



# NORTH SLOPE SUBSISTENCE REGIONAL ADVISORY COUNCIL Meeting Materials

*October 13-14, 2022  
Utqiagvik*





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## *On the cover...*

Vast landscape with meandering rivers  
of the National Petroleum Reserve - Alaska



BLM photo by Bob Wick

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**NORTH SLOPE SUBSISTENCE REGIONAL ADVISORY COUNCIL**

Inupiat Heritage Center  
Utqiagvik  
October 13 – 14, 2022  
Convening at 8:30 am daily

**TELECONFERENCE:** call the toll-free number: 1-866-801-9605, then when prompted enter the passcode: 29886091

**PUBLIC COMMENTS:** Public comments are welcome for each agenda item and for regional concerns not included on the agenda. The Council appreciates hearing your concerns and knowledge. Please fill out a comment form to be recognized by the Council chair. Time limits may be set to provide opportunity for all to testify and keep the meeting on schedule.

**PLEASE NOTE:** These are estimated times and the agenda is subject to change. Contact staff for the current schedule. Evening sessions are at the call of the chair.

**AGENDA**

\*Asterisk identifies action item.

- 1. Invocation**
- 2. Call to Order** (*Chair*)
- 3. Roll Call and Establish Quorum** (*Secretary*) .....4
- 4. Welcome and Introductions** (*Chair*)
- 5. Review and Adopt Agenda\*** (*Chair*) .....1
- 6. Review and Approve Previous Meeting Minutes\*** (*Chair*) .....5
- 7. Reports**
  - Council Member Reports
  - Chair’s Report
- 8. Service Awards**
  - *Wanda Kippi – 5-year service award*
  - *Steve Oomittuk – 5-year service award*
- 9. Public and Tribal Comment on Non-Agenda Items** (available each morning)

**10. Old Business (Chair)**

- a. 805(c) Report – summary (*Council Coordinator*) .....19
- b. Board FY 2021 Annual Report Replies – summary (*Council Coordinator*) .....24
- c. Special Actions (*OSM, presenter TBD*)

**WSA22-01:** Change the federal muskox permit system in Game Management Units 22 and 23 from a federal registration permit to a federal drawing permit

**WSA22-02:** Dall sheep in Units 24A and 26B

**11. New Business (Chair)**

- a. Fisheries Proposals and Closure Reviews\* (*Hannah Voorhees, OSM Anthropology*) .....32

*Crossover Proposals and Closure Reviews*

**FP23-01:** Rescind the Jim River nonsalmon closure, institute Arctic Grayling harvest limit .....33

**FCR23-02:** Reviews closure to subsistence harvest of all fish in the Kanuti River ..52

**FCR23-03:** Reviews closure to subsistence harvest of all fish in the Bonanza Creek .....70

**FCR23-05:** Reviews closure to subsistence fishing for all fish in the Delta River ....88

- b. 2024 Fisheries Resource Monitoring Program \* (*OSM Fisheries/Anthropology*) .....100
- c. Call for the Partners for Fisheries Monitoring Program proposals (*OSM Fisheries*) .....106
- d. Identify Issues for FY2022 Annual Report\* (*Council Coordinator*) .....107
- e. Fall 2022 Council application/nomination open season (*Council Coordinator*)
- f. Joint meeting: North American Caribou Workshop and Arctic Ungulate Conference in May 2023\* (*OSM Anthropology*) .....109
- g. Harvest of wildlife for sport purposes in National Preserves\* (*NPS*)
- h. Telephonic/internet expenses related to the Council teleconference meetings (*OSM*)

**12. Agency Reports**

(Time limit of 15 minutes unless approved in advance)

Tribal Governments

Native Organizations

U.S. Fish and Wildlife Service

National Park Service

- Dall’s Sheep surveys (*William Deacy*)
- Gates of the Arctic update (*Marcy Okada*)

Bureau of Land Management

Alaska Department of Fish and Game

- Division of Subsistence (*Helen Cold*) .....110

Office of Subsistence Management

**13. Future Meeting Dates\***

Confirm winter 2023 meeting date and location.....116

Select fall 2023 meeting date and location .....117

**14. Closing Comments**

**15. Adjourn (*Chair*)**

**To call** into the meeting, dial the toll-free number: 1-866-801-9605, then when prompted enter the passcode: 29886091

*Reasonable Accommodations*

The Federal Subsistence Board is committed to providing access to this meeting for all participants. Please direct all requests for sign language interpreting services, closed captioning, or other accommodation needs to Leigh Honig 907-891-9053, leigh\_honig@fws.gov, or 800-877-8339 (TTY), by close of business on October 4, 2022.

**REGION 10**  
**North Slope Regional Advisory Council**

<b>Seat</b>	<b>Yr Apptd Term Expires</b>	<b>Member Name &amp; Address</b>
<b>1</b>	1998 <b>2023</b>	<b>Gordon R. Brower, Chair</b> <i>Utqiagvik</i>
<b>2</b>	<b>2022</b>	<b>VACANT</b>
<b>3</b>	2016 <b>2022</b>	<b>Wanda T. Kippi</b> <i>Atqasuk</i>
<b>4</b>	2016 <b>2022</b>	<b>Steve Oomittuk, Secretary</b> <i>Point Hope</i>
<b>5</b>	2020 <b>2022</b>	<b>Billy B. Patkotak, Jr.</b> <i>Wainwright</i>
<b>6</b>	2020 <b>2023</b>	<b>Edward J. Rexford, Sr.</b> <i>Kaktovik</i>
<b>7</b>	2020 <b>2023</b>	<b>Martha A. R. Itta</b> <i>Nuiqsut</i>
<b>8</b>	2021 <b>2024</b>	<b>Esther S. Hugo, Vice Chair</b> <i>Anaktuvuk Pass</i>
<b>9</b>	2021 <b>2024</b>	<b>Brower A. Frantz</b> <i>Utqiagvik</i>
<b>10</b>	2019 <b>2024</b>	<b>Peter E. Williams</b> <i>Anaktuvuk Pass</i>



# NORTH SLOPE SUBSISTENCE REGIONAL ADVISORY COUNCIL

## Meeting Minutes

Via teleconference  
March 8-9, 2022

### Invocation

Gordon Brower gave an invocation.

### Call to Order, Roll Call and Quorum Establishment

The meeting was called to order on Tuesday, March 8 at 9:10 a.m. Wednesday, November 3 at 9:20 a.m. Chair Gordon Brower, and Council members, Brower Frantz, Esther Hugo, Martha Itta, Wanda Kippi, Steve Oomittuk, Edward Rexford, Sr., and Peter (Earl) Williams were present via teleconference. Council Member Billy B. Patkotak, Jr. of Wainwright was not present. The Council has one vacant seat. A quorum was established with eight of nine seated Council members participating by phone.

### Attendees:

#### *Via teleconference*

Tribal Organizations: Inupiat Community of the Arctic Slope, Doreen Leavitt; Utqiagvik

North Slope Borough: Wildlife Department; Leondra de Sousa, Utqiagvik

US Fish and Wildlife Service (USFWS):

- Arctic National Wildlife Refuge; Nathan Hawkaluk, Fairbanks
- Office of Subsistence Management (OSM); Eva Patton, Kendra Holman, Dr. Brent Vickers, Jarred Stone, Tom Plank, Orville Lind, and Lisa Grediagin, Anchorage
- Ernest Nagaek, Utqiagvik
- Conservation Genetics Lab: Penny Crane, Anchorage

University of Alaska

- Alaska Native Science and Engineering Program (ANSEP), Evangeline Dooc, Student (USFWS), Anchorage

National Park Service (NPS):

- Kim Jochum, Anchorage; Will Deacy, Fairbanks
- Western Arctic National Parklands, Raime Fronstin, Kotzebue
- Gates of the Arctic National Park and Preserve, Jeff Rasic, Fairbanks

Bureau of Indian Affairs (BIA): Pat Petrivelli, Anchorage

Bureau of Land Management (BLM):

Chris McKee, Anchorage; Ted Enman, Beth Mikow, Heather Savage, and Katie Drew, Fairbanks

Alaska Department of Fish and Game (ADF&G):

- Division of Wildlife Conservation, Mark Burch, Palmer; Alex Hansen, Kotzebue; Carmen Daggett, Utqiagvik
- Division of Sport Fisheries, Brendan Scanlon, Fairbanks

- Division of Subsistence, Helen Cold and Morgan Urquia, Fairbanks
- Division of Commercial Fisheries, Alex Ting, Dillingham

Western Interior Regional Advisory Council (WIRAC): Jack Reakoff

Public:

- Charleen Ostbloom, Ambler Road Access Project, Fairbanks
- Martin Robards, Wildlife Conservation Society (WCS)

## **Review and Adopt Agenda**

Motion by Mr. Williams, seconded by Mr. Oomittuk to adopt the agenda as read with the following changes:

- After Review and Approve Previous Meeting Minutes add:  
7A. Report and review on the Council's charter changes signed and approved by the Secretary of Interior
- Old Business add:  
10C. Wildlife Special Action Request WSA22-01b: Unit 22 and 23 Federal muskox permit system  
10D. Wildlife Special Action Request WSA22-02: Closure to Dall Sheep in Units 23A and 26B
- Agency Reports add:  
ANSEP student presentation to 1:30 pm.

The motion **passed** on a unanimous vote with one member absent.

## **Election of Officers**

Mr. Gordon Brower was elected the Council's Chair  
Ms. Ester Hugo was elected the Council's Vice Chair  
Mr. Steve Oomittuk was elected the Council's Secretary

## **Review and Approve Previous Meeting Minutes**

Motion by Mr. Oomittuk, seconded by Ms. Hugo, to approve the meeting minutes as presented. The motion **passed** on a unanimous vote with one member absent.

## **Review of New Council Charter**

Eva Patton provided the Council with updates to the Council's Charter renewal that was reviewed by the Council last year and then reviewed and approved by the Secretary of Interior. Several Council members provided comments and concerns were voiced that there was not any representation from all communities within the region. Ms. Patton addressed several questions from Council members.

## **Council Member and Chair Reports**

Wanda Kippi of Atqasuk (representing subsistence interests) reported that a small herd of caribou was present around the community in August, and by September, there were several thousand seen around

camping grounds that have not been seen like that in many, many years. Freeze up was slow in September and slushy in October. Recently, about two weeks ago, she noticed signs of thawing with water on top of the ice along the river's edge by town. Geese hunting was great and sightings of wolf and wolverine around the area, and some sightings of bear. Fishing was good once it froze up and was ice fishing time. After freeze-up, people put out their nets and were catching some fish, but not as much as they normally do. Berries were good picking. Ms. Kippi noted a location error cited in the previous Council's meeting minute summary report in the second paragraph of her community report to the Council where was stated, "caribou stayed across the river from Nuiqsut a few days"; she said it was supposed to say Atqasuk not Nuiqsuit. Mr. Franz asked if she had any reports of muskox over the last year as she had previously reported, and Ms. Kippi responded that she had only heard of one sighting during the summer seen a way from town.

Edward Rexford, Sr. of Kaktovik (representing subsistence interests) reported that they are having another successful year. There has been caribou nearby, and folks have been able to get caribou. Those who go up to the mountains do bring back sheep. Edward said that the yearly moose season and quota is delegated to the Refuge manager, and hopefully would be hearing from the manager on that soon. He hopes his community would be able to harvest a moose this year. He said none were harvested last year. There have been a few polar bear problems in the community, breaking down garages and stuff like that. Other than that, it's been quiet, everyone is doing okay.

Steve Oomittuk of Point Hope (representing subsistence interests) reported it's been a good year. The *tuttu* (caribou) have been around practically all year and there's a lot of young hunters catching their first ones. The first animal they catch is given away to someone in need or to the elderly. There have not been too many predators and people are catching as much *tuttu* as previous years. There have been a lot of *nanuqs* (polar bears). They had a very cold winter and the ice stuck around longer. A lot of *nanuqs* were caught coming into the community, so they had to increase polar bear patrol to 24 hours. The abundance of polar bears this year is the most he has seen or heard about in years, especially on the outskirts of Point Hope, in the old village, and around Point Hope itself. They have seen a lot of tracks where polar bears are circling around the community that causes the community concern especially during the dark and cold months.

The weather has been cold, since October until the later part of February and they finally got above zero in March. They have had a lot of ice on the north side, and an abundance of seals. People are catching a lot of seals. Usually they get tomcods in January, but there were none this year. He said you have to look for them as they can sometimes be found in different areas. Winter duck population has gone down. He has noticed this last December and January a lot of them flying around and said that a lot of them freeze because they need open water to survive and this last winter was very cold with little open water. Mr. Oomittuk said it has been a good year for their subsistence life with animals that they depend on, especially caribou, in abundance. He said he feels the community is fortunate especially after seeing the report of the population of the Western Arctic Caribou Herd at 180,000, about half of what it normally is. He expressed concern that the reports from wildlife people are late, and communities must deal with sport hunters and nonresidents hunters. He added that the Council is concerned about the animals that they

depend on and want to ensure that the people that depend on them year-round have opportunity to harvest. He stated, “We live in the north and we have a very low-income community, and a lot of our food sources are our way of life, the animals that we depend on, and when the population drops, you know, we’re very fortunate that the caribou have been around for a while, all year, they never went away this year.”

Brower Frantz of Utqiagvik (representing subsistence interests) reported that as far as subsistence, caribou have been plentiful. Everyone has been able to have their share of caribou, for which he expressed gratitude. Caribou are close to the community and have been staying around Barrow all year round in high numbers, scattered around. Whaling has also been great this year compared to what it was before. There were no whales a year or two ago to where they were able to get to them, and only harvested one, but this year they were abundant and it was a good season in which everyone was happy with that. Fish have been plentiful in the Inaru. He reported that a couple of guys came home with abundant amount of *aanaakliq* (whitefish) and completely fed the community throughout the Thanksgiving and Christmas season to where everyone was able to have some and that was very good. Fish coming out of Chipp has been a little slower than usual, but there was plenty of fish to go around. Mr. Frantz also thought there was an influx of salmon; pinks/humpies, last summer that were a little higher than usual. In addition, three muskox were reported spotted in different areas of the Ikpiqpuk (River) in span of about 50 miles from Utqiagvik, and also there were reports of multiple muskox sightings from the communities of Wainwright and Nuiqsut. Mr. Frantz would like to see biologists do a count on muskox in the area, and if sufficient try to establish a hunt.

Peter Earl Williams of Anaktuvuk Pass (representing subsistence interests) reported people in his community are doing okay on their huntings this year of caribou, and the caribou that they hunted were healthy. They had some kids ages 12 to 16 that are going out hunting for elders. He said the city and Tribal Councils helped out with fuel and shells that he thought was a good idea and was very helpful to the young hunters. He reported that there weren’t many caribou near village presently, as they had migrated north, but they came through on their migration and there was enough for the community to meet their subsistence needs. Earl also reported that the weather this winter was cold, and they were having snow-plane issues for a while, but the issue was resolved with people working together in which he was grateful.

Esther Sunauraq Hugo of Anaktuvuk Pass (representing subsistence interests) reported that she agreed with Mr. Williams, that there was an abundance of caribou. She said the main herd came through about a week before the rutting season, and when she traveled to Nuiqsut last week she saw thousands of caribou heading north. She was curious why they’re traveling north (in March) when they normally travel north in April. She wondered if this earlier migration was due to climate change, believing that animals know the weather and everything. She also noted that flies were hatching early and saw lemmings recently that she said was early. Ms. Hugo was thankful for their young hunters that are being trained to hunt caribou, and to the Tribe and city for providing shells, gas, and snowmachines for hunting. Caribou were healthy, and the cows had a lot of fat on them, and that people were happy that they got all the caribou then needed before the rutting season. People have always been taught to not bother with caribou close to the village, but rather to always go up country to collect and butcher them. In the past there has been

considerable disturbance of the caribou migration caused by fly-ins of private or chartered airplanes bringing in outside hunters; and the Tribe asked the air charter companies to not stop in Anaktuvuk Pass during the migration, which has helped lessen the disturbance she thought.

There were wolves around the village last year and had no sightings of lynx. Berries were abundant last year. But they only grow during a limited time in the area are distance from the village. She said she usually heads to the foothills after the snow melts, before July 4<sup>th</sup> to see if the berries are budding. It's usually a good sign when you see a little bud of blueberry or blackberry. Ms. Hugo reported that spring is ice fishing time. She said that after a trail is broken, people wanting to fish usually go to Chandler for the month of March and ice fish for Arctic Char and lakera (Lake Trout). She also gave a shout out to Nuiqsut and Mayor Brower for again sending muktuk to the community for Thanksgiving, Christmas, and the New Year's festivals. She said it really helped out people and she also noticed there are a lot of young people that crave muktuk! She said she shared this with others at the feast and was so grateful and happy that that people from out there know that they do live where they can catch these animals. It was so nice of Nuiqsut to send muktuk to her community.

Note: The Council voted to suspend the rules and moved Chairman Brower's report to occur after the ADF&G caribou and other wildlife reports to accommodate the availability of the biologists.

Gordon Brower of Utqiagvik (representing subsistence interests) encouraged all Council members to be always looking out for each of their representative villages and report on what their city or Tribal Council's might say and let them be the voice for the Council. Mr. Brower reported that he had a good opportunity to get to his cabin. He doesn't go traditionally as he isn't fond of big waves and pounding his back. So, he had to find alternative means of getting up there. It was important for him to get ready for fall fishing (whitefish). It could have been fantastic as he knows how to set his net under the newly forming ice, but if the ice shelf breaks off by the wake of a passing skiff, it can disrupt the fish and one's fishing efforts. And he thinks he needs to make time to talk with search and rescue folks or subsistence users on the rivers. It is always important to look at how rivers support communities, not just an individual subsistence user for hundreds and hundreds of years and there's lots of documentation about Ikpikpuk. Mr. Brower said that he has read literature from traditional land use inventory to listening to elders that are living on the Ikpikpuk and how that cycle is, when it starts to freeze up and there's ice laying down. Mr. Brower provided a story about his fall fishing experience laced with Traditional Ecological Knowledge (TEK) about the importance of understanding fall ice formation on the river and that people in boats need to learn to take care of the ice in relationship to fishing. Although his fishing was disturbed on the Ikpikpuk, he managed to find fish in a tributary, where he fished with two nets and made 25 stacks that he shared with communities of Atqasuk and Point Lay and distributed to the local churches that he saw as a good blessing.

He reported that Utqiagvik had overall a good subsistence season. He said the community had fat, healthy caribou, and blessed his son was able to get him one. He said he listens to others whenever they're hunting and it seems to me it was a pretty good season, even the lake fishing

was pretty good. He recalled stories from his dad about when seismic tests using dynamite were conducted in the Lake that at the time killed billions of fish. Mr. Brower concluded “that would be my Chair's report and I think it’s – I was right to just start off with a little traditional knowledge along with it.”

### **Open Discussion:**

Carmen Daggett, Area Management Wildlife Biologist for Unit 26 with ADF&G asked for the floor in response to the Council’s reports to ask questions and provide some updated information about ADF&G’s wildlife counting efforts. Ms. Daggett informed the Council that she was scheduled to do a muskox survey that afternoon flying out of Kotzebue, but she plans to cover a good portion of the North Slope. She reminded the Council that there is a muskox proposal on the agenda and that the Alaska Board of Game (BOG) would be considering this proposal in next couple of days to open a muskox hunt in this area; at least in western Unit 26A. Ms. Daggett asked Mr. Frantz if he knew where and when the muskox sightings occurred, and he responded that there were abundant sightings that he thought were in August. Ms. Daggett advised the Council if they wanted the BOG to consider dates for opening a hunt that she would send them a link to submit comments to the BOG for consideration when they meet next week to deliberate on the proposal. Ms. Daggett asked Ms. Hugo if she thought that weather conditions this winter might have contributed toward the earlier migration of caribou. Ms. Hugo responded that if there is less snow in the foothills this allows caribou to dig down and find feed. She said that their foothills now have hardly any snow and that could contribute to why caribou are migrating though early. She added that her in-laws and uncles use to say that muskox can interfere with caribou - that they scare caribou, and old folks say they should be sent back to where they came from, that this is caribou country.

Mr. Williams, when he was young and out hunting near Kanuik, he recalled seeing four muskox but no caribou and someone told him that caribou can smell muskox and will avoid them. Ms. Daggett added that she had read in older management plans from 1976 that had mentioned concerns about interactions between muskox and caribou. She asked if the Council might be interested in that information in the future; documenting interactions between caribou and muskox during their survey work and incorporating TEK in that as well. She said that the BOG will be meeting in Utqiagvik in two years, and she would be willing to work with the people of the North Slope to try to get a proposal into the BOG to allow a muskox hunt on the eastern side of 26A if they are interested.

### **Public and Tribal Comments on Non-agenda Items (available each morning)**

Jack Reakoff: Tuesday. Mr. Reakhoff said that the WIRAC submitted a wildlife special action (WSA) request to close specific units to Dall sheep harvest. He wanted to know if this WSA was on the agenda. Eva responded that it was added to agenda and that she emailed them the request.

Martin Robards: Wednesday, 9:15 am. Wildlife Conservation Society (WCS), a scientific research group. Mr. Robards gave a quick overview of their research focusing on predators has been conducted on the North Slope and Northwest Alaska for about a decade. They have had lots of local support over the years from communities and hunters and are willing to share their results from their research with the Council if desired. He also would like to conduct additional research that combines

current science and TEK on predators in the area with focal groups of hunters from different villages. He was looking for feedback on concerns in the area.

## **Old Business**

The Council received recent reports on caribou from ADF&G prior to their discussion on WSA21-01. Alex Hansen, ADF&G wildlife biologist manager presented a PowerPoint report on the Western Arctic Caribou Herd. Alex concluded that the biggest biological concerns is that the herd is close to critical thresholds, that the yearly recruitment of calves being born is average, and greatest concern is about the reduced cow survival. He emphasized it was very important that they continue to get accurate harvest data so that they can understand what the influence of harvest might be on the population and where to go with regulations if regulation changes need to take place.

The Council expressed concern that the herd count is below half what it used to be and concerned for continuing decline. Mr. Franz asked if there was any relationship to availability of caribou and the capacity of ADF&G to make accurate counts over last two years during Covid-19. Mr. Hansen said that they were able to get out and count on schedule despite their limited staff and a lot of time to do the counts and document with photographs; but acknowledged that they missed being able to come to the communities for outreach and in person interactions.

Mr. Oomiituk expressed frustration that the Federal Subsistence Board (Board) had denied recommendations from their Council and the Northwest Arctic Advisory Council that were concerned about the declining herd, to close hunting to nonresidents and sport hunters from hunting on Federal land during the time of migration. “It just doesn’t seem right sometimes, you know, we’re the ones that depend on the food, our way of life, our very low-income communities.”

Carmen Daggett, ADF&G wildlife biologist for Unit 26, gave a brief overview of the Teshekpuk Caribou Herd, and reports on muskox and moose for the Council’s consideration on the upcoming wildlife special action requests. There was a lengthy discussion about small airplanes, presumably with non-local hunters, flying over the communities during the caribou migration that some Council members expressed this interference can disrupt the caribou migration and local hunting efforts. Ms. Daggett responded if people are concerned that their hunts are being disrupted, there are regulations against disturbing hunters, and should be reported to wildlife troopers, but that people should try to get an adequate identification of the aircraft, such as a picture, type of plane, time, date, and location, otherwise the troopers can’t do much. She further provided information about when, how, and where ADF&G conducts their aerial wildlife counts.

Eva Patton introduced the special action requests that the Council needed to address. Wildlife Proposal 22-55, muskox in Unit 26A. Eva reminded the Council that they had deliberated and made recommendations on this proposal at their previous meeting, but now were being asked to review and make recommendations on how the permits are issued for the muskox hunt and changes from a registration permit to a drawing permit system, as was addressed in WSA22-01a and WSA22-01b.

**WSA22-01b: (muskox) Unit 22 and 23 federal permit system**

Kendra Holman, wildlife biologist with the OSM, presented the background information for the request for temporary wildlife special action WSA22-01b, which pertains to Cape Thompson muskox population in northern Unit 23.

Motion by Mr. Oomittuk and seconded by Ms. Kippi to **support WSA22-01b**. The motion **passed** on a unanimous vote with one member absent.

**Justification:** The justification was that the random drawing would be more inclusive and fairer than a registration hunt which allows those that have immediate access to go register and get those permits on a first come first serve basis. A registration would favor those living closer to the permitting station.

Ms. Holman and Ms. Grediagan, Wildlife Biologists for the OSM and Raimé Fronstin, NPS biologist with Western Arctic region, addressed questions from the Council for clarification on the recommended amendment to the proposal. Ms. Grediagan explained the hunt is only open to Federally qualified subsistence users with positive Customary and Traditional Use (C&T) findings and that the proposal is just formally changing the permitting system to a drawing hunt, which the land managers have been doing for years, unknowingly that it was technically a registration permit hunt. If the proposal as amended does not pass, it will go back to a registration hunt. Mr. Brower suggested that the drawing permits be distributed throughout villages so that each village was entitled to receive several permits, and Mr. Oomittuk supported this suggestion. Ms. Grediagan said that the land manager (Superintendent of the Western Arctic Parklands) would set the harvest number each year, and each application would only be for that year's hunt. Mr. Fronstin added that there isn't a permitting fee and residents can apply every year, although NPS asks recipients not to apply the following year. Ms. Holman explained that the permits were only the Federal Permits and that the proposal is seeking the recommendation for the drawing, changing these regulations temporarily for the 2022-2024 regulatory cycle so that the regulations reflect how they've been issuing the permits as a drawing.

**Update and re-review proposal WP22-55: Muskox Unit 26A - Establish a hunt for muskox within the western portion of Unit 26A, as modified by OSM (adding a drawing permit).**

Motion by Mr. Frantz and seconded by Ms. Kippi and the Council voted to **support WP22-55** as modified by OSM (adding a drawing permit) (unanimous vote with one member absent).

**Justification:** The Council previously supported the proposal and welcomed the opportunity to harvest muskox and less muskox might help support the deflection of migrating caribou based on smell of muskox that are known through local and traditional knowledge. The Council also supported modifying the proposal to establish the hunt under a draw permit system instead of a registration permit system believing it was more equitable because it didn't favor those who had easier access to permitting offices. Also, a drawing hunt is warranted for harvesting from the small muskoxen population.

Mr. Franz commented that it's great that they are establishing a hunt. That said, these locations are far from Utquagvik, and he would like to see permits for closer to home. There was then a discussion about moving the hunt boundary further east to 154 degrees west latitude. Mr. Brower said that the most important thing was to first establish the hunt. They could propose to move the boundary in the future.



He also said that a drawing hunt was good for now while the muskoxen population was still small, but they may want to revisit this as the population grows.

**Deferred Wildlife Special Action Requests WSA21-01**

Mr. Tom Plank, Wildlife Biologist with OSM, presented an updated analysis of deferred temporary WSA21-01 to the Council that if approved by the Board would close moose and caribou hunting to non-Federally qualified users in Units 23 and 26A. The updated analysis included a summary of additional stakeholder input that was gathered by OSM and new population data for the Western Arctic Caribou Herd. The analysis was split into two parts: (a) caribou, WSA21-01a; and (b) moose, WSA21-01b.

**WSA21-01a Caribou**

Motion by Mr. Oomittuk, seconded by Mr. Frantz, and the Council voted to **support** WSA21-01a as modified by OSM (unanimous vote with one member absent).

**Justification:** The modification is to close all of Noatak NP and BLM lands between the Kobuk and Noatak Rivers to Non-Federally Qualified Subsistence Users (NFQSUs). This would be a more directed closure and the Council thought this would help the Northwest Arctic Region without closing North Slope lands where caribou are abundant.

Mr. Oomittuk questioned the accuracy of reported NFQSU hunts. He said those living in Kotzebue see more planes than is being reported. Mr. Brower said that the Council almost always supports the Northwest Alaska Council. But in this case, they are talking about different lands and populations of the herd and North Slope region is not struggling with the availability of caribou like those in Northwest Alaska. They are not under the same conditions. He wants to support his neighbors without undue regulations across the area. He said that the population of 180,000 supports closure with modification that the closure be directed in Unit 23.

**WSA21-01b (moose)**

Motion by Mr. Frantz and seconded by Ms. Kippi, and the Council voted to **support** WSA21-01b, to close Unit 23 to NFQSU (unanimous vote with one member absent).

**Justification:** There is a demonstrated moose decline in Unit 23. There are other factors in Unit 26A that don't warrant closing to NFQSU as demonstrated by the analysis.

Mr. Franz said that area he hunts is closer to 154 degrees latitude, and that the "156 is trying to keep us out of our own garden." He supports the request as written. Mr. Brower suggested that they defer on Unit 23. The Unit 26 population is much smaller, and they should be in "preservation mode," or limiting the hunt to FQSU.

**WSA 22-02: Dall Sheep**

Ms. Holman presented information about the temporary special action request that was recently submitted by the Western Interior Council and requests closing sheep hunting on Federal public lands in Units 24A and 26B west of the Sagavanirktok River to all users for the 2022 through 2024 regulatory cycle. The proponent is very concerned about the decreasing sheep populations along the Dalton Highway, as unusual weather events have resulted in low lamb recruitment, poor lamb production and loss of mature

rams. Wolf predation has also contributed to severe population declines. The Western Interior Council considers Unit 24A and 26B sheep population to be in a dire situation and request the closure as it is critical to their recovery. Public hearings will be scheduled, and the Board will act on this request in a public meeting sometime before August.

Motion by Mr. Frantz and seconded by Mr. Oomittuk and the Council voted to **support** WSA 22-02, to close Unit 23 to NFQSU (unanimous vote with one member absent).

**Justification:** Conservation measures must be taken to preserve the sheep in this area. Jack Reackoff's testimony was supported by the NPS data on sheep, and we need to act on this issue.

Jack Reackoff, WIRAC Chair, testified. He and others were frustrated with the limited data on Dall sheep populations and with the management system. Mr. Reackoff has observed a decline in the sheep population. He recently counted 11 sheep in an area where he used to count hundreds. Mr. Reackoff wants full closure to protect the few remaining males. He said that this closure only affects areas with heavy hunting pressures, not areas for residents of Anaktuvuk Pass. Will Deacy, NPS, gave update on sheep population. In general, Dall sheep populations in that region crashed in 2014 and have been slowly recovering. He hopes that they will get more data from surveys this summer

## **New Business**

### **Fisheries Resource Monitoring Program Information Update**

Jarred Stone, Fisheries Biologist at OSM, filling in for Karen Hyer, presented the Council with an overview and update on the Fisheries Resource Monitoring Program (FRMP). He explained that the Priority Information Needs (PINs) is the Council's opportunity to direct the research on the North Slope, that proposals are reviewed by OSM Staff, the Technical Review Committee and then the Council. Mr. Stone read a list of five PINs that the Council finalized during the last funding cycle, although no project proposals were received for North Slope Region. He asked if any Council Members would like to volunteer to help develop PINs for the next call for proposals. Mr. Brower suggested two projects. The first project is a look at the mold that is affecting Broad Whitefish in Coleville River drainage, and then comparing the health of that drainage to others in the area. The second project is to investigate effects of waste and minerals on fish populations. Mr. Brower volunteered to help develop regional PINs.

### **Call for Federal Fish and Shellfish Proposals**

Jarred Stone informed the Council that the Board will be accepting proposals this winter to change Federal regulations for the subsistence harvest of fish and shellfish on Federal public lands and waters for the 2023-2025 regulatory years. The call for proposals will be open for a period of at least 30 days upon the publication of the proposed rule on the Federal Register. The Board will consider proposals to change Federal subsistence fish and shellfish seasons, harvest limits, methods, and means related to taking of fish for subsistence uses, as well as customary and traditional use determinations. The Council may vote on fishery proposals and submit them to the Council Coordinator. The Council did not have any questions or develop any fishery proposals.

