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U.S. Department of the Interior (DOI)  
National Oceanic and Atmospheric Administration (NOAA)

Alaska Fisheries Tribal Consultation

DATE: Monday, November 21, 2022  
TIME: 9:03 A.M. - 11:05 A.M.  
PLACE: Zoom / Nome, Alaska

1 FEDERAL OFFICIALS PARTICIPANTS:

2 Donna Bach

3 Janet Coit

4 Laura Daniel-Davis

5 Shannon Estenoz

6 Gretchen Harrington

7 Jon Kurland

8 Katie Lee

9 Bryan Newland

10 Zachary Penney

11 Rose Petoskey

12 Oliver Whaley

13 ALSO PRESENT REGISTRATION PARTICIPANTS:

14 Brandon Ahmasuk

15 Melanie Bahnke

16 Ashley Christensen

17 Alyssa Fischer

18 Tammy Jones

19 Karen Pletnikoff

20 Brendan Raymond-Yakoubian

21 Julie Raymond-Yakoubian

22 Shayna Rowe

P R O C E E D I N G S

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(On record)

MR. WHALEY: We will have close-captioning services available at the link in the chat, and I will turn the time over now to Assistant Secretary Bryan Newland. Thank you.

MR. NEWLAND: Thank you, Oliver. Good morning, everybody. I hope you're all doing well. My name is Bryan Newland. I serve as Assistant Secretary for Indian Affairs here at the Department of the Interior, and I'm joined by many of my colleagues from across the federal government, whom you will meet here shortly, and we're here to do a government-to-government consultation on fisheries in Alaska, but before we begin, we always try to make sure that we're starting off our consultations appropriately and respectfully with prayer, as many of us do in our various Tribal cultures.

So we don't have anybody lined up to offer us a prayer today, or words of blessing, but what we can do is take a brief moment of silence for everyone to reflect or pray in their own way, if they wish, and then we'll proceed with the consultation. So we will do that right now.

(Pause)

MR. NEWLAND: (Indiscernible - speaking Native language), many thanks, everybody. So we're, as I mentioned, we're really honored to

1 be with you all. We had really wanted to do this consultation in-  
2 person with all of you in Nome, but because of the impacts of Typhoon  
3 Merbok and the need for community leaders and state and federal  
4 officials to focus on the recovery, we decided that it was best to  
5 postpone this consultation and schedule it for today virtually.

6 In September, the Bureau of Indian Affairs was able to provide  
7 \$2.6 million in American Rescue Plan funding to assist with immediate  
8 aid for food, water and other essential supplies for 45 Alaska Native  
9 Villages, and we hope that everyone who was impacted by the storm is  
10 recovering well, and we're going to continue to be here as a resource  
11 to help coordinate recovery efforts with all of you and with our  
12 partners at FEMA and the State of Alaska.

13 So we are here to hear from all of you on how both the  
14 Department of the Interior and NOAA, the National Oceanic and  
15 Atmospheric Administration, can work to improve federal subsistence  
16 policy and the management of fisheries resources that are vital to  
17 the way of life and culture for Alaska Native people and communities  
18 across Alaska.

19 I look forward to hearing all of your comments today and  
20 engaging in a discussion. I want to remind everyone that written  
21 comments can also be submitted as part of this formal consultation by  
22 December 5<sup>th</sup> at midnight, and you can send those written comments to

1 us at [consultation@bia.gov](mailto:consultation@bia.gov).

2 We want to make sure that everybody -- you get to meet everybody  
3 on our federal team. This is an all-of-government consultation, in  
4 terms of everyone who has a role to play here, and we are working to  
5 make sure that we're all fully engaged with you.

6 So at this time, I'm going to pass it on to my colleague from  
7 the Department of the Interior, Assistant Secretary Shannon Estenoz,  
8 who is the Assistant Secretary for Fish, Wildlife and Parks.

9 MS. ESTENOZ: Thank you very much, Bryan. Greetings, everyone.  
10 Again, I'm Shannon Estenoz. I'm the Assistant Secretary of the  
11 Interior for Fish and Wildlife and Parks. So my role is to oversee  
12 the U.S. Fish and Wildlife Service and the National Park Service.

13 I am greeting you today from my home state of Florida. I'm  
14 literally in the opposite corner of the country. So I feel very far  
15 away geographically, but I'm so grateful that I and my colleagues had  
16 the opportunity to be in Alaska last month. My only regret from that  
17 trip is that we did not get to see all of you in-person.

18 I hope that the recovering -- recovery from the typhoon is  
19 making progress and going well. I hope that your communities and  
20 your families are safe and recovering from that event. I come from a  
21 part of the country where climate -- where storms are a very real  
22 reality for us and where they seem to be getting bigger and more

1 intense with climate change, and so I know the kind of fear that  
2 events like that can produce, and anxiety, both before, during, and  
3 after the storm.

4       So I'm just grateful that you're all with us today, that we're  
5 all together today, and I look forward to getting back to Alaska just  
6 as soon as I can.

7       Let me say that last month, the time that we spent listening to  
8 communities talk to us about the impacts on their lives, on their  
9 livelihoods, on their cultures, of what's happening to subsistence  
10 fish -- subsistence gathering, fishing and gathering in Alaska, was  
11 an incredibly powerful experience for me.

12       I encourage us today, I encourage you today to -- and I'm sure  
13 that you will, to share with us all aspects of what this issue means  
14 to you and to your communities, and you know, we heard a lot of sort  
15 of the same messages when we were in Bethel and when we were in  
16 Fairbanks, namely deep, deep, deep sorrow and frustration about the  
17 situation -- situations there, and you know, and a real call to  
18 action, and so I look forward to hearing whatever you want us to hear  
19 today and I and my colleagues, we take prodigious notes and I'm sure  
20 we will come away much smarter today for having spent this time with  
21 you.

22       So thank you so much, and I think I'm going to pass it to my

1 colleague Principal Deputy Assistant Secretary Laura Daniel-Davis of  
2 the U.S. Department of the Interior, Laura.

3 MS. DANIEL-DAVIS: Thank you so much, Assistant Secretary  
4 Estenoz, and thank you, too, to Assistant Secretary Newland. As the  
5 Principal Deputy Assistant Secretary for Land and Minerals  
6 Management, I work directly with the Bureau of Land Management, the  
7 Bureau of Ocean Energy Management, the Bureau of Safety and  
8 Environmental Enforcement, and the Office of Surface Mining  
9 Reclamation and Enforcement.

10 The Bureau of Land Management, of course, manages some of the  
11 lands in this watershed and their management and restoration actions  
12 have a role to play in the issues we are discussing, and I just  
13 wanted to sort of say that, so folks sort of understand the interest  
14 of the Bureaus that I oversee.

15 I also want to assure you that we are committed to remaining  
16 engaged and problem-solving, and as Assistant Secretary Estenoz said,  
17 we are here to listen and understand more about what you're facing  
18 and what you would like to see happen.

19 I appreciate very much everyone joining us today in this  
20 important conversation and I'm very honored to be here with you.  
21 It's really important that we have this consultation now, even as we  
22 regret that we couldn't have it in-person earlier this fall, and in

1 that, I, too, want to express my hope that all of you and your  
2 communities are continuing to recover well from Typhoon Merbok, and  
3 you know, wanted to reiterate, too, that we appreciate your  
4 willingness in this consultation to share openly with us how these  
5 fisheries issues are impacting you and impacting your communities,  
6 and with that, I want to turn it over to my colleague at the  
7 Department of Commerce and really good friend and partner, Janet  
8 Coit, who's the Assistant Administrator for NOAA Fisheries, Janet.

9 MS. COIT: Thank you very much. Thank you to the participants.  
10 Hello, good morning, I'm Janet Coit, the Assistant Administrator for  
11 NOAA Fisheries and also the Acting Assistant Secretary for Oceans and  
12 Atmosphere, and I'm here today with a number of my colleagues, who  
13 I'm happy to have introduce themselves, but including Zach Penney,  
14 and the Regional Leader for NOAA in Alaska, Jon Kurland.

15 Thank you to my Interior colleagues, as well, for your comments  
16 and for working together across government on these important issues.

17 I'd like to simply say that we recognize the original stewards  
18 of our lands and waters and the Alaska Native people who are,  
19 hopefully, able to join today and to work with us more closely than  
20 we have looking backwards, looking forward on these very difficult  
21 and -- I'm not sure I quite have the words, the loss of fish back  
22 into the rivers folks have experienced for generations and even time



1 immemorial, these fish returning. They're so deeply embedded in your  
2 culture.

3 I have such respect for you when I'm here today to listen, and  
4 as mentioned, think about what steps we can take together moving  
5 forward. So it's an honor and a privilege to hear from you and I'm  
6 here with an open mind, an open heart and a whole lot of humility,  
7 and with that, I would like to turn it over to Zach Penney for an  
8 introduction.

9 MR. PENNEY: (indiscernible - speaking Native language),  
10 everybody. I recognize some names on the screen. So I am NOAA's  
11 Senior Advisor on Fisheries and Tribal Engagement. I want to keep my  
12 introduction short, just because we're here to hear from you today,  
13 but we (indiscernible) remiss that on a week where a lot of people  
14 are thinking about food and Thanksgiving, that this conversation,  
15 while not completely about food, you know, is about, you know, the  
16 loss of some food security, and you know, we heard this in the other  
17 consultations, but you also have, you know, you have Interior and  
18 Commerce here.

19 We all know that salmon, in particular, they move around a lot.  
20 They're highly migratory. They touch a lot of different habitats and  
21 places and so we really look forward to hearing how these fish, you  
22 know, touch you, impact you, and hope to go about it in a good way.

1 So I'll turn it over to Regional Administrator Jon Kurland.

2 MR. KURLAND: Thanks, Zach. Hello, everybody. Again, Jon  
3 Kurland, I'm the Alaska Regional Administrator for NOAA Fisheries. I  
4 was pleased to be in Nome in July with several colleagues who are  
5 members of the North Pacific Fishery Management Council to do -- have  
6 a meeting with folks, a listening session there. So I got a chance  
7 to see some of you then and I'll just echo the comments from others.

8 We appreciate the gravity of the situation you all are facing  
9 with the salmon declines in western Alaska and just the profound way  
10 that's impacting your lives and your culture and your food security,  
11 and appreciate the opportunity to hear whatever else you would like  
12 to share with us today, as we're continuing to do everything that we  
13 can to respond to the situation, so thank you very much.

14 MR. NEWLAND: Thank you, Jon, and thanks, everybody for sharing  
15 about yourselves and for making time. This is always a challenge to  
16 get everybody across the federal government in the same place at the  
17 same time, and this speaks to the priority and importance we've  
18 placed on it.

19 So before we begin, I want to recap, just to set the table, the  
20 questions and issues that we posed in our consultation letter. We  
21 had asked five questions of Tribal leaders in that letter, and I'll  
22 recite them now before we open the mic up.

