



## Federal Subsistence Board

1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503 - 6199



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

FOREST SERVICE

JULY 29 2024

In Reply Refer To:  
OSM.A24077

Honorable Deb Haaland  
Secretary of the Interior  
U.S. Department of the Interior  
Office of the Secretary  
1849 C Street, Northwest  
Washington, DC 20240

Honorable Tom Vilsack  
Secretary of Agriculture  
U.S. Department of Agriculture  
Office of the Secretary  
1400 Independence Avenue, Southwest  
Washington, DC 20250

Dear Secretaries Haaland and Vilsack:

The Federal Subsistence Board (Board) is writing to inform you of requests from your appointees on nine of the ten Subsistence Regional Advisory Councils (Councils) regarding bycatch of subsistence resources in marine waters and other interjurisdictional fisheries management issues.

Pursuant to Section 805 of the Alaska National Interest Lands Conservation Act (ANILCA), Subsistence Regional Advisory Councils are authorized to be a forum for the expression of opinions and recommendations about management of subsistence fish and wildlife resources in their regions. All ten Councils met during the All-Council Meeting March 5-8, 2024, in Anchorage, Alaska. During the meeting the Councils discussed cross-regional issues that are impacting subsistence. Individual Councils further discussed these issues in their own regional meetings resulting in three separate letters from the Councils that they requested the Board also elevate to you. The Councils asked for the following:

- That the Board request a written Solicitor opinion and Secretarial review regarding the legality of some Federal and State commercial fisheries continuing to operate while subsistence fishing is closed or restricted and escapement goals are not being met for those same stocks. The Councils would also like a legal review of the on-going bycatch of various fishes and marine mammals.
- That the Board request guidance from the Solicitor and the Secretaries on how to initiate meaningful collaborative ecosystem-based salmon management with relevant Federal and State agencies across all jurisdictions, both in-river and in the marine environment.
- That the Board request guidance from the Solicitor and Secretaries on how a representative from the National Oceanic and Atmospheric Administration National Marine Fisheries Service can be invited to officially serve as a Liaison to the Federal Subsistence Board.
- That the Board request guidance from the Secretaries on the procedure available for the Federal Subsistence Management Program (Program) to engage with the Department of State on international fisheries issues throughout the Pacific Rim, including but not limited to the impacts of hatchery releases and the monitoring and enforcement of illegal fishing in the Bering Sea “donut hole”.
- That the Board request that the Secretaries or their Under Secretaries hold a meeting with the Board and Council Chairs to discuss these interjurisdictional fisheries management issues, including previous and planned actions to address them. The Councils request that this meeting take place before the Fall 2024 Regional Advisory Council meeting cycle begins. The first Council meeting is scheduled to be held on August 19-20, 2024.

Additionally, the Councils made the following direct requests of the Board, which we are sharing here for your awareness. The Board will be discussing these matters at our Summer Work Session August 7-8, 2024:

- That the Board submit comments to the North Pacific Fisheries Management Council (NPFMC) that support the adoption of Non-Chinook (Chum) Salmon bycatch limits, a requirement for 24/7 camera coverage on boats in all commercial fisheries in addition to 100% observer coverage, and a requirement that the SeaShare program distribute within Alaska and not send donations out of state. Further, the Councils request that the Board establish a position statement on bycatch of all species and submit comments at any applicable future NPFMC meetings, in which bycatch of any species utilized by federally qualified subsistence users are considered.
- That the Board write to the Alaska Congressional Delegation and ask them to support the revision of the Magnuson-Stevens Fisheries Management and Conservation Act (MSA) so that it includes enhanced conservation measures, requirements for ecosystem-based management and management that adapts to changes in climate, and protections for subsistence uses and small, local commercial fisheries over big industry trawling. The Councils also want to see at least two subsistence representatives added as voting

members on the NPFMC and changes to the nomination and appointment process for NPFMC Council members.

The Councils also wrote the Board and the Regional Director of the U.S. Fish and Wildlife to ask that the Alaska Regional Director for U.S. Fish and Wildlife Service, who serves as a member on the Federal Subsistence Board, designate a different representative to serve as their alternate on the NPFMC and for that representative to elevate the concerns of the Councils and federally qualified subsistence users in the NPFMC regulatory arena.

The Board has previously elevated concerns of salmon bycatch, declines, and management issues to the Secretaries and has supported Councils' requests that the Secretaries liaise with the Department of Commerce to explore engagement and relationship building between our agencies with the goal of addressing salmon migratory life cycles and bycatch holistically. Many of the issues at hand are outside the jurisdiction of the Board but continue to have major impacts on federally qualified subsistence users who depend on salmon, other fishes, and marine mammals to feed their families and as a mainstay of their livelihood, culture, and economy. The Secretaries are strategically positioned to respond to the Councils' requests to conserve healthy populations of salmon and to alleviate impacts to rural residents who depend upon subsistence uses of the resources on Federal public lands.

The Board appreciates the Secretary of Interior meeting with it during her visit to Alaska in October 2023. The Board has notified the Councils that some of these issues were discussed. In their letters, the Councils have emphasized the urgency of these matters and have requested a direct response from the Secretaries as well as the opportunity to regularly engage in discussions with the Secretaries or their representatives. The Board supports any efforts to continue dialogue on these matters as well as the inclusion of the Council Chairs in future discussions.

In addition to the most recent letters from the Councils, enclosed are other communications forwarded to you in the recent past on related topics issues. We thank you for your consideration and request that you respond with a point of contact from your office for follow up on these important topics. If you have any questions regarding this letter, please direct them to the Office of Subsistence Management Policy Coordinator Robbin La Vine, [robbin\\_lavine@ios.doi.gov](mailto:robbin_lavine@ios.doi.gov) or 907-206-0900. We look forward to hearing from you and working with you on these issues.

Sincerely,



Anthony Christianson  
Chair

- Enclosures:
1. Seven Council Letter – Bycatch and salmon management issues
  2. KARAC Letter – Subsistence Fisheries Issues
  3. SERAC Letter – Bycatch Issues
  4. Board Letter to Secretaries – Elevating YKDRAC AYK Salmon Letter

5. YKDRAC Letter – AYK Salmon Concerns
6. FSB Memo to Secretary of Interior – FSMP Needs
7. SEARAC Bycatch support letter Feb. 2023

cc: Federal Subsistence Board  
Interagency Staff Committee  
Office of Subsistence Management  
Southeast Alaska Subsistence Regional Advisory Council  
Kodiak/Aleutians Subsistence Regional Advisory Council  
Bristol Bay Subsistence Regional Advisory Council  
Yukon-Kuskokwim Delta Subsistence Regional Advisory Council  
Western Interior Alaska Subsistence Regional Advisory Council  
Seward Peninsula Subsistence Regional Advisory Council  
Northwest Arctic Subsistence Regional Advisory Council  
Eastern Interior Alaska Subsistence Regional Advisory Council  
North Slope Subsistence Regional Advisory Council  
Administrative Record

**Bristol Bay, Yukon-Kuskokwim Delta, Western Interior Alaska, Seward Peninsula,  
Northwest Arctic, Eastern Interior Alaska, and North Slope Subsistence Regional Advisory  
Councils**

c/o Office of Subsistence Management  
1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503-6199  
Phone: (907) 786-3888, Fax: (907) 786-3898  
Toll-Free: 1-800-478-1456

In Reply Refer To:  
OSM 24038

MARCH 28 2024

Anthony Christianson, Chair  
Federal Subsistence Board  
1011 E. Tudor Road, MS 121  
Anchorage, Alaska 99503-6199

Dear Mr. Christianson,

We write to you on behalf of seven Subsistence Regional Advisory Councils (Councils) to request timely and meaningful action related to the bycatch and interception of subsistence resources in commercial fisheries in the Gulf of Alaska and the Bering Sea.

