fish returns and other communities established fishing areas. This is more expensive and only those individuals with a halfway decent income can even afford to go subsistence fishing in other areas. Those who are most dependent on the resource to feed their families, cannot afford to fish. When people in the Nome area went subsistence fishing historically, folks fished at sites their families had fished for generations in such a way as to maximize the catch with minimal effort. Most years, Nome area residents cannot do this as the Northern Norton Sound rivers are closed or restricted and many can't afford to go further afield - not to mention that they are not familiar with fishing spots in other areas.

Our Inupiat, Yupik and Siberian Yupik cultures and our traditions are based on hunting, fishing and living off the land. We are still very dependent on the resources of land and sea to feed our families. Fish is a hugely important component of our subsistence diet and many of the marine mammals and other resources that we depend upon, also depend on salmon runs to remain healthy. We want to maintain our subsistence practices and traditions. We prefer our subsistence foods over store bought food. Our culture is not disposable or replaceable, our subsistence needs are no less important than offshore commercial fisheries.

In December 2010, President Obama announced the United States support for the United Nations Declaration on the Rights of Indigenous Peoples. Article 20 of the declaration recognizes the right of Indigenous people "to be *secure in the enjoyment of their own means of subsistence* and development and to engage freely in *all their traditional and other economic activities*." Article 26 of the declaration affirms indigenous peoples' "right to the lands, territories and *resources* which they have traditional owned, occupied or otherwise *used* or acquired." While the declaration is not law, it is an expression of policy which has been endorsed by the United States. We hope that the NPFMC, as a council established in federal law to make decisions to provide for the sound management of fish resources in federal waters, would abide by the policy positions provided for in the Declaration and protect our ability to harvest those resources upon which we, as Native people have depended for thousands of years.

Right now, we see massive commercial fishing operations in state and federal waters, intercepting and discarding huge numbers of by-catch. These are fish upon which we depend and which are necessary for the perpetuation of the species.

The North Pacific Fishery Management Council has the authority and responsibility to make sure that any actions you recommend meet the conservation and management measures identified in the National Standards of the Magnuson-Stevens Act to include:

1. Prevent overfishing while achieving optimum yield;
2. Manage individual stocks as a unit throughout their range, to the extent practicable; interrelated stocks shall be managed as a unit or in close coordination;

3. Take into account the importance of fishery resources to fishing communities to provide for the sustained participation of, and minimize adverse impacts to, such communities (consistent with conservation requirements); and
4. Minimize by catch or mortality from catch.

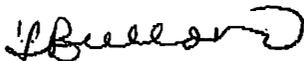
It is in light of our depressed stocks, our dependence on the resources, the need to provide for escapement and re-growth of the returns, the national standards as contained in the Magnuson Stevens Act and the principles contained in the UN Declaration on the Rights of Indigenous Peoples, that we respectfully request the NPFMC to:

- Minimize the chum by catch to the greatest extent possible. The Kawerak Board has adopted a resolution in which we recommend that a hard cap of 30,000 chums be established and that once the cap is exceeded, the fishery be shut down. We recommend that action be taken to close the Pollock fishery just north of Unimak Island in federal waters during the months of June and July to minimize the catch of chum (and Sockeye and Chinook) salmon which are returning home to Norton Sound through False Pass on their way back to spawn. There is a hot spot there, which accounts for a majority of the western Alaska non-Chinook by catch, during the time our fish are passing through the zone;
- Select alternatives which will not increase fishing pressure on Chinook stocks, since these stocks are also depressed;
- Build incentives into whatever alternative you select, to continue to reduce the non-Chinook by catch over time;
- Build in a review of the final alternative at some point certain, to determine if the selected alternative has been effective in reducing the non-Chinook by catch;
- Recommend that the Pollock fishery develop excluder technology (to avoid catching anything other than Pollock); and
- Recommend that more research funds be dedicated to identify ways to minimize the by catch of all species in the Pollock fishery;
- Recommend additional research and restoration funds be made available to address the fishery concerns in Norton Sound.

Thank you for considering our recommendations as you make this very important decision. We rely on these resources and we need your help.

Sincerely,

KAWERAK INCORPORATED



Loretta Bullard  
President

**Chum Bycatch in Bering Sea Trawl Fisheries 1991 - 2009**

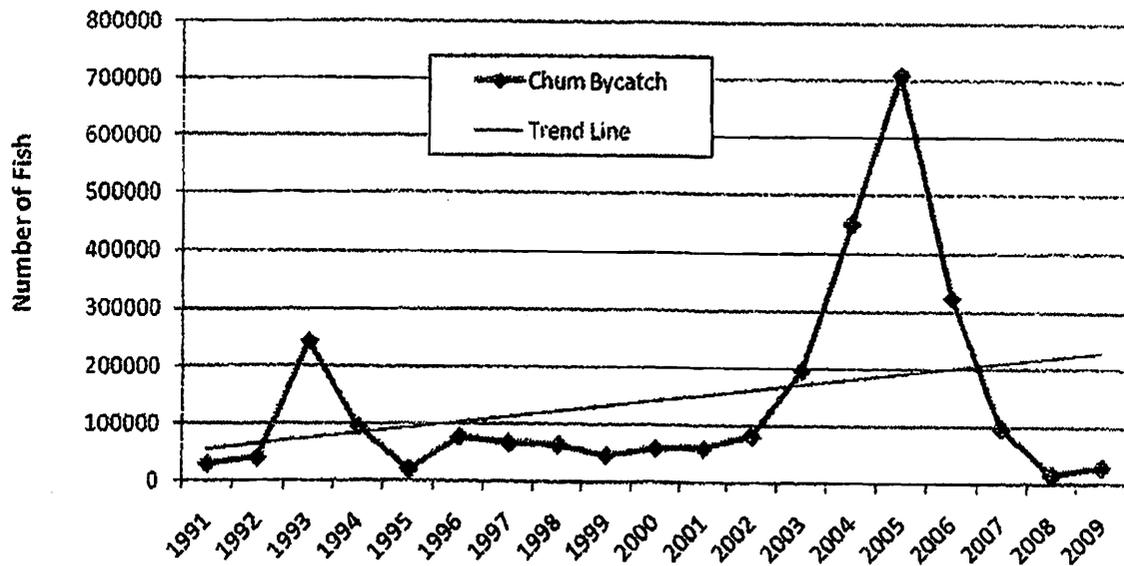


Chart illustrating chum salmon bycatch trends in Bering Sea trawl fisheries 1991-2009. Source NMFS

**South Peninsula (False Pass) Sockeye Catch and Chum Bycatch**

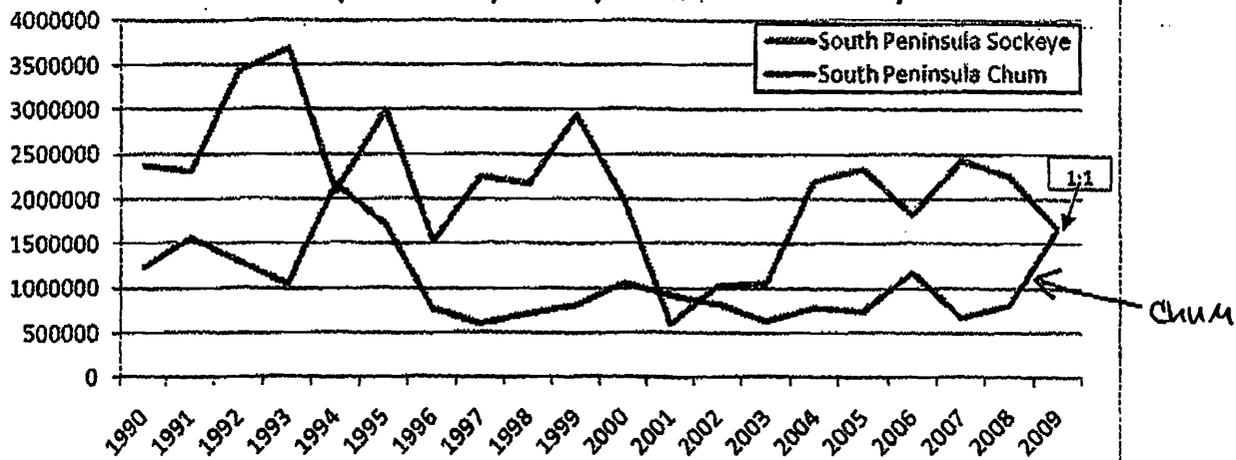


Chart illustrating the ratio of commercial sockeye catch to chum salmon bycatch in South Peninsula (False Pass) fishery. During 2009, the ratio was one chum salmon for every sockeye harvested.

**South AK Peninsula Chum Bycatch in Sockeye fishery and Norton Sound Chum Harvest**

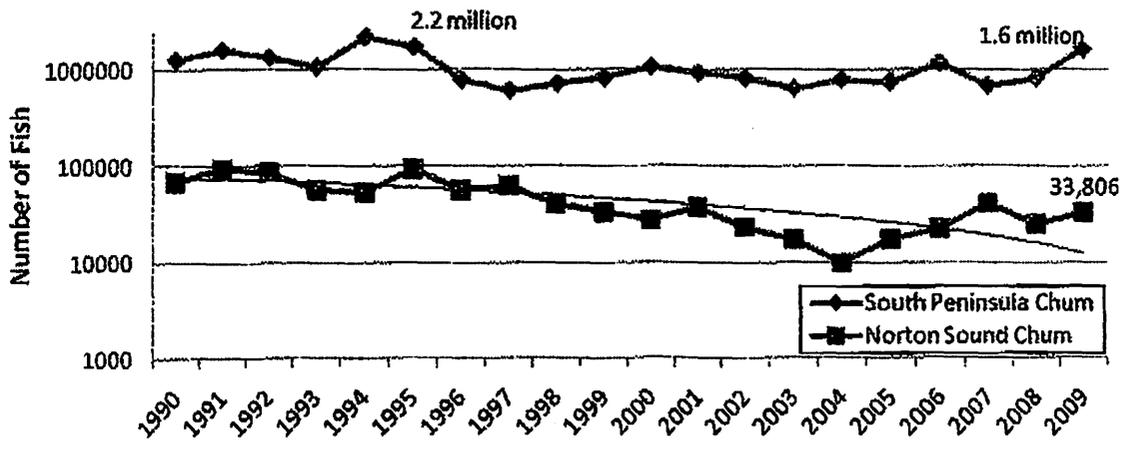


Chart showing South Peninsula chum bycatch and declining Norton Sound chum catches 1990-2009. Note: 2008 & 2009 Norton Sound chum salmon catch does not include subsistence harvest and reflect fish caught in the Unalakleet and Shaktoolik commercial fishery.

attachment 1

*Tower Counts*  
Fish numbers of surrounding rivers  
*Norton Sound*

Chum goal

1,600-2,500

2,900-4,300

6,000-9,200

23,000

No goal →

No goal →

11,500-23,000

	2004	2005	2006	2007	2008	2009	2010	2011
Chums	2,201	2,146	2,967	4,106	8,147	1,244	891	6,973
Pinks	2,856	126,917	13,813	74,028	4,634	145,761	769	51,099
Silvers	489	474	2,948	4,776	1,781	5,206	50	2,243
Kings	50	17	31	32	61	13	6	43*
Sockeye	84	22	275	302	1,354	143	2	124*
Chums	1,957	3,903	5,584	5,677	7,034	2,607	1,565	5,906
Pinks	11,402	1,051,146	285,759	578,555	24,395	1,186,554	16,490	165,931
Silvers	548	2,283	5,848	8,308	2,437	4,605	1,370	4,114
Kings	12	51	69	43	13	28	50	9*
Chums	3,591	3,277	10,369	42,105	21,312	6,746	4,943	21,211
Pinks	173	60,866	12,356	222,348	833	244,641	1,119	48,136
Silvers	115	1,151	689	55	2	38	2	2*
Kings	29	25	32	41	14	36	31	23*
Chums	20,018	10,770	25,598	29,199	50,994	12,078	15,879	45,561
Pinks	75,855	975,895	270,424	1,371,919	43,617	669,234	24,204	434,205
Silvers	1,282	2,064	2,727	11,169	3,498	13,779	6,861	9,042
Kings	179	141	41	39	80	33	204	15*
Chums	15,200	10,239	9,685	45,361	35,334	24,550	5,427	25,379
Pinks	14,100	50,760	13,218	17,701	3,616	92,471	483	29,239
Silvers	677	1,101	304	973	605	260	18	272*
Kings	1,016	925	216	275	501	137	52	44*
Sockeye	42,729	85,889	55,951	52,323	43,432	20,452	953	1,654*
Chums	9,859	10,036	11,984	5,385	8,046	9,502	9,798	16,131
Pinks	280,212	1,162,978	1,670,934	2,169,890	583,320	241,798	190,291	150,635
Silvers	5,837	11,187	19,189	9,835	19,944	15,648	22,276	7,608
Kings	1,452	1,125	1,015	906	1,948	903	2,355	1,256
Chums	12,123	10,362	12,083	39,519	27,756	9,483	8,739	71,403
Pinks	22,329	3,054,684	341,048	1,347,090	54,255	1,444,213	42,962	634,169
Silvers	5,490	11,240	12,950	22,341	9,429	10,462	8,677	8,058
Kings	744	663	342	195	258	237	444	188

Appendix A2.-Number of commercial salmon permits fished, Norton Sound District, 1970-2010.

Year	SUBDISTRICT						District Total <sup>a</sup>
	1	2	3	4	5	6	
1970	6	33	21	0	12	45	<sup>b</sup>
1971	7	22	45	6	19	72	<sup>b</sup>
1972	20	20	48	32	20	71	<sup>b</sup>
1973	21	34	57	30	27	94	<sup>b</sup>
1974	25	25	60	8	23	53	<sup>b</sup>
1975	24	42	67	42	39	61	<sup>b</sup>
1976	21	22	54	27	37	60	<sup>b</sup>
1977	14	25	52	24	30	45	164
1978	16	24	44	26	26	51	176
1979	15	21	41	22	29	63	175
1980	14	17	26	13	26	66	159
1981	15	19	33	10	26	73	167
1982	18	17	28	10	32	68	164
1983	19	21	39	15	34	72	170
1984	8	22	25	8	24	74	141
1985	9	21	34	12	21	64	155
1986	13	24	34	9	30	73	163
1987	10	21	34	12	39	65	164
1988	5	21	36	13	21	69	152
1989	2	0	13	0	26	73	110
1990	0	15	23	0	28	73	128
1991	0	16	24	0	25	75	126
1992	2	1	21	9	25	71	110
1993	1	8	26	15	37	66	153
1994	1	5	21	0	39	71	119
1995	2	7	12	0	26	58	105
1996	1	4	12	0	20	54	86
1997	0	11	21	9	19	57	102
1998	0	16	23	0	28	52	82
1999	0	0	0	0	15	45	60
2000	0	12	13	0	26	49	79
2001	0	5	5	0	13	29	51
2002	0	0	0	0	7	5	12
2003	0	0	0	0	10	20	30
2004	0	0	0	0	11	25	36
2005	0	0	0	0	12	28	40
2006	0	0	0	0	22	40	61
2007	0	0	11	0	15	47	71
2008	0	4	12	4	23	58	91
2009	0	5	17	7	21	49	88
2010	0	10	19	5	35	59	115
Avg 2005-2009	0	2	8	2	19	44	70
Avg 2000-2009	0	3	6	1	16	35	56

<sup>a</sup> District total is the number of fishermen that actually fished in Norton Sound; some fishermen may have fished more than one subdistrict.

<sup>b</sup> Data not available.

6, Unalakleet (Figure 5-32). The subdistrict and statistical area boundaries were established to facilitate management of individual salmon stocks, and each subdistrict contains at least one major salmon-producing stream.

