

Yukon-Kuskokwim Delta Subsistence Regional Advisory Council

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APR 19 2022

Anthony Christianson, Chair
Federal Subsistence Board
c/o Office of Subsistence Management
1011 E. Tudor Road, MS 121
Anchorage, Alaska 99503-6199

Dear Chairman Christianson:

The Yukon-Kuskokwim Delta Subsistence Regional Advisory Council (Council) appreciates the opportunity to submit its FY2021 Annual Report to the Federal Subsistence Board (Board) under the provisions of Section 805(a)(3)(D) of the Alaska National Interest Lands Conservation Act (ANILCA). At its public meetings held via teleconference on October 6-8, 2021, the Council identified concerns and recommendations for this report. The Council approved this Annual Report at its March 1-3, 2022, meeting. The Council wishes to share information and raise a number of concerns dealing with implementation of Title VIII of ANILCA and the continuation of subsistence uses in the Yukon-Kuskokwim Delta Region.

1. Donlin Gold Mine – Impacts to subsistence resources

The Council is concerned about impacts to subsistence resources from the development of the Donlin Gold Mine and barging of mining materials, fuel, and chemicals on the Kuskokwim River. The Kuskokwim River is the lifeblood of subsistence and source of drinking water for many communities in the Yukon-Kuskokwim Delta. The connectivity to the river is everything – if we lose our fish, our salmon, we will lose our entire way of life. The Council is concerned about direct impacts of mining and barging activities to subsistence fish and wildlife and their habitats. We are concerned about contaminants affecting the health of essential subsistence foods and, subsequently, the health of everyone in the region that depend on them.

The Council has expressed concerns in previous Annual Reports about the likely impacts to subsistence as reported in the Donlin Gold Project Final EIS ANILCA Section 810 analysis (enclosure), which indicates the mine as proposed would “may significantly restrict” subsistence for every community in the vicinity and downriver of the mine – from Crooked Creek to the mouth of the Kuskokwim River. The Council also has very serious concerns about the proposed number of daily barges on the Kuskokwim River required to support the Donlin mine

development and operations. Opportunity for subsistence fishing on the Kuskokwim is already limited for Chinook Salmon conservation measures. Greatly increased barge traffic, up to 200 percent with at least several barges heading upriver and downriver every day during open water on the river from break up to freeze up, June 1 to October 1st would only add to fisheries management challenges and interfere directly with subsistence fishing opportunity. Subsistence fishers will have to pull drift nets and move out of the way of barges. The large and long-lasting wake of large barges can also dislodge set nets and cause bank erosion thus impacting fish camps directly.

Additionally, the Council is gravely concerned about direct impacts on subsistence fisheries and resources from barge accidents spilling diesel fuel or other cargo, such as the cyanide that will be shipped in to process gold at the mine site. Sensitive fish habitat and out-migrating salmon smolts may also be negatively impacted by constant prop wash of large barges. Some critical spawning areas may be destroyed by the near constant large barge traffic, such as the shallow water gravel bed below Kalskag that is known as the primary Rainbow smelt spawning habitat. Communities will be at a direct risk of losing this highly valued subsistence resource – Rainbow smelt are some of the most abundant fresh subsistence fish harvested in the spring by communities all along the Kuskokwim River as they migrate upriver to spawn. All of this would occur within the Federal waters of the Yukon-Delta National Wildlife Refuge.

The Council would like more information on federal subsistence protections that can be taken to address impacts to subsistence identified in the enclosed in the Donlin Gold Project Final EIS ANILCA Section 810 analysis. The Council seeks to ensure subsistence priority and continuation of subsistence uses in the case of industrial activities such as the planned barge activities would directly harm subsistence resources or displace subsistence users from traditional fishing areas and activities.

2. Whitefish research request – Important subsistence whitefish in decline

The Council is concerned about observed decline in subsistence whitefish species both on the Yukon and Kuskokwim rivers. Council members and other local community members have observed smaller size and abundance of many of the whitefish species that are so important to subsistence. Now, more than ever whitefish are critical subsistence foods and the only fish to eat when the salmon fishing is restricted or closed due to the Chinook and Chum salmon population crash. The Council is concerned that the health and population of the whitefish species should also be monitored to ensure its continued viability for the future as well.