All ten Councils met during the All-Council Meeting March 5-8, 2024, in Anchorage Alaska. During the meeting the Councils discussed cross-regional issues that are impacting subsistence and seven Councils agreed to jointly elevate the following issues.

The Councils agreed that:

1. subsistence needs for anadromous fish are not being met in many parts of the state and subsistence users are disproportionately bearing the burden of conservation;
2. the legal requirements for a subsistence priority are being ignored;
3. the continued commercial harvest of resources for which conservation concerns exist goes against sustainable resource management principles and potentially violates several laws and the Pacific Salmon Treaty;
4. bycatch impacts many species at many trophic levels including but not limited to salmon, halibut, herring, crab, and marine mammals;
5. the removal of bycaught species from the environment has cascading negative effects on marine and riverine ecosystems;
6. the bycatch of resources in commercial fisheries and the required discarding of those bycaught resources is wanton waste; and
7. immediate, high-level government intervention is required to address these issues.

To address these issues we request the following actions:

1. We request a written Solicitor opinion and Secretarial review of the following situations: some Federal and State commercial fisheries continue to operate while subsistence fishing is closed or restricted for those same stocks. Further, Federal and State commercial fishing continues despite on-going conservation concerns for many stocks and despite escapement goals not being met in many Alaska river systems. This is a direct violation of the subsistence and conservation priorities of Title VIII of ANILCA and the State of Alaska Constitution, National Standard 8 - Communities and National Standard 9 - Bycatch of the Magnuson-Stevens Fishery Conservation and Management Act, the protections established in the Marine Mammal Protection Act, and the escapement goals agreed to under the Pacific Salmon Treaty, Yukon River Salmon Agreement, and within various Federal and State fisheries management plans. These laws and regulations must be enforced, and legal action taken to do so if necessary.
2. We request guidance from the Solicitor and the Secretaries on how to initiate meaningful collaborative ecosystem-based salmon management across all jurisdictions, both in-river and in the marine environment. For this management to be successful, this must include the Department of Commerce and the State of Alaska.
3. We request guidance from the Solicitor and Secretaries on how a representative from the National Oceanic and Atmospheric Administration National Marine Fisheries Service can be invited to officially serve as a Liaison to the Federal Subsistence Board.
4. We request guidance from the Secretaries on the procedure available for the Federal Subsistence Management Program (Program) to engage with the Department of State on international fisheries issues throughout the Pacific Rim, including but not limited to the impacts of hatchery releases and the monitoring and enforcement of illegal fishing in the Bering Sea “donut hole”.
5. We request that the Board submit an Emergency Petition to the National Marine Fisheries Service to reduce Chinook Salmon bycatch to between zero to 10,000 fish annually in the Bering Sea and we request that the Board ensure that the petition meets the emergency criteria for such petitions established by the Department of Commerce<sup>1</sup>.
6. We request the Board submit comments to the North Pacific Fisheries Management Council (NPFMC) that support the adoption of Non-Chinook (Chum) Salmon bycatch limits, a requirement for 24/7 camera coverage on boats in all commercial fisheries in addition to 100% observer coverage, and a requirement that the SeaShare program distribute within Alaska and not send donations out of state. Further, we request that the Board establish a position statement on bycatch of all species and submit comments at any applicable future NPFMC meetings in which bycatch of any species utilized for subsistence are considered.

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<sup>1</sup> <https://media.fisheries.noaa.gov/dam-migration/01-101-07.pdf>

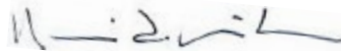
7. We request that the Alaska Regional Director for U.S. Fish and Wildlife Service, who serves as a member on the Federal Subsistence Board, designate a different representative to serve as their alternate on the NPFMC. The USFWS representative with a seat on the NPFMC should regularly communicate and work with the Board to elevate the concerns of the Councils and federally qualified subsistence users in the NPFMC regulatory arena. We suggest that the new alternate be the USFWS Interagency Staff Committee member or the OSM ARD because the current alternate has yet to represent the concerns of the Councils or subsistence users to the NPFMC despite countless letters and testimony submitted to the NPFMC. Further, we request that the USFWS member or their alternative be required as part of their job to attend all NPFMC meetings and help with outreach amongst the Councils on NPFMC agenda items and actions of interest to subsistence users. The Councils want to emphasize the importance of the USFWS seat on the NPFMC and strongly feel the appointed person should serve as a liaison between the Council and the Federal Subsistence Management Program. The Councils were established with the intent of having a meaningful role in fish and wildlife management, and what is happening in the marine environment is undoubtedly impacting federally qualified subsistence users. The Councils should be able to rely on the USFWS representative to vocalize our concerns and advocate for a subsistence priority.
8. We request the Board write to the Alaska Congressional Delegation and ask them to support the revision of the Magnuson-Stevens Fisheries Management and Conservation Act (MSA). The revised MSA must include enhanced conservation measures, requirements for ecosystem-based management and management that adapts to changes in climate, and protections for subsistence uses and small, local commercial fisheries over big industry trawling. Additionally, the revised MSA must include changes to the membership of the NPFMC and the nomination and appointment process for Council members. We ask that the Board advocate for the adequate representation of subsistence users as voting members on the NPFMC by requesting to add at least 2 subsistence representatives nominated by Federally recognized Alaska Tribes to the NPFMC. Finally, we ask that if a proposed rule to modify the MSA is published, that the Board submit similar comments during any applicable comment periods.
9. We request the Board to submit comments to the Alaska Board of Fisheries on all proposals that support a reduction in interception of subsistence salmon in State managed commercial fisheries.
10. We request that the Secretaries or their Under Secretaries hold a meeting with the Board and Council Chairs to discuss these cross-jurisdictional fisheries management issues, including previous and planned actions to address them. We request that this meeting take place before the Fall 2024 Regional Advisory Council meeting cycle begins.

The Councils recognize that the root of these issues originate outside of the lands and waters for which the Board has jurisdiction. However, these issues severely impact federally qualified subsistence users and the resources we depend on for food, culture, and physical and spiritual well-being.

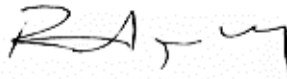
Due to the severity of these issues and impacts on subsistence, immediate action is needed. The Councils kindly request a timely response from the Board and the Solicitor, and requests that the Board similarly request a timely response from the Secretaries.

Thank you for your consideration of this important matter. If you have questions or would like to discuss this further, please contact Katerina Wessels, Council Coordination Division Supervisor, Office of Subsistence Management, at 1-800-478-1456 or (907) 786-3885 or katerina\_wessels@fws.gov.

