



SOUTHEAST ALASKA SUBSISTENCE
REGIONAL ADVISORY COUNCIL
Meeting Materials

October 16 - 18, 2018
Sitka



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On the cover...

Pink Salmon spawning in shallow waters of a Prince William Sound tributary.



Photo by Milo Burcham, USFS

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SOUTHEAST ALASKA SUBSISTENCE REGIONAL ADVISORY COUNCIL

Sitka Tribal Community House
Sitka

October 16 – 18, 2018
8:30 a.m. daily

TELECONFERENCE: call the toll free number: **1-866-560-5984** , then when prompted enter the passcode: **12960066**

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, Introductions, and Announcements** (*Chair, Coordinator*)
- 5. Review and Adopt Agenda*** (*Chair*) 1
- 6. Special Election of Vice-Chair*** (*Chair*)
- 7. Review and Approve Previous Meeting Minutes*** (*Chair*) 5
- 8. Reports**
 - Council Member Reports
 - Chair’s Report
- 9. Service Awards**
 - Patty Phillips – 25 years of service
 - Robert Schroeder – 5 years of service
- 10. Public and Tribal Comment on Non-Agenda Items** (*available each morning*)
- 11. Old Business** (*Chair*)
 - a. Wolves – State Proposals
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- b. Eulachon Monitoring Update (*USFS*)
- 12. New Business (*Chair*)**
 - a. Fisheries Proposals*
 - FP19-17:** Modify the customary and traditional (C&T) use determinations for the Yakutat and Southeast Alaska Region so that all residents of Southeast and Yakutat would have a C&T determination for all fish (*OSM*) 21
 - FP19-18:** Modify the 5 ½ inch stretched mesh gillnet restriction to 6 ¼ inch stretched mesh in the Sockeye Salmon and Coho Salmon fisheries on the Stikine River (*USFS*) 53
 - FP19-19:** Closure of the Federal waters of Neva Lake, Neva Creek, and South Creek to the harvest of Sockeye Salmon by non-federally qualified subsistence users (*USFS*) 69
 - b. Fisheries Resource Monitoring Project (FRMP) Priority Information Needs* (*OSM, USFS*) 88
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- 13. Agency Reports**

(Time limit of 15 minutes unless approved in advance)

 - Tribal Governments
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- 15. Closing Comments**

16. Adjourn (Chair)

To teleconference into the meeting, call the toll free number: **1-866-560-5984**, then when prompted enter the passcode: **12960066**.

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 DeAnna Perry, 907-586-7918, dlperry@fs.fed.us, or 800-877-8339 (TTY), by close of business on October 1, 2018.

REGION 1

Southeast Alaska Subsistence Regional Advisory Council

Seat	Year Appointed <i>Term Expires</i>	Member Name and Community
1	2015 2019	Steve K. Reifentstahl Sitka
2	2004 2019	Frank G. Wright Jr. Hoonah
3	1993 2019	Patricia A. Phillips Pelican
4	2000 2019	Michael A. Douville Craig
5	2002 2019	Harvey Kitka Sitka Secretary
6	2014 2020	Robert F. Schroeder Juneau
7	2014 2020	Albert H. Howard Angoon
8	2002 2020	Donald C. Hernandez Point Baker Chair
9	 2018	VACANT
10	2015 2018	Raymond D. Sensmeier Yakutat
11	2010 2020	John A. Yeager Wrangell
12	 2018	VACANT
13	2009 2018	Cathy A. Needham Juneau

SOUTHEAST ALASKA SUBSISTENCE REGIONAL ADVISORY COUNCIL Meeting Minutes

February 13 – 15, 2018
Central Council Tlingit & Haida Vocational Training & Resource Center
Juneau, Alaska

Council Coordinator, DeAnna Perry, provided housekeeping announcements and then introduced Council member, Ray Sensmeier, who provided an invocation before the meeting. The winter 2018 meeting of the Southeast Alaska Subsistence Regional Advisory Council was officially called to order on February 13th at approximately 9:00 a.m.

Roll Call

Secretary Harvey Kitka took roll call and a quorum was established with the following Council members present for all three days: Steve Reifentstahl, Michael Allen Douville, Harvey Kitka, Robert Schroeder, Donald Carlson Hernandez, Raymond Sensmeier, John Yeager, Michael Bangs, and Cathy Needham (via teleconference). Albert Howard was delayed and participated in days two and three. Patricia Phillips participated in days two and three by telephone (no long distance service the first day). Council member Frank Wright was excused from this meeting. Council Coordinator informed the Council of member Kenneth Jackson's resignation.

Welcome and Introductions

The following persons attended some portion of the Southeast Alaska Council meeting, either in person or by teleconference:

<i>Gene Peltola</i>	<i>Anchorage</i>	<i>Office of Subsistence Management (OSM)</i>
<i>Tom Doolittle</i>	<i>Anchorage</i>	<i>OSM</i>
<i>Pippa Kenner</i>	<i>Anchorage</i>	<i>OSM</i>
<i>George Pappas</i>	<i>Anchorage</i>	<i>OSM</i>
<i>Orville Lind</i>	<i>Anchorage</i>	<i>OSM</i>
<i>Beth Pendleton</i>	<i>Juneau</i>	<i>USDA-Forest Service (USFS) and Federal Subsistence Board (FSB)</i>
<i>Wayne Owen</i>	<i>Juneau</i>	<i>USFS</i>
<i>DeAnna Perry</i>	<i>Juneau</i>	<i>USFS</i>
<i>Troy Heithecker</i>	<i>Ketchikan</i>	<i>USFS</i>
<i>Terry Suminski</i>	<i>Sitka</i>	<i>USFS</i>
<i>Justin Koller</i>	<i>Sitka</i>	<i>USFS</i>
<i>Susan Oehlers</i>	<i>Yakutat</i>	<i>USFS</i>
<i>Ben VanAlen</i>	<i>Juneau</i>	<i>USFS</i>
<i>Jake Musslewhite</i>	<i>Juneau</i>	<i>USFS</i>
<i>Ryan Scott</i>	<i>Juneau</i>	<i>Alaska Department of Fish & Game (ADF&G)</i>
<i>Tom Schumacher</i>	<i>Juneau</i>	<i>ADF&G</i>
<i>Mark Burch</i>	<i>Anchorage</i>	<i>ADF&G</i>

<i>Glenn Chen</i>	<i>Anchorage</i>	<i>Bureau of Indian Affairs (BIA)</i>
<i>Barbara Cellarius</i>	<i>Copper Center</i>	<i>Wrangell St. Elias National Park</i>
<i>Fran Houston</i>	<i>Juneau</i>	<i>Aak’w Kwáan Tribe</i>
<i>Desiree Duncan</i>	<i>Juneau</i>	<i>Central Council Tlingit & Haida Tribes</i>
<i>Kenneth Weitzel</i>	<i>Juneau</i>	<i>Central Council Tlingit & Haida Tribes</i>
<i>Jim Colier</i>	<i>Wrangell</i>	
<i>Matt Robus</i>	<i>Douglas</i>	<i>Territorial Sportsmen</i>

On the first day, Fran Houston, spokesperson for the Aak’w Kwaan Tribe, welcomed the Council and those in attendance to the Aak’w Kwaan traditional territory. Wayne Owen, Director in the United States Forest Service (USFS) Regional Office, welcomed those present to Juneau. Deputy Forest Supervisor, Troy Heithecker, welcomed all to the Tongass National Forest (TNF) and provided a brief update on some TNF-related current issues. Gene Peltola, Assistant Regional Director, Office of Subsistence Management, also gave opening remarks.

On the second day, Regional Forester and Federal Subsistence Board member, Beth Pendleton, addressed the Council and gave an overview of current events involving the Forest Service. She also relayed her deep appreciation to the service of the Council members.

Adoption of Agenda

The Council unanimously supported a motion made by Steve Reifentuhl, seconded by John Yeager, to adopt the agenda with the addition of two items for Council discussion: Outstanding National Resource Water designations and Transboundary Rivers letters.

Election of Officers

Council Coordinator DeAnna Perry opened the floor for nominations for the position of Chair for the Council, and Michael Douville nominated Michael Bangs. Mr. Bangs was elected as Chair of the SE RAC, unanimously.

The meeting was then turned over to the Chair, who proceeded to hold elections for the positions of Vice-Chair and Secretary. Harvey Kitka was nominated for Vice-Chair, but Mr. Kitka declined the nomination. Don Hernandez was nominated for Vice-Chair. Mr. Hernandez was elected as Vice-Chair, unanimously. Harvey Kitka was nominated for Secretary. Mr. Kitka was re-elected as Secretary, unanimously.

Approval of Previous Meeting Minutes

Motion made by John Yeager, seconded by Mike Douville, to approve the Oct 31-Nov 2, 2017 SEARAC Council meeting minutes as written with one correction: the word “troller” replacing the word “trawler.” Passed unanimously.

Council Member Reports

Steve Reifentstahl (Sitka) – Stocks of concern and new management plan taken up by Alaska Board of Fisheries (BOF) recently will severely constrict the troll fishery by restricting how trollers are able to access the resource. Wild systems are still producing enough Chinook Salmon smolt that if they survive well enough and the ocean can return large numbers of Chinook with these management restrictions, it will perpetuate the stocks. However, if the freshwater environment declines, or not enough adults return, it will fall below the recruitment threshold and it could take generations to rebuild the Chinook stocks.

Patricia Phillips (Pelican) – Newly-approved Alaska Board of Fisheries actions (king salmon restrictions) will significantly negatively impact Pelican and rural residents, economically and as a food source. Climate change is resulting in salmon berries maturing earlier and are virtually inedible because they are covered in black flies. Deer numbers are less.

Ray Sensmeier (Yakutat) – Yakutat is concerned about Sitka herring; trades of eulachon for herring/herring eggs not happening as they used to. As a member of the Southeast Alaska Conservation Council (SEACC) board and TransTribal Boundary Mining Work Group, he's concerned about the Canadian mines built at headwaters of Unuk, Ketchikan, Stikine, Taku and Alek, and their effect on water supplies.

Michael Douville (Craig) - Receiving complaints that rural residents are not able to get their needs met with deer; expecting harvest to be less. Concerned that causes may be less old growth for wintering, the high wolf populations, and high harvest level of bucks. There is concern about the development of enough timber sales to keep the local mill operating for next 10-15 yrs. Concern of legislation eroding ability for subsistence.

Harvey Kitka (Sitka) - Herring remains a concern as subsistence needs are not being met. Sitka Sound has a small amount of other forage fish; herring are probably the last real forage fish they have. Sitka Tribe tried to put in conservation measures but they all got shot down. The amount of food left in the ocean for salmon to eat should be looked at.

Robert Schroeder (Juneau) – Concerned about severe restrictions for salmon, king crab and shrimp; getting hard to find halibut. Concerns with rapid climate change with unknown effects on subsistence uses and it could change the approach the Council takes to resource management; may be facing a situation of really drastic declines.

Albert Howard (Angoon) – Hunting season went pretty well, but we still have outlying communities coming in. People aren't finding king salmon. Cold temperatures for last four weeks makes you concerned for the deer and everything else.

Donald Hernandez (Pt. Baker) - North end of Prince of Wales Island has same concerns about land uses and deer habitat that Mr. Douville mentioned. Concerned how the herring have been disappearing over time (his personal observations span 40 years) and that his area has not seen herring in the bays this winter, at all. Perhaps continuing to take large amounts of herring in the Sitka sac roe fishery might actually be depleting stocks throughout the region. Commented on the different perspectives that this Council and the Alaska Board of Fisheries have; Council is

obligated to consider other users and impacts and primary responsibility is to maintain a way of life that will hopefully continue for generations.

John Yeager (Wrangell) – Tone in Wrangell mirrors what Mr. Reifenhohl said. A lot of concern for how king salmon are going to be managed in this and future years. Heightened alert of stocks, what's causing decline, and how it affects communities, subsistence, and commercial fishing in general. Community taking steps to help alleviate some of the pressure on king salmon coming back to the Stikine, but that also creates some concern about fishing pressure in other areas.

Mike Bangs (Petersburg) – Concerned about king salmon; four-day king salmon derby was cancelled which will have an impact on local businesses; big concern in our area to protect those king salmon. Locals report advance of sea otters – into town, in Wrangell Narrows, and Duncan Canal, which has never happened before – concern about impact on catching crab. Concern of vulnerability of deer this winter. More humpback whales result in a growing concern – not sure what they are eating, not only krill, but maybe small herring or salmon fry.

Chair's Report

Unable to attend Alaska Board of Fisheries (BOF) meeting to give comments on Council's proposal on Sockeye Salmon due to lack of funding. Received comments from the Petersburg Fish and Game Advisory Committee that the BOF was disappointed that there wasn't anyone there to support proposals. Written comment was submitted, message was there. The BOF wanted Council to identify more specific streams that it felt were in jeopardy.

Public and Tribal comments on Non-Agenda Items

Jim Colier of Wrangell addressed the Council regarding his concern about king salmon. He mentioned potential causes such as sea temperature – surface is higher than it used to be. Wants to see if protection in front of these streams is possible by moving boundary lines to give large king salmon a chance to get into a river and spawn. Extremely low numbers of returning kings should give some indication that the issue needs attention. George Pappas, State Subsistence Liaison, OSM, advised the Council that he would be working with Mr. Colier on BOF process and could assist in pointing him in right direction if Mr. Colier is interested in putting an out-of-cycle request in to BOF.

Matthew Robus, President of Territorial Sportsmen, Incorporated, addressed the Council regarding the Berners Bay moose proposal, as an extension to what was in the group's letter offered previously. He asked the Council to look at the Berners Bay hunt regionally. Few moose are taken from this herd, and if the hunt is completely allocated to Federal hunters, it's going to barely move the needle on a region-wide basis in terms of subsistence resources. Group would prefer that the hunt remain the way it's been where everybody is eligible to apply for a State permit or if the Council doesn't feel it can do that, it would appreciate some sort of sharing arrangement worked out so that Juneau population is not completely taken out of the hunt. He then answered questions of the Council.

Old Business

Board of Game Proposal

The Council discussed submitting a companion State proposal to the Federal proposal WP18-04. At its fall regulatory meeting, the Council supported this proposal to increase the wolf harvest quota on Federal lands in Unit 2 from “up to 20%” to “up to 30%” of the most recent population estimate for the unit. The Council formed a working group to discuss how to submit the companion proposal and suggested wording for the Council to review and discuss.

Council Action: Robert Schroeder moved to create a working group to discuss options in submitting a State companion proposal to Federal proposal WP18-04. Seconded by Steve Reifentuhl. Passed unanimously. Any Council members interested were invited to participate in the working group.¹

Ryan Scott, Regional Supervisor, Division of Wildlife Conservation, Alaska Department of Fish & Game (ADF&G) addressed the Council on this matter and talked about some specific challenges and possible solutions that ADF&G might propose. He advised that the agency does not want to over harvest the wolves to a point where there is a conservation concern; however, it does want to be responsive to an abundance of animals on the ground, as well as to concerns people have about meeting their subsistence needs in terms of Sitka black-tailed deer. He further expressed the desire to reach out to communities and members of the public on this matter. It is ADF&G’s intent to have a wolf harvest management plan in place that will guide harvest levels into the future by January, 2019.

The working group later reported to the Council on the activities of its meeting. It presented a recommendation to submit a State companion proposal mirroring Federal proposal WP18-04, with the same supporting rationale that it provided in that proposal, by the deadline of May 1, 2018. The Council would like to review the ADF&G proposal to the Alaska Board of Game (BOG) on this same issue (expected in October 2018) at its fall meeting. The Council can then discuss submitting comments on its proposal (with the knowledge of the information contained in ADF&G’s proposed management plan) to the BOG at the meeting in January 2019.

Council Action: Robert Schroeder moved to submit the State companion proposal, mirroring the Federal proposal WP18-04, after April 1, 2018, with the same rationale as the Council provided in that Federal proposal, and for the Council to submit its comments on the ADF&G proposed management plan at the Council’s fall 2018 meeting. Seconded by Don Hernandez. Passed unanimously.

The next day, the Council reviewed a drafted State companion proposal on this matter. The Council discussed the language “up to” and “shall not exceed,” and the Council took further action by recommending changes to the drafted State companion proposal as well as

¹ The working group met off the record after the first day of the Council meeting to discuss this matter in detail with area managers. Based on that discussion, it formulated a recommendation to submit to the Council for deliberation and action.

recommending that a Council member be present at the January, 2019 ADF&G BOG meeting to express the Council's intent.

Council Action: Don Hernandez moved to accept the specific proposed language for the State companion proposal to WP18-04. Seconded by Albert Howard. Passed unanimously. Council expressed desire to have a RAC representative to speak to this proposal and that the Council should consider having representation present at these meetings, especially when it puts forward proposals, commenting on the importance of face-to-face presentations of the Council's thoughts.

Justification: The Council felt that with changes happening quickly, the people on Prince of Wales Island need relief from the wolf harvest regulations, and the current harvest quota is not meeting subsistence needs. There is good progress being made, in working with ADF&G, on long term management; however, nothing can be done for the next season because the next regulatory meeting to address this matter will be January 2019. The Council would like to submit the companion proposal to provide relief this coming year and a harvest of "up to 30 percent level" is justified. The Council will review the State's proposal on this matter and the Council may endorse ADF&G's proposal, and/or continue with its own proposal and discuss submitting further comments on this matter to the BOG at its January 2019 meeting.

Berners Bay Moose

This agenda item was to provide for an information exchange and further discussion on options to provide for a rural priority for hunting moose in Berners Bay. The proponent of that proposal, Cal Casipit, was in attendance and addressed the Council, advising that he still had a problem with low Federal priority being provided on this land. He further stated that if the Council came up with a harvest sharing arrangement, similar to the moose hunt in Cordova, he would be happy with that. Lastly, he told the Council he was disappointed that the recommendation that is going to the Board is "Opposed" and that if the proposal was placed on the consensus agenda, the matter may never be discussed.

At its fall regulatory meeting, the Council discussed Federal Proposal WP18-11 in great depth and the motion to support the proposal failed by a vote of 4-7. The Council requested more information and alternatives from staff in order to provide for a Federal priority for rural residents for moose hunting on the public lands at Berners Bay. The Council received additional information from staff and then formed a working group to discuss possibilities. Matt Robus, president of Territorial Sportsmen, Incorporated, provided comments to the Council and answered questions on this matter.

Council Action: John Yeager moved to create a working group to discuss new compelling information from staff. Seconded by Harvey Kitka. Passed unanimously.

Justification: A working group to meet with Federal and State biologists is an effective way to distribute and receive information on options available to provide for a Federal priority on hunting Berners Bay moose. State manages this herd on Federal public lands. The group wanted to hear how a Federal draw permit has been working in an area of Cordova to see if a Federal

draw permit could be an effective solution for providing rural resident priority for Berners Bay moose.

The workgroup informed the Council of the options and the Council crafted and approved language for the Chair to share with the Board at its upcoming meeting:

In Berners Bay drainages, only one moose permit may be issued per household. A household receiving a State permit for Berners Bay drainages moose may not receive a Federal permit. The annual harvest quota will be announced by the U.S. Forest Service, Juneau Ranger District office, in consultation with ADF&G. The Federal harvest allocation will be 25% (rounded up to the next whole number) of moose permits.

The Council would like to see this item removed from the consensus agenda so that the Chair could inform the Board of the Council’s thoughts on this issue, the most recent and relevant information, and the Council’s recent deliberations. If acceptable to the Board, the Council would like to offer as an amendment, or alternative to WP18-11, as:

<p>Proposed Regulation</p>	<p>Unit 1C - Moose</p> <p>Unit 1C — Berners Bay drainages — 1 bull moose by Federal drawing permit. Sept. 15– Oct. 15 No Federal open season</p> <p>Unit 1C — Berners Bay drainages — only one moose permit may be issued per household. A household receiving a State permit for Berners Bay drainages moose may not receive a Federal permit. The annual harvest quota will be announced by the U.S. Forest Service, Juneau office, in consultation with ADF&G. The Federal harvest allocation will be 25% (rounded up to the next whole number) of bull moose permits.</p>
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Council Action: Robert Schroeder moved to adopt an alternative proposal to WP18-11 and give the Chair authority to discuss this alternative with the Board. Seconded by Albert Howard. Passed unanimously.

Justification: The Council recognized that this was a complex issue and wanted additional information to meet a need identified in the proposal WP18-11. The Council exercised due diligence by exploring options and, based on new information, crafted an alternative proposal to WP18-11 to provide for a priority for rural residents hunting moose in Berners Bay. The Council feels that this alternative, unanimously supported, is a better solution to provide some

priority access to limited resources on Federal public lands. A Federal draw would be beneficial to meeting subsistence needs and could encourage additional interest by rural residents in moose hunting at Berners Bay. The Council discussed the timing of implementation would be fall 2019 so as not to conflict with the State regulation.

Public testimony on the cultural significance of the Berners Bay area was given by ~~ak~~'w Kwáan Tribe spokesperson, Fran Houston. She expressed her concern regarding the construction of a road in this area that is being considered. She advised that this road would result in disturbance of tribal burial sites in Berners Bay. She also advised that the building of the road would affect salmon spawning. The Council thanked her for speaking and advising the Council of her concerns and expressed their willingness to help in some way in the future, should an opportunity within the Council's parameters occur.

Outstanding National Resource Water (ONRW)

Council Coordinator DeAnna Perry informed the Council that it needed to review and formally approve language for a letter to be sent from the Federal Subsistence Board (Board) to the Secretaries of Agriculture and Interior. In its 2016 Annual Report, the Council asked the Board to send this letter requesting that the Secretaries request the Governor of Alaska to seek legislation that would allow the Alaska Department of Environmental Conservation to pass regulations and move forward on a designation allowed in Federal law. Ray Sensmeier provided further information regarding specific areas in Alaska that are seeing Tier 3 (ONRW) designation requests and Mike Bangs provided additional details on the history of this matter to the Council.

Council Action: Ray Sensmeier moved to approve the drafted language for the letter, as written. Seconded by Harvey Kitka. Passed unanimously.

Justification: Council would like to keep on top of this issue. The designation is a useful tool and the endeavor is worthwhile to protect against possible development on watersheds which could cause permanent degradation of water quality. Council felt it important to forward its concerns to the Board and ask that it request the Alaska Governor to move forward with a legislative remedy.

Transboundary Rivers Letters

Ms. Perry reminded the Council that it asked for a status on its requested letter from the Board to be sent to the Lt. Governor Byron Mallott regarding transboundary river watersheds. The Board sent this letter on January 24, 2017, and though the Board had not yet received any response on the request for the Lt. Governor to send a letter to the Secretary of State on the issue, the Coordinator discovered that a letter has been sent from Governor Walker, Lt. Governor Mallott, U.S. Senators Murkowski and Sullivan, and Congressman Young to U.S. Secretary of State Rex Tillerson regarding transboundary river watershed issues. The Council discussed whether this letter met the intent of their request for a letter to be sent to U.S. Secretary of State on this issue. The Council took no further action on this matter.

Correspondence Policy

During the discussion about transboundary rivers letters, the Council identified concerns regarding the current Correspondence Policy. These included: the desire for the Council's voices to be heard and how this Council can communicate under the Federal Advisory Committee Act (FACA); the time involved in the vetting process of outgoing correspondence from the Council; and responses from correspondence not being sent directly to the Chair. Gene Peltola, Assistant Regional Director, and Tom Doolittle, Deputy Assistant Regional Director, discussed the Correspondence Policy with the Council and noted it is a Board policy that OSM does not have the ability to deviate from without receiving direction from the Board. Mr. Peltola spoke to the Hatch Act and Mr. Doolittle further discussed the steps of and the reason behind the vetting process.

Council Action: The Council asked that this be added as an item to the Annual Report.

New Business

Call for Federal Fisheries Proposals

Tom Doolittle, Deputy Assistant Regional Director for OSM, informed the Council that the call for Federal fisheries proposals for the 2019/2021 regulatory cycle had not yet posted in the Federal Register. It was in the final clearance stage and he anticipated that the call would be posted February 21, 2018 and that the deadline for proposals would be March 21, 2018.

The Council discussed the need to regulate bag limits on non-guided sports fishermen. The Council recognized that the Federal Subsistence Board would impose regulations on Federal lands and waters but was not sure how Board of Fisheries would consider changes to State waters. Pippa Kenner, anthropologist with OSM, informed that State sport fishing regulations apply in Federal public waters and suggested that those stream systems that are being over-fished by sports fishermen should be noted. George Pappas, State Subsistence Liaison with OSM, advised that if the Council wanted to propose restrictions on non-qualified users, now would be the time to do that.

The Chair said he would work with staff to identify the streams that have freshwater fishing activities that are vulnerable to over-exploitation of Sockeye. Options to try to protect them, from the Council level, would then be identified and all the information would be brought back to the Council at the fall meeting for discussion. A proposal for this Federal fish cycle would not be made since information needs to be gathered before a proposal can be formed. Council may wish to do an out-of-cycle proposal, called a special action request, if there is a big enough conservation concern.

Customary & Traditional Use Determination Proposal

While discussing fish proposals, the Council discussed submitting a proposal for a customary and traditional (C&T) use determination for fish, in a manner similar to the Council's submission of a C&T proposal for deer in the last wildlife cycle. The Council would like to make regulations more inclusive and simple. Robert Schroeder suggested that a proposal addressing all fish, all areas, for all rural residents would recognize C&T for all fish species in all areas of Southeast Alaska by all residents. Proposed language for a C&T Fish proposal was drafted by the Council. For the section "how would the new regulation read?" the Council approved this language: "The Council's intent is to change the C&T for the Yakutat and Southeast Alaska Region so that all residents of Southeast and Yakutat would have a positive C&T determination, for all fish, with specific exceptions."

Council Action: Donald Hernandez moved to submit the proposal regarding the C&T findings for SE Alaska and Yakutat to the Board, including all users in all districts, as written. Seconded by Harvey Kitka. Passed unanimously.

Justification: This Council has spent quite a number of years discussing C&T determination process with OSM input and the Council has stated its intention to review C&T determinations for all species in Southeast Alaska. The Council wanted to submit a proposal for the C&T determination of all fish species so that all residents of Southeast Alaska and Yakutat would have a positive C&T determination. The intent is to recognize subsistence uses as they are and as they exist in Southeast Alaska and Yakutat and to take care of unnecessary restrictions on subsistence uses by C&T determinations that were inherited from perhaps as long ago as 30 years.

Call for Non-rural Determination Proposals

Tom Doolittle informed the Council that the call for non-rural determination proposals has not yet posted in the Federal Register. The rulemaking package is in the final clearance stage. It is anticipated that the call will be posted next week and that the deadline for proposals will be March 21, 2018. Majority of public comment will occur between February 2019 and July 2020, and would be before the Board in 2021 (a four-year cycle).

Fisheries Resource Monitoring Program

Terry Suminski (USFS) presented an update on the 2018 Fisheries Resource Monitoring Plan (FRMP). It is time for the Councils to begin thinking about the priority information needs for the next cycle and identify them at the fall meeting. The 2020 FRMP call for proposals is due out in November 2018. Tom Doolittle talked about funding of these projects. There's hope to encourage not just stable funding, but even more funding for these types of programs because they are far reaching in support to our State partners, tribal partners, and our other non-government organization partners.

Stikine Chinook Update

Terry Suminski (USFS) informed the Council that the 2017 Stikine River pre-season terminal area abundance forecast of Chinook Salmon did not allow for a directed Chinook Salmon

allowable catch for either U.S. or Canada under the U.S./Canada Treaty. He gave information on the emergency special action and details on the closure. He relayed that the forecast for 2018 is dismal and will likely result in restrictions and/or closures of all Stikine River Chinook Salmon fisheries.

Annual Report

The Council reviewed the draft FY2017 Annual Report, which included the following issues:

- 1) Federal Funding
 - a. Of Fisheries Resource Monitoring Program projects
 - b. For consistent staff support at Council meetings
 - c. To continue wolf populations studies in Unit 2, and
 - d. For travel for Council representation at State meetings
- 2) Utilization of Traditional Ecological Knowledge by the Federal Subsistence Program
- 3) Transboundary River Watershed Issues – Escalate to Secretary of State
- 4) Climate Change
- 5) Outstanding National Resource Water Designation
- 6) Clean Water Act

There was an amendment to the language regarding the Clean Water Act item. The Council also discussed having more information on this issue in future meetings. The Council identified four additional items:

- 7) Central Tongass Landscape Level Analysis, Landscape Planning Assessment – keeping the Council informed
- 8) Correspondence Policy
- 9) Meeting Location/Date Reschedule
- 10) New Charter duties

Council Action: Albert Howard moved to adopt the drafted Annual Report with modifications and additions proposed by the Council. Seconded by Harvey Kitka. Passed unanimously.

Agency Reports

Tribal Governments

Water Quality Monitoring on Transboundary Rivers presentation was given by Kenneth Weitzel, Natural Resource Specialist, Central Council of the Tlingit & Haida Tribes of Alaska, which gave an overview of the cultural background of the region and the water quality concerns and a look at Central Council's baseline water quality studies.

Office of Subsistence Management

Gene Peltola and Tom Doolittle provided a staffing update and addressed budget questions from the Council. The Council expressed its concerns with the winter 2018 meeting location and dates being rescheduled.

USDA Forest Service

USFS Subsistence Program Manager, Terry Suminski, provided a summary of Federal special actions taken in the last calendar year in the Southeastern Alaska and Yakutat areas and a synopsis of the eulachon fisheries (Unuk River).

National Park Service

Barbara Cellarius, Cultural Anthropologist/Subsistence Coordinator with Wrangell-St. Elias National Park and Preserve, informed the Council of a regulation process that the National Park Service is initiating and provided two Federal Register documents for additional information.

Alaska Native Science & Engineering Program (ANSEP)

Beth Spangler, National Partnership Director and Science Director with ANSEP, provided a presentation on the program's Earthscope ANGLE (increasing Alaskan resilience to geohazards through education and building of an action oriented learning community).

Future Meetings

The fall 2018 Council meeting is set for October 16-18, 2018, in Sitka.

The winter 2019 Council meeting is set for February 12-14, 2019, in Wrangell.

Closing Comments & Reflections of the Council

- Each meeting is a learning experience; appreciate the discussions back and forth of Council and the positive outcome; appreciate staff
- Disappointed that Council met in Juneau, second time in one year; during past years, it was enjoyable to go out into the rural communities and interact with local folks to hear directly from them
- Council meeting schedule/place change effect plans of the Council members that they have made way ahead of time
- Appreciate Department (ADF&G) for being here and its willingness to discuss and work with the Council and provide good information
- Enjoy hearing the knowledge and expertise from different communities at the meetings
- Heartened that issues such as Tier 3 (ONRW) is being taken up and would like to follow through with additional information on this issue at the Fall 2018 meeting
- Always nice to hear from the public because they have their feet on the ground and know what's happening in their areas

- Past trips to outlying communities were adventures and although there are budget constraints, Wrangell and Petersburg would be nice to include for outreach to those communities; Juneau isn't recognized as a rural area
- It was valuable to meet before the Federal Board meeting in April
- This Council is a high functioning one; includes people who take time out of their life, to come in and stick with it year after year
- Need to get opinions of subsistence users and need to go to their home town to do this; would like to see more meetings closer to subsistence users to address their thoughts and needs that are important to them
- Appreciate no longer talking about issues; Council is addressing issues and moving on; the RAC is building a level of trust with diverse groups
- Would like to encourage the Subsistence Program to fund George Pappas's attendance at State Board meetings
- Concern about a couple of legislative bills that have the potential to erode the land base that we subsist on; Council may have to get more actively involved in the planning process
- Acknowledged resigned Council member, Ken Jackson, for the good work he did while on the Council; he will be missed

The Council meeting adjourned at approximately 5 p.m. on February 15, 2018.

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



DeAnna Perry, DFO
USFS Subsistence Management Program

March 29, 2017



Donald Hernandez, Acting Chair*
Southeast Alaska Subsistence Regional Advisory Council

March 29, 2017

These minutes will be formally considered by the Southeast Alaska Subsistence Regional Advisory Council at its next meeting, and any corrections or notations will be incorporated in the minutes of that meeting.

*Subsequent to this meeting, the elected chair, Mike Bangs, passed away unexpectedly. Mr. Hernandez, as elected Vice-Chair, will review and approve.

PROPOSAL 42.5 AAC 92.008(1). Harvest guideline levels.

Increase the annual harvest of wolves in Unit 2 as follows:

5 AAC 92.008(1) would be modified to read:

"(1) wolves: the annual harvest of wolves in Unit 2 should not exceed **30** [20] percent of the **most recent** unit-wide, preseason population estimated by the department;"

What is the issue you would like the board to address and why? The Southeast Alaska Subsistence Regional Advisory Council (Council) seeks to increase the allowable take of wolves in Unit 2. The Council is concerned that previous quotas implemented have been too conservative and that the reductions in those harvest quotas during the 2015–2016 and 2016– 2017 hunting and trapping seasons were not reflective of the actual wolf population for Unit 2.