3. Sockeye Salmon research request – Does Sockeye Salmon abundance effect other species?

Sockeye (Red) Salmon populations have been increasing on the Kuskokwim River in recent years. The Council is very grateful for the abundance of this subsistence salmon species but wonders if its increased population impacts other salmon such as Chinook and Chum. The Council is particularly interested to know if Sockeye Salmon affect the spawning grounds of

other salmon species or outcompete other juvenile salmon for resources. Additionally, the Council is interested to learn more about whether there are any concerns about the continuing viability of the Sockeye Salmon if it increases so much to exceed carrying capacity in the available spawning and rearing habitat.

4. Catastrophic low returns of Chinook and Chum salmon on the Yukon and Kuskokwim rivers in 2021 and impacts to subsistence communities way of life

Council members and the rural communities we represent have tried repeatedly to convey the essential importance of salmon to our life and livelihood: salmon is who we are as people, it is our culture and way of life that we are born into. Communities all along the Yukon and Kuskokwim rivers have worked diligently to support these conservation efforts so that our children will be able to continue to harvest Chinook and Chum salmon in the future and live the subsistence way of life that revolves around family fish camp. The salmon declines and resulting severe restrictions to subsistence fishing is tearing away at the fabric of our culture, community, and families. The transmission of knowledge conveyed from generation to generation at family fish camp is being lost. Not only do we not have fish to feed our families, we do not have fish to share with others. Sharing is a central component of our cultural values: it takes care of our elders, those in need, family, and friends, bonds communities across the region, and is central to our celebrations and ceremonies. *There is no other resource available to replace salmon for our communities.*

The Chinook and Chum salmon run failures in 2021 resulted in the complete closure or severe restriction of subsistence salmon fishing for all communities along the Yukon and Kuskokwim rivers, tributaries, and coastal areas. This was the lowest ever Yukon River Coho and Chum salmon returns on record for the second year in a row. The crash of the Chinook and Chum salmon populations will likely result in severe restrictions or complete closure to subsistence fishing across western Alaska again this year. Subsistence salmon needs are not being met across Alaska. Pacific Salmon Treaty Chinook and Chum salmon escapement goals with Canada have not been met. And yet subsistence communities are bearing the burden of conservation, while the Bering Sea trawl fisheries continue unabated. Fish camps and freezers went empty, and there is no salmon to sustain all our many communities through the winter. Subsistence salmon fishing has been increasingly restricted over the past ten years due to diminishing Chinook Salmon returns. These diminishing Chinook Salmon returns, along with the catastrophic decline of Chum Salmon, caused complete closures to the harvest of a single salmon for subsistence. This is truly a crisis of such magnitude that calls for immediate and meaningful action to reduce all unnecessary mortality to western Alaska salmon stocks. We ask the Federal Subsistence Management Program to engage with intercept commercial fisheries in the Bering Sea and in the South Alaska Peninsula Management Area known as Area M.

The Board should be fully aware of the magnitude of these missing subsistence salmon resources. Kuskokwim harvest of Chinook and Chum salmon was half of lowest ever recorded subsistence harvest levels. The Yukon River drainage ten-year salmon harvest average from 2010 to 2019 was 27,919 Chinook Salmon, 91,253 Summer Chum Salmon, and 83,874 Fall Chum Salmon

(https://www.adfg.alaska.gov/index.cfm?adfg=commercialbyareayukon.subsistence_salmon_harvest). It should be noted that these 10-year harvest averages were during times of salmon conservation measures and not a true reflection of historical subsistence salmon harvest levels if subsistence were not restricted. Zero subsistence salmon were able to be harvested on the Yukon River in 2021.

Title VIII of ANILCA provides for subsistence priority above other consumptive uses and the Federal Subsistence Management Program manages for subsistence opportunity. Nothing is more devastating for our salmon culture and communities than to have absolutely no subsistence salmon fishing opportunity at all.