1           So the first question we asked is, "How can federal agencies  
2 better cooperate with Alaska Native Tribes, Alaska Native Consortia,  
3 Alaska Native Organizations, Alaska Native Corporations, and  
4 subsistence users to better protect and restore fisheries that Alaska  
5 Native communities depend on?"

6           Question two is, "How has bycatch impacted fish populations and  
7 fish availability for Alaska Native communities?" And, "What are  
8 your suggestions for how the federal government can better address  
9 the impacts of bycatch?"

10          Question number three is, "How has climate change impacted  
11 fisheries decline?"

12          The fourth question we posed is, "How can the process for  
13 federal fisheries disaster declarations be improved to better account  
14 for Alaska Native subsistence needs?"

15          And the last question we asked is, "How can federal agencies  
16 better facilitate Tribal co-management of fisheries resources?"

17          Of course, we don't offer those questions or ask those questions  
18 to limit conversation, but rather to guide it, and we welcome your  
19 comments on matters outside of those questions. So at this time,  
20 we'll open up the floor. To make a comment, you can raise your  
21 virtual hand, which is down at the bottom of your screen. Under the  
22 reactions tab, you'll see a little function that says, "Raise hand,"

1 and if you are joining us by phone, you can press star-nine to raise  
2 your hand, and then also press star-six to unmute yourself.

3 We're going to call on folks in the order that they raise their  
4 hand. We are scheduled to go until 11:00 your time, and you know, we  
5 can wrap up sooner, but we'll do our best to hear from everybody and  
6 ask that all speakers try to remember to be respectful of one  
7 another, and we're going to try to make sure we hear from everybody  
8 at least once before coming back to folks for the second time.

9 So with that, we'll turn the floor over to you all, and we're  
10 ready to listen. Our first speaker is Brandon from Kawerak.

11 MR. AHMASUK: Yeah, good morning, folks. Can you hear me?  
12 Okay.

13 MR. NEWLAND: Yes.

14 MR. AHMASUK: Again, thank you for taking the time to meet with  
15 us. It's very much appreciated. This topic, you know, very -- you  
16 know, for our communities, very stressful, very near and dear to our  
17 hearts. As it was stated previously, you know, the people -- our  
18 people have been here since time immemorial. They've relied on this  
19 resource heavily.

20 In our region, I believe we do have data to show that our diet  
21 was comprised 80% of salmon, but in newer times, we're not being  
22 asked not to fish, we're being dictated to, not to fish. Industry is

1 allowed to have bycatch of salmon in the hundreds of thousands. In  
2 my region alone, we were the first and only region, to my knowledge,  
3 that had a nearly 30-year closure on chum salmon.

4 I remember my father during that time was not allowed to harvest  
5 chum salmon as my forefathers did before him. When we were finally  
6 opened up, we were on a Tier 2 system, meaning that individuals had  
7 to actually apply to go fish for salmon that they had always done so  
8 since time immemorial.

9 When that policy/procedure was put in place, the fighting that  
10 it caused amongst our own people that have lived here since, you  
11 know, since they were children, relying on that resource when they  
12 may have only outscored -- been outscored by a year or a half a year,  
13 but were also dictated to, "You cannot fish."

14 This is a big slap in the face when industry, again, is allowed  
15 to waste hundreds of thousands of salmon as bycatch. This is -- this  
16 is -- there's no words for it, that -- why this is allowed, when  
17 industry is allowed to do this in the name of the all-mighty dollar.

18 Again, something -- we're not being asked, we're being dictated  
19 too, but something else that we're not even being asked to do is give  
20 up our culture, give up our way of life. This is something that's  
21 been happening for decades and it is -- it's -- there's no words for  
22 it.

1           At North Pacific Fishery Management Council meetings, Native  
2 organizations like Kawerak, we've been testifying for decades to stop  
3 bycatch. Yet, industry is still allowed to do whatever they want.  
4 The -- a few years ago or was it last summer, we had a salmon crash  
5 across the board, all five species of salmon, salmon crash.

6           The -- in all honesty, we probably should be in another Tier 2  
7 system. I understand this is -- I'm comparing apples and oranges,  
8 state/federal, however, what the two agencies are failing to  
9 recognize is that they share this resource and they're not working  
10 together at North Pacific Fishery Management Council meetings or even  
11 Board of Fish meetings, they pass -- they pass the buck. They pass  
12 the blame, "Oh, we're Board of Fish, we don't -- we're not worried  
13 about what's going on in federal waters." Or when it's the North  
14 Pacific Fishery Management Council, "Oh, that's State, we don't," you  
15 know, but again, failing to realize, failing to understand that it's  
16 a shared resource.

17           The -- several years ago, I provided testimony at the North  
18 Pacific Fishery Management Council about bycatch, and I believe that  
19 was 2007, 750,000 chum salmon were wasted as bycatch. Yet, in times  
20 of closure, the subsistence user cannot even harvest one.

21           Industry isn't even faced with fines, citations, confiscation of  
22 gear, yet, the subsistence user, who cannot afford all of this stuff

1 and quite often has their gear handed down from either their father  
2 or their grandfather to go out and fish to put food on the table, is  
3 faced with this. They have gear confiscated. They're given  
4 citations and threatened with jail-time.

5 Here in the Bering Straits, we're faced with a complete  
6 ecosystem crash, across the board. We've had bird die-offs. We've  
7 had seal die-offs, two unusual mortality events. I've asked the  
8 questions numerous times, you know, the -- due to a lack of food, is  
9 this why our seals are being sick? They answer, "We don't know," but  
10 yet, again, we're being dictated to, "You cannot fish."

11 More recently, at the North Pacific Fishery Management Council,  
12 they raised the bycatch of chum salmon when we've asked for zero  
13 bycatch or little to no bycatch. Yet, again, our calls, our requests  
14 are being -- I'm just going to say it, are being denied, and yet,  
15 industry is allowed to do whatever they want.

16 The -- at all of these meetings, it's always, put the blame on  
17 something else; climate change, you know, other predatory fish moving  
18 in. All of that stuff is stuff that we cannot control. However,  
19 bycatch is something that can be controlled and should be controlled.

20 I've attended North Pacific Fishery Management Council meetings  
21 where I've heard the commercial bottom trawler captains state, "I  
22 have zero bycatch on my ship. It's the other guys." Yet, industry

1 is still allowed to bycatch hundreds of thousands of salmon as  
2 bycatch that could be making their way back to our rivers to  
3 replenish the stock.

4 Bycatch is controllable. Climate change is not. Better  
5 communication, I mean, I don't -- the -- I'm just going to say it  
6 again, the bycatch, it's -- we've been testifying for decades about  
7 bycatch, but it's being unheard or I'm just going to say it,  
8 disregarded completely.

9 Federal -- or Tribal co-management, it basically has been  
10 nonexistent, you know, in regards to salmon, at least in my opinion.  
11 You know, we've been asking for a Tribal seat at the North Pacific  
12 Fishery Management Council for, again, decades. Yet, our calls, our  
13 requests have been denied. I would almost question that it or it  
14 raises the question, is the North Pacific Fishery Management Council  
15 or even National Marine Fishery Service, are they in the back pocket  
16 of commercial industry?

17 Again, our people are -- in regards to salmon, you know, we're  
18 starving. Again, we have data to show that our diet comprised 80% of  
19 salmon. Yet, we're being told not to fish. That needs to stop. The  
20 agency -- it -- I've even heard this, that National Marine Fishery  
21 Service is the managing authority over these -- over this resource,  
22 but they also state, "Oh, well, we rely on the North Pacific Fishery



1 Management Council to make that decision for us."

2 So again, the bycatch of salmon needs to stop. It is something  
3 that's controllable. It needs to happen now.

4 Understanding we're on kind of a time crunch, I'll stop there,  
5 but maybe I'll have something after a little bit. Thank you.

6 MR. NEWLAND: Thank you, Brandon. I appreciate your comments  
7 today and as we go along, I'll make sure I recap major themes that we  
8 hear from folks. I don't want to guide people into -- I won't recap  
9 what I thought I heard you say just now, because I want to make sure  
10 everyone gets a chance to raise their own comments, but thank you,  
11 Brandon.

12 Our next speaker is Julie Raymond-Yakoubian. I hope that got  
13 that right, Julie.

14 MS. RAYMOND-YAKOUBIAN: Yes, thank you.

15 MR. NEWLAND: (Indiscernible).

16 MS. RAYMOND-YAKOUBIAN: Hi, my name is Julie Raymond-Yakoubian.  
17 I'm the Social Science Program Director for Kawerak and I'm getting  
18 over a cold, so apologies for my voice.

19 I wanted to say briefly that Kawerak is an Alaskan Native Tribal  
20 nonprofit consortium made up of 20 Tribes from the Bering Straight  
21 region of Alaska, for those of you who may not be familiar with our  
22 organization, and we work on behalf of those 20 Tribes on a variety

1 of different issues, including the issues we're here to talk about  
2 today, and Brandon, myself, and Brendon on the phone here, are all  
3 with Kawerak.

4 So I just wanted to let you know who our organization was, if  
5 you're not familiar, and also, not to repeat Brandon, but just to  
6 reiterate a few of the things that he said, the burden of  
7 conservation is and has been squarely on the shoulders of Tribes,  
8 Tribal communities and Tribal members for many, many, many years, and  
9 that has led to a situation where people are struggling to put food  
10 on the table to make it through the winter, are struggling to pass on  
11 traditions between generations, and are struggling, frankly, to  
12 maintain their cultures in a healthy way.

13 And there's no one cause for the situation that we're all facing  
14 today. There are many causes, but as Brandon spoke to as well, there  
15 are things that are controllable and that are within our reach to  
16 improve the situation.

17 What I wanted to say today -- I really have -- I have a lot of  
18 questions for those of you from the federal government on the phone  
19 today, and perhaps I'll just put some of those questions out there  
20 now and hope that you can answer them over the course of our time  
21 today.

22 The first question is; I'd like to know more about what it is

1 that you have heard through these two previous Tribal consultations  
2 that have happened. I heard a little bit of a summary of that in  
3 your opening and I appreciated that, but I'd like to hear more from  
4 you about what you heard, and as a follow-on to that, I'd also like  
5 to kind of turn the five questions you shared with us all back to you  
6 and ask if you can answer those questions as well.

7 For example, how do you and the agencies you represent think  
8 that you can better work with Alaska Native Tribes to address these  
9 issues? How do you think that the federal agencies can better  
10 facilitate Tribal co-management of fisheries? I'd really like to  
11 hear from you all about the questions you asked us and what you see  
12 as solutions, and the reason I asked -- I ask you to do that is  
13 because Kawerak, many of our Tribes and many of our Tribal partners,  
14 Tribal organization partners have had what seems like countless  
15 meetings with some of your agencies, as well as others that aren't  
16 here today, on the issue of salmon decline, salmon bycatch, how to  
17 improve the North Pacific Fishery Management Council process, how to  
18 improve Tribal consultation in general with NOAA, and I feel like  
19 we've answered a lot of these questions in different context and  
20 venues, and so I would like to, again, hear back from you about how -  
21 - what you've heard in the past, what you've heard over these past  
22 two consultation meetings that could help answer these -- these

1 questions.

