

Yukon River Chinook Customary Trade Proposal

Tri-RAC Customary Trade Subcommittee, May 18-19, 2011

The Tri-RAC subcommittee on customary trade is composed of members from the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council, the Western Interior Subsistence Regional Advisory Council, and the Eastern Interior Subsistence Regional Advisory Council.

The subcommittee met and addressed a river-wide solution to the issue of customary trade of Yukon River Chinook salmon. The subcommittee indicated that low runs of Chinook salmon require conservation efforts to extend to customary trade practices. In the event Chinook salmon runs return to prior levels, limits to customary trade may no longer be warranted.

Subcommittee members present included: Raymond Oney, Harry Wilde Sr., Aloysius Unok (YKDSRAC); Robert Walker, Jenny Pelkola, Ray Collins (WISRAC); Andy Bassich, Andrew Firmin, Bill Glanz (EISRAC).

Others present included: KJ Mushovic, Donald Mike, Jerry Berg, Rich Cannon, Gary Young, Stan Pruzenski, Jim Neely, Ken Lord, George Pappas, Jennifer Yuhus, David Jenkins, and one unidentified member of the public. Federal and state staff members were present to answer questions generated by the subcommittee during its deliberations and to facilitate the meeting.

The subcommittee suggested three broad regulatory changes. These changes are motivated by many years of low Yukon River Chinook returns and consequent concern over the continued viability of Chinook populations.

- 1) Preclude customary trade of Yukon River Chinook salmon between rural residents and others.**
- 2) Allow customary trade of Yukon River Chinook salmon between rural residents within the Yukon River drainage, with a \$750 limit per household.**
- 3) Require a subsistence Yukon River Chinook salmon permit and recordkeeping form with three components:**
 - a) Harvest permit/calendar for Yukon River Chinook salmon.**
 - b) Customary trade recordkeeping form for Yukon River Chinook salmon.**
 - c) Transfer of possession form for Yukon River Chinook salmon.**

The subcommittee is seeking public response to these suggested changes to regulations. The subcommittee will meet in late August 2011 to consider any responses to these suggestions. Please send your responses by email, mail, or fax to one of the following by August 15th, 2011:

Email: subsistence@fws.gov

Mail: U.S. Fish & Wildlife Service
Office of Subsistence Management
1011 East Tudor Road, MS-121
Anchorage, AK 99503

Fax: (907) 786-3898

Rationale

By precluding customary trade between rural residents and others, the subcommittee hopes to curtail large customary trade exchanges involving Chinook salmon, which are reported to occur in urban areas of Alaska and may rise to the level of a significant commercial enterprise. The subcommittee understands, however, that there are limited hard data on customary trade practices in the Yukon River area.

By allowing customary trade of Chinook salmon between rural residents within the Yukon River drainage, the subcommittee hopes that cultural practices involving small-scale exchanges of Chinook for cash will continue, and that a \$750 limit will not prove to be an undue burden to rural residents. The \$750 limit is for households exchanging Chinook salmon for cash under customary trade.

The subcommittee anticipates that keeping Chinook salmon customary trade exchanges within the Yukon River drainage will foster continued conservation of a diminishing resource, while allowing a longstanding cultural practice to continue. Nearby rural communities outside the Yukon River drainage, whose members customarily and traditionally engage in customary trade of Chinook salmon with those who live within the drainage, may be included in the allowed category of rural to rural exchanges.

The subcommittee believes a harvest permit/calendar would improve knowledge of Chinook populations and harvests and thereby assist fisheries managers in managing the fishery, especially given low populations and current conservation concerns.

A customary trade recordkeeping form would track such trades.

A transfer of possession form would track sharing and barter of Chinook salmon, which would otherwise go unrecorded.

The subcommittee feels that both a customary trade recordkeeping form and a transfer of possession form would aid law enforcement in investigations of reported or potentially illegal sales of Chinook salmon.

Discussion

The Tri-RAC subcommittee understands that its recommendations will be subject to Regional Advisory Council review, and to public input. Regional Council review and recommendations are needed to define eligibility in rural to rural customary trade in the Yukon River drainage and nearby communities.

The subcommittee emphasizes that any regulatory changes need to be flexible, have long-term applications, and minimally affect subsistence users. One suggestion was to have a periodic review, similar to a wildlife closure review, which would be useful to adjust customary trade limits in concert with the dynamics of a shifting rural economy.

The subcommittee recognizes differences in customary trade practices along the Yukon River, but believes that diminishing returns of Chinook salmon require a Yukon River drainage-wide conservation effort. Flexible and minimally intrusive changes to customary trade regulations will be one part of a larger and necessary conservation effort.

The subcommittee described and discussed a number of possible consequences of the proposed regulatory changes:

- Will a customary trade recordkeeping form implicate subsistence users in potential violations of state health regulations and be used in prosecutions? If so, compliance will be problematic for those who engage in preparing strips, a longstanding cultural practice.
- Will changes in customary trade regulations erode protections under Title VIII of ANILCA?
- Will a limit of \$750 encourage more cash exchanges under customary trade? If so, the intent of the limit may not be realized and could be counterproductive.
- Will precluding customary trade to urban areas result in the inability of kin and friends to meet their needs for culturally preferred foods?
- Some areas are “paperless.” Recordkeeping is not part of cultural practice and may not be readily adopted. Local tribal offices could be used to improve and document local harvest calendars within their regions.
- Members of the subcommittee remain concerned about how salmon strips, jarred salmon and other traditional means of preparing salmon are perceived by law enforcement. Contradictory federal and state laws are part of the problem. ANILCA clearly allows customary trade; implementing regulations clearly state that fish, their parts and their eggs can be exchanged for cash under customary trade. State food processing regulations may or may not apply. Subcommittee members note that the issue is far from clear and continues to generate confusion among subsistence users.
- Subsistence users are resourceful. More sharing and barter of Chinook salmon could be used to continue longstanding cultural practices without possible violation of state food safety laws.
- Conservation of Chinook salmon may result in greater reliance on other more abundant salmon species.