



201 1<sup>st</sup> Avenue, Suite 300  
Fairbanks, AK 99701  
Phone: (907) 328-8088

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Angel Drobnica, Chair  
North Pacific Fishery Management Council  
1007 West Third Ave., Suite 400  
L92 Building, 4th floor  
Anchorage, Alaska 99501-2252

**RE: YRITFC Comments on C2: Salmon Bycatch, April 2024 NPFMC Meeting**

Dear Chair Drobnica and Members of the Council:

Thank you for your consideration of our comments.

Founded on Tribal Unity, The Yukon Inter-Tribal Fish Commission is made up of 40 member Tribal Governments authorized by tribal resolution, whose mission is to protect the health and well-being of our people, our future generations and all Alaskans and Canadians who rely upon the health of our salmon. The Purpose of the Commission, as stated in our Constitution, is to act as a unified voice for the conservation and restoration of all Yukon River Fisheries; protect our traditional way of life and wellbeing; establish a comprehensive management plan and program, based upon distinct customary and traditional indigenous knowledge and practices, while striving for co-management to ensure meaningful and substantive Tribal/ First Nation participation in all aspects of fish Stewardship. We also collaborate with other tribal organizations in the Arctic Yukon Kuskokwim (AYK) region and align with the comments provided by Kawerak, Inc., Tanana Chiefs Conference, Association of Village Council Presidents, and the Kuskokwim Inter-Tribal Fish Commission throughout the various stages of this chum salmon bycatch action. We have had the opportunity to engage in several tribal engagement and consultation meetings regarding the Chum Salmon Bycatch Draft Environmental Impact Statement with NMFS, Council staff and on occasion, Council members.

The watersheds of the AYK region make up about 40 percent of Alaska. These lands and waters feed the roughly 120,000 residents that live in the 118 communities within this region. This region also has some of the highest poverty rates in Alaska with limited economic opportunities, lack of housing, pronounced health disparities, and aging or failing infrastructure. The Yukon River is the 3rd longest river and has the fourth largest watershed in North America. The Y-K Delta is one of the largest in the world. In an area of this magnitude, commercial and subsistence fishing was destroyed in less than 3 decades. Prior to colonization, our people used their knowledge to manage the health of the ecosystems along the 1,800+ mile journey of salmon, including the Bering Sea and Aleutian Islands. Without protection and conservation of the WAK chum salmon, we are putting entire ecosystems and watersheds at risk. We are endangering the other species that inhabit the AYK region and rely on the nutrient cycling the salmon provide,

including the plants and trees. When salmon are low, predators like wolves and bears, attack more moose and caribou. With the extreme declines of moose, caribou and salmon in our region, which are the backbone of our food security, our entire food system is now at risk.

Food security is a major issue in Alaska. Here we produce 60 percent of the nation's seafood but cannot even afford to buy it ourselves. Within this document, a replacement value for our salmon of \$5-10/lb was listed. This is an extremely low and unreasonable amount. Replacing salmon incurs high transportation and storage costs, and is much more close to \$15-20/lb. We know exactly how much it costs to replace salmon because we have been flying in frozen boxes of sockeye to feed our people during these times. While we appreciate the substitute, it cannot in any way replace the act of fishing and taking fresh salmon out of your wheel or net. One salmon matters, it is the difference between us having the ability to carry out important religious and ceremonial practices such as the ceremony for the first salmon, which is how we respect and maintain our sacred relationship with our salmon relatives. This is priceless and in no way can it be substituted or hold a dollar value.

The multi-species AYK salmon decline has been taking place for several decades, drastically changing our way of life along the river. We used to have a rich commercial fishing industry on the Upper Yukon and Tanana rivers up to about the late 90s, after that period a few of our people kept up the practice but it was not as commercially practical. This local economy allowed for many of our people to continue living at fish camp with their families, passing down traditions and recipes that are centuries old. As commercial fishing became less viable, many of our fish camps were abandoned and overgrown as our providers had to find new work, often having to leave our villages for weeks or even months. These rapid changes have had serious consequences for our people, manifesting as health issues in the form of diabetes, heart disease, depression, suicide, substance abuse, and other forms of abuse or dysfunction within the family units. Our people need deep healing, and reconnecting to the lands and waters, and all they provide is strong medicine. We need our salmon to thrive. It is intricately linked to our entire being and is part of our DNA. It is the first food of our people.