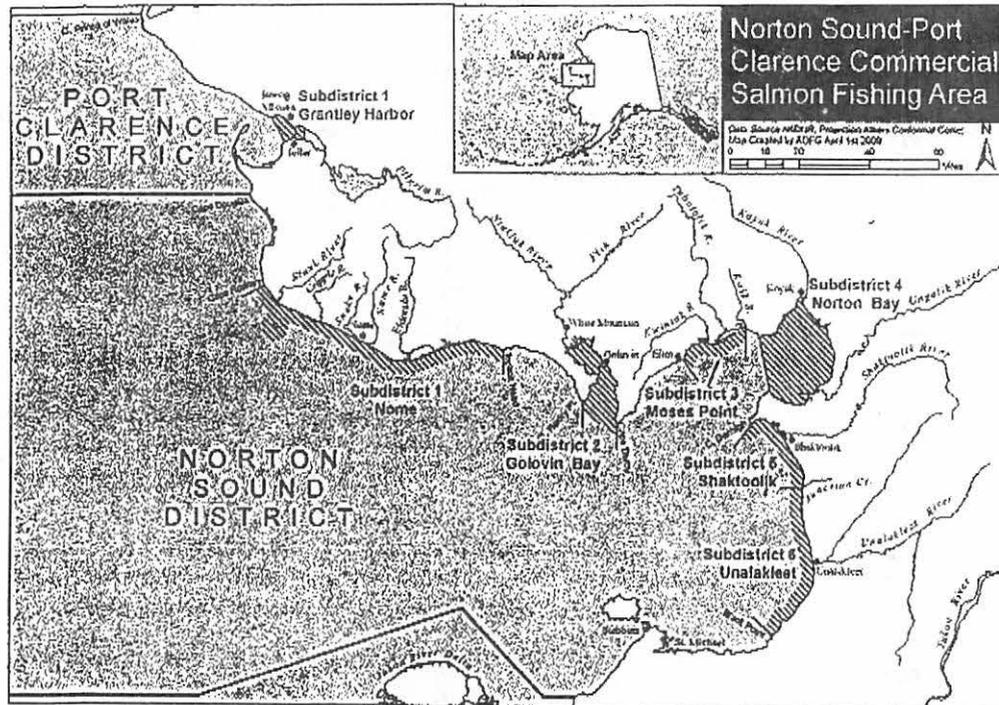


Figure 5-32. Norton Sound commercial salmon fishing districts and subdistricts.

gives impression that com. fish is region wide - wrong

Chinook *Oncorhynchus tshawytscha*, chum *O. keta*, pink *O. gorbuscha*, and coho *O. kisutch* salmon are harvested in Norton Sound commercial, subsistence, and sport fisheries all managed by ADF&G. All commercial salmon fishing in the district is by set gillnets in marine waters and fishing effort is usually concentrated near river mouths. Commercial fishing typically begins in June and targets Chinook salmon if sufficient run strength exists. Emphasis switches to chum salmon in late June and then to coho salmon at the end of July. Most commercial fishing is completed by early September. Pink salmon returns are much more abundant in even numbered years. A pink salmon directed fishery may coincide with or be scheduled to alternate periods with the historical chum directed fishery. Subsistence fishermen operate gillnets or seines in the main rivers, and to a lesser extent in coastal marine waters, capturing salmon, whitefish, Dolly Varden, and inconnu (sheefish). Beach seines are used to catch schooling or spawning salmon and other species of fish. The major portion of fish taken during summer months is air dried or smoked for later consumption by residents or occasionally their dogs.

#### 5.2.5.1 Northern Norton Sound chum salmon

##### 5.2.5.1.1 Introduction

Northern Norton Sound includes Subdistricts 1, 2, and 3 (Figure 5-32). In response to guidelines established in the SSFP (5 AAC 39.222(f)(21)), the BOF classified Subdistrict 1 chum salmon stock as a management concern in 2000 (Bue 2000a). The classification was upheld at the 2004 BOF meeting



(907) 438-2312 PHONE  
 (907) 438-2512 FAX  
 P.O. Box 88  
 St. Mary's AK 99658

Date: May 27, 2011

North Pacific Fishery Management Council  
 605 West 4<sup>th</sup> Avenue, Suite 306  
 Anchorage, AK 99501-2252

Dear Mr. Olson and Council Members,

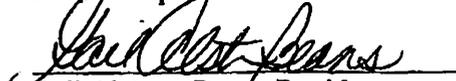
We, the Yupiit of Andreafski Tribal Council, represent the Yup'ik Eskimo tribal members of the Native Village of Andreafski. Our village is located on the north bank of the Andreafski River which is a small tributary on the Lower Yukon Delta. As with all the villages in our area, our community revolves around the annual return of the salmon that begin their migration up the Yukon River during the summer season. This cycle has always played a critical role in our economy and our culture. Salmon prepared and preserved in our traditional way is an important source of food for the winter. It has also been used, and to some extent, continues to be used for trade and barter. Commercial fishing has taken over this practice and is the only means of income for many families in our region. Therefore, it is of utmost importance that the salmon be protected.

Despite conservation measures that have been taken in our area, the salmon returns on the Yukon River continue to decline. The low returns have decimated our commercial fishery and subsistence harvests are now being restricted. Traditionally, we have harvested salmon for subsistence as the salmon are running which is the most efficient. But now, because of the manner in which salmon are managed, subsistence harvests are often allowed only after a salmon run passes. The result is that we have to put in the extra effort and expenses to try to acquire what we need. With no income from commercial fishing and high gas prices, this has caused undue hardships for many.

Our Tribe has always advocated against the appalling waste of salmon that occurs out in the ocean where tens of thousands of immature salmon are disposed as "bycatch" by fishing fleets targeting other species of fish. We, in the Lower Yukon Delta, have unfairly taken the brunt of conservation efforts. Because these "conservation" efforts are limited or not done in other areas, they simply do not work and our sacrifices become nothing more than an opportunity for others.

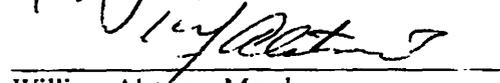
If anyone is serious about protecting the salmon, it is vital that we ALL bear the burden of sacrifice. We urge the Council to adopt management measures which will reduce and limit chum salmon bycatch and protect Western Alaska salmon runs.

For the Yupiit of Andreafski Tribal Council:

  
 Gail Alstrom-Bears, President

  
 Christopher Bears, Vice President

  
 Marilyn Paukan, Member

  
 William Alstrom, Member



(907) 438-2312 PHONE  
(907) 438-2512 FAX  
P.O. Box 88  
St. Mary's AK 99658

**Resolution 11-11**

**CHUM SALMON BYCATCH IN THE BERING SEA POLLOCK FISHERY**

**WHEREAS**, chum salmon are a vital commercial and subsistence fishery resource and provide an essential source of food, income and culture for the people of the Lower Yukon River region; and

**WHEREAS**, subsistence harvests of fall chum salmon have been restricted in recent years, and no directed commercial harvests of fall chum salmon have taken place on the Lower Yukon River; and

**WHEREAS**, the Bering Sea Pollock fishery catches these same salmon as bycatch; catching over 700,000 chum salmon in 2005 and most of these salmon are discarded overboard – dead after hours in a trawl net; and

**WHEREAS**, according to the best available scientific information, a portion of the chum salmon taken as bycatch are of Western Alaska origin, including the Yukon River; and

**WHEREAS**, extremely high bycatch numbers have been reached under the current management measures and although chum salmon bycatch has been low in the last few years, there is nothing in regulation to prevent extremely high bycatch from occurring again and it is therefore prudent to adopt new management measures; and

**WHEREAS**, the North Pacific Fishery Management Council (NPFMC) is in the process of developing regulations intended to minimize chum salmon bycatch; so

**NOW THEREFORE BE IT RESOLVED**, that the Yupiit of Andreafski Tribal Council requests and urges the North Pacific Fishery Management Council to adopt management measures which will effectively reduce and limit chum salmon bycatch and adequately protect Western Alaska chum salmon runs at a biologically acceptable level.

*Passed and Approved by a duly constituted quorum of the Yupiit of Andreafski this 27<sup>th</sup> day of May, 2011 with 3 for ✓ against and 1 absent.*

X *Gail Alstrom-Beans*  
Gail Alstrom-Beans, Council President

Attested by:

X *Christopher Beans*  
Christopher Beans, Vice President

# SEASHARE

600 Ericksen Avenue NE  
Suite 310  
Bainbridge Island, WA 98110

Tel 206.842.3609  
www.seashare.org

May 27, 2011

jharmon@seashare.org

Eric Olson, Chairman  
North Pacific Fisheries Management Council  
605 W 4<sup>th</sup> Av., Suite 305  
Anchorage, AK 99501-2252

RE: Donation of bycaught salmon in the BSAI and GOA

Chairman Olson,

I sent a letter last March in which I clarified for you SeaShare's longstanding program to retain, re-process and distribute bycaught salmon to hunger-relief agencies. We now have some updates to the Prohibited Species Donation (PSD) Program, and I would like to submit the following summary:

#### NMFS Permit:

As summarized in my previous letter, the PSD permit "...authorizes SeaShare to distribute to economically disadvantaged individuals, Pacific salmon caught incidentally in the Groundfish trawl fisheries in the Bering Sea and Aleutian Islands management area (BSAI) and Gulf of Alaska (GOA)." Authority: Title 50, Code of Regulations Section 679.26 – Prohibited Species Donation Program.

The current permit was issued to SeaShare in 2008, and expires August 15, 2011. SeaShare has worked with fishermen, processors, and staff at NMFS to prepare the documents needed for renewal of the permit. Those documents were submitted earlier this month.

#### Increased participation:

SeaShare was asked earlier this year to coordinate the additional efforts of new participants in this valuable program. We have worked to enroll participants in the Gulf of Alaska, as well as BSAI fishermen and processors. Although our permit has consistently allowed retention in both the BSAI and the GOA, the fish we've received for the last 17 years have come solely from the BSAI. SeaShare recognizes the commitment that GOA participants are making to help us utilize bycaught fish that would otherwise be thrown overboard, and SeaShare will provide the additional support to maximize their efforts.

#### Participants:

SeaShare enrolls fishing companies to retain and process bycaught salmon for donation. A list of participants is submitted to NMFS. Those participants receive no compensation for the work and materials used to retain, process, and pack salmon for donation. The current list includes:

# SEASHARE

600 Erickson Avenue NE  
Suite 310  
Bainbridge Island, WA 98110

Tel 206.842.3609  
www.seashare.org

BSAI: 15 Factory Trawlers  
2 Mother ships  
5 Shore plants  
102 catcher boats

GOA: 10 shore plants  
71 catcher boats

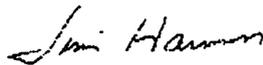
Utilization and benefit:

The PSD program – with the help of fishermen, processors, freight and cold storage companies - has generated over 2.2 million pounds of bycaught salmon since 1995. Instead of being discarded at sea, those fish were used to feed hungry Americans across the country.

Going forward, we will continue to work with that staff at NMFS and industry stakeholders to provide the logistical support, documentation, and safe handling of donated seafood. We are also working to establish local and regional distribution channels in Alaska, where seafood has particular importance in diet and culture.

SeaShare is the only organization that focuses on seafood as a source of nutrition for hunger-relief in the United States. We started in the Bering Sea in 1994, and have grown to become one of the largest protein donors in the country. Please contact me if I can answer any questions regarding the Prohibited Species Donation Program.

Respectfully,



Jim Harmon  
Executive Director

C-5  
Supplemental



U.S. FISH and WILDLIFE SERVICE  
BUREAU of LAND MANAGEMENT  
NATIONAL PARK SERVICE  
BUREAU of INDIAN AFFAIRS

**Federal Subsistence Board**  
1011 E. Tudor Rd., MS 121  
Anchorage, Alaska 99503-6199



FWS/OSM11056/TT

Eric Olson, Chair  
North Pacific Fishery Management Council  
605 W. 4th Avenue, Suite 306  
Anchorage, Alaska 99501-2252

MAY 20 2011

Dear Mr. Olson:

The Federal Subsistence Board (Board) is taking this opportunity to provide its comments and recommendation on chum salmon bycatch in the Bering Sea/Aleutian Islands (BSAI) commercial pollock fishery as the North Pacific Fishery Management Council (NPFMC) prepares to select a preliminary preferred alternative at its June 2011 meeting in Nome, Alaska. The Board, comprised of the Regional Directors of the U.S. Fish and Wildlife Service, the Bureau of Indian Affairs, the National Park Service, the Bureau of Land Management and the USDA Forest Service, and a Chair appointed by the Secretaries of the Interior and Agriculture, provides subsistence fishing opportunities in Federal public waters in Alaska under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA).

Bycatch is of concern to the Board and the affected Regional Advisory Councils because Western Alaska chum salmon stocks are important subsistence resources for Federally-qualified subsistence users in the Norton Sound, Yukon, Kuskokwim, and Bristol Bay areas. Along the Yukon and Kuskokwim rivers alone, there are 6,800 households in 80 villages. Chum salmon make a significant contribution to the way of life of western and interior Alaska's subsistence users, families and communities. The recent fall chum salmon runs in the Yukon River are of particular concern. In both 2009 and 2010, subsistence harvest was restricted due to poor, lower than average size runs and/or to ensure passage into Canada to meet escapement goals.

At its May 2011 public meeting the Board reviewed, discussed and heard public testimony on the various alternatives under consideration in the NPFMC's revised *Bering Sea non-Chinook (Chum) Salmon Bycatch Management Measures*, dated February 2011. **The Board recommends that a hard cap of 50,000, with a trigger cap of 25,000 chum salmon be adopted.** Once the trigger cap is reached, conservation measures would be implemented to assist the pollock fishery fleet to avoid reaching the hard cap. This alternative would provide a better opportunity for increased numbers of chum salmon to reach Western and Interior Alaska rivers to meet spawning escapement and provide for subsistence uses.

It also comes closest to the stipulation in the U.S./Canada Yukon River Salmon Agreement, signed in 2002, which requires the United States to increase in-river returns of Yukon River origin salmon by reducing marine catches and bycatches of Yukon River salmon. The 50,000 level represents a meaningful reduction in the 1997-2001 average of 58,000 chum salmon bycatch, just prior to the signing of the U.S./Canada Yukon River Salmon Agreement. This five-year period is also the same period utilized by the Board for its recommendation to the NPFMC on BSAI Chinook salmon bycatch in April 2009.

The Board appreciates the outreach efforts that NPFMC members and staff conducted on this issue by attending the February/March 2011 meetings of the Yukon-Kuskokwim Delta, Western Interior, Eastern Interior and Bristol Bay Subsistence Regional Advisory Councils. If the Board can be of further assistance, please contact Peter J. Probasco, Assistant Regional Director, Office of Subsistence Management, at (907) 786-3888. The Board will continue to monitor developments on this important issue and looks forward to the results of your efforts to significantly reduce chum salmon bycatch in the BSAI pollock fishery.

Sincerely,



Tim Towarak  
Chair, Federal Subsistence Board

cc: Federal Subsistence Board members

Gene Virden, Acting Regional Director - Bureau of Indian Affairs  
Bud Cribley, State Director - Bureau of Land Management  
Sue Masica, Regional Director - National Park Service  
Geoff Haskett, Regional Director - U.S. Fish and Wildlife Service  
Beth Pendleton, Regional Forester - USDA Forest Service  
Pat Pourchot, Department of the Interior, Alaska  
Peter J. Probasco, Office of Subsistence Management  
Lester Wilde, Chair, Yukon-Kuskokwim Delta Regional Advisory Council  
Jack Reakoff, Chair, Western Interior Alaska Regional Advisory Council  
Sue Entsminger, Chair, Eastern Interior Alaska Regional Advisory Council  
Molly Chythlook, Chair, Bristol Bay Regional Advisory Council  
Weaver Ivanoff, Chair, Seward Peninsula Regional Advisory Council  
Cora J. Campbell, Commissioner, Alaska Department of Fish and Game  
James W. Balsiger, Administrator, Alaska Region, National Marine Fisheries Service  
David Balton, Deputy Assistant Secretary, Oceans and Fisheries, U.S. Department of State



YUKON RIVER DRAINAGE FISHERIES ASSOCIATION

May 27, 2011

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501

Dr. Jim Balsiger, Regional Administrator  
NOAA Fisheries, Alaska Region  
PO Box 21668  
Juneau, AK 99802

**Re: Agenda Item C-5 Initial Review Draft BSAI Chum Salmon Bycatch EA/RIR**

Dear Mr. Olson, Dr. Balsiger and Council members:

The Yukon River Drainage Fisheries Association (YRDFA) appreciates the opportunity to comment on the issue of chum salmon bycatch in the Bering Sea pollock fishery. These comments represent our initial comments on the EA/RIR/IRFA and we may supplement them with additional comments at the Council meeting in Nome.

