EASTERN INTERIOR ALASKA SUBSISTENCE REGIONAL ADVISORY COUNCIL

Meeting Materials

October 11-12, 2018

Tanana

What's Inside

On the cover...

Salmon returning to the Yukon River and its tributaries have been a vital food source for Native Alaskans in northern Alaska for thousands of years. Today, this river continues to support a subsistence fishery that provides cultural, spiritual, and economic sustenance to more than 1,500 households in over 60 communities.

Photo by Stan Zuray, USFWS public domain

What's Inside

EASTERN INTERIOR ALASKA SUBSISTENCE REGIONAL ADVISORY COUNCIL

Community Hall
Tanana

October 11-12, 2018
convening at 8:00 a.m. daily

TELECONFERENCE: call the toll free number: 1-877-407-8065, then when prompted enter the passcode: 8201631.

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
   - Council Coordinator Report
9. **Public and Tribal Comment on Non-Agenda Items** (available each morning)
10. **Old Business** (*Chair*)
    - a. Hunter Ethics Education Program update (*Katya Wessels*)
11. **New Business** (*Chair*)
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    - b. Fisheries Proposals*

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f. RAC appointment to the Wrangell-St. Elias National Park Subsistence Resource Commission* (*Barbara Cellarius*)

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h. Board of Fisheries protocol on personal non-profit hatcheries (*Virgil Umphenour*)

12. Agency Reports

(Time limit of 15 minutes unless approved in advance)

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Tanana Chiefs Conference

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USFWS

Arctic National Wildlife Refuge

Yukon Flats National Wildlife Refuge (*Vince Mathews*)

NPS

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OSM

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14. Closing Comments

15. Adjourn (*Chair*)

To teleconference into the meeting, call the toll free number: 1-877-407-8065, then when prompted enter the passcode: 8201631.

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 Katerina "Katya" Wessels, 907-786-3885, katerina_wessels@fws.gov, or 800-877-8339 (TTY), by close of business on September 30, 2018.

REGION 9
Eastern Interior Alaska Subsistence Regional Advisory Council

Seat	Year Appointed *Term Expires*	Member Name and Community	
1	2001 ***2019***	**Susan L. Entsminger** Mentasta	**Chair**
2	2007 ***2019***	**Andrew P. Firmin** Fort Yukon	**Secretary**
3	2017 ***2019***	**Michael J. Koehler** Dry Creek	
4	2007 ***2019***	**Lester C. Erhart** Tanana	
5	2005 ***2017***	**William L. Glanz** Central	
6	2002 ***2017***	**Andrew W. Bassich** Eagle	
7	2017 ***2020***	**Robert C. Wright, Sr.** Tanana	
8	2017 ***2018***	**Charlie Jagow** Porcupine River	
9	2004 ***2018***	**Donald A. Woodruff** Eagle	
10	2001 ***2018***	**Virgil Umphenour** North Pole	**Vice-Chair**

EASTERN INTERIOR ALASKA
SUBSISTENCE REGIONAL ADVISORY COUNCIL
Meeting Minutes

February 28 – March 1, 2018
Binkly Room, Pike's Waterfront Lodge
Fairbanks

Invocation: Karen Linnell provided an invocation.

Call to Order, Roll Call and Quorum Establishment:

The meeting was called to order Wednesday, February 28 at 9:00 a.m. Andrew Firmin, Council's Secretary, conducted a roll call. Council members Sue Entsminger, Michael Koehler, Lester Erhart, Andy Bassich, Robert Wright, Bill Glanz, Vigil Umphenour, and Andrew Firmin were present in person. Donald Woodruff was present both days via teleconference. Charlie Jagow was absent for the first day of the meeting due to weather delay and was present the second day. With 9 Council members out of 10 seated members present during the first day of the meeting the quorum was established. Introductions were made for Council members, staff, and guests.

Attendees:

The following persons attended some portion of the meeting either in person or by teleconference, in addition to the Council members.

In person:

Katerina Wessels	Anchorage	Office of Subsistence Management (OSM)
Frank Harris	Anchorage	OSM
Tom Kron	Anchorage	OSM
Gene Peltola	Anchorage	OSM
Vince Mathews	Fairbanks	US Fish and Wildlife Service (USFWS), Yukon Flats National Wildlife Refuge (NWR)
Jan Conitz	Fairbanks	USFWS
Nathan Hawkaluk	Fairbanks	USFWS, Yukon Flats NWR
Hollis Twitchell	Fairbanks	USFWS, Arctic NWR
Gerald Maschmann	Fairbanks	USFWS
Fred Bue	Fairbanks	USFWS
Tim Lorenzini	Tok	USFWS, Tetlin NWR
Steve Berendzen	Fairbanks	USFWS, Arctic NWR
Bryce Lake	Fairbanks	USFWS, Yukon Flats NWR
Mark Bertram		USFWS, Yukon Flats NWR
Barbara Cellarius	Copper Center	National Park Service (NPS), Wrangell-St. Elias National Park & Preserve (NPP)
Scott Sample		NPS, Yukon-Charley Rivers National

		Preserve (NP)
Kris Fister		NPS
Matt Cameron		NPS, Yukon-Charley Rivers NP
Jeff Rasic	Fairbanks	NPS, Yukon-Charley Rivers NP
Pat Perivelli	Anchorage	Bureau of Indian Affairs (BIA)
Teri Balser	Fairbanks	Bureau of Land Management (BLM), Eastern Interior Field Office
Jim Herriges	Fairbanks	BLM, Eastern Interior Field Office
Doreen Parker McNeill	Fairbanks	Alaska Department of Fish and Game (ADF&G)
Torsten Bentzen		ADF&G
Caroline Brown		ADF&G, Subsistence
Bob Hunter	Fairbanks	ADF&G
Christy Gleason		ADF&G
Mike Taras		ADF&G
Danielle Stickman		Yukon River Drainage Fisheries Association (YRDFA)
Carrie Stevens	Fairbanks	University of Alaska Fairbanks (UAF)
Ian Dutton	Anchorage	Nautilus Impact Investing
Karen Linnell		Ahtna Intertribal Resources Commission (AITRC)
Kevin Bartley		AITRC
Erica Valentine		AITRC
Shirley Smelcer		AITRC & Copper River-Ahtna Inter-Tribal Resource Conservation District (CRITR)
Nicole Farnham	Fairbanks	Tanana Chiefs Conference (TCC)
Mike Spindler		retired volunteer
Leanna Heffner	Anchorage	Northwest Boreal Landscape Conservation Cooperative (LCC)

Via teleconference:

Pippa Kenner	Anchorage	OSM
Karen Hyer	Anchorage	OSM
Christie Gleason		ADF&G
Dan Sharp	Anchorage	BLM
Jill Klein	Anchorage	ADF&G
Holly Carroll		ADF&G
Gloria Stickwan		
Tom Evans	Anchorage	OSM
Sharon Hildebrand		
George Pappas	Anchorage	OSM
Shawn Bayless	Tok	Tetlin NWR
Christy Gleason		ADF&G

Review and Adopt Agenda

Motion #1 by Mr. Umphenour, seconded by Mr. Bassich, to adopt the Agenda as read with the following changes:

- *Under the Old Business (10) add Roundtable Discussion to the topic a. Hunter Ethics Education Update;*
- *Under the Old Business (10) add topic (b.) Delegation of Authority Letter for Moose in Unit 13E to be presented by Tom Evans, OSM;*
- *Under the New Business (11) add topic (d.) Discussion on Forming a Working Group for the Yukon River Information Needs for Fisheries Research to be presented by Frank Harris, OSM;*
- *Under the New Business (11) add topic (g.) Discussion on Private Non-Profit Hatcheries Increased Production that the Alaska Board of Fisheries will address at their next meeting to be presented by Mr. Umphenour;*
- *Under the New Business (11) add Yukon River Drainage Fisheries Association presentation by Danielle Stickman;*
- *Under the Agency Reports (12) add presentations from:*
    - *Ahtna Intertribal Resource Commission update to be presented by Karen Linnell;*
    - *Arctic National Wildlife Refuge to be presented by Vince Mathews;*
    - *Tetlin National Wildlife Refuge to be presented by Tim Lorenzini;*
    - *BLM, Eastern Interior Field Office Update to be presented by Jim Herriges;*
    - *Northwest Boreal Landscape Conservation Cooperative overview by Leanna Heffner;*
- *Allow for a 30-minute presentation on Fortymile Harvest Management Coalition Update by Doreen Parker McNeil;*

The motion carried unanimously.

Election of Officers:

The Council unanimously elected Susan Entsminger as Council's Chair **(motion #2)**, Virgil Umphenour as Vice-chair **(motion #3)**, and Andrew Firmin as Secretary **(motion #4)**.

Review and Approve Previous Meeting Minutes

Motion #5 by Mr. Umphenour, seconded by Mr. Bassich, to approve the fall 2017 meeting minutes with one addition proposed by Andrew Firmin. Mr. Firmin clarified the last name of a public testifier Crystal Sisto, which was indiscernible on the record for the fall 2017 meeting.

The motion carried unanimously.

Council Member and Chair Reports:

Andy Bassich (Eagle) reported to the Council that the caribou range has been expanding and they are migrating more in accordance with their old traditional routes. This year the caribou have been seen and harvested near Eagle, which provided another source of protein than just

fish. Moose population is still low. Mr. Bassich also reported that seven Eagle residents participated in the Fortymile Harvest Management Coalition meeting in Fairbanks, which is, in his mind, a real testament on the importance of caribou to the people of Eagle.

Bill Glanz (Central) agreed with what Mr. Bassich said. He also noted that residents in his area are very concerned about opening a more expanded caribou hunt since the animals are getting pretty skinny. The moose population is still thriving primarily because of the millions of acres cleared in the area by 2004 fires.

Lester Erhart (Tanana) reported that they had a really good fishing season.

Virgil Umphenour (North Pole) informed the Council that he attended the Alaska Board of Fisheries meeting in Valdez in November 2017, where he learned that the Prince William Sound hatchery production was increased, which is very detrimental for the wild fish stocks. Mr. Umphenour also told the Council about the preseason forecast for king salmon in the Copper River, put out by the ADF&G, and proposed restrictions on the subsistence fishing for king salmon. Mr. Umphenour reminded the Council that approximately 5,000 residents of the Eastern Interior Region subsistence fish in the Copper River drainage. The ADF&G proposed a new 25% lower sustainable escapement goal, which, according to Mr. Umphenour, translates to a 25% increase in allocations to the commercial fishery. Mr. Umphenour, Mike Tinker, and the President of the Chitina Dipnetters Association negotiated with the ADF&G to leave the escapement goal as it was for the next three years. The premise for this negotiation was the current uncertainty regarding king salmon issues in the entire state. Keeping the escapement goals at the current level will benefit the subsistence users in the Eastern Interior Region.

Andrew Firmin (Fort Yukon) told the Council that the Yukon freeze up was very slow this year, which made it hard for people to gather firewood and participate in December moose hunt. Mr. Firmin noted that the Fortymile Caribou Herd size had increased and is traveling its historic migration route. He added that Fort Yukon and Birch Creek would like to get a seat on the Fortymile Caribou Herd Harvest Coalition, since historically the users in these communities had harvested caribou. Recently the Fortymile caribou have been harvested half way between Circle and Fort Yukon. Mr. Firmin grew up harvesting caribou from the Porcupine Herd, which is now migrating more on the Canadian side of the border making it very complicated for the users in Fort Yukon and Birch Creek to harvest animals from this herd. Mr. Firmin believes that since there is going to be more hunting pressure on the Fortymile Caribou Herd from the residents of Fort Yukon and Birch Creek, the users from these communities need to be educated in management and participate in the Harvest Coalition. Additionally, Mr. Firmin noted that the residents of Fort Yukon can hunt caribou near Arctic Village and Venetie but need to obtain permission from these communities to hunt. Mr. Firmin also mentioned that he attended the Yukon Flats Fish and Game Advisory Committee (AC) meeting.

Robert Charlie Wright, Sr. (Tanana) informed the Council that the moose population around Tanana is getting low but hopefully it will recover since last year was a big fire season. The residents of the community have to travel further and further to harvest meat, and moose don't go into rut until the end of the hunting season. The fishing season was really great, and Mr. Wright thanked the ADF&G managers for doing a great job. Mr. Wright also stated that he is

very happy to join the Council and be at the meeting. He attended the Tanana AC meeting and is prepared to give a report if necessary.

Michael Koehler (Dry Creek) relayed to the Council that despite a late fall, the snow was really good at Dry Creek and Johnson River, which made trapping and travelling easier in the winter. The Dry Creek community thanks the Council for their work on the fishwheel on the Slana.

Chair Sue Entsminger (Mentasta Pass) welcomed the new Council members and was pleased that they represent a younger generation of subsistence users. She pointed out that the new members learning will be on the job and will have a steep curve. Then Chair Entsminger told new members that she represents Mentasta and people in her community use resources both in the Southcentral and Eastern Interior regions. Further, she told about her work on the Wrangell-St. Elias Subsistence Resource Commission and at a joint caribou meeting with Karen Linnell, BLM, NPS, and USFWS. Chair Entsminger expressed her frustration with meeting scheduling conflicts since she was not able to attend the Upper Tanana AC meeting in Tok, which was at the same time as the Wrangell-St. Elias caribou meeting. Chair Entsminger attributed low population numbers of the Chisana and Mentasta herds to high predation and to the restricted access for trappers to the Wrangell-St. Elias National Park. Chair Entsminger reported about attending the village council meeting in Northway together with the Upper Tanana Fortymile AC and USFWS representatives, who wanted to straighten up the record on some of the concerns that were brought up during the last Council meeting by a Northway representative. She also mentioned that the Upper Tanana Fortymile AC intends to request a withdrawal of their wildlife proposal (WP18-54).

Council Coordinator report

Katya Wessels, Council Coordinator for the Council, welcomed three new members to the Council. Then she talked about the following topics:

1. Recruiting the new applicants, keeping all the Council seats filled with qualified applicants, and another successful application cycle results for the Eastern Interior Region;
2. Passing of Michael Bangs, Chair for the Southeast Council. The Council had a moment of silence in his memory;
3. Following proper parliamentary procedures during heated discussions at the Council meetings;
4. Adhering to the Guidance on Regional Advisory Member Conduct and treating fellow Council members, agency and organization staff, and members of the public with respect, both at public meetings and at all other times;
5. The Board policy on withdrawal of a regulatory proposal;
6. Joint letter from the Council and Southcentral Council to the Federal Subsistence Board on initiating the rulemaking that would allow authorizing the Ahtna Inter-Tribal Resource Commission to issue Federal subsistence hunting permits.

Hunter Ethics Education update

Katya Wessels presented a very brief update on the Hunter Ethics Education program development, informing the Council that the first workshop report is undergoing Leadership Team review at OSM and that the funding was not secured to have the second workshop prior to the Council meeting. Ms. Wessels said that now the intent is to have the second workshop prior to the fall 2018 meeting.

Ian Dutton with the Nautilus Impact Investing, who facilitated the first workshop, presented an overview of the first draft of the outreach strategy. This outreach strategy is built on the first workshop results by creating a process to initiate an open dialog and exchange of ideas between the Federal land management agencies, the Eastern Interior Region, State of Alaska, and the Council members with the goal of identifying existing user conflict problems that stem from lack of knowledge and understanding of different user groups' cultural norms, traditions, and practices. Mr. Dutton also presented the three pilot project concepts that were developed during the course of the first brainstorming meeting and talked about working with Ms. Wessels on potential sources of funding. He suggested that when one or more of the pilot projects is selected for further development, the Council might want to consider forming a working group or groups to champion the project to fruition and to develop a one-page prospectus for each of the concepts, which would help in search of funding.

Mr. Bassich asked for the information that would clarify the mechanism for getting funding from potential partners and other funding sources. He stressed that securing funding is one of the most important elements of developing the program. He also noted that it takes partnerships to develop more partnerships. Ms. Wessels replied that prior to applying for any grants, OSM will need to make sure that a grant doesn't have any caveats attached that are against the Federal rules and regulations and/or against USFWS mission. If OSM applies for an outside of the Service grant, the Assistant Regional Director for OSM will need to be a signatory on this application. Ms. Wessels also added that a coalition of partners should be built first and then proceed with searching for funding for different aspects of the program. Additional partnerships can be built through cooperative agreement process. Ms. Wessels stressed that any developed program will not require mandatory participation. Mr. Dutton shared some information regarding different partnerships involving government and other parties that he helped to set up. Mr. Bassich noted that it is important to keep the momentum going on this project and that Mr. Dutton would be a good consulting party when it comes to developing partnerships. Chair Entsminger emphasized that it is very important to utilize the materials and resources already developed by the State of Alaska, Federal government, and other entities.

Hunter Ethics Education Roundtable Discussion

Mr. Dutton, Nautilus Impact Investing, moderated the discussion.

Discussion participants:

- Council Chair Susan Entsminger;
- Council members Andy Bassich, Andrew Firmin, Robert Wright, Sr., Michael Koehler, Bill Glanz, Lester Erhart, Donald Woodruff, and Virgil Umphenour;

- Carrie Stevens, UAF Tribal Management;
- Kris Fister, Chief of Interpretation for Gates of the Arctic National Park and Preserve and Yukon-Charley Rivers National Preserve;
- Teri Balser, Interpretive Park Ranger with BLM Eastern Interior Field Office;
- Tim Lorenzini, Education Specialist with Tetlin NWR;
- Bob Hunter, Hunter Information and Training Program Coordinator with ADF&G;
- Mike Taras, Wildlife Education and Outreach for Interior and Northwest Alaska, ADF&G;
- Nathan Hawkaluk, Deputy Manager, Yukon Flats NWR;
- Tom Kron, OSM;
- Karen Linnell, AITRC;
- Vince Mathews, Yukon Flats NWR;
- Barbara Cellarius, Wrangell-St. Elias NPP;

Mr. Dutton requested that the participants provide their input on 1) the next key steps in advancing the three concepts developed at the first brainstorming workshop, 2) potential key partners, and 3) potential funders. He also requested that the participants share any practical advice on how to progress over the next six months prior to the fall 2018 meeting.

Mr. Hawkaluk reported that the Yukon Flats NWR moved ahead towards implementation of concept number 2, which utilizes a local community liaison. In partnership with CATG they developed a draft scope of work for this pilot project and have some funding for its implementation. An air taxi operator that serves Fort Yukon is open to the project concept. According to Mr. Hawkaluk, theoretically this project concept can be implemented in other refuges through reprioritizing existing funding. Mr. Bassich recommended that core messaging and materials for this pilot project be developed in partnership with ADF&G, BLM, and other agencies. Mr. Hawkaluk also informed the group that he plans to present Mr. Bassich's presentation *Hunter Education and Outreach* at the CATG April moose management meeting, which should be a good venue to involve other partners in this pilot project. On Ms. Balser's suggestion, Mr. Hawkaluk decided to invite one or two air taxi operators to the moose management meeting. Chair Entsminger encouraged Mr. Hawkaluk to work closely with the State of Alaska on this project. Mr. Hawkaluk plans to report on the results of the partnership.

Mr. Taras stated that every year the State of Alaska develops an array of different outreach products that are targeted to specific issues. Mr. Taras recommended that the hunter education group should develop a framework of issues relevant to the hunter ethics education in the Eastern Interior, which would assist in locating necessary existing materials and resources, since there are many and they are scattered. Furthermore, Mr. Taras thought that choosing one pilot concept would lose other audiences; a more comprehensive campaign is needed to address all of them.

Ms. Stevens briefly talked about statewide pilot project concept based on similar hunting values, positive approach, and respect for one another, for the land, and for the animals. She suggested that a program similar to the existing Salmon Fellow program can be started to figure out the differences; for example, the concept of adequate space and joint values.

Mr. Kron talked about the State of Alaska hunter education system and its hunter education requirements for certain age groups. The State has a steering committee for the hunter education program, which meets every year. Mr. Kron has 25 years of experience volunteering as a State hunter education instructor. He noted that the Federal government doesn't have the same mandatory requirements, which is why all of the hunter education efforts on the Federal part need to be on volunteer bases; however, OSM fully supports this initiative.

Mr. Bassich made a suggestion to develop a small booklet for hunters that would include information on how to field dress, how to take care of game in bad weather, what is respectful in certain areas, as well as have a place to take notes and observations about their own hunt. The premises for his suggestion was that if the resources are on-line, not everyone bothers to go on-line and look at it. The book would be given out with the licenses and permits.

Ms. Linnell supported Mr. Bassich's idea of a field handy-dandy booklet and noted that we have to address many user groups. She recommended involving grad students to develop some of the products (videos, websites, etc.), which could result in substantial money savings. Ms. Linnell also noted that one of the important groups to reach out to would be urban hunters. Ms. Wessels supported the idea of involving students and specifically suggested to engage ANSEP students.

Mr. Taras opined that attempting to put all of the information into a field hunting booklet might make it very large, so it would be wise to choose topics. He also noted that based on his experience about 50% of hunters want to have their materials electronically, so it may be wise to have both versions of the booklet.

Mr. Wright, Sr. suggested using Facebook for getting information out and engaging people since even elders use it.

Ms. Stevens noted that nothing beats face-to-face dialogue and suggested reaching out to commercial guides and boards to get on the agenda during their meetings and have a small round table discussion with elders and hunters. In her opinion, this would not require a large budget. Mr. Dutton viewed this as an opportunity to bridge the urban/rural divide.

Mr. Firmin suggested that it should be commonplace that when you get your hunting license, you should be provided with a regulations book that has information on ethical hunting. Or perhaps develop a GMU-specific set of values and get the AC and RAC members to distribute them to the hunters. He also suggested establishing check-in points for refuges, just like they have for the national parks, and distribute them there. Also have a specific set of values developed for specific hunts, like for sheep or bear baiting. In Mr. Firmin's opinion, potential funding for the program can come from the U.S. Military since they have trust responsibility to tribes.

Mr. Mathews spoke about the importance of involving military commanders and heads of natural resources divisions in future discussions on hunter ethics education. He said that military personnel are the new comers to Alaska that really want to experience it, but need to know how to do it in acceptable manner since they all come from different areas.

Ms. Cellarius shared about caribou hunting guidance put together by the Kiana Elders Council and suggested that some of the materials about local values can be developed at the local level. She also thought that advancing a project concept that involves working with military installations can be easily achieved if several agencies work together on developing and presenting joint lectures to the military personnel and having face-to-face discussions. Ms. Cellarius suggested using the NPS booth at the Sportsmen Show for distributing developed materials.

Mr. Bassich reminded the group that the program is a long-term commitment and that not all of the issues will be addressed right at the start. The most important is to develop solid basic core messages and then build from there. With regard to engaging the military, Mr. Bassich suggested developing a core program that would include, for example, representatives of ADF&G, USFWS, OSM, BLM, and an air taxi and can be presented at the military bases. The ultimate goal is to develop a program that can be refined and modified to address issues that are more typical for one part of the State than the other. This kind of program can be taken anywhere, to the schools, public libraries, Sportsmen Show.

Mr. Mathews shared that although the military is a captive audience, in order to successfully work with them, the outreach will need to happen at the highest-ranking level. Mr. Lorenzini said that the environmental chief for Fort Wainwright would like to be involved in the future meeting on hunter ethics education. The military is very concerned with how they are perceived in the public, but at the same time it is important that we respect them as citizens; they have their own rights and privileges.

Mr. Koehler suggested that some of the already on-going programs should be better advertised, for example, the work that Tetlin NWR is doing in the communities. Mr. Lorenzini spoke about the difficulty of publicizing the events in small remote communities. Chair Entsminger shared that the Copper River Valley has a good program called "Caribou Clutter" on KCAM radio. Mr. Firmin said that although hunter education classes in schools are good, it is still very important to have public classes for the hunters, who actually hunt, but very often do not know the law.

Mr. Dutton noted that it has been very difficult to obtain funding for the programs in Alaska, since the funders outside of Alaska consider the State's wildlife populations to be in good shape. Mr. Taras suggested hiring a coordinator that is really good at organizing. A lot of components are there already, and they just need to be put together. Additional funding for videos, social media, et cetera can be found later.

Ms. Balser noted that the initial working group can continue to communicate ideas via e-mail and phone calls. The idea of having a framework on how we can use existing materials and figuring out what is missing is a great one. Mr. Bassich suggested forming a small subcommittee to develop the messaging and approach some of the potential partners and funders, such as Rasmuson Foundation, Alaska Community Foundation, Cabela's, etc. Once you have one partnership it is easier to leverage more partnerships.

Mr. Glanz noted that in his area the urban hunters are causing the most stressful and unsafe situations, that they have no comprehension of the rules and space. He is willing to volunteer his

time to educate people. Mr. Glanz and Mr. Erhart said that during the bull-only caribou hunt, hunters do not know how to determine animal sex and often they shoot a wrong animal and just leave it there.

Mr. Umphenour pointed out that there is a good description of proper meat care in the ADF&G Alaska Hunting Regulations book, but a few things can be added on how to keep hairs off the meat or the best time to shoot a bull moose during the rut season. State of Alaska used to have various hunting seminars that covered subjects like these. Fort Wainwright and Eielson Air Force Base representatives come to the majority of the Fairbanks AC meetings and try to schedule their training so it doesn't interfere with the main hunting season. It is necessary to work with the public information officers on bases, who are in charge of the military pubic image.

Mr. Firmin suggested looking for funding sources with both hunter organizations and anti-hunting groups, since all of them would be interested in ethical hunting, and an organization, for example TCC, can be a neutral fund recipient. Mr. Wright, Sr. suggested adding hunter education to the curriculum being developed by the Alaska Salmon Fellow for junior high school on fisheries process.

Ms. Stevens suggested reaching out to the military from the top. The Vice-Chancellor of the College of Rural and Community Development is on the Military Advisory Board for the State. He is interested in moving this issue forward at the statewide level. Another suggestion was to have a coordinator for the hunter ethics education program hosted at the university, since these issues are highly politicized. This will help to de-politicize them, involve commercial, subsistence, Federal and State interests, and form a coalition. Ms. Stevens also suggested that other university programs besides ANSEP can be used to advance these issues. Ms. Stevens opined that any potential hunting ethics education program should be funded through the Federal Government if the intent is make it continuous long term. Funding it through a grant would result in a constant search for money. Private funding should be used for some special projects. Ms. Stevens also expressed an opinion that the ethics issue will always remain one of the most pressing as populations grow. The more we address it now and institutionalize it, the less we will have to do in the future.

Mr. Hunter agreed with Mr. Taras's earlier comments that there needs to be a coordinator who can focus on the efforts. He noted that most people will not go voluntarily to lectures about ethics and responsibility. The current State hunter education program has a section on ethics but it is very general. Mr. Hunter recommended identifying issues for specific areas, as well as information already being disseminated, and to develop specific messages. Teaching ethics needs to be connected to something that people want. Any efforts on the part of the ADF&G will need to receive a formal request to upper level supervisors. Ms. Wessels replied that on the OSM side she is the coordinator for the hunter ethics education program efforts and that OSM is fully committed to working with the State. She also told the participants that the International Hunter Education Association is having a conference in Anchorage from June 25 to June 28.

Mr. Woodruff told the group that developing a small booklet that contains useful information on ethics (suggested earlier by Mr. Bassich) would work very well in his area where the Park

Service rangers are in constant contact with visiting hunters. Mr. Koehler agreed with the earlier statement that unless the program is mandatory it would not make much difference.

Mr. Bassich made an additional suggestion to have someone stationed at the beginning of the Steese and Taylor highways at the start of hunts who can hand out information to people. He also suggested starting to develop key messages with the help of the agency people through an e-mail discussion, with each agency coming up with one or two core messages. Mr. Bassich also volunteered to do the fundraising for any specific projects that might be developed.
Mr. Umphenour pointed out that some hunts in the State already utilize check stations, where hunters get specific information. He agreed with Mr. Bassich's suggestion to have a mandatory check-in station on the Steese and the Taylor highways; of course, ADF&G and the Alaska Board of Game would need to mandate it. Chair Entsminger noted that it used to done on Taylor Highway and encouraged all parties to communicate what is currently being done.

Ms. Wessels informed the group about the next step that will be taken to continue these efforts, which are:

- Have the 2nd brainstorming workshop in the fall;
- Narrow the scope to make it more achievable;
- Seek funding;
- Continue to refine the outreach strategy.

Chair Entsminger suggested inviting the Alaska Outdoor Council, Wild Sheep Foundation, Alaska Professional Hunters Association, and Safari Club representatives to the next meeting.

In order to accommodate Mr. Bassich's doctor appointment schedule, the Council skipped over agenda item 10 (b) Delegation of Authority Letter for Moose in Unit 13E to address the new business.

New Business

Yukon River Drainage Fisheries Association (YRDFA) Report

Danielle Stickman presented the report. She informed the Council regarding YRDFA positions on the Alaska Board of Fisheries proposals for 2018: 230, 232, 233, and 237 were supported and 231 failed. A few YRDFA bylaws were changed and 7 resolutions drafted. Ms. Stickman also informed the Council about the YRDFA's on-going projects and their achievements:

- YRDFA Pre-season Fishermen's Meeting
- YRDFA In-season Teleconferences
- YRDFA In-season Harvest Interviews
- YRDFA Education Exchange
- YRDFA Building and Maintaining Public Support of Salmon Resource Management
- YRDFA Newsletter
- Customary Trade and Barter as Part of a Continuum of Exchange Practices in 3 Upper Yukon River Communities: Fort Yukon, Manley Hot Springs, and Venetie
- How People of the Yukon River Value Salmon

- Lower Yukon Workshop on King Salmon
- YRDFA Education and Outreach

Mr. Bassich asked if there was any discussion of the customary sale of salmon strips, which there was not. Mr. Erhart expressed his disapproval for the use of driftnets to harvest salmon for subsistence in Yukon River Subdistricts 4B and 4C because he considers this to be a great contributing factor to the depletion of salmon stocks. He recommended using setnets. Mr. Bassich agreed with Mr. Erhart's comment and also added that it is very disturbing that the YRDFA Board would support proposal 230, which allows drift gillnetting, when salmon are still in a state of conservation. Mr. Umphenour agreed with Mr. Erhart and Mr. Bassich's comments adding that the age composition of the run still shows that it is not back to its historic composition and that fishing in the middle of the river with drift nets is what killed the king salmon fishery.

Call for Federal Fisheries Proposals

Frank Harris, fisheries biologist with OSM, informed the Council that OSM will be accepting fisheries proposals to change Federal regulations for the subsistence take of fish and shellfish on Federal public lands and waters for the 2019 to 2021 regulatory cycle, although the official call for the proposals had not been issued yet. The Council had a question regarding the deadline for submission of the proposals. Mr. Peltola, Assistant Regional Director for OSM, informed the Council that once the proposed rule is published in the Federal Register, there will be a window of 30 days to officially submit the proposals, and that beginning to discuss potential proposals at the Council's meeting will allow more time for their development. The Council decided to delay any potential proposal discussion until the second day of the meeting to allow more time.

Old Business

Delegation of Authority Letter for Moose in Unit 13E (addendum to Proposal WP18-18)

Tom Evans, wildlife biologist with OSM, presented a summary of the delegation of authority letter for moose in Unit 13E, which is an addendum to Proposal WP18-18. The delegated authority would allow BLM Glennallen Field Office Manger to set the opening and closing dates and establish a harvest quota for the December moose hunt on Federal public lands in Unit 13.

The Council requested an explanation as to why this item was on the agenda and was informed that it was to inform them that the delegation of authority letter was added to Proposal WP18-18 after the Council discussed and voted on this proposal during their fall 2017 meeting.

New Business (*resumed*)

Call for Nonrural Determination Proposals

Mr. Harris presented the call for nonrural determination proposals to the Council's with Pippa Kenner on the phone to answer any questions. The Council did not have any questions and did not develop any nonrural determination proposals for the record.

Fisheries Resource Monitoring Program (FRMP) and Partners Program Updates and Discussion of Formation of Priority Information Needs (PIN) Working Group

Mr. Harris informed the Council that in fall 2018, OSM will be seeking proposals for the Partners Program and explained the essence of the program. Then Mr. Harris presented an FRMP update and informed the Council that the recipients of the funding cannot be notified until a final Federal budget is approved. Mr. Harris said that although the 2018 FRMP funding has not been finalized yet, it is time to being developing Priority Information Needs (PINs) for the 2019 cycle. The goal is for the Yukon River Council working groups to develop four to six PINs for the whole Yukon Region by November 2018, so that they can be included in the Notice of Funding Opportunity. The working groups will reach out to the USFWS, NPS, BLM, ADF&G land managers for some input, while developing PINs. The Council will then vote on the PINs during its fall 2018 meeting. Mr. Harris asked the Council to agree to participate in the joint development of the PINs for the entire Yukon River and form a working group. Council members Umphenour, Bassich, Firmin, and Wright, Sr., volunteered to serve on the Council's PINs working group.

FY2017 Annual Report Approval

Ms. Wessels presented a draft FY2017 Council's Annual Report to the Council. The report contained the following topics:

1. Correction to topic #7 of FY2016 Annual Report;
2. Concerns regarding effects created by Federal and State users displaced from their home region and forced to hunt somewhere else, so called "Domino" effect;
3. An update on how Traditional Ecological Knowledge is being incorporated into proposal analyses and how it weights into the decision making process;
4. Concerns regarding current State and Federal sheep harvest limits and seasons in Unit 25A that, in combination with easy snowmachine access to hunting grounds, may result in a potential conservation issue;
    a. The Council made the following changes to the wording of this topic:
        "This data set should include the following: number of permits issued, [delete] ~~residency of hunters~~, [insert] *community of origin* …"
5. Concerns over recent increase of illegal sales of subsistence-caught and processed salmon strips;
    a. The Council made the following changes to the wording of this topic:
        i. "and well documented tradition for some Yukon [insert] *River* …"
        ii. [delete] "~~Council members reported most of the customary trade of salmon happens in the middle Yukon, in the Grayling, Anvik, Shageluk and Holy Cross Region~~."
6. Concerns regarding the contradictions between Chinook Salmon numbers counted at the Pilot Station and Eagle sonars and various weir projects as well as slow recovery of genetic stocks;
    a. The Council made the following changes to the wording of this topic:
        "and Salcha River weir, [insert] *tower*, and sonar projects …"

7. Continuing support for the development of the hunter ethics education program.

Motion #6 by Mr. Umphenour, seconded by Mr. Koehler, to adopt FY2017 Annual Report with corrections. The motion carried unanimously.

Delegation of Authority Letter for Moose in Unit 13E (addendum to Proposal WP18-18) – *Discussion Continued*

The Council briefly revisited the Delegation of Authority Letter for Moose in Unit 13E. In the process of discussion, the Council clarified that the delegation of authority was for the antlered bull moose and that the consulting parties are the Southcentral Alaska Subsistence Regional Advisory Council and ADF&G, and that there is a very small percentage of Federal lands in Unit 13.

Upper Tanana Fortymile Advisory Committee Request to Withdraw Wildlife Proposal WP18-54

Chair Entsminger read into the record the Tanana Fortymile AC request to the Federal Subsistence Board and to the Council to withdraw wildlife proposal WP18-54, signed by Leif Wilson, Chair. After the Council considered changing their position on WP18-54, Ms. Wessels explained to the Council that, at this point in the process, the only body that can authorize the withdrawal of the proposal is the Federal Subsistence Board. Ms. Wessels also added that the Council cannot change its official position recorded at the fall 2017 meeting. Nevertheless, the Council motioned to bring proposal WP18-54 back before the Council.

Motion #7 by Mr. Umphenour, seconded by Mr. Glanz, to bring proposal WP18-54, which the Council took no action on at the fall meeting [an incorrect statement, the Council voted to support with OSM modification and additional EIRAC modification] back before the Council.

After a brief discussion the Council attempted to vote on their motion, which was restated with different wording by Chair Entsminger: "to support the AC on their request to withdraw Proposal 18-54." Ms. Wessels corrected Chair Entsminger that the original motion (#7) was to bring the proposal back to the discussion and not to support the position of the Upper Tanana Fortymile AC. After the Council's discussion to recall who seconded motion #7, motion #7 was **withdrawn.**

Motion #8 by Mr. Umphenour, seconded by Mr. Glanz, to support the Upper Tanana Fortymile Fish and Game Advisory Committee's letter requesting a withdrawal of their proposal WP18-54.

The discussion referenced comments made previously during the on-going meeting.

The motion carried unanimously.

Agency Reports

Ahtna Intertribal Resource Commission Report

Karen Linnell, Executive Director for the Ahtna Intertribal Resource Commission (AITRAC) gave a brief update on the AITRAC activities and capacity building:

- A research grant allowed the hiring a biologist who will do a carnivore stewardship planning, bear studies and hair collection for DNA testing. The goal is to develop a methodology for collecting bear density information;
- Through partnership with the Fisheries Management Program hired a social scientist to do research;
- A new office building in Glennallen;
- Working with Ahtna, Incorporated on additional moose browse projects in the Cantwell area and near Chitina and Chistochina; and purchasing equipment for this project;
- Working with Gulkana Village Council on increasing opportunities for food, fuel, and jobs; hoping to utilize the Gulkana Village Council's pellet mill that has been constructed and is operational;
- Working with USDA and Ahtna's natural resource technicians to develop forestry plans;

Ms. Linnell explained in detail the integrated plans to improve moose browse habitat by utilizing new machinery that uses the chopped wood to make pellets and to "scar" the land enough to initiate willow regrowth. She also noted that they have a wildfire urban-interface grant, which helps create fire-safe communities by thinning forest growth around them.

The Tanana Chiefs Conference and Yukon River Pre-season Management Review presentations were moved to the second day of the meeting.

National Park Service, Alaska; Hunting and Trapping in National Preserves Regulatory Review

Barbara Cellarius, Subsistence Coordinator for Wrangell-St. Elias National Park and Preserve, informed the Council about the published Federal Register notice for a regulatory review of the NPS final rule to amend its regulations for sport hunting and trapping in national preserves in Alaska that were published on October 23, 2015. The review explores which aspects of the rule may warrant reconsideration. Ms. Cellarius explained the rulemaking process to the Council and that the formal public comments will be accepted when the proposed rule is published. Then Ms. Cellarius explained in detail the changes that were made to this regulation in 2015. The Council expressed their frustration about not being able to provide comments prior to the proposed rule being published and deemed the process unfair. The Council questioned why they cannot put forward proposals to change the rule and considered writing letters and calling Secretary of the Interior, which, they were advised they cannot do while representing the Council. Ms. Linnell agreed with the Council that their input into the proposed rule is important before it gets published. She expressed an opinion that it is a break in the system, similar to publishing the compendiums before or after the SRCs meetings and that it should be within the Council's purview to address this.

Wrangell-St. Elias National Park and Preserve Update

Ms. Cellarius presented some of the highlights of the report:

- Chisana Caribou Herd Management Plan
- Upcoming wildlife projects, including a wolf survey, survival and dispersal of Dall sheep rams under different harvest management strategies, population surveys of the Mentasta and Chisana Caribou herds
- New Resources Division Chief
- Information of the joint State/Federal permits for the fall moose hunt
- Salmon weirs at Tanada Creek and Long Lake
- Burbot population assessment
- FRMP project to gather baseline data for burbot populations in the lakes of the Upper Yukon River drainage
- 2018 ADF&G preseason forecast for Copper River salmon

Federal Subsistence Fishery Management in the Chitina Subdistrict

Wrangell-St. Elias NPP, the delegated Federal manager for the Federal public waters in the Copper River drainage, considers revising the management strategy for the Federal subsistence fishery in the Chitina Subdistrict, which would provide additional harvest opportunity for Federally qualified subsistence users. The revised strategy will delay the season start date, but allow continuous fishing once the season opens without following the weekly closures of the State personal use fishery. Ms. Cellarius requested the Council's feedback on the proposed strategy.

Motion #9 by Mr. Umphenour, seconded by Mr. Firmin, to support Wrangell-St. Elias NPP proposal to revise management strategy for the Federal subsistence fishery in the Chitina Subdistrict

Mr. Umphenour said that delaying the opening of the subsistence season start till early June will aid with both king and Sockeye Salmon conservation and allowing continuous fishing by subsistence users will result in biologically insignificant impact but will prioritize subsistence use over personal use.

The motion carried unanimously.

Yukon River Pre-season Management Review

Gerald Maschmann, Assistant Federal In-season Manager for the Yukon River, USFWS, reported that subsistence Chinook Salmon harvest estimates showed an increase, although it is still below historic average. The fall Chum and Coho Salmon harvest was normal. The 2018 projections call for a Chinook and Chum Salmon run similar to 2016 and 2017. The plan is to enter the season with conservative management strategies until in-season run assessments are conducted. The main challenge is to balance fishing opportunities on the abundant summer Chum with the need to conserve Chinook Salmon. If in-season run assessment indicates a Chinook Salmon run similar to last year, subsistence fishing opportunities with 7.5-inch or less

mesh gillnet gear may be implemented. Fall Chum and Coho Salmon projections are similar to 2017.

Mr. Maschmann also provided the Council with a list of the current monitoring projects occurring of the Yukon River. He stressed that these project gather important information that is used in management. Mr. Maschmann told the Council that there are two types of projects, the research type, which are short-term projects typically used to answer a specific question, and the assessment and monitoring type, which are used to measure and evaluate the size and the quality of the run and provide long term data sets. Mr. Maschmann also provided the Council with the list of the projects that they propose for funding through FRMP but noted that no final decision on this was made since the OSM did not receive its final budget yet. It appears that some of the long-term projects will not be funded, for example, the Andreafsky weir project and the fall Chum genetics project at Pilot Station. Mr. Maschmann requested the Council's input on their priorities for the fisheries projects.

Fred Bue with the USFWS informed the Council that around 4,000 king salmon were caught and released as incidental in the selective gear where dipnets and beach seines were used, and then around 4,000 were caught and retained in the six-inch gillnet summer Chum commercial period that were taken home for subsistence or were incorporated in the subsistence harvest. Mr. Firmin expressed his concern regarding the BOF Proposal 231 that asks to repeal the prohibition on subsistence fishing in Yukon Districts 1 and 2 during the first pulse of king salmon. Mr. Firmin and Mr. Erhart believe it is premature to pass this proposal only basing this decision on the last year's king salmon good run.

Call for Federal Fisheries Proposals (*Continued discussion*)

Ms. Wessels reminded the Council that the meeting was their chance to develop Federal fisheries proposals. Mr. Woodruff had a proposal idea to have a first pulse protection for Districts Y1 through Y5 in all Federal public waters. Mr. Bassich reminded the Council and Holly Carroll with ADF&G confirmed that the State managers already have an ability to close the first pulse all the way across the Yukon River in collaboration with the Federal managers. The first pulse was open for the first time in District 5 in 2017. Mr. Bue corroborated, saying that the managers protect the first pulse in the lower river, and if the run looks a little bit stronger, they provide harvest opportunities in District 5D just ahead of the first pulse and then protect the main run. The managers work with fishers to gain their support and cooperation. Mr. Umphenour thought that Mr. Woodruff's proposal idea would have merit if the BOF Proposal 231 passes. Mr. Woodruff thought that it is still very important to protect the first pulse. Mr. Bassich noted that the managers try to identify where some surplus harvest is available and provide the fishers with opportunity when possible so we need to trust the managers and not to overregulate. Mr. Bassich also stressed the need for strong outreach and education all along the Yukon River to get the proper message to the fishers. He said that after one or two years of good returns, some fishers think that they should try to catch as many fish as they can and illegal fish strips sales are flourishing. In Mr. Bassich's opinion, sales of fish strips have to be either legalized and controlled, or it should be stopped and people need to be prosecuted.

Pippa Kenner with OSM informed the Council that the Western Interior Alaska Subsistence Regional Advisory Council opposed BOF proposal 231, deeming it premature given the incomplete recovery of Chinook Salmon on the Yukon River. Mr. Pappas informed the Council that OSM also opposes the BOF Proposal 231 since Chinook Salmon is still a stock of yield concern. ADF&G position on the BOF Proposal 231 is neutral. Ms. Carroll with ADF&G stated that even if the BOF passes Proposal 231, the managers will still have an ability to close the first pulse. Mr. Umphenour said that it would ease pressure on the managers if the first pulse protection is left in the regulations. At the end of the discussion Mr. Woodruff decided to submit his idea as a personal proposal.

Board of Fisheries Proposals #230, 231, 232, 233, and 237

All of the proposals were introduced by Mr. Harris.

Motion #10 by Mr. Bassich, seconded by Mr. Glanz, to support the BOG Proposal 230.

The Council stressed that Chinook Salmon populations in the Yukon River drainage have been below historical levels, and more opportunity to harvest Chinook Salmon should not be provided in regulations, since there is still a continuing need for conservation of this salmon species. Additionally, drift gillnets are efficient and can harvest larger, more fecund Chinook Salmon that are needed to increase reproduction and future run sizes. The Council noted that large gillnet mesh sizes contributed to the historically low Chinook Salmon run sizes in recent years in the Yukon River drainage.

The Council was also informed that the Western Interior Alaska Subsistence Regional Advisory Council supported BOG Proposal 230, noting that it provides equity of methods for all river residents, will result in negligible increase in harvest, and aligns State and Federal regulations.

The motion failed unanimously.

Motion #11 by Mr. Umphenour, seconded by Mr. Glanz, to support the BOG Proposal 231.

The Council feels that the continuing conservation and rebuilding of the Yukon River Chinook Salmon run are still needed. In the Council's opinion, strong Chinook Salmon returns of the last two of years are not indicative of complete restoration of the Chinook Salmon run. The first pulse of Chinook Salmon, which is predominately Canadian bound, contains a significant number of large females, and the Council states that removing these fish from the population will be detrimental to Chinook Salmon conservation. Currently, the Alaska Department of Fish and Game has the ability to keep the first pulse closed using its emergency order authority, even if Proposal 231 passes. However, if the prohibition on fishing in Yukon River Districts 1 and 2 during the first pulse of Chinook Salmon is repealed, the Council opined that there will be more pressure on fisheries managers to open fishing on the first pulse in Districts 1 and 2. The Council feels that this proposal is premature and suggests revisiting it in the next 5 to 10 years.

The motion failed unanimously.

Motion #12 by Mr. Umphenour, seconded by Mr. Glanz, to support the BOG Proposal 232.

The Council opined that if Proposal 232 passes, it may increase the harvest of Chinook Salmon later in the season. The Council noted that commercial fishermen may specifically target Chinook Salmon in the Chum Salmon fishery due to their higher commercial value. The Council emphasized that the Chinook Salmon run has not been completely rebuilt, management needs to remain in conservation mode, and it is premature to allow commercial sales at this time.

The motion failed unanimously.

Motion #13 by Mr. Umphenour, seconded by Mr. Glanz, to support the BOG Proposal 233.

The Council recognized the regulation would be both a clarification and allocative. The intent of the regulation is to continue to allow the set gillnet commercial salmon fishery to be prosecuted in a portion of District 1 without competition from the drift gillnet commercial salmon fishery. The Council supports continuation and protection of this long-established set gillnet fishery.

The motion carried unanimously.

Motion #14 by Mr. Umphenour, seconded by Mr. Bassich, to support the BOG Proposal 237.

The Council reported that the Fall Chum Salmon run on the Tanana River can still be running as late as Christmas, and in the Delta Clearwater River it can be running as late as February. The market for salmon after October 1 includes many dog mushers living in the area who prefer these later run salmon so that they can "crib" them for later use as dog food. Cooler temperatures after October 1 allow salmon to be preserved and stored with less preparation. Since strong Chum Salmon returns were recorded in the last several years, allowing more fishing openers later in the year will present fishermen with opportunities to earn additional income while providing quality products to buyers.

The motion carried 9 to 0. (Mr. Firmin was out of the room).

Private Non-Profit (PNP) Hatcheries Increased Production

Mr. Umphenour presented the information on the issues with private non-profit hatcheries and their production. He told the Council some historic facts on when and how the hatcheries where formed, where they were located, how their production increased and how the caviar market got flooded. In 1997, the Elfin Cove Advisory Committee put in a proposal to the Board of Fisheries to restrict the PNP hatcheries to rehabilitated depressed salmon runs. In 2001 the Board of Fisheries passed the sustainable salmon policy. That same year the hatcheries promised to the Governor that they are going to reduce their production by 25 percent, if the Board of Fisheries does not put restrictions on them. However, three years later the hatcheries in Prince William Sound increased the production of Chum Salmon by 120 percent instead of decreasing it. The protocol on PNP hatchery management signed at the Alaska Board of Fisheries in 2001 has been largely ignored. Consequently, this destroyed shrimp and crab fisheries in the lower Cook Inlet since the Pink Salmon have been voraciously feeding on crab and shrimp hatchlings. Over 70 percent of the Pink Salmon in the Homer area are hatchery raised from Prince William Sound.

The statutes stipulate that the wild fish are supposed to take priority. In 2018, Nancy Hilstrand petitioned the Alaska Board of Fisheries regarding this issue. Mr. Bassich made a suggestion to draft the Council's resolution by a committee identifying the impact of hatchery productions on wild stocks, and in particular on the Yukon River stocks.

Agency Reports (*resumed*)

Tanana Chiefs Conference Report

Nichole Farnham, fisheries biologist with the Tanana Chiefs Conference, gave the Council a brief overview of upcoming summer and fall projects:

- Henshaw Creek weir and culture and science camp (have quite a few applicants from villages and rural communities);
- Genetic studies on Teedriinjik River;
- Drone survey on Nenana;

She also told the Council that fisheries data for Henshaw will be available during the fall 2018 meeting. Ms. Farnham also promised to send a draft plan for the study of the loss spawning grounds.

Yukon Flats National Wildlife Refuge Summary

Vince Mathews, Subsistence Coordinator for the Yukon Flats, Arctic, and Kanuti NWRs, presented the report. He provided a staffing update. Mr. Mathews informed the Council about Native Youth Community Adaptation and Leadership Congress that will be held in the National Conservation Training Center in July 2018 and requested the Council members to help him to solicit applications from high school seniors. Mr. Mathews is going to be stationed in Coldfoot at the Arctic Interagency Visitors Center all summer and work with the public.

Trail Camera on the Yukon Flats Presentation

Bryce Lake, wildlife biologist with the Yukon Flats NWR, presented a report on trail cameras on the Yukon Flats and some preliminary findings. Mr. Lake gave the Council a detailed description of the Reconyx infrared triggered cameras: they can operate in the temperatures to up to minus 45 degrees Fahrenheit, use 12 Lithium double A batteries (alkaline batteries will not work below 10) that can last a year or more, triggered by a combination of heat and motion. They are set up with a metal protective guard, a snow marker and a rag with a lure is placed in front of them. The animals photographed the most are lynx, moose, black bear, snowshoe hare, and wolf. The camera can be used to track the rise and fall of lynx population and for collecting other types information. This method of information gathering is very non-invasive.

Mr. Koehler advised Mr. Lake to get in touch with Henry Masters in Tetlin who is doing a similar private project.

Fortymile Harvest Management Coalition Update

Torsten Bentzen with ADF&G presented the update. He informed the Council that the Coalition just completed two meetings and shared the updated population estimates based on the 2017 summer photo census. The Fortymile Heard has grown very steadily from the mid-1970s to 2017, with the latest population estimate at 71,425. New digital camera equipment allows for a much more accurate count. The current population estimates are probably at or above the last population peak in the late 1950s early 1960s. The Fortymile Herd population has steadily increased since 1975. The herd range has been expanding north of the Steese Highway into the White Mountains and across north of the Yukon River between Eagle and Dawson, with even a bigger range expansion from 2014 to 2017. The calving range has also been expanding into the upper drainages of the Chena and Birch Creek, but this expansion is not keeping up with the range expansion. The nutritional indices show a slight decline in the October calf weights. Adult parturition rate seems to be stable, although the three-year-old parturition rates do appear to have declined. The idea of managing the Fortymile Herd similarly to the Nelchina Herd management through increase harvest for a stable population below 40 thousand animals was presented to the Fortymile Harvest Management Coalition. Mr. Bentzen had a long discussion with the Council that parturition rates or calf weights dropping might be a trigger for the range expansion.

Doreen Parker McNeill, wildlife management coordinator with ADF&G, reminded the Council that the Fortymile Herd is managed in Alaska and Yukon Canada based on recommendations of the Fortymile Caribou Harvest Management Coalition. The coalition is made up of eight representatives of seven Fish and Game Advisory Committees and the Eastern Interior Alaska Subsistence Regional Advisory Council, in cooperation with agencies and user groups in Alaska and Yukon. Ms. McNeill spoke about allowable harvest, allocations, and hunting registration permits under the current management plan that expires at the end of 2018. As the herd grows, seasons and bag limits may change and the increased hunter opportunity may become necessary in order to continue to achieve harvest objectives and to maintain desired herd health, slow the population growth of the herd to one to two percent, and to provide maximum hunter opportunity. The new plan will be developed by the end of 2018, and will be brought to this Council, to the Federal Subsistence Board and to the Alaska Board of Game for endorsement. Mr. Firmin and Mr. Glanz spoke about a need to include representatives from Fort Yukon and Birch Creek into the Coalition and educate people in these communities about herd management. Ms. McNeill advised the AC to contact the Coalition chair about this, and Mr. Bassich advised Mr. Firmin to direct the Fort Yukon AC to write a letter to the Coalition.

Mr. Bentzen also told the Council about the very first collection of rump fat measurements in August 2017, and when compared with the Porcupine Herd measurements, the measurements were significantly smaller. They would like to continue collecting and monitoring this data. Also last year the caribou moved all the way across the range twice, in comparison to the generally staying in the middle of the range. Mr. Wright noted that reindeer usually eat less when the weather is hot and that perhaps it is similar with the caribou.

Northwest Boreal Landscape Conservation Cooperative (LCC) Report

Mike Spindler, volunteer for the Northwest Boreal LCC, told the Council that the USFWS originally started the LCCs to bring large landscape thinking into maintaining wildlife and fisheries habitats, but now are being transitioned to non-governmental organizations due to budget cuts, with a focus on maintaining habitat, water quality, terrestrial habitat quality, etc. He introduced Leanna Heffner, the partnership director.

Ms. Heffner noted that LCCs are not an environmentalist group, not advocacy, not a coalition of government agencies, but more about trying to bring different perspectives together and identifying shared goals. LCCs do not have regulatory authority. Currently, LCCs are looking for diversified participation and that is why they are partaking in the Council meeting. Mr. Spindler shared with the Council that they have about 15 partner organizations in Canada and 15 in Alaska that are a broad spectrum from conservation groups, resource managers, agencies, Tribes, and academics. He also let the Council know that their next meeting will be in Tok on April 10 and 11.

Arctic National Wildlife Refuge Update

Steve Berendzen, Arctic NWR, presented a brief update.

- Porcupine Caribou Herd – recent survey estimated a population of 218,000, the highest ever observed; primary calving area was the Arctic NWR coastal plain; management of the herd is a cooperative effort;
- Moose – conducted moose survey a little too late in the year, moose moved to Canada;
- Sheep – tried new more efficient and less costly survey technique; sheep densities are a little lower but lambing ratios and productivity are good;
- Mr. Berendzen became the Refuge Manager for the Arctic NWR.

Hollis Twitchell, Arctic NWR, added:

- The last official meeting of the International Porcupine Caribou Board was in 2016; the current Administration has not reassigned any new representatives yet.
- The International Porcupine Caribou Board recommended to implement on the Alaskan side a community harvest monitoring program similar to what the First Nations in the Yukon and Northwest territories have been using; if similar methodologies and protocols are used then the results can be compared; the Arctic NWR has been working with four tribal entities to establish partnerships and apply for tribal wildlife grants for this work.

Formal Introduction of Charlie Jagow

Chair Entsminger formally introduced Charlie Jagow, the Council's new member, who represents the Porcupine River users.

Tetlin National Wildlife Refuge Report

Tim Lorenzini, Tetlin NWR, presented the Refuge's report:

- Moose survey is completed; .59 moose per square mile; calves/cows ratio is 25 to 100, slightly higher than in 2012 but stable overall; surveys are done every four years; a dropping bull/cow ratio but still enough of bulls to continue the same harvest; refuge manager wants to do another survey in 2018 because he is not confident in the 2017 survey results.
- Lynx project almost completed; 18 lynx were collared to date; one lynx caught was first collared three years ago and now weights 15 kilograms.
- Three State hunter education programs were conducted with two more planned for spring.
- Trapping education programs, which included information on skinning, were conducted at schools in Mentasta, Beaver, Northway; some done in cooperation with the Alaska Trappers Association; Chair Entsminger volunteered her husband Frank for professional skinning demonstrations.

Shawn Bayless, Tetlin NWR, added in reply to Mr. Bassich's question about moose harvest data and Chair Entsminger's question about lynx survey duration:

- In the past 5 years, 75 percent of the harvest on the Refuge occurred during the State season; hunters are locals and/or non-locals, and/or non-residents. Twenty percent is harvested for potlatch, and five percent is the Federal winter harvest survey.
- The plan is for the lynx survey to be conducted over 10-year duration to incorporate the hare cycle; about 6 years left.

The Council requested the Tetlin NWR put together a short briefing on harvest data.

Yukon-Charley Rivers National Preserve Update

Jeff Rasic, Chief of Resources, provided the report:

- Last moose survey in 2015, low moose density; another survey scheduled for 2019;
- Last Dall sheep survey in 2015; 50 percent decline from 2009; another survey in 2018;
- A traditional place name study was completed in cooperation with the Yukon Native Language Center;
- A household subsistence harvest survey done through an agreement with the Subsistence Division of ADF&G is in its second year; includes Circle, Central, Eagle, and Eagle Village;
- A long term wolf monitoring program;

Mr. Rasic replied to Mr. Bassich's questions about the sheep surveys that the numbers uniformly declined throughout the Preserve. Mr. Bassich also wanted to find out about the permitting process for the air taxis bringing hunters into the sheep hunting areas and if they are required to report the harvest. Mr. Rasic said that any commercial operator has to have a commercial use

authorization but personal use pilots can just fly their friends in. Only big game transporters are required to provide the information on the harvest, and commercial use operators are required to report their destinations and number of passengers. Mr. Rasic promised to provide the harvest information at the next meeting. Mr. Bassich also wanted to know if there a threshold in moose densities that requires management to go into conservation mode, and then he talked extensively about "Domino effect" of displaced hunters. Mr. Rasic replied that the threshold had not been reached yet, and Mr. Bassich requested that the local AC and the Council be informed if it ever does.

Scott Sample, Chief Ranger, introduced himself. Several members of the Council noted that over the past few years the relations with the Rangers are going well. Mr. Glanz also noted the increase of use of the lands along the Yukon and Charley rivers. Mr. Bassich also reported an increase use of the land along the Yukon, stating that a number of families are setting up permanent camps and are being aggressive toward other people, sometimes interfering with their hunts. He requested that the rangers talk with these people and discourage this kind of behavior. Mr. Sample replied that the maximum time one can cache in the Park is four months, and informed people that their belongings can be confiscated if they don't follow the rules.

Mr. Umphenour asked if the Park is keeping track of the low flying Air Force aircrafts in the area, and shared his experience related to that. He expressed concern regarding the effect of low flying aircrafts on the sheep population. Mr. Rasic replied that the Park just compiled a lot of information on this topic for the last 25 years, which is going to be presented at an Air Force summit. The Air Force also funded a 12-year research to look at impacts of overflights on wildlife.

Mr. Woodruff suggested that the Park Rangers would be a good point of contact to distribute information about hunter ethics.

Mr. Rasic also delivered a print out of the Denali NPP report to the Council.

BLM Eastern Interior Field Office Update

Jim Herriges, Wildlife Biologist, told the Council that Ruth Gronquist retired after 25 years and delivered the BLM report:

- Over a year ago, BLM completed a resource management plan (RMP) and now is in the implementation stage; it will result in more public lands for subsistence in the Fortymile area.
- The RMP also recommends that the existing mineral withdrawals be lifted in about 1.1 million acres of land and that mineral withdrawals were put in place in another 650 thousand acres to accommodate the Fortymile Herd calving and summer range.
- Travel management planning (type of vehicles allowed and access areas) is underway in the White Mountains National Recreation Area and the Steese National Conservation Area; planning is in the data gathering stage; areas restricted for domestic sheep, goats, and llamas are a part of the planning.
- Fortymile Caribou Herd work:

- Habitat work in partnership with ADF&G, Yukon Department of the Environment, and Yukon-Charley NP;
- Funded a Fortymile Caribou habitat relationships research project with the University of Montana;
- Food habitat information research using collar video cameras;
- Developing a map for the Fortymile range that shows lichen abundance across the entire range;
- Working with ADF&G and Yukon-Charley Rivers NP to develop a joint State and Federal permit;
- Participated in the Harvest Management Coalition meeting; the Board of Game just recently approved changes to Fortymile Caribou regulations;

Ms. McNeill provided more detail about the changes in the regulations. The Council, Ms. McNeill and Mr. Herriges had an extensive discussion about the differences between the State and Federal regulations and seasons for the Fortymile Caribou hunt, if they need to be changed, and about a joint Federal-State permit.

Additional Ideas on Hunter Ethics Education

Mr. Bassich and Mr. Lorenzini brainstormed some ideas over the lunch break and thought it would be good to start a couple of programs along the Steese Highway and the Taylor Highway that will include printed materials and game check points.

Private Non-Profit Hatcheries Resolution

Mr. Bassich drafted and read into the record proposed language for the Resolution *On Overproduction and Operation of Private Non-profit Hatcheries* to be submitted to the Alaska Board of Fisheries. The decision was made for a committee to finalize the resolution language after the meeting.

Motion #15 by Mr. Bassich, seconded by Mr. Koehler, to develop a resolution on overproduction and operation of private non-profit hatcheries to be submitted to the Alaska Board of Fisheries.

The motion carried unanimously.

It was decided that since there is no funding for sending the Council representative to the Alaska Board of Fisheries meeting, and since Mr. Umphenour plans to attend the meeting, to authorize Mr. Umphenour to present Council's resolution to the Alaska Board of Fisheries.

