



Anne Marie Eich, Assistant Regional Administrator,
Protected Resources Division
Alaska Region National Marine Fisheries Service

Attn. Susan Meyer P.O. Box 21668 Juneau, AK 99802

Re: Proposed Rule NOAA-NMFS-2024-0042

August 8, 2024

Dear Ms. Eich,

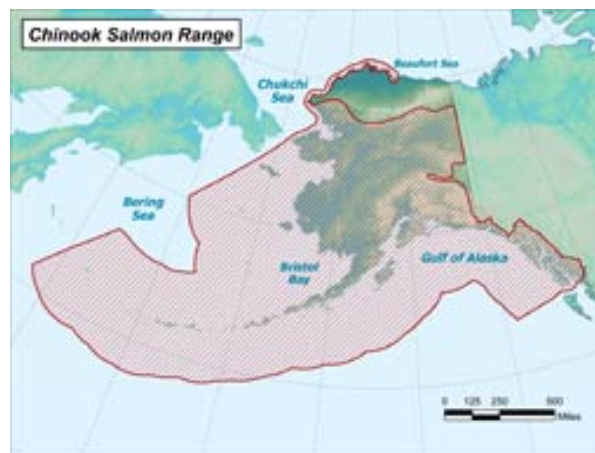
The Alaska Marine Conservation Council (AMCC), founded in 1994, is an Alaska-based nonprofit dedicated to protecting the long-term health of Alaska's marine ecosystems, fishery dependent communities and the working waterfronts of our coastal communities. Our members include fishermen, subsistence harvesters, marine scientists, small business owners and families, many of whom rely on healthy fisheries. AMCC advances conservation solutions that address the interdependence between healthy marine ecosystems, strong local economies and coastal traditions. Our community-based approach includes outreach, grassroots advocacy, public policy, research and education. The base of our membership includes hundreds of small-boat, community-based, conservation-minded fishermen that depend on the health of the marine resource to remain in their fishing communities. We believe that by strengthening the well-being of coastal communities and responsible resource management, we can ensure that our oceans and the people that rely on them can thrive for generations to come.

The petition filed by the Wild Fish Conservancy is flawed and riddled with inaccuracies to a point that it undermines the integrity of the Environmental Species Act process which is considered one of the most important wildlife conservation laws in the United States. The petition is structured to use a valuable conservation law to meet its own self-serving agenda to end commercial harvest of wild caught salmon in the Gulf of Alaska (GOA) under the guise of protecting Pacific Northwest wild salmon stocks. Contrary to habitat degradation in the Pacific Northwest referenced in the petition, freshwater habitat is relatively pristine for most major GOA Chinook Salmon-producing watersheds. Alaska's freshwater and marine habitats remain



largely intact and their pristine value is clearly recognized in the suite of protections afforded them.

Species are listed as endangered or threatened under the Endangered Species Act (ESA) to protect them from extinction, GOA Chinook Salmon are not in danger of extinction. The ESA further defines an endangered species as one that is in danger of extinction in all or a significant part of its range, while a threatened species is one that is likely to become endangered in the near future. Again, GOA Chinook Salmon are not in danger of extinction throughout its range (see graphic of [ADF&G Chinook range](#) below) and no “reasonable person” would conclude that GOA Chinook salmon are at risk of going extinct now or in the foreseeable future. AMCC recognizes the need for conservation measures when stocks are struggling to meet lower escapement goals, and the Alaska Department of Fish and Game (ADFG) has many tools and regulations in place to protect and conserve Chinook Salmon, during times of low abundance. We fully support the actions ADFG is taking to restore this fish back to its former abundance levels.



As the National Marine Fisheries Service (NMFS) acknowledged, the Wild Fish Conservancy’s petition did not present “a complete, balanced representation of the relevant facts, including information that may contradict claims in the petition,” (50 C.F.R. § 424.14(d)(5)) as called for in the regulations for ESA listing petitions. In addition, NMFS acknowledges that the petition has “numerous factual errors, omissions, incomplete references, and unsupported assertions and conclusions within the petition.” These issues should have disqualified the petition from consideration under NMFS’s regulations.



AMCC does not support and is very concerned that a threatened or endangered ESA-listing transfers the management of the listed units and their critical habitats from the State to the federal government. The listing would dismantle the comprehensive state management systems in place, virtually saying that NMFS believes state management is insufficient to protect the stocks from going extinct. Sustainable fisheries management is an integral component of the State of Alaska constitution. Alaska assumed management of the salmon fisheries in 1960 with the creation of the Department of Fish and Game, just one year after statehood. At the time many of the salmon runs around Alaska were severely depressed and salmon fisheries were in desperate shape. Through sophisticated in season management and a 'fish first' commitment, Alaska rebuilt salmon runs from abundances that were far lower than they are today. The salmon returning to Alaskan streams and rearing in Alaskan waters are the basis for one of Alaska's most important industries and underpin a traditional subsistence lifestyle in rural portions of the State where access to grocery stores and supplies is not easy.