PROPOSED BY: Southeast Alaska Subsistence Regional Advisory Council (EG-F18-016)

PROPOSAL 43

5 AAC 84.270(13). Furbearer trapping.

5 AAC 85.056(1). Hunting seasons and bag limits for wolf.

5 AAC 92.008. Harvest guideline levels.

5 AAC 92.170(b). Sealing of marten, fisher, lynx, beaver, otter, wolf, and wolverine.

Change the harvest management strategy for wolf in Unit 2 as follows:

5 AAC 84.270(13) is amended to read:

Species and Units	Open Season	Bag Limit
(1) Wolf		
Unit 2	Dec. 1—Mar. 31	No <u>limit</u>; season may <u>be closed by emergency order.</u>

5 AAC 85.056(1) is amended to read:

Units and Bag Limits	Resident Open Season (Subsistence and General Hunts)	Nonresident Open Season
(1)		
Unit 2	Dec. 1—Mar. 31	Dec. 1—Mar. 31
5 wolves		

5 AAC 92.008 is amended to read:

(1) Wolves: The annual harvest of wolves in Unit 2 should **be managed to maintain the unit-wide population within a range of XXX to XXX wolves** [NOT EXCEED 20 PERCENT OF THE UNITWIDE, PRESEASON POPULATION ESTIMATE AS ESTIMATED BY THE DEPARTMENT];

5 AAC 92.170 is amended to read:

(b) The sealing of marten, fisher, lynx, beaver, land otter, wolf, or wolverine must be accomplished as follows:

(1) [IN UNIT 2, WOLF TAKEN BY TRAPPING MUST BE SEALED ON OR BEFORE THE 14TH DAY AFTER THE DATE OF TAKING] **Repealed;**

What is the issue you would like the board to address and why? Following a fall 2014 unit-wide population estimate of 89 wolves and concurrent Endangered Species Act Species Status Assessment, in January 2015 the Board of Game (board) adopted a 20 percent Harvest Guideline Level (HGL) for Unit 2 wolves as a conservation measure that would continue to provide some harvest opportunity while allowing the population to recover. By fall 2016, the population had grown to an estimated 231 wolves, rendering this harvest restriction unnecessary. The 20 percent HGL now inhibits the Department of Fish and Game's (department) ability to manage growth of the Unit 2 wolf population and is unpopular with trappers and deer hunters. Further, even with the current 14-day sealing requirement, the department has been unsuccessful at limiting harvest to within the HGL. A new approach is needed.

The department proposes to no longer manage this population using a percentage-based HGL. Instead we propose managing the population within a desired range (i.e. population objective) with population thresholds that trigger changes in season length. Wolf abundance will be monitored relative to the desired range using periodic (every 2–4 years) population estimates. During years between population estimates, indicators of population trend including harvest, documented reproduction, and anecdotal information on wolf abundance and distribution will inform harvest management.

The department is reaching out to stakeholders to determine appropriate population objectives and other details for a new harvest strategy. Those details will be presented in the department's analysis and recommendation prior to the board meeting.

Implementing this new strategy requires amending the current HGL, and because it does not depend on in-season harvest management, the 14-day sealing requirement in Unit 2 is no longer needed.

There is a positive customary and traditional use finding for wolves in Unit 2 and the board will need to determine if the proposed management plan will continue to provide a reasonable opportunity for subsistence.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F18-056)

FP19-17 Executive Summary	
General Description	Proposal FP19-17 requests to modify the customary and traditional use determination for all fish in the Southeast Region to include all residents of the Southeast Region. <i>Submitted by the Southeast Alaska Subsistence Regional Advisory Council.</i>
Proposed Regulation	See analysis
OSM Preliminary Conclusion	Support Proposal FP19-17
Southeast Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

**DRAFT STAFF ANALYSIS
WP19-17**

ISSUES

Proposal FP19-17, submitted by the Southeast Alaska Subsistence Regional Advisory Council (Council), requests modifying the customary and traditional use determination for all fish in the Southeast Region to include all residents of the Southeast Region.

DISCUSSION

The proponent states that many existing customary and traditional use determinations for fish were carried over from State regulations and used commercial fishing districts as boundaries. This requested change will better reflect the actual patterns of fish use in the Southeast Region and reduce unnecessary regulatory complexity. The proponent states that the take of fishes is not managed by customary and traditional use determinations, and there should be no direct effect on the conservation of fish populations, nor on sport, recreational, and commercial uses. Subsistence users will be able to continue their historical fish harvest and use patterns without worrying about restrictive geographic boundaries of existing customary and traditional use determinations that define where they are eligible to fish under Federal regulations.

For the purposes of fisheries management, the Southeast Region is comprised of two management areas: the Yakutat Fisheries Management Area (Yakutat Area) and the Southeastern Alaska Fisheries Management Area (Southeastern Alaska Area).

A significant factor affecting fishing effort in the Southeastern Alaska Area is the heavily populated Juneau road system (31,000 people), and Ketchikan road system (13,500 people) (ADLWD 2017). Federal regulations recognize residents of these areas as nonrural and prohibit them from participating in Federal hunting, fishing, and trapping. Therefore, a description of their customary and traditional uses of fishes is not included in the analysis. Additionally, Glacier Bay National Park is situated in the northern part of the Southeastern Alaska Area. Federal public lands within the Park are closed to all subsistence hunting, fishing, and trapping, and fisheries management in the Park is not within the Federal Subsistence Board's (Board's) jurisdiction.

Existing Federal Regulation

Customary and Traditional Use Determination—All fish

Yakutat Area

<i>Fresh water upstream from the terminus of streams and rivers of the Yakutat Area from the Doame River to the Tsiu River</i>	<i>Salmon</i>	<i>Residents of the area east of Yakutat Bay, including the islands within Yakutat Bay, west of the Situk River drainage, and south of and including Knight Island.</i>
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<i>Fresh water upstream from the terminus of streams and rivers of the Yakutat Area from the Doame River to Point Manby</i>	<i>Dolly Varden, steelhead trout, and smelt</i>	<i>Residents of the area east of Yakutat Bay, including the islands within Yakutat Bay, west of the Situk River drainage, and south of and including Knight Island.</i>
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<i>Remainder of the Yakutat Area</i>	<i>Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of Southeastern Alaska and Yakutat Areas.</i>
	<i>Salmon</i>	<i>All rural residents.</i>

Southeastern Alaska Area

<i>District 1—Section 1E in waters of the Naha River and Roosevelt Lagoon</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City of Saxman.</i>
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<i>District 1—Section 1F in Boca de Quadra in waters of Sockeye Creek and Hugh Smith Lake within 500 yards of the terminus of Sockeye Creek</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City of Saxman.</i>
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<i>Districts 2, 3, and 5 (south of a line from Point Barrie to Boulder Point) and waters draining into those Districts</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents living south of Sumner Strait and west of Clarence Strait and Kashevaroff Passage.</i>
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<i>District 5—North of a line from Point Barrie to Boulder Point</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City of Kake and in Kupreanof Island drainages emptying into Keku Strait south of Point White and north of the Portage Bay boat harbor.</i>
<i>District 6 and waters draining into that District</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents living south of Sumner Strait and west of Clarence Strait and Kashevaroff Passage; residents of drainages flowing into District 6 north of the latitude of Point Alexander (Mitkof Island); residents of drainages flowing into Districts 7 & 8, including the communities of Petersburg & Wrangell; and residents of the communities of Meyers Chuck and Kake.</i>
<i>District 7 and waters draining into that District</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of drainages flowing into District 6 north of the latitude of Point Alexander (Mitkof Island); residents of drainages flowing into Districts 7 & 8, including the communities of Petersburg & Wrangell; and residents of the communities of Meyers Chuck and Kake.</i>
<i>District 8 and waters draining into that District</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of drainages flowing into Districts 7 & 8, residents of drainages flowing into District 6 north of the latitude of Point Alexander (Mitkof Island), and residents of Meyers Chuck.</i>
<i>District 9—Section 9A</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City of Kake and in Kupreanof Island drainages emptying into Keku Strait south of Point White and north of the Portage Bay boat harbor.</i>
<i>District 9—Section 9B north of the latitude of Swain Point</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City of Kake and in Kupreanof Island drainages emptying into Keku Strait south of Point White and north of the Portage Bay boat harbor.</i>
<i>District 10—West of a line from Pinta Point to False Point Pybus</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City of Kake and in Kupreanof Island drainages emptying into Keku Strait south of Point White and north of the Portage Bay boat harbor.</i>
<i>District 12—Section 12A, excluding the area south of a line from Fishery Point to South Passage Point</i>	<i>All fish</i>	<i>Residents of drainages flowing into Districts 12 and 14.</i>

<i>District 12—Section 12B</i>	<i>All fish</i>	<i>Residents of drainages flowing into Districts 12 and 14.</i>
<i>District 12—Section 12A, the area south of a line from Fishery Point to South Passage Point</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City of Angoon and along the western shore of Admiralty Island north of the latitude of Sand Island, south of the latitude of Thayer Creek, and west of 134°30' West longitude, including Killisnoo Island.</i>
<i>District 13—Section 13A, excluding the area south of the latitude of Cape Edward</i>	<i>All fish</i>	<i>Residents of drainages flowing into Sections 13A, 13B, and District 14.</i>
<i>District 13—Section 13A, south of the latitude of Cape Edward</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City and Borough of Sitka in drainages that empty into Section 13B, north of the latitude of Dorothy Narrows.</i>
<i>District 13—Section 13B north of the latitude of Redfish Cape</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City and Borough of Sitka in drainages that empty into Section 13B north of the latitude of Dorothy Narrows.</i>
<i>District 13—Section 13C</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City and Borough of Sitka in drainages that empty into Section 13B north of the latitude of Dorothy Narrows.</i>
<i>District 13—Section 13C east of the longitude of Point Elizabeth</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City of Angoon and along the western shore of Admiralty Island north of the latitude of Sand Island, south of the latitude of Thayer Creek, and west of 134°30' West longitude, including Killisnoo Island.</i>
<i>District 14</i>	<i>All fish</i>	<i>Residents of drainages flowing into Sections 12A, 13A, and District 14.</i>
<i>Remainder of the Southeastern Alaska Area</i>	<i>Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of Southeastern Alaska and Yakutat Areas.</i>
	<i>Salmon</i>	<i>All rural residents.</i>

Proposed Federal Regulation

Customary and Traditional Use Determination—All fish

<i>Yakutat Area</i>	<i>All fish</i>	<i>Rural residents of Yakutat and Southeastern Alaska Fishery Management Areas</i>
<i>Southeastern Alaska Area</i>	<i>All fish</i>	<i>Rural residents of Yakutat and Southeastern Alaska Fishery Management Areas</i>

Yakutat Area

<i>Fresh water upstream from the terminus of streams and rivers of the Yakutat Area from the Doame River to the Tsiu River</i>	<i>Salmon</i>	<i>Residents of the area east of Yakutat Bay, including the islands within Yakutat Bay, west of the Situk River drainage, and south of and including Knight Island.</i>
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<i>Fresh water upstream from the terminus of streams and rivers of the Yakutat Area from the Doame River to Point Manby</i>	<i>Dolly Varden, steelhead trout, and smelt</i>	<i>Residents of the area east of Yakutat Bay, including the islands within Yakutat Bay, west of the Situk River drainage, and south of and including Knight Island.</i>
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<i>Remainder of the Yakutat Area</i>	<i>Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of Southeastern Alaska and Yakutat Areas.</i>
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<i>Salmon</i>	<i>All rural residents.</i>
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Southeastern Alaska Area

<i>District 1—Section 1E in waters of the Naha River and Roosevelt Lagoon</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City of Saxman.</i>
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<i>District 1—Section 1F in Boca de Quadra in waters of Sokeeye Creek and Hugh Smith Lake within 500 yards of the terminus of Sokeeye Creek</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City of Saxman.</i>
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<i>Districts 2, 3, and 5 (south of a line from Point Barrie to Boulder Point) and waters draining into those Districts</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents living south of Sumner Strait and west of Clarence Strait and Kashevaroff Passage.</i>
<i>District 5— North of a line from Point Barrie to Boulder Point</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City of Kake and in Kupreanof Island drainages emptying into Keku Strait south of Point White and north of the Portage Bay boat harbor.</i>
<i>District 6 and waters draining into that District</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents living south of Sumner Strait and west of Clarence Strait and Kashevaroff Passage; residents of drainages flowing into District 6 north of the latitude of Point Alexander (Mitkof Island); residents of drainages flowing into Districts 7 & 8, including the communities of Petersburg & Wrangell; and residents of the communities of Meyers Chuck and Kake.</i>
<i>District 7 and waters draining into that District</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of drainages flowing into District 6 north of the latitude of Point Alexander (Mitkof Island); residents of drainages flowing into Districts 7 & 8, including the communities of Petersburg & Wrangell; and residents of the communities of Meyers Chuck and Kake.</i>
<i>District 8 and waters draining into that District</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of drainages flowing into Districts 7 & 8, residents of drainages flowing into District 6 north of the latitude of Point Alexander (Mitkof Island), and residents of Meyers Chuck.</i>
<i>District 9—Section 9A</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City of Kake and in Kupreanof Island drainages emptying into Keku Strait south of Point White and north of the Portage Bay boat harbor.</i>
<i>District 9—Section 9B north of the latitude of Swain Point</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City of Kake and in Kupreanof Island drainages emptying into Keku Strait south of Point White and north of the Portage Bay boat harbor.</i>
<i>District 10—West of a line from Pinta Point to False Point Pybus</i>	<i>Salmon, Dolly Varden, trout, smelt, and eulachon</i>	<i>Residents of the City of Kake and in Kupreanof Island drainages emptying into Keku Strait south of Point White and north of the Portage Bay boat harbor.</i>

District 12—Section 12A, excluding the area south of a line from Fishery Point to South Passage Point	All fish	Residents of drainages flowing into Districts 12 and 14.
District 12—Section 12B	All fish	Residents of drainages flowing into Districts 12 and 14.
District 12—Section 12A, the area south of a line from Fishery Point to South Passage Point	Salmon, Dolly Varden, trout, smelt, and eulachon	Residents of the City of Angoon and along the western shore of Admiralty Island north of the latitude of Sand Island, south of the latitude of Thayer Creek, and west of 134°30' West longitude, including Killisnoo Island.
District 13—Section 13A, excluding the area south of the latitude of Cape Edward	All fish	Residents of drainages flowing into Sections 13A, 13B, and District 14.
District 13—Section 13A, south of the latitude of Cape Edward	Salmon, Dolly Varden, trout, smelt, and eulachon	Residents of the City and Borough of Sitka in drainages that empty into Section 13B, north of the latitude of Dorothy Narrows.
District 13—Section 13B north of the latitude of Redfish Cape	Salmon, Dolly Varden, trout, smelt, and eulachon	Residents of the City and Borough of Sitka in drainages that empty into Section 13B north of the latitude of Dorothy Narrows.
District 13—Section 13C	Salmon, Dolly Varden, trout, smelt, and eulachon	Residents of the City and Borough of Sitka in drainages that empty into Section 13B north of the latitude of Dorothy Narrows.
District 13—Section 13C east of the longitude of Point Elizabeth	Salmon, Dolly Varden, trout, smelt, and eulachon	Residents of the City of Angoon and along the western shore of Admiralty Island north of the latitude of Sand Island, south of the latitude of Thayer Creek, and west of 134°30' West longitude, including Killisnoo Island.
District 14	All fish	Residents of drainages flowing into Sections 12A, 13A, and District 14.
Remainder of the Southeastern Alaska Area	Dolly Varden, trout, smelt, and eulachon	Residents of Southeastern Alaska and Yakutat Areas.
	Salmon	All rural residents.

Extent of Federal Public Lands

For the Yakutat Area, Federal public waters are comprised of fresh waters within and adjacent to the exterior boundaries of Wrangell-St. Elias National Park and Preserve, Glacier Bay National Preserve, and Tongass National Forest (see **Yakutat Area Map**). In order to engage in subsistence in Wrangell-St. Elias National Park, the National Park Service requires that subsistence users either live within the park's resident zone (36 CFR 13.430, 36 CFR 13.1902) or have a subsistence permit (36 CFR 13.440) issued by the Park Superintendent. Yakutat is the only Southeast Alaska community that is within the Wrangell-St. Elias resident zone.

For the Southeastern Alaska Area, Federal public waters are comprised of fresh waters within and adjacent to the exterior boundaries of Tongass National Forest, including Admiralty Island National Monument and Misty Fjords National Monument, and some marine waters in the Makhnati Island Area in Sitka Bay (see **Southeastern Alaska Area Map**). Glacier Bay National Park is closed to subsistence fishing.

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.

Regulatory History

In the late 1980s the State of Alaska Joint Boards of Fisheries and Game made customary and traditional use determinations that applied to individual communities and specific fish species in particular geographic areas. At that time, 12 Southeast Region communities—Angoon, Craig, Haines, Hoonah, Hydaburg, Kake, Kasaan, Klawock, Klukwan, Saxman, Sitka, and Yakutat—were recognized as having a customary and traditional pattern of use of various fish species in the Southeast Region. The Joint Board did not make positive determinations for 17 other rural communities: Coffman Cove, Edna Bay, Elfin Cove, Gustavus, Hollis, Hyder, Meyers Chuck, Pelican, Petersburg, Point Baker, Port Alexander, Port Protection, Skagway, Tenakee Springs, Thorne Bay, Whale Pass, and Wrangell, or for any residents of the region living outside the boundaries of any organized community (Bosworth 1991).

The “Subsistence Management Regulations for Public Lands in Alaska; Final Rule” was published in the Federal Register (57 FR 22940–22964) on May 29, 1992. The rule generally excluded navigable waters from Federal subsistence management (57 FR 22940, 22942). In a lawsuit consolidated with *Alaska v. Babbitt*, the United States Court of Appeals for the Ninth Circuit ruled that the Board has clear authority under Title VIII of the Alaska National Interest Lands Conservation Act to administer the subsistence priority in navigable waters that the United States had an interest by virtue of the reserved water rights doctrine and also directed that Federal agencies that administer the subsistence priority were responsible for identifying those waters (64 FR 5, 1276, January 8, 1999).

In 1998, the Board adopted the State's customary and traditional use determinations for fish (except herring) on Federal public lands and waters in the Southeast Region (63 FR 35343–35344, June 29, 1998), and then modified them to include, at the request of the Council, all species of salmon and Dolly Varden, trout, smelt, and Eulachon (64 FR 1300–1301, January 8, 1999).

As a consequence, customary and traditional use determinations for salmon, Dolly Varden, trout, smelt, and Eulachon were adopted in all or portions of Districts 1, 2, 3, 5, 9, 10, 12, 13, and 14, but no specific determinations were made for Districts 4, 6, 7, 8, 11, and 15—the remainder area. Therefore, all rural residents of Alaska were eligible to harvest fish under Federal subsistence regulations in the remainder area.

In 2000, Proposal FP01-22 was submitted by Bruce Eagle of Wrangell, Alaska, and requested that the customary and traditional use determination for Cutthroat Trout, Rainbow Trout, and Dolly Varden be expanded to include all rural residents of the Southeast Region, for the entire Southeastern Alaska Area geographically. The Council recommended expanding the requested determination to include Dolly Varden, trout, smelt and Eulachon in all of the Southeast Region (OSM 2000). The Board expanded the customary and traditional use determination to include Dolly Varden, trout, smelt, and Eulachon, but only to “the remainder areas” of the Southeast Region (66 FR 10146, 10147, February 13, 2001).

In 2004, five proposals (FP04-23 through FP04-27) were submitted to modify customary and traditional use determinations fish in the Prince of Wales Island area, described in the table below (**Table 1**). The Board took no action on four proposals. The Board adopted Proposal FP04-24 as modified by the Council, including all residents of Prince of Wales Island in the customary and traditional use determination for salmon, Dolly Varden, trout, smelt, and Eulachon in the Prince of Wales Island area (OSM 2005).

In 2004, Proposal FP04-28 was submitted by Dick Stokes of Wrangell, Alaska, and requested a customary and traditional use determination for salmon, Dolly Varden, trout, smelt, and Eulachon in waters flowing into Districts 6 and 7 for residents of Petersburg, Kake, and Wrangell. The Board adopted the proposal with the Council’s modification to include residents of Meyers Chuck.

In 2004, Proposal FP04-29 was submitted by Dick Stokes of Wrangell and Dolly Garza of Ketchikan, Alaska, and requested a customary and traditional use determination for salmon, Dolly Varden, trout, smelt and Eulachon in waters flowing into District 8 including the Stikine River and its delta for residents of Petersburg, Kake, and Wrangell. The Council modified the proposal to include salmon only and only residents of Wrangell. The Board adopted the proposal with modification to include residents of Meyers Chuck, Petersburg, and Wrangell.

In 2005, Proposal FP06-23 was submitted by Chuck Burkhardt of Gustavus, Alaska, and requested a customary and traditional use determination for fish for Gustavus in Districts 14B and 14C. The Board adopted the Council’s recommendation and tabled the proposal. The Council stated that it would submit a customary and traditional use proposal for this area that would call for more comprehensive determinations (OSM 2006, see Proposal FP07-17 below).

Table 1. Proposals to modify customary and traditional use determinations for fish in the Prince of Wales Island area submitted in 2004 (Source: OSM 2005).

Proposal and Proponent	Fish species	Area	Rural residents	Council recommendation	Board action
FP04-23 Lewis Hiatt (Hollis)	Salmon, Dolly Varden, trout, smelt, and eulachon	Waters flowing into District 2 north of the northern-most tip of Chasina Point and west of a line from the northern-most tip of Chasina Point to the eastern-most tip of Grindall Island to the eastern-most tip of the Kasaan Peninsula.	Residents of Kasaan, Hollis and drainage of the southeastern shore of the Kasaan Peninsula west of 132° 20'W long. and east of 132° 25'W. long.	No action	No action
FP04-24 Don Hernandez (Point Baker)	Salmon, Dolly Varden, trout, smelt, and eulachon	Waters flowing into District 2 remainder, 3B remainder, 3C remainder, 5 remainder, and 6	Residents of POWI and Edna Bay	Support Districts 1, 2, 5, and 6 all residents POWI	Adopt as modified
FP04-25 Brandy Prefontaine (Naukati)	Salmon, Dolly Varden, trout, smelt, and eulachon	Waters draining into remainder of District 3B, and Districts 3C, 5, and 6.	Residents of Naukati, Whale Pass, Coffman Cove, Lab Bay, Edna Bay, Port Protection, Point Baker	No action	No action
FP04-26 Gary Souza (Ketchikan)	Salmon, Dolly Varden, trout, smelt, and eulachon	Streams flowing into District 106-30 and 106-35 north of the Sweetwater drainage.	Residents of Whale Pass	No action	No action
		Streams flowing into Districts 106-41, 105-41, and 105-42	Residents of Pt Baker/Pt. Protection.		
		Streams flowing into Districts 103-80 and 103-90 except the Sarkar drainage	Residents of Naukati		
FP04-27 Gary Souza (Ketchikan)	Salmon, Dolly Varden, trout, smelt, and eulachon	Streams flowing into District 102-70 and 106-10 south of and including Ratz Creek	Residents of Thorne Bay	No action	No action
		Streams flowing into Districts 106-10 north of Ratz Creek and 106-30 south of and including the Sweetwater drainage	Residents of Coffman Cove		

Chuck Burkhardt, the proponent of Proposal FP06-23, submitted Fisheries Request for Reconsideration FRFR06-01 in May 2006 requesting the Board reconsider its action on Proposal FP10-17. The Board considered FRFR06-01 at its November 16, 2006 work session. The Board adopted Proposal FP06-23 (FSB 2006:176–197).

In 2007, the Council submitted Proposal FP07-17 and requested to modify the customary and traditional use determinations in Districts 12, 13, and 14 to include all fish and all residents of Districts 12, 13, and 14. The Council recommended that the Board adopt the proposal with the OSM staff modification (OSM 2007a). The Board adopted the Council’s modification. Residents of drainages flowing into Districts 12 and 14 were added to a determination for all fish in District 12A excluding the area south of line from Fishery point to South Passage Point and 12B. Residents of drainages flowing into Sections 13A, 13B, and District 14 were added to a determination for all fish in District 13A excluding the area south of the latitude of Cape Edward. Finally, residents of drainages flowing into Districts 12A, 13A, and District 14 were added to a determination for all fish in District 14.

In 2007, Proposal FP08-04 was submitted by the Alaska Department of Fish and Game (ADF&G) requesting that a “no Federal subsistence priority” determination be made for customary and traditional uses of fish in the Juneau road system area. The Council recommended the Board reject the proposal (OSM 2007b). At its December 2007 meeting, the Board agreed with the Council and rejected the proposal.

In 2008, Proposal FP09-15 was submitted by ADF&G requesting, again, that a “no Federal subsistence priority” determination be made for customary and traditional uses of fish in the Juneau road system area. The Council similarly recommended the Board reject the proposal (OSM 2009). At its December 2008 meeting, the Board again agreed with the Council and rejected the proposal.

In 2010, the Secretary of the Interior asked the Board to review, with Regional Advisory Council input, the customary and traditional use determination process and present recommendations for regulatory changes. In April 2014, as part of its review of the process, the Council sent a letter to the Board requesting an analysis of the effects of possible changes to the customary and traditional use determination process. The Council observed that some customary and traditional use determinations have resulted in unnecessary closures to other rural residents when no concerns for the viability of a resource population have existed and that if these concerns did exist, there was already a process in regulation to restrict who can fish, hunt, or trap. The process involves a determination of who is most customarily dependent on the resource based on three criteria found in ANILCA Section 804. The Office of Subsistence Management reported back to the Council in winter 2015 in a briefing that was presented to all 10 Regional Advisory Councils (OSM 2015). The briefing indicated that Councils have recommended, and the Board has adopted, determinations that include entire management units or entire management areas when residents of a community have demonstrated taking fish or wildlife in only a portion of a management unit or a management area. The Council has not submitted a request to the Secretary of the Interior to modify the customary and traditional use determine process in Federal regulations. Instead, the Councils stated intent is to submit regulatory proposals to the Board requesting to broaden the patchwork of customary and traditional use determinations that currently exist in the Southeast Region. Recently, the Council submitted Wildlife Proposal WP18-02 to expand customary and traditional use determinations for deer to include all Southeast Region rural residents

for deer in Units 1–5 comprising the Southeast Region. The Board adopted that proposal at its April 2018 regulatory meeting.

Community Characteristics

The rural area of the Southeast Region is comprised of about 33 small to medium sized communities, ranging in population from 20 or less (Point Baker, Elfin Cove, and Game Creek) to over 8,000 (Sitka) (**Table 2**). Many were established by Tlingit and are situated at historical village sites or were established by Haida (Hydaburg) or Tsimshian (Metlakatla). Population growth in the Southeast Region during the historical period (beginning about 1750) has been affected by several waves of in-migration, first by Russian fur traders who established Sitka as their headquarters in the late 1700s. After the sale of Alaska to the United States in 1867, new industries (such as commercial fishing, canneries, mining, and fox farming) and commercial trade, were pursued with the associated influx of outsiders during every decade of the 20th century (George and Bosworth 1988 and Smythe 1988). Beginning in the 1970s, timber logging camps sprang up and some have persisted as new communities, such as Game Creek and Thorne Bay. Many rural communities in the Southeast Region have at their core a *kwaan* or tribe of Alaska Natives. The territories mapped in 1947 by Goldschmidt and Haas covered all of the Southeast Region (Goldschmidt and Haas 1998). Since 1960 the rural population of the Southeast Region has doubled from 13,102 people in 1960 to 26,343 people in 2010 (**Table 2**). Some of this growth has been from new communities established near logging activities and growth in the recreation and tourism industries.

Eight Factors for Determining Customary and Traditional Use

A community or area's customary and traditional use is generally exemplified through the eight factors: (1) a long-term, consistent pattern of use, excluding interruptions beyond the control of the community or area; (2) a pattern of use recurring in specific seasons for many years; (3) a pattern of use consisting of methods and means of harvest which are characterized by efficiency and economy of effort and cost, conditioned by local characteristics; (4) the consistent harvest and use of fish or wildlife as related to past methods and means of taking: near, or reasonably accessible from the community or area; (5) a means of handling, preparing, preserving, and storing fish or wildlife which has been traditionally used by past generations, including consideration of alteration of past practices due to recent technological advances, where appropriate; (6) a pattern of use which includes the handing down of knowledge of fishing and hunting skills, values, and lore from generation to generation; (7) a pattern of use in which the harvest is shared or distributed within a definable community of persons; and (8) a pattern of use which relates to reliance upon a wide diversity of fish and wildlife resources of the area and which provides substantial cultural, economic, social, and nutritional elements to the community or area.

The Board makes customary and traditional use determinations based on a holistic application of these eight factors (50 CFR 100.16(b) and 36 CFR 242.16(b)). In addition, the Board takes into consideration the reports and recommendations of any appropriate Regional Advisory Council regarding customary and traditional use of subsistence resources (50 CFR 100.16(b) and 36 CFR 242.16(b)). The Board makes customary and traditional use determinations for the sole purpose of recognizing the pool of users who generally exhibit the eight factors. The Board does not use such determinations for resource management or

Table 2. The number of people in Southeast Region rural communities, 1960–2010 (Sources: ADLWD 2017, ADCCED 2017, and U.S. Bureau of the Census 1995).

Community	1960	1970	1980	1990	2000	2010	Number of households
Angoon	395	400	465	638	572	459	167
Coffman Cove	0	0	193	186	199	176	89
Craig	273	272	527	1,260	1,397	1,201	523
Edna Bay	135	112	6	86	49	42	19
Elfin Cove	0	49	28	57	32	20	15
Game Creek	0	0	0	61	35	18	10
Gustavus	107	64	98	258	429	442	199
Haines borough	1,000	1,504	1,680	2,117	2,392	2,508	991
Hollis CDP	0	0	0	111	139	112	55
Hoonah	686	748	680	795	860	760	300
Hydaburg	251	214	298	384	382	376	133
Hyder	32	49	77	99	97	87	47
Kake	455	448	555	700	710	557	246
Kasaan	36	30	25	54	39	49	17
Klawock	251	213	318	722	854	755	313
Klukwan	112	103	135	129	139	95	44
Kupreanof	26	36	47	23	23	27	15
Metlakatla	1,135	1,245	1,333	1,464	1,375	1,405	469
Naukati Bay	0	0	0	93	135	113	60
Pelican	135	133	180	222	163	88	70
Petersburg borough	1,502	2,042	2,821	3,207	3,224	2,948	1,252
Point Baker	0	80	90	39	35	15	8
Port Alexander	18	36	86	119	81	52	22
Port Protection	0	0	40	62	63	48	26
Saxman	153	135	273	369	431	411	120
Sitka borough	3,237	6,109	7,803	8,588	8,835	8,881	3,545
Skagway	659	675	814	692	862	920	410
Tenakee Springs	109	86	138	94	104	131	72
Thorne Bay	0	443	377	569	557	471	214
Whale Pass	0	0	90	75	58	31	20
Whitstone	0	0	NA	164	116	114	30
Wrangell borough	2,165	2,358	2,658	2,479	2,448	2,369	1,053
Yakutat borough	230	190	449	534	808	662	270
Total	13,102	17,774	22,284	26,450	27,643	26,343	10,824

for restricting harvest. If a conservation concern exists for a particular population, the Board addresses that concern through the imposition of harvest limits or season restrictions rather than through adjustments to customary and traditional use findings.

Introduction

The customary and traditional use determinations for fishes in the Southeast Region generally include only salmon, Dolly Varden, trout, smelt, and Eulachon because these fishes are present in freshwaters; however, some marine waters are Federal public waters (for example, around Makhnati Island near Sitka).

1. Angoon, Hoonah, Tenakee Springs, Elfin Cove, Pelican, and Gustavus have customary and use determinations for all fish. The Council seeks to expand these determinations geographically to include all of the Southeast Region.
2. Other communities have customary and traditional use determinations for only salmon, Dolly Varden, trout, smelt, and Eulachon. The Council seeks to expand these determinations geographically to include all of the Southeast Region.
3. District 1 remainder, 4, 9B remainder, 10 remainder, 11, 13B remainder, and 15 in the Southeastern Alaska Area and the remainder of the Yakutat Area have no customary and traditional use determinations for salmon, and all rural residents of Alaska are therefore Federally qualified subsistence users (**Figure 1** and **Figure 2**). The Council seeks to limit eligibility to include only residents of the Southeast Region.
4. Customary and traditional use determinations for marine fishes have not been adopted for most of the Southeast Region, and all rural residents of Alaska are therefore Federally qualified subsistence users. The Council seeks to limit eligibility to include only residents of the Southeast Region.

Fishes have been seasonally harvested and used by Tlingit, Haida, and Tsimshian communities in the Southeast Region since well before historic contact and continue to the present as documented in numerous ethnographies and studies of subsistence uses in the Southeast Region. Non-Natives throughout the region have also established long-term patterns of harvest and use of these fish in the streams, lakes, and marine waters where they are found (see Brock and Coiley-Kenner 2009; Cohen 1988; Deur et al. 2014; Ellanna and Sherrod 1986; Firman and Bosworth 1990; George and Bosworth 1988; Gmelch and Gmelch 1983; Goldschmidt and Haas 1998; Langdon 2012; Meuret-Woody et al. 2010; Mills and Firman 1986; Paige et al. 2009; Sill and Koster 2017a, 2017b; Sill et al. 2017; Smythe 1988; and Turek 2005).

