



WESTERN INTERIOR  
ALASKA SUBSISTENCE  
REGIONAL ADVISORY COUNCIL  
Meeting Materials

*October 19-20, 2022  
Fairbanks*





# What's Inside

Page

1	Agenda
4	Roster
5	Winter 2022 Draft Western Interior Regional Advisory Council Meeting Minutes
14	Federal Subsistence Board 805(c) Cover Letter and Report to the Council
19	Federal Subsistence Board FY21 Annual Report Reply to the Council
27	Federal Subsistence Board Work Session Results; Temporary Wildlife Special Action WSA22-02 Update
28	Temporary Fisheries Special Action FSA2201-01/02/03/04 Update
29	2023 North American Caribou Workshop & Arctic Ungulate Conference Flier
30	North Pacific Fishery Management Council Salmon Reports from June 2022 Council Meeting Presentation
67	Council Proposals and Closure Review Procedures
68	FP23-01 Rescind Jim River nonsalmon closure, institute Arctic Grayling harvest limit
87	FCR23-02 Review closure to subsistence harvest of all fish in the Kanuti River
105	FCR23-03 Review closure to subsistence harvest of all fish in Bonanza Creek
123	FP23-02 Revise customary and traditional use determination for Yukon River Salmon
149	FCR23-05 Review closure to subsistence harvest of all fish in the Delta River
161	Fisheries Resource Monitoring Program Update
170	Call for the Partners for Fisheries Monitoring Program proposals
171	Annual Report Briefing

*On the cover...*

The vasts of Kanuti National  
Wildlife Refuge



Kanuti NWR photo

## What's Inside

- 173 Bureau of Land Management; Updates to Subsistence Regional Advisory Councils Fall 2022 Meetings Report
- 177 Winter 2023 Council Meeting Calendar
- 178 Fall 2023 Council Meeting Calendar
- 179 Federal Subsistence Board Subsistence Regional Advisory Council Correspondence Policy
- 181 Region 6 – Western Interior Region Map
- 182 Council Charter

**WESTERN INTERIOR SUBSISTENCE REGIONAL ADVISORY COUNCIL**

Pikes Waterfront Lodge

Fairbanks

9:00 am – 5:00 pm, October 19-20, 2022

**TELECONFERENCE:** call the toll-free number: 1-866-617-1525, then when prompted enter the passcode: 54006314

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

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

**AGENDA**

\*Asterisk identifies action item.

**1. Invocation**

**2. Call to Order** (*Chair*)

**3. Roll Call and Establish Quorum** (*Secretary*) ..... 4

**4. Welcome and Introductions** (*Chair*)

**5. Review and Adopt Agenda\*** (*Chair*) ..... 1

**6. Review and Approve Previous Meeting Minutes\*** (*Chair*) ..... 5

**7. Reports**

    Council Member Reports

    Chair’s Report

**8. Service Awards**

**9. Public and Tribal Comment on Non-Agenda Items** (available each morning)

**10. Old Business** (*Chair*)

    a. 805(c) Report – summary (*Council Coordinator*) ..... 14

    b. Board FY2020 Annual Report Replies – summary (*Council Coordinator*) ..... 19

    c. Special Actions

        1. WSA22-02 Update (*OSM*) ..... 27

        2. FSA22-01/02/03/04 Update (*OSM*) ..... 28

    d. Wood Bison Restoration and Working Group Update (*Chair*)

**11. New Business (Chair)**

- a. Joint meeting: North American Caribou Workshop and Arctic Ungulate Conference in May 2023\* (OSM) ..... 29
- b. 2022 Salmon Reports
  - 1. Yukon River Salmon Season Summary (USFWS)
  - 2. Kuskokwim River Season Summary (USFWS)
  - 3. Update on the Kuskokwim River Broad Whitefish Subsistence Harvest and Spawning Abundance Project (USFWS)
  - 4. North Pacific Fisheries Management Council Update (NPFMC) ..... 30
- c. Fisheries Proposals and Closure Reviews\* (OSM Fisheries/Anthropology) ..... 67
  - Regional Proposals and Closure Reviews*
    - 1. FP23-01 Rescind Jim River nonsalmon closure, institute Arctic Grayling harvest limit..... 68
    - 2. FCR23-02 Review closure to subsistence harvest of all fish in the Kanuti River..... 87
    - 3. FCR23-03 Review closure to subsistence harvest of all fish in Bonanza Creek..... 105
  - Crossover Proposals and Closure Reviews*
    - 1. FP23-02 Revise customary and traditional use determination for Yukon River Salmon..... 123
    - 2. FCR23-05 Review closure to subsistence harvest of all fish in the Delta River..... 149
- d. 2024 Fisheries Resource Monitoring Program (OSM Fisheries/Anthropology)
  - 1. Fisheries Resource Monitoring Program Overview ..... 161
  - 2. 2024 Priority Information Needs\*
- e. 2024-2027 Partners for Fisheries Monitoring Notice of Funding Opportunity (OSM Fisheries) ..... 170
- f. Correspondence Discussion; Review Process & Timeliness (Chair)
- g. Identify Issues for FY2022 Annual Report\* (Council Coordinator) ..... 171
- h. Fall 2022 Council application/nomination open season (Council Coordinator)
- i. Telephonic/internet expenses related to the Council teleconference meetings (OSM)
- j. Harvest of wildlife for sport purposes in National Preserves\* (NPS)
- k. State of Alaska Board of Fisheries/Board of Game Proposal Review

**12. Agency Reports**

(Time limit of 15 minutes unless approved in advance)

- a. Tribal Governments
- b. Native Organizations
  - 1. Tanana Chiefs Conference
  - 2. Kuskokwim River Inter-Tribal Fish Commission
  - 3. Yukon River Drainage Fisheries Association
- c. U.S. Fish and Wildlife Service
  - 1. Innoko/Koyukuk/Nowitna NWF Update

- d. National Park Service
- e. Bureau of Land Management
  - 1. Anchorage Field Office ..... 173
- f. Alaska Department of Fish and Game
- g. Office of Subsistence Management

**13. Future Meeting Dates\***

- Confirm winter 2023 meeting date and location (April 4-5: Aniak)..... 177
- Select fall 2023 meeting date and location..... 178

**14. Closing Comments**

**15. Adjourn (Chair)**

**To call** into the meeting, dial the toll-free number: 1-866-617-1525, then when prompted enter the passcode: 54006314

*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 Nissa Bates Pilcher, 907-891-9054, [nissa\\_batespilcher@fws.gov](mailto:nissa_batespilcher@fws.gov), or 800-877-8339 (TTY), by close of business on October 7, 2022.

*Roster*  
**REGION 6**  
**Western Interior Regional Advisory**  
**Council**

<b>Seat</b>	<b>Yr Apptd Term Expires</b>	<b>Member Name &amp; Community</b>	<b>Represents</b>
<b>1</b>	2020 <b>2022</b>	<b>Rebecca C. Wilmarth</b> Red Devil	<b>Subsistence</b>
<b>2</b>	2004 <b>2022</b>	<b>Donald V. Honea Jr.</b> Ruby	<b>Subsistence</b>
<b>3</b>	1993 <b>2022</b>	<b>Pollock Simon Sr.</b> Allakaket	<b>Subsistence</b>
<b>4</b>	2021 <b>2023</b>	<b>Kevin L. Whitworth</b> McGrath	<b>Subsistence</b>
<b>5</b>	1993 <b>2023</b>	<b>Jack L. Reakoff</b> <b>Chair</b> Wiseman	<b>Subsistence</b>
<b>6</b>	<b>2023</b>	VACANT	
<b>7</b>	2008 <b>2023</b>	<b>Timothy P. Gervais</b> Ruby	<b>Commercial/ Sport</b>
<b>8</b>	2021 <b>2024</b>	<b>Darrell M. Vent Sr.</b> <b>Secretary</b> Huslia	<b>Subsistence</b>
<b>9</b>	2006 <b>2021</b>	<b>Jenny K. Pelkola</b> <b>Vice-Chair</b> Galena	<b>Subsistence</b>
<b>10</b>	2021 <b>2024</b>	<b>Tommy Kriska</b> Nulato	<b>Subsistence</b>



## WESTERN INTERIOR SUBSISTENCE REGIONAL ADVISORY COUNCIL

### Meeting Minutes

Via teleconference  
February 16-17, 2022

#### Invocation

Jack Reakoff gave an invocation.

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

The meeting was called to order Wednesday, February 16 at 9:00 am. Council members Donald Honea Jr., Pollock Simon Sr., Kevin Whitworth, Jack Reakoff, Arnold Demoski, Timothy Gervais, and Darrell Vent Sr. were present. Rebecca Wilmarth was present only briefly in the morning of the first day and provided her Council member report. Jenny Pelkola and Tommy Krista were not present and were excused. The Council has no vacant seats. A quorum was established with seven of ten seated Council members participating by phone.

#### Attendees:

##### *Via teleconference*

- Katerina Wessels, Brian Ubelaker, Lisa Grediagin, Scott Ayers, Dr. Hannah Voorhees, Thomas Plank, Robbin La Vine, Elizabeth Williams, Nissa Pilcher, Dr. Jason Roberts; Office of Subsistence Management, U.S. Fish and Wildlife Service
- Boyd Blihovde, Aaron Mosses, Joanna Fox, Tina Moran, Chris Harwood, Bob Rebarchik, Gerald Maschmann, Jeremy Havener, Christopher Tulik, Holly Carrol, Rob Hirschboeck, Jill Klein, Emmitt Nicori; U.S. Fish and Wildlife Service (USFWS)
- Marcy Okada, Mat Cameron, Will Deacy, Dr. Kim Jochum, Victoria Florey; National Park Service (NPS)
- Tim LaMarr, Bruce Seppi, Chris McKee, Walker Gussey, Jennifer McMillan, Erin Julianus, Bureau of Land Management (BLM)
- Glenn Stout, Deena Jallen, Mark Burch, Sara Longson, Christie Gleason, Shane Ransbury, Lisa Stuby, Alaska Department of Fish and Game (ADF&G)
- Pat Petrivelli, Bureau of Indian Affairs
- Greg Risdahl, U.S. Forest Service
- Bruce Irvin, Dr. Jim Simon; Tanana Chiefs Conference
- Terese Schomogyi, Kuskokwim River Intertribal Fish Commission
- Catherine Moncrieff, Serena Fitka; Yukon River Drainage Fisheries Association

#### Review and Adopt Agenda

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

- Move presentation from Alaska Industrial Development and Export Authority (AIDEA) on Ambler Access Project Update from old to new business
- Add the following items to the agenda
  - Calls for Proposals: Fisheries/Shellfish and Nonrural Determination
  - Fisheries Closure Review Discussion
  - Bycatch Update; Dr. Diana Stram, North Pacific Fishery Management Council
  - Yukon Delta National Wildlife Refuge Kuskokwim River Salmon and Refuge report
  - Receive information on Dall sheep, BLM
  - Special Action Request for Dall sheep in Units 24A and 26B
  - Joint Council Bycatch Letter for review
  - Discuss Fisheries Special Action Request FSA22-01

The motion passed on a unanimous vote.

