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Association of Village Council Presidents Works to Protect Subsistence Fishing Rights and Applauds Federal District Court's Actions to Prevent the State of Alaska from Interfering with Rural Subsistence Fishing

Last month, the United States sued the State of Alaska for interfering with the implementation of the Alaska National Interest Lands Conservation Act's (ANILCA) rural subsistence preference along the Kuskokwim River. The Association of Village Council Presidents (AVCP), along with two federally qualified subsistence users from the Kuskokwim River, filed a motion to join the lawsuit in support of the United States. AVCP seeks to join the lawsuit as part of its ongoing efforts to protect the rights of its member Tribes and the region's residents and is proud to stand with the Kuskokwim River Inter-Tribal Fish Commission on this issue. Our people depend upon salmon to feed our communities and our fish camps are where we pass our way of life down to our children and future grandchildren.

Western Alaska, including the Kuskokwim River, is experiencing a severe, multi-year, multi-species salmon crash. This crisis has been devastating for our families and communities in our region who rely on salmon for nutritional, spiritual, and cultural wellbeing.

In 2021, the United States closed the Kuskokwim River fishery within the Yukon Delta National Wildlife Refuge (Refuge) in response to the ongoing salmon crash, but allowed limited openings only for local, federally qualified users to fish for salmon. This action was taken in an effort to conserve the salmon population for continued subsistence uses. However, the State of Alaska issued orders that purported to open the same stretch of the Kuskokwim River to fishing by all Alaskans, not just rural Alaska subsistence users. This caused confusion among residents of the region and interfered with the United States's attempts to provide the subsistence priority that is essential to Alaska Native physical, economic, traditional, and cultural existence. The very same pattern is already repeating for this year's salmon season: the United States is providing limited openings only for federally qualified subsistence users and the State of Alaska planned to open its fisheries during the same times.

However, after oral arguments last week, the Federal District Court issued a preliminary injunction preventing the State from authorizing fishing on the Kuskokwim River within the Yukon Delta National Wildlife Refuge. The Court concluded that federally qualified subsistence users along the Kuskokwim River would be “irreparably harmed” if the State’s planned openers were allowed to take place. This important injunction will prevent the State of Alaska from unlawfully interfering with its implementation of ANILCA’s subsistence priority during this fishing season.

“The State’s actions are yet another blatant attack on the subsistence rights of Alaska Native peoples and we are heartened to see the Federal Court taking action to protect our rights. The State knows full well that its actions cause confusion for rural subsistence users and directly threaten their ability to provide salmon for their families and communities. Salmon are the foundation of our region’s cultures and way of life. We are dedicated to the protection of our way of life and are joining this lawsuit as the latest step in our ongoing efforts to address the salmon crisis facing our Tribes and communities.”

-Vivian Korthuis, CEO, AVCP

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Notes to Editor:

AVCP is the largest tribal consortium in the United States, with 56 federally recognized tribes as members across 48 villages. AVCP is located in the Yukon-Kuskokwim Delta of Western Alaska. The Yukon-Kuskokwim Delta has approximately 27,000 residents, who are primarily Yup’ik, Cup’ik, and Athabaskan. Subsistence is our Way of Life. 70% of households in the Y-K Delta harvest game and 98% harvest fish. Salmon is the main fish our families rely on to feed us throughout the winter.

The lawsuit, United States v. Alaska et al., No. 1:22-cv-00054, is pending in the Federal District Court for the District of Alaska. AVCP’s motion to intervene has not yet been granted.