Motion #16 by Mr. Bassich, seconded by Mr. Glanz, to authorize Mr. Umphenour to represent the Council at the Alaska Board of Fisheries meeting.

The motion carried unanimously.

OSM Report

Mr. Kron presented the OMS report on current staffing, hiring situation, approval from the Departments of the Interior and Agriculture on the 2017/2019 fishery regulations, the wildlife cycle approval, and the preliminary budget and Continuing Resolution.

Future Meeting Dates:

The Council selected October 11 – 12 as the new meeting dates for the fall 2018 meeting to be held in Tanana. The Council also selected October 9 – 10 as a potential date for the second Hunter Ethics Education Brainstorming Workshop to be held in Fairbanks.

The Council selected March 5 – 6, 2019, and Fairbanks as preferred winter meeting dates and location.

Closing Comments from the Council

- Good meeting and happy to have young members at the table.
- Thank you to Katerina Wessels for keeping progress going on the hunter ethics project.
- Chair Entsminger leadership is appreciated.
- Thank you to Tina Hile, Court Reporter.

Motion #17 to adjourn by Mr. Glanz, seconded by Mr. Koehler. The motion carried 10 to 0.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

March 20, 2018

_____
Katerina "Katya" Wessels, DFO
USFWS Office of Subsistence Management

_____
Susan Entsminger, Chair
Eastern Interior Alaska Subsistence Regional Advisory Council

These minutes will be formally considered by the Eastern Interior Alaska Subsistence Regional Advisory Council at its October 11 -12, 2018 meeting in Tanana, and any corrections or notations will be incorporated in the minutes at that meeting.

FP19–06 Executive Summary	
General Description	Proposal FP19–06 requests that a new regulation be added for conservation protections to the first pulse of Yukon River Chinook Salmon in Federal public waters in Districts 1 through 5, submitted by Don Woodruff of Eagle.
Proposed Regulation	***§___.27(e)(3) Yukon-Northern Area* – Salmon** *(i) Unless otherwise restricted in this section, you may take fish in the Yukon-Northern Area at any time. In those locations where subsistence fishing permits are required, only one subsistence fishing permit will be issued to each household per year. 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 paragraph (e)(3) of this section.* * * * * *(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), unless superseded by a Federal Special Action.* * * * * ***(A) The first pulse of Chinook Salmon in Districts 1 through 5 will be protected in Federal public waters through systematic closures coordinated with the first pulse movement upstream as announced by the Federal in-season manager.***
OSM Preliminary Conclusion	**Oppose**
Yukon-Kuskokwim Delta Subsistence Regional Advisory Council Recommendation	
Western Interior Alaska Subsistence Regional Advisory Council Recommendation	
Seward Peninsula Subsistence Regional Advisory Council Recommendation	

FP19–06 Executive Summary	
Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	**None**

DRAFT STAFF ANALYSIS
FP19-06

ISSUES

Proposal FP19-06, submitted by Don Woodruff of Eagle, requests the Federal Subsistence Board (Board) revise Federal subsistence management regulations section §___.27(e)(3)(ii) by establishing a new regulation to add conservation protections to the first pulse of Yukon River Chinook Salmon in Federal public waters Districts 1 through 5.

DISCUSSION

The proponent notes that these fish are primarily Canadian bound stocks, and that it is the Boards responsibility to ensure food security throughout the Yukon River. The proponent states that one or two years of fair runs of fish does not mean that the fishery has recovered. In addition to this, the proponent raises concerns over recent actions by the Alaska Board of Fisheries (BOF) to open first pulse access (Proposal 231 – RC46) in Districts 1 and 2, which he believes to be counterproductive to recovery efforts.

The proponent suggests that the first pulse of Yukon River Chinook Salmon entering the river, be protected with systematic fishing closures as they travel up river starting with District 1 first pulse and continuing along the entire Yukon River to District 5 to ensure conservation and food security for future generations.

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. In those locations where subsistence fishing permits are required, only one subsistence fishing permit will be issued to each household per year. 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 paragraph (e)(3) of this section.

(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), unless superseded by a Federal Special Action.

Proposed 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. In those locations where subsistence fishing permits are required, only one subsistence fishing permit will be issued to each household per year. 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 paragraph (e)(3) of this section.

(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), unless superseded by a Federal Special Action.

(A) The first pulse of Chinook Salmon in Districts 1 through 5 will be protected in Federal public waters through systematic closures coordinated with the first pulse movement upstream as announced by the Federal in-season manager.

Existing State Regulation

5 AAC 01.210. Fishing seasons and periods – Yukon Area

(a) Unless restricted in this section, or in 5 AAC 01.220 – 5 ACC 01.249, salmon may be taken in the Yukon Area at any time.

(b) When there are no commercial salmon fishing periods, the subsistence fishery in the Yukon River drainage will be based on a schedule implemented chronologically, consistent with migratory timing as the salmon run progresses upstream. The commissioner may alter fishing periods by emergency order, if the commissioner determines that preseason or in-season run indicators indicate it is necessary for conservation purposes. The fishing periods for subsistence salmon fishing in the Yukon River drainage will be established by emergency order as follow:

(1) Coastal District, Koyukuk River, Kantishna River, and Subdistrict 5D: seven days per week.

(c) Notwithstanding the provisions of (A) and (B) of this paragraph, if the commissioner determines it is necessary to ensure that reasonable opportunity for subsistence uses is being provided, the commissioner may, by emergency order, open a subsistence fishing period that may occur during times that are before, during, and after a commercial salmon fishing period.

5 AAC 05.360. Yukon River King Salmon Management Plan – Yukon Area

(1) In Districts 1 and 2, to account for the uncertainty in the preseason king salmon run projection, if the preseason king salmon forecast indicates insufficient abundance to meet escapement goal objectives and subsistence harvest needs, the department shall manage the king salmon subsistence fishery conservatively and not open any salmon subsistence fishing periods during the first pulse of king salmon entering the Districts.

Extent of Federal Public Lands

For purposes of this discussion, the phrase "Federal public waters" is defined as those waters described under 36 CFR §242.3 and 50 CFR §100.3. The Federal public waters under Federal subsistence fisheries jurisdiction addressed by this proposal are those portions of the Yukon River located within, or adjacent to, Arctic National Wildlife Refuge, National Wildlife Refuge, Koyukuk National Wildlife Refuge, Kanuti National Wildlife Refuge, Nowitna National Wildlife Refuge, Denali National Park and Preserve, White Mountains National Recreation Area, Steese National Conservation Area, Yukon-Charley Rivers National Preserve, Beaver Creek National Wild Rivers, Birch Creek National Wild and Scenic River, Delta National Wild & Scenic River, Fortymile National Wild & Scenic River, Tetlin National Wildlife Refuge, Yukon Flats National Wildlife Refuge, and Wrangell-St. Elias National Park and Preserve (**Figure 1**).

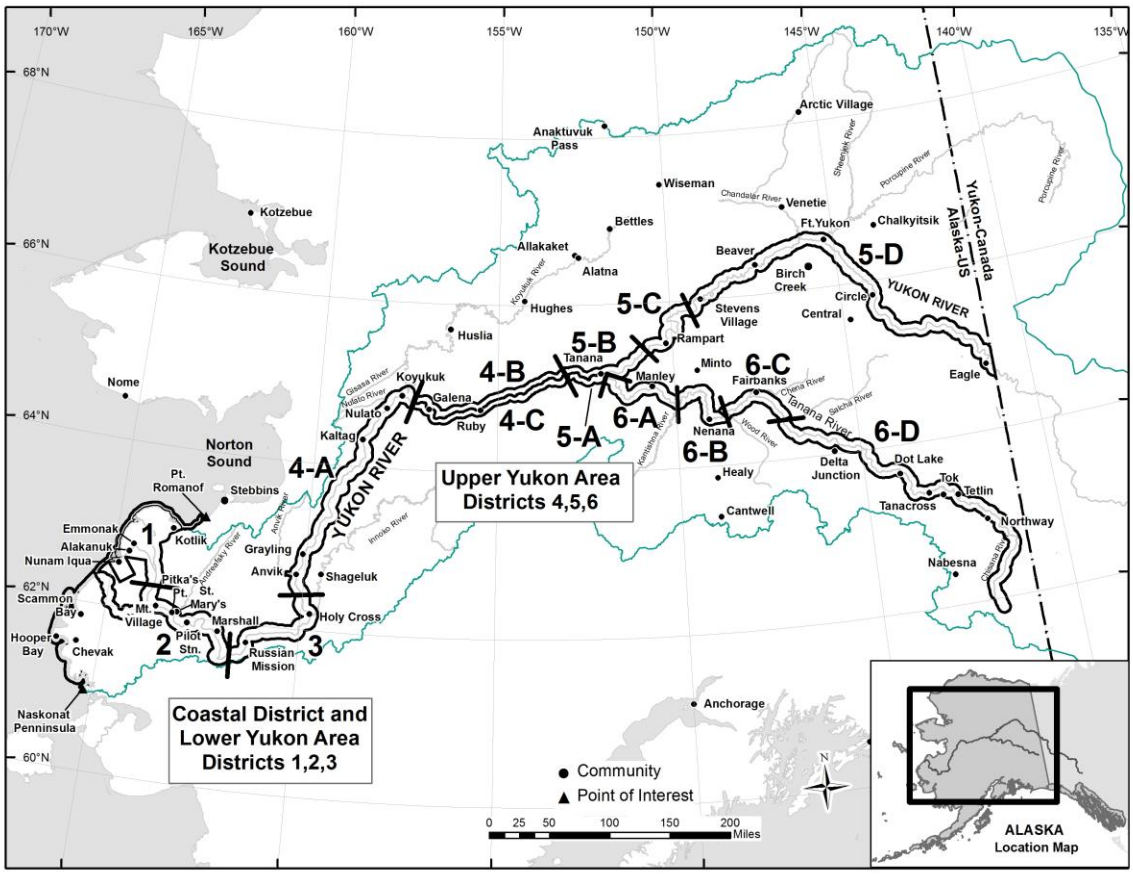

Figure 1. Yukon River Districts located within the U.S. portion of the drainage (ADF&G 2018).

Customary and Traditional Use Determinations

Rural residents of the Yukon River drainage and the community of Stebbins have a customary and traditional user determination for Chinook Salmon in the Yukon Northern Area.

Regulatory History

State Regulatory History

Since 2001, the Yukon River Chinook Salmon stock has been categorized as a "stock of yield concern" by the BOF in accordance with the State's *Policy for the management of sustainable salmon fisheries* (5 AAC 39.222). This designation identifies a chronic inability to maintain expected yields or harvestable surpluses above a stock's escapement needs despite restrictive management actions. Directed commercial fishing for Yukon River Chinook Salmon has been discontinued since 2007 and subsistence fishing opportunities have become increasingly more restrictive in an effort to conserve Chinook Salmon.

During 2001, subsistence fishing windows were established during times of conservation and were implemented throughout the entire Yukon River area when commercial fishing is closed. Districts 1-3 windows allowed subsistence salmon fishing for two 36 hour periods per week. Districts 4 and Subdistrics 5-B and 5-C were open to subsistence fishing for two 48-hour periods per week. Commercial fishing in Subdistrict 4-A was further regulated in 2004 with Chinook Salmon fishing only allowed during two 48 hour drift netting periods per week by emergency order.

Commercial fishing for Chum Salmon during times of Chinook Salmon conservation is permitted with fish wheels by emergency order in Subdistrict 4-A beginning in 2012. Fishermen are required to be present at the fish wheel, and immediately release all Chinook Salmon alive.

In March 2015, the BOF adopted a new regulation that allowed the use of drift gillnets to harvest summer Chum Salmon for subsistence purposes during times of Chinook conservation from June 10 through August 2, by emergency order, in the upper portion of Subdistrict 4A.

In January 2016, the BOF adopted the same regulations for the lower portion of Subdistrict 4A.

In March of 2018, the BOF adopted a new regulation. If inseason run assessment information indicates insufficient abundance of Chinook Salmon to meet escapement objectives on specific components of the run and subsistence harvest needs, the Department will not open any subsistence fishing periods during the first pulse implemented chronologically in the applicable district, consistent with migratory timing as the Chinook Salmon run progresses upstream; If inseason run assessment information indicates sufficient abundance of king salmon to meet escapement objectives on specific components of the run and subsistence harvests needs, subsistence fishing will revert to back to standard fishing periods.

Federal Regulatory History

Since October 1999, Federal subsistence management regulations for the Yukon-Northern Area stipulated that, unless otherwise restricted, rural residents may take salmon in the Yukon-Northern Area at any time by gillnet, beach seine, fish wheel, or rod and reel unless exceptions are noted.

In 2002, the Board delegated some of its authority to manage Yukon River drainage subsistence salmon fisheries to the Branch Chief for Subsistence Fisheries, U.S. Fish and Wildlife Service, in Fairbanks, Alaska. The Federal Subsistence Board's delegation allows the Federal manager to open or close Federal subsistence fishing periods or areas provided under codified regulations, and to specify methods and means.

In 2017, the Board modified regulations in Subdisctrict 4-A to allow the Federal In-season Manager to open fishing periods during which Chum Salmon may be taken by drift gillnets from June 10 through August 2. This regulation change was made to match existing ADF&G regulations that were modified in 2015 and 2016. The Board also added an additional regulation in Subdisctrict 5-D to allow salmon to be harvested for subsistence use once the mid-range of the Canadian Interim Management Escapement Goal (IMEG) and the total allowable catch goal are projected to be achieved.

Management Perspectives

For management purposes, the summer season refers to the fishing associated with Chinook and summer Chum Salmon migrations and the fall season refers to the fishing associated with the fall Chum and Coho Salmon migrations. During the fishing season, management is based on preseason projections and the in-season run assessments. Since 1995 the main river sonar project at Pilot Station has provided in-season estimates of salmon passage for fisheries management. The level of commercial, subsistence, and personal use harvests can be adjusted through the use of State emergency orders and Federal special actions to manage time, gear, and area of openings and closures. Since 2001, an Arctic Yukon Kuskokwim Sustainable Salmon Research action plan has been developed through a public process that includes goals, objectives, and provisions necessary to research and help rebuild Chinook Salmon runs (Munro and Tide 2014).

Currently the Canadian Interim Management Escapement Goal (IMEG) is set at 42,500-55,000 Chinook Salmon. Each year the Yukon River Joint Technical Committee (JTC 2018) reevaluates the need to modify the Chinook Salmon IMEG, however this range has been acceptable since 2010. Subsistence fishing on the Yukon River in Districts 1 through 5 is open seven days a week, 24 hours/day using rod and reel with no harvest limit for salmon, unless closed by the in-season managers for conservation purposes. Additionally, Districts 1, 2, and 3 have special provisions for harvest before July 15, and after the opening of the State commercial salmon fishing season, subsistence salmon fishing is closed for 18 hours immediately before, during, and for 12 hours after each State commercial salmon fishing period. After July 15, subsistence salmon fishing is closed for 12 hours immediately before, during, and for the 12 hours after each State commercial salmon fishing period. In Subdistrict 4A, after the State commercial salmon

fishing season opens, you may not subsistence fish for salmon for 12 hours immediately before, during, and for 12 hours after each State commercial salmon fishing period. However, you may subsistence fish (using drift gillnets only) for Chinook Salmon during the State commercial fishing season from 6:00 p.m. Sunday until 6:00 p.m. Tuesday; and from 6:00 p.m. Wednesday until 6:00 p.m. Friday.

Current Events

In 2015 the Yukon River was reevaluated to determine if the Yukon River Chinook Stock should be removed from the Stock of yield concern designation; however it was determined that the stock has yet to return to historical levels and will remain a stock of yield concern as it has been for the last 18 years. Recently during the March 2018 Alaska Board of Fisheries meeting, Proposal 231 was adopted with additional language (RC46) to repeal the current closures on first pulse fishing in Districts 1 and 2. However, managers would still retain the authority to close or restrict the fishery if the preseason forecast was insufficient to meet escapement goals and/or harvest levels.

During the commercial Chum fishery in 2017, subsistence fisherman had the opportunity to sell incidentally caught Chinook Salmon. There may be a similar opportunity in 2018 if fisheries managers deem it appropriate.

Preliminary management objectives for 2018 as stated in the 2018 Yukon River Salmon Fisheries Outlook include allowing 7.5-inch or smaller mesh gillnets 24 hours per day, 7 days per week prior to the first pulse arriving. As the Chinook Salmon enter each District, subsistence salmon fishing will be provided on a reduced regulatory schedule with 7.5-inch or smaller mesh gillnets during the early part of the run. If the confidence is high that the Chinook Salmon run is adequate and escapement goals are likely to be met, the use of 7.5-inch gillnets on a full regulatory schedule will be considered. If in-season assessment indicates a poorer than anticipated run, subsistence fishing time may be reduced or gear may be limited to selective gear types with no retention of Chinook Salmon allowed.

Biological Background

Chinook Salmon

Recent analyses indicate that Yukon River Chinook Salmon stocks appear to be in the third year of increasing productivity after the low returns of 2015. Historically, the stocks show periods of above-average abundance (1982-1997) and periods of below-average abundance (1998 onwards), as well as periods of generally higher productivity (brood years 1993 and earlier) mixed with years of low productivity (brood years 1994-1996 and 2002-2005; Schindler et al. 2013).

The 2014 run was expected to be the smallest on record, with a projected size of 64,000-121,000 fish. Despite initial concerns, the cumulative passage estimate at the mainstem Yukon River sonar project in Pilot Station was approximately 138,000±17,000 (90% CI) fish (**Figure 2**). The passage estimate was still below the historical average of 143,000 fish and below the average of 195,800 fish for years with early run

timing. Even with below average run sizes, all escapement goals that could be assessed were achieved (JTC 2015).

The 2015 projected run size was 118,000-140,000 fish, which was once again below average but higher than the previous year's projection. Cumulative passage estimates at the sonar station in Pilot Station were approximately 116,000±30,000 fish (90% CI) (**Figure 2**). As with the previous year, this number was still below the historical average. All escapement goals were again met (JTC 2016).

The 2016 run outlook was a below-average run of 130,000–176,000 fish (JTC 2017). Cumulative passage estimates at the sonar station in Pilot Station were approximately 176,898±18,466 fish (90% CI) (JTC 2018). This number was near the recent historical average of 178,300 fish (ADF&G 2018), but is considered preliminary at this time. All escapement goals were again met (JTC 2016).

The 2017 run outlook was slightly larger, but still for a below average run of 140,000-194,000 fish (JTC 2017). Cumulative passage estimates at the Pilot Station sonar were approximately 263,000±29,000 fish (90% CI) (ADF&G 2018), the largest since 2003 (JTC 2017). Most escapement goals were met except for 2007, 2008, 2010, 2012 and 2013 (JTC 2017).

The 2018 Yukon River Chinook Salmon fisheries outlook is for a run size of 173,000 to 251,000 fish (**Figure 2**, ADF&G 2018). The upper end of this range is less than the total estimated run observed in 2017 which was 263,000±29,000 fish. The 2018 Yukon River Salmon Fisheries Outlook states that the 2018 run may be large enough to provide for normal subsistence harvests;, however, a cautionary approach will be taken early in the season, and in-season management strategies will be based on run assessment information once fish begin entering the river. If assessment indicates the Chinook Salmon run size is near the upper end of the range, and goals are projected to be met, subsistence fishing restrictions would likely be relaxed. If that occurs, commercial Chum Salmon fishermen may be given the opportunity to sell Chinook Salmon incidentally-caught in the Chum Salmon fishery, but this would likely be at the tail end of the run, when the majority of the Chinook Salmon have passed upriver for escapement and subsistence harvest purposes.

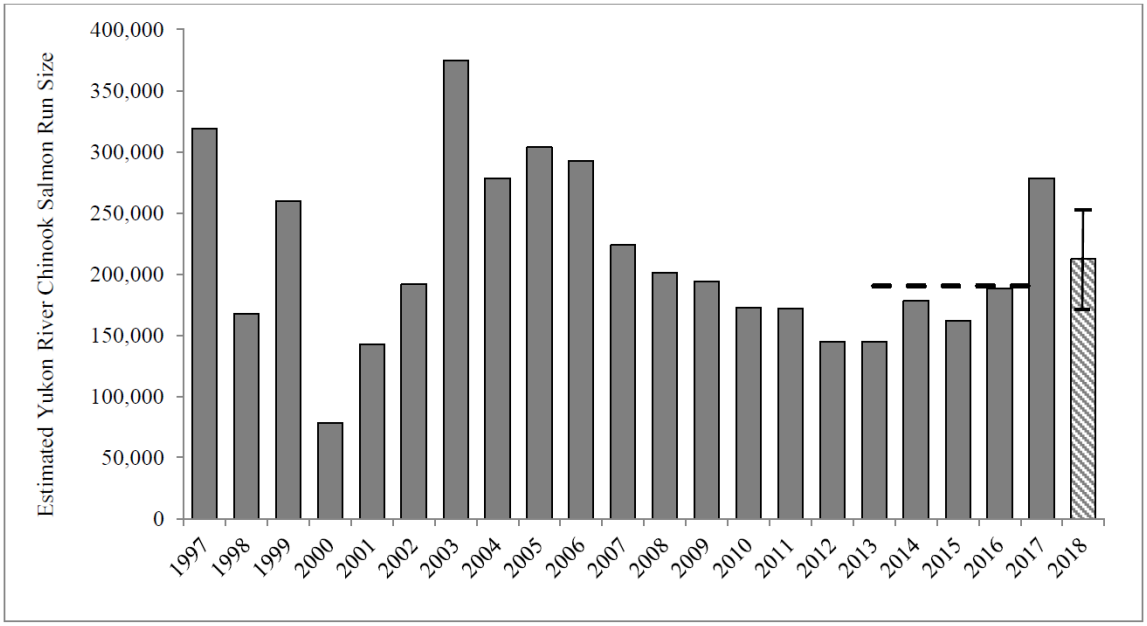

Figure 2. Historical (1997-2017) and forecasted 2018 estimated Yukon River Chinook Salmon total run size with respective 95% confidence interval. Dashed line indicates last five-year average near 200,000 Chinook Salmon (ADF&G 2018).

Harvest History

Subsistence

The entire Yukon River drainage has more than 50 communities, most of which participate in subsistence fisheries. Subsistence salmon fishing activities in the Yukon River drainage typically begin in late May and continue through early October. Currently the primary method for estimating the subsistence harvest is through an annual subsistence salmon harvest survey program that the Alaska Department of Fish & Game, Division of Commercial Fisheries administers, which conducts a survey of 33 communities (including the coastal communities of Scammon Bay and Hooper Bay) during the fall and after the fishing season (Jallen et al. 2017). In recent years, subsistence fishing has increasingly targeted other species of salmon and non-salmon fish. In order to allow continued subsistence opportunity throughout the season, subsistence fishing activity has been managed to avoid the take of Chinook Salmon while allowing for the harvest of other fish species.

Between 2006 and 2016, the ten year average Chinook Salmon subsistence harvest was approximately 41,200 fish annually in the Alaskan portion of the Yukon River. The five year average from 2011-2016 was 18,000 fish (**Figure 3**). Subsistence harvest levels of Chinook Salmon have declined since 1997 due to declining run abundance and resultant harvest restrictions (Schindler et al. 2013). Both survey and permit data for the 2017 subsistence salmon harvests in the Alaska portion of the Yukon River drainage was estimated to be 36,992 Chinook Salmon. The harvest levels during 2017 for Chinook Salmon were below levels defined by the BOF as Amounts Reasonably Necessary for Subsistence (ANS 45,500-66,704

Chinook; Jallen 2012). Additionally, 2017 was the fourth highest subsistence harvest level for the last ten years with 2008 being number one at 43,700 fish harvested.

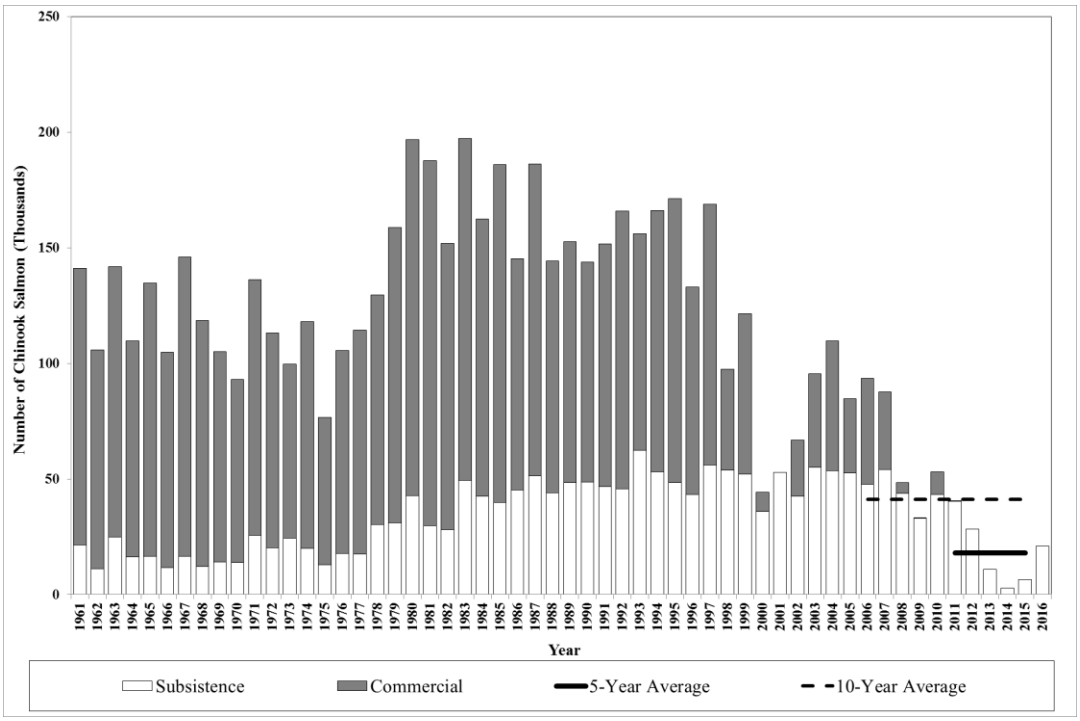

Figure 3. Historical subsistence (hollow bars) and commercial (grey bars) harvest of Chinook Salmon in the Yukon River from 1961 – 2016. Solid black line indicates last 5 year average and dashed black line indicates last 10 year average subsistence harvest (JTC 2017).

Commercial

A commercial fishery directed towards Chinook Salmon has taken place since 2008. Retention and sale of incidental caught Chinook Salmon was allowed during two opportunities since 2008. Directed commercial harvest for Chinook Salmon was prohibited for the seventh consecutive year during the 2017 summer season. During the fall fishing seasons of 2011 and 2017, 82 and 168 fish were sold commercially in Districts 1 and 2, respectively. The 1961-2005 average commercial harvest is 98,000 and the 2006-2016 average harvest of 15,700 (JTC 2018).

Sport

Sport fishing harvest of Chinook Salmon are generally low in the Yukon River drainage. The 2012-2016 average sport fishing harvest within the Alaska portion of the Yukon River was estimated to be 105 Chinook Salmon (JTC 2018). The majority of sport fishing effort in the drainage occurs in the Tanana River drainage (District 6). Outside of the Tanana River, the Andreafsky (in District 2) and Anvik (in

District 4) rivers receive the bulk of the remaining effort. During 2017, sport fishing was allowed after June 20, and allowed for a bag limit of 1 Chinook Salmon 20-inches or greater (JTC 2018).

Cultural Knowledge and Traditional Practices

The use and importance of salmon and other non-salmon species for Yukon River communities has been documented through oral histories and harvest surveys conducted in the area. Historically, many Yukon communities followed a semi-nomadic, subsistence lifestyle, spending time at seasonal camps, migrating with the resources and harvesting various species of fish, along with hunting and gathering subsistence resources. Humans have lived in the Yukon area for over 10,000 years (Rainey 1940, Cinq-Mars 1979) and fishing was a family and community activity, deeply ingrained in to the cultures of the people in this area. People traditionally used weirs and fish traps, and nets made of animal sinew and willow bark and more recently employed set nets along with fish wheels for salmon at their fish camps. Multi-generational family groups would travel to seasonal camps to harvest fish and wildlife. Although fewer young people spend time at seasonal camps now due to employment, school, and other responsibilities, subsistence fishing continues to be important for communities up and down the river. According to surveys, many older people recalled whole families spending long hours at their fish camps, harvesting, processing, and preserving fish. Children learned about subsistence activities from their elders at fish camp (Brown et al. 2010; Brown et al. 2015).

Salmon is considered the most reliable and significant subsistence resource on the Lower Yukon River. Salmon has always been an important part of the culture, economically and socially, and the knowledge of how to catch, process, and preserve fish has been passed down from generation to generation. Before contact by outsiders dried fish was regularly traded between Yukon villages along with other commodities such as furs and sea mammal products (Wolfe 1981).

Yukon River residents are dependent on the harvest of salmon, especially Chinook Salmon, for both subsistence and commercial uses. Starting in the late 1990s, Chinook Salmon began to decline so people harvested more summer and fall Chum Salmon along with other subsistence resources (Brown et al. 2015). In the 1960s, people started using gillnets to drift fish for salmon for personal and commercial use. Today fishing still plays an important cultural role in the communities along the lower and middle Yukon River, and the knowledge of how and when to fish is still passed down from generation to generation.

Customary trade of fish is also an important part of continuing trade networks in rural areas of Alaska. Salmon fishing takes place in the summer and timing is based on the runs for various species. Local residents also use nets under the ice to fish for Northern Pike, whitefish, or Sheefish in the spring before breakup. Communities have used various types of nets and fish wheels to harvest fish through the generations. Fish wheels are used less now than they were in the past when people were catching more fish to feed sled dogs, but are still used in some areas, mainly to catch fish for human consumption (Brown et al. 2010). Chum Salmon, once primarily used for dog food, were caught using nets set from the shore but are now consumed by people in the United States and overseas. As more village runways were built, increasing air travel, and more snow machines were brought to the villages, the dependency on sled dogs was reduced, reducing the need for harvesting fish to feed dogs (Brown et al.2015).

The use, harvest, and dependence of salmon resources can vary by community based on cultural practices, resource availability, economics and many other factors. Yukon River drainage residents exhibit these variations generally within the lower, middle, and upper stretches of the drainage. Communities present along the river and their populations over time, by fishing district, are represented in **Appendix A**.

Other Alternative(s) Considered

The proponent of this proposal raises both conservation and future subsistence use concerns due to the opening of Districts 1 and 2 to harvest first pulse Chinook Salmon. The proposal could employ an alternative approach during the first pulse by reducing the level of harvest though gear or fishing time restrictions. This practice is already standard for the in-season managers when run size forecasts look to be insufficient to meet escapement goals and subsistence needs. This option still allows for an opportunity to fish first pulse fish, when the in-season manager feels the preseason Chinook Salmon forecast indicates sufficient abundance to meet escapement goal objectives and subsistence harvest needs. The amended language (RC46) added in the BOF proposal 231 allows this flexibility for the in-season managers to still restrict the access of Districts 1 and 2 if the forecasts indicates insufficient abundance to meet escapement goal objectives and subsistence harvest needs. This alternative approach to managing the first pulse of Chinook Salmon is, however, more restrictive on Federally qualified subsistence users than State regulations. However the State regulations do allow for flexibility in the inseason management decision to close or restrict harvest if the run seems to be insufficient to meet escapement and harvest goals.

Effects of the Proposal

If FP19-06 were adopted, Federally qualified subsistence users fishing under Federal Subsistence regulations in Federal public waters in all Yukon River Districts would have a complete closure to the harvest of first pulse Chinook Salmon. This proposal would directly contradict recent BOF proposal 231, allowing subsistence fishing opportunity for Districts 1 and 2 to fish first pulse Chinook Salmon, if the preseason Chinook Salmon forecast indicates sufficient abundance to meet escapement goal objectives and subsistence harvest needs. FP19-06 has the potential to limit subsistence harvest opportunities during times of higher abundance levels. If adopted, this proposal would also make Federal subsistence management regulations more restrictive than State fishing regulations. If adopted, there could be excessive harvest on later arriving females, since males are known to primarily make up the first pulse.

Federally qualified subsistence users prefer to put up fish earlier in the summer when the weather is better for drying fish and decreases chances of spoilage. This proposal has the potential to increase the focus of fishing effort later in the summer during times of poorer weather which could in return increase spoilage. Some or most of the fisherman are mobile enough that the benefit of a closure in Federal public waters could be offset by harvest in non-Federal public waters, rendering this proposal ineffective at achieving its stated intent.

If FP19-06 is not to be adopted, Districts 1 and 2 may be allowed conditional subsistence harvest opportunity to fish first pulse Chinook Salmon. However, if the preseason Chinook Salmon forecast indicates insufficient abundance to meet escapement goal objectives and subsistence harvest needs, the Federal and State in-season managers shall manage the Chinook Salmon subsistence fishery conservatively

and not open any salmon subsistence fishing periods during the first pulse of Chinook Salmon entering the Districts.

OSM PRELIMINARY CONCLUSION

Oppose Proposal FP19-06.

Justification

Adoption of this proposal will reduce opportunities for Federally qualified subsistence users during years when escapement goals and objectives are projected to be met or exceeded. In-season managers currently attempt to manage this fishery conservatively. During years where abundance of Chinook Salmon will not be able to meet escapement needs, harvest objectives or the Canadian Interim Management Escapement Goal objectives, the in-season managers still retains authority to limit harvest through gear or time restrictions, or completely close the fishery in a conservation effort. Therefore, this proposal will only add complexity to this fishery and remove some of the in-season management flexibility the fisheries managers currently have to allow subsistence harvest opportunities. The BOF proposal 231 with amended language from RC46, allows in-season managers to close Districts 1 and 2 subsistence harvest on first pulse Chinook Salmon if the forecast is too weak. Additionally, adoption of this proposal would also make Federal subsistence management regulations more restrictive than State subsistence fishing regulations, and thus fail to provide a meaningful rural subsistence priority.

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Appendix A. Population data for communities within the Yukon River drainage fishing Districts, 1960-2010.

U.S. CENSUS POPULATION							
Community	**1960**	**1970**	**1980**	**1990**	**2000**	**2010**	**2010 number of house-holds**
Stebbins city	158	231	331	400	547	556	134
Outside drainage subtotal	**158**	**231**	**331**	**400**	**547**	**556**	**134**
Alakanuk city	278	265	522	544	652	677	160
Nunam Iqua city	125	125	103	109	164	187	43
Emmonak city	358	439	567	642	767	762	185
Kotlik city	57	228	293	461	591	577	128
District 1 subtotal	**818**	**1,057**	**1,485**	**1,756**	**2,174**	**2,203**	**516**
Mountain Village city	300	419	583	674	755	813	184
Pitkas Point CDP	28	70	88	135	125	109	31
Saint Marys city	260	384	382	441	500	507	151
Pilot Station city	219	290	325	463	550	568	121
Marshall city	166	175	262	273	349	414	100
District 2 subtotal	**973**	**1,338**	**1,640**	**1,986**	**2,279**	**2,411**	**587**
Russian Mission city	102	146	169	246	296	312	73
Holy Cross city	256	199	241	277	227	178	64
Shageluk city	155	167	131	139	129	83	36
District 3 subtotal	**513**	**512**	**541**	**662**	**652**	**573**	**173**
Anvik city	120	83	114	82	104	85	33
Grayling city	0	139	209	208	194	194	55
Kaltag city	165	206	247	240	230	190	70
Nulato CDP	183	308	350	359	336	264	92
Koyukuk city	128	124	98	126	101	96	42
Huslia city	168	159	188	207	293	275	91
Hughes city	69	85	73	54	78	77	31
Allakaket city	115	174	163	170	97	105	44
Alatna CDP				31	35	37	12
Bettles city	77	57	49	36	43	12	9
Evansville CDP	77	57	45	33	28	15	12
Wiseman CDP	0	0	8	33	21	14	5
Coldfoot CDP					13	10	6
Galena city	261	302	765	833	675	470	190
Ruby city	179	145	197	170	188	166	62
District 4 subtotal	**1,542**	**1,839**	**2,506**	**2,582**	**2,436**	**2,010**	**754**
Tanana city	349	120	388	345	308	246	100
Rampart CDP	49	36	50	68	45	24	10
Stevens Village CDP	102	74	96	102	87	78	26
Beaver CDP	101	101	66	103	84	84	36
Fort Yukon city	701	448	619	580	595	583	246
Chalkyitsik CDP	57	130	100	90	83	69	24

Continued on next page

Appendix A. *Continued from previous page*

U.S. CENSUS POPULATION							
Community	**1960**	**1970**	**1980**	**1990**	**2000**	**2010**	**2010 number of house-holds**
Arctic Village CDP	110	85	111	96	152	152	65
Venetie CDP	107	112	132	182	202	166	61
Birch Creek CDP	32	45	32	42	28	33	17
Circle CDP	41	54	81	73	100	104	40
Chicken CDP	0	0	0	0	17	7	5
Central CDP	28	26	36	52	134	96	53
Eagle Village CDP	0	0	54	35	68	67	31
Eagle city	92	36	110	168	129	86	41
District 5 subtotal	**1,769**	**1,267**	**1,875**	**1,936**	**2,032**	**1,795**	**755**
Livengood CDP					29	13	7
Manley CDP	72	34	61	96	72	89	41
Minto CDP	161	168	153	218	258	210	65
Whitestone CDP						97	22
Nenana city	286	362	470	393	402	378	171
Four Mile Road CDP					38	49	14
Healy CDP	67	79	334	487	1,000	1,021	434
McKinley Park CDP	0	0	60	171	142	185	109
Anderson city	341	362	517	628	367	246	90
Ferry CDP				56	29	33	17
Lake MinChumina CDP	0	0	22	32	32	13	6
Cantwell CDP	85	62	89	147	222	219	104
Delta Junction city	0	703	945	652	840	958	377
Fort Greely CDP	0	1,820	1,635	1,299	461	539	236
Deltana CDP					1,570	2,251	784
Healy Lake CDP	0	0	33	47	37	13	7
Big Delta CDP	0	0	285	400	749	591	206
Dry Creek CDP	0	0	0	106	128	94	29
Dot Lake CDP	56	42	67	70	19	13	7
Dot Lake Village CDP					38	62	19
Tanacross CDP	102	84	117	106	140	136	53
Tetlin CDP	122	114	107	87	117	127	43
Tok CDP	129	214	589	935	1,393	1,258	532
Northway CDP	196	40	73	123	95	71	27
Northway Jct. CDP	0	0	0	88	72	54	20
Northway Village CDP						98	
Alcan border CDP	0	0	0	27	21	33	16
Nabesna CDP						5	3
District 6 subtotal	**1,617**	**4,084**	**5,557**	**6,168**	**8,271**	**8,856**	**3,439**
TOTAL	**7,390**	**10,328**	**13,935**	**15,490**	**18,391**	**18,404**	**6,358**

CDP=Census Designated Place. Black cell=information is not available. Source: ADCCED 2014.

FP19–02 Executive Summary	
General Description	Proposal FP19-02 requests the Federal Subsistence Board (Board) decrease the time the subsistence fishery is closed prior to the start of the State commercial fishing season in Yukon Districts 1, 2, 3, and 4A (excluding Koyukuk and Innoko rivers) from 24 hours to 6 hours. *Submitted by: Alissa Rogers*.
Proposed Regulation	***§___.14 Relationship to State procedures and regulations*** *(a) State fish and game regulations apply to public lands and such laws are hereby adopted and made a part of the regulations in this part to the extent they are not inconsistent with, or superseded by, the regulations in this part.* ***§___.27 Subsistence taking of fish*** *(e)(3) Yukon-Northern Area.* * * * * *(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),* ***except in Districts 1, 2, 3, and Subdistrict 4A, excluding the Koyukuk and Innoko River drainages, you may not take salmon for subsistence purposes during the 6 hours immediately before the opening of a State commercial salmon fishing season,*** *unless superseded by a Federal Special Action.* * * * * *(vi) In Districts 1, 2, 3, and Subdistrict 4A, excluding the Koyukuk and Innoko River drainages, you may not take salmon for subsistence purposes during the* ~~*24*~~***6*** *hours immediately before the opening of the State commercial salmon fishing season.*
OSM Preliminary Conclusion	**Support** Proposal FP19-02 **with modification** to provide the up-dated language only one time in the regulations to avoid redundancy.

FP19–02 Executive Summary	
Yukon-Kuskokwim Delta Subsistence Regional Advisory Council Recommendation	
Western Interior Alaska Subsistence Regional Advisory Council Recommendation	
Seward Peninsula Subsistence Regional Advisory Council Recommendation	
Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	**None**

DRAFT STAFF ANALYSIS
FP19-02

ISSUES

Proposal FP19-02, submitted by Alissa Rogers of Bethel requests the Federal Subsistence Board (Board) decrease the time the subsistence fishery is closed prior to the start of the State commercial fishing season in Yukon Districts 1, 2, 3, and 4A (excluding Koyukuk and Innoko rivers) from 24 hours to 6 hours.

DISCUSSION

The proponent states these closures do not prevent people from selling into the commercial fishery Chinook Salmon taken in the subsistence fishery because only a few Yukon subsistence fishermen do this. The proponent states there are always going to be a few bad actors that they are known and have been fined before but that the existing regulation has not stopped them. The proponent states that this regulation is burdensome on subsistence fishermen without any benefit.

Existing Federal Regulation

§___.14 Relationship to State procedures and regulations

(a) State fish and game regulations apply to public lands and such laws are hereby adopted and made a part of the regulations in this part to the extent they are not inconsistent with, or superseded by, the regulations in this part.

§___.27 Subsistence taking of fish

(e)(3) Yukon-Northern Area.

* * * *

(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), unless superseded by a Federal Special Action.

* * * *

(vi) In Districts 1, 2, 3, and Subdistrict 4A, excluding the Koyukuk and Innoko River drainages, you may not take salmon for subsistence purposes during the 24 hours immediately before the opening of the State commercial salmon fishing season.

Proposed Federal Regulation

§___.14 Relationship to State procedures and regulations

(a) State fish and game regulations apply to public lands and such laws are hereby adopted and made a part of the regulations in this part to the extent they are not inconsistent with, or superseded by, the regulations in this part.

§___.27 Subsistence taking of fish

(e)(3) Yukon-Northern Area.

* * * *

(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), ***except in Districts 1, 2, 3, and Subdistrict 4A, excluding the Koyukuk and Innoko River drainages, you may not take salmon for subsistence purposes during the 6 hours immediately before the opening of a State commercial salmon fishing season,*** *unless superseded by a Federal Special Action.*

* * * *

(vi) In Districts 1, 2, 3, and Subdistrict 4A, excluding the Koyukuk and Innoko River drainages, you may not take salmon for subsistence purposes during the ~~*24*~~***46*** *hours immediately before the opening of the State commercial salmon fishing season.*

Existing State Regulation

5 AAC 01.240. Marking and use of subsistence-taken salmon

(e) In Districts 1, 2, and 3, excluding the Innoko River drainage, salmon may not be taken for subsistence during the 24 hours immediately before the opening of the commercial salmon fishing season, and

Extent of Federal Public Lands

For purposes of this discussion, the phrase "Federal public waters" is defined as those waters described under 36 CFR §242.3 and 50 CFR §100.3. The Federal public waters addressed by this proposal are those portions of the Yukon River located within, or adjacent to, the external boundaries of the Yukon Delta National Wildlife Refuge (NWR) within fishing Subdistricts 1-3 of the Yukon/Northern Federal Subsistence Fishery Management Area (**Figure 1**).

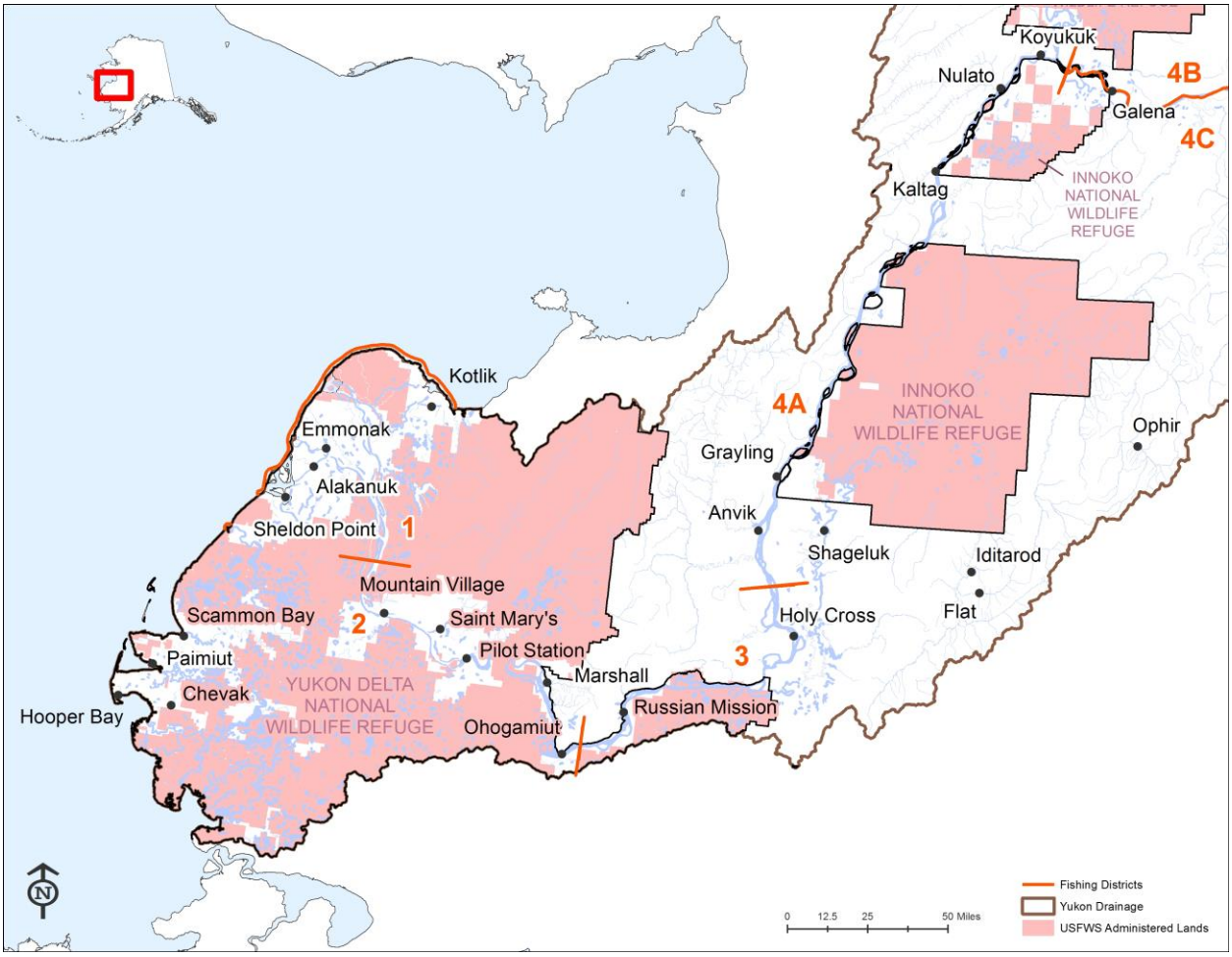

Figure 1. Lower Yukon River Districts 1, 2, 3, and 4A.

Customary and Traditional Use Determinations

Rural residents of the Yukon River drainage and the community of Stebbins have 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 community of Chevak, Hooper Bay, Scammon Bay, and Stebbins have a customary and traditional use determination for Fall Chum salmon in the Yukon River drainage.

Regulatory History

State Regulatory History

The current six commercial fishing districts were established in 1974. The subsistence fishing schedules were also linked to the commercial fishing schedules in districts 1-6 in the same year, and concurrent subsistence and commercial fishing for 5 days per week was implemented in the Upper Yukon Area (Districts 4-6). Beginning in 1977 the lower Yukon area was reduced to commercial and subsistence fishing for 3 days per week during the commercial Chinook Salmon season, and 3.5 days per week during the Fall Chum Salmon season. The Fall Chum Salmon fishing season was again reduced in 1979, to 3 days per week. Beginning in 1981, ADF&G began announcing in-season Lower Yukon area commercial fishing periods by emergency order, with Lower Yukon area subsistence periods announced in this manner beginning in 1984 (Jallen et al. 2015).

In December 1976, the Alaska BOF prohibited the use of drift gillnets for subsistence Chinook Salmon fishing in the middle and upper Yukon Areas (Districts 4-6). The BOF discussions at that time indicated that the possible increase in the use of drift gillnets could seriously impact both the conservation and allocation of middle and upper Yukon River salmon stocks, which were being harvested at maximum levels (ADF&G 2001). However, subsistence users in the upper Yukon areas were allowed to continue using drift gillnets throughout the Yukon River drainage until the 1977 season.

In 1981, the Alaska BOF adopted a proposal to allow drift gillnets for subsistence Chinook Salmon harvest in Subdistrict 4A (ADF&G 1982).

Beginning in 1993, regulations separated commercial and subsistence fishing times in Districts 1, 2, 3 and Subdistrict 4A. The regulations stated that subsistence fishing in Districts 1-3 was open 7 days per week, 24 hours/day until the commercial fishing season began. Once commercial fishing had started, subsistence fishing was closed 18 hours prior, during, and 12 hours after each commercial fishing period. Also, marking of subsistence caught fish was required by removal of the dorsal fin. These regulations were made based on an enforcement action where subsistence-caught fish were being sold in the commercial fishery in 1992 (Bergstrom et al. 1995).

In 1994, the Alaska BOF questioned the need for drift gillnets to provide for adequate subsistence opportunity in the middle and upper Yukon Areas. State staff comments suggested that at that time it did not appear necessary (ADF&G 2001). The BOF stated that the Alaska Department of Fish and Game could allow increased time for subsistence fishing with other gear types by emergency order, as an alternative, if subsistence needs were not being met. No BOF action was taken.

The Board added a fishing schedule for the subsistence salmon fisheries in 2001. The schedule will be implemented chronologically, consistent with migratory timing as the run progresses upstream. This schedule may be altered by emergency order if preseason or in-season indicators indicate it is necessary for conservation.. Districts 1-3 windows allowed subsistence salmon fishing for two 36 hour periods per week. Districts 4, and Subdistricts 5-B and 5-C were open to subsistence fishing for two 48-hour periods per week. Subsistence fishing in Subdistrict 4A was further defined during the commercial fishing season

in 2004 with Chinook Salmon fishing only allowed during two 48 hour drift netting periods per week by emergency order.

In February 2007, the BOF adopted a proposal changing the marking requirement for subsistence-caught salmon in Districts 1–3 from removal of the dorsal fin to removal of both tips of the tail fin. The rationale cited in the subcommittee report was to foster better compliance because marking would be easier, to make the regulation consistent with other areas of the state, to clarify when subsistence marking requirements would be in place, to use a more sanitary mark, and to discourage subsistence caught fish from entering the State's commercial fisheries (ADF&G 2007).

Commercial fishing for Chum Salmon during times of Chinook Salmon conservation was permitted with fish wheels by emergency order in Subdistrict 4-A, beginning in 2012. Fishermen are required to be present at the fish wheel, and immediately release all Chinook Salmon alive.

In March 2015, the BOF adopted a new regulation that allowed the use of drift gillnets to harvest summer Chum Salmon for subsistence purposes during times of Chinook conservation from June 10 through August 2, by emergency order, in the upper portion of Subdistrict 4A (5 AAC 0l.220(e)(1)).

In January 2016, the BOF adopted the same regulations in the lower portion of the Subdistrict 4A (5 AAC 0l.220 (e) (2)).

The BOF adopted a proposal to allow the use of drift gill nets in sub-districts 4B and 4C at the March 2018 meeting.

Federal Regulatory History

Starting in October 1999, Federal subsistence management regulations for the Yukon-Northern Area stipulated that, unless otherwise restricted, rural residents may take salmon in the Yukon-Northern Area at any time by gillnet, beach seine, fish wheel, or rod and reel unless exceptions are noted.

In 2002, the Board delegated some of its authority to manage Yukon River drainage subsistence salmon fisheries to the Branch Chief for Subsistence Fisheries, U.S. Fish and Wildlife Service, in Fairbanks. The Federal Subsistence Board's delegation allows the Federal manager to open or close Federal subsistence fishing periods or areas provided under codified regulations, and to specify methods and means.

In 2017, through fisheries proposal FP17-03, the Board modified regulations in Subdistrict 4A to allow the Federal In-season Manager to open fishing periods during which Chum Salmon may be taken by drift gillnets from June 10 through August 2 (FSB 2017). This regulation change was made to match existing ADF&G regulations that were modified in 2015 and 2016.

Current Events

The proponent for this regulatory proposal has also submitted this proposal to the BOF for its review during their Arctic/Yukon/Kuskokwim Finfish meeting that is scheduled for January 15-19, 2019. The

proponent has also submitted FP19-03 and FP19-04, which are similar proposals that aim to reduce or eliminate the required closure before a commercial fishing period. Fisheries Proposal 19-03 requests to reduce the closure time down to 6 hours prior to and 6 hours after a commercial fishing period, while FP19-04 requests that there would be no closure to subsistence fishing prior to, during, and after a commercial fishing period.

Biological Background

Chinook Salmon

Recent analyses indicate that Yukon River Chinook Salmon stocks appear to be in the third year of increasing productivity after the low returns of 2015. Historically, the stocks showed periods of above-average abundance (1982-1997) and periods of below-average abundance (1998 onwards), as well as periods of generally higher productivity (brood years 1993 and earlier) mixed with years of low productivity (brood years 1994-1996 and 2002-2005; Schindler et al. 2013).

The 2014 run was expected to be the smallest on record, with a projected size of 64,000-121,000 fish. Despite initial concerns, the cumulative passage estimate at the mainstem Yukon River sonar project in Pilot Station was approximately 138,000±17,000 (90% CI) fish (**Figure 2**). The passage estimate was still below the historical average of 143,000 fish and below the average of 195,800 fish for years with early run timing. As a result of severe management restrictions, all escapement goals that could be assessed were achieved, even with below average run sizes (JTC 2015).

The 2015 projected run size was 118,000-140,000 fish, which was once again below average but higher than the previous year's projection. Cumulative passage estimates at the sonar station in Pilot Station were approximately 116,000±30,000 fish (90% CI) (**Figure 2**). As with the previous year, this number was still below the historical average. As a result of severe management restrictions, all escapement goals that could be assessed were achieved, even with below average run sizes (JTC 2016).

The 2016 run outlook was a below-average run of 130,000–176,000 fish (JTC 2017). Cumulative passage estimates at the sonar station in Pilot Station were approximately 176,898±18,466 fish (90% CI) (Liller, 2018, pers. comm.). This number was near the recent historical average of 178,300 fish (ADFG 2018), but is considered preliminary at this time. Conservative actions were relaxed slightly from previous years and all escapement goals were again met (JTC 2016).The 2017 run outlook was slightly larger, but still for a below average run of 140,000-194,000 fish (JTC 2017). Cumulative passage estimates at the Pilot Station sonar were approximately 263,000±29,000 fish (90% CI) (ADF&G 2018), the largest since 2003 (JTC 2017), is also considered preliminary. Subsistence management restrictions were further relaxed that resulted in harvests approximately two thirds of average and most escapement goals were met despite the poor water conditions that existed throughout the drainage. The numbers reported at the Pilot Station sonar do not factor in any harvest that occurs downstream, which can be significant during some years.

The 2018 run outlook is larger than in recent years, with a run size of 173,000-251,000 fish (ADF&G 2018a). The upper end of the range could support an average subsistence harvest, while the low end of the range would likely result in restrictions to subsistence fishing.

Summer Chum Salmon

Summer Chum Salmon runs in the Yukon River have provided a harvestable surplus in each of the last 15 years, 2003-2017. In 2017, the projected outlooks were for a run size of approximately 2 million fish, while the 2018 projection is expected to be similar or slightly lower than the 2017 run of approximately 3.6 million fish.

In 2016, approximately 1.92 million ±80,517 (90% CI) fish passed the Yukon River sonar project at Pilot Station, which was near the historical median for the project of 1.90 million fish. In 2017, the passage estimate at Pilot Station increased to 3.09 million ±138,259 (90% CI) (**Figure 3**). Most tributaries experienced average to above-average escapement in 2017 (JTC 2018). The Henshaw Creek weir counted a record number of Chum Salmon (360,687), which was only 13% smaller than the number counted at the Anvik River Sonar (415,139).

Although all 2017 numbers are preliminary at this time, the 2018 run is anticipated to provide for escapement, normal subsistence harvest, and a surplus for commercial harvest (JTC 2018).

Fall Chum Salmon

Fall Chum Salmon runs in the Yukon River have provided a harvestable surplus in each of the last 8 years, 2010-2017. The 2018 projection of 1.6-1.8 million fish is lower than the 2017 run of approximately 2.3 million fish (JTC 2018).

In 2016, approximately 994,760 million ±64,434 (90% CI) Fall Chum Salmon passed the Yukon River sonar project at Pilot Station, which was above the 1995-2016 median for the project of 688,057 fish. In 2017, the passage estimate at Pilot Station increased to 1.83 million ±54,179 (90% CI) and was the second largest run in 43 years (**Figure 4**). Most tributaries experienced average to above-average escapement in 2017 (JTC 2018) although all 2017 numbers are still preliminary at this time.

The 2018 run is anticipated to provide for escapement, normal subsistence harvest, and a surplus for commercial harvest (JTC 2018).

Coho Salmon

In 2016 approximately 168,297 ± 11,180 (90% CI) Coho Salmon passed the Yukon River sonar project at Pilot Station, which was slightly above the historical median of 160,272 fish. In 2017, the passage estimate at Pilot Station decreased to 166,330 ±20,300 (90% CI) and was slightly above the historical median (**Figure 5**). All 2017 numbers are preliminary at this time. The Coho Salmon outlook is based upon parent year escapements assuming average survival. Since Coho Salmon predominately return as age 2.1 fish

(4 year old fish), the major contributor to the 2018 returns are from the 2014 parent year. Therefore, the 2018 outlook is for average to above average returns in 2018

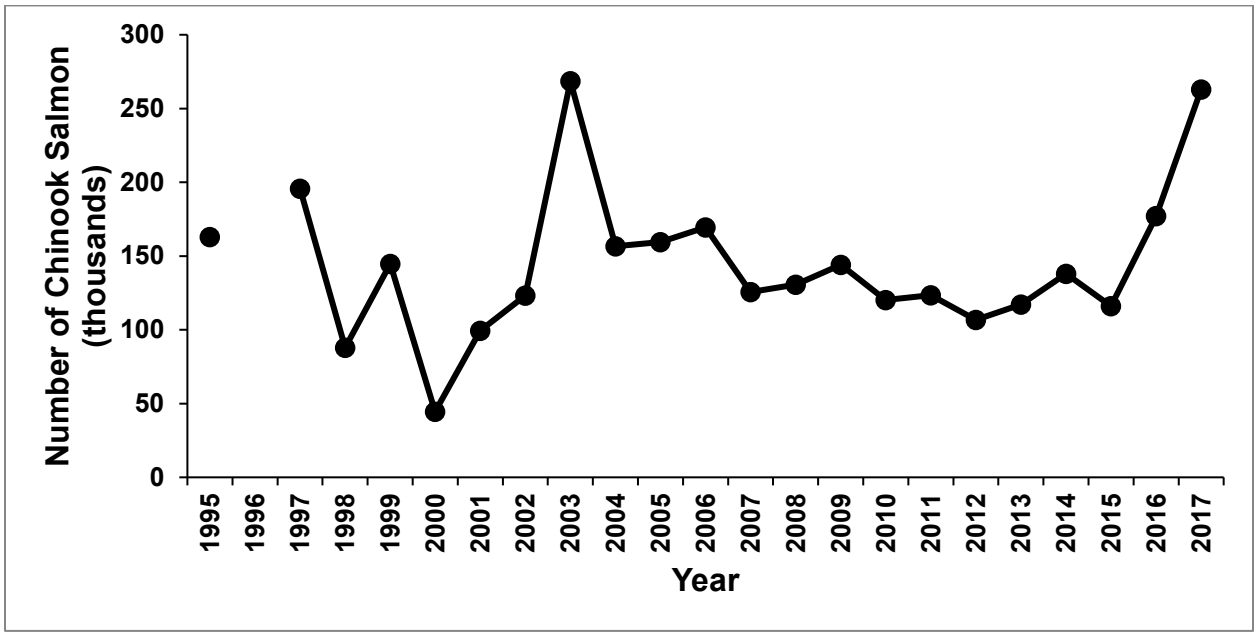

Figure 2. Chinook Salmon passage estimates based on the mainstem Yukon River sonar near Pilot Station, Yukon River drainage, 1995 and 1997-2017 (JTC 2018). Data from 2016 and 2017 are preliminary at this time.