### **Election of Officers**

Mr. Jack Reakoff was elected the Council's Chair.

Ms. Jenny Pelkola was elected the Council's Vice-Chair.

Mr. Darrel Vent was elected the Council's Secretary.

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

Motion by Mr. Gervais, seconded by Mr. Vent, to approve the Fall 2021 meeting minutes as written. The motion passed on a unanimous vote.

### **Council Member and Chair Reports**

Don Honea of Ruby reported that his community has been taking wolves to try to help the moose out this winter; the weather has been hard on the moose with all the snow that fell this winter. He hopes that all communities have an incentive program to help folks take more wolves like Ruby does.

Pollock Simon, Sr. of Allakaket reported that this winter has been cold. This summer, there weren't any salmon in the rivers. The moose population has been down. It has been tough. Not everyone in the community got a moose, so Allakaket shared. Mr. Simon also said that teleconferencing is very difficult for him to do. He has a hard time hearing, and the teleconference system is difficult to use.

Kevin Whitworth of McGrath reported that the Mulchatna Caribou Herd is struggling. Dall sheep in the Alaska Range in Unit 19 are struggling after two years of bad winter weather. There was a rain event in December as well as January this year. Some areas have low moose numbers. There are concerns with Chinook Salmon on both Kuskokwim and Yukon rivers for over a decade, and the Chum Salmon have crashed the last two years. Chum Salmon are heavily utilized fish and are a keystone species. With limited fish, brown bears will turn to moose and caribou and even black bears – there were fewer black bears around McGrath. These are all food security issues for the people up and down these rivers.

Arnold Demoski of Nulato reported that while the community was grateful for the salmon that had been donated to the people on the river, people would have rather been able to fish for themselves. The Middle Yukon Fish and Game Advisory Committee authorized a winter moose hunt for the second year in a row; the moose population in this area is doing ok. Nulato has a wolf bounty program that the Council office instituted and that has helped. There are brown bears moving into the Kaiyuh Flats area. Also he hasn't seen nearly as many moose kills (on Facebook) as have been posted last year. Mr. Demoski noted that there is a very smart black wolf that is the pack leader down by Galena, and no one has been successful in getting him. He said he is looking forward to their upcoming Stickdance, which will pull a lot of folks together. Lastly, he noted that no one has really been trapping beaver around there.

Tim Gervais of Ruby reported that he is concerned with the makeup of the State of Alaska's Salmon Bycatch Task Force. There is not a lot of subsistence representation. There is, however, plenty of commercial representation, including lobbyists and others who were instrumental in framing the current North Pacific Fishery Management Council's (NPFMC) Amendment 91. Mr. Gervais noted that this amendment to the Bering Sea and Aleutian Island Fisheries Management Plan appeared to be a conservative measure, but ultimately legalized the bycatch of prohibited species. The trawl fleet is trying to bring up other issues that do affect salmon numbers like global warming, illegal underreported fishing, and an increase in salmon shark. The NPFMC is not able to affect any changes to these issues the trawl fleet is raising, but the NPFMC is able to put restrictions on the trawl fishery. It seems that others regard salmon as a trash fish and do not understand the significance of what subsistence is to rural Alaska. Mr. Gervais heard reports that there were more Sockeye Salmon catches in the Kuskokwim River last summer and noted that this is a bright spot.

Rebecca Wilmarth of Red Devil reported that Red Devil got 14 inches of snow last night, so she was unable to call in to the meeting until directly before her report because they had to clear the long-distance satellite dish. This means there was over 100 inches of snow that fell this winter and it's just been one cold spell after another. With the cold spells freezing the river and the snow events, it is going to be a very wet spring. There are a lot of moose around the community, which has also brought wolves in close to the village. There were even a few wolves taken inside the village this winter. All the snow made it difficult for animals to move around.

Darrell Vent of Huslia reported that there have been quite a few calves and cow moose killed by wolves near Huslia, and the packs are getting larger. The snow is deep, so they are having an easier time getting moose. There were a few rain events that created an ice layer. This cuts up the legs of moose, so they are even more vulnerable to wolves. Mr. Vent expressed concern about bycatch and how it seemed that money was ruling fishing decisions regarding this and hatcheries pumping out fish into the ocean. He noted that while it is difficult to fight this, those on the river need to learn to work together to try to solve these problems. In the 1970s, Huslia lost access to caribou because the migration pattern shifted. Huslia had moose issues in the 1980s, ongoing Chinook Salmon run problems for the last decade, and now the Chum Salmon has crashed too. This summer, there was no salmon fishing, so Huslia depended on other food like whitefish and Sheefish. The bears have started behaving differently as well and are preying on the moose population harder in the summer. There are few jobs in the villages, so reliance is heavy on

these traditional and cultural foods. Dialog must be started between us, the State, and the Federal government to work together.

Jack Reakoff of Wiseman reported that he filled in for Mr. Simon at the Western Arctic Caribou Herd Working Group Meeting (WACH Working Group); the caribou herd population has declined to 188,000. Currently 12,000 animals are taken annually, and a lot of that harvest is cows. At their last meeting, the WACH Working Group discussed drafting a proposal seeking to reduce the amount of cow caribou harvested from this herd, but ultimately did not have enough support within the working group to advance, which is very concerning. The Porcupine Caribou Herd is large, and they crossed the Dalton Highway over a long stretch of the road from Coldfoot all the way to Finger Mountain, which is abnormal. There was deep snow this year – one event was 41.5 inches in a 30-hour period. There was no rain like there was in the lower Koyukuk River and on the Yukon River. The rain events that happened in other places teamed up with the deep snow in Wiseman and the previous bad winters to make it very problematic for the Dall sheep population. There is going to be virtually no moose calf survival. There has been high bear predation on moose as well. The old saying “if you take a moose or caribou, it’s your obligation to take a bear or wolf” should come back. Subsistence users must start taking more predators.

## **Old Business**

### ***Deferred Wildlife Special Action Request WSA21-01a (caribou)***

The Council clarified that the caribou are overwintering in different areas, their migration timing and paths are changing. Concern was expressed that too many cows are being harvested especially during their migration but the Council believes that this herd is out of their region.

- Motion by Mr. Vent, seconded by Mr. Demoski, to defer to the home regions; the motion passed on a unanimous vote.

### ***AIDEA Ambler Access Project Update***

Ms. Charlene Ostbloom presented the update to the Council.

### ***Review Draft Joint Council letter to the North Pacific Fishery Management Council***

The Council reviewed the draft joint Yukon-Kuskokwim Delta, Western Interior, Eastern Interior, and Seward Peninsula Regional Advisory Councils letter to the North Pacific Fishery Management Council (NPFMC) on bycatch.

Council discussion focused on past NPFMC actions on bycatch, concerns over the impacts of having no or reduced fishing opportunities for subsistence users on their food security and ability to pass down and participate in culturally important activities while commercial trawling continues, the genetic makeup of salmon caught as bycatch, concerns over how the salmon stocks are not going to rebuild if something doesn’t change, concerns over hatchery fish from the United States and other countries being released into the ocean in large numbers and their ability to out compete native stocks, decreased carrying capacity in the ocean due to changing climate, concern over the impacts to the overall food web, and methodology of the trawl fleet in how to avoid catching salmon.

- Motion by Mr. Whitworth, seconded by Mr. Vent, to approve the Joint Council letter to the NPFMC with amended language – to make this an immediate action, and setting hard cap for Chum Salmon of 250,000. Motion passed on a unanimous vote.
- Motion by Mr. Vent, seconded by Mr. Gervais, to draft a letter to the NPFMC requesting an immediate reduction to all salmon bycatch in the Bering Sea/Aleutian Islands commercial fishery, and to address concerns of current unfettered salmon hatchery production into the Northern Pacific Ocean, which is problematic for native stocks and needs to be moderated. Motion passed on a unanimous vote.
- Motion by Mr. Demoski, seconded by Mr. Gervais, to select Mr. Gervais, Mr. Vent, and Mr. Whitworth to be the Council’s delegation to the NPFMC June meeting. Motion passed on a unanimous vote.

## **New Business**

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

Mr. Cory Graham informed the Council that the Federal Subsistence Board (Board) will soon be accepting proposals to change Federal regulations for the subsistence harvest of fish and shellfish on Federal public lands and waters for the 2023-2025 regulatory years for a period of at least 30 days upon the publication of the proposed rule in the Federal Register. The Board will consider proposals to change Federal subsistence fish and shellfish seasons, harvest limits, methods, and means related to taking of fish for subsistence uses, as well as customary and traditional use determinations.

- After passing the gavel to Secretary Vent in the absence of Vice Chair Pelkola, Mr. Reakoff made a motion, which was seconded by Mr. Demoski, to submit a fisheries proposal to rescind the closure to the harvest of non-salmon fish in the Jim River drainage by Federally qualified subsistence users and modify regulations to allow rod and reel gear only and a Grayling harvest and possession limit of 10 per day.

### ***Fisheries Closure Review Discussion***

Mr. Graham presented to the Council the information on the Fisheries Closure Reviews that will come for Council’s review and action during the fall 2022 meeting, which will include the Jim River, Bonanza Creek, and the Kanuti River in the Western Interior Region, and the Nome Creek and Delta River in the Eastern Interior Region. The Council asked clarifying questions regarding the closure review process.

### ***Call for Non-rural Determination Proposals***

Ms. Liz Williams informed the Council that the Board will be accepting proposals to change non-rural determinations in Federal regulations. The Council did not develop any non-rural determination proposals during this meeting.

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

Mr. Graham presented the Council with the Fisheries Resource Monitoring Program update. Mr. Gervais and Mr. Whitworth volunteered to represent the Council to develop priority information needs for the region this coming summer.

### ***Council Charter Update***

Ms. Katerina Wessels provided the Council with updates to the 2021 Council Charter. Some of the irrelevant language was removed, and the charter now has the clause on carryover terms that provide for members to continue to serve after their term expiration date if the new appointments by the Secretaries have not been made by the time the Council's winter meeting occurs.

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

The Council commented that this ability for the Council to carryover terms is a good thing and the Council is happy to see this change.

Ms. Wessels also gave a brief update on the current Council Application Nomination open season; that the nomination period is currently open, and that the Western Interior Region had received very few applications. It was noted that if anyone knew of anyone qualified or interested, please have them call the OSM office so they can assist in getting nomination paperwork submitted.

### ***Review and approve FY2021 annual report***

- Motion made by Mr. Vent, seconded by Mr. Whitworth, to approve the FY-2021 Annual Report as written. Motion passes on a unanimous vote.