**Fisheries Closure Review Discussion**

Jarred Stone discussed with the Council that OSM will be conducting reviews of closures in the Federal subsistence fishing regulations. Mr. Stone informed the Council on the 4 Fisheries Closure Reviews that will come before the Council's review and action during the fall 2022 meeting. The OSM closure reviews will include analysis of each closure and will provide a recommended action. Actions the Council may take are retain, modify, rescind, or defer. None of the four closures are in the North Slope region, but are considered crossover proposals, three in the Western Interior region, and one in Eastern Interior. The Council did not have any questions or comments.

**Call for Non-Rural Determination Proposals**

Dr. Brent Vickers, Supervisory Anthropologist for OSM, provided a brief overview of the current call for proposals for nonrural determinations in Federal regulation. The Federal Subsistence Board will soon be accepting proposals to change community status in Federal regulations from non-rural to rural or from rural to non-rural. The call for proposals will be open for at least 30 days. Non-rural determinations proposals are accepted every other fisheries regulatory cycle (every four years). Dr. Vickers informed the Council that they can obtain more information on the OSM website as to how to submit a proposal to change nonrural determinations. Mr. Brower said he didn't have any proposals in mind to offer in terms of an action item. Dr. Vickers said the proposed rule has not been open yet, so the Council had time to develop a proposal if desired. The Council did not develop any non-rural determination proposals.

**Review and approve FY2021 Annual Report**

Ms. Patton provided a summary of the draft annual report to the Council and requested feedback from the Council on any changes or addition to the report. Mr. Oomittuk commented about the natural gas leak in Alpine and that Nuiqsut was preparing for evacuation. He is concerned about impacts to the people and environment.

Motion by Mr. Oomittuk and seconded by Mr. Frantz, to adopt the annual report. The motion **passed** on a unanimous vote with two members absent.

**Federal Subsistence Board Annual Report Reply Process Review and Revision Discussion and Council comments and feedback**

Dr. Vickers notified the Council that the Board is seeking feedback on the annual report reply process. He solicited input from the Council, such as the Council being able to write letters to the Board at separate times from the annual report to get more focus on issues. The Council has been dissatisfied with the Board's responses in the past. There have been items in reports that the Council wanted more attention and focus from the Board. For example, the Council once reported about issues with the local planning commissions in defining villages and areas of influence. The Council would have liked for the Board to get more involved in the process, perhaps meeting with the Council and the commission. However, the Council felt that the Board's response ended the conversation rather than starting a dialogue. The Chair said that the response was inadequate

The Council does not have a mechanism for improving the annual report response process, but the Council is dissatisfied with not getting full attention from the Board on important items.

Motion by Mr. Oomittuk and seconded by Mr. Rexford to provide feedback to the Federal Subsistence Board with the Council's dissatisfaction with their responses in relation to the topics about subsistence and local laws and ordinances etc. The motion passed on a unanimous vote with two members absent.

**Receiving Public Testimony Protocol – Guided Discussion**

Dr. Vickers led the Council in a guided discussion about their preferences for receiving written and oral public comments on proposals where the Council this fall will be discussing fisheries proposals and closure reviews.

1. In the Council's opinion, what are the best ways to encourage public feedback to the Councils?

Mr. Brower said that the OSM should contact villages that will be affected by proposals, etc. He said OSM can contact the mayor's office and they can post it on their website, etc. Also, OSM can provide information monthly. That way people always know where to look for updates. Mr. Franz said that a community member from each community attends ADF&G meetings. ADF&G staff has outreach coordinators who communicate with community liaisons. Mr. Oomittuk said that people in their communities are shy and don't want to speak in public. The communities often use door prizes to encourage people to attend meetings. Mr. Brower said that there are many examples of successful outreach from other organizations. "If you are going to try to reinvent the wheel, look at one of the wheels that is turning already."

2. Would the Council prefer to receive comments from the public orally or in writing? The Council said either way, both are equally important.

3. Would it be helpful to the Council if OSM requests the written public comments to be submitted to your Council Coordinator prior to the meeting within the certain time period and the coordinator, in turn, will summarize the comments and present them to the Council during the meeting? The Chair commented, "It would be important to do that, like other meeting materials. We try any means to collect comments that may be useful."

4. Is it better for the Councils if received public comments are read verbatim into the record or summarized? Overall, the Council preferred to be able to read written requests as part of meeting materials. They were concerned that summarizing public comments may change the intent of the original comments. But, when comments are summarized, it was requested that staff use "words our elderly people can understand." Also, interpreters could help communicate to elders.

5. Do you have any other suggestions regarding the ways of improving written or oral public testimony procedure during the Council meetings? Brower Franz suggested that OSM try to not schedule meeting times that conflict with other meetings

**Briefing and Council comments on proposed actions to automate Federal subsistence permits**

Dr. Vickers provided the Council on proposed actions to automate Federal subsistence permits and informed the Council that the Office of Management and Budget is exploring ways to collect information from the public and the use of automated permits within our program. Dr. Vickers provided some examples of potential benefits and issues with an automated permit. The Council had no comments about automating permits.

**Briefing on the Secretarial regulations proposing the inclusion of identified submerged lands in the Tongass National Forest**

Dr. Vickers provided the Council on a proposed rule proposing the inclusion of identified through agency review submerged lands in the Tongass National Forest. The purpose of this proposed rule is to complete the regulatory proceedings to address submerged public lands within the Tongass National Forest. The lands mostly consist of reefs, rocks and very small islands. Brent told the Council if they wanted to comment on this, they could submit their comment to the Council Coordinator. The Council found it hard to make comments that's affecting a very geographically distant area from the North Slope and that it would be good to see what happened in case a similar situation arises in the North Slope.

**Agency Reports:**

- *Bureau of Land Management reports* were presented by Katie Drew, Heather Savage, and Beth Mikow.
- *Alaska Department of Fish and Game wildlife reports* were presented by Alex Hansen and Carmen Daggett, ADF&G Division of Wildlife Conservation.
- *Alaska Department of Fish and Game, FRMP Grayling project report*, was presented and Brendan Scanlon ADF&G Division of Sport Fish.
- *University of Alaska, Alaska Native Science and Engineering Program (ANSEP) student Evangeline Duke* gave a report of her work with the Fish and Wildlife Conservation Genetics Laboratory studying *The Genetic Diversity of Arctic Char in the Togiak National Wildlife Refuge*.
- *Fish and Wildlife Service, Arctic National Wildlife Refuge report* was presented by Nathan Huckleluk, FWS.
- *National Park Service, Gates of the Arctic National Park and Preserve report* was presented by Jeff Racik, NPS.
- *Fish and Wildlife Service, Utqiagvik Field Office report* was presented by Ernest Nageak, FWS.
- *Ambler Road Access overview* was presented by Charlene Ostbloom.
- *Office of Subsistence Management report* was presented by Dr. Brent Vickers, OSM.

**Future Meeting Dates:**

Fall 2022 meeting dates confirmed for October 13-14. Utqiagvik

Winter 2023 meeting dates confirmed for February 23-24. Kaktovik.

Motion by Mr. Frantz to adjourn, seconded by Ms. Hugo, to adjourn and **passed** with unanimous vote.

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Lisa Hutchinson-Scarborough, Council Coordinator for Eva Patton, Designated Federal Officer,  
USFWS Office of Subsistence Management

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Gordon Brower, Chair  
North Slope Regional Advisory Council

These minutes will be formally considered by the North Slope Regional Advisory Council at its fall 2022 meeting, and any corrections or notations will be incorporated in the minutes at that meeting.

A more detailed report of this meeting, copies of the transcript, and meeting handouts are available upon request. Call Lisa Hutchinson at 1-800-478-1456 or 1-907-310-4097, email [lisa\\_hutchinson@fws.gov](mailto:lisa_hutchinson@fws.gov).



## Federal Subsistence Board

1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503 - 6199



FISH and WILDLIFE SERVICE  
BUREAU of LAND MANAGEMENT  
NATIONAL PARK SERVICE  
BUREAU of INDIAN AFFAIRS

FOREST SERVICE

In Reply Refer To  
OSM 22095.LH

AUG 26 2022

Gordon Brower, Chair  
North Slope Regional Advisory Council  
c/o Office of Subsistence Management  
1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503-6199

Dear Chairman Brower:

The Federal Subsistence Board (Board) met on April 12-15, 2022 to consider proposed changes to Federal subsistence management regulations for the harvest of wildlife on Federal Public Lands in Alaska and wildlife closure reviews. This letter is to provide a report on the actions taken by the Board on proposals and closure reviews affecting Federally qualified subsistence users.

Pursuant to section 805(c) of the Alaska National Interest Lands Conservation Act (ANILCA), Federal regulations (50 CFR 100.10 (e) 36 CFR 242.10 (e)) provides that the Board generally defers to the recommendations of a Subsistence Regional Advisory Council (Council) regarding take unless, (1) the recommendation is not supported by substantial evidence, (2) the recommendation violates recognized principles of fish and wildlife management, or (3) adopting the recommendation would be detrimental to the satisfaction of subsistence needs. When a Council's recommendation is not adopted, the Board is required by Secretarial regulations to set forth the factual basis and reasons for the decision.

The Board acted on 59 proposals and 16 closure reviews for the 2022-24 wildlife regulatory cycle. The Board agreed with the recommendations of the Regional Advisory Councils, in whole or with modifications, on 50 of 59 proposals. The Board deferred four proposals until the winter 2023 Board meeting: WP22-07, WP22-08, WP22-10, and WP22-40. The Board accepted the recommendations of the Regional Advisory Councils on 15 of 16 wildlife closure reviews, voting to maintain status quo on 14 of them. The Board also acted on deferred fisheries proposal FP21-10, adopting it with the Office of Subsistence Management modification.

Details of these actions and the Boards' deliberations are contained in the meeting transcriptions. Copies of the transcripts may be obtained by calling the toll free number 1-800-478-1456, and are available online at the Federal Subsistence Management Program website, <https://www.doi.gov/subsistence/library/transcripts/federal-subsistence-board>.

The Board uses a consensus agenda on those proposals and closure reviews where there is agreement among the affected Regional Advisory Council(s), a majority of the Interagency Staff Committee, and the Alaska Department of Fish and Game concerning a proposed regulatory action. These proposals and closure reviews were deemed non-controversial and did not require a discussion beyond that which was offered in the analysis. The consensus agenda contained one proposal and two closure reviews affecting the North Slope Region, and the Board deferred to the North Slope Regional Advisory Council recommendations on each of these. The Board *adopted with modification* **WP22-55**, which established a muskox hunt in the western portion of Unit 26A and delegated authority to the Bureau of Land Management's Arctic District Manager to close the season, set any needed permit conditions, and to determine the harvest quota. The Board *maintained status quo* on **WCR22-25**, which closed muskox hunting except for residents of Kaktovik in Unit 26C. The Board *eliminated* the closure on **WCR22-27**, which closed hunting muskox within Unit 23 Cape Krusenstern National Monument.

The remaining seven proposals and two closure reviews affecting the North Slope Region appeared on the non-consensus agenda. The Board took action consistent with the Council's recommendations on five of the proposals and two of the closure reviews. The Board *adopted* statewide proposal **WP22-01**, which clarified who is a participant in a community harvest system and how participation affects community and individual harvest limits, and statewide proposal **WP22-02**, which removed language from designated hunting regulations prohibiting the use of a designated hunter permit by a member of a community operating under a community harvest system. The Board also *adopted* **WP22-56**, which increased the harvest limit for brown bears from one to two bears in that portion of Unit 26A within Gates of the Arctic National Park. The Board *adopted with modification* **WP22-50**, which removed the harvest limit for beaver in Unit 23 and combined the trapping areas, and **WP22-55**, which revised a hunt area boundary for moose in Unit 26A.

The Board also voted to *maintain status quo* on **WCR22-18**, which closed sheep hunting by non-Federally qualified users in Unit 23 Baird Mountains, and **WCR22-45**, a closure to caribou hunting by non-Federally qualified users within a 10-mile-wide corridor (5 miles either side) along the Noatak River from the western boundary of Noatak National Preserve upstream to the confluence with the Cutler River, within the northern and southern boundaries of the Eli and Agashashok River drainages, respectively, and within the Squirrel River drainage.

The Board's actions differed from the Council's recommendations for two other proposals on the non-consensus agenda: **WP22-45** and **WP22-47**. The Board's actions on these proposals are explained in detail in the enclosed report.

The Federal Subsistence Board appreciates your Council's active involvement in and diligence with the regulatory process. The ten Regional Advisory Councils continue to be the foundation



of the Federal Subsistence Management Program, and the stewardship shown by the Regional Advisory Council chairs and their representatives at the Board meeting is noteworthy.

If you have any questions regarding the summary of the Board's actions, please contact Leigh Honig, Council Coordinator, at 907-891-9053, or leigh\_honig@fws.gov

Sincerely,



Anthony Christianson, Chair  
Federal Subsistence Board

Enclosure

cc: Federal Subsistence Board  
North Slope Regional Council members  
Office of Subsistence Management  
Interagency Staff Committee  
Administrative Record

## FEDERAL SUBSISTENCE BOARD 805(c) REPORT

April 12-15, 2022  
via teleconference

Section 805(c) of the Alaska National Interest Lands Conservation Act provides that the “Secretary ... shall consider the report and recommendations of the regional advisory councils concerning the taking of fish and wildlife on the public lands within their respective regions for subsistence uses.” The Secretary has delegated authority to issue regulations for the take of fish and wildlife to the Federal Subsistence Board. Pursuant to this language in Section 805(c), the Board generally defers to the Council’s recommendations. However, Section 805(c) also provides that the Board “may choose not to follow any recommendation which [it] determines is not supported by substantial evidence, violates recognized principles of fish and wildlife conservation, or would be detrimental to the satisfaction of subsistence needs.” The purpose of this report is to detail how the Board’s action differed from the Council’s recommendations based on these criteria.

### NORTH SLOPE AREA WILDLIFE PROPOSALS

#### Crossover Proposals

##### Wildlife Proposal WP22-45

DESCRIPTION: WP22-45 requested creating specific harvest regulations for Alaska hare (*Lepus othus*) in Units 18, 22, and 23. Submitted by: Alaska Department of Fish and Game.

##### COUNCIL RECOMMENDATIONS:

Yukon-Kuskokwim Delta Council – **Support with OSM modification**

Western Interior Council – **Defer to the affected Council(s)**

Seward Peninsula Council – **Support with OSM modification**

Northwest Arctic Council – **Support**

North Slope Council – **Support with modification** to change the harvest limit for Alaska hare to 15 per season and support the longer season as recommended by OSM

BOARD ACTION: **Adopt as modified by OSM** to shorten the season to Aug. 1-May 31 and to modify the definition of hare.

JUSTIFICATION: The Board acknowledges that local knowledge (TEK) indicates a reduction in the amount of Alaska hares over recent years. Reducing the amount of harvest is a biologically appropriate means of aiding population recovery. The OSM modification will provide subsistence harvest opportunity through the fall, winter, and spring seasons and by aligning Federal season dates with state seasons, will reduce regulatory complexity and possible

confusion among subsistence users. The Board recognized the North Slope Council's request that they make it very clear that these regulations are targeting Alaska hare only, and not the Snowshoe hare, which is more abundant in that region.

**Wildlife Proposal WP22-47**

DESCRIPTION: Requested that calf harvest be permitted for caribou in Unit 22.  
Submitted by: Western Arctic Caribou Herd Working Group

COUNCIL RECOMMENDATIONS:

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

Western Interior Alaska Subsistence Regional Advisory Council – **Support**

Seward Peninsula Subsistence Regional Advisory Council – **Support**

Northwest Arctic Subsistence Regional Advisory Council – **Oppose**

North Slope Subsistence Regional Advisory Council – **Support with modification** to only allow harvest of orphaned calves

BOARD ACTION: **Reject**

JUSTIFICATION: Board stated that hunters should adhere to the Western Arctic Caribou Management Plan, which recommends a prohibition on calf harvest when the herd is under preservative management. This proposal would have violated recognized principles of fish and wildlife conservation per the harvest recommendations in the Western Caribou Management Plan which the Board had previously reviewed and voiced its approval of.



## Federal Subsistence Board

1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503 - 6199



FISH and WILDLIFE SERVICE  
BUREAU of LAND MANAGEMENT  
NATIONAL PARK SERVICE  
BUREAU of INDIAN AFFAIRS

FOREST SERVICE

JUL 27 2022

In Reply Refer To  
OSM 22056.KW

Gordon Brower, Chair  
North Slope Subsistence  
Regional Advisory Council  
c/o Office of Subsistence Management  
1101 East Tudor Road, MS 121  
Anchorage, Alaska 99503-6119

Dear Chairman Brower:

This letter responds to the North Slope Subsistence Regional Advisory Council's (Council) fiscal year 2021 Annual Report. The Secretaries of the Interior and Agriculture have delegated to the Federal Subsistence Board (Board) the responsibility to respond to these reports. The Board appreciates your effort in developing the Annual Report. Annual Reports allow the Board to become aware of the issues outside of the regulatory process that affect subsistence users in your region. We value this opportunity to review the issues concerning your region.

**1. Request for monitoring of Unit 26C muskox and transboundary management with Canada**

*The Council is very concerned about the continuously low muskox population in Unit 26C. There has not been any subsistence harvest opportunity for muskox in the region for many years. This muskox population range extends across the border between Canada and the eastern side of the Arctic National Wildlife Refuge in the U.S., and muskox move back and forth between the two countries. The Council has heard reports that high rates of muskox harvest occur in Canada and is concerned that overharvest in Canada may be keeping the overall population low. The Council requests information on cross-boundary management of muskox within Arctic National Wildlife Refuge and Canada and would like to explore options for the creation of a joint U.S.-Canada muskox management group similar to the Porcupine Caribou Herd Management Board.*

**Response:**

The Board appreciates your request and the opportunity to respond. We also recognize the complexities of cross boundary management of musk ox that occupy and move freely between

Chairman Brower

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both countries. The Arctic National Wildlife Refuge (Refuge) does not have data on recent population trends for the musk ox population within Unit 26C. The Refuge does not have set population goals for musk ox and does not currently monitor musk ox populations. Formal surveys of musk ox populations have not been completed by the Refuge's biological staff since the early 2000's. Anecdotally, Refuge staff has observed a total of 45-50 musk ox within Unit 26C over the past 4 years including a group of roughly 25-30 near the Canning River.

The Refuge does not have harvest data for musk ox in Canada nor does it know of harvest pressures there. As an initial step, Refuge management and biological staff propose to engage with their Yukon colleagues to obtain current population survey data as well as recent and historical harvest data. These communications will hopefully lead to future collaboration and, if warranted, potential agreements for musk ox conservation and subsequent subsistence harvest in both Alaska and harvest by indigenous peoples in Canada.

## **2. Ongoing concerns about contaminants in subsistence fish within NPR-A**

*The Council remains very concerned about contaminants in subsistence fish within Federal lands of National Petroleum Reserve – Alaska (NPR-A). This is an issue of real distress for the community of Nuiqsut, whose residents continue to find sick and dying fish. Residents now have anxiety about eating fish that have traditionally been essential to their diet and wellbeing. For many years, the Council tried to find a way to monitor contaminants in subsistence fish through the Fisheries Resource Monitoring Program. The Council has been informed that this needs to be done by the land management agencies. Thus, the Council requests that the Bureau of Land Management (BLM) fund this necessary contaminants research. BLM is responsible for the permitting of the past and present industrial activities within NPR-A that are the source of these contaminants. The Council seeks the support of the Federal Subsistence Management Program to ensure that these essential subsistence fisheries resources are protected and that communities get answers about contaminants so that they can safely continue to eat healthy traditional subsistence foods.*

### **Response:**

The Board acknowledges your concerns and forwards the report, "Monitoring Polycyclic Aromatic Hydrocarbons (PAHs) in Sediments of the Colville River and Subsistence Fishes Important to the Community of Ninqsut" (enclosed) that directly addresses this issue. We hope that you will find this report useful.

## **3. Recognition and support for community harvest and sharing patterns**

*The Council wishes to highlight the importance of traditional community harvest and sharing of subsistence foods. Subsistence communities need to take care of each other and continue to have access to healthy subsistence foods especially during the ongoing hardship of the pandemic. The Council encourages the Federal Subsistence Management Program to recognize and support*

*these traditional sharing practices and ensure easy access to designated hunter permits and community harvest programs.*

**Response:**

The Board recognizes the importance of traditional community harvest and sharing of subsistence foods. We acknowledge that food sharing networks are often a critical resource for those living the subsistence way of life and provide the frameworks for binding together family, communities, and regions. The staff at the Office of Subsistence Management (OSM) incorporate information on traditional community harvests and food sharing in their analyses to illustrate the social, cultural, and economic significance of fish and wildlife resources to those who use them for subsistence. Three Federal Subsistence Management Program processes that rely heavily on this information are customary and traditional use determinations, community harvest systems, and designated hunter permits. This past year, the Board adopted two wildlife proposals that provide more flexibility for subsistence resource users who participate in community harvests and food sharing networks.

The first of these proposals, WP22-01 gave members of communities with community harvest systems the ability to engage in a food sharing network of their choice. Community harvest systems, such as the Anaktuvuk Pass Community Sheep Harvest in Unit 24A and 24B, generally allow members of communities to hold traditional community harvests and have a community harvest limit for all members of the community. While enabling community members to manage harvest limits communally, the Board recognized that this limited other community members from being able to participate in traditional community harvests and food sharing networks outside of their community harvest system. Wildlife Proposal WP22-01 also provided members of communities with community harvest systems with the choice to not participate in the community harvest system. Community members can therefore maintain their individual harvest limits and participate in traditional harvests and food sharing networks of their choosing.

The second wildlife proposal, WP22-02, builds on WP22-01 by allowing more subsistence users to utilize designated hunters. Previously, regulations did not allow members of a community operating with a community harvest system to have a designated hunter. Again, the Board realized that this restricted community members from being able to participate in traditional food sharing networks outside of their community harvest system. After WP22-01 provided opportunity for community members to not participate in a community harvest system, WP22-02 enabled these members to have a designated hunter. This proposal gives more opportunities for Federally qualified subsistence resource users to engage in the food sharing network that best meets their needs.

The Board looks forward to future proposals like these that better incorporate traditional food sharing into regulations. The Board encourages the Council to work with their Council Coordinator on the development of any regulatory proposals addressing easier access to community harvest systems in the North Slope Region.

Chairman Brower

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Lastly, OSM has staff that are available to assist in issues regarding Designated Hunter Permits. Since these are Federal permits, they must be issued by one of the Federal field offices in your area, the issuance of Federal permits cannot be delegated to village, Tribal, or State representatives. Sometimes, if time and staff are available, you may coordinate with those Federal field offices to send staff to communities to issue permits. We recommend you contact your Council Coordinator to assist you in these efforts. We also have staff that can educate and explain the issues regarding Designated Hunter permits. OSM is currently restricted from travel due to COVID precautions and cannot send staff to villages to give these presentations at this time, but we have already conducted several training sessions via teleconference that were well received by the public and expect able to resume travel at some point in the near future.

- To gain assistance and find out if it is possible to have a field staff member visit your community to issue permits please contact:
  - For Bureau of Land Management – Nichelle (Shelly) Jones, District Manager, Arctic District Office, njones@blm.gov or (907) 474-2310
  - For National Park Service – Marcy Okada, Subsistence Coordinator, Gates of the Arctic National Park and Preserve, marcy\_okada@nps.gov or (907) 455-0639
  - For U.S. Fish and Wildlife Service – Nathan Hawkaluk, acting Refuge Manager, Arctic National Wildlife Refuge, nathan\_hawkaluk@fws.gov or (907) 456-0549
- To set up a date/time for training/presentations regarding Designated Hunter Permits please contact OSM Permit Specialist, Derek Hildreth (derek\_hildreth@fws.gov or (907) 382-1253).

**4. Request for the Federal Subsistence Board to further consider continuation of subsistence uses and that substantial evidence include local and traditional knowledge when taking action on proposals**

*“Supported by substantial evidence” is one of the top criteria the Board considers in its decision making on regulatory proposals and special action requests. The Council has observed that the expertise of local and traditional knowledge is often not considered along with western science when identifying “substantial evidence.” Rural and indigenous communities have direct experience and observations that span life lived on the land throughout the year and throughout a knowledge handed down across generations. Traditional knowledge and the observations and experiences of subsistence resource users are as substantial as western science. The Council requests that the Board better incorporate local and traditional knowledge in its decision making.*

*The Council also requests the Board give greater consideration for “continuation of subsistence uses” in its decision making as well. Subsistence priority cannot be achieved without access to subsistence resources. Actions from non-subsistence resource users may deflect animals away*

Chairman Brower

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*from rural communities, change migration patterns and timing, and have other effects that prevent subsistence resource users from accessing fish or wildlife populations.*

**Response:**

The Board acknowledges the Council's frustration regarding full incorporation of Traditional Ecological Knowledge (TEK) and strives to continue improving in this area. The Board understands the value of TEK and considers it alongside Western science. For example, in the recent case of wildlife special action WSA21-01a, a closure was supported based both on local testimony and TEK and photocensus surveys of the Western Arctic Caribou Herd; these two forms of evidence reinforced one another.

Further progress can still be made in bringing these two knowledge systems together within more analyses and decisions. The OSM's Anthropology Division is now fully staffed, which will contribute towards this goal. Further, when the Board relies on TEK in its decision-making, as it often does, it can explicitly acknowledge this use on the record.

One challenge faced by OSM in incorporating TEK is that our analysts do not conduct primary research and thus must rely on published literature, the record of Council and public testimony, and Tribal and Alaska Native Claims Settlement Act corporation consultations. This is one of the many reasons that we rely on you, the Council, to inform consideration of proposals and special action requests.

The Board understands that an inability to access resources alters traditional subsistence patterns. Access is affected by changes in the location of wildlife during key harvest times. The location of wildlife may be affected by multiple factors, including human activity and changing climate conditions. During its March 30, 2022 meeting on WSA21-01, the Board approved the special action request with modification to provide for the continuation of subsistence uses of the Western Arctic Caribou Herd, as well as for its conservation. In its justification, the Board noted that "The partial closure targets the areas of highest user conflicts and minimizes potential disruptions to caribou migration."

In closing, I want to thank you and your Council for your continued involvement and diligence in matters regarding the Federal Subsistence Management Program. I speak for the entire Board in expressing our appreciation for your efforts and am confident that the subsistence users of the North Slope Region are well represented through your work.

Sincerely,



Anthony Christianson  
Chair



Chairman Brower

6

Enclosure

cc: North Slope Subsistence Regional Advisory Council  
Federal Subsistence Board  
Office of Subsistence Management  
Interagency Staff Committee  
Benjamin Mulligan, Deputy Commissioner, Alaska Department of Fish and Game  
Mark Burch, Special Project Coordinator, Alaska Department of Fish and Game  
Administrative Record

## **Monitoring Polycyclic Aromatic Hydrocarbons (PAHs) in Sediments of the Colville River and Subsistence Fishes Important to the Community of Nuiqsut**

Katie Drew – Bureau of Land Management Arctic District Office

Todd Sformo – North Slope Borough Department of Wildlife Management

Dr. Dana Wetzel – Mote Marine Laboratory

The village of Nuiqsut in the northeast National Petroleum Reserve in Alaska (NPR-A) is largely surrounded by oil and gas (O&G) exploration and development, including a number of activities on BLM-managed lands in the region. Like other remote villages within the North Slope, community members are heavily dependent on locally available subsistence foods such as caribou, marine mammals, and non-salmon fishes. More specifically, non-salmon fish species account for up to 23% of the community's total estimated harvest, and the primary subsistence fishery in Nuiqsut is the fall under-ice harvest of Arctic cisco. Other important fishes include least cisco, broad whitefish, Arctic grayling, and humpback whitefish. Due to the proximity of this community to permanent O&G facilities, there has been increasing concern among North Slope communities regarding potential contaminant in subsistence fishes.

More specifically, community members of Nuiqsut have expressed concerns regarding Polycyclic Aromatic Hydrocarbons (PAHs), a group of organic contaminants ubiquitous in the environment. Within the NPR-A, a previous study to assess baseline concentrations of PAHs was conducted over the course of seven years, with distinct collection events in 2004, 2005, 2008, and 2010. The results of this study indicated concentrations of PAHs fish were low, often below detection limits (Wetzel et al. 2012). Further, a 2017 study that examined hydrocarbons and trace metals in marine fish tissues concluded trace metal concentrations were generally low and PAHs were not detected (Dasher et al. 2018). These results led the authors to conclude that sampled sites were largely representative of typical reference conditions within the region. However, these sampling efforts primarily occurred prior to the development of permanent O&G facilities within the NPR-A, as construction of the first permanent O&G drill site began in 2013; the site produced first oil in 2015. Two additional gravel drill sites were subsequently permitted and began producing oil in 2018 and 2021, respectively. With the increase in O&G activity near areas that serve as important aquatic habitats, a follow-up monitoring effort to evaluate PAH levels in fish tissues and sediments is warranted to ensure that the Village of Nuiqsut, the North Slope Borough, and BLM are effective at protecting these sensitive aquatic ecosystems and comply with BLM's Required Operating Procedures (ROPs).

In addition, some community members feel that PAH contamination may be associated with whitefishes infected with *Saprolegnia*, a water mold that can result in a fish disease called Saprolegniosis. This water mold was first found on broad whitefish by Nuiqsut fishermen during the fall of 2013. The occurrence of this mold has since been observed on additional whitefish species, including humpback whitefish, Arctic cisco, and least cisco (2020). While Saprolegniosis tends to be associated with fish that have physical wounds on their skin or are under stress, some causes of wounding and stress can be pollution, crowding, changes in environment (water temperature, salinity, water flow), and production (especially spawning males).

To address these concerns, a project is being planned to conduct a monitoring effort to (1) evaluate potential changes in PAH concentrations in sediments and fish tissues within areas of the NPR-A and (2) to assess whether elevated PAH levels are associated with fish infected with *Saprolegnia*. To achieve these goals, the project will pursue the following objectives:

- 1) With assistance from the Nuiqsut community of fishers, collect subsamples of four fish species caught by subsistence users (i.e., broad whitefish, humpback whitefish, Arctic cisco, and least

cisco). Fish collected for analyses will include fish infected with *Saprolegnia*; representative fish species not infected with *Saprolegnia* will serve as the control.

- 2)
  - a. Compare potential PAH levels in the muscle and liver of broad whitefish to baseline levels documented by Wetzel et al. (2012).
  - b. Compare potential PAH levels in all four species of subsistence fishes noted above using muscle and liver of fish to evaluate if PAH pollution is present and potentially associated with infection.
- 3) With input and assistance from the Nuiqsut community, collect sediments to assess potential PAHs from locations in the Colville River to compare values to baseline levels established by Wetzel et al. (2012).
- 4) If PAHs are detected, then the laboratory would characterize/fingerprint the source of PAH based on the chemical signature to clarify whether from fresh (petrogenic) or combusted (anthropogenic) oil sources.
- 5) Disseminate results (presentations and written reports) to local residents and the scientific community.

The Bureau of Land Management (BLM) is applying for internal funding to support this study. This funding is anticipated to cover the costs of North Slope Borough Staff (Sformo) to travel to Nuiqsut and sample a proportion of fish caught by subsistence users, honoraria to subsistence users for donating fish samples, cover travel costs for two to three Nuiqsut community members (along with Drew and Sformo) to visit the laboratory where analyses and being conducted, and contract contaminants specialists at the Mote Marine Laboratory to conduct analyses, summarize, and disseminate results to local communities (at least Nuiqsut and Utqiagvik) and the scientific community.

