

URGING TANANA CHIEFS CONFERENCE TO PURSUE LEGAL ACTION TO ADDRESS THE YUKON RIVER SALMON CRISIS

WHEREAS, Tanana Chiefs Conference (TCC) is an Alaska Native tribal health and social services consortium established by the Interior Alaska tribes and tribal communities, to provide a unified voice in advancing sovereign tribal governments through the promotion of physical and mental wellness, education, socioeconomic development and culture of the Interior Alaska Native; and

WHEREAS, The indigenous people of the TCC region have been living in a relationship with salmon since time immemorial. Western scientists documented our customary and traditional use of salmon in the Tanana Valley beginning at least 11,000 years ago. This is the earliest evidence of human relationships with salmon in all of North America. Our people are salmon people, and have a deep cultural and spiritual connection with salmon that is fundamental to our way of life; and

WHEREAS, Our health and the health of the salmon are linked, and when the salmon suffer, our people suffer. It is estimated that salmon comprised 53 percent our tribal community member's diets in the TCC region. When there is no salmon, our people face food insecurity. Additionally, between 2019 to 2023, there was a 70% increase in pre-diabetic patients. The lack of salmon is already affecting our health and will continue to harm the health of our tribal members; and

WHEREAS, Harvesting salmon is ceremonial. What is eaten and what is left untouched are life lessons retold from the elders to the youth through storytelling. Each family member at camp is responsible for a job and share a sense of community and responsibility. Fish camp is hard work and builds life skills. Traditional hunting, fishing, and gathering embodies who our Tribes are as people, and is a foundation to our way of life; and

WHEREAS, The decline in salmon populations has had cascading effects on the ecosystem. During salmon runs, bears will selectively eat the fattiest parts of the salmon, leaving the carcass behind that provides food to other species, like wolves, fox, birds, and insects. Nitrogen from salmon is spread to trees through feces, and remaining nutrients flow back in the stream to the ocean, where tiny organisms eat and regenerate the ocean's ecosystem; and

- WHEREAS,** TCC Tribes and our members have not been able to fish for four years on the Yukon River. This is not a new problem as concerns with the health of the salmon population goes back over 10 years; and
- WHEREAS,** The current management framework has failed to adequately address the root causes of the salmon crisis. Tribes are faced with the Alaska Board of Fisheries saying it is the responsibility of the North Pacific Fishery Management Council and the Council saying it is the responsibility of the Board, all of which prevents any significant action in salmon management; and
- WHEREAS,** TCC, in partnership with Association of Village Council Presidents, filed a lawsuit against the National Marine Fisheries Service on April 7, 2023, *AVCP and TCC v. National Marine Fisheries Service, et al.*, Case No. 3:23-cv-00074-SLG (the “Bycatch litigation”), alleging that the 2023 and 2024 groundfish harvest for the Bering Sea and Aleutian Islands management area violated the National Environmental Policy Act by utilizing outdated Environmental Impact Statements that fail to account for climate change and ecosystems changes for the past two decades; and
- WHEREAS,** TCC supports and is also actively monitoring *The United States of America v. the State of Alaska et al.*, Case No. 1:22-cv-00054-SLG case (the “Kuskokwim litigation”), brought by the Federal Government against the State of Alaska, challenging whether the state is allowed to issue fishing regulations that allow anyone to fish within the Yukon-Delta Wildlife Refuge when federal regulations have closed fishing to everyone except federally qualified users. TCC advocated to have statewide organizations, including the Alaska Federation of Natives, and locally impacted organizations, including the Kuskokwim Inter-tribal Fish Commission intervene as parties in this case. TCC, Alaska Tribal organizations and individual Tribes continue to monitor the case as it may impact the balance of the State and Federal/Tribal fisheries regulations under Title 8 of ANILCA, and could potentially overturn the Katie John decision; and
- WHEREAS,** TCC has continued to monitoring the *Forrer v. State of Alaska* litigation to assess the viability of Alaska State constitutional claims related to this crisis; and
- WHEREAS,** Yukon River Chinook salmon were designated as a Yield Concern in 2000. State management has had 23 years to address it, yet the Chinook have yet to strengthen and no higher level of Stock of Concern designation has been made, consistent with the Sustainable

Salmon Fisheries Management Policy (5 AAC 39.222). Yukon River Chinook salmon should at a minimum be considered a Stock of Management Concern, if not the most severe Conservation Concern given the Alaska Department of Fish and Game Commissioner's statements that the only viable way of rebuilding Chinook and chum salmon is through hatcheries; and

WHEREAS, The federal government has a trust duty and obligation to Tribes. The federal government should plot their own management course and decisions in partnership with Tribes when state management decisions undercut tribal sovereignty and disadvantage tribal subsistence users; and

WHEREAS, Conservation has and continues to rest on the backs of Tribes. Tribes are willing to give up fishing if it means that our grandkids can fish even though we cannot teach our children the traditional ways of catching and putting away fish, even though our tribal members cannot provide and put food they hunted and gathered on the table, and even though it is foreign to purchase food from the store; and

WHEREAS, We teach our people to take only what you need. The bounties our people receive are special and treated with respect. Dry meat and strips are saved for guests or special occasions; and

WHEREAS, The salmon population is facing extremely challenging environments. A variety of factors are impacting our salmon, including warming ocean and river temperatures, water levels, bycatch of salmon in the commercial fisheries in the Bering Sea, disease and parasites, and poor diet among other stressors. Hatchery fish are starving our wild stocks. Salmon cannot recover if they cannot make it to the spawning grounds. Every salmon counts and there is a critical need to err on the side of conservation during severely depressed escapements to ensure their livelihood for future generations; and

WHEREAS, TCC Tribes want immediate action to address the Yukon River salmon crisis. If left unaddressed, our people are facing a health and wellness emergency that threatens to terminate our way of life.

NOW THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference Full Board of Directors direct its staff to pursue legal action to address the Yukon River salmon crisis, which may include addressing the systemic barriers and failures in the current management system, and/or accountability for the impacts of commercial fishing on tribal subsistence rights; and

BE IT FURTHER RESOLVED that the Tanana Chiefs Conference Full Board of Directors direct staff to continue to work towards the establishment of a management framework that respects tribal sovereignty, incorporates traditional ecological knowledge, and ensures meaningful tribal participation in decision-making processes related to salmon management; and

BE IT FINALLY RESOLVED that Tanana Chiefs Conference Full Board of Directors direct staff to report on the progress made in pursuing legal action and advocating for effective salmon management measures at the next Full Board of Directors meeting.

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference Full Board of Directors on March 14, 2024 at Fairbanks, Alaska and a quorum was duly established.



Robert Wright, Sr.
Secretary/Treasurer

Submitted by: Yukon Koyukuk Subregion