2           And I guess the other thing I'll say briefly now is that based  
3 on reviewing materials from the previous two consultation meetings, I  
4 think Kawerak, generally speaking, does agree with virtually  
5 everything that you heard at those previous meetings, just to kind of  
6 put that out there in our conversation, and a lot of specific  
7 recommendations were made that have been previously made, as well,  
8 and things like Brandon said, in that mix as well, like advocating  
9 and asking for multiple Tribal voting seats on the North Pacific  
10 Council, things that you have all heard for many years.

11           So I think with that, I'd kind of like to turn the questions  
12 that you asked over to you all and maybe hear more from you about  
13 what you think your respective agencies can do to help address this  
14 crisis, and one additional question I have is how you all are sharing  
15 information between your agencies, and you know, between Interior and  
16 Commerce, as well as between Interior, Commerce, and the State of  
17 Alaska, because this is -- this crisis that we're facing right now,  
18 this ecosystem collapse, the salmon crisis, crosses jurisdictions. I  
19 think we all know that, and management in State of Alaska waters is a  
20 big part of this equation and a big part of this conversation, and so  
21 how you all are sharing information amongst yourselves and with the  
22 State and what can be done to improve, not just that information

1 sharing, but the cooperation between Alaska and the federal  
2 government, I think I'd like to hear more about, too. Thanks for  
3 your time.

4 MR. NEWLAND: Thank you, Julie. I appreciate that, and you  
5 know, what I can share, just a little bit, is some of the things  
6 we've heard already from you and Brandon are consistent with what we  
7 heard at the two other sessions we held in Bethel and Fairbanks.

8 You know, there's -- we've been hearing a lot about  
9 representation on the North Pacific Fishery Management Council.  
10 We've heard a lot about the burden of conservation, people explaining  
11 that they feel the burden is falling exclusively on Alaska Native  
12 people, who rely on salmon for their food and their way of life.

13 We've heard comments about distinguishing between things we can  
14 have an immediate impact on, things we can control, more or less,  
15 versus longer-term environmental factors, and the need for better  
16 agency coordination.

17 I can also just say in response to your comments about, you  
18 know, sitting in countless meeting with our agencies saying the same  
19 things, I think all of us can empathize with that. I certainly can,  
20 from my time outside the federal government. What we're trying to do  
21 is to make sure that in these consultations, you are -- you know,  
22 you're getting leadership from the agencies at the policy-making

1 level, and I think that also reflects another point that you raised,  
2 and a question you posed to us is, what are we doing across agencies?

3 One of the things we're trying to do is make sure we're  
4 coordinating at the leadership level, at the policy-maker level  
5 between our agencies, and that's also something that's occurring  
6 through the White House Council on Native American Affairs, as well.  
7 So this is my second time serving here at the Department of the  
8 Interior. I feel like the communication between ourselves and the  
9 Department of Commerce on fisheries issues is a lot better than it  
10 was.

11 There certainly seems like there's more meetings and  
12 communication on this issue than the last time I worked here, and  
13 again, I think that reflects a shared commitment between our agencies  
14 to -- and a recognition, a shared recognition of a lot of these  
15 issues.

16 And on co-management specifically, what I just want to say is,  
17 that you know, we've got a commitment from Secretary Haaland to  
18 increase opportunities for co-management. We're in a lot of  
19 conversations with Tribes and Consortia in Alaska about these issues  
20 and we want to hear proposals from Tribes to see if we can put these  
21 types of agreements together and this is something I think you're  
22 seeing the Administration itself commit to, across federal agencies,

1 not just at the Department of the Interior.

2 So I don't want to preempt others who want to speak, but I just  
3 wanted to also make sure I was not leaving your questions hanging out  
4 there and that we're engaged in a dialog, but you know, that's the  
5 gist, the general themes we've been hearing, and these are some of  
6 the things that we're working to do, and I will just say, before  
7 turning it back over to our next speaker, you know, we're all -- we  
8 all want to make sure that we are finding solutions that move the  
9 needle, which is why we're here with you today.

10 So we'll open the floor back up. I saw a hand raised and I  
11 didn't see who it was from, and then it went down. Karen, from -- it  
12 looks like from Pribilof.

13 MS. PLETNIKOFF: Good morning, yeah, that was my hand, I think.

14 MR. NEWLAND: (Indiscernible).

15 MS. PLETNIKOFF: Thanks for having us. I'm Karen Pletnikoff,  
16 the Environment and Safety Administrator at the Aleutian Pribilof  
17 Islands Association, the regional Native nonprofit from the 13  
18 federally-recognized Unangax Tribes, and I just wanted to make a  
19 couple of comments on this process first, and then reiterate some of  
20 the things we've shared with you by letter earlier, and recognize we  
21 might be sending you another follow-up before the 5<sup>th</sup>. We'll see.

22 So the Bering Sea is home to our nation's largest fishery and

1 sometimes the world's largest fisheries, but none of these meetings  
2 happen in our region, and we're entirely dependant on these fisheries  
3 for our economy and our subsistence -- well, the marine resources, a  
4 right -- a need that has been acknowledged since the United States  
5 purchased Alaska from Russia with no indigenous input.

6 The Unangax were specifically called out as needing the  
7 resources of the Bering Sea and North Pacific, but I do want to thank  
8 Regional Administrator Kurland for being here on the meeting. We see  
9 that as a step toward government-to-government consultation.

10 One of the largest problems with the current consultation  
11 strategy or process is that it's not Tribes and regional  
12 administrators meeting. It's NOAA staff, at best, or someone else  
13 meeting with Tribes to take their concerns. So until you fix the  
14 process where the actual decision-makers are hearing from the Tribes  
15 themselves, we don't have the right people in the room to affect the  
16 change that you have heard from Brandon, has been requested for years  
17 and years, right.

18 In our region, we have struggled to keep our sole-directed  
19 fisheries, communities open, fighting for the right to catch the  
20 halibut and not have the bycatch portion of the halibut be greater  
21 than the directed fishery, and to have the right to have a directed  
22 fishery have more weight at the Council than the bycatch fisheries,



1 the other ground-fish who waste our fish.

2 And this really -- the rest of the agencies need to learn from  
3 this, too. When you have semi-regulatory bodies like Fisheries  
4 Management Councils, or are they really the regulatory body, because  
5 we're hearing two stories. So the Council will say, "Well, you can't  
6 meet with us because we don't set the regulations, NOAA does." And  
7 then when you want to meet with the Regional Administrator, you get  
8 staff. So we end up with no decision-makers in the room, but in  
9 reality, the Council is the decision-maker, because, unless it's  
10 illegal, NOAA just enacts what the Council says.

11 So what would be proper Tribal government-to-government  
12 consultation that aligns with the executive orders, that aligns with  
13 the goals of the Trust responsibility, that aligns with the needs  
14 you're hearing from these communities is that we meet directly with  
15 the Fishery Management Council members, and that would include the  
16 Regional Administrator as a Council member, but it wouldn't be just  
17 some NOAA staff, which no offense to any NOAA staff. They're just  
18 not the same decision-makers that we want to see to have actual  
19 consultation.

20 And if we had that actual consultation, maybe it wouldn't be  
21 these tens of years of these concerns that we have around the State  
22 not being heard, not being addressed and acted on.

1 Another part of that is that when we're -- when we don't have  
2 that active relationship, when we don't have the -- our leadership  
3 being savvy on what it takes to work within the Council, if we're  
4 just treated as members of the public, you have to be a Council rat,  
5 is the term we use in Alaska, you have to be scurrying around in the  
6 hallways all the time to keep up with the Council process.

7 And that's not where our Tribal people should be. Our Tribal  
8 people should be at the table or at least on a -- we know how to work  
9 the process, and it shouldn't be such a confounding process like it  
10 is for the general public, because there should be that relationship  
11 and that would allow us that co-management, because that's the  
12 direction we're going in, right, fisheries co-management in the long-  
13 term is an important aspect for us as Unangax people to fulfill our  
14 roles as stewards of our resources and as protectors of the creation  
15 that we've been given.

16 So we need to keep moving toward that and that would also really  
17 help us improve these federal fisheries disaster declarations that we  
18 know are going to be more common, that we know need to be able to  
19 come from Tribes and not just other governmental organizations or  
20 even non-governmental organizations.

21 Potentially, when we consider that community development quota  
22 entities or community quota entities might also need a way of sharing

1 the impacts of fisheries changes on their communities, they could  
2 partner with Tribes, if Tribes had a better way to instigate these  
3 federal fisheries disaster declarations and you all had a process  
4 that you codified, you know, hopefully better than just -- or policy,  
5 excuse me, hopefully in actual regulation that triggered a federal  
6 review, that had a responsive process associated with it, and that  
7 wasn't just something that was told to us to go see the State and we  
8 don't hear back from the State for entire financial cycles, entire  
9 annual financial cycles, and that -- that delay is just far too long,  
10 not to mention that the State isn't actually our partner when it  
11 comes to these federal fisheries disaster declarations.

12 So -- and none of the fisheries here are sole -- solely State,  
13 right. They're -- the species that are being managed, all occur in  
14 both federal waters and State waters, even if the feds give the State  
15 primacy on their -- the fisheries management.

16 So there's no time when U.S. federal agencies give up your role  
17 as our partners as Tribal organizations and Tribal members on helping  
18 us meet our user needs for these species, and there's no time when we  
19 pass the buck to someone else, as far as who's responsible for the  
20 impacts of climate change.

21 This is where it becomes even more so on these high level  
22 concepts of who's ultimately responsible. When it comes to climate

1 change, because of the intergenerationality, because of the  
2 widespread -- we're all contributors to the problem and because of  
3 the need for nationwide unified action to reduce the impacts, it's  
4 even more important that this partnership, this relationship between  
5 the heads of agencies and the Tribes who are being impacted by it  
6 work to address these and not pass the problem along to the next  
7 decision-makers, as we see Fisheries Management Councils and  
8 individual managers do, when they say that the problem's too big for  
9 them to address and they can only work with what's in front of them.

10       You can't keep doing that for decades and expect any -- any  
11 impact, any change, and the way we manage has to change. The  
12 managers need to start accounting for the uncertainty climate change  
13 brings to their numbers and we have to start living by that. We have  
14 to be actively more protective of these fisheries when we have so  
15 much uncertainty.

16       In fact, it's not even uncertainty anymore. In some of these  
17 fisheries, we can guess how wrong we are, right. How wrong we're  
18 going to be next year on how productive the fishery is going to be,  
19 because we've seen that pattern happen enough times in a row, and  
20 unfortunately, many times, these are declining trends and by not  
21 addressing it in any one given year, always pushing the problem  
22 forward into the next year, then we end up with crashes, and this is

1 something that we know from experience in the Pribilof Islands,  
2 anyway, with the blue king crab. The State opened up a fishery.  
3 They went gangbusters for two years, and 20 years on, we're still not  
4 seeing a recovery in this species that once was ample enough for a  
5 fishery.