## **Presentation Procedure for Proposals and Closure Reviews**

### **1. Introduction and Presentation of Draft Staff Analysis**

### **2. Report on Board Consultations:**

- a. Tribes
- b. ANCSA Corporations

### **3. Agency Comments:**

- a. ADF&G
- b. Federal
- c. Tribal

### **4. Advisory Group Comments:**

- a. Other Regional Advisory Council(s)
- b. Fish and Game Advisory Committees
- c. Subsistence Resource Commissions

### **5. Summary of Written Public Comments**

### **6. Public Testimony**

### **7. Regional Council Recommendation (motion to adopt)**

### **8. Discussion/Justification**

- Is the recommendation consistent with established fish or wildlife management principles?
- Is the recommendation supported by substantial evidence such as biological and traditional ecological knowledge?
- Will the recommendation be beneficial or detrimental to subsistence needs and uses?
- If a closure is involved, is closure necessary for conservation of healthy fish or wildlife populations, or is closure necessary to ensure continued subsistence uses?
- Discuss what other relevant factors are mentioned in OSM Draft Staff Analysis

### **9. Restate final motion for the record**

### **10. Council's Vote**

<b>FP23-01 Executive Summary</b>	
<b>General Description</b>	<p>Proposal FP23-01 requests the Federal Subsistence Board rescind the closure to the harvest of nonsalmon fish in the Jim River drainage by Federally qualified subsistence users and modify regulations to allow rod and reel gear only and an Arctic Grayling harvest and possession limit of 10 per day.</p>
<b>Proposed Regulation</b>	<p><b>§___.27(e)(3) Yukon-Northern Area</b></p> <p>***</p> <p><i>(ix) You may not subsistence fish in the following drainages located north of the main Yukon River:</i></p> <p style="padding-left: 40px;">***</p> <p style="padding-left: 40px;"><del><i>(C) Jim River including Prospect and Douglas Creeks.</i></del></p> <p>***</p> <p><i>(xii) You may take salmon only by gillnet, beach seine, dip net, fish wheel, or rod and reel, subject to the restrictions set forth in this section.</i></p> <p style="padding-left: 40px;">***</p> <p style="padding-left: 40px;"><b><i>(D) In the Jim River drainage, including Prospect and Douglas Creeks, you may not harvest salmon.</i></b></p> <p>***</p> <p><i>(xvi) Unless otherwise specified in this section, you may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, long line, fyke net, dip net, jigging gear, spear, lead, or rod and reel, subject to the following restrictions, which also apply to subsistence salmon fishing:</i></p> <p style="padding-left: 40px;">***</p> <p style="padding-left: 40px;"><b><i>(G) In the Jim River drainage, including Prospect and Douglas Creeks, you may harvest fish other than salmon with rod and reel only; the grayling harvest and possession limit is 10 per day.</i></b></p>

<b>FP23-01 Executive Summary</b>	
<b>OSM Preliminary Conclusion</b>	<b>Support</b>
<b>Yukon-Kuskokwim Delta Subsistence Regional Advisory Council Recommendation</b>	
<b>Western Interior Alaska Subsistence Regional Advisory Council Recommendation</b>	
<b>Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation</b>	
<b>North Slope Subsistence Regional Advisory Council Recommendation</b>	
<b>Interagency Staff Committee Comments</b>	
<b>ADF&amp;G Comments</b>	
<b>Written Public Comments</b>	<b>None</b>

## DRAFT STAFF ANALYSIS

### FP23-01

#### ISSUES

Proposal FP23-01, submitted by the Western Interior Alaska Subsistence Regional Advisory Council (WIRAC), requests the Federal Subsistence Board (Board) rescind the closure to the harvest of nonsalmon fish in the Jim River drainage by Federally qualified subsistence users and modify regulations to allow rod and reel gear only and an Arctic Grayling harvest and possession limit of 10 per day.

#### DISCUSSION

The proponent states this proposal would continue subsistence uses by allowing harvest of nonsalmon fish by Federally qualified subsistence users in an area that is currently closed. The Council believes there is verifiable traditional use of nonsalmon fish in this drainage and a limited harvest by rod and reel should be allowed. If subsistence users are going to travel for Arctic Grayling, the harvest limit should be increased to justify time and expense. Allowing for a reasonable harvest of Arctic Grayling would re-establish a subsistence priority use of fish. Limiting harvest to rod and reel gear only would ensure continued viability of fish in the area. While the Council also believes there is verifiable traditional use of salmon in this drainage, the salmon runs cannot support any harvest at this time and the closure should be rescinded only for nonsalmon fish.

#### Existing Federal Regulation

##### § \_\_.27(e)(3) Yukon-Northern Area

*(i) Unless otherwise restricted in this section, you may take fish in the Yukon-Northern Area at any time... You may subsistence fish for salmon with rod and reel in the Yukon River drainage 24 hours per day, 7 days per week, unless rod and reel are specifically otherwise restricted in this paragraph (e)(3).*

*(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060 [emergency orders]), unless superseded by a Federal special action.*

\*\*\*

*(v) Except as provided in this section, and except as may be provided by the terms of a subsistence fishing permit, you may take fish other than salmon at any time.*

\*\*\*

(ix) You may not subsistence fish in the following drainages located north of the main Yukon River:

\*\*\*

*(C) Jim River including Prospect and Douglas Creeks.*

\*\*\*

(xii) You may take salmon only by gillnet, beach seine, dip net, fish wheel, or rod and reel, subject to the restrictions set forth in this section.

\*\*\*

(xvi) Unless otherwise specified in this section, you may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, long line, fyke net, dip net, jigging gear, spear, lead, or rod and reel, subject to the following restrictions, which also apply to subsistence salmon fishing:

### **Proposed Federal Regulation**

#### **§\_\_\_.27(e)(3) Yukon-Northern Area**

\*\*\*

(ix) You may not subsistence fish in the following drainages located north of the main Yukon River:

\*\*\*

~~*(C) Jim River including Prospect and Douglas Creeks.*~~

\*\*\*

(xii) You may take salmon only by gillnet, beach seine, dip net, fish wheel, or rod and reel, subject to the restrictions set forth in this section.

\*\*\*

***(D) In the Jim River drainage, including Prospect and Douglas Creeks, you may not harvest salmon.***

\*\*\*

(xvi) Unless otherwise specified in this section, you may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, long line, fyke net, dip net, jigging gear, spear,



lead, or rod and reel, subject to the following restrictions, which also apply to subsistence salmon fishing:

\*\*\*

***(G) In the Jim River drainage, including Prospect and Douglas Creeks, you may harvest fish other than salmon with rod and reel only; the grayling harvest and possession limit is 10 per day.***

## Relevant Federal Regulation

### §\_\_\_.27 (b) Subsistence Taking of Fish

*(16) Unless specified otherwise in this section, you may use a rod and reel to take fish without a subsistence fishing permit. Harvest limits applicable to the use of a rod and reel to take fish for subsistence uses shall be as follows:*

\*\*\*

*(ii) Except as otherwise provided for in this section, if you are not required to obtain a subsistence fishing permit for an area, the harvest and possession limits for taking fish for subsistence uses with a rod and reel are the same as for taking fish under State of Alaska subsistence fishing regulations in those same areas. If the State does not have a specific subsistence season and/or harvest limit for that particular species, the limit shall be the same as for taking fish under State of Alaska sport fishing regulations.*

## Existing State Regulation

### Yukon Area—Subsistence

#### 5 AAC 01.225. Waters closed to subsistence fishing

\*\*\*

*(b) The following drainages located north of the mainstem Yukon River are closed to subsistence fishing:*

\*\*\*

*(4) Jim River, including Prospect Creek and Douglas Creek;*

\*\*\*

## **Yukon River Area—Sport**

### **5 AAC 73.010. Seasons, bag, possession, and size limits, and methods and means for Yukon River Area**

*(a) Except as otherwise specified in this section or through an emergency order issued under AS 16.05.060, sport fishing is permitted year round in the waters of the Yukon River Area.*

*(b) Except as otherwise specified in (c) of this section, the following are the general bag, possession, and size limits for finfish and shellfish in the waters of the Yukon River Area:*

*(1) king salmon 20 inches or greater in length: the bag and possession limit is three fish, of which only two fish may be 28 inches or greater in length;*

*(2) salmon, other than king salmon: the bag and possession limit is 10 fish, with no size limit;*

*(3) Arctic char/Dolly Varden and lake trout:*

\*\*\*

*(B) in all flowing waters: the bag and possession limit is 10 fish of all species combined, of which only two fish may be 20 inches or greater in length, and of which only two fish may be lake trout;*

\*\*\*

*(5) Arctic grayling: the bag and possession limit is five fish, with no size limit;*

*(6) sheefish: the bag and possession limit is 10 fish, with no size limit;*

*(7) northern pike: the bag and possession limit is 10 fish, with no size limit;*

*(8) burbot: the bag and possession limit is 15 fish, with no size limit;*

\*\*\*

*(10) finfish and shellfish species that are not specified in this section: there are no bag, possession, or size limits;*

*(c) The following are the exceptions to the general bag, possession, and size limits, and fishing seasons specified in (a) of this section for the Yukon River Area:*

\*\*\*

*(4) in the Dalton Highway corridor (Trans-Alaska Pipeline corridor) within the Yukon River Area, which is described as a corridor five miles wide on each side of the Dalton Highway north of the Yukon River, excluding the Ray River,*

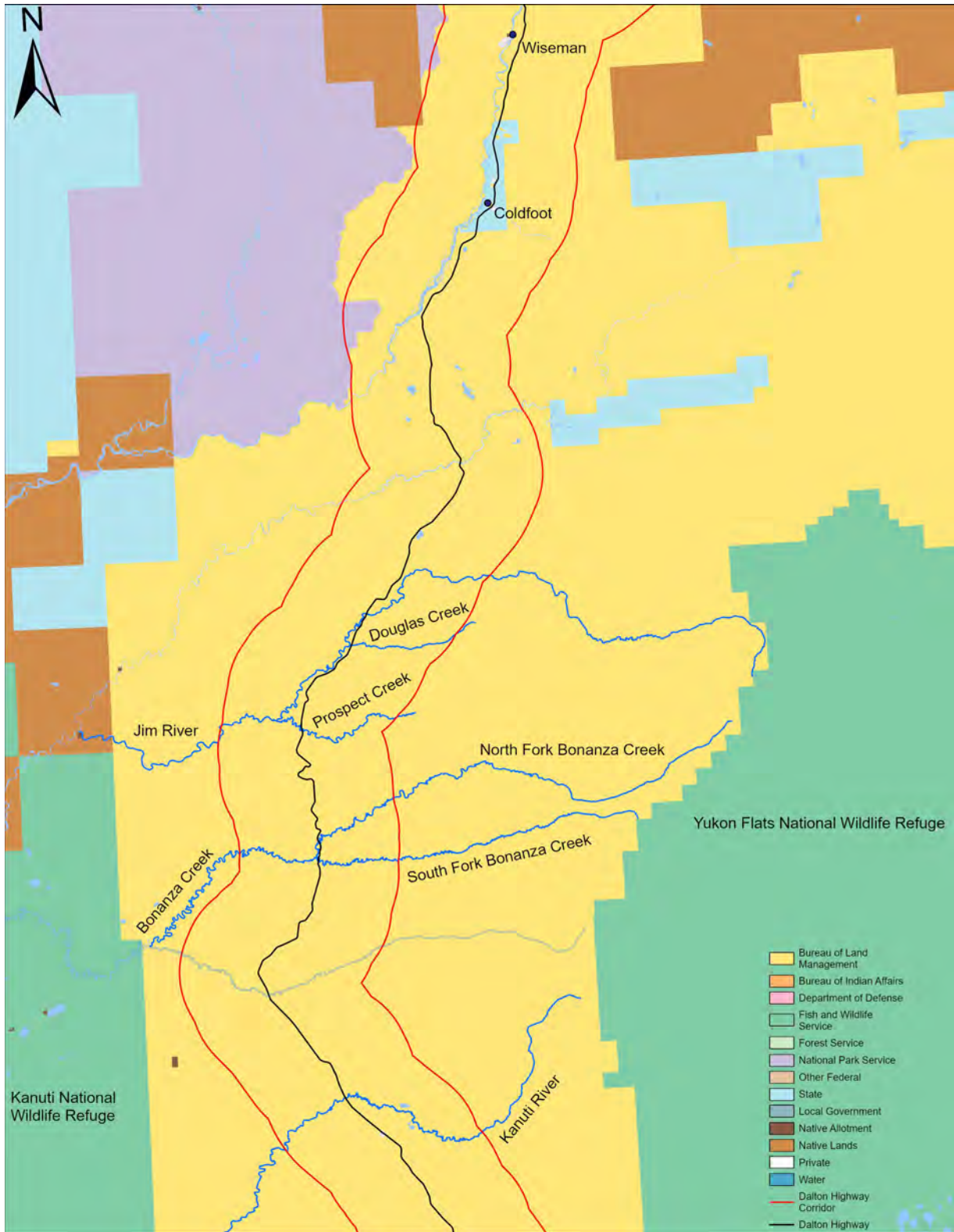
*(A) sport fishing for salmon is closed;*

*(B) lake trout may be taken only by catch-and-release fishing, and may not be possessed or retained; all lake trout caught must be immediately released;*

*(C) the bag and possession limit for northern pike is five fish, of which only one fish may be 30 inches or greater in length;*

### **Extent of Federal Public Lands/Waters**

For purposes of this analysis, the phrase “Federal public waters” is defined as those waters described under 36 CFR §242.3 and 50 CFR §100.3. Approximately three miles of Jim River exist within the Kanuti Refuge boundary, managed by the U.S. Fish and Wildlife Service (**Figure 1**). The remainder of the Jim River drainage is general domain land managed by the Bureau of Land Management (BLM). On general domain lands, Federal subsistence regulations apply only to non-navigable waters.



**Figure 1.** Map of the Dalton Highway Corridor (red lines), the Jim River drainage, and the other closed systems in the area.

## **Customary and Traditional Use Determination**

Residents of the Yukon-Northern Area have a customary and traditional use determination for freshwater species other than salmon in the Yukon River drainage.

## **Regulatory History**

Under State regulations, the portion of the Jim River within the Dalton Highway Corridor (5 miles on either side of the highway) has been closed to subsistence fishing since the late 1970s, beginning with construction of the Dalton Highway (Holen et al. 2012). The opening of the Dalton Highway to public travel in 1994 provided new access to lakes and streams along the route. Increases in recreational fishing effort and harvest have resulted in reductions in sport fishing bag limits for Northern Pike and Arctic Grayling, no retention of Lake Trout, and a salmon fishing closure within the Dalton Highway Corridor (Stuby 2021).

In 1992, the Federal Subsistence Management Program promulgated regulations governing the harvest of fish for subsistence uses in non-navigable waters within and adjacent to Federal public lands (57 Fed. Reg. 22940 [May 29, 1992]). These regulations incorporated many provisions from State of Alaska subsistence fishing regulations. The Jim River closure was incorporated into Federal regulations in this manner and has not been subsequently modified.

In 1999, the Board also adopted Federal regulations for fish in navigable waters within and adjacent to Federal public lands where there is a Federal reserved water right (64 Fed. Reg. 1276 [January 8, 1999]). These regulations do not apply on navigable waters within and adjacent to Bureau of Land Management general domain lands (see 50 CFR 100.3).

The Federal Subsistence Management Program justification for the original closure in Federal regulations was to minimize disruption to the State's continuing fish and game management, because of the uncertainty over the resumption of State management of subsistence, yet still fulfill the requirements of Title VIII of ANILCA (55 FR 27114, June 29, 1990).

The Jim River closure was reviewed during the 2021–2023 Fisheries Regulatory Cycle. The WIRAC and Seward Peninsula Subsistence Regional Advisory councils recommended eliminating the closure to the harvest of all fish in the Jim River drainage and modifying regulations to allow rod and reel gear only and an Arctic Grayling harvest and possession limit of 10 per day. The Yukon-Kuskokwim Delta, Eastern Interior Alaska, and North Slope Subsistence Regional Advisory councils deferred to WIRAC. The Alaska Department of Fish and Game (ADF&G) was neutral and provided no comment. However, during the Board's 2021 Fisheries regulatory meeting, the Department of Interior Solicitor's Office expressed concern that any action taken by the Board beyond simply eliminating or maintaining the closure would not allow appropriate notice and opportunity for public comment. Therefore, the Board voted to maintain the closure with the expectation that a proposal could be submitted by WIRAC to eliminate the closure.

## **Biological Background**

### Salmon

Chinook, Chum, and Coho salmon are known to spawn and rear in the Jim River. Aerial surveys were flown sporadically from 1960 to 2015 to count Chinook and Chum salmon in the Jim River (ADF&G 2022a). The 1960 to 2015 average count of live Chinook Salmon is 120 fish with a range of 0–358 fish. The average number of Chinook Salmon carcasses for these same years is 13 with a range of 0–126. Summer Chum Salmon averaged 278 live fish (range 0–1,484) and 116 carcasses (range 0–1,690). Fall Chum Salmon averaged 103 live fish (range 0–1,057), and 41 carcasses (range 0–672). During 2009–2012, and 2015, a mean of 183 Chinook Salmon and 462 Chum Salmon were counted per year (ADF&G 2022a). There is no escapement goal for any salmon species in this drainage.

### Nonsalmon

The nonsalmon fish community in the Jim River drainage is comprised of Arctic Grayling, Burbot, Humpback and Round whitefish, Longnose Sucker, Northern Pike, and Slimy Sculpin (BLM 2005, ADF&G 2022b). While population assessments have been conducted for Arctic Grayling in the Jim River, less is known about the other nonsalmon species in this system. Information related to the habitat use, seasonal movements, and population status of Arctic Grayling, Burbot, whitefish, Longnose Sucker, and Northern Pike was provided by local experts during a Traditional Ecological Knowledge study conducted by ADF&G Division of Subsistence (Andersen et al. 2004). The local knowledge provided in this study applies to the broader Koyukuk River drainage.

### *Arctic Grayling*

Arctic Grayling are found throughout the Koyukuk and Jim River drainages. Local knowledge indicates Arctic Grayling spend most of their time in clear, quickly moving water in tributary streams and headwater areas whenever this habitat is clear of ice. They are reported to move into this habitat after breakup in April or May, spawning shortly afterwards and feeding on insects. Later, larger Arctic Grayling occupy higher quality feeding areas farthest upstream, and smaller fish occupy poorer feeding areas downstream (Hughes 1992, Andersen et al. 2004). Arctic Grayling move from tributary streams to overwintering areas in deeper water downstream during September and October. Arctic Grayling overwinter in the Koyukuk River mainstem and large tributaries, as well as lakes in the far upper portions of the Koyukuk drainage (Andersen et al. 2004).

Stock assessments of Arctic Grayling within the Jim River and its tributaries adjacent to the Dalton Highway were conducted during 1995–1997 (Fish 1997). The abundance of Arctic Grayling was estimated in a 4 mile section of Prospect Creek in 1996. The estimated abundance was 770 Arctic Grayling (SE = 231) with a density of 193 fish/mile. The Jim River population abundance and age structure was estimated in 1995 and 1997 for a 13.2 mile stretch near the Dalton Highway. In 1995, the Arctic Grayling abundance estimate was 5,105 fish (SE = 1,103) which resulted in a density of approximately 387 fish/mile. The age of Arctic Grayling ranged from 2 to 15 years. Approximately 32% of the population was 5 years old, the most common age reported from this study year. In 1997,

the estimated abundance and density of Arctic Grayling was 12,059 fish (SE = 2,650) and 914 fish/mile, respectively. The sampled fish ranged from 2 to 16 years old, with 25% of the samples being 3 years old, the most common age during this study year (Fish 1997).

#### *Burbot*

According to local experts, Burbot are found in major tributaries of the Koyukuk drainage, but not the smallest tributaries. Burbot may occupy headwater lakes or the mainstem of the Koyukuk River year-round. Most non lake-adapted Burbot follow a different seasonal movement pattern from other fish, moving upstream along shallow water areas beginning around October through January or February. Spawning takes place under the ice in winter (Andersen et al. 2004).

#### *Whitefish*

Local experts indicate whitefish move upstream in the Koyukuk River just before and during spring break up. As the water becomes fast and high due to spring run-off, the fish move into calmer side waters, returning when water levels drop. They repeat this movement whenever water levels rise. Some whitefish spend summers feeding in lakes, while others stay in the Koyukuk River and major sloughs. In fall, whitefish move towards spawning areas upstream, then descend downstream after spawning around September and October. Whitefish are said to overwinter in an inactive state in deep lakes from December to March (Andersen et al. 2004). Round Whitefish is a “clear water fish” that prefers to spend time in smaller streams and headwaters, “similar to grayling” (Andersen et al. 2004: 93).

According to local knowledge, the abundance and quality of whitefish in the Koyukuk drainage has declined over the previous 60 years. These declines were attributed to changes in habitat and die-offs resulting from being stranded in shallow lakes during high water periods (Andersen et al. 2004).

#### *Longnose Sucker*

Local knowledge indicates that Longnose Sucker are present in small numbers in the Koyukuk River drainage but occur at relatively high numbers in the Jim River. Longnose Sucker spend the open water period river in mainstems, sloughs, large and small tributaries, and lakes, and move into deep portions of the main lower Koyukuk River during winter. Spawning occurs in small streams after breakup (Andersen et al. 2004).

#### *Northern Pike*

According to local experts, Northern Pike in the Koyukuk drainage overwinter in deep lakes and move into shallow lakes and sloughs in spring. Spawning takes place in early summer. After mid-September, Northern Pike move back towards the main river and deep lakes (Andersen et al. 2004).

### **Cultural Knowledge and Traditional Practices**

Of those communities with a customary and traditional use determination for fish in the Yukon River drainage, those located in reasonable proximity to Jim River as it crosses the Dalton Highway are most

likely to subsistence fish in the area, were the closure rescinded. This includes Wiseman and Coldfoot. In addition to these communities, which are located on the road system, the communities of Evansville and Bettles are connected to the Dalton Highway via a winter road to Evansville from January through March (Holen et al. 2012). However, there is a mismatch between the timing of this road opening and that of nonsalmon fishing by these communities (Andersen et al. 2004). Furthermore, an ADF&G Division of subsistence survey indicated that residents of Bettles and Evansville focus their subsistence use in areas closer to these communities (Holen et al. 2012).

The community of Stevens Village also has access to the Dalton Highway as it crosses the Yukon River, via boat and snow machine (Trainor 2022, pers. comm.). However, a subsistence survey of Stevens Village conducted from 1984 to 1985 showed that residents focus most of their subsistence fishing activity closer to their community on the Yukon River (Sumida 1988); a more recent ADF&G Division of Subsistence survey did not map subsistence use areas (Brown et al. 2016).

### Wiseman and Coldfoot

Wiseman and Coldfoot are very small communities located on the Dalton Highway. Both communities fall within the traditional boundaries of the Koyukon Athabaskan people, an area which has also been influenced by historical interaction with Iñupiat. Both Wiseman and Coldfoot were established as the result of the gold mining industry in the late 1800s and early 1900s. Coldfoot was abandoned by 1930, before being re-settled in the 1970s in connection with construction of the Dalton Highway and the Trans-Alaska Pipeline. As of 2018 there were an estimated eight full-time residents in Coldfoot and 11 in Wiseman (ADLWD 2019). The area also includes a small number of residents along the Dalton Highway Corridor in camps and other isolated households. ADF&G Division of Subsistence conducted its only subsistence survey of Wiseman and Coldfoot in 2012, for the 2011 calendar year.

At the time of ADF&G's survey, there were five year-round households in Wiseman, and all were surveyed. Four of these households attempted to fish, and all households used fish, although in small quantities (Holen et al. 2012). Residents of Wiseman and Coldfoot can fish within the Jim River closure area with rod and reel under State sport fishing regulations.

### Salmon

Wiseman residents traditionally harvested and used small amounts of Chum and Chinook salmon locally. However, in part because of local closures to both subsistence and sport fishing for salmon in place since 1978 (sport fishing for salmon is closed within a 5-mile radius of the Dalton Highway), Wiseman residents primarily harvest salmon at locations far afield, such as in the Copper and Yukon rivers.

During the 2011 study year, only one of the five Wiseman households fished for salmon (at locations distant from the community), resulting in an estimated 12 pounds of Sockeye Salmon per person, or 4% of Wiseman's total wild food harvest in weight. In addition, Wiseman households received and shared Chinook Salmon, although they did not directly harvest any. All households used salmon (Holen et al. 2012).



### Nonsalmon fish

According to Holen et al., “Since the salmon fishing closure was initiated, non-salmon fish have become even more important to Wiseman residents” (2012: 369). Nonsalmon fishing can take place under subsistence regulations in areas that are not closed (in addition to the Jim River closure, subsistence fishing is also closed in Bonanza Creek and a portion of the Kanuti River). In addition, nonsalmon fish can be taken by rod and reel under State sport fishing regulations throughout the area. Within these regulatory restrictions, during the study period, nonsalmon fishing was reported as occurring close to Wiseman and Coldfoot adjacent to the Dalton Highway, as well as on the South Fork Koyukuk River and as far south as the Jim River (Holen et al. 2012, **Figure 2**).

During the study period, four of the five Wiseman households fished for nonsalmon species, resulting in an estimated 13 pounds of nonsalmon fish per person, or 5% of Wiseman’s total wild food harvest in weight. The three most significant nonsalmon harvests in terms of weight were Arctic Grayling, Longnose Sucker, and Burbot (Holen et al. 2012, ADF&G 2020, **Table 1**).

In 2011, about 52% of Wiseman’s nonsalmon fish harvest (measured in edible weight) was taken with gillnet or seine, about 28% was taken with “other subsistence methods,” which includes set lines, and the remainder was taken by rod and reel. However, the only nonsalmon species that participants reported taking by rod and reel was Lake Trout; a little less than half of the Lake Trout harvest was taken with this gear. The fish most significant in terms of subsistence harvest were taken entirely with subsistence gear during the study period, described in more detail below, although Wiseman’s harvest methods for Longnose Sucker and whitefish species were not quantified in the relevant subsistence survey report (Holen et al. 2012).

### *Arctic Grayling*

In this description of harvest practices for Arctic Grayling, and for other species, below, ethnographic data are drawn both from ADF&G’s subsistence survey in Wiseman for the 2011 calendar year (Holen et al. 2012) and from a Traditional Ecological Knowledge Study conducted by ADF&G Division of Subsistence from 2001 to 2003 (Andersen et al. 2004). The latter study incorporated interviews with 29 key respondents who were life-long residents of the wider Koyukuk River drainage communities of Alatna, Allakaket, Bettles/Evansville, Hughes, Huslia, Koyukuk, and Wiseman. Where available, information specific to practices by residents of Wiseman is emphasized.

In the Koyukon language Arctic Grayling are called *tleghelbaaye*, which likely refers to their gray coloring (Andersen et al. 2004). Fall and early winter are the preferred times for harvesting Arctic Grayling by Koyukuk River communities (Andersen et al. 2004). In the 2011 study year, Wiseman residents harvested Arctic Grayling with gillnet or seine (25%) and “other subsistence methods” (75%) (Holen et al. 2012). Residents of the wider region fish for Arctic Grayling with hook and line beginning when rivers begin to freeze, usually in October. They use rod and reel in open eddies until freeze-up is complete, after which they fish through holes in the ice. Arctic Grayling are also sometimes caught during fall seining for whitefish. Arctic Grayling are easily preserved by freezing,

and people prefer to eat them raw and frozen. As winter progresses, Arctic Grayling are further downstream in deep water, and are less accessible (Andersen et al. 2004).

### *Burbot*

Burbot are known as *tl'eghes*, in the Koyukon dialect of the lower Koyukuk River, and *tsoneye* in the upper river dialect. Burbot can be an important subsistence resource for Koyukuk River communities in winter when other fish are not available. They are harvested beginning in the fall. In the middle Koyukuk River conditions are ideal for Burbot traps in winter, but in areas closer to the headwaters Burbot are most commonly taken with set hooks through the ice beginning around October. According to a key informant from Wiseman, Burbot have also traditionally been taken from lakes in the summer with spears (Andersen et al. 2004). During the 2011 study year, Wiseman residents took Burbot entirely with subsistence gear “other than gillnet or seine” (Holen et al. 2012).

In the fall and winter Burbot can be preserved by natural freezing, but do not preserve well, and people prefer to eat them soon after they are harvested. The fatty liver is the most prized part of the fish. For subsistence purposes, people prefer to catch them before they spawn, when they are a better source of fat. Burbot return downstream beginning in February (Andersen et al. 2004).

### *Whitefish*

The generic term for whitefish in the Koyukon language is *ts'ol*. There are two species of large whitefish in the Koyukuk drainage, Broad Whitefish (*taaseze*, or “water bear”) and Humpback Whitefish (*holehge*, “it swims upwards”). There are also two species of small whitefish, Least Cisco (*tsaabaaya*) and the Round Whitefish (*hulten*). According to local experts, the latter is only thinly distributed in the Koyukuk drainage (Andersen et al. 2004).

One key informant said that he had observed a decline in whitefish populations over the previous sixty years, and that the fish had also become less fatty. He attributed this decline to habitat change, and especially to decreased weeds and insects, as well as increased silt and water temperatures. Whitefish are susceptible to die-offs after being trapped in shallow lakes during high water periods (Andersen et al. 2004).

Gillnets are used to catch whitefish in the spring after breakup and in the fall as fish move between seasonal habitats. Whitefish are considered to be in prime condition in fall. After freeze-up they can be caught with set nets. Least Cisco may be caught with seining nets, although river conditions prevent the use of these in the upper portion of the river. In the summer, whitefish are sometimes incidentally caught in nets used for salmon. Round Whitefish are very thinly distributed and are not commonly caught. Wiseman’s harvest methods for whitefish were not specifically described in Holen et al. (2012).

### *Longnose Sucker*

The Koyukon term for Longnose Sucker is *toonts'ode*, “something bad went into the water” (Andersen et al. 2004). Longnose Sucker are mostly caught in the Koyukuk River drainage as by-catch in nets set

out for whitefish in the spring. In areas suitable to the harvest method, they are sometimes taken during fall whitefish seining. Finally, they are sometimes taken in the winter with under-ice Burbot traps. In the past, spring-harvested Longnose Sucker were important for feeding both humans and dogs, but today they are primarily used as dog food. The many small bones in the fish make the end portion of Longnose Sucker inedible for humans (Andersen et al. 2004). Wiseman’s harvest methods for Longnose Sucker were not specifically described in Holen et al. (2012).

### *Northern Pike*

Northern Pike are known as *k’oolkkoye* in the Koyukon language, and are an important food resource that is available year-round. Northern Pike are present but not common in the Koyukuk River near Bettles, and are not present in the Middle Fork of the Koyukuk near Wiseman.

On the Koyukuk River, Northern Pike are caught with gillnets in spring and fall. “Pike are sometimes caught during the summer using artificial lures and rod and reel gear in area lakes or specific river or slough locations known for being good pike fishing. Pike are also frequently taken as by-catch in summer nets and fishwheels targeting salmon” where conditions permit use of this gear (Andersen et al. 2004: 74). In winter they can be harvested with a hook through the ice where streams leave or enter lakes.

Key informants from the wider region reported harvesting Northern Pike with gillnets, fish traps, and hook and line gear. According to Andersen et al., “The ability to take pike using unusual methods contributed to the utility of pike as a subsistence resource” (2004:75). During the subsistence survey study year, Wisemen residents harvested Northern Pike entirely with gillnet or seine (Holen et al. 2012).

**Table 1:** Estimated number of nonsalmon fish and corresponding pounds per person harvested by Wiseman households in the 2011 calendar year (ADF&G 2020).

<b>Fish species</b>	<b>Estimated number of fish</b>	<b>Estimated pounds per person</b>
Arctic Grayling	111	5.97
Longnose Sucker	40	2.15
Burbot	9	1.66
Northern Pike	4	1.38
Char	11	1.11
Lake Trout	9	0.97
Whitefish	25	0.96
Dolly Varden	2	0.13



**Figure 2.** Wiseman’s nonsalmon fish search and harvest areas, 2011. Source: Holen et al. 2012.

Coldfoot was also surveyed by ADF&G Division of Subsistence for the 2011 calendar year. At that time, there were five year-round households in Coldfoot, four of which were surveyed, representing 10 individuals. During the survey year, no residents of the community fished for either salmon or

nonsalmon fish, but one household received and used Coho and Sockeye salmon. No use of nonsalmon fish was documented in Coldfoot during the study period (Holen et al. 2012).