Many rural communities in the Southeast Region are characterized by large extended families with long history and experience in their local areas. Residents of rural communities in the Southeast Region still possess considerable depth of knowledge regarding resource skills, values, and cultural connections to salmon, trout, char, smelt and Eulachon, and other marine fishes.

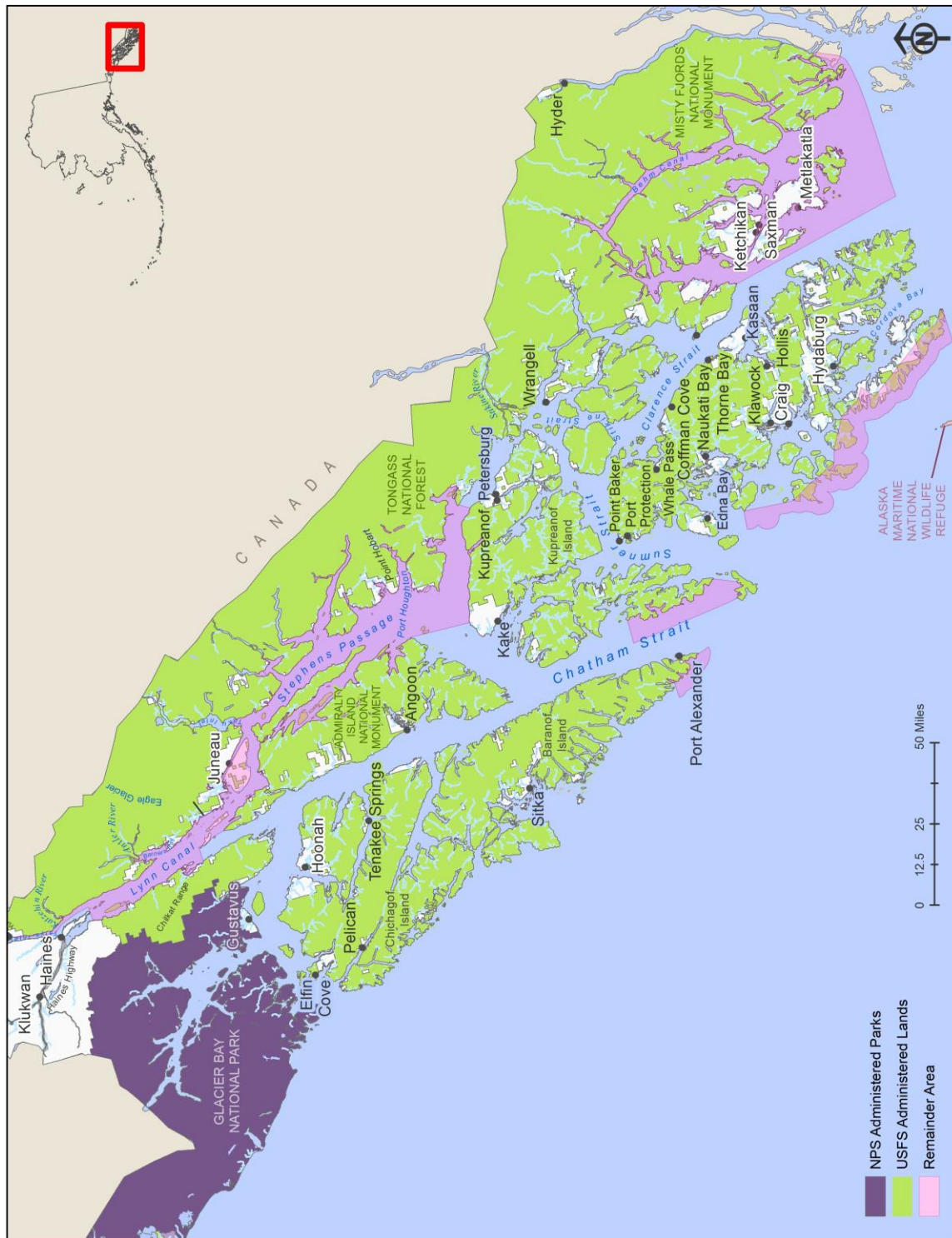


Figure 1. Map of the remainder area of the customary and traditional use determinations for salmon in the Southeastern Alaska Area. All rural residents are eligible to harvest salmon in this remainder area under Federal regulations.

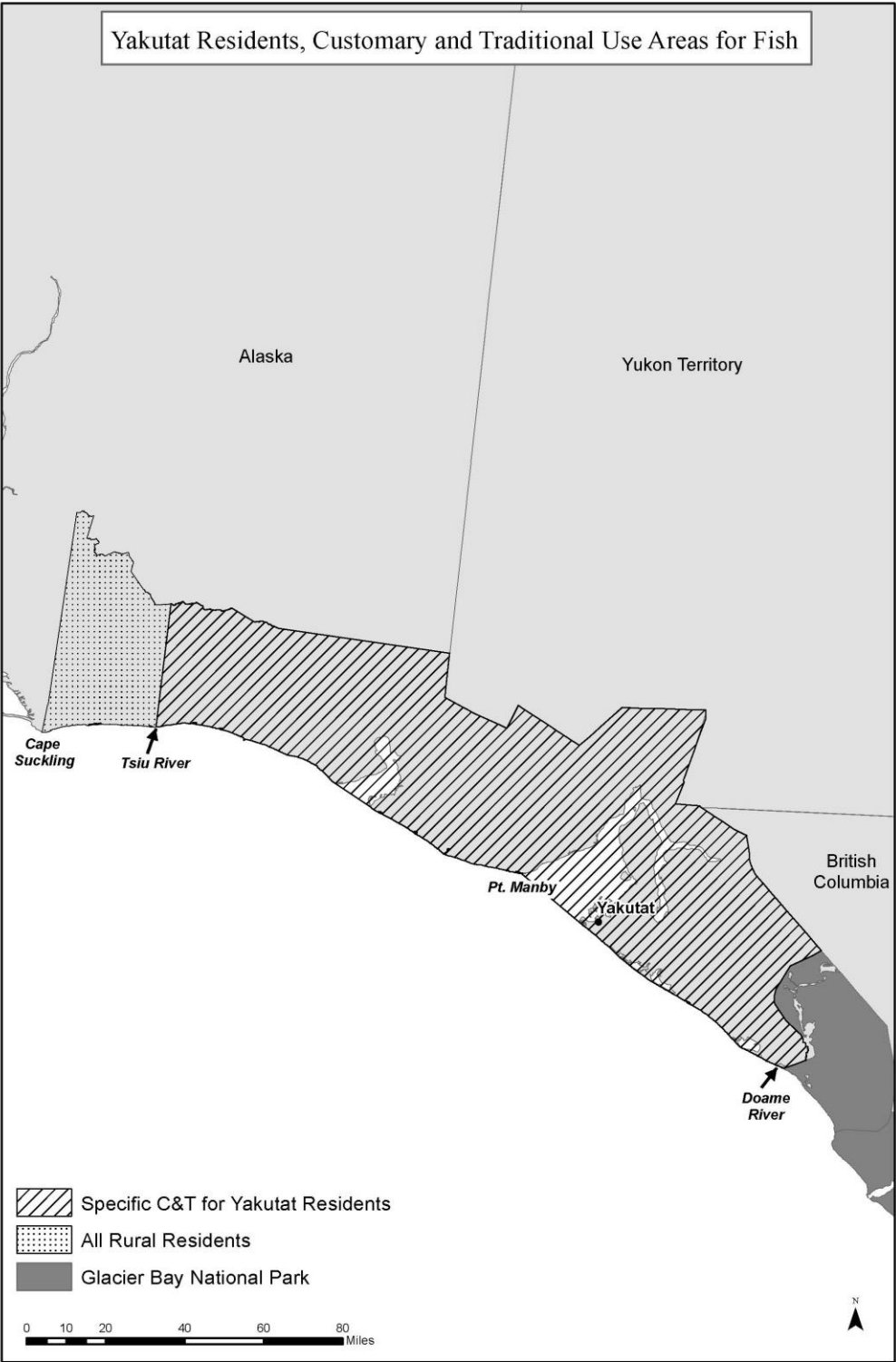


Figure 2. Map of the remainder area of the customary and traditional use determination for salmon in the Yakutat Area. All rural residents are eligible to harvest salmon in this remainder area under Federal regulations.

Methods and Means

Variation from traditional patterns stem from, at least: (1) regulatory restrictions on eligibility, seasons, daily and annual harvest limits, gear types, bait, and so on; (2) increased competition from out-of-state and non-rural residents; (3) variation in availability due to abundance related to habitat, over harvest, commercial harvest, and so on; and (4) changes in available technology. Where not restricted, rural residents of the region tend to adopt new harvest technologies, such as outboard boat motors and mechanical rod and reel gear, in addition to techniques such as the use of nets, gaffs, and spears. Many patterns of use, including the use of resources obtained through gifting and exchange, remain the same throughout the region as long as access to those resources is not restricted. Patterns of use include various kinds of processing and preservation for individual and household consumption and for customary trade, but also include display as part of traditional Alaska Native gifting traditions and of sharing between individuals and groups of Natives and non-Natives.

Traditional methods and means among Tlingit, Haida, and Tsimshian included (1) trolling and setting with hook and line, (2) weirs and fish traps, and (3) gaffs and spears. Modifications of traditional gear occurred as new regulations were established and new gear was introduced, including modifications to trolling and hooking gear, and replacement of wood, bone, and stone hooks and sinkers with lead and other metals. Cotton and nylon line replaced natural fibers, and rubber and plastic replaced wood and skin floats. Rod and reel gear evolved from carved wooden rods and rectangular frame reels to manufactured rods and reels by the 1950s. Regulatory restrictions have not allowed subsistence users to harvest in many of the traditional ways, but traditional patterns have adapted to some degree and persist in contemporary harvest and use.

Use Areas

Historically people in the Southeast Region have taken fish from bays and streams that they either traditionally owned or had permission to use. Traditional clans moved to specific streams, and clan leaders controlled access and use of the resources there. Infringement on streams was a serious offense and could result in retribution. These clan-owned areas are documented in many forms, including Goldschmidt and Haas' report "*Haa Aani, Our Land*" (1998) and many ethnographies. Not all of the streams that were traditionally used were adjacent to villages, and historically people sometimes traveled quite far to get fish, or they acquired fish while engaged in hunting or trapping. As people throughout the Southeast Region began taking part in commercial fisheries, subsistence fishing often took place immediately before, during, or after commercial openings. This pattern of harvest, including fishing in streams closely accessible and those in different parts of the region persists in contemporary life. People in the Southeast Region travel from home to other communities for many reasons such as to visit family and friends, to harvest wild resources, to commercial fish, for potlatches and other cultural celebrations, and to return to traditional clan and kwaan territories.

Harvest and Use Estimates

Harvest estimates that are readily available were collected by the ADF&G Division of Subsistence in collaboration with rural communities in the Southeast Region for specific study years between 1983 and 2015. Annual community harvests of fishes have consistently been over 50% of all wild resources

harvested for subsistence, in lbs. edible weight (**Table 3**). Data are organized around the harvest of salmon and the harvest of nonsalmon fishes. Salmon were used by over 80% of households in all but six of 70 survey years and ranged from a low of 54% of households using salmon at Sitka in 1987 to a high of 100% of households at Beecher Pass (1987), Edna Bay (1998), Elfin Cove (1987), Game Creek (1996), Hydaburg (2012), and Klukwan and Point Baker (1996) (**Table 4**). Results for nonsalmon fishes are similar (**Table 5**).

In rural communities in the Southeast Region, halibut, herring (including roe and spawn), and Rockfish (Black and Yellow Eye) are harvested at the highest levels compared to other fishes. In some communities, smelt, Eulachon, Cod (Pacific and Tom), Dolly Varden, Trout (Cutthroat, Rainbow, and Steelhead), and sole are also harvested at high levels compared to other fishes. Smaller numbers of Sable Fish (Black Cod), greenling, Lingcod, shark, and sculpin are harvested (ADF&G 2018). Halibut harvests have commonly been in the 20,000 to 30,000 lb. range per study year per community; however, the Board does not manage the subsistence harvest of halibut. Rural residents of the Southeast Region also harvest herring at high levels; however, data describing the harvest of herring, herring roe, and herring spawn are not combined in harvest reports, and therefore require substantial additional work to describe here. Rockfish harvest levels have been as high as 22,800 fish, at Sitka in 1987 (**Table 6**). Rockfish harvest rates have ranged from a low of no harvest at Klukwan in 1983 and 1996 to a high of 77 lbs. per person at Edna Bay in 1998.

Salmon were, and continue to be, the mainstay of the economy and the most important group of subsistence species for Southeast Region communities compared to other categories such as land mammals, marine mammals, and birds and eggs (**Table 7**). Salmon fishing has been augmented by, and is complementary to, the seasonal round of collecting other kinds of fish, hunting for terrestrial and marine mammals, collecting intertidal resources, and harvesting plants from beaches, forests, and elsewhere. The harvest and use of other fishes is widespread across the region and similarly fits in the seasonal round of subsistence activities.

Effects of the Proposal

If this proposal is adopted, residents of Angoon, Hoonah, Tenakee Springs, Elfin Cove, Pelican, and Gustavus, and rural residents living outside of an organized community but who reside in the area, currently included in a patchwork of customary and use determinations for all fish, will be able harvest all fishes under Federal regulations across the entire Southeast Region.

All other rural residents of the Southeast Region are currently included in a patchwork of determinations for Dolly Varden, trout, smelt, and Eulachon only, and if this proposal is adopted, will be eligible to harvest these fishes under Federal regulations across the entire Southeast Region.

All rural residents of Alaska are currently Federally qualified subsistence users of salmon in District 1 remainder, 4, 9B remainder, 10 remainder, 11, 13B remainder, and 15 in the Southeastern Alaska Area and the remainder of the Yakutat Area. If the proposal is adopted, rural residents that do not reside in the Southeast Region will no longer be eligible to harvest salmon under Federal regulations in the Southeast Region.

Finally, Southeast Region rural residents other than residents of Angoon, Hoonah, Tenakee Springs, Elfin Cove, Pelican, and Gustavus, and rural residents living outside of an organized community but who reside in the area, currently do not have determinations for marine fishes, and if this proposal is adopted, will be eligible to harvest marine fishes under Federal regulations in the Southeast Region.

If the proposal was not adopted, under Federal regulations, rural residents of the Southeast Region would be restricted to fishing in only a portion of the Southeast Region based on the current patchwork of customary and traditional use determinations.

OSM PRELIMINARY CONCLUSION

Support Proposal FP19-17

Justification

Rural residents of the Southeast Region have demonstrated customary and traditional uses of fishes in the Southeast Region according to ethnographic descriptions and harvest documentation. The Board adopted the State's customary and traditional use determinations into regulations. Customary and traditional use determinations adopted from State regulations constitute a patchwork of restrictive determinations where other Southeast Region rural residents cannot fish under Federal subsistence management regulations. This history has created an unnecessary and confusing regulatory complexity in which it has been difficult for subsistence users to know where they can fish under Federal regulations. People in the Southeast Region travel from home to other communities for many reasons such as to visit family and friends, to harvest wild resources, to commercial fish, for potlatches and other cultural celebrations, and to return to traditional clan and kwaan territories. At these times, they need to be able to continue long-standing patterns of fishing. Expanding the Southeast Region customary and traditional use determinations for fish to include all rural residents of the Southeast Region will allow these uses.

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Table 3. The estimated harvest of all wildlife resources, all fishes, salmon, and nonsalmon fishes by rural communities in the Southeast Alaska Region during one year study periods between 1983 and 2015 (source: ADF&G 2018).

Community	Study year	All Wild Resources Per person harvest in lbs. edible weight	Percentage Salmon	Percentage Nonsalmon Fishes	Percentage Fish
Angoon	1984	216	34%	21%	55%
Angoon	1987	244	29%	14%	43%
Angoon	1996	224	36%	21%	58%
Angoon	2012	183	20%	29%	50%
Beecher Pass	1987	477	27%	23%	50%
Coffman Cove	1987	183	28%	31%	59%
Coffman Cove	1998	276	23%	30%	53%
Craig	1987	185	22%	33%	55%
Craig	1997	232	28%	27%	55%
Edna Bay	1987	479	21%	28%	49%
Edna Bay	1998	383	14%	49%	63%
Elfin Cove	1987	263	31%	22%	53%
Game Creek	1996	187	15%	29%	43%
Gustavus	1987	241	23%	34%	57%
Haines	1983	126	36%	26%	63%
Haines	1987	97	28%	38%	66%
Haines	1996	196	30%	41%	71%
Haines	2012	135	34%	28%	62%
Hollis	1987	183	24%	19%	43%
Hollis	1998	169	23%	18%	42%
Hoonah	1985	210	22%	19%	41%
Hoonah	1987	385	26%	20%	46%
Hoonah	1996	372	30%	18%	48%
Hoonah	2012	343	21%	35%	56%
Hydaburg	1987	336	41%	25%	65%
Hydaburg	1997	384	30%	28%	59%
Hydaburg	2012	531	40%	25%	65%
Hyder	1987	345	35%	25%	60%
Kake	1985	218	32%	21%	53%
Kake	1987	163	22%	20%	42%
Kake	1996	179	24%	23%	48%
Kasaan	1987	182	18%	18%	35%
Kasaan	1998	452	21%	41%	61%
Klawock	1984	223	31%	26%	57%
Klawock	1987	247	30%	29%	60%
Klawock	1997	320	33%	24%	57%
Klukwan	1983	170	67%	20%	86%
Klukwan	1987	238	52%	34%	86%
Klukwan	1996	608	44%	41%	85%
Metlakatla	1987	70	29%	25%	54%
Meyers Chuck	1987	414	25%	42%	67%
Pelican	1987	355	17%	34%	50%

Community	Study year	All Wild Resources Per person harvest in lbs. edible weight	Percentage Salmon	Percentage Nonsalmon Fishes	Percentage Fish
Petersburg	1987	198	23%	22%	45%
Petersburg	2000	161	37%	26%	63%
Point Baker	1987	346	26%	19%	45%
Point Baker	1996	289	29%	31%	59%
Port Alexander	1987	312	22%	22%	45%
Port Protection	1987	304	37%	29%	66%
Port Protection	1996	451	13%	25%	38%
Saxman	1987	94	36%	20%	56%
Saxman	1999	217	38%	21%	60%
Sitka	1987	145	27%	30%	56%
Sitka	1996	205	28%	26%	54%
Sitka	2013	175	27%	39%	66%
Skagway	1987	48	37%	32%	69%
Tenakee Springs	1984	250	28%	17%	45%
Tenakee Springs	1987	330	15%	25%	40%
Thorne Bay	1987	189	25%	38%	64%
Thorne Bay	1998	179	35%	20%	55%
Whale Pass	1987	179	23%	21%	44%
Whale Pass	1998	185	15%	20%	35%
Whale Pass	2012	247	21%	31%	52%
Whitestone Camp	1996	178	12%	40%	51%
Wrangell	1987	155	19%	28%	47%
Wrangell	2000	168	15%	20%	36%
Yakutat	1984	369	35%	22%	57%
Yakutat	1987	398	54%	19%	74%
Yakutat	2000	386	38%	23%	60%
Yakutat	2015	262	35%	18%	53%

Table 4. The harvest and use of salmon by rural communities in the Southeast Region during one year study periods between 1983 and 2015 (Blank cell=question not asked; Source: ADF&G 2018).

Community	Study year	Households using salmon	Households attempting to harvest salmon	Households harvesting salmon	Households giving away salmon	Households receiving salmon
Angoon	1984	79%	74%	71%	24%	29%
Angoon	1987	85%		64%	37%	51%
Angoon	1996	80%	65%	65%	42%	62%
Angoon	2012	92%	65%	65%	47%	77%
Beecher Pass	1987	100%		100%	60%	80%
Coffman Cove	1987	71%		68%	26%	21%
Coffman Cove	1998	94%	84%	82%	44%	46%
Craig	1987	84%		65%	34%	47%
Craig	1997	88%	71%	69%	46%	51%
Edna Bay	1987	90%		85%	55%	50%
Edna Bay	1998	100%	100%	100%	25%	25%
Elfin Cove	1987	100%		100%	62%	69%
Game Creek	1996	100%	50%	50%	33%	100%
Gustavus	1987	92%		74%	51%	48%
Haines	1983	82%	68%	61%	25%	44%
Haines	1987	80%		49%	38%	47%
Haines	1996	89%	61%	61%	40%	68%
Haines	2012	92%	66%	64%	44%	58%
Hollis	1987	81%		70%	33%	44%
Hollis	1998	80%	63%	61%	28%	48%
Hoonah	1985	86%		55%	34%	
Hoonah	1987	92%		69%	49%	64%
Hoonah	1996	86%	77%	74%	57%	64%
Hoonah	2012	89%	66%	61%	51%	63%
Hydaburg	1987	94%		67%	51%	60%
Hydaburg	1997	96%	73%	69%	65%	63%
Hydaburg	2012	100%	73%	73%	71%	90%
Hyder	1987	67%		55%	18%	33%
Kake	1985	87%		61%	34%	
Kake	1987	88%		56%	35%	57%
Kake	1996	99%	67%	62%	43%	75%
Kasaan	1987	100%		57%	36%	71%
Kasaan	1998	93%	57%	50%	50%	64%
Klawock	1984	89%	72%	72%	44%	50%
Klawock	1987	81%		71%	36%	41%
Klawock	1997	89%	70%	69%	50%	59%
Klukwan	1983	94%	88%	85%	52%	30%
Klukwan	1987	98%		76%	43%	59%
Klukwan	1996	100%	74%	71%	68%	81%
Metlakatla	1987	82%		28%	19%	71%
Meyers Chuck	1987	100%		100%	40%	30%
Naukatli Bay	1998	88%	68%	68%	42%	44%
Pelican	1987	95%		74%	41%	81%

Community	Study year	Households using salmon	Households attempting to harvest salmon	Households harvesting salmon	Households giving away salmon	Households receiving salmon
Petersburg	1987	97%		75%	55%	61%
Petersburg	2000	78%	52%	47%	30%	51%
Point Baker	1987	90%		74%	37%	47%
Point Baker	1996	100%	69%	69%	50%	50%
Port Alexander	1987	94%		71%	53%	62%
Port Protection	1987	96%		88%	44%	60%
Port Protection	1996	96%	80%	80%	44%	64%
Saxman	1987	89%		58%	15%	51%
Saxman	1999	90%	58%	53%	44%	70%
Sitka	1987	54%		54%	0%	0%
Sitka	1996	89%	60%	58%	51%	64%
Sitka	2013	88%	58%	54%	46%	66%
Skagway	1987	73%		39%	17%	54%
Tenakee Springs	1984	88%	63%	63%	38%	71%
Tenakee Springs	1987	77%		48%	29%	58%
Thorne Bay	1987	86%		73%	39%	30%
Thorne Bay	1998	85%	82%	79%	36%	32%
Whale Pass	1987	89%		67%	33%	33%
Whale Pass	1998	93%	73%	73%	53%	67%
Whale Pass	2012	95%	62%	57%	48%	57%
Whitestone	1996	83%	88%	83%	33%	38%
Wrangell	1987	82%		53%	25%	62%
Wrangell	2000	81%	49%	46%	38%	54%
Yakutat	1984	96%	76%	74%	50%	60%
Yakutat	1987	88%		86%	63%	57%
Yakutat	2000	98%	81%	78%	68%	73%
Yakutat	2015	94%	78%	74%	61%	73%

Table 5. The harvest and use of nonsalmon fishes by rural communities in the Southeast Region during one year study periods between 1983 and 2015 (Blank cell=not asked; source: ADF&G 2018).

Community	Study year	Households using nonsalmon fishes	Households attempting to harvest nonsalmon fishes	Households harvesting nonsalmon fishes	Households giving away nonsalmon fishes	Households receiving nonsalmon fishes
Angoon	1984	90%	87%	84%	50%	71%
Angoon	1987	99%		68%	51%	86%
Angoon	1996	82%	61%	61%	30%	70%
Angoon	2012	86%	63%	59%	51%	69%
Beecher Pass	1987	100%		100%	100%	60%
Coffman Cove	1987	82%		74%	47%	40%
Coffman Cove	1998	98%	90%	90%	44%	48%
Craig	1987	81%		63%	33%	63%
Craig	1997	91%	70%	67%	47%	61%
Edna Bay	1987	100%		100%	95%	85%
Edna Bay	1998	100%	100%	100%	33%	33%
Elfin Cove	1987	92%		77%	62%	85%
Game Creek	1996	100%	75%	75%	75%	100%
Gustavus	1987	96%		82%	74%	57%
Haines	1983	80%	68%	62%	23%	38%
Haines	1987	85%		57%	35%	58%
Haines	1996	86%	58%	58%	37%	71%
Haines	2012	84%	50%	48%	30%	63%
Hollis	1987	81%		64%	17%	57%
Hollis	1998	76%	54%	50%	17%	44%
Hoonah	1985	100%		76%		
Hoonah	1987	99%		83%	63%	83%
Hoonah	1996	83%	75%	71%	47%	68%
Hoonah	2012	94%	68%	63%	58%	87%
Hydaburg	1987	96%		73%	51%	93%
Hydaburg	1997	100%	57%	57%	57%	98%
Hydaburg	2012	98%	67%	65%	75%	96%
Hyder	1987	82%		58%	15%	49%
Kake	1985	91%		57%		
Kake	1987	96%		62%	30%	83%
Kake	1996	99%	62%	58%	34%	77%
Kasaan	1987	100%		71%	64%	79%
Kasaan	1998	100%	71%	71%	43%	71%
Klawock	1984	86%	64%	61%	42%	67%
Klawock	1987	91%		74%	51%	61%
Klawock	1997	94%	68%	68%	47%	72%
Klukwan	1983	91%	85%	76%	18%	55%
Klukwan	1987	100%		74%	55%	93%
Klukwan	1996	100%	84%	77%	71%	100%
Metlakatla	1987	82%		31%	22%	80%
Meyers Chuck	1987	80%		80%	50%	50%
Naukatl Bay	1998	84%	62%	58%	28%	52%

Community	Study year	Households using nonsalmon fishes	Households attempting to harvest nonsalmon fishes	Households harvesting nonsalmon fishes	Households giving away nonsalmon fishes	Households receiving nonsalmon fishes
Pelican	1987	100%		83%	74%	88%
Petersburg	1987	88%		77%	53%	52%
Petersburg	2000	80%	50%	46%	25%	58%
Point Baker	1987	95%		79%	58%	84%
Point Baker	1996	100%	81%	81%	63%	75%
Port Alexander	1987	100%		74%	53%	79%
Port Protection	1987	96%		76%	52%	84%
Port Protection	1996	96%	80%	80%	56%	84%
Saxman	1987	89%		60%	25%	79%
Saxman	1999	84%	45%	42%	40%	73%
Sitka	1987	56%		56%	0%	0%
Sitka	1996	92%	60%	57%	47%	67%
Sitka	2013	91%	55%	54%	43%	73%
Skagway	1987	81%		35%	12%	62%
Tenakee Springs	1984	92%	63%	63%	46%	83%
Tenakee Springs	1987	97%		58%	45%	77%
Thorne Bay	1987	91%		79%	41%	52%
Thorne Bay	1998	69%	66%	64%	25%	25%
Whale Pass	1987	94%		89%	39%	50%
Whale Pass	1998	80%	60%	60%	40%	47%
Whale Pass	2012	95%	76%	71%	38%	52%
Whitestone Camp	1996	100%	88%	88%	25%	29%
Wrangell	1987	92%		64%	40%	73%
Wrangell	2000	80%	49%	47%	39%	63%
Yakutat	1984	98%	76%	72%	56%	94%
Yakutat	1987	96%		87%	57%	82%
Yakutat	2000	95%	63%	60%	58%	81%
Yakutat	2015	94%	66%	62%	57%	84%

Table 6. The estimated harvest of rockfishes by rural communities in the Southeast Region during one year study periods between 1983 and 2015 (CI 95%, lower harvest estimate is the lower bound of the estimate or the reported harvest, whichever is larger) (Source: ADF&G 2018).

Community	Study year	Unit	Rockfish estimated harvest	Lower harvest estimate	Upper harvest estimate	Per person harvest in lbs.
Angoon	1984	Ind.	439	132	746	2.1
Angoon	1987	Ind.	309	195	423	1.2
Angoon	1996	Ind.	292	134	498	1.7
Angoon	2012	Lbs.	935	334	340	2.7
Beecher Pass	1987	Ind.	262	77	461	11.9
Coffman Cove	1987	Ind.	385	248	522	4.1
Coffman Cove	1998	Ind.	940	732	1,149	9.9
Craig	1987	Ind.	4,439	2,561	6,318	7.5
Craig	1997	Ind.	4,762	3,232	6,292	8.9
Edna Bay	1987	Ind.	1,148	1,093	1,320	33.1
Edna Bay	1998	Ind.	1,298	916	2,161	77.0
Elfin Cove	1987	Ind.	210	144	329	7.0
Game Creek	1996	Ind.	38	30	57	2.0
Gustavus	1987	Ind.	90	59	120	1.2
Haines	1983	Lbs.	1,015	378	1,652	0.5
Haines	1987	Ind.	323	58	589	0.4
Haines	1996	Ind.	1,390	164	2,624	2.5
Haines	2012	Lbs.	886	384	385	0.5
Hollis	1987	Ind.	318	318	318	8.0
Hollis	1998	Ind.	248	193	346	3.5
Hoonah	1985	Lbs.	1,006	442	1,570	1.1
Hoonah	1987	Ind.	5,547	2,141	8,954	15.9
Hoonah	1996	Ind.	1,462	402	2,603	5.8
Hoonah	2012	Lbs.	2,090	737	742	2.9
Hydaburg	1987	Ind.	2,513	963	4,062	13.3
Hydaburg	1997	Ind.	2,232	1,086	3,378	18.0
Hydaburg	2012	Lbs.	5,241	1,939	1,958	15.8
Hyder	1987	Ind.	141	119	232	3.6
Kake	1985	Lbs.	1,151	710	1,592	1.8
Kake	1987	Ind.	579	239	918	1.8
Kake	1996	Ind.	181	53	343	0.8
Kasaan	1987	Ind.	69	69	69	3.5
Kasaan	1998	Ind.	46	36	68	3.5
Klawock	1984	Ind.	1,354	1,354	1,354	4.6
Klawock	1987	Ind.	3,173	1,663	4,684	8.0
Klawock	1997	Ind.	2,781	1,152	4,411	9.4
Klukwan	1983	Ind.	0	0	0	0.0
Klukwan	1987	Ind.	54	>1	125	0.8
Klukwan	1996	Ind.	0	0	0	0.0
Metlakatla	1987	Ind.	2,354	1,541	3,167	3.0
Meyers Chuck	1987	Ind.	686	686	686	45.7
Naukatli Bay	1998	Ind.	1,055	799	1,387	27.0

Community	Study year	Unit	Rockfish estimated harvest	Lower harvest estimate	Upper harvest estimate	Per person harvest in lbs.
Pelican	1987	Ind.	2,306	2,306	2,306	19.3
Petersburg	1987	Ind.	3,085	515	5,655	1.7
Petersburg	2000	Ind.	2,106	771	3,440	2.9
Point Baker	1987	Ind.	318	318	318	18.2
Point Baker	1996	Ind.	310	229	391	16.0
Port Alexander	1987	Ind.	1,173	857	1,490	22.0
Port Protection	1987	Ind.	789	648	930	27.1
Port Protection	1996	Ind.	1,262	858	1,667	31.8
Saxman	1987	Ind.	625	191	1,059	4.8
Saxman	1999	ind.	545	371	719	3.8
Sitka	1987	Ind.	22,764	15,847	29,681	5.7
Sitka	1996	Ind.	13,260	4,258	22,261	5.1
Sitka	2013	Lbs.	30,769	7,947	12,089	3.9
Skagway	1987	Ind.	209	-89	508	0.7
Tenakee Springs	1984	Ind.	123	45	201	3.9
Tenakee Springs	1987	Ind.	470	333	607	9.9
Thorne Bay	1987	Ind.	1,709	1,133	2,285	7.1
Thorne Bay	1998	Ind.	1,160	787	1,532	6.3
Whale Pass	1987	Ind.	33	33	33	1.3
Whale Pass	1998	Ind.	97	40	154	6.5
Whale Pass	2012	Lbs.	180	68	71	3.3
Whitestone	1996	Ind.	63	18	108	1.5
Wrangell	1987	Ind.	3,019	1,210	4,827	2.1
Wrangell	2000	Ind.	3,842	686	6,998	7.8
Yakutat	1984	Ind.	615	615	615	3.2
Yakutat	1987	Ind.	285	156	415	1.0
Yakutat	2000	Ind.	284	184	385	1.1
Yakutat	2015	Lbs.	1,490	320	764	2.5

Table 7. The estimated harvest of wild resources for subsistence, in lbs. edible weight per person, by rural communities in the Southeast Region during one year study periods between 1983 and 2015 (source: ADF&G 2018).