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

Ms. Robbin La Vine presented to the Council information on the current report reply process. The Council provided the following feedback. The Councils developed their reports from the inception, and it is important that the Board reviews these reports. If the Councils are instructed to direct their correspondence directly to the agencies as opposed to the Board, those agencies need to respond. This Council has directed letters to specific agencies and no response was ever received. Agencies should be obligated to respond to the Councils. If Councils are directed to write to agencies, and the Councils do not get a response, then the Council should be able to write directly to the Secretaries after two nonresponses. If the Agencies continue to not respond, then the Council will return to directing our correspondence to the Board.

- Motion by Mr. Vent, seconded by Mr. Demoski, to transmit the Council's discussion points to the Board on this topic for when this is reviewed. The motion passed on a unanimous vote.

### ***Receiving Public Testimony Protocol – Guided Discussion***

Ms. La Vine led the Council through a guided discussion on how they would prefer to receive public testimony. The Council noted that the public must first be aware of Council meetings and the agenda

topics with plenty of lead time in order to have the public present and engaged at their meetings. The Council prefers comments to the Council be made in person, but oral comments over teleconference and written comments were also acceptable. The Council would prefer that written comments be relayed on the record in a summarized fashion, but to be available to Council members in their entirety. The Council does not believe there should be a deadline to submit comments as they wish to be as accommodating as possible for any member of the public who wishes to engage with the Council and testify on the Council's business.

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

Ms. La Vine presented the Council with a briefing on Council comments on proposed actions to automate Federal subsistence permits. The Council commented that the State of Alaska has similar online permits set up already, some were familiar with that and it seemed to work.

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

Ms. La Vine presented to the Council information on this topic. The Council had no comments.

***Discussion on Fisheries Special Action Request FSA22-01***

Ms. Pippa Kenner presented information on this request to the Council. The proponent of the request spoke to his request. The Council discussed previous fisheries special action requests that requested the same management, where Federal public waters are located within the Yukon Drainage, who can fish and help with fishing and putting up the fish. With input from the proponent, the Council discussed adding Coho Salmon to the request. Motion by Mr. Vent, seconded by Mr. Whitworth, to support FSA22-01 with the modification to include Coho Salmon. The motion passed on a unanimous vote.

***Special Action Request on Dall Sheep in Units 24 and 26***

- Motion by Mr. Gervais, seconded by Mr. Vent, to submit a special action request seeking to close the hunting of sheep in Unit 24A and Unit 26B, west of the Sagavanirktok River, to be closed to all users for the 2022-2024 wildlife regulatory cycle. Motion passed on a unanimous vote.

**Agency Reports:**

- Tanana Chiefs Conference report presented by Bruce Ervin
- Yukon River Drainage Fisheries Association report presented by Catherine Moncrieff
- Kuskokwim River Intertribal Fish Commission report presented by Terese Schomogyi
- Yukon River Subsistence Salmon Report presented by Holly Carrol, Yukon River Federal Subsistence Fisheries Manager, and Gerald Maschmann, Fisheries Biologist, USFWS

- 2022 Season Forecast and ADF&G's Yukon River projects presented by Christy Gleason, Yukon Fall Season Fisheries Manager and Deena Jallen, Yukon Summer Season Fisheries Manager, ADF&G
- North Pacific Fishery Management Council Overview and Salmon Bycatch Management in North Pacific Groundfish Fisheries presented by Dr. Diana Stram, Senior Scientist, NOAA
- Yukon Delta National Wildlife Refuge Report, including an update on the Kuskokwim River salmon presented by Aaron Moses, Refuge Subsistence Coordinator, and Boyd Blihovde, Project Leader, USFWS
- Koyukuk/Nowitna/Innoko Wildlife Refuge Report presented by Jeremy Havener, Refuge Subsistence Coordinator, USFWS
- Gates of the Arctic National Park Subsistence Resource Committee Update presented by Marcy Okada, Subsistence Coordinator, NPS
- Gates of the Arctic National Park Update on moose and caribou presented by Matt Cameron, Wildlife Biologist, and on Dall Sheep presented by Will Deacy, Wildlife Biologist, NPS
- Bureau of Land Management Central Yukon Field Office Report presented by Tim LaMarr, Field Manager, and an update on Dall sheep presented by Jenn McMillan, Wildlife Biologist, BLM
- Bureau of Land Management Anchorage Field Office Report presented by Tom Sparks, Associate Field Manager, BLM
- Alaska Department of Fish and Game Report presented by Glenn Stout, Wildlife Biologist, ADF&G
- Office of Subsistence Management Report presented Katerina Wessels, Supervisory Program Analyst, OSM was given on the first day of the meeting.

**Future Meeting Dates:**

Fall meeting dates confirmed for October 19-20, 2022, in Fairbanks

Winter meeting dates selected are April 4-5, 2023, in Aniak

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Nissa Pilcher, Subsistence Council Coordinator for Katerina Wessels, Designated Federal Officer  
USFWS Office of Subsistence Management

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Jack Reakoff, Chair  
Western Interior Subsistence Regional Advisory Council

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



A more detailed report of this meeting, copies of the transcript, and meeting handouts are available upon request. Call Nissa Pilcher at 1-800-478-1456 or (907)891-9054, email [nissa\\_batespilcher@fws.gov](mailto:nissa_batespilcher@fws.gov).

DRAFT



## Federal Subsistence Board

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



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

FOREST SERVICE

In Reply Refer To  
OSM 22100.NP

SEP 16 2022

Jack Reakoff, Chair  
Western Interior Subsistence Regional Advisory Council  
c/o Office of Subsistence Management  
1011 E. Tudor Road, M/S 121  
Anchorage, AK 99503-6199

Dear Mr. Reakoff:

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

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

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

Details of these actions and the Boards' deliberations are contained in the meeting transcriptions. Copies of the transcripts may be obtained by calling 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 uses a consensus agenda on those proposals and closure reviews where there is agreement among the affected Regional Advisory Council(s), a majority of the Interagency Staff Committee, and the Alaska Department of Fish and Game concerning a proposed regulatory action. These proposals and closure reviews were deemed non-controversial and did not require a separate discussion. The consensus agenda contained four proposals and one closure review affecting the Western Interior Region, and the Board deferred to the Western Interior Subsistence Regional Advisory Council (Council) recommendations on each of these. The Board *adopted* **WP22-33**, which eliminated the sealing requirement for black bear in Units 11 and 12, **WP22-42**, which increased the moose harvest limit in Unit 18 remainder to three moose, and **WP22-53**, which established a trapping season for Arctic fox (*Vulpes lagopus*) in Unit 25. The Board *rejected* **WP22-43**, which requested delegating authority to the Federal in-season manager to increase the moose harvest quota in Zone 1 of the Kuskokwim hunt area of Unit 18 if the water levels are too low to access Zone 2. The Board also voted to *maintain status quo* on **WCR22-07**, which reviewed the closure to caribou hunting by non-Federally qualified users in Unit 17 unless the population exceeds 900 caribou.

The remaining ten proposals and one closure review affecting the Western Interior Region appeared on the non-consensus agenda. The Board took action consistent with the Council's recommendations for seven of the proposals and one of the closure reviews. The Board *adopted* statewide proposal, **WP22-01**, which clarified who is a participant in a community harvest system and how participation affects community and individual harvest limits, and proposal **WP22-02**, which removed language from designated hunting regulations prohibiting the use of a designated hunter permit by a member of a community operating under a community harvest system. The Board *adopted* **WP22-41**, which delegated authority to the Togiak National Wildlife Refuge manager to open and close seasons, announce harvest limits, and set sex restrictions across the range of the Mulchatna Caribou Herd via a delegation of authority letter, and **WP22-46**, which increased the harvest limit for brown bear for that portion of Unit 24B within Gates of the Arctic National Park. The Board *adopted with modification* **WP22-39**, which created specific harvest regulations for Alaska hare and modified the definition of hare, and **WP22-44**, which extended the fall moose season in the Kuskokwim hunt area of Unit 18 to Oct. 15 and established a may-be-announced winter season with a harvest limit of one antlered bull by Federal registration permit. The modification was to clarify the regulatory language and to delegate authority to the Yukon Delta National Wildlife Refuge manager to announce the winter season and set harvest quotas via delegation of authority letter only. The Board also *adopted with modification* **WP22-45**, which created specific harvest regulations for Alaska hare, including shortening the season to Aug. 1-May 31 and modifying the definition of hare, and **WP22-50**, which removed the harvest limit for beaver in Unit 23.

The Board also voted to *maintain status quo* on **WCR22-45**, which reviewed the closure to caribou hunting by non-Federally qualified users in a portion of Unit 23.

The Board's actions differed from the Council's recommendations for two other proposals on the non-consensus agenda: **WP22-40**, and **WP22-47**. The Board's actions on these proposals are explained in detail in the enclosed report.

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

If you have any questions regarding the summary of the Board's actions, please contact Nissa Pilcher, Council Coordinator, at 907-891-9054 or [nissa\\_batespilcher@fws.gov](mailto:nissa_batespilcher@fws.gov)

Sincerely,



Anthony Christianson, Chair  
Federal Subsistence Board

Enclosure

cc: Federal Subsistence Board  
Western Interior Subsistence Regional Advisory Council members  
Office of Subsistence Management  
Interagency Staff Committee  
Administrative Record

## **FEDERAL SUBSISTENCE BOARD 805(c) REPORT**

April 12-15, 2022

via teleconference

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

### **WESTERN INTERIOR AREA WILDLIFE PROPOSALS**

#### **Crossover Proposals**

##### **Wildlife Proposal WP22-40**

DESCRIPTION: WP22-40 requested that Federally qualified subsistence users be allowed to use a snowmachine to position wolves and wolverines for harvest on Federal public lands in Units 9B, 9C, 17B, and 17C, provided the animals are not shot from a moving snowmachine.

Submitted by: Bristol Bay Subsistence Regional Advisory Council

##### COUNCIL RECOMMENDATIONS:

Bristol Bay Subsistence Regional Advisory Council – **Defer**

Western Interior Alaska Subsistence Regional Advisory Council – **Support as modified by OSM**

BOARD ACTION: **Defer** to winter 2023 Board meeting

JUSTIFICATION: The proponent asked the Board to defer WP22-40 to allow the Council another regulatory cycle to formulate language defining positioning of wolves and wolverine. The Council noted the discrepancy between traditional harvest methods and the OSM modification to allow for the use of snow machines to assist in the take of wolverines and wolves.

##### **Wildlife Proposal WP22-47**

DESCRIPTION: WP22-47 requested that calf harvest be permitted for caribou in Unit 22.