YRDFA is an association of commercial and subsistence fishermen and women on the Yukon River in Alaska with a mission of promoting healthy, wild fisheries and cultures on the Yukon River. The region we represent is home to some of the world's most prolific salmon resources, and the world's furthest migrating salmon runs on the Yukon River. These salmon provide a primary source of food for humans and the dogs which are essential to the continued viability of the subsistence way of life in Western Alaska. Chum salmon are a critical component of the subsistence way of life in our communities, increasingly so in the recent years of Chinook salmon shortages. Chum salmon also represent the only resource for a directed commercial fishery in recent years, and this commercial fishing income is one of the only means of cash income available to many in the villages of the Yukon River. **Bycatch of Western Alaska chum salmon stocks threatens this critical resource and it is imperative that the North Pacific Fishery Management Council (the Council) adopts management measures which will consistently reduce bycatch of Western Alaska chum salmon.**

We appreciate the time and effort both NMFS and Council staff have put into the Environmental Assessment (EA) and Regulatory Impact Review (RIR). We particularly commend NMFS for dedicating time and resources to genetic stock identification work and hope this work will continue in the future, improving our knowledge and understanding of the impacts of bycatch on Western Alaska stocks. Beyond our general comments, we ask the Council/NMFS to address the following shortcomings in the EA/RIR:

I. AEQ Methodology/Impacts on Chum salmon

The methods for estimating chum salmon adult equivalent bycatch (§ 3.2.1) and the analysis of impacts on chum salmon from the various alternatives is dependent on genetic stock identification work which indicates what portion of the bycatch is from each salmon stock. This genetic stock identification work has several critical shortcomings. First, as noted in previous analyses, the samples utilized in this work were collected

opportunistically, and were not taken under a sampling plan designed for this purpose. We are therefore concerned that given the limited sampling, these stock contributions may not accurately represent the stock composition actually being harvested by the pollock fishery. If stock contributions based on the limited sampling are to be used, it is critical that the caveats associated with the underlying genetic stock identification work are carried forward throughout the analysis such that the public can take the limitations of this data into account when interpreting the stock composition information as well as the impacts on chum salmon which follow from this analysis.

In addition, the stock grouping available using current baselines mask impacts on weak stocks. For instance, Norton Sound chum salmon, which have suffered severe declines, are included in a coastal Western Alaska grouping. While we understand that current genetics cannot separate Norton Sound stocks, the analysis must consider the impact on weak stocks in assessing impacts. By assessing impacts on the regional scale suggested by the stock groupings represented in the genetics, the analysis underestimates the impacts on weaker stocks. For instance in section 5.4.2 the analysis utilizes run size impact estimates based on the broad "Coastal Western Alaska" grouping to conclude that the impact on these stocks was less than 1.5%.<sup>1</sup> This conclusion ignores the fact that impacts could be much greater in regions with smaller run sizes and weaker stocks, i.e. Norton Sound, particularly if bycatch is not evenly distributed by region. The conclusions that run size impacts are low are misleading, ignore critical differences in run sizes within the region, and should be removed from the EA.

II. Methodology for assessing pollock fishery impacts under Alternative 3 greatly overestimates the impacts to the pollock fishery.

The methodology for assessing impacts on the pollock fishery relies on computing annual proportions of week-area chum bycatch for each year and "a gridded dataset with 10 alternative chum bycatch levels was constructed (with totals spanning 50,000, 100,000, ..., 500,000 for each of the 8 years). This dataset was then used to evaluate the relative benefits of different trigger closure options."<sup>2</sup> The numbers presented as estimates of the amount of pollock fishing that would be diverted from historical fishing grounds (i.e. Tables 4-5, 4-6, 4-7 and 4-8) therefore do not represent the actual amount of pollock fishing that would have been displaced in a given year, but instead represent the results of this relative benefits methodology. These tables are labeled by year, and the impacts presented therefore are greatly exaggerated. For instance, in 2008 total non-Chinook salmon bycatch was 15,142.<sup>3</sup> Non-Chinook salmon bycatch in the shoreside catcher vessel fleet was 12,512.<sup>4</sup> Under Option 3 for hard cap application, the seasonal cumulative limit for the catcher vessel (CV) sector is 20,380 under a 25,000 hard cap. The CV sector's bycatch was far below this number in 2008. Yet, Table 4-8 shows as much as 18.4% of the pollock fishing diverted for the CV sector in 2008 under a 25,000 trigger cap, as much as 11% under a 75,000 trigger cap and 5.6% under a 200,000 hard cap.<sup>5</sup> In reality, using 2008 numbers under Option 3 no pollock fishing would have been diverted. In this instance, the EA overestimates the impacts to the pollock fishery by as much as 18%. To make matters worse, these

<sup>1</sup> North Pacific Fishery Management Council and National Marine Fisheries Service, Initial Review Draft Environmental Assessment, May 2011 at 291 [hereinafter EA].

<sup>2</sup> *Id.* at 101.

<sup>3</sup> EA at 4.

<sup>4</sup> *Id.* at 263.

<sup>5</sup> *Id.* at 117.

numbers in the EA form the basis for the analysis of revenue at risk in the RIR. For Option 3 under Alternative 3 the RIR therefore estimates gross revenue at risk for the CV sector in 2008 as high as \$52 million, and shows revenue at risk at all three trigger levels for the CV factor (Table 6-16).<sup>6</sup> Again, in 2008 the CV fleet would not have triggered a closure under even the lowest trigger level, and the gross revenue at risk is therefore greatly overestimated, as it would have actually been \$0 in 2008. This methodology results in an overestimate of the revenue at risk, and should be revised to more accurately reflect the impacts in a given year.

### III. Discussion of the Rolling Hot Spot (RHS) System

The EA includes a thorough and helpful review of the current RHS program in examining the impacts of the status quo, and we commend the analysts for their work on this section. However, the Council specifically directed in their June 2010 motion that the initial review analysis should include:

3. In depth description of the rolling hot spot regulations (Amendment 84), focusing on parameters that could be adjusted if the Council found a need to refine the program to meet objectives under Component 7. Specifically analyze:
  - a. The base rate within the RHS program;
  - b. The options for revising the tier system within the RHS program;
  - c. The Council's options for revising the fine structure within the RHS program. Analysis should include a discussion of the meaningfulness of fines, including histograms of number and magnitude of fines over time as well as a comparison of penalties under the RHS program to agency penalties and enforcement actions for violating area closures.<sup>7</sup>

This information does not appear to be included in the initial review draft and should be included in subsequent versions. It is critical that the Council has information available to it about the specific parameters that could be adjusted in the program, and the impacts changes to these various parameters could have. This is particularly important if the Council selects Alternative 4, or retains the hot spot program in some other form. If the hot spot program is part of the Council's management action, the Council must have the opportunity to reexamine the specific parameters of the hotspot program and adjust these parameters as appropriate to ensure the goal of reducing bycatch is achieved.

### IV. RIR: Salmon Fishery Impacts

The RIR includes a detailed qualitative analysis of the worst case scenario cost impacts on the pollock fishery. This includes a highly speculative inventory of fleet operational effects, including increased travel costs, costs of learning new grounds, costs of using new or modified gear, costs of PSC avoidance measures or closures, reduced CPUE due to less concentrated target stocks, potential gear conflicts, effects on processors built for higher throughput and safety impacts.<sup>8</sup> The RIR also includes extensive information about impacts on product quality, markets and consumers, as well as impacts on related fisheries through displaced capacity and

---

<sup>6</sup> National Marine Fisheries Service, Initial Review Draft Regulatory Impact Review/Initial Regulatory Flexibility Analysis, June 2011 at 233 [hereinafter RIR/IRFA].

<sup>7</sup> EA at 396.

<sup>8</sup> RIR/IRFA at 203-210.

effort, compression/overlapping of fishing seasons and increased costs of gearing up and standing down.<sup>9</sup> Absolutely no information is presented on similar impacts in the affected salmon fisheries. Information on similar impacts in salmon fisheries is no less speculative than the impacts on the pollock fishery, yet this information cannot be found in the analysis.

A qualitative analysis on the cost effects on salmon fisheries must be included in the analysis. For instance, time restrictions on subsistence fishing forces people to fish when the fishery is open, rather than when the weather is right for drying, resulting in subpar drying conditions at times. Similarly, low returns and the fishing restrictions that accompany these low returns result in lower CPUEs in the salmon fisheries, increased gas costs and, sometimes, increased travel time and costs. Low salmon returns also have a profound effect on fish camps—a critical component of Native Alaskan culture and the subsistence way of life—because without consistent fishing openings it is uneconomical to stay at fish camp for long periods of time when no fishing is allowed. These examples represent just a few of the types of impacts which could, and should, be included in the EA/RIR. Further information to provide the basis for a qualitative analysis of impacts on salmon fisheries can be provided by ADF&G staff, individual fishers, and regional Western Alaska non-profits.

#### V. Environmental Justice Section

The Draft EA/RIR does not adequately analyze the environmental justice implications of the action.

Reducing salmon bycatch is of vital importance to the primarily Native Alaskan communities who depend on salmon for their sustenance and their livelihoods. Increased salmon bycatch places a disproportionately high burden on these communities because of the central importance of this resource to Native Alaskan communities. Under Executive Order 12898, federal agencies are required to “make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions.”<sup>10</sup> The Draft EA/RIR does identify the impacted minority populations. It is severely inadequate, however, in assessing the disproportionate impacts placed on these populations. Qualitative information such as that discussed above should be included to assess the impacts of bycatch on minority and low-income populations.

Thank you for your consideration of these comments. We look forward to continuing to work with you to ensure management measures are in place to consistently reduce chum salmon bycatch in the Bering Sea pollock fishery.

Sincerely,

Rebecca Robbins Gisclair  
Policy Director

Encl.

---

<sup>9</sup> *Id.* at 210-215.

<sup>10</sup> Executive Order 12898 (February 11, 1994) § 1-101.



**YUKON RIVER DRAINAGE FISHERIES ASSOCIATION**

725 Christensen Drive, Suite 3-B, Anchorage, Alaska 99501  
Tel: 907-272-3141 Fax: 907-272-3142

**Resolution: 2011-02  
Salmon Bycatch**

**WHEREAS** the Yukon River Drainage Fisheries Association (YRDFA) works on behalf of subsistence and commercial fishing families within the Alaskan and Canadian Yukon River drainage who depend on wild salmon for subsistence and commercial fisheries; and

**WHEREAS** chum salmon provide an essential source of food, income and culture for the people of the Yukon River; and

**WHEREAS** subsistence harvests of fall chum salmon have been restricted in recent years, and no directed commercial harvests of fall chum salmon have taken place on the Yukon River; and

**WHEREAS** the Bering Sea pollock fishery catches these same salmon as bycatch; catching over 700,000 chum salmon in 2005; and

**WHEREAS** according to the best available scientific information a portion of the chum salmon taken as bycatch are of Western Alaska origin, including the Yukon River; and

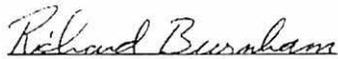
**WHEREAS** extremely high bycatch numbers have been reached under the current management measures and it is therefore prudent to adopt new management measures;

**THEREFORE BE IT RESOLVED** that YRDFA requests that the North Pacific Fishery Management Council adopt management measures which will adequately protect Yukon River chum salmon runs at a biologically acceptable level.

**COPIES** of this resolution will be sent to the North Pacific Fishery Management Council, National Marine Fisheries Service, Alaska Department of Fish and Game Commissioner, Yukon River Panel, U.S. Fish and Wildlife Service, U.S. Department of State, Bering Sea Fishermen's Association, Association of Village Council Presidents, Tanana Chiefs Conference and other Western Alaska salmon groups.

**APPROVED** unanimously this 16<sup>th</sup> day of February 2011 by the Board members and delegates of YRDFA assembled at their Twenty-first Annual Meeting held in Mountain Village, Alaska.

Attest:



Richard Burnham, YRDFA Co-Chair



William Kristrom, YRDFA Co-Chair

LATE Comment

Supplements

## Southeast Alaska Fishermen's Alliance

9369 North Douglas Highway

Juneau, AK 99801

Phone: 907-586-6652

Fax: 907-523-1168

Email: [seafa@gci.net](mailto:seafa@gci.net)

Website: <http://www.seafa.org>



June 6, 2011

North Pacific Fishery Management Council

605 West 4<sup>th</sup> Avenue, Suite 306

Anchorage, AK 99501

RE: Agenda Item - Halibut CSP Algorithm option for Max. size fish

Dear Chairman Olson and NPFMC Members,

ADFG submitted a discussion paper outlining a third option called the hybrid method from those previously presented for determining the maximum size fish under low levels of abundance in the catch sharing plan. On page 5 under the discussion it mentions the uncertainties associated with this method "*comes from collections of size, data, potential for bias in the design of the study to collect the data and uncertainty as to whether the size distribution from a previous year is applicable to the year in question*". In the next paragraph it goes on to say, "*Regardless of the sampling variability inherent in data used for Method A and the hybrid method, most of the uncertainty rests on the assumptions about high-grading. There are not yet sufficient data to determine quantitatively how the charter fishery might respond under a maximum size limit, or to be able to discern quantitatively how the charter fishery might respond under a maximum size limit, or to be able to discern changes caused by the maximum size limit versus year-to-year variability in the sizes of available fish.*" If you take these statements, along with the controversy earlier this year that the 37" inch fish was the wrong size until all the 2010 charter data was entered in the database and the realized that the size limit the IPHC had determined was reasonably close in hindsight. Unfortunately, most times we will still be working with extremely preliminary data from the previous year along with the unguided recreational sector harvests being estimated by the Statewide harvest survey which was designed as a measurement of trend and not for accurate accounting. We are emphasizing these concerns and issues because the point when a maximum size limit is being placed on the fishery is when the resource (low abundance) is most fragile to effects caused by miscalculations and the need to be most conservative and cautious in decisions. The

CSP motion stated *"The Council recognizes that management measures are imprecise therefore a small variance can be expected to occur around the allocation. The Council's expectation is that the variance will balance over time to ensure IPHC conservation and management objectives are achieved."* One major assumption of all three methods is using the preliminary estimated number of fish from the previous year as the assumption of the number of fish that will be harvested the following year. While we don't have an alternative to offer, please recognize that all these assumptions, estimates and potential biases lends itself to the imperative that we manage conservatively. Throughout the development of the CSP, it was acknowledged several times that this plan might leave fish in the water but having the predictability of management measures that didn't change throughout the season or ending the season went the allocation was estimated to be harvested was preferable to the charter industry.

Another point that needs to be recognized and that the CSP doesn't necessarily address is the ability of the charter industry to change models that allows for a greater overall "recreational" harvest without counting against the charter allocation. While the models vary slightly they continue to provide the greater success rate of a guided charter operator to a client that the expectation was the harvest would count against the charter allocation.



These models include such models as going from guided to unguided such as the picture above from Eagle Charter Lodge in Elfin Cove. Previously they only offered guided charters but this year added this vessel to their fleet. Another method is to tow skiffs, let the clients off in them and then they are no longer guided

charters, following a vessel with a guide, using electronics such as GPS, anchors on fishing spots, etc.

In this discussion paper, we noticed that the CSP charter allocation was described two different ways. In the first paragraph it states, *"the charter fishery would be managed under regulations intended to keep the charter harvest within an acceptable allocation range"* and the next paragraph described it as, *"charter harvest at or below the level specified by the target allocation percentage (midpoint of the allocation range)"*. As quoted earlier in our written testimony we believe the Council motion was fairly clear that they were setting the latter description with a specific allocation for the charter industry allowing for an acceptable range of management imprecision when determining the management measures but the tolerances were not intended to allow for a higher allocation to the charter fleet. We are raising this also because on page 2 ADFG suggests the Council may also wish to install a buffer between the default charter harvest limit and the one actually recommended, to account for uncertainty. We believe that the tolerance range was developed to provide the buffer and another one should not be developed.

We would also mention that it is difficult to decide what recommendations to give the Council regarding this action without seeing the rest of the proposed rule for the catch sharing plan. We also don't understand why the continuing delay in publishing the proposed rule.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathy Hansen", followed by a long horizontal line extending to the right.

Kathy Hansen  
Executive Director

C-5  
Supplemental

May 31, 2011

Austin Ahmasuk  
P.O. Box 693  
Nome, AK 99762

North Pacific Fishery Management Council (NPFMC)  
National Marine Fisheries Service (NMFS)

**RE: Bering Sea Aleutian Islands Groundfish Fishery Management Plan (FMP)  
Chum Bycatch  
REQUEST for non-Chinook bycatch cap of 25,000**

Dear NPFMC Members and NMFS Staff,

My name is Austin Ahmasuk I am a resident of Nome a lifelong subsistence salmon user, an affected fishermen, tribal member of Nome Eskimo Community, and I am providing your agencies with comment concerning the level of salmonid bycatch in the BSAI FMP and to offer my opinions of the proposed alternatives that will be considered at the June 2011 NPFMC meeting in Nome, AK.