Community	Study year	Salmon	Non-salmon fishes	Land mammals	Marine mammals	Birds and eggs	Marine invertebrates	Plants and berries	Total
Angoon	1984	74	46	58	17	1	13	8	216
Angoon	1987	71	35	73	32	1	26	7	244
Angoon	1996	82	48	51	9	0	30	4	224
Angoon	2012	37	53	51	5	0	22	13	183
Beecher Pass	1987	131	108	109	0	23	93	13	477
Coffman Cove	1987	52	56	60	1	1	9	5	183
Coffman Cove	1998	63	83	66	1	3	49	11	276
Craig	1987	40	62	42	5	1	29	6	185
Craig	1997	65	63	47	10	1	29	19	232
Edna Bay	1987	99	135	147	0	4	67	26	479
Edna Bay	1998	55	186	90	0	0	16	36	383
Elfin Cove	1987	81	59	72	0	0	24	27	263
Game Creek	1996	27	54	47	0	3	36	20	187
Gustavus	1987	55	82	64	0	2	28	10	241
Haines	1983	46	33	34	1	3	3	5	126
Haines	1987	28	37	23	0	1	4	5	97
Haines	1996	58	81	29	1	1	11	15	196
Haines	2012	47	38	28	0	1	12	10	135
Hollis	1987	44	35	42	0	1	49	11	183
Hollis	1998	40	31	40	0	0	53	6	169
Hoonah	1985	47	40	58	21	1	22	21	210
Hoonah	1987	100	78	90	53	1	49	13	385
Hoonah	1996	113	67	81	23	1	58	30	372
Hoonah	2012	72	120	52	13	2	41	44	343
Hydaburg	1987	137	83	43	7	1	51	14	336
Hydaburg	1997	117	109	35	3	1	101	19	384
Hydaburg	2012	214	133	68	5	0	83	27	531
Hyder	1987	121	86	32	8	6	85	7	345
Kake	1985	69	46	27	26	1	19	29	218
Kake	1987	35	33	39	23	1	18	15	163
Kake	1996	44	42	52	10	1	22	9	179
Kasaan	1987	32	32	40	2	0	69	6	182
Kasaan	1998	93	184	70	25	0	61	19	452
Klawock	1984	69	58	36	14	1	28	18	223
Klawock	1987	75	72	47	5	1	40	7	247
Klawock	1997	105	78	54	21	1	37	24	320
Klukwan	1983	114	33	14	2	1	0	6	170
Klukwan	1987	124	81	14	8	1	1	10	238
Klukwan	1996	267	252	28	3	1	14	45	608
Metlakatla	1987	20	17	11	1	1	15	5	70
Meyers Chuck	1987	105	174	48	0	9	64	14	414
Naukatl Bay	1998	49	73	51	1	2	54	12	242

Community	Study year	Salmon	Non-salmon fishes	Land mammals	Marine mammals	Birds and eggs	Marine invertebrates	Plants and berries	Total
Pelican	1987	60	119	111	8	1	47	9	355
Petersburg	1987	45	44	57	0	4	39	9	198
Petersburg	2000	60	42	17	0	1	37	4	161
Point Baker	1987	89	66	101	0	3	66	20	346
Point Baker	1996	82	89	47	0	0	58	12	289
Port Alexander	1987	70	70	108	3	1	31	28	312
Port Protection	1987	111	88	41	0	2	43	19	304
Port Protection	1996	59	111	101	9	2	139	30	451
Saxman	1987	33	19	20	2	0	14	4	94
Saxman	1999	84	47	29	12	0	23	23	217
Sitka	1987	39	43	38	1	1	18	5	145
Sitka	1996	58	54	51	7	1	27	7	205
Sitka	2013	46	68	26	3	0	19	12	175
Skagway	1987	18	16	4	0	0	9	2	48
Tenakee Springs	1984	71	42	65	4	0	61	7	250
Tenakee Springs	1987	49	82	135	8	2	43	11	330
Thorne Bay	1987	48	73	40	0	1	24	4	189
Thorne Bay	1998	62	37	36	11	1	26	6	179
Whale Pass	1987	41	37	60	2	1	33	5	179
Whale Pass	1998	28	36	51	0	0	57	13	185
Whale Pass	2012	52	76	80	0	13	24	3	247
Whitestone	1996	21	71	57	0	1	23	5	178
Wrangell	1987	30	43	32	7	1	38	4	155
Wrangell	2000	26	34	39	0	1	60	8	168
Yakutat	1984	129	82	52	24	10	46	26	369
Yakutat	1987	216	77	15	31	2	40	17	398
Yakutat	2000	145	87	34	35	3	54	27	386
Yakutat	2015	93	47	49	33	4	12	25	262

FP19–18 Executive Summary	
General Description	<p>Proposal FP19–18 requests that the gillnet stretched mesh size for the Stikine River Sockeye and Coho Salmon subsistence fisheries be changed from a maximum of 5.5 inches to a maximum of 6.25 inches. <i>Submitted by Chris Ottesen of Wrangell.</i></p>
Proposed Regulation	<p>§___.27(e)(13) Southeastern Alaska Area</p> <p style="text-align: center;">* * * *</p> <p><i>(xiii) You may take Chinook, Sockeye, and Coho Salmon in the mainstem of the Stikine River only under the authority of a Federal subsistence fishing permit. Each Stikine River permit will be issued to a household. Only dip nets, spears, gaffs, rod and reel, beach seine, or gillnets not exceeding 15 fathoms in length may be used. The maximum gillnet mesh size is 5-1/2 1/4 inches, except during the Chinook season when the maximum gillnet mesh size is 8 inches.</i></p> <p style="text-align: center;">* * * *</p>
OSM Preliminary Conclusion	<p>Support Proposal FP19-18 with modification to preserve the 5.5 inch mesh size restriction during the Sockeye Salmon season and eliminate the gillnet mesh size restriction for the Coho Salmon season. In keeping with the cooperative approach being taken on the Stikine River due to the management of transboundary salmon stocks, the Federal Subsistence Board will need to coordinate with and obtain concurrence from the TBR.</p>
Southeast Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

**DRAFT STAFF ANALYSIS
FP19-18**

ISSUES

Proposal FP19-18, submitted by Chris Ottesen of Wrangell, requests that the gillnet stretched mesh size for the Stikine River Sockeye and Coho Salmon subsistence fisheries be changed from a maximum of 5.5 inches to a maximum of 6.25 inches.

DISCUSSION

The proponent stated that 6.25 inch mesh gillnet is standard gear for Coho Salmon. The larger mesh size is more efficient for catching Coho Salmon and allowing it would provide Federally qualified subsistence users an opportunity to use their existing gear rather than buying new nets. The proponent believes there will be no effect on Sockeye Salmon catch because many will pass through the larger mesh. This proposal would not change the Chinook Salmon regulations.

Existing Federal Regulation

§ __.27(e)(13) Southeastern Alaska Area

* * * *

(xiii) You may take Chinook, Sockeye, and Coho Salmon in the mainstem of the Stikine River only under the authority of a Federal subsistence fishing permit. Each Stikine River permit will be issued to a household. Only dip nets, spears, gaffs, rod and reel, beach seine, or gillnets not exceeding 15 fathoms in length may be used. The maximum gillnet mesh size is 5 1/2 inches, except during the Chinook season when the maximum gillnet mesh size is 8 inches.

(A) You may take Chinook Salmon from May 15 through June 20. The annual limit is 5 Chinook Salmon per household.

(B) You may take Sockeye Salmon from June 21 through July 31. The annual limit is 40 Sockeye Salmon per household.

(C) You may take Coho Salmon from August 1 through October 1. The annual limit is 20 Coho Salmon per household.

(D) You may retain other salmon taken incidentally by gear operated under terms of this

permit. The incidentally taken salmon must be reported on your permit calendar.

(E) Fishing nets must be checked at least twice each day. The total annual guideline harvest level for the Stikine River fishery is 125 Chinook, 600 Sockeye, and 400 Coho Salmon. All salmon harvested, including incidentally taken salmon, will count against the guideline for that species.

* * * *

Proposed Federal Regulation

§__.27(e)(13) Southeastern Alaska Area

* * * *

(xiii) You may take Chinook, Sockeye, and Coho Salmon in the mainstem of the Stikine River only under the authority of a Federal subsistence fishing permit. Each Stikine River permit will be issued to a household. Only dip nets, spears, gaffs, rod and reel, beach seine, or gillnets not exceeding 15 fathoms in length may be used. The maximum gillnet mesh size is ~~5-1/2~~ 26 1/4 inches, except during the Chinook season when the maximum gillnet mesh size is 8 inches.

* * * *

Existing State Regulation

5 AAC 33.361 United States-Canada Salmon Management Plan

(a) The department shall manage the recreational, troll, purse seine and gillnet salmon fisheries in the Southeastern Alaska and Yakutat Areas in accordance with the conservation and harvest goals, and the understandings, of the United States-Canada Pacific Salmon Treaty.

5 AAC 47.022 General Provisions for Season and Bag, Possession, Annual, and Size Limits for the Fresh Waters of the Southeast Alaska Area

(b) In the fresh waters east of the longitude of Cape Fairweather:

(1) king salmon: sport fishing for king salmon is closed;

(c) In the fresh waters between the longitude of Cape Suckling and the longitude of Cape Fairweather:

(1) king salmon: may be taken from January 1 – December 31; no size limit, bag, possession, and annual limits, as follows:

(A) 20 inches or greater in length; bag and possession limit of one fish

(B) less than 20 inches in length; bag and possession limit of 10 fish

(2) salmon, other than king salmon: may be taken from January 1 – December 31; no annual limit, no size limit, bag and possession limits, as follows:

(A) coho salmon 16 inches or greater in length; bag limit of four fish; possession limit of eight fish;

(B) chum, pink, and sockeye salmon 16 inches or greater in length; bag limit of six fish per species; possession limit of 12 fish per species.

(C) salmon, other than king salmon: less than 16 inches in length, bag and possession limit of 10 fish per species;

Extent of Federal Public Waters

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. All waters of the Stikine River downstream from the Canadian border that are within the exterior boundaries of the Tongass National Forest are considered Federal public waters for the purposes of Federal subsistence fisheries management. For the Stikine River, non-marine waters include all portions of the Stikine River inland from the point of Federal jurisdiction at Point Rothsay to the Canadian border (**Figure 1**). All portions of the Stikine watershed in the United States are part of the Stikine-LeConte Wilderness Area which is managed by the United States Forest Service, Wrangell Ranger District.



Figure 1. Stikine River, Federal Public Waters and prominent features.

Customary and Traditional Use Determinations

Rural residents of drainages flowing into Districts 7&8, residents of drainages flowing into District 6 north of the latitude of Point Alexander (Mitkof island), and residents of Meyers Chuck have a customary and traditional use determination for salmon, Dolly Varden, trout, smelt, and Eulachon in District 8 and waters draining into that District.

Regulatory History

The Stikine River Federal subsistence salmon fishery is regulated by Federal subsistence fishing regulations and within the terms of Annex IV of the U.S./Canada Pacific Salmon Treaty of 1985, as last amended in January 2009 (Treaty). There is a Total Allowable Catch for Chinook and Sockeye Salmon apportioned between Canada and the United States. The Federal subsistence fisheries harvest is a component of the U.S. Total Allowable Catch. The Treaty and its annexes do not address allowable gear for the Stikine River. The Treaty specifies guidelines for harvests, seasons, and reporting requirements. However, there is a clause stipulating that any proposed regulatory changes to the fishery would need to be reviewed by the bilateral Transboundary Panel (TBR) and approved by the Pacific Salmon Commission

(PSC). The Federal Subsistence Management Program, in keeping with the cooperative approach taken for management of transboundary salmon stocks, has coordinated action on proposals with the PSC or authorized State representatives.

A proposal to establish a Federal subsistence salmon fishery on the Stikine River (FP01-27) was submitted in 2000 by Mr. Richard Stokes, a resident of Wrangell. That proposal requested a Chinook Salmon fishery from June 1 to August 1, a Sockeye Salmon fishery from June 15 to September 1, and a Coho Salmon fishery from July 15 to October 1 (OSM 2000). The Board deferred action on this proposal, pending coordination with the TBR (FSB 2000).

In 2004, through proposal FP04-29, the Board made a customary and traditional use determination for salmon, Dolly Varden, trout, smelt and Eulachon in District 8 for residents living in or near the communities of Wrangell, Petersburg, and Meyers Chuck (FSB 2003). The Board also took action on fisheries proposal FP04-40 and adopted methods, a season, and guideline harvest limits for Chinook, Sockeye, and Coho Salmon for the Stikine River (FSB 2003). The TBR and the PSC concurred with the Board and a subsistence fishery for Sockeye Salmon was opened during the 2004 season, but with a season starting date of July 1 instead of June 15. The original guideline harvest levels (GHLs) were identified because there was a management need for a subsistence fishery harvest estimate and it was unknown whether in-season reporting was going to be successful. There was also considerable uncertainty regarding the potential harvest (catch per unit effort and level of participation). The GHLs specified in regulation and in the Treaty were the Federal and State managers best estimates of potential harvest based on the information that was available at that time and were not intended to be harvest allocations or quotas.

The Board, in coordination with the TBR and PSC, added directed fisheries for Chinook and Coho Salmon prior to the 2005 season. With concurrence of the PSC, the Board also approved a change in the mesh size from 5.5 inches to 8 inches (FSA05-01) for the new 2005 Chinook Salmon fishery. Regulatory changes for the 2006 season included an increase in the mesh size of gillnets during the Chinook Salmon fishery to 8 inch stretched mesh through Board action on proposal FP06-27, and an earlier starting date for the Sockeye Salmon fishery through action on proposals FP06-28 and 29 (FSB 2006).

During the 2008 regulatory cycle, the Board adopted proposal FP18-03, which made Federal subsistence fishing permits valid for the length of the fishing season, May 15 through October 1, and changed the start date of the subsistence Coho Salmon fishery from August 15 to August 1 (FSB 2007, OSM 2007). Changing the Coho Salmon fishery start date allowed continuous subsistence fishing between May 15 and October 1. In 2013, the Board deferred action on proposal FP13-19, which called for revising the Stikine River guideline harvest levels, until it could be considered by the TBR and PSC (FSB 2013). In 2015, two proposals (FP15-13 and FP15-14) were submitted requesting multiple similar modifications to the Federal subsistence fishery in the Stikine River (OSM 2015). The Board adopted proposal FP15-13 requiring subsistence fishing nets to be checked twice each day, and took no action on proposal FP15-14 and deferred proposal FP13-19 (FSB 2015).

The Federal Chinook Salmon subsistence fishery was closed by Emergency Special Action prior to the season in 2013(FSA13-01), 2014(FSA14-05), 2017(FSA17-02) and 2018(FSA13-KS-03-18) due to low

pre-season abundance estimates (OSM 2013, 2015, 2017; USFS 2018). Once the in-season return estimate provided for an allowable catch, the fishery was reopened on June 15, 2013 and June 14, 2014 for the remainder of the season. There was a Chinook Salmon allowable catch for the U.S. in 2015 and 2016 and the subsistence fishery was not restricted. In 2016 the in-season return estimates fell below the minimum escapement. However, the estimate came too late in the season to close the fishery. The 2017 Chinook Salmon season was closed by the Board due to a low pre-season abundance estimate and it remained closed due to low in-season return. The 2018 season was also closed pre-season due to conservation concerns. The Sockeye and Coho Salmon seasons have remained open since 2005. In 2017, the Wrangell District Ranger was delegated authority by the Board to open or close Federal public waters on transboundary rivers to the taking of fish for subsistence or nonsubsistence uses to comply with the terms of the Pacific Salmon Treaty.

Biological Background

All species of Pacific salmon return to spawn in the Stikine River with the majority of fish produced in the Canadian section. The State managed directed Chinook, Sockeye and Coho Salmon sport and commercial fisheries are dependent on whether there is an Allowable Catch as determined by the pre-season forecast of Canadian origin Stikine River salmon stocks. Subsequent openings are dependent on in-season abundance estimates determined by test fisheries and fishery performance information and stock of origin calculations. Methods of determining harvest sharing for the Chinook, Sockeye and Coho Salmon fisheries between Canada and the United States are contained within the Treaty (PSC 2017).

There is an in-season stock assessment program for Chinook and Sockeye Salmon. In 2017, the pre-season Chinook Salmon abundance estimate was 24,700 large (>659 mm) Chinook Salmon, which was less than the 1996–2016 average of 43,197 large Chinook salmon (**Table 1**) (PSC 2018). The Treaty requires a minimum of 28,100 large Chinook Salmon in the forecast before there is sufficient salmon for a directed fishery Allowable Catch. The estimated final Chinook Salmon return to the Stikine River was 8,131, significantly lower than the forecast. The 2017 pre-season Sockeye Salmon abundance estimate was 185,000. According to the terms of the harvest sharing agreement with Canada, the U.S. Allowable Catch was 62,300 Sockeye Salmon. The 1993–2015 average U.S. catch is about 64,000 Sockeye Salmon (**Table 2**). Federal management action was not necessary for the U.S. to remain within its allocation.

Table 1. Stikine River Chinook Salmon pre-season run forecasts vs. post season run size estimates. Adjusted forecast accounts for 5-year average sibling model error (PSC 2018).

Year	Forecast Estimate		Post Season Run Size	Forecast Performance	
	Sibling	Adjusted		Sibling	Adjusted
1996	32,747		34,203	-4%	
1997	37,662		33,978	10%	
1998	25,760		30,337	-18%	
1999	26,833		25,547	-5%	
2000	42,049		32,675	22%	

Year	Forecast Estimate			Forecast Performance	
	Sibling	Adjusted	Post Season Run Size	Sibling	Adjusted
2001	72,638		71,868	1%	
2002	50,530		57,570	-14%	
2003	46,325		46,917	-1%	
2004	65,900		62,137	6%	
2005	80,300		87,767	-9%	
2006	60,600		62,241	-3%	
2007	37,400		35,954	4%	
2008	46,100		33,619	37%	
2009	31,900		16,468	94%	
2010	22,900		19,615	17%	
2011	30,000		19,796	52%	
2012	40,800		29,911	36%	
2013	32,000	22,400	21,720	47%	3%
2014	37,000	26,100	29,323	29%	-11%
2015	40,600	30,200	27,354	48%	10%
2016	47,100	33,900	15,496	204%	119%
2017	24,700	18,300	8,131	204%	125%
2018	15,700	6,900			
Average	41,198		36,483		

Table 2. Stikine River Sockeye Salmon harvests, escapement, and total run size (PSC 2017). Federal subsistence harvest is included in the marine catch (US) category.

Year	In-river Run Size	In-river Catch (CA)	Escapement	Marine Catch (US)	Terminal Run Size
1993	176,100	52,698	123,402	104,630	280,730
1994	127,527	53,380	74,147	80,509	208,036
1995	142,308	66,777	75,531	76,420	218,728
1996	184,400	90,148	94,252	188,385	372,785
1997	125,657	68,197	57,460	101,258	226,915
1998	90,459	50,486	39,973	30,989	121,448
1999	65,879	47,202	18,677	58,765	124,644
2000	53,145	31,535	21,610	25,359	78,504
2001	103,755	29,341	74,414	23,500	127,255
2002	71,253	22,607	48,646	8,076	79,329
2003	194,425	69,571	124,854	46,552	240,977
2004	189,395	88,451	100,944	122,592	311,987
2005	167,570	88,089	79,481	92,362	259,932
2006	193,768	102,733	91,035	74,817	268,585

Year	In-river Run Size	In-river Catch (CA)	Escapement	Marine Catch (US)	Terminal Run Size
2007	110,132	61,472	48,660	86,654	196,786
2008	74,267	37,097	37,170	45,942	120,209
2009	111,780	51,082	60,698	73,495	185,275
2010	116,354	55,471	60,883	40,647	157,001
2011	139,541	61,947	77,594	73,857	213,398
2012	95,840	34,922	60,918	28,700	124,540
2013	84,380	36,371	48,009	29,136	113,516
2014	129,442	44,056	85,386	23,881	153,323
2015	142,334	61,911	80,423	31,958	174,292
Average	125,640	56,763	68,877	63,847	189,487

Coho Salmon are abundant in the Stikine River watershed as demonstrated by the terminal area commercial gillnet harvest (**Table 3**). There is no formal terminal area abundance estimate for Coho Salmon nor is there a directed fishery U.S. catch allocation. There is a 5,000 Coho Salmon catch limit for the Canadian fisheries.

Table 3. Stikine River terminal area, District 8, Coho Salmon commercial gillnet harvest (PSC 2017, 2018).

Year	Coho Salmon Harvest
2004	26,617
2005	42,203
2006	34,430
2007	19,880
2008	34,479
2009	30,860
2010	42,772
2011	20,720
2012	20,100
2013	43,669
2014	30,184
2015	30,153
Average	31,339

Harvest History

Between 1995 and 2001, the Alaska Department of Fish and Game (ADF&G) authorized an in-river personal use fishery for Sockeye Salmon in the Stikine River. Participation in the personal use fishery was minimal, and only 28 Sockeye Salmon were reported harvested in 2001. The personal use fishery was not opened in 2002 due to conservation concerns for the Tahltan River stock, a Canadian tributary to the Stikine River.

The Alaska Board of Fisheries adopted a positive customary and traditional use determination for the Stikine River, but ADF&G does not issue subsistence fishing permits for the Stikine River.

Sport fishing for Chinook Salmon is prohibited on the Stikine River, as it is for all freshwaters of the Southeast Region unless specifically designated. There is a small harvest of other salmon by sport fishers in the U.S. tributaries to the Stikine River, but harvest numbers are too low to be included in any site-specific sport fishing harvest estimates (Fleming 2014, pers. comm.). A small, but unknown number of Sockeye and Coho Salmon, and steelhead are harvested by sport fishers in Canada.

Federal subsistence fishing permits for the Stikine River are required and are issued by the U.S. Forest Service (USFS) offices in Wrangell and Petersburg. Weekly harvest is estimated by USFS personnel and derived from telephone interviews and fishery performance data. The use of permits and in-season reporting are designed to provide Federal, State, and Canadian fishery managers with real time harvest estimates.

Gillnets are the preferred method for harvesting salmon in the Stikine River Federal subsistence fishery. Gillnet fisheries often have mesh size restrictions to protect certain species or size classes within a species. As gillnet mesh size increases so does the average size of fish that are caught (Hamley 1975; Bromaghin 2004; Howard and Evenson 2010). For Chinook Salmon fisheries there is an interest in protecting fish larger than about 659 mm because there is a high likelihood fish larger than this are female. The maximum mesh size of 8 inches during the Chinook Salmon fishery was designed to protect large Chinook Salmon while the 5.5 inch mesh restriction during the Sockeye and Coho Salmon seasons is designed to minimize Chinook Salmon incidental catch.

The first harvests under Federal subsistence management regulations occurred in 2004 when 40 permits were issued and 243 Sockeye Salmon were harvested (OSM 2018). Participation and harvest increased through the 2011 season, and have remained fairly steady since then (**Table 4**). The harvest reported to the TBR includes only the salmon taken during the directed fishing seasons; that means that for reporting purposes, the total Chinook Salmon catch in 2017 was zero, with 14 as incidental harvest (**Table 5**). Within the context of the Treaty, the forecasted in-season return estimates and catches reference only Chinook Salmon greater than 659 mm mid-eye to tail fork; roughly 30 inches total length. Catches within the season are the portion of the subsistence catch that applies to the total U.S. Allowable Catch for each species. Chinook Salmon taken outside the season or less than 30 inches in total length are reported separately.

Harvests of Chinook Salmon during the designated Chinook Salmon season have been low since its inception in 2005 (**Table 5**). Most of the effort in the Stikine River Federal subsistence fishery occurs during the Sockeye Salmon season, and special actions closing the Chinook Salmon fishery pre-season were issued in 2013, 2014, 2017, and 2018.

There have not been any Federal in-season special actions to curtail harvests of either Sockeye or Coho Salmon. The Sockeye Salmon fishery has taken over the 600 fish guideline harvest limit since 2009 (**Table 6**). There were no special actions issued as the catches remained well within the U.S. Allowable Catch. The 2017 season Coho Salmon harvest was above average at 110 (**Table 7**).

Table 4. Total numbers of permits and total annual harvest (including incidental catch), Stikine River Federal subsistence fishery (OSM 2018).

Year	Permits	Large Chinook ≥ 30in	Chum	Coho	Dolly Varden	Pink	Rainbow Trout	Sockeye	Steel head
2004	40	12	11	0	1	22	0	243	1
2005	35	15	22	53	4	69	0	252	0
2006	48	37	20	21	3	23	0	390	0
2007	44	36	11	23	1	59	0	244	2
2008	50	25	12	42	5	18	0	428	0
2009	80	31	46	21	20	66	1	723	2
2010	107	61	37	135	12	60	0	1,653	7
2011	129	66	74	40	3	189	0	1,755	5
2012	130	53	47	112	1	32	0	1,302	0
2013	124	54	87	186	15	156	0	1,655	2
2014	125	56	60	143	4	93	0	1,534	0
2015	125	45	46	130	6	171	0	1,949	1
2016	136	37	29	73	11	68	0	2,187	3
2017	130	14	150	117	8	303	14	1,727	2
Average	93	39	47	78	7	95	1	1,146	2

Table 5. Total harvest during Chinook Salmon season (May 15 – June 20), Stikine River Federal subsistence fishery (OSM 2018).

Year	Large Chinook > 30in	Chum	Coho	Dolly Varden	Pink	Rainbow Trout	Sockeye	Steelhead
2004	No Chinook season							
2005	13	0	0	2	4	0	18	0
2006	13	1	0	0	0	0	8	0
2007	24	0	0	0	0	0	61	0
2008	8	0	0	1	0	0	2	0
2009	9	0	0	2	0	1	17	2
2010	14	0	0	1	0	0	65	3
2011	16	0	0	0	0	0	64	0
2012	16	0	0	0	0	0	137	0
2013	2	0	0	0	0	0	32	0
2014	3	0	0	0	0	0	2	0
2015	8	7	0	0	4	0	21	1
2016	8	0	0	0	0	0	81	0
2017	0	4	0	2	0	0	12	0
Average	10	1	0	1	1	0	40	0

Table 4. Total harvest during Sockeye Salmon season (June 21 – July 31), Stikine River Federal subsistence fishery (OSM 2018).

Year	Large Chinook > 30in	Chum	Coho	Dolly Varden	Pink	Rainbow Trout	Sockeye	Steelhead
2004	12	11	0	1	22	0	243	1
2005	2	22	1	2	65	0	233	0
2006	24	19	0	3	23	0	377	0
2007	12	11	0	1	57	0	178	1
2008	17	5	0	4	0	0	426	0
2009	22	46	0	18	66	0	706	0
2010	44	33	13	11	38	0	1,554	4
2011	48	64	1	3	189	0	1,686	0
2012	34	40	2	1	23	0	1,155	0
2013	52	84	10	15	149	0	1,516	2
2014	53	56	0	4	90	0	1,489	0
2015	30	36	4	6	158	0	1,858	0
2016	29	23	14	11	68	0	2,089	3
2017	14	121	7	8	257	14	1,682	2
Average	28	41	4	6	86	1	1,085	1

Table 5. Total harvest during Coho Salmon season (August 1 – October 1), Stikine River Federal subsistence fishery (OSM 2018).

Year	Large Chinook > 30in	Chum	Coho	Dolly Varden	Pink	Rainbow Trout	Sockeye	Steelhead
2004			No Coho Salmon season in 2004					
2005	0	0	52	0	0	0	1	0
2006	0	0	21	0	0	0	5	0
2007	0	0	23	0	2	0	5	1
2008	0	7	42	0	18	0	0	0
2009	0	0	21	0	0	0	0	0
2010	3	4	122	0	22	0	34	0
2011	2	10	39	0	0	0	5	5
2012	3	7	110	0	9	0	10	0
2013	0	3	176	0	7	0	107	0
2014	0	4	143	0	3	0	43	0
2015	7	3	126	0	9	0	70	0
2016	0	6	59	0	0	0	17	0
2017	0	33	110	2	46	0	57	0
Average	1	6	80	0	9	0	27	0

The total catch in the Chinook and Coho Salmon marine sport fishery is a calculation based on the results of a creel census sampling program. Stock of origin for Chinook Salmon taken in the District 8 terminal area by the sport, commercial gillnet, and commercial troll fisheries is determined by a genetic stock identification sampling program.

Cultural Knowledge and Traditional Practices

The historical harvest of salmon by Alaska Native peoples in the Stikine River is well documented in a number of ethnographic reports and publications. There were Tlingit fishing and hunting camps and villages at various sites at the mouth, along the middle and upper reaches, and along the tributaries of the Stikine River as far upriver as Telegraph Creek. The methods of harvesting fish in the Stikine River and its tributaries depended on the physical features and requirements of the locations where fishing occurred (Paige et al. 2009, Ream and Merriam 2017): “Fishing sites were located on the main stem, on the middle and south arms, and along the sloughs, creeks and rivers draining into the main stem. Key respondents described fishing with set and drift gillnets, dip nets, spears, and hook and line.”

With the introduction of contemporary materials, gillnets were often used for subsistence fishing. One of the respondent interviews (from Paige et al. 2009) describes subsistence fishing in the 1930s at a location on the lower Stikine River.

[But when you were fishing for your own use, you usually just used a setnet?] Oh, yes, just a little setnet. Right above our place, like a hundred yards. There was a big rock pile out there, the river came down around there, and there was a big eddy behind it. Dad put a great big rock there with a buoy on it to rope off that rock, and then we just tied up to it and it stayed there all the time, until it'd have to be cleaned out. [Would you be catching Sockeyes that way at all?] Yeah, you could. Starting in March, you'd get a king or two. They're the first ones to show up, and then the Sockeyes follow them. Every once in a while you'd get a humpy or two. [The net was] about sixty-five feet. [And it was just attached to the shore?] Yes, we'd set it out and put an anchor on the other end, so it had a nice hook in it, so that when the fish came in they couldn't get through, so they'd hit the net. Then we'd go out and take the fish out of the net. It was angled down the river a ways, and they'd swim up along the shore and hit that net and get caught. [Were there any rules in those days, or could you put your net out (on the river) any time?] You could put it out any time, whenever we needed to start canning our salmon and stuff.

Effects of the Proposal

If this proposal was adopted, Federally qualified subsistence users would be able to use a wider variety of gillnets during the Sockeye and Coho Salmon season, likely leading to increased efficiency in catching Coho Salmon. The larger mesh size would probably not lead to a substantial increase in Sockeye Salmon harvest because many will be able to swim through the larger mesh. Furthermore, there is currently no conservation concern for Stikine River Sockeye and Coho Salmon stocks.

Incidentally caught Chinook Salmon are allowed to be kept during the Sockeye and Coho Salmon seasons. Larger mesh is more efficient at capturing Chinook Salmon because they are typically larger fish and more likely to be gilled when running into the mesh. The larger mesh size would likely result in higher Chinook Salmon incidental catch during the subsistence Sockeye Salmon season, the period when Chinook Salmon are most likely to be harvested in this fishery. Increasing overall Chinook Salmon catch is not desirable at this time due to conservation concerns.

OSM PRELIMINARY CONCLUSION

Support Proposal FP19-18 **with modification** to maintain the current 5.5 inch mesh size restriction during the Sockeye Salmon season and eliminate the gillnet mesh size restriction for the Coho Salmon season. In keeping with the cooperative approach being taken on the Stikine River due to the management of transboundary salmon stocks, the Federal Subsistence Board will need to coordinate with and obtain concurrence from the TBR.

The modified regulation should read:

§ .27(e)(13) *Southeastern Alaska Area*

* * * *

*(xiii) You may take Chinook, Sockeye, and Coho Salmon in the mainstem of the Stikine River only under the authority of a Federal subsistence fishing permit. Each Stikine River permit will be issued to a household. Only dip nets, spears, gaffs, rod and reel, beach seine, or gillnets not exceeding 15 fathoms in length may be used. ~~The maximum gillnet mesh size is 5 1/2 inches, except during the Chinook season when the maximum gillnet mesh size is 8 inches.~~ **The maximum gillnet stretched mesh size is 8 inches during the Chinook Salmon season and 5 1/2 inches during the Sockeye Salmon season. There is no maximum mesh size during the Coho Salmon season.***

* * * *

Justification

Chinook Salmon are present in the Stikine River Federal subsistence fishing area during the Federal subsistence Sockeye Salmon season. In fact, more large Chinook Salmon are harvested during the Sockeye Salmon fishery with 5.5 inch maximum stretched gill net mesh than the Chinook Salmon fishery with 8 inch maximum gillnet mesh size (**Table 5** and **Table 6**). This is reflective of the fact that Stikine River subsistence fishers focus primarily on harvesting Sockeye Salmon. Increasing gillnet mesh size during the Sockeye Salmon season may result in substantially increased Chinook Salmon incidental catch regardless of the health of the stock or if there is an Allowable Catch. Modifying this proposal to keep the 5.5 inch maximum mesh size during the Sockeye Salmon season and eliminate the maximum mesh size for the Coho Salmon season may better address the proponent's stated intent and result in simplified regulations, while

alleviating the possibility of extensive Chinook Salmon incidental catch. Few Chinook Salmon are present in the mainstem of the Stikine River during the Coho Salmon season so incidental catch of Chinook Salmon is expected to be negligible to non-existent.