## **Harvest History**

Subsistence fishing is prohibited in the Jim River under State and Federal regulations so there is no legal subsistence harvest in this system. Harvest is allowed under State sport fishing regulations and is not limited to Federally qualified subsistence users.

During years when sport fishing for Chinook Salmon isn't closed or restricted by emergency order, Chinook Salmon throughout the Yukon River Management Area (excludes the Tanana River) can be harvested with a limit of three per day, three in possession over 20 inches (only two can be over 28 inches), and ten per day, ten in possession for under 20 inches. Other salmon have a ten per day, ten in possession limit. However, salmon fishing is closed within a 5-mile radius on either side of the Dalton Highway.

Per the general sport fish regulations that apply to the entire Yukon River Management Area that extends from the Yukon River Delta to the border with Canada and includes the entire Yukon River drainage (excluding the Tanana River), Dolly Varden can be harvested with a limit of ten per day, ten in possession (only two can be 20 inches or longer). Allowable Lake Trout harvest is two per day, two in possession, only two of which may be 20 inches or longer. Arctic Grayling have no size limit and have a limit of five per day, five in possession. Sheefish and Northern Pike have a limit of ten per day, ten in possession and Burbot have a harvest limit of 15 per day, 15 in possession.

Special regulations apply to all streams within the Trans-Alaska Pipeline corridor, which is defined as the length of the Pipeline north of the Yukon River extending 5 miles on either side of the Dalton Highway, excluding the Ray River where General Regulations apply. The Jim River crosses the Dalton Highway Corridor. In this area, sport fishing for salmon is closed. In addition, retention of Lake Trout is prohibited and the limit of Northern Pike is 5 per day, 5 in possession (only one of which may be 30 inches or longer).

The majority of sport fish harvest along the Dalton Highway corridor for the Yukon River Management Area is for Arctic Grayling (Stuby 2021). Sport fish harvest estimates for Arctic Grayling in streams along the Dalton Highway south of Atigun Pass reported an average of 324 fish annually during 2009–2018. Of these, an average of 122 Arctic Grayling were harvested from the Jim River. Fishing effort for this entire area for all species during 2009–2018 was approximately 928 angler days (Stuby 2021). Sport fishing effort and harvest in Alaska have been estimated and reported annually since 1977 using a mail survey. Estimates based on fewer than 12 responses indicate that the sport fishing occurred and are subject to high variance. The majority of estimates for the Dalton Highway during 2009–2018 were based on fewer than 12 respondents (Stuby 2021). These data suggest that sport fish harvest and effort may not be large enough to cause conservation concerns for Arctic Grayling in the Jim River.

## **Other Alternatives Considered**

An alternative is to rescind the closure to the harvest of all fish in the Jim River drainage by Federally qualified subsistence users. Rescinding the closure would provide a Federal subsistence priority not currently in regulation. If the closure is rescinded, Federal subsistence regulations for the Yukon-Northern Area would apply. Harvest of salmon would be allowed, and Federal subsistence fishing schedules, openings, closings, and fishing methods would be the same as those issued by State emergency order for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal special action. For nonsalmon species, harvest would be unrestricted for all gear types other than rod and reel. Harvest and possession limits for rod and reel would match State sport fishing regulations. This alternative was rejected because the Jim River is road accessible, allowing easy access and harvest of fish. Allowing unrestricted harvest for gear types other than rod and reel in an easily accessible system may lead to overharvest and local depletion of stocks.

## **Effects of the Proposal**

If Proposal FP23-01 is adopted, subsistence fishing for salmon would remain closed under Federal regulations in the Jim River drainage. Nonsalmon fish could be taken by rod and reel only. Subsistence rod and reel harvests would match State sport fishing harvest and possession limits except for Arctic Grayling, which would have a harvest and possession limit of 10 per day (the current sport fish harvest and possession limit is five per day). This proposal would increase harvest opportunity for Federally qualified subsistence users and provide a subsistence priority as mandated by ANILCA. No conservation concerns exist for this proposal as salmon fishing would remain closed and nonsalmon fishing would be restricted to rod and reel only.

If Proposal FP23-01 is not adopted, subsistence fishing will remain closed under both Federal and State regulations in the Jim River drainage. Sport fishing would be allowed and Federally qualified subsistence users could continue to harvest salmon and nonsalmon fish under State sport fishing regulations. Federal regulations would remain more restrictive than State sport fishing regulations, which does not support the subsistence priority mandated by ANILCA.

## **OSM PRELIMINARY CONCLUSION**

### **Support Proposal FP23-01**

#### **Justification**

This drainage is currently closed to subsistence fishing by Federally qualified subsistence users but open to other uses. There is likely a small amount of harvest under State sport fishing regulations, predominantly near the Dalton Highway. Allowing a limited subsistence harvest using rod and reel only would provide subsistence opportunity in an area that is currently closed and protect populations from overharvest. If this system is opened to rod and reel only, State sport fish harvest and possession limits would apply. Increasing harvest and possession limits of Arctic Grayling would provide a subsistence priority for Federally qualified subsistence users and justify the time and expense of

traveling to harvest this species. Maintaining the closure to salmon will protect small populations within the drainage.

## **LITERATURE CITED**

ADF&G. 2020. Community subsistence information system, ADF&G Div. of Subsistence. <https://www.adfg.alaska.gov/sb/CSIS/>. Retrieved June 2, 2020.

ADF&G. 2022a. AYK database management system. [https://www.adfg.alaska.gov/CF\\_R3/external/sites/aykdbms\\_website/Default.aspx](https://www.adfg.alaska.gov/CF_R3/external/sites/aykdbms_website/Default.aspx)

ADF&G. 2022b. Alaska freshwater fish inventory. <https://www.adfg.alaska.gov/sf/SARR/AWC/index.cfm?ADFG=main.interactive>. Retrieved May 11, 2022.

ADLWD: Alaska Department of Labor and Workforce Development, Research and Analysis Section. 2019. Alaska population overview: 2018 estimates. <https://live.laborstats.alaska.gov/pop/estimates/pub/18popover.pdf>

Andersen, D.B., C.L. Brown, R.J. Walker, and K. Elkin. 2004. Traditional ecological knowledge and contemporary subsistence harvest of non-salmon fish in the Koyukuk River drainage, ADF&G, Div. of Subsistence Tech. Paper No. 282.

BLM, 2005. Fish streams along the Trans-Alaska pipeline system, a compilation of selected references with current TAPS stationing. Fourth Edition. BLM Alaska Open File Report 105. BLM/AK/ST-06/004+6674+990. U.S. Department of the Interior, Bureau of Land Management, Anchorage, AK.

Brown, C. L., N.M. Braem, M.L. Kostick, A. Trainor, L.J. Slayton, R.M. Runfola, E.H. Mikow, H. Ikuta, C.R. McDevitt, J. Park, and J.J. Simon. 2016. Harvests and uses of wild resources in 4 interior Alaska communities and 3 arctic Alaska communities, 2014. ADF&G, Div. of Subsistence Tech. Paper No. 426. Fairbanks, AK.

Fish, J. T. 1997. Stock assessment of Arctic grayling in the Jim River and other streams adjacent to the Dalton Highway, 1995–1997. ADF&G, Fishery Manuscript Series No. 97-3, Anchorage, AK.

Holen, D., S.M. Hazell, and D.S. Koster, eds. 2012. Subsistence harvests and uses of wild foods by communities in the eastern Interior of Alaska, 2011. ADF&G, Div. of Subsistence Tech. Paper No. 372. Anchorage, AK.

Hughes, N.F. 1992. Selection of positions by drift-feeding salmonids in dominance hierarchies: model and test for Arctic Grayling (*Thymallus arcticus*) in subarctic mountain streams, Interior Alaska. *Can. J. Fish. Aquat. Sci.* 49(10): 1999–2008. doi:10.1139/f92-223.

Stuby, L. 2021. Fishery management report for sport fisheries in the Yukon Management Area, 2019. ADF&G, Fishery Management Report No. 21-27, Anchorage, AK.

Sumida, V.A. 1988. Land and resource use patterns in Stevens Village, Alaska. ADF&G, Div. of Subsistence Tech. Paper No. 129. Fairbanks, AK.

Trainor, A. 2022. Northern Region Program Manager. Personal communication: email. ADF&G, Div. of Subsistence. Fairbanks, AK.

<b>FCR23-02 Executive Summary</b>	
<b>General Description</b>	FCR23-02 reviews the closure to the harvest of all fish in the Kanuti River drainage by Federally qualified subsistence users.
<b>Current Regulation</b>	<p>§___.27(e)(3) Yukon-Northern Area</p> <p>***</p> <p><i>(ix) You may not subsistence fish in the following drainages located north of the main Yukon River:</i></p> <p style="padding-left: 40px;"><i>(A) Kanuti River upstream from a point 5 miles downstream of the State highway crossing;</i></p> <p style="text-align: center;">***</p>
<b>OSM Preliminary Conclusion</b>	<b>Rescind</b> the closure
<b>Yukon-Kuskokwim Delta Subsistence Regional Advisory Council Recommendation</b>	
<b>Western Interior Alaska Subsistence Regional Advisory Council Recommendation</b>	
<b>Seward Peninsula Subsistence Regional Advisory Council Recommendation</b>	
<b>Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation</b>	
<b>North Slope Subsistence Regional Advisory Council Recommendation</b>	
<b>Interagency Staff Committee Comments</b>	
<b>ADF&amp;G Comments</b>	
<b>Written Public Comments</b>	<b>None</b>



**FEDERAL FISHERIES CLOSURE REVIEW**  
**FCR23-02**

**Issue**

FCR23-02 is a standard review of a Federal subsistence fishery closure to the harvest of all fish in the Kanuti River drainage. It is the Board's policy that Federal public lands and waters should be reopened as soon as practicable once the conditions that originally justified the closure have changed to such an extent that the closure is no longer necessary. The purpose of this closure review is to determine if the closure is still warranted and to ensure the closure does not remain in place longer than necessary.

**Closure Location:** Yukon River Drainage, Kanuti River—all fish

**Current Federal Regulation**

**§ \_\_.27(e)(3) Yukon-Northern Area**

*(i) Unless otherwise restricted in this section, you may take fish in the Yukon-Northern Area at any time... You may subsistence fish for salmon with rod and reel in the Yukon River drainage 24 hours per day, 7 days per week, unless rod and reel are specifically otherwise restricted in this paragraph (e)(3).*

*(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060 [emergency orders]), unless superseded by a Federal special action.*

\*\*\*

*(v) Except as provided in this section, and except as may be provided by the terms of a subsistence fishing permit, you may take fish other than salmon at any time.*

\*\*\*

*(ix) You may not subsistence fish in the following drainages located north of the main Yukon River:*

*(A) Kanuti River upstream from a point 5 miles downstream of the State highway crossing;*

\*\*\*

*(xii) You may take salmon only by gillnet, beach seine, dip net, fish wheel, or rod and reel, subject to the restrictions set forth in this section.*

\*\*\*

*(xvi) Unless otherwise specified in this section, you may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, long line, fyke net, dip net, jigging gear, spear, lead, or rod and reel, subject to the following restrictions, which also apply to subsistence salmon fishing:*

\*\*\*

*(B) You may not use an aggregate length of set gillnet in excess of 150 fathoms, and each drift gillnet may not exceed 50 fathoms in length.*

*(C) In Districts 4, 5, and 6, you may not set subsistence fishing gear within 200 feet of other fishing gear operating for commercial, personal, or subsistence use . . .*

\*\*\*

*(xvii) In District 4, from September 21 through May 15, you may use jigging gear from shore ice.*

## **Relevant Federal Regulation**

### **§\_\_\_.27 (b) Subsistence Taking of Fish**

*(16) Unless specified otherwise in this section, you may use a rod and reel to take fish without a subsistence fishing permit. Harvest limits applicable to the use of a rod and reel to take fish for subsistence uses shall be as follows:*

\*\*\*

*(ii) Except as otherwise provided for in this section, if you are not required to obtain a subsistence fishing permit for an area, the harvest and possession limits for taking fish for subsistence uses with a rod and reel are the same as for taking fish under State of Alaska subsistence fishing regulations in those same areas. If the State does not have a specific subsistence season and/or harvest limit for that particular species, the limit shall be the same as for taking fish under State of Alaska sport fishing regulations.*

**Closure Dates:** Year-round

## **Current State Regulation**

### **Yukon Area—Subsistence**

#### **5 AAC 01.225. Waters closed to subsistence fishing**

\*\*\*

*(b) The following drainages located north of the mainstem Yukon River are closed to subsistence fishing:*

*(1) Kanuti River upstream from a point five miles downstream of the state highway crossing;*

\*\*\*

### **Yukon River Area—Sport**

#### **5 AAC 73.010. Seasons, bag, possession, and size limits, and methods and means for Yukon River Area**

*(a) Except as otherwise specified in this section or through an emergency order issued under AS 16.05.060, sport fishing is permitted year round in the waters of the Yukon River Area.*

*(b) Except as otherwise specified in (c) of this section, the following are the general bag, possession, and size limits for finfish and shellfish in the waters of the Yukon River Area:*

*(1) king salmon 20 inches or greater in length: the bag and possession limit is three fish, of which only two fish may be 28 inches or greater in length;*

*(2) salmon, other than king salmon: the bag and possession limit is 10 fish, with no size limit;*

*(3) Arctic char/Dolly Varden and lake trout:*

\*\*\*

*(B) in all flowing waters: the bag and possession limit is 10 fish of all species combined, of which only two fish may be 20 inches or greater in length, and of which only two fish may be lake trout;*

\*\*\*

*(5) Arctic grayling: the bag and possession limit is five fish, with no size limit;*

*(6) sheefish: the bag and possession limit is 10 fish, with no size limit;*

*(7) northern pike: the bag and possession limit is 10 fish, with no size limit;*

*(8) burbot: the bag and possession limit is 15 fish, with no size limit;*

\*\*\*

*(10) finfish and shellfish species that are not specified in this section: there are no bag, possession, or size limits;*

*(c) The following are the exceptions to the general bag, possession, and size limits, and fishing seasons specified in (a) of this section for the Yukon River Area:*

\*\*\*

*(4) in the Dalton Highway corridor (Trans-Alaska Pipeline corridor) within the Yukon River Area, which is described as a corridor five miles wide on each side of the Dalton Highway north of the Yukon River, excluding the Ray River,*

*(A) sport fishing for salmon is closed;*

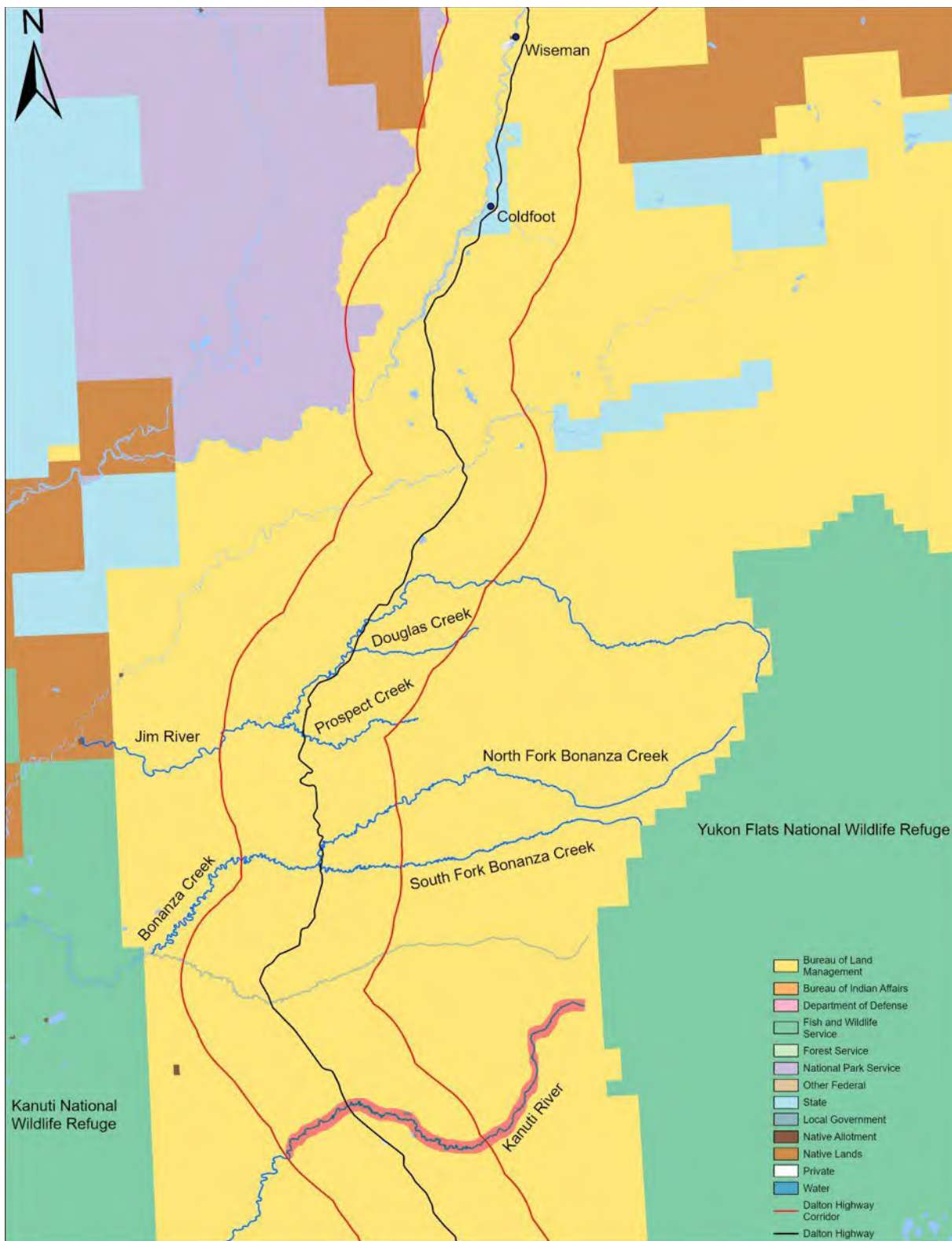
*(B) lake trout may be taken only by catch-and-release fishing, and may not be possessed or retained; all lake trout caught must be immediately released;*

*(C) the bag and possession limit for northern pike is five fish, of which only one fish may be 30 inches or greater in length;*

**Regulatory Year Initiated:** 1992

#### **Extent of Federal Public Lands/Waters**

For purposes of this analysis, the phrase “Federal public waters” is defined as those waters described under 36 CFR §242.3 and 50 CFR §100.3. The closure area is located on general domain land managed by the Bureau of Land Management (BLM; **Figure 1**). On general domain lands, Federal subsistence regulations apply only to non-navigable waters.



**Figure 1.** Map of the Dalton Highway Corridor (red lines), Kanuti River, and the other closed drainages in the area. The Kanuti River closure area (highlighted) is upstream from a point 5 miles downstream of the State highway crossing.

### **Customary and Traditional Use Determination**

Residents of the Yukon River drainage and the community of Stebbins have a customary and traditional use determination for salmon, other than fall Chum Salmon, in the Yukon River drainage.

Residents of the Yukon River drainage and the communities of Chevak, Hooper Bay, Scammon Bay, and Stebbins have customary and traditional use determination for fall Chum Salmon in the Yukon River drainage.

Residents of the Yukon-Northern Area have a customary and traditional use determination for freshwater species other than salmon in the Yukon River drainage.

### **Regulatory History**

Under State fishing regulations, the portion of the Kanuti River within the Dalton Highway Corridor (5 miles on either side of the highway) has been closed to subsistence fishing since the late 1970s, beginning with construction of the highway. The opening of the Dalton Highway to public travel in 1994 provided new access to lakes and streams along the route. Increases in recreational fishing effort and harvest have resulted in reductions in the sport fishing bag limits for Northern Pike and Arctic Grayling, no retention of Lake Trout, and a salmon fishing closure within the Dalton Highway Corridor (Stuby 2021).

In 1992, the Federal Subsistence Management Program promulgated regulations governing the harvest of fish for subsistence uses in non-navigable waters within and adjacent to Federal public lands (57 Fed. Reg. 22940 [May 29, 1992]). These regulations incorporated many provisions from State of Alaska subsistence fishing regulations. The closure under review in this analysis was incorporated into Federal regulations in this manner and has not been subsequently modified.

In 1999, the Federal Subsistence Board (Board) also adopted Federal regulations for fish in navigable waters within and adjacent to Federal public lands where there is a Federal reserved water right (64 Fed. Reg. 1276 [January 8, 1999]). These regulations do not apply on navigable waters within and adjacent to BLM general domain lands (see 50 CFR 100.3).

### **Closure Last Reviewed**

There have been no previous reviews of this closure.

### **Justification for Original Closure**

The Federal Subsistence Management Program justification for the inclusion of the original closure in Federal regulations was to minimize disruption to the State's continuing fish and game management, because of the uncertainty over the resumption of State management of subsistence, yet still fulfill the requirements of Title VIII of ANILCA (55 FR 27114, June 29, 1990).

### **Council Recommendation for Original Closure**

N/A

### **State Recommendation for Original Closure**

N/A

### **Biological Background**

#### Salmon

According to local knowledge and the Anadromous Waters Catalog, Chinook and summer Chum salmon are present in the Kanuti River, downstream of the closure area (Trainor et al. 2019, ADF&G 2022a). However, few assessment projects have been conducted in the Kanuti River. Aerial surveys were flown in 1969, 1971, 1975, and 1985 (ADF&G 2022b). Chinook Salmon were only observed in 1985 and eight fish were counted (JTC 1985). Summer Chum Salmon were only observed in 1969 and 25 fish were counted (ADF&G 2022b).

#### Nonsalmon Fish

Nonsalmon fish species, such as Arctic Grayling, Burbot, Round Whitefish, Northern Pike, and Slimy Sculpin have been observed in the Kanuti River but information in the closure area is limited (BLM 2005). In addition, local knowledge indicates Longnose Sucker also inhabit the drainage (Andersen et al. 2004). Most information related to the habitat use, seasonal movements, and population status of these species (excluding Slimy Sculpin) was provided by local experts during a Traditional Ecological Knowledge study conducted by the Alaska Department of Fish and Game (ADF&G), Division of Subsistence (Andersen et al. 2004). The information collected in this study applies to the broader Koyukuk River drainage.

#### *Arctic Grayling*

Arctic Grayling have been documented in the closure area but population assessments have not been conducted (ADF&G 2022c). Local knowledge indicates Arctic Grayling spend most of their time in clear, quickly moving water in tributary streams and headwater areas whenever this habitat is clear of ice. They are reported to move into this habitat after breakup in April or May, spawning shortly afterwards and feeding on insects. Later, the larger Arctic Grayling occupy higher quality feeding areas farthest upstream and smaller fish occupy poorer feeding areas downstream (Hughes 1992, Andersen et al. 2004). Arctic Grayling move from tributary streams to overwintering areas in deeper water downstream during September and October. Local knowledge indicates that Arctic Grayling are usually the last fish to leave the tributary streams in the fall. Arctic Grayling overwinter in the Koyukuk River mainstem and large tributaries including the Alatna and Kanuti Rivers, as well as lakes in the far upper portions of the Koyukuk drainage (Andersen et al. 2004).

According to local experts, the population of Arctic Grayling in the Koyukuk drainage appeared healthy and abundant at the time of the interviews. However, they are susceptible to large mortality events from periodic flooding events in the upper portion of the Koyukuk drainage (Andersen et al. 2004).

#### *Longnose Sucker*

Local knowledge indicates that Longnose Sucker are present in small numbers in the Koyukuk River drainage but occur at relatively high numbers in the Kanuti River. Longnose Sucker occupy mainstems, sloughs, large and small tributaries, and lakes during the open water period, and move into deep portions of the main lower Koyukuk River during winter. Spawning occurs in small streams after breakup (Andersen et al. 2004).

#### *Burbot*

According to local experts, Burbot are found in major tributaries of the Koyukuk drainage, but not the smallest tributaries. Burbot may occupy headwater lakes or the mainstem of the Koyukuk River year-round. Most non lake-adapted Burbot follow a different seasonal movement pattern from other fish, moving upstream along shallow water areas beginning around October through January or February. Spawning takes place under the ice in winter (Andersen et al. 2004).

#### *Whitefish*

Several whitefish species that include Broad, Humpback, and Round whitefish and Least Cisco have been captured in the Kanuti River (Brown 2009). In addition, Humpback Whitefish and Least Cisco spawning has been documented in the Kanuti River, downstream of the closure area (Brown 2009).

Local experts indicate whitefish move upstream in the Koyukuk River just before and during spring break up. As the water becomes fast and high due to spring run-off, the fish move into calmer side waters, returning when water levels drop. They repeat this movement whenever water levels rise. In June there is a pulse of Broad Whitefish that precedes the arrival of Chinook Salmon by about two weeks. Some whitefish spend summers feeding in lakes, while others stay in the Koyukuk River and major sloughs. In fall, whitefish move towards spawning areas upstream, then descend downstream after spawning around September and October. Whitefish are said to overwinter in an inactive state in deep lakes from December to March (Andersen et al. 2004).

Local knowledge indicates the abundance and quality of whitefish in the Koyukuk drainage has declined over the previous 60 years. These declines were attributed to changes in habitat and die-offs resulting from being stranded in shallow lakes during high water periods (Andersen et al. 2004).

#### *Northern Pike*

According to local experts, Northern Pike in the Koyukuk drainage overwinter in deep lakes and move into shallow lakes and sloughs in spring. Spawning takes place in early summer. After mid-September, Northern Pike move back towards the main river and deep lakes (Andersen et al. 2004).



## **Cultural Knowledge and Traditional Practices**

Of those communities with a customary and traditional use determination for fish in the Yukon River drainage, those located in reasonable proximity to the Kanuti River as it crosses the Dalton Highway are most likely to subsistence fish in the closed area. This includes Wiseman and Coldfoot. In addition to these communities, which are located on the road system, the communities of Evansville and Bettles are connected to the Dalton Highway via a winter road to Evansville from January through March (Holen et al. 2012). However, there is a mismatch between the timing of this road opening and that of nonsalmon fishing by these communities (Andersen et al. 2004). Furthermore, an ADF&G Division of subsistence survey indicated that residents of Bettles and Evansville focus their subsistence use in areas closer to these communities (Holen et al. 2012).

The community of Stevens Village also has access to the Dalton Highway as it crosses the Yukon River, via boat and snow machine (Trainor 2022, pers. comm.). However, a subsistence survey of Stevens Village conducted from 1984 to 1985 showed that residents focus most of their subsistence fishing activity closer to their community on the Yukon River (Sumida 1988); a more recent ADF&G Division of Subsistence survey did not map subsistence use areas (Brown et al. 2016).

### Wiseman and Coldfoot

Wiseman and Coldfoot are very small communities located on the Dalton Highway. Both communities fall within the traditional boundaries of the Koyukon Athabascan people, an area which has also been influenced by historical interaction with Iñupiat. Both Wiseman and Coldfoot were established as the result of the gold mining industry in the late 1800s and early 1900s. Coldfoot was abandoned by 1930, before being re-settled in the 1970s in connection with construction of the Dalton Highway and the Trans-Alaska Pipeline. As of 2018 there were an estimated eight full-time residents in Coldfoot and 11 in Wiseman (ADLWD 2019). The area also includes a small number of residents along the Dalton Highway Corridor in camps and other isolated households. ADF&G Division of Subsistence conducted its only subsistence survey of Wiseman and Coldfoot in 2012, for the 2011 calendar year.

At the time of ADF&G's survey, there were five year-round households in Wiseman, and all were surveyed. Four of these households attempted to fish, and all households used fish, although in small quantities (Holen et al. 2012). Residents of Wiseman and Coldfoot can fish within the Kanuti River closure area with rod and reel under State sport fishing regulations.

### Salmon

Wiseman residents traditionally harvested and used small amounts of Chum and Chinook salmon locally. However, in part because of local closures to both subsistence and sport fishing for salmon in place since 1978 (sport fishing for salmon is closed within a five-mile radius of the Dalton Highway), Wiseman residents primarily harvest salmon at locations far afield, such as in the Copper and Yukon rivers.

During the 2011 study year, only one of the five Wiseman households fished for salmon (at locations distant from the community), resulting in an estimated 12 pounds of Sockeye Salmon per person, or 4% of Wiseman's total wild food harvest in weight. In addition, Wiseman households received and shared Chinook Salmon, although they did not directly harvest any. All households used salmon (Holen et al. 2012).

### Nonsalmon fish

According to Holen et al., "Since the salmon fishing closure was initiated, non-salmon fish have become even more important to Wiseman residents" (2012: 369). Nonsalmon fishing can take place under subsistence regulations in areas that are not closed (in addition to the Kanuti River closure area, subsistence fishing is also closed in Bonanza Creek and Jim River, including Prospect Creek and Douglas Creek). In addition, nonsalmon fish can be taken by rod and reel under State sport fishing regulations throughout the area. Within these regulatory restrictions, during the study period, nonsalmon fishing was reported as occurring close to Wiseman and Coldfoot adjacent to the Dalton Highway, as well as on the South Fork Koyukuk River and as far south as the Jim River (Holen et al. 2012, **Figure 2**).

During the study period, four of the five Wiseman households fished for nonsalmon species, resulting in an estimated 13 pounds of nonsalmon fish per person, or 5% of Wiseman's total wild food harvest in weight. The three most significant nonsalmon harvests in terms of weight included Arctic Grayling, Longnose Sucker, and Burbot (Holen et al. 2012, ADF&G 2020, **Table 1**).

In 2011, about 52% of Wiseman's nonsalmon fish harvest (measured in edible weight) was taken with gillnet or seine, about 28% was taken with "other subsistence methods," which includes set lines, and the remainder was taken by rod and reel. However, the only nonsalmon species that participants reported taking by rod and reel was Lake Trout; a little less than half of the Lake Trout harvest was taken with this gear. The fish most significant in terms of subsistence harvest were taken entirely with subsistence gear during the study period, described in more detail below, although Wiseman's harvest methods for Longnose Sucker and whitefish species were not quantified in the relevant subsistence survey report (Holen et al. 2012).

### *Arctic Grayling*

In this description of harvest practices for Arctic Grayling, and for other species, below, ethnographic data are drawn both from ADF&G's subsistence survey in Wiseman for the 2011 calendar year (Holen et al. 2012) and from a Traditional Ecological Knowledge Study conducted by ADF&G Division of Subsistence from 2001 to 2003 (Andersen et al. 2004). The latter study incorporated interviews with 29 key respondents who were life-long residents of the Koyukuk River drainage communities of Alatna, Allakaket, Bettles/Evansville, Hughes, Huslia, Koyukuk, and Wiseman. Where available, information specific to practices by residents of Wiseman is emphasized.

In the Koyukon language Arctic Grayling are called *tleghelbaaye*, which likely refers to their gray coloring (Andersen et al. 2004). Fall and early winter are the preferred times for harvesting Arctic

Grayling by Koyukuk River communities (Andersen et al. 2004). In the 2011 study year, Wiseman residents harvested Arctic Grayling with gillnet or seine (25%) and “other subsistence methods” (75%) (Holen et al. 2012). Residents of the wider region fish for Arctic Grayling with hook and line beginning when rivers begin to freeze, usually in October. They use rod and reel in open eddies until freeze-up is complete, after which they fish through holes in the ice. Arctic Grayling are also sometimes caught during fall seining for whitefish. Arctic Grayling are easily preserved by freezing, and people prefer to eat them raw and frozen. As winter progresses, Arctic Grayling are further downstream in deep water, and are less accessible (Andersen et al. 2004).