I have reviewed the May 2011 Executive Summary, May 2011 Environmental Assessment, June 2011 Outreach Report, and the June 2011 Regulatory Impact Review. I thank the NPFMC for meeting in Nome and welcome you to my hometown community.

Nome and Norton Sound salmon escapement has been rigorously discussed throughout the past several decades, at numerous Alaska Board of Fisheries meetings, Federal Subsistence Board meetings, interagency meetings, and recently the NPFMC and NMFS have been approached to solve the issue of salmonid bycatch in the BSAI FMP and severely depressed salmon runs to Nome and Norton Sound. It is my hope that the meeting in Nome will solve the issue of salmonid bycatch in the BSAI FMP to address the salmon decline and reduce the salmonid bycatch in trawl fisheries of the BSAI FMP according to National Standards 1-10, all associated regulations, and executive mandates and policies. I look forward to interacting with the NPFMC via my comments. Unfortunately, the burden of proof of harm and salmon decline appears to be vested with Nome and Norton Sound residents such as myself to show harm to our lifestyle, while the NPFMC gives itself liberal conduct to portray the opposite and discount our disastrous salmon runs. The industry and the NPFMC appear to be given considerable flexibility to portray there will be little impact to our subsistence resources in order to meet the Total Allowable Catch (TAC). That dichotomy seems terribly backward and irresponsible of the NPFMC and NMFS. Western Alaska subsistence users do not have the resources to take on that burden of proof, as opposed to the industry which can mobilize fleets of experts at its leisure.

#### **CHUM SALMON BYCATCH**

The 2011 Environmental Assessment (EA) lacks most of the necessary detail in order to assist the public to make decisions about the impact of chum bycatch to western Alaska streams. The EA gives numerous details of how bycatch levels can be established in order to ensure that Pollock fishing will continue but those details should take second place to the primary issue of western Alaska salmon decline. The EA does not give the public enough information about western Alaska salmon impacts, in fact many Nome and Norton Sound rivers are not mentioned. If the EA neglected to include that material by choice then I believe the EA must be considered invalid and must be re-written in order for the public to accurately address the impact of salmonid bycatch. The EA does not portray an

accurate message about salmonid bycatch. I believe the levels of chum salmon bycatch to be reflective of environmental variability. The recent downward trends in chum salmon bycatch are supposedly a result of chum bycatch management measures, however, I believe that reasoning proposed by NMFS is flawed. The report by *Stram and Ianelli, Eastern Bering Sea Pollock Trawl Fisheries: Variation in Salmon Bycatch over Time and Space*, concluded that Prohibited Species Catch (PSC) is highly variable and may be reflective of the natural variability of PSC. In consideration of that most likely fact we must conclude that the NPFMC and the pollock industry must change its management measures and reconsider new alternatives. Any new management measure must avoid using the method calculations within the EA because they are flawed and are biased towards the industry reaching its TAC.

## **NPFMC PUBLIC INVOLVEMENT**

I have only attended a handful of NPFMC meetings, because of the extraordinary expense, time, and dire complexity of the meetings. My opinion from my limited experience with the NPFMC is that the NPFMC disenfranchises a majority of the public because the nature of the discussions become highly complex and many meetings are held outside of rural locations. The fishing industry's significant involvement at the advisory panel level leads me to believe that subsistence users like me have little place in the context of the NPFMC. Therefore it is little wonder why Nome and Norton Sound is so marginalized by the discussions within the EA. The scientific panel is composed of persons with extensive knowledge of details and aspects and of the BSAI FMP and are provided statistical experts paid for by public funds and this convolutes the nature of public involvement. It is difficult for me to say what effect someone who is not an industry expert or someone without extensive scientific knowledge has in the public process of the BSAI FMP or regulation development. I believe the NPFMC process violates fair and equitable standards for public involvement as specified in federal policy so that the common person may know and understand the decisions made by federal and state agencies as well as enjoy their right to public involvement. Nowhere is the involvement of subsistence users more important than in the NPFMC where numerous prohibited species, other species, and non-specified species bycaught and wasted to be never recruited back into nature as living reproducing organisms. The marine populations of the prohibited species, other species, and non-specified species of marine resources are vastly important to the people of Nome and the Norton Sound Region for their direct subsistence value but also to the ecosystem as a whole to support marine species' diversity which in turn supports my fellow Nome and Norton Sound residents.

Numerous Executive Orders detail how the policy making decisions of the NPFMC should be executed. I will provide a list of Executive Orders I believe should guide the NPFMC's processes. **I need only list several Executive Orders to remind the NPFMC that when it comes to the BSAI FMP it is directed to act in the best interest of conservation and that the NPFMC's recent actions in regards to salmonid bycatch may be in conflict with Presidential Executive Orders for effective and meaningful public involvement and requirements to rebuild PSC stocks.** Regardless, I will list the many Executive Orders that I believe should guide the NPFMC in its decision making process.

- **Executive Order 13563 - Improving Regulation and Regulatory Review**
- **Executive Order 13547 - Stewardship of the Ocean, Our Coasts, and the Great Lakes**
- **Executive Order 13474 - Amendments to Executive Order 12962**
- **Executive Order 13450 - Improving Government Program Performance**
- **Executive Order 13443 - Facilitation of Hunting Heritage and Wildlife Conservation**
- **Executive Order 13366 - Committee on Ocean Policy**
- **Executive Order 13352 - Facilitation of Cooperative Conservation**
- **Executive Order 13186 - Responsibilities of Federal Agencies To Protect Migratory Birds**
- **Executive Order 13175 - Consultation and Coordination With Indian Tribal Governments**

- **Executive Order 13158 - Marine Protected Areas**
- **Executive Order 13089 - Coral Reef Protection**
- **Executive Order 13007 - Indian Sacred Sites**
- **Executive Order 12986 – International Union for Conservation of Nature and Natural Resources**
- **Executive Order 12915 - Federal Implementation of the North American Agreement on Environmental Cooperation**
- **Executive Order 12898 - Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations**
- **Executive Order 12895 - North Pacific Anadromous Fish Commission**
- **Executive Order 12894 - North Pacific Marine Science Organization**

The BSAI FMP has been amended many times but I believe it fails to do what it is set out to do and disregards the importance of the prohibited species, other species, and non-specified species. The NPFMC has done little to rebuild stocks of bycaught species, is placating too many industry alternatives to allow TAC, and is not honoring its obligation to rebuild PSC in regulation. NMFS and NPFMC have done little to address the above referenced obligations set by executive order to ensure that the lives of subsistence users are protected.

The BSAI FMP requires yet more considerable revision in order to meet the policy requirements of executive orders and the needs of subsistence users. I have restated the plan objectives below for the public's review:

Primary Plan Objectives:

1. *Promote conservation while providing for optimum yield.*
2. *Promote efficient use of fishery resources but not solely for economic purposes.*
3. *Promote fair resource allocation without allowing excessive privileges.*
4. *Use best scientific data available.*

Secondary Plan Objectives:

1. *Conservation and management measures must be flexible enough to account for unpredictable variations in resource and industry.*
2. *Manage stocks throughout their range.*
3. *Promote rebuilding if stocks are less than Maximum Sustainable Yield.*
4. *Promote efficiency while avoiding disruption of existing social and economic structures.*
5. *Management measures should contain a safety margin in setting Acceptable Biological Catches when the quality of information concerning the resource and the ecosystem is questionable.*
6. *Minimize impacts of fishing strategies on other fisheries and environment.*

Management Objectives:

1. *Rational and optimal biological and socioeconomic use of resource.*
2. *Minimize impact on prohibited species and rebuild halibut stocks.*
3. *Seek to maintain the productive capacity of the habitat required to support the groundfish fishery.*

I do not believe the Chum salmon EA as drafted is the best scientific tool to guide the decision making process and therefore does not meet the primary objective of the BSAI FMP. Cumulative

impacts are supposed to be important components to EA's, the chum salmon EA lacks a thorough cumulative impacts discussion. If there were an effective cumulative impacts discussion, the public, NPFMC, and NMFS would be able to formulate hard cap scenarios in light of the cumulative impacts to chum salmon. A **thorough** cumulative impacts discussion would show that Area M interception, combined with international Pollock fishing, BSAI FMP fishing, and other BSAI fisheries cause high annual combined bycatch that aggravate escapement to western Alaska, as well as internationally. Chapter 8's brief discussion is not inclusive enough. EA's intended purposes are to be as inclusive as possible and compare and contrast federal actions with other actions and pertinent environmental data. If an EA does not meet that primary purpose then it does not meet the federal criteria as such. The numerous un-named creeks over a vast area throughout Nome and Norton Sound deserve much more consideration than is given in the chum salmon EA. The EA does not include a significant amount of data regarding Nome and Norton Sound area streams and their declines. Nome and Norton Sound streams are given little consideration and are glossed over in the review sections.

I know Nome and Norton Sound residents are highly concerned about the affect of PSC bycatch in the BSAI FMP. I believe Nome and Norton Sound residents' subsistence uses have been marginalized by the actions of the NPFMC when it took its action on Chinook salmon bycatch and is tantamount to destroying the subsistence lifestyle and culture of Alaska Native people over a large area and many miles of Alaskan coastline. NPFMC, Amendment 91 which combines a high PSC limit and yet unknown incentive plan agreements (IPA) is analogous to the financial debacles of the past years where the financially instituted plans for regulation brought about the collapse of entire economic sectors and unveiled significant levels of scandal and abuse, which required significant regulation changes. I believe the level of involvement by the fishing industry is so invasive into the process of NPFMC regulation development that Nome and Norton Sound residents may face the demise of our subsistence resources when the NPFMC takes its action on the Chum Salmon bycatch if the NPFMC continues to placate to the Pollock fishing industry.

### **CHUM SALMON BYCATCH**

The current system of non-Chinook salmon bycatch management is complex and therefore frustrates the public's involvement. The NPFMC has been implementing non-Chinook salmon bycatch management via industry incentives. I believe that plan is biased towards industry and is the very problem that the public desires to change.

PSC must be limited to a hard cap without complex scenarios so that salmon escapement will be maintained in western Alaska and internationally. Real reductions in chum bycatch must be proposed and analyzed.

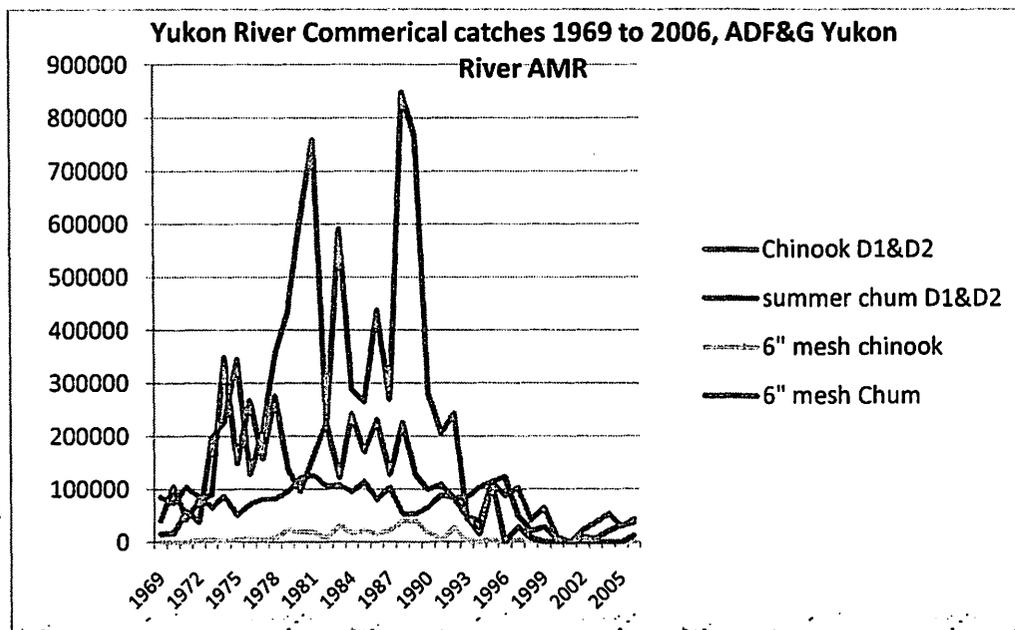
Alternative 1, status quo with Chum Salmon Savings Areas according to Amendment 84 should **NOT** be continued.

Alternative 2 with Hard Cap is my preferred alternative. Separate accrual should be removed from ALL consideration. The hard cap sub-options are **OVER-REPRESENTATIVE** of the higher levels of PSC. The hard cap should be divided among sectors with a 12% to CDQ, 88% to non-CDQ, with a season allocation of 5% for the A season and 95% for the B season. I further propose a sector allocation of 35% inshore CV fleet; 30% for the mothership fleet; and 35% for the offshore CP fleet. Should any one sector reach its PSC all fishing should cease with NO transfers. Those levels represent the true descriptive proportions of the PSC throughout the fleet and are not complicated by the biases in the proposed hard cap formulations where NMFS truncates years in order to assemble its cap levels. Average values for hard cap formulations should be removed from ALL consideration. **The resultant hard cap formulations that are derived from averages of historical year combinations are FAITHLESS.** Hard caps that are based upon averages of PSC will only serve to continue the level of PSC that has lead to the decline of salmon in western Alaska. Therefore, the

NPFMC must choose hard caps that represent absolute reductions of salmonid bycatch not any level that continues the status quo level of salmonid bycatch.

### YUKON RIVER SALMON DECLINE

It is my opinion that the Yukon River commercial catch history best portrays the level of decline that western Alaska has been experiencing and underlies the largest problem that the NPFMC has not been able to mitigate. The Canadian Yukon River, Yukon up-River, and Yukon lower-River obligations require the State of Alaska, and the US Department of the Interior to ensure the levels of subsistence, recreational, and commercial fishing continue within the State and in Canada. NMFS and NPFMC must also take actions to meet those obligations. NMFS and NPFMC must initiate efforts and show good faith and effort to assist the State of Alaska and the Department of the Interior to meet its obligations to Canadian and Alaskan Subsistence users. The NMFS and NPFMC must ensure that its efforts compliment those of the State of Alaska and Federal Subsistence Board. The inability of NMFS and NPFMC to coordinate its activities with those of the State of Alaska and the Federal Subsistence Board is a national embarrassment. NMFS and NPMFC must correct its lack of action. On the other hand the State of Alaska and Federal Subsistence Board have initiated efforts to reach out to NMFS and the NPFMC and has maintained good faith efforts to propose changes to salmonid bycatch. The record clearly shows that those agencies routinely point to BSAI PSC as a contributing factor to the decline of salmon in the Yukon River. The graph below shows ADF&G Yukon River commercial catch history and its clearly visible decline. The State of Alaska and the US Department of the Interior have undertaken significant in river measures to ensure salmon escapement including intentionally lowering escapement goals, in order to avoid the complex tiers of management that plagued Nome when TIER II management scenarios were in place. In-river measures should have resulted in a net benefit of escapement to the Yukon River. ADF&G routinely forecasts salmon run strength for the Yukon River commercial fishery when it reports to the Alaska Board of Fisheries or the Federal Subsistence Board. Between 1998 and 2006, ADF&G overestimated the expected run size in all years except 2003 and 2005. In other words runs fell short of expectations in most years between 1998 and 2006, in some cases drastically short of expectations. As of this date the ADF&G is expected to protect the first pulse of Chinook salmon up the Yukon River in order to protect an expected poor run of Chinook salmon. It is those kinds of closures that all of western Alaska has been experiencing and our future prospects of salmon will be in jeopardy until the NPFMC takes action to reduce PSC bycatch.



## Nome and Norton Sound Salmon Decline

Salmon returns to Nome and Norton Sound have been dismal and have been the subject of disaster declarations, as well as highly complex management scenarios to meet escapement goals and subsistence needs. When residents of Nome and Norton Sound inquire about salmon declines we are routinely told that ocean environmental conditions are the culprit that may be the stress causing factor of decline. The Norton Sound district comprises slightly over 500 miles of coastline. Residents throughout that region have overwhelmingly agreed about the decline that we all have experienced.