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FP19–19 Executive Summary	
General Description	Proposal FP19–19 requests that the Federal public waters of Neva Lake, Neva Creek, and South Creek be closed to the harvest of Sockeye Salmon by non-Federally qualified users. <i>Submitted by Calvin Casipit of Gustavus.</i>
Proposed Regulation	<p>§ __.27(e)(13) <i>Southeastern Alaska Area</i></p> <p style="text-align: center;">* * * *</p> <p style="text-align: center;"><i>(ii) You may possess a subsistence fishing permit to take salmon, trout, grayling, or char. You must possess a subsistence fishing permit to take eulachon from any freshwater stream flowing into fishing District 1.</i></p> <p style="text-align: center;">* * * *</p> <p style="text-align: center;"><i>(xxii) Only Federally qualified subsistence users may harvest sockeye salmon in Neva Lake, Neva Creek, and South Creek.</i></p>
OSM Preliminary Conclusion	Support
Southeast Alaska Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

**DRAFT STAFF ANALYSIS
FP19-19**

ISSUES

Proposal FP19-19, submitted by Calvin Casipit of Gustavus, requests that the Federal public waters of Neva Lake, Neva Creek, and South Creek be closed to the harvest of Sockeye Salmon by non-Federally qualified users.

DISCUSSION

The proponent states that “over the past few years the subsistence harvest limit for Sockeye has been reduced from 40 to 10 salmon, at the same time sport harvest and use by nonresidents and unguided charter boat renters from urban areas in the lower 48, have continued uncontrolled and unabated.” He further states that “this is a clear violation of Title VIII of ANILCA [the Alaska National Interest Lands Conservation Act],” and that “a meaningful preference for Federally qualified subsistence users is not being provided in this area.”

The proponent was contacted by telephone on May 25, 2018 to get a better understanding of the background of his proposal. He stated that nonresident anglers from a local lodge are occasionally directed to the Sockeye Salmon at South Creek as an alternative when weather prevents fishing in Icy Strait. He depends on Neva Creek to meet his needs for salmon, which have not been met in recent years. He was not able to catch any fish in the last two to three years, despite making several trips each year to fish. He feels that the combination of reduced limits, low abundance, and harvest by non-Federally qualified users prevents subsistence users at Neva Creek from meeting their needs, and that there needs to be a meaningful preference for Federally qualified subsistence users.

Existing Federal Regulation

§ __.27(e)(13) Southeastern Alaska Area

* * * *

(ii) You may possess a subsistence fishing permit to take salmon, trout, grayling, or char. You must possess a subsistence fishing permit to take eulachon from any freshwater stream flowing into fishing District 1.

* * * *

(xi) If a harvest limit is not otherwise listed for sockeye in paragraph (e)(13) of this section, the harvest limit for sockeye salmon is the same as provided for in adjacent State subsistence or

personal use fisheries. If a harvest limit is not established for the State subsistence or personal use fisheries, the possession limit is 10 sockeye and the annual harvest limit is 20 sockeye per household for that stream.

* * * *

Proposed Federal Regulation

36 CFR 242 and 50 CFR 100

§ __.27(e)(13) Southeastern Alaska Area

* * * *

(ii) You may possess a subsistence fishing permit to take salmon, trout, grayling, or char. You must possess a subsistence fishing permit to take eulachon from any freshwater stream flowing into fishing District 1.

* * * *

(xxii) Only Federally qualified subsistence users may harvest sockeye salmon in Neva Lake, Neva Creek, and South Creek.

Existing State Regulation

5 AAC 01.745 Subsistence bag and possession limits; annual limits

(h) In the Juneau Management Area, in waters open to subsistence salmon fishing under a household subsistence salmon fishing permit, the possession and annual limits for salmon per household are as follows:

* * * *

(B) District 14: in the following waters, the following possession and annual limits apply:

* * * *

(ii) Neva Creek: the possession and annual limit is 10 sockeye salmon

5 AAC 47.022 General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of Southeast Alaska Area

* * * *

(b) In the fresh waters east of the longitude of Cape Fairweather:

* * * *

(2) salmon, other than king salmon: may be taken from January 1 – December 31; no annual limit, no size limit, bag and possession limits as follows:

(A) 16 inches or greater in length; bag limit of six fish per species; possession limit of 12 fish per species;

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. All fresh waters in Neva Lake and the Neva Creek area are within the exterior boundaries of the Tongass National Forest and are considered Federal public waters for the purposes of Federal subsistence fisheries management. Neva Lake, located near the community of Excursion Inlet, drains into Neva Creek, which flows into South Creek before emptying into the marine waters of Excursion Inlet (**Figures 1 and 2**).

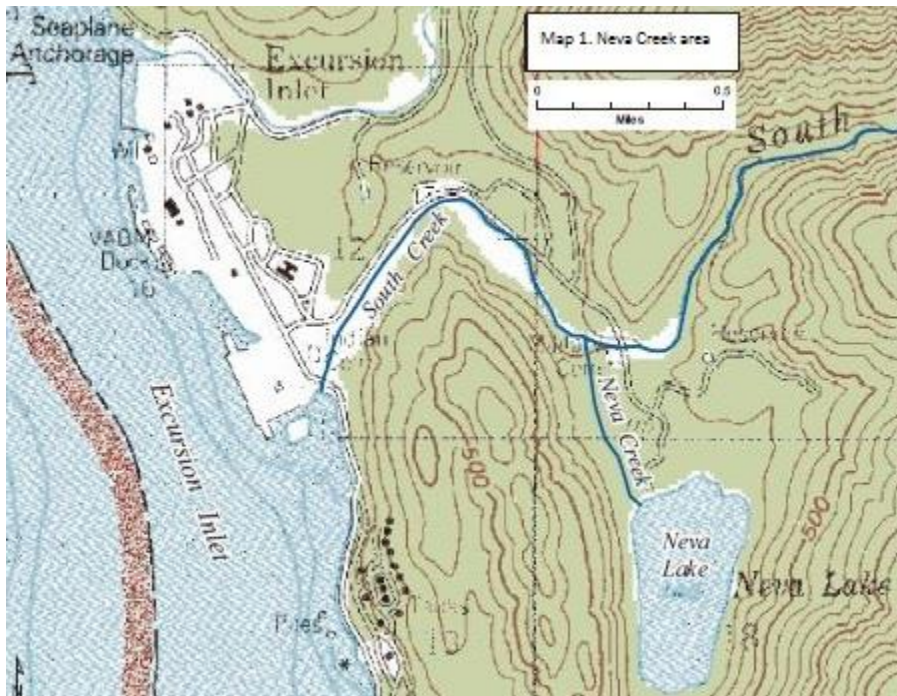


Figure 1. Map of Neva Lake and Excursion Inlet area. The Federal public waters affected by the proposed regulation are highlighted in dark blue.



Figure 2. Map of the Icy Strait area, including Neva Lake and nearby communities.

Customary and Traditional Use Determinations

Rural residents of drainages flowing into Sections 12A, 13A, and District 14 have a customary and traditional use determination for all fish in District 14. This includes residents of the communities of Hoonah, Excursion Inlet, Gustavus, Angoon, and smaller communities of Icy Strait and northern Chatham Strait).

Regulatory History

Federal Regulatory History

Before 2007, only residents of Hoonah had customary and traditional use determination for salmon, Dolly Varden, trout, smelt, and Eulachon in Sections 14B and 14C of District 14, which includes the Excursion Inlet/Neva area. In 2007, the Federal Subsistence Board (Board) adopted Fisheries Proposal FP07-17 to extend the customary and traditional use determination to include all fish to all residents of drainages flowing into Sections 12A, 13A, and District 14 (FSB 2007a).

For the 2008 regulatory cycle, Proposal FP08-06 proposed reducing the daily possession limit in Neva Creek from the 40 Sockeye Salmon limit provided in State regulation to 10 Sockeye Salmon, while eliminating the annual limit (OSM 2007). This proposal was rejected by the Board (FSB 2007b).

State Regulatory History

Possession and annual limits on State subsistence permits were increased from 10 to 25 in 2002; and to 40 in 2004 in response to strong escapements. In 2015, the limit was decreased to 30 in response to a decline in escapements. The current bag and annual limit of 10 Sockeye Salmon for subsistence was established in 2016 (ADF&G 2016). Sport fishing falls under the Southeast Alaska general regulations and limits.

Current Events

A current Federal subsistence fisheries proposal, FP19-17, submitted by the Southeast Alaska Regional Advisory Council, would extend the customary and traditional use determination for all of the Southeast Alaska and Yakutat areas to all residents of the Southeast Region. That proposal, like this one, will be considered by the Board at its January 2019 regulatory meeting.

Biological Background

Neva Lake is a relatively small 64.5 acre (26.1 ha) lake. Neva Creek, the outlet stream, is a tributary to South Creek, which empties into Excursion Inlet immediately south of the Ocean Beauty Seafood processing plant. A Fishery Resource Monitoring Program-funded weir project estimated the annual escapement of Sockeye Salmon into Neva Lake from 2002 to 2005 and from 2008 to 2017 (Van Alen and Musslewhite 2017). Sockeye Salmon escapements have trended downward over the years of escapement monitoring, with some indication of improvement in the last two years (**Figure 3**).

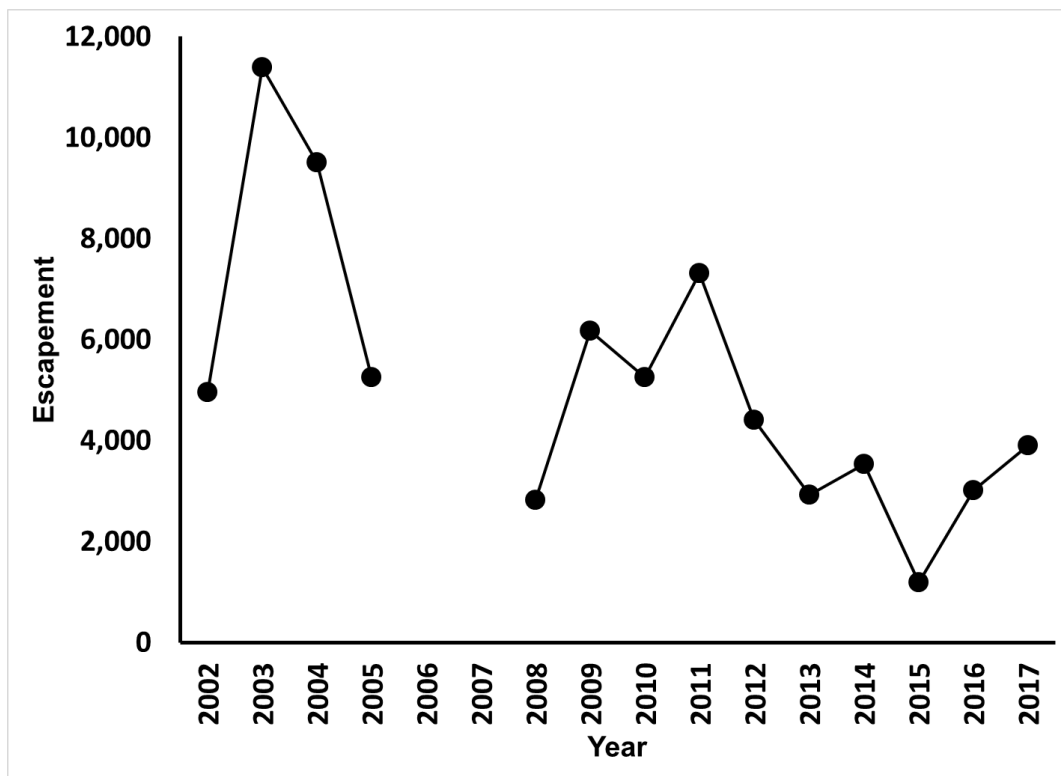


Figure 3. Escapement of Sockeye Salmon to Neva Lake, 2002–2017.

Most Sockeye Salmon smolts out-migrate after spending a year rearing in the lake, and there is a good distribution of one-, two-, or three-ocean age fish in the escapements. Adult Sockeye Salmon enter the lake from June through October. The earlier running fish spawn in the main inlet stream in August and September and the later running fish spawn on lake beaches from mid-September to December.

Habitat

The inlet stream to Neva Lake has been used as a water source for the Ocean Beauty seafood processing plant in Excursion Inlet. The inlet stream is a primary spawning area, and water withdrawals have likely adversely affected the quantity and temperature of water in the stream. Forest Service personnel have documented pre-spawn mortality of spawning Sockeye Salmon in the inlet stream during warm, dry periods. Ocean Beauty has been developing an alternative water source, but the status of the project is unknown.

Harvest History

Sockeye Salmon returning to Neva Lake are targeted in both subsistence and sport fisheries occurring in the Neva/South Creek drainage and the marine waters of Excursion Inlet, as well as incidentally in mixed-stocked commercial fisheries in Icy Strait and Excursion Inlet. Subsistence fishing occurs in marine water at the mouth of South Creek, usually with beach seines or gillnets. In freshwater, salmon are taken with gaffs, dip nets, or spears. Sport fishing occurs both in marine waters and in fresh water.

The community of Excursion Inlet is home to a seafood processing plant, a number of seasonal recreational cabins, and a fishing lodge. The lodge specializes in “unguided anglers,” and provides clients with boats, equipment and local knowledge, but does not typically provide a fishing guide.

Subsistence Fisheries

Subsistence fishing at the Neva/South Creek system takes place both in freshwater and in marine waters at the mouth of South Creek. Most subsistence fishing is done under the State permit system, though some harvest occurs using Federal permits (**Table 1**). The amount of unreported harvest is unknown, as only limited harvest monitoring has occurred at the Neva Creek area.

Table 1. Subsistence Sockeye Salmon harvest at Neva Creek as reported on State and Federal permits, 1985–2016

Year	State Subsistence Permits ^a		Federal Subsistence Permits ^b		Total		
	Permits Fished	Sockeye	Permits Fished	Sockeye	Permits Fished	Sockeye	Sockeye per permit
1985	0	0			0	0	
1986	0	0			0	0	
1987	0	0			0	0	
1988	0	0			0	0	
1989	0	0			0	0	
1990	1	25			1	25	25
1991	2	40			2	40	20
1992	16	348			16	348	22
1993	8	127			8	127	16
1994	5	151			5	151	30
1995	6	90			6	90	15
1996	19	411			19	411	22
1997	9	126			9	126	14
1998	4	25			4	25	6
1999	5	50			5	50	10
2000	22	197			22	197	9
2001	7	157			7	157	22
2002	6	36	0	0	6	36	6
2003	6	87	0	0	6	87	15
2004	23	397	0	0	23	397	17
2005	14	276	1	34	15	310	21
2006	11	140	0	0	11	140	13
2007	11	219	2	50	13	269	21
2008	26	601	0	0	26	601	23
2009	39	780	0	0	39	780	20
2010	26	329	1	13	27	342	13
2011	31	448	1	10	32	458	14
2012	38	607	1	20	39	627	16
2013	39	510	1	21	40	531	13
2014	36	459	2	6	38	465	12
2015	40	312	0	0	40	312	8
2016	24	136	1	8	25	144	6

^aState subsistence data from ADF&G October 2017.

^bFederal subsistence fishing permits were not issued before 2002.

Residents of Icy Strait communities (primarily Hoonah, Gustavus, and Excursion Inlet) and Angoon are the principal Federally qualified subsistence users of Neva Lake Sockeye Salmon, while a substantial portion of the harvest goes to non-Federally qualified residents of the Juneau area (**Table 2**). The reported harvest of Sockeye Salmon by all users has declined sharply since 2015.

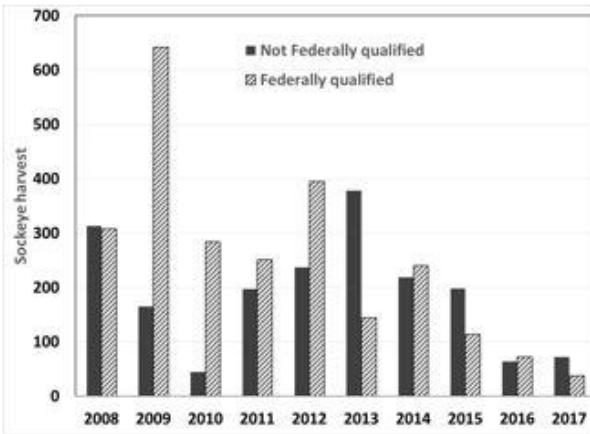
Table 2. Harvest of Sockeye Salmon from Neva/South Creek by residence community, as reported on State permits, 2008–2017.

Year	Non-Federally Qualified				Federally Qualified				
	Juneau	Auke Bay	Douglas	Total	Excursion Inlet	Gustavus	Hoonah	Angoon	Total
2008	313			313	38	94	176		308
2009	165			165	40	155	447		642
2010	35		10	45	6	73	125	80	284
2011	182		15	197	0	187	64		251
2012	217		20	237	1	78	316		395
2013	368	4	6	378	0	122	22		144
2014	214		5	219		71	91	78	240
2015	160	15	23	198		103	11		114
2016	64		0	64		42	30		72
2017	65		7	72	10	17	11		38
Total	1783	19	86	1888	95	942	1293	158	2488

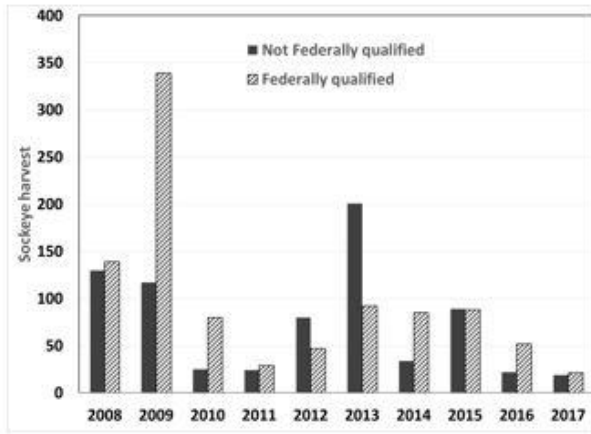
The permit holder’s community of residence and gear type are recorded on the State permits, but not whether salmon were harvested in fresh or marine waters. However, since some gear types are typically used in marine waters (beach seine, gillnets) and some only in fresh water (gaff, dip net, spear), the water type can be inferred in most cases. Some gear types (cast net, hook and line, unspecified) can be used in either fresh or marine water, so the water type is unknown.

Figure 4 illustrates the recent reported harvest of Sockeye Salmon by both Federally qualified and non-Federally qualified users (based on residence community) in each water type as determined by the gear type. From 2008 to 2017, an average of 74 Sockeye Salmon were harvested annually in fresh water by non-Federally qualified users, out of a total average annual harvest of 438. In the last two years, only about 20 Sockeye Salmon were harvested each year by non-Federally qualified users using freshwater gear types, part of a trend towards reduced harvests among all gear types and users.

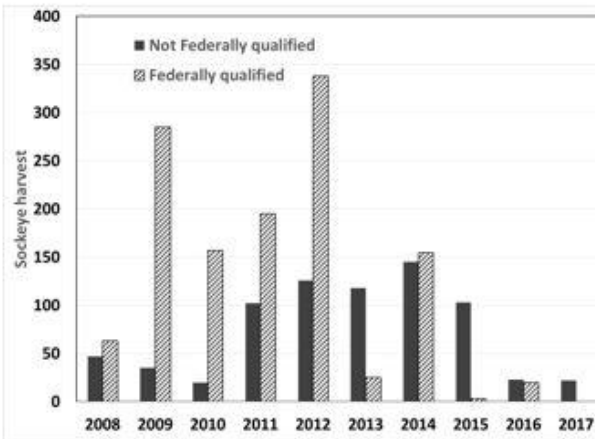
(A) Total harvest (all gear types)



(B) Freshwater harvest (gaff, dip net spear)



(C) Saltwater harvest (beach seine, gillnet)



(D) Unknown harvest (Cast net, hook and line, unspecified)

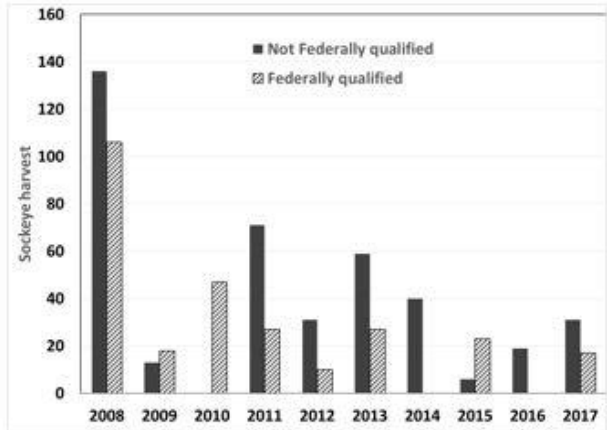


Figure 4. Subsistence harvest of Sockeye Salmon from Neva/South Creek by subsistence user type and location of harvest as inferred by gear type, as reported on State permits, 2008–2017.

Sport and commercial fisheries

The Alaska Department of Fish and Game (ADF&G) Division of Sport Fish estimates sport effort, catch, and harvest from an annual statewide mail survey (Jennings et. al. 2015). This survey is sent to a portion of both resident and non-resident fishing license holders. In recent years, an average of less than one surveyed angler reported fishing at Neva or South Creeks, which does not provide enough data to make a statistically valid estimate of effort or catch. As such, conclusions about current harvest estimates and trends cannot be made with any level of certainty for that period of time. Although not representative of the Neva and South Creek freshwater effort and catch, in the expanded survey area that includes all freshwater drainages of Glacier Bay, Cross Sound, and Icy Strait, the total average (2006–2016) freshwater effort is 3,392 angler-days with an average catch of 369 Sockeye Salmon and average harvest of 117 Sockeye Salmon (Teske 2018, pers. comm.).

Charter boat operators and fishing guides are required to record all salmon caught in the ADF&G logbook program. Freshwater logbook data (2006–2016) for all freshwater drainages of Glacier Bay, Cross Sound, and Icy Strait areas shows that average combined freshwater effort is 477 angler days with an average catch of 40 Sockeye Salmon and an average harvest of just over one Sockeye Salmon in the guided fishery (Teske 2018, pers. comm.). However, the lodge in Excursion Inlet has unguided anglers that fish in freshwater, and the number of Sockeye Salmon caught by clients of the lodge would be estimated from the Statewide Harvest Survey. Guided freshwater effort and harvest in the area is low.

The commercial harvest of Neva Sockeye Salmon is unknown and probably negligible in years when there is little or no purse seine fishing in the northern half of 14B or 14C. Between 2004 and 2017, the commercial purse seine catch of Sockeye Salmon in Subdistrict 114-80 (Excursion Inlet) has ranged from 53 to 2,968 fish, with no catch reported in eight of the fourteen years (ADF&G 2018).

Cultural Knowledge and Traditional Practices

The Excursion Inlet/Neva area is in the traditional subsistence fishing area used by the Huna Tlingit (Goldschmidt and Haas 1946, 1998; Schroeder and Kookesh 1990). It is also thought to have been the traditional home of a Tlingit clan of the Raven moiety known as the Kuyeikeidi or the “People of Kuyeik (Excursion Inlet)” (Thornton 1999, de Laguna 1991). It is unclear if this clan dissipated or if it transformed into the Lukaaxadi clan of Haines (Thornton 1999, de Laguna 1991). Another clan from Glacier Bay, the Wooshkeetan, is thought to have established a settlement in Excursion Inlet circa 1700 when the glacier rapidly advanced and forced the resettlement of several groups (Crowell and Howell 2013). This village was known as Weitadi Noow (the young woman in seclusion).

Several published documents point to archaeological records and cultural accounts of historic occupation and use of the Excursion Inlet area. A pool in the lower part of Neva Creek is a traditional site for taking Sockeye Salmon with a gaff (Langdon 2006). Smythe (1988) reported that the area was important for trapping in the early to mid-1900s, especially as winter income for local salmon fishermen.

The modern settlement at Excursion Inlet began with the construction of a salmon cannery at the mouth of the inlet in 1908 (Ocean Beauty Seafoods 2018). The name was first reported in the 1943 Coast Pilot and it served as a resupply point for the Aleutian Campaign during World War II (ADCCED 2018). The population in 2000 and 2010 was 10 and 12 individuals respectively (ADCCED 2018). Of the 71 housing units present, most (65) were recorded as vacant in 2010 due to seasonal use (ADCCED 2018).

Land ownership is complicated in the vicinity of the Neva Creek watershed in part due to the former military use of the area (Ratner and Dizard 2006). Ocean Beauty Seafoods operates in some of the former military buildings and tidelands. Neva Lake and the outlet creek are not within the Tongass National Forest and some of the land was selected by the Haines Borough (Ratner and Dizard 2006).

As recently as 2012 Excursion Inlet was reported as an important salmon fishing area by residents of both Haines and Hoonah (Sill and Koster, 2017). The use of Neva Lake and South Creek was specifically mentioned by key respondents of an earlier study in 2003 and some residents of Hoonah reported that they are entirely dependent on Neva Creek for their subsistence salmon needs (Ratner and Dizard 2006). Several

respondents grew up in the Excursion Inlet, learned to fish at Neva Creek, and continue to fish in the same holes that their ancestors did (Ratner and Dizard 2006).

Some Hoonah respondents indicated that they tend to fish in the Neva area when the Hoktaheen area is closed to salmon fishing. Others used one or the other site exclusively or, both in the same day:

On occasion, harvesters have fished Neva / South Creek very early in the morning, about four or five o'clock and then gone to Hoktaheen on the same day when they were unsuccessful at Neva / South Creek. Other respondents used one site exclusively for sockeye salmon. One respondent has fished only at the Neva Creek watershed his entire life, except for six years when he was in the Navy. (Ratner and Dizard 2006; p.16)

Other Hoonah respondents noted that they tend to choose Hoktaheen fishing sites over Neva / South Creek due to lower possession limits at Neva Creek (Ratner and Dizard 2006). According to the study, most Hoonah salmon fishermen that historically fished at Neva Creek switched to Hoktaheen when regulations reduced the harvest limit to ten Sockeye Salmon per household at Neva.

Fishers traveling to Neva / South Creek from Hoonah frequently return home the same evening (Ratner and Dizard 2006). Ratner and Dizard (2006) reported that many Hoonah respondents prefer beach seines over gillnets at Neva Creek. The latter are problematic in strong tidal currents at the mouth of the stream where there is debris and large rocks. Despite the preference, some fishers have switched to gillnets because they are lighter when wet and make the crossing of Icy Strait safer and less costly. At least one respondent reported using traditional gaffs exclusively in Neva Creek.

It is believed that the actual number of Sockeye Salmon harvested for home use from Neva / South Creek by residents of Hoonah is underreported due in part to the individual household focus of fishing permits which do not account for the widespread sharing and distribution of salmon resources throughout the community (Ratner and Dizard 2006). There are a relatively small group of high harvesters in the community who provide Sockeye Salmon for many of its residents; these regularly provide for 7–14 households, elders, single mothers, and for ceremonial and cultural events (Ratner and Dizard 2006).

User Conflict

There is some indication of user conflict regarding salmon fishing in the Neva Lake / South Creek area. In Ratner and Dizard (2006) several respondents noted avoidance of the Neva Creek area because of competition among user groups. One respondent stated the following when asked about fishing locations: “Usually Hoktaheen, you have too much hassle going over to Neva Creek anymore or Excursion Inlet. They have tourists over there; they’ll watch you. A lot of cannery people over there getting fish. They are being over fished there pretty much” (Ratner and Dizard 2006; p.16).

Contentions have also been documented regarding monitoring and enforcement. Ratner and Dizard (2006) noted that some Hoonah residents felt that their subsistence harvests are monitored and restricted much more closely than non-resident clients of the Excursion Inlet lodges.

User conflicts in the area are also known regarding contaminants and water withdrawals. The military abandoned hazardous waste in the area and during the 1940s the creek was believed to be unsafe and elders warned their families not to eat the salmon (Ratner and Dizard 2006). Though local perceptions of water and fish safety appear to have improved over time, withdrawals from Neva Creek for the operations at the Ocean Beauty Seafoods facility has also been noted as concerning (Ratner and Dizard 2006). The water system was originally constructed in the 1940s and the water right was issued to Ocean Beauty Seafoods by the Alaska Department of Natural Resources in 1970, with no documented consideration of fisheries (Ratner and Dizard 2006).

Other Alternatives Considered

One possible alternative to the proposed regulation is to increase the annual harvest limit of Sockeye Salmon in the Federal public waters of Neva Lake, Neva Creek and South Creeks by Federally qualified subsistence users. While this alternative may improve the ability of Federally qualified subsistence users to meet their needs for Sockeye Salmon, it could also lead to additional harvest that reduces the escapement and exacerbates the conservation concern for Neva Lake Sockeye Salmon. Also, as stated by the proponent, subsistence fishers are having trouble catching the current harvest limit, so any benefit could be minor.

Another alternative is to reduce the annual harvest limit of Sockeye Salmon in the Federal public waters of Neva Lake, Neva Creek and South Creeks by non-Federally qualified subsistence users, rather than closing the waters to harvest entirely. Given the small amount of harvest by non-Federally qualified subsistence users, this would likely have little effect on the abundance of Sockeye Salmon available to Federally qualified subsistence users. It would also do little to address the reported user conflicts in the area.

Effects of the Proposal

The decline in escapements of Sockeye Salmon to Neva Lake over the past decade present a moderate conservation concern, which has prompted reductions in harvest limits. The lower abundance of Sockeye Salmon at an important subsistence fishing site, combined with the reduced harvest limits, has made it more difficult for subsistence users to meet their needs for Sockeye Salmon. The proposed regulation would provide Federally qualified subsistence users primary access to this resource in Federal public waters.

The reported harvest of Sockeye Salmon by non-Federally qualified users in Federal public waters is relatively small, so the proposed regulation would likely have only a small effect on the overall abundance of Sockeye Salmon, depending on the extent of unreported harvest. If the Neva Lake Sockeye Salmon run continues to recover, as has been seen in the past two years, the effect of the proposed regulation may be more substantial. An increase in abundance, along with increased harvest limits and fishing effort, would magnify the advantage that the proposed closure would give to Federally qualified users.

The closure of Federal public waters to harvest of Sockeye Salmon by non-Federally qualified users may also help reduce the reported user conflict with lodge guests, cannery workers, and non-resident anglers. The harvest of Sockeye Salmon in the Federal public waters of the Neva Creek area by these groups is not well documented, and may be more substantial than reflected in current harvest estimates. Non-Federally

qualified users would continue to be able to harvest Sockeye Salmon in State marine waters in Excursion Inlet under State subsistence and sport regulations, so some degree of user conflict may persist.

The Federal Subsistence Board closure policy (Appendix 1) states that the “Board will not restrict the taking of fish and wildlife by users on Federal public lands (other than national parks and monuments) unless necessary for the conservation of healthy populations of fish and wildlife resources, or to continue subsistence uses of those populations, or for public safety or administrative purposes or ‘pursuant to other applicable law’.” (FSB 2007b). In this case, the combination of low abundance, reduced harvest limits, and perceived user conflict is discouraging the continued subsistence use of the Neva Lake Sockeye Salmon population, as described by the proponent. The proposed regulation would likely have only a modest effect on the abundance of Sockeye Salmon available to users, but it would provide primary access to Federally qualified subsistence users and help reduce user conflicts in the area.

OSM PRELIMINARY CONCLUSION

Support Proposal FP19-19

Justification

Under the Board’s Closure Policy, the Board may restrict the taking of fish and wildlife by users on Federal public lands if necessary to protect continued subsistence uses of those populations. The low abundance of Sockeye Salmon, the resulting reduced harvest limits, and the perception of user conflict are the primary reasons for the decline in subsistence use of the resource. While it may have only a modest effect on the abundance of Sockeye Salmon available, the proposed regulation would ensure primary access to this resource in Federal public waters by Federally qualified subsistence users. It would also help reduce the user conflicts in a location with a documented unreported harvest and enforcement issues.

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Appendix A

POLICY ON CLOSURES TO HUNTING, TRAPPING AND FISHING ON FEDERAL PUBLIC LANDS AND WATERS IN ALASKA

FEDERAL SUBSISTENCE BOARD

Adopted August 29, 2007

PURPOSE

This policy clarifies the internal management of the Federal Subsistence Board (Board) and provides transparency to the public regarding the process for addressing Federal closures (closures) to hunting, trapping, and fishing on Federal public lands and waters in Alaska. It also provides a process for periodic review of regulatory closures. This policy recognizes the unique status of the Regional Advisory Councils and does not diminish their role in any way. This policy is intended only to clarify existing practices under the current statute and regulations; it does not create any right or benefit, substantive or procedural, enforceable at law or in equity, against the United States, its agencies, officers, or employees, or any other person.