#### *Longnose Sucker*

The Koyukon term for Longnose Sucker is *toonts'ode*, “something bad went into the water” (Andersen et al. 2004). Longnose Sucker are mostly caught in the Koyukuk River drainage as by-catch in nets set out for whitefish in the spring. In areas suitable to the harvest method, they are sometimes taken during fall whitefish seining. Finally, they are sometimes taken in the winter with under-ice Burbot traps. In the past, spring-harvested Longnose Sucker were important for feeding both humans and dogs, but today they are primarily used as dog food. The many small bones in the fish make the end portion of Longnose Sucker inedible for humans (Andersen et al. 2004). Wiseman’s harvest methods for Longnose Sucker were not specifically described in Holen et al. (2012).

#### *Burbot*

Burbot are known as *il'eghes*, in the Koyukon dialect of the lower Koyukuk River, and *tsoneye* in the upper river dialect. Burbot can be an important subsistence resource for Koyukuk River communities in winter when other fish are not available. They are harvested beginning in the fall. In the middle Koyukuk River conditions are ideal for Burbot traps in winter, but in areas closer to the headwaters Burbot are most commonly taken with set hooks through the ice beginning around October. According to a key informant from Wiseman, Burbot have also traditionally been taken from lakes in the summer with spears (Andersen et al. 2004). During the 2011 study year, Wiseman residents took Burbot entirely with subsistence gear “other than gillnet or seine” (Holen et al. 2012).

In the fall and winter Burbot can be preserved by natural freezing, but do not preserve well, and people prefer to eat them soon after they are harvested. The fatty liver is the most prized part of the fish. For subsistence purposes, people prefer to catch them before they spawn, when they are a better source of fat. Burbot return downstream beginning in February (Andersen et al. 2004).

#### *Whitefish*

The generic term for whitefish in the Koyukon language is *ts'ol*. There are two species of large whitefish in the Koyukuk drainage, Broad Whitefish (*taaseze*, or “water bear”) and Humpback Whitefish (*holehge*, “it swims upwards”). There are also two species of small whitefish, Least Cisco (*tsabaaya*) and the Round Whitefish (*hulten*). According to local experts, the latter is only thinly distributed in the Koyukuk drainage (Andersen et al. 2004).

One key informant said that he had observed a decline in whitefish populations over the previous sixty years, and that the fish had also become less fatty. He attributed this decline to habitat change, and especially to decreased weeds and insects, as well as increased silt and water temperatures. Whitefish are susceptible to die-offs after being trapped in shallow lakes during high water periods (Andersen et al. 2004).

Gillnets are used to catch whitefish in the spring after breakup and in the fall as fish move between seasonal habitats. Whitefish are considered to be in prime condition in fall. After freeze-up they can be caught with set nets. Least Cisco may be caught with seining nets, although river conditions prevent the use of these in the upper portion of the river. In the summer, whitefish are sometimes incidentally caught in nets used for salmon. Round Whitefish are very thinly distributed and are not commonly caught. Wiseman’s harvest methods for whitefish were not specifically described in Holen et al. (2012).

#### *Northern Pike*

Northern Pike are known as *k’oolkkoye* in the Koyukon language, and are an important food resource that is available year-round. Northern Pike are present but not common in the Koyukuk River near Bettles, and are not present in the Middle Fork of the Koyukuk near Wiseman.

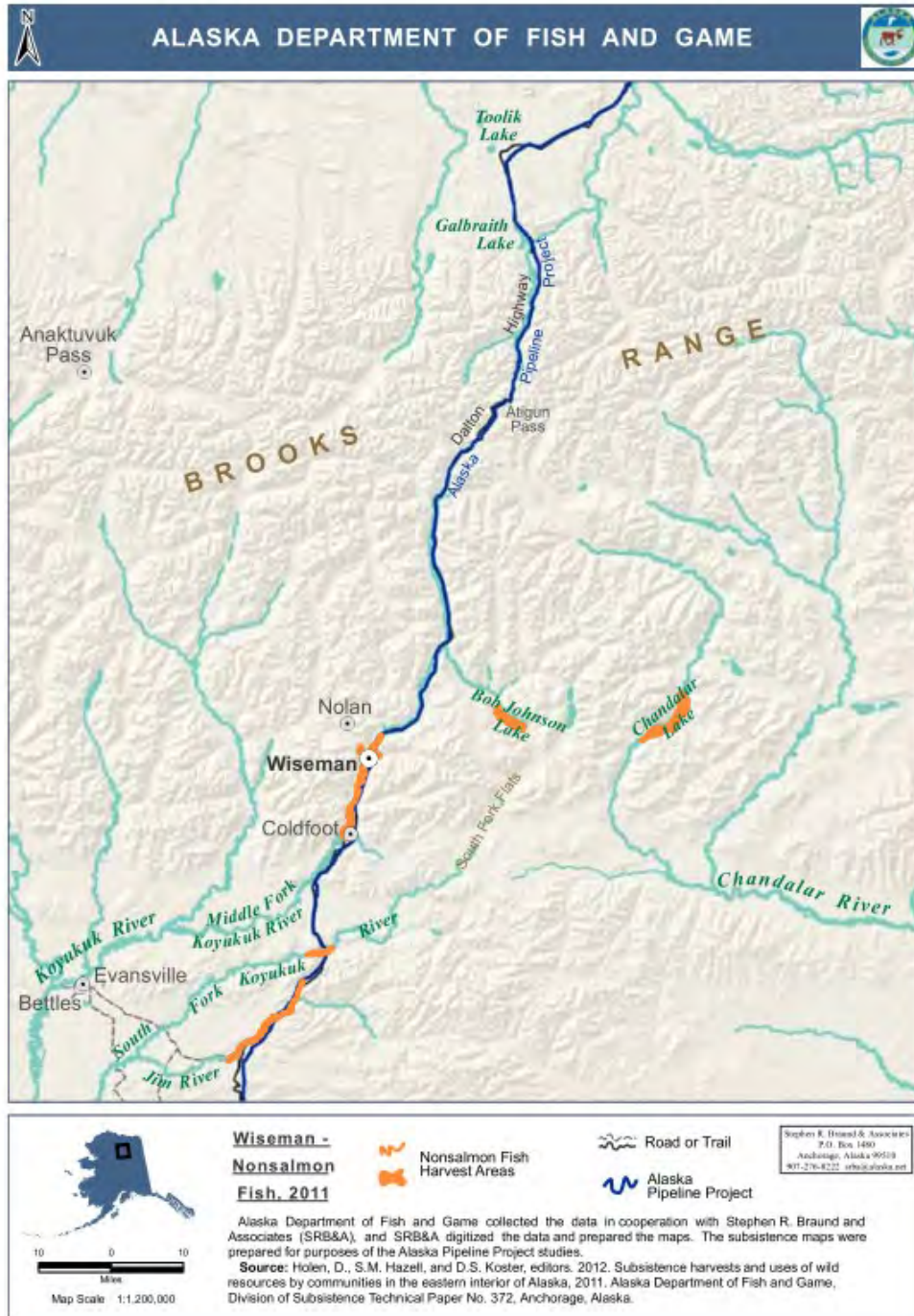
On the Koyukuk River, Northern Pike are caught with gillnets in spring and fall. “Pike are sometimes caught during the summer using artificial lures and rod and reel gear in area lakes or specific river or slough locations known for being good pike fishing. Pike are also frequently taken as by-catch in summer nets and fishwheels targeting salmon” where conditions permit use of this gear (Andersen et al. 2004: 74). In winter they can be harvested with a hook through the ice where streams leave or enter lakes.

Key informants from the wider region reported harvesting Northern Pike with gillnets, fish traps, and hook and line gear. According to Andersen et al., “The ability to take pike using unusual methods contributed to the utility of pike as a subsistence resource” (2004:75). During the subsistence survey study year, Wisemen residents harvested Northern Pike entirely with gillnet or seine (Holen et al. 2012).

**Table 1:** Estimated number of nonsalmon fish and corresponding pounds per person harvested by Wiseman households in the 2011 calendar year (ADF&G 2020).

<b>Fish species</b>	<b>Estimated number of fish</b>	<b>Estimated pounds per person</b>
Arctic Grayling	111	5.97
Longnose Sucker	40	2.15
Burbot	9	1.66
Northern Pike	4	1.38
Char	11	1.11
Lake Trout	9	0.97

Fish species	Estimated number of fish	Estimated pounds per person
Whitefish	25	0.96
Dolly Varden	2	0.13



**Figure 2.** Wiseman’s nonsalmon fish search and harvest areas, 2011. Source: Holen et al. 2012.

Coldfoot was also surveyed by ADF&G Division of Subsistence for the 2011 calendar year. At that time, there were five year-round households in Coldfoot, four of which were surveyed, representing 10 individuals. During the survey year, no residents of the community fished for either salmon or nonsalmon fish, but one household received and used Coho and Sockeye salmon. No use of nonsalmon fish was documented in Coldfoot during the study period (Holen et al. 2012).

### **Harvest History**

Subsistence fishing is prohibited in the Kanuti River closure area under both State and Federal regulations so there is no legal subsistence harvest in this area. Harvest is allowed under State sport fishing regulations and is not limited to Federally qualified subsistence users.

During years when sport fishing for Chinook Salmon is not closed or restricted by emergency order, Chinook Salmon throughout the Yukon River Management Area (excludes the Tanana River) can be harvested with a limit of three per day, three in possession over 20 inches (only two can be over 28 inches), and ten per day, ten in possession for under 20 inches. Other salmon have a ten per day, ten in possession limit. However, salmon fishing is closed within a 5-mile radius on either side of the Dalton Highway.

Per the general sport fish regulations that apply to the entire Yukon River Management Area that extends from the Yukon River Delta to the border with Canada and includes the entire Yukon River drainage (excluding the Tanana River), Dolly Varden can be harvested with a limit of ten per day, ten in possession (only two can be 20 inches or longer). Allowable Lake Trout harvest is two per day, two in possession, only two of which may be 20 inches or longer. Arctic Grayling have no size limit and have a limit of five per day, five in possession. Sheefish and Northern Pike have a limit of ten per day, ten in possession, and Burbot have a harvest limit of 15 per day, 15 in possession.

Special regulations apply to all streams within the Trans-Alaska Pipeline corridor, which is defined as the length of the Pipeline north of the Yukon River extending 5 miles on either side of the Dalton Highway, excluding the Ray River where General Regulations apply. The area of the Kanuti River that is closed to subsistence fishing crosses the Dalton Highway Corridor. In this area (five miles on each side of the highway), sport fishing for salmon is closed. In addition, retention of Lake Trout is prohibited and the limit of Northern Pike is five per day, five in possession (only one of which may be 30 inches or longer).

The majority of sport fish harvest along the Dalton Highway corridor for the Yukon River Management Area is for Arctic Grayling (Stuby 2021). Sport fish harvest estimates are not available for specifically the Kanuti River. Sport fish harvest estimates for Arctic Grayling in streams along the Dalton Highway south of Atigun Pass report an average of 324 fish annually during 2009–2018. Annual harvest for Northern Pike for this area during this time frame was 22 fish. Fishing effort for this entire area for all species during 2009–2018 was approximately 928 angler days (Stuby 2021). Sport fishing effort and harvest in Alaska have been estimated and reported annually since 1977 using a mail survey. Estimates based on fewer than 12 responses indicate that the sport fishing occurred and are subject to high variance. The majority of estimates for the Dalton Highway during 2009–2018 were

based on fewer than 12 respondents (Stuby 2021). These data suggest that sport fish harvest and effort may not be large enough to cause conservation concerns for Arctic Grayling in the Kanuti River.

### **Other Alternatives Considered**

One alternative is to retain the closure. Population statuses are unknown in the closure area, which is road-accessible, allowing easy access and harvest of fish. If the closure is rescinded, harvest of nonsalmon species would be unrestricted for all legal gear types other than rod and reel, and gillnets could be used to harvest high numbers of fish. Retaining the closure would protect populations from overharvest until a proposal to restrict harvest and/or gear types in the closure area could be submitted. Federally qualified subsistence users could harvest fish under State sport fishing regulations while the Federal closure was in place. This alternative was rejected because it would not provide a Federal subsistence priority in the closure area.

A second alternative is to modify the closure by closing the fishery to all users and uses. This would fully protect salmon and nonsalmon fish populations in the closure area. Under this alternative, there would be no subsistence or sport fishing opportunity. Closing to all users and uses would eliminate the current situation, in which Federal public waters are closed to subsistence fishing while remaining open to other uses. This alternative was rejected because it would be an unnecessary restriction on non-subsistence uses as sport fish harvest data suggest the sport fishery does not present a conservation concern. In addition, subsistence surveys indicate subsistence users may harvest a portion of their wild foods under sport fishing regulations.

### **Effects**

If the closure is rescinded, Federal subsistence regulations for the Yukon-Northern Area would apply. Harvest of salmon would be allowed, and Federal subsistence fishing schedules, openings, closings, and fishing methods would be the same as those issued by State emergency order for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal special action. Salmon could be taken by gillnet, beach seine, dip net, fish wheel, or rod and reel.

Nonsalmon fish could be taken by set gillnet, drift gillnet, beach seine, fish wheel, long line, fyke net, dip net, jigging gear, spear, lead, or rod and reel, with some restrictions on this gear (see “Current Federal Regulation” in this analysis). Subsistence rod and reel harvest limits would match State sport fishing harvest and possession limits. Harvest would be unrestricted for all other legal gear types.

Rescinding the closure would establish a Federal subsistence priority and provide subsistence harvest opportunity in an area that is currently closed to subsistence fishing but open to other uses. However, allowing unrestricted harvest in a road-accessible system may increase harvest pressure on stocks and result in a conservation concern.

## **OSM PRELIMINARY CONCLUSION**

### **Retain the Status Quo**

- Rescind the Closure**
- Modify the Closure**
- Defer Decision on the Closure or Take No Action**

The modified regulation should read:

**§ \_\_.27(e)(3) Yukon-Northern Area**

\*\*\*

*(ix) You may not subsistence fish in the following drainages located north of the main Yukon River:*

*~~(A) Kanuti River upstream from a point 5 miles downstream of the State highway crossing;~~*

\*\*\*

**Justification**

Currently, a portion of the Kanuti River is closed to the harvest of all fish by Federally qualified subsistence users but open to sport fishing under State regulations. Rescinding the closure would establish a Federal subsistence priority in the area. However, allowing unrestricted harvest for gear types other than rod and reel in an easily accessible system may lead to overharvest and local depletion of stocks. While populations may be protected by limiting subsistence harvest to rod and reel only and/or modifying harvest limits, these modifications are not possible through the closure review process and would require a fisheries proposal be submitted. Until a proposal can be submitted, the Federal inseason manager may use their delegated authority to restrict gear types and/or harvest limits, for up to 60 days, to protect populations in the closure area. Actions exceeding 60 days would require a temporary special action be implemented by the Board. If a proposal is submitted, the Office of Subsistence Management recommends that harvest be limited to rod and reel only in the Kanuti River closure area.

**LITERATURE CITED**

ADF&G. 2020. Community subsistence information system, ADF&G Div. of Subsistence. <https://www.adfg.alaska.gov/sb/CSIS/>. Retrieved June 2, 2020.

ADF&G. 2022a. Anadromous Waters Catalog. <https://www.adfg.alaska.gov/sf/SARR/AWC/index.cfm?ADFG=main.interactive>. Retrieved May 11, 2022.

ADF&G. 2022b. AYK database management system. [https://www.adfg.alaska.gov/CF\\_R3/external/sites/aykdbms\\_website/Default.aspx](https://www.adfg.alaska.gov/CF_R3/external/sites/aykdbms_website/Default.aspx). Retrieved May 11, 2022.



- ADF&G. 2022c. Alaska freshwater fish inventory. <https://www.adfg.alaska.gov/sf/SARR/AWC/index.cfm?ADFG=main.interactive>. Retrieved May 11, 2022.
- ADLWD: Alaska Department of Labor and Workforce Development, Research and Analysis Section. 2019. Alaska population overview: 2018 estimates. <https://live.laborstats.alaska.gov/pop/estimates/pub/18popover.pdf>
- Andersen, D.B., C.L. Brown, R.J. Walker, and K. Elkin. 2004. Traditional ecological knowledge and contemporary subsistence harvest of non-salmon fish in the Koyukuk River drainage, ADF&G, Div. of Subsistence Tech. Paper No. 282.
- BLM (United States Department of the Interior, Bureau of Land Management). 2005. Fish Streams along the Trans-Alaska Pipeline System, a compilation of selected references with current TAPS stationing. Fourth edition. BLM Alaska Open File Report 105. BLM/AK/ST-06/004+6674+990. U.S. Department of the Interior, Bureau of Land Management, Anchorage, AK.
- Brown, R. J. 2009. Distribution and demographics of whitefish species in the upper Koyukuk River drainage, Alaska, with emphasis on seasonal migrations and important habitats of Broad Whitefish and Humpback Whitefish, Technical Report, No. 104. U.S. Fish and Wildlife Service, Alaska Fisheries.
- Brown, C. L., N.M. Braem, M.L. Kostick, A. Trainor, L.J. Slayton, R.M. Runfola, E.H. Mikow, H. Ikuta, C.R. McDevitt, J. Park, and J.J. Simon. 2016. Harvests and uses of wild resources in 4 interior Alaska communities and 3 arctic Alaska communities, 2014. ADF&G, Div. of Subsistence Tech. Paper No. 426. Fairbanks, AK.
- Holen, D., S.M. Hazell, and D.S. Koster, eds. 2012. Subsistence harvests and uses of wild foods by communities in the eastern Interior of Alaska, 2011. ADF&G, Div. of Subsistence Tech. Paper No. 372. Anchorage, AK.
- Hughes, N.F. 1992. Selection of positions by drift-feeding salmonids in dominance hierarchies: model and test for Arctic Grayling (*Thymallus arcticus*) in subarctic mountain streams, Interior Alaska. *Can. J. Fish. Aquat. Sci.* 49(10): 1999–2008. doi:10.1139/f92-223.
- JTC (Joint Technical Committee of the Yukon River U.S./Canada Panel). 1985. Yukon River technical report, 1985.
- Stuby, L. 2021. Fishery management report for sport fisheries in the Yukon Management Area, 2019. ADF&G, Fishery Management Report No. 21-27, Anchorage, AK. Sumida, V.A. 1988. Land and resource use patterns in Stevens Village, Alaska. ADF&G, Div. of Subsistence Tech. Paper No. 129. Fairbanks, AK.
- Trainor, A., B.M. McDavid, L.A. Sill, and L.S. Naaktgeboren. 2019. Local traditional knowledge of the freshwater life stages of Yukon River Chinook and Chum salmon in Anvik, Huslia, Allakaket, and Fort Yukon. ADF&G, Div. of Subsistence Tech. Paper No. 447, Fairbanks, AK.
- Trainor, A. 2022. Northern Region Program Manager. Personal communication: email. ADF&G, Div. of Subsistence. Fairbanks, AK.

<b>FCR23-03 Executive Summary</b>	
<b>General Description</b>	FCR23-03 reviews the closure to the harvest of all fish in the Bonanza Creek drainage by Federally qualified subsistence users.
<b>Current Regulation</b>	<p>§___.27(e)(3) <b>Yukon-Northern Area</b></p> <p><i>(ix) You may not subsistence fish in the following drainages located north of the main Yukon River:</i></p> <p style="text-align: center;">***</p> <p style="text-align: center;"><i>(B) Bonanza Creek;</i></p> <p style="text-align: center;">***</p>
<b>OSM Preliminary Conclusion</b>	<b>Rescind</b> the closure
<b>Yukon-Kuskokwim Delta Subsistence Regional Advisory Council Recommendation</b>	
<b>Western Interior Alaska Subsistence Regional Advisory Council Recommendation</b>	
<b>Seward Peninsula Subsistence Regional Advisory Council Recommendation</b>	
<b>Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation</b>	
<b>North Slope Subsistence Regional Advisory Council Recommendation</b>	
<b>Interagency Staff Committee Comments</b>	
<b>ADF&amp;G Comments</b>	
<b>Written Public Comments</b>	<b>None</b>

**FEDERAL FISHERIES CLOSURE REVIEW**  
**FCR23-03**

**Issue**

FCR23-03 is a standard review of a Federal subsistence fishery closure to the harvest of all fish in the Bonanza Creek drainage. It is the Board's policy that Federal public lands and waters should be reopened as soon as practicable once the conditions that originally justified the closure have changed to such an extent that the closure is no longer necessary. The purpose of this closure review is to determine if the closure is still warranted and to ensure the closure does not remain in place longer than necessary.

**Closure Location:** Yukon River Drainage, Bonanza Creek—all fish

**Current Federal Regulation**

**§ \_\_.27(e)(3) Yukon-Northern Area**

*(i) Unless otherwise restricted in this section, you may take fish in the Yukon-Northern Area at any time... You may subsistence fish for salmon with rod and reel in the Yukon River drainage 24 hours per day, 7 days per week, unless rod and reel are specifically otherwise restricted in this paragraph (e)(3).*

*(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060 [emergency orders]), unless superseded by a Federal special action.*

\*\*\*

*(v) Except as provided in this section, and except as may be provided by the terms of a subsistence fishing permit, you may take fish other than salmon at any time.*

\*\*\*

*(ix) You may not subsistence fish in the following drainages located north of the main Yukon River:*

\*\*\*

*(B) Bonanza Creek;*

\*\*\*

*(xii) You may take salmon only by gillnet, beach seine, dip net, fish wheel, or rod and reel, subject to the restrictions set forth in this section.*

\*\*\*

*(xvi) Unless otherwise specified in this section, you may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, long line, fyke net, dip net, jigging gear, spear, lead, or rod and reel, subject to the following restrictions, which also apply to subsistence salmon fishing:*

\*\*\*

*(B) You may not use an aggregate length of set gillnet in excess of 150 fathoms, and each drift gillnet may not exceed 50 fathoms in length.*

*(C) In Districts 4, 5, and 6, you may not set subsistence fishing gear within 200 feet of other fishing gear operating for commercial, personal, or subsistence use . . .*

\*\*\*

*(xvii) In District 4, from September 21 through May 15, you may use jigging gear from shore ice.*

## **Relevant Federal Regulation**

### **§ \_\_.27 (b) Subsistence Taking of Fish**

*(16) Unless specified otherwise in this section, you may use a rod and reel to take fish without a subsistence fishing permit. Harvest limits applicable to the use of a rod and reel to take fish for subsistence uses shall be as follows:*

\*\*\*

*(ii) Except as otherwise provided for in this section, if you are not required to obtain a subsistence fishing permit for an area, the harvest and possession limits for taking fish for subsistence uses with a rod and reel are the same as for taking fish under State of Alaska subsistence fishing regulations in those same areas. If the State does not have a specific subsistence season and/or harvest limit for that particular species, the limit shall be the same as for taking fish under State of Alaska sport fishing regulations.*

**Closure Dates:** Year-round

**Current State Regulation**

**Yukon Area—Subsistence**

**5 AAC 01.225. Waters closed to subsistence fishing**

\*\*\*

*(b) The following drainages located north of the mainstem Yukon River are closed to subsistence fishing:*

\*\*\*

*(3) Bonanza Creek;*

\*\*\*

**Yukon River Area—Sport**

**5 AAC 73.010. Seasons, bag, possession, and size limits, and methods and means for Yukon River Area**

*(a) Except as otherwise specified in this section or through an emergency order issued under AS 16.05.060, sport fishing is permitted year round in the waters of the Yukon River Area.*

*(b) Except as otherwise specified in (c) of this section, the following are the general bag, possession, and size limits for finfish and shellfish in the waters of the Yukon River Area:*

*(1) king salmon 20 inches or greater in length: the bag and possession limit is three fish, of which only two fish may be 28 inches or greater in length;*

*(2) salmon, other than king salmon: the bag and possession limit is 10 fish, with no size limit;*

*(3) Arctic char/Dolly Varden and lake trout:*

\*\*\*

*(B) in all flowing waters: the bag and possession limit is 10 fish of all species combined, of which only two fish may be 20 inches or greater in length, and of which only two fish may be lake trout;*

\*\*\*

*(5) Arctic grayling: the bag and possession limit is five fish, with no size limit;*

*(6) sheefish: the bag and possession limit is 10 fish, with no size limit;*

*(7) northern pike: the bag and possession limit is 10 fish, with no size limit;*

*(8) burbot: the bag and possession limit is 15 fish, with no size limit;*

\*\*\*

*(10) finfish and shellfish species that are not specified in this section: there are no bag, possession, or size limits;*

*(c) The following are the exceptions to the general bag, possession, and size limits, and fishing seasons specified in (a) of this section for the Yukon River Area:*

\*\*\*

*(4) in the Dalton Highway corridor (Trans-Alaska Pipeline corridor) within the Yukon River Area, which is described as a corridor five miles wide on each side of the Dalton Highway north of the Yukon River, excluding the Ray River,*

*(A) sport fishing for salmon is closed;*

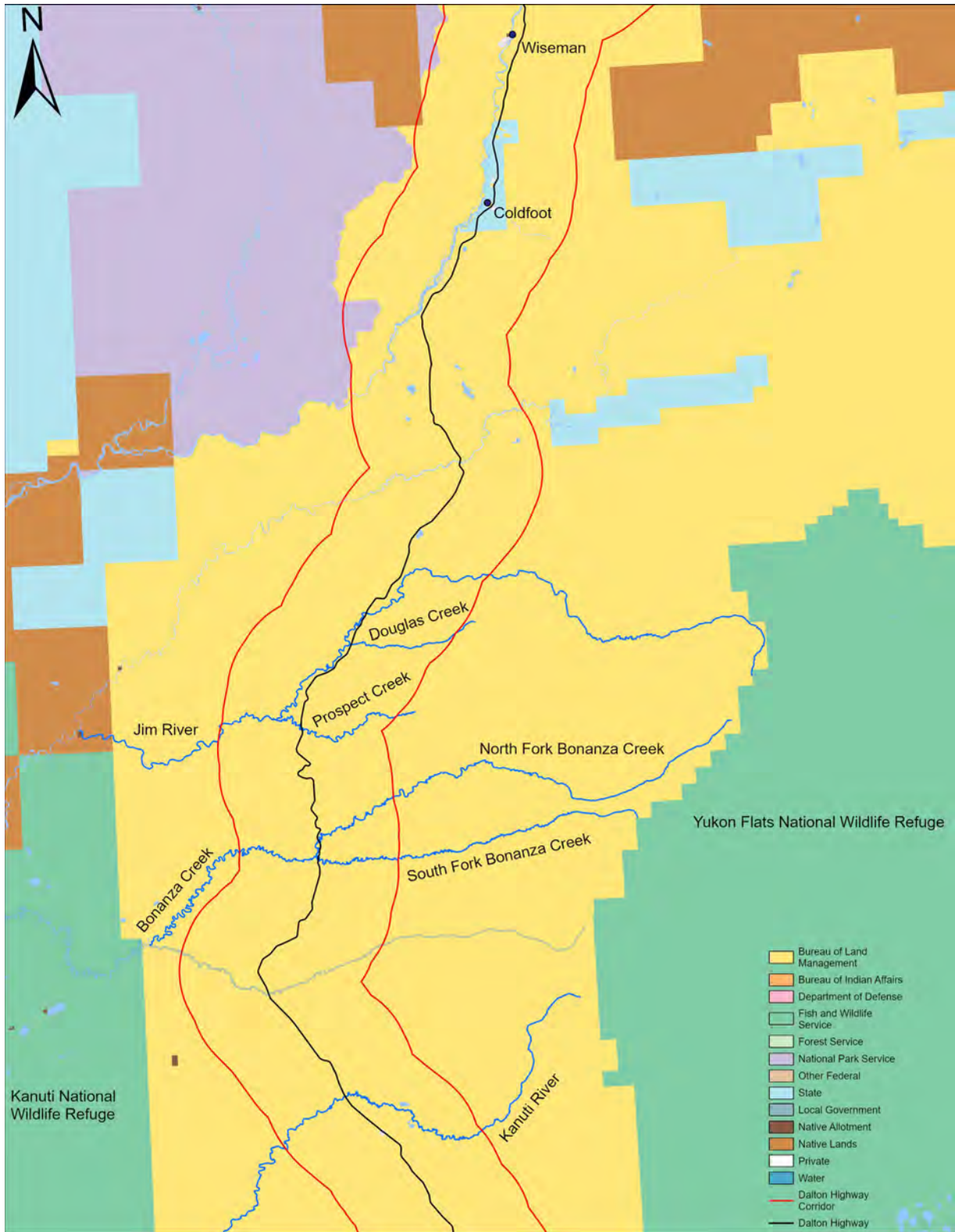
*(B) lake trout may be taken only by catch-and-release fishing, and may not be possessed or retained; all lake trout caught must be immediately released;*

*(C) the bag and possession limit for northern pike is five fish, of which only one fish may be 30 inches or greater in length;*

**Regulatory Year Initiated:** 1992

#### **Extent of Federal Public Lands/Waters**

For purposes of this analysis, the phrase “Federal public waters” is defined as those waters described under 36 CFR §242.3 and 50 CFR §100.3. The entire length of Bonanza Creek is on general domain land managed by the Bureau of Land Management (BLM; **Figure 1**). On general domain lands, Federal subsistence regulations apply only to non-navigable waters.



**Figure 1.** Map of the Dalton Highway Corridor (red lines), Bonanza Creek, and the other closed drainages in the area.

### **Customary and Traditional Use Determination**

Residents of the Yukon River drainage and the community of Stebbins have a customary and traditional use determination for salmon, other than fall Chum Salmon, in the Yukon River drainage.

Residents of the Yukon River drainage and the communities of Chevak, Hooper Bay, Scammon Bay, and Stebbins have customary and traditional use determination for fall Chum Salmon in the Yukon River drainage.

Residents of the Yukon-Northern Area have a customary and traditional use determination for freshwater species other than salmon in the Yukon River drainage.

### **Regulatory History**

Under State regulations, the portion of Bonanza Creek within the Dalton Highway Corridor (5 miles on either side of the highway) has been closed to subsistence fishing since the late 1970s, beginning with construction of the Dalton Highway (Holen et al. 2012). The opening of the Dalton Highway to public travel in 1994 provided new access to lakes and streams along the route. Increases in recreational fishing effort and harvest have resulted in reductions in the sport fishing bag limits for Northern Pike and Arctic Grayling, no retention of Lake Trout, and a salmon fishing closure within the Dalton Highway Corridor (Stuby 2021).

In 1992, the Federal Subsistence Management Program promulgated regulations governing the harvest of fish for subsistence uses in non-navigable waters within and adjacent to Federal public lands (57 Fed. Reg. 22940 [May 29, 1992]). These regulations incorporated many provisions from State of Alaska subsistence fishing regulations. The closure under review in this analysis was incorporated into Federal regulations in this manner and has not been subsequently modified.

In 1999, the Federal Subsistence Board (Board) also adopted Federal regulations for fish in navigable waters within and adjacent to Federal public lands where there is a Federal reserved water right (64 Fed. Reg. 1276 [January 8, 1999]). These regulations do not apply on navigable waters within and adjacent to BLM general domain lands (see 50 CFR 100.3).

### **Closure Last Reviewed**

There have been no previous reviews of this closure.

### **Justification for Original Closure**

The Federal Subsistence Management Program justification for the inclusion of the original closure in Federal regulations was to minimize disruption to the State's continuing fish and game management, because of the uncertainty over the resumption of State management of subsistence, yet still fulfill the requirements of Title VIII of ANILCA (55 FR 27114, June 29, 1990).



### **Council Recommendation for Original Closure**

N/A

### **State Recommendation for Original Closure**

N/A

### **Biological Background**

#### Salmon

Information regarding salmon is limited in Bonanza Creek. According to the Anadromous Waters Catalog (AWC), Chum Salmon may spawn in Bonanza Creek and have been documented downriver of the Dalton Highway (ADF&G 2022a). No other salmon species are listed in the AWC and population assessment near and above the Dalton Highway for all salmon species is lacking.