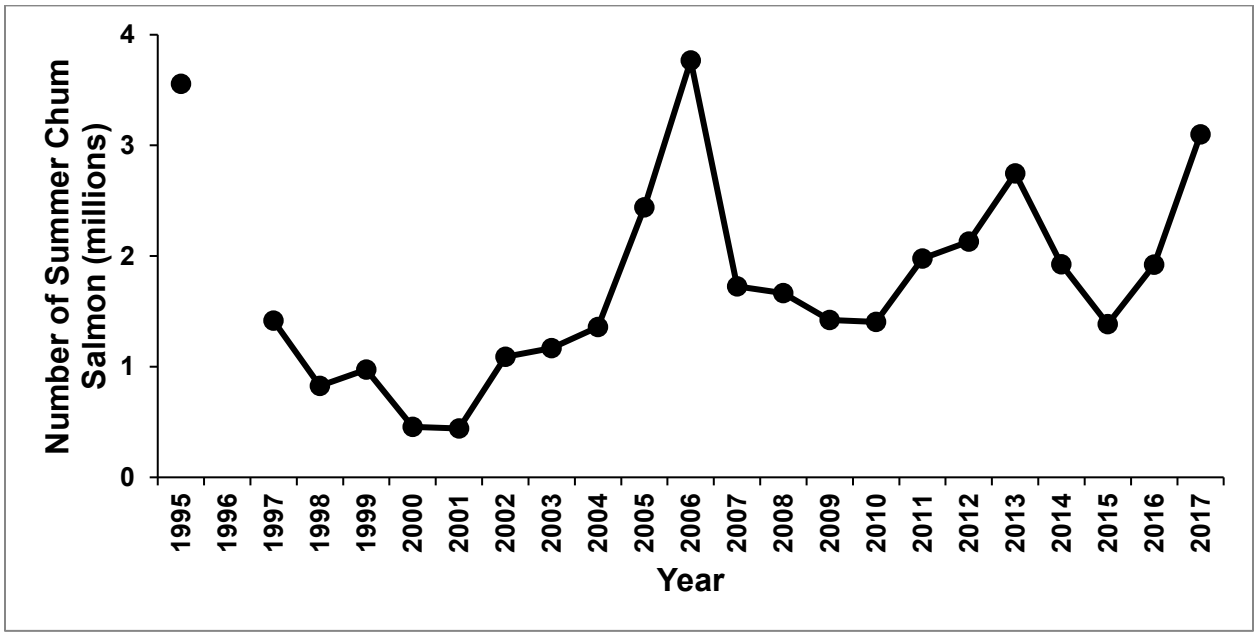

Figure 3. Summer Chum Salmon passage estimates based on the mainstem Yukon River sonar near Pilot Station, Yukon River drainage, 1995 and 1997-2017 (JTC 2018). Data from 2016 and 2017 are preliminary at this time.

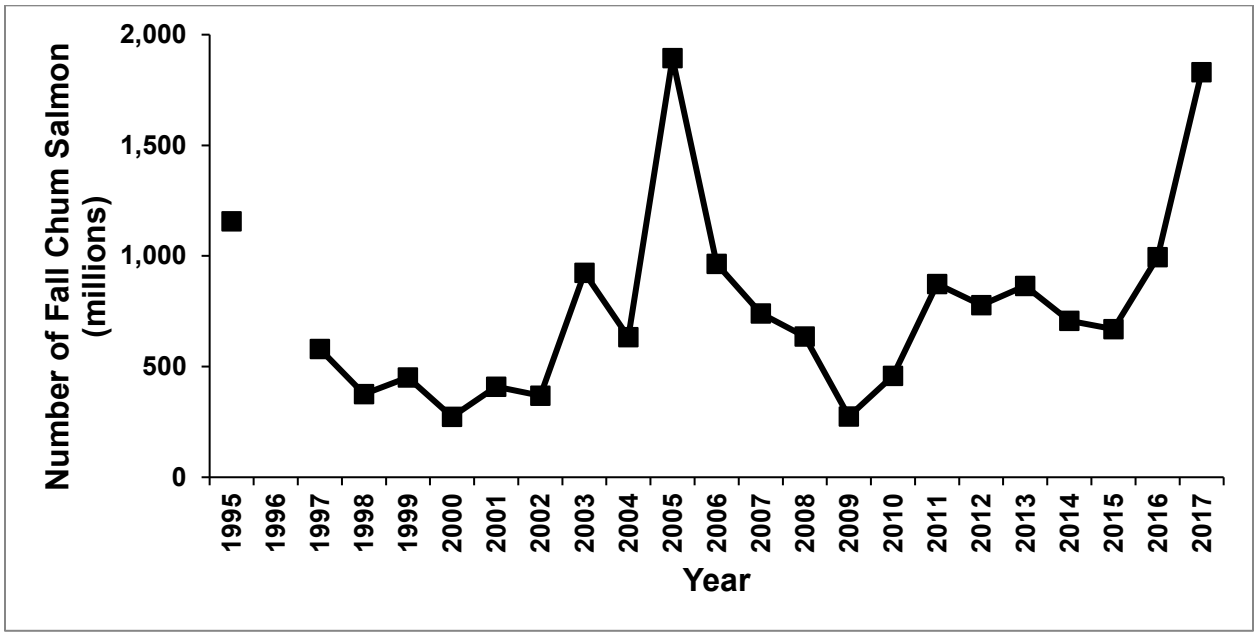

Figure 4. Fall Chum Salmon passage estimates based on the mainstem Yukon River sonar near Pilot Station, Yukon River drainage, 1995 and 1997-2017 (JTC 2018). Data from 2016 and 2017 are preliminary at this time.

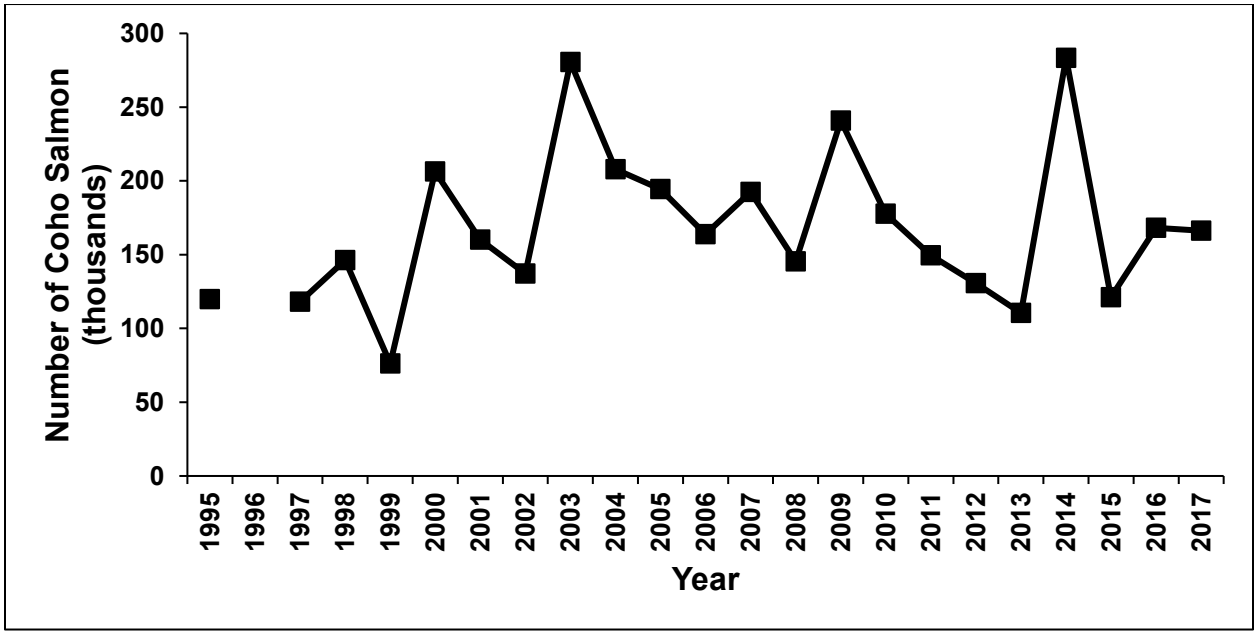

Figure 5. Coho Salmon passage estimates based on the mainstem Yukon River sonar near Pilot Station, Yukon River drainage, 1995 and 1997-2017 (JTC 2018). Data from 2016 and 2017 are preliminary at this time.

Harvest History

Chinook Salmon

Subsistence

Subsistence harvest of Chinook Salmon in the Alaska portion of the Yukon River averaged 34,791 fish from 1961-2015, with a high of 62,486 in 1993 and a low of 2,724 in 2014 (JTC 2017) (**Figure 6**). The 2014 Chinook Salmon subsistence harvest of 2,724 fish was the lowest on record for the Alaska portion of the Yukon River drainage. Harvest increased in 2015, 2016 and 2017 with 7,577, 21,627, and 36,992 fish harvested respectively. The 2017 harvest estimate, though preliminary, is larger than the 2007-2016 average (29,514) and over two times the number of the recent 5 year average of 15,088 (JTC 2018). The 2017 harvest is the largest since 2011.

The subsistence harvest in Yukon River Districts 1-3 averaged 16,755 from 2004- 2013, with a 2009-2013 average of 13,442 Chinook Salmon (Jallen et al 2017). The estimated 2014 subsistence harvest in these districts was 2,020 Chinook Salmon.

Commercial

Chinook Salmon have not been targeted in the commercial fishery for 10 years and the sale of incidentally caught Chinook Salmon was prohibited for the seventh consecutive year during the 2017 summer season. However, there was a small opportunity during the fall fishing seasons were fish were sold in Districts 1 and 2 in 2011 (82) and 2017 (168). The 1961-2016 average commercial harvest is 88,092 with a recent 10 year average of 9,714 (JTC 2018).

Sportfish

Sport fishing harvest of Chinook Salmon are generally low in the Yukon River drainage. The 2012-2016 average sport fishing harvest within the Alaska portion of the Yukon River was estimated to be 105 Chinook Salmon (JTC 2018). The majority of sport fishing effort in the drainage occurs in the Tanana River drainage (District 6). Outside of the Tanana River, the Andreafsky (in District 2) and Anvik (in District 4) rivers receive the bulk of the remaining effort. During 2017, sport fishing was allowed after June 20, and allowed for a bag limit of 1 Chinook Salmon 20-inches or greater (JTC 2018).

Summer Chum Salmon

Subsistence

Subsistence harvest of summer Chum Salmon in the Alaska portion of the Yukon River averaged 129,766 fish from 1970-2016, with a high of 227,829 in 1988 and a low of 72,155 in 2001 (JTC 2018) (Figure 7). The 2012-2016 average harvest is estimated to be 100,113 summer Chum Salmon, and the harvest estimate from 2014-2017 has remained relatively constant. The preliminary 2017 harvest is 87,252 summer Chum Salmon. Summer Chum Salmon are predominately harvested in Yukon area Districts 1-4, and 6. Few summer Chum Salmon migrate upstream of the Tanana River in the Yukon River mainstream.

Commercial

Commercial harvest of Chum Salmon in the Alaska portion of the Yukon River averaged 382,635 fish from 1970-2016, with a high of 1,148,650 in 1988 and a low of 0 in 2001 (JTC 2018). Since 2001, commercial catches of summer Chum Salmon has increased dramatically, with a 2012-2016 average of 444,094 fish. The preliminary 2017 harvest is 555,296 summer Chum salmon.

Sportfish

Sport fishing harvest of summer Chum Salmon is generally low in the Yukon River drainage. The 2012-2016 average sport fishing harvest within the Alaska portion of the Yukon River was estimated to be 264 summer Chum Salmon (JTC 2018). The majority of sport fishing effort in the drainage occurs in the Tanana River drainage (District 6). Outside of the Tanana River, the Andreafsky (in District 2) and Anvik (in District 4) rivers receive the bulk of the remaining effort.

Fall Chum Salmon

Subsistence

Subsistence harvest of fall Chum Salmon in the Alaska portion of the Yukon River averaged 105,167 fish from 1961-2016, with a high of 342,819 in 1987 and a low of 19,395 in 2000 (JTC 2018) (**Figure 8**). The 2012-2016 average harvest is estimated to be 95,294 fall Chum Salmon, and the harvest estimate from 2014-2017 has remained relatively constant. The preliminary 2017 harvest is 86,189 fall Chum Salmon.

Commercial

Commercial harvest of fall Chum Salmon in the Alaska portion of the Yukon River averaged 157,467 fish from 1961-2016, with a high of 466,451 in 1981 and a low of 0 in 1987, 1993, 2000, 2001, and 2002 when no commercial fishery was conducted (JTC 2018). Since 2002, commercial catches of fall Chum Salmon has varied dramatically, and the 2012-2016 average is 260,042 fish. The preliminary 2017 harvest is 489,702 fall Chum salmon.

Sportfish

Sport fishing harvest of fall Chum Salmon is generally low in the Yukon River drainage, with no data presented (JTC 2018).

Coho Salmon

Subsistence

Subsistence harvest of Coho Salmon in the Alaska portion of the Yukon River averaged 22,400 fish from 1961-2016, with a high of 82,371 in 1987 and a low of 3,966 in 1970 (JTC 2018) (**Figure 9**). The 2012-2016 average harvest is estimated to be 16,003 Coho Salmon, while the harvest estimate from 2016 and 2017 has decreased. The preliminary 2017 harvest is 7,645 Coho Salmon.

Commercial

Commercial harvest of Coho Salmon in the Alaska portion of the Yukon River averaged 38,031 fish from 1961-2016, with a high of 201,482 in 2016 and a low of 0 in 1987, 1993, 2000, 2001, and 2002 when no commercial fishery was conducted (JTC 2018). Since 2002, commercial catches of Coho Salmon has varied dramatically, and the 2012-2016 average is 115,372 fish. The 2017 harvest is 138,915 Coho salmon. All harvest data from 2016 and 2017 is preliminary.

Sportfish

Sport fishing harvest of Coho Salmon is generally low in the Yukon River drainage. The 2012-2016 average sport fishing harvest within the Alaska portion of the Yukon River was estimated to be 703 Coho Salmon (JTC 2018). The majority of sport fishing effort in the drainage occurs in the Tanana River drainage (District 6). Outside of the Tanana River, the Andreafsky (in District 2) and Anvik (in District 4) rivers receive the bulk of the remaining effort.

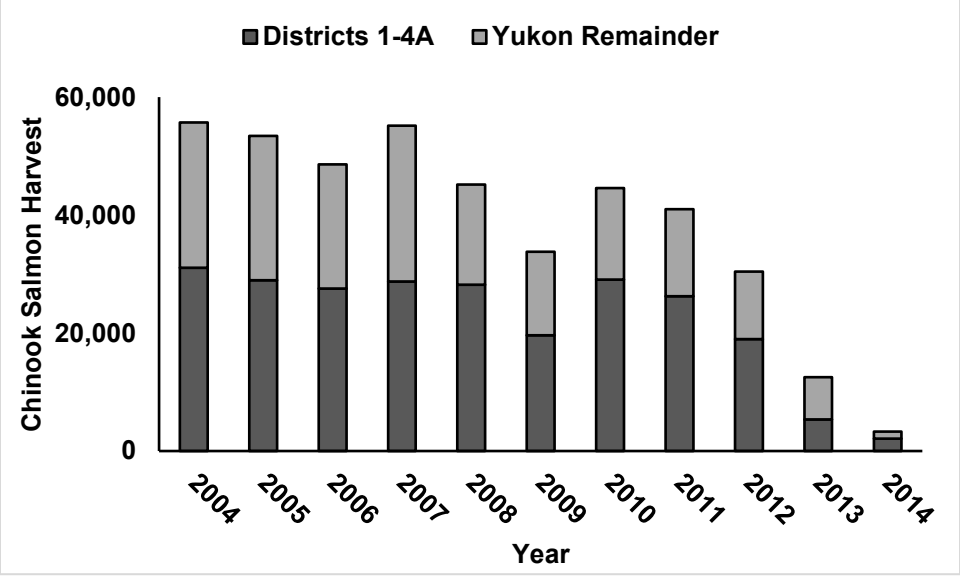

Figure 6. Comparison of Chinook Salmon subsistence harvest of communities from Districts 1- 4A and the remaining U.S. districts of the Yukon River from 2004 to 2014 (Jallen et al. 2017).

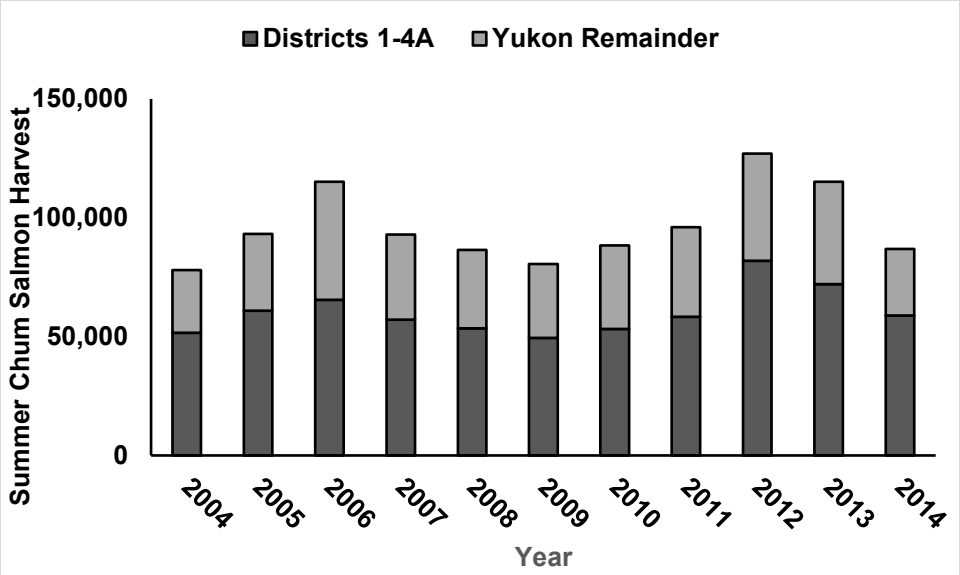

Figure 7. Comparison of Summer Chum Salmon subsistence harvest from communities in Districts 1- 4A and the remaining U.S. districts of the Yukon River from 2004 to 2014 (Jallen et al. 2017).

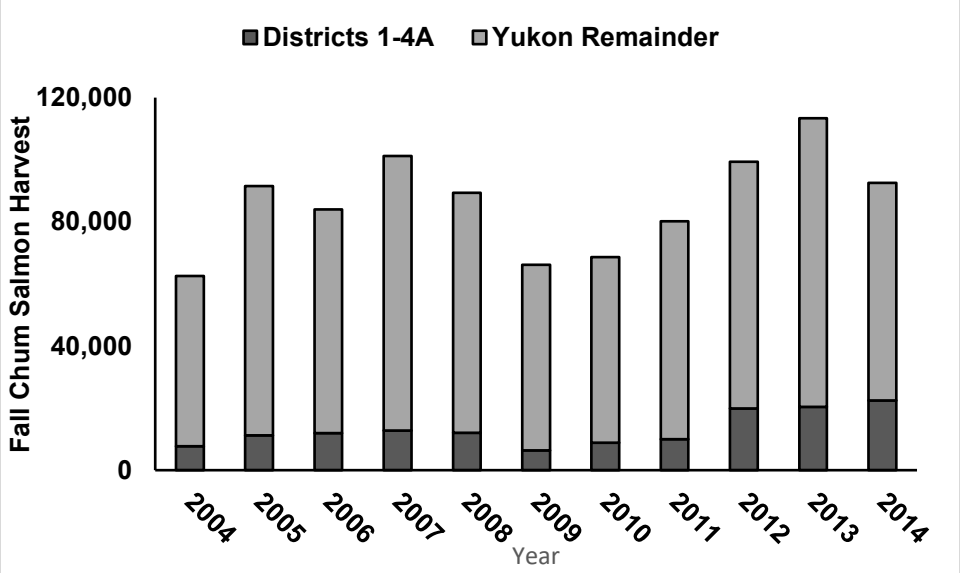

Figure 8. Comparison of Fall Chum Salmon subsistence harvest from communities in Districts 1- 4A and the remaining U.S. districts of the Yukon River from 2004 to 2014 (Jallen et al. 2017).

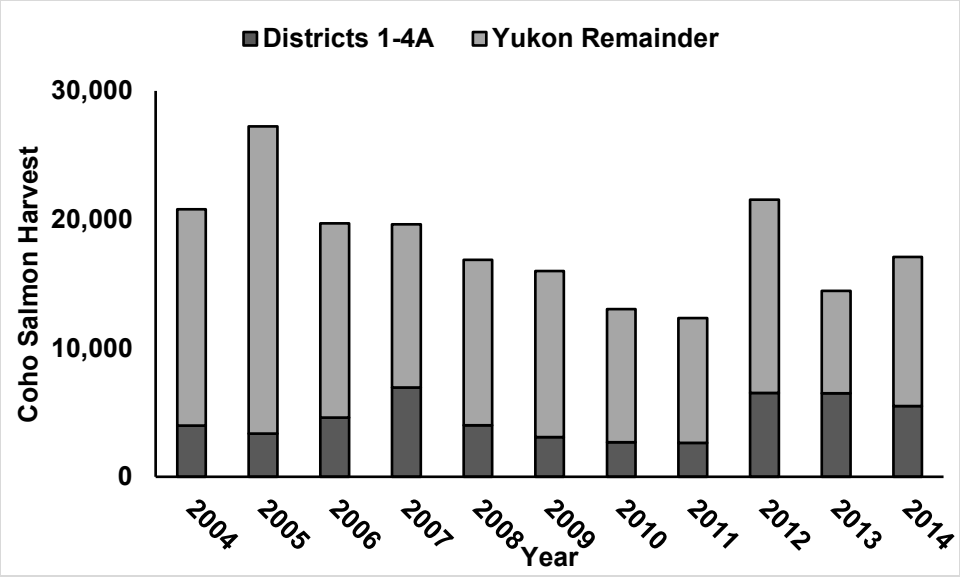

Figure 9. Comparison of Coho Salmon subsistence harvest from communities in Districts 1- 4A and the remaining U.S. districts of the Yukon River from 2004 to 2014 (Jallen et al. 2017).

Cultural Knowledge and Traditional Practices

The use and importance of salmon and other non-salmon species for Yukon River communities has been documented through oral histories and harvest surveys conducted in the area. Historically, many Yukon communities followed a semi-nomadic, subsistence lifestyle, spending time at seasonal camps, migrating with the resources and harvesting various species of fish, along with hunting and gathering subsistence resources. Humans have likely lived in the Yukon area for over 10,000 years (Rainey 1940) and fishing was a family and community activity, deeply ingrained in to the cultures of the people in this area. People traditionally used weirs and fish traps, and nets made of animal sinew and willow bark and more recently employed commercially made set nets along with hand made fish wheels for salmon at their fish camps. Multi-generational family groups would travel to seasonal camps to harvest fish and wildlife. Although fewer young people spend time at seasonal camps now due to employment, school, and other responsibilities, subsistence fishing continues to be important for communities up and down the river. According to surveys, many older people recalled whole families spending long hours at their fish camps, harvesting, processing, and preserving fish. Children learned about subsistence activities from their elders at fish camp (Brown et al. 2010; Brown et al. 2015).

Salmon is considered the most reliable and significant subsistence resource on the Lower Yukon River. Salmon has always been an important part of the culture, economically and socially, and the knowledge of how to catch, process, and preserve fish has been passed down from generation to generation. Before contact by outsiders dried fish was regularly traded between Yukon villages along with other commodities such as furs and sea mammal products (Wolfe 1981).

Yukon River residents are dependent on the harvest of salmon, especially Chinook Salmon, for both subsistence and commercial uses. Starting in the late 1990s, Chinook Salmon began to decline so people harvested more summer and Fall Chum Salmon along with other subsistence resources (Brown et al. 2015). In the 1960s, people started using gillnets to drift fish for salmon for personal and commercial use.

Today fishing still plays an important cultural role in the communities along the lower and middle Yukon River, and the knowledge of how and when to fish is passed down from generation to generation.

Customary trade of fish is an important part of continuing trade networks in rural areas of Alaska. Salmon fishing takes place in the summer and timing is based on the runs for various species. Local residents also use nets under the ice to fish for pike, whitefish, or sheefish in the spring before breakup. Communities have used various types of nets and fish wheels to harvest fish through the generations. Fish wheels are used less now than they were in the past when people were catching more fish to feed sled dogs, but are still used in some areas, mainly to catch fish for human consumption (Brown et al. 2010). Chum salmon, once primarily used for dog food, were caught using nets set from the shore but are now consumed by people in the United States and overseas. As more village runways were built, increasing air travel, and more snow machines were brought to the villages, the dependency on sled dogs was reduced, reducing the need for harvesting fish to feed dogs (Brown et al. 2015).

The use, harvest, and dependence of salmon resources can vary by community based on cultural practices, resource availability, economics and many other factors. Yukon River drainage residents exhibit these variations generally within the lower, middle, and upper stretches of the drainage. Communities present along the river and their populations over time, by fishing district, are represented in Appendix 1.

Effects of the Proposal

If this proposal were adopted, Federally qualified subsistence users would be allowed to continue subsistence fishing for salmon up to 6 hours, instead of up to 24 hours, before the start of the State commercial fishing season in Yukon Districts 1, 2, 3, and Subdistrict 4A (excluding Koyukuk and Innoko rivers).

Although this proposal may increase opportunities for subsistence harvest for Federally qualified users, there are some potential drawbacks that may occur. State and Federal regulations would no longer be the same, complicating enforcement of these regulations and creating confusions about where and when it is legal to fish. Districts 1 and 2 contain primarily Federal public waters, as well as most of District 3. However, once out of the Yukon Delta National Wildlife Refuge, land status becomes more varied and would require users to know the location of Federal public waters.

Fishery managers currently have the authority to set time and area. Therefore, it is not unusual for them to modify the amount of closure time leading into and out of a commercial fishing period. For example, subsistence fishing was closed for only 3 hours prior to and reopened 3 hours after a commercial opening on July 22, 2017 (ADF&G 2017).

If the proposal was not adopted, the subsistence fishery would remain closed for 24 hours prior to the start of the State commercial fishing season and subsistence management regulations would remain the same.

OSM PRELIMINARY CONCLUSION

Support Proposal FP19-02 **with modification** to provide the updated language only one time in the regulations to avoid redundancy.

The modified regulation should read:

§___.14 Relationship to State procedures and regulations

(a) State fish and game regulations apply to public lands and such laws are hereby adopted and made a part of the regulations in this part to the extent they are not inconsistent with, or superseded by, the regulations in this part.

§___.27 Subsistence taking of fish

(e)(3) Yukon-Northern Area.

* * * *

(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), unless superseded by a Federal Special Action.

* * * *

*(vi) In Districts 1, 2, 3, and Subdistrict 4A, excluding the Koyukuk and Innoko River drainages, you may not take salmon for subsistence purposes during the ~~24~~**6** hours immediately before the opening of the State commercial salmon fishing season.*

Justification

Adoption of this proposal would result in additional opportunity for Federally qualified subsistence users in Districts 1-4A on the Yukon River. If adopted with FP19-03 as modified, Federally qualified subsistence users would have a uniform period of closure surrounding the commercial fishery throughout the fishing season reducing confusion in Federal regulations surrounding the closure time before and after a commercial fishing opportunity. The 6 hours between subsistence fishing and commercial fishing would still allow enough time for users to adjust for each as needed. Modification of the proposed language avoids redundancy in Federal regulations.

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Appendix 1. Population data for communities within the Yukon River drainage fishing districts, 1960-2010.

U.S. CENSUS POPULATION							
Community	**1960**	**1970**	**1980**	**1990**	**2000**	**2010**	**2010 number of households**
Stebbins city	158	231	331	400	547	556	134
Outside drainage subtotal	**158**	**231**	**331**	**400**	**547**	**556**	**134**
Alakanuk city	278	265	522	544	652	677	160
Nunam Iqua city	125	125	103	109	164	187	43
Emmonak city	358	439	567	642	767	762	185
Kotlik city	57	228	293	461	591	577	128
District 1 subtotal	**818**	**1,057**	**1,485**	**1,756**	**2,174**	**2,203**	**516**
Mountain Village city	300	419	583	674	755	813	184
Pitkas Point CDP	28	70	88	135	125	109	31
Saint Marys city	260	384	382	441	500	507	151
Pilot Station city	219	290	325	463	550	568	121
Marshall city	166	175	262	273	349	414	100
District 2 subtotal	**973**	**1,338**	**1,640**	**1,986**	**2,279**	**2,411**	**587**
Russian Mission city	102	146	169	246	296	312	73
Holy Cross city	256	199	241	277	227	178	64
Shageluk city	155	167	131	139	129	83	36
District 3 subtotal	**513**	**512**	**541**	**662**	**652**	**573**	**173**
Anvik city	120	83	114	82	104	85	33
Grayling city	0	139	209	208	194	194	55
Kaltag city	165	206	247	240	230	190	70
Nulato CDP	183	308	350	359	336	264	92
Koyukuk city	128	124	98	126	101	96	42
Huslia city	168	159	188	207	293	275	91
Hughes city	69	85	73	54	78	77	31
Allakaket city	115	174	163	170	97	105	44
Alatna CDP				31	35	37	12
Bettles city	77	57	49	36	43	12	9
Evansville CDP	77	57	45	33	28	15	12
Wiseman CDP	0	0	8	33	21	14	5
Coldfoot CDP					13	10	6
Galena city	261	302	765	833	675	470	190
Ruby city	179	145	197	170	188	166	62
District 4 subtotal	**1,542**	**1,839**	**2,506**	**2,582**	**2,436**	**2,010**	**754**
Tanana city	349	120	388	345	308	246	100
Rampart CDP	49	36	50	68	45	24	10
Stevens Village CDP	102	74	96	102	87	78	26
Beaver CDP	101	101	66	103	84	84	36
Fort Yukon city	701	448	619	580	595	583	246
Chalkyitsik CDP	57	130	100	90	83	69	24

Continued on next page

Appendix 1. *Continued from previous page*

U.S. CENSUS POPULATION							
Community	**1960**	**1970**	**1980**	**1990**	**2000**	**2010**	**2010 number of households**
Arctic Village CDP	110	85	111	96	152	152	65
Venetie CDP	107	112	132	182	202	166	61
Birch Creek CDP	32	45	32	42	28	33	17
Circle CDP	41	54	81	73	100	104	40
Chicken CDP	0	0	0	0	17	7	5
Central CDP	28	26	36	52	134	96	53
Eagle Village CDP	0	0	54	35	68	67	31
Eagle city	92	36	110	168	129	86	41
District 5 subtotal	**1,769**	**1,267**	**1,875**	**1,936**	**2,032**	**1,795**	**755**
Livengood CDP					29	13	7
Manley CDP	72	34	61	96	72	89	41
Minto CDP	161	168	153	218	258	210	65
Whitestone CDP						97	22
Nenana city	286	362	470	393	402	378	171
Four Mile Road CDP					38	49	14
Healy CDP	67	79	334	487	1,000	1,021	434
McKinley Park CDP	0	0	60	171	142	185	109
Anderson city	341	362	517	628	367	246	90
Ferry CDP				56	29	33	17
Lake Minchumina CDP	0	0	22	32	32	13	6
Cantwell CDP	85	62	89	147	222	219	104
Delta Junction city	0	703	945	652	840	958	377
Fort Greely CDP	0	1,820	1,635	1,299	461	539	236
Deltana CDP					1,570	2,251	784
Healy Lake CDP	0	0	33	47	37	13	7
Big Delta CDP	0	0	285	400	749	591	206
Dry Creek CDP	0	0	0	106	128	94	29
Dot Lake CDP	56	42	67	70	19	13	7
Dot Lake Village CDP					38	62	19
Tanacross CDP	102	84	117	106	140	136	53
Tetlin CDP	122	114	107	87	117	127	43
Tok CDP	129	214	589	935	1,393	1,258	532
Northway CDP	196	40	73	123	95	71	27
Northway Jct. CDP	0	0	0	88	72	54	20
Northway Village CDP						98	
Alcan border CDP	0	0	0	27	21	33	16
Nabesna CDP						5	3
District 6 subtotal	**1,617**	**4,084**	**5,557**	**6,168**	**8,271**	**8,856**	**3,439**
TOTAL	**7,390**	**10,328**	**13,935**	**15,490**	**18,391**	**18,404**	**6,358**

CDP=Census Designated Place. Black cell=information is not available. Source: ADCCED 2014.

FP19–03/19-04 Executive Summary	
General Description	Proposal FP19-03 requests the Federal Subsistence Board (Board) decrease the time the subsistence fishery is closed immediately before the State commercial fishing period in Yukon Districts 1, 2, and 3 from 18 hours to 6 hours, and immediately after from 12 hours to 6 hours. Proposal FP-04 requests the Board eliminate the closures to subsistence fishing immediately before, during and after commercial fishing periods in Yukon Districts 1, 2, and 3 *Both proposals submitted by: Alissa Rogers*.
Proposed Regulation	*See pages 252 to 255 of this book for proposed regulations.*
OSM Preliminary Conclusion	**Support** Proposal FP19-03 **with modification** to include district 4A and provide the updated language only one time in the regulations to avoid redundancy. **Oppose** Proposal FP19-04.
Yukon-Kuskokwim Delta Subsistence Regional Advisory Council Recommendation	
Western Interior Alaska Subsistence Regional Advisory Council Recommendation	
Seward Peninsula Subsistence Regional Advisory Council Recommendation	
Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	**None**

DRAFT STAFF ANALYSIS
FP19-03 AND 19-04

ISSUES

Proposal FP19-03, submitted by Alissa Rogers of Bethel requests the Federal Subsistence Board (Board) decrease the time the subsistence fishery is closed immediately before the State commercial fishing period in Yukon Districts 1, 2, and 3 from 18 hours to 6 hours, and immediately after from 12 hours to 6 hours.

Proposal FP-04, submitted by Alyssa Rogers of Bethel requests the Board eliminate the closures to subsistence fishing immediately before, during and after commercial fishing periods in Yukon Districts 1, 2, and 3.

DISCUSSION

The proponent states these closures do not prevent people from selling their harvest from the Federal subsistence fishery as commercially caught fish. The proponent states there are always going to be a few bad actors, that they are known and have been fined before but that the existing regulation has not stopped them. The proponent states that the existing regulation is burdensome on Federal subsistence fishermen without any benefit.

Existing Federal Regulation

§___.14 Relationship to State procedures and regulations

(a) State fish and game regulations apply to public lands and such laws are hereby adopted and made a part of the regulations in this part to the extent they are not inconsistent with, or superseded by, the regulations in this part.

§___.27 Subsistence taking of fish

(e)(3) Yukon-Northern Area.

* * * *

(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), unless superseded by a Federal Special Action.

* * * *

(vii) In Districts 1, 2, and 3:

(A) After the opening of the State commercial salmon fishing season through July 15, you may not take salmon for subsistence for 18 hours immediately before, during, and for 12 hours after each State commercial salmon fishing period;

(B) After July 15, you may not take salmon for subsistence for 12 hours immediately before, during, and for 12 hours after each State commercial salmon fishing period.

Proposed Federal Regulation

Proposal FP19-03

§___.14 Relationship to State procedures and regulations

(a) State fish and game regulations apply to public lands and such laws are hereby adopted and made a part of the regulations in this part to the extent they are not inconsistent with, or superseded by, the regulations in this part.

§___.27 Subsistence taking of fish

(e)(3) Yukon-Northern Area.

* * * *

(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), ***except in Districts 1, 2, and 3 after the opening of the State commercial salmon fishing season through July 15, you may not take salmon for subsistence for 6 hours immediately before, during, and for 6 hours after each State commercial salmon fishing period and after July 15, you may take salmon for subsistence for 6 hours immediately before, during, and for 6 hours after each State commercial salmon fishing period,*** *unless superseded by a Federal Special Action.*

* * * *

(vii) In Districts 1, 2, and 3:

*(A) After the opening of the State commercial salmon fishing season through July 15, you may not take salmon for subsistence for ~~18~~**6** hours immediately before, during, and for ~~12~~**6** hours after each State commercial salmon fishing period;*

*(B) After July 15, you may not take salmon for subsistence for ~~12~~**6** hours immediately before, during, and for ~~12~~**6** hours after each State commercial salmon fishing period.*

Proposal FP19-04

§___.27 Subsistence taking of fish

(e)(3) Yukon-Northern Area.

** * * **

(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), ***except in Districts 1, 2, and 3 after the opening of the State commercial salmon fishing there are no closures to subsistence salmon fishing before, during, or after each State commercial fishing period,*** *unless superseded by a Federal Special Action.*

** * * **

(vii) In Districts 1, 2, and 3:

(A) After the opening of the State commercial salmon fishing season through July 15, you may ~~not~~ take salmon for subsistence for 18 hours immediately before, during, and for 12 hours after each State commercial salmon fishing period;

(B) After July 15, you may ~~not~~ take salmon for subsistence for 12 hours immediately before, during, and for 12 hours after each State commercial salmon fishing period.

Existing State Regulation

5 AAC 01.210. Fishing seasons and periods

(e) In Districts 1, 2, and 3, excluding the Innoko River drainage, salmon may not be taken for subsistence during the 24 hours immediately before the opening of the commercial salmon fishing season, and

(1) in Districts 1, 2, and 3,

(A) after the opening of the commercial salmon fishing season through July 15, salmon may not be taken for subsistence for 18 hours immediately before, during, and for 12 hours after each commercial salmon fishing period;

(B) after July 15, salmon may not be taken for subsistence for 12 hours immediately before, during, and for 12 hours after each commercial salmon fishing period;

(C) notwithstanding the provisions of (A) and (B) of this paragraph, if the commissioner determines it necessary to ensure that reasonable opportunity for subsistence uses is being provided, the commissioner may, by emergency order, open a subsistence fishing period that may occur during times that are before, during, and after a commercial salmon fishing period;

Extent of Federal Public Lands

For purposes of this discussion, the phrase "Federal public waters" is defined as those waters described under 36 CFR §242.3 and 50 CFR §100.3. The Federal public waters addressed by this proposal are those portions of the Yukon River located within, or adjacent to, the external boundaries of the Yukon Delta National Wildlife Refuge (NWR) within fishing Subdistricts 1-3 of the Yukon/Northern Federal Subsistence Fishery Management Area (**Figure 1**).

Customary and Traditional Use Determinations

Rural residents of the Yukon River drainage and the community of Stebbins have 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 community of Chevak, Hooper Bay, Scammon Bay, and Stebbins have a customary and traditional use determination for Fall Chum Salmon in the Yukon River drainage.

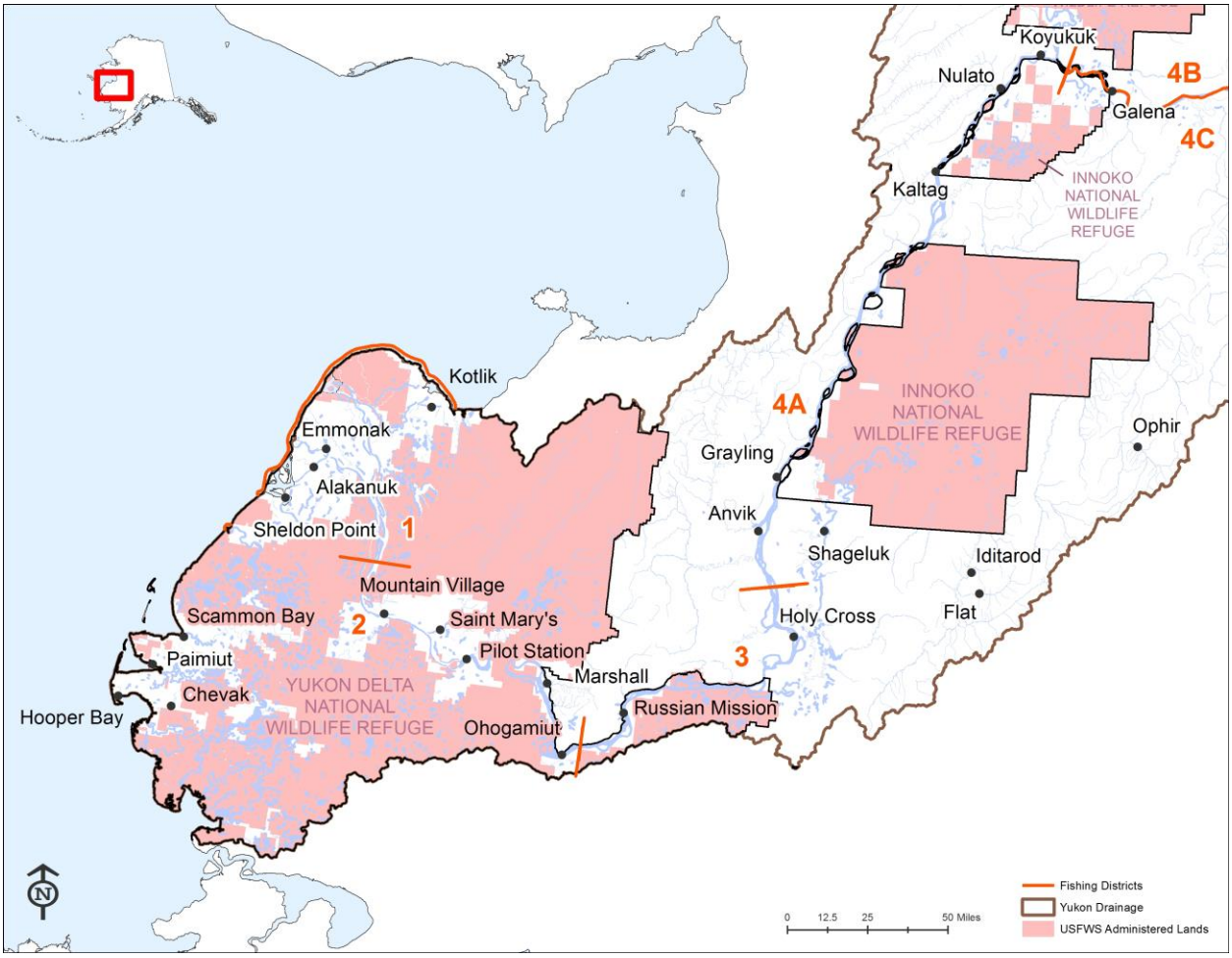

Figure 1. Yukon River Drainage fishing Districts 1, 2, 3, and 4A.

Regulatory History

State Regulatory History

The current 6 commercial fishing districts were established in 1974. The subsistence fishing schedules were also linked to the commercial fishing schedules in districts 1-6 in the same year, and concurrent subsistence and commercial fishing for 5 days per week was implemented in the Upper Yukon Area (Districts 4-6). Beginning in 1977 the lower Yukon area was reduced to commercial and subsistence fishing for 3 days per week during the commercial Chinook Salmon season, and 3.5 days per week during the Fall Chum Salmon season. The Fall Chum Salmon fishing season was again reduced in 1979, to 3 days per week. Beginning in 1981, ADF&G began announcing in-season lower Yukon area commercial fishing periods by emergency order, with Lower Yukon area subsistence periods announced in this manner beginning in 1984 (Jallen et al. 2015).

In December 1976, the BOF prohibited the use of drift gillnets for subsistence Chinook Salmon fishing in the middle and upper Yukon Areas (Districts 4-6). The Alaska Board of Fisheries discussions at that time indicated that the possible increase in the use of drift gillnets could seriously impact both the conservation and allocation of middle and upper Yukon River salmon stocks, which were being harvested at maximum

levels (ADF&G 2001). However, subsistence users in the upper Yukon areas were allowed to continue using drift gillnets throughout the Yukon River drainage until the 1977 season.

In 1981, the BOF adopted a proposal to allow drift gillnets for subsistence Chinook Salmon harvest in Subdistrict 4-A (ADF&G 1982).

Beginning in 1993, regulations separated commercial and subsistence fishing times in Districts 1-3 and Subdistrict 4A. The regulations stated that subsistence fishing in District 1-3 was open 7 days per week, 24 hours/day until the commercial fishing season began. Once commercial fishing had started, subsistence fishing was closed 18 hours prior, during, and 12 hours after each commercial fishing period. Also, marking of subsistence caught fish was required by removal of the dorsal fin. These regulations were made based on an enforcement action where subsistence-caught fish were being sold in the commercial fishery in 1992 (Bergstrom et al. 1995).

In 1994, the BOF questioned the need for drift gillnets to provide for adequate subsistence opportunity in the middle and upper Yukon Areas. State staff comments suggested that at that time, it did not appear necessary (ADF&G 2001). The Alaska BOF stated that ADF&G could allow increased time for subsistence fishing with other gear types by emergency order, as an alternative, if subsistence needs were not being met. No BOF action was taken.

The Board added a fishing schedule for the subsistence salmon fisheries. The schedule will be implemented chronologically, consistent with migratory timing as the run progresses upstream. This schedule may be altered by emergency order if preseason or in-season indicators suggest it is necessary for conservation. Districts 1-3 windows allowed subsistence salmon fishing for two 36 hour periods per week. Districts 4, and Subdistricts 5-B and 5-C were open to subsistence fishing for two 48-hour periods per week. Subsistence fishing in Subdistrict 4-A was further defined during the commercial fishing season in 2004 with Chinook Salmon fishing only allowed during two 48 hour drift netting periods per week by emergency order.

In February 2007, the BOF adopted a proposal changing the marking requirement for subsistence-caught salmon in Districts 1–3 from removal of the dorsal fin to removal of both tips of the tail fin. The rationale cited in the subcommittee report was to foster better compliance because marking would be easier, to make the regulation consistent with other areas of the State, to clarify when subsistence marking requirements would be in place, to use a more sanitary mark, and to discourage subsistence caught fish from entering the State's commercial fisheries (ADF&G 2007).

Commercial fishing for Chum Salmon during times of Chinook Salmon conservation was permitted with fish wheels by emergency order in Subdistrict 4A, beginning in 2012. Fishermen are required to be present at the fish wheel, and immediately release all Chinook Salmon alive.

In March 2015, the BOF adopted a new regulation that allowed the use of drift gillnets to harvest Summer Chum Salmon for subsistence purposes during times of Chinook conservation from June 10 through August 2, by emergency order, in the upper portion of Subdistrict 4A (5 AAC 0l.220(e)(1)).

In January 2016, the BOF adopted the same regulations for the lower portion of the Subdistrict 4A (5 AAC 0l.220 (e) (2)).

Federal Regulatory History

Starting in October 1999, Federal subsistence management regulations for the Yukon-Northern Area stipulated that, unless otherwise restricted, rural residents may take salmon in the Yukon-Northern Area at any time by gillnet, beach seine, fish wheel, or rod and reel unless exceptions are noted.

In 2002, the Board delegated some of its authority to manage Yukon River drainage subsistence salmon fisheries to the Branch Chief for Subsistence Fisheries, U.S. Fish and Wildlife Service, in Fairbanks. The Federal Subsistence Board's delegation allows the Federal manager to open or close Federal subsistence fishing periods or areas provided under codified regulations, and to specify methods and means.

In 2017, through fisheries proposal FP17-03, the Board modified regulations in Subdistrict 4-A to allow the Federal In-season Manager to open fishing periods during which Chum Salmon may be taken by drift gillnets from June 10 through August 2 (FSB 2017). This regulation change was made to match existing ADF&G regulations that were modified in 2015 and 2016.

Current Events

The proponent for this regulatory proposal has also submitted this proposal to the BOF for its review during their Arctic/Yukon/Kuskokwim Finfish meeting that is scheduled for January 15-19, 2019. The proponent has also submitted FP19-02 which is a similar proposal that aims to reduce the required closure before the beginning of the commercial fishing season from 24 hours to 6 hours.

Biological Background

Chinook Salmon

Recent analyses indicate that Yukon River Chinook Salmon stocks appear to be in the third year of increasing productivity after the low returns of 2015. Historically, the stocks showed periods of above-average abundance (1982-1997) and periods of below-average abundance (1998 onwards), as well as periods of generally higher productivity (brood years 1993 and earlier) mixed with years of low productivity (brood years 1994-1996 and 2002-2005; Schindler et al. 2013).

The 2014 run was expected to be the smallest on record, with a projected size of 64,000-121,000 fish. Despite initial concerns, the cumulative passage estimate at the mainstem Yukon River sonar project in Pilot Station were approximately 138,000±17,000 (90% CI) fish (**Figure 2**). The passage estimate was still below the historical average of 143,000 fish and below the average of 195,800 fish for years with early run timing. As a result of severe management restrictions, all escapement goals that could be assessed were achieved, even with below average run sizes (JTC 2015).

The 2015 projected run size was 118,000-140,000 fish, which was once again below average yet higher than the previous year's projection. Cumulative passage estimates at the sonar station in Pilot Station were approximately 116,000±30,000 fish (90% CI) (**Figure 2**). As with the previous year, this number was still below the historical average. As a result of severe management restrictions, all escapement goals that could be assessed were achieved, even with below average run sizes (JTC 2016).

The 2016 run outlook was a below-average run of 130,000–176,000 fish (JTC 2017). Cumulative passage estimates at the sonar station in Pilot Station were approximately 176,898±18,466 fish (90% CI) (Liller, 2018 pers. comm.). This number was near the recent historical average of 178,300 fish (ADF&G 2018a), but is considered preliminary at this time. Conservative actions were relaxed slightly from previous years and all escapement goals were again met (JTC 2016).

The 2017 run outlook was slightly larger, but still below average: 140,000-194,000 fish (JTC 2017). Cumulative passage estimates at the Pilot Station sonar were approximately 263,000±29,000 fish (90% CI) (ADF&G 2018a), which was the largest since 2003 (JTC 2017), is also considered preliminary. Subsistence management restrictions were further relaxed that resulted in harvests approximately two thirds of average and most escapement goals were met despite the poor water conditions that existed throughout the drainage. The numbers reported at the Pilot Station sonar do not factor in any harvest that occurs downstream, which can be significant during some years.

The 2018 run outlook is larger than in recent years, with a run size of 173,000-251,000 fish (ADF&G 2018a). The upper end of the range could support an average average subsistence harvest, while the low end of the range would likely result in restrictions to subsistence fishing.

Summer Chum Salmon

Summer Chum Salmon runs in the Yukon River have provided a harvestable surplus in each of the last 15 years, 2003-2017. In 2017, the projected outlooks were for a run size of approximately 2 million fish, while the 2018 projection is expected to be similar or slightly lower than the 2017 run of approximately 3.6 million fish.

In 2016, approximately 1.92 million ±80,517 (90% CI) fish passed the Yukon River sonar project at Pilot Station, which was near the historical median for the project of 1.90 million fish. In 2017, the passage estimate at Pilot Station increased to 3.09 million ±138,259 (90% CI) (**Figure 3**). Most tributaries experienced average to above-average escapement in 2017 (JTC 2018). The Henshaw Creek weir counted a record number of Chum Salmon (360,687), which was just under the number counted at the Anvik River Sonar (415,139). The numbers reported at the Pilot Station sonar do not factor in any harvest that occurs downstream, which can be significant during some years.

Although all 2017 numbers are preliminary at this time, the 2018 run is anticipated to provide for escapement, normal subsistence harvest, and a surplus for commercial harvest (JTC 2018).

Fall Chum Salmon

Fall Chum Salmon runs in the Yukon River have provided a harvestable surplus in each of the last 8 years, 2010-2017. The 2018 projection of 1.6-1.8 million fish is lower than the 2017 run of approximately 2.3 million fish (JTC 2018).

In 2016, approximately 994,760 million ±64,434 (90% CI) Fall Chum Salmon passed the Yukon River sonar project at Pilot Station, which was above the 1995-2016 median for the project of 688,057 fish. In 2017, the passage estimate at Pilot Station increased to 1.83 million ±54,179 (90% CI) and was the second largest run in 43 years (**Figure 4**). Most tributaries experienced average to above-average escapement in 2017 (JTC 2018) although all 2017 numbers are preliminary at this time.

The 2018 run is anticipated to provide for escapement, normal subsistence harvest, and a surplus for commercial harvest (JTC 2018).

Coho Salmon

In 2016 approximately 168,297 ± 11,180 (90% CI) Coho Salmon passed the Yukon River sonar project at Pilot Station, which was slightly above the historical median of 160,272 fish. In 2017, the passage estimate at Pilot Station decreased to 166,330 ±20,300 (90% CI) which was also slightly above the historical median (**Figure 5**). All 2017 numbers are preliminary at this time. The Coho Salmon outlook is based upon parent year escapements assuming average survival. Since Coho Salmon predominately return as age 2.1 fish (4 year old fish), the major contributor to the 2018 returns are from the 2014 parent year. Therefore, the 2018 outlook is for average to above average returns in 2018.

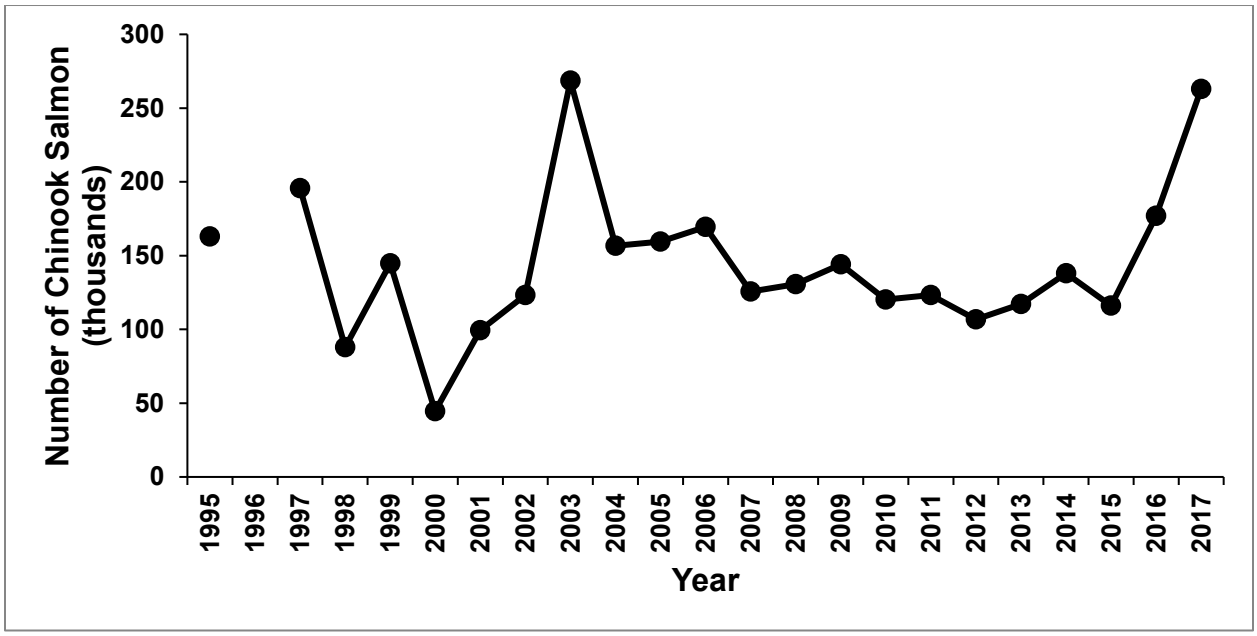

Figure 2. Chinook Salmon passage estimates based on the mainstem Yukon River sonar near Pilot Station, Yukon River drainage, 1995 and 1997-2017 (JTC 2018). Data from 2016 and 2017 are preliminary at this time.

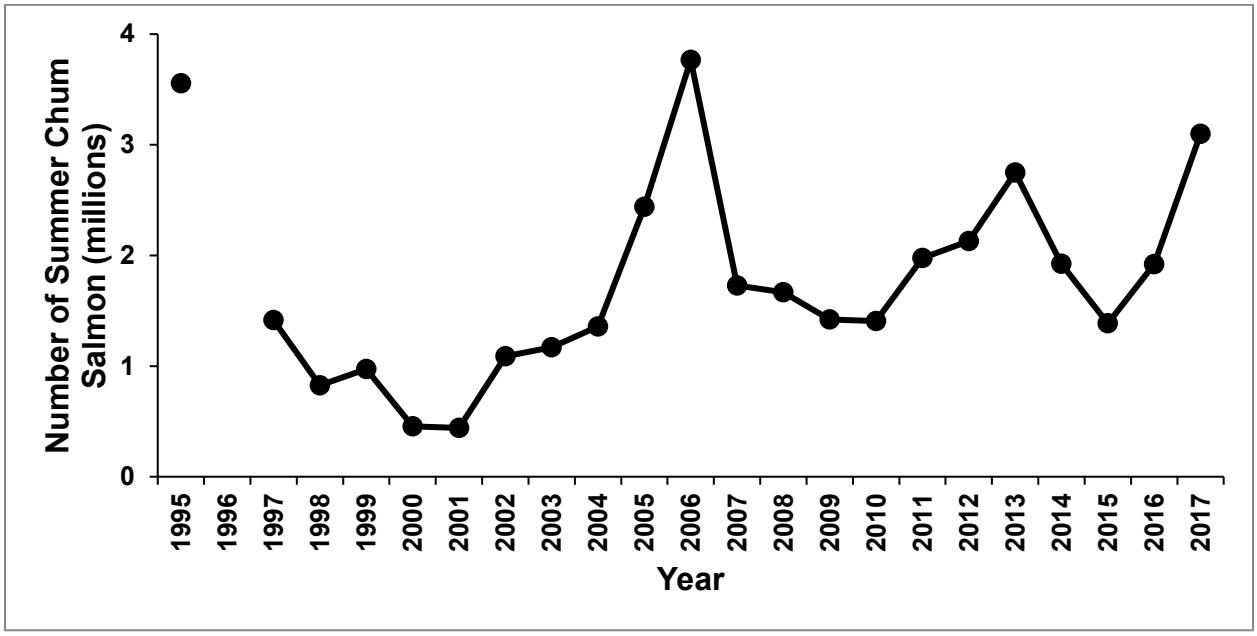

Figure 3. Summer Chum Salmon passage estimates based on the mainstem Yukon River sonar near Pilot Station, Yukon River drainage, 1995 and 1997-2017 (JTC 2018). Data from 2016 and 2017 are preliminary at this time.

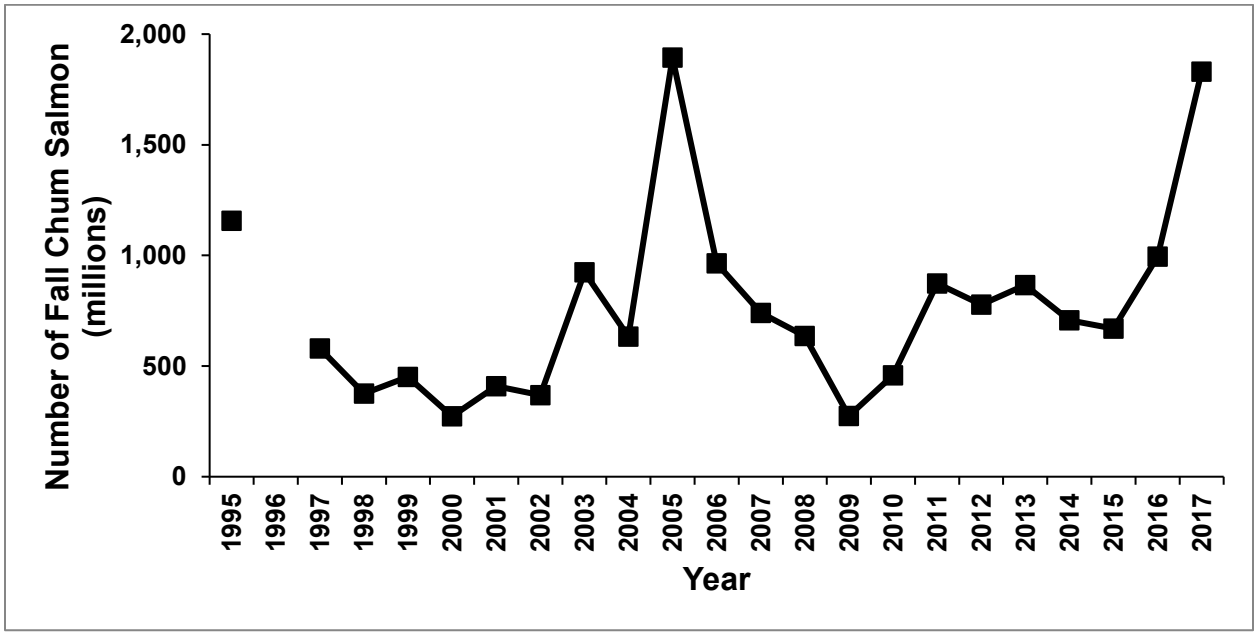

Figure 4. Fall Chum Salmon passage estimates based on the mainstem Yukon River sonar near Pilot Station, Yukon River drainage, 1995 and 1997-2017 (JTC 2018). Data from 2016 and 2017 are preliminary at this time.

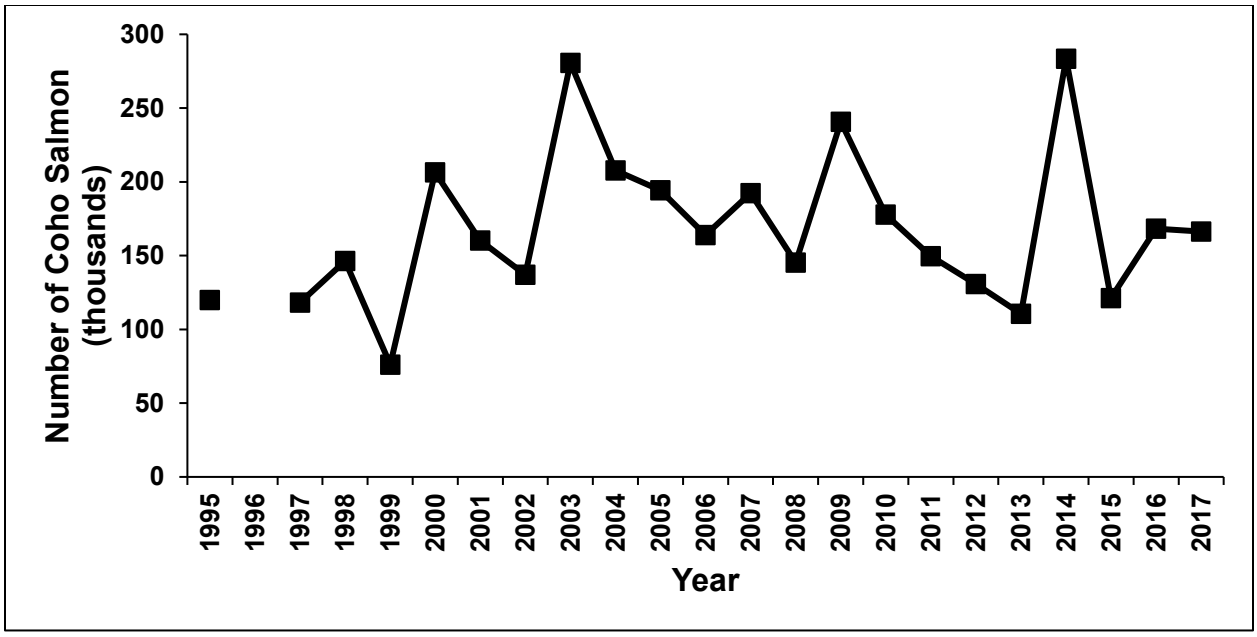

Figure 5. Coho Salmon passage estimates based on the mainstem Yukon River sonar near Pilot Station, Yukon River drainage, 1995 and 1997-2017 (JTC 2018). Data from 2016 and 2017 are preliminary at this time.