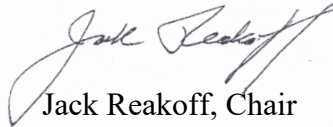
Sincerely,



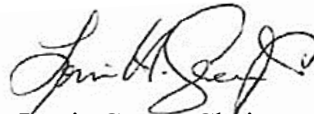
Nanci Morris Lyon, Chair  
Bristol Bay  
Regional Advisory Council



Raymond Oney, Chair  
Yukon-Kuskokwim Delta  
Regional Advisory Council



Jack Reakoff, Chair  
Western Interior Alaska  
Regional Advisory Council



Louis Green, Chair  
Seward Peninsula  
Regional Advisory Council



Thomas Baker, Chair  
Northwest Arctic  
Regional Advisory Council





Robert Wright Sr., Chair  
Eastern Interior Alaska  
Regional Advisory Council



Brower Frantz, Chair  
North Slope Regional Advisory Council

- cc: Federal Subsistence Board  
Bristol Bay Regional Advisory Council  
Yukon-Kuskokwim Delta Regional Advisory Council  
Western Interior Alaska Regional Advisory Council  
Seward Peninsula Regional Advisory Council  
Northwest Arctic Regional Advisory Council  
Eastern Interior Alaska Regional Advisory Council  
North Slope Regional Advisory Council  
Office of Subsistence Management  
Interagency Staff Committee  
North Pacific Fishery Management Council  
Benjamin Mulligan, Deputy Commissioner, Alaska Department of Fish and Game  
Mark Burch, Assistant Director, Division of Wildlife Conservation, Alaska Department of  
Fish and Game  
Administrative Record

**Kodiak/Aleutians Subsistence Regional Advisory Council**

c/o Office of Subsistence Management  
1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503-6199  
Phone: (907) 786-3888, Fax: (907) 786-3898  
Toll-Free: 1-800-478-1456

In Reply Refer To:  
OSM.24034

APRIL 3 2024

Anthony Christianson, Chair  
Federal Subsistence Board  
1011 E. Tudor Road  
Anchorage, Alaska 99503

Dear Chair Christianson,

We write to ask for meaningful action and progress related to prioritizing subsistence fisheries in Alaska. The ten Subsistence Regional Advisory Councils (Councils) met together during the All-Council Meeting March 5-8, 2024, in Anchorage Alaska. During the meeting the Councils had a brief opportunity to discuss cross-regional issues impacting subsistence. All Councils agreed that subsistence is not receiving priority as it should under Federal or Alaska law, and as a result Chum and Chinook salmon subsistence users in Western Alaska are disproportionately bearing the burden of conservation. There are multiple factors currently impacting salmon populations and their availability for subsistence, including environmental conditions, commercial fisheries (bycatch and directed), and hatchery releases; therefore, the underlying legal and regulatory structure must change to ensure subsistence priority can actually be achieved.

We ask for the following actions to begin meaningfully addressing this issue:

Joint Meeting of Relevant Regulatory Bodies. Salmon cross jurisdictional boundaries, and it is impossible for any one of the existing regulatory bodies to effectively regulate salmon fisheries and provide a subsistence priority by itself. We ask that the regulatory bodies convene a joint session to begin developing a comprehensive salmon management plan, both in-river and in the marine environment. Participants should include the Federal Subsistence Board (Board), North Pacific Fishery Management Council (NPFMC), National Marine Fisheries Service-Alaska Region (NMFS-Alaska Region), Alaska Board of Fisheries (BOF), and the Alaska Department of Fish and Game (ADF&G).

Clarification of Subsistence Priority. Subsistence use of fishery resources is given priority for federally qualified subsistence users under the Alaska National Interest Lands Conservation Act (ANILCA), Title VIII, and for Alaska residents under Alaska Statue AS 16.05.258 (Subsistence Use and Allocation of Fish and Game). Despite these priorities and despite escapement goals not being met in some Alaskan river systems, some Federal and State commercial fisheries continue

to operate while related subsistence fisheries are closed. This does not feel to us like subsistence is being prioritized. We ask for a clear and concise description in relation to each regulatory body of what “subsistence priority” means and how this priority can be ensured in State and Federal fisheries. In addition, it would be particularly helpful to understand whether decisions to close non-subsistence uses are subject to a weighing-and-balancing analysis and what factors are considered under both State and Federal systems (including sport, commercial, personal use).

Improve Cross-Pollination Between Board and Council. The regulatory systems impacting salmon (as listed above) have few points of connection, and for the most part do not work together. However, there are a couple of existing connections or potential connections that could be quickly ramped up. First, we suggest that a representative from NMFS-Alaska Region be appointed to officially serve as a liaison to the Federal Subsistence Board. This would help create greater awareness and transparency between NMFS and the Board and establish a formalized connection to the Department of Commerce, which oversees NMFS. Second, we request more active participation from the designee of the U.S. Fish and Wildlife Service on the NPFMC. The designee has a seat at the Council table, and while in a non-voting position this individual can still participate in Council discussion and debate throughout the entire duration of each Council meeting. Further, the designee should establish communication channels with the Board to better elevate subsistence salmon concerns from the Councils and federally qualified subsistence users to the NPFMC regulatory arena. In addition, the designee could also help with outreach amongst the Councils on Council agenda items related to subsistence salmon.

Meeting with FSB and Councils Chairs/Vice-Chairs. To ensure full transparency and clear communication we request that the Secretaries or Under Secretaries of the Interior and Agriculture hold a meeting with the Board and Councils Chairs/Vice-Chairs to discuss these cross-jurisdictional fisheries management issues, including the status of actions already taken as well as potential or planned actions. We request this meeting be scheduled to occur as soon as possible in March, April, or May, but no later than the start of the Fall 2024 Councils meeting cycle (September 2024).

The Council recognizes that some of these issues are not fully within control or jurisdiction of the Board. However, these issues are key to ensuring adequate and continued subsistence access in Alaska. Failure to address them will severely impact federally qualified subsistence users and the resources that we depend on for food, culture, and physical and spiritual well-being. We are asking the Board to be our champion on these issues and to help facilitate dialogue and progress with the other regulatory bodies and systems as outlined above.

These issues are important and have a severe impact on subsistence, and we; therefore, request responses as soon as possible. We ask that the Board convey the urgency of this matter to the Secretaries.

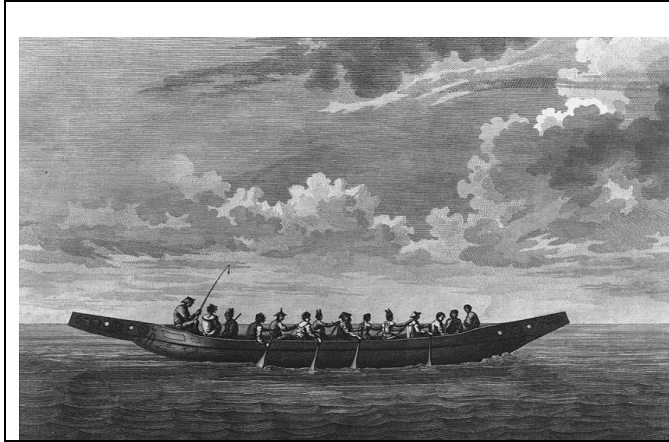
Thank you for your consideration of these important matters and our suggested actions. If you have questions, please contact Lisa Hutchinson-Scarborough, Council Coordinator for Office of Subsistence Management, at [lisa\\_hutchinson@fws.gov](mailto:lisa_hutchinson@fws.gov), or at 1-800-478-1456 or (907) 310-4097. We look forward to hearing from you soon and to further discussion.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Skinner".