#### Nonsalmon Fish

The nonsalmon fish community in Bonanza Creek is comprised of Arctic Grayling, Burbot, Slimy Sculpin, Round Whitefish, Longnose Sucker, and Northern Pike (BLM 2005, ADF&G 2022b). Information for these species is limited in the closure area. However, the habitat use, seasonal movements, and population status of these species (excluding Slimy Sculpin) was provided by local experts during a Traditional Ecological Knowledge study conducted by the Alaska Department of Fish and Game (ADF&G), Division of Subsistence (Andersen et al. 2004). The local knowledge provided in this study applies to the broader Koyukuk River drainage.

#### *Arctic Grayling*

Local knowledge indicates Koyukuk River drainage Arctic Grayling spend most of their time in clear, quickly moving water in tributary streams and headwater areas whenever this habitat is clear of ice. They are reported to move into this habitat after breakup in April or May, spawning shortly afterwards and feeding on insects. Later, the larger Arctic Grayling occupy higher quality feeding areas farthest upstream and smaller fish occupy poorer feeding areas downstream (Hughes 1992, Andersen et al. 2004). Arctic Grayling move from tributary streams to overwintering areas in deeper water downstream during September and October. Local knowledge indicates that Arctic Grayling are usually the last fish to leave the tributary streams in the fall. Arctic Grayling overwinter in the Koyukuk River mainstem and large tributaries, as well as lakes in the far upper portions of the Koyukuk drainage (Andersen et al. 2004).

Arctic Grayling abundance and age composition were assessed in Bonanza Creek in 1996 (Fish 1997). Abundance of Arctic Grayling (>150 mm FL) was estimated using mark recapture techniques in a 3.3 mi section of Bonanza Creek that crosses the Dalton Highway. The estimated abundance of Arctic Grayling within the study area was 1,152 fish (SE = 445) which resulted in a density of 349 fish/mi.

Ages of Arctic Grayling ranged from age-3 to age-9. Age-6 made up the largest proportion of sampled fish ( $P = 0.39$ ), followed by age-4 ( $P = 0.19$ ) and age-5 ( $P = 0.14$ ).

#### *Burbot*

According to local experts, Burbot are found in major tributaries of the Koyukuk drainage, but not the smallest tributaries. Burbot may occupy headwater lakes or the mainstem of the Koyukuk River year-round. Most non lake-adapted Burbot follow a different seasonal movement pattern from other fish, moving upstream along shallow water areas beginning around October through January or February. Spawning takes place under the ice in winter (Andersen et al. 2004).

#### *Whitefish*

Local experts indicate whitefish move upstream in the Koyukuk River just before and during spring break up. As the water becomes fast and high due to spring run-off, the fish move into calmer side waters, returning when water levels drop. They repeat this movement whenever water levels rise. Some whitefish spend summers feeding in lakes, while others stay in the Koyukuk River and major sloughs (Andersen et al. 2004). In fall, whitefish move towards spawning areas upstream, then descend downstream after spawning around September and October. Whitefish are said to overwinter in an inactive state in deep lakes from December to March. Round Whitefish is a “clear water fish” that prefers to spend time in smaller streams and headwaters, “similar to grayling” (Andersen et al. 2004: 93).

Local knowledge indicates the abundance and quality of whitefish in the Koyukuk drainage has declined over the previous 60 years. These declines were attributed to changes in habitat and die-offs resulting from being stranded in shallow lakes during high water periods (Andersen et al. 2004).

#### *Longnose Sucker*

Local knowledge indicates that Longnose Sucker are present in small numbers in the Koyukuk River drainage but occur at relatively high numbers in some tributaries. Longnose Sucker occupy mainstems, sloughs, large and small tributaries, and lakes during the open water period, and move into deep portions of the main lower Koyukuk River during winter. Spawning occurs in small streams after breakup (Andersen et al. 2004).

#### *Northern Pike*

According to local experts, Northern Pike in the Koyukuk drainage overwinter in deep lakes and move into shallow lakes and sloughs in spring. Spawning takes place in early summer. After mid-September, Northern Pike move back towards the main river and deep lakes (Andersen et al. 2004).

### **Cultural Knowledge and Traditional Practices**

Of those communities with a customary and traditional use determination for fish in the Yukon River drainage, those located in reasonable proximity to Bonanza Creek as it crosses the Dalton Highway are

most likely to subsistence fish in the closed area. This includes Wiseman and Coldfoot. In addition to these communities, which are located on the road system, the communities of Evansville and Bettles are connected to the Dalton Highway via a winter road to Evansville from January through March (Holen et al. 2012). However, there is a mismatch between the timing of this road opening and that of nonsalmon fishing by these communities (Andersen et al. 2004). Furthermore, an ADF&G Division of Subsistence survey indicated that residents of Bettles and Evansville focus their subsistence use in areas closer to these communities (Holen et al. 2012).

The community of Stevens Village also has access to the Dalton Highway as it crosses the Yukon River, via boat and snow machine (Trainor 2022, pers. comm.). However, a subsistence survey of Stevens Village conducted from 1984 to 1985 showed that residents focus most of their subsistence fishing activity closer to their community on the Yukon River (Sumida 1988); a more recent ADF&G Division of Subsistence survey did not map subsistence use areas (Brown et al. 2016).

### Wiseman and Coldfoot

Wiseman and Coldfoot are very small communities located on the Dalton Highway. Both communities fall within the traditional boundaries of the Koyukon Athabascan people, an area which has also been influenced by historical interaction with Iñupiat. Both Wiseman and Coldfoot were established as the result of the gold mining industry in the late 1800s and early 1900s. Coldfoot was abandoned by 1930, before being re-settled in the 1970s in connection with construction of the Dalton Highway and the Trans-Alaska Pipeline. As of 2018 there were an estimated eight full-time residents in Coldfoot and 11 in Wiseman (ADLWD 2019). The area also includes a small number of residents along the Dalton Highway Corridor in camps and other isolated households. ADF&G Division of Subsistence conducted its only subsistence survey of Wiseman and Coldfoot in 2012, for the 2011 calendar year.

At the time of ADF&G's survey, there were five year-round households in Wiseman, and all were surveyed. Four of these households attempted to fish, and all households used fish, although in small quantities (Holen et al. 2012). Residents of Wiseman and Coldfoot can fish within Bonanza Creek with rod and reel under State sport fishing regulations.

### Salmon

Wiseman residents traditionally harvested and used small amounts of Chum and Chinook salmon locally. However, in part because of local closures to both subsistence and sport fishing for salmon in place since 1978 (sport fishing for salmon is closed within a 5-mile radius of the Dalton Highway, Wiseman residents primarily harvest salmon at locations far afield, such as in the Copper and Yukon rivers.

During the 2011 study year, only one of the five Wiseman households fished for salmon (at locations distant from the community), resulting in an estimated 12 pounds of Sockeye Salmon per person, or 4% of Wiseman's total wild food harvest in weight. In addition, Wiseman households received and shared Chinook Salmon, although they did not directly harvest any. All households used salmon (Holen et al. 2012).

### Nonsalmon fish

According to Holen et al., “Since the salmon fishing closure was initiated, non-salmon fish have become even more important to Wiseman residents” (2012: 369). Nonsalmon fishing can take place under subsistence regulations in areas that are not closed (in addition to Bonanza Creek, subsistence fishing is also closed in Jim River, including Prospect Creek and Douglas Creek and a portion of the Kanuti River). In addition, nonsalmon fish can be taken by rod and reel under State sport fishing regulations throughout the area. Within these regulatory restrictions, during the study period, nonsalmon fishing was reported as occurring close to Wiseman and Coldfoot adjacent to the Dalton Highway, as well as on the South Fork Koyukuk River and as far south as the Jim River (Holen et al. 2012, **Figure 2**).

During the study period, four of the five Wiseman households fished for nonsalmon species, resulting in an estimated 13 pounds of nonsalmon fish per person, or 5% of Wiseman’s total wild food harvest in weight. The three most significant nonsalmon harvests in terms of edible weight included Arctic Grayling, Longnose Sucker, and Burbot (Holen et al. 2012, ADF&G 2020, **Table 1**).

In 2011, about 52% of Wiseman’s nonsalmon fish harvest (measured in edible weight) was taken with gillnet or seine, about 28% was taken with “other subsistence methods,” which includes set lines, and the remainder was taken by rod and reel. However, the only nonsalmon species that participants reported taking by rod and reel was Lake Trout; a little less than half of the Lake Trout harvest was taken with this gear. The fish most significant in terms of subsistence harvest were taken entirely with subsistence gear during the study period, described in more detail below, although Wiseman’s harvest methods for Longnose Sucker and whitefish species were not quantified in the relevant subsistence survey report (Holen et al. 2012).

### *Arctic Grayling*

In this description of harvest practices for Arctic Grayling, and for other species, below, ethnographic data are drawn both from ADF&G’s subsistence survey in Wiseman for the 2011 calendar year (Holen et al. 2012) and from a Traditional Ecological Knowledge Study conducted by ADF&G Division of Subsistence from 2001 to 2003 (Andersen et al. 2004). The latter study incorporated interviews with 29 key respondents who were life-long residents of the Koyukuk River drainage communities of Alatna, Allakaket, Bettles/Evansville, Hughes, Huslia, Koyukuk, and Wiseman. Where available, information specific to practices by residents of Wiseman is emphasized.

In the Koyukon language Arctic Grayling are called *tleghelbaaye*, which likely refers to their gray coloring (Andersen et al. 2004). Fall and early winter are the preferred times for harvesting Arctic Grayling by Koyukuk River communities (Andersen et al. 2004). In the 2011 study year, Wiseman residents harvested Arctic Grayling with gillnet or seine (25%) and “other subsistence methods” (75%) (Holen et al. 2012). Residents of the wider region fish for Arctic Grayling with hook and line beginning when rivers begin to freeze, usually in October. They use rod and reel in open eddies until freeze-up is complete, after which they fish through holes in the ice. Arctic Grayling are also sometimes caught during fall seining for whitefish. Arctic Grayling are easily preserved by freezing,

and people prefer to eat them raw and frozen. As winter progresses, Arctic Grayling are further downstream in deep water, and are less accessible (Andersen et al. 2004).

### *Burbot*

Burbot are known as *tl'eghes*, in the Koyukon dialect of the lower Koyukuk River, and *tsoneye* in the upper river dialect. Burbot can be an important subsistence resource for Koyukuk River communities in winter when other fish are not available. They are harvested beginning in the fall. In the middle Koyukuk River conditions are ideal for Burbot traps in winter, but in areas closer to the headwaters Burbot are most commonly taken with set hooks through the ice beginning around October. According to a key informant from Wiseman, Burbot have also traditionally been taken from lakes in the summer with spears (Andersen et al. 2004). During the 2011 study year, Wiseman residents took Burbot entirely with subsistence gear “other than gillnet or seine” (Holen et al. 2012).

In the fall and winter Burbot can be preserved by natural freezing, but do not preserve well, and people prefer to eat them soon after they are harvested. The fatty liver is the most prized part of the fish. For subsistence purposes, people prefer to catch them before they spawn, when they are a better source of fat. Burbot return downstream beginning in February (Andersen et al. 2004).

### *Whitefish*

The generic term for whitefish in the Koyukon language is *ts'ol*. There are two species of large whitefish in the Koyukuk drainage, Broad Whitefish (*taaseze*, or “water bear”) and Humpback Whitefish (*holehge*, “it swims upwards”). There are also two species of small whitefish, Least Cisco (*tsaabaaya*) and the Round Whitefish (*hulten*). According to local experts, the latter is only thinly distributed in the Koyukuk drainage (Andersen et al. 2004).

One key informant said that he had observed a decline in whitefish populations over the previous sixty years, and that the fish had also become less fatty. He attributed this decline to habitat change, and especially to decreased weeds and insects, as well as increased silt and water temperatures. Whitefish are susceptible to die-offs after being trapped in shallow lakes during high water periods (Andersen et al. 2004).

Gillnets are used to catch whitefish in the spring after breakup and in the fall as fish move between seasonal habitats. Whitefish are considered to be in prime condition in fall. After freeze-up they can be caught with set nets. Least Cisco may be caught with seining nets, although river conditions prevent the use of these in the upper portion of the river. In the summer, whitefish are sometimes incidentally caught in nets used for salmon. Round Whitefish are very thinly distributed and are not commonly caught. Wiseman’s harvest methods for whitefish were not specifically described in Holen et al. (2012).

### *Longnose Sucker*

The Koyukon term for Longnose Sucker is *toonts'ode*, “something bad went into the water” (Andersen et al. 2004). Longnose Sucker are mostly caught in the Koyukuk River drainage as by-catch in nets set

out for whitefish in the spring. In areas suitable to the harvest method, they are sometimes taken during fall whitefish seining. Finally, they are sometimes taken in the winter with under-ice Burbot traps. In the past, spring-harvested Longnose Sucker were important for feeding both humans and dogs, but today they are primarily used as dog food. The many small bones in the fish make the end portion of Longnose Sucker inedible for humans (Andersen et al. 2004). Wiseman’s harvest methods for Longnose Sucker were not specifically described in Holen et al. (2012).

*Northern Pike*

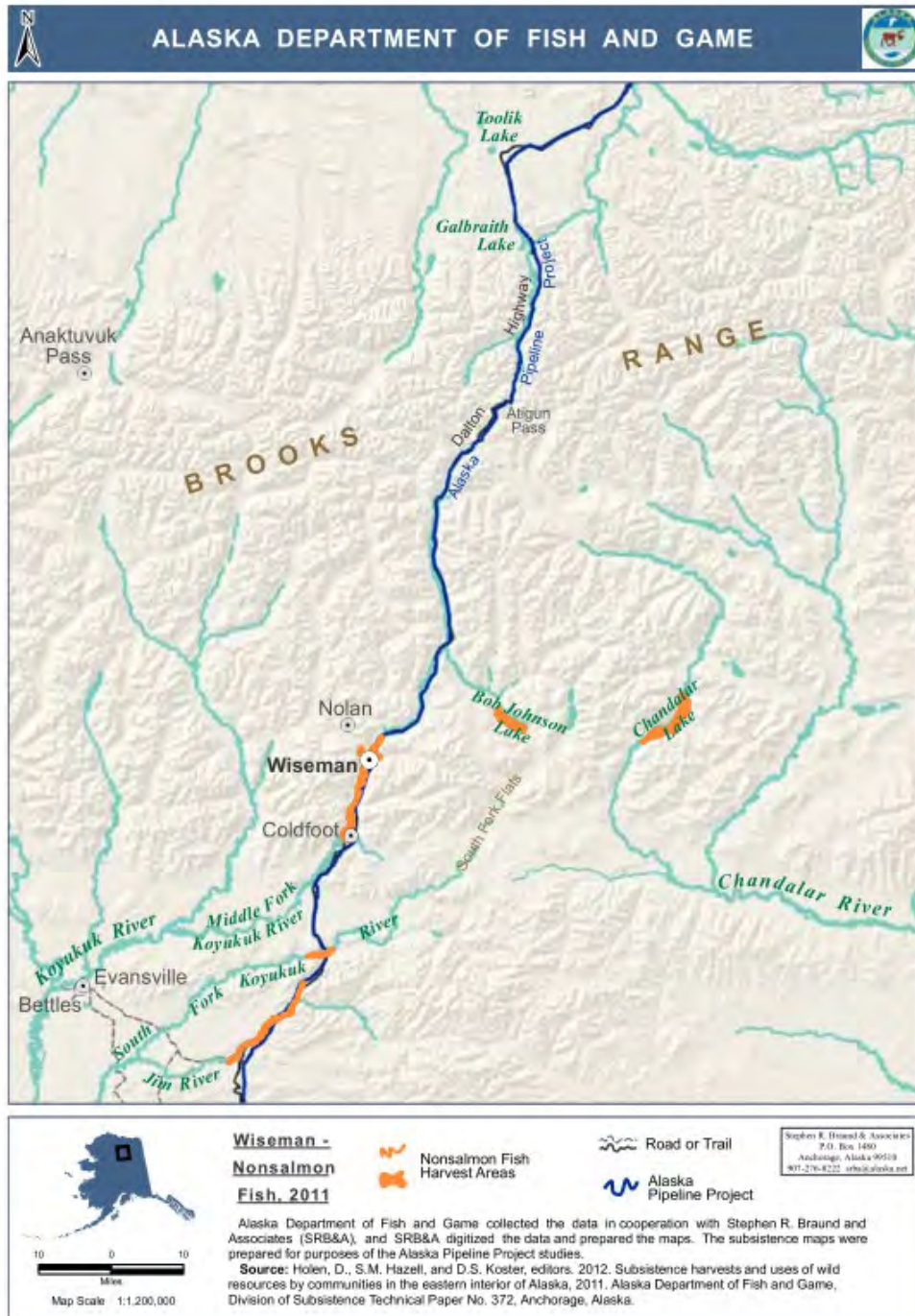
Northern Pike are known as *k’oolkkoye* in the Koyukon language, and are an important food resource that is available year-round. Northern Pike are present but not common in the Koyukuk River near Bettles, and are not present in the Middle Fork of the Koyukuk near Wiseman.

On the Koyukuk River, Northern Pike are caught with gillnets in spring and fall. “Pike are sometimes caught during the summer using artificial lures and rod and reel gear in area lakes or specific river or slough locations known for being good pike fishing. Pike are also frequently taken as by-catch in summer nets and fishwheels targeting salmon” where conditions permit use of this gear (Andersen et al. 2004: 74). In winter they can be harvested with a hook through the ice where streams leave or enter lakes.

Key informants from the wider region reported harvesting Northern Pike with gillnets, fish traps, and hook and line gear. According to Andersen et al., “The ability to take pike using unusual methods contributed to the utility of pike as a subsistence resource” (2004:75). During the subsistence survey study year, Wisemen residents harvested Northern Pike entirely with gillnet or seine (Holen et al. 2012).

**Table 1:** Estimated number of nonsalmon fish and corresponding pounds per person harvested by Wiseman households in the 2011 calendar year (ADF&G 2020).

<b>Fish species</b>	<b>Estimated number of fish</b>	<b>Estimated pounds per person</b>
Arctic Grayling	111	5.97
Longnose Sucker	40	2.15
Burbot	9	1.66
Northern Pike	4	1.38
Char	11	1.11
Lake Trout	9	0.97
Whitefish	25	0.96
Dolly Varden	2	0.13



**Figure 2.** Wiseman’s nonsalmon fish search and harvest areas, 2011. Source: Holen et al. 2012.

Coldfoot was also surveyed by ADF&G Division of Subsistence for the 2011 calendar year. At that time, there were five year-round households in Coldfoot, four of which were surveyed, representing 10 individuals. During the survey year, no residents of the community fished for either salmon or

nonsalmon fish, but one household received and used Coho and Sockeye salmon. No use of nonsalmon fish was documented in Coldfoot during the study period (Holen et al. 2012).

### **Harvest History**

Subsistence fishing is prohibited in Bonanza Creek under State and Federal regulations so there is no legal subsistence harvest in this system. Harvest is allowed under State sport fishing regulations and is not limited to Federally qualified subsistence users.

During years when sport fishing for Chinook Salmon isn't closed or restricted by emergency order, Chinook Salmon throughout the Yukon River Management Area (excludes the Tanana River) can be harvested with a limit of three per day, three in possession over 20 inches (only two can be over 28 inches), and ten per day, ten in possession for under 20 inches. Other salmon have a ten per day, ten in possession limit. However, salmon fishing is closed within a 5-mile radius on either side of the Dalton highway.

Per the general sport fish regulations that apply to the entire Yukon River Management Area that extends from the Yukon River Delta to the border with Canada and includes the entire Yukon River drainage (excluding the Tanana River), Dolly Varden can be harvested with a limit of ten per day, ten in possession (only two can be 20 inches or longer). Allowable Lake Trout harvest is two per day, two in possession, only two of which may be 20 inches or longer. Arctic Grayling have no size limit and have a limit of five per day, five in possession. Sheefish and Northern Pike have a limit of ten per day, ten in possession, and Burbot have a harvest limit of 15 per day, 15 in possession.

Special regulations apply to all streams within the Trans-Alaska Pipeline corridor, which is defined as the length of the Pipeline north of the Yukon River extending 5 miles on either side of the Dalton Highway, excluding the Ray River where General Regulations apply. Bonanza Creek crosses the Dalton Highway Corridor. In this area (five miles on each side of the highway), sport fishing for salmon is closed. In addition, retention of Lake Trout is prohibited and the limit of Northern Pike is five per day, five in possession (only one of which may be 30 inches or longer).

The majority of sport fish harvest along the Dalton Highway corridor for the Yukon River Management Area is for Arctic Grayling (Stuby 2021). Sport fish harvest estimates are not available for specifically Bonanza Creek. Sport fish harvest estimates for Arctic Grayling in streams along the Dalton Highway south of Atigun Pass report an average of 324 fish annually during 2009–2018. Fishing effort for this entire area for all species during 2009–2018 was approximately 928 angler days (Stuby 2021). Sport fishing effort and harvest in Alaska have been estimated and reported annually since 1977 using a mail survey. Estimates based on fewer than 12 responses indicate that the sport fishing occurred and are subject to high variance. The majority of estimates for the Dalton Highway during 2009–2018 were based on fewer than 12 respondents (Stuby 2021). These data suggest that sport fish harvest and effort may not be large enough to cause conservation concerns for Arctic Grayling in Bonanza Creek.



## **Other Alternatives Considered**

One alternative is to retain the closure. Population statuses are unknown in Bonanza Creek, which is road-accessible, allowing easy access and harvest of fish. If the closure is rescinded, harvest of nonsalmon species would be unrestricted for all legal gear types other than rod and reel, and gillnets could be used to harvest high numbers of fish. Retaining the closure would protect populations from overharvest until a proposal to restrict harvest and/or gear types in the closure area could be submitted. Federally qualified subsistence users could harvest fish under State sport fishing regulations while the Federal closure was in place. This alternative was rejected because it would not provide a Federal subsistence priority in the closure area.

A second alternative is to modify the closure by closing the fishery to all users and uses. This would fully protect salmon and nonsalmon fish populations in Bonanza Creek. Under this alternative, there would be no subsistence or sport fishing opportunity. Closing to all users and uses would eliminate the current situation, in which Federal public waters are closed to subsistence fishing while remaining open to other uses. This alternative was rejected because it would be an unnecessary restriction on non-subsistence uses as sport fish harvest data suggest the sport fishery does not present a conservation concern. In addition, subsistence surveys indicate subsistence users may harvest a portion of their wild foods under sport fishing regulations.

## **Effects**

If the closure is rescinded, Federal subsistence regulations for the Yukon-Northern Area would apply. Harvest of salmon would be allowed, and Federal subsistence fishing schedules, openings, closings, and fishing methods would be the same as those issued by State emergency order for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal special action. Salmon could be taken by gillnet, beach seine, dip net, fish wheel, or rod and reel.

Nonsalmon fish could be taken by set gillnet, drift gillnet, beach seine, fish wheel, long line, fyke net, dip net, jigging gear, spear, lead, or rod and reel, with some restrictions on this gear (see “Current Federal Regulation” in this analysis). Subsistence rod and reel harvest limits would match State sport fishing harvest and possession limits. Harvest would be unrestricted for all other legal gear types.

Rescinding the closure would establish a Federal subsistence priority and provide subsistence harvest opportunity in an area that is currently closed to subsistence fishing but open to other uses. However, allowing unrestricted harvest in a road-accessible system may increase harvest pressure on stocks and result in a conservation concern.

## **OSM PRELIMINARY CONCLUSION**

- Retain the Status Quo**
- Rescind the Closure**
- Modify the Closure**
- Defer Decision on the Closure or Take No Action**

The modified regulation should read:

**§ \_\_.27(e)(3) Yukon-Northern Area**

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*(ix) You may not subsistence fish in the following drainages located north of the main Yukon River:*

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~~*(B) Bonanza Creek;*~~

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**Justification**

Currently, Bonanza Creek is closed to the harvest of all fish by Federally qualified subsistence users but open to sport fishing under State regulations. Rescinding the closure would establish a Federal subsistence priority in the area. However, allowing unrestricted harvest for gear types other than rod and reel in an easily accessible system may lead to overharvest and local depletion of stocks. While populations may be protected by limiting subsistence harvest to rod and reel only and/or modifying harvest limits, these modifications are not possible through the closure review process and would require a fisheries proposal be submitted. Until a proposal can be submitted, the Federal inseason manager may use their delegated authority to restrict gear types and/or harvest limits, for up to 60 days, to protect populations in Bonanza Creek. Actions exceeding 60 days would require a temporary special action be implemented by the Board. If a proposal is submitted, the Office of Subsistence Management recommends that harvest be limited to rod and reel only in Bonanza Creek.

**LITERATURE CITED**

ADF&G. 2020. Community subsistence information system, ADF&G Div. of Subsistence. <https://www.adfg.alaska.gov/sb/CSIS/>. Retrieved June 2, 2020.

ADF&G. 2022a. Anadromous Waters Catalog. <https://www.adfg.alaska.gov/sf/SARR/AWC/index.cfm?ADFG=main.interactive>. Retrieved May 11, 2022.

ADF&G. 2022b. Alaska freshwater fish inventory. <https://www.adfg.alaska.gov/sf/SARR/AWC/index.cfm?ADFG=main.interactive>. Retrieved May 11, 2022.

ADLWD: Alaska Department of Labor and Workforce Development, Research and Analysis Section. 2019. Alaska population overview: 2018 estimates. <https://live.laborstats.alaska.gov/pop/estimates/pub/18popover.pdf>

Andersen, D.B., C.L. Brown, R.J. Walker, and K. Elkin. 2004. Traditional ecological knowledge and contemporary subsistence harvest of non-salmon fish in the Koyukuk River drainage, ADF&G, Div. of Subsistence Tech. Paper No. 282.

BLM, 2005. Fish Streams along the Trans-Alaska Pipeline System, a compilation of selected references with current TAPS stationing. Fourth edition. BLM Alaska Open File Report 105. BLM/AK/ST-06/004+6674+990. U.S. Department of the Interior, Bureau of Land Management, Anchorage, Alaska.

Brown, C. L., N.M. Braem, M.L. Kostick, A. Trainor, L.J. Slayton, R.M. Runfola, E.H. Mikow, H. Ikuta, C.R. McDevitt, J. Park, and J.J. Simon. 2016. Harvests and uses of wild resources in 4 interior Alaska communities and 3 arctic Alaska communities, 2014. ADF&G, Div. of Subsistence Tech. Paper No. 426. Fairbanks, AK.

Fish, J. T. 1997. Stock assessment of Arctic grayling in the Jim River and other streams adjacent to the Dalton Highway, 1995–1997. ADF&G, Fishery Manuscript Series No. 97-3, Anchorage, AK.

Holen, D., S.M. Hazell, and D.S. Koster, eds. 2012. Subsistence harvests and uses of wild foods by communities in the eastern Interior of Alaska, 2011. ADF&G, Div. of Subsistence Tech. Paper No. 372. Anchorage, AK.

Hughes, N.F. 1992. Selection of positions by drift-feeding salmonids in dominance hierarchies: model and test for Arctic Grayling (*Thymallus arcticus*) in subarctic mountain streams, Interior Alaska. Can. J. Fish. Aquat. Sci. 49(10): 1999–2008. doi:10.1139/f92-223.

Stuby, L. 2021. Fishery management report for sport fisheries in the Yukon Management Area, 2019. ADF&G Fishery Management Report No. 21-27, Anchorage, AK.

Sumida, V.A. 1988. Land and resource use patterns in Stevens Village, Alaska. ADF&G, Div. of Subsistence Tech. Paper No. 129. Fairbanks, AK.

Trainor, A. 2022. Northern Region Program Manager. Personal communication: email. ADF&G, Div. of Subsistence. Fairbanks, AK.

<b>FCR23-05 Executive Summary</b>	
<b>General Description</b>	FCR23-05 reviews the closure to the harvest of all fish in the Delta River by Federally qualified subsistence users.
<b>Current Regulation</b>	§___.27(e)(3) Yukon-Northern Area  ***  <i>(x) You may not subsistence fish in the Delta River.</i>
<b>OSM Preliminary Conclusion</b>	<b>Rescind</b> the Closure
<b>Yukon-Kuskokwim Delta Subsistence Regional Advisory Council Recommendation</b>	
<b>Western Interior Alaska Subsistence Regional Advisory Council Recommendation</b>	
<b>Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation</b>	
<b>North Slope Subsistence Regional Advisory Council Recommendation</b>	
<b>Interagency Staff Committee Comments</b>	
<b>ADF&amp;G Comments</b>	
<b>Written Public Comments</b>	<b>None</b>

**FEDERAL FISHERIES CLOSURE REVIEW**  
**FCR23-05**

**Issue**

FCR23-05 is a standard review of a Federal subsistence fishery closure to the harvest of all fish in the Delta River. It is the Board's policy that Federal public lands and waters should be reopened as soon as practicable once the conditions that originally justified the closure have changed to such an extent that the closure is no longer necessary. The purpose of this closure review is to determine if the closure is still warranted and to ensure the closure does not remain in place longer than necessary.

**Closure Location:** Yukon River Drainage, Delta River—all fish

**Current Federal Regulation**

**§ \_\_.27(e)(3) Yukon-Northern Area**

*(i) Unless otherwise restricted in this section, you may take fish in the Yukon-Northern Area at any time... You may subsistence fish for salmon with rod and reel in the Yukon River drainage 24 hours per day, 7 days per week, unless rod and reel are specifically otherwise restricted in this paragraph (e)(3).*

*(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060 [emergency orders]), unless superseded by a Federal special action.*

\*\*\*

*(v) Except as provided in this section, and except as may be provided by the terms of a subsistence fishing permit, you may take fish other than salmon at any time.*

\*\*\*

*(x) You may not subsistence fish in the Delta River.*

\*\*\*

*(xvi) Unless otherwise specified in this section, you may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, long line, fyke net, dip net, jigging gear, spear, lead, or rod and reel, subject to the following restrictions, which also apply to subsistence salmon fishing:*

\*\*\*

*(B) You may not use an aggregate length of set gillnet in excess of 150 fathoms, and each drift gillnet may not exceed 50 fathoms in length.*

*(C) In Districts 4, 5, and 6, you may not set subsistence fishing gear within 200 feet of other fishing gear operating for commercial, personal, or subsistence use . . .*

\*\*\*

## **Relevant Federal Regulation**

### **§\_\_\_.27 (b) Subsistence Taking of Fish**

*(16) Unless specified otherwise in this section, you may use a rod and reel to take fish without a subsistence fishing permit. Harvest limits applicable to the use of a rod and reel to take fish for subsistence uses shall be as follows:*

\*\*\*

*(ii) Except as otherwise provided for in this section, if you are not required to obtain a subsistence fishing permit for an area, the harvest and possession limits for taking fish for subsistence uses with a rod and reel are the same as for taking fish under State of Alaska subsistence fishing regulations in those same areas. If the State does not have a specific subsistence season and/or harvest limit for that particular species, the limit shall be the same as for taking fish under State of Alaska sport fishing regulations.*

**Closure Dates:** Year-round

## **Current State Regulation**

### **Yukon Area—Subsistence**

#### **5 AAC 01.225. Waters closed to subsistence fishing**

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*(e) The Delta River is closed to subsistence fishing*

*(1) between the mouth of the Delta River and an ADF&G regulatory marker placed two miles upstream from the mouth of the Delta River;*

*(2) for salmon;*

*(3) for finfish other than salmon in that portion of the Delta River not included in the nonsubsistence area described in 5 AAC 99.015(a)(4).*

## **Tanana River Area—Sport**

### **5 AAC 74.010. Seasons, bag, possession, and size limits, and methods and means for the Tanana River Area**

*(a) Except as otherwise specified in this section or through an emergency order issued under AS 16.05.060, sport fishing is permitted year round in the waters of the Tanana River Area.*

*(b) Except as otherwise specified in (c) and (d) of this section, the following are the general bag, possession, and size limits and means for finfish in the waters of the Tanana River Area:*

*(1) king salmon 20 inches or greater in length: the bag and possession limit is one fish;*

*(2) salmon, other than king salmon: the bag and possession limit is three fish, with no size limit;*

*(3) Arctic char/Dolly Varden: the bag and possession limit is 10 fish, with no size limit;*

*(4) lake trout: the bag and possession limit is two fish, with no size limit;*

*\*\*\**

*(6) Arctic grayling: the bag and possession limit is five fish, with no size limit;*

*(7) whitefish: the bag and possession limit is 15 fish, with no size limit;*

*(8) sheefish: the bag and possession limit is two fish, with no size limit;*

*(9) northern pike: the bag and possession limit is five fish, of which only one fish may be 30 inches or greater in length;*

*(10) burbot: the bag and possession limit is 15 fish, with no size limit;*

*(11) finfish species that are not specified in this section: there are no bag, possession, or size limits;*

*\*\*\**

*(c) The following are the exceptions to the general bag, possession, and size limits, and fishing seasons specified in (a) and (b) of this section for the Tanana River Area:*

*\*\*\**

*(6) in the Delta River and its tributaries,*

*(A) sport fishing for salmon is closed;*

*(B) all sport fishing is closed in that portion of the Delta River between its mouth and an ADF&G regulatory marker located two miles upstream;*

\*\*\*

*(24) in the Tangle Lake system, including all waters of the Delta River drainage upstream from Wildhorse Creek,*

\*\*\*

*(B) the bag and possession limit for lake trout is one fish, no size limit;*

*(C) the bag and possession limit for burbot is two fish, with no size limit;*

\*\*\*

*(d) In the Tanana River Management Area, the following special provisions to methods and means apply:*

*(1) from October 15 through May 15, set lines may be used to take burbot in all lakes in the Tanana River drainage, except*

\*\*\*

*(G) the Tangle Lake system;*

\*\*\*

*(19) in the Tangle Lake system, the use of set lines is prohibited;*

\*\*\*

**Regulatory Year Initiated:** 1992

### **Extent of Federal Public Lands/Waters**

For purposes of this analysis, the phrase “Federal public waters” is defined as those waters described under 36 CFR §242.3 and 50 CFR §100.3. ANILCA established the upper portion of the Delta River (**Figure 1**) as a component of the National Wild and Scenic River System to be administered by the Bureau of Land Management (BLM). The first 20 miles of the Delta River, from the outlet of Lower Tangle Lake, are classified as “wild.” The subsequent 18 miles of the Delta River are classified as “recreational”. Approximately 12 miles of the Delta River downstream of the “recreational” waters are on general domain land which is also managed by BLM (**Figure 1**). On general domain lands, Federal subsistence regulations apply only to non-navigable waters.



