

**Yukon-Kuskokwim Delta Subsistence Regional Advisory Council**

c/o Office of Subsistence Management  
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In Reply Refer To:  
OSM.24007

FEB 02 2024

Steven Cohn, State Director  
Bureau of Land Management  
222 W 7th Ave., #13  
Anchorage, AK 99513

Dear Mr. Cohn,

I write to you on behalf of the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council (Council) to provide the Council's **comments on the Alaska Native Claims Settlement Act (ANCSA) 17(d)(1) Withdrawals Draft Environmental Impact Statement (DEIS) (DOI-BLM-AK-0000-2022-0003-EIS)** and express concerns for how the Council receives notifications from the Bureau of Land Management (BLM) on issues and comment opportunities such as this one.

The Council represents subsistence harvesters of fish and wildlife resources on Federal public lands and waters in the Yukon-Kuskokwim Delta Region. It was established by the authority in Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and is chartered under the Federal Advisory Committee Act (FACA). Section 805 of ANILCA and the Council's charter establishes the Council's authority to initiate, review and evaluate proposals for regulations, policies, management plans, and other matters related to subsistence uses of fish and wildlife within the region. The Council also reviews resource management actions occurring outside their regions that may impact subsistence resources critical to communities served by the Council. The Council provides a forum for the expression of opinions and recommendations regarding any matter related to the subsistence uses of fish and wildlife within the region.

The Council held a public meeting on October 10-12, 2023, in Anchorage. Among the items discussed was the ANCSA 17(d)(1) Withdrawals DEIS. The Council is extremely concerned about the impacts that revoking withdrawals could have to subsistence statewide. Revocation of 17(d)(1) withdrawals in part or in total would result in a loss of Federal lands on which rural residents have the benefits of a Federal subsistence priority, and it would open those lands up to potential development that would have further negative impacts to the environment and animal resources subsistence users depend on.

In the Bering Sea-Western Interior BLM planning area there are 13,322,000 acres of withdrawal

under evaluation in the DEIS. A vast majority of these lands are located along or near the Yukon and Kuskokwim rivers and their tributaries, in areas that provide critical habitat, migration corridors, and ecosystem services. Our Council cannot emphasize enough the importance of keeping as much of this land as possible under Federal subsistence jurisdiction and closed to development. The world is changing at a fast pace and the future presents many uncertainties. We need as many levels of protection left in place as possible because our resources and traditional practices are already under threat. Our region is experiencing significant food insecurity due to the on-going salmon crisis and caribou hunting closures. Residents of our region are already fighting the proposed Donlin Gold Mine and the impacts it will have to our subsistence lifeways. Revoking withdrawals in our region will result in even more mineral development projects and threats to subsistence. Keeping lands open to Federal subsistence management allows for a rural preference of use in times of conservation and gives rural residents a greater opportunity to continue customary and traditional practices, which sustain us nutritionally, culturally, and spiritually.

**Our Council urges the BLM to adopt the alternative that will have the least impact to subsistence and leave the most amount of land under Federal subsistence management jurisdiction.** Although the alternatives presented in the DEIS were not available for review during our fall 2023 meeting, the sentiments expressed by the Council at that time are in line with selection of Alternative A, the no-action alternative, which has since been released.

The Council would additionally like to let BLM know our concerns about how our Council was made aware of this issue and the accompanying opportunity for public comment on this topic. BLM did not notify the Council of this issue prior to our fall 2023 meeting; a non-governmental advocacy organization informed us. We should have been notified directly by BLM about the forthcoming ANCSA 17(d)(1) Withdrawals DEIS given the significance of this issue and its potential impacts to subsistence, as well as our Council's authority under ANILCA. We do thank BLM staff for agreeing to present on this issue to our Council at our fall 2023 meeting after we found out about it from other sources. However, in the future, we request that BLM *directly* notifies affected Subsistence Regional Advisory Councils of all upcoming and open public comment periods so that we may exercise our Council's authority under ANILCA to review and make recommendations on plans and proposals that have impacts to subsistence. It is particularly important that we receive timely notice of issues such as this one because we are chartered under FACA and we must conduct all our business in a public forum. We cannot elect to submit comments as a Council except during our biannual meetings. Further, even after BLM staff presented to us on this issue and notified us there would be an upcoming public comment period, the Council never received notification from BLM when the comment period actually opened. Again, we had to rely on other organizations and our Coordinator to make us aware.

The Council thanks you for considering these comments and for working to improve the process by which Subsistence Regional Advisory Councils are notified of such issues and comment periods in the future. If you have any questions or would like to discuss this further, please contact me through our Subsistence Council Coordinator Brooke McDavid at (907) 891-9181 or [brooke\\_mcdavid@fws.gov](mailto:brooke_mcdavid@fws.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Ray", is placed over a light gray rectangular background.

Raymond Oney, Chair

cc: Federal Subsistence Board  
Yukon-Kuskokwim Delta Subsistence Regional Advisory Council  
Office of Subsistence Management  
Interagency Staff Committee  
Benjamin Mulligan, Deputy Commissioner, Alaska Department of Fish and Game  
Mark Burch, Assistant Director, Division of Wildlife Conservation, Alaska Department of  
Fish and Game  
Administrative Record