

Tanana Chiefs Conference Consultation Summary¹

January 21, 2022
11am to 1pm AKST

Attendees: Brian Ridley (President), Benjamin Stevens (Director, Hunting and Fishing Task Force), Dewey Kk'oleyo Hoffman (Deputy Director for Tribal Relations and Client Services), Amber Vaska (Executive Director of Tribal Government and Client Services), Brooke Woods (Fisheries Policy Analyst and Outreach Coordinator), Bruce Ervin (Tribal Resources Stewardship Program), Shannon Erhart (Tribal Development Deputy Director)

NMFS Staff: Doug Mecum (Regional Administrator), Glenn Merrill (Assistant Regional Administrator for Sustainable Fisheries), Molly Watson (NOAA General Counsel (GC)), Demian Schane (NOAA GC). Others assisting with coordination and notetaking include: Anne Marie Eich, Mary Furuness, Obren Davis, Kelly Cates, Abby Jahn.

Meeting Purpose: The Tanana Chiefs Conference (TCC) initiated consultation to discuss concerns about Chinook and chum salmon bycatch with the National Marine Fisheries Service (NMFS). The purpose of this meeting was to consult, on a government-to-government level, on the topic of Chinook and chum salmon bycatch and the fisheries regulations and policies that affect the TCC. Specific topics requested for this consultation included:

- Emergency action to eliminate Chinook salmon bycatch,
- Cap on chum salmon bycatch in the Bering Sea pollock trawl fishery,
- NMFS Disaster Declaration Process, and
- Food Security.

Notes were prepared by NMFS staff with review by TCC attendees. The finalized summary of this session will be posted to the [NMFS Alaska Region webpage](#).

Discussion:

note: the summary of this discussion is not explicitly representative of the rich perspectives that were shared during the session by representatives and leaders of the Tanana Chiefs Conference.

Engagement:

- NMFS Alaska Regional Office is working to meaningfully engage with tribes on fishery actions, and one such effort is to engage earlier. NMFS has developed an internal tribal engagement team to focus on fisheries-related tribal issues within the Sustainable Fisheries Division. NMFS Alaska Region is also evaluating the idea of a tribal liaison for the region. Recent tribal engagement efforts include:

¹Draft summary notes, pending feedback from consultation participants

- Developing a fisheries-focused Tribal Engagement Team to support tribal engagement and NMFS outreach through assisting in consultations, management actions, and collectively working to improve communication.
- January 11, 2022 listening session on salmon bycatch
- November 29, 2021 listening session on halibut bycatch
- Participation in The Department of the Interior and the U.S. Department of Agriculture virtual listening sessions and virtual consultations on Federal subsistence policy, held in January 2022.
- Formal tribal consultations as requested (see [website](#) for complete list).
- Upcoming engagement opportunities with the North Pacific Fisheries Management Council (Council):
 - February 2022, Council meeting: NMFS will provide a high level summary of this consultation and recent listening sessions to the Council.
 - June 2022, Council meeting: the Council will review the (1) Chinook and chum genetics reports for the Bering Sea and Gulf of Alaska, (2) Chinook AEQ update and ADF&G stock status update, and the (3) Pollock Incentive Agreement Plan.

Perspectives on NMFS efforts on tribal engagement:

- Participants expressed appreciation for this engagement session.
- Participants expressed that the written summary of the salmon bycatch listening session did not accurately reflect the rich sharing and testimonies of the people on the call. In particular, an elder who has been testifying at Council meetings for 15 years continues to express their perspective and request action without any action taken in all of those years.
- Participants noted there is a lack of tribal representation on Council.
- Participants asked if the current engagement structure is effective for the Council to hear their voices and concerns.
 - NMFS provided a response that they recognize the need for improvement in summarizing consultations and listening sessions, disseminating information to the Council, and highlighting the need for further engagement with tribes.

Salmon Bycatch:

Perspectives on salmon bycatch:

- Tribal members in the Arctic-Yukon-Kuskokwim Region organized to present a unified perspective on issues such as salmon bycatch and representation even though there are a wide range of perspectives from TCC members in terms of language, culture, and communication.
- There are many villages with different modes of communication equipment, and the ability to engage virtually is varied. NMFS and the Council should recognize these differences and work to improve accessibility.
- When salmon run sizes are low, subsistence harvest shuts down but the pollock fishery does not have to shut down. Tribal members and communities are losing culture and tradition by these salmon closures.