We request the Council respond with meaningful action to help us in our fight to restore our wild salmon populations and the wellbeing of our communities and people. While we realize that bycatch is only part of the problem we also know reducing it is part of the solution. There are only so many tools at our disposal and a key step would be to allow salmon to pass through key bycatch areas to have a chance at making it to their spawning grounds. Other necessary actions require collaborative efforts, including reducing hatchery production both domestically and internationally, and investigating the potential of a conservation corridor for WAK salmon that follows the Alaska Coastal Current through Area M and northeasterly along the Alaska Peninsula. The regulatory actions that need to accompany this action would consist of creating windows in the fishing schedules to allow for passage of salmon. In Area M, proposals to reduce fishing time or modify fishing gear will be scrutinized over the next couple of years. Proposal 140 presented at the Alaska Peninsula/Aleutian Island/Chignik Finfish Board of Fisheries meeting in February of 2023 is an ideal concept that provides significant opportunity for chum passage.

It seems the pollock industry continues to pursue maximum production in an unstable environment and uncertain future. This is evident through the slight increases in TAC and landings in Tables 2-4 and 2-5 in the DEIS. There are multiple PSC important to Alaska fisheries and people overall, such as crab, halibut, herring and salmon, that are in decline and maximizing protections for these iconic keystone species should naturally result in reduced fishing time. In fact, Tables Appendix 6-1 through 6-4 show the PSC savings for chinook and herring if a chum cap is in place as well as the forgone pollock and lost revenue for various caps: 200,000; 300,000; 450,000; and 550,000. While the PSC savings is notable, the tables fail to acknowledge future changes in fishing behavior that could recuperate some of the forgone pollock and associated revenue. Furthermore, analyzing an overall PSC cap higher than 300,000 is not a reasonable alternative and does not meet the purpose and need to “minimize the bycatch of WAK chum salmon in the Bering Sea pollock fishery to the extent practicable (National Standard 9 and Section 303(a)(11) of the MSA) while balancing the other National Standards.” The average chum bycatch for 1991-2022 is 190,000 and for 2013-2022 is 315,449, and any effort to reduce bycatch should correlate with these numbers. One could postulate that the increased bycatch average for the past decade is related to prosecuting a slightly increasing TAC while trying to minimize chinook bycatch when in reality, minimizing chum bycatch appears to also reduce chinook bycatch. Therefore it is more reasonable to choose a number lower than the long-term average of 190,000.

The need to fully prosecute the TAC is becoming more unreasonable as markets are unstable, product is held up in frozen storage, and USDA subsidies are needed to realize returns on investment. This is the perfect opportunity to learn more about a Just Transition which looks to a more equitable future for all, especially in times of great change. The Just Transition Framework provides a lot of context and consideration of how to actually achieve the intentions of the Executive Orders 12898 Environmental Justice and 14096 Revitalizing Our Nation’s Commitment to Environmental Justice for All. Our people are minority and low-income populations disproportionately affected by resource development, including industrial commercial fisheries. Similarly, our people are Indigenous persons who live in rural areas, are adversely affected by persistent poverty or inequality, and are underserved in general - our communities lack appropriate water/sewer facilities, adequate housing, internet connectivity, healthcare, education and job options. Inshore along river systems, our communities do not benefit like the coastal communities served by CDQ groups whose programs help to offset high costs of rural living and lack of subsistence. Additionally, CDQ communities often have access to more diverse subsistence resources especially other fish, marine mammals and seabirds. Executive Order 13895 Advancing Racial Equity and Support for Underserved Communities Through the Federal Government aims to counteract a long history of marginalization through better consultation and engagement, which would help shed critical insight to the actual social and economic impacts to our communities from bycatch in the pollock industry.

It is not necessarily the last ten years of bycatch that has caused our salmon declines but it definitely has had a devastating effect as the actions taken to lower bycatch have not been sufficient enough to counteract the cumulative effect of pollock and PSC removals over multiple decades. The salmon issue is a huge problem that requires a management action significant enough to offset years of damage. We have not been meeting or barely meeting escapement goals for Yukon summer and fall chum. We have not met our subsistence needs for 17 of the

past 23 years. We have not been able to fish for chinook and chum for nearly 5 years now, with the exception of a very small opening for late summer/fall chum in 2023 that was not adequate for subsistence needs. We are asking for a chance to eat. It is a human rights violation for Indigenous people to forgo subsistence harvest of salmon, while commercial interests continue to operate nearly status quo, intercepting our salmon as bycatch with little regard for the importance of even one salmon. Unfortunately, the State of Alaska is failing to meet its own constitutional requirements to prioritize subsistence and sustainability of wild salmon stocks. The federal government has a trust responsibility to tribes and an obligation to prioritize subsistence, as mandated by ANILCA Title VIII. We expect that the federal government and its agencies carry out this responsibility and prioritize protection of subsistence resources in all federally managed fisheries.