Submitted by: Western Arctic Caribou Herd Working Group

COUNCIL RECOMMENDATIONS:

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

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

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

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

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

BOARD ACTION: **Reject**

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



## Federal Subsistence Board

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



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

FOREST SERVICE

SEP 19 2022

In Reply Refer To:  
OSM 22074.KW

Jack Reakoff, Chair  
Western Interior Alaska Subsistence  
Regional Advisory Council  
c/o Office of Subsistence Management  
1101 East Tudor Road, MS 121  
Anchorage, Alaska 99503-6199

Dear Chairman Reakoff:

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

### **1. Poor return of Yukon and Kuskokwim River Chinook and Chum Salmon in 2021**

*Returns of Chinook and Chum to the Yukon and Kuskokwim Rivers in 2021 was catastrophically low, resulting in no salmon harvest opportunities on the Yukon River and several harvest restrictions on the Kuskokwim River. The Council believes there is a need to broaden Federal, Tribal, and State government participation in rebuilding the in-river stocks on the Yukon and Kuskokwim Rivers, particularly by looking at the Bering Sea and Area M fishery impacts. The Council would like to include National Oceanic and Atmospheric Administration, National Marine Fisheries Service, and the North Pacific Fisheries Management Council in this strategy and requests that fishery managers do a better job of working together and acknowledging that there is a crisis in both river systems and that in some areas, escapement and subsistence harvest goals are not always being met.*

#### Recommendation:

Chairman Reakoff

2

Recommendation:

*The Council recommends that Federal, Tribal, and State managers implement precautionary cooperative management of the Chinook and Chum Salmon fisheries in the Yukon River and as has been implemented in recent years on the Kuskokwim River. The Council further recommends that all provisions of ANILCA be upheld by the Federal Subsistence Board at all times, including those provisions of requiring that harvest be limited to Federally qualified subsistence users when a resource in federal waters is declined to the point that harvest must be restricted to meet their subsistence needs in the region.*

**Response:**

It is clear that the catastrophically low returns of salmon to Western Alaska in 2021 caused extreme hardships for subsistence users in the region. The low in-river returns forced managers to make difficult decisions and required them to prioritize future runs over 2021 subsistence harvests. It was a terrible situation for all who depend on this resource.

As has been recent practice for salmon management on both the Yukon and Kuskokwim rivers, the Federal and State managers met with Intertribal Fish Commissions and other stakeholders to discuss the 2021 preseason outlooks and management strategies. Both systems had poor run size projections for Chinook Salmon. On the Yukon River, State and Federal managers took a precautionary approach and restricted the Chinook Salmon run starting with the first trickle of fish. As the season progressed, in-season assessment data indicated poor returns of Chinook and summer and fall Chum salmon. Therefore, salmon fishing remained closed throughout both the summer and fall seasons to protect those species.

Similarly, the 2021 preseason forecast for Chinook Salmon on the Kuskokwim prompted a conservative approach. Salmon management was conducted through Federal special actions issued by the manager, including a number of set and drift gillnet subsistence opportunities during the period of concern for Chinook Salmon. As the season progressed, in-season assessment data indicated a lower-than-average run of Chinook Salmon and a record low run of Chum Salmon. Unlike on the Yukon River, Federal and State management was not conducted in concert on the Kuskokwim. While the Federal manager limited fishing opportunities to Federally qualified subsistence users, the State offered concurrent openings and an additional fishing opportunity at the end of the Federal closure period open to all Alaska residents, in contradiction to the rural priority set forth in Title VIII of ANILCA.

The forecast data presented at the preseason meetings in 2022 indicated that similar low returns were expected again for both river systems. Based on the forecast data, managers took similar precautionary approaches that protected both Chinook and Chum salmon. Prior to the start of the fishing season on the Yukon River, the Federal Subsistence Board closed Federal public waters of the Yukon River drainage to the harvest of Chinook, summer and fall Chum, and Coho salmon except by Federally qualified subsistence users. Federal and State managers worked in cooperation to manage the patchwork of Federal and non-federal lands along the Yukon River.



Chairman Reakoff

3

As of the time of this writing, managers are ready to adjust strategies as in-season data become available. Salmon harvest opportunities on Federal public waters will be provided to Federally qualified subsistence users if harvestable surpluses are projected.

On the Kuskokwim, the Federal manager again closed the Federal public waters of the Kuskokwim to protect Chinook and Chum salmon. The Federal manager issued a number of set and drift net subsistence opportunities, which again the State matched. As of the time of this writing, the U.S. District Court issued a preliminary injunction that stopped the State from issuing openings in the Federal public waters while a court case over this issue proceeds.

The Board would also like to acknowledge the efforts by this Council and the other Councils that work on these Yukon River and Kuskokwim River issues for the steps taken to highlight possible interventions and request action. Rebuilding these stocks is going to take engagement from all groups that interact with these fish during their life cycles, and your input is helping to facilitate that process.

## **2. Concerns about other species utilized by subsistence users as a result of poor salmon returns**

*This issue is closely related to the first issue identified by the Council. There needs to be an increased effort to monitor other fish species like whitefish and Sheefish because they are being targeted more due to the Chinook and Chum Salmon collapse. The Council also believes that there is a greater need for terrestrial animals, such as moose, to be monitored as well because subsistence users begin to shifting harvest to other species due to the low salmon stocks. There are wider ramifications for the region as a result of this fishery disaster.*

### **Recommendation:**

*The Council is requesting increased monitoring of populations of other fish species and terrestrial animals as subsistence users in the region begin to adjust their harvest patterns to compensate for low Chinook and Chum Salmon stocks in the Yukon and Kuskokwim rivers drainages. Increased demand for these other species will necessitate closer assessment of these populations by Federal and State managers.*

### **Response:**

The Board acknowledges that poor salmon returns cause extreme hardships for subsistence users in the Yukon and Kuskokwim regions. The Board also recognizes that as a result of the extreme hardships, subsistence users may shift their harvest to non-salmon fish species and terrestrial animals and that monitoring is necessary to ensure healthy populations of these species, as well. One way the Council can direct research of non-salmon fish species is through the Fisheries Resource Monitoring Program (FRMP).

Chairman Reakoff

4

The mission of the FRMP is to identify and provide information needed to sustain subsistence fisheries on Federal public lands, for rural Alaskans, through a multidisciplinary, collaborative program. Every two years, the Office of Subsistence Management funds research projects addressing subsistence fisheries on Federal public lands. Research that monitors non-salmon populations is eligible for funding through the FRMP.

The 2022 Monitoring Plan was recently finalized and two non-salmon projects were funded in your regions. The first project, titled Kuskokwim River Broad Whitefish Subsistence Harvest and Spawning Abundance, will estimate population size, harvest rates, and population demographics of Broad Whitefish in the Kuskokwim River. The second project, titled Combining Traditional Ecological Knowledge and Biological Sampling to Enhance Understanding of Humpback Whitefish and other Non-salmon Fishes in the Upper Koyukuk Region, will build upon previous biological studies of Humpback Whitefish demographics, document Traditional Ecological Knowledge of non-salmon fish, and estimate harvests of non-salmon fish in the Upper Koyukuk Region. These studies will provide invaluable information on two important non-salmon fish to managers and resource users.

The best way for the Council to direct additional non-salmon research is through Priority Information Need development. Priority Information Needs are an important component of the Monitoring Program as they determine the type of projects that are submitted for funding and provide a framework for evaluating and selecting project proposals. The Council will identify and approve Priority Information Needs for the 2024 Monitoring Program cycle during the fall 2022 meeting. This is the opportune time for your Council to highlight the need to monitor non-salmon fish populations in the Yukon and Kuskokwim regions.

The Federal Subsistence Management Program can support adaptation to changing conditions by using the various tools available that enable the program to respond to subsistence users' needs. For example, the Special Action process enables the Board to respond to out-of-cycle needs for regulatory actions. The Board has also used its ability to delegate authority to local land managers to enable managers to respond quickly to unforeseen circumstances, such as the case with several moose hunts within the Western Interior region.

Land management agencies within the Western Interior region currently conduct their own wildlife surveys, while also cooperating with ADF&G on surveys to monitor terrestrial mammals. The Bureau of Land Management (BLM), National Park Service (NPS) and the U.S. Fish and Wildlife Service (USFWS) participate in and contribute to moose surveys in Units 21 and 24; caribou monitoring in Units 19, 21 and 24; muskox monitoring in Unit 21; and sheep surveys in Unit 24. In upcoming sheep surveys, the BLM and NPS are planning to expand their survey areas to gather new information needed for the management of the population. In addition, National wildlife refuges perform waterfowl surveys to monitor population trends of migratory birds.

**3. Tribal representation on the Fisheries Resource Monitoring Program (FRMP) Technical Review Committee (TRC)**

*At its meeting held October 13-14, 2021, the Council discussed at length the need to revise FRMP research to prioritize projects by local Tribes and regional Tribal organizations. The Council believes there needs to be more consultation and involvement with Tribes and that the current FRMP process precludes Tribal input. The Council discussed the need to have a Tribal entity on the TRC so that there is meaningful Tribal involvement in the FRMP decision making process, and the need to include monies for natural resources monitoring in their region in the base funding for State and Federal agencies.*

**Recommendation:**

*Pursuant to the intent of ANILCA, Title VIII and cooperative agreements with Alaska Native Organizations as described in ANILCA Section 809, the Council requests that sustainable management of Alaska fish and wildlife populations should be funded through State and Federal base budgets, not through competitive grant programs like the FRMP. Furthermore, the TRC should be expanded to include technical expertise from Alaska Tribal organizations who are best positioned to be able to advance traditional knowledge, research and management integration, as well as employ biologists and anthropologists who should be involved in reviewing FRMP proposals.*

**Response:**

The Board appreciates and agrees with the Council's guidance on additional Tribal involvement with FRMP funded research and is receptive to the concerns raised about Tribal input into the process for selecting awards. The FRMP was established to help provide the critical information needed for management of subsistence fisheries on Federal public lands, and who better to provide that information than the people living on the land and subsisting on those resources.

The FRMP is a competitive financial assistance program with specific criteria that are used to evaluate each submitted project. The eligibility to submit proposals to the FRMP is unrestricted, although those submitting proposals should have the necessary technical and administrative abilities and resources to ensure successful completion of the studies. As such, while we agree that it would be optimal if sustainable management of fish and wildlife populations was funded through base budgets of State and Federal agencies, they are not prohibited from applying for funding through the FRMP.

The TRC, which performs the task of evaluating submitted FRMP proposals, is an intergovernmental committee composed of Federal and State agency employees acting in their official capacities. Committee members exchange views, information, or advice relating to the management or implementation of Federal programs established pursuant to statute that explicitly share intergovernmental responsibilities or administration. The members of the TRC are social scientists and fisheries biologists from the Bureau of Indian Affairs, Bureau of Land

Chairman Reakoff

6

Management, Fish and Wildlife Service, Forest Service, National Park Service, the Bureau of Ocean Energy and Management, and the Alaska Department of Fish and Game (ADF&G). ADF&G shares responsibility for the management and administration of subsistence resources and are therefore allowed to participate on the TRC. Tribes have no such responsibility or authority under the statute.