Harvest History

Chinook Salmon

Subsistence

Subsistence harvest of Chinook Salmon in the Alaska portion of the Yukon River averaged 34,791 fish from 1961-2015, with a high of 62,486 in 1993 and a low of 2,724 in 2014 (JTC 2017) (**Figure 6**). The 2014 Chinook Salmon subsistence harvest of 2,724 fish was the lowest on record for the Alaska portion of the Yukon River drainage. Harvest increased in 2015, 2016 and 2017 with 7,577, 21,627, and 36,992 fish harvested respectively. The 2017 harvest estimate, though preliminary, is larger than the 2007-2016 average (29,514) and over 2 times the number of the recent 5 year average of 15,088 (JTC 2018). The 2017 harvest was the largest since 2011.

The subsistence harvest in Yukon River Districts 1-3 averaged 16,755 from 2004- 2013, with a 2009-2013 average of 13,442 Chinook Salmon (Jallen et al. 2017). The estimated 2014 subsistence harvest in these districts was 2,020 Chinook Salmon.

Commercial

Chinook Salmon have not been targeted in the commercial fishery for 10 years and the sale of incidentally caught Chinook Salmon was prohibited for the seventh consecutive year during the 2017 summer season. However, there was a small opportunity during the fall fishing seasons were fish were sold in Districts 1 and 2 in 2011 (82) and 2017 (168). The 1961-2016 average commercial harvest is 88,092 with a recent 10 year average of 9,714 (JTC 2018).

Sportfish

Sport fishing harvest of Chinook Salmon are generally low in the Yukon River drainage. The 2012-2016 average sport fishing harvest within the Alaska portion of the Yukon River was estimated to be 105 Chinook Salmon (JTC 2018). The majority of sport fishing effort in the drainage occurs in the Tanana River drainage (District 6). Outside of the Tanana River, the Andreafsky (in District 2) and Anvik (in District 4) rivers receive the bulk of the remaining effort. During 2017, sport fishing was allowed after June 20, and allowed for a bag limit of 1 Chinook Salmon 20-inches or greater (JTC 2018).

Summer Chum Salmon

Subsistence

Subsistence harvest of Summer chum Salmon in the Alaska portion of the Yukon River averaged 129,766 fish from 1970-2016, with a high of 227,829 in 1988 and a low of 72,155 in 2001 (JTC 2018) (**Figure 7**). The estimated 2012-2016 average harvest was 100,113 Summer Chum Salmon, and the harvest estimate from 2014-2017 remained relatively constant. The preliminary 2017 harvest is 87,252 Summer Chum Salmon. Summer Chum Salmon are predominately harvested in Yukon area Districts 1-4, and 6. Few Summer Chum Salmon migrate upstream of the Tanana River in the Yukon River mainstream.

Commercial

Commercial harvest of Chum Salmon in the Alaska portion of the Yukon River averaged 382,635 fish from 1970-2016, with a high of 1,148,650 in 1988 and a low of 0 in 2001 (JTC 2018). Since 2001, commercial catches of Summer Chum Salmon has increased dramatically, with a 2012-2016 average of 444,094 fish. Preliminary data for the 2017 season shows a harvest of 555,296 Summer Chum Salmon.

Sportfish

Sport fishing harvest of Summer Chum Salmon is generally low in the Yukon River drainage. The 2012-2016 average sport fishing harvest within the Alaska portion of the Yukon River was estimated to be 264 Summer Chum Salmon (JTC 2018). The majority of sport fishing effort in the drainage occurs in the Tanana River drainage (District 6). Outside of the Tanana River, the Andreafsky (in District 2) and Anvik (in District 4) rivers receive the bulk of the remaining effort.

Fall Chum Salmon

Subsistence

Subsistence harvest of Fall Chum Salmon in the Alaska portion of the Yukon River averaged 105,167 fish from 1961-2016, with a high of 342,819 in 1987 and a low of 19,395 in 2000 (JTC 2018) (**Figure 8**). The 2012-2016 average harvest is estimated to be 95,294 Fall Chum Salmon, and the harvest estimate from 2014-2017 has remained relatively constant. The preliminary 2017 harvest is 86,189 Fall Chum Salmon.

Commercial

Commercial harvest of Fall Chum Salmon in the Alaska portion of the Yukon River averaged 157,467 fish from 1961-2016, with a high of 466,451 in 1981 and a low of 0 in 1987, 1993, 2000, 2001, and 2002 when no commercial fishery was conducted (JTC 2018). Since 2002, commercial catches of Fall Chum Salmon has varied dramatically, and the 2012-2016 average is 260,042 fish. Preliminary data for the 2017 season shows a harvest of 489,702 Fall Chum Salmon.

Sportfish

Sport fishing harvest of Fall Chum Salmon is generally low in the Yukon River drainage, with no data available (JTC 2018).

Coho Salmon

Subsistence

Subsistence harvest of Coho Salmon in the Alaska portion of the Yukon River averaged 22,400 fish from 1961-2016, with a high of 82,371 in 1987 and a low of 3,966 in 1970 (JTC 2018) (**Figure 9**). The 2012-2016 average harvest was estimated to be 16,003 Coho Salmon, while the harvest estimate from 2016 and 2017 has decreased. Preliminary data for the 2017 season show a harvest of 7,645 Coho Salmon.

Commercial

Commercial harvest of Coho Salmon in the Alaska portion of the Yukon River averaged 38,031 fish from 1961-2016, with a high of 201,482 in 2016 and a low of 0 in 1987, 1993, 2000, 2001, and 2002 when no commercial fishery was conducted (JTC 2018). Since 2002, commercial catches of Coho Salmon has varied dramatically, and the 2012-2016 average is 115,372 fish. The 2017 harvest was 138,915 Coho Salmon. All harvest data from 2016 and 2017 are preliminary.

Sportfish

Sport fishing harvest of Coho Salmon is generally low in the Yukon River drainage. The 2012-2016 average sport fishing harvest within the Alaska portion of the Yukon River was estimated to be 703 Coho Salmon (JTC 2018). The majority of sport fishing effort in the drainage occurs in the Tanana River drainage (District 6). Outside of the Tanana River, the Andreafsky (in District 2) and Anvik (in District 4) rivers receive the bulk of the remaining effort.

Comprehensive Household Harvest Surveys

ADF&G's Division of Subsistence occasionally undertakes comprehensive household surveys as time and resources allow. These document the use, harvest, and sharing of all wild foods harvested in a community in a given year and can thus provide insights on the importance of individual resources within the overall harvest and the cultural contexts of these harvests, including patterns of sharing. For the region represented by the proposal, available salmon harvest and use data collected by these surveys is represented in **Table 1**.

The Chinook Salmon and Chum Salmon harvests and use represented in **Table 1** include all gear types including commercial retention. A large percentage of households in these communities used Chinook Salmon in the study years. Patterns of Chum Salmon use was similar to Chinook Salmon for all communities except for Alakanuk, which had a higher percentage of Chinook Salmon compared to Chum Salmon. Coho Salmon use was much less than for the other two species for all communities except Shageluk which used more Coho Salmon than Chinook or Chum Salmon in 2013.

Sharing of salmon resources as represented by giving and receipt in **Table 1** was common for communities with available data. Sharing includes distribution within and outside of the community. For all communities except Marshall, a larger percentage of households reported receiving salmon resources than did those giving them away. Russian Mission household also gave away more Chum Salmon in 2011 than they received. Emmonak represented the greatest percentage of households sharing both Chinook Salmon and Chum Salmon, with 56.5% and 55.7% of households respectively.

The estimated amount of harvest for these salmon species varied by community and year, based largely on availability of the resource and the population of each community. To correct for population, lbs. harvested per capita is a better indicator of harvest and use than is the total estimated harvest. Within the available data, all communities except Marshall and Russian Mission harvested more pounds. per capita of Chum Salmon than Chinook Salmon. Marshall's per capita harvest of Chinook and Chum Salmon were similar while Russian Mission's per capita harvest of Chinook Salmon was greater than that of Chum Salmon in both 1985 and 2011. For all years and communities except Shageluk, the per capita harvest of Coho was lower than that of Chinook and Chum Salmon. While Shageluk's per capita harvest of Coho was lower in 1990, it exceeded that of Chinook Salmon in 2013.

Table 1. Chinook Salmon, Chum Salmon, and Coho Salmon harvest in communities located within Yukon River districts 1-3 as determined through available ADF&G household subsistence harvest surveys. (ADF&G 2018b).

Community, Year, Species	% Households Using	Est. Individuals Harvested	Lbs. Harvested per Capita	% Households Giving Away	% Households Receiving
Alakanuk					
1980 Chinook	-	13,693	72.5	-	-
1980 Chum	-	1,521	112.2	-	-
1980 Coho	-	2,717	12.5	-	-
Nunam Iqua					
1980 Chinook	-	1912	220.3	-	-
1980 Chum	-	11,487	406.2	-	-

Community, Year, Species	% Households Using	Est. Individuals Harvested	Lbs. Harvested per Capita	% Households Giving Away	% Households Receiving
1980 Coho	-	1,275	45.1	-	-
Emonnak					
1980 Chinook	-	2,256	79.7	-	-
1980 Chum	-	12,144	131.7	-	-
1980 Coho	-	1,350	14.6	-	-
2008 Chinook	89.0	3,042.7	39.3	34.9	65.1
2008 Chum	90.1	19,132.0	125.0	41.3	57.8
2008 Coho	55.0	3,265.3	21.2	20.2	32.1
Kotlik					
1980 Chinook	-	1,060	44.8	-	-
1980 Chum	-	6,884	89.4	-	-
1980 Coho	-	764	9.9	-	-
Mountain Village					
1980 Chinook	-	2,322	71.6	-	-
1980 Chum	-	17,382	164.4	-	-
1980 Coho	-	1,932	18.3	-	-
2010 Chinook	85.2	2,198.9	26.4	38.3	56.5
2010 Chum	82.6	11,447.5	74.1	38.3	55.7
2010 Coho	39.1	1,134.9	7.6	16.5	22.6
Marshall					
2010 Chinook	89.1	3,303.9	91.2	50.0	39.1
2010 Chum	89.1	5,981.4	89.0	41.3	37.0
2010 Coho	34.8	844.5	13.1	23.9	17.4
Russian Mission					
1985 Chinook	-	1,938	134.7	-	-
1985 Chum	-	3,087	73.2	-	-
1985 Coho	-	740	17.6	-	-
2011 Chinook	84.8	3,176.5	73.5	28.3	37.0
2011 Chum	80.4	2,375.0	29.7	32.6	15.2
2011 Coho	47.8	479.2	6.1	13.0	21.7
Holy Cross					
1990 Chinook	-	1,649	82.9	-	-
1990 Chum	-	1,218	21.1	-	-
1990 Coho	-	944	17.2	-	-
Shageluk					
1990 Chinook	-	189	21.1	-	-
1990 Chum	-	3,680	136.8	-	-
1990 Coho	-	0	0	-	-

Community, Year, Species	% Households Using	Est. Individuals Harvested	Lbs. Harvested per Capita	% Households Giving Away	% Households Receiving
2013 Chinook	46.2	83.7	9.5	15.4	26.9
2013 Chum	46.2	2,881.6	34.0	19.2	23.1
2013 Coho	65.4	425	23.0	19.2	46.2

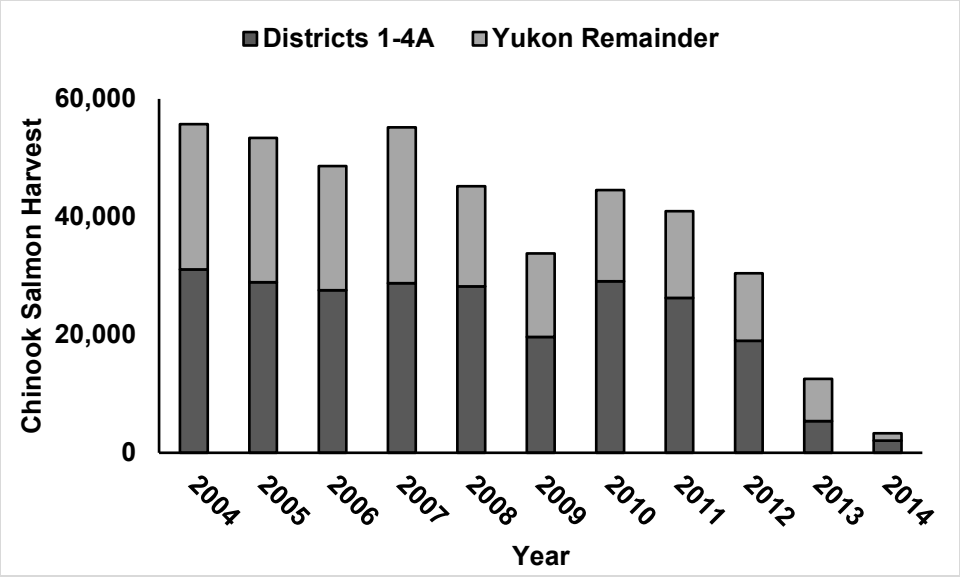

Figure 6. Comparison of Chinook Salmon subsistence harvest of communities from Districts 1- 4A and the Yukon River from 2004 to 2014 (Jallen et al. 2017).

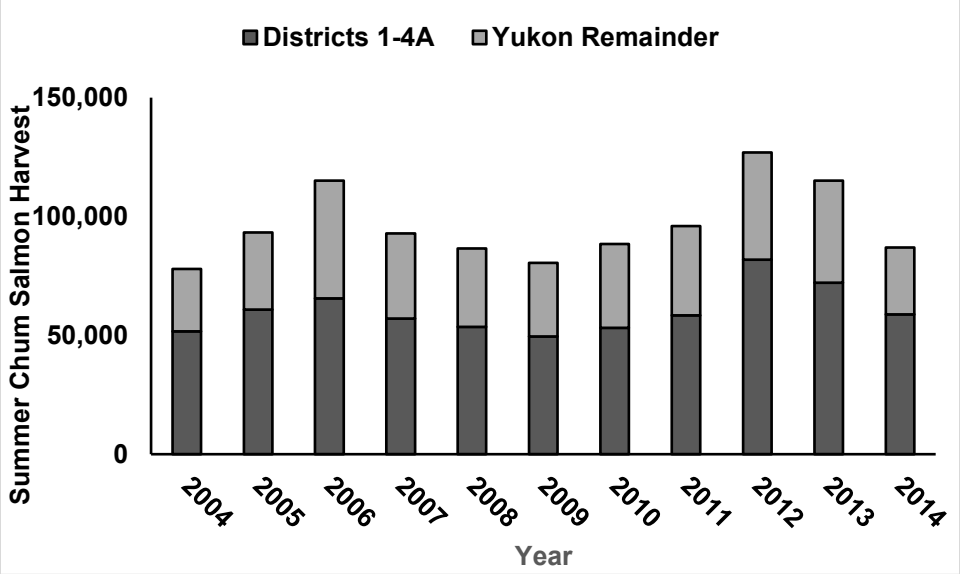

Figure 7. Comparison of Summer Chum Salmon subsistence harvest from communities in Districts 1- 4A and the Yukon River from 2004 to 2014 (Jallen et al. 2017).

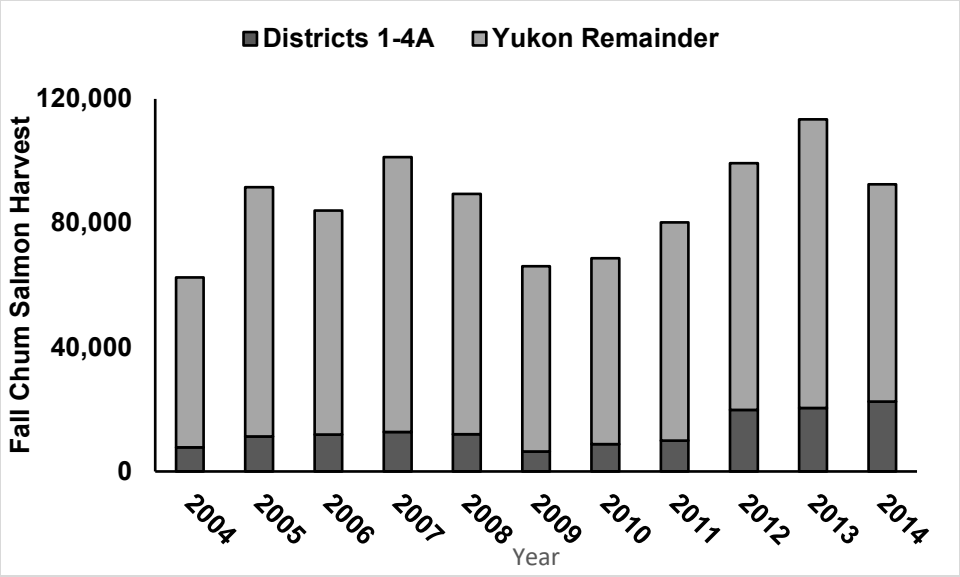

Figure 8. Comparison of Fall Chum Salmon subsistence harvest from communities in Districts 1- 4A and the Yukon River from 2004 to 2014 (Jallen et al. 2017).

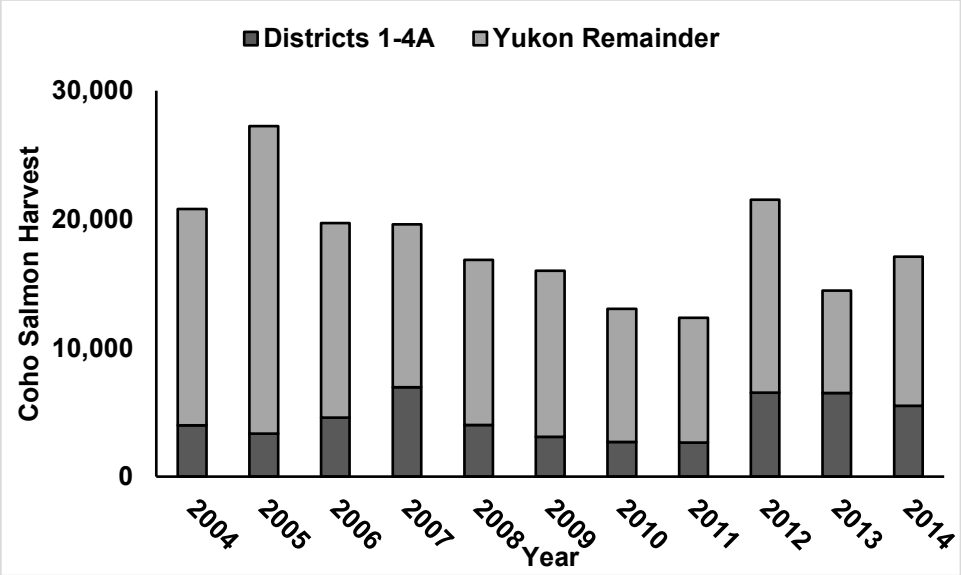

Figure 9. Comparison of Coho Salmon subsistence harvest from communities in Districts 1- 4A and the Yukon River from 2004 to 2014 (Jallen et al. 2017).

Cultural Knowledge and Traditional Practices

The use and importance of salmon and other non-salmon species for Yukon River communities has been documented through oral histories and harvest surveys conducted in the area. Historically, many Yukon communities followed a semi-nomadic, subsistence lifestyle, spending time at seasonal camps, migrating with the resources and harvesting various species of fish, along with hunting and gathering subsistence resources. Humans have likely lived in the Yukon area for over 10,000 years (Rainey 1940) and fishing was a family and community activity, deeply ingrained in to the cultures of the people in this area. People

traditionally used weirs and fish traps, and nets made of animal sinew and willow bark and more recently employed commercially made set nets along with hand made fish wheels for salmon at their fish camps. Multi-generational family groups would travel to seasonal camps to harvest fish and wildlife. Although fewer young people spend time at seasonal camps now due to employment, school, and other responsibilities, subsistence fishing continues to be important for communities up and down the river. According to surveys, many older people recalled whole families spending long hours at their fish camps, harvesting, processing, and preserving fish. Children learned about subsistence activities from their elders at fish camp (Brown et al. 2010; Brown et al. 2015).

Salmon is considered the most reliable and significant subsistence resource on the Lower Yukon River. Salmon has always been an important part of the culture, economically and socially, and the knowledge of how to catch, process, and preserve fish has been passed down from generation to generation. Before contact by outsiders, dried fish was regularly traded between Yukon villages along with other commodities such as furs and sea mammal products (Wolfe 1981).

Yukon River residents are dependent on the harvest of salmon, especially Chinook Salmon, for both subsistence and commercial uses. Starting in the late 1990s, Chinook Salmon began to decline so people harvested more summer and Fall Chum Salmon along with other subsistence resources (Brown and et al. 2015). In the 1960s, people started using gillnets to drift fish for salmon for personal and commercial use. Today fishing still plays an important cultural role in the communities along the lower and middle Yukon River, and the knowledge of how and when to fish is still passed down from generation to generation.

Customary trade of fish is an important part of continuing trade networks in rural areas of Alaska. Salmon fishing takes place in the summer and timing is based on the runs for various species. Local residents also use nets under the ice to fish for pike, whitefish, or sheefish in the spring before breakup. Communities have used various types of nets and fish wheels to harvest fish through the generations. Fish wheels are used less now than they were in the past when people were catching more fish to feed sled dogs, but are still used in some areas, mainly to catch fish for human consumption (Brown et al. 2010). Chum salmon, once primarily used for dog food, were caught using nets set from the shore but are now consumed by people in the United States and overseas. As more village runways were built, increasing air travel, and more snow machines were brought to the villages, the dependency on sled dogs was reduced, reducing the need for harvesting fish to feed dogs (Brown et al. 2015).

In the 1960s, people started using gillnets to drift fish for salmon for personal and commercial use. Today fishing still plays an important cultural role in the communities along the lower and middle Yukon River, and the knowledge of how and when to fish is still passed down from generation to generation.

The use, harvest, and dependence of salmon resources can vary by community based on cultural practices, resource availability, economics and many other factors. Yukon River drainage residents exhibit these variations generally within the lower, middle, and upper stretches of the drainage. **Table 2** shows the populations over time (1960-2010) for the communities within or in proximity to Yukon River Districts. 1-3.

Table 2. U.S. Census Bureau population estimates for communities within or in proximity to Yukon River Districts 1-3, 1960-2010 (ADCCED 2018).

Community	1960	1970	1980	1990	2000	2010	2010 No. Households
District 1							
Alakanuk city	278	265	522	544	652	677	160
Nunam Iqua city	125	125	103	109	164	187	43
Emmonak city	358	439	567	642	767	762	185
Kotlik city	57	228	293	461	591	577	128
District 2							
Mountain Village city	300	419	583	674	755	813	184
Pitkas Point CDP	28	70	88	135	125	109	31
Saint Marys city	260	384	382	441	500	507	151
Pilot Station city	219	290	325	463	550	568	121
Marshall city	166	175	262	273	349	414	100
District 3							
Russian Mission city	102	146	169	246	296	312	73
Holy Cross city	256	199	241	277	227	178	64
Shageluk city	155	167	131	139	129	83	36

Effects of the Proposal

If either proposal were adopted as submitted, there will be more subsistence fishing opportunity for Federally qualified subsistence users on Federal public lands in Districts 1-3. Effects on the salmon stocks are likely negligible as subsistence users typically do not harvest more than what is needed.

If proposal FP19-03 were adopted there would be a decrease in duration of the closure to subsistence fishing before and after State commercial opening periods. However, the fishery would remain closed for six hours before, six hours after, and during the entire length of the State commercial fishing periods.

If proposal FP19-04 were adopted it would eliminate the closures to subsistence fishing immediately before, during, and immediately following State commercial fishing periods.

Subdistrict 4A has similar restrictions prior to, during and after a commercial fishing period. While there has been relatively few commercial fishing periods recently due to the lack of buyers during some years, the number of commercial fishing periods could increase in the future. Subdistrict 4A would benefit having similar regulations as districts 1, 2, and 3 on the lower Yukon River.

Although these proposals may increase opportunities for subsistence harvest for Federally qualified users, there are some potential drawbacks that could occur. State and Federal regulations would no longer be the same, complicating enforcement of these regulations and creating confusions about where and when it is legal for Federally qualified users to subsistence fish during commercial openings. Districts 1 and 2 contain primarily waters under Federal subsistence fisheries jurisdiction, as well as most of District 3. However,

once out of the Yukon Delta National Wildlife Refuge land status becomes more varied and would require users to know the Federal public waters boundaries.

Commercial and subsistence fishers fishing at the same time increases enforcement complexity and may increase user conflict. Commercial fishers will be competing with subsistence fishers for prime fishing locations. Also, since Districts 1-3 are regulated to two 36-hour subsistence fishing periods per week, this proposed regulation may force some fishers to choose between catching fish for food purposes and catching fish to be sold. Additionally, this proposal may make it easier to illegally sell subsistence-caught fish in the commercial fishery, which could hinder upstream subsistence fishing opportunity and reduce escapement into spawning tributaries.

One potential effect that could come from adopting either of these proposals is an increase in commercial fishing time. If the Yukon Area managers are allowing two 18-hour subsistence fishing opportunities per week, then there is potential for commercial fishing to occur during, or up to 6 hours prior, and again 6 hours after the subsistence fishing opportunity. This may affect the quality of fishing during the subsistence fishing period.

Fishery managers currently have the authority to set time and area. Therefore, it is not unusual for them to modify the amount of closure time leading into and out of a commercial fishing period. For example, subsistence fishing was closed for only 3 hours prior to and reopened 3 hours after a commercial opening on July 22, 2017 (ADF&G 2017).

If both proposals were not adopted, then the subsistence fishery will remain closed for 12 hours prior to, during, and after a State commercial fishing openings and Federal and State subsistence management regulations will remain the same.

OSM PRELIMINARY CONCLUSION

Oppose Proposal FP19-04.

Support Proposal FP19-03 **with modification** to include district 4A and provide the updated language only one time in the regulations to avoid redundancy.

The modified regulation should read:

> ***§___.14 Relationship to State procedures and regulations***
>
> *(a) State fish and game regulations apply to public lands and such laws are hereby adopted and made a part of the regulations in this part to the extent they are not inconsistent with, or superseded by, the regulations in this part.*
>
> ***§___.27 Subsistence taking of fish***

(e)(3) Yukon-Northern Area.

* * * *

(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), unless superseded by a Federal Special Action.

* * * *

(vii) In Districts 1, 2, and 3:

*(A) After the opening of the State commercial salmon fishing season through July 15, you may not take salmon for subsistence for ~~18~~**6** hours immediately before, during, and for ~~12~~**6** hours after each State commercial salmon fishing period;*

*(B) After July 15, you may not take salmon for subsistence for ~~12~~**6** hours immediately before, during, and for ~~12~~**6** hours after each State commercial salmon fishing period.*

*(viii) In Subdistrict 4A after the opening of the State commercial salmon fishing season, you may not take salmon for subsistence for ~~12~~**6** hours immediately before, during, and for ~~12~~**6** hours after each State commercial salmon fishing period; however, you may take Chinook salmon during the State commercial fishing season, with drift gillnet gear only, from 6:00 p.m. Sunday until 6:00 p.m. Tuesday and from 6:00 p.m. Wednesday until 6:00 p.m. Friday.*

Justification

Adoption of this proposal as modified may result in additional opportunity for Federally qualified subsistence users in Districts 1, 2, 3 and 4-A on the Yukon River, while avoiding issues that may come with having concurrent subsistence and commercial fishing periods. This proposal as modified will also remove some of the confusion associated with restrictions prior to commercial fisheries by standardizing the amount of time subsistence fishing is closed prior to and after the commercial openings. Modification of the proposed language avoids redundancy in Federal regulations.

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FP19–05 Executive Summary	
General Description	Proposal FP19–05 requests the Federal Subsistence Board (Board) remove the requirement of fin clipping subsistence-caught Chinook Salmon in the Lower Yukon River Districts 1, 2, and 3. *Submitted by: Alissa Rogers*
Proposed Regulation	***§___.14 Relationship to State procedures and regulations*** *(a) State fish and game regulations apply to public lands and such laws are hereby adopted and made a part of the regulations in this part to the extent they are not inconsistent with, or superseded by, the regulations in this part.* ***§___.27 Subsistence taking of fish*** *(e)(3) Yukon-Northern Area.* * * * * *(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)* ***except in Districts 1, 2, and 3 from June 1 through July 15 you may possess Chinook salmon taken for subsistence purposes with out both tips (lobes) of the tail fin removed****, unless superseded by a Federal Special Action.* * * * * *(xx)) In Districts 1, 2, and 3, from June 1 through July 15, you may ~~not~~ possess Chinook salmon taken for subsistence purposes ~~unless~~* ***without*** *both tips (lobes) of the tail fin ~~have been~~ removed ~~before the person conceals the salmon from plain view or transfers the salmon from the fishing site~~.*

FP19–05 Executive Summary	
OSM Preliminary Conclusion	**Support** Proposal FP19-05 **with modification** to allow Federally qualified subsistence users to harvest Chinook Salmon without clipping the tails during times that the commercial sale of Chinook Salmon is not allowed and provide the updated language only one time in the regulations to avoid redundancy.
Yukon-Kuskokwim Delta Subsistence Regional Advisory Council Recommendation	
Western Interior Alaska Subsistence Regional Advisory Council Recommendation	
Seward Peninsula Subsistence Regional Advisory Council Recommendation	
Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	**None**

DRAFT STAFF ANALYSIS
FP19-05

ISSUES

Proposal FP19-05, submitted by Alissa Rogers of Bethel, requests the Federal Subsistence Board (Board) remove the requirement of fin clipping subsistence-caught Chinook Salmon in the Lower Yukon River Districts 1, 2, and 3.

DISCUSSION

The proponent states that fin clipping does not prevent people from selling subsistence-caught Chinook Salmon into the commercial fishery because only a few Yukon subsistence fishermen do this. The proponent states there are always going to be a few bad actors, that they are known and have been fined before but that the existing regulation has not stopped them. The proponent states that the existing regulation is burdensome on subsistence fishermen without any benefit.

Existing Federal Regulation

§___.14 Relationship to State procedures and regulations

(a) State fish and game regulations apply to public lands and such laws are hereby adopted and made a part of the regulations in this part to the extent they are not inconsistent with, or superseded by, the regulations in this part.

§___.27 Subsistence taking of fish

(e)(3) Yukon-Northern Area.

* * * *

(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), unless superseded by a Federal Special Action.

* * * *

(xx) In Districts 1, 2, and 3, from June 1 through July 15, you may not possess Chinook salmon taken for subsistence purposes unless both tips (lobes) of the tail fin have been

removed before the person conceals the salmon from plain view or transfers the salmon from the fishing site.

Proposed Federal Regulation

§___.14 Relationship to State procedures and regulations

(a) State fish and game regulations apply to public lands and such laws are hereby adopted and made a part of the regulations in this part to the extent they are not inconsistent with, or superseded by, the regulations in this part.

§___.27 Subsistence taking of fish

(e)(3) Yukon-Northern Area.

* * * *

(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) ***except in Districts 1, 2, and 3 from June 1 through July 15 you may possess Chinook salmon taken for subsistence purposes with out both tips (lobes) of the tail fin removed****, unless superseded by a Federal Special Action.*

* * * *

(xx) In Districts 1, 2, and 3, from June 1 through July 15, you may ~~not~~ possess Chinook salmon taken for subsistence purposes ~~unless~~ ***without*** *both tips (lobes) of the tail fin ~~have been~~ removed ~~before the person conceals the salmon from plain view or transfers the salmon from the fishing site~~.*

Existing State Regulation

5 AAC 01.240. Marking and use of subsistence-taken salmon

(c) In Districts 1 - 3, from June 1 through July 15, a person may not possess king salmon taken for subsistence uses unless both tips (lobes) of the tail fin have been removed before the person conceals the salmon from plain view or transfers the salmon from the fishing site. A person may not sell or purchase salmon from which both tips (lobes) of the tail fin have been removed.

Extent of Federal Public Lands

For purposes of this discussion, the phrase "Federal public waters" is defined as those waters described under 36 CFR §242.3 and 50 CFR §100.3. The Federal public waters addressed by this proposal are those portions of the Yukon River located within, or adjacent to, the external boundaries of the Yukon Delta National Wildlife Refuge (NWR) and fishing Subdistricts 1-3 of the Yukon/Northern Federal Subsistence Fishery Management Area (**Figure 1**).

Customary and Traditional Use Determinations

Rural residents of the Yukon River drainage and the community of Stebbins have 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 community of Chevak, Hooper Bay, Scammon Bay, and Stebbins have a customary and traditional use determination for Fall chum salmon in the Yukon River drainage.

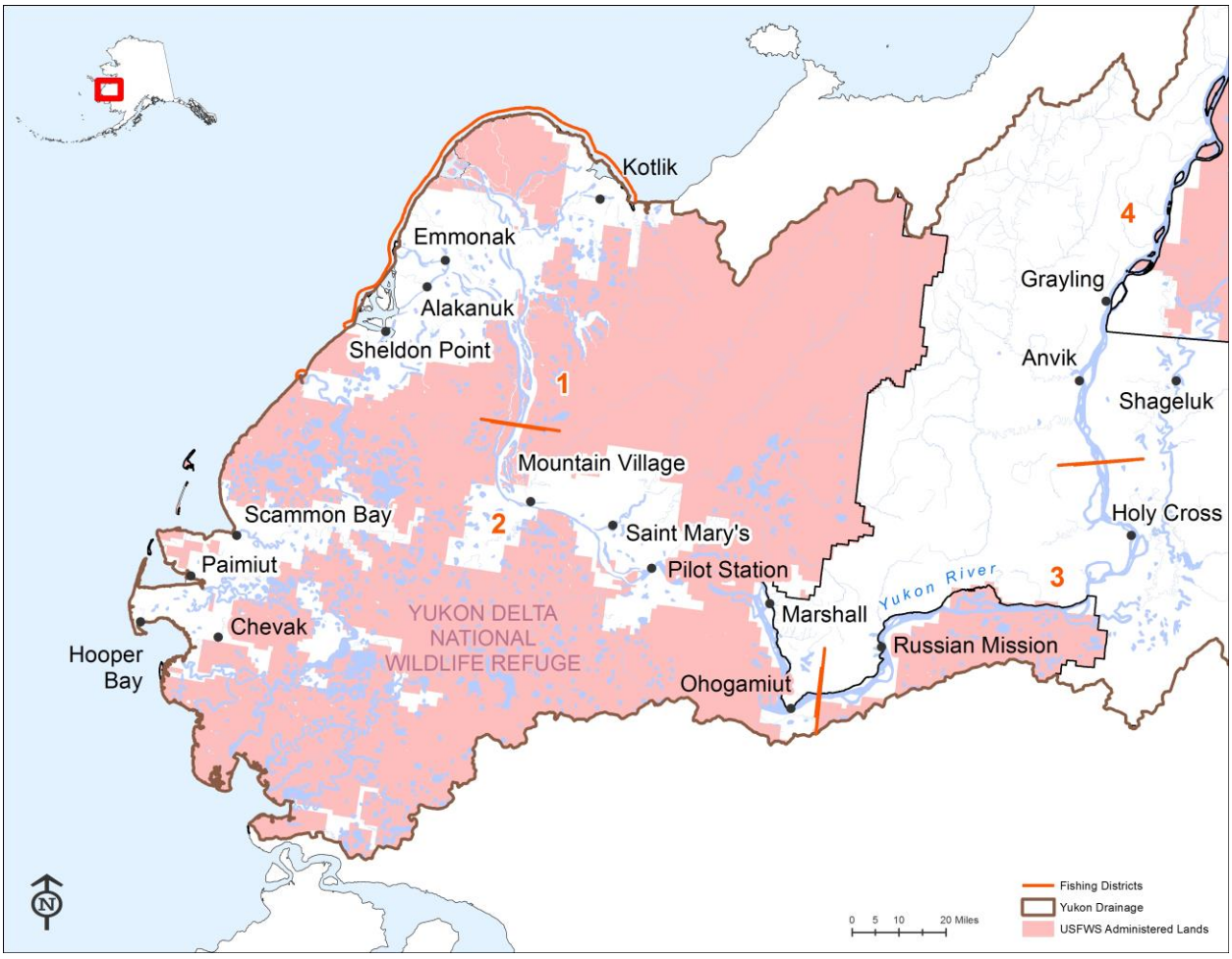

Figure 1. Lower Yukon River Districts 1, 2, and 3.

Regulatory History

State Regulatory History

The current 6 commercial fishing districts were established in 1974. The subsistence fishing schedules were also linked to the commercial fishing schedules in districts 1-6 in the same year, and concurrent subsistence and commercial fishing for 5 days per week was implemented in the Upper Yukon Area (Districts 4-6). Beginning in 1977 the lower Yukon area was reduced to commercial and subsistence fishing for 3 days per week during the commercial Chinook Salmon season, and 3.5 days per week during the fall Chum Salmon season. The fall Chum Salmon fishing season was again reduced in 1979, to 3 days per week. Beginning in 1981, ADF&G began announcing in-season Lower Yukon area commercial fishing periods by emergency order, with Lower Yukon area subsistence periods announced in this manner beginning in 1984 (Jallen et al. 2015).

Beginning in 1993, regulations were put into effect that separated commercial and subsistence fishing times in Districts 1-3 and Sub-district 4-A. The regulations stated that subsistence fishing in District 1-3 was open 7 days per week, 24 hours/day until the commercial fishing season began. Once commercial fishing had started, subsistence fishing was closed 18 hours prior, during, and 12 hours after each commercial fishing period. Also, marking of subsistence-caught fish was required by removal of the dorsal fin. These regulations were made based on an enforcement action where subsistence-caught fish were being sold in the commercial fishery in 1992 (Bergstrom et al 1995).

The Board added a fishing schedule for the subsistence salmon fisheries. The schedule will be implemented chronologically, consistent with migratory timing as the run progresses upstream. This schedule may be altered by emergency order if preseason or inseason indicators suggest it is necessary for conservation. Districts 1-3 windows allowed subsistence salmon fishing for two 36 hour periods per week. Districts 4, and Sub-districts 5-B and 5-C were open to subsistence fishing for two 48-hour periods per week. Subsistence fishing in Sub-district 4-A was further defined during the commercial season in 2004 with Chinook Salmon fishing only allowed during two 48 hour drift netting periods per week by emergency order.

In February 2007, the BOF adopted a proposal changing the marking requirement for subsistence-caught salmon in Districts 1–3 from removal of the dorsal fin to removal of both tips of the tail fin. The rationale cited in the subcommittee report was to foster better compliance because marking would be easier, to make the regulation consistent with other areas of the state, to clarify when subsistence marking requirements would be in place, to use a more sanitary mark, and to discourage subsistence-caught fish from entering the State's commercial fisheries (ADF&G 2007).

Commercial fishing for Chum Salmon during times of Chinook Salmon conservation was permitted with fish wheels by emergency order in Sub-district 4A, beginning in 2012. Fishermen are required to be present at the fish wheel, and immediately release all Chinook Salmon alive.

Federal Regulatory History

Fin clipping regulations were adopted by the (Board) from State subsistence regulations in the fall of 1998.

Starting in October 1999, Federal subsistence management regulations for the Yukon-Northern Area stipulated that, unless otherwise restricted, rural residents may take salmon in the Yukon-Northern Area at any time by gillnet, beach seine, fish wheel, or rod and reel unless exceptions are noted.

In 2002, the Board delegated some of its authority to manage Yukon River drainage subsistence salmon fisheries to the Branch Chief for Subsistence Fisheries, U.S. Fish and Wildlife Service, in Fairbanks. The Federal Subsistence Board's delegation allows the Federal manager to open or close Federal subsistence fishing periods or areas provided under codified regulations, and to specify methods and means.

The Board adopted FP13-02 in 2013 to align State and Federal marking requirements providing a modest reduction in regulatory complexity. This change in marking requirements made it mandatory to remove both tips of the tail fin on all Chinook Salmon before the person conceals the salmon from plain view or transfers the salmon from the fishing site.

Current Events

During the 2019-2021 Regulatory cycle, three proposals (FP18-02, FP18-03, and FP18-04) were submitted to alter or remove restrictions on subsistence fishing by Federally qualified subsistence users in Federal waters.

The proponent submitted a similar proposal to the Alaska Board of Fisheries to take up at its Arctic/Yukon/Kuskokwim Finfish meeting on January 15-19, 2019.

Biological Background

Chinook Salmon

Recent analyses indicate that Yukon River Chinook Salmon stocks appear to be in the third year of increasing productivity after the low returns of 2015. Historically, the stocks showed periods of above-average abundance (1982-1997) and periods of below-average abundance (1998 onwards), as well as periods of generally higher productivity (brood years 1993 and earlier) mixed with years of low productivity (brood years 1994-1996 and 2002-2005; Schindler et al. 2013).

The 2014 run was expected to be the smallest on record, with a projected size of 64,000-121,000 fish. Despite initial concerns, the cumulative passage estimate at the mainstem Yukon River sonar project in Pilot Station was approximately 138,000±17,000 (90% CI) fish (Figure 1). The passage estimate was still below the historical average of 143,000 fish and below the average of 195,800 fish for years with early run timing. As a result of severe management restrictions, all escapement goals that could be assessed were achieved, even with below average run sizes (JTC 2015).

The 2015 projected run size was 118,000-140,000 fish, which was once again below average yet higher than the previous year's projection. Cumulative passage estimates at the sonar station in Pilot Station were approximately 116,000±30,000 fish (90% CI) (Figure 1). As with the previous year, this number

was still below the historical average. As a result of severe management restrictions, all escapement goals that could be assessed were achieved, even with below average run sizes (JTC 2016).

The 2016 run outlook was a below-average run of 130,000–176,000 fish (JTC 2017). Cumulative passage estimates at the sonar station in Pilot Station were approximately 176,898±18,466 fish (90% CI) (Liller, 2018 pers. comm). This number was near the recent historical average of 178,300 fish (ADFG 2018a), but is considered preliminary at this time. Conservative actions were relaxed slightly from previous years and all escapement goals were again met (JTC 2016).

The 2017 run outlook was slightly larger, but still below average: 140,000-194,000 fish (JTC 2017). Cumulative passage estimates at the Pilot Station sonar were approximately 263,000±29,000 fish (90% CI) (ADF&G 2018a), which was the largest since 2003 (JTC 2017), is also considered preliminary. Subsistence management restrictions were further relaxed which resulted in harvests approximately two thirds of average and most escapement goals were met despite the poor water conditions that existed throughout the drainage. The numbers reported at the Pilot Station sonar do not factor in any harvest that occurs downstream, which can be significant during some years.

The 2018 run outlook is larger than in recent years, with a run size of 173,000-251,000 fish (ADF&G 2018a). The upper end of the range could support an average subsistence harvest, while the low end of the range would likely result in restrictions to subsistence fisheries.

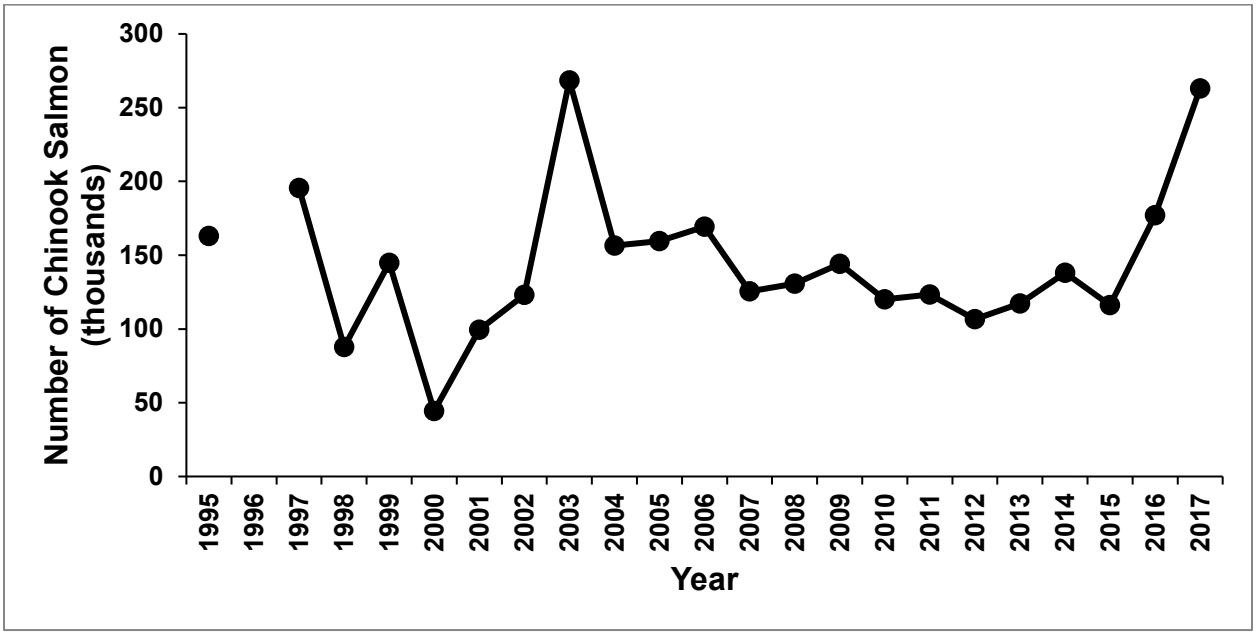

Figure 2. Chinook Salmon passage estimates based on the mainstem Yukon River sonar near Pilot Station, Yukon River drainage, 1995 and 1997-2017 (JTC 2018). Data from 2016 and 2017 are preliminary at this time.

Harvest History

Chinook Salmon

Subsistence

Subsistence harvest of Chinook Salmon in the Alaska portion of the Yukon River averaged 34,791 fish from 1961-2015, with a high of 62,486 in 1993 and a low of 2,724 in 2014 (JTC 2017) (**Figure 5**). The 2014 Chinook Salmon subsistence harvest of 2,724 fish was the lowest on record for the Alaska portion of the Yukon River drainage. Harvest increased in 2015, 2016 and 2017 with 7,577, 21,627, and 36,992 fish harvested respectively. The 2017 harvest estimate, though preliminary, is larger than the 2007-2016 average (29,514) and over two times the number of the recent 5 year average of 15,088 (JTC 2018). The 2017 harvest was the largest since 2011.

The subsistence harvest in Yukon River Districts 1-3 averaged 16,755 from 2004- 2013, with a 2009-2013 average of 13,442 Chinook Salmon (Jallen et al 2017). The estimated 2014 subsistence harvest in these districts was 2,020 Chinook Salmon.

Commercial

Chinook Salmon have not been targeted in the commercial fishery for 10 years and the sale of incidentally caught Chinook Salmon was prohibited for the seventh consecutive year during the 2017 summer season. However, there was a small opportunity during the fall fishing seasons were fish were sold in Districts 1 and 2 in 2011 (82) and 2017 (168). The 1961-2016 average commercial harvest was 88,092 with a recent 10 year average of 9,714 (JTC 2018).

Sportfish

Sport fishing harvest of Chinook Salmon are generally low in the Yukon River drainage. The 2012-2016 average sport fishing harvest within the Alaska portion of the Yukon River was estimated to be 105 Chinook Salmon (JTC 2018). The majority of sport fishing effort in the drainage occurs in the Tanana River drainage (District 6). Outside of the Tanana River, the Andreafsky (in District 2) and Anvik (in District 4) rivers receive the bulk of the remaining effort. During 2017, sport fishing was allowed after June 20, and allowed for a bag limit of 1 Chinook Salmon 20-inches or greater (JTC 2018).

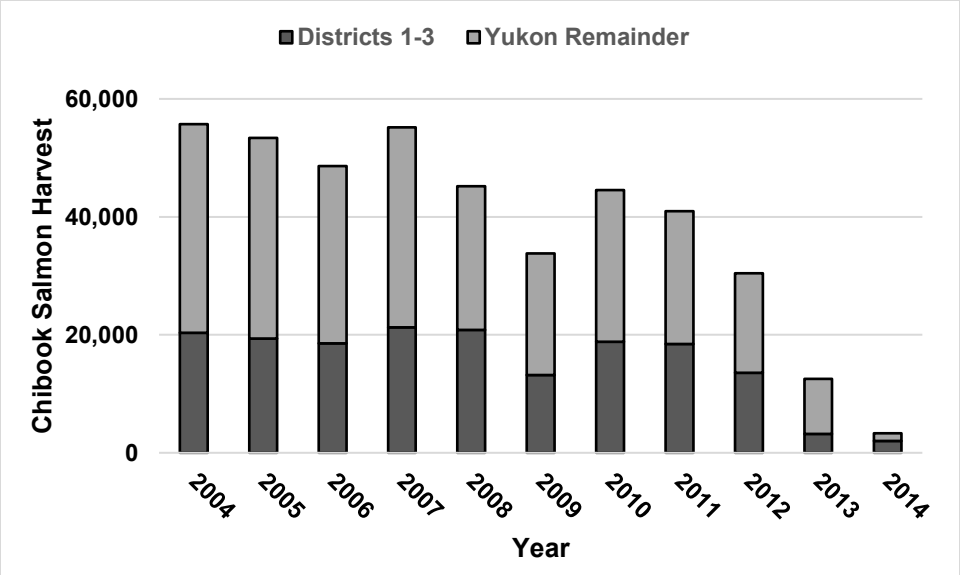

Figure 3. Comparison of Chinook Salmon subsistence harvest of communities from Districts 1-3 and the Yukon River from 2004 to 2014 (Jallen et al. 2017).

Comprehensive Household Harvest Surveys

ADF&G's Division of Subsistence occasionally undertakes comprehensive household surveys as time and resources allow. These document the use, harvest, and sharing of all wild foods harvested in a community in a given year and can thus provide insights on the importance of individual resources within the overall harvest and the cultural contexts of these harvests, including patterns of sharing. For the region represented by this proposal, household surveys that include Chinook, Chum and Coho Salmon harvest were conducted in several years for several communities (**Table 1**).

The Chinook Salmon and Chum Salmon harvests and use represented in **Table 1** include all gear types including commercial retention. A large percentage of households in these communities used Chinook Salmon in the study years. Chum Salmon use was similar to Chinook Salmon for all communities with available data. Coho Salmon use was much less than for the other two species for all communities except Shageluk which used more Coho Salmon than Chinook or Chum Salmon in 2013.

Sharing of salmon resources as represented by giving and receipt in **Table 1** was common for communities with available data. Sharing includes distribution within and outside of the community. For all communities except Marshall, a larger percentage of households reported receiving salmon resources than did those giving them away. Russian Mission household also gave away more Chum Salmon in 2011 than they received. Emmonak represented the greatest percentage of households sharing both Chinook Salmon and Chum Salmon, with 56.5% and 55.7% of households respectively.

The estimated amount of harvest for these salmon species varied by community and year, based largely on availability of the resource and the population of each community. To correct for population, lbs. harvested per capita is a better indicator of harvest and use than is the total estimated harvest. Within the available data, all communities except Marshall and Russian Mission harvested more pounds per capita of

Chum Salmon than Chinook Salmon. Marshall's per capita harvest of Chinook and Chum Salmon were similar while Russian Mission's per capita harvest of Chinook Salmon was greater than that of Chum Salmon in both 1985 and 2011. For all years and communities except Shageluk, the per capita harvest of Coho was lower than that of Chinook and Chum Salmon. While Shageluk's per capita harvest of Coho Salmon was lower in 1990, it exceeded that of Chinook Salmon in 2013.

Table 1. Chinook Salmon, Chum Salmon, and Coho Salmon harvest in communities located within Yukon River districts 1-3 as determined through available ADF&G household subsistence harvest surveys (ADF&G 2018b).

Community, Year, Species	% Households Using	Est. Individuals Harvested	Lbs. Harvested per Capita	% Households Giving Away	% Households Receiving
Alakanuk					
1980 Chinook	-	13,693	72.5	-	-
1980 Chum	-	1,521	112.2	-	-
1980 Coho	-	2,717	12.5	-	-
Nunam Iqua					
1980 Chinook	-	1,912	220.3	-	-
1980 Chum	-	11,487	406.2	-	-
1980 Coho	-	1,275	45.1	-	-
Emonnak					
1980 Chinook	-	2,256	79.7	-	-
1980 Chum	-	12,144	131.7	-	-
1980 Coho	-	1,350	14.6	-	-
2008 Chinook	89.0	3042.7	39.3	34.9	65.1
2008 Chum	90.1	19,132.0	125.0	41.3	57.8
2008 Coho	55.0	3,265.3	21.2	20.2	32.1
Kotlik					
1980 Chinook	-	1,060	44.8	-	-
1980 Chum	-	6,884	89.4	-	-
1980 Coho	-	764	9.9	-	-
Mountain Village					
1980 Chinook	-	2,322	71.6	-	-
1980 Chum	-	17,382	164.4	-	-
1980 Coho	-	1,932	18.3	-	-
2010 Chinook	85.2	2,198.9	26.4	38.3	56.5
2010 Chum	82.6	11,447.5	74.1	38.3	55.7
2010 Coho	39.1	1,134.9	7.6	16.5	22.6
Marshall					
2010 Chinook	89.1	3,303.9	91.2	50.0	39.1

Community, Year, Species	% Households Using	Est. Individuals Harvested	Lbs. Harvested per Capita	% Households Giving Away	% Households Receiving
2010 Chum	89.1	5,981.4	89.0	41.3	37.0
2010 Coho	34.8	844.5	13.1	23.9	17.4
Russian Mission					
1985 Chinook	-	1,938	134.7	-	-
1985 Chum	-	3,087	73.2	-	-
1985 Coho	-	740	17.6	-	-
2011 Chinook	84.8	3,176.5	73.5	28.3	37.0
2011 Chum	80.4	2,375.0	29.7	32.6	15.2
2011 Coho	47.8	479.2	6.1	13.0	21.7
Holy Cross					
1990 Chinook	-	1,649	82.9	-	-
1990 Chum	-	1,218	21.1	-	-
1990 Coho	-	944	17.2	-	-
Shageluk					
1990 Chinook	-	189	21.1	-	-
1990 Chum	-	3,680	136.8	-	-
1990 Coho	-	0	0	-	-
2013 Chinook	46.2	83.7	9.5	15.4	26.9
2013 Chum	46.2	2,881.6	34.0	19.2	23.1
2013 Coho	65.4	425	23.0	19.2	46.2

Cultural Knowledge and Traditional Practices

The use and importance of salmon and other non-salmon species for Yukon River communities has been documented through oral histories and harvest surveys conducted in the area. Historically, many Yukon communities followed a semi-nomadic, subsistence lifestyle, spending time at seasonal camps, migrating with the resources and harvesting various species of fish, along with hunting and gathering subsistence resources. Humans have likely lived in the Yukon area for over 10,000 years (Rainey 1940) and fishing was a family and community activity, deeply ingrained in to the cultures of the people in this area. People traditionally used weirs and fish traps, and nets made of animal sinew and willow bark and more recently employed set nets along with fish wheels for salmon at their fish camps. Multi-generational family groups would travel to seasonal camps to harvest fish and wildlife. Although fewer young people spend time at seasonal camps now due to employment, school, and other responsibilities, subsistence fishing continues to be important for communities up and down the river. According to surveys, many older people recalled whole families spending long hours at their fish camps, harvesting, processing, and preserving fish. Children learned about subsistence activities from their elders at fish camp (Brown et al. 2010; Brown et al. 2015).

Salmon is considered the most reliable and significant subsistence resource on the Lower Yukon River. Salmon has always been an important part of the culture, economically and socially, and the knowledge of how to catch, process, and preserve fish has been passed down from generation to generation. Before contact by outsiders dried fish was regularly traded between Yukon villages along with other commodities such as furs and sea mammal products (Wolfe 1981).

Yukon River residents are dependent on the harvest of salmon, especially Chinook Salmon, for both subsistence and commercial uses. Starting in the late 1990s, Chinook Salmon began to decline so people harvested more summer and fall Chum Salmon along with other subsistence resources (Brown et al. 2015). In the 1960s, people started using gillnets to drift fish for salmon for personal and commercial use. Today fishing still plays an important cultural role in the communities along the lower and middle Yukon River, and the knowledge of how and when to fish is still passed down from generation to generation.

Customary trade of fish is an important part of continuing trade networks in rural areas of Alaska. Salmon fishing takes place in the summer and timing is based on the runs for various species. Local residents also use nets under the ice to fish for pike, whitefish, or sheefish in the spring before breakup. Communities have used various types of nets and fish wheels to harvest fish through the generations. Fish wheels are used less now than they were in the past when people were catching more fish to feed sled dogs, but are still used in some areas, mainly to catch fish for human consumption (Brown et al. 2010). Chum Salmon, once primarily used for dog food, were caught using nets set from the shore but are now consumed by people in the United States and overseas. As more village runways were built, increasing air travel, and more snow machines were brought to the villages, the dependency on sled dogs was reduced, reducing the need for harvesting fish to feed dogs (Brown et al. 2015).

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The use, harvest, and dependence of salmon resources can vary by community based on cultural practices, resource availability, economics and many other factors. Yukon River drainage residents exhibit these variations generally within the lower, middle, and upper stretches of the drainage. **Table 2** shows the populations over time (1960-2010) for the communities within or in proximity to Yukon River Districts 1-3.

Fin marking requirements for Yukon River Chinook Salmon harvested in the Federal subsistence fishery were adopted from the State regulations by the Board in 1998. While transcripts of Board meetings lack mention of public or Council comment on the matter, a proposal to eliminate marking requirements in Southeast Alaska (13-16) was submitted to the Board in 2013. The analysis indicated that fin clipping was not a traditional practice and that some residents feel that it is disrespectful to cultural ways of life (FSB 2013a, FSB 2013b). Also in 2013 the Board adopted a proposal, FP13-02, to change the marking requirements from clipping the dorsal fin to clipping the tips of the tail of subsistence Chinook salmon harvested in Districts 1, 2, and 3 of the Yukon River. All four effected Councils supported the change (FSB 2013b).

Table 2. U.S. Census Bureau population estimates for communities within or in proximity to Yukon River Districts 1-3, 1960-2010 (ADCCED 2018).

Community	1960	1970	1980	1990	2000	2010	2010 No. Households
District 1							
Alakanuk city	278	265	522	544	652	677	160
Nunam Iqua city	125	125	103	109	164	187	43
Emmonak city	358	439	567	642	767	762	185
Kotlik city	57	228	293	461	591	577	128
District 2							
Mountain Village city	300	419	583	674	755	813	184
Pitkas Point CDP	28	70	88	135	125	109	31
Saint Marys city	260	384	382	441	500	507	151
Pilot Station city	219	290	325	463	550	568	121
Marshall city	166	175	262	273	349	414	100
District 3							
Russian Mission city	102	146	169	246	296	312	73
Holy Cross city	256	199	241	277	227	178	64
Shageluk city	155	167	131	139	129	83	36

Effects of the Proposal

If the proposal were adopted, there would be a reduction of requirements on Federally qualified subsistence users on Federal public lands in Districts 1-3, saving them time, the possibility of being cited, and potentially ameliorating ethical and cultural concerns regarding unnecessary mutilation of the carcass. Effects on the salmon stocks are likely negligible as subsistence users are not likely to harvest more Chinook Salmon due to the removal of fin clipping.

Although this proposal would reduce the requirements for subsistence harvest for Federally qualified users, there are some potential drawbacks that may occur. State and Federal regulations would no longer be the same, complicating enforcement of these regulations and creating confusions about where and when it is legal for Federally qualified users to harvest Chinook Salmon without clipping fins. Districts 1 and 2 contain primarily Federal waters, as well as most of District 3. However, once out of the Yukon Delta National Wildlife Refuge land status becomes more varied and would require users to know the Federal public waters boundaries. Additionally, this proposal may make it easier for subsistence-caught fish to end up being illegally sold in the commercial fishery.

If the proposal was not adopted, the subsistence fishery in Districts 1-3 will continue to clip fins on subsistence-caught Chinook Salmon under State regulations. Federal and State subsistence management regulations would not remain the same.

OSM PRELIMINARY CONCLUSION

Support Proposal FP19-05 **with modification** to allow Federally qualified subsistence users to harvest Chinook Salmon without clipping the tails during times that the commercial sale of Chinook Salmon is not allowed and provide the updated language only one time in the regulations to avoid redundancy.

The modified regulation should read:

(e)(3) Yukon-Northern Area.

* * * *

(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), unless superseded by a Federal Special Action.

* * * *

(xx) In Districts 1, 2, and 3, from June 1 through July 15.

(A) ***If the State of Alaska has announced that Chinook Salmon can be sold in the commercial fisheries, then*** *you may not possess Chinook salmon taken for subsistence purposes unless both tips (lobes) of the tail fin have been removed before the person conceals the salmon from plain view or transfers the salmon from the fishing site.*

Justification

Fin clipping is not a traditional practice and in some regions of Alaska, marking requirements have been described as burdensome and disrespectful to cultural ways of life (FSB 2013a). There have not been targeted Chinook Salmon commercial fisheries in the Yukon River for many years and there may not be any in the near future. The incidental harvest and sale of Chinook Salmon has been permitted by the State only occasionally in the recent past. Given the limited opportunity for commercial sale of subsistence-caught Chinook salmon, there is no need to burden subsistence users with marking requirements meant to prevent illegal sale of Chinook salmon. The modification to require fin clipping once the commercial sale of Yukon River Chinook salmon is announced, removes an unnecessary burden on subsistence users, but, leaves in place a requirement to clip fins as a deterrent to illegal sales of subsistence-caught fish.