Rebecca Skinner, Chair

cc: Federal Subsistence Board  
Kodiak/Aleutians Subsistence Regional Advisory Council  
Office of Subsistence Management  
Interagency Staff Committee  
North Pacific Fishery Management Council  
Benjamin Mulligan, Deputy Commissioner, Alaska Department of Fish and Game  
Mark Burch, Assistant Director of Wildlife Conservation, Alaska Department of Fish and Game  
Administrative Record



***Southeast Alaska  
Subsistence Regional  
Advisory Council***

**Don Hernandez, Chairman  
1011 E. Tudor Road, MS121  
Anchorage, Alaska 99503**

**In Reply Refer To:  
OSM 24022**

**MAR 06 2024**

**Anthony Christianson, Chair  
Federal Subsistence Board  
1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503-6199**

**Dear Chair Christianson:**

I am writing to you on behalf of the Southeast Alaska Subsistence Regional Advisory Council (Council). The Council is requesting that you forward the information in this letter and its attachments pursuant to the Federal Subsistence Management Program's correspondence policy. Although you are extremely familiar with the work that Regional Advisory Councils perform, we are including details in this letter to you to explain our purpose and concerns for the ultimate intended audience: Regional Administrator, Alaska Regional National Marine Fisheries Service and the Under Secretary of Commerce for Oceans and Atmosphere.

The Southeast Alaska Subsistence Regional Advisory Council represents subsistence harvesters of fish and wildlife resources on Federal public lands and waters in Southeast Alaska. It was established by the authority in Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and is chartered under the Federal Advisory Committee Act. Section 805 of ANILCA and the Council's charter established its authority to initiate, review and evaluate regulations, policies, management plans, and other matters related to subsistence uses of fish and wildlife within the southeast Alaska region. The Council also reviews resource management actions occurring outside their regions that may impact subsistence resources critical to communities served by the Council. The Council also provides a forum for the expression of opinions and recommendations regarding any matter related to the subsistence uses of fish and wildlife within the region.

The Council holds regular biannual public meetings in various communities throughout the Southeast Alaska Region. At its meetings, the Council has received testimonies regarding the impacts that commercial fishery bycatch of salmon is having on the overall availability of this

important local food. The Council would like to share some of its concerns about the negative effects of trawl bycatch on the resources that subsistence users depend upon in Southeast Alaska:

- 1) **King Salmon Bycatch by Gulf of Alaska trawl fisheries:** The annual bycatch in the Gulf of Alaska trawl fisheries appears to exceed the annual king salmon sport fishing catch in Southeast Alaska. The State of Alaska does not allow subsistence fishing for king salmon in Southeast Alaska. Further, there is a very limited Federal fishery for king salmon on the Stikine River that has been closed pre-season by special action for the past several years. It is unfair that subsistence users are prohibited from harvesting this vital food source, but other user groups have abundant opportunities to harvest the same resource.
- 2) **Inadequate Process to Address Issues:** The North Pacific Fishery Management Council (NPFMC) process is very slow and there has been little, if any, significant movement by NPFMC to resolve the bycatch issue. Attempts have been made to highlight this matter by several entities in recent years through the procedural process. However, the NPFMC and Department of Commerce have been unresponsive to legitimate bycatch concerns.
- 3) **Bycatch is a Waste:** In addition to limiting bycatch, there should also be programs for distributing bycatch to communities so that salmon are not wasted. Perhaps some of the impacts from salmon mortality could be mitigated by donating the salmon bycatch back to communities who could use the fish to help feed their citizens.
- 4) **Underserved User Group:** Subsistence users feel they are underserved and are being ran over by huge commercial interests. NPFMC and the Department of Commerce need to adequately seek solutions to an issue that is having a detrimental effect on foods that many Alaskans rely upon. Subsistence users feel they are being ignored by NPFMC and the Department of Commerce.

Further, subsistence users feel that commercial interests drive the management of fisheries, which in turn impact subsistence resources. Sufficient attention should be paid to reducing the salmon bycatch limit by commercial fisheries throughout Alaska to prevent further depletions of subsistence salmon and to support salmon recovery. Maintaining sustainable levels of salmon is critical to subsistence users in rural Alaskan communities and villages. Salmon is both a vital for sustenance and integrally linked with indigenous cultural identities and Non-native subsistence ways of life.

- 5) **Herring Bycatch:** The Council also understands that there is no limit on herring bycatch. Given the devastating decline of herring in Southeast Alaska, it is unconscionable that this bycatch impact on an important traditional resource for human consumption, as well as a food for major forage fish, continues to be ignored. Interception must be addressed to ensure that subsistence users can have both the access and the opportunity to harvest herring.

The Council appreciates your time and attention in reviewing and considering the comments herein and in the enclosed letter(s). The Council asks that this letter with attachments be forwarded to the Secretaries of Interior and Agriculture with an additional request that the Secretaries share those concerns with: Jon M. Kurland, Regional Administrator, Alaska Regional National Marine Fisheries Service, P. O. Box 21668, Juneau, AK 99802-1668 and also with Dr. Richard W. Spinrad, Ph.D., Under Secretary of Commerce for Oceans and Atmosphere, U.S. Department of Commerce, 1401 Constitution Ave. NW, Washington, DC 20230, pursuant to the Program's correspondence policy.

The Council thanks you for relaying this information on their behalf and looks forward to hearing from the Secretaries and the Department of Commerce and/or the Alaska Regional Marine Fisheries Service. The Council is eager to learn how either Department of Commerce entity plans to address the exorbitant amount of wasted salmon each year and the devastating effects that this waste has on subsistence users.

If you have any questions regarding this letter, please contact me via DeAnna Perry, Subsistence Council Coordinator, USDA – Forest Service, at [deanna.perry@usda.gov](mailto:deanna.perry@usda.gov), or 1-800-478-1456 or 907-209-7817.

Sincerely,



Don Hernandez, Chair

Enclosures:

- SE RAC Letter to Federal Subsistence Board (*Feb 24, 2023*)
- Joint RACs' Letter to Federal Subsistence Board (*Jun 7, 2022*)
- Second Joint RACs' Letter to Federal Subsistence Board (*Feb 6, 2024*)

cc: Federal Subsistence Board  
Southeast Alaska Subsistence Regional Advisory Council  
Alaska Subsistence Regional Advisory Councils: (Southcentral, Kodiak/Aleutians, Bristol Bay, Yukon-Kuskokwim Delta, Western Interior, Seward Peninsula, Northwest Arctic, Eastern Interior, and North Slope)  
Office of Subsistence Management  
Interagency Staff Committee  
Deputy Commissioner, Alaska Department of Fish and Game  
Assistant Director, Division of Wildlife Conservation, Alaska Department of Fish and Game  
Administrative Record



## Federal Subsistence Board

1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503 - 6199



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

FOREST SERVICE

In Reply Refer To:  
OSM 23144

FEB 06 2024

Honorable Deb Haaland  
Secretary of the Interior  
U.S. Department of the Interior  
Office of the Secretary  
1849 C Street, Northwest  
Washington, DC 20240

Honorable Tom Vilsack  
Secretary of Agriculture  
U.S. Department of Agriculture  
Office of the Secretary  
1400 Independence Avenue, Southwest  
Washington, DC 20250

Dear Secretaries Haaland and Vilsack:

The Federal Subsistence Board (Board) is writing to inform you of a request from your appointees on the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council (Council).