The State of Alaska has made and continues to make substantial investments in salmon research to better understand the causes of recent declines, identify potential solutions, and consider how to better incorporate climatic variability into fishery management. The investments and research are actions to ensure the long-term health of Alaska salmon stocks. No one is more committed to the health of the salmon resource than the State and people of Alaska.

It is well understood that Chinook Salmon have been returning in fewer numbers to many rivers across Alaska since 2007, requiring important restrictions on fisheries that harvest these stocks. The importance of salmon to marine and terrestrial ecosystems is of utmost importance to the State of Alaska. State biologists collect extensive information and statistics for management decisions which recognize the importance of commercial, sport and subsistence fisheries for salmon. Many Alaskans depend heavily on subsistence-caught salmon for food and cultural purposes. Fishery management plans give top priority to the subsistence use of fish resources.

There are ongoing Chinook Salmon research projects conducted by the Alaska Department of Fish and Game that fall into four general categories:

- Stock assessment programs targeting specific knowledge gaps on individual, indicator stocks.
- Compilation of local and traditional knowledge regarding Chinook salmon trends in abundance, distribution, and physical appearance.
- Research on juvenile Chinook salmon in the near shore marine environment, which is thought to be a critical life history stage, and one little studied.
- Life history process studies intended to examine a range of environmental factors affecting Chinook salmon growth and productivity.



The core of the plan is stock specific, life history-based research focused on [12 indicator stocks](#) from across Alaska, including 9 river systems and stocks in the GOA.

In addition, The Alaska Salmon Research Task Force, established by Congress in 2022 to identify knowledge gaps and research needs in response to declines of Alaska salmon, **released its final report on July 12**. Michelle Stratton, AMCC's Acting Executive Director and fisheries scientist, served on the task force with other scientists, fishermen, Indigenous community representatives and agency members. The report is the result of a year's worth of meetings and consultations and includes input from a 42-member working group focused on salmon issues in the Yukon and Kuskokwim river drainages. Food availability for salmon and warming ocean temperatures were among top concerns.

Spawning escapement is the central tenet of sustained-yield salmon fisheries management and decision making in Alaska. These escapement goals are based on maximum sustained yield and are not a metric of abundance to maintain a viable population. Failing to meet escapement goals is not evidence that stocks are at risk of extinction. On the contrary, the escapement goals are an integral component of applying in season restrictions in fisheries which are implemented when escapement is not met. It is a system which enables rapid response under emergency order authority from the Alaska Department of Fish and Game that ensures long-term sustainability of the stock first and foremost.

Alaska's salmon management was designed, and is carried out, to avoid the health of stocks ever being jeopardized again like they were under pre-statehood federal management. It is widely accepted throughout the Gulf of Alaska commercial, sport and subsistence fishermen that the long-term health of the Chinook Salmon resource is the highest priority.

In response to a downturn in productivity and lower Chinook Salmon yield, the Board of Fisheries and ADF&G have reduced Chinook Salmon exploitation rates substantially in recent years. Additionally, several stocks have been designated as Stocks of Concern and associated action plans with proscriptive management measures have been developed and implemented. These actions have resulted in fishery closures, reduced fishing time and effort, and have impacted fisheries targeting other species that incidentally catch Chinook Salmon. Alaskans endure and accept the cultural and economic impacts during productivity downturns to ensure the long-term health and productivity of salmon stocks. The systems in place allow timely reductions in fishing pressure in response to downturns in productivity are indicators of Alaska's strong and responsive management approach to ensure the long-term health of subsistence, commercial, and recreational fisheries, rather than evidence of salmon stocks potentially going extinct. An ESA listing of Chinook Salmon will significantly harm subsistence, commercial, and



recreational fisheries, causing cultural and economic harm to the people who have dedicated and demonstrated great interests to protect salmon. Allow the people and the State who have sophisticated systems in place and a historical commitment to protect the stocks.

The downturn in Chinook productivity in Alaska has been largely attributed to changes in the marine environment (i.e., not freshwater habitat). Multidecadal shifts in salmon productivity are normal and have been documented prior to the current productivity downturn. Chinook populations are expected to rebound once ocean conditions become more favorable again.

In the meantime, the State of Alaska and the people of Alaska will continue to advance research, management and precautionary measures to protect this iconic species.

Thank you for your time and consideration of this immensely important issue,

Respectfully,

Michelle Stratton

Michelle Stratton
Acting Executive Director

Theresa Peterson

Theresa Peterson
Fisheries Policy Director