

Testimony of Chief/Chairman “PJ” Pollack B. Simon, Jr.
Tanana Chiefs Conference
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House Subcommittee on Water, Oceans, and Wildlife
Legislative Hearing on:
H.R. 4690, *Sustaining America’s Fisheries for the Future Act of 2021*
Hearing Held on November 16, 2021

Chairman Huffman, Ranking Member Bentz, Alaska’s own Representative Young, and members of the Subcommittee on Waters, Oceans, and Wildlife, I am submitting this testimony on behalf of the Tanana Chiefs Conference (“TCC”) for the record of the Subcommittee’s November 16, 2021 Legislative Hearing on H.R. 4690, *the Sustaining America’s Fisheries for the Future Act*.

I want to begin my testimony by applauding this Subcommittee for taking on the important work of reauthorizing the Magnuson-Stevens Fishery Conservation and Management Act (“MSA”). I especially want to commend Chairman Huffman and Representative Young for their tireless efforts. Even though they have offered different visions for what an MSA reauthorization could look like, I do believe that they have approached this task and each other, with mutual respect and a willingness to work together where they are able.

The MSA is incredibly important to ensuring healthy fish stocks, but it has not been reauthorized and updated since 2007. That was almost fifteen years ago. It is essential that the MSA evolve to meet the needs of our changing climate, incorporate scientific advances, and become more inclusive of tribal voices and subsistence stakeholders. TCC believes that H.R. 4690, *the Sustaining America’s Fisheries for the Future Act* (“SAFFA”) accomplishes all three of these priorities.

Background on Tanana Chiefs Conference

The Tanana Chiefs Conference is a non-profit intertribal consortium of 42 communities, including 37 federally recognized Tribes, located across Alaska’s vast interior. Headquartered in Fairbanks, Alaska, TCC serves approximately 18,000 tribal members over an area of about 235,000 square miles, which is nearly the size of Texas. TCC is charged with advancing Tribal self-determination and enhancing regional Native unity with the aims to meet the health and social service needs of tribes and tribal members throughout the region.

TCC’s communities are situated on rivers such as the Yukon, Kuskokwim, and Koyukuk. These rivers support the salmon runs that our people have depended on since time immemorial. We rely heavily on subsistence fishing and hunting to provide food security in our remote villages where there are often no access roads and the only way to reach the outside world is by boat or plane. When our salmon do not return, the nearest Costco or Safeway is a very long and expensive grocery run from my village of Allakaket.

Dire Subsistence Situation

TCC has watched our salmon runs plummet over the past several years as global warming, ocean acidification, and habitat loss have decimated salmon populations. Our tribes are located upriver and when runs are low, the salmon fishing is closed so that international treaty-based escapement goals into Canada are met. That means our subsistence fishers are left with no fish while the commercial and recreational fishers downstream are guaranteed at least some salmon.

In years of low runs, TCC's tribes have been forced to take the extraordinary step of voluntarily not fishing salmon. This is an extreme hardship for our subsistence fishers, but the difficult choice is necessary to allow as many salmon as possible to spawn so that fish will return in future years. It is difficult for tribal leaders to tell our people not to fish and fill their smokehouses when everyone downstream is harvesting salmon. No other stakeholder group, except for the tribal stakeholders, have had to make such sacrifices.

Analysis & Comments on the SAFFA

TCC would like to begin by reminding the Subcommittee that tribal rights, and the right to harvest fish, are rooted in the trust responsibility. The trust responsibility applies to all federal agencies, and it is not just confined to the Department of the Interior. The agencies with the responsibility for implementing SAFFA, such as the Department of Commerce and the National Oceanic and Atmospheric Administration, must consider the unique situation of tribes and their trust responsibility to tribes during that implementation.

The following provisions and sections of SAFFA are of particular interest to the TCC:

Title I Climate Ready Fisheries – This is the first time that the MSA will acknowledge and confront at a large scale the impacts that global warming is having on our fish stocks. Our tribes are on the front lines of the global warming crisis and this bill finally acknowledges what we have seen happening for years. Section 102 will require fishery management plans to incorporate climate change into their fish stock assessments and examine the vulnerability of not just the fishery but also its participants.

Section 104 creates the Climate-Ready Fisheries Innovation Program, which will support science and management approaches that address ways to improve the conservation and management of fishery resources. This program could potentially provide the resources that TCC needs to support work that we are already doing to try to save our salmon runs. This federal investment in critical research and solutions is absolutely necessary as we try to limit the impacts that a changing climate will continue to have on salmon.

Title II Supporting Fishing Communities – Section 202 clarifies and recognizes the impact that fishery disasters have on subsistence fishers. Section 201 of the SAFFA will set firm timelines for how the federal government processes fishery disaster requests and the disbursement of appropriated funds. These provisions will ensure that when tribal subsistence fishers suffer a fishery disaster that they will have access to the resources and support that they need in a timely manner.

Title III Strengthening Public Process and Transparency – TCC has long advocated for the need to have tribal voices included in the North Pacific Fishery Management Council. Section 302 will accomplish this by adding two tribal seats to the Council. These seats will guarantee that Alaska’s tribes have the ability to finally be heard. TCC also supports Section 302(b)’s approach to conducting tribal consultation on how the seats shall be filled. This can be accomplished through a federal rulemaking.

In addition, Section 302 adds subsistence fishing to the list of required expertise that would allow an individual to sit on any of the regional fishery management councils. It also would require, where applicable, that subsistence fishers be included in the fair and balanced apportionment of council seats. The SAFFA finally elevates and recognizes the voices of subsistence fishers to the same level as commercial and recreational fishers.

Title IV Modernizing Fishery Science and Data – Section 402 calls for the expansion of electronic technologies, which TCC believes is a valuable tool. TCC has long advocated for in-river sonar systems to help with stock assessment and calculations of the size of salmon runs. TCC would like to ask for clarification on whether sonar systems would be considered “other forms of electronic technology.”

Section 404 acknowledges the importance of local and traditional knowledge in order to make the most effective management decisions. Our tribes have lived on these lands and rivers for thousands of years and have unique knowledge that Western science may not have uncovered. TCC appreciates incorporating our traditional knowledge as scientific information to ensure effective fisheries conservation and management.

Title V Sustaining Fisheries Through Healthy Ecosystems and Improved Management – TCC appreciates that Section 503 will create a nation-wide standardized bycatch reporting system while working to close loopholes. If there is not accurate reporting, it is hard to understand the true impact that bycatch has on our fisheries. We need to ensure that we are not incentivizing quick profits over the long-term sustainability of salmon.

Conclusion

Tanana Chiefs Conference supports the SAFFA and appreciates all the work that went into its drafting. This bill is the product of a long process of stakeholder engagement by Chairman Huffman and the bill reflects those diverse voices. The SAFFA represents the first time that tribal voices have been meaningfully included in the MSA, and finally acknowledges that what happens in the oceans impacts the inland fisheries.

TCC urges the Committee to take up and pass the SAFFA. Our tribes cannot wait any longer for the tools and resources that the SAFFA contains to continue our fight to save salmon. I thank you all for your time and attention to this most urgent matter.