Pursuant to Section 805 of the Alaska National Interest Lands Conservation Act (ANILCA), Subsistence Regional Advisory Councils are empowered to be a forum for the expression of opinions and recommendations about management of subsistence fish and wildlife resources in their regions. During a public meeting held in April 2023, the Council discussed the on-going salmon crises in the Yukon and Kuskokwim River drainages and the unequal distribution of restrictions placed on subsistence users as opposed to other users (specifically commercial users) to conserve and manage salmon for all uses. The Council wrote to the Board with four requests related to subsistence lifeways and salmon populations and further asked that the Board discuss these important issues and elevate them to you. The four requests from the Council include the following:



- That the Board asks the Secretaries for guidance on how to ensure that subsistence priorities are upheld across political and salmon management boundaries, and what the Board's role in this cross-boundary management might be.
- That the Board asks the Secretaries to ensure that the Pacific Salmon Treaty (Yukon River Salmon Agreement per Article VIII) be applied fairly to all users, and that the Secretaries liaise with the Department of State, Department of Commerce, and State of Alaska to do so.
- That the Board to work with the State of Alaska to reduce interception of Arctic-Yukon-Kuskokwim Chum Salmon in State managed fisheries.
- That the Board ask the Secretaries for guidance on how to initiate ecosystem scale salmon management planning for the Arctic-Yukon-Kuskokwim region.

Salmon declines continue to be a tremendous hardship for rural Alaskans who depend on salmon to feed their families and as a mainstay of their livelihood, culture, and economy. The Board recognizes that salmon spend much of their lifecycle in marine habitats, beyond the scope of Board jurisdiction and ability to act. The Board also acknowledges salmon declines are an evolving statewide crisis and has discussed its role in helping to facilitate more meaningful dialogue in the state and taking more active steps in collaboration with others. The Secretaries are strategically positioned to respond to the Council's requests to conserve healthy populations of salmon and to cause the least adverse impact possible on rural residents who depend upon subsistence uses of the resources on Federal public lands.

Enclosed you will find the letter from the Council containing their request and providing background information on salmon declines and current subsistence needs. Also enclosed are communications forwarded to you last year documenting the Board's concerns and the Council's actions to address this issue to date. Please note a copy of the Council's letter was also enclosed in the Board's memo to Secretary Haaland as it related to Federal Subsistence Management Program Needs dated November 29, 2023.

Sincerely,



Anthony Christianson  
Chair

Attachments: 1\_YKDRAC Ltr to FSB re Elevate AYK Salmon Issues Final signed.pdf  
2\_FSB Letter to Secretaries re Bycatch 2022 Final.pdf

cc: Yukon-Kuskokwim Delta Subsistence Regional Advisory Council  
Federal Subsistence Board

Interagency Staff Committee  
Office of Subsistence Management  
Administrative Record

**Yukon-Kuskokwim Delta Subsistence Regional Advisory Council**

c/o Office of Subsistence Management  
1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503-6199  
Phone: (907) 786-3888, Fax: (907) 786-3898  
Toll-Free: 1-800-478-1456

In Reply Refer To:  
OSM.23102

AUG 16 2023

Anthony Christianson, Chair  
Federal Subsistence Board  
1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503-6199

Dear Mr. Christianson,

I write to you on behalf of the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council (Council) to request that the Federal Subsistence Board (Board) elevate the enclosed Arctic-Yukon-Kuskokwim salmon management issues to the Secretaries of the Interior and Agriculture (Secretaries). These issues severely impact Federal subsistence users but fall beyond the jurisdiction of the Board and therefore engagement of the Secretaries is warranted.

The Council held a public meeting on April 4–6, 2023, in Bethel, Alaska. Among the items discussed was the on-going salmon crisis in the Yukon and Kuskokwim River drainages.

**Background**

Subsistence needs for salmon by residents of the Arctic-Yukon-Kuskokwim areas are not being met. Subsistence salmon fisheries in our region have experienced complete closures or severe restrictions in recent years due to poor salmon returns. The inability to harvest, process, share, and eat salmon has had significant and negative impacts to the nutritional and cultural well-being of the people of our region who have relied on salmon since time immemorial.

*Yukon River*

Since 2008, Chinook Salmon fishing restrictions have been in place most years in order to meet the U.S.-Canada border escapement goals established by the Pacific Salmon Treaty. Because of these restrictions, subsistence salmon harvests have been below historical averages most years since then. Then in 2021 and 2022, the Yukon Area saw the lowest harvests ever recorded with

an estimated 1,995 and 1,827 Chinook Salmon harvested respectively each year.<sup>1,2</sup> Targeted Chinook Salmon fishing was closed, and the small harvests came only from agency-operated test fisheries and incidental catch. Chinook Salmon fishing is once again closed on the Yukon River for 2023 due to poor returns. The State of Alaska by regulation uses a harvest range called amounts reasonably necessary for subsistence (ANS) as a metric for determining if subsistence needs are being met. Although the Federal Subsistence Management Program does not use this metric, the Council considers ANS to be a useful tool that highlights when subsistence needs are not being met and when food security issues exist and want to share this information with the Board. For the Yukon Management Area the ANS range is 45,000–66,704 Chinook Salmon<sup>3</sup>. Chinook Salmon harvests on the Yukon River have only fallen within this range during one out of the past ten years (2019). They have been below the ANS range in 16 out of 20 years (2001–2022).

These record low Chinook Salmon harvests were compounded by record low summer and fall Chum salmon harvests during the same years. Only 1,266 and 6,724 summer Chum Salmon were estimated to be harvested in 2021 and 2022 respectively, compared to an ANS range of 83,500–142,192 fish. Similarly, only 705 and 2,778 fall Chum Salmon were harvested in 2021 and 2022, respectively, compared to an ANS of 89,500–167,00 fish. Subsistence harvests have fallen within the ANS range for summer Chum Salmon in 5 of the past 10 years, and only 2 of the last 10 years for fall Chum Salmon.

#### *Kuskokwim River*

Subsistence salmon fisheries in the Kuskokwim Management Area have also been heavily restricted in recent years because of poor run sizes. The ANS for Chinook Salmon in the Kuskokwim Area is 67,200–109,800 fish<sup>4</sup>. Subsistence harvests have never fallen within this range since it was established in 2013<sup>2</sup>. In 2021, the Chinook Salmon subsistence harvest estimate was 31,487 fish<sup>5</sup> and the preliminary estimate for 2022 is 39,316 fish<sup>6</sup>.

Similar to the Yukon Area, the Kuskokwim Area saw record low returns of Chum Salmon in 2021 and 2022. The ANS for Chum Salmon in this area is 41,200–116,400 fish. Subsistence harvests have not fallen within the ANS range since. In 2021, there were only 10,514 Chum Salmon harvested for subsistence. For 2022, the preliminary estimate is 12,883 Chum Salmon.