INTRODUCTION

Title VIII of the Alaska National Interest Land Conservation Act (ANILCA) establishes a priority for the taking of fish and wildlife on Federal public lands and waters for non-wasteful subsistence uses over the taking of fish and wildlife on such lands for other purposes (ANILCA Section 804). When necessary for the conservation of healthy populations of fish and wildlife or to continue subsistence uses of such populations, the Federal Subsistence Board is authorized to restrict or to close the taking of fish and wildlife by subsistence and non-subsistence users on Federal public lands and waters (ANILCA Sections 804 and 815(3)). The Board may also close Federal public lands and waters to any taking of fish and wildlife for reasons of public safety, administration or to assure the continued viability of such population (ANILCA Section 816(b)).

BOARD AUTHORITIES

- ANILCA sections 804, 814, 815(3), and 816.
- 50 CFR Part 100 and 36 CFR Part 242, Section .10(d)(4).

POLICY

The decision to close Federal public lands or waters to Federally qualified or non-Federally qualified subsistence users is an important decision that will be made as set forth in Title VIII of ANILCA. The Board will not restrict the taking of fish and wildlife by users on Federal public lands (other than national parks and park monuments) unless necessary for the conservation of healthy populations of fish and wildlife resources, or to continue subsistence uses of those populations, or for public safety or administrative reasons, or “pursuant to other applicable law.” Any individual or organization may propose a closure. Proposed closures of Federal public lands and waters will be analyzed to determine whether such restricts are necessary to assure conservation of healthy populations of fish and wildlife resources or to provide a meaningful preference for qualified subsistence users. The analysis will identify the availability and ef-

fectiveness of other management options that could avoid or minimize the degree of restriction to subsistence and non-subsistence users.

Like other Board decisions, closure actions are subject to change during the yearly regulatory cycle. In addition, closures will be periodically re-evaluated to determine whether the circumstances necessitating the original closure still exist and warrant continuation of the restriction. When a closure is no longer needed, actions to remove it will be initiated as soon as practicable. The Office of Subsistence Management will maintain a list of all closures.

Decision Making

The Board will:

- Proceed on a case - by - case basis to address each particular situation regarding closures. In those cases for which conservation of healthy populations of fish and wildlife resources allows, the Board will authorize non-wasteful subsistence taking.
- Follow the statutory standard of “customary and traditional uses.” Need is not the standard. Established use of one species may not be diminished solely because another species is available. These established uses have both physical and cultural components, and each is protected against all unnecessary regulatory interference.
- Base its actions on substantial evidence contained within the administrative record, and on the best available information; complete certainty is not required.
- Consider the recommendations of the Regional Advisory Councils, with due deference (ANILCA § 805 (c)).
- Consider comments and recommendations from the State of Alaska and the public (ANILCA § 816 (b)).

Conditions for Establishing or Retaining Closures

The Board will adopt closures to hunting, trapping or fishing by non-Federally qualified users or Federally qualified subsistence users when one or more of the following conditions are met:

- Closures are necessary for the conservation of healthy populations of fish and wildlife:
 - a) When a fish or wildlife population is not sufficient to provide for both Federally qualified subsistence users or other users, use by non-Federally qualified users may be reduced or prohibited, or
 - b) When a fish or wildlife population is insufficient to sustain all subsistence uses, the available resources shall be apportioned among subsistence users according to their:
 - 1) Customary and direct dependence upon the population as the mainstay of livelihood,
 - 2) Local residency, and
 - 3) Availability or alternative resources, or

c) When a fish or wildlife population is insufficient to sustain any use, all uses must be prohibited.

- Closures are necessary to ensure the continuation of subsistence uses by Federally qualified subsistence users.
- Closures are necessary for public safety.
- Closures are necessary for administrative reasons.
- Closures are necessary “pursuant to other applicable law.”

Considerations in Deciding on Closures

When acting upon proposals recommending closure of Federal public lands and waters to hunting, trapping, or fishing, the Board may take the following into consideration to the extent feasible:


- The biological history (data set) of the fish stock or wildlife population.
- The extent of affected lands and water necessary to accomplish the objective of the closure.
- The current status and trend of the fish stock or wildlife population in question.
- The current and historical subsistence and non-subsistence harvest, including descriptions of harvest amounts, effort levels, user groups, and success levels.
- Pertinent traditional ecological knowledge.
- Information provided by the affected Regional Advisory Councils and Alaska Department of Fish and Game.
- Relevant State and Federal management plans and their level of success as well as any relationship to other Federal or State laws or programs.
- Other Federal and State regulatory options that would conserve healthy populations and provide a meaningful preference for subsistence, but would be less restrictive than closures.
- The potential adverse and beneficial impacts of any proposed closure on affected fish and wildlife populations and uses of lands and waters both inside and outside the closed area.
- Other issues that influence the effectiveness and impact of any closure.


Reviews of Closures

A closure should be removed as soon as practicable when conditions that originally justified the closure have changed to such an extent that the closure is no longer necessary. A Regional Council, a State or Federal agency, or a member of the public may submit, during the normal proposal period, a proposal requesting the opening or closing of an area. A closure may also be implemented, adjusted, or lifted based on a Special Action request according to the criteria in 50 CFR 100.19 and 36 CFR 242.19.


To ensure that the closures do not remain in place longer than necessary, all future closures will be reviewed by the Federal Subsistence Board no more than three years from the establishment of the closure and at least every three years thereafter. Existing closures in place at the time this policy is implemented will be reviewed on a three-year rotational schedule, with at least one - third of the closures reviewed each year.

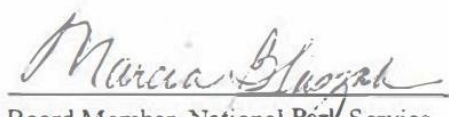
Closure reviews will consist of a written summary of the history and original justification for the closure and a current evaluation of the relevant considerations listed above. Except in some situations which may require immediate action through the Special Action process, closure review analyses will be presented to the affected Regional Council(s) during the normal regulatory proposal process in the form of proposals to retain, modify or rescind individual closures.


Chair, Federal Subsistence Board


Board Member, U.S. Fish and Wildlife Service


Board Member, Bureau of Indian Affairs


Board Member, U.S. Forest Service


Board Member, National Park Service


Board Member, Bureau of Land Management

Southeast FRMP Projects funded this year

Klag Lake Sockeye

Hetta Lake Sockeye

Eek Lake Sockeye

Sitkoh Lake Sockeye

Falls Lake Sockeye

Neva Lake Sockeye

Gut Bay Sockeye

- (work to begin in 2019)

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.



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

Federal Subsistence Board

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



FOREST SERVICE

OSM 180059.DP

Mr. Donald Hernandez, Acting Chair
Southeast Alaska Subsistence
Regional Advisory Council
c/o Office of Subsistence Management
1011 E. Tudor Rd. MS 121
Anchorage, Alaska 99503-6199

Dear Chairman Hernandez:

This letter responds to the Southeast 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. Federal Funding

As budgets for the agencies that support the Federal Subsistence Management Program are reduced, the Council is concerned that certain programs and support will be affected:

a. Funding of Fisheries Resource Monitoring Program (FRMP) Projects:

The Council is worried about the availability of Federal funding for the FRMP, and that projects funded through this program will be reduced or even cancelled. The Council acknowledges the value of the data collected from these projects and their importance for managing fish and wildlife resources for the traditional and subsistence way of life. There is a definite need for data concerning fish populations and documented impacts to determine what causes the decline of fish runs in some systems and not in others. The Council also recognizes the significant impact these FRMP projects have to the communities of rural Southeast Alaska, including jobs, and skill development for community residents. The

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Council would appreciate the Board's support for the continuation of the FRMP and, if appropriate, would appreciate the Board advocating for consistent funding.

b. Funding for Consistent Staff Support at Council Meetings:

Another concern for the Council is the availability of funds for Federal staff to attend the Council meetings in person to provide support. With the important work and responsibilities that the Council carries, it is crucial for supporting staff to be available, in person, to provide information and answer questions. The Council will often reach out to Federal biologists to engage in discussions and to ask questions before formulating discussion on the record. At the last meeting, however, the Council found this challenging due to biologists attending by phone and not in person. The Council relied more on the biologists in the room, which were State wildlife biologists. As the program moves into the fisheries regulatory cycle, the Council is concerned that they will not be able to rely on State fish biologists being as involved in the meetings. The Council requests that if the attendance of Federal biologists to its meetings is a funding issue, that the Board identify possible additional funding that may be available to ensure Federal staff are attending the Federal Subsistence Management Program's public meetings and supporting the Councils.

c. Funding to Continue Wolf Population Studies in Unit 2

The Council heard a lot of public and tribal comments at both its public meetings in the fiscal year. There is a clear need for continued wolf population studies in Unit 2. The Council would request that the Board instruct the Federal Subsistence Management Program's agencies to work with local tribes, communities and subsistence hunters for traditional ecological knowledge on this issue on Prince of Wales Island. The Council would further request that the Board support continuation of cooperative work with Tribes to provide tissue samples to the Alaska Department of Fish and Game, and that the program explore funding opportunities to continue these wolf population studies in Unit 2 so that a management plan/strategy can eventually be developed.

d. Funding for Travel for Council Representation at State Meetings

The Council asks the Board to identify funding available for members of the Council to travel and attend meetings pertaining to the management of fish and wildlife for subsistence uses, including Alaska's Board of Fisheries and Board of Game meetings, particularly when the Council submitted a proposal to either Board. Representing the Council at meetings addressing fisheries and wildlife issues in Southeast Alaska is crucial to the State and Federal management of fish and wildlife resources and is critical to ensure that the subsistence use and priority provided by ANILCA is considered in plans, strategies, and rulemaking statewide. The Council requests that funds be available for members of the Council to attend Alaska Board of Fisheries or Board of Game meetings and that additional

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Council members be funded to attend Federal Subsistence Board meetings, along with the Chair, when necessary.

Response:

1a. Fisheries Resource Monitoring Program funding from the Department of Agriculture has not changed and we expect it to continue at the current level.

1b. The Board agrees with the Council that it is important to have appropriate Federal staff at the Council meetings to work with the Council. While there have been reductions in Federal travel budgets, the Council can expect continuing biological support at meetings.

1c. The Board and the Federal Subsistence Management Program's agencies will continue to work cooperatively with all stakeholders in Unit 2.

1d. As noted above, travel budgets have been reduced. Support for travel will have to be determined on a case by case basis for Council members to attend Alaska Board of Fisheries and Board of Game meetings or for an additional Council member to travel in for the Federal Subsistence Board meeting in addition to the Council Chair. The Council must provide a reasonable justification to participate when a State Board will be considering a proposal that the Council has submitted. Feel free to submit your requests for this additional travel/justification to both the Office of Subsistence Management (OSM) Assistant Regional Director and the Forest Service, Federal Subsistence Management Program Coordinator, Thomas Whitford.

2. Utilization of Traditional Ecological Knowledge by Federal Subsistence Program:

The Council previously advised the Board of its concern regarding the current monitoring process on the Unuk River, specifically pertaining to eulachon and how the closures of this harvest in the past several years have affected this subsistence opportunity. The Council would like to ask the Board to instruct the relevant components of the Federal Subsistence Management Program to fully utilize traditional ecological knowledge to more effectively track the eulachon and obtain accurate information on escapement. In addition, the Council would request that the Board similarly instruct appropriate program staff to always utilize traditional ecological knowledge and engage with local subsistence users when working on subsistence issues. Local and traditional ecological knowledge is crucial when both weighing the protection of a resource and protecting a way of life.

Response:

The Board recognizes the critical importance of local and Traditional Ecological Knowledge (TEK) in informing the Federal Subsistence Management Program. We rely on this knowledge and consider it equitably, when possible, alongside of western scientific knowledge. Similar to

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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.

The Board strives to obtain TEK from a variety of sources in an effort to inform our management decisions. Analyses for wildlife and fishery proposals, customary and traditional use determination proposals, and rural determination proposals all incorporate available TEK to help us better understand subsistence resources and the people that depend on them. We direct OSM staff to include all relevant TEK in all aspects of these analyses. That said, our analysts are often unable to conduct primary research due to financial and logistical constraints and thus must rely on published literature and public testimony. This is one of the many reasons that we rely on you, our regional advisory councils, to help inform the program of local conditions and available knowledge on the subject matter.

Transcripts from public meetings, regional advisory council meetings, and Federal Subsistence Board meetings are mined for TEK that can inform this program. We also rely on written public comments and conversations with local stakeholders and land managers. This Board also considers our government-to-government consultations with Tribes and Alaska Native Claims Settlement Act (ANCSA) Corporations imperative to our program. While participation in these consultations has historically been low, we are committed to improving avenues of communication between these entities and our Board. We ask that as members of the council you continually encourage individuals and both public and private entities in your communities to engage with our program and make their voices and knowledge heard.

Your Council's annual report explicitly addresses the need for TEK to be used in the management of Eulachon fisheries near the Unuk River and, in particular, to inform on the closures that affect subsistence users. We thank you for bringing this need to our attention and we hope to track this situation closely to ensure that the rural priority mandated by the Alaska National Interest Lands Conservation Act (ANILCA) is adequately applied. During the most recent Notice of Funding Opportunity (NOFO) issued for our Fisheries Resource Monitoring Program (FRMP), your Council provided the following Priority Information Need (PIN): Escapement indexes for Eulachon at the Unuk River and Yakutat Forelands. We rely on and thank your Council for helping us identify the PINs that most accurately reflect the research priorities of the region. While the proposal addressing this PIN was not awarded funding for 2018, the Board encourages your Council to maintain this information need for future funding opportunities. In addition, you can explicitly request the inclusion of TEK in the study design of future proposals for this and any other PIN that you identify.

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Despite our inability to fund a project of this nature in 2018, the Board is optimistic to learn that representatives of local communities and tribes, OSM staff, and U.S. Forest Service staff have been engaging with one another to develop improved protocols and understandings regarding the Unuk Eulachon fisheries. The Board has encouraged our constituent agencies to identify alternative sources of funding for a project that addresses the Unuk Eulachon fisheries and to improve partnerships and capacity building with local stakeholders whenever possible.

Lastly the Board wants to remind this Council of our program Partners for Fisheries Monitoring. The Partners Program is a competitive grant that provides funding for biologist/social scientist/educator positions in Alaska Native and rural organizations with the intent of increasing the organization's ability to participate in Federal subsistence management. In addition, the program supports a variety of opportunities for local and rural students to connect with subsistence resource monitoring and management through science camps and paid internships. Partners can be yet another source of TEK and often focus on subsistence issues of importance to their region. To date we have not had a Partner located in Southeast Alaska, but we certainly encourage applications. We anticipate that the next Notice of Funding Opportunity will be released in August of 2018.

3. Transboundary River Watershed Issues – Escalate to Secretary of State

The Board, at the Council's request, sent a letter to Lt. Governor Byron Mallott on January 24, 2017, relaying the Council's concern for the health and protection of Transboundary River watersheds. The Board also relayed the Council's request for the Lt. Governor to write a letter to the U.S. Department of State regarding his desire to work in conjunction with our Congressional Delegation to advance this issue at the Federal and international levels. To date, the Council has not received a copy of any letter from Lt. Governor Mallott to the U.S. Department of State, nor a copy of any response received by the Board in reply to its January 24, 2017 letter. The Council requests the Board provide a report on the status of any reply received from Lt. Governor Mallott in reference to that letter.

Response:

The Federal Subsistence Board has not received a response letter from Lt. Governor Mallott with regard to Transboundary River Watershed issues raised by the Board in their January 24, 2017 letter. The Board will follow-up with the State to ascertain the status of a potential response. Any updates will be provided to the Council as soon as they are available.

4. Climate Change

The Council understands that there is a directive from the current administration, through the Departments, to not consider "climate change" in various reports. The Council requests that this Board and the Federal Subsistence Program not exclude any scientific evidence in regards

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to “climate change” when providing information to the Council. The Council believes all scientific evidence is important in its discussions on a variety of issues, not the least of which is management plans, and would ask that no “climate change” information, if known by the Board or program, be excluded.

Response:

The Federal Subsistence Board has not been instructed to disregard climate change information or withhold communication on climate change. Potential climate change impacts are regularly addressed in agency National Environmental Policy Act (NEPA) documentation and in management revisions. Additionally, Forest Service and other agency staff are encouraged to integrate climate adaptation strategies and techniques into local projects and plans.

5. Outstanding National Resource Water Designation

In its previous Annual Report, the Council requested that the Board send a letter to the Secretaries of the Interior and Agriculture requesting that they communicate a request to the Governor of Alaska to seek legislation that would allow the Alaska Department of Environmental Conservation to pass regulations and move forward on Outstanding National Resource Water Designations (ONRW) – a designation allowed in Federal law. This designation is provided by the Clean Water Act, but it is up to the State Legislature to implement statutes that allow the State to adopt regulations to implement a Tier 3 designation. The Council would like to know the nominations process for ONRW designations. The Council would also like to know the status of its request to the Board to send the letter to the Secretaries' office.

Response:

The Board has received the Council's request to transmit a letter, and is in the process of reviewing the request. As the Council noted in its letter, there is not currently a process under Alaska law to nominate a water body for Outstanding Natural Resource Water designation. Additionally, as noted by the Council in its letter, the Alaska Department of Environmental Conservation has initiated a public process to potentially implement a nomination and designation procedure. Your Council Coordinator will be encouraged to keep up-to-date on the development of these issues, invite reports from State personnel, and otherwise assist the Council in participating in the development of that process.

6. Clean Water Act

The Council recognizes and agrees with the concerns of many communities in Southeast Alaska with the impact of dumping of all-point effluents in the Inside Passage every year. The Council seeks the Board's support in identifying the effects of waste water on fish and wildlife resources (ocean food chain) in Southeast Alaska. Further, the Council would appreciate any options to

Chairman Hernandez

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address this potential threat to our food chain, and subsistence uses of fish and wildlife that the Board may suggest.

Response:

The Board recognizes the concern with the potential environmental impacts of dumping effluents from commercial passenger vessels within the Inside Passage in Southeast Alaska. Since 2000, the Alaska Department of Environmental Conservation, Division of Water has monitored this type of pollution through volunteer efforts and more recently through their Commercial Passenger Vessel Environmental Compliance Program. In general, the overall effluent quality has improved and/or compliance has improved from commercial passenger vessels since the inception of the program. However, commercial vessel traffic, large and small cruise ships, has increased through this same time period and continues to grow. Reports from this program as well as additional background information are available at the following link: <http://dec.alaska.gov/water/cruise-ships>.

The Board will direct staff to work with the Council to explore ways stay informed and proactive on this issue.

7. Landscape Level Planning for the Central Tongass National Forest

The Council would like to be kept informed of the progress of this planning effort by the United States Forest Service and be provided an opportunity to comment on the planning effort regarding subsistence issues, when the time is appropriate. The Council asks the Board to keep the Council's request in mind for possible future actions. This is part of the Council's role under Section 810 of ANILCA.

Response:

The Council has been added to the mailing lists for the Central Tongass Landscape Level Assessment and the Prince of Wales Landscape Level Assessment. The Council Coordinator will ensure that the Council receives regular updates and is presented the opportunity to actively participate in landscape level planning efforts on National Forest System lands in Southeast Alaska.

8. Correspondence Policy

The Council has had several discussions in recent years regarding concerns with the current correspondence review and approval process. The Council has taken notice of the time it takes for its documents to go through the approval process and is concerned with the amount of time between submission of a draft and the final product being distributed. The Council would like the Board to review its 2004 Correspondence Policy with regard to the following, and make appropriate changes:

Chairman Hernandez

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- *Instruct the Office of Subsistence Management (OSM) to provide an outline of the correspondence review process, from the time a draft document is received to the time the final product is sent.*
- *Provide a one-week turn around for Council correspondence from submission of draft to distribution. This will ensure that actions taken by the Council at noticed meetings that require correspondence communication will be effective. The "one week turnaround" would provide a performance measure that "in a timely manner," does not.*
- *Identify a process by which the Chair or Vice-Chair of the Council will receive timely notification of any mail received by OSM that is addressed to him/her or the Council.*

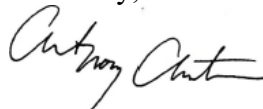
Response:

We understand the Council has questions about the Subsistence Regional Advisory Council Correspondence Policy (Correspondence Policy) and are happy to provide an overview of OSM's review process for Council generated correspondence. In accordance with the Correspondence Policy adopted by the Board June 15, 2004, Councils are required to transmit draft correspondence to the Assistant Regional Director of OSM (ARD) for review, except under limited circumstances. The ARD has determined a full review of draft Council correspondence by the OSM Leadership Team is necessary to ensure that Councils are directing their concerns to others in the most effective manner and that content aligns with Title VIII of ANILCA. This process includes initial review by the Leadership Team and final review by the Deputy Assistant Regional Director and Assistant Regional Director at OSM. All OSM and Council generated documents are subject to this review process. While OSM strives to complete such reviews in an expedited manner, the volume of documents generated by the Federal Subsistence Management Program, including Council correspondence, often requires deadline driven review prioritization.

We are also aware that the Chair and Vice-Chair of the Council have experienced delays in receiving mail from OSM. We have been assured by OSM leadership that the delays were the result of staffing transition and have been resolved. Please advise the Board if delays continue.

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 Southeast Region are well represented through your work.

Sincerely,



Anthony Christianson
Chair

Chairman Hernandez

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cc: Federal Subsistence Board

Southeast 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

DeAnna Perry, Subsistence Council Coordinator, USDA-Forest Service

Jill Klein, Special Assistant to the Commissioner, Alaska Department of Fish and Game

Interagency Staff Committee

Administrative Record



Southeast Alaska
Conservation Council

Water Quality and Source of Contaminants in Alaska

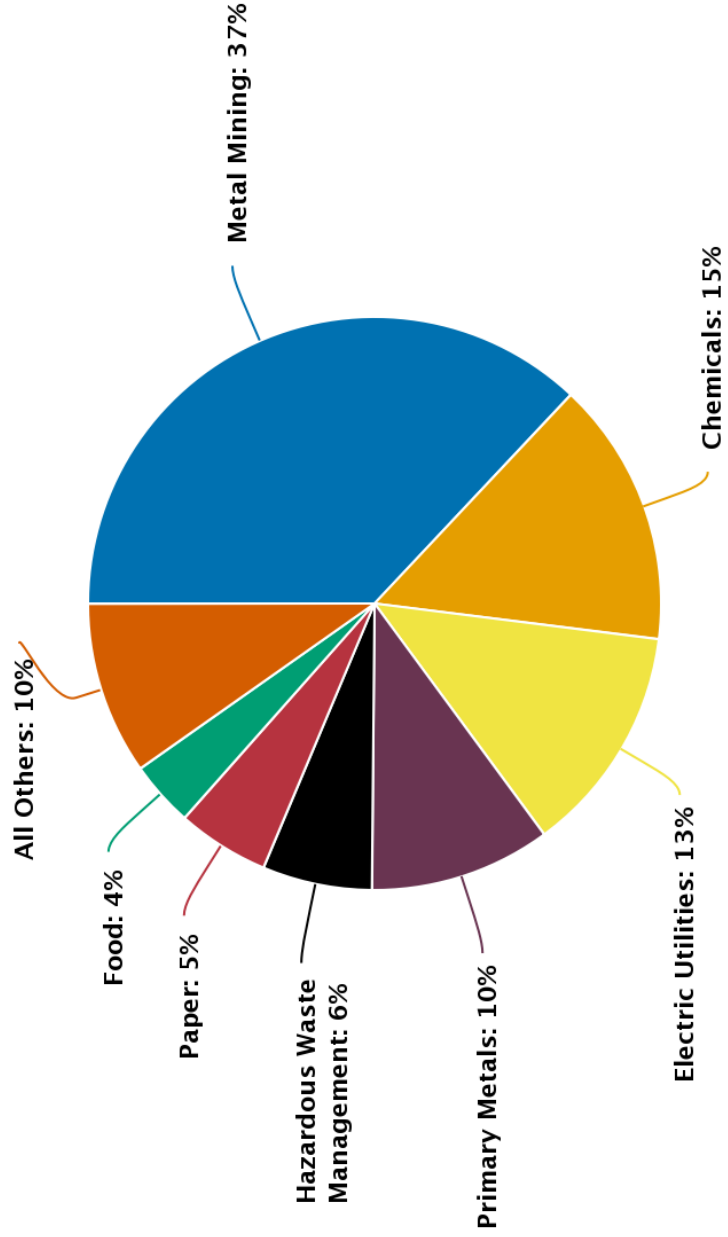


Guy Archibald
Staff Scientist

Sources of Toxins Nationally

Total Disposal or Other Releases by Industry, 2015

3.36 billion pounds





Federal Subsistence Board News Release



U.S. Fish and Wildlife Service
Bureau of Land Management
National Park Service
Bureau of Indian Affairs

Forest Service

For Immediate Release:

August 16, 2018

Media Contact:

Paul Robbins Jr.
(907) 228-6201
paulrobbins@fs.fed.us

Deer harvest limit for Non-Federally qualified users reduced in Unit 2

CRAIG, Alaska – The Craig/Thorne Bay District Ranger is issuing an emergency special action to restrict the harvest limit of deer by non-Federally qualified users to *up to two male deer* on federally-managed public lands in Unit 2. This emergency special action is effective immediately and will expire in 60 days or when the 2018-2020 Federal Subsistence Wildlife Regulations are published in the Federal Register, whichever occurs first.

The District Ranger is taking this action based on extensive public testimony and traditional ecological knowledge provided to the Federal Subsistence Board, showing subsistence needs for deer were not being met. Adoption of this reduced harvest limit for non-Federally qualified users will increase opportunity for Federally-qualified subsistence users.

“This action is based on the Federal Subsistence Board decision, in response to concerns from our rural subsistence users on and around Prince of Wales Island,” said Tyler Gunn, Acting District Ranger. “As land managers, we will continue to work alongside our partner agencies and all other forest stakeholders to ensure these public lands meet the unique social and economic dynamics of southeast Alaska.”

Due to administrative delays in the Federal Rule Making Process, the Federal Subsistence Board (FSB) approved temporary delegated authority to some Federal land managers to enact temporary changes to Federal Subsistence Regulations adopted by the FSB at its April 2018 regulatory meeting. This delegation of authority is established pursuant to 36 CFR 242.10(d)(6) and 50 CFR 100.10(d)(6).

For additional information on the emergency special action, contact Tyler Gunn at 907-828-3210.

Additional information on the Federal Subsistence Management Program may be found on the web at www.doi.gov/subsistence or by visiting www.facebook.com/subsistencealaska.

Missing out on the latest Federal subsistence issues? If you'd like to receive emails and notifications on the Federal Subsistence Management Program you may subscribe for regular updates by emailing fws-fsb-subsistence-request@lists.fws.gov.

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Federal Subsistence Board

1011 East Tudor Road, MS 121
Anchorage, Alaska 99503



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

FOREST SERVICE

HARVEST LIMIT FOR NON-FEDERALLY QUALIFIED USERS REDUCED TO TWO MALE DEER IN UNIT 2

SPECIAL ACTION: FEDERAL SUBSISTENCE BOARD

Under authority of: 36 CFR 242.10 and .19
50 CFR 100.10 and .19

Special Action No: 13-BD-06-18

Issued at: Thorne Bay, Alaska, August 16, 2018

Effective Date: 11:59 pm Thursday August 16.

Expiration Date: 11:59 p.m. Monday, October 15, 2018 or when the 2018-2020 Federal Subsistence Wildlife Regulations are published in the Federal Register, whichever occurs first.

EXPLANATION:

This emergency special action restricts the harvest limit of deer by non-Federally qualified users to up to two male deer on Federal Public lands in Unit 2.

REGULATION:

Due to administrative delays in the Federal Rule Making Process, the Federal Subsistence Board (FSB) approved temporary delegated authority to some Federal land managers to enact temporary changes to Federal Subsistence Regulations adopted by the FSB at its April 2018 regulatory meeting. This delegation of authority is established pursuant to 36 CFR 242.10(d)(6) and 50 CFR 100.10(d)(6).

Federal Subsistence Board by delegation to /s/Tyler Gunn
Tyler Gunn
District Ranger
Thorne Bay and Craig Ranger District
August 16, 2018

JUSTIFICATION:

The District Ranger is taking this action based on extensive public testimony and traditional ecological knowledge provided to the Federal Subsistence Board, showing subsistence needs for deer were not being met. Adoption of this reduced harvest limit for non-Federally qualified users will increase opportunity for Federally-qualified subsistence users.

DISTRIBUTION:

RADIO

KBRD Radio; KCAW Radio; KRSA Radio

NEWSPAPERS

Ketchikan Daily News; Island News; Sitka Sentinel; Juneau Empire

GOVERNMENT ORGANIZATIONS

Michael Bangs, Chair, Southeast Alaska Regional Advisory Council; ADF&G Wildlife Division-Ketchikan; Earl Stewart, Tongass National Forest Supervisor William Elsner, Patrol Captain, USFS-Ketchikan; Paul Robbins Jr., Public Affairs, USFS-Ketchikan; Terry Suminski, Tongass Subsistence Program Leader, USFS-Sitka; Deanna Perry, Council Coordinator, USFS – Juneau; Thomas Whitford, Regional Subsistence Program Leader, USFS – Anchorage; Chris McKee, Wildlife Division Chief, USFWS/OSM—Anchorage; Theo Matuskowitz, Regulations Specialist, USFWS/OSM—Anchorage; Caron McKee, Public Affairs, USFWS/OSM—Anchorage; Alaska Public Safety Department-Fish & Wildlife Protection Division, Ketchikan & Craig; Craig Tribal Association; Klawock Cooperative Association; Hydaburg Cooperative Association; Organized Village of Kasaan.



Federal Subsistence Board News Release



U.S. Fish and Wildlife Service
Bureau of Land Management
National Park Service
Bureau of Indian Affairs

Forest Service

For Immediate Release:

August 17, 2018

Media Contact:

Paul Robbins Jr.
(907) 228-6201
paulrobbins@fs.fed.us

Moose Hunting to Open in Unit 5A to Rural Residents

YAKUTAT, Alaska – The Yakutat District Ranger, under delegated authority from the Federal Subsistence Board, is issuing an emergency special action to open the hunting season for moose in Unit 5A, east of the Dangerous River, from Sept. 16 – Nov. 15, 2018, by joint State/Federal registration permit. Additionally, those Federally-managed public lands will be closed to the taking of moose from Sept. 16 – Sept. 30 to all but Federally-qualified subsistence users. Only Alaska residents with their permanent, primary household in Unit 5A are Federally-qualified to hunt moose in Unit 5A.

This action is effective immediately and will expire 60 days from the beginning of the season or when the 2018-2020 Federal Subsistence Wildlife Regulations are published in the Federal Register, whichever occurs first.

The Federal Subsistence Board adopted these regulations based on the recommendation of the Southeast Alaska Subsistence Regional Advisory Council, in order to provide additional opportunities for Federally-qualified subsistence users of Unit 5A to harvest moose.

Due to administrative delays in the Federal Rule Making Process, the Federal Subsistence Board (Board) has approved temporary delegated authority to some Federal land managers to enact temporary changes to Federal Subsistence Regulations adopted by the Board at its April 2018 regulatory meeting. This delegation of authority is established pursuant to 36 CFR 242.10(d)(6) and 50 CFR 100.10(d)(6).

For additional information on the emergency special action, contact Lee Benson at 907- 907-784-3359.

Additional information on the Federal Subsistence Management Program may be found on the web at www.doi.gov/subsistence or by visiting www.facebook.com/subsistencealaska.

Missing out on the latest Federal subsistence issues? If you'd like to receive emails and notifications on the Federal Subsistence Management Program you may subscribe for regular updates by emailing fws-fsb-subsistence-request@lists.fws.gov.

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Federal Subsistence Board

1011 East Tudor Road, MS 121
Anchorage, Alaska 99503



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

FOREST SERVICE

MOOSE HUNTING TO OPEN IN UNIT 5A, EAST OF THE DANGEROUS RIVER TO RURAL RESIDENTS OF UNIT 5A

SPECIAL ACTION: FEDERAL SUBSISTENCE BOARD

Under authority of: 36 CFR 242.10 and .19
50 CFR 100.10 and .19

Special Action No: 12-MO-02-18

Issued at: Yakutat, Alaska, August 17, 2018

Effective Date: 12:01 a.m. Sunday, September 16.

Expiration Date: 11:59 p.m. Wednesday, November 15, 2018 or when the 2018-2020 Federal Subsistence Wildlife Regulations are published in the Federal Register, whichever occurs first.

EXPLANATION:

This emergency special action will open the hunting season for moose in Unit 5A east of the Dangerous River from Sept. 16 – Nov. 15, 2018, by joint State/Federal registration permit. Additionally, those Federal public lands in Unit 5A east of the Dangerous River will be closed to the taking of moose from Sept. 16 – Sept. 30 to all but Federally Qualified users.