Requiring fin clipping once the commercial sale of Yukon River Chinook Salmon is announced is necessary for law enforcement to affectively track and differentiate salmon harvested under Federal subsistence fisheries and State commercial fisheries. Given the proximity of these two fisheries in both space and time, the opportunity for illegal sale of Chinook Salmon may be elevated in times that sale of the species is allowed. Curbing such illegal sales is essential to prevent overharvest as a means for some rural residents to earn cash from an illegal activity. While fish marking requirements are warranted during these specific and recently limited times, they are not warranted at all times. Thus, providing balance between the two concerns ensures continued subsistence opportunity while reducing burden on Federally qualified subsistence users and being sensitive to their cultural concerns when possible. Modification of the proposed language avoids redundancy in Federal regulations.

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FP19–07 Executive Summary	
General Description	Proposal FP19-07, requests the Federal Subsistence Board (Board) revise Federal subsistence management regulations section §___.27(e)(3)(xii) by adding dip nets to the gear types allowed for the subsistence harvest of salmon on the Yukon River. *Submitted by: Yukon-Kuskokwim Delta Subsistence Regional Advisory Council*.
Proposed Regulation	***§___.27 Subsistence taking of fish*** * * * * *(xiii) You may take salmon only by gillnet, beach seine, fish wheel, or rod and reel, subject to the restrictions in this section.* ***Salmon may be harvested by dip net at any time, except in times of conservation, Chinook Salmon are required to be released alive.***
OSM Preliminary Conclusion	**Support** Proposal FP19-07 **with modification** to allow the Federal in-season manager to additionally require the live release of Chinook, Chum, or Coho Salmon during times of low salmon abundance rather than only Chinook Salmon**.**
Yukon-Kuskokwim Delta Subsistence Regional Advisory Council Recommendation	
Western Interior Alaska Subsistence Regional Advisory Council Recommendation	
Seward Peninsula Subsistence Regional Advisory Council Recommendation	
Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	

FP19–07 Executive Summary	
Written Public Comments	**None**

DRAFT STAFF ANALYSIS
FP19-07

ISSUES

Proposal FP19-07, submitted by the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council (Council), requests the Federal Subsistence Board (Board) revise Federal subsistence management regulations section §___.27(e)(3)(xii) by adding dip nets to the gear types allowed for the subsistence harvest of salmon on the Yukon River.

DISCUSSION

According to the proponent, dip netting has been a traditional method of fish harvest for many communities on the Yukon River but is not currently a legal gear type for the harvest of salmon under Federal subsistence regulations. The Yukon Kuskokwim Delta Council has noted that it is allowed for commercial salmon harvest on the Yukon River by Alaska Department of Fish and Game (ADF&G) Emergency Order. Dip nets have proven to be an effective method of catching Chum Salmon with safe live release of Chinook Salmon.

Existing Federal Regulation

§___.27 Subsistence taking of fish

(e)(3) Yukon-Northern Area.

(i) Unless otherwise restricted in this section, you make take fish in the Yukon-Northern Area at any time. In those locations where subsistence fishing permits are required, only one subsistence permit will be issued to each household per year. 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 paragraph (e)(3) of this section.

(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), unless superseded by a Federal Special Action.

* * * *

(xiii) You may take salmon only by gillnet, beach seine, fish wheel, or rod and reel,

subject to the restrictions 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 Subsistence taking of fish

* * * *

(xiii) You may take salmon only by gillnet, beach seine, fish wheel, or rod and reel, subject to the restrictions in this section. ***Salmon may be harvested by dip net at any time, except in times of conservation, Chinook Salmon are required to be released alive.***

* * * *

Existing State Regulation

5 AAC 01.220. Lawful gear and gear specifications

(a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225-5 AAC 01.249.

* * * *

(m) Notwithstanding the provisions of (d), (e)(2), and (f)(2) of this section, during times when the commissioner determines that it is necessary for the conservation of chum salmon, the commissioner may, by emergency order, close the fishing season in the Yukon Area and immediately reopen the season in that area during which one or more of the following gear limitations may be implemented

* * * *

(3) dip nets may be used; however, all chum salmon caught with a dip net must be released into the water alive;

(n) Notwithstanding the provisions of (d), (e)(2), and (f)(2) of this section, during times when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner may, by emergency order, close the fishing season in the Yukon Area and immediately reopen the season in that area during which one or more of the following gear limitations may be implemented

* * * *

(3) dip nets may be used; however, all king salmon caught with a dip net must be released into the water alive;

Extent of Federal Public Lands

For the purpose of this discussion, the phrase "Federal public waters" is defined as those waters described under 36 CFR 242.3 and 50 CFR 100.3. The Federal public waters addressed by this proposal are within the Yukon River Drainage within or adjacent to the Arctic National Wildlife Refuge, Gates of the Arctic National Park and Preserve, Innoko National Wildlife Refuge, Yukon Delta National Wildlife Refuge, Koyukuk National Wildlife Refuge, Kanuti National Wildlife Refuge, Nowitna National Wildlife Refuge, Denali National Park and Preserve, White Mountains National Recreation Area, Steese National Conservation Area, Yukon Charely Rivers National Preserve, Beaver Creek National Wild and Scenic River, Birch Creek National Wild and Scenic River, Delta Wild and Scenic River, Fortymile Wild and Scenic River, Tetlin National Wildlife Refuge, Yukon Flats National Wildlife Refuge, and Wrangell-St. Elias National Park and Preserve (Figure **1**).

Customary and Traditional Use Determinations

Rural residents of the Yukon River drainage and the community of Stebbins have 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 community of Chevak, Hooper Bay, Scammon Bay, and Stebbins have a customary and traditional use determination for Fall chum salmon in the Yukon River drainage.

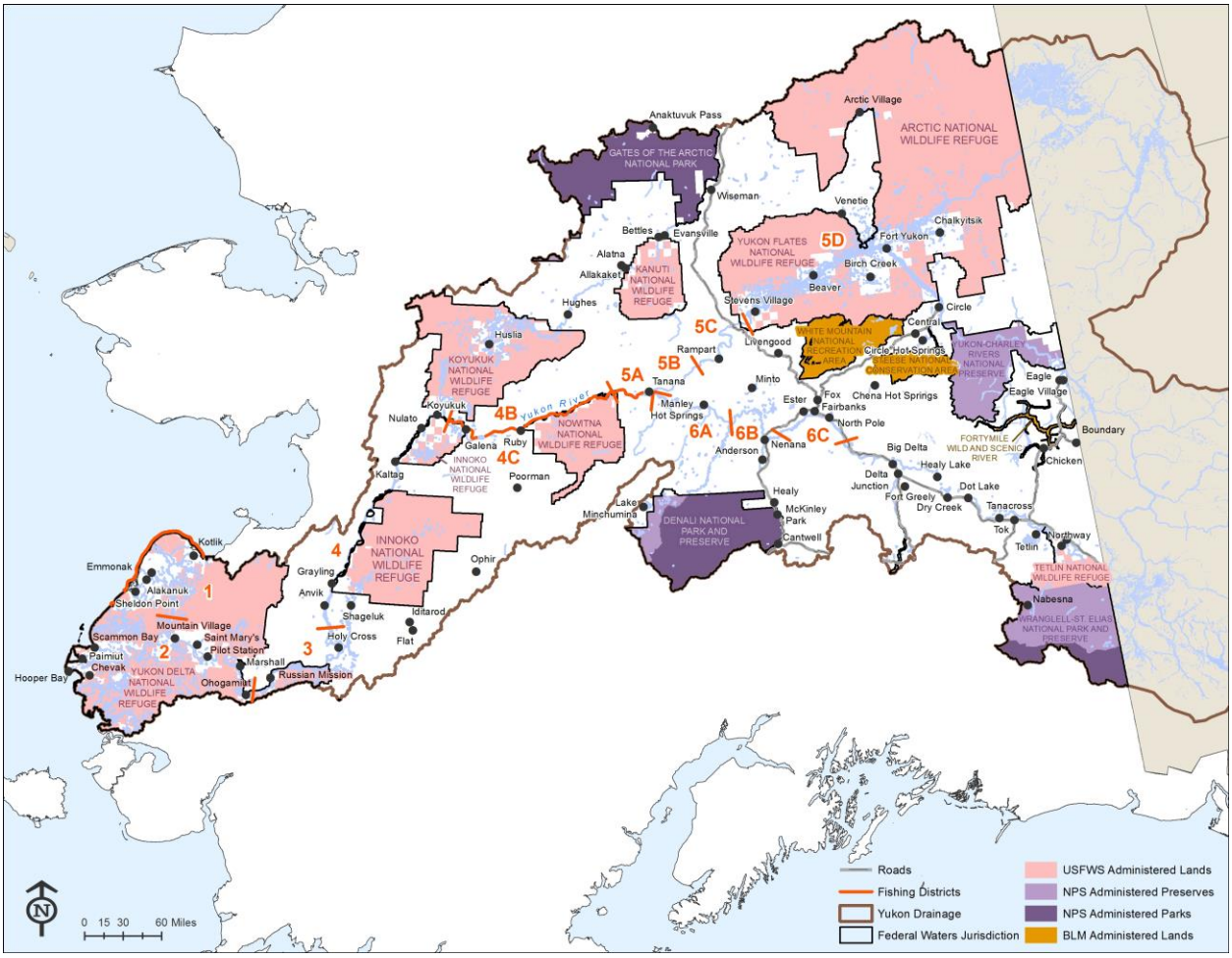

Figure 1. Yukon River with fishing Districts.

Regulatory History

State Regulatory History

In 2013, the Alaska Board of Fisheries adopted new commercial fishing regulations that allows the use of dip nets and beach seines to harvest salmon (Estensen et al. 2017). The rationale for adding these gear types was to allow fishing opportunity during times of low Chinook Salmon abundance.

Federal Regulatory History

Starting in October 1999, Federal subsistence management regulations for the Yukon-Northern Area stipulated that, unless otherwise restricted, rural residents may take salmon in the Yukon-Northern Area at any time by gillnet, beach seine, fish wheel, or rod and reel unless exceptions are noted. These methods were adopted from ADF&G methods for the Yukon Region at that time.

Biological Background

Chinook Salmon

Recent analyses indicate that Yukon River Chinook Salmon stocks appear to be in the third year of increasing productivity after the low returns of 2015. Historically, the stocks showed periods of above-average abundance (1982-1997) and periods of below-average abundance (1998 onwards), as well as periods of generally higher productivity (brood years 1993 and earlier) mixed with years of low productivity (brood years 1994-1996 and 2002-2005; Schindler et al. 2013).

The 2014 run was expected to be the smallest on record, with a projected size of 64,000-121,000 fish. Despite initial concerns, the cumulative passage estimate at the mainstem Yukon River sonar project in Pilot Station was approximately 138,000±17,000 (90% CI) fish (**Figure 2**). The passage estimate was still below the historical average of 143,000 fish and below the average of 195,800 fish for years with early run timing. As a result of severe management restrictions, all escapement goals that could be assessed were achieved, even with below average run sizes (JTC 2015).

The 2015 projected run size was 118,000-140,000 fish, which was once again below average yet higher than the previous year's projection. Cumulative passage estimates at the sonar station in Pilot Station were approximately 116,000±30,000 fish (90% CI) (**Figure 2**). As with the previous year, this number was still below the historical average. As a result of severe management restrictions, all escapement goals that could be assessed were achieved, even with below average run sizes (JTC 2016).

The 2016 run outlook was a below-average run of 130,000–176,000 fish (JTC 2017). Cumulative passage estimates at the sonar station in Pilot Station were approximately 176,898±18,466 fish (90% CI) (Liller, 2018 pers. comm). This number was near the recent historical average of 178,300 fish (ADF&G 2018), but is considered preliminary at this time. Conservative actions were relaxed slightly from previous years and all escapement goals were again met (JTC 2016).

The 2017 run outlook was slightly larger, but still below average: 140,000-194,000 fish (JTC 2017). Cumulative passage estimates at the Pilot Station sonar were approximately 263,000±29,000 fish (90% CI) (JTC 2018), which was the largest since 2003 (JTC 2017), is also considered preliminary. Subsistence management restrictions were further relaxed which resulted in harvests approximately two thirds of average and most escapement goals were met despite the poor water conditions that existed throughout the drainage. The numbers reported at the Pilot Station sonar do not factor in any harvest that occurs downstream, which can be significant during some years.

The 2018 run outlook is larger than in recent years, with a run size of 173,000-251,000 fish (ADF&G 2018). The upper end of the range could support an average subsistence harvest and while the low end of the range would likely result in restrictions to subsistence fisheries.

Summer Chum Salmon

Summer Chum Salmon runs in the Yukon River have provided a harvestable surplus in each of the last 15 years, 2003-2017. In 2017, the projected outlooks were for a run size of approximately 2 million fish, while the 2018 projection is expected to be similar or slightly lower than the 2017 run of approximately 3.6 million fish.

In 2016, approximately 1.92 million ±80,517 (90% CI) fish passed the Yukon River sonar project at Pilot Station, which was near the historical median for the project of 1.90 million fish. In 2017, the passage estimate at Pilot Station increased to 3.09 million ±138,259 (90% CI) (**Figure 3**). Most tributaries experienced average to above-average escapement in 2017 (JTC 2018). The Henshaw Creek weir counted a record number of Chum Salmon (360,687), which was only 13% smaller than the number counted at the Anvik River Sonar (415,139). The numbers reported at the Pilot Station sonar do not factor in any harvest that occurs downstream, which can be significant during some years.

Although all 2017 numbers are preliminary at this time, the 2018 run is anticipated to provide for escapements, normal subsistence harvest, and a surplus for commercial harvest (JTC 2018).

Fall Chum Salmon

Fall Chum Salmon runs in the Yukon River have provided a harvestable surplus in each of the last 8 years, 2010-2017. In 2017, the projected outlooks were for a run size of approximately 1.4-1.7 million fish, while the 2018 projection of 1.6-1.8 million fish is lower than the 2017 run of approximately 2.3 million fish (JTC 2018).

In 2016, approximately 994,760 million ±64,434 (90% CI) Fall Chum Salmon passed the Yukon River sonar project at Pilot Station, which was above the 1995-2016 median for the project of 688,057 fish. In 2017, the passage estimate at Pilot Station increased to 1.83 million ±54,179 (90% CI) and was the second largest run in 43 years (**Figure 4**). Most tributaries experienced average to above-average escapement in 2017 (JTC 2018) although all 2017 numbers are preliminary at this time. The numbers reported at the Pilot Station sonar do not factor in any harvest that occurs downstream, which can be significant during some years.

The 2018 run is anticipated to provide for escapements, normal subsistence harvest, and a surplus for commercial harvest (JTC 2018).

Coho Salmon

In 2016 approximately 168,297 ± 11,180 (90% CI) Coho Salmon passed the Yukon River sonar project at Pilot Station, which was slightly above the historical median of 160,272 fish. In 2017, the passage estimate at Pilot Station decreased to 166,330 ±20,300 (90% CI) which was also slightly above the historical median (**Figure 5**). All 2017 numbers are preliminary at this time. The Coho Salmon outlook is based upon parent year escapements assuming average survival. Since Coho Salmon predominately return as age 2.1 fish (4 year old fish), the major contributor to the 2018 returns are from the 2014 parent year. Therefore, the 2018

outlook is for average to above average returns in 2018. The numbers reported at the Pilot Station sonar do not factor in any harvest that occurs downstream, which can be significant during some years.

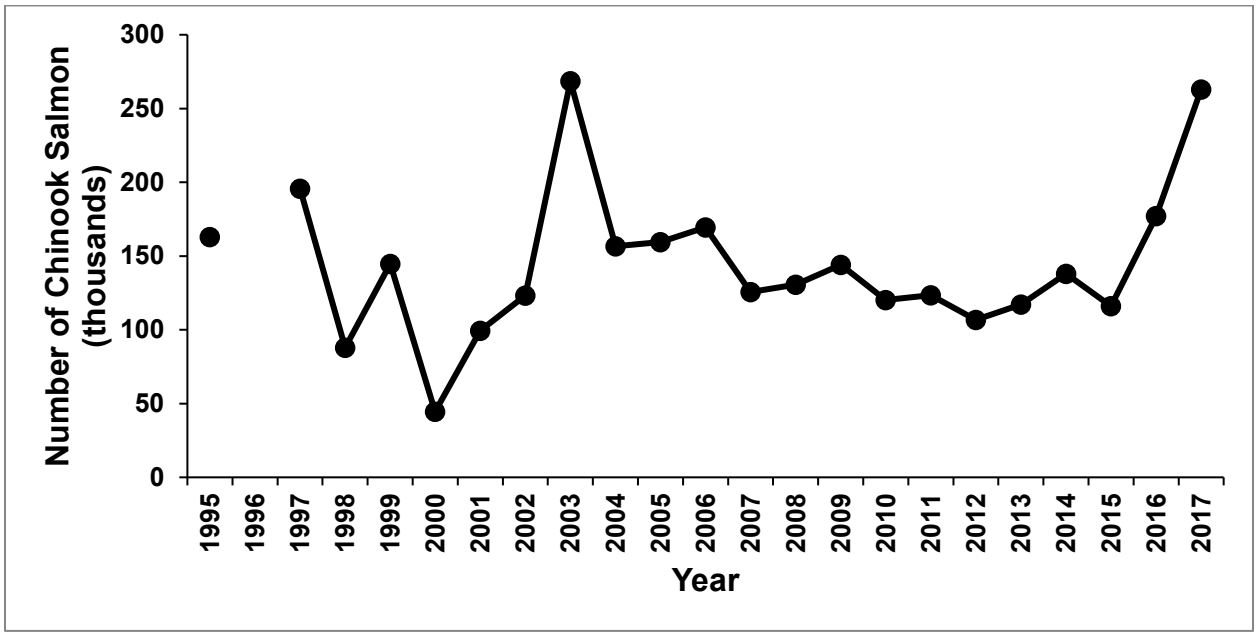

Figure 2. Chinook Salmon passage estimates based on the mainstem Yukon River sonar near Pilot Station, Yukon River drainage, 1995 and 1997-2017 (JTC 2018). Data from 2016 and 2017 are preliminary at this time.

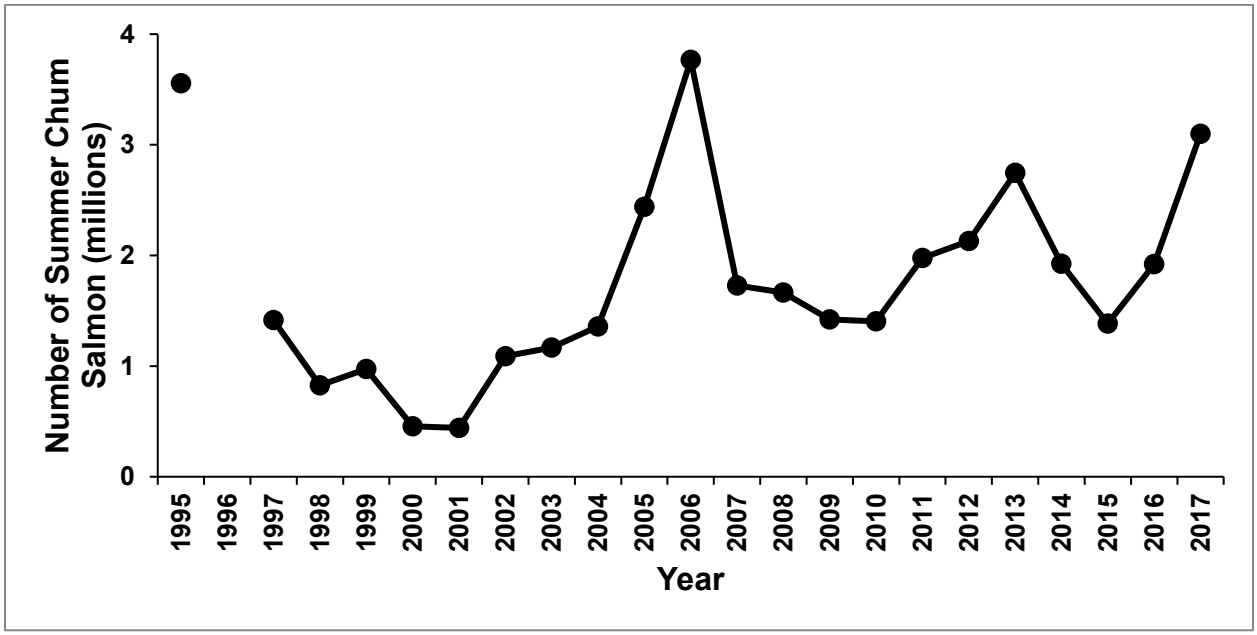

Figure 3. Summer Chum Salmon passage estimates based on the mainstem Yukon River sonar near Pilot Station, Yukon River drainage, 1995 and 1997-2017 (JTC 2018). Data from 2016 and 2017 are preliminary at this time.

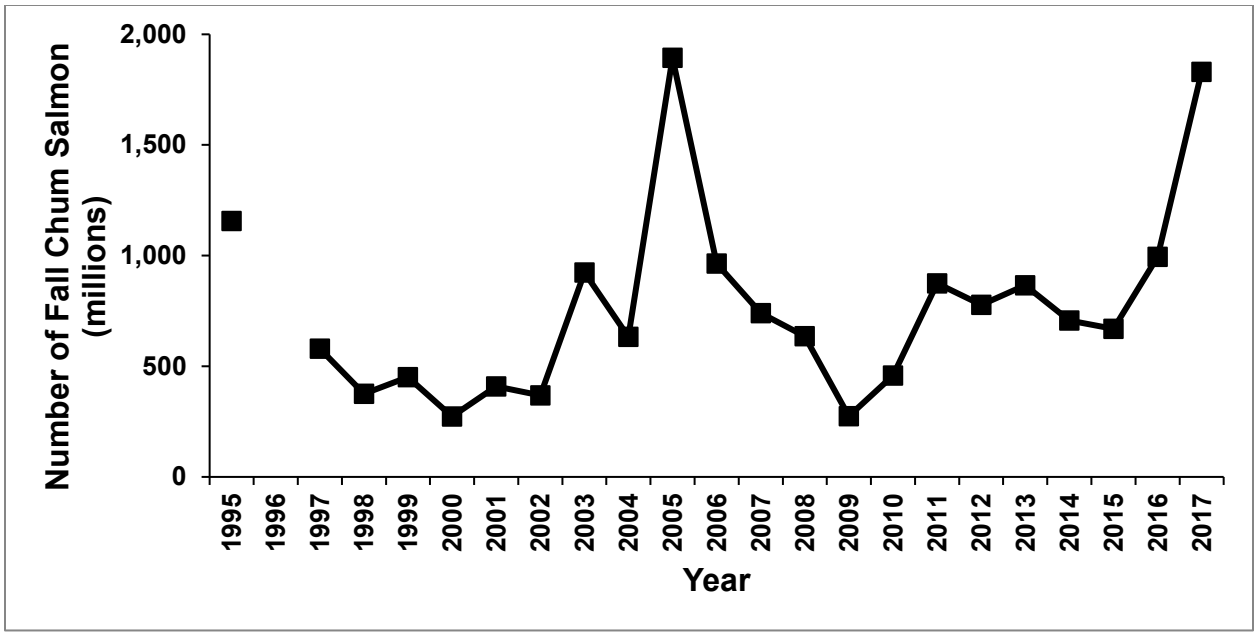

Figure 4. Fall Chum Salmon passage estimates based on the mainstem Yukon River sonar near Pilot Station, Yukon River drainage, 1995 and 1997-2017 (JTC 2018). Data from 2016 and 2017 are preliminary at this time.

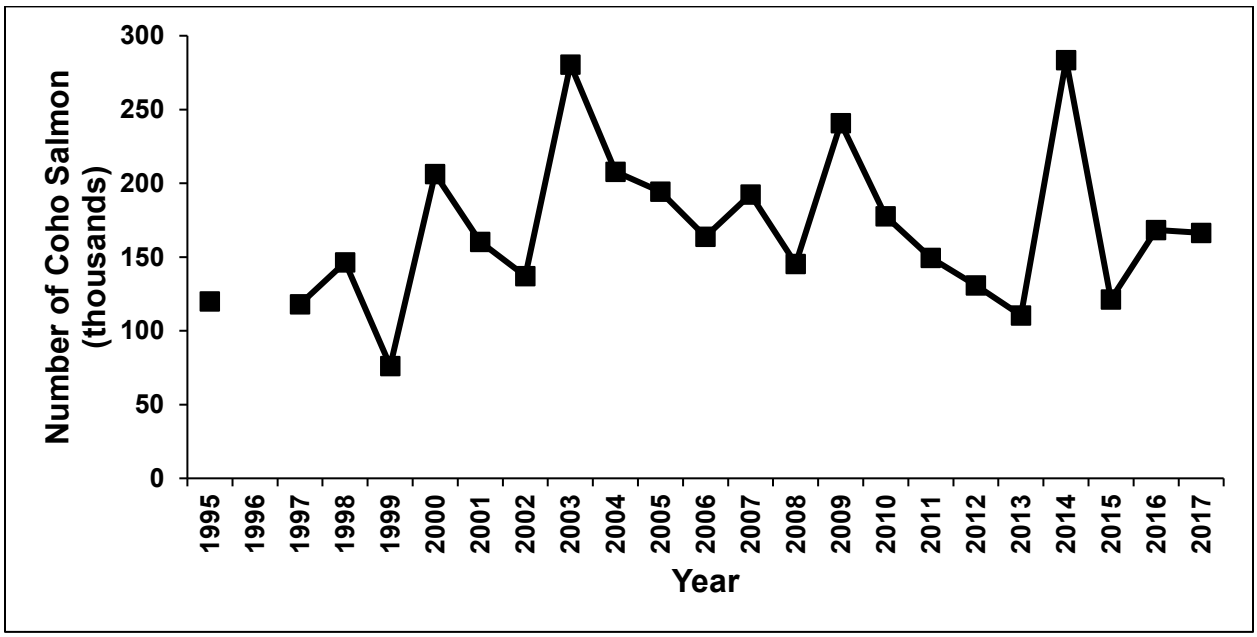

Figure 5. Coho Salmon passage estimates based on the mainstem Yukon River sonar near Pilot Station, Yukon River drainage, 1995 and 1997-2017 (JTC 2018). Data from 2016 and 2017 are preliminary at this time.

Harvest History

Distribution and availability of salmon varies throughout the Yukon River drainage. Summer Chum Salmon are uncommon in the Yukon River drainage above the Tanana River, while the fall Chum Salmon spawning grounds are mainly from the Tanana River upstream (Estensen et al, 2017). The lack of Summer

Chum Salmon in the upper portions of the drainage places a bigger reliance on Chinook Salmon in the early season for these communities. This information is reflected in the 2014 ADF&G subsistence salmon harvest estimates (Jallen et al. 2017). It is important to make the distinction on locations and timing when discussing possible changes to Federal subsistence fishing regulations, as not every village has the same fishing opportunities.

Chinook Salmon

Subsistence

Subsistence harvest of Chinook Salmon in the Alaska portion of the Yukon River averaged 34,791 fish from 1961-2015, with a high of 62,486 in 1993 and a low of 2,724 in 2014 (JTC 2017) (**Figure 6**). The 2014 Chinook Salmon subsistence harvest of 2,724 fish was the lowest on record for the Alaska portion of the Yukon River drainage. Harvest increased in 2015, 2016 and 2017 with 7,577, 21,627, and 36,992 fish harvested respectively. The 2017 harvest estimate, though preliminary, is larger than the 2007-2016 average (29,514) and over 2 times the number of the recent 5 year average of 15,088 (JTC 2018). The 2017 harvest is the largest since 2011.

Commercial

Chinook Salmon have not been targeted in the commercial fishery for 10 years and the sale of incidentally caught Chinook Salmon was prohibited for the seventh consecutive year during the 2017 summer season. However, there was a small opportunity during the fall fishing seasons were fish were sold in Districts 1 and 2 in 2011 (82) and 2017 (168). The 1961-2016 average commercial harvest is 88,092 with a recent 10 year average of 9,714 (JTC 2018).

Sportfish

Sport fishing harvest of Chinook Salmon are generally low in the Yukon River drainage. The 2012-2016 average sport fishing harvest within the Alaska portion of the Yukon River was estimated to be 105 Chinook Salmon (JTC 2018). The majority of sport fishing effort in the drainage occurs in the Tanana River drainage (District 6). Outside of the Tanana River, the Andreafsky (in District 2) and Anvik (in District 4) rivers receive the bulk of the remaining effort. During 2017, sport fishing was allowed after June 20, and allowed for a bag limit of 1 Chinook Salmon 20-inches or greater (JTC 2018).

Summer Chum Salmon

Subsistence

Subsistence harvest of Summer Chum Salmon in the Alaska portion of the Yukon River averaged 129,766 fish from 1970-2016, with a high of 227,829 in 1988 and a low of 72,155 in 2001 (JTC 2018) (**Figure 7**). The 2012-2016 average harvest is estimated to be 100,113 Summer Chum Salmon, and the harvest estimate from 2014-2017 has remained relatively constant. The preliminary 2017 harvest is 87,252 Summer Chum

Salmon. Summer Chum Salmon are predominately harvested in Yukon area Districts 1-4, and 6. Few Summer Chum Salmon migrate upstream of the Tanana River in the Yukon River mainstream.

Commercial

Commercial harvest of Chum Salmon in the Alaska portion of the Yukon River averaged 382,635 fish from 1970-2016, with a high of 1,148,650 in 1988 and a low of 0 in 2001 (JTC 2018). Since 2001, commercial catches of Summer Chum Salmon has increased dramatically, with a 2012-2016 average of 444,094 fish. The preliminary 2017 harvest is 555,296 Summer Chum salmon.

Sportfish

Sport fishing harvest of Summer Chum Salmon is generally low in the Yukon River drainage. The 2012-2016 average sport fishing harvest within the Alaska portion of the Yukon River was estimated to be 264 Summer Chum Salmon (JTC 2018). The majority of sport fishing effort in the drainage occurs in the Tanana River drainage (District 6). Outside of the Tanana River, the Andreafsky (in District 2) and Anvik (in District 4) rivers receive the bulk of the remaining effort.

Fall Chum Salmon

Subsistence

Subsistence harvest of fall Chum Salmon in the Alaska portion of the Yukon River averaged 105,167 fish from 1961-2016, with a high of 342,819 in 1987 and a low of 19,395 in 2000 (JTC 2018) (**Figure 8**). The 2012-2016 average harvest is estimated to be 95,294 fall Chum Salmon, and the harvest estimate from 2014-2017 has remained relatively constant. The preliminary 2017 harvest is 86,189 fall Chum Salmon.

Commercial

Commercial harvest of fall Chum Salmon in the Alaska portion of the Yukon River averaged 157,467 fish from 1961-2016, with a high of 466,451 in 1981 and a low of 0 in 1987, 1993, 2000, 2001, and 2002 when no commercial fishery was conducted (JTC 2018). Since 2002, commercial catches of fall Chum Salmon has varied dramatically, and the 2012-2016 average is 260,042 fish. The preliminary 2017 harvest is 489,702 fall Chum salmon.

Sportfish

Sport fishing harvest of fall Chum Salmon is generally low in the Yukon River drainage, with no data presented (JTC 2018).

Coho Salmon

Subsistence

Subsistence harvest of Coho Salmon in the Alaska portion of the Yukon River averaged 22,400 fish from 1961-2016, with a high of 82,371 in 1987 and a low of 3,966 in 1970 (JTC 2018) (**Figure 9**). The 2012-2016 average harvest is estimated to be 16,003 Coho Salmon, while the harvest estimate from 2016 and 2017 has decreased. The preliminary 2017 harvest is 7,645 Coho Salmon.

Commercial

Commercial harvest of Coho Salmon in the Alaska portion of the Yukon River averaged 38,031 fish from 1961-2016, with a high of 201,482 in 2016 and a low of 0 in 1987, 1993, 2000, 2001, and 2002 when no commercial fishery was conducted (JTC 2018). Since 2002, commercial catches of Coho Salmon has varied dramatically, and the 2012-2016 average is 115,372 fish. The 2017 harvest is 138,915 Coho salmon. All harvest data from 2016 and 2017 is preliminary.

Sportfish

Sport fishing harvest of Coho Salmon is generally low in the Yukon River drainage. The 2012-2016 average sport fishing harvest within the Alaska portion of the Yukon River was estimated to be 703 Coho Salmon (JTC 2018). The majority of sport fishing effort in the drainage occurs in the Tanana River drainage (District 6). Outside of the Tanana River, the Andreafsky (in District 2) and Anvik (in District 4) rivers receive the bulk of the remaining effort.

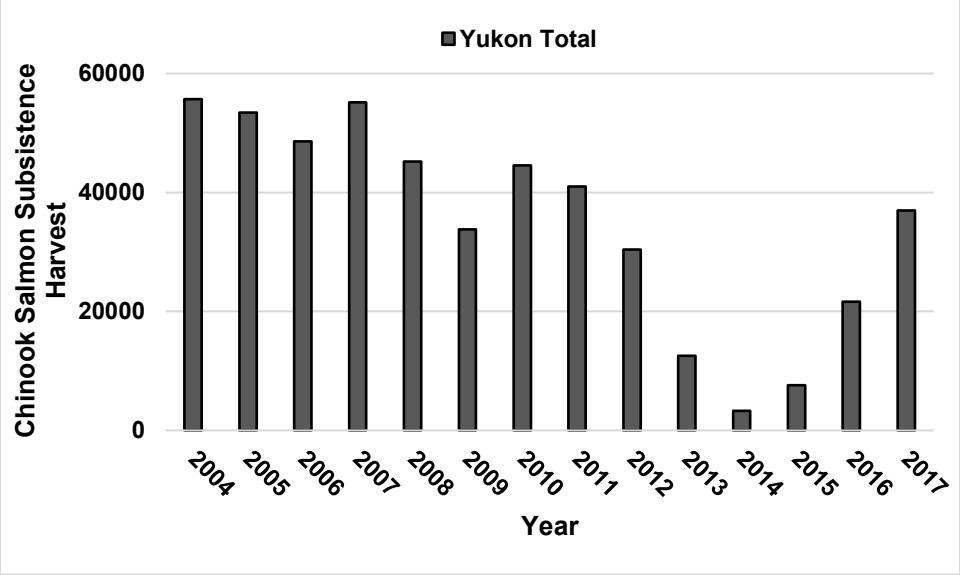

Figure 6. Chinook Salmon subsistence harvest in the Alaska portion of the Yukon River from 2004 to 2014 (Jallen et al. 2017).

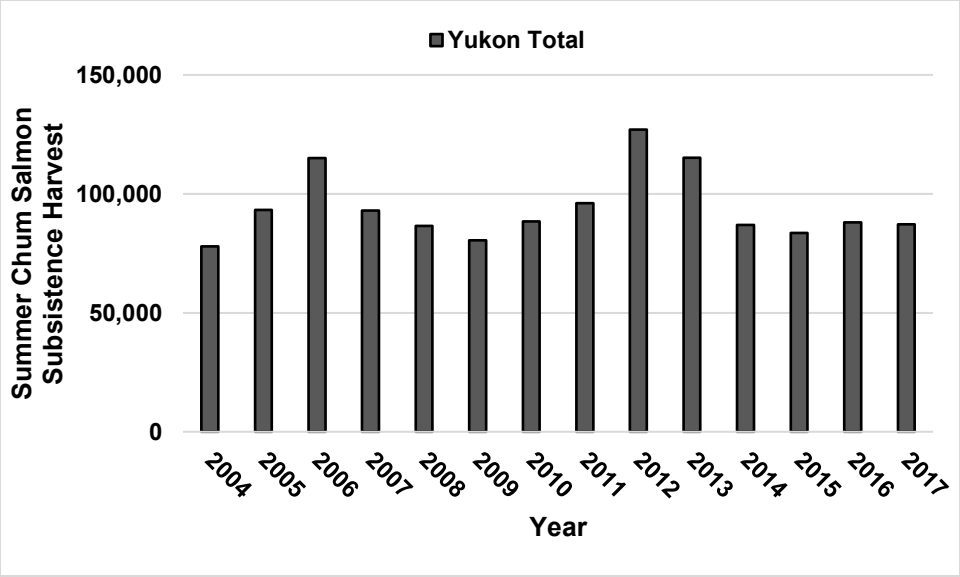

Figure 7. Summer Chum Salmon subsistence harvest in the Alaska portion of the Yukon River from 2004 to 2014 (Jallen et al. 2017).

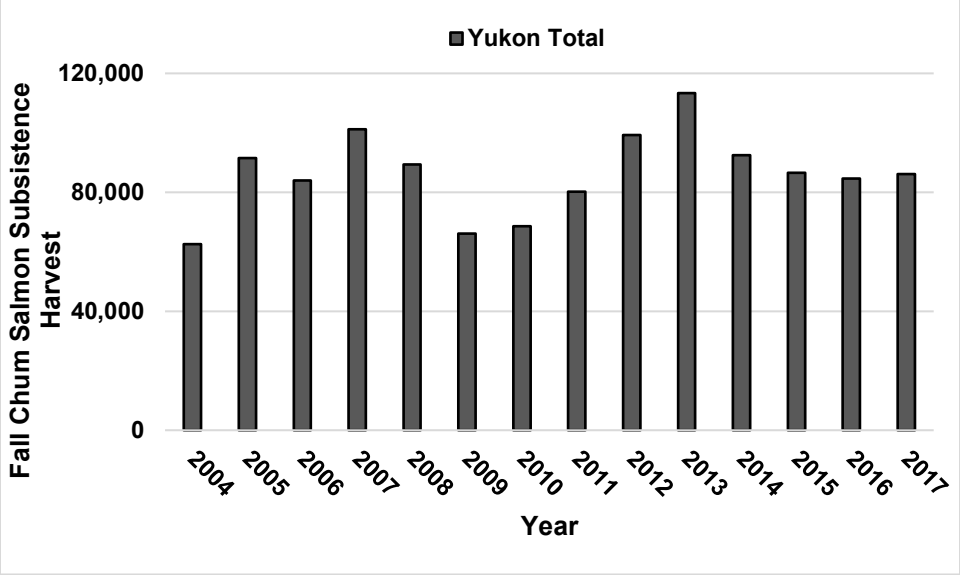

Figure 8. Fall Chum Salmon subsistence harvest in the Alaska portion of the Yukon River from 2004 to 2014 (Jallen et al. 2017).

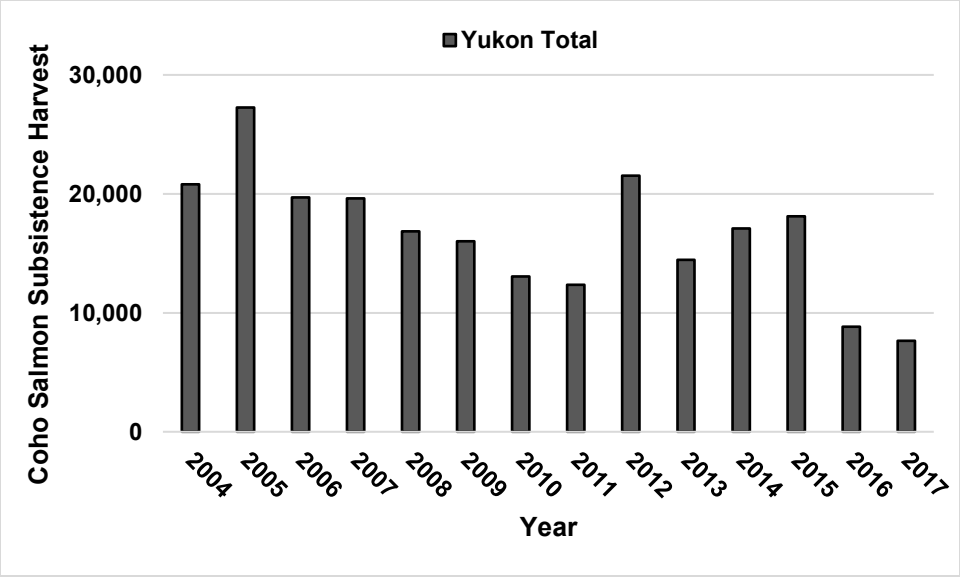

Figure 9. Coho Salmon subsistence harvest in the Alaska portion of the Yukon River from 2004 to 2014 (Jallen et al. 2017).

Cultural Knowledge and Traditional Practices

The use and importance of salmon and other non-salmon species for Yukon River communities has been documented through oral histories and harvest surveys conducted in the area. Historically, many Yukon communities followed a semi-nomadic, subsistence lifestyle, spending time at seasonal camps, migrating with the resources and harvesting various species of fish, along with hunting and gathering subsistence resources. Humans have lived in the Yukon area for over 10,000 years (Rainey 1940, Cinq-Mars 1979) and fishing was a family and community activity, deeply ingrained in to the cultures of the people in this area. People traditionally used weirs and fish traps, and nets made of animal sinew and willow bark and more recently employed commercially made set nets along with hand-made fish wheels for salmon at their fish camps. Multi-generational family groups would travel to seasonal camps to harvest fish and wildlife. Although fewer young people spend time at seasonal camps now due to employment, school, and other responsibilities, subsistence fishing continues to be important for communities up and down the river. According to surveys, many older people recalled whole families spending long hours at their fish camps, harvesting, processing, and preserving fish. Children learned about subsistence activities from their elders at fish camp (Brown et al. 2010; Brown et al. 2015).

Salmon is considered the most reliable and significant subsistence resource on the Lower Yukon River. Salmon has always been an important part of the culture, economically and socially, and the knowledge of how to catch, process, and preserve fish has been passed down from generation to generation. Before contact by outsiders dried fish was regularly traded between Yukon villages along with other commodities such as furs and sea mammal products (Wolfe 1981).

Yukon River residents are dependent on the harvest of salmon, especially Chinook Salmon, for both subsistence and commercial uses. Starting in the late 1990s, Chinook Salmon began to decline so people

harvested more summer and fall Chum Salmon along with other subsistence resources (Brown et al. 2015). In the 1960s, people started using gillnets to drift fish for salmon for personal and commercial use. Today fishing still plays an important cultural role in the communities along the lower and middle Yukon River, and the knowledge of how and when to fish is still passed down from generation to generation.

Customary trade of fish is also an important part of continuing trade networks in rural areas of Alaska. Salmon fishing takes place in the summer and timing is based on the runs for various species. Local residents also use nets under the ice to fish for Northern Pike, whitefish, or Sheefish in the spring before breakup. Communities have used various types of nets and fish wheels to harvest fish through the generations. Fish wheels are used less now than they were in the past when people were catching more fish to feed sled dogs, but are still used in some areas, mainly to catch fish for human consumption (Brown et al. 2010). Chum Salmon, once primarily used for dog food, were caught using nets set from the shore but are now consumed in large quantities by people in the US and overseas that attain the resource through the commercial fishing industry. As more village runways were built, increasing air travel, and more snow machines were brought to the villages, the dependency on sled dogs was reduced, reducing the need for harvesting fish to feed dogs (Brown et al. 2015).

Gear types and their use have changed over time in response to conservation and management actions to protect Chinook salmon (see Regulatory History). Management goals have been to provide adequate subsistence salmon fishing opportunity while conserving Chinook Salmon stocks. According to a Federal in-season manager in 2017, local people have been actively engaged in finding solutions and have been "willing to try dip nets and beach seines and gear" that are selective and that allow the live release of Chinook Salmon (FSB 2017; p. 63). During their winter 2018 meeting, members of the Yukon-Kuskokwim Delta Council reiterated that dip nets could be useful in times of conservation need, but also that they provide additional opportunity that could be important to some people (YKDRAC 2018). One member additionally indicated that this method is traditionally used (YKDRAC 2018; p 227):

> Because historically my grandmother and I would go sit, when we used to have a fish camp on Flat Island, and we'd sit there for a week straight catching fall chum with a dip net on the banks of where our fish camp was and so, I guess I don't know where else to go from there.

There is some local concern however that allowing the use of dip nets in the Federal subsistence salmon fishery could lead to future restrictions on the use of gillnets. In some areas of the Yukon the ability to use gillnets may not result in additional harvest opportunity because of topography and hydrological conditions that prevent adequate access. Residents of the Kuskokwim River have reported that while use of dip nets is an option for harvest in times of Chinook conservation since it allows live release of Chinook Salmon , in most areas of the Kuskowkim River it is an inefficient method of harvesting Chum and Sockeye Salmon in large enough numbers to fill smokehouses as they would using gill nets. The concern expressed was that while dipnets could be viewed as a management tool for providing subsistence fishing opportunity during times of Chinook conservation, the reality is that for many locations and communities it is not a viable method for adequate subsistence salmon harvest in lieu of use of gill nets.

The use, harvest, and dependence of salmon resources can vary by community based on cultural practices, resource availability, economics and many other factors. Yukon River drainage residents exhibit these variations generally within the lower, middle, and upper stretches of the drainage. Communities present along the river and their populations over time, by fishing district, are represented in **Appendix 1**.

Effects of the Proposal

Adoption of this proposal as submitted will allow for more subsistence fishing opportunity for Federally qualified subsistence users on Federal public lands in the Yukon River Drainage. Effects on the salmon stocks would likely be negligible. Adoption of dip net usage may be slow in some communities, as some have expressed interest in its use while others have not.

Although this proposal would increase opportunities for subsistence harvest for Federally qualified users, there are some potential drawbacks. State and Federal regulations would no longer be aligned, complicating enforcement of these regulations and creating confusions about where and when the gear is legal.

Dip nets can be fairly effective at harvesting fish in the Yukon River. During times of lower abundance, managers would need to be aware of fishing effort with this gear type and manage appropriately. However, the selectivity of this gear type can make it an excellent tool when there is a conservation concern on one or more species while executing a mixed stock fishery.

If no change is made, the Federal subsistence fishery will not allow dip nets to be used to harvest salmon. However, Federally qualified subsistence users will still be allowed to harvest salmon with dip nets by emergency order from ADF&G during times of Chinook or Chum Salmon conservation.

OSM PRELIMINARY CONCLUSION

Support Proposal FP19-07 **with modification** to allow the Federal in-season manager to additionally require the live release of Chinook, Chum or Coho Salmon during times of low salmon abundance rather than only Chinook Salmon.

The modified regulation should read:

§___.27 Subsistence taking of fish

* * * *

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

****

(C) Salmon may be harvested by dip net at any time, except during times of

conservation, the Federal in-season manager may announce restrictions on time, area, and species.

* * * *

Justification

Adoption of this proposal would result in additional opportunity for Federally qualified subsistence users in the Yukon River drainage. The selective nature of this gear would allow for the release of species that need protection during times of low abundance while still allowing the harvest of species that are returning in large enough numbers to provide a harvestable surplus. The impact to the salmon stocks would likely be minimal.

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Appendix 1. Population data for communities within the Yukon River drainage fishing districts, 1960-2010.

U.S. CENSUS POPULATION							
Community	**1960**	**1970**	**1980**	**1990**	**2000**	**2010**	**2010 number of households**
Stebbins city	158	231	331	400	547	556	134
Outside drainage subtotal	**158**	**231**	**331**	**400**	**547**	**556**	**134**
Alakanuk city	278	265	522	544	652	677	160
Nunam Iqua city	125	125	103	109	164	187	43
Emmonak city	358	439	567	642	767	762	185
Kotlik city	57	228	293	461	591	577	128
District 1 subtotal	**818**	**1,057**	**1,485**	**1,756**	**2,174**	**2,203**	**516**
Mountain Village city	300	419	583	674	755	813	184
Pitkas Point CDP	28	70	88	135	125	109	31
Saint Marys city	260	384	382	441	500	507	151
Pilot Station city	219	290	325	463	550	568	121
Marshall city	166	175	262	273	349	414	100
District 2 subtotal	**973**	**1,338**	**1,640**	**1,986**	**2,279**	**2,411**	**587**
Russian Mission city	102	146	169	246	296	312	73
Holy Cross city	256	199	241	277	227	178	64
Shageluk city	155	167	131	139	129	83	36
District 3 subtotal	**513**	**512**	**541**	**662**	**652**	**573**	**173**
Anvik city	120	83	114	82	104	85	33
Grayling city	0	139	209	208	194	194	55
Kaltag city	165	206	247	240	230	190	70
Nulato CDP	183	308	350	359	336	264	92
Koyukuk city	128	124	98	126	101	96	42
Huslia city	168	159	188	207	293	275	91
Hughes city	69	85	73	54	78	77	31
Allakaket city	115	174	163	170	97	105	44
Alatna CDP				31	35	37	12
Bettles city	77	57	49	36	43	12	9
Evansville CDP	77	57	45	33	28	15	12
Wiseman CDP	0	0	8	33	21	14	5
Coldfoot CDP					13	10	6
Galena city	261	302	765	833	675	470	190
Ruby city	179	145	197	170	188	166	62
District 4 subtotal	**1,542**	**1,839**	**2,506**	**2,582**	**2,436**	**2,010**	**754**
Tanana city	349	120	388	345	308	246	100
Rampart CDP	49	36	50	68	45	24	10
Stevens Village CDP	102	74	96	102	87	78	26
Beaver CDP	101	101	66	103	84	84	36
Fort Yukon city	701	448	619	580	595	583	246
Chalkyitsik CDP	57	130	100	90	83	69	24

Continued on next page

Appendix 1. *Continued from previous page*

U.S. CENSUS POPULATION							
Community	**1960**	**1970**	**1980**	**1990**	**2000**	**2010**	**2010 number of households**
Arctic Village CDP	110	85	111	96	152	152	65
Venetie CDP	107	112	132	182	202	166	61
Birch Creek CDP	32	45	32	42	28	33	17
Circle CDP	41	54	81	73	100	104	40
Chicken CDP	0	0	0	0	17	7	5
Central CDP	28	26	36	52	134	96	53
Eagle Village CDP	0	0	54	35	68	67	31
Eagle city	92	36	110	168	129	86	41
District 5 subtotal	**1,769**	**1,267**	**1,875**	**1,936**	**2,032**	**1,795**	**755**
Livengood CDP					29	13	7
Manley CDP	72	34	61	96	72	89	41
Minto CDP	161	168	153	218	258	210	65
Whitestone CDP						97	22
Nenana city	286	362	470	393	402	378	171
Four Mile Road CDP					38	49	14
Healy CDP	67	79	334	487	1,000	1,021	434
McKinley Park CDP	0	0	60	171	142	185	109
Anderson city	341	362	517	628	367	246	90
Ferry CDP				56	29	33	17
Lake MinChumina CDP	0	0	22	32	32	13	6
Cantwell CDP	85	62	89	147	222	219	104
Delta Junction city	0	703	945	652	840	958	377
Fort Greely CDP	0	1,820	1,635	1,299	461	539	236
Deltana CDP					1,570	2,251	784
Healy Lake CDP	0	0	33	47	37	13	7
Big Delta CDP	0	0	285	400	749	591	206
Dry Creek CDP	0	0	0	106	128	94	29
Dot Lake CDP	56	42	67	70	19	13	7
Dot Lake Village CDP					38	62	19
Tanacross CDP	102	84	117	106	140	136	53
Tetlin CDP	122	114	107	87	117	127	43
Tok CDP	129	214	589	935	1,393	1,258	532
Northway CDP	196	40	73	123	95	71	27
Northway Jct. CDP	0	0	0	88	72	54	20
Northway Village CDP						98	
Alcan border CDP	0	0	0	27	21	33	16
Nabesna CDP						5	3
District 6 subtotal	**1,617**	**4,084**	**5,557**	**6,168**	**8,271**	**8,856**	**3,439**
TOTAL	**7,390**	**10,328**	**13,935**	**15,490**	**18,391**	**18,404**	**6,358**

CDP=Census Designated Place. Black cell=information is not available. Source: ADCCED 2014.

FP19–15 Executive Summary	
General Description	Proposal FP19-15 requests the Federal Subsistence Board (Board) revise sections §___.27(e)(11)(xii) and §___.27(e)(11)(xiii) of the CFR that specify the requirements of fish wheel owners and operators in the Upper Copper River for the take of salmon. The requested change is to move the requirement to check the fish wheel every ten hours and remove all fish from the fish wheel owner to the fish wheel operator. *Submitted by: Wrangell-St. Elias National Park and Preserve.*
Proposed Regulation	***§___.27(e)(11) Prince William Sound Area* – Salmon** *(xii) If you are a fish wheel owner:* * * * * ~~*(D) You must check your fish wheel at least once every 10 hours and remove all fish;*~~ * * * * *(xiii) If you are operating a fish wheel:* * * * * ***(E) You must check your fish wheel at least once every 10 hours and remove all fish.***
OSM Preliminary Conclusion	**Support**
Southcentral Alaska Subsistence Regional Advisory Council Recommendation	
Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	**1 Support**

DRAFT STAFF ANALYSIS
FP19-15

ISSUES

Proposal FP19-15, submitted by Wrangell-St. Elias National Park and Preserve, requests the Federal Subsistence Board (Board) revise sections §___.27(e)(11)(xii) and §___.27(e)(11)(xiii) of the CFR that specify the requirements of fish wheel owners and operators in the Upper Copper River for the take of salmon. The requested change is to move the requirement to check the fish wheel every ten hours and remove all fish from the fish wheel owner to the fish wheel operator.

DISCUSSION

The proponent has stated that it is more appropriate for the fish wheel operator to be responsible for checking the fish wheel every ten hours to remove all fish. The fish wheel owner does not need to be a Federally qualified subsistence user or have a Federal subsistence fishing permit to use the fish wheel. They may be qualified to use this gear type under State subsistence regulations.

Existing Federal Regulation

§___.27(e)(11) Prince William Sound Area

(xi) The following apply to Upper Copper River District subsistence salmon fishing permits:

(A) Only one subsistence fishing permit per subdistrict will be issued to each household per year. If a household has been issued permits for both subdistricts in the same year, both permits must in your possession and readily available for inspection while fishing or transporting subsistence-taken fish in either subdistrict. A qualified household may also be issued a Batzulnetas salmon fishery permit in the same year;

(B) Multiple types of gear may be specified on a permit, although only one unit of gear may be operated at a time.

* * * *

(D) A fish wheel may be operated only by one permit holder at a time; that permit holder must have the fish wheel marked as required by paragraph (e)(11) of this section and during fishing operations;

(E) Only the permit holder and the authorized member(s) of the household listed on the

subsistence permit may take salmon;

(F) You must personally operate your fish wheel or dip net;

(G) You may not loan or transfer a subsistence fish wheel or dip net permit except as permitted.

(xii) If you are a fish wheel owner:

(A) You must register your fish wheel with ADF&G or the Federal Subsistence Board;

(B) Your registration number and a wood, metal, or plastic plate at least 12 inches high by 12 inches wide bearing either your name and address, or your Alaska driver's license number, or your Alaska State identification card number in letters and numerals at least 1 inch high, must be permanently affixed and plainly visible on the fish wheel when the fish wheel is in the water;

(C) Only the current year's registration number may be affixed to the fish wheel; you must remove any other registration number from the fish wheel;

(D) You must check your fish wheel at least once every 10 hours and remove all fish;

(E) You are responsible for the fish wheel; you must remove the fish wheel from the water at the end of the permit period;

(F) You may not rent, lease, or otherwise use your fish wheel used for subsistence fishing for personal gain.

(xiii) If you are operating a fish wheel:

(A) You may operate only one fish wheel at any one time;

(B) You may not set or operate a fish wheel within 75 feet of another fish wheel;

(C) No fish wheel may have more than two baskets;

(D) If you are a permittee other than the owner, you must attach an additional wood, metal,

or plastic plate at least 12 inches high by 12 inches wide, bearing your name and address in letters and numerals at least 1 inch high, to the fish wheel so that the name and address are plainly visible.

Proposed Federal Regulation

§___.27(e)(11) Prince William Sound Area

(xii) If you are a fish wheel owner:

* * * *

~~*(D) You must check your fish wheel at least once every 10 hours and remove all fish;*~~

* * * *

(xiii) If you are operating a fish wheel:

* * * *

(E) You must check your fish wheel at least once every 10 hours and remove all fish.

Existing State Regulation

5 AAC 01.620 Lawful gear and gear specifications for the Prince William Sound Area

(b) Salmon may be taken only by the following types of gear:

(1) in the Glennallen Subdistrict by fish wheels or dip nets.

(c) Fish wheels used for subsistence fishing may be operated only as follows:

(1) the owner of a fish wheel shall register that fish wheel with the department; the department shall issue a registration number for the fish wheel; that registration number, and either the owner's name and address or the owner's permanent identification number from a valid Alaska driver's license or a state identification card, must be permanently affixed and plainly visible on the fish wheel on a wood, metal, or plastic plate that is at least 12 inches high by 12 inches wide, in letters and numerals at least one inch high, when the fish wheel is in the water; only the registration number from the current year may be affixed to the fish wheel; any other registration number must be removed from the fish wheel;

(2) the owner of a fish wheel registered under (1) of this subsection is responsible for the fish wheel when the fish wheel is in the water;

(3) when the permit holder is a person other than the owner of the fish wheel, in addition to the requirements of (1) of this subsection, an additional plate of wood, metal, or plastic, that is at least 12 inches high by 12 inches wide bearing the permit holder's name and address in letters and numerals at least one inch high must be attached to each fish wheel so that the name and address are plainly visible;

(4) a permit holder may operate only one fish wheel at a time and a fish wheel may be operated only by one permit holder at a time; that permit holder must;

(A) have the fish wheel marked as specified in this subsection during fishing operations; and

(B) check the fish wheel at least once every 10 hours and remove all fish caught by the fish wheel;

(5) a person may not set or operate a fish wheel within 75 feet of another fish wheel;

(6) a fish wheel

(A) may not have more than two baskets;

(B) must be removed from the water at the end of the permit period; and

(C) may not be rented, leased, or otherwise used for personal gain

Extent of Federal Public Lands

For purposes of this discussion, the phrase "Federal public waters" is defined as those waters described under 36 CFR 242.3 and 50 CFR 100.3. Federal public waters comprise those waters within and adjacent to the exterior boundaries of Wrangell-St. Elias National Park and Preserve (**Figure 1**).

Customary and Traditional Use Determinations

Rural residents of Cantwell, Chickaloon, Chisana, Chistochina, Chitina, Copper Center, Dot Lake, Gakona, Gakona Junction, Glennallen, Gulkana, Healy Lake, Kenny Lake, Lower Tonsina, McCarthy, Mentasta Lake, Nabesna, Northway, Paxson-Sourdough, Slana, Tanacross, Tazlina, Tetlin, Tok, Tonsina, and those individuals that live along the Tok Cutoff from Tok to Mentasta Pass, and along the Nabesna Road have a customary and traditional use determination for salmon in the Chitina Subdistrict of the Upper Copper River District.

Rural residents of the Prince William Sound Area and residents of Cantwell, Chickaloon, Chisana, Dot Lake, Dry Creek, Healy Lake, Northway, Tanacross, Tetlin, Tok, and those individuals living along the

Alaska Highway from the Alaskan/Canadian border to Dot Lake, along the Tok Cutoff from Tok to Mentasta Pass, and along the Nabesna Road have a customary and traditional use determination for salmon in the Glennallen Subdistrict of the Upper Copper River District.

Rural residents of Mentasta Lake and Dot Lake have a customary and traditional use determination for salmon in the waters of the Copper River between National Park Service regulatory markers located near the mouth of Tanada Creek, and in Tanada Creek between National Park Service regulatory markers identifying the open waters of the creek (Batzulnetas Area).

Regulatory History

The Board adopted the current regulatory framework for the Prince William Sound Management Area from existing State subsistence regulations in 1999. Since that time, a handful of regulatory changes have been made related to fish wheel use in the Upper Copper River through Board action. However, specific to the checking of the fish wheel, there is a single proposal submitted in 2006. Proposal FP06-21, submitted by the Ahtna Tene Nene' Subsistence Committee requested an addition to the Federal subsistence management regulations that required fish wheels to be checked at least once during each 24 hour period to remove all fish (OSM 2006). At that time, there had been no hourly requirement to check fish wheels. The Eastern Interior Alaska Subsistence Regional Advisory Council opposed the proposal, but the Southcentral Alaska Subsistence Regional Advisory Council supported it with modification to require checking every 48 hours for removal of all fish. At the January 2006 Board meeting, the Ahtna Subsistence Committee submitted additional comments requesting that the proposal be modified to require checking every 8 hours instead of 24 hours (FSB 2006). The Board was also notified that the Alaska Board of Fisheries took action on similar request in December of 2005 to requiring fish wheels to be checked every 10 hours in the State subsistence fishery. The Board took action to adopt FP06-21 with modification to require that fish wheels be checked every 10 hours and all fish removed consistent with concerns raised by the Ahtna Subsistence Committee and consistent with the recent Board of Fish action. The proposal did not specify whether this regulation would pertain directly to fish wheel owners or fish wheel operators, and Board discussion did not cover that topic either.

Biological Background and Harvest History

This proposal requests changing responsibility for checking fish wheels, and should not affect harvest practices or totals. As such, a minimal background for biology and harvest history is provided.

The Copper River supports multiple runs of salmon, but Sockeye Salmon *Oncorhynchus nerka,* Chinook Salmon *O. tshawytscha*, and Coho Salmon *O. kisutch* are the three species primarily targeted in the fisheries of the Upper Copper River. Sockeye Salmon is the most abundant species, and is the main fish targeted by all user groups in both the Chitina and Glennallen Subdistricts (**Table 1**, **Table 2**, **Table 3**, **Table 4**). While there have been no biological concerns for this species, and returns have been within or exceeded the current escapement goal of 360,000 to 750,000 as measured by the Miles Lake sonar during the past five years (ADF&G 2018), returns in 2018 have been substantially lower. This has prompted closures to the State commercial fishery at the mouth of the river, closures to the State personal use fishery in the Chitina

Subdistrict, and closures to non-Federally qualified users in the Chitina Subdistrict by the Federal in-season manager.