There are legal challenges associated with including members from Tribes in the TRC, and these challenges prevented the TRC from expanding in the past. In 2005, TRC membership was expanded briefly to include two representatives of tribal organizations. However, the TRC membership quickly reverted because including members of the public (including Council members) meant that the TRC should have been chartered as an advisory committee under the Federal Advisory Committee Act (FACA), just as the Councils are chartered. In the absence of a FACA charter, any funding decisions based on recommendations made by the TRC at the time would have been reversed by a court, which is the standard legal remedy for a FACA violation. In other words, the FRMP was legally vulnerable. A new advisory committee charter could be submitted, but approval often takes 18 months or more. This would also require that the TRC would have to comply with the requirements of FACA, including a membership that is balanced in terms of interest affected, advanced notice to the public of meetings, and meetings that are open to the public. The last item would be the most problematic, as the review process for Financial Assistance awards is confidential.

This is a good opportunity to highlight another component of the Federal Subsistence Management Program, the Partners for Fisheries Monitoring Program. This is a competitive funding program that is specifically targeted to strengthen Alaska Native and rural involvement in Federal subsistence fisheries management and research. It provides up to four years of funding for biologist, social scientist, or educator positions in Alaska Native and rural organizations with the intent of developing capacity and increasing the organization's ability to participate in Federal subsistence management. The program has been in place since 2003 and has benefited from the inclusion of a number of Tribal or rural organizations, including Orutsararmiut Native Council in Bethel, Tanana Chiefs Conference, and the Native Village of Napaimute. The next call for Partners applications will be in late 2022 or early 2023, and we strongly encourage the Council's involvement in soliciting applicants in the region that could benefit from this program.

#### **4. State violation of ANILCA Title VIII during a Federal closure on the Kuskokwim**

*The Council is very concerned about the State of Alaska's violation of ANILCA, Title VIII, on June 28th, 2021, when the Alaska Department of Fish and Game opened gillnet fishing for salmon in Federal waters for all Alaska residents after the Federal in-season manager, in partnership with the Kuskokwim River Intertribal Fish Commission, had closed all salmon fishing with gillnets in Federal waters. This action, if unchallenged, indicates that the Federal subsistence protections, fought for so long and hard by Katie John, no longer exist. The Board and Secretaries of the Interior and Agriculture must take proactive actions to enforce ANILCA, Title VIII.*

Chairman Reakoff

7

Recommendation:

*The Council requests the Board and Secretaries of the Interior and Agriculture take immediate action to enforce the Federal subsistence priority of Title VIII of ANILCA on the Kuskokwim River to prevent future illegal State gillnet openings, like the one that occurred on June 28<sup>th</sup>, 2021. This opening caused confusion for Federally qualified subsistence users in the region, was not justified due to conservation concerns, and went against recommendations of the Kuskokwim River Salmon Management Working Group.*

**Response:**

The Board notified the Department of Justice and the Solicitor's Office regarding this issue. The Federal government filed a lawsuit against the State of Alaska in the Federal District Court on May 17, 2022 in which the United States is asking the Court to enjoin ADF&G from taking similar actions in the future. There will be additional legal updates by the time this response is presented to you at your fall 2022 meeting.

**5. Bureau of Land Management Guide Use Permitting for Dall's Sheep**

*The Council continues to be very concerned about the impact that guided hunting for Dall's sheep is having on the population of this species in the central Brooks Range. Sheep populations continue to be very low and the Council believes that the continued issuance of guide use permits by the Bureau of Land Management (BLM) is exacerbating this problem. Section 802 of ANILCA states that the utilization of public lands in Alaska is to cause the least adverse impact possible on rural residents who depend upon subsistence uses of resources of such lands, consistent with sound management principles and the conservation of healthy populations of fish and wildlife. The Council would like to see the elimination of any guided hunters on BLM lands until sheep populations are sufficiently recovered.*

Recommendation:

*The Council will be writing a letter to the State Director of the BLM stating that we have a crisis situation with the Dall's sheep population in our region as a result of the BLM's special recreation process and that this process needs to be revised to protect the sheep population and provide for a subsistence priority as outlined in ANILCA, Title VIII.*

**Response:**

The Board appreciates the Council's comments regarding the decline in the Dall sheep population in the Central Brooks Range. Key facts previously presented verbally and in writing to the Council about the Central Yukon Field Office (CYFO) hunting guide Special Recreation Permitting (SRP) program are as follows:

Chairman Reakoff

8

- BLM hunting guides have distinct individual, non-overlapping geographic areas in which they operate
- CYFO currently has three permitted hunting guides allowed to guide for Dall sheep hunting in Unit 24
- No guided Dall sheep hunts are permitted west of the Dalton Highway in Unit 24
- The average number of Dall sheep harvested by BLM-permitted hunting guides from 2010-2020 CYFO-wide is 3 sheep per year in GUAs 24-03, 25-02, and 25-03. These numbers are reported to the Big Game Commercial Services Board and to the BLM by our SRP holders.

While there is increasing concern about current Dall sheep population levels, it does seem unlikely that the recent 10-year average annual harvest of three sheep per year associated with the CYFO SRP program has been having a substantial or disproportionate impact in and of itself. The BLM State Director has received your letter and acknowledges the concerns the Council has regarding the special recreation permitting process.

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

Sincerely,



Anthony Christianson  
Chair

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



## Federal Subsistence Board News Release



Forest Service

**For Immediate Release:**  
July 27, 2022

**Contact:** Robbin La Vine  
(907) 206-0900 or (800) 478-1456  
robbin\_lavine@fws.gov

### Results from Federal Subsistence Board Work Session

During their July 26, 2022 work session, the Federal Subsistence Board (Board) discussed and approved Regional Advisory Council (Council) Annual Report Replies and revisions to the Ahtna Intertribal Resource Commission Community Harvest System framework. The Board received a briefing on Federal fisheries managers and delegations of authority; and a status update regarding the Sitka Kaagwaantaan petition for Secretarial extraterritorial jurisdiction.

The Board discussed the Joint Yukon Subsistence Regional Advisory Councils letter to the Board on salmon bycatch and approved to forward Councils concerns to the Secretaries of the Interior and Agriculture with a request to communicate with the Secretary of Commerce to address salmon migratory lifecycles and bycatch holistically.

The Board also approved Wildlife Temporary Special Action Request WSA22-02 to close Dall sheep hunting on Federal public lands in Units 24A and 26B, west of the Sagavanirktok River to all users for the 2022/23 and 2023/24 wildlife regulatory years. The Board approved WSA22-02 due to serious declines in the Dall sheep populations in these areas, which indicate any additional harvest is unsustainable and in deference to the Western Interior Alaska and North Slope Subsistence Regional Advisory Councils.

In addition to the public work session, the Board held an executive session on July 27, 2022. The purpose of this meeting was to engage in attorney-client communications and discuss the Board's recommendations to the Secretaries of the Interior and Agriculture on the Regional Advisory Council appointments. Executive sessions are closed to the public. A summary of the executive session will be made available to the Federal Subsistence Regional Advisory Councils and, upon request, to the public.

Additional information on the Federal Subsistence Management Program may be found on the web at [www.doi.gov/subsistence](http://www.doi.gov/subsistence) or by visiting [www.facebook.com/subsistencealaska](https://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](mailto:fws-fsb-subsistence-request@lists.fws.gov).

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## 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:**  
May 24, 2022

**Contact:** Robbin La Vine  
(907) 786-3353 or (800) 478-1456  
robbin\_lavine@fws.gov

### The Federal Subsistence Board Adopts Temporary Special Action FSA22-01

This news release was originally released May 6, 2022. In this version, paragraphs 1 and 2 have been revised.

The Federal Subsistence Board (Board) met in public by teleconference on May 4, 2022 and adopted Temporary Special Action FSA22-01 for conservation purposes. Specifically, the Board closed Federal public waters of the Yukon River drainage to the harvest of Chinook, summer and fall Chum, and Coho salmon except by Federally qualified subsistence users, effective June 1, 2022, through September 30, 2022, with harvest opportunities to be determined by the Federal fisheries manager if fisheries run strength is sufficient to allow a Federal subsistence fishery.

Federal public waters of the Yukon River drainage include all navigable and non-navigable freshwaters located within and adjacent to the exterior boundaries of National Wildlife Refuges, National Parks and Preserves, and National Conservation Areas, as well as those segments of the National Wild and Scenic Rivers system located outside the boundaries of other listed Federal conservation units. Federal public waters also include all freshwaters flowing into the Bering Sea between the latitude of Point Romanof and the latitude of the westernmost point of the Naskonat Peninsula within the external boundaries of the Yukon Delta National Wildlife Refuge.

The Board stated that Yukon River drainage salmon runs have recently been some of the worst on record, which resulted in closures and restrictions to salmon harvest the past four years. The 2022 run and harvest outlook is expected to be poor for all Yukon River salmon species and closures to the harvest of salmon by non-Federally qualified users on Federal public waters is necessary until in-season assessments may indicate otherwise. This action is necessary for the conservation of fish resources in Federal public waters. It also provides a priority for non-wasteful subsistence uses as required by Title VIII of the Alaska National Interest Lands Conservation Act. The Board has delegated in-season management authority to the Federal fisheries manager. If fisheries run abundance is sufficient to allow for Federal subsistence harvest, the Federal fisheries manager will issue emergency special actions announcing season schedules, openings, closures and fishing methods. The Board took no action on Temporary Special Action Requests FSA22-02, -03, and -04 based on the adoption of FSA22-01.

Additional information on the Federal Subsistence Management Program may be found on the web at [www.doi.gov/subsistence](http://www.doi.gov/subsistence) or by visiting [www.facebook.com/subsistencealaska](https://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](mailto:fws-fsb-subsistence-request@lists.fws.gov).





# 2023 NORTH AMERICAN CARIBOU WORKSHOP & ARCTIC UNGULATE CONFERENCE

Anchorage, Alaska ■ May 8-12, 2023

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

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

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



# NPFMC Salmon Reports from June 2022 Council meeting

Alaska Bycatch Review Task Force (ABRT)  
Western Alaska Salmon Subcommittee  
July 8, 2022



Diana L. Stram, Ph.D.  
Senior Scientist, North Pacific Fishery Management Council



- 1) An updated bycatch impact (AEQ) analysis which includes current genetic stock identification information and an updated age/length composition for Chinook salmon along with estimates of how many Chinook salmon taken as bycatch in the Bering Sea pollock fishery would have returned to Western Alaska Chinook salmon stock groupings. The analysis should include a PSC harvest rate analysis and an estimate of the Chinook salmon bycatch impacts to each specific stock grouping at the current cap levels and at actual bycatch levels in recent years. The Council also requests that the report include recommendations to evaluate impacts of chum salmon bycatch in the pollock fishery with currently available data.
- 2) A stock status update of Western Alaska Chinook and chum salmon stocks.
- In addition, the Council requests staff write a letter to the Secretary of State to request help to identify levels and stock composition of bycatch of salmon in waters outside of the jurisdiction of the United States. The Council requests staff write a letter in support of recent requests to the Secretary of Commerce for increased and dedicated funding for salmon research, observation, and monitoring, including on the lifecycle of salmon species in the freshwater, nearshore, and marine environments, and the effects that environmental changes are having on salmon throughout their lifecycle.