6 That was an outside fishery that took most of that crab, and had  
7 it been done differently, maybe we could have an appropriate small-  
8 scale local fishery that we could see with many of these different  
9 species.

10 As we transition, because of the declining stocks, because of  
11 the impacts of climate change, because of the uncertainty, as we see  
12 these numbers dwindle, we need to be mindfully moving towards local  
13 fisheries, small, local fisheries, where the opportunity to make use  
14 of the resource still exists, and it exists in a way that is  
15 protective of the resource and supportive of these communities who  
16 live right next to the resource and are still impoverished.

17 So I'll let somebody else go, but before I do, I just want to  
18 emphasize that from our point of view, the -- all of our human take,  
19 which is the only thing we directly control every year in the marine  
20 resource, should only always be federally qualified rural resident  
21 subsistence fisheries, rural resident subsistence fisheries, Alaska  
22 citizens subsistence fisheries, Alaska citizens sport fisheries, non-

1 citizen sport fisheries, Alaska citizen directed species commercial  
2 fisheries, non-citizen directed species commercial fisheries, and at  
3 the end, bycatch, and bycatch should never have the opportunity like  
4 we've seen it do to impede or stop directed fisheries, any of these  
5 previous directed fisheries, including our most important, the  
6 federally-qualified rural resident subsistence fisheries. Thanks so  
7 much.

8 MR. NEWLAND: Thank you, Karen. I appreciate that, and I want  
9 to ask, are you planning to submit written comments?

10 MS. PLETNIKOFF: APIA sent written comments to the first  
11 deadline.

12 MR. NEWLAND: Okay.

13 MS. PLETNIKOFF: And we will -- we're going to see if we're  
14 going to provide these again.

15 MR. NEWLAND: Okay.

16 MS. PLETNIKOFF: An addendum, some more for the December 5<sup>th</sup>, but  
17 that's coming quick. Thanks.

18 MR. NEWLAND: Okay. I know we'll have a transcript. I want to  
19 make sure that it.....

20 MS. PLETNIKOFF: Good.

21 MR. NEWLAND: I was trying to keep up with your -- your last  
22 comment, but I just want to address one thing quickly before calling

1 for other speakers. I, again, appreciate your frustration about  
2 consultations and wanting to make sure you're speaking and meeting  
3 directly with decision-makers, as called for in the Executive Order,  
4 and before I took this job, I was an elected Tribal leader for my own  
5 community. So I understand those frustrations well.

6 I just want to reiterate that in these consultation sessions,  
7 you are speaking to the decision-makers for all of the relevant  
8 federal agencies. The North Pacific Fishery Management Council is  
9 independent or quasi-independent. So they're not represented here,  
10 but you've got the primary policy-makers for all of the agencies  
11 involved in this and I just want to make sure that not everybody  
12 always recognizes us as household names, and I understand that, but  
13 you know, we're all here to make sure that we're hearing you for  
14 ourselves.

15 So I want to thank you for sharing with us. Your comments were  
16 relevant and important, and I made a couple of emphasized notes for a  
17 few of the points you had raised, as to, you know, ways to emphasize  
18 some of the things we've been hearing across these consultations. So  
19 thank you, Karen.

20 MS. PLETNIKOFF: Thank you, Bryan. Our previously provided  
21 comments did include that breakdown of the appropriate prioritization  
22 of fisheries. Thanks.

1 MR. NEWLAND: Thank you. So we'll open the floor back up to  
2 other speakers. You can raise your hand by using the reactions  
3 button at the bottom of your screen. I don't see anybody joining us  
4 by phone, but if I'm missing somebody, and you are joining by phone,  
5 you can press star-nine. Hi, Melanie, we'll go to you.

6 MS. BAHNKE: Thanks, Bryan, and thanks, everybody, for holding  
7 this consultation. I apologize that a lot of our Tribal members  
8 aren't on the line today. Brandon (sp) had some surgery and I know  
9 you guys directly send out the "Dear Tribal Leader" letters to our  
10 Tribal leaders, but normally, Kawerak sends out a reminder and  
11 provides some helpful hints for testifying, but I really don't think  
12 that you'd hear anything new or earth-shattering, from what our  
13 Tribal leaders have been saying the last several years, as our salmon  
14 stocks have gone from low to lower to lowest.

15 Recently, a report came out that's focused on the Kuskokwim  
16 River, but it has information. I've shared it here in the chat. I  
17 think it was maybe a year-and-a-half ago, Kawerak and others  
18 petitioned NOAA for some emergency measures to be put in place to  
19 protect our salmon stocks from bycatch.

20 As you probably have heard, I'm not sure if Brandon and Julie  
21 got to comment, there's no hard cap on bycatch for salmon. So that's  
22 very frustrating to us that NOAA dismissed our petition, and we



1 continually are running up against the same things that Karen just  
2 mentioned; pleading our case to the decision-makers when these are  
3 salmon runs that our people have relied on for ten-thousands of  
4 years.

5 We know, and when it was our people that were managing these  
6 salmon stocks, they were abundant and they were healthy, and I'd like  
7 to believe that we share the same goal of abundance with commercial  
8 entities, but it seems like the regimes, the management regimes are  
9 skewed in favor of allowing commercial interests to take precedence  
10 over subsistence users and they are way more organized than we are.

11 They have deeper pockets, whether they're the Seattle fishermen,  
12 they've got lobbyists. They've got scientists on staff and they're  
13 there and present at every forum where decisions are being made,  
14 whether it's North Pacific Fishery Management Council or ADF&G, and  
15 we don't receive any special extra funding when it comes to defending  
16 our fisheries.

17 You know, we receive our standard Compact funding for the  
18 services that we have assumed from the BIA. So having to rely on  
19 outside foundations for travel funds, writing grants for travel funds  
20 for our Tribal members to show up and be present at these forums is  
21 time-consuming.

22 Julie, Dr. Raymond-Yakoubian has done it over and over, but we

1 seriously are relying on handouts from outside foundations to provide  
2 us with nominal funding to allow us to defend our way of life.

3       So I guess, you know, I'm talking to DOI here, that's one area  
4 where I think you guys could actually really help, because you're not  
5 in charge of making decisions over the federal fisheries. You're not  
6 in charge of making decisions over our State fisheries, but you can  
7 advocate that additional funding be provided for those Tribes and  
8 Tribal organizations that are under extreme threat and are facing  
9 extinction of our food source. So that's one big recommendation I  
10 guess I have is provide us some additional resources, recognize that  
11 this is a crisis.

12       Excuse me. You know, we're often told there aren't enough funds  
13 to go around. There just isn't enough money. During the pandemic,  
14 we saw the depth of the purse that the U.S. Treasury holds when it  
15 comes to priorities of the overall U.S. population, and you know, our  
16 American citizens. So I don't buy that. I don't buy that excuse  
17 anymore that there just aren't enough funds to go around.

18       We're facing a crisis of epic proportions here, where these  
19 salmon stocks just might very well go extinct, and these are the --  
20 you know, these stocks are the food source that our people have  
21 relied on for thousands and thousands of years. So if the fish go,  
22 then we go, and I certainly think that is a priority area for DOI,

1 Department of Interior, Bureau of Indian Affairs to examine its Trust  
2 responsibility to our people, and if our food source is about to go  
3 extinct, I would hope that DOI is there and present, showing up at  
4 North Pacific Fishery Management Council meetings and providing us  
5 with technical support, with financial resources, you know, perhaps  
6 assigning us some fishery scientists on loan through whatever that  
7 federal government agency loan program is, where you can loan out  
8 employees and experts to us.

9       Those are just a few things off the top of my head that I could  
10 think of, and I'm really grateful that DOI is holding this hearing.  
11 We're usually testifying for three minutes in front of North Pacific  
12 Fishery Management Council or ADF&G, and like I said, I know those  
13 are the two management regimes, but it's great to feel that we're  
14 being supported here by DOI, and that you're wanting to come along  
15 side us and listen to us and figure out what role you can play as we  
16 face this challenge together. Thank you.

17       MR. NEWLAND: Thank you, Melanie. I appreciate your comments  
18 and it's great to see you. Again, if you're interested in making a  
19 comment, you can use the raise-hand function at the bottom of your  
20 screen. It's under the reactions button. Just checking to see if  
21 there are other speakers before coming back to you, Karen.

22       Seeing none, go ahead, Karen.

1 MS. PLETNIKOFF: We touched on it in our written comments, but I  
2 think it bears repeating, especially when we consider the way it's  
3 being intentionally included with bycatch on page eight of the  
4 document that was just shared.

5 So intercept fisheries and bycatch fisheries are incredibly  
6 different. Bycatch is a wonton waste that's explicitly made --  
7 prohibited to the extent practical -- practicable. It's prohibited  
8 in the Magnuson-Stevens Act, and intercept fisheries are a recent  
9 term that comes out of single species fisheries management, and is  
10 not a traditional term, because a traditional fishery accepted what  
11 was given and you used and kept it all, and that was a mixed species  
12 fishery, which is a very traditional fishery, and that's what we see  
13 in Area M salmon fishery.

14 And the move toward single species management has been something  
15 that many of us, as Tribal people, have felt is a violation of our  
16 traditional harvest methods and a limitation, an arbitrary limitation  
17 that's been put on us by Western management approaches.

18 That being said, many times, we work to meet the new management  
19 regimes and we see that in the industrial fisheries, as well, that  
20 with enough effort, we're still seeing quotas being catch -- caught,  
21 and bycatch being able to be driven down, and as long as you can  
22 continue to improve your avoidance, improve the cleanliness -- improve

1 the cleanliness of your fishery and reduce the bycatch that -- that's  
2 got to be the way to do it, and we see that the fisheries continue to  
3 be able to do that in much of the Bering Sea.

4       And I think what our -- you should be hearing from us is that we  
5 want more of that, continue to keep the pressure of these industrial  
6 fisheries to stop their bycatch. That is -- that approach has a  
7 limitation when it comes to incidental catch, because incidental  
8 catch is a different -- different issue. It's a retained fish. It's  
9 an intentional part of the fishery and where you can see differences  
10 at the processor with what they're paying for different fish, the  
11 opportunity to have diversity in your home pack (sic) to have a  
12 different species to rely on when the species that the processor is  
13 paying the most for declines and you have issues with that is  
14 something that needs to be understood as we go forward in management,  
15 because climate change is going to drive more and more fisheries in  
16 the same direction.

17       They're also going to have challenges catching the most  
18 profitable fish in their fishery and relying more on other species as  
19 marine resources continue to change. So I just wanted to emphasize  
20 the important differences between incidental and bycatch. They're  
21 not inter -- they're not -- you can't swap them as definitions and  
22 they're not the same thing when it comes to management or traditional

1 practices. Thanks.

2 MR. NEWLAND: Thank you, Karen. All right, our next speaker is  
3 Brenden.

4 MR. RAYMOND-YAKOUBIAN: Hi, thank you very much. Am I coming  
5 through okay?

6 MR. NEWLAND: Yes.

7 MR. RAYMOND-YAKOUBIAN: Hi, yes, this is Brenden Raymond-  
8 Yakoubian. I'm a Social Scientist with Kawerak, and thank you for  
9 the opportunity to talk with you about these issues today, and I'd  
10 like to reiterate what others have said earlier, and I think it's  
11 important that we start thinking about, from the federal side of  
12 things, from our federal partners, what is going to be proposed and  
13 done about these issues.