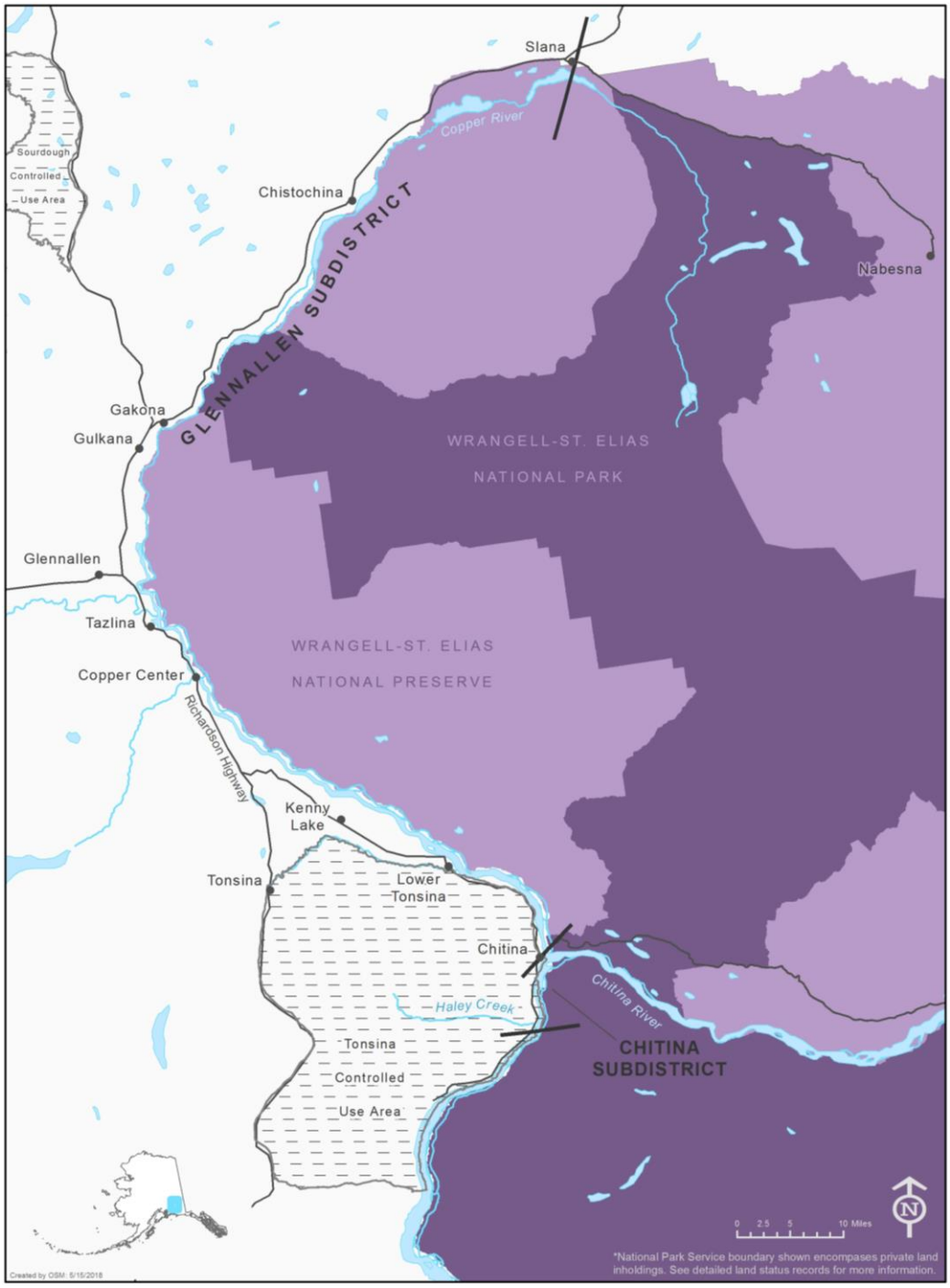

Figure 1. Upper Copper River drainage, showing exterior boundary of Wrangell-St. Elias National Park and Preserve as well as the Chitina and Glennallen Subdistricts of the Upper Copper River District.

Chinook Salmon in-river abundance averaged around 40,000 fish between 2003 and 2011 (**Figure 2**). However, returns over the past five years (2012-2016) have been notably smaller, averaging around 27,000,

and conservation measures have been put into place for the various fisheries that target these species during some years.

Harvests of Chinook Salmon have been the largest in the State personal use and subsistence fisheries, but have declined across all four fisheries in the past five years (**Table 1**, **Table 2**, **Table 3**, **Table 4**). This matches with declines in returns over that same period (**Figure 2**).

Coho Salmon return to the Copper River following the Sockeye and Chinook Salmon runs. Other than counts from the Long Lake weir, there are no abundance estimates for Coho Salmon in the drainage.

Although harvests of Coho Salmon are on a similar scale to those for Chinook Salmon in the Chitina Subdistrict Federal subsistence and State personal use fisheries, they are substantially smaller for the two Glennallen Subdistrict fisheries.

Table 1. Estimated harvest of Sockeye, Chinook, and Coho Salmon by Federally qualified subsistence users in the Chitina Subdistrict, 2002-2017 (Sarafin 2018, pers. comm.).

Chitina Subdistrict Federal Subsistence Fishery					
Year	Permits Issued	Percentage of Permits Reported Fished	Estimated Sockeye Salmon Harvest	Estimated Chinook Salmon Harvest	Estimated Coho Salmon Harvest
2002	122	73.0	788	45	0
2003	100	82.0	874	22	85
2004	109	76.0	1,599	9	24
2005	76	84.0	1,506	26	0
2006	75	85.0	1,622	15	24
2007	98	89.0	1,044	29	45
2008	82	85.0	928	26	87
2009	68	91.0	898	9	12
2010	92	86.0	2,397	20	38
2011	85	85.9	2,137	15	9
2012	90	94.4	1,419	6	8
2013	99	90.9	2,199	19	9
2014	113	94.7	1,628	15	72
2015	111	92.8	2,404	14	15
2016	128	80.5	1,925	20	41
2017	132	79.5	1,828	15	9
5-yr avg.	-	88	1,997	17	29
10-yr avg.	-	88	1,776	16	30
Mean	-	86	1,575	19	30

Table 2. Estimated harvest of Sockeye, Chinook, and Coho Salmon in the Chitina Subdistrict State personal use fishery, 2002-2017 (Somerville 2018, pers. comm.).

Chitina Subdistrict State Personal Use Fishery					
Year	Permits Issued	Percentage of Permits Reported Fished	Estimated Sockeye Salmon Harvest	Estimated Chinook Salmon Harvest	Estimated Coho Salmon Harvest
2002	6,804	65.8	85,968	2,023	1,934
2003	6,441	66.1	80,796	1,903	2,533
2004	8,156	60.8	107,312	2,495	2,860
2005	8,230	64.8	120,013	2,043	1,869
2006	8,497	62.3	123,261	2,663	2,715
2007	8,377	66.2	125,126	2,694	1,742
2008	8,041	59.7	81,359	1,999	2,711
2009	7,958	60.7	90,035	214	1,712
2010	9,970	60.9	138,487	700	2,013
2011	9,217	62.0	128,052	1,067	1,702
2012	10,016	57.7	127,143	567	1,385
2013	10,592	63.9	180,663	744	797
2014	11,717	60.7	157,215	719	1,129
2015	12,635	62.0	223,080	1,570	841
2016	11,394	54.6	148,982	711	1,182
2017	9,490	64.9	132,694	1,961	715
5-yr avg.	-	61	168,527	1,141	933
10-yr avg.	-	61	140,771	1,025	1,419
Mean	-	62	128,137	1,505	1,740

Cultural Knowledge and Traditional Practice

For the Ahtna Athabascans, salmon has been a staple resource and a symbol of wealth. Sockeye have been especially important to the Ahtna's cultural and economic survival for at least 1,000 years and remains a vital resource to the subsistence lifeways of those living in the Copper River Basin today (Reckord 1983, Brady et al. 2013). Other salmon species that are important to those living in the region include Chinook and Coho Salmon. Late season Coho Salmon became a more important resource with the introduction of the fish wheel into the Cooper River Basin in the early 1900s (De Laguna and McClellan 1981).

Many of the Ahtna elders who grew up in the 1920-1930s remember the fish wheels being very productive during this period. Elder Robert Marshall noted that "his family's fish wheel caught 200 or 300 fish a night" (Simeone et al. 2007, p.14). In a 2010 report, the United States Fish and Wildlife Service reported a significant increase in fish wheel use for the region since the 1980s. The report also notes that the region has had an increase in users over time, which has resulted in added pressures on the salmon fisheries (Brady et al. 2013).

Table 3. Estimated harvest of Sockeye, Chinook, and Coho Salmon by Federally qualified subsistence users in the Glennallen Subdistrict, 2002-2017 (Sarafin 2018, pers. comm.).

Glennallen Subdistrict Federal Subsistence Fishery					
Year	Permits Issued	Percentage of Permits Reported Fished	Estimated Sockeye Salmon Harvest	Estimated Chinook Salmon Harvest	Estimated Coho Salmon Harvest
2002	201	81.0	9,807	696	100
2003	221	83.0	16,405	667	183
2004	262	79.0	22,410	805	192
2005	267	86.0	23,224	401	147
2006	254	87.0	19,208	494	32
2007	281	84.0	18,125	677	40
2008	270	81.0	14,009	870	183
2009	274	85.0	13,925	581	40
2010	269	88.0	14,601	341	73
2011	277	87.7	16,066	799	60
2012	275	92.0	15,718	403	85
2013	273	89.0	17,789	372	27
2014	315	90.5	23,889	439	25
2015	325	92.3	26,753	416	14
2016	320	82.8	19,181	446	11
2017	338	84.3	18,550	473	1
5-yr avg.	-	88	21,232	429	16
10-yr avg.	-	87	18,048	514	52
Mean	-	86	18,104	555	76

Multiple reports recognize the Copper River Basin as a focal point of intense salmon harvest for multiple users under State and Federal regulations. Many of these activities are occurring side by side and simultaneously. This includes people utilizing fish wheels under State and Federal regulations side by side (Simeone et al. 2007, Brady et al. 2013).

In recent comprehensive subsistence surveys conducted by the Alaska Department of Fish and Game (ADF&G), it was noted that salmon composed a majority of the annual harvest in most communities along the Copper River. The per capita salmon harvest from communities in the Upper Copper River ranged from about 192 lbs. per person in Chitina to approximately 46 lbs. per person in McCarthy (Holen et al. 2014, La Vine and Zimpelman 2014). Fish wheels are a major gear type utilized in the majority of the communities with the exception of Paxson. The community of Paxson did not utilize fish wheels during the study year of 2013 (Holen et al. 2015). Salmon harvest via fish wheel ranged from a high of 93% in Chistochina to a low of 15% in Mentasta Lake (Kukkonen and Zimpelman 2012, La Vine et al. 2013).

Table 4. Estimated harvest of Sockeye, Chinook, and Coho Salmon in the Glennallen Subdistrict State personal use fishery, 2002-2017 (Somerville 2018, pers. comm.).

Glennallen Subdistrict State Subsistence Fisheries					
Year	Permits Issued	Percentage of Permits Reported Fished	Estimated Sockeye Salmon Harvest	Estimated Chinook Salmon Harvest	Estimated Coho Salmon Harvest
2002	1,121	73.1	50,850	3,653	530
2003	1,012	77.1	47,007	2,538	467
2004	956	76.6	55,510	3,346	577
2005	961	76.0	64,213	2,229	154
2006	984	76.6	57,710	2,769	212
2007	1,174	75.0	65,714	3,276	238
2008	1,186	72.3	43,157	2,381	493
2009	1,090	71.6	46,849	2,493	228
2010	1,321	72.1	70,719	2,099	293
2011	1,306	73.9	59,622	2,319	372
2012	1,527	68.6	76,305	2,095	335
2013	1,339	72.7	73,728	2,148	143
2014	1,656	66.4	75,501	1,365	233
2015	1,631	70.1	81,800	2,212	77
2016	1,769	64.3	62,474	2,075	45
2017	1,632	64.0	39,859	2,935	57
5-yr avg.	-	67	66,672	2,147	111
10-yr avg.	-	70	63,001	2,212	228
Mean	-	72	60,689	2,496	278

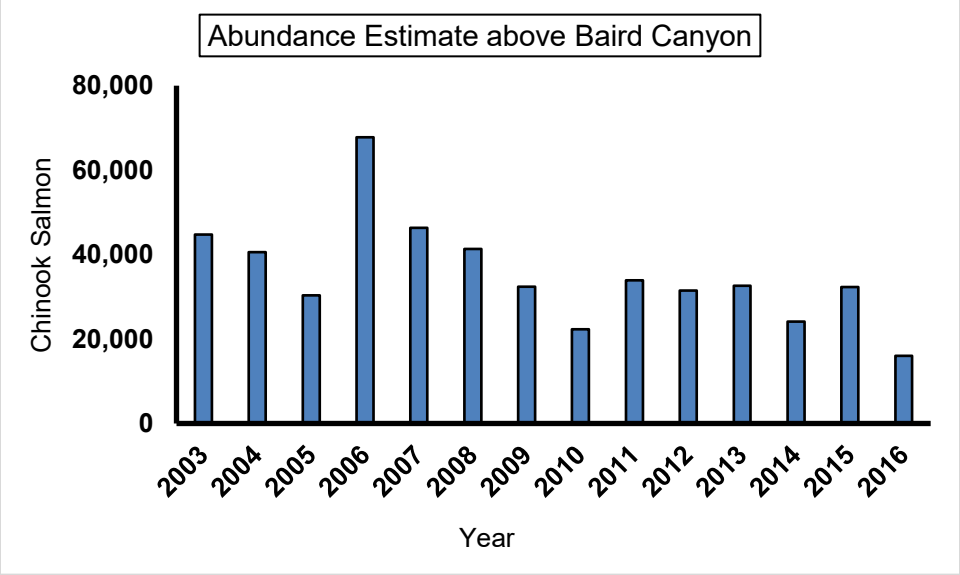

Figure 2. Estimated in-river abundance of Chinook Salmon above Baird Canyon on the Copper River based on mark-recapture methods, 2003-2016 (Piche et al. 2017).

Effects of the Proposal

Moving this requirement from fish wheel owners to fish wheel operators will relieve owners of confirming that operators of the wheels are following through with regulations put into place to limit wanton waste. It will have the effect of putting the burden of checking the fish wheel every 10 hours on the operators of the wheels. This would match existing State subsistence regulations that require operators of the wheels to check them and empty them of fish every 10 hours, which will provide ease for enforcement. The move will also correct conflicting regulations in this section. Regulations at (xi)(E) allow only the permit holder to take salmon, while current fish wheel regulations at (xii)(D) require the fish wheel owner, who is not always the fish wheel operator, to check the fish wheel at least once every 10 hours and remove all fish.

OSM PRELIMINARY CONCLUSION

Support Proposal FP19-15.

Justification

The Upper Copper River fisheries allow the use of fish wheel under Federal and State subsistence regulations. Both fisheries require that fish wheels be checked every 10 hours and emptied of fish; however, State regulations require that operators of the wheel do this while Federal regulations require that fish wheel owners do this. Fish wheel owners that are Non-Federally qualified may allow Federally qualified subsistence users to operate their fish wheel under a Federal subsistence fishing permit. Operators of a fish wheel should be obligated to perform checks and remove fish as they are the individuals responsible for operation of the gear. In addition, this will align Federal and State regulations, which will enhance the enforcement capability without placing additional restrictions on Federally qualified subsistence users.

Ahtna Tene Nene' Committee
P.O Box 649
Glennallen, Alaska 99588
(907) 822-3476

June 28, 2018

Federal Subsistence Board
Office of Subsistence Management
(Attn: Mr. Matuskowitz)
1011 E. Tudor Road, MS-121
Anchorage, Alaska 99503-6199

Dear Mr. Matuskowitz:

Ahtna Tene Nene' is pleased to submit comments on the 2019-2021 federal fisheries proposals. We hope that the Federal Subsistence Board and Inter-Agency Staff Committee will take our comments into consideration.

Enclosed are Ahtna Tene Nene's comments on 2019-2021 Fisheries Proposals. Please contact Ms. Stickwan, if there are any questions at (907) 822-3476.

Sincerely,

Gloria Stickwan
for
Linda Pete
Linda Pete,
Chair

www.ahtna-inc.com

2019-2021 Fisheries Proposals

Prince William Sound Area

FP19-13

Comments:

We support WP19-13 with modification to add the words "except for the Copper River drainage upstream of Haley Creek," after the words "Freshwaters Prince William Sound Area" to proposal WP19-13 so that it clearly specifies where the proposed regulatory language applies. (Tables on page 34 of the proposal booklet.)

The regulatory language for the Prince William Sound Area in the current *Management Regulations for the Subsistence Harvest of Fish and Shellfish on Federal Public Land and Waters in Alaska* is confusing and unclear. The conditions on permit FFPW01 should also be included in the regulations. Subsistence users should be able to read and understand the regulations in the federal fisheries regulatory booklet before they apply for a permit.

WP19-14

Comments:

We support WP19-14 with modification to change the fishing areas to the following:

"In the Copper River Delta and mainstem Copper River, from the 37 Mile Bridge to a boundary extending 0.5 mile downriver of road crossings of the mainstem Copper River east of 27 Mile on the Copper River Highway, you may take salmon only by dip net and rod and reel; dip netting from a boat is prohibited."

The fishing areas as proposed in WP19-14 are too expansive. The population of Cordova is large and they may take too many fish. We would be very concerned about the potential of over harvest of salmon.

The harvest limit for Chinook with rod and reel or dip net should be the same as the Upper Copper River.

Inseason management authority of fisheries will be under the auspice of the Superintendent of Wrangell St. Elias National Park and Preserve in Copper Center, Alaska. We want to allow and keep inseason management with the Superintendent to manage the fisheries in the mainstem of the Copper River to protect salmon strength and runs.

FP19-15
Comments:

We support WP19-15 to clarify the PWS federal regulations by moving the requirement to "check your fish wheel once every 10 hours and remove all fish" from the fish wheel owner to the fish wheel operator. Permittees who are federally qualified subsistence users, and State fisheries permittees, who are using the owner's fish wheel should be responsible for checking and removing fish from the fish wheel. The owner of the fish wheel should not be legally responsible for removing fish from the fish wheel.

FP19-16
Comments:

We oppose WP19-16 to change the regulatory language for the Prince William Sound Area in the current *Management Regulations for the Subsistence Harvest of Fish and Shellfish on Federal Public Land and Waters in Alaska* to allow the use of **"one unit of gear per person."**

We do not support one unit of gear per person. Keep federal fisheries regulations as it is now written, do not change it. Opportunity to harvest fish is not taken away by keeping regulations in place. Household members, who fish together can take turns using one gear type to catch their household limit.

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FP19–16 Executive Summary	
General Description	Proposal FP19-16 requests the Federal Subsistence Board (Board) revise section §___.27(e)(11)(xi)(B) of the CFR, which states that multiple types of gear may be specified on a permit. The current language allows only one unit of gear to be operated at any one time. The requested change is to allow only one unit of gear *per person* to be operated at any one time. *Submitted by: Wrangell-St. Elias National Park and Preserve.*
Proposed Regulation	***§___.27(e)(11) Prince William Sound Area*** **– Salmon** *(v) In the Upper Copper River District, you may take salmon only by fish wheels, rod and reel, or dip nets.* * * * * *(xi) The following apply to Upper Copper River District subsistence salmon fishing permits:* * * * * *(B) Multiple types of gear may be specified on a permit, although only one unit of gear* ***per person*** *may be operated at any one time;* * * * *
OSM Preliminary Conclusion	**Support**
Southcentral Alaska Subsistence Regional Advisory Council Recommendation	
Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	**1 Oppose**

DRAFT STAFF ANALYSIS
FP19-16

ISSUES

Proposal FP19-16, submitted by Wrangell-St. Elias National Park and Preserve, requests the Federal Subsistence Board (Board) revise section §___.27(e)(11)(xi)(B) of the CFR, which states that multiple types of gear may be specified on a permit. The current language allows only one unit of gear to be operated at any one time. The requested change is to allow only one unit of gear *per person* to be operated at any one time.

DISCUSSION

The proponent notes that gear types allowed in the Upper Copper River District subsistence fisheries consist of fish wheel, dip net, and rod and reel. They state that changing this regulation from "unit of gear" to "unit of gear per person" would allow multiple individuals under a single Federal subsistence fishing permit to operate a single type of gear at one time, such as multiple people in a family dip netting at one time. This has been the practice over the years, and the proponent wants the regulation adjusted to ensure that it is being conducted legally.

Existing Federal Regulation

§___.27(e)(11) Prince William Sound Area

(v) In the Upper Copper River District, you may take salmon only by fish wheels, rod and reel, or dip nets.

(xi) The following apply to Upper Copper River District subsistence salmon fishing permits:

(A) Only one subsistence fishing permit per subdistrict will be issued to each household per year. If a household has been issued permits for both subdistricts in the same year, both permits must be in your possession and readily available for inspection while fishing or transporting subsistence-taken fish in either subdistrict. A qualified household may also be issued a Batzulnetas salmon fishery permit in the same year;

(B) Multiple types of gear may be specified on a permit, although only one unit of gear may be operated at any one time;

(C) You must return your permit no later than October 31 of the year in which the permit is issued, or you may be denied a permit for the following year;

(D) A fish wheel may be operated only by one permit holder at one time; that permit holder must have the fish wheel marked as required by paragraph (e)(11) of this section and during fishing operations;

(E) Only the permit holder and the authorized member(s) of the household listed on the subsistence permit may take salmon;

(F) You must personally operate your fish wheel or dip net;

(G) You may not loan or transfer a subsistence fish wheel or dip net permit except as permitted.

Proposed Federal Regulation

§___.27(e)(11) Prince William Sound Area

(v) In the Upper Copper River District, you may take salmon only by fish wheels, rod and reel, or dip nets.

(xi) The following apply to Upper Copper River District subsistence salmon fishing permits:

* * * *

(B) Multiple types of gear may be specified on a permit, although only one unit of gear ***per person*** *may be operated at any one time;*

* * * *

Existing State Regulation

5 AAC 01.620 Lawful gear and gear specifications for the Prince William Sound Area

(b) Salmon may be taken only by the following types of gear:

(1) in the Glennallen Subdistrict by fish wheels or dip nets.

5 AAC 01.630 Lawful gear and gear specifications for the Prince William Sound Area

(b) Salmon and freshwater fish species may be taken only under authority of a subsistence fishing permit.

(d) Only one subsistence fishing permit will be issued to each household per year.

(e) The following apply to Glennallen Subdistrict subsistence salmon fishing permits:

(1) only one type of gear may be specified on the permit;

…

(7) only the permit holder and the authorized member of the household listed on the subsistence permit may take salmon;

…

Extent of Federal Public Lands

For purposes of this discussion, the phrase "Federal public waters" is defined as those waters described under 36 CFR 242.3 and 50 CFR 100.3. Federal public waters comprise those waters within and adjacent to the exterior boundaries of Wrangell-St. Elias National Park and Preserve (**Figure 1**).

Customary and Traditional Use Determinations

Rural residents of Cantwell, Chickaloon, Chisana, Chistochina, Chitina, Copper Center, Dot Lake, Gakona, Gakona Junction, Glennallen, Gulkana, Healy Lake, Kenny Lake, Lower Tonsina, McCarthy, Mentasta Lake, Nabesna, Northway, Paxson-Sourdough, Slana, Tanacross, Tazlina, Tetlin, Tok, Tonsina, and those individuals that live along the Tok Cutoff from Tok to Mentasta Pass, and along the Nabesna Road have a customary and traditional use determination for salmon in the Chitina Subdistrict of the Upper Copper River District.

Rural residents of the Prince William Sound Area and residents of Cantwell, Chickaloon, Chisana, Dot Lake, Dry Creek, Healy Lake, Northway, Tanacross, Tetlin, Tok, and those individuals living along the Alaska Highway from the Alaskan/Canadian border to Dot Lake, along the Tok Cutoff from Tok to Mentasta Pass, and along the Nabesna Road have a customary and traditional use determination for salmon in the Glennallen Subdistrict of the Upper Copper River District.

Rural residents of Mentasta Lake and Dot Lake have a customary and traditional use determination for salmon in waters of the Copper River between National Park Service regulatory markers located near the mouth of Tanada Creek, and in Tanada Creek between National Park Service regulatory markers identifying the open waters of the creek (Batzulnetas Area).

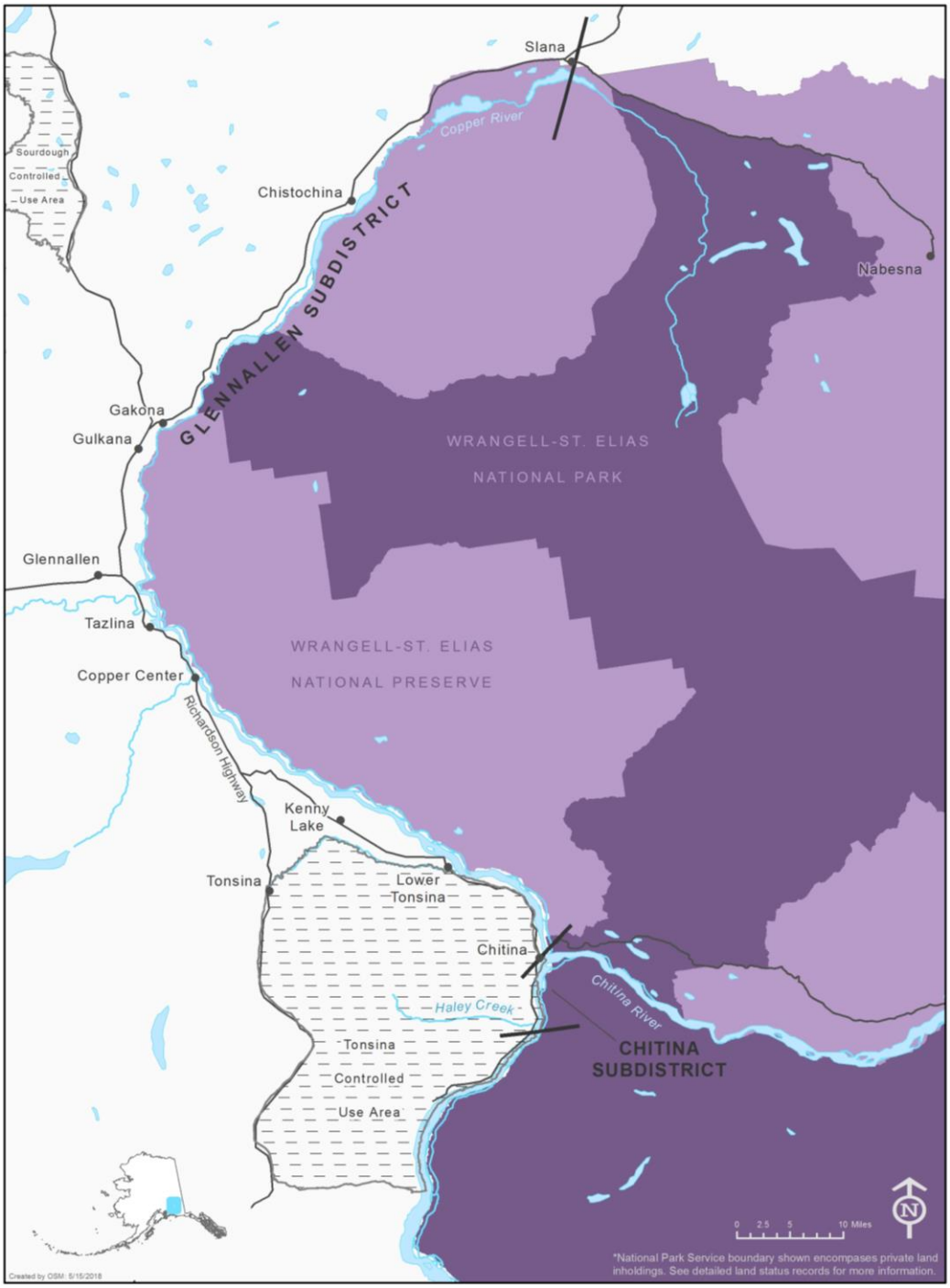

Figure 1. Upper Copper River drainage, showing exterior boundary of Wrangell-St. Elias National Park and Preserve as well as the Chitina and Glennallen Subdistricts of the Upper Copper River District.

Regulatory History

The Board adopted the current regulatory framework for the Prince William Sound Management Area from existing State subsistence regulations in 1999. Included in this was a permit limitation to operate only one fish wheel at a time.

For the 2002 regulatory cycle, the Wrangell-St. Elias National Park Subsistence Resource Commission (SRC) submitted proposal FP02-17b to establish seasons, harvest limits, and methods for the Chitina Subdistrict, and allow more than one gear type to be specified on the permit for the Glennallen Subdistrict (OSM 2001). The Southcentral Alaska Subsistence Regional Advisory Council supported the proposal with modification to stipulate that only one unit of gear may be operated at a time, and that if a household is issued permits for both Subdistricts, a person must have both permits in possession when fishing or transporting subsistence caught fish. This would also identify the permit as a Federal issued permit, rather than a permit issued by the State as had been the case before. The Eastern Interior Alaska Subsistence Regional Advisory Council deferred to the home region on this proposal. The Interagency Staff Committee recommended adoption with the modifications as recommended by the Southcentral Alaska Subsistence Regional Advisory Council. At its December 2001 meeting, the Board adopted this proposal as recommended by the Interagency Staff Committee (FSB 2001).

Current Events

In 2018, National Park Service (NPS) personnel identified a discrepancy between the regulations and the Federal subsistence permit and Federal subsistence management regulations for the harvest of fish and shellfish booklet pertaining to this topic. Whereas the Code of Federal Regulations states "only one *unit* of gear may be operated at any one time", the permit and the regulations booklet both state "only one *type* of gear may be operated at any one time". Action was immediately implemented to update the draft of the next regulations booklet. NPS personnel identified making changes to this regulation as a chance to provide additional opportunity for Federally qualified subsistence users with a small regulatory language modification.

Biological Background and Harvest History

The primary emphasis of this analysis is on how many units of gear may be operated under a single permit at one time, and does not involve specifics of harvest for a species or group of species. As such, minimal background for biology and harvest history is provided.

The Copper River supports multiple runs of salmon, but Sockeye Salmon *Oncorhynchus nerka,* Chinook Salmon *O. tshawytscha*, and Coho Salmon *O. kisutch* are the three species primarily targeted in the fisheries of the Upper Copper River. Sockeye Salmon is the most abundant species, and is the main fish targeted by all user groups in both the Chitina and Glennallen subdistricts (**Table 1**, **Table 2**, **Table 3**, **Table 4**). While there have been no biological concerns for this species, and returns have been within or exceeded the current escapement goal of 360,000 to 750,000 as measured by the Miles Lake sonar during the past five years (ADF&G 2018), returns in 2018 have been substantially lower. This has prompted closures to the State commercial fishery at the mouth of the river, closures to the State personal use fishery in the Chitina Subdistrict, and closures to non-Federally qualified users in the Chitina Subdistrict by the Federal in-season manager.

Table 1. Estimated harvest of Sockeye, Chinook, and Coho Salmon by Federally qualified subsistence users in the Chitina Subdistrict, 2002-2017 (Sarafin 2018, pers. comm.).

Chitina Subdistrict Federal Subsistence Fishery					
Year	Permits Issued	Percentage of Permits Reported Fished	Estimated Sockeye Salmon Harvest	Estimated Chinook Salmon Harvest	Estimated Coho Salmon Harvest
2002	122	73.0	788	45	0
2003	100	82.0	874	22	85
2004	109	76.0	1,599	9	24
2005	76	84.0	1,506	26	0
2006	75	85.0	1,622	15	24
2007	98	89.0	1,044	29	45
2008	82	85.0	928	26	87
2009	68	91.0	898	9	12
2010	92	86.0	2,397	20	38
2011	85	85.9	2,137	15	9
2012	90	94.4	1,419	6	8
2013	99	90.9	2,199	19	9
2014	113	94.7	1,628	15	72
2015	111	92.8	2,404	14	15
2016	128	80.5	1,925	20	41
2017	132	79.5	1,828	15	9
5-yr avg.	-	88	1,997	17	29
10-yr avg.	-	88	1,776	16	30
Mean	-	86	1,575	19	30

Chinook Salmon in-river abundance averaged around 40,000 fish between 2003 and 2011 (**Figure 2**). However, returns over the past five years (2012-2016) have been notably smaller, averaging around 27,000, and conservation measures have been put into place for the various fisheries that target these species during some years.

Harvests of Chinook Salmon have been the largest in the State personal use and subsistence fisheries, but have declined across all four fisheries in the past ten years compared to the years prior to that (**Table 1**, **Table 2**, **Table 3**, **Table 4**). This matches with declines in returns over that same period (**Figure 1**).

Coho Salmon return to the Copper River following the Sockeye and Chinook Salmon runs. Other than counts from the Long Lake weir, there are no abundance estimates for Coho Salmon in the drainage.

Although harvests of Coho Salmon are on a similar scale to that for Chinook Salmon in the Chitina Subdistrict Federal subsistence and State personal use fisheries, they are substantially smaller for the two Glennallen Subdistrict fisheries.

Table 2. Estimated harvest of Sockeye, Chinook, and Coho Salmon in the Chitina Subdistrict State personal use fishery, 2002-2017 (Somerville 2018, pers. comm.).

Chitina Subdistrict State Personal Use Fishery					
Year	Permits Issued	Percentage of Permits Reported Fished	Estimated Sockeye Salmon Harvest	Estimated Chinook Salmon Harvest	Estimated Coho Salmon Harvest
2002	6,804	65.8	85,968	2,023	1,934
2003	6,441	66.1	80,796	1,903	2,533
2004	8,156	60.8	107,312	2,495	2,860
2005	8,230	64.8	120,013	2,043	1,869
2006	8,497	62.3	123,261	2,663	2,715
2007	8,377	66.2	125,126	2,694	1,742
2008	8,041	59.7	81,359	1,999	2,711
2009	7,958	60.7	90,035	214	1,712
2010	9,970	60.9	138,487	700	2,013
2011	9,217	62.0	128,052	1,067	1,702
2012	10,016	57.7	127,143	567	1,385
2013	10,592	63.9	180,663	744	797
2014	11,717	60.7	157,215	719	1,129
2015	12,635	62.0	223,080	1,570	841
2016	11,394	54.6	148,982	711	1,182
2017	9,490	64.9	132,694	1,961	715
5-yr avg.	-	61	168,527	1,141	933
10-yr avg.	-	61	140,771	1,025	1,419
Mean	-	62	128,137	1,505	1,740

Cultural Knowledge and Traditional Practices

For the Ahtna Athabascans, salmon has been a staple resource and a symbol of wealth. Sockeye Salmon have been especially important to the Ahtna's cultural and economic survival for at least 1,000 years and remains a vital resource to the subsistence lifeways of those living in the Copper River Basin today (Reckord 1983, Brady et al. 2013). Other salmon species that are important to those living in the region include Chinook Salmon and Coho Salmon. Late season Coho Salmon became a more important resource with the introduction of the fish wheel into the Cooper River Basin in the early 1900s (De Laguna and McClellan 1981).

Multiple reports recognize the Copper River Basin as a focal point of intense salmon harvest for multiple users under State and Federal regulations. Many of these activities are occurring side by side and simultaneously (Simeone et al. 2007, Brady et al. 2013).

Table 3. Estimated harvest of Sockeye, Chinook, and Coho Salmon by Federally qualified subsistence users in the Glennallen Subdistrict, 2002-2017 (Sarafin 2018, pers. comm.).

Glennallen Subdistrict Federal Subsistence Fishery					
Year	Permits Issued	Percentage of Permits Reported Fished	Estimated Sockeye Salmon Harvest	Estimated Chinook Salmon Harvest	Estimated Coho Salmon Harvest
2002	201	81.0	9,807	696	100
2003	221	83.0	16,405	667	183
2004	262	79.0	22,410	805	192
2005	267	86.0	23,224	401	147
2006	254	87.0	19,208	494	32
2007	281	84.0	18,125	677	40
2008	270	81.0	14,009	870	183
2009	274	85.0	13,925	581	40
2010	269	88.0	14,601	341	73
2011	277	87.7	16,066	799	60
2012	275	92.0	15,718	403	85
2013	273	89.0	17,789	372	27
2014	315	90.5	23,889	439	25
2015	325	92.3	26,753	416	14
2016	320	82.8	19,181	446	11
2017	338	84.3	18,550	473	1
5-yr avg.	-	88	21,232	429	16
10-yr avg.	-	87	18,048	514	52
Mean	-	86	18,104	555	76

In recent comprehensive subsistence surveys conducted by the Alaska Department of Fish and Game (ADF&G), it was noted that salmon composed a majority of the annual harvest in most communities along the Copper River drainage. The per capita salmon harvest from communities in the Copper River Basin ranged from about 192 lbs. person in Chitina to approximately 46 lbs. person in McCarthy (Holen et al. 2014, La Vine and Zimpelman 2014).

Table 4. Estimated harvest of Sockeye, Chinook, and Coho Salmon in the Glennallen Subdistrict State subsistence fishery, 2002-2017 (Somerville 2018, pers. comm.).

Glennallen Subdistrict State Subsistence Fisheries					
Year	Permits Issued	Percentage of Permits Reported Fished	Estimated Sockeye Salmon Harvest	Estimated Chinook Salmon Harvest	Estimated Coho Salmon Harvest
2002	1,121	73.1	50,850	3,653	530
2003	1,012	77.1	47,007	2,538	467
2004	956	76.6	55,510	3,346	577
2005	961	76.0	64,213	2,229	154
2006	984	76.6	57,710	2,769	212
2007	1,174	75.0	65,714	3,276	238
2008	1,186	72.3	43,157	2,381	493
2009	1,090	71.6	46,849	2,493	228
2010	1,321	72.1	70,719	2,099	293
2011	1,306	73.9	59,622	2,319	372
2012	1,527	68.6	76,305	2,095	335
2013	1,339	72.7	73,728	2,148	143
2014	1,656	66.4	75,501	1,365	233
2015	1,631	70.1	81,800	2,212	77
2016	1,769	64.3	62,474	2,075	45
2017	1,632	64.0	39,859	2,935	57
5-yr avg.	-	67	66,672	2,147	111
10-yr avg.	-	70	63,001	2,212	228
Mean	-	72	60,689	2,496	278

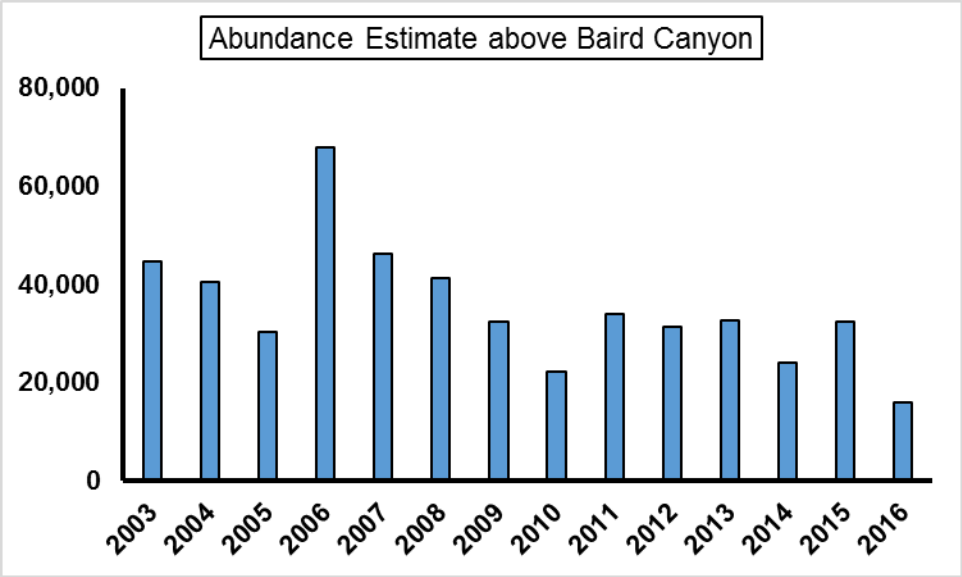

Figure 2. Estimated in-river abundance of Chinook Salmon above Baird Canyon on the Copper River based on mark-recapture methods, 2003-2016 (Piche et al. 2017).

The surveys document the gear type used by residents to harvest salmon. Fish wheels are the most common gear type utilized to harvest salmon in the Upper Copper River. The most recent surveys reported salmon harvest via fish wheel ranged from a high of 93% in Chistochina to a low of 15% in Mentasta Lake (Kukkonen and Zimpelman 2012, La Vine et al. 2013). The community of Paxson did not utilize fish wheels during the study year of 2013 (Holen et al. 2015). Dip nets are used by most communities, except for Chistochina, Mentasta Pass, and Slana/Nabesna Road, to harvest salmon in the Copper River. For communities using dip nets, salmon harvested by dip net ranged between a high of 30% in McCarthy to a low of 0.2% in Copper Center (Kukkonen and Zimpelman 2012, La Vine et al. 2013, La Vine and Zimpelman 2014). Rod and reel is also used to harvest salmon by most of the Copper River Basin communities with the exception of Mentasta Lake. Salmon harvested by rod and reel ranged between a high of 31% in Paxson to a low of 2% in Chitina (Holen et al. 2015, La Vine and Zimpelman 2014). The total community harvest of salmon reported in the recent surveys includes fish caught outside of the Copper River Basin by residents of the area with a variety of gear types that include gillnets, seine, and rod and reel (Holen et al. 2015).

Effects of the Proposal

Federal subsistence fishing for salmon in the Upper Copper River District is limited to fish wheels, rod and reel, or dip net. As currently written, this regulation curtails the number of Federally qualified subsistence users on a Federal subsistence salmon fishing permit that may harvest fish to one at a time. By adding the new language "per person" to this regulation, additional household members listed on the permit would be able to harvest fish concurrently. For instance, multiple household members listed on a single permit would be able to harvest by dip net or rod and reel at one time. As Federal subsistence management regulations (§___.27(e)(11)(xi)(D)) already prohibit the operation of multiple fish wheels by a single permit holder, this change would not apply to that gear type. However, one household member could be harvesting from a fish wheel, while another is using a rod and reel or dip net. The proposed change would benefit Federally qualified subsistence users and will allow a household to harvest fish in less time, should they choose to do so. This change should not cause an issue with enforcement as Federally qualified subsistence users are already required to have permits in possession and readily available for inspection while fishing or transporting subsistence-taken fish.

OSM PRELIMINARY CONCLUSION

Support Proposal FP19-16.

Justification

Making this small change to regulations will provide additional opportunity for Federally qualified individuals to harvest fish in a timely manner. Although this change may allow for different gear types (e.g., dip net and rod and reel) to be operated concurrently under a single permit by two members of a single household, this presents no conservation, regulatory, or enforcement concerns.

Ahtna Tene Nene' Committee
P.O Box 649
Glennallen, Alaska 99588
(907) 822-3476

June 28, 2018

Federal Subsistence Board
Office of Subsistence Management
(Attn: Mr. Matuskowitz)
1011 E. Tudor Road, MS-121
Anchorage, Alaska 99503-6199

Dear Mr. Matuskowitz:

Ahtna Tene Nene' is pleased to submit comments on the 2019-2021 federal fisheries proposals. We hope that the Federal Subsistence Board and Inter-Agency Staff Committee will take our comments into consideration.

Enclosed are Ahtna Tene Nene's comments on 2019-2021 Fisheries Proposals. Please contact Ms. Stickwan, if there are any questions at (907) 822-3476.

Sincerely,

Gloria Stickwan
for
Linda Pete
Linda Pete,
Chair

www.ahtna-inc.com

2019-2021 Fisheries Proposals

Prince William Sound Area

FP19-13

Comments:

We support WP19-13 with modification to add the words "except for the Copper River drainage upstream of Haley Creek," after the words "Freshwaters Prince William Sound Area" to proposal WP19-13 so that it clearly specifies where the proposed regulatory language applies. (Tables on page 34 of the proposal booklet.)

The regulatory language for the Prince William Sound Area in the current *Management Regulations for the Subsistence Harvest of Fish and Shellfish on Federal Public Land and Waters in Alaska* is confusing and unclear. The conditions on permit FFPW01 should also be included in the regulations. Subsistence users should be able to read and understand the regulations in the federal fisheries regulatory booklet before they apply for a permit.

WP19-14

Comments:

We support WP19-14 with modification to change the fishing areas to the following:

"In the Copper River Delta and mainstem Copper River, from the 37 Mile Bridge to a boundary extending 0.5 mile downriver of road crossings of the mainstem Copper River east of 27 Mile on the Copper River Highway, you may take salmon only by dip net and rod and reel; dip netting from a boat is prohibited."

The fishing areas as proposed in WP19-14 are too expansive. The population of Cordova is large and they may take too many fish. We would be very concerned about the potential of over harvest of salmon.

The harvest limit for Chinook with rod and reel or dip net should be the same as the Upper Copper River.

Inseason management authority of fisheries will be under the auspice of the Superintendent of Wrangell St. Elias National Park and Preserve in Copper Center, Alaska. We want to allow and keep inseason management with the Superintendent to manage the fisheries in the mainstem of the Copper River to protect salmon strength and runs.

FP19-15
Comments:

We support WP19-15 to clarify the PWS federal regulations by moving the requirement to "check your fish wheel once every 10 hours and remove all fish" from the fish wheel owner to the fish wheel operator. Permittees who are federally qualified subsistence users, and State fisheries permittees, who are using the owner's fish wheel should be responsible for checking and removing fish from the fish wheel. The owner of the fish wheel should not be legally responsible for removing fish from the fish wheel.

FP19-16
Comments:

We oppose WP19-16 to change the regulatory language for the Prince William Sound Area in the current *Management Regulations for the Subsistence Harvest of Fish and Shellfish on Federal Public Land and Waters in Alaska* to allow the use of "**one unit of gear per person.**"

We do not support one unit of gear per person. Keep federal fisheries regulations as it is now written, do not change it. Opportunity to harvest fish is not taken away by keeping regulations in place. Household members, who fish together can take turns using one gear type to catch their household limit.

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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.

Federal Subsistence Board

1011 East Tudor Road, MS121
Anchorage, Alaska 99503-6199

AUG 1 7 2018

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

FOREST SERVICE

OSM 180067.KW

Sue Entsminger, Chair
Eastern Interior Alaska Subsistence
Regional Advisory Council
c/o Office of Subsistence Management
1101 East Tudor Road, MS 121
Anchorage, Alaska 99503-6119

Dear Chairwoman Entsminger:

This letter responds to the Eastern Interior Alaska Subsistence Regional Advisory Council's (Council) fiscal year 2017 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. Correction to the topic #7 of FY2016 Annual Report

The Council would like to make a correction to topic #7 in its FY2016 Annual Report. The incorrect statement along with the corrected version are provided below. We apologize for any confusion that this may have caused.

Incorrect version from our FY2016 Annual Report:

> ***Opposition to the National Park Service (NPS) final rule re Subsistence Collections (36 CFR Part 13) and the U.S. Fish and Wildlife Service (US FWS) final rule re Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures on National Wildlife Refuges in Alaska.***

The correct version should have read:

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Opposition to the National Park Service (NPS) final rule regarding Sport Hunting and Trapping in National Preserves, which was published in the Federal Register on October 23, 2015, and the U.S. Fish and Wildlife Service (USFWS) final rule re Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures on National Wildlife Refuges in Alaska.

We understand that the U.S. Fish and Wildlife Service (USFWS) rule has since been rescinded.

The Council's intent was to oppose both the NPS final rule regarding Sport Hunting and Trapping in National Preserves, which was published in the Federal Register on October 23, 2015, and the similar USFWS final rule regarding Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures on National Wildlife Refuges in Alaska. The Council stated in the past and maintains that these regulations regarding sport hunting and trapping in national preserves and wildlife refuges negatively affect Federally qualified subsistence users. Many rural subsistence users hunt under general State regulations and greatly benefit from those more liberal methods, seasons, and harvest limits.

The NPS final rule on Subsistence Collections should not have been included in the topic #7 of the Council's FY2016 Annual Report.

The Council supports (rather than opposes) the new NPS regulations regarding Subsistence Collections that were published in the Federal Register on January 12, 2017. In fact, in May 2007 the Council wrote to then NPS Alaska Regional Director Marcia Blaszak requesting that the NPS change its regulations to allow Federally qualified subsistence users to collect shed or discarded antlers and horns on NPS lands, and the Council has been an active participant in the multi-year process of developing this regulation. Since the Council has worked on this for over ten years, we do not want any misunderstanding of our intentions. These regulations will benefit subsistence users as they engage in the subsistence way of life by allowing them to collect shed or discarded horns and antlers for use in making handicrafts. The regulations also allow for the sale of resulting handicraft items as a way to generate cash income that helps to support that way of life.

As noted in its 2016 comment letter, the Council does oppose unrelated provisions added to the Subsistence Collections regulation package regarding the use of bait for taking bears under Federal subsistence regulations. The Council opposes the limits that were adopted on the types of bait that subsistence users can employ in hunting bears.

Response:

The Board appreciates this clarification of the Council's position. There is a reason that the Council Coordinator presents a draft annual report to the Council at its winter meeting: to ensure the accuracy and completeness of the report. This emphasizes the importance of the Council to completely and thoroughly review the language in the draft report. The Council was presented with the draft annual report at its winter 2017 meeting and was provided the opportunity to add

additional topics. This topic was added to the report during the same meeting. The Council chair was provided an opportunity to review the final version before approving it for signature and distribution. While staff for the National Park Service (NPS) mentioned that perhaps it did not correctly reflect the Council's intent, the Office of Subsistence Management (OSM) could only proceed with what the Council had approved through its chair.

With that said, the Council has been made aware that NPS has published a Federal Register notice of its intent to amend its regulations published in the October 2015 final rule regarding sport hunting and trapping in national preserves in Alaska (enclosed). The notice indicates that the NPS would remove that regulatory provision prohibiting certain sport hunting practices authorized under State regulations. The notice also cites Secretarial Orders 3347 and 3356 (enclosed). As the Council is also aware, the public comment period was only open on this proposed rulemaking until July 23, 2018. The Board is in receipt of a copy the Council's letter issued in response to the notice.

2. Concern regarding effects created by the Federal and State users, displaced from their home region and forced to hunt somewhere else, so called Domino effect

The Council would like to request research that analyzes hunting patterns and trends of various user groups, State residents and Federally qualified subsistence users, when they are forced to leave their home region and hunt in other regions in the state, thus creating the so- called "Domino effect."

The Domino effect, a major resource access trend, occurs when local home region hunters are being displaced by new hunters from outside of a region. It was reported due to the large populations in Anchorage and Fairbanks, increased crowding by hunters in Glennallen area occurs (which can experience up to 2,000 hunters in a peak hunting period). Then, in turn, Glennallen hunters are being forced to go and hunt in the Tok area. Sequentially, this migration forces Tok users go and hunt in the Yukon area. Also, an influx of hunters from Juneau in various parts of Alaska has been observed in the last few years, suggesting this is an increasing problem for all subsistence regions.

The Domino effect phenomenon happens at an accelerated rate each year, and its recognition and understanding is important to foresee and prevent potential problems in the future. This kind of data/information is imperative for future education of the users, urban and rural alike, to inform them about why other users are coming to their areas and what to expect.

It is also important to recognize that the Domino effect has a disproportionate influence on rural users because, in general, these users do not have sufficient monetary resources to spend on traveling to new areas and to purchase new technologically advanced equipment for hunting. In very remote rural areas, most subsistence activities happen within 10 miles of home.

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The Council is interested in learning about where these different misplaced user groups hunt and what their hunting expectations in other areas might be, as well as the costs associated with hunting in a different region. This information could be a useful tool in understanding how various sets of regulations influence hunting patterns and trends. Understanding why people are leaving their home regions to hunt in other regions will help craft the proper messages as the Council and Office of Subsistence Management (OSM) proceed with developing a hunter ethics education and outreach strategy. The Council recommends that OSM collaborate on the requested research with the Alaska Department of Fish and Game, Subsistence Division, which may have the necessary data.

Response:

Staff at OSM are assigned to Regional Advisory Councils and the Federal Subsistence Board to aid in the implementation of the Federal Subsistence Management Program, and generally do not plan or conduct research. Occasionally in the past, grant funding was available for research into subsistence uses of wildlife, but not at this time.

In Alaska, research of the nature described by the Council is usually conducted in response to a regulatory issue in a specific region regarding proposals to change regulations at the Alaska Board of Game or the Federal Subsistence Board. The Board will encourage Federal land management agencies to consider this topic when developing future research, and to consult with the Councils when designing their research.

3. <u>An update on how Traditional Ecological Knowledge is being incorporated into proposal analyses and how it weights into the decision making process</u>

Ever since the 1990s, the Council has recognized the value of Traditional Ecological Knowledge (TEK) and stressed the importance of incorporating this information in the fish and wildlife proposal analyses that are prepared by OSM. TEK encompasses a tremendous amount of ecological information acquired by indigenous and local peoples over hundreds or thousands of years through direct contact with the environment. However, because the TEK information format has no written records or hard numbers and thus drastically differs from the format of western "hard" science, it is often difficult for a government agency that is governed by laws, regulations, and statues to incorporate this information into their decision making process.

The Council requests an update on how OSM integrates TEK into their proposal analysis and how the Federal Subsistence Board takes this information into consideration when they make decisions on proposals. The Council wants to see an outline of the whole process starting from the collection of TEK information to its incorporation into the analyses as well as an evaluation of the weight it carries in the decision making process.

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Response:

The Board recognizes the critical importance of local and traditional ecological knowledge, or TEK, in informing the Federal Subsistence Management Program (Program). We rely on this knowledge and consider it equitably, when possible, alongside of western scientific knowledge. Similar to western science oriented research regimes, TEK is obtained through repeated interactions with the natural world over time, and can often transcend generations and cultures. The Board understands that TEK may provide a spatial and temporal scale of knowledge that is otherwise unavailable to resource managers; holders of this knowledge experience local landscapes and environmental phenomena over vast areas, throughout the seasons, and often over the span of many years.

Due to financial and logistical constraints, OSM analysts are unable to conduct primary research and thus rely on published literature and public testimony. This is one of the many reasons that the Board relies on Regional Advisory Councils to inform the Board of local conditions and available knowledge on the subject matter. To improve incorporation and consideration of TEK into the Federal Program, the Board asks that Council members continually encourage individuals and both public and private entities in your communities to engage with our program and make their voices and knowledge heard.

OSM collects TEK from published literature, Tribal and ANCSA corporation consultations, as well as Council, public and Federal Subsistence Board (Board) meeting transcripts and incorporates this information into proposal analyses as appropriate. Almost every wildlife proposal analysis during the 2018/2020 regulatory cycle had a cultural knowledge and traditional practices section, written and researched by OSM anthropology staff. Staff include, when applicable, anthropological considerations in all sections of analyses.

The Board considers TEK during its decision making process through public testimony, Council Chair input, and information presented by OSM. For example, during its April 2018 meeting, the Board considered public testimony in its decision to reject WP18-33/36 to modify the moose season in Unit 21E. During deliberation on Proposal WP18-56, which sought to reopen the Arctic Village Sheep Management Area to non-Federally qualified users, the Board considered past testimony from Arctic Village residents in its decision to reject the proposal for the continuation of subsistence uses. Office of Subsistence Management and the Board heavily consider TEK when making recommendations or decisions on customary and traditional use determinations and in considering nonrural determinations.

The Fisheries Resource Monitoring Program (FRMP) also funds Harvest Monitoring and Traditional Ecological Knowledge (HMTEK) studies pertaining to subsistence fisheries. The Board asks that Councils consider TEK-oriented topics when developing Priority Information Needs (PINs) for the FRMP. Since 2000, 141 HMTEK studies have been funded across the state; the results of which are utilized in analyzing fisheries related regulatory proposals. The next Notice of Funding Opportunity will be released in November of 2018.

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4. <u>Concerns regarding current State and Federal sheep harvest limits and season in Unit 25A that, in combination with easy snowmachine access to hunting grounds, may result in a potential conservation issue</u>

The Council is concerned about existing sheep harvest limits and seasons in State regulations for that portion of Unit 25A east of the Middle Fork of Teedriinjik River (formerly Chandalar River) and Unit 25A remainder in Federal regulations. Currently, State residents are allowed to harvest up to 3 sheep in Unit 25A east of the Middle Fork of the Teedriinjik River during the open season from October 1 to April 20. This harvest limit is aligned with the Federal harvest limit of 3 sheep in Unit 25A remainder during the open season from August 1 to April 30, which is available by Federal registration permit (FS2503) only.

Council members' observations and experiences show that the meat of a sheep taken in the spring is very tough and has zero fat by the end of winter. Since this meat is only good for burgers, and sheep are stressed from the long winter, the Council is concerned that easy access by snowmachines to the hunting grounds makes sheep easy prey for hunters. The Council received various reports about an increased number of snowmachine tracks and kill sites in very remote and previously inaccessible sheep habitat, which in turn might be indicating an increased use of sheep, especially by non-Federally qualified users. A time should be allowed when the sheep can get through the winter without added hunting pressure.

The Council is also troubled by the possibility that with the three sheep harvest limit, a lot of ewes and lambs can be taken during the late winter – early spring seasons. The Council believes that the existing three sheep harvest limit in both State and Federal regulations could potentially result in overharvest and a conservation issue.

The Council is requesting detailed data on sheep harvested in Unit 25A through State registration permit RS595 and Federal permits FS2502 and FS2503. This data set should include the following: number of permits issued, residency of hunters, how many hunted, number of sheep harvested, where did the take occur, and the method of transportation to the hunt area. The Council also requests that OSM work with the State to figure out as soon as possible the best way to address the Council's concerns regarding existing sheep harvest limits and seasons and to evaluate the potential for a future conservation concern.

Response:

Tables 1-4 below detail the information requested by the Council. Information on hunting locations and transportation methods is not available for Federal permit hunts, FS2502 and FS2503. The number of permits issued for State's RS595 permit hunt is only available for both Units 25A and 26C combined, not Unit 25A alone (**Table 3**).

While the Federal Subsistence Board (Board) recognizes the Council's concern over a three sheep harvest limit, actual sheep harvest under Federal and State regulations is extremely low. Since 2005, only one sheep has been reported harvested in Unit 25A under the State's RS595

hunt, while only three sheep have been reported under the Federal FS2503 hunt (**Tables 2, 4**). The State's RS595 hunt prohibits motorized access from the Dalton Highway and the use of aircraft to hunt sheep except to/from Arctic Village and Kaktovik. These restrictions limit hunter participation and sheep harvest.

In 2017, the Alaska Board of Game (BOG) considered Proposal 113 to change the resident harvest limit for Dall sheep in portions of Unit 25A and 26C (RS595) from three sheep to three rams. The Alaska Department of Fish and Game commented that there was not a biological conservation concern for this hunt due to the current low level of harvest (~2 sheep/year, **Table 3**) (ADF&G 2017). The BOG did not change the harvest limit for the RS595 hunt, agreeing with ADF&G's assessment.

In April 2018, the Board rejected WP18-56 to reopen the Arctic Village Sheep Management Area to non-Federally qualified users. The Board based its decision on the continuation of subsistence uses, not conservation concerns. The Board first made a motion to defer the proposal and considered submitting an agenda change request to the BOG to change the hunt structure of RS595 to a draw hunt, which could limit the number of sheep hunters in the area. However, this motion failed.

State proposals for the Northeast Arctic region will be considered again during regulatory year 2019/2020. The Board invites the Council to submit a proposal to the Alaska Board of Game (BOG) to change the RS595 harvest limit in spring 2019. The call for Federal wildlife proposals will also be open in January/February of 2019. The Council could discuss submitting similar State and Federal proposals at its winter 2019 meeting. The Council could also submit a special action request to the Federal Subsistence Board and/or an agenda change request to the BOG for the 2018/19 regulatory year**.**

Table 1. Federal sheep harvest data for the Arctic Village Sheep Management Area (FS2502). Fort Yukon residents received two permits and harvested two rams in 2010 and received one permit and harvested one ram in 2017. Arctic Village residents received all other permits and harvested all other sheep (OSM 2018).

Regulatory Year	# FS2502 Permits Issued	Hunted	Harvest*	Days hunted
2005	2	0	0	0
2006	6	1	1	14
2007	2	0	0	0
2008	0	0	0	0
2009	0	0	0	0
2010	4	4	2	20
2011	0	0	0	0
2012	2	2	0	12
2013	2	0	0	0
2014	0	0	0	0

2015	6	4	4	22
2016	**0**	**0**	**0**	**0**
2017**	3	3	1	15
Average	2.08	1.08	0.62	6.38
*All harvested sheep were males.				
** Preliminary numbers				

Table 2. Federal sheep harvest data for Unit 25A remainder (FS2503). Between 2005 and 2007, all permits were issued to Arctic Village residents. In 2013 and 2017, all permits were issued to Fort Yukon residents (OSM 2018).

Regulatory Year	# FS2503 Permits Issued	Hunted	Harvest*	Days hunted
2005	3	0	0	0
2006	3	0	0	0
2007	11	3	3	21
2008	0	0	0	0
2009	0	0	0	0
2010	0	0	0	0
2011	0	0	0	0
2012	0	0	0	0
2013	2	0	0	0
2014	0	0	0	0
2015	0	0	0	0
2016	0	0	0	0
2017**	6	0	0	0
Average	1.92	0.23	0.23	1.62
*All harvested sheep were males.				
** Preliminary numbers				

Table 3. State sheep harvest data for Unit 25A, east of Middle Fork of Teedriinjik (Chandalar) River and Unit 26C (RS595) (ADF&G 2018).

Regulatory Year	# RS595 Permits Issued	Hunted	Harvest*	Juveniles harvested
2005	11	1	0	0
2006	21	1	0	0
2007	19	5	0	0
2008	9	4	1	1
2009	15	8	3	2
2010	10	1	0	0
2011	16	7	3	0

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2012	10	6	2	1
2013	8	4	4	0
2014	13	4	0	0
2015	18	9	7	0
2016	10	4	3	0
Average	13.33	4.50	1.92	0.33
* Two ewes were harvested in 2015. All other harvested sheep were males.				

Table 4. State sheep harvest data for ONLY Unit 25A, east of Middle Fork of Teedriinjik (Chandalar) River (RS595) (ADF&G 2018).