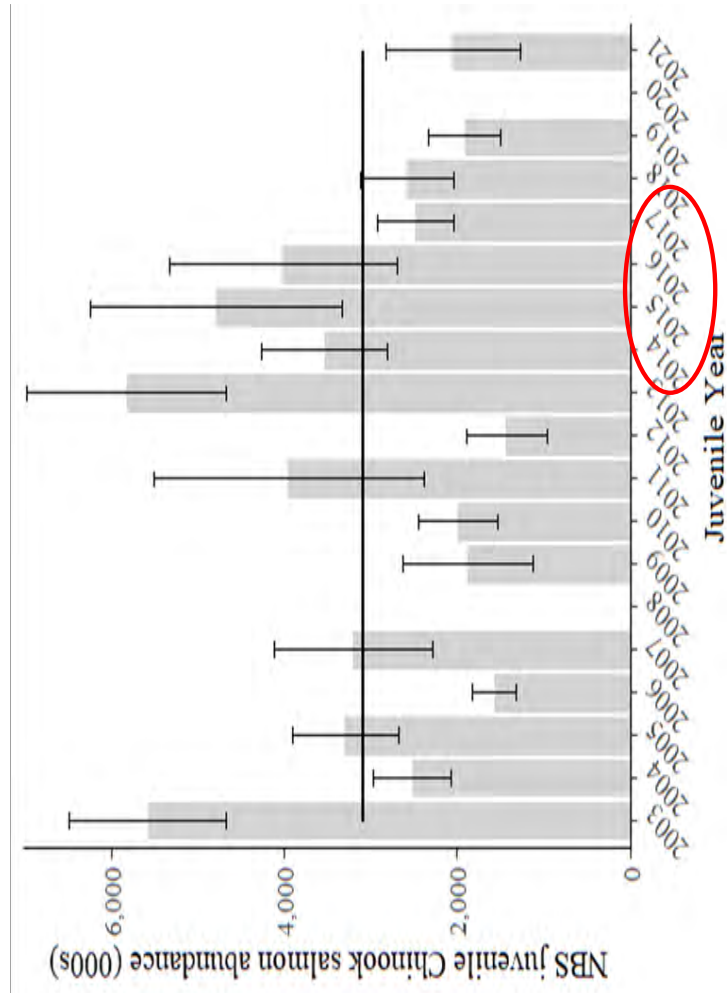


- Salmon stock status and research updates
  - Stock status update for WAK Chinook and chum
  - AFSC overview of salmon research and mandates
  - ADF&G overview of ongoing research and plans
- BSAI and GOA salmon genetics reports
  - BSAI Chum salmon bycatch genetics from 2020-2021
  - Chinook salmon genetics 2020 (BSAI and GOA)
- Update on ongoing genetics works and plans
  - AFSC progress and plans
- Bering Sea Chinook Adult Equivalency and Impact rate report; staff recommendation for assessing chum impacts
  - Update on 2015/2018 report; changes noted in age/length updates and maturity estimates
  - Staff feedback on assessing chum bycatch impacts
- Salmon Excluder final report
- Reports from the IPAs (3)
- SeaShare update

Research updates:  
NOAA and ADF&G



## Juvenile Chinook salmon abundance



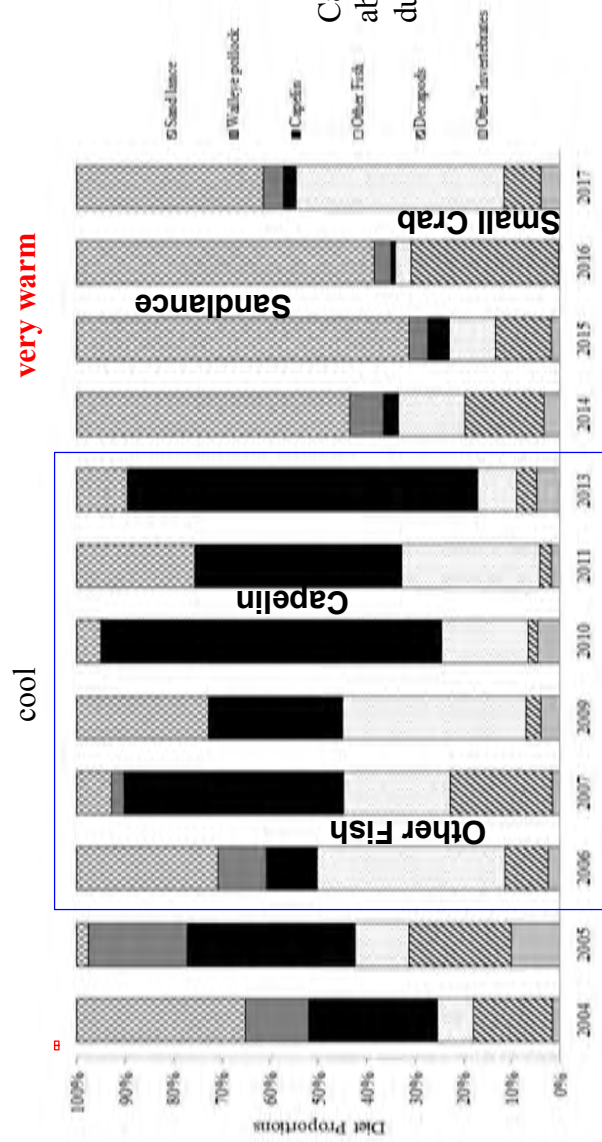
Abundance of Juvenile Chinook has been below average since 2017