### **The subsistence priority needs to be reviewed for compliance with Title VIII of ANILCA;**

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<sup>1</sup> Yukon River Panel Joint Technical Committee. 2023. Yukon River Salmon 2022 Season Summary and 2023 Season Outlook. <https://www.yukonriverpanel.com/download/13/joint-technical-committee-reports/3775/yukon-jtc-23-01-2022-season-review-2023-outlook.pdf>

<sup>2</sup> Summary of Subsistence Harvests in the Yukon and Kuskokwim Management Areas. Prepared for the NPFMC Salmon Bycatch Committee. [https://meetings.npfmc.org/CommentReview/DownloadFile?p=b4c2eb40-2c3a-4cd5-b2b1-c7bd6f7798e4.pdf&fileName=4.%20Yukon%20Kuskokwim%20Subsistence%20Harvest%20Overview\\_SBC\\_Marc h2023.pdf](https://meetings.npfmc.org/CommentReview/DownloadFile?p=b4c2eb40-2c3a-4cd5-b2b1-c7bd6f7798e4.pdf&fileName=4.%20Yukon%20Kuskokwim%20Subsistence%20Harvest%20Overview_SBC_Marc h2023.pdf)

<sup>3</sup> 5 AAC 01.236

<sup>4</sup> 5 ACC 01.286

<sup>5</sup> Smith, N., and B. P. Gray. 2022. 2021 Kuskokwim management area annual management report. Alaska Department of Fish and Game, Fishery Management Report No. 22-26, Anchorage.

<sup>6</sup> Simon, J. 2023. Consultant. Personal communication. Kuskokwim River Inter-Tribal Fish Commission. Bethel, AK.

### **Subsistence users have more restrictions placed on them than other user groups**

The Council requests that the Board ask the Secretaries for guidance on how to ensure that subsistence priorities are upheld across political and salmon management boundaries, and what the Board's role in this might be. Additionally, the Council requests that the Board ask the Secretaries to ensure that the Pacific Salmon Treaty is being applied fairly to all users, and that they liaise with the Department of State, Department of Commerce, and State of Alaska to do so.

While Yukon and Kuskokwim Area subsistence fishers have been denied the right to harvest the food they need for their families, commercial fisheries managed by the North Pacific Fishery Management Council and National Marine Fisheries Service in the Bering Sea and by the State of Alaska in the Alaska Peninsula region have been allowed to continue intercepting Arctic-Yukon-Kuskokwim salmon stocks. This is unjust and is in opposition to the subsistence priorities spelled out in Title VIII of ANILCA. When fishing restrictions are necessary for conservation, they should first be applied to commercial fisheries and then to subsistence fisheries.

The Council is additionally concerned about how the Pacific Salmon Treaty is being applied to only restrict subsistence fishers in the Yukon Area in order to meet border passage goals into Canada. Commercial fisheries outside of the Yukon Area that intercept or bycatch Yukon River salmon stocks also need to be restricted and equally share in the burden of conservation. Limiting restrictions to only subsistence users is not only unjust, but often it is not enough to meet U.S.-Canada border passage escapement goals which were set to ensure enough salmon make it to spawning grounds for the future sustainability of Canadian-origin Chinook and fall Chum salmon. Minimum escapement goals were not met for Chinook Salmon during 2019–2022 and 2020–2022 for fall Chum Salmon.

### **Bycatch of Arctic-Yukon-Kuskokwim salmon in Federal commercial groundfish fisheries**

The Council requests that the Board once again elevate the issue of salmon bycatch in the Bering Sea to the Secretaries. At our Winter 2023 meeting, the Council stated on the record that we must continue to elevate this topic until meaningful action is taken to reduce bycatch of Chinook and Chum salmon. Arctic-Yukon-Kuskokwim Chinook and Chum salmon are bycaught in commercial groundfish fisheries in the Bering Sea-Aleutian Islands Area and are required to be discarded or in some cases may be donated. Although not every bycaught Arctic-Yukon-Kuskokwim salmon would return to Western Alaska rivers and successfully spawn, in years of very poor returns like we have experienced recently, every salmon counts. The Council commends the North Pacific Fishery Management Council and commercial fishermen for their efforts to try and reduce Chinook Salmon bycatch over the years; however, equal efforts need to be applied to reducing Chum Salmon bycatch. In 2021 and 2022, an estimated 48,656 and 51,092 Coastal-Western Alaska Chum Salmon were respectively bycaught in Bering Sea-Aleutian Islands trawl fisheries<sup>7,8</sup>. There were also an estimated 2,854 and 4,616 Upper-Middle

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<sup>7</sup> Barry, P. D. et al. 2022. Genetic stock composition analysis of chum salmon from the prohibited species catch of the 2021 Bering Sea walleye pollock trawl fishery. <https://doi.org/10.25923/2vz5-dk56>

<sup>8</sup> Barry, P. D. et al. 2023. Genetic stock composition analysis of Chum Salmon from the prohibited species catch of

Yukon Chum Salmon bycaught those same years. This bycatch occurred in years when subsistence fishing for Chum Salmon was closed in the Yukon Area and heavily restricted in the Kuskokwim Area.

Our Council and other Subsistence Regional Advisory Councils have advocated for many years for reductions in Chinook Salmon bycatch hard caps and for implementation of Chum Salmon bycatch hard caps through the North Pacific Fishery Management Council regulatory process. The Councils' efforts have not resulted in meaningful changes to regulations or management. Last year, four Subsistence Regional Advisory Councils with customary and traditional use determinations for Yukon River salmon sent a letter to the Board asking the Board to elevate bycatch and hard caps issues to the Secretaries (see Enclosure). Although the Board forwarded our request, the Councils have not received a response from the Secretaries.

### **Interception of Arctic-Yukon-Kuskokwim salmon in State of Alaska commercial mixed-stock salmon fisheries**

The Council requests the Board to work with the State of Alaska to reduce interception of Arctic-Yukon-Kuskokwim Chum Salmon. Commercial salmon fisheries in the Alaska Peninsula region harvest mixed stocks of salmon, a proportion of which are AYK salmon. The genetic composition of the commercial Chum Salmon harvests in this region was studied in 2007–2009, and another four-year study is currently underway for 2022–2026 with the first year of data available<sup>9</sup>. The estimated Coastal Western Alaska Chum Salmon harvests by year in the South Alaska Peninsula were: 177,867 fish in 2007, 214,464 in 2008, 420,739 in 2009, and 103,798 in 2022. These high levels of interception were allowed to occur in years like 2021 and 2022 when there were record low Chum Salmon returns to the Yukon and Kuskokwim areas and subsistence salmon fishing was closed or heavily restricted. Commercial fishers harvested Arctic-Yukon-Kuskokwim Chum Salmon for profit while families in our region could not fish to feed our families.

During the 2023 Arctic-Yukon-Kuskokwim Region Alaska Board of Fisheries meeting cycle, there were significant efforts made by Arctic-Yukon-Kuskokwim subsistence stakeholders, including this Council, to try to reduce commercial fishing time within the Alaska Peninsula region. Proposals to reduce Chum Salmon fishing time were submitted with the hope of reducing interception of Arctic-Yukon-Kuskokwim Chum Salmon and increasing returns to Arctic-Yukon-Kuskokwim drainages. Despite near record amounts of public testimony given at the 2023 State of Alaska Arctic-Yukon-Kuskokwim Board of Fisheries meeting, substantial reductions were not made to commercial fishing periods. The Council understands that State of Alaska managed commercial fisheries are outside of the jurisdiction of the Board; nevertheless, these fisheries significantly impact subsistence users within Federal Subsistence Management Program's jurisdiction.