#### Recommendations

There is no real inclusion of Indigenous Knowledge (IK) in the alternatives or analyses other than anecdotal references in the DEIS and SIA. There needs to be a research priority to have place-based understanding of our communities and the ecosystem functioning within the AYK region. Mandatory training for Council, AP and staff and potentially the formation of an Indigenous Knowledge advisory body to the Scientific and Statistical Committee, could result in better understanding of how to include, uplift and be guided by IK. Please remove the reference to including IK in the IPAs. We would like to engage with Council and agency staff to better structure the inclusion of IK in regulations and decision-making.

#### Comments on Alternatives included in DEIS

Alternative 1 - No Action or Status Quo: This is a standard inclusion and does not lower bycatch.

Alternative 2 - Overall bycatch (PSC) limit for chum salmon: Please remove any chum salmon PSC limit higher than 300,000 as it does not lower bycatch and is unresponsive to the purpose and need. We prefer an overall PSC limit that is significantly lower than 200,000 as the long-term average chum salmon bycatch is about 190,000. We prefer this PSC limit at all levels of abundance since the salmon crisis is decades in the making and a lower PSC limit for a sustained period of time is necessary to be effective. The abundance based cap is not going to work for a stock of concern/depressed stock unless it allows for multiple years of lowered PSC to get more salmon on the spawning grounds. Furthermore, run reconstruction data is only available for the Yukon River, which is not fully representative of key rivers in the AYK region, including the Kuskokwim, Snake, Nome, Eldorado, Kwiniuk, and North Rivers, and this affects the scientific defensibility of the abundance indices.

Alternative 3 - Chum salmon PSC limit with an associated Western Alaska chum salmon bycatch annual limit: While this alternative is attractive at face value, the implementation of it lacks muster as the technology for near real-time genetic data is still developing and retrospectively applying PSC limits to future fisheries lacks scientific logic. We also would like to see genetic testing done in conjunction with age sampling of chum bycatch to verify the percentage of the age 3-5 chum that are from WAK stocks. We are concerned that a significant portion of our fall chum could be being intercepted on their way home as they travel northeast along the north side of Unimak Island and the Alaska Peninsula. This would be very helpful for informing the recommendations we are making below for Alternative 4.


Alternative 4 - Additional regulatory requirements for Incentive Plan Agreements (IPAs) to be managed within the IPAS: The calculation of bycatch or base rates for rolling hotspot closures can result in areas having lower bycatch rates even if the majority of bycatch occurs in those areas. That is likely because the CPUE for pollock can be very high in the areas where the majority of bycatch occurs. There needs to be a more transparent, reasonable way to set bycatch rates in areas with the highest chum bycatch. We would like to see inclusion of a conservation corridor concept that includes windows for salmon passage as described in text above (i.e. Proposal 140). This would perform similarly to the RHS closures but would focus on two key areas (ADF&G statistical areas 655430 and 765830) that have the highest amounts of bycatch, 51 and 32 percent, respectively. Data sharing and collaboration is necessary to make this alternative viable and accurate. This alternative may need to be combined with Alternative 2 to create a standalone alternative that makes a meaningful reduction in chum bycatch and responds to tribal requests.

In closing, we urge the Council to put forth a revised alternative for additional analysis that is:

1. Responsive to tribal requests for an overall PSC limit less than 200,000 chum regardless of abundance;
2. Includes a more appropriate way to manage ADF&G statistical areas 655430 and 765830 to limit high amounts of bycatch; and
3. Prioritizes collection of genetic data along with age data to determine if a significant portion of the age 3-5 chum bycatch are in fact of WAK origin.

Thank you for your time, the opportunity to comment and your meaningful consideration of our requests. We look forward to engaging with the Council at the April meeting. Please feel free to reach out with any questions or comments you may have.

Sincerely,



Karma Ulvi  
Chair

Yukon River Inter-Tribal Fish Commission