14 As been -- as been pointed out by a number of folks on the line  
15 today, Tribal entities and Tribes have been, you know, addressing  
16 these questions and answering these questions for many years now, and  
17 it's important that we start seeing some, you know, concrete steps  
18 and actions toward solving these problems from the -- from our  
19 federal partners.

20 Just to sort of take a stab again to offer some thoughts, that  
21 again, in many respects have been mentioned before in different  
22 venues, but to answer some of the questions that have been asked, in

1 terms of federal agencies cooperating with Alaska Native entities to  
2 protect and restore fisheries, I think there's a number of things  
3 that could be highlighted.

4 First, right off the bat, prioritizing subsistence and community  
5 well-being and not just commerce and fisheries management is going to  
6 be crucial, and included in this, I think we need to look beyond  
7 dollars and cents when understanding and determining the net benefit  
8 to the nation of various fishery related actions.

9 A second big component of better working with Alaska Native  
10 entities is going to be more meaningfully and actively and robustly  
11 taking into account traditional knowledge in decision-making and in  
12 science that underpins decision-making.

13 Contrary to the sort of popular narrative that you'll hear, for  
14 example, at the North Pacific Council and elsewhere in the Alaska  
15 federal fisheries management regime, the best scientific information  
16 available has not been used in Alaska federal fisheries management,  
17 basically forever, because traditional knowledge is not being used  
18 and that is part of that best scientific information available, and I  
19 think people need to stop claiming that it's being used and to start  
20 actually doing the work of incorporating that and taking that into  
21 account.

22 You know, as was shown, really, at the June Council meeting,

1 virtually nothing at that point had been done regarding that,  
2 regarding doing this incorporation regarding salmon resources, and  
3 that extends, you know, to beyond traditional knowledge, as well, to  
4 other relevant domains of knowledge, such as social science.

5 More broadly, again, at the June Council meeting, for example,  
6 the Council seems very willing to rely on vague statements from  
7 industry about what they could do and not do with regarding -- with  
8 regard to bycatch, but there was no real push back about actually  
9 scientifically studying that. So we're not doing the other science  
10 either on these issues and I think that's something that needs to be  
11 addressed, for example, social science.

12 A few other points that have been mentioned in the past, as  
13 well, is we really need to see additional capacity at NOAA and at the  
14 Council regarding traditional knowledge, Tribal concerns, subsistence  
15 expertise and social science. We've been asking for that for many  
16 years. The situation is still very bad with regard to that and I  
17 don't see how we're going to make any strides in incorporating  
18 indigenous perspectives if we're not increasing the capacity to take  
19 those perspectives into the system, and I guess a final point I would  
20 mention with regard to the first question is we need to see more  
21 regular and meaningful Tribal consultation that directly dovetails  
22 into the Council federal fishery management process.



1 I mean, I dare say we almost need to consider at this point, the  
2 agencies to consider virtually -- rejecting virtually everything that  
3 comes to the Agency for action without -- that hasn't been -- that  
4 hasn't had consultation having been done in a timely and meaningful  
5 manner. I think we're at that point of having such a long and poor  
6 history related to consultation being done and impacting -- or I  
7 should say not impacting decision-making, that something really  
8 dramatic needs to be done in that regard.

9 With regard to the question about bycatch's impact on fish  
10 populations and fish availability for Alaska Native communities, I  
11 would reiterate, as others have earlier, that we are amidst an  
12 ecosystem crisis with a multi-species, multi-decadal in length and  
13 depth, and it's important to consider that, as it's been noted, the  
14 bycatch in the industrial fleet that what's going on here is extreme  
15 waste, in terms of this bycatch, and waste destroys resources.

16 Sharing and not wasting are bedrock indigenous stewardship  
17 principles and are something that is notably absent in federal  
18 fishery management and industrial actions in the federal fishery and  
19 I think we need to just consider which approach has worked longer,  
20 and it's pretty obvious. The answer to that is the millennia of  
21 successful indigenous stewardship of the waters, and you know, and I  
22 think that the consideration of those types of perspectives are the

1 type of thing I'm talking about earlier when I'm saying the  
2 traditional knowledge, Tribal perspectives are not being taken into  
3 account.

4       So you know, I guess that is something that I would stress with  
5 regard to question number two, and in terms of a practical objective  
6 that you can also focus on, I would again reiterate, as has been  
7 mentioned many times before, that there should be a constant striving  
8 toward zero bycatch in these industrial fisheries optimized across  
9 the fisheries, and I'll briefly just mention with regard to the  
10 question about climate change, I think this is another question that  
11 I would turn around to the Agencies and ask; what are you going to do  
12 in this regard?

13       As you may have noticed, the Council does very little regarding  
14 climate change. For something that's made out to be the big  
15 explanation for so many problems, and I think somebody needs to step  
16 in here and start actually doing something about the impacts of  
17 climate change on fisheries and other resources.

18       And finally, I guess I would just mention that, and this is  
19 something that I mentioned with some of our federal partners in June  
20 in Sitka, that Tribes and Tribal organizations are very interested in  
21 true collaboration, true co-management of resources, true co-  
22 production of knowledge.

1           There are known successful ways that this can be done, but it  
2 has not been done enough, sufficiently with regard to federal fishery  
3 management and we hope that some concrete steps can be taken in that  
4 direction. Thanks very much.

5           MR. NEWLAND: Thank you, Brenden. I appreciate your comments.  
6 I will say, just generally, on the -- the Tribal consultation piece  
7 and Trust responsibility is that the Trust responsibility lies with  
8 the United States and not any one federal agency, and all three  
9 branches of our government, and that's a principle that we're working  
10 to make sure is embedded at every agency and then the consultation  
11 obligation flows out of that. So I appreciate you raising -- and the  
12 importance of consultation and how the -- how it impacts the  
13 management structure for fisheries.

14           I don't see anyone else with their hand raised in the queue, but  
15 I want to pause for a moment to make sure that we're not leaving  
16 anybody out. Brandon, I'll come back to you. I just want to make  
17 sure that we don't have anyone else wanting to speak who hasn't had a  
18 chance yet.

19           All right, seeing none, Brandon, we'll come back to you.

20           MR. AHMASUK: Yeah, thank you. So you heard from, you know,  
21 everybody that provided comments. The -- I wanted to go back, touch  
22 base again on the voting process, I guess, you know, at North Pacific

1 Fishery Management Council. Folks here spoke to the inequality of  
2 how decisions are made.

3 Now, myself, again, I haven't attended a North Pacific Fishery  
4 Management Council in a few years, but it's -- the North Pacific  
5 Fishery Management Council is entirely one-sided. Folks here spoke  
6 of, you know, wanting Tribal seats. We've been requesting this for  
7 years, decades, yet, again, the Council is completely one-sided with  
8 commercial interests.

9 We, as subsistence users, how are we ever supposed to get an  
10 equal share, an equal say in fisheries that are being conducted in  
11 our own backyard? We never get an equal share, and equal shake in  
12 what is being decided upon, again, what our people have relied on  
13 since time immemorial.

14 I know the agencies are always big on data, you know, so I'm  
15 asking the question, you know, our any of our fisheries what they  
16 were 25 years ago, 50 years ago, 1,000 years ago, and the answer is  
17 no, they're not, but yet, industry, again, is allowed to waste  
18 hundreds of thousands of not just salmon, but all kinds of other  
19 species; halibut.

20 One that I really want to point out that is, to me, really  
21 alarming, especially in the eyes of agency that I would think -- so  
22 the western distinct population of Steller sea lions is on the ESA

1 list as threatened. Their numbers once were in the hundreds of  
2 thousands, I think almost 300,000, maybe more, and the last I looked,  
3 their numbers are dwindling around 25,000, 30,000. I could be wrong  
4 on that number, but industry has admitted, you know, the bycatch,  
5 even just the outright wanton waste of Steller sea lions, yet,  
6 industry is still allowed to have bycatch of Steller sea lions, is my  
7 understanding.

8 I believe one of the conversations from the Agency was, "Well,  
9 they're never coming back, so we wash our hands of them." Is that  
10 really the answer?

11 Going back to my comment about are fisheries, you know, are they  
12 what they were in the past? No, they're not, but it reminded me of  
13 one of our Tribal leaders from one of our other regions was back East  
14 and she just happened to ask, "What salmon run in that river? What  
15 fish run in that river?" And the local agencies or whoever's in  
16 charge of this, "Oh, there's been no salmon or fish in that river for  
17 over 200 years. Commercial industry wiped them out."

18 That's what -- that's what we're facing right now in our own  
19 backyard is our salmon are being wiped out, and you know, no  
20 reprimands, no repercussions on industry. Again, you know, they  
21 don't face confiscation of gear, you know, jail time, but that's what  
22 our people face in times of closure.

1           The -- NOAA NIMS (sp), the -- there is data, you know, others  
2 spoke of it here already, but they're not -- NOAA's not including it  
3 in their decision-making process. The -- in the past, I have spoke  
4 to, you know, equality in the decision-making process. Again, the  
5 North Pacific Fishery Management Council is completely one-sided,  
6 commercial industry. That really needs to change.

7           You know, we've requested, I believe it's at least two Tribal  
8 members on the Council. The -- again, at least with -- in regards to  
9 the fisheries in our own backyard, at least half -- recommendation,  
10 at least half of the North Pacific Fishery Management Council should  
11 be representatives from the regions of Alaska that are directly  
12 impacted by bycatch.

13           So I think that's most of what I had to add to what I mentioned  
14 earlier. The -- I'm not sure if it jogged other people's memory on  
15 speaking points, but anyway, I just wanted to mention that. Thank  
16 you.

17           MR. NEWLAND: Thank you, Brandon. Again, Julie and Karen,  
18 before I turn to you, I just want to make sure we don't have anyone  
19 else who hasn't had a chance to speak yet. If you want, you can  
20 raise your hands using the button under reactions.

21           Seeing no new speakers, I'll turn back to you, Julie.

22           MS. RAYMOND-YAKOUBIAN: Thank you. I'm hoping since we still

1 have 40 minutes left that we might be able to return to some of the  
2 questions I posed earlier and more of a dialog, but before that  
3 possibility, I wanted to just reemphasize a few points that we've  
4 heard, though we've shared these many times before.

5 In addition to the representation issue, I think it's also  
6 important to point out that the pace of management, of fisheries  
7 management does not keep pace with the environmental changes that are  
8 happening across the entire Bering Sea, and that is a really big  
9 problem that needs to be addressed.