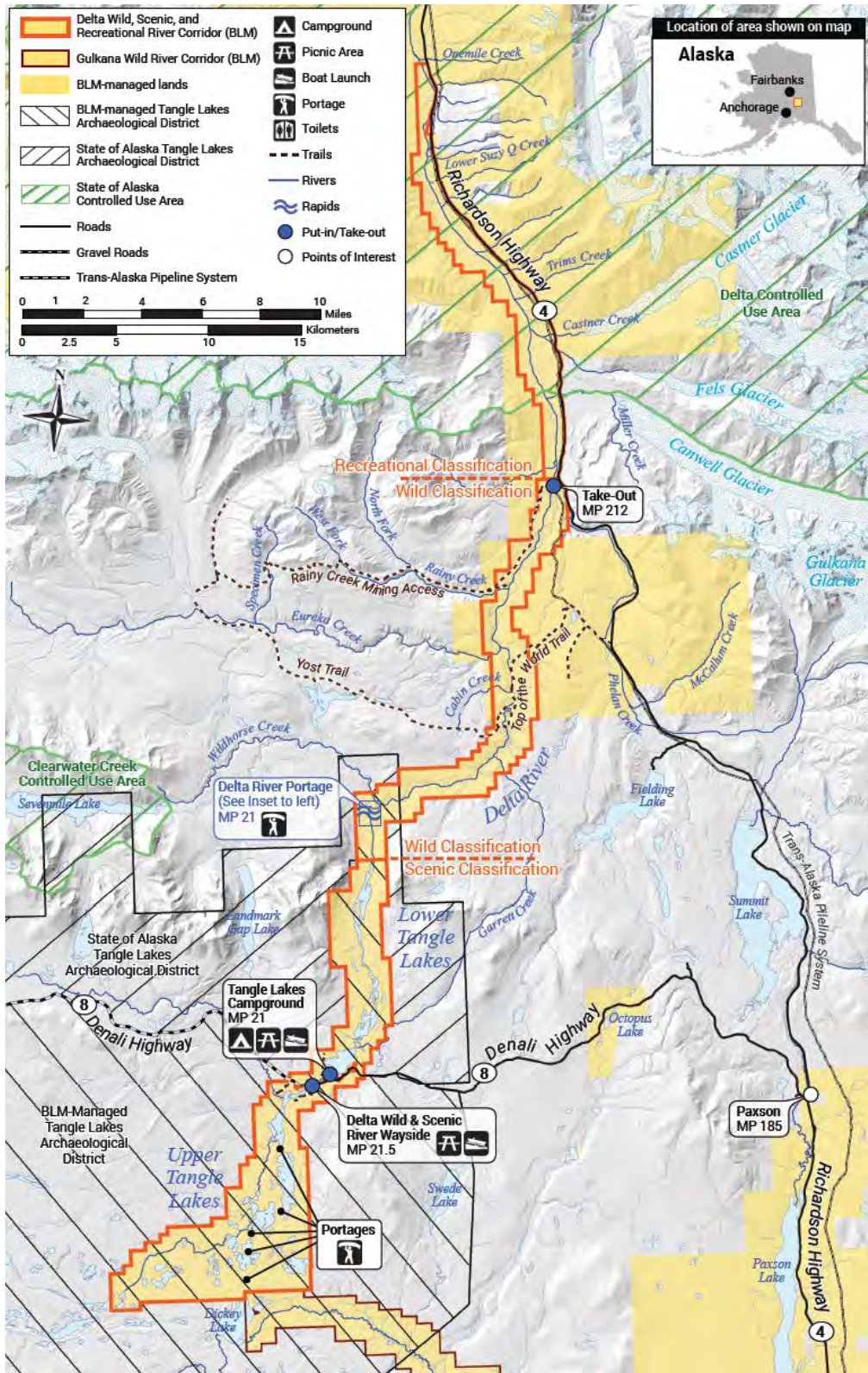


Figure 1. Federal public waters of the Delta River (BLM n.d.).

### **Customary and Traditional Use Determination**

Residents of the Yukon-Northern Area have a customary and traditional use determination for freshwater species other than salmon in the Yukon River drainage.

### **Regulatory History**

In 1992, the Federal Subsistence Management Program promulgated regulations governing the harvest of fish for subsistence uses in non-navigable waters within and adjacent to Federal public lands (57 Fed. Reg. 22940 [May 29, 1992]). These regulations incorporated many provisions from State of Alaska subsistence fishing regulations. The closure under review in this analysis was incorporated into Federal regulations in this manner and has not been subsequently modified.

In 1999, the Federal Subsistence Board (Board) also adopted Federal regulations for fish in navigable waters within and adjacent to Federal public lands where there is a Federal reserved water right (64 Fed. Reg. 1276 [January 8, 1999]). These regulations do not apply on navigable waters within and adjacent to Bureau of Land Management general domain lands (see 50 CFR 100.3).

### **Closure Last Reviewed**

There have been no previous reviews of this closure.

### **Justification for Original Closure**

The Federal Subsistence Management Program justification for the inclusion of the original closure in Federal regulations was to minimize disruption to the State's continuing fish and game management, because of the uncertainty over the resumption of State management of subsistence, yet still fulfill the requirements of Title VIII of ANILCA (55 FR 27114, June 29, 1990).

### **Council Recommendation for Original Closure**

N/A

### **State Recommendation for Original Closure**

N/A

### **Biological Background**

#### Salmon

Chum and Coho salmon spawn in the lower section of the Delta River (ADF&G 2022a); however, salmon do not inhabit the closure area (BLM n.d.).

## Nonsalmon Fish

The nonsalmon fish community in the Delta River is comprised of Arctic Grayling, Burbot, Round Whitefish, Longnose Sucker, Lake Trout, Dolly Varden, and Slimy Sculpin (Gryska 2011). Arctic Grayling is the predominant member of the nonsalmon fish community and limited information exists for the other nonsalmon species.

### *Arctic Grayling*

Arctic Grayling abundance and seasonal movements were assessed within an approximately 10.5 mile portion of the Delta River closure area by the Alaska Department of Fish and Game (ADF&G) and BLM (Gryska 2011, 2015). The abundance of Arctic Grayling was estimated using mark-recapture techniques in 2008. The estimated number of Arctic Grayling  $\geq 240$  mm FL was 44,212 fish (SE = 9,108),  $\geq 270$  mm FL was 23,152 fish (SE = 3,189), and  $\geq 330$  mm FL was 5,864 fish (SE = 818; Gryska 2011). The density estimates for Arctic Grayling  $\geq 240$  mm and  $\geq 270$  mm FL were among the highest ever documented for this species in Alaska. The seasonal movements and locations of Arctic Grayling ( $\geq 320$  mm FL) were assessed using radio telemetry in 2008 and 2009 (Gryska 2015). Approximately 95% of radio tagged fish overwintered in the study area. Locations and patterns of dispersal varied by season. In summer, Arctic Grayling were dispersed throughout the study area before concentrating in two locations during winter. Spawning likely occurred in late spring/early summer with most fish occupying the upper portion of the study area. This research indicates the study area provides year-round habitat for this large population of Arctic Grayling.

## **Cultural Knowledge and Traditional Practices**

Of the communities with a customary and traditional use determination for fish in the Yukon River drainage, those located in reasonable proximity to the Delta River and to road access to the river along the Richardson Highway are most likely to subsistence fish in the closed area, were the closure to be rescinded. This includes Big Delta and Delta Junction. In 2019, the estimated populations of Big Delta and Delta Junction were 476, and 1,157, respectively (ADLWD 2019).

Unfortunately, there are no readily available data on fishing by residents of Big Delta and Delta Junction in the Delta River. Although these communities are only able to fish on the Delta River under sport fishing regulations, their harvest by rod and reel would be included in any subsistence survey of these communities. However, although Big Delta and Delta Junction are considered “rural” by the Board, they are in the State of Alaska’s Fairbanks Nonsubsistence Use Area, and ADF&G Division of Subsistence has never conducted a subsistence survey for either of these communities.

Data are available for Delta Junction and Big Delta’s reported subsistence harvest of nonsalmon species in areas adjacent to the closure area under the Upper Tanana River subsistence permit. This permit includes both the Delta River drainage south of the Fairbanks nonsubsistence area (but not the Delta River itself, which is closed), as well as the Upper Tanana River, but data for these two areas cannot be disaggregated. Despite these limitations, the data are included here to give a general sense of the communities’ nonsalmon subsistence use patterns for a nearby area (**Table 1**). Of the five species

harvested, residents harvested the greatest number of whitefish, followed by Northern Pike. Overall, harvest was greatest from 2017 to 2020.

**Table 1.** Reported nonsalmon harvest under the Upper Tanana drainage subsistence use permit (which includes the portion of the Delta River drainage south of the Fairbanks nonsubsistence area, excluding the Delta River itself), by residents of Delta Junction and Big Delta from 2012 to 2021. The table includes permits registered to residents with a Delta Junction or Big Delta mailing or physical address. Source: Ransbury 2022, pers. comm.).

Year	Permits	Whitefish	Northern Pike	Arctic Grayling	Burbot	Longnose Sucker
2021	5	5	14	0	9	0
2020	11	514	284	5	55	86
2019	7	406	126	23	2	0
2018	8	342	67	5	25	0
2017	5	311	23	0	5	1
2016	3	12	0	0	23	0
2015	2	Confidential	Confidential	Confidential	Confidential	Confidential
2014	1	0	0	0	0	0
2013	3	0	0	0	0	0
2012	7	41	0	0	0	0
<b>Total</b>	<b>47</b>	<b>1626</b>	<b>500</b>	<b>33</b>	<b>110</b>	<b>87</b>

Paxson-Sourdough, the only other community in proximity to the Delta River, does not have a customary and traditional use determination for salmon or nonsalmon in any portion of the Yukon-Northern Area, which includes the Delta River. Paxson’s nonsalmon fishing takes place primarily under State sport and subsistence fishing regulations and is focused on lakes located near the community, including the Tangle Lakes (Holen et al. 2015). As Paxson would not be qualified to fish in the Delta River under Federal regulations, were the closure to be rescinded, its fishing patterns are not described here.

### Harvest History

Subsistence fishing is prohibited in the Delta River under State and Federal regulations so there is no legal subsistence harvest in this system. Harvest is allowed under State sport fishing regulations and is not limited to Federally qualified subsistence users.

In the Delta River and its tributaries sport fishing for salmon is closed. Arctic Char and Dolly Varden can be harvested with a limit of ten per day with no size limit. Lake Trout have a harvest and possession limit of two fish with no size limit. The Arctic Grayling harvest and possession limit is five fish with no size limit. Whitefish and Burbot harvest and possession limits are 15 fish with no size limits. Sheefish have a limit of two per day and two in possession with no size limit. Northern Pike harvest and possession limit is five fish (only one can be 30 inches or longer). There are no harvest, possession, or size limits for other finfish species. In all waters of the Delta River drainage upstream

from Wildhorse Creek (approximately two miles to the outlet of Lower Tangle Lake), the Lake Trout harvest and possession limit is one fish with no size limit and the Burbot harvest and possession limit is two fish with no size limit.

Sport fish harvest estimates for the Delta River are provided by the Alaska Sport Fishing Survey (ADF&G 2022b). Estimates for the Delta River below Tangle Lakes are available for 1996 to 2006. For Arctic Grayling, median estimated sport fish harvest over this time period was 298 fish and ranged from 159 fish in 1998 to 770 fish in 1997. Lake Trout were reportedly harvested in 1999 (14 fish) and 2002 (48 fish). There were multiple other nonsalmon species where harvest was only estimated for a single year. Dolly Varden were harvested in 1996 (12 fish), whitefish were harvested in 2000 (7 fish), and Burbot were harvested in 2002 (26 fish). Over the time period when sport fishing harvest estimates are available, the median number of anglers was 319 and ranged from 311 in 1996 to 381 in 1997. Sport fish harvest estimates are not reported when fewer than 12 estimates were received. The Delta River below Tangle Lakes has not received more than 12 responses since 2006 suggesting sport fish harvest and effort may not be large enough to cause conservation concerns in the Delta River below Tangle Lakes.

### **Other Alternatives Considered**

One alternative is to retain the closure. The closure area is road accessible allowing for easy access and harvest of fish. If the closure is rescinded, harvest would be unrestricted for all legal gear types other than rod and reel, and gillnets could be used to harvest high numbers of fish. Retaining the closure would protect populations from overharvest until a proposal to restrict harvest and/or gear types in the closure area could be submitted. Federally qualified subsistence users could harvest fish under State sport fishing regulations while the Federal closure was in place. This alternative was rejected because it would not provide a Federal subsistence priority in the closure area.

A second alternative is to modify the closure by closing the fishery to all users and uses. This would fully protect fish populations in the closure area. Under this alternative, there would be no subsistence or sport fishing opportunity. Closing to all users and uses would eliminate the current situation, in which Federal public waters are closed to subsistence fishing while remaining open to other uses. This alternative was rejected because it would be an unnecessary restriction on non-subsistence uses as sport fish harvest data suggest the sport fishery does not present a conservation concern.

### **Effects**

If the closure is rescinded, Federal subsistence regulations for the Yukon-Northern Area would apply. Nonsalmon fish could be taken by set gillnet, drift gillnet, beach seine, fish wheel, long line, fyke net, dip net, jigging gear, spear, lead, or rod and reel, with some restrictions on this gear (see “Current Federal Regulation” in this analysis). Subsistence rod and reel harvest limits would match State sport fishing harvest and possession limits. Harvest would be unrestricted for all other legal gear types.

Rescinding the closure would establish a Federal subsistence priority and provide subsistence harvest opportunity in an area that is currently closed to subsistence fishing but open to other uses. However,

allowing unrestricted harvest in a road-accessible system may increase harvest pressure on stocks and result in a conservation concern.

## OSM PRELIMINARY CONCLUSION

- Retain the Status Quo
- Rescind the Closure
- Modify the Closure
- Defer Decision on the Closure or Take No Action

The modified regulation should read:

### § \_\_.27(e)(3) Yukon-Northern Area

\*\*\*

~~(e) You may not subsistence fish in the Delta River.~~

## Justification

Currently Federal public waters of the Delta River are closed to the harvest of all fish by Federally qualified subsistence users but open to sport fishing under State regulations. Rescinding the closure would establish a Federal subsistence priority in the area. Previous research indicates the closure area contains an abundant population of Arctic Grayling with one of the highest recorded densities in the State of Alaska. However, allowing unrestricted harvest for gear types other than rod and reel may lead to overharvest and local depletion of stocks. While populations may be protected by limiting subsistence harvest to rod and reel only and/or modifying harvest limits, these modifications are not possible through the closure review process and would require a fisheries proposal be submitted. Until a proposal can be submitted, the Federal inseason manager may use their delegated authority to restrict gear types and/or harvest limits, for up to 60 days, to protect populations in the closure area. Actions exceeding 60 days would require a temporary special action be implemented by the Board. If a proposal is submitted, the Office of Subsistence Management recommends that harvest be limited to rod and reel only in the Delta River.

## LITERATURE CITED

ADF&G. 2022a. Anadromous Waters Catalog. Available online at: <https://www.adfg.alaska.gov/sf/SARR/AWC/index.cfm?ADFG=main.interactive>. Retrieved May 11, 2022.

ADF&G. 2022b. Alaska Sport Fishing Survey database. Available online at: <https://www.adfg.alaska.gov/sf/sportfishingsurvey/>. Retrieved May 25, 2022.

ADLWD: Alaska Department of Labor and Workforce Development, Research and Analysis Section. 2019. Alaska population overview: 2018 Estimates. <https://live.laborstats.alaska.gov/pop/estimates/pub/18popover.pdf>

BLM. No date. Delta Wild and Scenic River Brochure.

[https://www.blm.gov/sites/blm.gov/files/documents/files/PublicRoom\\_Alaska\\_Delta-WSR-Brochure.pdf](https://www.blm.gov/sites/blm.gov/files/documents/files/PublicRoom_Alaska_Delta-WSR-Brochure.pdf).

Retrieved January 28, 2022.

Gryska, A. D. 2011. Stock assessment Arctic grayling in the Delta River, 2008. Alaska Department of Fish and Game, Fishery Data Series No. 11-01, Anchorage.

Gryska, A. D. 2015. Seasonal distributions of Arctic grayling in the Upper Delta River. Alaska Department of Fish and Game, Fishery Data Series No. 15-21, Anchorage.

Holen, D., S.M. Hazell, and G. Zimpelman. 2015. The harvest and use of wild resources in selected communities of the Copper River Basin and East Glenn Highway, Alaska, 2013. ADF&G, Div. of Subsistence Tech. Paper No. 405. Anchorage, AK.

Ransbury, S. 2022. Assistant Area Management Biologist. Personal communication: email. ADF&G. Anchorage, AK.

# Fisheries Resource Monitoring Program (FRMP)

## 2024 Overview

### Quick Info

- Established in 2000
- Focuses on subsistence fisheries in Federal public waters in Alaska
- Solicits proposals every two years
- Projects may be awarded up to four years of funding
- See <https://www.doi.gov/subsistence/frmp> for more information

### What is the FRMP?

The Office of Subsistence Management (OSM) funds research to provide information that can help manage subsistence fisheries in Federal public waters in Alaska. *Projects are required to focus on harvest monitoring, traditional ecological knowledge (TEK), and stock status and trends.* Proposals are evaluated based on strategic priority, scientific merit, investigator ability and resources, cost/benefit, and the extent to which they meaningfully involve Alaska Native and rural organizations (partnerships and capacity building). Projects may be led by Alaska Native and rural organizations, universities, government agencies, or private contractors.

### Priority Information Needs (PINs)

PINs are research needs that could be addressed through FRMP projects. Federal Subsistence Regional Advisory Council (Council) members help develop potential PINs throughout the summer before an FRMP cycle. Potential PINs are then discussed and finalized during the fall Council meetings. Finalized PINs are included in the FRMP project solicitations and ultimately influence the direction of the Monitoring Program.

### FRMP Timeline

March-November 2022: Council members develop potential 2024 priority information needs and finalize them at fall Council meetings

December 2022: OSM publishes Notice of Funding Opportunity

February – May 2023: OSM reviews proposals

June 2023: Technical Review Committee evaluates and scores proposals

September – November 2023: Councils and Interagency Staff Committee comment on proposals

January 2024: Federal Subsistence Board provides recommendation on the draft Monitoring Plan that includes proposals recommended for funding

February 2024: Assistant Regional Director for OSM approves Monitoring Plan and notification letters are sent to applicants

May - July 2024: Projects begin



## **North Slope FRMP projects, organized by Priority Information Needs, 2012-2022**

### Baseline information including abundance, distribution, movement, and health of Arctic Grayling in the Lower Colville River and its tributaries in the context of climate change

- Included in call for 2018 funding year
- Related project:
  - FRMP 18-100: Seasonal habitat and migrations of Arctic Grayling of the lower Colville River relative to the Nuiqsut subsistence fishery area

### Documentation of longevity, age of maturity, and the abundance of fish of a given size range or maturity status for Lake Trout in the upper Anaktuvuk River

- Included in call for 2016 funding year
- Related project:
  - FRMP 16-107: Estimation of yield potential, identification and sampling of Lake Trout spawning aggregations, and abundance estimation of Lake Trout in Chandler Lake, AK

### Description of changes in harvests and relative abundance of Broad and Round Whitefish observed by subsistence fishers in the context of climate change on the Meade River

- Included in call for 2016 funding year
- Related project:
  - FRMP 16-152: Meade River subsistence fisheries: Evaluating changes in harvests and abundance of Broad Whitefish, other nonsalmon species, and salmon

### Identification of overwintering areas for Dolly Varden in the Hulahula River including demographic qualities of overwintering fish, and estimating overwintering fidelity of fish

- Included in call for 2016 funding year
- Related projects:
  - FRMP 16-106: Aerial monitoring of Dolly Varden overwintering abundance in the Anaktuvuk, Ivishak, Canning, Hulahula, and Kongakut rivers

### Baseline and ongoing harvest assessment and monitoring of subsistence fisheries in the Northwest Arctic and North Slope regions to supplement available information

- Included in call for the 2014 and 2012 funding years
- Related projects:
  - FRMP 12-154: Traditional Ecological Knowledge and harvest monitoring of an emerging North Slope salmon fishery
  - FRMP 12-155: Climate change and Traditional Ecological Knowledge of subsistence whitefish and Cisco on the North Slope of Alaska

### Historic trends and variability in harvest locations, harvests, and uses of nonsalmon fish, particularly for North Slope communities

- Included in call for the 2014 and 2012 funding years
- Related projects:
  - FRMP 12-154: Traditional Ecological Knowledge and harvest monitoring of an emerging North Slope salmon fishery
  - FRMP 12-155: Climate change and Traditional Ecological Knowledge of subsistence whitefish and Cisco on the North Slope of Alaska

## Northern Alaska Region FRMP Projects Since 2000

Project Number	Project Title	Investigators
<i>North Slope</i>		
00-002	Eastern NS Dolly Varden Spawning and Over-wintering Assessment	ADF&G, USFWS
01-113	Eastern NS Dolly Varden Genetic Stock ID Stock Assessment	ADF&G, USFWS
01-101	Eastern NS (Kaktovik) Subsistence Fish Harvest Assessment	AD&FG, KIC
02-050	NS (Anaktuvuk Pass) Subsistence Fish Harvest Assessment	ADF&G, NSB, AKP
03-012	SST of Arctic Cisco and Dolly Varden in Kaktovik Lagoons	USFWS
04-103	North Slope Dolly Varden Sonar Feasibility	USFWS
06-108	North Slope Dolly Varden Aerial Monitoring	ADF&G
07-105	North Slope Dolly Varden Genetic Baseline Completion	USFWS
07-107	Hulahula River Dolly Varden Sonar Enumeration	USFWS
12-154	North Slope Salmon Fishery HM/TEK	ADF&G
14-103	Beaufort Sea Dolly Varden Dispersal Patterns	UAF
16-101	Arctic Dolly Varden Telemetry	USFWS
16-106	Aerial Monitoring of Dolly Varden Overwintering Abundance	ADF&G, USFWS
16-107	Chandler Lake Trout Abundance Estimation	ADF&G
16-152	Meade River Changes in Subsistence Fisheries	ADF&G
18-100 <sup>a</sup>	Colville River Grayling Habitat and Migration	ADF&G
<i>Northwest Arctic</i>		
00-001	Northwestern Dolly Varden and Arctic Char Stock Identification	ADF&G, USFWS
00-020	Hotham Inlet Kotzebue Winter Subsistence Sheefish Harvest	ADF&G
01-136	Northwestern Alaska Dolly Varden Genetic Diversity	ADF&G, USFWS
01-137	Northwestern Alaska Dolly Varden Spawning Stock Assessment	ADF&G
02-023	Qaluich Nigingnaquuat: Fish That We Eat	AJ
02-040	Kotzebue Sound Whitefish Traditional Knowledge	ADF&G, MQ
03-016	Selawik River Harvest ID, Spring and Fall Subsistence Fisheries	USFWS
04-101	Selawik River Inconnu Spawning Abundance	USFWS
04-102	Selawik Refuge Whitefish Migration and Habitat Use	USFWS
04-109	Wulik River Dolly Varden Wintering Stocks	USFWS, ADF&G
04-157	Exploring Approaches to Sustainable Fisheries Harvest Assessment	ADF&G, MQ
07-151	Northwest Alaska Subsistence Fish Harvest Patterns and Trends	ADF&G, MQ
08-103	Kobuk River Sheefish Spawning and Run Timing	ADF&G, USFWS
10-100	Selawik Drainage Sheefish Winter Movement Patterns	UAF, USGS, USFWS, NVK
10-104	Hotham Inlet Kotzebue Winter Subsistence Sheefish Harvest	USFWS
10-152	Climate Change and Subsistence Fisheries in Northwest Alaska	UAF
12-100	Selawik River Sheefish Spawning Abundance and Age Structure	USFWS
12-103	Kobuk River Sheefish Spawning Frequency, Location, and Run Timing	ADF&G, USFWS

<b>Project Number</b>	<b>Project Title</b>	<b>Investigators</b>
12-104	Noatak River Dolly Varden Evaluation of Overwintering Populations	ADF&G, NPS
12-153	NW AK Key Subsistence Fisheries Harvest Monitoring Program	ADF&G, MQ
14-104	Selawik R Inconnu Spawning Population Abundance	USFWS
16-103	Kobuk River Dolly Varden Genetics	ADF&G, USFWS
16-104	Selawik Sheefish Age Structure and Spawning Population	USFWS
16-105	Kobuk River Sheefish Abundance	ADF&G
18-101	Kobuk River Dolly Varden Genetic Diversity	ADF&G, USFWS
20-101 <sup>a</sup>	Life-history Variability and Mixed-stock Analysis of Dolly Varden in the Noatak River	ADF&G, UAF, USFWS
20-150 <sup>a</sup>	Traditional Ecological Knowledge of Dolly Varden and Whitefish Species in Northwest Alaska	ADF&G
22-101 <sup>a</sup>	Kotzebue Sound Sheefish – Describing Coastal Movement, Temperature Preference, and Potential Range Expansion	WCS
22-104 <sup>a</sup>	Selawik R Inconnu Spawning Population Age Structure Evaluation and Spawner Recruitment Response to a 2004 Permafrost Thaw Slump	USFWS
22-150 <sup>a</sup>	Traditional Ecological Knowledge of Salmon in River Drainages of Kotzebue Sound	ADF&G
<b><i>Seward Peninsula</i></b>		
01-224	Nome Sub-district Subsistence Salmon Survey	ADF&G, KI
02-020	Pikmiktalik River Salmon Site Surveys and Enumeration	USFWS, NPS, STB, KI
04-105	Pikmiktalik River Chum and Coho Salmon Enumeration	KI
04-151	Customary Trade of Fish in the Seward Peninsula Area	ADF&G, KI
05-101	Unalakleet River Coho Salmon Distribution and Abundance	ADF&G, NVU
06-101	Pikmiktalik River Chum and Coho Salmon Enumeration	KI
10-102	Unalakleet River Chinook Salmon Abundance Estimate	ADF&G, BLM, NSEDC
10-151	Local Ecological Knowledge of Non-Salmon Fish in the Bering Strait	KI
14-101	Unalakleet River Chinook Salmon Abundance Estimate	NSEDC, NVU
18-103 <sup>a</sup>	Unalakleet River Chinook Salmon Escapement Assessment	ADF&G, BLM, NSEDC, NVU
20-100 <sup>a</sup>	Fish Assemblages and Genetic Stock Determination of Salmon in Bering Land Bridge National Preserve	NPS, ADF&G
22-103 <sup>a</sup>	Unalakleet River Chinook Salmon Escapement Assessment – Continuation	ADF&G, NSEDC, BLM

Project Number	Project Title	Investigators
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a = On-going projects.

Abbreviations used for investigators are: **ADF&G** = Alaska Department of Fish and Game, **AJ** = Anore Jones, **AKP** = City of Anaktuvuk Pass, **BLM** = Bureau of Land Management, **KI** = Kawarek Inc., **KIC** = Kaktovik Inupiat Corp., **MQ** = Maniilaq, **NSEDC** = Norton Sound Economic Development Corporation, **NVU** = Native Village of Unalakleet, **NSB** = North Slope Borough, **STB** = Stebbins IRA, **SWCA** = SWCA Environmental Consultants, **UAF** = University Alaska Fairbanks, **USFWS** = U.S. Fish and Wildlife Service, **USGS** = U.S. Geological Survey, and **WCS** = Wildlife Conservation Society.

### Draft Northern Region Priority Information Needs for the 2024 FRMP cycle

These draft Priority Information Needs were identified by volunteer Council members, summer 2022.

#### North Slope

- Using Traditional Ecological Knowledge and harvest monitoring, document new fish species and changes in abundance, size, timing, and distribution of existing fish species, as well as impacts of new or expanding species on other fish that are important to subsistence in the North Slope Region.
- Document and investigate the possible causes of mold, disease, and discoloration on Broad Whitefish in the Colville River in the vicinity of Nuiqsut. Compare environmental conditions in the Colville River—including temperature—with those in the Ikpikpuk River, where whitefish are healthy and mold has not been observed to date. Investigators are encouraged to draw on both stock status and trends and Traditional Ecological Knowledge research methods.
- Document the effects of climate change, including late freeze-up, on subsistence fishing access, harvests, and preservation and the impact of these changes on community-wide harvest levels and food security on the North Slope. Research could investigate adaptations for continuing community-wide harvest levels where traditional preservation methods are impacted. Studies including Ikpikpuk River are of particular interest.
- Baseline fish habitat and water quality monitoring (especially temperature, dissolved oxygen, and silt) on the rivers and tributaries important to subsistence fishing for communities of the North Slope Region. Investigators are encouraged to include overwintering areas.

#### Northwest Arctic

- Inventory and baseline data of fish assemblages in major rivers tied to subsistence use in Northwest Alaska. When possible, applicants are encouraged to include fisheries proximal to the communities of Shishmaref, Buckland, Deering, Kivalina, Point Hope and villages along Kobuk and Noatak rivers.
- Evaluate changes in water temperature and resulting low oxygen in major river systems associated with subsistence fishery resources in the Northwest Arctic Region, and how these changes will affect salmon, whitefish, Northern Pike, and other fish vital for subsistence.