*Google earth images of the Norton Sound area (right) to scale with the northwest coast of Washington and Oregon (left). The Norton Sound area is large (500 coastline miles) and is mostly pristine with a diverse complex of estuaries, river mouths, rocky coastline, peninsulas, bays, islands, the northward Alaskan current, & seasonal diversity. The Norton Sound area hosts diverse cultures of Inupiaq, Yupik, and Saint Lawrence Island Yupik peoples. Saint Lawrence Island within the Norton Sound area includes an additional 280 miles of coastline. Port Clarence District adjacent to the Nome Subdistrict comprises approximately 100 coastline miles as well as the productive Imuruk Basin complex.*

Nome and Norton Sound residents have proposed numerous in-river management scenarios, we have proposed numerous sacrifices to ensure salmon escapement. We have occasionally asked the NPFMC to adopt PSC limits to address our perception of PSC as a factor of decline in western Alaska salmon. Like the Yukon River we face a similar decline in our salmon and our situation is analogous to those on the Yukon. Our situation is different though we have been subject to strenuous management regimes that resulted in the State's first TIER II salmon management scenario. That extraordinarily difficult management regime involved the season starting off closed and remaining closed to all uses except subsistence. The TIERed management regime has become a source of extraordinary user conflict. A conflict the subsistence user's endured and paid the largest price for by enduring extended closed fishing periods. No other use direct or indirect was impacted, including the two largest exploiters of western Alaska salmon; Area M salmon fishermen and highseas trawl and jig fishermen. Those two largest exploiters were never held accountable to salmon that were either intercepted or wasted as a result of being bycaught as PSC during TIER II management. Yet subsistence users time and gear was sitting idle in hopes that things would change and the salmon would come back.

In 2000 Nome subdistrict chum salmon were classified as a "stock of management concern". The concern for chum salmon has been supported since then but was altered to stock of yield concern. Escapement goals were highly debated during that time, the Alaska Board of Fisheries established a

much lower escapement goal than was proposed by many members of the public. It is my opinion the Escapement goal was lowered by the Alaska Board of Fisheries in an attempt to circumvent the TIER II management of chum salmon that plagued public debate over salmon at that time. As a result of that lowered escapement goal the uninformed might perceive that Nome subdistrict subsistence uses are being met, when in fact they are not. According to Alaska Administrative Code yield concern is defined as the following:

*A concern arising from a chronic inability, despite the use of specific management measures, to maintain expected yields, or harvestable surpluses, above a stock's escapement needs.*

The management concern designation which was in place from 2000 to 2007 is defined in Alaska Administrative code as the following:

*A concern arising from a chronic inability, despite the use of specific management measures, to maintain escapements for a salmon stock within the bounds of sustainable escapement goal (SEG), biological escapement goal (BEG), optimal escapement goal (OEG), or other specified management objectives for the fishery.*

The EA characterization on page 182: *"Comparing escapements during 2005–2009 to the escapement goals established in 2001 shows there has not been a chronic inability to meet escapement goals."* **DIRECTLY CONFLICTS** with the designation State of Alaska, maintained for that time period and disregards the overall poor escapement of 2009. The NPFMC and NMFS must retract its erroneous statement about Nome and Norton Sound escapements. Alaska Department of Fish and Game, Special Publication No. 09-20, expressly opined that Norton Sound bound chum salmon "are likely" caught as bycatch. ADF&G developed that opinion from Wilmot et. Al. 1998.

### **Chum Salmon Adult Equivalency (AEQ), 3.2.1**

There are numerous problems with the AEQ discussion. I have listed all points that require clarification. Because the problems are so glaring it is my opinion the entire discussion should be disregarded.

Page 68 1<sup>st</sup> paragraph, last sentence: *"Even though sample collection issues exist, stock composition estimates appear to have consistencies depending on the time of year and location."* The collection issue is not described.

Page 68 3<sup>rd</sup> paragraph, last sentence: *"This process was repeated 100 times, and the results stored to obtain a distribution of both length and age composition."* Only tows in which salmon were measured were included in the first stage. Only 100 bootstraps were done, modern computing power easily allows many more permutations. Outlying results should be characterized so the public is aware of all results. Stratum specific data fields should be listed so the public can easily follow the reasoning behind the bootstrap method.

Page 68 4<sup>th</sup> paragraph, eighth sentence: *"The age data were used to construct annual stratified age-length keys when sample sizes were appropriate and stratified combined-year age-length keys for years where age samples were limited. To the extent possible, sex-specific age-length keys within each stratum were created and where cells were missing, a "global" sex-specific age-length key was used."* I believe the characterization of the method to create the "missing key" represents a significant systematic error that misleads the public and invalidates the AEQ.

Page 69 1<sup>st</sup> paragraph, last sentence: *"The estimates of uncertainty in the age composition due to sampling (via two-stage bootstrap application) were relatively minor (Figure 3-4)."* This

characterization is misleading bootstrapping methods could have reduced uncertainty to any level that is desired, by altering resampling schemes, or the method of replacement.

Page 73 3<sup>rd</sup> Figure 3-1: The distributions of length are clearly **NOT** normally distributed, the authors of the EA should have clearly reconciled how the bootstrap method took that into consideration.

Page 77 1<sup>st</sup> paragraph, 4th sentence: *"For the purpose of this study, an average over putative stocks was developed based on a variety of studies (Table 3-5)."* The average developed is not explained.

Page 78: *"For the purposes of this study, the estimation uncertainty is considered as part of the inter-annual variability in this parameter."* The characterization of the estimation uncertainty is overly simplified and cannot possibly be considered as such in light of the numerous problems I have already detailed thus far. I believe the estimation uncertainty is a factor of the sampling issues I identified on page 68.

Page 78 last paragraph, last sentence: *"Notice that in some years, the bycatch records may be below the actual AEQ due to the lagged impact of previous years' catches (e.g., in 1994 and 2006; Table 3-7)."* The fact that the AEQ was calculated for some years to be below the actual AEQ should be a glaring point that the AEQ discussion is highly flawed. I believe the bycatch records speak for themselves and the AEQ discussion does not help the public understand this topic. Too many AEQ parameters are being left out. Natural mortality is being heavily influenced by other highseas fisheries such as I have pointed out and requires much more detail from the other highseas fisheries in order for the EA accurately portray its impact on western Alaska fisheries.

### **Chum Salmon AEQ 3.2.2**

There are also numerous problems with section 3.2.2 that require the NPFMC and NMFS to reconsider in its analysis. I have listed those issues

Page 84 1<sup>st</sup> paragraph: *"On a gross scale, one approach would be to apply baseline average run-sizes for each system and apply these proportions to the "Western Alaska" group identified in the genetic analysis. An alternative approach might be to include the time series of run-size estimates so that a dynamic proportion for these sub-groups could be estimated. Neither approach is without problems but may help to provide some indication of the potential for specific in-river impacts due to bycatch. Because run size estimates are less reliable at fine regional scales results are presented at the level consistent with the genetics results (i.e., 6-regional breakouts; Figure 3-9). Individual populations from each region are identified in Table 3-8. To the extent possible assumptions of run sizes and maturity were used to provide qualitative results to individual western Alaskan river systems (See section 5.0)."* The approaches used by NPFMC and NMFS for stock of origin are at the core of my problem with the entire AEQ discussion and underscores Nome and Norton Sound's residents concern with the EA. Nome, Norton Sound, Yukon, and Port Clarence streams are nearly completely ignored. Aggregate stock of origin analysis are highly flawed and would not take into consideration my contention that some streams face extinction of salmon. Residents of this region have long contended that one trawl from one boat over a period of days could wipe out some of our streams. The NPFMC and NMFS must address a much finer scale of analysis in order to satisfy the reality of the situation.

Page 84 2<sup>nd</sup> paragraph, last sentence: *"An integrated model approach provides a way to easily use existing genetics samples applied to stratified bycatch levels to appropriately weight annual estimates of total bycatch (and provide variance estimates)."* Genetic samples are **NOT** taken over a long enough time period in order to accurately portray stock of origin.

Page 85 3<sup>rd</sup> paragraph, 1<sup>st</sup> sentence: *"Genetics results were compiled based on sampling schemes that were sub-optimal for minimizing variance (Table 3-10). I.e., Guyon et al. (2010) demonstrate that the sample collections were typically out of proportion with the bycatch (in time and areas) and were collected for a variety of projects with different objectives. Consequently, the ability to apply these data to determine overall annual*

stock-of-origin estimates of the bycatch requires careful consideration of how the sampling occurred." I believe the genetic information discussion provides sufficient evidence that the NPFMC and NFMS should abandon or dramatically alter the AEQ discussion. I believe the NPFMC and NMFS are strongly biasing the AEQ results to show moderate impacts from bycatch on western Alaska stocks by oversimplifying its methods.

Page 87 1<sup>st</sup> paragraph, 3<sup>rd</sup> sentence: "On the advice of the SSC, the stock composition estimates are focus on the period 2005-2009." I believe the focus is flawed and should include data outside of that time frame.

Pages 92-93: None of the graphs are normally distributed.

Page 94-95: Only 7 Norton Sound streams are listed amongst the many streams listed. There are at least 31 major salmon spawning streams in the Nome, Norton Sound, and Port Clarence region.

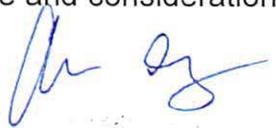
Page 97, table 3-1: The compositions total for the strata range from 0.989 to 1.023. Those totals cannot possibly be reflective of the true compositions of the bycatch. As I pointed out many Nome and Norton Sound streams are not included in the genetic baseline. It is likely that many other streams are not included in the genetic baseline and therefore the compositions are some kind of fabrication. All correlations are negative and none are particularly strong in consideration of the widely variable nature of salmon in the Bering Sea.

### CONCLUSION

**I strongly urge the NPFMC to alter its discussion of the statistical average thresholds from the available bycatch data to formulate hard cap levels.** The NPFMC must make the inferential leap towards a bycatch cap that will cause a meaningful reduction in bycatch as opposed to selecting a suite of descriptive statistics to select a PSC to continue a level of bycatch in order to maintain TAC. The inability of Western Alaska salmon stock to meet escapement goals must be the primary consideration of any bycatch cap. The NPFMC must take the responsibility that it must in order to reverse the decline in Western Alaska salmon and must address its action in light of cumulative impacts. The NPFMC must take measures so that ALL fishing will cease when a certain level of PSC has been reached. In the May 2009, Bering Sea Non-Chinook Salmon, Bycatch Management, Scoping Report, the Yupiit of Andreafski and the USFWS proposed a PSC limit of 70,000 non-chinook salmon. I believe their proposed bycatch cap is too high. **I PROPOSE THAT THE NPFMC ADOPT A PSC LIMIT OF 25,000 NON-CHINOOK SALMON WITH NO PROVISION FOR transfers between sectors, or IPA.**

My culture has been significantly impacted by the reduction in salmon escapement. Longstanding fishing camps and locations have seen such dramatic declines that the younger generations have become accustomed to a level of salmon fishing that is far different from the traditional levels of subsistence use that existed prior to PSC bycatch, Pollock fishing and decades of salmon decline. Elders from our region have long told me that the highseas fishing that takes place in the Pollock fishery and other massive high seas fisheries will cause the decline of salmon to our rivers. It is apparent that we are living with that consequence. The NPFMC must enact a hard cap that restores what we have lost in salmon so that we may continue the lifestyle of fishing that is nearly lost in complex regulation. Some Nome streams have been totally written off and are permanently closed to fishing and may soon face extinction

Thank you for your time and consideration  
AUSTIN AHMASUK



## **Chapter 3 RIR: Potentially Affected Salmon Fisheries**

- **Importance of subsistence harvests**
- **Cultural context**
  - **Personal, social, and cultural identity**
  - **Family production**
  - **Fish camps**
  - **Dog teams**
- **Diet and nutrition**
- **Mixed subsistence/wage economy**
- **Vulnerabilities**
  - **Food security**
  - **Species substitution**

## **Chapter 3 RIR: Potentially Affected Salmon Fisheries**

- **Overview of regional subsistence harvests**
  - **Bristol Bay**
  - **Kuskokwim**
  - **Yukon**
  - **Arctic Alaska**
    - **Norton Sound**
    - **Port Clarence**
    - **Kotzebue**
  - **Alaska Peninsula/ Area M**

# PUBLIC TESTIMONY SIGN-UP SHEET

Agenda Item: C-5 BSAI Chum Salmon Bycatch

	NAME (PLEASE PRINT)	TESTIFYING ON BEHALF OF:
1	Charles O. Deyman	Native Village of Unalakleet
2	Cynthia Awinona	Nome Eskimo Community
3	Timothy Andrew	AVCP
4	Roy Ashentelter	<del>replaced</del> NNSAC
5	Michael Sloan	myself
6	Orville H. Huntington	TCC
7	Michael James	city of Alakanuk
8	Raymond Oney	YIKRAC
9	Joe Gernie / + Charlene / Wes Okhok	NSEDC / Teller <sup>per No. 1</sup> / Teller <sup>per No. 1</sup> / Teller <sup>per No. 1</sup>
10	Jim Stotts	Inuit Circumpolar Council
11	Don Woodruff & Tim Gervais	Eastern Interior Federal Advisory Council
12	Kevin Bopp	myself
13	James Roberts	TANAWA TRIBAL Council
14	Ernie J. Lincoln	White Mtn. IRA Council
15		
16	<del>Helen Brown</del> / <sup>NB</sup> Nora Brown	Native Village of Council NVC
17	David Bill sr	BSA,
18	Peter P. MARTIN S	SCA
19	Charlie FITKA	S.N.C.
20	Naucy Mendenhall	Self - subsistence Eskimoon
21	Bob Lawrence	Self - Alaska Family Doctor
22	George Blin Koff	Greenpeace - <del>XXXX</del>
23	Sue Steinhacher	self - subsistence
24	Charles F Saccheus Sr	Native Village of Elim
25	Heather Brandon and Verner Wilson	World Wildlife Fund

NOTE to persons providing oral or written testimony to the Council: Section 307(1)(I) of the Magnuson-Stevens Fishery Conservation and Management Act prohibits any person "to knowingly and willfully submit to a Council, the Secretary, or the Governor of a State false information (including, but not limited to, false information regarding the capacity and extent to which a United State fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Council, Secretary, or Governor is considering in the course of carrying out this Act.

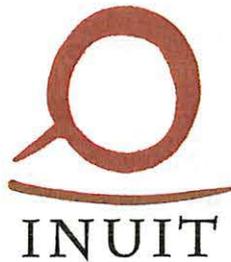
# PUBLIC TESTIMONY SIGN-UP SHEET

Page 2

Agenda Item: C-5 Chum Salmon Bycatch

	NAME (PLEASE PRINT)	TESTIFYING ON BEHALF OF:
<del>1</del>	Richard Tuzuk	EDA Communities
<del>2</del>	<del>Richard Tuzuk</del>	<del>Native Village of Koyuk</del>
<del>3</del>	Nick Delaney	Alaskan Leader Fisheries- Myself
<del>4</del>	Frank Kalty	City of UIAA Alaska
<del>5</del>	Stephanie Madson	At-sea Processors Assoc.
<del>6</del>	Rose Fosdick	self
<del>7</del>	John Gruver	Union Catcher Boats
<del>8</del>	Marie Tozier + Dan Karmun	Subsistence Use
<del>9</del>	Paul Puyton	BBEDC
<del>10</del>	Perry T. Mendonhall	SELF-SUBSISTENCE
<del>11</del>	Jack Fugerson	Self Subsistence
<del>12</del>	David O. Dawid	
<del>13</del>	Julie Raymond-Yakoubian	SELF (Kawerak)
<del>14</del>	Art Nelson	Bering Sea Fishermen's Assoc
<del>15</del>	Sty Starkey	AUCP
<del>16</del>	Becca Robbins / Gislair	Yukon River Drainage Fisheries Assoc.
<del>17</del>	Louie Green Jr	Nome & Pilgrim River subsistence
<del>18</del>	FRANK KAMARLOOK / ART IVANOFF	SNSAC
<del>19</del>	DARIN DOUGLAS	NATIVE VILLAGE OF KOYUK
<del>20</del>	TIM SMITH	NOME FISHERMEN'S ASSOCIATION
<del>21</del>	NANCY HILLSTRAND	PIONEER ALASKAN FISHERIES.
<del>22</del>	Robert Keith K	Kawerak Village of Elim
23		
24		
25		

NOTE to persons providing oral or written testimony to the Council: Section 307(1)(I) of the Magnuson-Stevens Fishery Conservation and Management Act prohibits any person "to knowingly and willfully submit to a Council, the Secretary, or the Governor of a State false information (including, but not limited to, false information regarding the capacity and extent to which a United State fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Council, Secretary, or Governor is considering in the course of carrying out this Act.