10 Those of you who are part of and familiar with the federal  
11 fisheries management process and the North Pacific Council, it can be  
12 a very, very slow process. It can also be a fast process, if you're  
13 coming from the right perspective, but typically, it's a very slow  
14 process, in terms of getting changes made, and I think we need to  
15 find a solution to that, because you know, not only are we doing  
16 Tribal consultations after decisions have already been made on a  
17 particular issue, we're also behind the curve in making management  
18 and policy changes to affect fisheries that are going through rapid  
19 and extensive changes, and those are anthropogenic changes, as well  
20 as other changes, as well. So I think that's something that really  
21 needs to be addressed.

22 And in terms of increased representation, again, this has been

1 said before, but it's not just, you know, multiple Tribal voting  
2 seats on the North Pacific Council that Alaska Native Tribes are  
3 interested in, but it's representation across North Pacific Council  
4 bodies, across DOI bodies that deal with fisheries and related  
5 issues.

6 As Karen said earlier, Tribes are not stakeholders. They're  
7 not, and they cannot be treated as stakeholders, and so your help in  
8 improving representation across the board, at Commerce, at Interior,  
9 I think is an important step moving forward to address these  
10 ecosystem and fisheries challenges.

11 And again, to go back to the Tribal consultation issue, again,  
12 something we've been talking about and working on for many years now  
13 is how to improve the process that currently exists, because it is  
14 not working right now, and I'm speaking specifically to federal  
15 fisheries management and Tribal consultation with the North Pacific  
16 Council, us being told that they are not responsible for Tribal  
17 consultation and that it's the Agency, and I understand that Trust  
18 responsibility, but it is not -- consultation was rarely meaningful  
19 and timely from our perspective, when it comes to federal fisheries  
20 management, and so some help pulling the North Pacific Council into  
21 consultation, requiring them to make decisions based on information  
22 that comes from Tribal consultations, improving that transfer of



1 information between NOAA and the Council, and Council staff, all of  
2 these things that we've spoken about before are a really big pressing  
3 need.

4       Melanie and others spoke earlier to Tribal management and co-  
5 management of fisheries and the need for funding to support that  
6 work. That is a really, really big and pressing need, funding to  
7 support Tribes to take the lead in managing the fisheries that they  
8 have been managing and stewarding for generations, and along with  
9 that, I think would be funding support for Tribally-initiated and  
10 Tribally-led research activities surrounding fisheries and the  
11 ecosystem, and I think all of the agencies that are on the line today  
12 could be actively working toward Tribal set-asides to facilitate  
13 that.

14       I think that would be a vast -- big improvement over the state  
15 that we're in now. I won't get into how, you know, North Pacific  
16 Council research priorities are set and where those come from and how  
17 they get funded and carried out, but it -- there is a giant gap there  
18 when it comes to Tribal research and Tribal led research and  
19 answering questions that Tribes have with Tribal knowledge.

20       Consulting my notes here, because I have a little bit of brain  
21 fog on my cold here, but yeah, I guess I want to -- I mentioned the  
22 burden of conservation, several people did earlier in this call, and

1 you know, as we're sitting here talking, I wanted to expand upon that  
2 a little bit and say that it's not really the burden of conservation  
3 that's being put on Tribal members, it's the burden of the  
4 performance of conservation that is being put on Tribal members.

5 Tribal members are being forced to perform conservation by  
6 having their fisheries' access limited by the State government and  
7 the federal government. So Tribal members are essentially performing  
8 that burden of conservation -- conservation on your behalf, when we  
9 all know that restricting subsistence fisheries in Norton Sound is  
10 not helping the recovery of those species when tens of thousands of  
11 Chinook, chum, halibut, herring, and other species are being pulled  
12 out of the Bering Sea ecosystem and wasted, and even the ones that  
13 aren't wasted, that are used and put to use and are feeding people.

14 So I think -- I think we need to interrogate that burden of  
15 conservation a little bit more deeply and realize that really Tribal  
16 members are being forced to do that on your behalf, and also, when it  
17 comes to salmon bycatch in the federal fisheries, these requests have  
18 been made before and have been made very clear, but I'll just -- I'll  
19 state them again for the record here that what we're looking for is  
20 bycatch that is as close to zero as possible, and that is not a new  
21 request, and it's also not an impossible request.

22 Tribal members are being asked and being forced to harvest zero,

1 and industry can do the same, and we've asked you to take measures to  
2 help achieve that through emergency action and other things that  
3 have, as Brandon noted earlier, been denied, and so when it comes to  
4 Chinook salmon specifically, we need a lower hard cap and other  
5 measures, and when it comes to chum salmon, we need to establish a  
6 hard cap immediately. This needs to happen right away, and that hard  
7 cap needs to be as low as possible, and as close to zero as possible,  
8 and there also need for chum -- needs to be other measures, like time  
9 and area closures, things to address climate change.

10 All of your agencies are talking about climate change in various  
11 different ways, but we need to see substantive action to address  
12 climate change and its impact on our ecosystems, and lastly, the  
13 communication and collaboration issue again, between federal  
14 agencies, between federal agencies and State agencies, and between  
15 federal agencies, State agencies, and Tribes. There needs to be  
16 formal, real collaboration happening right now to address  
17 specifically this issue of bycatch, but also the wider ecosystem  
18 collapse that we're seeing across the Bering Sea.

19 And again, I hope we might have some time to go back to those  
20 questions I posed earlier. Thank you.

21 MR. NEWLAND: Thank you, Julie. I'm going to turn to Melanie.

22 MS. BAHNKE: Thank you, Bryan. I neglected to properly

1 introduce myself. I just jumped right in. For those of you who  
2 don't know me, I'm Melanie Bahnke. I'm the President of Kawerak and  
3 we represent the federally-recognized Tribes in the Bering Strait  
4 region. Nineteen out of 20 of them have entered into a Compact  
5 Agreement through Kawerak with the federal government to provide  
6 services that BIA used to provide.

7 So imagine there are 19 heads around my big head that's on the  
8 screen right now. That's who I'm representing, are 19 out of 20  
9 federally-recognized Tribes at this forum today.

10 One of the things that I'm requesting, Bryan, from you is after  
11 these consultations are done, I would like some correspondence  
12 outlining what concrete steps any agencies present here today plan on  
13 taking.

14 I think that's part of the reason you're not seeing a bunch of  
15 people calling in from my region is we've been put through this dog-  
16 and-pony dance so many times, and I'm not directing any -- this isn't  
17 at you, Bryan, I told you I'm grateful that you're hosting this  
18 forum, and that you know, DOI is holding consultation on this issue,  
19 but I've been in this role for 10 years and 10 years ago, one of my  
20 first public speaking engagements was a Senate field hearing on the  
21 sustainability of our rural communities with Senator Murkowski, and  
22 back then, Senator Begich, and my whole presentation was about

1 subsistence needing to be prioritized and that our ways of life are  
2 protected and that we shouldn't be fighting for our survival in what  
3 now are management regime-type meetings, you know, the courts, not so  
4 much on the battlefield anymore, but we're having to continuously  
5 battle the federal government, federal and State agencies for our  
6 survival, and I feel like I'm a broken record.

7       Ten years later, I'm now trying to convince those of you who are  
8 in your seats that subsistence needs to be prioritized. So I think  
9 that might be part of why you're not seeing a whole bunch of Tribal  
10 leaders calling in today, as Tribal consultation in itself is kind of  
11 a weak tool, in my opinion, and we need to move beyond consultation  
12 and to actual co-management.

13       I've used the analogy once before; my husband and I were  
14 remodeling our kitchen and I asked him -- I showed him the catalog  
15 with kitchen cabinets. I consulted with him, right. So he gave me  
16 his input, but I get to decide anyway because, you know, that's the  
17 section of the house that I'm under control of.

18       So I consulted with him, and that's often what happens when  
19 federal government agencies consult with us. It's just a box to  
20 check off. So we are -- we haven't finalized our Compact Agreement  
21 with DOI yet. It would be great to see some recognition of the dire  
22 situation that we're in, in terms of actual increased line items for

1 natural resources protection this year, if you've got any kind of  
2 emergency funding that can go toward that.

3       It's not just, you know, bycatch that we're dealing with right  
4 now. The world -- well, not the world. The U.S.' largest graphite  
5 deposit is right in our region and Graphite One is exploring opening  
6 an open pit mine that could possibly impact our fisheries further,  
7 and they're saying that the next step in the process will be to  
8 either conduct an environmental assessment or an environmental impact  
9 statement, and those two are very different, and what we've seen from  
10 what's happened with the Pebble Mine is, you know, and local people  
11 don't get to be involved in the science of determining what the  
12 impacts could be with mining.

13       The permitting process, that whole process can be tinkered with,  
14 basically, by special interest groups, whether it's extreme  
15 conservationists or the "Drill, baby, drill" people. So you know,  
16 we've got the issue of Graphite One.

17       We just were successful in petitioning that a large mining  
18 operation proposed in an estuary by an outfit called IPOP that  
19 involved multiple permitting agencies, U.S. Army Corps of Engineers,  
20 others, denied that permit. So we were successful in that, but now  
21 we've got another potential threat to our fisheries resources in the  
22 way of Graphite One.

1           We've got increased shipping happening and just few years ago,  
2 we experienced -- just two years ago, we experienced a large marine  
3 debris event, and the Port of Nome is going to be built, and you  
4 know, that's only going to serve to increase traffic through the very  
5 narrow Bering Strait even more.

6           So we're facing multiple man-made potential threats on top of  
7 climate change, and I'd like to see some kind of a follow-up to this  
8 consultation that outlines actual concrete steps that are going to be  
9 taken as the U.S. government's Trust responsibility to the Tribes  
10 that are affected.

11           You mentioned that it's not just DOI's Trust responsibility, all  
12 of the federal agencies have that Trust responsibility. You know,  
13 NOAA, unfortunately, you know, salmon, I think -- fisheries  
14 management falls under the Department of Commerce. So that tells you  
15 exactly what the federal government prioritizes when it comes to our  
16 natural resources.

17           Salmon are considered Department of Commerce matters, right.  
18 NOAA falls under Department of Commerce. So it's not a matter of  
19 protecting natural resources or subsistence resources. They're  
20 viewed first through that lens of commerce. It's similar to how  
21 Bureau of Indian Affairs was initially placed under Department of  
22 Interior, because Department of Interior is a land department and

1 Indians were viewed as a land issue that the government had to deal  
2 with, and so our salmon, similarly, are considered a matter of  
3 commerce, and managed first in that perspective.

4 So I know that's not an area that you guys have any control  
5 over, but salmon, rightfully, should be under Department of Natural  
6 Conservation or something different than Commerce.

7 Anyway, I don't want to get on a soap box, so I'll just -- those  
8 are two things I'm asking for, two real concrete things that -- 1) a  
9 response follow-up letter to this consultation, because I do think  
10 Tribal leaders in my region are starting to get jaded when it comes  
11 to these Tribal consultations, and in no way am I discouraging them.  
12 We constantly ask for more Tribal consultations, but it's the follow-  
13 up part that's lacking.