- The effects of expanding beaver populations and range on subsistence fisheries, including whitefish, in the Northwest Arctic Region. Include effects of dams on fish migration and effects of changes to water quality on fish health.
- Document Herring abundance, seasonal movements, and health and investigate causes of large herring mortality events in the Northwest Arctic.
- Document the effects of changing river and tributary conditions on salmon spawning in the Noatak and Kobuk river drainages, with focus on the potential effects of increased precipitation on spawning viability.
- Changes in species compositions, abundance, and migration timing, especially of Dolly Varden, Lake Trout, and whitefish species in the Northwest Arctic, to address changing availability of subsistence fishery resources.
- Identify the spawning areas, critical habitat and range expansion in major rivers tied to subsistence for Broad Whitefish, Least Cisco, Northern Pike, salmon, Grayling, and Dolly Varden in the Northwest Alaska Region.

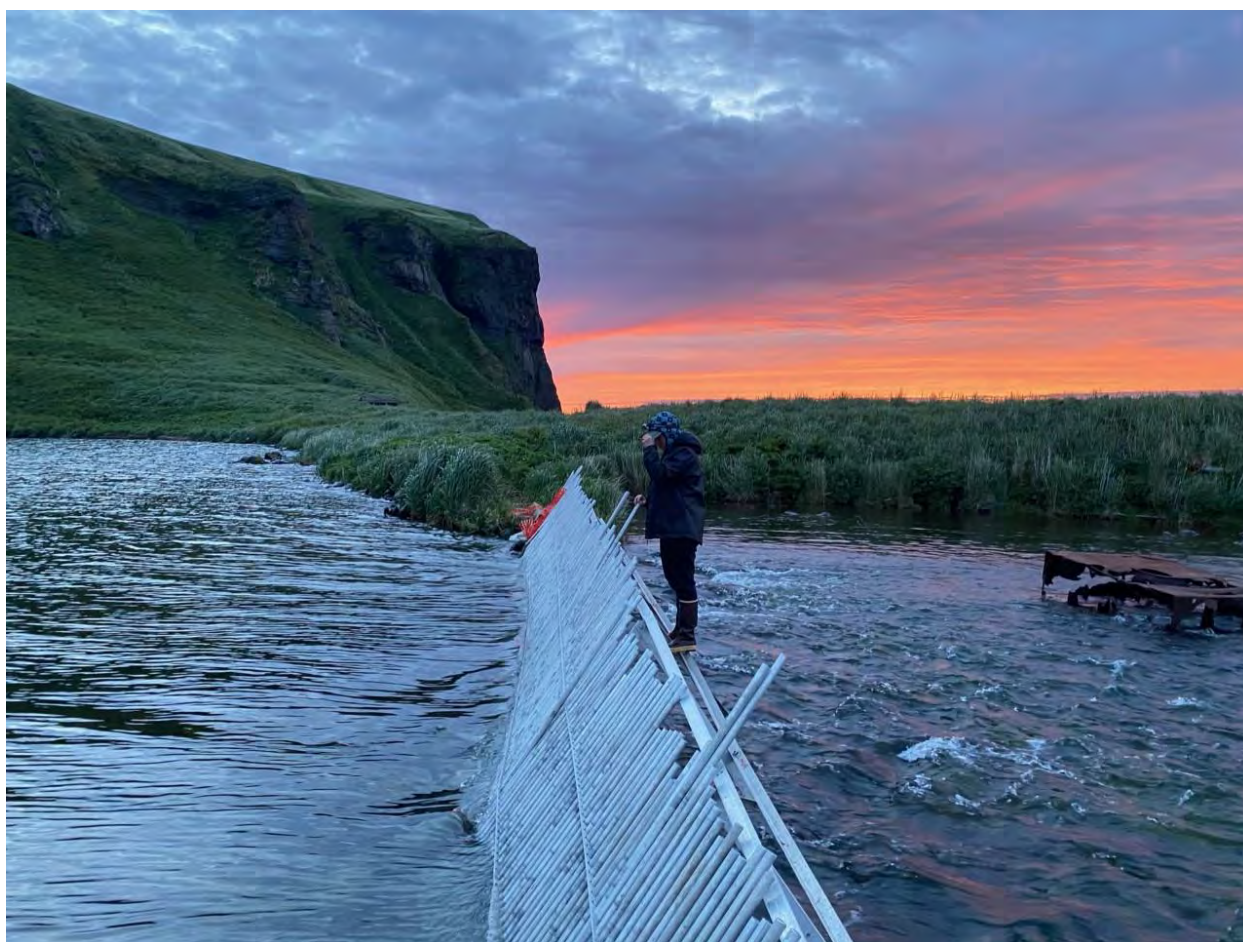
#### Seward Peninsula

- Chinook, Chum and Coho salmon abundance estimates for Boston, Fish, Paragon, and Wagonwheel rivers.
- Summer and Fall Chum salmon abundance estimates for the Agiapuk River drainage including American River and Igloo Creek.
- Chinook, Chum, and Coho salmon abundance estimates for the Pikmiktalik River, with comparison to historical counts.
- Changes in Arctic Grayling, Dolly Varden, and Sheefish populations related to climate change.
- Changes in salmon species composition and expansion of salmon species into new waters in the Seward Peninsula.
- Map traditional fishing areas in the Seward Peninsula region.
- The effects of expanding beaver range and population on subsistence fisheries in the Seward Peninsula region. Include effects of dams on fish migration and effects of changes to water quality on fish health.

## **Partners for Fisheries Monitoring Program Notice of Funding Opportunity**

The Office of Subsistence Management is seeking proposals for the Partners for Fisheries Monitoring Program to strengthen Alaska Native and rural involvement in Federal subsistence management. The Partners for Fisheries Monitoring Program is a competitive grant program that provides funding for biologist/social scientist/educator positions in Alaska Native and rural nonprofit organizations with the intent of increasing the organizations' ability to participate in Federal subsistence management. In addition, the program supports a variety of opportunities for rural students to learn about subsistence resource monitoring and management through science camps and paid internships.

More information about the Partners for Fisheries Monitoring Program Notice of Funding Opportunity can be found in *GrantSolutions.gov*, *Grants.gov*, or on the Office of Subsistence Management Website <https://www.doi.gov/subsistence/partners>, or by contacting Karen Hyer at [Karen\\_Hyer@fws.gov](mailto:Karen_Hyer@fws.gov), 907-786-3689.



McLees Lake Weir, Unalaska Island. Photograph by Jenny Renee.

## **ANNUAL REPORTS**

### **Background**

ANILCA established the Annual Reports as the way to bring regional subsistence uses and needs to the Secretaries' attention. The Secretaries delegated this responsibility to the Board. Section 805(c) deference includes matters brought forward in the Annual Report.

The Annual Report provides the Councils an opportunity to address the directors of each of the four Department of Interior agencies and the Department of Agriculture Forest Service in their capacity as members of the Federal Subsistence Board. The Board is required to discuss and reply to each issue in every Annual Report and to take action when within the Board's authority. In many cases, if the issue is outside of the Board's authority, the Board will provide information to the Council on how to contact personnel at the correct agency. As agency directors, the Board members have authority to implement most of the actions which would effect the changes recommended by the Councils, even those not covered in Section 805(c). The Councils are strongly encouraged to take advantage of this opportunity.

### **Report Content**

Both Title VIII Section 805 and 50 CFR §100.11 (Subpart B of the regulations) describe what may be contained in an Annual Report from the councils to the Board. This description includes issues that are not generally addressed by the normal regulatory process:

- an identification of current and anticipated subsistence uses of fish and wildlife populations within the region;
- an evaluation of current and anticipated subsistence needs for fish and wildlife populations from the public lands within the region;
- a recommended strategy for the management of fish and wildlife populations within the region to accommodate such subsistence uses and needs related to the public lands; and
- recommendations concerning policies, standards, guidelines, and regulations to implement the strategy.

Please avoid filler or fluff language that does not specifically raise an issue of concern or information to the Board.

### **Report Clarity**

In order for the Board to adequately respond to each Council's annual report, it is important for the annual report itself to state issues clearly.

- If addressing an existing Board policy, Councils should please state whether there is something unclear about the policy, if there is uncertainty about the reason for the policy, or if the Council needs information on how the policy is applied.
- Council members should discuss in detail at Council meetings the issues for the annual report and assist the Council Coordinator in understanding and stating the issues clearly.

- Council Coordinators and OSM staff should assist the Council members during the meeting in ensuring that the issue is stated clearly.

Thus, if the Councils can be clear about their issues of concern and ensure that the Council Coordinator is relaying them sufficiently, then the Board and OSM staff will endeavor to provide as concise and responsive of a reply as is possible.

### **Report Format**

While no particular format is necessary for the Annual Reports, the report must clearly state the following for each item the Council wants the Board to address:

1. Numbering of the issues,
2. A description of each issue,
3. Whether the Council seeks Board action on the matter and, if so, what action the Council recommends, and
4. As much evidence or explanation as necessary to support the Council's request or statements relating to the item of interest.



# 2023 NORTH AMERICAN CARIBOU WORKSHOP & ARCTIC UNGULATE CONFERENCE

Anchorage, Alaska ■ May 8-12, 2023

Come to the conference to share your knowledge and learn from others! Join an international group of managers, biologists, Indigenous and Local Knowledge holders, and others to share knowledge of caribou, muskoxen, Dall's sheep, moose, and reindeer. The meeting will provide opportunities for exchanging viewpoints, concerns, and recommendations regarding the health, stewardship, use, and study of these important species.

The theme for the joint meeting is *Crossing Boundaries*. Arctic ungulates regularly cross landscape boundaries, connecting ecosystems and peoples, necessitating partnerships and collaboration across management and political boundaries. A critical component of such partnerships involves crossing the boundaries of Western science and Indigenous knowledges to identify creative opportunities to sustain Arctic ungulate populations in a changing world. We will explore these themes across four days of research talks, storytelling, workshops and panel discussions. Join us!

For more information visit [www.nacw-auc-2023.org](http://www.nacw-auc-2023.org) or e-mail [info@nacw-auc-2023.org](mailto:info@nacw-auc-2023.org).



# Alaska Department of Fish and Game Subsistence Division

## Review of Arctic Area Subsistence Division Projects

Helen Cold  
ADF&G Subsistence Division

Presentation to the North Slope RAC  
October 13-14, 2022



## Nuiqsut Subsistence Fishery Project

- **Funding Agency:** Bureau of Land Management (BLM)
- **Purpose:** Document, describe, and quantify the Nuiqsut subsistence fishery
- **Focus area:** Community of Nuiqsut
- **Methods:**
  - Household Surveys
  - Ethnographic interviews with mapping component
  - Participant observation
- **Project timeline:**
  - Project Start 09/2020, project end 09/2024
  - 2 years of surveys (spring 2022, 2023) focusing on nonsalmon subsistence fish harvests
  - Household surveys with mapping and ethnographic interviews conducted April 2022, participant observation trip July 2022
- **Future work:**
  - Additional participant observation trip planned for first week of November 2022 to coincide with cisco fishery
  - Year 2 surveys and interviews January/February 2023



## Assessing the Effects of Oil Activity on Subsistence in Nuiqsut, Alaska

- **Funding Agency:** Oil Search Alaska (OSA)
- **Purpose:** Investigate the effects of oil development activities and associated infrastructure on Nuiqsut subsistence hunters
- **Focus area:** Community of Nuiqsut
- **Methods:**
  - Ethnographic interviews with mapping component
  - Project designed in coordination with Nuiqsut Subsistence Fisheries project to reduce community research fatigue
- **Project timeline:**
  - Project Start 10/2021, project end 02/2025
  - 15-20 semi-structured key respondent interviews with a mapping component
  - Conducted 7 interviews April 2022, 1 interview July 2022
- **Future work:**
  - Will conduct additional interviews during subsequent community visits in November 2022 and January/February 2023



## UAF Wainwright Comprehensive Survey

- **Funding Agency:** Bureau of Land Management (BLM) augmenting State of Alaska funds
  - Partnership between community of Wainwright and ADF&G Subsistence, with NSBWD input and guidance
- **Purpose:** Conduct a subsistence harvest update for major resource categories to assess changes in past 10 years
- **Focus area:** Wainwright
- **Methods:**
  - Household Surveys
  - Ethnographic interviews with mapping component
  - Participant observation
- **Project timeline:**
  - Start/End: 2022-2025 (TBD)
  - 1 year of surveys focusing on harvests of major resources
- **Future work:**
  - Coordinate with community to restructure and reschedule surveys, ethnographic interviews, & participant observation



## Proposed - Kaktovik Beluga Project

- **Funding Agency:** Bureau of Ocean Energy Management (BOEM)
- **Purpose:** Document subsistence harvest practices for beluga as well as traditional knowledge of Beaufort Sea beluga stock
- **Focus area:** Kaktovik
- **Proposed Methods:**
  - Ethnographic interviews
  - Mapping beluga habitats, migration patterns, and traditional hunting areas
  - Focus groups
  - Participant observation
- **Project timeline:**
  - Extended community consultation (2021-2022)
  - If project approved by community partners, research plan will be developed in collaboration with Kaktovik fall 2022, and fieldwork will take place fall-winter 2023 and fall 2024





**Questions?**

*Thank you!*

Helen Cold  
ADF&G Subsistence Division  
(907) 328-6107 office  
(262) 599-3022 cell

# Winter 2023 Regional Advisory Council Meeting Calendar

*Last updated 03/28/2022*

Due to travel budget limitations placed by Department of the Interior on the U.S. Fish and Wildlife Service and the Office of Subsistence Management, the dates and locations of these meetings will be subject to change

Sunday	Monday	Tuesday	Wednesday-	Thursday	Friday	Saturday
<i>Feb. 19</i>	<b>Feb. 20 PRESIDENTS DAY HOLIDAY</b>	<i>Feb. 21</i> <i>Window Opens</i>	<i>Feb. 22</i>	<i>Feb. 23</i> <b>NSRAC (Kaktovik)</b>	<i>Feb. 24</i>	<i>Feb. 25</i>
			<b>KARAC (TBD)</b>			
<i>Feb. 26</i>	<i>Feb. 27</i>	<i>Feb. 28</i>	<i>Mar. 1</i>	<i>Mar. 2</i>	<i>Mar. 3</i>	<i>Mar. 4</i>
		<b>SEARAC (Juneau)</b>				
			<b>EIRAC (Arctic Village or Fairbanks)</b>			
<i>Mar. 5</i>	<i>Mar. 6</i>	<i>Mar. 7</i>	<i>Mar. 8</i>	<i>Mar. 9</i>	<i>Mar. 10</i>	<i>Mar. 11</i>
	<b>NWARAC (TBD)</b>					
<i>Mar. 12</i>	<i>Mar. 13</i>	<i>Mar. 14</i>	<i>Mar. 15</i>	<i>Mar. 16</i>	<i>Mar. 17</i>	<i>Mar. 18</i>
		<b>BBRAC (Dillingham)</b>		<b>SCRAC (Anchorage)</b>		
<i>Mar. 19</i>	<i>Mar. 20</i>	<i>Mar. 21</i>	<i>Mar. 22</i>	<i>Mar. 23</i>	<i>Mar. 24</i>	<i>Mar. 25</i>
			<b>SPRAC (Nome)</b>			
<i>Mar. 26</i>	<i>Mar. 27</i>	<i>Mar. 28</i>	<i>Mar. 29</i>	<i>Mar. 30</i>	<i>Mar. 31</i>	<i>Apr. 1</i>
<i>Apr. 2</i>	<i>Apr. 3</i>	<i>Apr. 4</i>	<i>Apr. 5</i>	<i>Apr. 6</i>	<i>Apr. 7</i> <i>Window Closes</i>	<i>Apr. 8</i>
	<b>YKDRAC (Alakanuk)</b>					
		<b>WIRAC (Aniak)</b>				



# Fall 2023 Regional Advisory Council Meeting Calendar

*Last updated 08/1/2022*

Due to travel budget limitations placed by Department of the Interior on the U.S. Fish and Wildlife Service and the Office of Subsistence Management, the dates and locations of these meetings will be subject to change

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Aug. 13	Aug. 14 <b>Window Opens</b>	Aug. 15	Aug. 16	Aug. 17	Aug. 18	Aug. 19
Aug. 20	Aug. 21	Aug. 22	Aug. 23	Aug. 24	Aug. 25	Aug. 26
Aug. 27	Aug. 28	Aug. 29	Aug. 30	Aug. 31	Sep. 1	Sep. 2
Sep. 3	Sep. 4 <b>Labor Day Holiday</b>	Sep. 5	Sep. 6	Sep. 7	Sep. 8	Sep. 9
Sep. 10	Sep. 11	Sep. 12	Sep. 13	Sep. 14	Sep. 15	Sep. 16
Sep. 17	Sep. 18	Sep. 19	Sep. 20	Sep. 21	Sep. 22	Sep. 23
Sep. 24	Sep. 25	Sep. 26	Sep. 27	Sep. 28	Sep. 29	Sep. 30
Oct. 1	Oct. 2	Oct. 3	Oct. 4	Oct. 5	Oct. 6	Oct. 7
Oct. 8	Oct. 9 <b>Columbus Day Holiday</b>	Oct. 10	Oct. 11	Oct. 12	Oct. 13	Oct. 14
Oct. 15	Oct. 16	Oct. 17	Oct. 18	Oct. 19	Oct. 20	Oct. 21
Oct. 22	Oct. 23	Oct. 24	Oct. 25	Oct. 26	Oct. 27	Oct. 28
Oct. 29	Oct. 30	Oct. 31	Nov. 1	Nov. 2	Nov. 3 <b>Window Closes</b>	Nov. 4

## **Subsistence Regional Advisory Council Correspondence Policy**

The Federal Subsistence Board (Board) recognizes the value of the Regional Advisory Councils' role in the Federal Subsistence Management Program. The Board realizes that the Councils must interact with fish and wildlife resource agencies, organizations, and the public as part of their official duties, and that this interaction may include correspondence. Since the beginning of the Federal Subsistence Program, Regional Advisory Councils have prepared correspondence to entities other than the Board. Informally, Councils were asked to provide drafts of correspondence to the Office of Subsistence Management (OSM) for review prior to mailing. Recently, the Board was asked to clarify its position regarding Council correspondence. This policy is intended to formalize guidance from the Board to the Regional Advisory Councils in preparing correspondence.

The Board is mindful of its obligation to provide the Regional Advisory Councils with clear operating guidelines and policies, and has approved the correspondence policy set out below. The intent of the Regional Advisory Council correspondence policy is to ensure that Councils are able to correspond appropriately with other entities. In addition, the correspondence policy will assist Councils in directing their concerns to others most effectively and forestall any breach of department policy.

The Alaska National Interest Lands Conservation Act, Title VIII required the creation of Alaska's Subsistence Regional Advisory Councils to serve as advisors to the Secretary of the Interior and the Secretary of Agriculture and to provide meaningful local participation in the management of fish and wildlife resources on Federal public lands. Within the framework of Title VIII and the Federal Advisory Committee Act, Congress assigned specific powers and duties to the Regional Advisory Councils. These are also reflected in the Councils' charters. (*Reference: ANILCA Title VIII §805, §808, and §810; Implementing regulations for Title VIII, 50 CFR 100 .11 and 36 CFR 242 .11; Implementing regulations for FACA, 41 CFR Part 102-3.70 and 3.75*)

The Secretaries of Interior and Agriculture created the Federal Subsistence Board and delegated to it the responsibility for managing fish and wildlife resources on Federal public lands. The Board was also given the duty of establishing rules and procedures for the operation of the Regional Advisory Councils. The Office of Subsistence Management was established within the Federal Subsistence Management Program's lead agency, the U.S. Fish and Wildlife Service, to administer the Program. (*Reference: 36 CFR Part 242 and 50 CFR Part 100 Subparts C and D*)

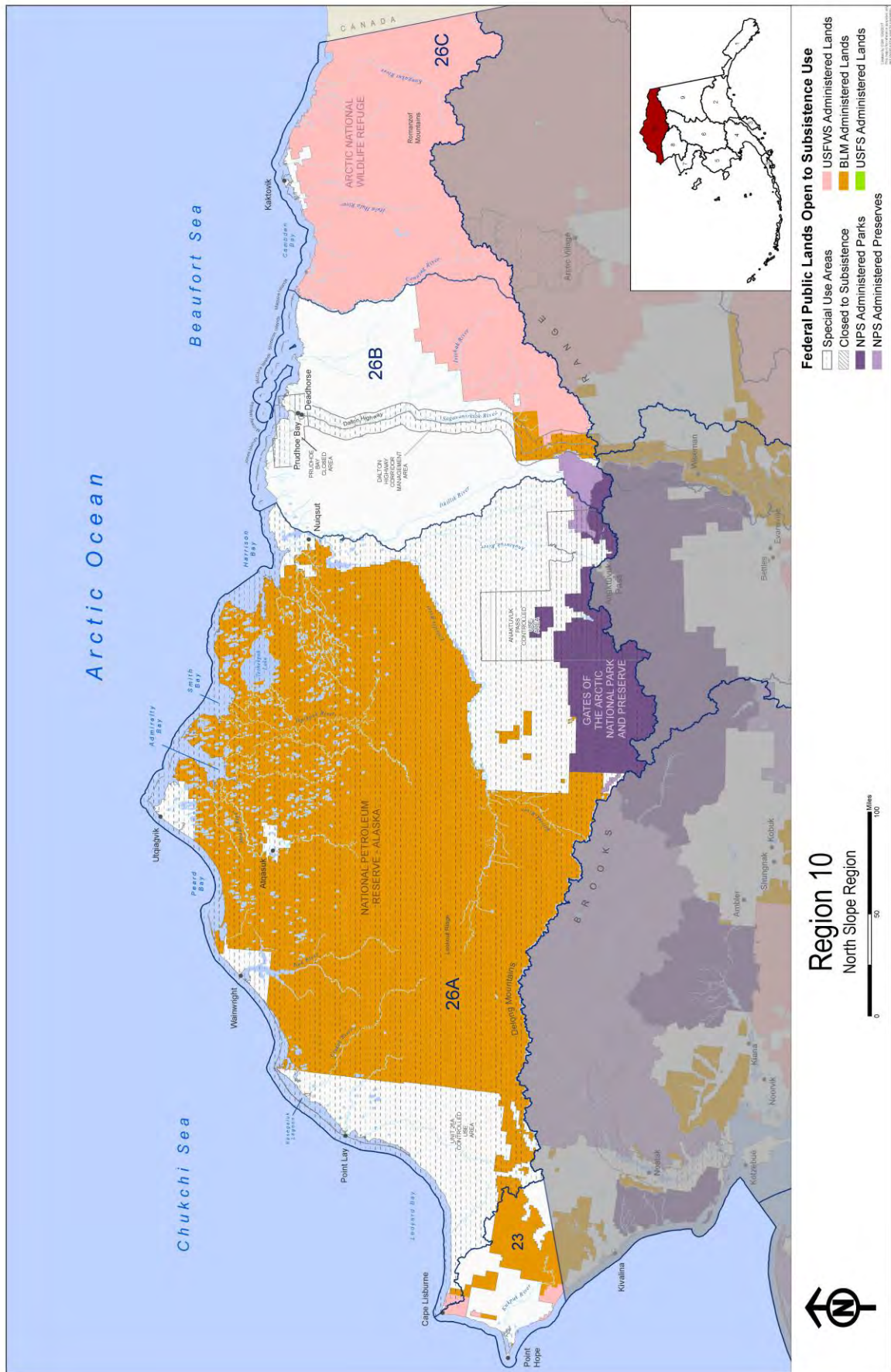
### **Policy**

1. The subject matter of Council correspondence shall be limited to matters over which the Council has authority under §805(a)(3), §808, §810 of Title VIII, Subpart B §\_\_\_\_.11(c) of regulation, and as described in the Council charters.
2. Councils may, and are encouraged to, correspond directly with the Board. The Councils are advisors to the Board.
3. Councils are urged to also make use of the annual report process to bring matters to the Board's attention.

4. As a general rule, Councils discuss and agree upon proposed correspondence during a public meeting. Occasionally, a Council chair may be requested to write a letter when it is not feasible to wait until a public Council meeting. In such cases, the content of the letter shall be limited to the known position of the Council as discussed in previous Council meetings.
5. Except as noted in Items 6, 7, and 8 of this policy, Councils will transmit all correspondence to the Assistant Regional Director (ARD) of OSM for review prior to mailing. This includes, but is not limited to, letters of support, resolutions, letters offering comment or recommendations, and any other correspondence to any government agency or any tribal or private organization or individual.
  - a. Recognizing that such correspondence is the result of an official Council action and may be urgent, the ARD will respond in a timely manner.
  - b. Modifications identified as necessary by the ARD will be discussed with the Council chair. Councils will make the modifications before sending out the correspondence.
6. Councils may submit written comments requested by Federal land management agencies under ANILCA §810 or requested by regional Subsistence Resource Commissions (SRC) under §808 directly to the requesting agency. Section 808 correspondence includes comments and information solicited by the SRCs and notification of appointment by the Council to an SRC.
7. Councils may submit proposed regulatory changes or written comments regarding proposed regulatory changes affecting subsistence uses within their regions to the Alaska Board of Fisheries or the Alaska Board of Game directly. A copy of any comments or proposals will be forwarded to the ARD when the original is submitted.
8. Administrative correspondence such as letters of appreciation, requests for agency reports at Council meetings, and cover letters for meeting agendas will go through the Council's regional coordinator to the appropriate OSM division chief for review.
9. Councils will submit copies of all correspondence generated by and received by them to OSM to be filed in the administrative record system.
10. Except as noted in Items 6, 7, and 8, Councils or individual Council members acting on behalf of or as representative of the Council may not, through correspondence or any other means of communication, attempt to persuade any elected or appointed political officials, any government agency, or any tribal or private organization or individual to take a particular action on an issue. This does not prohibit Council members from acting in their capacity as private citizens or through other organizations with which they are affiliated.

Approved by the Federal Subsistence Board on June 15, 2004.

Region 10 – North Slope Region Map



**Department of the Interior  
U. S. Fish and Wildlife Service**

**North Slope Subsistence Regional Advisory Council**

**Charter**

1. **Committee's Official Designation.** The Council's official designation is the North Slope Subsistence Regional Advisory Council (Council).
2. **Authority.** The Council is renewed by virtue of the authority set out in the Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 3115 (1988)) Title VIII, and under the authority of the Secretary of the Interior, in furtherance of 16 U.S.C. 410hh-2. The Council is regulated by the Federal Advisory Committee Act (FACA), as amended, (5 U.S.C., Appendix 2).
3. **Objectives and Scope of Activities.** The objective of the Council is to provide a forum for the residents of the Region with personal knowledge of local conditions and resource requirements to have a meaningful role in the subsistence management of fish and wildlife on Federal lands and waters in the Region.
4. **Description of Duties.** Council duties and responsibilities, where applicable, are as follows:
  - a. Recommend the initiation, review, and evaluate of proposals for regulations, policies, management plans, and other matters relating to subsistence uses of fish and wildlife on public lands within the region.
  - b. Provide a forum for the expression of opinions and recommendations by persons interested in any matter related to the subsistence uses of fish and wildlife on public lands within the Region.
  - c. Encourage local and regional participation in the decision-making process affecting the taking of fish and wildlife on the public lands within the region for subsistence uses.
  - d. Prepare an annual report to the Secretary containing the following:
    - (1) An identification of current and anticipated subsistence uses of fish and wildlife populations within the Region;
    - (2) An evaluation of current and anticipated subsistence needs for fish and wildlife populations within the Region;

- (3) A recommended strategy for the management of fish and wildlife populations within the Region to accommodate such subsistence uses and needs; and
    - (4) Recommendations concerning policies, standards, guidelines, and regulations to implement the strategy.
  - e. Appoint one member to the Gates of the Arctic National Park Subsistence Resource Commission in accordance with section 808 of the ANILCA.
  - f. Make recommendations on determinations of customary and traditional use of subsistence resources.
  - g. Make recommendations on determinations of rural status.
  - h. Provide recommendations on the establishment and membership of Federal local advisory committees.
5. **Agency or Official to Whom the Council Reports.** The Council reports to the Federal Subsistence Board Chair, who is appointed by the Secretary of the Interior with the concurrence of the Secretary of Agriculture.
6. **Support.** The U.S. Fish and Wildlife Service will provide administrative support for the activities of the Council through the Office of Subsistence Management.
7. **Estimated Annual Operating Costs and Staff Years.** The annual operating costs associated with supporting the Council’s functions are estimated to be \$165,000, including all direct and indirect expenses and 1.0 staff years.
8. **Designated Federal Officer.** The DFO is the Subsistence Council Coordinator for the Region or such other Federal employee as may be designated by the Assistant Regional Director – Subsistence, Region 11, U.S. Fish and Wildlife Service. The DFO is a full-time Federal employee appointed in accordance with Agency procedures. The DFO will:
- (a) Approve or call all Council and subcommittee meetings;
  - (b) Prepare and approve all meeting agendas;
  - (c) Attend all committee and subcommittee meetings;
  - (d) Adjourn any meeting when the DFO determines adjournment to be in the public interest; and

(e) Chair meetings when directed to do so by the official to whom the advisory committee reports.

**9. Estimated Number and Frequency of Meetings.** The Council will meet 1-2 times per year, and at such times as designated by the Federal Subsistence Board Chair or the DFO.

**10. Duration.** Continuing.

**11. Termination.** The Council will be inactive 2 years from the date the charter is filed, unless prior to that date, the charter is renewed in accordance with provisions of section 14 of the FACA. The Council will not meet or take any action without a valid current charter.

**12. Membership and Designation.** The Council's membership is composed of representative members as follows:

Ten members who are knowledgeable and experienced in matters relating to subsistence uses of fish and wildlife and who are residents of the region represented by the Council.

To ensure that each Council represents a diversity of interests, the Federal Subsistence Board in their nomination recommendations to the Secretary will strive to ensure that seven of the members (70 percent) represent subsistence interests within the region and three of the members (30 percent) represent commercial and sport interests within the region. The portion of membership representing commercial and sport interests must include, where possible, at least one representative from the sport community and one representative from the commercial community.

The Secretary of the Interior will appoint members based on the recommendations from the Federal Subsistence Board and with the concurrence of the Secretary of Agriculture.

Members will be appointed for 3-year terms. Members serve at the discretion of the Secretary.

If appointments for a given year have not yet been announced, a member may continue to serve on the Council following the expiration of his or her term until such appointments have been made. Unless reappointed, the member's service ends on the date of announcement even if that member's specific seat remains unfilled.

Alternate members may be appointed to the Council to fill vacancies if they occur out of cycle. An alternate member must be approved and appointed by the Secretary before attending the meeting as a representative. The term for an appointed alternate member will be the same as the term of the member whose vacancy is being filled.

Council members will elect a Chair, Vice-Chair, and Secretary for a 1-year term.

Members of the Council will serve without compensation. However, while away from their homes or regular places of business, Council and subcommittee members engaged in Council, or subcommittee business, approved by the DFO, may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service under Section 5703 of title 5 of the United States Code.

13. **Ethics Responsibilities of Members.** No Council or subcommittee member will participate in any Council or subcommittee deliberations or votes relating to a specific party matter before the Department or its bureaus and offices including a lease, license, permit, contract, grant, claim, agreement, or litigation in which the member or the entity the member represents has a direct financial interest.
14. **Subcommittees.** Subject to the DFO’s approval, subcommittees may be formed for the purpose of compiling information or conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full Council for consideration. Subcommittees must not provide advice or work products directly to the Agency. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.
15. **Recordkeeping.** The Records of the Council, and formally and informally established subcommittees or other subgroups of the Council, must be handled in accordance with General Records Schedule 6.2, and other approved Agency records disposition schedules. These records must be available for public inspection and copying, subject to the Freedom of Information Act (5 U.S.C. 552).

\_\_\_\_\_/signature on the filed original/  
Secretary of the Interior

\_\_\_\_\_  
Dec. 10, 2021  
Date Signed

\_\_\_\_\_  
Dec. 13, 2021  
Date Filed





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