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the 2022 Bering Sea walleye pollock trawl fishery, preliminary report.

<https://meetings.npfmc.org/CommentReview/DownloadFile?p=7d5076b0-1a7f-4faa-92ba-d67a0fb28c22.pdf&fileName=C2a%20BS%20Chum%20Salmon%20Genetics%20Report%202022.pdf>.

<sup>9</sup> Dann, T. H. et al. 2023. Genetic stock composition of chum salmon harvested in commercial salmon fisheries of the South Alaska Peninsula, 2022. Alaska Department of Fish and Game, Special Publication No. 23-07, Anchorage.

**Need for ecosystem scale collaborative salmon management**

The Council requests that the Board ask the Secretaries for guidance on how to initiate ecosystem scale salmon management planning for the Arctic-Yukon-Kuskokwim region. The Council strongly believes that salmon management must take place on an ecosystem scale and that cross-region conservation and management planning efforts between the and Departments of Agriculture, Commerce, and Interior and the State of Alaska need to be implemented immediately to save our salmon. Federal-State and inter-Department collaboration at this level will require the attention and engagement of the Secretaries.

The Council has consistently asserted, on the record, that Arctic-Yukon-Kuskokwim salmon management issues must be elevated. The Council has exhausted all options to try to protect our salmon and subsistence livelihoods through the regulatory processes of the Board, North Pacific Fishery Management Council, and Alaska Board of Fisheries. None of our efforts have resulted in meaningful changes to regulations or increased protections for our salmon and subsistence users. Urgent action is necessary as our salmon and our subsistence lifeways are becoming endangered. Although the Council understands that bycatch and interception are not the only factors impacting salmon returns to our rivers, the burden of conservation must be shared equally among user groups and that reductions in commercial fishing bycatch and interception are warranted during times of conservation when every salmon counts.

In summary, the Council wants to ensure that the subsistence priority in Title VIII of ANILCA is upheld and that salmon are co-managed across their entire ecosystem so that subsistence lifeways and salmon populations may flourish into the future. The Council would like to thank the Board in advance for discussing these important issues and elevating them to the Secretaries. If you have any questions or would like to follow up, please contact me through our Subsistence Council Coordinator Brooke McDavid at (907) 891-9181 or [brooke\\_mcdavid@fws.gov](mailto:brooke_mcdavid@fws.gov).

Sincerely,



Raymond Oney  
Chair

Enclosure

cc: Federal Subsistence Board  
Interagency Staff Committee  
Office of Subsistence Management  
Yukon-Kuskokwim Delta Subsistence Regional Advisory Council Members  
Seward Peninsula Subsistence Regional Advisory Council Members  
Western Interior Alaska Subsistence Regional Advisory Council Members  
Eastern Interior Alaska Subsistence Regional Advisory Council Members  
Yukon River Panel

Benjamin Mulligan, Deputy Commissioner, Alaska Department of Fish and Game  
Mark Burch, Special Project Coordinator, Alaska Department of Fish and Game  
Administrative Record





## Federal Subsistence Board

1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503 - 6199



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

FOREST SERVICE

In Reply Refer To:  
OSM 23141

November 29, 2023

### Memorandum

**To:** Debra Haaland, Secretary of the Interior

**From:** Anthony Christianson, Chair, Federal Subsistence Board

**Subject:** Federal Subsistence Management Program Needs

This document follows up on the Federal Subsistence Board (Board) members' 10/20/2023 meeting with the Secretary of the Interior, the Assistant Secretary for Indian Affairs, and the Secretary's Senior Advisor for Alaskan Affairs and Strategic Priorities. The Board requested a meeting with the Secretary upon review of the Subsistence Regional Advisory Councils' (Councils) annual reports during the Board's August 2023 work session. Numerous topics related to the Federal Subsistence Management Program (Program) were raised and shared with the Board, some of which are outside the administration and jurisdiction of the Program and cannot be addressed singularly by the Board. This document lists the identified issues, as well as resources and other assistance the Secretary's office could provide to help resolve these issues. The Federal Subsistence Management Program is a comprehensive program administered by the Office of Subsistence Management (OSM) and implemented jointly by the Departments of Interior and Agriculture Agencies and Bureaus. This list of policy, programmatic, and funding needs is not exhaustive. It includes the need for adequate provision for subsistence uses by fish and wildlife decisionmakers who are beyond the purview of the Federal Subsistence Management Program. It also includes needs of rural and Tribal partners to facilitate their engagement in the program, research needs to address salmon and wildlife declines, and the need for improved staff support for the non-agency public members on the Board. Additional needs not fully discussed herein are significant programmatic, staffing and funding needs of the Federal Agencies and Bureaus with responsibility for implementing the Federal Subsistence Management Program.

**Advocate for ecosystem scale collaborative salmon management in Arctic/Yukon/Kuskokwim and Southeast Alaska regions that ensures continuation of subsistence uses**

- **Issue:** Catastrophic declines in salmon abundance have caused severe reductions and complete closures of subsistence fishing in many areas. Salmon are a mainstay of subsistence in Alaska. The loss of harvestable runs in recent years is having disastrous consequences on Alaska Natives' and rural users' ability to maintain the cultural, social nutritional, and economic fabric necessary for their survival not only today but also for the survival of the generations to come. Management decisions made by Federal and State agencies and Canada are fragmented. Allocative decisions favor commercial and sport harvests early in the salmon harvest cycle and disfavor subsistence users at the end of the harvest cycle. Subsistence interests are not adequately accounted for in decision-making processes. The Board and Subsistence Regional Advisory Councils have repeatedly requested the North Pacific Fisheries Management Council (NPFMC) and the State of Alaska Board of Fisheries take actions such as reducing bycatch and intercept fisheries to provide for subsistence uses, but these requests have not been adequately addressed to ensure salmon return to their natal rivers.
- **Support needed:**
  - Work with Administration counterparts to drive a comprehensive, collaborative, ecosystem scale approach that ensures a subsistence priority across all salmon fisheries management frameworks.
  - Science collaboration: engage with Department of Commerce (NOAA/NMFS and NWS) to spur enhanced scientific collaboration around the causes of salmon decline.
  - Tribal consultation: encourage joint Tribal consultations between the Federal Subsistence Board and NPFMC on salmon fisheries in State and Federal jurisdictions.

**Advocate for Federal and State engagement in resolving the issue of Canadian mines impact on the Southeast Alaska Transboundary River watersheds.**

- **Issue:** The Canadian large-scale mining operations that are currently running or are planned for transboundary rivers watersheds in Southeast Alaska (Taku, Stikine, and Unuk rivers) are having or potentially will have an adverse effect on water quality and fishery production in these rivers. The Board's and the Southeast Alaska Subsistence Regional Advisory Council's efforts to bring this issue to the attention of the State government have not been successful.
- **Support needed:**
  - Work with the Secretary of State and Alaska Congressional Delegation to request Federal engagement in the issue regarding the large-scale mining operations in Canada.
  - Engage the International Joint Commission to safeguard water quality and fishery production.