14 We feel like we come in, we plead our case, and there's never a  
15 verdict or the jury doesn't necessarily convene to get back to us.  
16 We just go and have our day in court and there really aren't any  
17 follow-up actions, and then secondly, Bryan, I mentioned, we are  
18 still in the process of negotiating our Compact Agreement and it  
19 would be great if tomorrow, I find out from our self-governance  
20 person at Kawerak that, wow, we've got a call, there's going to be an  
21 increase to this one particular line. Will we accept that additional  
22 responsibility, and the answer is yes.



1           We would like to have additional resources to help us address  
2 this crisis, and one last thing, somebody mentioned, I think it was  
3 Brandon, you know, we get jailed and fined or equipment confiscated  
4 if we take any game or fish out of season, or you know, the wrong  
5 timeframe of the year. Hunger knows no law and we have the Marine  
6 Mammal Protection Act that is intended to protect our marine mammals.  
7 When it comes to the bycatch by the trawlers, they're taking mammals  
8 that are protected under the Marine Mammal Protection Act with no  
9 repercussions. There are no fines for them. None of their gear is  
10 confiscated. So on top of the wanton waste of bycatch, mammals that  
11 are supposed to be federally protected are not being protected.

12           There are reports of -- and those are self-reports. There's not  
13 even anybody monitoring. These are -- this is industry being asked  
14 to tell on itself. So I don't know what the true -- true numbers are  
15 when it comes to marine mammal bycatch, but we do know that those  
16 mammals are being -- they are being taken as part of the trawling  
17 industry.

18           Again, I want to thank you for hosting this and I know I've got  
19 Brandon and Julie and Brenden here, so I'm going to go ahead and sign  
20 off, but Bryan, I would love to host you up in our region. I wish I  
21 could say I would take you fishing next summer, but that's not  
22 something that I'm able to do. At some point, hopefully, our fish

1 will rebound.

2           You know, we want -- we're bearing the burden of conservation as  
3 part of our attempts to get those fish to rebound, because we're  
4 thinking seven generations ahead, not just this year's income, and  
5 unfortunately, I think if we don't make any drastic changes, you're  
6 going to see the -- even the industry, it's going to trickle up.  
7 You're seeing that with the crab, you know, and when species are  
8 mismanaged, eventually, there isn't even going to be enough for  
9 industry.

10           So right now, it's climate change and industry that we're having  
11 to try to tackle. It should be all hands on deck, whether it's  
12 bycatch or intercept, that has to be something that is considered as  
13 well. Everybody should have to make a little bit of a sacrifice so  
14 that collectively, we do our part to make sure that the runs continue  
15 for generations going forward.

16           MR. NEWLAND: Thank you, Melanie. I appreciate your comments in  
17 the way that you cut through and speak clearly. I genuinely  
18 appreciate that and I know all of us do. When it comes to follow-up  
19 from consultation, I also appreciate that request and we take that to  
20 heart, that guidance, to make sure that folks know how their comments  
21 affected our policies or if they were accepted or acted upon.

22           We're trying to build that into our processes, but we know here,

1 that we want to make sure that we're being responsive and that this  
2 isn't just for show, that it's meaningful, and I know we're working  
3 with our friends at Department of Commerce to make sure we've got a  
4 report and that, you know, action plans going forward that, you know,  
5 we've got agreement, and when you're working across several federal  
6 agencies, I know you understand that it takes a little bit longer,  
7 just because the more agencies you add, just the longer the -- the  
8 bigger the process becomes, but we take that to heart, Melanie, and  
9 appreciate that, and thank you for taking your time with us and hope  
10 you have a good holiday this week.

11 MS. BAHNKE: Thank you, Bryan. I forgot to mention one last  
12 thing, in terms of funding availability. The whole point of  
13 compacting and the 477 for the, you know, Department of Labor side of  
14 things is to minimize the number of grant applications and reports  
15 that we're having to submit, and Julie mentioned a Tribal set-aside  
16 from federal agencies. So I guess I'm putting this challenge, not  
17 just on your shoulders as DOI, I see folks from NOAA here. I'm not  
18 sure what other agencies, but I know you're able to do inter-agency  
19 transfers and that funding can be made available through that  
20 compacting mechanism, as opposed to having us write yet another  
21 grant.

22 So I put that challenge out to all the different agencies that

1 are here, looking at Bryan, do an inter-agency transfer to Bryan to  
2 help us address this crisis on our end. We want to be part of the  
3 solution, and I'm signing off after this.

4 MR. NEWLAND: Thank you. Okay, we've got about 17 minutes left  
5 in our scheduled time for consultation. I do want to make sure we  
6 leave, you know, five or so minutes for everyone here to reflect on  
7 what they heard and make some final observations, but is there anyone  
8 else on the Tribal side who wishes to make comments? Hi, Karen.

9 MS. PLETNIKOFF: Hi, thank you. I really appreciate everything  
10 I've heard today. The -- I hope what you guys have heard is a  
11 consistent Tribal voice that our direct subsistence use is so  
12 important, far more than just the financial losses.

13 When we started up, there were a number of you who talked about  
14 hoping for the recovery from Merbok. If your agencies have specific  
15 funds that can be allocated, set, provided to Tribes directly for  
16 natural resource activities like hunting and fishing, subsistence  
17 food security or anything like that, we should be talking about that  
18 right now or you should be looking into how we can get those funds  
19 out to people, because the double whammy of losing your fall harvest,  
20 combined with now, the loss of housing in many communities, all of  
21 that together is a real impactful issue, and back to the -- that  
22 consistent voice about the importance of subsistence and the

1 importance of local fisheries, the goal of the Magnuson-Stevens Act  
2 was to get these healthy American fisheries for American users, and  
3 keep them going, and in Alaska, despite the Americanization of our  
4 fisheries, we still see, you know, three marketing companies that end  
5 up with most of the quota from the industrial scale fisheries going  
6 to them.

7       We still see multi-national foreign majority owned companies  
8 that have the controlling stake in many of these industrial fisheries  
9 where we see these incredibly well-funded and savvy and consistent  
10 participation at the Council process. These are their friends.  
11 These, literally, and they are the ones who run the industry, who get  
12 the Council seats, and so we shouldn't be surprised at the one-  
13 sidedness of this, the way this organization operates, because that's  
14 truly what they understand, and unless we change the make-up, unless  
15 we change the faces at the table, they won't -- they won't be able to  
16 truly understand it.

17       Although, the suggestions made here today are absolutely true in  
18 the ways that they could improve actual consultation and improve the  
19 incorporation of indigenous knowledge, citizen science, and other key  
20 factors in the way they manage, and this is -- goes to the  
21 fundamentals of management, actually, that we need to see some  
22 changes in, because clearly, the cut (sic) for marine mammals has not

1 been sufficient, has not been adequate.

2       The understanding for many of the issues that we see in the  
3 Western Steller sea lion population is increased predation from  
4 killer whales. Orcas have -- orcas across the Pacific have shifted  
5 their diet away from the large fish that we take to marine mammals,  
6 and these impacts of no longer having those large fish that we take,  
7 and everyone -- both agencies, different agencies responsible for  
8 different aspects of this or the same agency say, "Well, that's not  
9 us. That's them." And we can't allow this to continue, and you, as  
10 a federal government, not as individual agencies who are allowed to  
11 stovepipe your responsibilities, but as the whole of government  
12 approach that is what it will take to serve both us, as Alaska Native  
13 Tribes, and our natural resources need that collaboration, that  
14 cross-cutting approach that not trans-disciplinary in the way that  
15 sometimes gets used to water down each individual's responsibility or  
16 the depth at which the equations are brought, the information is  
17 brought together and synthesized and worked, but in the truest form  
18 of, we are all responsible for our activities, we bring our full set  
19 of knowledge and we get to the big part of these problems, which  
20 include a protective allocation to account for the uncertainty of  
21 climate change, which is not a foreign concept to many of these  
22 management equations, but isn't being pushed hard enough by the

1 responsible agency leads and you're the leaders.

2       You're the responsible parties. You can advocate and push for  
3 how are we being more conservative to allocate for the uncertainty of  
4 climate change to make sure the marine mammals are getting their fair  
5 share, to cover the subsistence users, as an off-the-top allocation  
6 before we start setting directed fisheries numbers, and you know,  
7 that's the exact opposite of what we have been fighting against at  
8 the Council process, where the prohibited species catch of halibut  
9 was being taken off the top and given to the ground fisheries, while  
10 our directed halibut fisheries get lower and lower, and now that  
11 they've made some moves toward abundance-based management, we hope  
12 that will be enough to keep our fisheries going, but we're still, as  
13 populations decline, going to come back to this place where that  
14 industry continues to be allowed to discard tons, metric tons of  
15 halibut in the form of bycatch, hundreds and thousands of fish, and  
16 we no longer have an onshore fishery, our only primary economy in our  
17 community.

18       So this is just -- this opportunity to talk about what our  
19 issues are and to work together to address them in a proactive way is  
20 not going to go away as we get pressured more by climate change to,  
21 you know, own up to the situation we've created and the take we want  
22 to continue to have, whoever those users are.

1           Going back, before I go, the Magnuson-Stevens Act says local  
2 fisheries are one of the prime standards, and you don't get more  
3 local than subsistence, and it's not appropriate for us to see any  
4 more of the responsible federal agencies defer to, "Oh, that's State  
5 management, so we can't do anything about that, that lack of  
6 sufficient coverage for you."

7           In the past, when the Tribes have shown that we aren't getting  
8 what we need, the federal Trust responsibility isn't being met, then  
9 the federal's responsible agencies have taken over primacy, and if  
10 this can't be addressed at the State level, and the, you know,  
11 really, it's just the floor to acknowledge that we, as Tribes, exist  
12 in Alaska, it's nice, but we don't anticipate that resulting in the  
13 protections that we need for our subsistence and for our right to an  
14 economy.

15           So don't let this get divorced in your mind either, subsistence  
16 is incredibly important culturally. It's invaluable. We can't  
17 actually put a price tag to it, what it means for us and our culture,  
18 but Tribal members have a right to an economy, as well, and we have  
19 the right to those fish in front of the line, and I don't know if at  
20 the front of the line, but in the front several users, probably up  
21 there with the endangered marine mammals, as many of us, Unangax, see  
22 ourselves as, you know, entirely reliant on marine resources and



1 attached to the sea and endangered, if you look at our numbers in our  
2 region, because those fisheries that used to be ours to access have  
3 been handed over to folks who don't live in Alaska and who don't give  
4 their money to the U.S., even, you know, most of that money is going  
5 to, again, the bulk of that to foreign majority, multi-nationals or  
6 just foreign companies.

7 So there are a lot of tools already before us in the Magnuson-  
8 Stevens Act on how we manage, but there's a lot of other tools you  
9 already have for the different responsibilities, executive orders,  
10 federal Trust and other regulations that they -- these initial local  
11 uses, like subsistence, like local fishing is an important and valued  
12 and prioritized use of the fisheries and I -- we ask you to work  
13 together to make that happen. Thanks so much.

14 MR. NEWLAND: Thank you, again, Karen. I appreciate your  
15 comments. They're very helpful and I appreciate your time. I did  
16 want to also note that I didn't before for Tammy, we've got your  
17 comment in the chat, and that's a part of the record, as well. So I  
18 didn't want to conclude without acknowledging that.