Smaller than average size during recent warm years



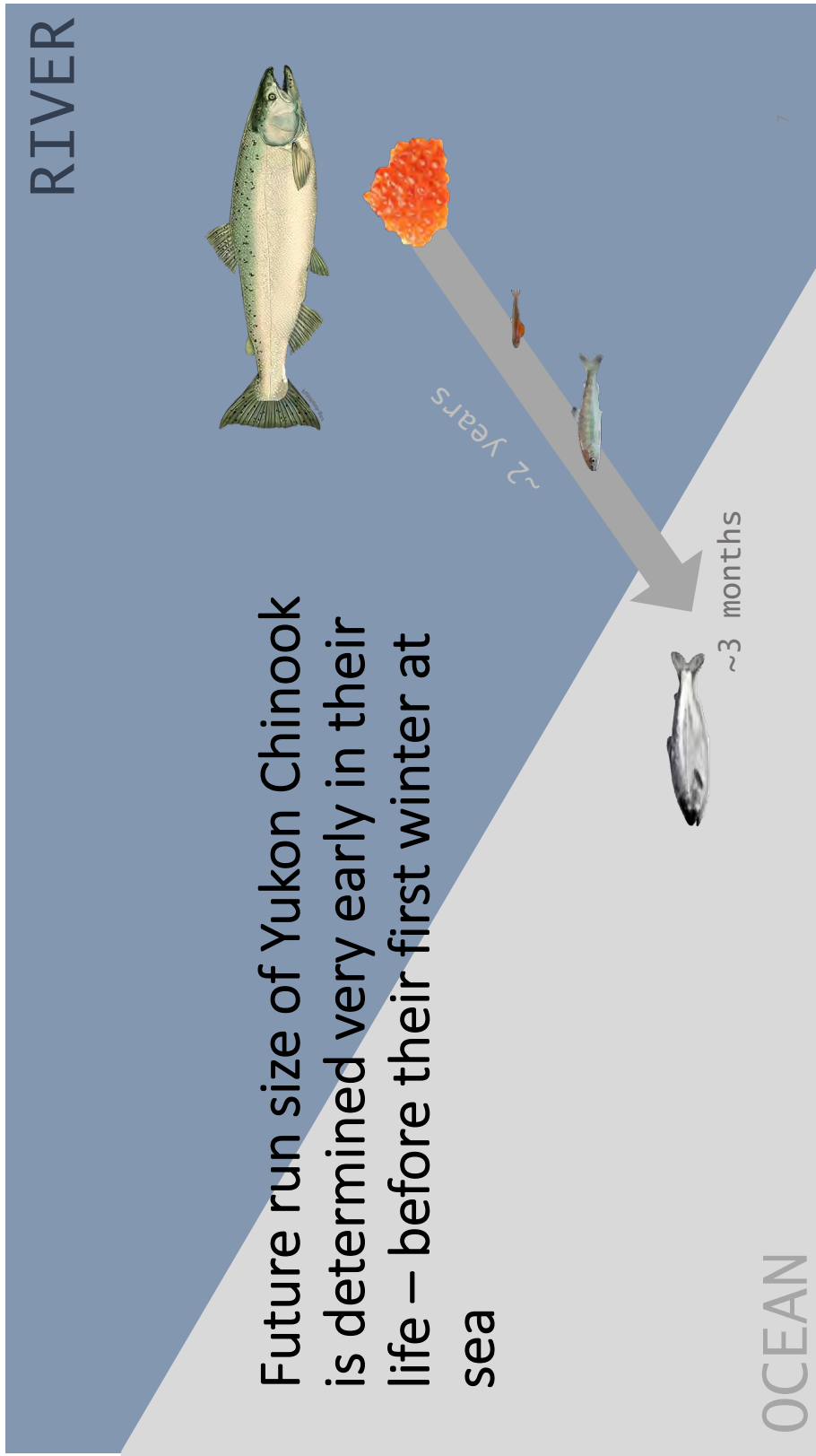
NOAA FISHERIES

# Juvenile Chinook Salmon Diet

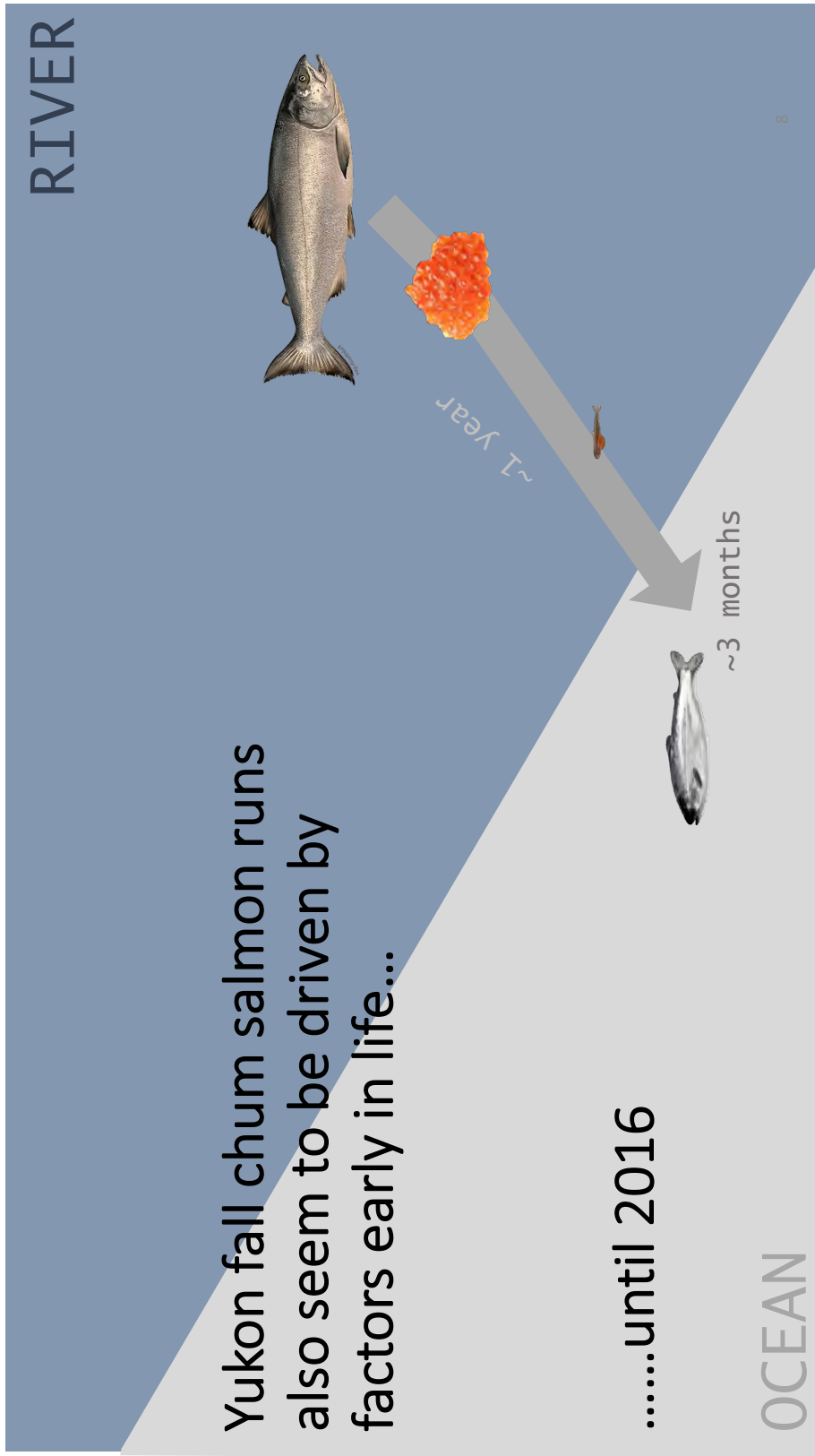


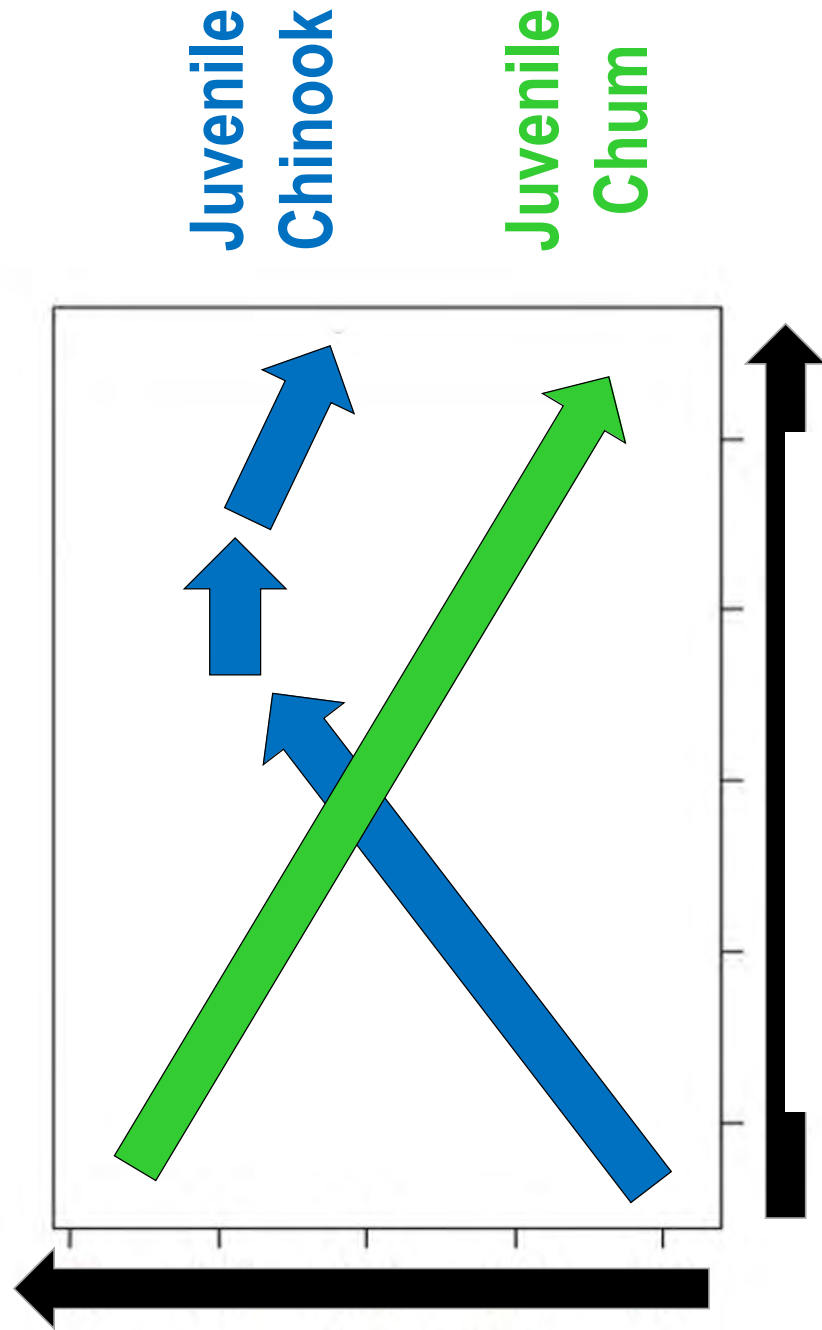
Capelin, a high quality prey, are absent from Chinook salmon diet during recent warm years.