5. North Pacific Fishery Management Council – Request to lower salmon bycatch and ADF&G -- Request to restrict Area M intercept fisheries

The Council is concerned about Bering Sea commercial trawl fisheries and high rates of Chinook and Chum Salmon bycatch that is still occurring even though the subsistence fisheries have been restricted throughout western Alaska and completely closed on the Yukon River and coast. The Council has requested that the North Pacific Fishery Management Council immediately reduce the bycatch hard cap for Chinook Salmon and to 16,000 and establish a hard cap for Chum Salmon at 250,000, which is approximately half of the most recent Chum Salmon bycatch totals in 2021. In concurrence with other Yukon River Subsistence Regional Advisory Councils, the Council also request these bycatch caps be further reduced within a year to a hard cap of 10,000 for Chinook Salmon and 150,000 cap for Chum Salmon. These requests are completely reasonable if every fish counts and subsistence fishermen on the Yukon and Kuskokwim rivers are prevented from harvesting a single salmon. The Council further request these concerns be elevated to the Secretaries of the Interior and Agriculture and the Secretary of Commerce. The Council has written several letters addressing this in detail but also wants to put this on the record in our FY 2021 Annual Report to the Board.

Subsistence salmon needs are not being met; hundreds of Alaskans in subsistence communities are going hungry this winter due to closures to salmon fishing in order to meet escapement goals. Salmon is our life and livelihood. We cannot survive without it. There is no subsistence priority being protected in river if salmon are being caught by the thousands in the Bering Sea commercial fisheries. If subsistence fishing is restricted, then all commercial fisheries that intercept salmon must also be restricted. We request the Board engage on this issue with the North Pacific Fishery Management Council to reduce salmon bycatch in the Bering Sea commercial fisheries. We further request the Federal Subsistence Management Program engage with the Alaska Department of Fish and Game on Area M commercial fisheries to restrict catch of Arctic, Yukon, and Kuskokwim Chinook and Chum salmon stocks in that commercial fishery in support of our subsistence priority for salmon and continuation of customary and traditional subsistence salmon uses on the Yukon and Kuskokwim rivers.

6. Mulchatna Caribou Herd decline – Conservation measures

The Council recently supported the Delegation of Authority to the Togiak National Wildlife Refuge Manager to manage the Mulchatna Caribou Herd. We request that the manager works closely in communication with the Council and local communities in the management of this critical subsistence resource. Local subsistence communities are out on the ground observing the caribou and its environment and can share their Traditional Knowledge. It is also imperative to keep communications open on the caribou conservation measures and to work together through these very difficult times when yet another critical subsistence resource is being restricted.

The Council is very concerned about the dramatic decline of the Mulchatna Caribou Herd. This is an incredibly important subsistence resource for numerous communities throughout the range of the herd. The Council endeavors to ensure that the herd will be able to recover so that it will remain a subsistence resource in the future. Therefore, the Council requests a full closure to any harvest of the Mulchatna Caribou Herd until it rebounds to the established population objective of at least 30,000 caribou. The Council further requests to:

- Establish jointly with the Federal Subsistence Board/Federal land managers a five-year moratorium to close the harvest of Mulchatna Caribou (or until the sustainable population objective goal of 30,000 caribou has been met) in order to help the caribou herd rebound so that the herd will once again be able to reach a population size that can sustain subsistence harvest into the future.
- Close all State and Federal lands to the harvest of Mulchatna Caribou Herd throughout their migratory range that includes all or portions of Units 9A, 9B, 9C, 17A, 17B, 17C, 17C remainder, 18, 18 remainder, 19A, and 19B.
- Maintain a sex ratio of 30 bulls: 100 cows (or a better ratio provided by biologists) that will increase caribou herd productivity.
- Support liberal subsistence harvest opportunity for bears and wolves.
- Conduct outreach on hunting regulations and closures, education, and incentives for caribou conservation measures.
- Improve knowledge of and compliance with harvest reporting requirements.