Regulatory Year	Hunted	Harvest	Transportation	Areas Hunted	Hunter Residency
2005	0	0	-	-	-
2006	0	0	-	-	-
2007	5	0	Snowmachine	Chandalar River, east fork; Guilbeau Pass, Wind River	Kasilof, Palmer, Soldotna, Wasilla
2008	4	1	Snowmachine	Wind River	Kasilof, Palmer, Soldotna
2009	1	0	Snowmachine	Unknown	Kasilof
2010	0	0	-	-	-
2011	2	0	Horse/dog team	Chandalar River, middle fork	Anchorage, Nenana
2012	1	0	Snowmachine	Unknown	Wasilla
2013	0	0	-	-	-
2014	0	0	-	-	-
2015	2	0	Snowmachine	Coleen River	Eagle River
2016	0	0	-	-	-

5. Concerns over recent increase of illegal sales of subsistence-caught and processed salmon strips

Council members observed a particularly successful Chinook and Chum Salmon fishing season in 2017. However, they noted the increase of stripping and illegal sales of subsistence-caught stripped salmon, primarily Chinook Salmon. The Council recognizes that customary trade of fish strips is a long-established and well documented tradition for some Yukon communities that allows subsistence users to earn some extra cash. The Council also recognizes that although under State regulations a person may not offer to sell or purchase subsistence harvested fish in this region, there are certain provisions under Federal subsistence customary trade laws that allow Federally qualified subsistence users to customarily trade Chinook Salmon for cash, or other items, with other Federally qualified subsistence users, so long as that activity does not arise to the level of a significant commercial enterprise. The Council believes that some of the

subsistence-harvested fish are not being reported and recorded as a part of Federal subsistence harvest. Council members reported most of the customary trade of salmon happens in the middle Yukon, in the Grayling, Anvik, Shageluk, and Holy Cross Region.

The Council, based on its members' knowledge and experience, believes that illegal or unreported sales or trade of subsistence-caught salmon can contribute greatly to the crash of salmon populations. Moreover, the Council would like to be proactive and see measures put in place to prevent this impact to salmon runs. The Council suggests that the Board consider establishing better outreach to educate fishermen on the law prohibiting customary trade of Chinook Salmon to non-Federally qualified users outside of the Yukon River watershed, and consider some type of requirement to report subsistence-harvested customary traded fish, while working with Federal and State entities to find out ways to address the issue and step up enforcement.

Response:

Currently, within Federal subsistence fishing regulations for the Yukon-Northern Subsistence Fishing Area, customary trade is legal only between rural residents with a customary and traditional use determination for Yukon River Chinook Salmon; those eligible are rural residents of the Yukon River drainage and Stebbins. Additionally, only fish harvested from Federal public waters may be exchanged for cash under Federal subsistence customary trade regulations. *See* 50 CFR 100.27(b)(11)(iii) and 36 CFR 242. (b)(11)(iii).

There is currently no requirement to report Chinook Salmon harvested by Federally qualified subsistence users in Federal public waters of the Yukon River drainage and sold for cash in customary trades. It is within the Board's authority to adopt regulations requiring Federally qualified subsistence users to record and report customary trades. The Board considers changes to fisheries regulations through proposals submitted during the fisheries regulatory cycle. The Board encourages the Council to submit a proposal.

The Board recommends that observations of illegal activities be reported. To report violations of Federal regulations, or other regulations on Federal public lands and waters in Alaska, please contact the relevant Federal law enforcement offices: National Park Service (907) 644-3880 or 1-800-478-2724, National Wildlife Refuges (907) 786-3311 or 1-800-858-7621, U.S. Forest Service (907) 586-8820, or the Bureau of Land Management (907) 271-6623.The Board also suggests that the Council work with subsistence users to modify or change current regulations governing customary trade if these concerns continue. The process to change Federal subsistence regulations provides users the opportunity to voice their ideas on improving the system that is currently in place.

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6. Concerns regarding the contradictions between Chinook Salmon numbers counted at the Pilot Station and Eagle sonars and various weir projects as well as slow recovery of genetic stocks

The Council noted that although the number of Chinook Salmon counted in 2017 at the Pilot Station sonar was the highest since 2003-2004, the number of Chinook Salmon counted at up-river escapement projects including Henshaw Creek, Gisasa River, Chena River, and Salcha River weir and sonar projects showed below-average returns, which appears to contradict the Pilot Station sonar inseason passage numbers. The Council also noted that the passage numbers at the Eagle sonar, which is the last count point before the Canadian border, appeared to contradict with Pilot Station Sonar counts. The Council requests the Board to direct the Federal Subsistence Management Program to work with the Yukon River in-season managers on investigating the reasons for this disparity, and provide the results to the Council.

Additionally, the Council is concerned about the absence of larger older Chinook Salmon and attributes the decline to the effects of large-mesh gillnets. They are seeing five-year-old fish returning, but not very many six-year-olds. The Council remarked that although returns were getting better, reported weights of the largest Chinook Salmon was just under 30 pounds.

Response:

The Council noted that the Chinook Salmon numbers at many assessment projects appear to contradict the Pilot Station sonar estimates. The Board would like to point out that the distribution of salmon can change over time. For example, during 1995-2002 the Anvik River accounted for approximately 41% of the entire Yukon River summer Chum Salmon return. This number decreased to approximately 22% from 2003-2016, and in 2017 it was 13% (Lozori 2018). During this time the overall returns to the Yukon River have remained relatively constant, indicating that others stocks have become more productive while the Anvik River's stock production has decreased. The potential exists that Chinook Salmon production has similarly shifted, and areas that are not monitored may be producing a higher proportion of the run than has happened in the past.

The estimated Yukon River Chinook Salmon passage at Pilot Station sonar was 263,000 (234,000-292,000 90% C.I.), with 73,300 being counted past the sonar at Eagle during 2017 (ADFG 2018). The estimated total run size for Canadian bound Chinook Salmon was 92,600 with an Alaskan harvest of 20,800 (JTC 2018), and the estimated proportion of Canadian origin Chinook Salmon during the three sampling strata of 0.43, 0.49, and 0.43 (ADF&G, 2018), indicating that the overall proportion was less than 0.50. Therefore, the passage of Chinook Salmon at Eagle sonar is within the error bounds once genetics, harvest and sonar are taken into accounted.

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The Council's concern for larger and older Chinook Salmon is noted. The long term (2005-2015) average percentage of 5 and 6 year olds sampled at the Pilot station sonar project is 48.8% and 39.0% respectively (JTC 2017). The percentage of 5 year olds sampled at Pilot Station during 2015, 2016, and 2016 was 33.9%, 69%, and 53%, which was above the long term average 2 out of the last 3 years. The percentage of 6 year olds during that same time frame was 43.2%, 15%, and 36%, which was near average for 2 of the 3 years. Chinook Salmon ages at the Eagle sonar followed similar trends with 6 year olds being above average in 2015 (52.3%) and 2017

(49%) and below average in 2016 (25.2%; JTC 2016, JTC 2017 and ADFG 2018). Weights, unfortunately, are not generally collected on fish at the Pilot Station or Eagle River sonar.[1]

7. <u>Continuing support for the development of the hunter ethics education program</u>

The Council was very pleased with this year's progress in the development of the hunter ethics education program for the Eastern Interior Region. The Council would like to thank the Board for continued support of this project. A lot of work was done between the Council's winter and fall 2017 meetings. Council Coordinator Katerina Wessels developed a draft action plan and timeline for the development of a hunter ethics education and outreach strategy and a pilot project. The draft action plan and timeline were presented to the Board at its July 2017 meeting and received unanimous approval. In May 2017, OSM staff submitted a project proposal titled Building Partnerships though Understanding and Trust: Bridging the Cultural Gap by Promoting Responsible and Ethical Hunting Practices in Alaska to the USFWS Connecting People with Nature internal grant program, which focuses on small projects that prepare and engage people in outdoor recreation and provides learning opportunities.

In August of the same year, OSM received a small grant that allowed its staff to organize a facilitated Hunter Ethics Education Brainstorming Workshop held in Fairbanks on September 28 and 29. This workshop was the first step in developing a meaningful outreach and education strategy and pilot project concepts. The workshop was very well attended. Twenty three stakeholders, including two Council members, OSM, Bureau of Land Management, NPS,

[1] Literature cited: ADF&G. 2018. Regulations announcements, news releases, and updates: commercial, subsistence, and personal use fishing. On line database. http://www.adfg.alaska.gov/static/applications/dcfnewsrelease/873421169.pdf.

JTC (Joint Technical Committee of the Yukon River U.S./Canada Panel). 2017. Yukon River salmon 2016 season summary and 2017 season outlook. Alaska Department of Fish and Game, Division of Commercial Fisheries, Regional Information Report 3A17-01, Anchorage.

JTC (Joint Technical Committee of the Yukon River U.S./Canada Panel). 2016. Yukon River salmon 2015 season summary and 2016 season outlook. Alaska Department of Fish and Game, Division of Commercial Fisheries, Regional Information Report 3A16-01, Anchorage.

Lozori, J. D. 2018. Sonar estimation of summer chum and pink salmon in the Anvik River, Alaska, 2017. Alaska Department of Fish and Game, Fishery Data Series No. 18-14, Anchorage.

Chairwoman Entsminger 13

USFWS, U.S. Air Force, State, Tanana Chiefs Conference, and University of Alaska Fairbanks participants took part in the workshop. All of the workshop objectives were achieved. The workshop results were presented to the Council in a draft report. The Council welcomed this extensive progress and expressed its unwavering support for the continuation of this project.

The Council would like to request the Board continue to support this project, which is important not just to the Eastern Interior Region, but to many other regions in Alaska, and dedicate OSM staff time and funding for completion of the education and outreach strategy and a pilot project development to be tested in the Eastern Interior Region. The Council believes this project might also serve as one of the components to the implementation of the U.S. Secretary of the Interior Order 3356 to expand outdoor recreational opportunities, including access for hunting and fishing on public lands in a responsible and respectful manner.

Response:

The Board commends the Council and OSM for staying on task and moving forward in the development of the hunter ethics education program for the Eastern Interior Region. We are pleased that the workshop proposal was funded, and thank your Council Coordinator, Katya Wessels, for her hard work on that. A report on those workshop activities has been prepared and will be presented at your fall meeting.

The Board fully agrees with the Council that given the growing populations and less resources available to the users the issue of possible resource user conflicts is not going to go away by itself in the near future. In fact it will probably be more prevalent if appropriate prevention steps are not taken. Prevention of conflict is always a best approach, so building understanding, goodwill, and respect to each party's values, and providing learning opportunities to various user groups can potentially alleviate or lessen difficult situations.

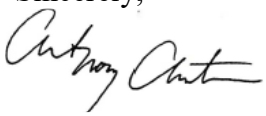
Considering all of the above, the Board continues to provide its full support to this project and would like to inform the Council that OSM found an opportunity to potentially provide up to 15 thousand dollars to fund the next step of the project, which is the second brainstorming workshop with major stakeholders including Tribal and hunter organizations, transporter and air taxi representatives, and Federal and State representatives with the goal to form working partnerships. Furthermore, the Board encourages OSM to continue dedicating staff time to the project and provide assistance with finding funding to complete the education and outreach strategy, develop a pilot project, and implement the pilot project to test the strategy. The Board recognizes that if successful the strategy can be used in the other areas of Alaska.

The Board also agrees that the Council efforts to create a user friendly hunter ethics education program for the Eastern Interior Region in partnership with the State of Alaska, Tribal entities, and hunter organizations can become "a specific action to improve recreational hunting and fishing cooperation, consultation, and communication with state wildlife management," as outlined in Secretarial Order 3347. The hunter ethics education program that is being developed can become a great tool in "coordinating with state, Tribal, and territorial wildlife management

agencies to identify opportunities for increased access to Departmental lands and waters" as directed by the Secretarial Order 3356 through providing information and building friendly relations between local and visiting hunters and aiding with avoiding user conflict.

In closing, I want to thank you and your Council for their 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 our confidence that the subsistence users of the Eastern Interior Region are well represented through your work.

Sincerely,



Anthony Christianson
Chair

Enclosures

cc: Federal Subsistence Board
Eastern Interior Alaska Subsistence Regional Advisory Council
Thomas Doolittle, Acting Assistant Regional Director, Office of Subsistence Management
Jennifer Hardin PhD., Subsistence Policy Coordinator, Office of Subsistence Management
Carl Johnson, Supervisory Program Analyst, Office of Subsistence Management
Katerina Wessels, Subsistence Council Coordinator, Office of Subsistence Management
Jill Klein, Special Assistant to the Commissioner, Alaska Department of Fish & Game
Interagency Staff Committee
Administrative Record

Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places, or vessels.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at *http://www.regulations.gov.* If your material cannot be submitted using *http://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to *http://www.regulations.gov* and will include any personal information you have provided. For more about privacy and the docket, visit *http://www.regulations.gov/privacyNotice.*

Documents mentioned in this NPRM as being available in the docket, and all public comments, will be in our online docket at *http://www.regulations.gov* and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. In § 165.164, revise paragraph (a)(3) to read as follows:

(a) * * *

(3) Marine Air Terminal, LaGuardia Airport Security Zone: All waters of Bowery Bay, Queens, New York, inside of a line drawn from the start of the Rikers Island Bridge in Queens at approximate position 40°46′37″ N, 073°53′30″ W to the intersecting point on the southern side of Rikers Island at approximate position 40°47′12″ N, 073°53′06″ W, then a line drawn east to the western end of LaGuardia Airport at approximate position 40°47′00″ N, 073°52′44″ W, then a line drawn south following the shoreline back to the point of origin at 40°46′37″ N, 073°53′30″ W (NAD 1983).

Dated: May 7, 2018.

M.H. Day,

Captain, U.S. Coast Guard, Captain of the Port New York.

[FR Doc. 2018–10899 Filed 5–21–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 13

[NPS–AKRO–25579; PPAKAKROZ5, PPMPRLE1Y.L00000]

RIN 1024–AE38

Alaska; Hunting and Trapping in National Preserves

AGENCY: National Park Service, Interior.

ACTION: Proposed rule.

SUMMARY: The National Park Service proposes to amend its regulations for sport hunting and trapping in national preserves in Alaska. This proposed rule would remove a regulatory provision issued by the National Park Service in 2015 that prohibited certain sport hunting practices that are otherwise permitted by the State of Alaska. These proposed changes are consistent with Secretary of the Interior Orders 3347 and 3356.

DATES: Comments on the proposed rule must be received by 11:59 p.m. EST on July 23, 2018.

ADDRESSES: You may submit comments, identified by Regulation Identifier Number (RIN) 1024–AE38, by either of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail or hand deliver to:* National Park Service, Regional Director, Alaska Regional Office, 240 West 5th Ave., Anchorage, AK 99501.
- *Instructions:* Comments will not be accepted by fax, email, or in any way other than those specified above. All submissions received must include the words ''National Park Service'' or ''NPS'' and must include the docket number or RIN (1024–AE38) for this rulemaking. Comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided.
- *Docket:* For access to the docket to read background documents or comments received, go to *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Herbert C. Frost, Regional Director, Alaska Regional Office, 240 West 5th Ave., Anchorage, AK 99501. Phone (907) 644–3510. Email: *AKR_Regulations@nps.gov.*

SUPPLEMENTARY INFORMATION:

Background

On October 23, 2015, the National Park Service (NPS) published a final rule (Final Rule) to amend its regulations for sport hunting and trapping in national preserves in Alaska (80 FR 64325). The Final Rule codified prohibitions on certain types of harvest practices that are otherwise permitted by the State of Alaska. The practices are: Taking any black bear, including cubs and sows with cubs, with artificial light at den sites; harvesting brown bears over bait; taking wolves and coyotes (including pups) during the denning season (between May 1 and August 9); taking swimming caribou; taking caribou from motorboats under power; taking black bears over bait; and using dogs to hunt black bears. This rule is inconsistent with State of Alaska's hunting regulations found at 5 AAC Part 85.

Since the publication of the Final Rule, the Secretary of the Interior issued two Secretarial Orders regarding how the Department of the Interior should manage recreational hunting and trapping in the lands and waters it administers, and directing greater collaboration with state, tribe, and territorial partners in doing so.

On March 2, 2017, Secretary Zinke signed Secretarial Order 3347, Conservation Stewardship and Outdoor Recreation. Part of the stated purpose of Secretarial Order 3347 is to increase outdoor recreation and improve the management of game species and their habitat. Secretarial Order 3347 directs the Department of the Interior to identify specific actions to (1) expand access significantly for recreational hunting and fishing on public lands; and (2) improve recreational hunting

and fishing cooperation, consultation, and communication with state wildlife managers.

On September 15, 2017, Secretary Zinke signed Secretarial Order 3356, Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with State, Tribes, and Territories. Part of the stated purpose of Secretarial Order 3356 is to increase outdoor recreation opportunities for all Americans in greater collaboration with state partners, including opportunities to hunt. Secretarial Order 3356 directs the NPS to (1) identify whether hunting opportunities on Department lands could be expanded; (2) work cooperatively with state wildlife agencies to enhance their access to Department lands for wildlife management actions; (3) work cooperatively with state wildlife agencies to ensure that hunting regulations for Department lands and waters complement the regulations on the surrounding lands and waters; and (4) work in close coordination and cooperation with the appropriate state wildlife agency to begin the necessary process to modify regulations in order to advance shared wildlife conservation goals/objectives that align predator management programs, seasons, and methods of take permitted on all Department-managed lands and waters with corresponding programs, seasons, and methods established by state wildlife management agencies.

The purpose of this proposed rule is to align sport hunting regulations in national preserves in Alaska with State of Alaska regulations and to enhance consistency with harvest regulations on surrounding non-federal lands and waters in furtherance of Secretarial Orders 3347 and 3356. The proposed rule would apply the State of Alaska's hunting regulations to national preserve lands, with limited exceptions found elsewhere in NPS regulations. See, *e.g.,* 36 CFR 13.42(d).

The 2015 Final Rule prohibits the hunting practices otherwise permitted by the State of Alaska because NPS found those practices: (1) To have intent or potential to alter or manipulate natural predator-prey dynamics, and associated natural ecological processes for the purpose of increasing harvest of ungulates by man; (2) to adversely impact public safety; or (3) to be inconsistent with federal law authorizing sport hunting in national preserves in Alaska. However, states have primary jurisdiction to manage wildlife throughout their state. In addition, NPS has broad discretion in managing wildlife on national preserves under applicable laws, policies, and regulations.

Taking into account the Secretarial Orders described above, NPS has re-considered its earlier conclusions and determined that these previously prohibited practices can be allowed consistent with the goal of aligning its rules with those of the State. Allowing these practices is consistent with NPS Management Policy 4.4.3 which provides that NPS does not allow activities to reduce the numbers of native species for the purpose of increasing the numbers of harvested species. The discussion in the 2015 rule of an action's ''intent or potential'' to manipulate predator dynamics goes beyond the plain language of section 4.4.3 of Management Policies. Additionally, the State of Alaska disputes that the hunting methods and seasons (allowed by the state but prohibited by current NPS regulations) are intended to function as a predator control program. Rather, the State asserts the hunting regulations are intended to provide opportunity for harvests of wolves, coyotes, bears, and other species as requested by the public. The State also maintains that any effects to the natural abundances, diversities, distributions, densities, age-class distributions, populations, habitats, genetics, and behaviors of wildlife from implementing its regulations are likely negligible. As noted below, NPS will prepare an environmental assessment for this regulation to determine whether it will have any significant impacts on wildlife or other resources.

With respect to the practices that NPS previously determined to be inconsistent with federal law authorizing harvest for sport purposes in national preserves in Alaska, no applicable federal law or regulation defines ''sport hunting.'' With regard to NPS's statement in the 2015 rule that baiting poses an increased public safety risk, the State of Alaska's position is that baiting does not cause bears to become food-conditioned, and therefore a greater safety concern.

Proposed Rule

For the above stated reasons, the NPS proposes to remove paragraphs (f) and (g) of 36 CFR 13.42. Paragraph (f) states that State of Alaska management actions or laws or regulations that authorize taking of wildlife are not adopted in park areas if they are related to predator reduction efforts, which is defined as efforts with the intent or potential to alter or manipulate natural predator-prey dynamics and associated natural ecological processes, in order to increase harvest of ungulates by humans. Paragraph (g) sets forth a table of prohibited methods of taking wildlife for sport purposes in national preserves in Alaska. Most of these prohibited methods are also prohibited by the State of Alaska. Some of them, however, conflict with authorizations by the State of Alaska as explained above. The NPS believes that removing paragraphs (f) and (g) would implement the directive announced in Secretarial Orders 3347 and 3356 by increasing hunting opportunities in national preserves and promoting consistency between federal regulations and state wildlife harvest regulations. In addition, the proposed rule would remove the definitions of ''Big game'', ''Cub bear'', ''Fur animal'', and ''Furbearer'' from section 13.1 because those terms are only used in paragraphs (f) and (g).

Compliance With Other Laws, Executive Orders and Department Policy

Regulatory Planning and Review (Executive Orders 12866 and 13563)

Executive Order 12866 provides that the Office of Information and Regulatory Affairs in the Office of Management and Budget will review all significant rules. The Office of Information and Regulatory Affairs has determined that this rule is not significant.

Executive Order 13563 reaffirms the principles of Executive Order 12866 while calling for improvements in the nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. The executive order directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. Executive Order 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. The NPS has developed this rule in a manner consistent with these requirements.

Reducing Regulation and Controlling Regulatory Costs (Executive Order 13771)

This rule is not an E.O. 13771 regulatory action because this rule is not significant under Executive Order 12866.

Regulatory Flexibility Act

This rule will not have a significant economic effect on a substantial number of small entities under the Regulatory

Flexibility Act (5 U.S.C. 601 *et seq.*). This certification is based on the cost-benefit and regulatory flexibility analyses found in the report entitled ''Cost-Benefit and Regulatory Flexibility Analyses: Proposed Revisions to Sport Hunting and Trapping Regulations in National Preserves in Alaska'' which can be viewed online at *http://parkplanning.nps.gov/akro.*

Small Business Regulatory Enforcement Fairness Act

This rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This rule:

(a) Does not have an annual effect on the economy of $100 million or more.

(b) Will not cause a major increase in costs or prices for consumers, individual industries, federal, state, or local government agencies, or geographic regions.

(c) Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Unfunded Mandates Reform Act (2 U.S.C. 1531 et seq.)

This rule does not impose an unfunded mandate on state, local, or tribal governments or the private sector of more than $100 million per year. The rule does not have a significant or unique effect on state, local or tribal governments or the private sector. It addresses public use of national park lands, and imposes no requirements on other agencies or governments. A statement containing the information required by the Unfunded Mandates Reform Act is not required.

Takings (Executive Order 12630)

This rule does not effect a taking of private property or otherwise have takings implications under Executive Order 12630. A takings implication assessment is not required.

Federalism (Executive Order 13132)

Under the criteria in section 1 of Executive Order 13132, the rule does not have sufficient federalism implications to warrant the preparation of a Federalism summary impact statement. This proposed rule only affects use of federally-administered lands and waters. It has no outside effects on other areas. A Federalism summary impact statement is not required.

Civil Justice Reform (Executive Order 12988)

This rule complies with the requirements of Executive Order 12988. This rule:

(a) Meets the criteria of section 3(a) requiring that all regulations be reviewed to eliminate errors and ambiguity and be written to minimize litigation; and

(b) Meets the criteria of section 3(b)(2) requiring that all regulations be written in clear language and contain clear legal standards.

Consultation With Indian Tribes (Executive Order 13175 and Department Policy)

The Department of the Interior strives to strengthen its government-to government relationship with Indian Tribes through a commitment to consultation with Indian Tribes and recognition of their right to self-governance and tribal sovereignty. We have evaluated this rule under the criteria in Executive Order 13175 and under the Department's tribal consultation and Alaska Native Claims Settlement Act (ANCSA) Native Corporation policies and have determined that the rule may have substantial direct effect on federally recognized Indian tribes. The NPS has invited Alaska native tribes and corporations to consult on the proposed rule and has consulted with those tribes and corporations that have requested consultation.

Paperwork Reduction Act

This rule does not contain information collection requirements, and a submission to the Office of Management and Budget under the Paperwork Reduction Act is not required. The NPS may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

National Environmental Policy Act

NPS will prepare an environmental assessment to determine whether this rule will have a significant impact on the quality of the human environment under the National Environmental Policy Act of 1969 (NEPA).

Effects on the Energy Supply (Executive Order 13211)

This rule is not a significant energy action under the definition in Executive Order 13211. A Statement of Energy Effects in not required.

Clarity of This Rule

The NPS is required by Executive Orders 12866 (section 1(b)(12)) and 12988 (section 3(b)(1)(B)), and 13563 (section 1(a)), and by the Presidential Memorandum of June 1, 1998, to write all rules in plain language. This means that each rule the NPS publishes must:

(a) Be logically organized;

(b) Use the active voice to address readers directly;

(c) Use common, everyday words and clear language rather than jargon;

(d) Be divided into short sections and sentences; and

(e) Use lists and tables wherever possible.

If you feel that the NPS has not met these requirements, send the NPS comments by one of the methods listed in the **ADDRESSES** section. To better help the NPS revise the rule, your comments should be as specific as possible. For example, you should identify the numbers of the sections or paragraphs that you find unclear, which sections or sentences are too long, the sections where you feel lists or tables would be useful, etc.

Public Participation

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments regarding this proposed rule by one of the methods listed in the **ADDRESSES** section of this document.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask the NPS in your comment to withhold your personal identifying information from public review, the NPS cannot guarantee that it will be able to do so.

List of Subjects in 36 CFR Part 13

Alaska, National Parks, Reporting and recordkeeping requirements.

In consideration of the foregoing, the National Park Service proposes to amend 36 CFR part 13 as set forth below:

PART 13—NATIONAL PARK SYSTEM UNITS IN ALASKA

■ 1. The authority citation for part 13 continues to read as follows:

Authority: 16 U.S.C. 3124; 54 U.S.C. 100101, 100751, 320102; Sec. 13.1204 also issued under Sec. 1035, Pub. L. 104–333, 110 Stat. 4240.

§ 13.1 [Amended]

■ 2. In § 13.1 remove the definitions of ''Big game'', ''Cub bear'', ''Fur animal'', and ''Furbearer''.

§ 13.42 [Amended]

■ 3. In § 13.42, remove and reserve paragraphs (f) and (g).

David L. Bernhardt,

Deputy Secretary.

[FR Doc. 2018–10735 Filed 5–21–18; 8:45 am]

BILLING CODE 4310–EJ–P

THE SECRETARY OF THE INTERIOR
WASHINGTON

ORDER NO. 3347

Subject: Conservation Stewardship and Outdoor Recreation.

Sec. 1 **Purpose**. The Department of the Interior (Department) is entrusted with overseeing Federal lands for the benefit of current and future generations. This includes advancing conservation stewardship and increasing outdoor recreation opportunities, including hunting and fishing, for all Americans. The purpose of this Order is to enhance conservation stewardship, increase outdoor recreation, and improve the management of game species and their habitat.

Sec. 2 **Background**. Led by recreational hunters and anglers, America's conservation and outdoor recreation movements continue to be led by individual sportsmen working together with ranchers, farmers, state wildlife agencies, non-profit sportsmen-conservation organizations, and the Department.

The Department has vast management responsibilities across our Nation's Federal lands, waters, and mineral resources. In addition to overseeing with humility the conservation and management of fish and wildlife resources, the Department also stewards 20 percent of the Nation's lands, oversees the responsible development of over 20 percent of U.S. energy supplies, serves as the largest supplier and manager of water in 17 Western States, and maintains relationships with over 500 federally recognized tribes. Over 400 units of the National Park System provide unique outdoor recreation opportunities as well as preserve and protect nearly 27,000 historic structures, more than 700 landscapes, and nearly 100,000 archaeological properties. The Department has also partnered with over 45,000 landowners and 3,000 conservation partners to restore successfully more than one million acres of wetland habitat, three million acres of upland habitat, and 11,000 miles of streams.

President Theodore Roosevelt loved the outdoors, vigorously hunted wildlife, and developed a uniquely American conservation ethos. Executive Order 13443 built on President Roosevelt's conservation legacy and directed Federal agencies, including the Department of the Interior, to facilitate the expansion and enhancement of hunting opportunities and management of game species and their habitat.

As a servant of the American people, the Department will continue to strengthen President Roosevelt's conservation stewardship legacy through this Order by seeking to expand recreational and conservation opportunities for all Americans.

Sec. 3 **Authority**. This Order is issued under the authority of Section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), as amended, as well as the Department's land and resource management authorities, including the following:

- Fish and Wildlife Act of 1956, as amended, 16 U.S.C. 742a, *et seq*.;
- National Wildlife Refuge System Improvement Act of 1997, as amended, 16 U.S.C. 668dd *et seq*.;
- Federal Land Policy and Management Act of 1976, as amended, 43 U.S.C. 1701, *et seq*.;
- National Park Service Organic Act of 1916, as amended, 54 U.S.C. 100101, *et seq*.; and
- Executive Order 13443, "Facilitation of Hunting Heritage and Wildlife Conservation."

Sec. 4. **Conservation Stewardship and Outdoor Recreation Directive.**

a. This Order directs the Assistant Secretary for Fish and Wildlife and Parks and the Assistant Secretary for Land and Minerals Management to:

(1) Report to the Secretary within 30 calendar days on:
   a. All actions taken to implement with Executive Order 13443 and achieve its goals.
   b. All actions described in by Executive Order 13443 that have not occurred, along with an explanation of any regulatory, legislative, policy or other barriers that have prevented or slowed successful implementation of Executive Order 13443.
   c. Specific recommendations to improve implementation of Executive Order 13443.

(2) Report to the Secretary within 30 calendar days with specific recommendations to enhance recreational fishing, specifically regarding efforts to enhance and expand recreational fishing access.

b. Upon approval of the reports by the Secretary, the Department shall:

(1) Submit the first report to the *Wildlife and Hunting Heritage Conservation Council* (WHHCC) with a request for the WHHCC's consensus recommendations for improving implementation of Executive Order 13443.

(2) Submit the second report to the *Sport Fishing and Boating Partnership Council* (SFBPC) with a request for the SFBPC's consensus recommendations for enhancing and expanding recreational fishing access.

c. Once WHHCC and SFBPC have responded with recommendations, the Department shall, within 30 calendar days:

(1) Identify specific actions to expand access significantly for recreational hunting and fishing on public lands as may be appropriate.

(2) Identify specific actions to improve recreational hunting and fishing cooperation, consultation, and communication with state wildlife managers.

(3) Identify specific actions to improve habitat for fish and wildlife.

(4) Identify specific actions to manage predators effectively and efficiently.

(5) Encourage, promote, and facilitate greater public access to all Department lands consistent with applicable laws.

d. The Secretary will designate an appointee in the Immediate Office of the Secretary to coordinate all activities by and among the Department, the WHHCC, the SFBPC, and their respective Designated Federal Officers with respect to implementation of this Order.

Sec. 5 **Effect of Order**. This Order is intended to improve the internal management of the Department. This Order and any resulting reports or recommendations are not intended to, and do not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person. To the extent there is any inconsistency between the provisions of this Order and any Federal laws or regulations, the laws or regulations will control.

Sec. 6 **Expiration Date**. This Order is effective immediately and will remain in effect until it is amended, superseded, or revoked.

Secretary of the Interior

Date: MAR 0 2 2017

THE SECRETARY OF THE INTERIOR
WASHINGTON

ORDER NO. 3356

Subject: Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories

Sec. 1 **Purpose**. This Order continues the Department's efforts to enhance conservation stewardship; increase outdoor recreation opportunities for all Americans, including opportunities to hunt and fish; and improve the management of game species and their habitats for this generation and beyond. It directs several components of the Department to assess past and ongoing implementation of the recommendations set forth in Executive Order 13443, "Facilitation of Hunting Heritage and Wildlife Conservation," to inform how best to enhance and expand public access to lands and waters administered by the Department—lands and waters owned by all Americans—for hunting, fishing, recreational shooting, and other forms of outdoor recreation. In addition, this Order gives greater priority to recruiting and retaining sportsmen and women conservationists, with an emphasis on engaging youth, veterans, minorities, and underserved communities that traditionally have low participation in outdoor recreation activities. Finally, this Order directs greater collaboration with state, tribes, and territorial partners.

Sec. 2 **Authorities**. This Order is issued under the authority of section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), as amended, Executive Order 13443, "Facilitation of Hunting Heritage and Wildlife Conservation"; and the Department's land and resource management authorities, including the following:

a. Fish and Wildlife Act of 1956, as amended, 16 U.S.C. 742a, *et seq;*

b. National Wildlife Refuge System Improvement Act of 1997, as amended, 16 U.S.C. 668dd *et seq*;

c. Federal Land Policy and Management Act of 1976, as amended, 43 U.S.C. 1701, *et seq*; and

d. National Park Service Organic Act of 1916, as amended, 54 U.S.C. 100101, *et seq*.

Sec. 3 **Background**. As President Theodore Roosevelt recognized, "in a civilized and cultivated country, wild animals only continue to exist at all when preserved by sportsmen." For generations, countless Americans have hunted and fished across the Nation's natural landscapes and waters, enjoying opportunities steeped in traditions, rich in history, and integral to meeting many subsistence and sustenance needs, while also providing an effective means of managing various populations of wildlife species.

Robust and sustainable wildlife populations contribute greatly to our Nation's well-being. In addition, through the sale of licenses and sporting equipment, and associated excise taxes, sportsmen and women have helped generate billions of dollars in conservation funding each year. Expanding hunting, fishing, and recreational opportunities will provide additional revenue for fish and wildlife conservation, and for many small rural communities across America. In addition, the goal of attaining and sustaining healthy wildlife populations can also be achieved in concert with the varied nature of differing land uses and missions.

The Department has broad responsibilities to manage Federal lands, waters, and resources for the public's benefit, including managing habitat to support fish, wildlife, and other resources, and providing recreational opportunities on Federal lands and waters. On March 2, 2017, Secretary Zinke issued Secretary's Order 3347, "Conservation Stewardship and Outdoor Recreation." Secretary's Order 3347 does the following:

a. directs the Assistant Secretary for Fish and Wildlife and Parks and the Assistant Secretary for Land and Minerals Management to 1) report to the Secretary within 30 days all actions taken to implement Executive Order 13443 and all actions described in Executive Order 13443 that have not occurred and 2) provide specific recommendations to improve the implementation of Executive Order 13443, particularly regarding efforts to enhance and expand recreational fishing access;

b. mandates the Department to submit reports, upon the Secretary's approval, to the *Wildlife and Hunting Heritage Conservation Council* and the *Sport Fishing and Boating Partnership Council* for their respective responses and recommendations; and

c. instructs the Department to identify within 30 days, specific actions concerning recreational hunting and fishing on public lands and waters, habitat improvement, predator management, and access to public lands and waters.

The 30-day due date identified in Secretary's Order 3347 has now elapsed. Following in the footsteps of President Roosevelt's commitment to conservation stewardship, this Order is being issued to enhance and expand upon Secretary's Order 3347 and further implement the recommendations provided to the Secretary.

Sec. 4 **Directive**. The following actions are to be taken consistent with governing laws, regulations, and principles of responsible public stewardship:

a. With respect to Secretary's Order 3347, the Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (FWS), and National Park Service (NPS) shall:

(1) implement the specific recommendations provided to the Secretary pursuant to Secretary's Order 3347 to enhance recreational fishing–specifically, those recommendations regarding efforts to enhance and expand recreational fishing access, where practicable; and

(2) within 120 days of the issuance of this Order, provide a detailed implementation plan for BLM, FWS, and NPS to implement the other recommendations provided to the Secretary pursuant to Secretary's Order 3347.

b. With respect to Department lands and waters, the responsible bureaus and offices within the Department shall:

(1) amend National Monument Management Plans to include or expand hunting, recreational shooting, and fishing opportunities to the extent practicable under the law;

(2) in a manner that respects the rights and privacy of the owners of non-public lands, identify lands and waters where access to Department lands and waters, particularly access for hunting, fishing, recreational shooting, and other forms of outdoor recreation, is currently limited (including areas of Department land and waters that may be impractical or impossible to access via public roads or trails under current conditions, but where there may be an opportunity to gain access through a voluntary easement, right-of-way, or voluntary acquisition), and within 60 days, provide to the Deputy Secretary a report detailing such lands and waters;

(3) within 365 days, cooperate, coordinate, create, make available, and continuously update online a single "one stop" Department site database of available opportunities for hunting, fishing, and recreational shooting on Department lands and waters;

(4) consistent with relevant state laws, identify whether hunting, fishing, and/or recreational shooting opportunities on Department lands could be expanded and, within 60 days, provide recommendations to the Deputy Secretary on where such expansions may occur;

(5) within 30 days, examine and provide recommendations to the Deputy Secretary on how to streamline and improve the permitting process for guides and outfitters on Department lands and waters, including recommendations for the development of a distinct permitting process for non-profit organizations (such as those working with youth, veterans, or underserved communities); and

(6) incorporate analysis of the impacts of Federal land and water management actions on hunting, fishing, and recreational shooting access in planning and decisionmaking.

c. With respect to participation in hunting, fishing, and recreational shooting, bureaus and offices shall:

(1) identify opportunities to help provide voluntary public access to private lands and waters for hunting and fishing;

(2) within 60 days and in consultation with the relevant states, identify grant and/or cooperative agreement opportunities that may be made available for community programs

for hunting, fishing, and recreational shooting participation, such as recruitment/retention/reactivation; and

(3) work with veterans and youth programs to provide hunting, fishing, and recreational shooting mentor training programs.

d. With respect to working harmoniously with our state, tribal, territorial, and local partners, bureaus and offices shall:

(1) identify full-time employees who are responsible for access to hunting, fishing, recreational shooting, and other outdoor recreational opportunities on Department lands and waters and work in close collaboration with state and local partners on these efforts;

(2) coordinate with state, tribal, and territorial wildlife management agencies to identify opportunities for increased access to Department lands and waters, including identifying opportunities for access through adjacent private lands;

(3) collaborate with state, tribal, and territorial fish and wildlife agencies to attain or sustain wildlife population goals during Department land-management planning and implementation, including prioritizing active habitat-management projects and funding that contribute to achieving wildlife population objectives, particularly for wildlife that is hunted or fished, and identifying additional ways to include or delegate to states habitat management work on Federal lands;

(4) work cooperatively with state, tribal, and territorial wildlife agencies to enhance their access to Department lands for wildlife management actions;

(5) within 180 days, develop a proposed categorical exclusion for proposed projects that utilize common practices solely intended to enhance or restore habitat for species such as sage-grouse and/or mule deer;

(6) significantly increase migratory waterfowl populations and hunting opportunities throughout large portions of the country by:

(a) enhancing and improving the use of voluntary perpetual grassland and wetland conservation easements;

(b) expanding habitat and water conservation/protection efforts on wintering habitats;

(c) assessing and utilizing sound science to direct the development of proposed project and/or policy proposals to enhance waterfowl production;

(d) identifying partnerships and resource opportunities; and

(e) utilizing sound scientific evidence in conjunction with landowner/stakeholder input.

(7) work cooperatively with state, tribal, and territorial wildlife agencies to ensure that hunting and fishing regulations for Department lands and waters complement the regulations on the surrounding lands and waters to the extent legally practicable; and

(8) within 180 days, in close coordination and cooperation with the appropriate state, tribal, or territorial wildlife agency, begin the necessary process to modify regulations in order to advance shared wildlife conservation goals/objectives that align predator-management programs, seasons, and methods of take permitted on all Department-managed lands and waters with corresponding programs, seasons, and methods established by state, tribal, and territorial wildlife management agencies to the extent legally practicable.

e. Within 180 days, bureaus and offices shall:

(1) create an implementation plan to update all existing regulations, orders, guidance documents, policies, instructions, manuals, directives, notices, implementing actions, new employee training orders, and any other similar actions to be consistent with this Order; and

(2) review and use the best available science to inform the development of specific guidelines for Department lands and water related to planning and developing energy, transmission, infrastructure, or other relevant projects to avoid or minimize potential negative impacts on wildlife.

f. Heads of bureaus will ensure that appropriate Senior Executive Service employees under his or her purview include a performance standard in their respective current or future performance plan that specifically implements the applicable actions identified in this Order.

Sec. 5 **Implementation**. The Deputy Secretary is responsible for taking all reasonably necessary steps to implement this Order.

Sec. 6 **Effect of Order**. This Order is intended to improve the internal management of the Department. This Order and any resulting reports or recommendations are not intended to, and do not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person. To the extent there is any inconsistency between the provisions of this Order and any Federal laws or regulations, the laws or regulations will control.

Sec. 7 **Expiration Date.** This Order is effective immediately. It will remain in effect until its provisions are implemented and completed, or until it is amended, superseded, or revoked.

Secretary of the Interior

Date: SEP 15 2017

PROPOSAL 86

5 AAC 01.220. Lawful gear and gear specifications.

Allow subsistence fishing for non-salmon fish with hook and line gear in District 4 of the Yukon Area, as follows:

Allow hook and line gear to be used to catch subsistence non-salmonid fish in the Kaltag, Nulato, and Old Village (or Rodo) River year-round.

We were told that in the regulation book that the winter subsistence exception for hook and line is for all of District 4 but we did not want to speak for the entire district, and these three rivers are important to us and the ones that the people of this area fish with this gear.

What is the issue you would like the board to address and why? The Middle Yukon AC had thought that due to actions on a proposal that they had submitted a long time ago, that it was legal to fish with hook and line for subsistence year round for non-salmonid species in the Kaltag, Nulato and Old Village (or Rodo) Rivers. The people of this area commonly subsistence fish for trout, sheefish, and dollys year-round with gear that they have on hand, including hook and line, and are unaware that this is restricted gear between May 15- September 21. We do not consider this activity sports fishing and find it odd that it would be considered subsistence in the winter but sport in the summer.

PROPOSED BY: Middle Yukon Fish and Game Advisory Committee (EF-F18-105)

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PROPOSAL 87

5 AAC 01.220. Lawful gear and gear specifications.

Allow subsistence fishing for salmon with drift gillnets in the entire Yukon River, as follows:

Allow subsistence driftnet fishing in those areas of the Yukon River currently not allowed. All districts allowed to subsistence driftnet. ADF&G management claims to be able to effectively manage for the current situation where approx. 90% of the commercial and about 50% of the subsistence king salmon are harvested using drift gillnets on a non-restricted year. If that is so it should be reasonable to manage for a small amount of driftnet fishing more. Many fishermen on the Yukon have long standing set net or fishwheel sites and this would probably only be used by fishermen with poor sites or no sites and younger, new fishermen.

What is the issue you would like the board to address and why? Drift Gillnetting: Drift gillnetting is a fishing method that does not need ownership of a set net eddy or fish wheel site. Each Board of Fisheries cycle some District or sub district applies for this right basing their need on a number of reasons mostly related to crowding and/or gas costs to travel far from home areas. Over the years some are chosen and some are denied. Currently because of the piecemeal and political nature of much of the allocation of this right to driftnet for so long we have arrived at a place where the majority of it is allowed in the heaviest areas of commercial fishing (for commercial and subsistence fishing) and in districts with the easiest ability to catch fish already, due to an earlier crack at catching the migrating fish. Ironically, you have most of the best areas to catch Chinook and chum having been given the right to driftnet and most of the poorest areas to catch them being denied the right. An extreme example of this is the lower districts of the Yukon versus the Koyukuk River drainage or the Yukon Flats district. A decent set net spot in the Koyukuk drainage might produce say six Chinook for the entire season or even less according to Huslia fishermen at a past YRDFA meeting. Koyukuk River fishermen and the Yukon Flats fishermen (Ft Yukon Area) are not allowed to drift net. Presently management of our allowable fishing gear types has no rhyme or reason to it. When one hour of fishing a season in one of these driftnet districts can produce more and bigger fish than a non-driftnet district can get if allowed to fish seven days a week all season then we have a situation that is totally unfair and impossible to insure any degree of equable distribution of fish to meet subsistence needs, especially in years of poor runs. Lastly subsistence gear use abilities should take priority over commercial. This is clearly not taking place.

Note: At the last BOF cycle TRM AC submitted a fishing gear fairness proposal similar to this one. We felt we had gained a fair degree of Board member support for it then. During deliberation a sympathetic board member asked ADF&G managers if he voted for this how much of an impact it would have on fisher's harvest. The reply from an ADF&G manager was that there were 150+ commercial fishing permits in District 5 alone. Our AC had to sit there not being able to speak up while the board member and others clearly felt that was way too much impact and then voted the proposal down. All this knowing that even in the heyday of our best commercial fishing in the past only a tiny fraction of those permits were ever fished and knowing that this was a subsistence proposal not a commercial one. We bring this up in case this happens again.

PROPOSED BY: Tanana Rampart Manley and Fairbanks Fish and Game Advisory Committees (EF-F18-047)

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PROPOSAL 88

5 AAC 01.220. Lawful gear and gear specifications.

Require fish wheels to be closely attended during times of conservation for any species, as follows:

Fishwheels must be manned at all times when any catch and release of King salmon or other species is required in an executed fishery. There is to be no livebox holding and release of restricted species required to be not kept, river wide. Restricted species are defined as ones for which a biological concern exists in an area for them and no harvest is allowed. (Recent example would be the King Salmon and area being Yukon River.) (Note: This was written as to not interfere with more sound fish wheel release practices being considered and/or used at present by management such as live chute releasing of King salmon which does not use any live box holding methods.) The Tanana Rampart Manley Fish and Game Advisory Committee (TRM) supported this proposal submission unanimously.

What is the issue you would like the board to address and why? Fishwheel Liveboxes: TRM is concerned about present regulations allowing and further attempts to increase fish wheels as a legal means of targeting one species (such as chum salmon) while releasing another species (such as King salmon). Many of the methods of holding, release and equipment used are being portrayed as non-harmful ways of dealing with bycatch. TRM members come from an area of high fish wheel use and many are very familiar with the number of studies (mostly USFWS in this area) done on fish wheel live box holding and general fish wheel operation and how it affects caught and released fish. We feel these issues have been sufficiently neglected in management and BOF actions in the past, despite the literature presented to them and concerns voiced to management, and at YRDFA and BOF meetings, that a regulation against it needs to be clearly on the books.

Note: This exact proposal was submitted at the last BOF cycle. It had what seemed to be much board support especially when the studies associated with liveboxes were discussed. The night before deliberation ADF&G changed the wording of the discussed proposal to essentially allow for what we were proposing against and the BOF passed their changed proposal – I believe not realizing what had been done. We had to sit there and accept it unable to speak.

PROPOSED BY: Tanana Rampart Manley Fish and Game Advisory Committee (EF-F18-048)

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PROPOSAL 89

5 AAC 01.220. Lawful gear and gear specifications.

Allow retention of king salmon for subsistence purposes, by emergency order, during times of king salmon conservation in the Yukon Area, as follows:

The below changes to the 5 AAC 01.220 (n) (2), (3) and (4) will provide the department with a tool that would allow a relatively small harvest of king salmon when selective harvest commercial and subsistence fisheries are prosecuted. Current regulations stipulate that ALL king salmon must be released to the water alive when using these selective harvest gear types. However, the below changes to the regulation will provide the department the emergency order authority to allow some king salmon harvest, when warranted. Note that this EO authority can be implemented on a period by period basis.

5 AAC 01.220. Lawful gear and gear specifications

(n) Notwithstanding the provisions of (d), (e)(2), and (f)(2) of this section, during times when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner may, by emergency order, close the fishing season in the Yukon Area and immediately reopen the season in that area during which one or more of the following gear limitations may be implemented:

(2) for fish wheels:

(A) **unless altered by emergency order,** a fish wheel used to take fish must be equipped with a livebox that is constructed so that it contains no less than 45 cubic feet of water volume while it is in operation; the operator must closely attend the fish wheel while it is in operation, and all king salmon must be immediately released to the water alive from the livebox **unless retention of king salmon for subsistence purposes is allowed by emergency order;**

(B) repealed 5/22/2016;

(C) **unless altered by emergency order,** a person may operate a fish wheel without a livebox only if

(i) the fish wheel is equipped with a chute that returns fish captured by the fish wheel to the water alive;

(ii) the person closely attends the fish wheel while it is in operation; and

(iii) the person returns all king salmon caught to the water alive **unless retention of king salmon for subsistence purposes is allowed by emergency order;**

(3) dip nets may be used; however, all king salmon caught with a dip net must be released to the water alive **unless retention of king salmon for subsistence purposes is allowed by emergency order;**

(4) a beach seine may be used; however, all king salmon caught with a beach seine must be released to the water alive **unless retention of king salmon for subsistence purposes is allowed by emergency order.**

What is the issue you would like the board to address and why? Currently, during times when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner may, by emergency order, close the fishing season in the Yukon Area and immediately reopen the season in that area during which fish wheels, dipnets and beach seines may be used to harvest salmon. However, the regulation also currently stipulates that all king salmon caught must be released to the water alive. We believe that when king salmon runs are

large enough to provide for a limited or full subsistence harvests and the selective gear types are still being used, king salmon caught in fishwheel, dipnet, and beach seine fisheries under this regulation, 5 AAC 01.220 (n) (2), (3), and (4) be allowed to be retained for subsistence purposes. We also believe that the retention of king salmon in these fisheries could be surgically regulated by emergency order authority, in other words, the department may or may not allow the retention of king salmon for subsistence purposes on a period by period basis within each district or subdistrict fishery.

While we believe that the current regulation is necessary when the king salmon stocks are critically low, such that every king salmon in the run is needed to spawn, we also believe that when king salmon runs are large enough to provide for some or a full subsistence harvest, the retention of king salmon for subsistence purposes from the selective gear types fisheries maybe warranted and, if necessary, would provide a much slower-paced harvest of king salmon used for subsistence purposes. King salmon runs have recently recovered so that king salmon can be and are being taken for subsistence purposes. However, replacing the selective harvest fisheries with gillnet fisheries may not be appropriate at this time because of the relatively large number of king salmon that may be incidentally harvested in some gillnet fisheries, especially in the Lower Yukon Area. King salmon caught in gillnets can always be retained. However, because of the relatively small catch and the intrinsic inefficiency of catching king salmon in the selective harvest fisheries, we believe that the retention of king salmon for subsistence purposes in these fisheries will not substantially affect the overall run size, subsistence fisheries farther upriver, and the escapement on the spawning grounds. Because the retention of king salmon in these fisheries would only be allowed through emergency order, it would provide the department with a tool to allow some king salmon harvest commensurate with the run size and the targeted king salmon subsistence harvest.

Because of the current king salmon run sizes returning to the Yukon River, there is currently no reason why king salmon should not be retained from the dipnet and beach seine fisheries for subsistence purposes if there are surplus fish in excess of spawning requirements. This would give the department a surgical tool to allow retention of king salmon in these selective harvest fisheries period by period.

Note that the interim king salmon escapement goal (IMEG) for the Yukon River in Canada is 42,500 to 55,000 king salmon. The upper end of the IMEG has been exceeded every year since 2013. The recorded escapement has been: 63,327 in 2014; 82,674 in 2015; 68,798 in 2016; and ~69,000 in 2017. Escapements to the Alaskan portion of the drainage have also been good. These escapements indicate that there are surplus king salmon in far excess of escapement requirements. Subsistence fishers should have the opportunity to harvest some of these excess fish and commercial fishers should have the opportunity to retain these caught salmon for subsistence purposes.

We believe that the subsistence fishers of the Yukon River drainage need not be restricted as they were during critically low king salmon runs. One method to allow subsistence fishers to have the opportunity to take what they need is to allow the retention of king salmon caught in selective harvest fisheries.

Releasing salmon back into the river has been difficult for the people of the Yukon because people living along the river depend on the river for food. Releasing king salmon that have been caught is contrary to their culture. When the runs were critically low, fishers had to be convinced that their efforts were needed to help in king salmon conservation. They were told that every king salmon was needed on the spawning grounds. Now, it may be extremely more difficult for fishers to live release the king salmon back into the river knowing that the runs can provide for a limited, if not a full, subsistence fishery. If this proposal is not adopted, fishers on the Yukon will continue to release king salmon alive back into the water, but the rational for live releasing these fish back into the river is no longer valid.

PROPOSED BY: John A. Lamont (HQ-F18-045)

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PROPOSAL 90

5 AAC 01.210. Fishing seasons and periods.

Reduce the amount of time prior to opening of the commercial fishing season in Districts 1-3 and Subdistrict 4-A of the Yukon Area when subsistence fishing for salmon is prohibited, as follows:

5 AAC 01.210. Fishing seasons and periods

(e) In Districts 1, 2, and 3, excluding the Innoko River drainage, **and Subdistrict 4A, excluding the Koyukuk River drainage,** salmon may not be taken for subsistence during the ~~24~~ **SIX** hours immediately before the opening of the commercial salmon fishing season.

What is the issue you would like the board to address and why? These closures do not prevent people from selling into the commercial fishery Chinook Salmon that they take in the subsistence fishery because only a few Yukon subsistence fishermen do this. There are always going to be a few bad actors, we know who they are, they have been fined before, and this regulation has not stopped them. This regulation is burdensome on subsistence fishermen without any benefit.

PROPOSED BY: Alissa Nadine Rogers (HQ-F18-060)

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PROPOSAL 91

5 AAC 01.210. Fishing seasons and periods.

Reduce the amount of time prior to opening of each commercial fishing period in Districts 1-3 of the Yukon Area when subsistence fishing for salmon is prohibited, as follows:

Delete the regulation.

5 AAC 01.210. Fishing seasons and periods

(e)(1) in Districts 1, 2, and 3,

(A) after the opening of the commercial salmon fishing season through July 15, salmon may not be taken for subsistence for [18] **six** hours immediately before, during, and for [12] **six** hours after each commercial salmon fishing period;

(B) after July 15, salmon may not be taken for subsistence for [12] **six** hours immediately before, during, and for [12] **six** hours after each commercial salmon fishing period;

What is the issue you would like the board to address and why? If the Board does not get rid of these regulations as requested in my proposal 90 I'm asking the Board to consider this proposal, which reduces closures before and after commercial fishing periods. These closures do not prevent people from selling into the commercial fishery Chinook Salmon that they take in the subsistence fishery because only a few Yukon subsistence fishermen do this. There are always going to be a few bad actors, we know who they are, they have been fined before, and this regulation has not stopped them. This regulation is burdensome on subsistence fishermen without any benefit.

PROPOSED BY: Alissa Nadine Rogers (HQ-F18-062)

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PROPOSAL 92

5 AAC 01.220. Lawful gear and gear specifications; and 5 AAC 05.331. Gillnet specifications and operations.

Restrict gillnet mesh size to a maximum of 6 inches in Districts 4, 5, and 6 subsistence and commercial salmon fisheries, as follows:

Restrict gillnet mesh to a maximum of 6 inches in Districts 4, 5 and 6 for subsistence and commercial.

What is the issue you would like the board to address and why? ~~6" mesh maximum: Large mesh net fishing has had a detrimental effect on the stock composition and quality of escapements for Yukon River Chinook salmon and targets the larger and female Chinook salmon. There continues to be poor returns of Yukon River salmon since 1998. This has led to conservation concerns on the spawning grounds. Many of these returns have not allowed subsistence users a reasonable opportunity to meet their subsistence salmon needs. The use of the larger gillnets has changed, and will continue to change the composition of the Chinook stocks harvested. Fishermen in Canada and the U.S. Yukon River have repeatedly noted that the returning Chinook salmon are getting smaller and conservation measures are needed to protect the larger fish that in turn protects the genetic variability and loss of the older age classes of the Yukon River Chinook salmon stocks. Despite some better numbers of Chinook salmon in the last few years there is little data at all able to indicate scientifically where our decline in the older age classes of Chinook has been heading. Ocean abundance of juvenile king salmon has been proving to be one of our best indicators and that is predicting lower runs for 2019 and 2020. The use of the current 7 ½" gillnets is targeting the largest Chinook left in any significant number in the Yukon River. These are the fish with the best potential to bring back the larger fish with the most eggs and therefore the run sizes of past years. 6" nets still catch some large fish but does not target them near to the same extent as 7 ½" does. The differences in catches in the two net sizes are readily apparent for all to see.

Some lower river District 1, 2 and 3 representatives have not expressed support for this proposal for themselves but have stated they would back the upper districts in getting this passed for themselves. Our AC has gotten support from most representatives of Districts 4, 5, and 6 talked to so far. Having it apply to all districts was rejected due to lack of support. Nets in the 7" range were considered in past Board cycles however a number of reasons were discovered why they were not suitable.

1. A USFWS study (An Investigation of the Potential Effects of Selective Exploitation on the Demography and Productivity of Yukon River Chinook Salmon, Bromaghin, Nielson, and Hard) showed 7.5" mesh to be ineffective at reversing declining size trends and can actually contribute to the problem.

2. Current ongoing mesh size studies by ADF&G and anecdotal info from fishermen river wide show nets of the 7" range actually catching more fish and more lbs of Chinook than the more normally used 8-9" nets and the smaller 6" range nets. Fishermen in the upper river commonly are reporting most Chinook going through the larger nets. This is clearly because of the lack of the larger fish at present. Targeting the next available largest Chinook age class with 7" range nets will only further damage the run.

PROPOSED BY: Tanana Rampart Manley and Fairbanks Fish and Game Advisory Committees (EF-F18-045)

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PROPOSAL 93

5 AAC 01.240. Marking and use of subsistence-taken salmon.

Repeal the requirement to remove the tips of the tail fin of subsistence-taken salmon in Districts 1 – 3 of the Yukon Area, as follows:

Delete the regulation

~~5 AAC 01.240. Marking and use of subsistence-taken salmon~~

~~(c) In Districts 1 - 3, from June 1 through July 15, a person may not possess king salmon taken for subsistence uses unless both tips (lobes) of the tail fin have been removed before the person conceals the salmon from plain view or transfers the salmon from the fishing site. A person may not sell or purchase salmon from which both tips (lobes) of the tail fin have been removed.~~

What is the issue you would like the board to address and why? Fin-clipping does not prevent people from selling into the commercial fishery Chinook Salmon that they take in the subsistence fishery because only a few Yukon subsistence fishermen do this. There are always going to be a few bad actors, we know who they are, they have been fined before, and this regulation has not stopped them. This regulation is burdensome on subsistence fishermen without any benefit.

PROPOSED BY: Alissa Nadine Rogers (HQ-F18-059)

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PROPOSAL 94

5 AAC 01.2XX. New section.

Allow the taking of the first king salmon entering the Yukon River for religious and ceremonial use, as follows:

Allow the taking of the first king salmon entering Yukon River for religious and ceremonial use.

What is the issue you would like the board to address and why? To all Yukon Yupik people an exemption to harvest first king salmon entering Yukon River for religious and ceremonial use. Currently it is a violation to do so during times of conservation or protecting first or second king salmon pulses. These closures often impose criminal or other penalties that pressure, compel, or even eliminate the religious practice.

PROPOSED BY: Stanley Pete (HQ-F18-075)

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PROPOSAL 95

5 AAC 01.220. Lawful gear and gear specifications.

In the Yukon River between the marker at Waldron Creek and Hess Creek, require a minimum distance of 300 feet between units of set gillnet gear and limit the amount of net gear that may be deployed in an eddy to 350 feet, as follows:

Between Waldron Creek marker and Hess Creek, all set net gear should be 300 feet apart, and there should be no more than 350 feet of net allowed in an eddy.

What is the issue you would like the board to address and why? Increased public participation and access to the Yukon River at the Haul Rd Bridge. Changing the current regulation will help eliminate user conflict due to easy public access. Especially in times of conservation, the current regulations do not fit the area due to the easy public access and increased pressure on this fishery.

PROPOSED BY: Randy Mayo (EF-F18-019)

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PROPOSAL 96

5 AAC 01.210. Fishing seasons and periods.

Allow subsistence fishing for fall chum salmon in District 5 without time restrictions if commercial fishing for fall chum salmon is open in other Yukon River districts, as follows:

5 AAC 01.210(d)(2)

…

In District 5 once the fall chum run is determined healthy enough to have commercial openings on it in other districts then no subsistence restrictions on days open should be placed on it. It is to be open 7 days a week unless a biological concern arises at which time fishing will be restricted or stop.

Issues of subsistence and commercial opening conflicts have never been a problem in this area but sometimes are a problem for other districts so for that reason we ask for this in District 5 only and will let others propose as they choose. Also we are only trying to increase opportunity in situations where it would not be detrimental to any species, so any concerns that the BOF or management would have over this proposal, TRM would be happy to adjust the proposal wording to meet those concerns.

What is the issue you would like the board to address and why? 7 Day Fall Chum Fishing: Fall chum salmon fishing in this area comes late in summer. The weather is cooling and often the rains start making drying of fish difficult if not impossible on many days. Over the years we have tried to point out to management that the current reduced subsistence schedules of 4 days or 5 days a week that we find ourselves in, often do not coincide with days able to put up fish. This is especially true at the beginning of the run where the best people quality fish are found. For example we have documented times where fishers have waited almost an entire open period of fishing only to have the sun come out on the closed days. Fall season is to short and lately because of the king crisis it has become too important to lose opportunity.

TRM has repeatable been told by some at ADF&G that while the proposal has merit and they try to open the season as soon as possible to 7 days they want to maintain the flexibility to open and close as they wish. At the last BOF meeting the State's own lawyer had to contradict ADF&G management by stating that no matter what, they always have the ability to shut down fishing if necessary. We are simply trying to get it into regulation so we are not at the mercy of different managers with different opinions on when we should be allowed to go to 7 day a week fishing once the run is being fished on commercially.

PROPOSED BY: Tanana Rampart Manley and Fairbanks Fish and Game Advisory Committees (EF-F18-046)

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PROPOSAL 97

5 AAC 05.200. Fishing districts and subdistricts.

Divide District 2 of the Yukon Area into two subdistricts, as follows:

We believe the only solution for the fish buyer to consistently buy good quality summer chum salmon during the summer fishing season from District 2 is to divide District 2 into two subdistricts that can be opened separately or combined.