Jim Stotts

### **North Pacific Fishery Management Council**

My name is Jim Stotts and I'm the President of the Alaska branch of the Inuit Circumpolar Council (ICC). ICC is an international organization that advocates on behalf of approximately 160,000 Inuit from Chukotka/Russia, Alaska/United States, Canada, and Greenland/Denmark.

ICC has consultative status as an Indigenous Peoples Organization (IPO) at the United Nations and consults to the UN on matters concerning the Arctic on a wide range of issues. ICC is a permanent participant to the Arctic Council, the eight nation intergovernmental organization that works together to develop Arctic policy. ICC celebrated its 30<sup>th</sup> anniversary last summer.

On behalf of Inuit, ICC seeks full and active partnership in the political, economic, and social development of the circumpolar north. We are intimately involved in all activities occurring on our lands and waters. Obviously this includes matters up for consideration before this meeting of the North Pacific Fishery Management Council (Council).

ICC Alaska is in favor of the hard cap alternative to the bycatch problem, although we believe the lower suggested limit of 50,000 is too high and suggest a limit of 30,000. We also believe the 10.7% allocated to CDQs is too low and would suggest a higher allocation of at least 13%. Together these actions would show a good faith effort to address the stated goal of reducing adverse impacts to fishery dependent communities and, I would add, Inuit. We believe these two actions should be implemented together as an interim solution to the bycatch problem.

There are reasons we believe these actions should be viewed as an interim solution. We believe the Council needs to adjust to recent U.S. national policy changes that will affect commercial fisheries in U.S. waters. Laws need to be modified to accommodate these changes, including changes to the Magnuson-Stevens Act itself.

Last year, in July, the President signed Executive Order 13547 which created the National Ocean Council. The Ocean Council will oversee implementation of comprehensive national policy for the stewardship of U.S. oceans, coasts and the Great Lakes. The Governance Coordination Committee of the Ocean Council mandates indigenous representation. The Ocean Council has a stated special interest in the priority areas of the Arctic Ocean. This will impact the Arctic Fishery Management Plan approved by the U.S. Department of Commerce and, likely affect the North Pacific Council as well.

Also, last year, in December, the President announced U.S. support for the United Nations Declaration on the Rights of Indigenous Peoples (Declaration). In the 15 page document that further defines the U.S. approach to implementing its support, federal agencies are to ensure that indigenous rights are not compromised. Food security is one of those basic rights. ICC assumes the Department of Commerce, which has oversight responsibility for the Council, will take a close look at Council activities and regulations to fulfill U.S. support for the Declaration.

Discussions concerning an Arctic fishery have begun within the Arctic Council. ICC believes that any fishery development in the Arctic Ocean will likely have an international element to it, stressing international cooperation. The prevailing thought is that there is not enough science to enable Arctic fisheries to be managed. Discussions between the eight Arctic nations at the Arctic Council forum will likely impact the Arctic Fishery Management Plan.

ICC will work with the Department of Commerce and the Arctic Council as these policy changes are implemented to ensure Inuit perspectives are considered.

Clearly, further work is necessary to better manage fish resources to include the needs of Inuit and fishery dependent communities. Inuit depend on these fish for nutritional and cultural survival. Food security is a global concern and a critical concern for Inuit as well. Despite the best efforts of the Council to manage the fishery, Inuit find themselves losing access to these food resources. It's not an exaggeration to say we are getting starved out. This is not the first time the Council has heard this characterization.

Changing national policy should not be viewed as a threat to commercial fishing. It should be viewed as an opportunity to do a better job managing the fishery for sustainable yield while ensuring all users, including Inuit, have access to these fish for food. Inuit food security must be protected under any management regime. This principle should be extended to all Fishery Management Councils where indigenous peoples are affected. It's time for a paradigm shift in how we approach the fishery. It's time to change our way of thinking.

Thank you for this opportunity and we pledge to work cooperatively with the Council moving forward to our mutual benefit.

---

**ICC ALASKA**

---

3000 C Street Suite N201 • Anchorage, AK 99503 • Phone: (907) 274-9058 • Fax: (907) 274-3861 • [www.iccalaska.org](http://www.iccalaska.org)

---

*Cynthia Aurnona*

**RESOLUTION 11-09  
OF THE GOVERNING BODY OF  
THE I.R.A. COUNCIL OF THE  
VILLAGE OF NOME**

**A RESOLUTION ENDORSING CONSERVATIVE MANAGEMENT OF CHUM  
SALMON BYCATCH IN THE BERING SEA POLLOCK FISHERY**

**WHEREAS**, the Nome Eskimo Community I.R.A. Council is the governing body of the Alaska Natives in Nome, Alaska, as authorized by the Indian Reorganization Act of 1934, as amended for Alaska in 1936; and

**WHEREAS**, the Nome Eskimo Community is empowered by its membership to address the health, education, economic, and social welfare of the Nome Eskimo Community membership; and

**WHEREAS**, the Nome Eskimo Community's purpose is to serve the people, community and businesses of the Tribe by promoting opportunities that improve the economic, social, and environmental quality of life; and

**WHEREAS**, Nome Eskimo Community members rely upon healthy chum salmon returns to support traditional subsistence and cultural activities and provide a source healthy protein to sustain their families through Alaska's long winters; and

**WHEREAS**, chum salmon stocks in the Nome Subdistrict of Norton Sound have declined dramatically in recent years, and this has resulted in severe restrictions and hardships for Tribal members and other subsistence users; and

**WHEREAS**, the North Pacific Fisheries Management Council is responsible for managing the Bering Sea pollock fishery; and

**WHEREAS**, the Bering Sea pollock fishery intercepts large quantities of chum salmon as bycatch, many of which originate from Western Alaska rivers including the Nome Subdistrict of Norton Sound; and

**WHEREAS**, the amount of chum salmon bycatch in the Bering Sea pollock fishery has increased since the start date for the "B" season fishery was moved to June, a time that chum salmon stocks from Western Alaska are migrating through the pollock fishing grounds; and

**WHEREAS**, the North Pacific Fisheries Management Council is currently considering management measures to limit chum salmon bycatch which occurs in the Bering Sea pollock fishery;

**NOW THEREFORE BE IT RESOLVED**, that the Nome Eskimo Community endorses a conservative chum salmon bycatch hard cap of no more than 30,000 fish in the Bering Sea pollock fishery in order to conserve and protect our dwindling chum salmon stocks; and

**NOW THEREFORE BE IT RESOLVED**, that the Nome Eskimo Community endorses delaying the start of the Bering Sea pollock "B" season fishery to allow for chum salmon migration during the summer months; and

**NOW THEREFORE BE IT RESOLVED**, that the Nome Eskimo Community endorses other measures including time/area closures, rolling hotspot closures, and removal of existing exemptions to salmon bycatch closures in order to reduce chum salmon bycatch in the Bering Sea pollock fishery.

I, the undersigned President of the Village of the Nome I.R.A. Council do hereby certify that the Nome I.R.A. Council is composed of seven (7) members of whom 6 voted on this 27<sup>th</sup> day of May, 2011 and the foregoing resolution was adopted by the vote of members.

YES 5 NO 0 ABSENT 1 ABSTAIN 1

  
Cynthia Ahwinona, President  
I.R.A. Council  
Nome Eskimo Community

  
John Bahnke III, Secretary/Treasurer  
I.R.A. Council  
Nome Eskimo Community

# Sitnasuak Native Corporation

---

Post Office Box 905 • Nome, Alaska 99762  
(907) 443-2632 • Fax: (907) 443-3063

June 7, 2011

Eric Olson, Chairman  
North Pacific Fisheries Management Council  
605 W. 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501-2252

Dear Chairman Olson;

The Sitnasuak Native Corporation would like you to consider our comments regarding the issue of chum salmon bycatch management in the Bering Sea pollock fishery. We offer our support to the recent resolution by Nome Eskimo Community which seeks strong conservation measures to reduce chum salmon bycatch in the Bering Sea pollock fishery along with a hard cap of 30,000 fish.

The chum salmon stocks in the Nome Subdistrict of Norton Sound were declared a stock of concern by the Alaska Department of Fish and Game in 2000 and have remained so ever since. The Bering Sea pollock fishery catches large amounts of chum salmon as bycatch, and many of these salmon originate from Western Alaska rivers including the Nome Subdistrict of Norton Sound. The large amount of chum salmon bycatch has contributed to the decline of chum salmon stocks in our region, and this has resulted in severe restrictions on subsistence users in the Nome Subdistrict. The people of this region depend heavily upon subsistence-caught fish and game to feed their families and to sustain traditional cultural activities, and the impacts of the pollock industry have created hardship for people here.

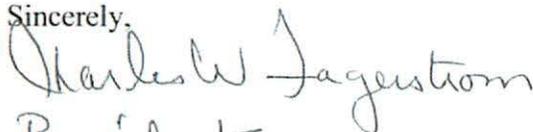
The Sitnasuak Native Corporation requests that the following actions be taken by the North Pacific Fisheries Management Council:

- Move the pollock "B" season opening date from early June to late summer in order to allow migrating chum salmon to pass.
- Set a bycatch hard cap of 30,000 chum salmon for the Bering Sea pollock fishery.
- Revoke pollock industry exemptions for existing closed salmon savings areas.

Remember one salmon caught as bycatch is one salmon that will never return to its river of origin. Please don't let the pollock industry's legacy be one of failed promises and empty fish racks!

Thank you for considering our comments on this very important issue.

Sincerely,

  
President

SITNASUAK NATIVE CORPORATION

**Michael Sloan**  
**P.O. Box 310**  
**Nome, Alaska 99762**  
**Email: *fishhabitat@gmail.com***

## **PUBLIC TESTIMONY & COMMENT**

---

I am a former Fisheries Observer and NMFS Fisheries Manager for the Alaska Region. I am currently the Tribal Resources Director for Nome Eskimo Community.

I would like you to consider one sentence that has appeared in the Executive Summary in the Chum Salmon Bycatch Management EA as well as the EA for Chinook Salmon Bycatch.

### **The highest priority use is for subsistence under both state and federal law.**

This means that after allowing for adequate salmon escapement, that subsistence needs are the first priority – not bycatch in the pollock fishery. However, the industrial pollock fishery has always had first crack at our subsistence salmon as they migrate through the Eastern Bering Sea on their way back to their native streams. Subsistence-caught salmon form the backbone of Native culture in Western Alaska, and salmon are much more than simply a food source that can be replaced by going to the grocery store. When this Council elected to move the pollock “B” Season starting date from August to early June, they put the pollock fishery squarely in the path of migrating salmon. It is time to correct this management error and move this conflicting fishery back to late summer or early fall, after the salmon have passed through.

I support a low bycatch hard cap, and also rescinding the exemption that the pollock industry now has to enter into the salmon savings closed areas. It is possible for the pollock fleet to stay below a low hard cap, if the season is moved to make this possible. The pollock industry has bent over backwards to try to handle their problem internally with a minimum of discomfort, but in the process of trying to refine these hot spot closures to minimize costs to the industry, they have made it less effective at actually avoiding salmon. I have heard all about the success of this program, but the reality is that we have seen hundreds of thousands more chum salmon under this program than we did before it started. So much for Salmon Savings!

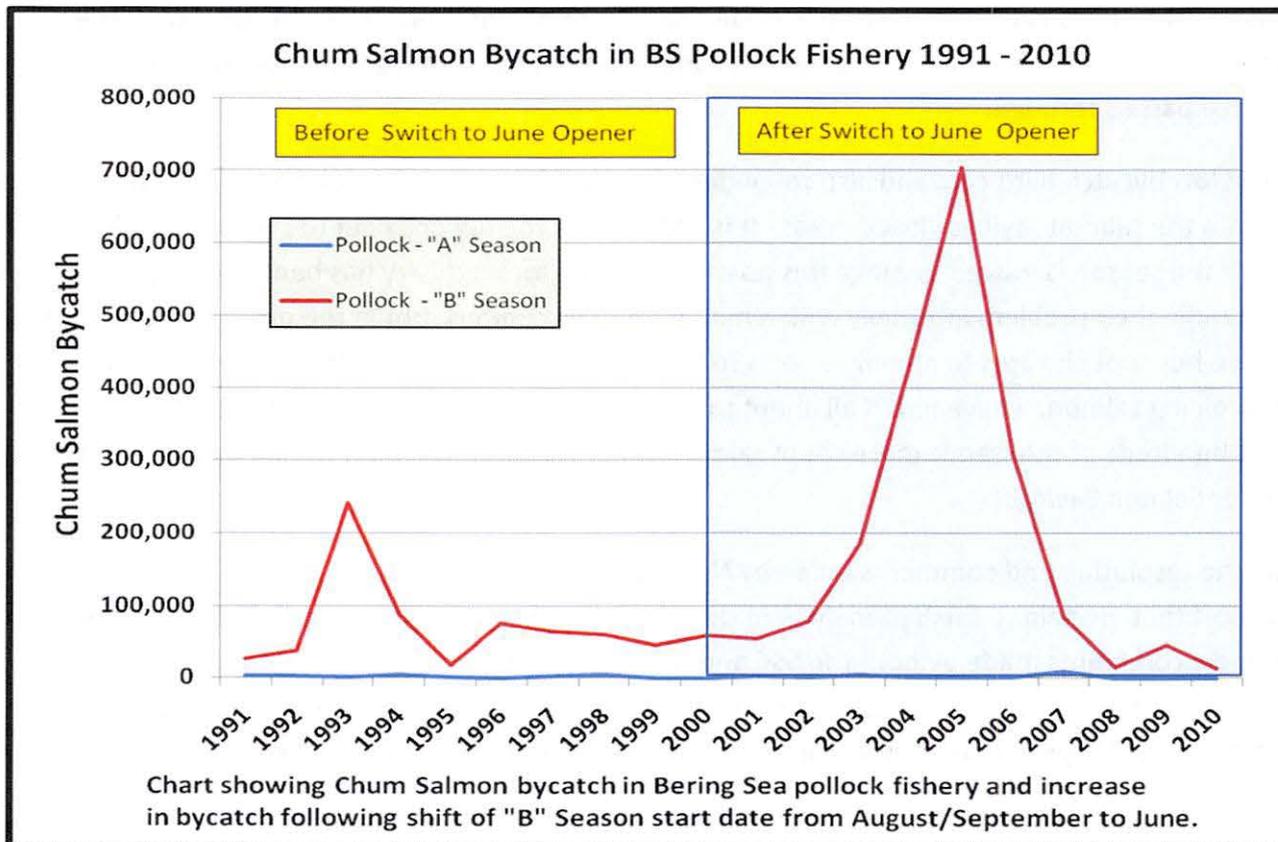
I support the resolution and comments made by Nome Eskimo Community, and I support comments in the AP report that pertain to further analysis of the summer pollock fishery in the Eastern Bering Sea. I also support comments made by both the SSC and AP regarding the incompleteness of the EA/RIR in addressing the value of and the impacts to subsistence users in Western Alaska and Norton Sound. I would recommend that the Council delay action on this issue until other options are considered along with additional analysis.

Thank you.

Table 3-3. Numbers and percentages of chum salmon caught by area and season strata (top section) used for converting length frequency data to age composition data. Also shown are estimates of pollock catch (bottom section). Note that these totals differ slightly from NMFS official values due to minor spatio-temporal mapping discrepancies.

Year	June-July	E Aug-Oct	W Aug-Oct	Total	June-July	E Aug-Oct	W Aug-Oct
				<b>Chum (numbers)</b>			
1991	4,817	19,801	2,796	27,414	18%	72%	10%
1992	8,781	30,330	34	39,145	22%	77%	0%
1993	4,550	229,180	7,142	240,872	2%	95%	3%
1994	5,971	75,239	7,930	89,140	7%	84%	9%
1995	122	18,329	418	18,870	1%	97%	2%
1996	893	45,707	31,058	77,659	1%	59%	40%
1997	319	31,503	32,452	64,274	0%	49%	50%
1998	102	44,895	2,217	47,214	0%	95%	5%
1999	470	44,438	874	45,783	1%	97%	2%
2000	10,229	44,502	2,286	57,017	18%	78%	4%
2001	6,371	36,578	10,105	53,055	12%	69%	19%
2002	3,712	71,096	2,067	76,875	5%	92%	3%
2003	14,843	142,319	18,986	176,147	8%	81%	11%
2004	48,540	345,507	44,780	438,827	11%	79%	10%
2005	238,338	304,078	128,740	671,156	36%	45%	19%
2006	177,663	90,507	34,898	303,068	59%	30%	12%
2007	13,352	31,901	39,841	85,094	16%	37%	47%
2008	5,544	6,513	2,514	14,571	38%	45%	17%
2009	23,890	16,879	4,576	45,346	53%	37%	10%
2010	8,284	2,869	1,946	13,099	63%	22%	15%

This table shows how chum salmon bycatch in the Bering Sea pollock fishery has increased since the starting date for the pollock "B" season was shifted from August to June. The highlighted column shows the percentage of the annual chum salmon bycatch taken in the June-July time period. In recent years, the majority of chum salmon bycatch has occurred in this time period.