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- Concern with using State of Alaska data. There seems to be little money available for salmon research, and data provided is 2 years old.
- Concern with the accuracy and reporting of bycatch data collected in federal commercial fisheries. Tribal organizations are hiring and training more people to work on fisheries issues. These knowledge holders can contribute to and complement western science methodologies.
- Knowledge from tribes can be provided to the Council and NOAA and help inform management and policy, with the intent of using multiple sources of knowledge and not just western science.
- There isn't an effective mechanism for tribes to communicate to the Council and include indigenous knowledge in the current fisheries management structure. The Magnuson-Stevens Fishery Conservation and Management Act (MSA) was created by lobbyists. Tribal governments and communities could improve the Act.
- Ecosystem is out of balance. We are discussing a fishery that only targets pollock; we are not talking about the bigger picture.
- There is limited space to provide perspectives and share other knowledge sources in the Council arena to affect actions.

Fisheries Management, as described by NMFS:

- Council receives, on a regular basis, scientific information provided by NOAA. Other sources of information and knowledge are not as integrated into the process.
- NOAA has monitoring requirements which include observers, electronic monitoring, bycatch accounting, prohibited species catch, and genetics for Chinook and chum salmon.
- The State of Alaska provides subsistence updates, as well as escapement numbers in the AYK region. All of these escapement data inform a chum salmon bycatch cap.
- NMFS-employed observers are required on all BS pollock trawl vessels. Observers record bycatch and are a key part in NMFS's data accountability. NMFS's data systems are created so there are security and quality control assurances. Any salmon taken incidentally are sampled at sea by observers. Electronic monitoring systems are in the early stages of testing by the fleet and are continuing to improve bycatch monitoring.

Food security:

- For tribal members and tribal communities, food security is dependent upon what is available on land and in the waters. There is no commercial food infrastructure or affordable options like you would find on the road system.
- Subsistence promotes health and well-being for which there is no substitute.

NOAA's Fisheries Disaster Declaration Process

- NMFS provided an update to TCC on the disaster declaration process - the Department of Commerce approved a [determination](#) on January 22, 2022 for the Alaska Norton Sound, Yukon River, Chignik, Kuskokwim River, and Southeast Alaska Salmon Fisheries for 2020 and the Yukon River Salmon Fishery for 2021. The request was through the governor of Alaska's office.

- This process has a fairly long timeline. First a fund plan has to be developed with the State. Then there is a public commenting process. There is no standing fund for disasters. Congress must appropriate funding to help those affected by the disaster. If Congress appropriates funds or funds are remaining from a previous appropriation, NMFS works with the State to distribute the funds consistent with the statutory requirements and conditions of the appropriation. The State and NMFS develop a spending plan based on high priority needs in the community and submits the plan to NMFS. Disaster funding is distributed to eligible entities through the federal grant process. Often a state agency or the Pacific State Marine Fisheries Commission works on behalf of the governor/State to develop and submit a spending plan and grant proposal to NMFS for release of funding.
- To develop the spending plan, the governor/State works with the affected parties and NMFS to determine funding priorities consistent with the MSA and Interjurisdictional Fisheries Act and any direction provided by the appropriation.
- Once the governor/State has completed their spending plan, they submit it along with a grant proposal. NMFS reviews the materials to determine if they are consistent with the statutory requirements, fulfill any conditions of the appropriation made by Congress, and meet federal grant requirements.
- Also, the link to the [Frequent Questions: Fishery Disaster Assistance](#) was provided.

Overall Summary:

- When salmon run sizes are low, subsistence harvest shuts down but the pollock fishery does not have to shut down. Tribal members and communities are losing their culture and tradition due to the lack of in-river salmon due to low abundance. However, the Bering Sea pollock fishery does not have to shut down when salmon abundance is low.
- TCC participants noted there is a lack of tribal representation on the Council, and questioned whether the current engagement structure is effective for the Council to hear their voices and concerns.
- Tribal knowledge can be provided to the Council and NMFS and help inform management and policy, with the intent of using multiple sources of knowledge to inform decision-making and not just western science. However, there isn't an effective mechanism for tribes to communicate to the Council and include indigenous knowledge in the current fisheries management structure.