The summer 2021 population estimate of the Mulchatna Caribou Herd is approximately 12,850, which is similar to the 2019 and 2020 estimates and well below the established minimum population objective of 30,000 caribou. As a result of this decline, conservation measures were implemented during the past two seasons including closures of the season by both State and Federal managers. To provide timely and flexible management, the Board delegated in-season management authority to the Togiak National Wildlife Refuge Manager for the 2020-2022 hunting seasons. Since receiving management authority, the Togiak Refuge Manager in collaboration with staff from the Alaska Department of Fish and Game determined that there is no harvestable surplus that would allow the herd to grow.

This hunting moratorium request is in the interest of allowing time for the Mulchatna Caribou Herd to recover. A closure to all harvest across the range of the Mulchatna Caribou Herd is warranted until the population can regrow to a sustainable level. A hunting moratorium will help send a clear message to all communities across the range of the herd about the dire situation of

the herd's population size and the need to work together on communications and outreach to build support for these conservation efforts for a sustainable subsistence harvest opportunity in the future. The Council has experience with the success of similar hunting moratorium efforts in the past for moose on both the lower Yukon and Kuskokwim rivers, and now those moose populations have rebounded to provide for ample subsistence harvest opportunity. We believe the same can be achieved for the Mulchatna Caribou Herd.

7. Request to support additional subsistence moose harvest opportunity on the lower Yukon River to assist communities in need due to low salmon returns

The Council recently submitted Proposal WP22-42 to increase the moose harvest limit on the lower Yukon River in Unit 18 remainder from two to three moose. This request to increase the harvest limit by one additional moose in Unit 18 remainder is needed to continue subsistence uses and increases opportunity for the sharing of moose throughout the Yukon-Kuskokwim Delta region. Increasing the harvest limit will help to ensure long-term sustainability of the Lower Yukon River area moose population, which is currently too high to be supported by the local environment. If this moose population is not reduced, it is at risk of crashing due to over browsing of available forage.

The Council further requests support from the Federal Subsistence Management Program to assist with information and distribution of Designated Hunter Permits to these lower Yukon River communities to further aid in providing moose to communities and families in need of subsistence foods during these times of catastrophically low salmon returns. Additional harvest opportunity for moose in Unit 18 remainder will support the Lower Yukon River communities' ability to provide not only for their own families and community but also increases sharing opportunities with subsistence communities in other areas of the Yukon-Kuskokwim Delta that do not have as abundant moose populations, are currently restricted from hunting Mulchatna Caribou due to conservation concerns, and are in need of subsistence food support. Especially in these times of low salmon returns on the Yukon and Kuskokwim rivers and with the recent closures to the harvest of Mulchatna caribou greatly affecting the region, the super abundant moose populations of the Lower Yukon River region (Unit 18 remainder) can be a shared source of healthy subsistence food across the region with a little support to Tribes or City Councils to organize around issuing Designated Hunter Permits and distribution of moose to all communities with C&T in the region. Expanded harvest opportunity of the super-abundant moose in the lower Yukon River will help support sharing with those in need throughout the Yukon-Kuskokwim Delta region.

8. Request for information about Snowy Owl population

The Council has heard of declining snowy owl sightings throughout the Yukon-Kuskokwim Delta and would like a report on their population assessment and migration patterns. While the Council recognizes that the Federal Subsistence Program does not manage migratory birds, the snowy owl is important to subsistence communities in the Yukon-Kuskokwim Delta and an important indicator of overall ecosystem health. The Council wonders if the snowy owls are

declining due to lack of prey. The Council has observed declines in Alaska hare (locally referred to as jackrabbits) populations and just supported a proposal to reduce subsistence harvest of Alaska Hare as a conservation measure. Conservation measures may be needed for the snowy owl as well.

The Yukon-Kuskokwim Delta Subsistence Regional Advisory Council appreciates the Board's attention to these matters and the opportunity to assist the Federal Subsistence Management Program in meeting its charge of protecting subsistence resources and uses of these resources on Federal public lands and waters. The Council looks forward to continuing discussions about the issues and concerns of subsistence users in the Yukon-Kuskokwim Delta Region. If you have any questions regarding this report, please contact me via Eva Patton, Council Coordinator, Office of Subsistence Management, at eva_patton@fws.gov, or 1-800-478-1456 or 1-907-786-3888.

Sincerely,



Raymond Oney
Chair

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