### **Provide compensation for Regional Advisory Council members**

- **Issue:** Council members receive no compensation for the time they spend attending Council meetings or the expertise and Indigenous knowledge they provide to the Federal Subsistence Management Program. The cost of living in rural Alaska is very high, and the time Council members take away from their jobs and families to participate in Council meetings are big sacrifices that often result in losses of income. Many Councils have ongoing vacancies and are struggling to recruit applicants. This is not because rural Alaskans do not care about subsistence uses or lack the desire to share their expertise; it is because many rural Alaskans cannot afford the financial consequences of donating their time to Council meetings and the Program.
- **Support needed:**
  - Receiving compensation while attending the Council meetings twice a year through stipends or honoraria is a common best practice. According to FACA, the agency head may establish rates of compensation. There are 10 Regional Advisory Councils, each with 10-13 members, totaling 109 volunteers. A daily stipend at a GS-12 level would cost approximately \$175,000/year. The total amount would be supporting the work of over 100 rural subsistence representatives and traditional knowledge holders. The current OSM budget could not absorb this cost; additional funding would be needed to cover Council compensation.

### **Provide Information on proposed move of Office of Subsistence Management**

- **Issue:** Council members were surprised to learn of the President's FY-24 budget proposal to move OSM from the U.S. Fish and Wildlife Service to the Office of the Assistant Secretary for Indian Affairs. Council members want to know what effects the move will have on administration of the Federal Subsistence Management Program.
- **Support needed:**
  - Provide Board and Council members with regular updates on status of the proposal.
  - Provide Council members with information on the intent of the proposal.
  - Provide Council members with information on any additional proposals to make changes to the structure, administration, and operations of the Federal Subsistence Management Program inclusive of OSM and the Federal Agencies/Bureaus as a best practice.

### **Provide Staff support for Board Chair and Public Board members**

- **Issue:** The public Board members don't have adequate staff support. OSM has one Native Liaison (NL) who serves as the Interagency Staff Committee (ISC) member supporting all three public Board members in addition to his other responsibilities as NL for OSM. The agency Board members each have at least one ISC member to support them. The agency Board members have the option (as described in 50 CFR 100.10(b)(1) and 36 CFR 242(b)(1)) to appoint agency staff to act when they are unable to be present.

The public Board members do not have the authority to appoint staff to act on their behalf if they're unable to be present.

- **Support needed:**
  - Provide capacity for a designated FTE to serve solely as ISC support for the Board Chair and public members. GS-13, \$200k/year (salary, benefits, travel).
  - Regulatory change to authorize public board members to appoint a designee.

#### **Increase funding for Fisheries Resource Monitoring Program (FRMP)**

- **Issue:** The FRMP provides crucial information needed for federal subsistence fisheries management and to support capacity building for Alaska Native and rural organizations for subsistence fisheries management, but there is not enough funding available to support demand and information needs.
- **Support needed:**
  - Add \$2 million to federal subsistence budget to support FRMP. Existing annual FRMP budget is typically \$2.5 million, but information is needed statewide due to low salmon returns, reliance on alternative species, and the opening of closed waters for subsistence opportunities. A portion of this increase could be used in the Partners program, which provides grants to Alaska Native and rural organizations to develop their staff capacity for managing fisheries resources. Each year the program is only able to fund a portion of the funding proposals received.
  - Assessment projects and qualified staff are needed in many regions to support in-season Federal subsistence fisheries management decisions. These could be provided through agency activities.

#### **Provide funding for Wildlife Resource Monitoring Program (WRMP)**

- **Issue:** Similar to FRMP, information needs for federal subsistence wildlife management are great but there is no similar research funding program. The Board must make decisions on wildlife issues without adequate information related to harvest monitoring, Indigenous knowledge, and stock status and trends.
- **Support needed:**
  - \$5 million to establish a WRMP program and begin funding projects similar to FRMP.

Attachments



***Southeast Alaska  
Subsistence Regional  
Advisory Council***

**Don Hernandez, Chairman  
1011 E. Tudor Road, MS121  
Anchorage, Alaska 99503-6199**

In Reply Refer To:  
RAC SE23023.DP

FEB 24 2023

Mr. Anthony Christianson, Chair  
Federal Subsistence Board  
c/o Office of Subsistence Management  
1011 East Tudor Road, Mail Stop 121  
Anchorage, Alaska 99503

Dear Chairman Christianson:

The Southeast Alaska Subsistence Regional Advisory Council (Council) wishes to add its voice to those of the Yukon-Kuskokwim Delta, Western Interior Alaska, Eastern Interior Alaska, and Seward Peninsula Subsistence Regional Advisory Councils (Councils) dated April 12, 2022, to the Chair of the North Pacific Fishery Management Council. Specifically, the Council acknowledges that there is a growing concern about bycatch in trawl fisheries throughout the State of Alaska.

This Council has heard from Southeast constituents that there are similar concerns of trawl bycatch in southeast Alaska, including testimony that no effort has been made to reduce interception and that the trawling industry was expected to 'be more creative' in addressing the problem. Southeast residents, including subsistence users, are very concerned about the overall health, and limited harvestable amount of Chinook Salmon.

Currently, the bycatch cap for Chinook Salmon in the Gulf of Alaska (GOA) trawl fisheries is 32,500 fish. To put that number in perspective, it is about 164% of the most recent (2022) allocation of Chinook Salmon in the Southeast Alaska purse seine, drift gillnet, and set gillnet fisheries combined. Most subsistence users harvest Chinook Salmon under sport fishing regulations and allocation plans. In 2022, the 32,500 fish bycatch cap was about 2/3 of the entire sport allocation of Chinook Salmon in Southeast Alaska. As such, the current bycatch cap represents a large portion of an already fully allocated resource.

The impact of trawl bycatch on Southeast Alaska Chinook fisheries is especially concerning given the pending legal actions threatening the troll fishery, which is an important component of the economy in the rural Southeast Alaska communities where subsistence users live and work. Shutting down the troll fishery while allowing the wasteful taking of Chinook in trawl fisheries to continue would be a travesty.

Encouragingly, the GOA trawl fleet has maintained bycatch levels under the current bycatch cap in recent years. While that is certainly good news, it shows that more can be done. The Council believes that the bycatch cap should be reduced further, to require the GOA trawl fleet to continue to innovate ways to reduce bycatch of Chinook Salmon and other non-target species. Any progress on this front can be transferred to other fisheries with bycatch concerns, most notably the Bering Sea and Aleutian Islands fisheries that have been shown to impact already devastated subsistence users of Western Alaska salmon stocks.

The Southeast Alaska Subsistence Regional Advisory Council stands in support of the Councils requesting regulatory relief and subsistence representation on the North Pacific Fisheries Management Council. The issue of trawl bycatch is one that affects every subsistence fishing community in Alaska, and these communities should have a seat at the table when it comes to management of the salmon resources we all share.

If you have any questions regarding this letter, they can be addressed through our Council Coordinator, DeAnna Perry, at 907-209-7817, [deanna.perry@usda.gov](mailto:deanna.perry@usda.gov).

Sincerely,



Donald Hernandez  
Chair

cc: Federal Subsistence Board  
Southeast Alaska Subsistence Regional Advisory Council Members  
Office of Subsistence Management  
Benjamin Mulligan, Deputy Commissioner, Alaska Department of Fish and Game  
Mark Burch, Special Projects Coordinator, Alaska Department of Fish and Game  
Interagency Staff Committee  
Administrative Record