19 In these last few minutes here, I want to make sure that we get  
20 a recap from everyone on the federal team here. So I think maybe,  
21 Janet, we'll start with you and Zach from over at Commerce before  
22 having some observations from the DOI team here.

1 MS. COIT: Thank you, Bryan. Yeah, I've taken pages and pages  
2 of notes, starting with representation. I know that you know that  
3 this Administration has supported legislation increasing the Council,  
4 adding two Tribal seats on the Council, and we continue to press the  
5 Governor to put nominees up, but anyway, I'm not -- I -- lack of  
6 representation, confusion or being sort of rope-a-doped across  
7 Council versus NOAA has been an issue, in terms of who's making  
8 decisions, making consultations more effective with decision-makers,  
9 meaningful consultations earlier in the process.

10 Bycatch is a huge issue that many, many of you, including Tammy  
11 Jones in the chat have spoken to directly, and the need to approach  
12 zero with bycatch and the inequities there. I'm not going -- looking  
13 at my notes now, I thought the issue of the Tribal set-asides and the  
14 additional resources for Alaska Natives to participate and the issues  
15 of really ensuring that local Tribal knowledge is part of our process  
16 and noting that it hasn't happened meaningfully or really impactful  
17 (sic).

18 I won't try to recap, you know, the profound and deep statements  
19 that you've made about stewardship and culture and hunger, because I  
20 can't say them any differently or better than you, but I think at  
21 the heart of all this are those existential issues and identity  
22 issues and cultural issues.

1 I did appreciate the right to an economy as a concept that needs  
2 to be considered separately, as well, and I'll hand it off to Zach  
3 there.

4 MR. PENNEY: Yeah, thanks, Janet, and I'll hand it to Jon when  
5 I'm done. I'll be really quick since we have limited time, but you  
6 know, everybody who spoke today, Brandon, Julie, Karen, others, you  
7 know, thank you so much. I'm an advisor for NOAA and I actually have  
8 trouble being governmentally (indiscernible), but I do want to say,  
9 you know, I would encourage our, you know, my NOAA colleagues,  
10 Interior colleagues that when we leave today that we don't think  
11 about maybe some of the things that might be inconsistent, we think  
12 about all the things that are consistent that were coming from the  
13 Tribes, and when I say that, you know, when it talks about, you know,  
14 exact number of fish that might be caught in bycatch and things like  
15 that, you know, just the two things I want to, you know, leave  
16 everybody with or at least that I -- let folks know that I'm thinking  
17 about, I'm not going to tell what, you know, everything that I heard,  
18 but you know, on the indigenous knowledge front, I think there's  
19 still a challenge for a lot of government agencies to exactly, you  
20 know, figure out what exactly that is.

21 You know, it's not something you can put into your fisheries  
22 model, and I think, you know, a lot of the things that were said

1 today, you know, Karen, you had a lot of them, you know, what  
2 indigenous knowledge is, what indigenous management is, you know, the  
3 concepts, some of the philosophical concepts of not playing with your  
4 food, and you know, these really big things that I do think that we  
5 need to figure out a better way to incorporate that into how that  
6 decision making, you know, is (sic).

7 I think Brenden brought it up, too, is, you know, best available  
8 science, you know, there's some perspective, a lot of Tribal  
9 perspectives that are missing there, and then just the last one, too,  
10 you know, the need for action, the call for action, we've heard that  
11 in all the consultations, and you know, coming from the Columbia  
12 River Tribes, you know, one of the things I left there with is, you  
13 know, often times, you know, I heard some people talking about  
14 consultation fatigue today. I get that.

15 It's sometimes a lot easier to actually talk about the problem  
16 and talk about solutions than actually come up with a solution. So I  
17 wanted you to know I heard that. So I'll stop there and hand it off  
18 to Administrator Kurland.

19 MR. KURLAND: Thanks, Zach. I'll keep this very brief. We hear  
20 you. Thank you, everybody who took the time to share your comments  
21 today. They were all very thoughtful and heartfelt comments and  
22 observations. So I appreciate that very much.

1 I do want to make sure that our Tribal partners know that we  
2 recently extended a job offer for a Tribal liaison for NOAA fisheries  
3 in Alaska. This is a brand new position for us and we'll increase  
4 our capacity for Tribal consultation and engagement and coordination  
5 with our Tribal partners, as well as Alaska Native organizations and  
6 consortiums. So I'm hoping that person -- well, we're aiming for the  
7 end of December for that person to be onboard. So I look forward to  
8 making introductions as soon as that person is onboard.

9 And finally, the last thing I'll mention is the North Pacific  
10 Fishery Management Council and its meeting coming up in a couple of  
11 weeks, first week in December. One of the important items on the  
12 agenda is a paper that the Council asked for in June to look at chum  
13 salmon bycatch and potential options for initiating a new management  
14 action to address chum salmon bycatch.

15 So I just encourage you folks and your colleagues, your  
16 partners, people you know in your Tribes, your communities to please  
17 participate in that process. Your voices -- I know it's frustrating.  
18 I know it's hard to participate in that process, but your voices  
19 really do make an impact. So I hope you can participate, and there  
20 are remote options for testifying if you're not able to come to the  
21 meeting in Anchorage.

22 So I'll just leave it at that, in the interest of time, and I'll

1 pass it back to Bryan and colleagues at DOI. Thank you.

2 MS. COIT: Bryan, could I just add thank you? I was thinking so  
3 hard, I forgot to say that. So thank you for the time and the  
4 contributions today, much appreciated.

5 MR. NEWLAND: Sure, and then -- and I go to Shannon and Laura.

6 MS. ESTENOZ: Thank you, Bryan. I, too, want to start with  
7 thanks for your time, for the incredible level of sophistication and  
8 just clear articulation of both the problems that your communities  
9 are facing, the communities that you represent, but also, quite  
10 frankly, just the clear articulation of some very specific ways that  
11 they might be addressed or things that we need to be considering.

12 I will say to Julie's plea that we begin answering questions, I  
13 will -- I will admit that we don't have packaged solutions for you  
14 today, but what we're in the middle of is this consultation process,  
15 as frustrating as it is, and I, too, have spent a lot of years trying  
16 to get -- outside the government, trying to get the government to do  
17 things, and I know how it can -- how frustrating it can feel, I want  
18 -- I want you to know that since we've been engaged in these very  
19 detailed conversations, we have been going back, just since our visit  
20 a few -- just a few weeks ago to Alaska, we've met several times as  
21 leaders together and have really begun the process of -- I don't even  
22 know what the right analogy is, it's not really an onion, it's more

1 like -- like the solutions are -- the possible solutions are just  
2 buried under like plaque, like hardened plaque that has to just be  
3 beaten away.

4       It's either bureaucracy or it's a lack of authority or it's not  
5 the quite right the authority. It's -- we don't have enough money.  
6 Okay, well, how do we get money, where -- well, those dollars are not  
7 eligible or well -- so it's -- that is the -- I feel like that's a  
8 lot of where we are right now, and so from Interior's perspective,  
9 just to give you a few examples, and I'm using my time to sort of try  
10 to answer some questions here, rather than -- because what I heard to  
11 day was so consistent with what I heard in Bethel, so consistent with  
12 what I heard in Fairbanks, and I'll add, just to enumerate it, you  
13 know, the burden of conservation being on Tribes, and that was a  
14 theme we've heard, you know, in all three of these consultations, but  
15 some of the very specific, from my perspective with Fish and Wildlife  
16 Service, let's say, is looking at the Federal Subsistence Board,  
17 looking at this question of enforcement and how are we dealing with,  
18 you know, folk who are finding them -- their equipment seized, and  
19 you know, finding sort of government's reaction to, you know, to the  
20 -- to the fishery -- fishing bans.

21       How do we look at -- are we doing everything we can do under our  
22 compacting authorities? What are our resources available? What are

1 some -- where are the specific places where we have low-hanging fruit  
2 where we can cooperate? Is it additional sonar on the Yukon? Is it  
3 -- you know, so we really are trying to really dive in and -- and --  
4 because what we heard more than anything is that it's action.

5 We need to demonstrate that we are responding to all of this  
6 good thinking and frustration that we've been hearing for -- that  
7 we've been hearing, specifically, for the last month, but that --  
8 that has been expressed for -- as all of you had said, for many,  
9 many, many, many years. So we are in -- we are -- we are here. We  
10 are listening at the leadership level and we are diving in, sleeves  
11 rolled up, and trying to come up with solutions.

12 MS. DANIEL-DAVIS: Hi. I don't know if there's a whole lot I  
13 can add to what my federal colleagues have said. I will say that  
14 I've heard it's a crisis and that's what we heard in the previous two  
15 meetings, and we see that and we hear that. I think Zach used the  
16 words, "call for action." You are asking the federal family, not  
17 just to hear you and see you, which we do, but to do something, and I  
18 wanted to acknowledge that to everyone.

19 I wrote down a couple (indiscernible) let's talk about co-  
20 production of knowledge. Can we talk about true co-stewardship and  
21 collaboration, and I just wanted to recapture what Bryan said that --  
22 that is what we are trying to drive toward as a family, as the --



1 each of us is a trustee, and just want -- I hope you can see from  
2 both all of us being here and everything that we have said, our  
3 commitment to that partnership and our desire to stay engaged and in  
4 communication with you on this really, really important issue. We  
5 know it's -- it's your food. It's your culture. It's your life. So  
6 thank you for sharing so much of yourselves with us today.

7 MR. NEWLAND: Thank you, Laura. That -- I, again, what to thank  
8 everybody for sharing your time with us, especially on this week, and  
9 we -- I want to reiterate again, we really wanted to do this in-  
10 person and to be there on the ground and we're all sorry that just  
11 wasn't made possible.

12 We wanted to also make sure that we had this consultation sooner  
13 than waiting until a later time where we could all get up there, so  
14 we can actually get to work, and you know, put some action plans  
15 together.

16 I also want to give a special shout out to Rose Petoskey, who's  
17 been here with us, helping to arrange logistics, along with Oliver  
18 from our DOI team on that, and so I think my colleagues have captured  
19 it very well, everything that we've heard, and so I want to wish you  
20 all a happy Thanksgiving. Please travel safely, if any of you are  
21 traveling anywhere, and we will follow-up and speak again soon. So  
22 that will conclude our consultation today. Thank you all so much.

1 Please take care.

2 11:05:39

3 (Off record)

4 (END OF PROCEEDINGS)

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UNITED STATES OF AMERICA )  
STATE OF ALASKA )

I, Lisa Nelson, CSR No. 5907, do hereby certify:

THAT the foregoing pages numbered 4 through 75 contain a full, true and correct transcript of the Department of the Interior and the National Oceanic and Atmospheric Administration Alaska Fisheries Tribal Consultation Meeting recorded electronically by Accu-Type Depositions' Court Reporter on the 21<sup>st</sup> day of November 2022, and transcribed by me, to the best of my knowledge and ability.



Lisa N. Nelson, CSR #5907  
My Commission Expires: 02/06/24