REGULATION:

Due to administrative delays in the Federal Rule Making Process, the Federal Subsistence Board (FSB) approved temporary delegated authority to some Federal land managers to enact temporary changes to Federal Subsistence Regulations adopted by the FSB at its April 2018 regulatory meeting. This delegation of authority is established pursuant to 36 CFR 242.10(d)(6) and 50 CFR 100.10(d)(6).

The regulatory language as adopted by the Board is as follows:

Unit 5—Moose

Unit 5A—except Nunatak Bench, west of the Dangerous River— 1 bull by joint State/Federal registration permit only. From Oct. 8 – Oct. 21, Federal public lands will be closed to taking of moose, except by residents of Unit 5A hunting under these regulations Oct. 8-Nov. 15

Unit 5A, except Nunatak Bench, east of the Dangerous River- 1 bull by joint State/Federal registration permit only. From Sept. 16 – Sept. 30, Federal public lands are closed to taking of moose, except by residents of Unit 5A hunting under these regulations. Sept. 16–Nov. 15

Federal Subsistence Board by delegation to /s/Lee Benson
Lee Benson
District Ranger
Yakutat
August 17, 2018

JUSTIFICATION:

The Federal Subsistence Board adopted these regulations based on the recommendation of the Southeast Alaska Subsistence Regional Advisory Council that these actions will provide additional opportunities for residents of Unit 5A to harvest moose.

DISTRIBUTION:

RADIO

KCAW radio, Sitka; KTOO radio, Juneau

PRINT

Juneau Empire; Capital City Weekly, Juneau

TELEVISION

GCI Cable; Juneau network television

GOVERNMENT ORGANIZATIONS

Yakutat Tlingit Tribe; City and Borough of Yakutat; Ryan Scott, Roy Churchwell, Carl Koch, Tom Schumacher ADF&G Division of Wildlife Conservation, Yakutat; Alaska Department of Public Safety, Yakutat; James Capra, National Park Service; Don Hernandez, Chair, Southeast

Federal Subsistence Board News Releases Regarding Moose Hunting in Unit 5A and Deer Hunting in Unit 2

Alaska Subsistence Regional Advisory Council; Chris McKee, Caron McKee, Theo Matuskowitz and George Pappas, Office of Subsistence Management, Anchorage; Earl Stewart, USFS Tongass National Forest Supervisor, Ketchikan; Bill Elsner, USFS Law Enforcement Officer, Petersburg; Paul Robbins, USFS Public Affairs, Ketchikan; Tom Whitford, Subsistence Program Leader, USFS-Anchorage; Terry Suminski, Tongass Subsistence Program Leader, USFS-Sitka; DeAnna Perry, Coordinator, Southeast Alaska Subsistence Regional Advisory Council.

Central Tongass Project (CT project)

The Central Tongass Project (CT Project) is a landscape-scale project located on the Petersburg and Wrangell Ranger Districts. Its purpose is to meet multiple resource goals and objectives (i.e., needs) identified in the 2016 Tongass Land and Resource Management Plan (Forest Plan) using an integrated approach. Some of the project area needs include improving forest ecosystem health, supporting community resilience through economic development opportunities within Southeast Alaska communities, providing sustainable recreation opportunities to local visitors and the tourism industry, and offering a variety of wood products to regional mills and local communities. These needs will be met by implementing, over the next 15 years, a suite of activities (such as cabin construction, timber harvest, stream restoration, or road construction) identified by you and the Central Tongass planning team. To evaluate the environmental effects of the project, the Forest Service will prepare an environmental impact statement. Continued input from the tribes, partners, stakeholders and the general public will help the Forest Service determine the location and types of activities to implement, and how extensively they will occur across the landscape after the Responsible Official signs the decision for this project.

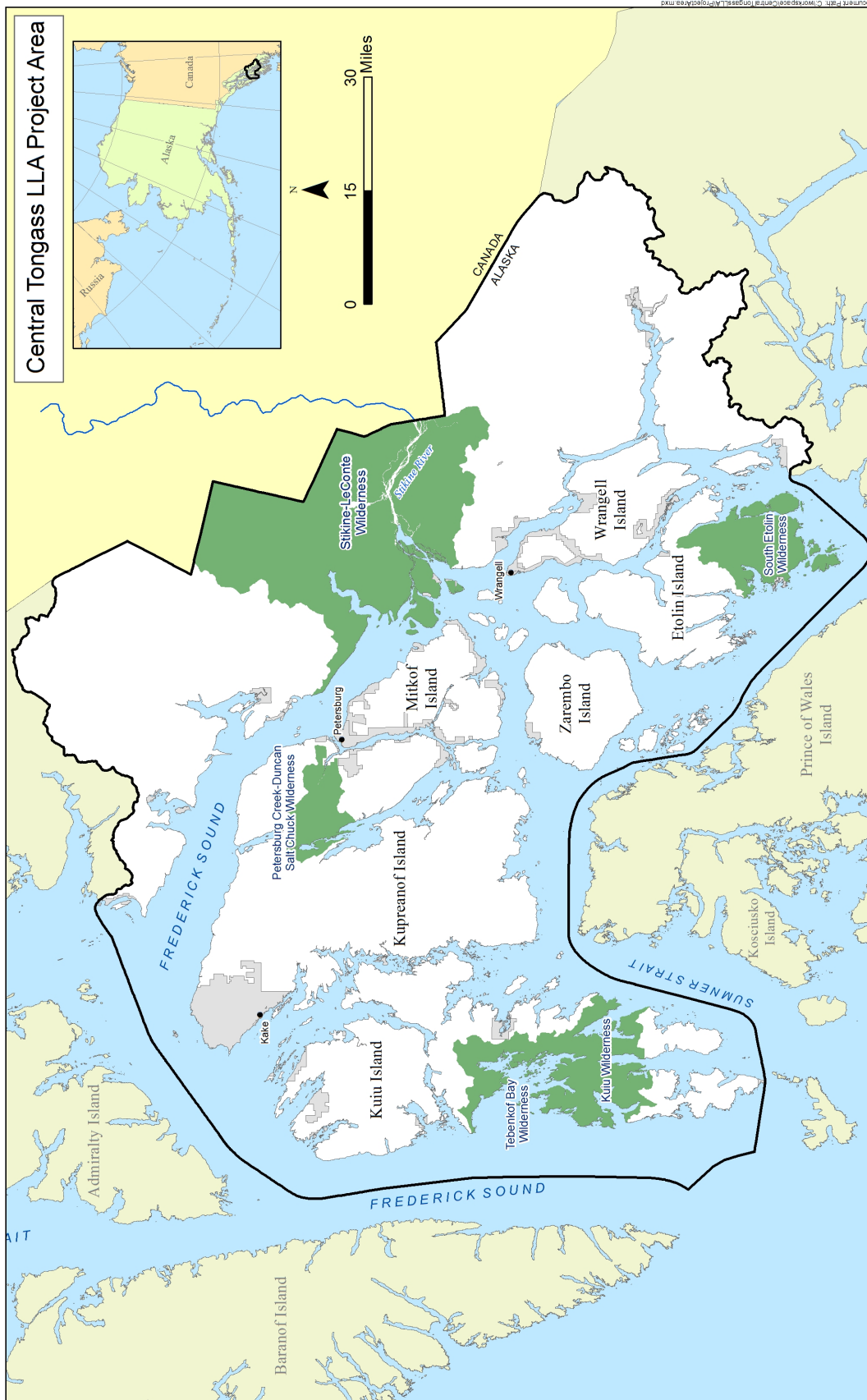
The CT Project area encompasses National Forest System (NFS) lands and lands of other ownership within the Petersburg and Wrangell Ranger Districts (3.7 million acres). This includes Mitkof, Kupreanof, Kuiu, Wrangell, Zarembo and Etolin islands and the U.S. mainland. Lands of other ownership, as authorized by their land owners, are included in the environmental analysis to facilitate integrated and economic planning and implementation. Wilderness will not be considered for resource management actions other than for invasive plant treatments.

Public involvement for this project has and will include: public community meetings, stakeholder meetings, subsistence hearings and notices in local publications like the Petersburg Pilot and the Wrangell Sentinel. This website will be the central source of information for all interested individuals and groups, and will help keep the public up-to-date on the Forest Service's planning progress.

The Tongass National Forest has transitioned to an electronic mailing system for all projects and planning efforts, including the CT Project. We will communicate project updates and announcements through this system and invite you to sign up and submit your email address here: https://public.govdelivery.com/accounts/USDAFS/subscriber/new?topic_id=NEPA_53098_S You may select other Tongass projects that interest you as well by managing your subscriber preferences after you sign up.

If you would like to comment electronically on the CT Project during specified public comment periods, which is required to gain standing to object to the project later in the NEPA process, you may do so here: <https://cara.ecosystem-management.org/Public/CommentInput?project=53098>. Please note, when a comment period is not open, the ability to submit electronic comments online will not be enabled, and contact information for the project leader will be displayed at that link.

*Taken on 8/20/2018 from USDA Forest Service, Tongass National Forest webpage:
<https://www.fs.usda.gov/detail/tongass/landmanagement/projects/?cid=fseprd568085>*





United States Department of Agriculture

Prince of Wales Landscape Level Analysis

Topic: U.S. Forest Service Commitment to National Environmental Policy Act (NEPA) Efficiencies, Collaborative Planning, Accelerated Restoration, and a Sustainable Forest Product Program.

Issue: The Tongass National Forest is committed to efficiently analyzing multiple projects at a landscape level to implement over the course of 15 years with the Prince of Wales Landscape Level Analysis (POW LLA) Project.

Background: The Craig and Thorne Bay Ranger Districts, Tongass National Forest, encompass Prince of Wales Island (POW) and surrounding islands, which is the project area for the POW LLA Project. The purpose of the POW LLA Project is to improve forest ecosystem health on Craig and Thorne Bay Ranger Districts, help support community resiliency, and provide economic development through an integrated approach to meet multiple resource objectives. Management activities included in the three action alternatives being analyzed in DEIS include: 1) Vegetation management, including old-growth commercial harvest, young-growth commercial harvest, young-growth pre-commercial thinning treatments, timber stand establishment, and wildlife habitat improvement treatments; 2) Watershed improvements and restoration treatments, including fish habitat restoration, aquatic organism passage and fish habitat connectivity, karst systems improvement, and invasive plant management (manual, mechanical, and herbicide); 3) Sustainable recreation management, including maintenance of existing recreation facilities as well as construction of new facilities; and 4) associated infrastructure and non-infrastructure activities to support the proposed activities.

Current Situation: The proposed action was developed utilizing a highly collaborative process involving the public through the NEPA process. An independently formed, broadly based collaborative group, the Prince of Wales Landscape Assessment Team, met monthly over the course of a year to develop a set of suggested projects for the Forest to consider in this project. The Forest considered those suggestions along with other comments received through the public process and finalized a proposed action. A Notice of Intent (NOI) to publish an Environmental Impact Statement (EIS) was published in the Federal Register on November 30, 2016 for this project. A Corrected NOI published July 6, 2017 more fully described the proposed action, as required by NEPA. Input on draft issue statements and alternatives was received during a non-mandatory public comment period December 2017. Alternatives were refined and a fifth alternative was added in response to comments received. Alternative 4 was removed from further consideration to narrow the scope of the project to activities which would not require an amendment to the current Tongass Forest Plan. A Draft EIS was released on May 4, 2018, which began a 45 day public comment period. Subsistence hearings are planned for Prince of Wales Island communities in September and October. A Final EIS is scheduled for completion in October, 2018. Finalization of a Record of Decision is expected in March 2019, which would approve the activities to be implemented.



More Information: Contact Earl Stewart, Forest Supervisor, 907-228-6281



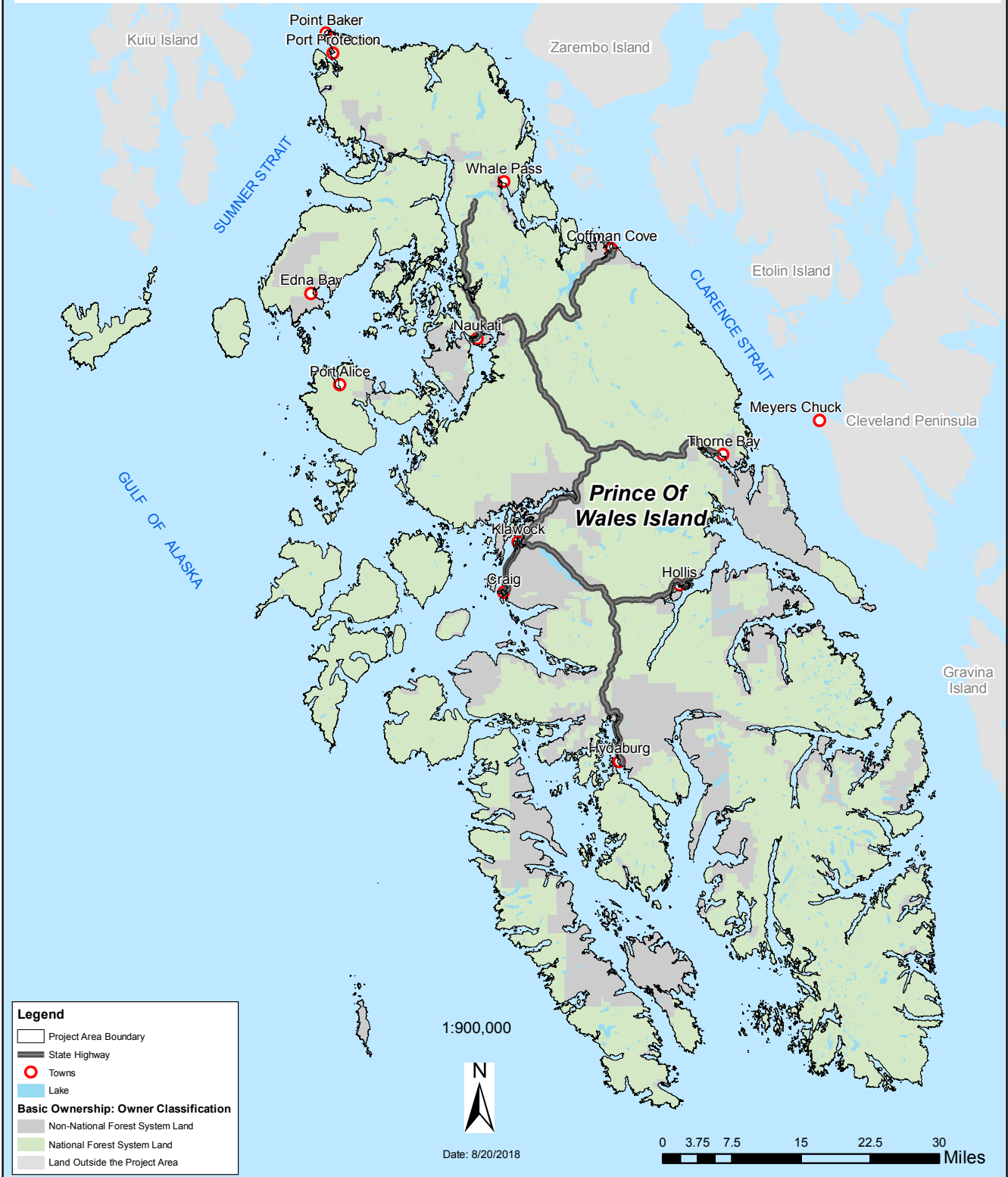
Briefing Paper
August 2018





Prince of Wales Landscape Level Analysis Project

FEIS - Vicinity Map



Document Path: T:\FS\NFS\Tongass\Project\TBRD\POWLLAEIS\GIS\MapProduct\FEIS\Document\Maps\FEIS81_2x11Maps_2.mxd

State of Alaska, USDA Forest Service begin official work on Alaska Roadless Rule

AUGUST 2, 2018 AT 3:45 PM EDT - JUNEAU, ALASKA, August 2 – The State of Alaska and the USDA Forest Service signed a memorandum of understanding this week to develop an Alaska state-specific roadless rule.

An Alaska state-specific roadless rule will determine which currently designated roadless areas would require a different management designation to further Alaska's economic development or other needs, while still conserving roadless areas for generations to come.

The state-specific rule will amend the 2001 Roadless Rule, which prohibits road construction, road reconstruction, and timber harvesting on certain National Forest System lands across the country. Currently, in Alaska, 67 percent of National Forest System lands are inventoried roadless areas. An additional 26 percent are designated Wilderness, where road construction is also prohibited.

In establishing this new rule, the USDA Forest Service is responding to Alaska's petition for a full exemption from the 2001 Roadless Rule. The petition was accepted by Secretary of Agriculture Sonny Perdue in April 2018, with the decision to pursue a state-specific roadless rule. National Forest System lands in Alaska that are designated Wilderness would be unaffected by this rulemaking.

"We will continue to work with the people of Alaska, the state government, industry, tribes and Alaska native corporations to maintain the health and vibrancy of our National Forests," said Secretary Perdue. "The national forests in Alaska should be working forests for all industries."

The Forest Service and state will work closely together, as the Forest Service did with Colorado and Idaho to develop their state-specific roadless rules. An important part of this process will be working with stakeholders from across the region to inform development of this state-specific rule.

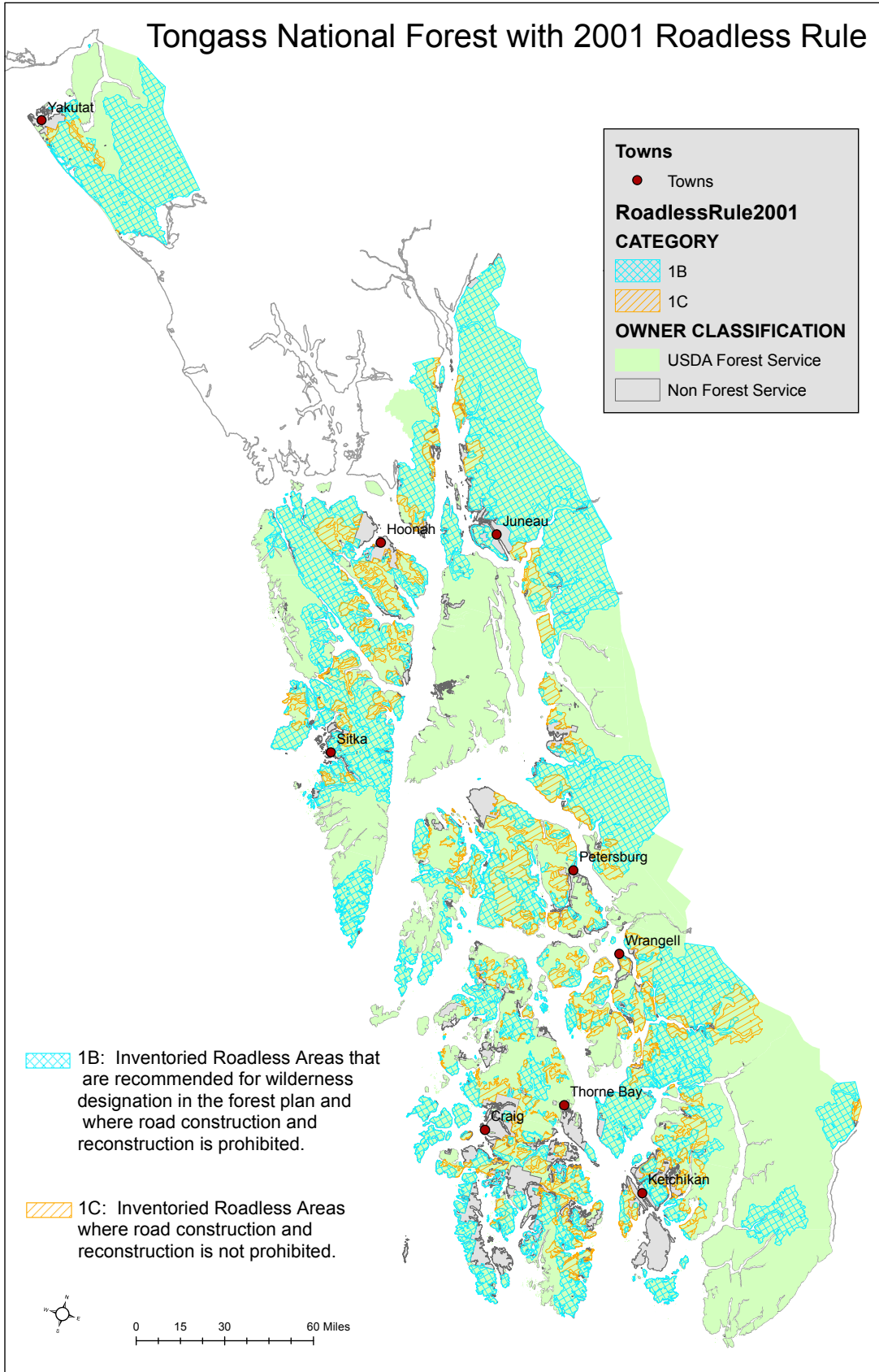
"The State of Alaska is ready to begin this work. I am confident that state and federal officials will be responsive to input from local residents every step of the way and that together we will account for the diverse needs of people who live, work, and recreate in the forest," Governor Bill Walker said of the project.

Secretary Perdue aims to sign a final Alaska Roadless Rule within the next 18 months. The preparation process will involve National Environmental Policy Act environmental review and disclosures, gathering public feedback, conducting public outreach, and consultation with Alaskan Tribes and Native Corporations.

A notice of intent to prepare an EIS for the rulemaking is scheduled to be published in the Federal Register later this summer.

For more information please contact Dru Fenster, Alaska Region Media Coordinator at 907-209-2094.

<https://www.fs.fed.us/news/releases/state-alaska-usda-forest-service-begin-official-work-alaska-roadless-rule>



Office of Subsistence Management

*Fall 2018 Report to the
Federal Subsistence Regional Advisory Councils*

Staffing Update

Departures

Gene Peltola, Jr. left his position as the Assistant Regional Director (ARD) to become the new Regional Director for the Bureau of Indian Affairs in Alaska. In that role, he will also serve as a member of the Federal Subsistence Board. No official action has been taken as of yet to commence recruitment for a replacement. In the meantime, Tom Doolittle has assumed the role of the Acting ARD.

New Arrivals

Greg Risdahl has started as the new Fisheries Division supervisor at the Office of Subsistence Management (OSM). He received his B.S. in wildlife biology with a minor in anthropology from the University of Montana, and a M.S. from Montana State University in Fish and Wildlife Management. Greg previously worked for OSM as a wildlife biologist. He has served as the Deputy Refuge Manager at Tetlin National Wildlife Refuge and most recently as the Izembek National Wildlife Refuge Manager. Over his career, he has worked in both wildlife and fisheries management.

Vacancies

The following is a summary of current vacant positions and the status in hiring personnel to fill these positions:

Anthropology Division Supervisor

Paperwork has been submitted to the Alaska Regional Director, U.S. Fish and Wildlife Service, for approval to recruit to fill this position.

Staff Anthropologist

The paperwork to hire the position has been approved and is with Human Resources for publication.

Fisheries Biologist

The position posted on USA Jobs and Tom Doolittle has received a list of qualified applicants to consider for hiring.

Administrative Assistant

The Office of Subsistence Management has not been authorized to fill this vacancy.

2018-2020 Federal Wildlife Regulations

The wildlife regulatory year began on July 1, 2018, but the changes to the regulations based on the Federal Subsistence Board's action in April have not yet been published in the Federal Register. Those changes are therefore not in effect until that publication.

This has two specific consequences for the Federal Subsistence Management Program. First, the modifications to regulations made at the April Board meeting did not take effect on July 1, and will not take effect until the Federal Register notice is published. For example, the new definition of "bear bait" adopted in WP18-51 does not yet exist, or the C&T for deer in Units 1-5 has not yet been expanded to all Southeast residents, as authorized in the adoption of WP18-02.

Second, any wildlife actions that resulted from Board approval of temporary wildlife special actions last regulatory year expired on June 30.

However, the Federal Subsistence Board has issued several temporary delegation of authority letters to authorize land managers in particular areas to enact certain wildlife regulatory actions adopted by the Board in April 2018 but not yet published in the Federal Register. These temporary delegation of authority letters were issued to the following in-season managers, and will expire when the new wildlife regulations are published:

- Craig District Ranger, Tongass National Forest –Unit 2 deer (to implement WP18-01, adopted as WP18-01A)
- Thorne Bay District Ranger, Tongass National Forest – Unit 2 deer (to implement WP18-01, adopted as WP18-01A)
- Yakutat District Ranger, Tongass National Forest – Unit 5A (except Nunatak Bench, east of the Dangerous River) moose (to implement WP18-10 as modified)
- Superintendent, Western Arctic Park Lands – Unit 23 caribou in the Noatak National Preserve (to implement partial closure adopted in WP 18-46 as modified)
- Anchorage Field Office Manager, Bureau of Land Management – Unit 23 caribou in the Squirrel River drainage (to implement partial closure adopted in WP 18-46 as modified)

Subsistence Regional Advisory Council Correspondence Policy

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

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

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

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

Policy

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

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



Federal Subsistence Board

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



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

FOREST SERVICE

JUL 02 2018

OSM 180086.CJ

Mr. Donald C. Hernandez, Acting Chair
Southeast Alaska Subsistence Regional Advisory Council
c/o Office of Subsistence Management
1011 E. Tudor Road, MS 121
Anchorage, Alaska 99503-6199

Dear Mr. Hernandez:

The Federal Subsistence Board met on April 10-13, 2018 regarding proposed changes to subsistence wildlife regulations and customary and traditional use determinations. This letter and the enclosed report identify action taken on proposals affecting residents of the Southeast Region.

Section 805(c) of the Alaska National Interest Lands Conservation Act (ANILCA) provides that the Board will accept the recommendations of a Regional Advisory Council regarding take unless (1) the recommendation is not supported by substantial evidence, (2) the recommendation violates recognized principles of fish and wildlife management, or (3) adopting the recommendation would be detrimental to the satisfaction of subsistence needs. When a Council's recommendation is not adopted, the Board is required by Secretarial regulations to set forth the factual basis and reasons for the decision. This letter and enclosure satisfy that requirement.

In total, the Board accepted the recommendations of the Regional Advisory Councils, in whole or with modifications, in **46** out of the **52** proposals where the Board took action. Details of these actions and the Board's deliberations are contained in the meeting transcripts. Copies of the transcripts may be obtained by calling our toll free number, 1-800-478-1456, and are available online at the Federal Subsistence Management Program website, <https://www.doi.gov/subsistence>.

The Board adopted the Southeast Alaska Subsistence Regional Advisory Council's (Council) recommendation on the following proposals: **WP18-01**, to limit harvest of deer by non-Federally qualified subsistence users in Unit 2 and shorten the season for non-Federally qualified subsistence users (the Board split the proposal into two parts, then *adopted* WP18-01a and *rejected* WP18-01b); **WP18-02**, to modify the customary and traditional use determination for deer in Southeast Alaska Units 1 – 5 so that all rural residents of Units 1- 5 are eligible to hunt deer (*adopted*); **WP18-03**, to modify the Federal hunting and trapping seasons in Unit 1 for wolves to match State regulations

Mr. Hernandez

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(*adopted*); **WP18-05**, to lengthen the Federal hunting and trapping seasons for wolves in Unit 3 to match those currently under State regulations (*adopted*); **WP18-06**, to lengthen the season for black bear in Unit 2 and increase harvest limit (*rejected*); **WP18-09**, to modify the Federal designated hunting provisions related to deer for in Units 1B and 3 (*rejected*); **WP18-10**, to modify the Federal season for moose in Unit 5A and provide for closures (*adopted with Council modification*); **WP18-12**, to add residents of the community of Gustavus to the customary and traditional use determination for mountain goat in Unit 1C (*adopted*); **WP18-13**, to remove the requirement that traps and snares be marked with trapper identification in Southeast Alaska (*adopted*).

The Board's action differed from the Council's recommendations on the following proposals: **WP18-04**, to increase the wolf harvest quota on Federal lands in Unit 2 from up to 20% to up to 30% of the most recent population estimate for the unit (*rejected*); **WP18-11**, to establish a Federal priority for moose in Unit 1C Berners Bay for rural residents (*adopted with modification*). The Board's action and justification are discussed in the enclosed report.

In addition to the action taken on these Southeast proposals, the Board also voted to withdraw proposals **WP18-07** and **WP18-08** based on the proponent's request.

The Federal Subsistence Board appreciates the Southeast Alaska Subsistence Regional Advisory Council's active involvement in and diligence with the regulatory process. The 10 Regional Advisory Councils continue to be the foundation of the Federal Subsistence Management Program, and the stewardship shown by the Regional Advisory Council chairs and their representatives at the Board meeting was noteworthy.

If you have any questions regarding the summary of the Board's actions, please contact DeAnna Perry, Subsistence Council Coordinator, at (907) 586-7918.

Sincerely,



Anthony Christianson
Chair

Enclosure

cc: Federal Subsistence Board
Southeast Alaska Subsistence Regional Advisory Council
Eugene R. Peltola, Jr., Assistant Regional Director, Office of Subsistence Management
Thomas Doolittle, Deputy 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
DeAnna Perry, Subsistence Council Coordinator, U.S. Forest Service
Interagency Staff Committee
Administrative Record

FEDERAL SUBSISTENCE BOARD 805(c) REPORT

SOUTHEAST REGION PROPOSALS

Proposal WP18-04

DESCRIPTION: Requested increasing the wolf harvest quota on Federal lands in Unit 2 from up to 20% to up to 30% of the most recent population estimate for the unit.

COUNCIL RECOMMENDATION: **Support**

BOARD ACTION: **Rejected**

JUSTIFICATION: Increasing the harvest quota is likely to create a conservation concern and the proposed harvest quota would likely or may lead to an unsustainable harvest. The proposed increased harvest on Federal lands would make it more difficult for State and Federal managers as well as resulting in confusion for hunters and trappers. This proposal would potentially violate established principles of wildlife management, warranting a rejection of the Southeast Council's recommendation. Management agencies have been collaborating well over the last several years to move together toward a sustainable solution to the Unit 2 wolf issue in the best interest of all stakeholders, including users, tribes, the State and the Federal government.

Proposal WP18-11

DESCRIPTION: Requested that the Federal Subsistence Board provide a Federal priority for moose in Unit 1C Berners Bay for rural residents, or close Federal lands to the harvest of moose in 1C Berners Bay to all users, or clearly state on the record why a priority for moose should not be provided to rural residents on the Federal public lands of Berners Bay.

COUNCIL RECOMMENDATION: **Oppose** (fall 2017 meeting). The Council received additional information at its winter 2018 meeting and provided that information to the Board at the Board's April meeting to allow the Board to fully deliberate with this information.

BOARD ACTION: **Adopted the alternative discussed by the Southeast Council in its winter 2018 meeting.** The modified language would read:

Unit 1C – Berners Bay drainages – 1 bull moose by Federal drawing permit – with a season of September 15 – October 15

Only one moose permit may be issued per household in Unit 1C. A household receiving a State permit for Berners Bay drainages moose may not receive a Federal permit. The annual harvest quota will be announced by the U.S. Forest Service, Juneau office, in consultation with Alaska

Department of Fish & Game. The Federal harvest allocation will be 25% (rounded up to the next whole number) of bull moose permits. This provision will be implemented in fall 2019.

JUSTIFICATION: It is recognized that this is a complex issue. The alternative would provide a priority for Federally-qualified subsistence users for hunting moose in Berners Bay. The combined Federal 25% and State 75% draw hunt would continue to provide opportunities for non-Federally qualified moose hunters in Berners Bay while providing for moose conservation, the Federal Subsistence Board should delay implementation of this proposed hunt structure until fall 2019 so as not to conflict with the current State draw hunt. While the action taken by the Board was contrary to the Council's official recommendation, it was consistent with the alternative approach brought to the Board's attention based on the Council's winter 2018 meeting discussion.