5 AAC 05.200. Fishing districts and subdistricts

(b) District 2 consists of that portion of the Yukon River drainage from the northern edge of the mouth of the Anuk River upstream to an ADF&G regulatory marker located at Toklik, and includes the Anuk River drainage.

(1) Subdistrict 2A consists of that portion of the Yukon River drainage from the northern edge of the mouth of the Anuk River upstream to the upriver boundary of Statistical Area 334-22. This subdistrict includes Statistical Areas 334-21 and 334-22.

(2) Subdistrict 2B consists of that portion of the Yukon River drainage that includes Statistical Areas 334-23, 334-24, and 334-25. The lower boundary of this subdistrict is the boundary line between Statistical areas 334-22 and 334-23. The upriver boundary of this subdistrict is the regulatory marker located at Tokik or the upstream boundary of District 2.

What is the issue you would like the board to address and why? Divide District 2 into two subdistricts, 2A and 2B.

The Yukon River commercial fisheries consist of a gauntlet type fishery from the Yukon River delta up along the mainstem to the U.S./Canada border and within the Tanana River. Two races of chum salmon occur in the Yukon River drainage, summer chum and fall chum salmon. Summer chum salmon are distinguished by rapid maturation in freshwater, and smaller body size. Average weight is approximately 6 to 7 pounds. Summer chum salmon spawn primarily in run-off streams in the lower 700 miles of the drainage and in the Tanana River drainage. Although summer chum salmon are harvested for subsistence throughout the Alaskan portion of the Yukon River drainage, with minimal harvests within District 5B, 5C, and 5D, commercial fisheries have recently been confined to District 1, 2, and 6, the Tanana River, and sporadically in subdistrict 4A. The District 1 and 2 commercial fisheries for summer chum salmon are a flesh-based fishery, with a premium price paid for silver bright summer chum salmon with good flesh color and quality. The summer chum salmon market for District 1 and 2 demands silver bright summer chum salmon with good flesh quality and color. However, because summer chum salmon rapidly mature in fresh water, the color of the fish along with the quality and color of the flesh deteriorates rapidly as they migrate up the Yukon River. By the time these salmon migrate into the upper statistical areas of District 2, starting with Statistical Area 334-23, these fish become obviously water marked with degraded pale color flesh and poor overall quality. Processors in District 1 and 2 that buy summer chum salmon from fishers must purchase the best quality summer chum salmon to remain competitive. However, because Yukon Area commercial salmon fisheries are prosecuted on a district-wide basis in the lower Yukon, it is difficult for the processors to purchase only good quality summer chum salmon from the entire District 2 fishery.

If nothing is changed, processors may refuse to purchase any District 2 harvests that appear to contain water-marked salmon or may not purchase summer chum salmon harvested in District 2.

We also considered not buying color-marked salmon, but we believe that this would lead to wanton waste and it is difficult to determine the portion of fish that are water-marked in that specific harvest. We also considered limiting fishers to the lower portion of District 2 or by Statistical Area, but this is problematic because fishers may fish in one statistical area and report their catch from another statistical area. We believe the only solution is to divide District 2 into two subdistricts that can be opened to commercial fishing by the department separately or combined.

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PROPOSED BY: Yukon Delta Fisheries Development Association (HQ-F18-080)

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PROPOSAL 97

5 AAC 05.331. Gillnet specifications and operations.

Decrease gillnet depth in Districts 4–6 of the Yukon Area, as follows:

5 AAC 05.331. Gillnet specifications and operations. (f) In District 4 - 6, gillnets with (1) greater than six-inch mesh may not be more than 45 meshes in depth; (2) six-inch or smaller mesh may not be more than 50 meshes in depth.

What is the issue you would like the board to address and why? The Yukon River is quite wide at all mouths (south, middle and north) and salmon are quite spread out (Yukon District Y-1), as salmon travel up the Yukon River there is less area for them to swim where the Yukon River narrows (Yukon Districts Y-2 through Y-6); therefore, gillnet depth restrictions should be more restrictive not less as they currently are as salmon travel up the Yukon.

PROPOSED BY: John H. Lamont (EF-F18-061)

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PROPOSAL 98

5 AAC 05.330. Gear.

Allow use of beach seine gear to harvest salmon during open commercial fishing periods in Districts 1 – 3 of the Yukon Area, as follows:

5 AAC 05.330. Gear. (a) In Districts 1 - 3, **beach seine gear, set gillnets, and drift gillnets** [SET GILLNETS AND DRIFT GILLNETS] only may be operated, except that in District 1 after July 15 set gillnets only may be operated in the following locations:

What is the issue you would like the board to address and why? 5 AAC 05.362. Yukon River Summer Chum Management Plan (k)(l)(B)(2) allows the use of beach seine (and dip net) gear only during the Yukon River Summer Chum commercial fishing opportunities in Districts 1 - 3 in effort to conserve the Yukon River Chinook salmon stock.

Since being introduced to this regulation, and adapting to a new style of fishing, we have found that the use of beach seine gear greatly increases the quality of fish being caught by eliminating net marks and bruising in comparison to those being caught in gillnet gear.

I propose that the use of beach seine gear be allowed as optional gear during **all** Yukon River District 1-3 salmon commercial fishing opportunities, including Fall Chum and Coho, which are currently limited to the use of gill net gear only. Chinook salmon caught in beach seine gear (during fall commercial openings) may be kept for personal use or may be released alive.

PROPOSED BY: Jaylene Fitka (HQ-F18-042)

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PROPOSAL 99

5 AAC 05.333. Fish wheel specifications and operations.

Adopt maximum size and depth restrictions for fish wheel baskets, as follows:

5 AAC 05.333 Fish wheel specifications and operations.
(a) (1) fish wheel baskets may not be larger than 5' X 8' or 40 square foot total area and cannot dip deeper than six feet into the river.

What is the issue you would like the board to address and why? Implementing fish wheel basket size and depth limitations during times of Chinook Salmon conservation on the Yukon River. Fish wheels are self propelled large dipping baskets and paddles that dip salmon and other fish species out of the river that are lead into the baskets by way of leads, leads lead salmon from the shore (shallow water) directly out to the baskets where they are captured and dumped automatically into holding bins without human exertion.

If nothing is done, commercial fishers in districts 4 - 6 using fish wheels will continue to commercially harvest large numbers of summer chum salmon with little or no physical effort. I don't think it is equitable for commercial fishers from districts 1 - 3 to have to manually dip baskets into the river with only a 5' diameter hoop and basket to try and commercially harvest surplus summer chum salmon while allowing chinook salmon to pass up the river to spawning grounds.

PROPOSED BY: John H. Lamont (EF-F18-062)
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PROPOSAL 100

5 AAC 05.310. Fishing seasons, and 5 AAC 05.369. Yukon River Coho Salmon Management Plan.

Open and close the commercial fishery for fall chum and coho salmon in the Yukon Area by emergency order, as follows:

5 AAC 05.310. Fishing seasons

Except as provided in 5 AAC 05.320 - 5 AAC 05.380, salmon may be taken only as follows:

(1) in Districts 1, 2, and 3, the commissioner shall open **and close** the season by emergency order [AND CLOSE THE SEASON ON OR BEFORE SEPTEMBER 1 AT 12:01 A.M. BY EMERGENCY ORDER];

(2) in District 4: except as specified in 5 AAC 05.369, in Subdistricts 4-A, 4-B, and 4-C, the commissioner shall open **and close** the season by emergency order [AND CLOSE THE SEASON ON OR BEFORE OCTOBER 1 AT 12:01 A.M. BY EMERGENCY ORDER];

(3) in District 5, in all subdistricts, the commissioner shall open **and close** the season by emergency order [AND CLOSE THE SEASON ON OR BEFORE OCTOBER 1 AT 12:01 A.M. BY EMERGENCY ORDER];

5 AAC 05.369. Yukon River Coho Salmon Management Plan

(e) In a year when a directed commercial coho salmon fishery is opened under this section in

(1) Districts 1, 2, and 3, the commissioner shall close [,BY EMERGENCY ORDER] the coho salmon fall season **by emergency order** [NO LATER THAN SEPTEMBER 10];

(2) Subdistrict 5-A, and Districts 4 and 6, the commissioner shall close [BY EMERGENCY ORDER,] the coho salmon fall season **by emergency order [**NO LATER THAN OCTOBER 5];

What is the issue you would like the board to address and why? Remove the set dates for closing the fall chum salmon and coho salmon fall season fisheries in all districts and subdistricts within the Yukon Area: Climate change is most likely responsible for alterations in environmental conditions and salmon migrations in many Alaskan rivers, including the Yukon River. In recent years, there has been a desire to fish later in the fall fishing season in some sections of the Yukon Area because of later running fall season salmon and also because of delayed ice formation on the river. However, both the fall chum and coho salmon fall season fisheries throughout the Yukon Area close by a set date in regulation, unless closed earlier by emergency order. Because salmon migrations, as well as environmental conditions, have been altered by climate change, we seek to remove all set closure dates for the fall season fisheries and recommend that the closures occur through emergency order.

Note that an emergency petition was accepted by the BOF and a proposal was generated for deliberation at the March 2018 statewide meeting that removed the October 1 closure date for the District 6 fall season fishery, **5 AAC 05.310 (4)**. This proposal was passed unanimously by the BOF at this meeting. The basic rationale for removing the set dates for the all other Yukon fall seasons fisheries is similar. This proposal, with the suggested language, replaces the set closure date for all fall season fisheries throughout the Yukon Area with a closure specified by emergency order. If nothing is done, an emergency regulation may be requested in several years to extend the fisheries beyond the closure date in several districts and/or subdistrict fall season fisheries. The removal of the set date in lieu of closing the seasons by emergency order is not anticipated to have

any negative effects on the commercial or the subsistence fisheries. Additionally, it would allow the department more control of the termination of the fall season fisheries within the Alaskan portion of the Yukon River Drainage. This would benefit the commercial fishers of the Yukon Area by allowing them to fish longer and possibly harvest more fish during the fall season fisheries.

PROPOSED BY: Yukon Delta Fisheries Development Association (HQ-F18-079)

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PROPOSAL 101

5 AAC 05.200. Fishing districts and subdistricts.

Include the Pastolik and Pastoliak Rivers in District 1 of the Yukon Area, as follows:

5 AAC 05.200. Fishing districts and subdistricts (a) District 1 consists of that portion of the Yukon River drainage from the latitude of Point Romanof extending south and west along the coast of the delta to the terminus of Black River upstream to the northern edge of the mouth of the Anuk River and all waters of the Black**, Pastolik and Pastoliak** River**s**.

What is the issue you would like the board to address and why? I would like the Board to include the Pastolik and Pastoliak Rivers in the Lower Yukon District Y-1. These two rivers are similar in nature to the Black River (located in the southern boundary of Lower Yukon District Y-1) and should be included in the Lower Yukon District Y-1.

PROPOSED BY: John H. Lamont (EF-F18-055)

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PROPOSAL 102

5 AAC 05.350. Closed waters.

Repeal closed waters within 500 yards of the mouth of the Pastolik River and the Pastoliak River, as follows:

5 AAC 05.350. Closed waters

(11) repeal

It would just repeal the language in 5 AAC 05.350 Closed waters (11)

What is the issue you would like the board to address and why? Repeal (11) the waters within 500 yards of the mouth of Pastolik River and Pastoliak River, as specified in 5 AAC 39.290 (a)(2);

So that the Yukon River District Y-1 commercial fishers can commercially fish within these two rivers located within Yukon District Y-1.

PROPOSED BY: John H. Lamont (EF-F18-059)

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PROPOSAL 103

5 AAC 05.350. Closed waters.

Repeal closed waters in the lower three miles of the Pastolik and Pastoliak rivers, as follows:

Repeal 5 AAC 05.350. Closed waters (11)

5 AAC 05.350. Closed waters
Salmon may not be taken in the following waters:
(11) the waters [WITHIN 500 YARDS OF THE MOUTH] of the Pastolik River and Pastoliak River upstream from a point located 3 miles up each river [AS SPECIFIED IN 5 AAC 39.290(a)(2);]

Allow commercial fishing in both river drainages like the Black River, stat area 334-11.

What is the issue you would like the board to address and why? Replace the current regulation that closes the waters within 500 yards of the mouth and all the waters of the Pastolik and Pastoliak Rivers with a regulation that closes the upstream waters of the Pastolik and Pastoliak Rivers from a point located 3 miles upstream in each river.

Changing this regulation would allow commercial and subsistence fishing in the lower 3 miles of each river. Extremely shallow water and the presence of numerous, persistent sandbars outside the mouth of these rivers preclude any fishing outside the mouths of these rivers.

We believe that fish originating in the Yukon River, mill in these rivers before continuing their migration to and up the Yukon River. Fishers catch the salmon as they are exiting the Pastolik and Pastoliak Rivers after milling in them. This is the same rationale for allowing commercial and subsistence fishing within the Black River, statistical Area 334-11, of the Yukon Area. http://www.adfg.alaska.gov/static/fishing/PDFs/commercial/yukon/yukon_district1.pdf

If nothing is done, fishers who have traditionally fished within these rivers will continue to be disenfranchised from the commercial and subsistence fishery.

PROPOSED BY: Cyril Okitkun (HQ-F18-037)
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COUNCIL OF ATHABASCAN TRIBAL GOVERNMENTS
&
GWICHYAA ZHEE GWICH'IN TRIBAL GOVERNMENT

YUKON FLATS MOOSE MANAGEMENT PLANNING MEETING
MEETING NOTES & OUTCOMES

Fort Yukon, Alaska April 26th - 27th 2018
Chief Esias Loola Tribal Hall

DINJIK EEGIRIHEEKHYAA (TALKING ABOUT MOOSE) ~ GWINZlI GWARANDAlI (LIVING GOOD)

ATTENDEES

Wilbert Kendi & Debbie Tritt-Kendi	Arctic Village Council
Paul Williams Sr.	Beaver Village Council
William James & Cheryl James	Birch Creek Village Council
Everett Nathaniel & Bryan Joseph	Chalkyitsik Village Council
Charlie John	Circle Village Council
Michael Peter, Clayton Tackett, Isaac Peter	GZ Gwich'in Tribal Govt
MaryAnn Wiehl	Rampart Village Council
Bobby Tritt	Venetie Village Council
Bruce Thomas, Robert Solomon, Carrie Stevens	CATG
Joe Matesi	Draanjik Working Group
Beth Lenart, Jason Caikoski	Alaska Dept of Fish & Game
Nathan Hawkaluk, Vince Mathews, Mimi Thomas Nikki Guldager, Mark Bertram	Yukon Flats Natl Wildlife Refuge
Ron Englishoe, Mary Beth Solomon, Belva Ansaknok	GZ Gwich'in Tribal Members

Gino Mahler, Ray Solomon, Gerald Alexander, Andrew Ansaknok, Percy Herbert, Walter Peter Jr., Walter Solomon, Paul Shewfelt, Bonnie Thomas, John Solomon, Cindy Shewfelt, Linda Horace, Sarah Knudson

Summary, Opening Discussion, All Attendees

Indigenous Knowledge. Traditionally, the people of the Yukon Flats lived all across the landscape moving from place to place, there is a deep and rich system of traditional knowledge of place. Many observations over generations continue to lead to knowledge and understanding of moose habitats, populations, and behaviors.

Tribal Sovereignty. Tribal Governments are sovereign, and as such must pass policies, codes, and ordinance to regulate use in their areas. There always must be concern for how we can benefit tribal members.

Yukon Flats Moose Population and Habitat. Yukon Flats moose population is improving, but still not a high-density population. Observed and perceived impacts to the moose population include habitat, predation, climate change, oil and gas development in the Arctic Refuge and Doyon Limited land base, mining in the Chandalar, and increased outside hunters and guiding. Predation by bears and wolves is a factor, with primarily black bears taking a toll. Habitat quality is a critical factor in moose populations. Climate change is impacting moose habitat, with willow browse expanding and late rains causing thick crusts on the snow making moose easily accessible to predators. There is an increase in moose populations near Arctic Village. The Yukon Flats habitat can support more moose. Moose population surveys are completed every 3 years, pending weather conditions and budgets.

Historically, patterns of moose migration can be noted. Today, Yukon Flats moose are not known to migrate with cow moose staying in their home range. Cow moose are very predictable, found in their same location during fall and spring observations. Previously (in the 70s and 80s) there was a lot of cow harvest creating barren areas around villages, even in good moose country. When you take cow moose you create barren country.

Hunter Conflict. 25 D West is under a federal permit system, 25 D East is not. Hunter conflict is a notable issue within the Yukon Flats. Hunter conflict is increased in areas with easy access (Dalton Highway to Yukon River Bridge, Steese Highway to Circle, Porcupine River corridor) and guiding areas (Salmon River). Non-native, non-local hunters are perceived as disrespecting local hunters and animals. Increased monitoring of non-native, non-local hunters, guiding, air traffic, and wanton waste is needed.

Debbie Tritt-Kendi Arctic Village Council

Salmon River is the bread basket of Fort Yukon and Chalkyitsik. Bear and moose guiding is of concern. There is great concern regarding the transfer and use of a guiding license in the area, and that the Yukon Flats National Wildlife Refuge did not, nor does not, consult with affected Tribal Governments when issuing guiding permits. The guiding permit was easily transferred by the Refuge Manager, as there is only one guide applicant in the area and guide permits within the Refuge are few and uncompetitive. Guides must follow 36 permit conditions during the 5 year life of their permit. The current permit in the Black River as discussed is for 2 moose/year, 4 brown bears, 4 black bears, and 5 wolves only.

Summary, 25 D West Federal Moose Hunt, Vince Mathews USFWS

Summary of Federal Subsistence Board actions affecting 25D at April meeting:

WP 51	passed	statewide bear baiting aligns with state restrictions

WP 52	failed	25D remainder moose season extended
WP 53 A	passed	customary and traditional use determination for 25B now includes residents of 20D/20 E/25 B and for 25 C now includes residents of 25 C/25 D/Tok/Livengood (both were formerly all rural residents)
WP 53 B	passed	moose season in 25 B extended to October 7th

Arctic Village Sheep Management Area Remains Closed to non-federally qualified users.

Beaver Traditional Chief Paul Williams Sr. and Vince Mathews, USFWS

Invite the Eastern Interior Regional Advisory Council to meet in your village. Public concern noted that the RAC is dominated by commercial hunting guides. The Yukon Flats Advisory Committee is another voice that has influence. Harvest data is extremely important to demonstrate need, how many days (hunter effort), travel methods, and locations. Harvest data is critical to protect traditional use and traditional use areas.

25D West is a Controlled Use Area. Within the federal permit system the villages are authorized to distribute permits. The harvestable surplus in set at 60 moose, with 25 allocated to Stevens Village, 25 to Beaver, and 10 to Birch Creek to federally qualified users (residents of Stevens, Beaver, and Birch Creek). Failure to report could limit hunting in the future, there is low compliance with reporting.

Federal hunt guidelines are applicable on federal public lands only, all state managed lands (i.e. Alaska Native Corporation) fall within the state Tier 2 permit system. Tribal concern that people are being criminalized for following the teaching of their elders. There should be consideration to align the state and federal hunts, the Refuge can help with a proposal.

Moose Habitat Quality, Yukon Flats/Koyukuk River, Nikki Guldager USFWS

Nikki Guldager, Wildlife Biologist and Pilot, Yukon Flats National Wildlife Refuge, presented results from a study comparing low density moose habitat of the Yukon Flats with high density habitat on the lower Koyukuk River. Nikki, Delia Vargas Kretsinger, Yukon Flats National Wildlife Refuge, and Aimee Rockhill, Koyukuk National Wildlife Refuge, were co-leaders of the project. They found that tall and decadent willows were common at Yukon Flats (YF) and not at Koyukuk, current year willow stems were fewer and had smaller diameters at Yukon Flats than at Koyukuk, and willow leafblotch miner was common at Yukon Flats and not at Koyukuk. Potential factors contributing to these difference may include: 1) lack of browsing on YF to trigger compensatory growth of willows, 2) lack of ice scouring on YF to trigger mechanical succession of willows, 3) less flooding at YF for new stand establishment and transport of nutrients for healthy stem growth, 4) dryer, sandier

soils on YF surrounding drying wetlands may lack water for healthy stem growth, and 5) drought stress may make willows vulnerable to willow leafblotch miner on YF, stressing the plants and potentially causing poor growth. Continued investigation into these findings will help determine the relative importance of biological and environmental factors required to maintain productive moose habitat on Yukon Flats.

Status of Moose Population 25 D West, USFWS - Mark Bertram, Supervisory Wildlife Biologist, Yukon Flats National Wildlife Refuge, presented an update on the status of moose in the western Yukon Flats. He discussed aerial methods used to estimate the moose population, the findings from surveys conducted since 1999 including a summary from the most recent 2015 survey, and results from a moose movement study. In addition he presented preliminary results of a recently implemented lyxn/snowshoe hare study.

Status of Moose Population 25 D East, ADF&G - Jason Caikoski, Wildlife Biologist at the Alaska Dept. of Fish and Game, gave a presentation on moose in the eastern Yukon Flats. The first section of the talk focused on the GSPE moose survey that is periodically conducted in the eastern portion of 25D. He showed maps of the area surveyed and results from past surveys conducted. The most recent survey estimated 0.34 moose/mi2, 35 bulls:100 cows, 7 yearling bulls:100 cows, and 80 calves:100 cows. The next survey is planned for fall 2018, if snow conditions and weather allows.

The second section of his talk focused on harvest reporting and the complicated moose regulations in 25D which include green harvest card general seasons, State Tier II, and Federal subsistence seasons. He talked about the various ways that harvest is reported or estimated (reports from permits, general season harvest cards, CATG household surveys, ADF&G Div. of Subsistence harvest estimates). He talked about the importance of reporting harvest and accurately documenting use of moose so that informed decisions could be made in conjunction with biological data by working groups, advisory committees, the BOG, RAC's, and the Federal Subsistence Board.

Summary, Day 1 Closing Comments, All Attendees

Predator Management. We need to know the status of predator populations and harvest. State predator management projects are highly expensive and in conjunction with other efforts it is scientifically difficult to demonstrate their effectiveness. Predator control must be continual to be effective. A plan for necessary regulatory changes, including predator bag limits needs to be developed and implemented (5 black/ 2 grizzly). Bear and wolf clinics need to be held, including trapping classes in schools. Yukon Flats Fur Coop needs to be revisited to encourage harvesting bears and wolves.

Harvest Reporting and Data. Accurate harvest data collection is necessary to protect our needs. Years of mistrust between Tribal peoples and state/ federal agencies limits accurate reporting. Tribal collection of harvest data with better trust will produce better data. Refuge notification to Tribal Governments on guiding permitting is necessary.

Indigenous Knowledge Transmission. We need to go back out to the land, respect one another, speak our language, own our gardens, stories, arts and crafts. The elders set the direction for our people. Youth are the future, they need outreach, role models and cultural camps. USFWS supports doing more clinics with elders as the trainers.

Summary, Day 2 Discussion, All Attendees

Tribal Sovereignty. More collaboration and communication with Tribal Governments is necessary. Information from Native people is not taken as fact, we need to change this, we need support from USFWS. We control ourselves as native people when we hunt and when we do something, we need USFWS to control outside use of our area. USFWS needs to know and control who is coming into our country, a checkpoint for safety. "Hard times for use is doing, reading, and understanding regulations." Our future as a people requires us to work with USFWS to make the most of the Yukon Flats.

Cultural Livelihood. Our traditional values guide us, we learn from one another, we need to protect our traditional lands and areas. Respect. Share. Love. We need to talk with one another in our villages, take care of one another, share with one another. Living off the land is our way of shopping. We need to keep it clean, pray, and share.

Indigenous Knowledge Transmission and Youth Engagement. We need to teach our children who they are, where they come from, our songs our relationship with the world around us. We need to take our youth out, speak in our language, be out on the land, and take care of the land. The youth are so important, we need them here. We need to get permission from the schools, we need to pass on traditions. They are our future leaders, we need to take responsibility and push this. Our grandchildren watch us. Elders new more by the time they were 18-20 than we know now as adults. There is concern for the youth, only a few families are able to take their children out.

Harvest Reporting and Data. People don't want to share harvest information but reporting is critical, we are underreporting our harvest and we need the honest count of our harvest. Conducting moose harvest at the local level with respect and kindness needs to be funded. The villages can get a better count because of our approach and trust.

Yukon Flats Moose Population and Habitat. Understanding moose populations involves complexity of habitat and climate change. The Yukon Flats moose population is stable, climbing, and a good population for local users. Moose breeding studies are needed, that examine seasonality and location, we can document our experiences throu photos.

Predator Management. Since Moose Management Planning and education, we are not taking cow moose and it's helping the moose population. Getting back on the land is important to practice harvest of predators. More snaring/trapping clinics need to be held.

Climate Change and Wildfire Impacts. Global warming is changing the landscape. Fire patterns are changing, and fire can be necessary to let it burn and burn hot. Fire is nature's way of taking care of disease and vegetational growth. We see our birds disappearing, it is just like they are gone.

Moose Hunter Success, Todd Brinkman UAF

Todd Brinkman provided a summary of past and current research partnerships between UAF and CATG that are relevant to moose management. During 2009-2012, Brinkman collaborated with Venetie and Fort Yukon to assess how climate-related changes in the environment are impacting the availability of wildlife. This study found that a changing environment is having a disproportionately large impact on hunters' ability to access hunting areas, compared to the effects on wildlife abundance and distribution. Adding to environmental challenges, Brinkman provided results from a household survey on the effects of fuel costs on traditional harvest activities. Findings revealed that high gas prices have reduced (up to 50%) both the number of trips people are willing to make and the distance that they are willing to travel while moose hunting. More recent research has focused on collaborating with communities to identify and document specific environmental conditions that are affecting travel across the Flats and access to traditional use areas. Dangerous ice during the winter, and shifting water levels and erosion during the summer were the most documented environmental conditions that are affecting local residents. Brinkman expressed interest in continuing to work with CATG to help Yukon Flats communities prepare for and adapt to ongoing changes in the environment.

Hunter Ethics, Nathan Hawkaluk USFWS

Nathan Hawkaluk provided a brief presentation (power point originally developed by EIRAC member Andy Bassich) introducing the issue of hunter conflict in the Interior Region. The issue is becoming more widely recognized across the state including the Yukon Flats villages and across the Eastern Interior Region. The EIRAC has been supporting an effort to address the hunter conflict issue beginning with an initial stakeholder meeting in the fall of 2017. From that initial meeting, 3 pilot projects were proposed including a project that would be focused in the Ft. Yukon area. Hawkaluk presented the pilot project concept, a community based Hunter Liaison. This liaison position would be hired locally through CATG and working with Refuge staff, would meet and greet visiting hunters at the airport to deliver a community developed message regarding hunting and provide hunters with meat bags if they were interested in donating any extra meat to the community. This pilot project was funded by the USFWS for the 2018 hunting season. Initial efforts and results will be reported to the EIRAC at the spring meeting. A report will also be drafted to share at the next moose management meeting.

GOALS/ACTIONS, NEXT MOOSE MANAGEMENT MEETING, 2020

Goal

- Sustain a healthy and viable moose population in the Yukon Flats

Tribal/USFWS/ADFG Working Relationship

- Implement Government to Government Consultation, Communication, and Cooperation
    - Establish MOA for USFWS Notification of Tribes Regarding Guiding Permits
    - Attend Tribal Council Meetings

- Quarterly Updates through Newsletters – USFWS/ADFG/Tribal Governments/CATG NR
- Gwichyaa Zhee Gwich'in Tribal Government Issuing Permits to Tribal Members

Moose Stewardship
- Complete Moose Population Survey in 2 years (2018/2019)
- Collect Accurate Harvest Data for Moose and Predators by Tribal Governments
- Document Climate Change Impacts to Moose Habitat, Behavior, Population

Hunter Conflict
- Establish MOA for USFWS Notification of Tribes Regarding Guiding Permits
- Provide Guide Information and Education to Tribal Governments, Invite Guides to Future Meetings
- Establish Community Hunting Liaison Position

Predator Stewardship
- Apply for Tribal Wildlife Grants in September 2018
- Hold Trapping Clinics
- Address Harvest by Predators (Institute Bear Derby)
- Investigate Reopening Yukon Flats Fur Coop/Establishing Local Fur Buyer/Selling Bear Hides

Youth Involvement/Education
- Raise Youth Awareness, Implement School Programs
- Have Youth Attend Next Meeting

Summary, Tribal Closing Comments

Blessing, respect, honor, trust, learning, sharing, involvement, cooperation, youth, working together. We must take what we have learned home and share it with our people. We must collect accurate harvest data thru our people, it is important. We must keep working together and keep our mind on things we can do together. We must expand programs to include our young people.

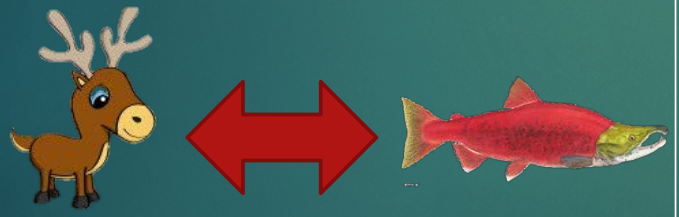
Photo credits: Ray Solomon.

Customary Trade & Barter
in the Upper Yukon Region
EIRAC Meeting
October 2018
Brooke McDavid
ADFG Division of Subsistence
(907) 328-6120
brooke.mcdavid@alaska.gov
ALASKA
DEPARTMENT OF FISH AND GAME

Definitions

Barter

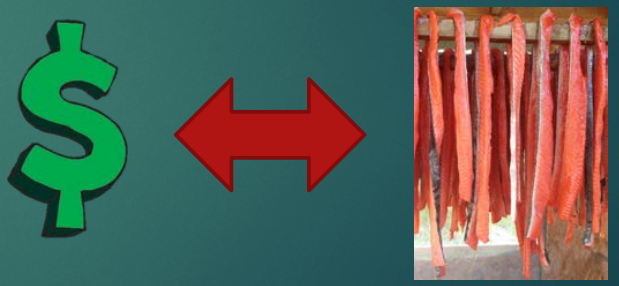
Exchange of one subsistence resource for another resource



Ex: "trading" your neighbor caribou for salmon

Customary Trade

Exchange of a subsistence resource for limited amounts of cash



Ex: buying or selling salmon strips

Customary Trade, is it legal?

3

Legal under **state law?** On the Yukon, **NO**	Legal under **federal law? YES, but**…
Customary trade is prohibited by State law, *unless specifically allowed* by the Alaska Board of Fisheries. This hasn't happened for the Yukon…yet	The fish must be caught in waters that are next to federal land Only rural Alaska residents are allowed under Federal regulations to sell subsistence fish. Non-rural individuals who purchase subsistence fish must use the fish for personal or family consumption and cannot resell it. Also, they can only buy it if the Yukon River isn't in a state of conservation. Fish must be processed in a way that complies with health safety standards or sold whole and uncut. This means strips or jarred salmon would **not** be legal even for rural residents

What do we know about customary trade on the Yukon?

4

- Customary trade is a longstanding historical practice
- Selling fish is not typically a for-profit effort but rather an extension of the sharing economy
- It happens in every region of the river
- Little documentation of actual transactions

Prior Studies:

- Wolfe (1981)
- Fienup-Riordan (1986)
- Moncrieff (2007)
- Brown et al. (2015)

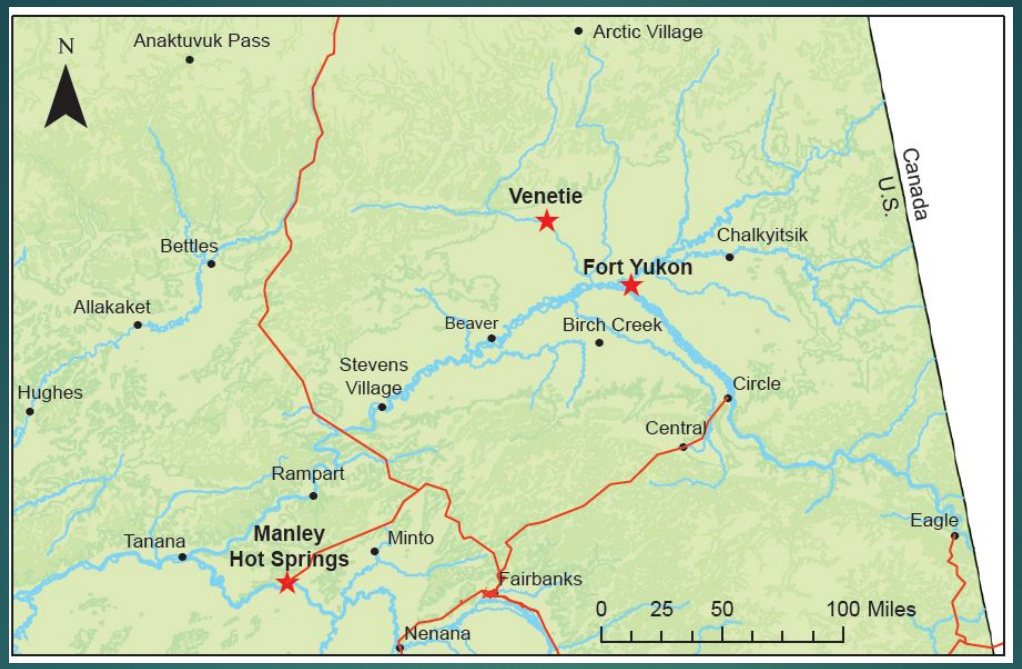
Research Objective & Methods

5

- **Objective:**
  - Improve the understanding of barter and customary trade in the Upper Yukon region

- **Methods:**
  - Household surveys
    - *Participation in barter or customary trade*
    - *Motivations for bartering or trading*
    - *Types and amounts of resources exchanged*
  - Ethnographic interviews
    - *Local nature of barter and customary trade*
    - *Personal and community history of salmon exchange*

Study Communities:

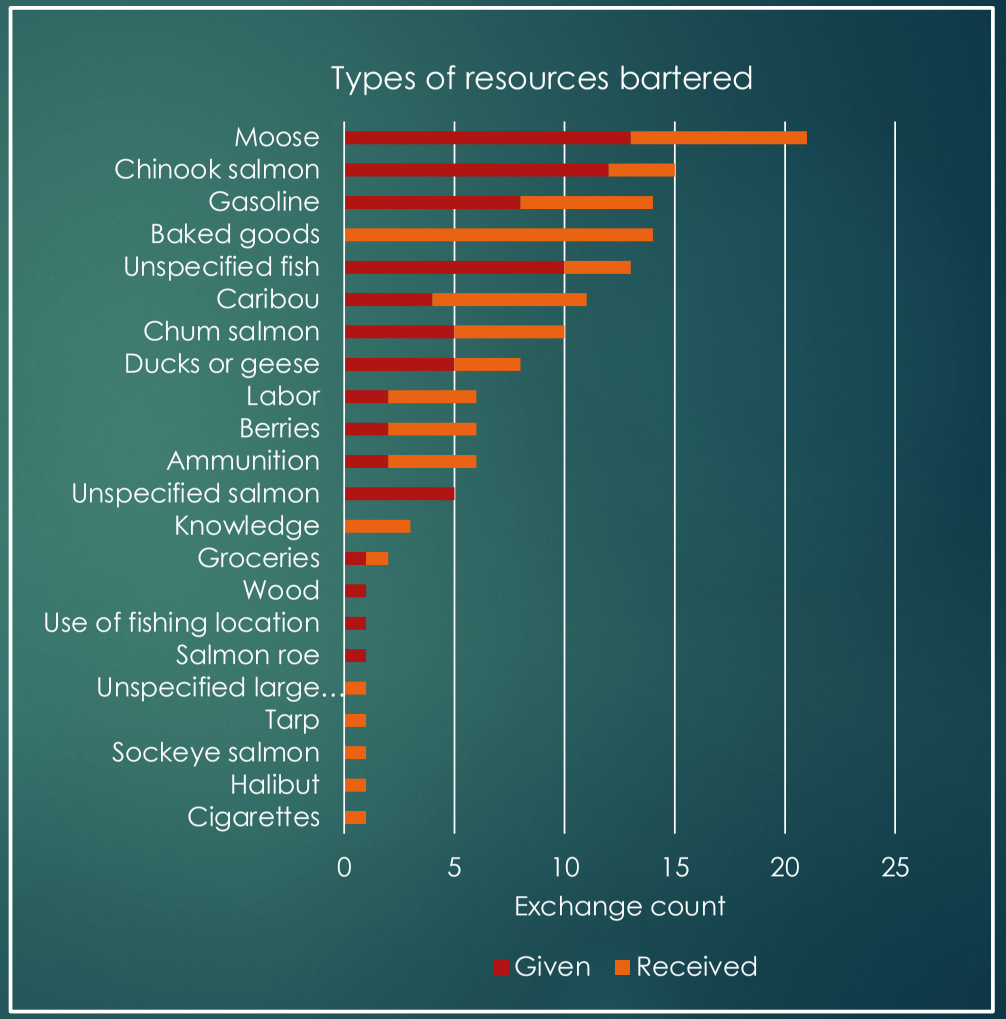


Community	Surveys	Interviews
Fort Yukon	64	7
Venetie	26	5
Manley Hot Springs	25	5
Total	**115**	**17**

Results: Barter

7

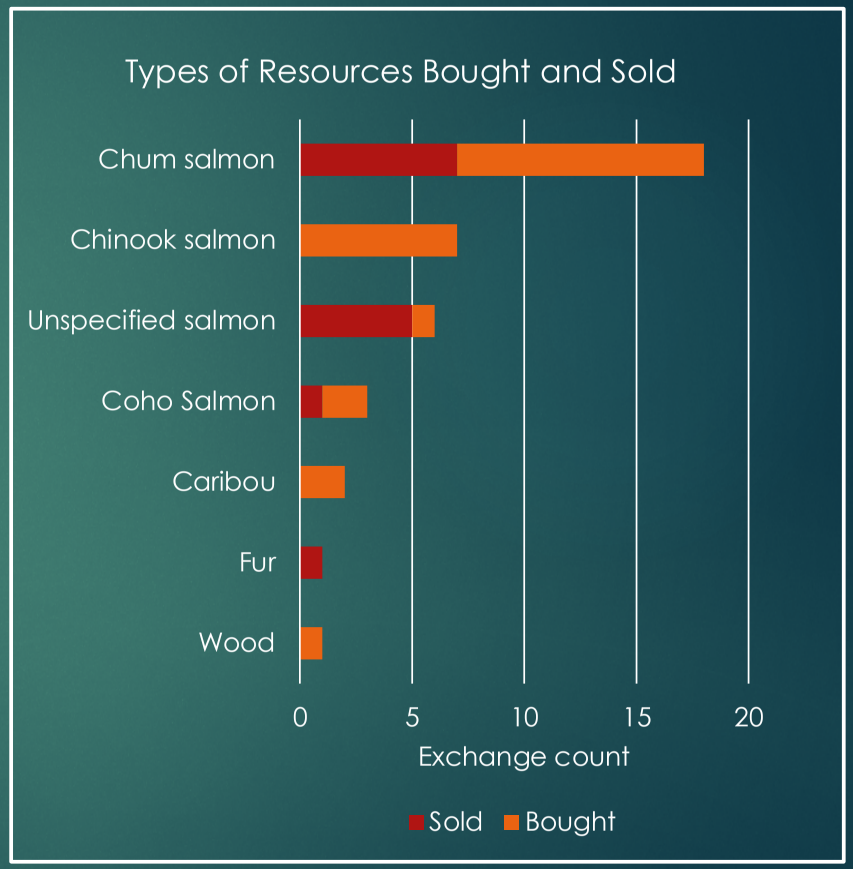
- **BARTER:**
  - 40 of 115 households reported barter (35%)
  - Total of 72 barter transactions (~2 exchanges per bartering household)
  - 72% of barter transactions occurred within the study communities



Results: Customary Trade

8

- **Buying**
  - 21 of 115 households reported buying (18%)
  - Total of 24 **buying** transactions (~1 per household)
- **Selling**
  - 6 of 115 households reported selling (5%)
  - Total of 13 **selling** transactions (~2 per household)
- Transactions ranged from $5 to $1000, but averaged $58
- 62% of customary trade transactions occurred within the study communities



Results: Customary Trade

9

"Customary trade is okay as long as it stays within reasonable bounds and people don't make a business out of it. Some people need it because they may be too old to hunt or fish or berry pick for themselves or may not have the gear or equipment"
(Manley Hot Springs resident)

"There's no financial gain, it's just to provide something, just to provide some Native food and in exchange get some gas money."
(Fort Yukon resident)

"Indigenous lifestyle involves integrity. 99% of our population does not abuse the system but there are always buttheads in every population who break rules. It is too bad that a few bad people give everyone else a bad rap. Subsistence isn't a business." (Venetie resident)

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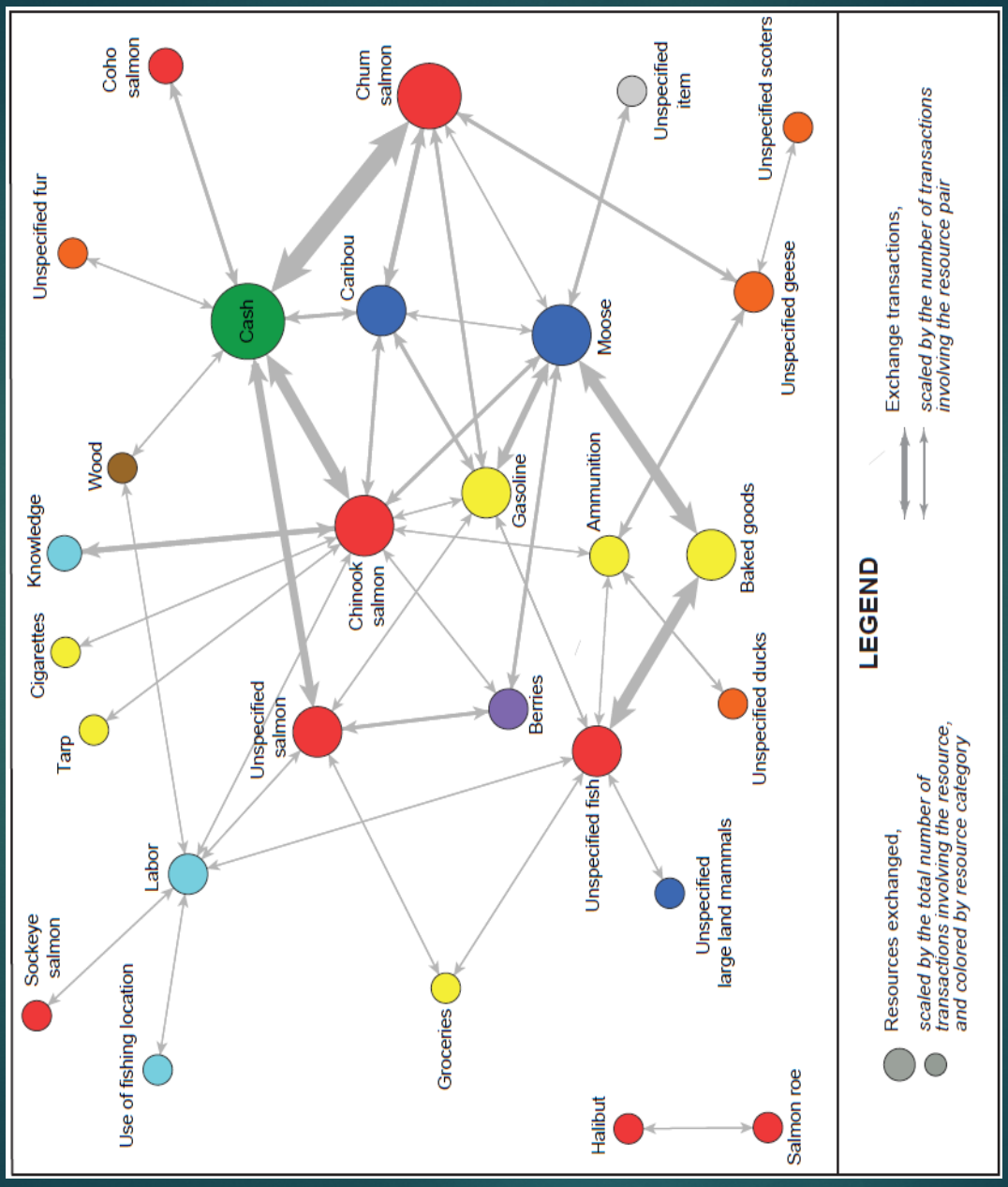
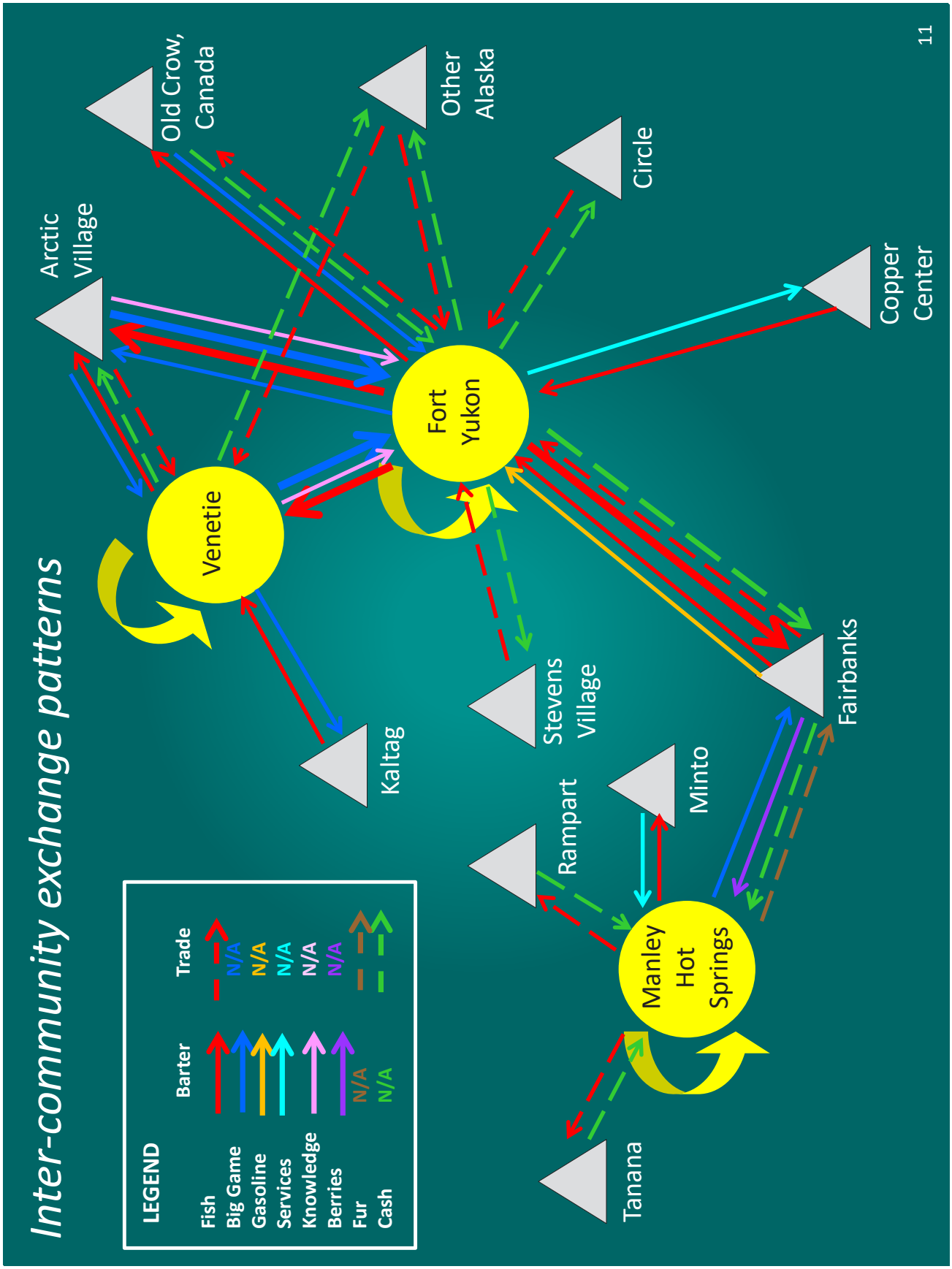
Resource exchange patterns




Inter-community exchange patterns
LEGEND
Fish
Big Game
Gasoline
Services
Knowledge
Berries
Fur
Cash
Barter
Trade
N/A
N/A
N/A
N/A
N/A
N/A
N/A
Old Crow, Canada
Other Alaska
Circle
Arctic Village
Copper Center
Fort Yukon
Venetie
Fairbanks
Kaltag
Stevens Village
Rampart
Minto
Manley Hot Springs
Tanana
11

Conclusions

- Despite the legal definitions, barter and customary trade in the Upper Yukon region are best understood as a continuum of exchange practices rather than discrete practices that never overlap. It's easy for sharing to turn into barter and for barter to turn into customary trade.
- Reasons for participation in exchanges include: the needs of one or both parties in an exchange, access to a greater variety of wild foods or supplies needed for subsistence, maintaining social relationships and the desire to pass on cultural values
- Frequency of participation varied: some households have established barter or trade relationships that they utilize on a seasonal basis, while others participate only when the opportunity presents itself.
- Barter and customary trade occurred on a small scale, both in terms of the number of total transactions and the total amounts of resources and goods exchanged.
- Most barter and customary trade exchanges occur within communities. Most of the exchanges that happened between communities took place within the region.

Thanks for your time!

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Questions?

Full report available at:
www.adfg.alaska.gov/techpap/TP%20437.pdf

Winter 2019 Regional Advisory Council Meeting Calendar

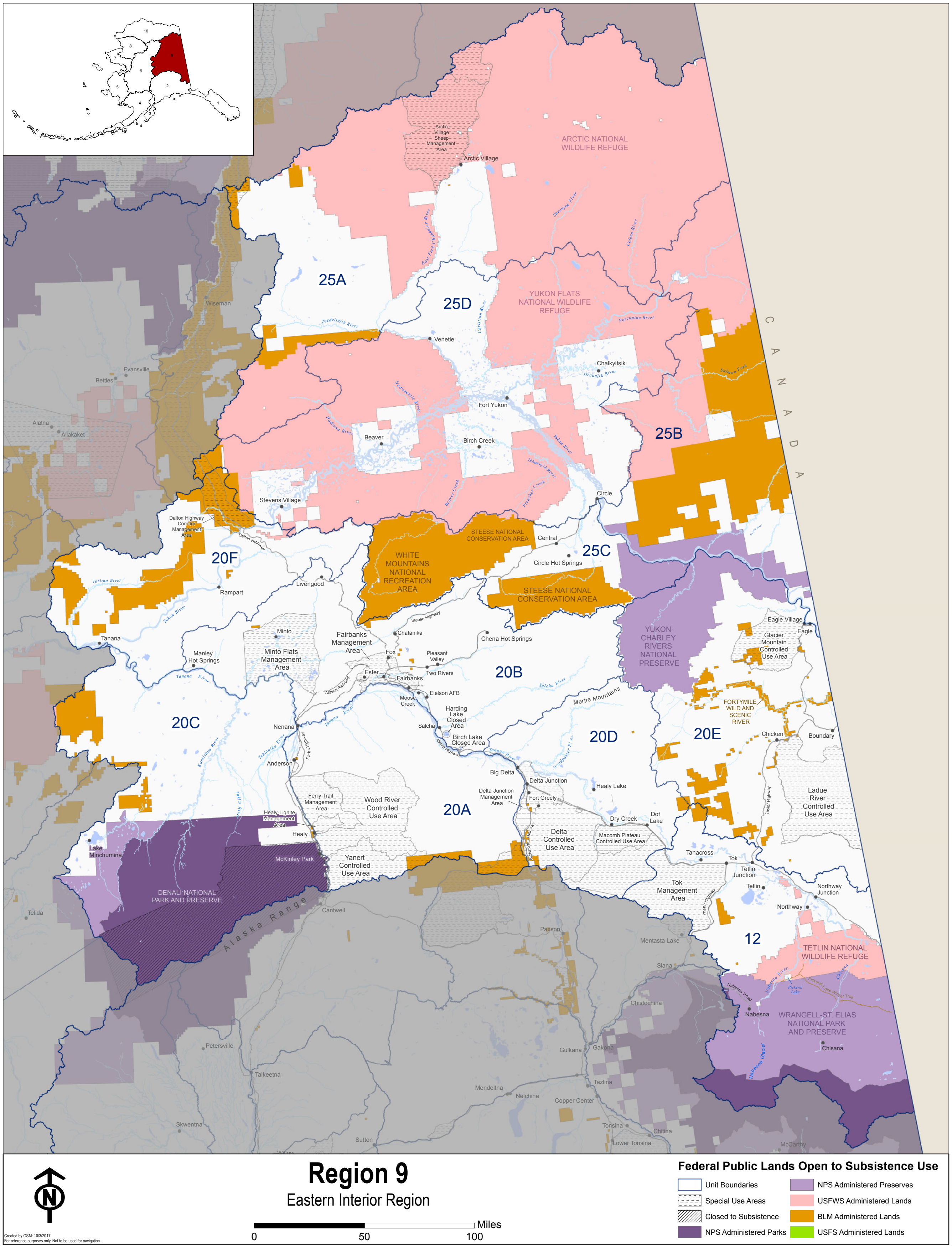
Due to travel budget limitations placed by Department of the Interior on the U.S. Fish and Wildlife Service and the Office of Subsistence Management, the dates and locations of these meetings will be subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Feb. 3	*Feb. 4* *Window Opens*	*Feb. 5* **BB — Naknek**	*Feb. 6*	*Feb. 7*	*Feb. 8*	*Feb. 9*
Feb. 10	*Feb. 11*	*Feb. 12* **SE — Wrangell**	*Feb. 13* **NS — Utqiaġvik**	*Feb. 14*	*Feb. 15*	*Feb. 16*
Feb. 17	*Feb. 18* ***PRESIDENT'S DAY*** ***HOLIDAY***	*Feb. 19*	*Feb. 20* **WI — Fairbanks**	*Feb. 21* **KA — Kodiak**	*Feb. 22*	*Feb. 23*
Feb. 24	*Feb. 25*	*Feb. 26* **SC — Anchorage**	*Feb. 27* **NWA — Kotzebue**	*Feb. 28*	*Mar. 1*	*Mar. 2*
Mar. 3	*Mar. 4*	*Mar. 5* **EI — Fairbanks** **SP — Nome**	*Mar. 6*	*Mar. 7*	*Mar. 8*	*Mar. 9*
Mar. 10	*Mar. 11*	*Mar. 12* **YKD — Bethel**	*Mar. 13*	*Mar. 14*	*Mar. 15* *Window Closes*	*Mar. 16*

Fall 2019 Regional Advisory Council Meeting Calendar

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. 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*
Sept. 1	*Sept. 2* **LABOR DAY HOLIDAY**	*Sept. 3*	*Sept. 4*	*Sept. 5*	*Sept. 6*	*Sept. 7*
Sept. 8	*Sept. 9*	*Sept. 10*	*Sept. 11*	*Sept. 12*	*Sept. 13*	*Sept. 14*
Sept. 15	*Sept. 16*	*Sept. 17*	*Sept. 18*	*Sept. 19*	*Sept. 20*	*Sept. 21*
Sept. 22	*Sept. 23*	*Sept. 24*	*Sept. 25*	*Sept. 26*	*Sept. 27*	*Sept. 28*
Sept. 29	*Sept. 30*	*Oct. 1*	*Oct. 2*	*Oct. 3*	*Oct. 4*	*Oct. 5*
Oct. 6	*Oct. 7*	*Oct. 8*	*Oct. 9*	*Oct. 10*	*Oct. 11*	*Oct. 12*
Oct. 13	*Oct. 14* **COLUMBUS DAY HOLIDAY**	*Oct. 15*	*Oct. 16*	*Oct. 17* **AFN — Fairbanks**	*Oct. 18*	*Oct. 19*
Oct. 20	*Oct. 21*	*Oct. 22*	*Oct. 23* **NS — Utqiagvik**	*Oct. 24*	*Oct. 25*	*Oct. 26*
Oct. 27	*Oct. 28*	*Oct. 29*	*Oct. 30*	*Oct. 31*	*Nov. 1*	*Nov. 2*
Nov. 3	*Nov. 4*	*Nov. 5*	*Nov. 6*	*Nov. 7*	*Nov. 8*	*Nov. 9*



Region 9
Eastern Interior Region
Federal Public Lands Open to Subsistence Use
Unit Boundaries
Special Use Areas
Closed to Subsistence
NPS Administered Parks
NPS Administered Preserves
USFWS Administered Lands
BLM Administered Lands
USFS Administered Lands
Miles
0
50
100
25A
25D
25B
25C
20F
20B
20C
20D
20E
20A
12
ARCTIC NATIONAL WILDLIFE REFUGE
YUKON FLATS NATIONAL WILDLIFE REFUGE
WHITE MOUNTAINS NATIONAL RECREATION AREA
STEESE NATIONAL CONSERVATION AREA
YUKON-CHARLEY RIVERS NATIONAL PRESERVE
FORTYMILE WILD AND SCENIC RIVER
DENALI NATIONAL PARK AND PRESERVE
TETLIN NATIONAL WILDLIFE REFUGE
WRANGELL-ST. ELIAS NATIONAL PARK AND PRESERVE
Arctic Village Sheep Management Area
Dalton Highway Corridor Management Area
Minto Flats Management Area
Fairbanks Management Area
Wood River Controlled Use Area
Ferry Trail Management Area
Yanert Controlled Use Area
Delta Controlled Use Area
Delta Junction Management Area
Macomb Plateau Controlled Use Area
Tok Management Area
Ladue River Controlled Use Area
Glacier Mountain Controlled Use Area
Harding Lake Closed Area
Birch Lake Closed Area
Healy Lignite Management Area
C A N A D A
Alaska Range
Arctic Village
Venetie
Chalkyitsik
Fort Yukon
Beaver
Birch Creek
Stevens Village
Circle
Central
Circle Hot Springs
Rampart
Livengood
Tanana
Manley Hot Springs
Minto
Chatanika
Chena Hot Springs
Fox
Pleasant Valley
Two Rivers
Ester
Fairbanks
Eielson AFB
Moose Creek
Salcha
Nenana
Anderson
Healy
McKinley Park
Cantwell
Big Delta
Delta Junction
Fort Greely
Healy Lake
Dry Creek
Dot Lake
Tanacross
Tok
Tetlin Junction
Tetlin
Northway
Northway Junction
Chicken
Boundary
Eagle Village
Eagle
Mentasta Lake
Slana
Nabesna
Chisana
Chistochina
Gakona
Gulkana
Tazlina
Copper Center
Tonsina
Lower Tonsina
Chitina
McCarthy
Mendeltna
Nelchina
Talkeetna
Petersville
Skwentna
Sutton
Telida
Lake Minchumina
Wiseman
Bettles
Evansville
Alatna
Allakaket
Paxson
Mertie Mountains
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Department of the Interior
U. S. Fish and Wildlife Service

Eastern Interior Alaska Subsistence Regional Advisory Council

Charter

1. **Committee's Official Designation.** The Council's official designation is the Eastern Interior Alaska 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)), 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 of, review, and evaluate 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.

(4) Recommendations concerning policies, standards, guidelines, and regulations to implement the strategy.

e. Appoint one member to the Wrangell-St. Elias National Park Subsistence Resource Commission and one member to the Denali 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.

i. Provide recommendations for implementation of Secretary's Order 3347: Conservation Stewardship and Outdoor Recreation, and Secretary's Order 3356: Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories. Recommendations shall include, but are not limited to:

(1) Assessing and quantifying implementation of the Secretary's Orders, and recommendations to enhance and expand their implementation as identified;

(2) Policies and programs that:

(a) increase outdoor recreation opportunities for all Americans, with a focus on engaging youth, veterans, minorities, and other communities that traditionally have low participation in outdoor recreation;

(b) expand access for hunting and fishing on Bureau of Land Management, U.S. Fish and Wildlife Service, and National Park Service lands in a manner that respects the rights and privacy of the owners of non-public lands;

(c) increase energy, transmission, infrastructure, or other relevant projects while avoiding or minimizing potential negative impacts on wildlife; and

(d) create greater collaboration with states, tribes, and/or territories.

j. Provide recommendations for implementation of the regulatory reform initiatives and policies specified in section 2 of Executive Order 13777: Reducing Regulation and Controlling Regulatory Costs; Executive Order 12866: Regulatory Planning and Review, as amended; and section 6 of Executive Order 13563: Improving Regulation and Regulatory Review. Recommendations shall include, but are not limited to:

Identifying regulations for repeal, replacement, or modification considering, at a minimum, those regulations that:

(1) eliminate jobs, or inhibit job creation;

(2) are outdated, unnecessary, or ineffective;

(3) impose costs that exceed benefits;

(4) create a serious inconsistency or otherwise interfere with regulatory reform initiative and policies;

(5) rely, in part or in whole, on data or methods that are not publicly available or insufficiently transparent to meet the standard for reproducibility; or

(6) derive from or implement Executive Orders or other Presidential and Secretarial directives that have been subsequently rescinded or substantially modified.

At the conclusion of each meeting or shortly thereafter, provide a detailed recommendation meeting report, including meeting minutes, to the Designated Federal Officer (DFO).

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 $175,000, including all direct and indirect expenses and 1.15 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 7, 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 of the advisory committee's and subcommittees' 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, it is renewed in accordance with the 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. A vacancy on the Council will be filled in the same manner in which the original appointment was made. Members serve at the discretion of the Secretary.

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 DFOs approval, subcommittees may be formed for the purpose of compiling information and 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.** Records of the Council, and formally and informally established subcommittees or other subgroups of the Council, shall be handled in accordance with General Records Schedule 6.2, and other approved Agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

Secretary of the Interior

DEC 0 1 2017

Date Signed

DEC 0 4 2017

Date Filed

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