This chart shows the dramatic increase in Chum Salmon bycatch after pollock "B" season was shifted to June from August.

Western Interior Alaska Regional Subsistence Advisory Council

North Pacific Fishery Management Council Testimony on BSAI Trawl Fleet Chum Bycatch

NPFMC Meeting in Nome June 2011

Hello Chairman Olson and members of the North Pacific Fishery Management Council. My name is Timothy Gervais of Ruby, Alaska. I am testifying on behalf of the Western Interior Alaska Regional Subsistence Advisory Council. ***We recommend an NPFMC action that sets a chum bycatch hard cap of 50,000 chum salmon with a trigger cap of 25,000.*** The trigger cap would start additional conservation measures that go into effect to avoid reaching the hard cap. This is consistent with action recommended by the Federal Subsistence Board. This scenario would best ensure enough chum salmon are returning to Alaska rivers.

A conservative bycatch approach is justified on the basis of significant decline in salmon abundance in our Alaskan rivers over the last 20 years. We believe that the BSAI pollock trawl fishery has had a major and malignant effect on Alaska salmon abundance.

Two main issues I will address are the significant drop in our fish camp culture and revenue at risk. Subsistence fish camp culture and activity in our region has declined to about 10% of its traditional level during the last two decades. When our people, especially our young people, are not able to provide for their family needs from their own interaction with the local waters a sense of self worth is lost. This aspect of low salmon abundance is more significant than any commercial fishing industry or tax revenue stream. When the salmon are gone or in low abundance subsistence users lose a part of their own identity and a sense that the world is in equilibrium.

Regarding revenue at risk due to a conservative bycatch level we think that the NMFS, the Advisory Panel, and the NPFMC needs to acknowledge that any foregone harvest will not evaporate from the ecosystem but may still exist as fish stock. This should translate into more pollock, larger pollock, better roe quality, and higher catch per unit effort in future years.

This chum action is significant as there is little if any indication that the king salmon abundance will return to traditional levels in the near or medium term time frames. Local elders feel that overall salmon abundance is less than 40% of the level that it should be. If the BSAI pollock trawl fleet can not conduct their fishery without significant adverse impact they should not be allowed to operate at current harvest levels. Commercial fishermen can adapt their business models by changing their gear and techniques or make the decision to participate in an alternative fishery.

A mechanism should be considered to have ongoing adjustment to hard cap levels to either decreasing or increasing salmon abundance as population levels are unlikely to remain static. In addition a mechanism of getting some of the bycatch protein returned to the waters of the spawning grounds to help with the development of the young salmon from better nutrition.

In closing I will state that no amount of money or tax revenue gives the BSAI pollock trawl fleet the right to damage or destroy salmon stocks that are so integral to people's lives and well-being as well as the health of the ecosystem. Subsistence users have more than an emotional attachment to the salmon. It is a real and intense attachment on many significant levels. To allow fish harvesting activity that keeps salmon abundance at below historic levels is a gross social inequity.

June 10, 2011

North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501

Dear Mr. Olson and Council Members:

My name is Michael James, City Administrator, City of Alakanuk.

We hope to whittle the pollock harvest. There must be a plan to impose severe restrictions on the bycatch and interception of our Chinook and chum salmon that are bound for our Western, Interior, Bristol Bay and Norton Sound, Alaska.

The Bering Sea Chinook and chum salmon must rise! This means commercial and fishermen can expect their allowable catch to start ratcheting up. Our Chinooks and chum salmon must be healthy enough to support a harvest for this year and beyond. Fisheries scientists must say the Chinook and chum salmon are strong. Scientific models must project this. I want this harvest of Chinook and chum salmon to be strong. The Chinook salmon bycatch is of Western Alaska origin. Recent genetic analysis show that they are our Yukon River stocks. Ours! Recent genetic studies show that our Alaska chum salmon represent as much as 30% of the bycatch. The North Pacific Fishery Management Council and the National Marine Fisheries Service must let the Bering Sea/Aleutian Islands pollock fishery stand down during the Chinook and chum salmon fishery! Due to the interception and bycatch of our Chinook and chum salmon.

Principles to abide by:

1. Stop fishing to reduce Chinook salmon bycatch.
2. Mandatory observer coverage required.
3. Hard caps to close fishery.
4. Trigger caps to close a set area.
5. Require a rolling hot spot system.
6. Require caps amongst the different sectors of the fleet.
7. Enact a special closure area.

The Chinook and chum salmon must be certified as sustainable.

The Bering Sea/Aleutian Islands pollock fishery make it financially, economically, psychologically, physically, very difficult for commercial and subsistence fishermen to stay afloat. Especially in the Wade Hampton area, the poorest area of Alaska, the poorest area in all of the Lower 48. The legacy of Western Alaskan fishing is the small boat fishermen whose family is full of fishermen, who would rather be on the water than anywhere else, who has fishing in his or her blood. This legacy spans generations, traditional ways, culture, heritage, economies. Our local economy, our local finances, our local infrastructure falls short. Many must swallow their pride, swallow their ego, and get a helping hand from Temporary Assistance to Native Families and food stamps and Medicaid. We must and have to do anything it takes to keep fishing, even that means, some may move through the court system.

Our catch and share of Chinook and chum salmon must have a strong track record, and if well designed, improve the economic performance, social stability, internal fortitude, and a properly managed fisheries! This management program must be well designed, be effective at maintaining, rebuilding, restoring, restocking, refreshing out resource without putting half the fleet out of business.

The Bering Sea/Aleutian Islands pollock fishery is a problem. Not well designed. Rushed into implementation. Not working as planned.

It does not take a fleet of fishermen, lawyers, politicians, village folks to see that. If one person at the federal level keeps the blinders on, then everyone in the industry will continue to suffer from a lack of empathy, sincerity, compassion and vision.

The pollock fishery must have extremely low, lean years. It is good to side and work with science and demand reductions in the Alaska regional pollock quota. We must ensure the overall health of the Chinook and chum salmon health system in the long haul. We must reduce the pollock acceptable biological catch. Our Chinook and chum salmon must be a progressive and precautionary ecosystem-based approach and must work well in the Yukon, Kuskokwim, Norton Sound and Bristol Bay. No overfishing must ever occur in the Chinook and chum salmon fisheries in Alaska. They must be sustainable managed. The Bering Sea/Aleutian Islands must not overfish in Alaskan waters. We have seen increasingly draconian reductions in harvests and we yearn to see better days ahead. We must not be squeezed out of business!!!

Sincerely,  
Michael James, Alakanuk

## **Health Effects of Altered Salmon Consumption in Alaska Natives**

Bob Lawrence, MD

Alaska Family Doctor

[www.alaskafamilydoc.com](http://www.alaskafamilydoc.com)

[rlawrence@alaskafamilydoc.org](mailto:rlawrence@alaskafamilydoc.org)

Nome, Alaska

06/10/2011

Mr. Chair and members of the Council, thank you for this opportunity to speak before you today. I am a primary care physician who has worked in the Norton Sound region since 2006. Much of my work involves the prevention and treatment of diabetes and cardiovascular disease. I do not come before you today as a salmon expert, fisherman, or businessman, but as a physician. My goal is to alert you to an important facet of how the Norton Sound region depends on salmon. To be clear, I enjoy fishing, and I put my family and myself into the category of people who depend on salmon to maintain a healthy lifestyle. I wish to explain the potential effects this council can have on the health of a nation.

Currently, the people of the United States are in the midst of a cardiovascular disease epidemic. Unlike infectious disease epidemics that come and are quickly controlled, the current epidemic of cardiovascular disease is occurring in three destructive waves that so far do not recede, nor do they show any signs of doing so. The first wave is obesity, followed by a rise in Diabetes Mellitus, followed subsequently by an exponential rise in cardiovascular disease.

In the U.S., this tsunami was once a forecast, but it is now a reality. Unless positive changes are made, within ten years, 52% of the U.S. population will have diabetes or pre-diabetes<sup>1</sup> (which is just diabetes in its earliest and most treatable form) at an estimated cost of over \$13,000 per year per person afflicted<sup>2</sup>. Look to the person sitting next to you. By the year 2020 one of you will have diabetes or pre-diabetes. Once diagnosed, you will spend most of your time and money trying to prevent the dreaded complications of heart disease, stroke, kidney failure, and blindness.

In rural Alaska the statistics are even more alarming. Where as the U.S. as a whole saw a 93% rise in the prevalence of diabetes mellitus between 1990 and 2006<sup>3</sup>, the Norton Sound Region experienced a 233% increase in diabetes during the same time period<sup>4</sup>. This is one of the highest rates in the world. A researcher from the National Institute of Health recently visited Nome and exclaimed, "In other places we study the effects of a problem after it has occurred. Here you are riding a wave that is about to crest."

The socioeconomic causes of this epidemic are complex and multi-faceted. But there are solutions. Two ongoing national research projects that include people from the Norton Sound Region have clearly demonstrated that obesity, diabetes, and the resulting cardiovascular disease can be prevented by two simple actions: first, maintain a healthy diet, rich in omega-3 fatty acids; and second, remain physically active.<sup>5-6</sup> This is why your doctor tells you to eat more fish, like salmon, and exercise for at least 30 minutes each day.

American Indians and Alaska Natives in the Northwest have historically had access to some of the healthiest food in the world. This food, and the energy expended to gather it, once resulted in low rates of diabetes and cardiovascular disease, at least until recent decades.<sup>7</sup> Prior to a transition to Western diets, regular consumption of salmon and sea mammals by Alaska Natives and American Indians seems to have had a protective effect against heart disease and diabetes. The rise in these chronic diseases appears to parallel the decline in access to traditional sources of nutrition.

The Karuk tribe of Northern California serves as a well studied example.<sup>8</sup> Diabetes and heart disease were rare until the 1960's among the Karuk who fish the Klamath River. Prior to World War II, the Karuk consumed an average of 450 pounds of salmon per person per year. Today salmon consumption in this group is less than five pounds per person per year and the rates of diabetes and heart disease is rising at twice the U.S. average.<sup>9</sup>

What happened in the 1960's that caused such a drastic decline in the consumption of salmon followed by the decline in the health of this population of Americans? According to Dr. Kari Norgaard, a sociologist from the University of California, the dramatic reversal is directly linked to the destruction of a fisheries resource base.

The decline of Klamath River salmon resulted from dams built without fish ladders and water mismanagement beginning in the 1960's. Based on a study of the Karuk experience, there appears to be a clear link between a decline in access to salmon, and a decline in the health of a people.

Regarding the Karuk tribes, Dr. Norgaard states, "The loss of traditional food sources is now recognized as being directly responsible for a host of diet-related illnesses among Native Americans including diabetes, obesity, heart disease, tuberculosis, hypertension, kidney troubles and strokes."<sup>10</sup>

The people of northwest Alaska face a similar threat. If mismanaged, or worse unmanaged, Pacific bycatch will become one of the dams that threatens northern rivers in the 21<sup>st</sup> century.

It must be recognized that bycatch of salmon is not a mere threat to the economics of a region; it is a threat to the very health of rural Americans. Nothing can replace a healthy lifestyle with access to bountiful runs of nutritious salmon. An unlimited supply of federal aid to buy the best foods available in a village store and medicine cabinets loaded with the best medications prescribed by the finest doctors will do nothing to prevent the destructive wave of diabetes compared to the physical effort exerted and nutrition gained from casting a net, preparing the catch, and eating the salmon, a vital source of cardiovascular health.

This council contemplates weighty matters. You must weigh the evidence and information presented from many different sources, often with conflicting interests. Your decisions matter, both to this present generation and all those to come. If you find a way to perpetuate salmon in this area, you will have addressed one of the most pressing health concerns of our time.

Thank you for your work and your time.

---

<sup>1</sup> UnitedHealth Center for Health Reform & Modernization. The United States of Diabetes: Challenges and opportunities in the decade ahead. Working Paper 5. Nov. 2010.

<sup>2</sup> American Diabetes Association. *Diabetes Care* March 2003 vol. 26 no. 3 917-932

<sup>3</sup> Department of Health and Human Services. Centers for Disease Control and Prevention. Crude and Age-Adjusted Percentage of Civilian, Noninstitutionalized Population with Diagnosed Diabetes, United States, 1980-2009. <http://www.cdc.gov/diabetes/statistics/prev/national/figage.htm>

<sup>4</sup> Alaska Native Medical Center Diabetes Registry. 1990-2006 PERCENT INCREASE IN DIABETES PREVALENCE MAP (See attached).

<sup>5</sup> Diabetes Prevention Program Research Group. Reduction in the Incidence of Type 2 Diabetes with Lifestyle Intervention or Metformin. *N Engl J Med*, Vol. 346, No. 6. pp 393-403.

<sup>6</sup> Nobmann ED, et al. Dietary Intakes Vary with Age among Eskimo Adults of Northwest Alaska in the GOCADAN Study, 2000-2003. *J Nutr.* Apr;135(4):856-62, 2005.

<sup>7</sup> Jorgensen ME, Bjeregaard P, Borch-Johnsen K: Diabetes and impaired glucose tolerance among the Inuit population of Greenland. *Diabetes Care* 25:1766-1771, 2002

<sup>8</sup> Norgaard, K. The Effects of Altered Diet on the Health of the Karuk People: A Preliminary Report. 2004.

<sup>9</sup> Karuk Tribe of California. Press Release. Salmon Declines Threaten Tribe's Health and Culture. 2005.

<sup>10</sup> Norgaard, K. The Effects of Altered Diet on the Health of the Karuk People: A Preliminary Report. 2004.