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 <i>Window Opens</i>	Feb. 5 BB — Naknek	Feb. 6	Feb. 7	Feb. 8	Feb. 9
Feb. 10	Feb. 11	Feb. 12 SE — Wrangell	Feb. 13 NS — Utqiagvik	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	Mar. 6 SP — Nome	Mar. 7	Mar. 8	Mar. 9
Mar. 10	Mar. 11	Mar. 12 YKD — Bethel	Mar. 13	Mar. 14	Mar. 15 <i>Window Closes</i>	Mar. 16

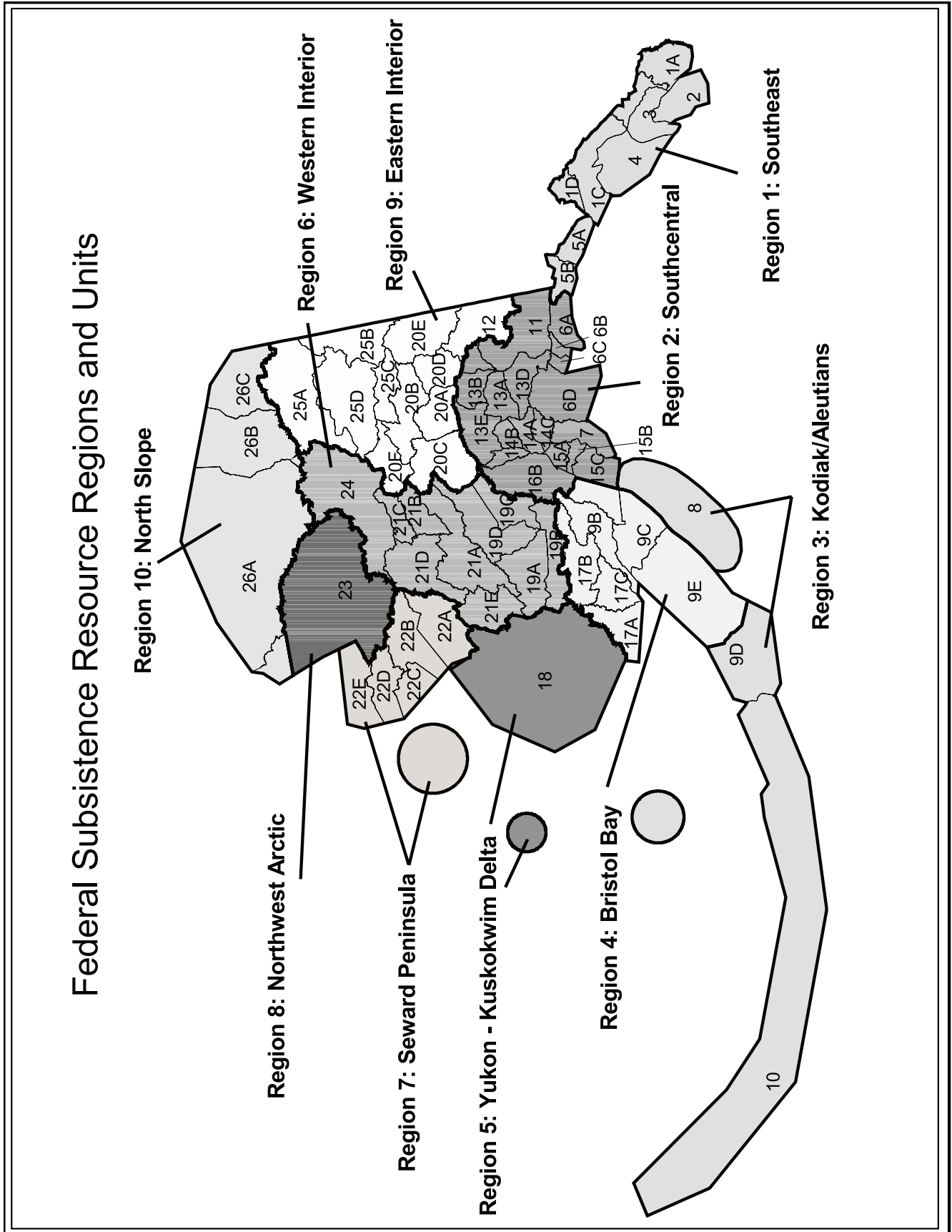
Fall 2019 Regional Advisory Council Meeting Calendar

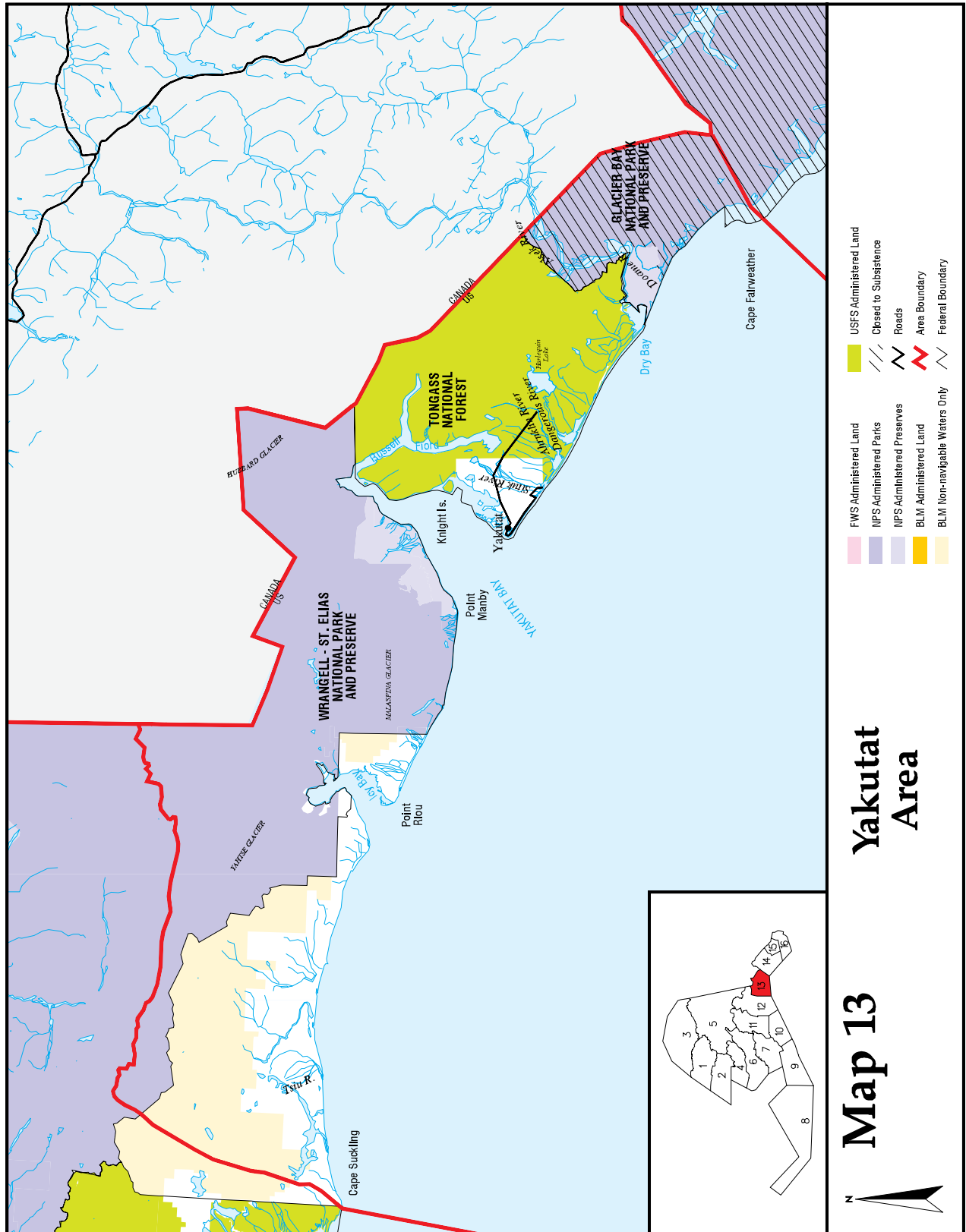
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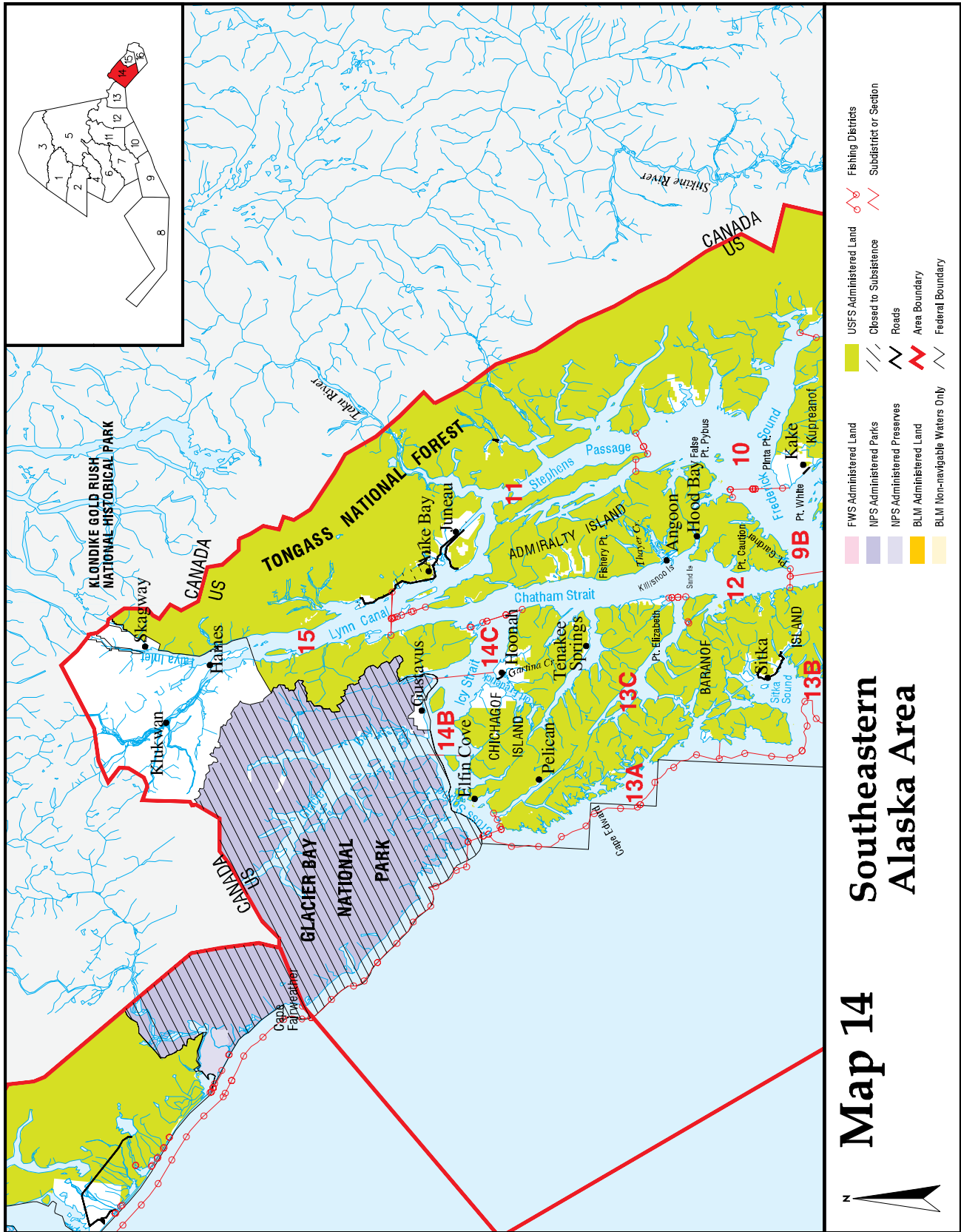
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<i>Aug. 18</i>	<i>Aug. 19</i>	<i>Aug. 20</i>	<i>Aug. 21</i>	<i>Aug. 22</i>	<i>Aug. 23</i>	<i>Aug. 24</i>
<i>Aug. 25</i>	<i>Aug. 26</i>	<i>Aug. 27</i>	<i>Aug. 28</i>	<i>Aug. 29</i>	<i>Aug. 30</i>	<i>Aug. 31</i>
<i>Sept. 1</i>	Sept. 2 LABOR DAY HOLIDAY	<i>Sept. 3</i>	<i>Sept. 4</i>	<i>Sept. 5</i>	<i>Sept. 6</i>	<i>Sept. 7</i>
<i>Sept. 8</i>	<i>Sept. 9</i>	<i>Sept. 10</i>	<i>Sept. 11</i>	<i>Sept. 12</i>	<i>Sept. 13</i>	<i>Sept. 14</i>
<i>Sept. 15</i>	<i>Sept. 16</i>	<i>Sept. 17</i>	<i>Sept. 18</i>	<i>Sept. 19</i>	<i>Sept. 20</i>	<i>Sept. 21</i>
<i>Sept. 22</i>	<i>Sept. 23</i>	<i>Sept. 24</i>	<i>Sept. 25</i>	<i>Sept. 26</i>	<i>Sept. 27</i>	<i>Sept. 28</i>
<i>Sept. 29</i>	<i>Sept. 30</i>	<i>Oct. 1</i>	<i>Oct. 2</i>	<i>Oct. 3</i>	<i>Oct. 4</i>	<i>Oct. 5</i>
<i>Oct. 6</i>	<i>Oct. 7</i>	<i>Oct. 8</i>	<i>Oct. 9</i>	<i>Oct. 10</i>	<i>Oct. 11</i>	<i>Oct. 12</i>
<i>Oct. 13</i>	Oct. 14 COLUMBUS DAY HOLIDAY	<i>Oct. 15</i>	<i>Oct. 16</i>	<i>Oct. 17</i>	<i>Oct. 18</i>	<i>Oct. 19</i>
<i>Oct. 20</i>	<i>Oct. 21</i>	<i>Oct. 22</i>	<i>Oct. 23</i>	<i>Oct. 24</i>	<i>Oct. 25</i>	<i>Oct. 26</i>
<i>Oct. 27</i>	<i>Oct. 28</i>	<i>Oct. 29</i>	<i>Oct. 30</i>	<i>Oct. 31</i>	<i>Nov. 1</i>	<i>Nov. 2</i>
<i>Nov. 3</i>	<i>Nov. 4</i>	<i>Nov. 5</i>	<i>Nov. 6</i>	<i>Nov. 7</i>	<i>Nov. 8</i>	<i>Nov. 9</i>

AFN — Fairbanks

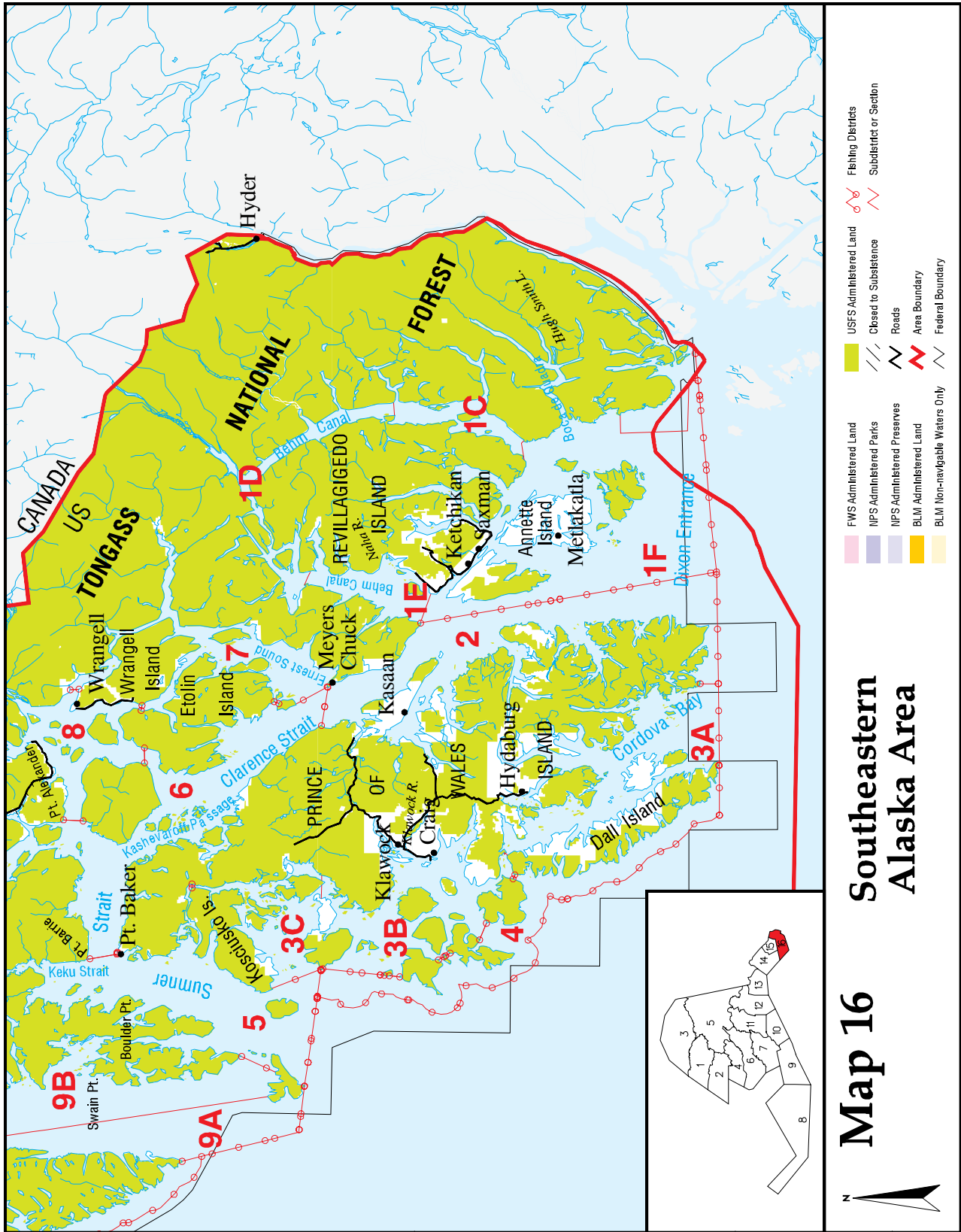












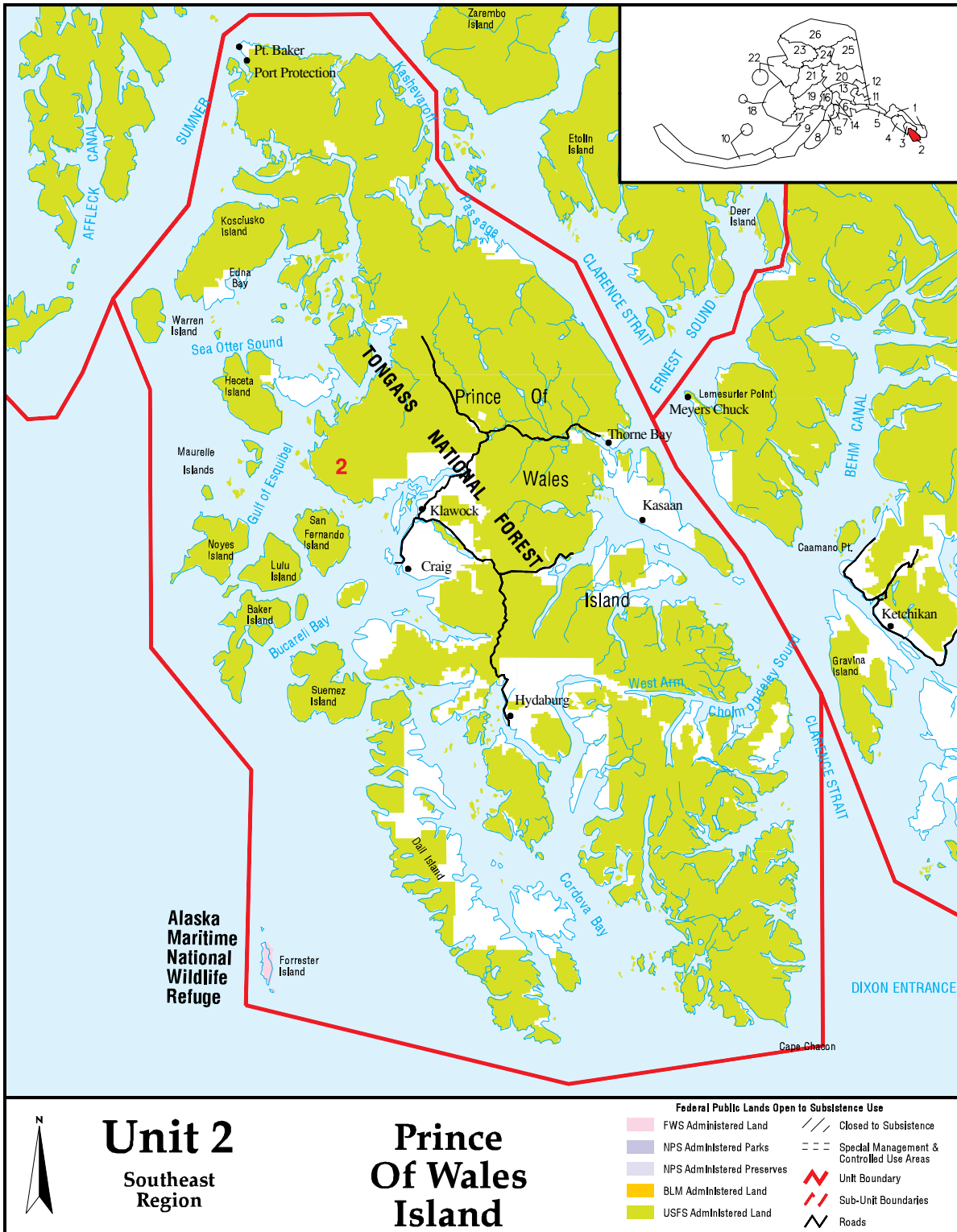
Hunting / Unit I

Southeast Mainland



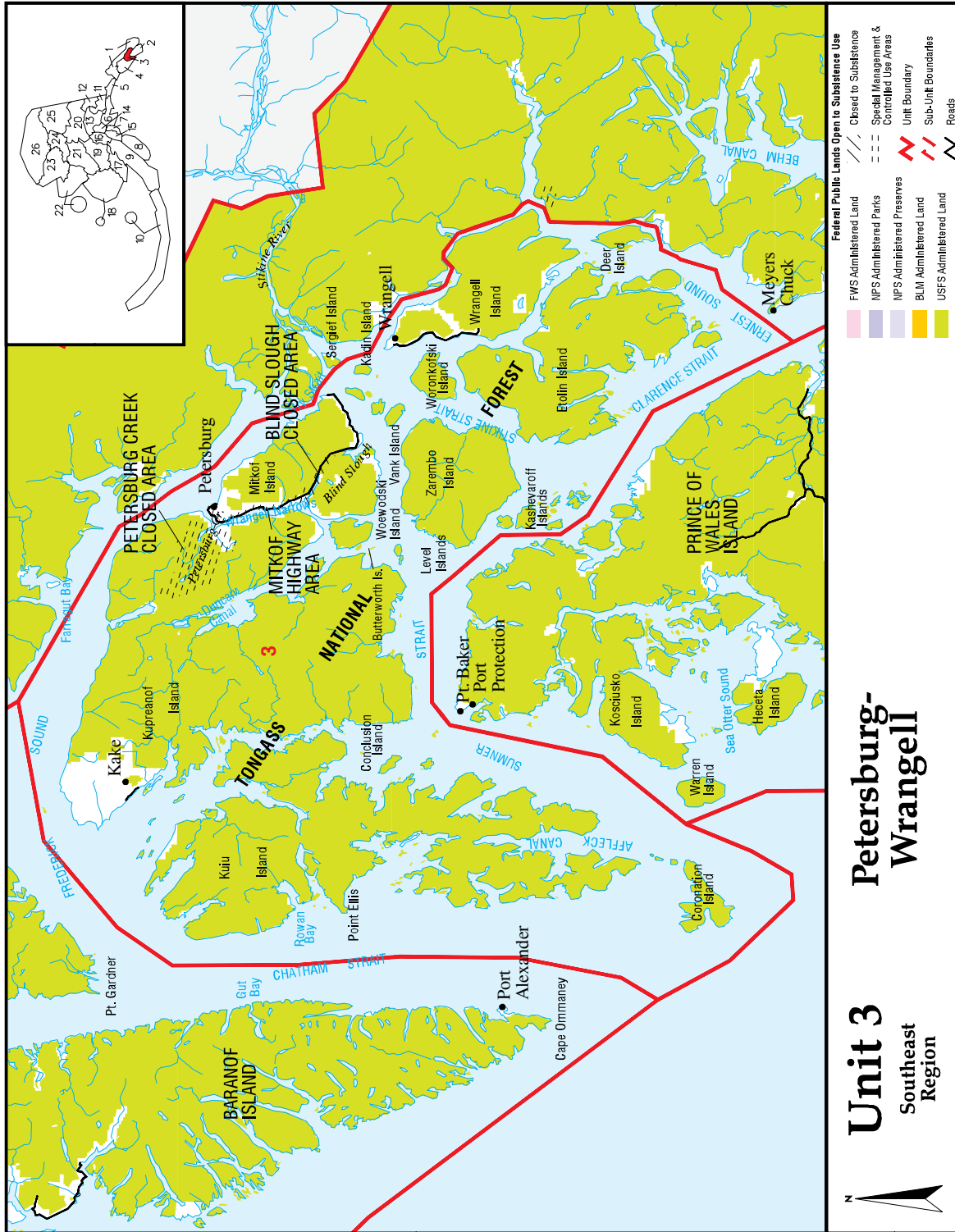
Hunting / Unit 2

Southeast Mainland



Petersburg-Wrangell

Unit 3 / Hunting



Unit 3
Southeast Region

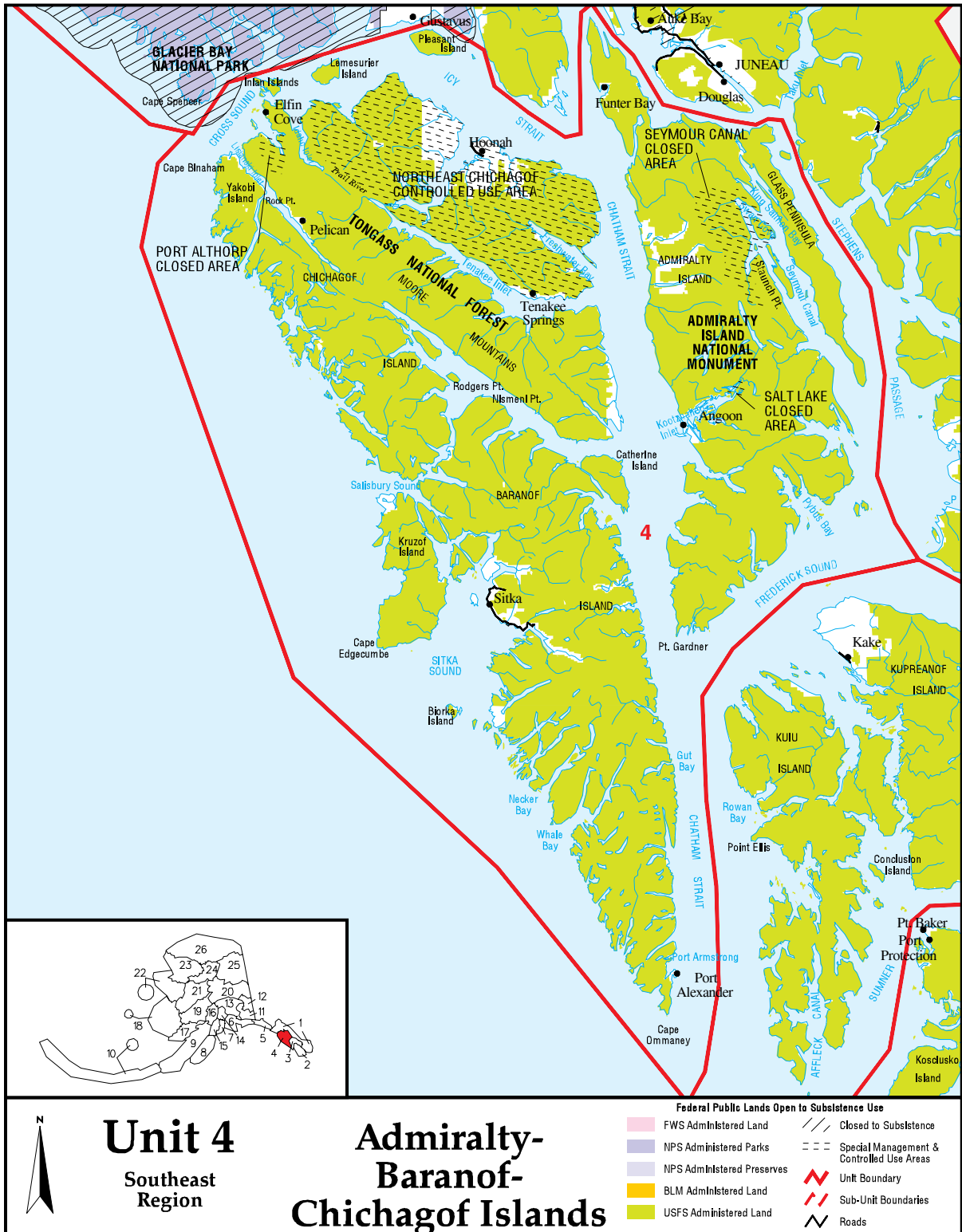
Petersburg-Wrangell

Federal Public Lands Open to Subsistence Use

- FWS Administered Land
- MPS Administered Parks
- MPS Administered Preserves
- BLM Administered Land
- USFS Administered Land
- Closed to Subsistence
- Special Management & Controlled Use Areas
- Unit Boundary
- Sub-Unit Boundaries
- Roads

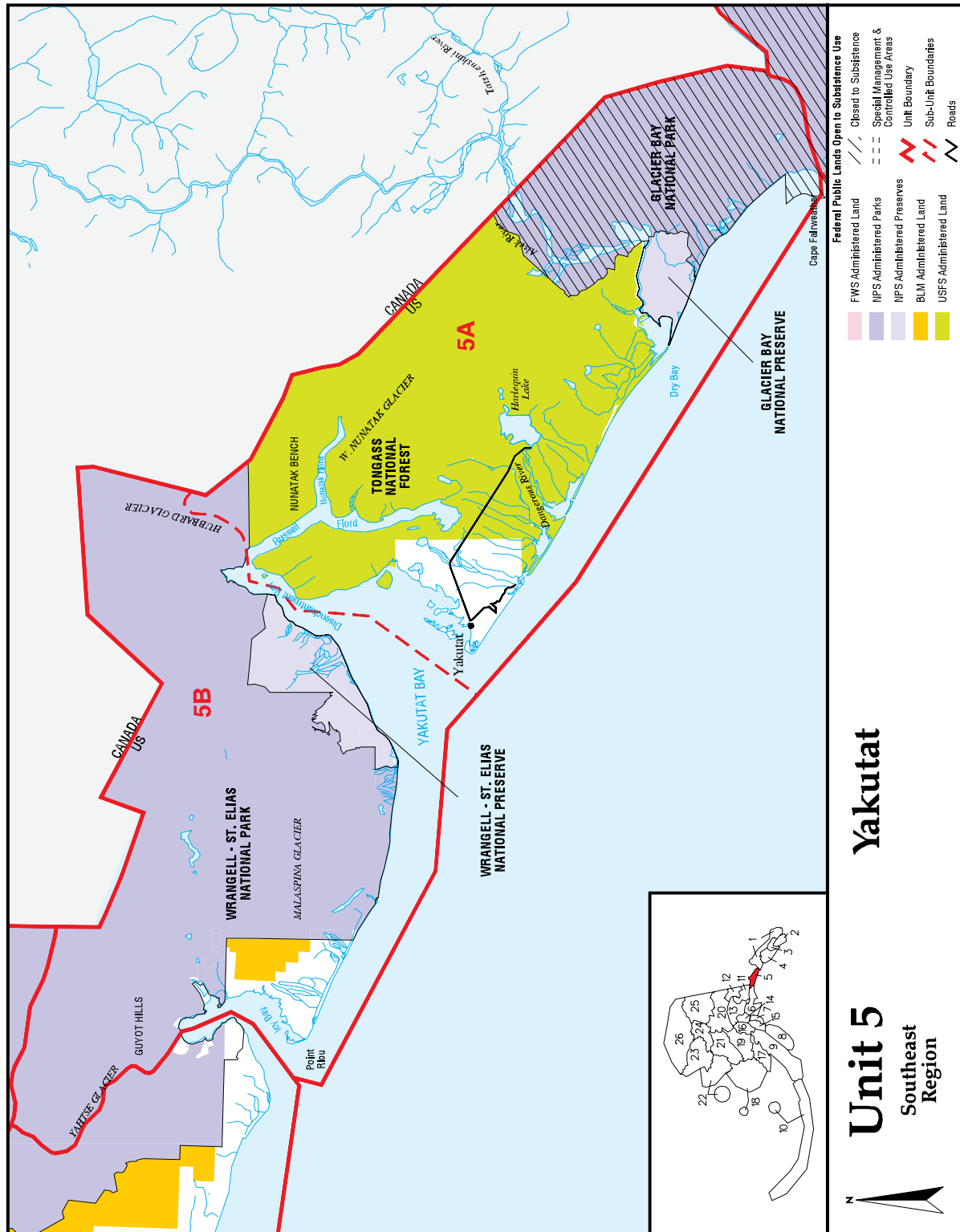
Hunting / Unit 4

Admiralty-Baranof-Chichagof



Yakutat

Unit 5 / Hunting



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

Southeast Alaska Subsistence Regional Advisory Council

Charter

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

- (3) A recommended strategy for the management of fish and wildlife populations within the Region to accommodate such subsistence uses and needs; and
 - (4) Recommendations concerning policies, standards, guidelines, and regulations to implement the strategy.
- e. Appoint one member to the Wrangell-St. Elias 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 \$195,000, 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:

Thirteen 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 nine of the members (70 percent) represent subsistence interests within the region and four 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 or conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full Council for consideration. Subcommittees must not provide advice or work products directly to the Agency. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.
15. **Recordkeeping.** 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 01 2017

Date Signed

DEC 04 2017

Date Filed

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