# 1990-2006 PERCENT INCREASE IN DIABETES PREVALENCE

Using User Population as Denominator  
Regions By Previous Indian Health Service Units  
Age-adjusted to the Standard U.S. 2000 Population

## Percent Increase by Ethnicity

All Alaska Natives

114

Eskimo

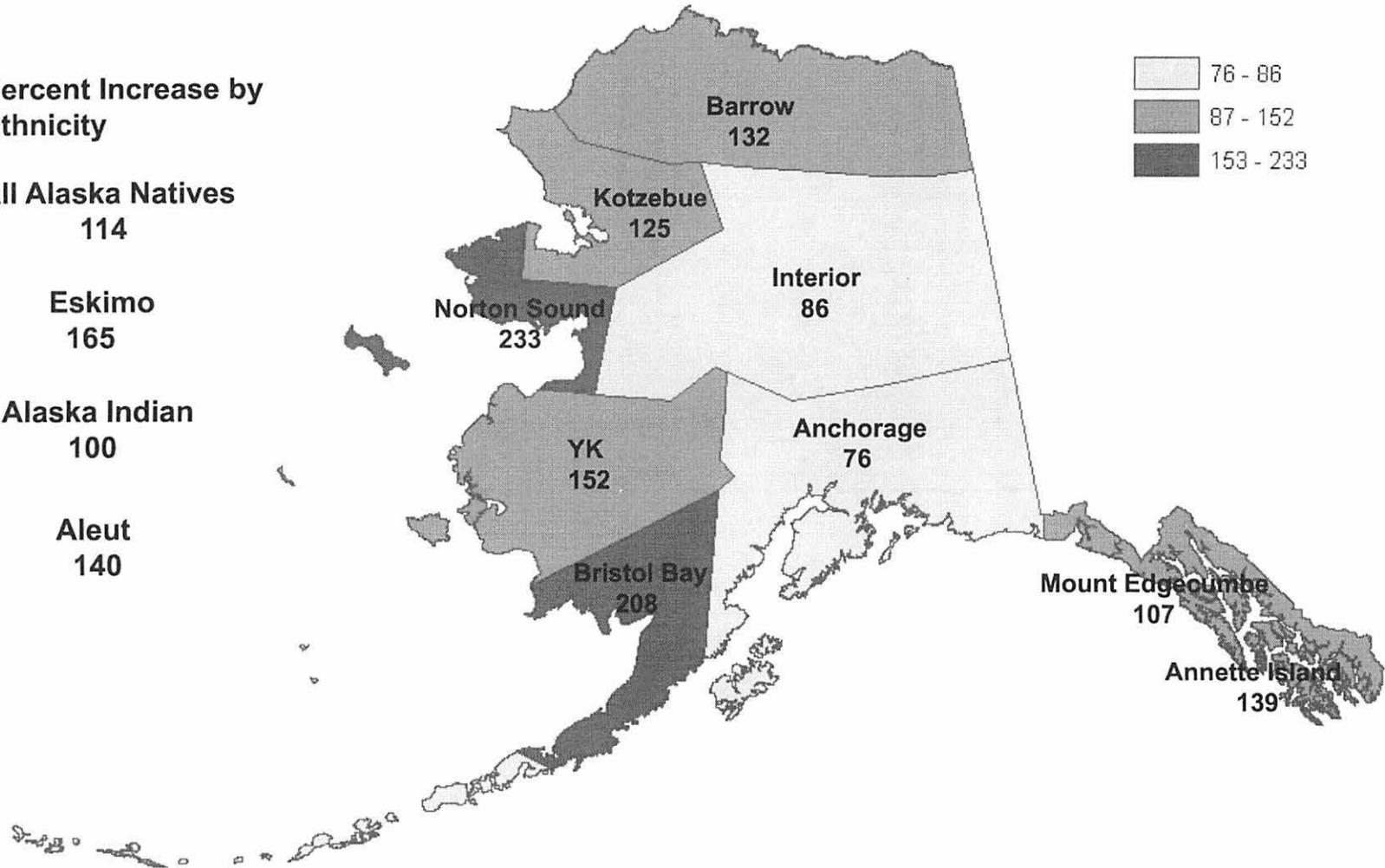
165

Alaska Indian

100

Aleut

140



North Pacific Fishery Management Council meeting testimony, June 2011

My name is Charles Saccheus, Sr. and I am here today representing the Native Village of Elim. I am 71 years old and have been fishing for chum and other salmon in Norton Sound for 56 years – since I was 15 years old. As a young man I learned how to catch and put away salmon by helping my parents hang and preserve fish. My father would work on his salmon nets all winter long and then in mid-June we would set the net. Between June 10<sup>th</sup> and the end of the month people would get 150-200 chum salmon a day! These days, we are lucky to get just 15 or 20 a day. That is a huge difference and has really impacted our village. Most of the people in Elim have been hurt by this because they don't have good jobs to go to if there are no fish. Our subsistence way of life is highly dependent on salmon – chum, Chinooks, pinks and silvers. During the summer we depend a lot on fresh fish and during the winter we depend on the dried and frozen fish we put away. The income we get from small-scale commercial salmon fishing also really helps our people and contributes to our family incomes.

I'm very concerned about chum bycatch in the Pollock fishery because it puts our subsistence way of life at risk. The cost of living is extremely high, especially the cost of gasoline. It is frustrating to spend money on gas and other expenses associated with fishing only to have much smaller catches than we know are possible and then we have had in the past. It is my hope that future generations, like my children and grandchildren, will be able to continue salmon fishing for subsistence, like we have been doing for generations. I love to teach my grandchildren and my kids how to catch and preserve salmon for the winter. I have been doing this for many years and want to be able to continue to pass it on. I'm asking you to choose as low a cap as possible for chum salmon to protect the returns to our rivers.

Chum and other salmon are very important to Elim people. We freeze them and hang them to dry, and some people salt them. When the runs are good, we are also able to put enough away to barter with people from other villages for foods we don't have. I do this for muktuk and other foods with my friends on St. Lawrence Island – but can only do this if I have been able to put enough away for my family. The dry fish we put away doesn't spoil. It can last you through the winter until the next salmon runs begin.

Elim would like the Council to establish a conservative chum quota for the pollock fishery that will protect chum, chinook and other salmon so that they will return to our rivers. The Native Village of Elim recommends a cap of 30,000 and we would like this alternative to be analyzed. We don't want the Pollock industry wasting our fish and we don't want charity. We want them to leave our salmon in the ocean so that they return to our rivers so that we can catch them and put them away with our families – with our children and grandchildren – like we always have.

Thank you for the opportunity to testify today and thank you for considering my comments.

*Ermy Mendenhall - Nome, Alaska*

## No Summer To Fish

My grandmother, Alluluk (sp?) told us that she remembers during her younger years, there was no summer to allow them to fish salmon. Many of our people starved that winter. Grandma made sure that it would not happen to us.

We were awake every morning during salmon season to seine the Fort Davis River. If the weather was too rough and rainy, we went to Salmon Lake with other families to catch and dry salmon for the winter. We catch at least 15 gunny sacks of dried salmon, which would last about two winters if we watched it. We were also visited by our people who wanted food for their family if times were tough for them. We had no BIA aid or social services then. So this preparation for a good cache of salmon was a norm to prepare for famine, poor fish runs or bad weather.

I do remember eating dried fish into the second winter where we had to wash the black mold off the salmon to eat. This was due to a poor salmon run one summer forcing us to go into the second winter with a poor cache of remaining dried fish - but we were thankful.

We are somewhat fearful of over fishing salmon off in the Norton Sound basis if we don't have proper research or hard caps for this creeping trawling industry to add pressure on our salmon returns.

Our people only have our country, rivers and lakes to feed our families, especially the elders and younger. We have learned to exist through famine occasionally, trade ivory for food and foods across villages and regions as needed. But facing a new fishing industry such as the trawler fleets from outside our grocery boundaries is and has been a growing concern in the 20 years.

Consider our people's testimonies in your deliberations. Quianna.

**North Pacific Fishery Management Council: Chum Bycatch, C-5**  
**June 11, 2011**

 Julie Raymond-Yakoubian  
Anthropologist  
Kawerak, Inc.  
PO Box 948  
Nome, AK 99762  
juliery@kawerak.org

I wanted to make some brief comments on the issue of Tribal Consultation and chum bycatch. The National Marine Fisheries Service (NMFS) has begun to engage Bering Strait region Tribes in consultation on chum bycatch, but this consultation is by no means complete. As you know, the timeliness and effort put into Tribal Consultation by the NMFS has, to date, not been satisfactory in the view of region Tribes.

I would like to emphasize again, as you have heard previously from us, that Tribal Consultation is required, not optional. We would also note that the issue of whether or not the Council is required to follow Executive Order 13175 is not settled in the eyes of Tribes. However, since the Council has opposed accepting the consultation mandate, the following are some suggestions as to how the Council can show some good faith to Tribes on this issue.

 We strongly believe that Tribal concerns, ideas and information are something that the Council cannot proceed in virtually any action without having. This information is something which the Council should be actively seeking out from NMFS and asking for in the earliest stages of the development of every issue. If the Council does not seek this information out, and make a corresponding commitment to address the information and concerns it hears from Tribes, this will be viewed as an indication that your body is uninterested in Tribal concerns. If the Council requests this information and does not receive it from NMFS, the Council should not move forward with their action until they receive it.

We have suggested ways for NMFS and the Council to improve their communication and consultations with Tribes previously, but I will restate one such suggestion here, a suggestion which, if taken, will be one way to express to Tribes that you take them and their concerns seriously.

Firstly, direct NMFS to take a more proactive approach to Tribal Consultation - this involves a good faith effort to engage in consultation early and often and to collaboratively address the concerns and information they receive from Tribes. Secondly, work with NMFS and Tribes to formalize some mechanism by which the Council is kept fully informed of Tribal concerns by NMFS so that the information from consultations and communications can be considered in a timely and appropriate fashion. We don't know if this would be through some kind of MOA between the Council and NMFS, or some other structure or agreement, but we do know that something formal is required because this is not currently happening.

 Regardless of the Council's current position on the requirements for Tribal Consultation, it is clear that Tribes want more participation in that process by the Council, and that Tribes want a much improved consultation process and means by which Tribal concerns and information are passed on and addressed by the Council in a meaningful and timely way.

# Nome Fishermen's Association

Box 396 Nome, Alaska 99762 Phone (907) 443-5352

June 11, 2011

## **C-5 Chum Salmon bycatch in the BSAI pollock trawl fisheries**

I'm a biologist by training and I've been a fisherman all of my life.

I bought my first commercial salmon fishing license in 1975 and fished with my father-in-law on the Yukon River. Back then if someone had told me that there would come a day that commercial salmon fishing was closed on the lower Yukon River and people would be having a hard time getting enough fish for subsistence, I would have said they were crazy—couldn't happen—but here we are.

I've lived in Nome since 1981. I'm a pilot and I fly aerial salmon surveys. During the last 30 years, I've surveyed all of the Norton Sound Rivers and I've seen a lot of changes in the salmon stocks and the way people utilize salmon. These changes haven't been good and things don't seem to be getting better.

In the Nome area, chum salmon fishing is dead and has been for a long time. We really don't know why but if this was a murder trial, I have no doubt that the pollock industry would be convicted, at least as an accessory, on the circumstantial evidence.

I wanted to address a question that came up several times at the AP meetings that needs more discussion and that is the role of the CDQ program in chum salmon bycatch and its impact on western Alaska communities.

The CDQ program has the potential to be the best thing for developing the economy in western Alaska that has ever been tried. We need an economy, we can't live here without one but we shouldn't have to give up the salmon fisheries in order to have CDQ program benefits.

It's going to cost more to produce pollock when chum salmon measures are in place and that will reduce the revenues going to NSEDC. I accept that. The alternative is to not have viable salmon fisheries in this area and that is not acceptable.

I'm really disappointed to see so few local people signed up to testify. When we were fighting the Area M wars, we used to have 200 people testifying before the Board of Fisheries about their impact on our salmon stocks. You are only hearing from a handful of people today because the CDQ program has created a terrible quandary for us.

Everybody gets something from NSEDC even if it is only a hotdog once in a while. One year they gave every household \$400 dollars to pay their electric bill. Anybody who wants to go to college can get \$2,500 per semester just for asking. That might not seem like much but this is a very poor area and every dollar counts. People can't afford to lose what little they have and I think there is a legitimate fear that if you say anything negative about the pollock industry, you will be cut off from CDQ program benefits.

NSEDC does not have a position on chum salmon bycatch. They recently bought 7 catcher vessels and we can see from Scott Miller's economic analysis that that sector will forego lots of dollars of profits under any of the alternatives and I think we can assume that they don't want one of the more restrictive alternatives.

How the CDQ program impacts the economy of western Alaska has never been quantitatively addressed. It has been both positive and negative but I don't think anyone can really say what the net effect has been. At some point I would like to see that done and during the decennial review seems like a good time to do it.

The proposed chum salmon bycatch reductions will be good for western Alaska. For the Nome area we waited too long. The only thing that is going to help us now is hatchery production and the sooner we get going on that, the better. As Mr. Garnie said, we are getting close to an endangered species situation on some of our Chinook stocks and that wouldn't be good for anybody.

We support the AP motion with one addition; I would like to see an analysis done for a 30,000 chum hard cap. I am confident that given the incentive of a low hard cap, the industry can come up with a way to reduce salmon bycatch to that level.

June closures may reduce bycatch of Norton Sound chum stocks. I don't think there are data to predict that it will and I hope there will be adequate studies to determine the impacts of whatever alternatives you ultimately adopt.

I hope you will not take final action on this important issue in Dutch Harbor and give us another chance to look at the EA after it has been expanded to include more analysis of the social and economic impacts of chum salmon bycatch on western Alaska communities.

A handwritten signature in blue ink that reads "Tim Smith". The signature is written in a cursive style with a large, looping "S" at the end.

Tim Smith

①

Raymond Oney  
Alakanuk, AK 99554

Thank you Mr. Chairman, members of the Council, to give me an opportunity to testify before you regarding the Bering Sea Chum salmon bycatch. My name is Raymond Oney and I will be representing the Yukon / Kuskokwim Regional Advisory Council.

Since time immemorial, we have been utilizing Chum salmon as part of our diet. It is an important food source that we look forward to each summer season. Timing is very important. We try and gather the salmon at the beginning of the early runs when the weather is best for drying. Due to the declines of the salmon, we been severely restricted to harvest the salmon and it is not getting any better. My childhood years during the summer has been spent at fish camps where the whole family would participate in the cutting, smoking and drying fish. The only time we would go back to the village is to resupply. Fish camping would last from early June until it was time to go back to school in late August. Today, very few people spend time at fish camps. Some of the reasons is cost of living has skyrocketed, price of gas and everything else.

(2)

over the years, we seen the decline of both Chinook and Chum salmon return to the rivers, as a result of bycatch in the Bering Sea Pollock Fishery. This is one area that we've identified as a contributing factor in the decline of Chum salmon returning to Western Alaska. It is getting very difficult to provide salmon for my family when our fishing times are reduced, salmon are being caught as bycatch, very little fish to dry and a longer season for drying fish. There are more users of the salmon resource and it is getting harder to satisfy everyone, not only in state, but to Canada. Our ability to provide subsistence salmon along the Yukon isn't like what it used to be.

The harvesting of Chum salmon commercially is the only means to generate income, for many, to continue the subsistence lifestyle. We do not have any other resources to generate revenue to continue our way of life. While bycatch is not the sole cause of low runs, it is vital that we all bear the burden of sacrifice to protect our salmon runs. Very important that NPFMC work with affected regional

(3)

advisory councils, tribes and communities to develop a position from among the alternatives before <sup>the</sup> NPFMC meet to regulate Chum bycatch. I also recommend that the Council adopt management measures which will reduce and limit Chum salmon bycatch and protect Western Alaska Chum salmon runs.

Western Interior Alaska Regional Subsistence Advisory Council

North Pacific Fishery Management Council Testimony on BSAI Trawl Fleet Chum Bycatch

NPFMC Meeting in Nome June 2011

Hello Chairman Olson and members of the North Pacific Fishery Management Council. My name is Timothy Gervais of Ruby, Alaska. I am testifying on behalf of the Western Interior Alaska Regional Subsistence Advisory Council. ***We recommend an NPFMC action that sets a chum bycatch hard cap of 50,000 chum salmon with a trigger cap of 25,000.*** The trigger cap would start additional conservation measures that go into effect to avoid reaching the hard cap. This is consistent with action recommended by the Federal Subsistence Board. This scenario would best ensure enough chum salmon are returning to Alaska rivers.

A conservative bycatch approach is justified on the basis of significant decline in salmon abundance in our Alaskan rivers over the last 20 years. We believe that the BSAI pollock trawl fishery has had a major and malignant effect on Alaska salmon abundance.

Two main issues I will address are the significant drop in our fish camp culture and revenue at risk. Subsistence fish camp culture and activity in our region has declined to about 10% of its traditional level during the last two decades. When our people, especially our young people, are not able to provide for their family needs from their own interaction with the local waters a sense of self worth is lost. This aspect of low salmon abundance is more significant than any commercial fishing industry or tax revenue stream. When the salmon are gone or in low abundance subsistence users lose a part of their own identity and a sense that the world is in equilibrium.

Regarding revenue at risk due to a conservative bycatch level we think that the NMFS, the Advisory Panel, and the NPFMC needs to acknowledge that any foregone harvest will not evaporate from the ecosystem but may still exist as fish stock. This should translate into more pollock, larger pollock, better roe quality, and higher catch per unit effort in future years.

This chum action is significant as there is little if any indication that the king salmon abundance will return to traditional levels in the near or medium term time frames. Local elders feel that overall salmon abundance is less than 40% of the level that it should be. If the BSAI pollock trawl fleet can not conduct their fishery without significant adverse impact they should not be allowed to operate at current harvest levels. Commercial fishermen can adapt their business models by changing their gear and techniques or make the decision to participate in an alternative fishery.

A mechanism should be considered to have ongoing adjustment to hard cap levels to either decreasing or increasing salmon abundance as population levels are unlikely to remain static. In addition a mechanism of getting some of the bycatch protein returned to the waters of the spawning grounds to help with the development of the young salmon from better nutrition.

In closing I will state that no amount of money or tax revenue gives the BSAI pollock trawl fleet the right to damage or destroy salmon stocks that are so integral to people's lives and well-being as well as the health of the ecosystem. Subsistence users have more than an emotional attachment to the salmon. It is a real and intense attachment on many significant levels. To allow fish harvesting activity that keeps salmon abundance at below historic levels is a gross social inequity.