9

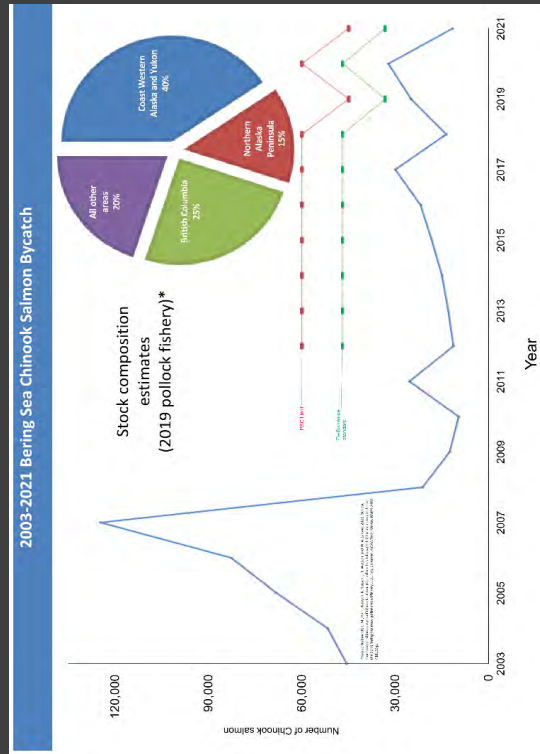




# Genetics Summary

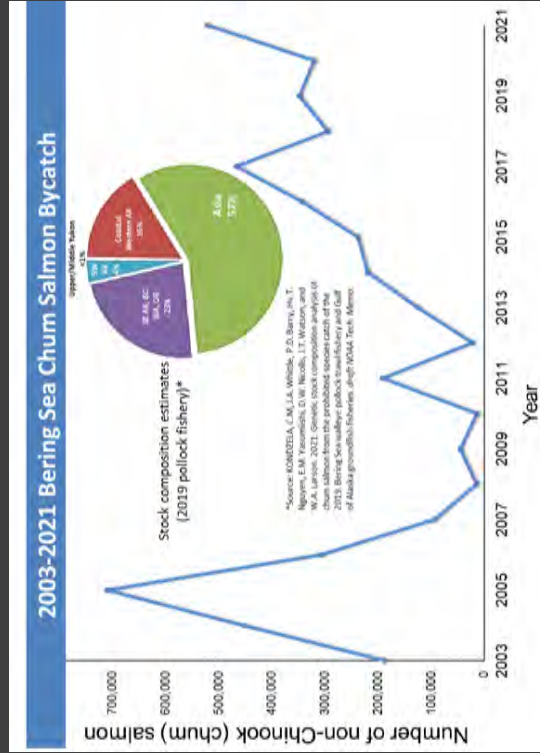


# Trends and genetic breakouts



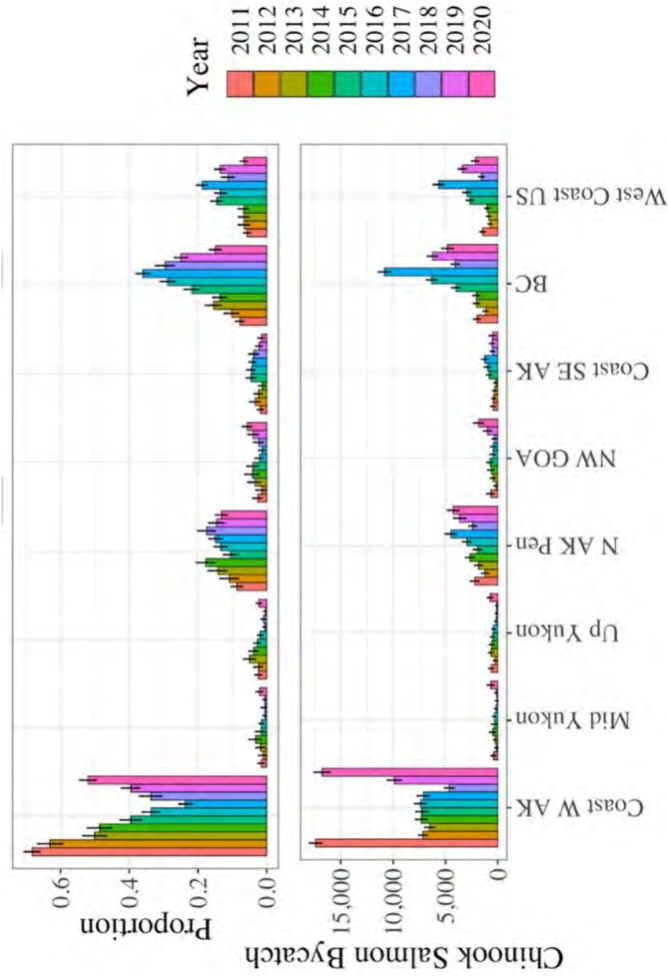
Chinook 2021: 13,783\*

\*from NMFS from Catch Accounting System database 12/21/2021

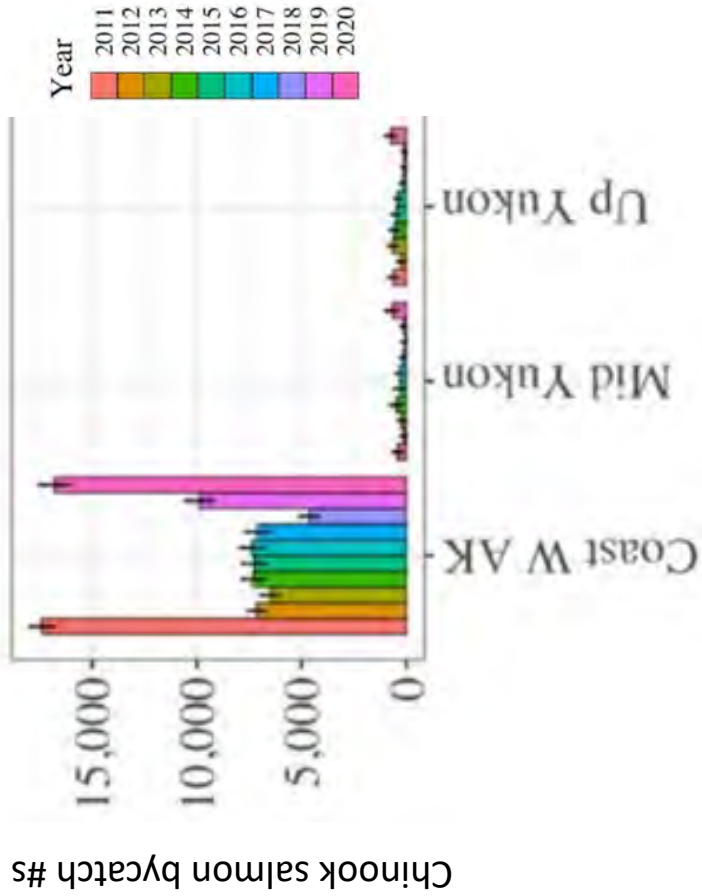


Chum 2021: 530,626\*

## Major genetic takeaways: BSAI Chinook salmon

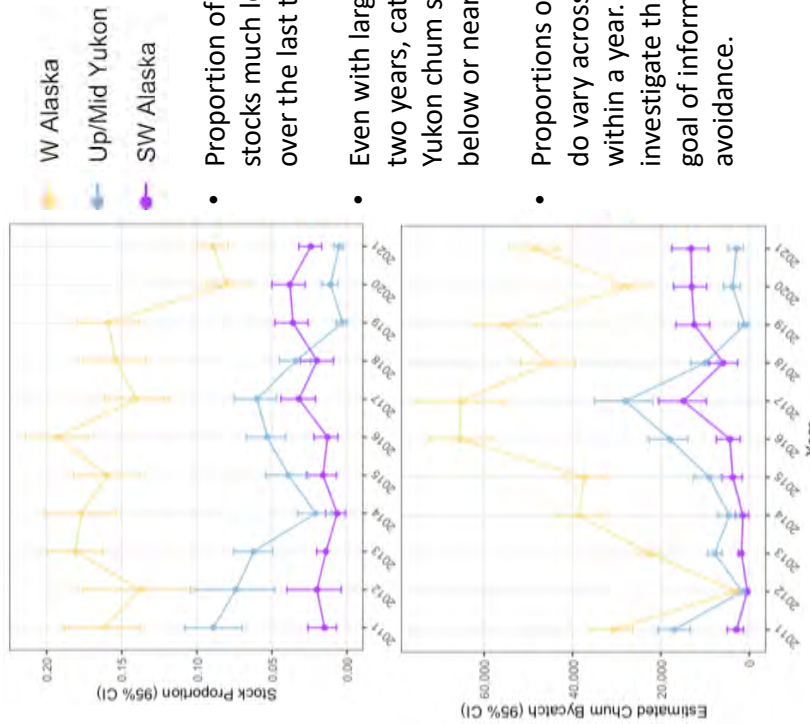


Spike in WAK catches, southern stocks decreasing after 2017 peak





# Major takeaways: chum salmon

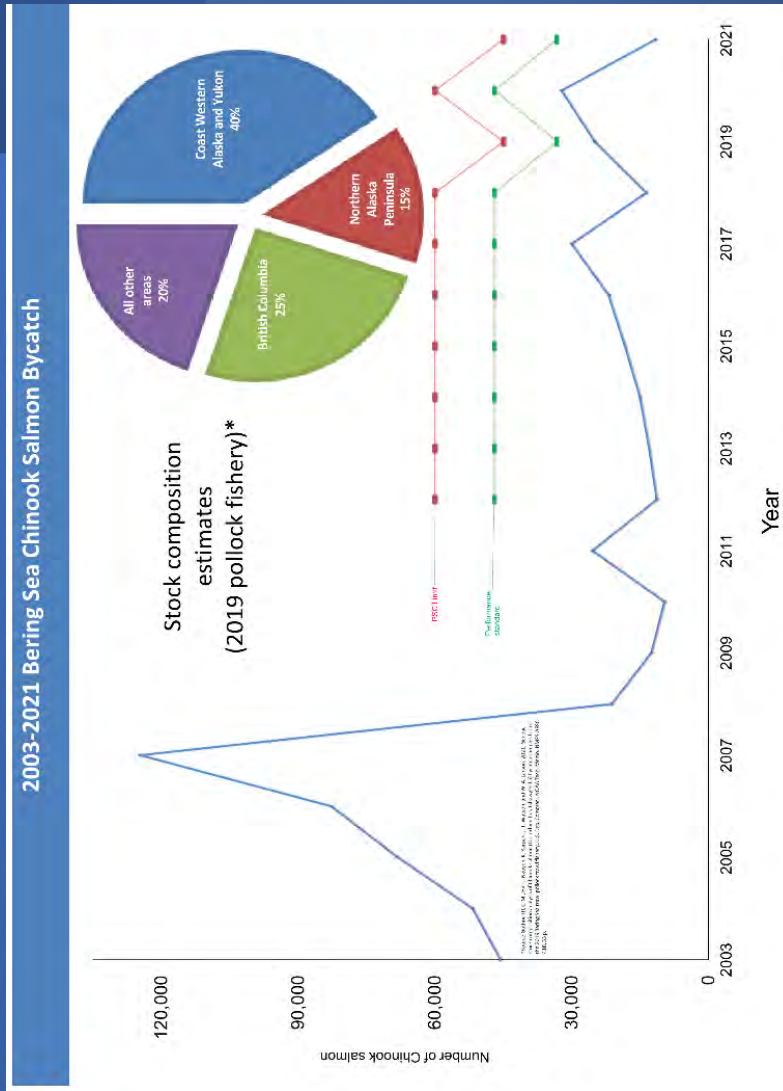


- Proportion of WAK and Yukon stocks much lower than average over the last two years
- Even with large bycatch in the last two years, catches of WAK and Yukon chum salmon have been below or near average
- Proportions of WAK and Yukon fish do vary across space and time within a year. We are planning to investigate this further with the goal of informing stock-specific avoidance.



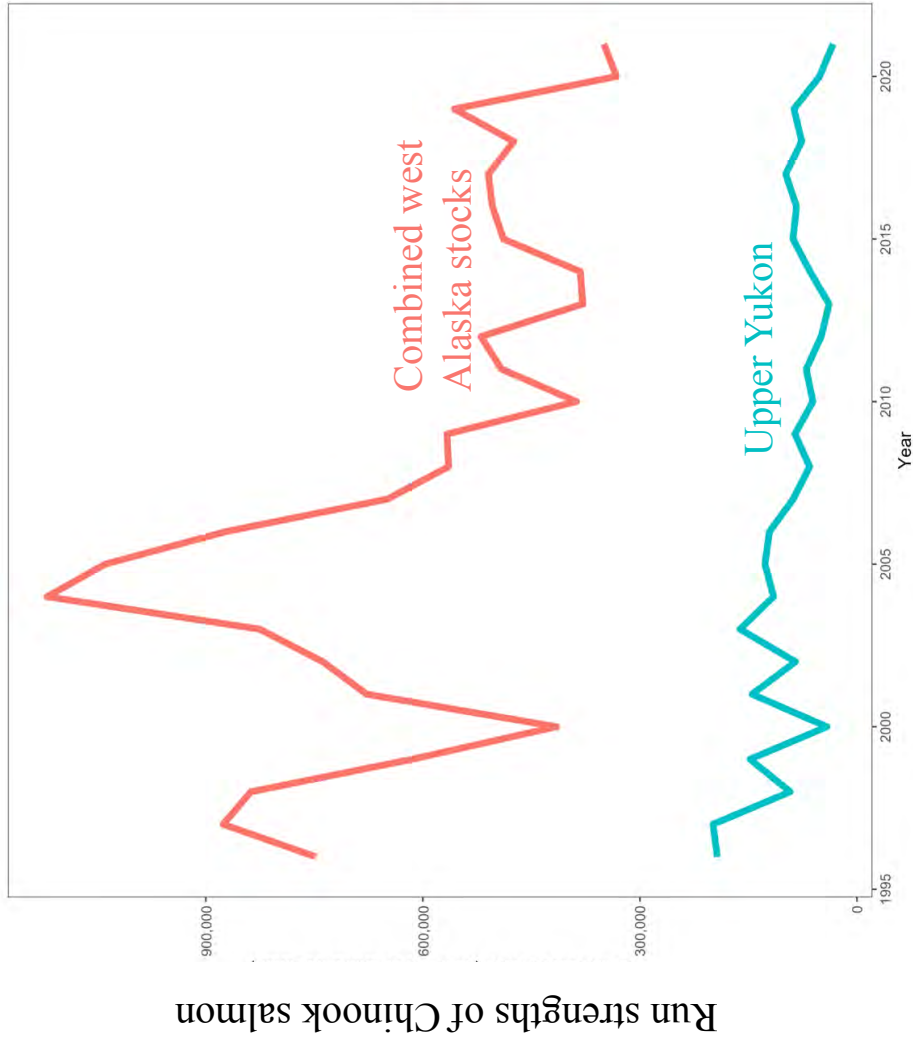
## How do we estimate how many bycaught salmon would have back to a river system

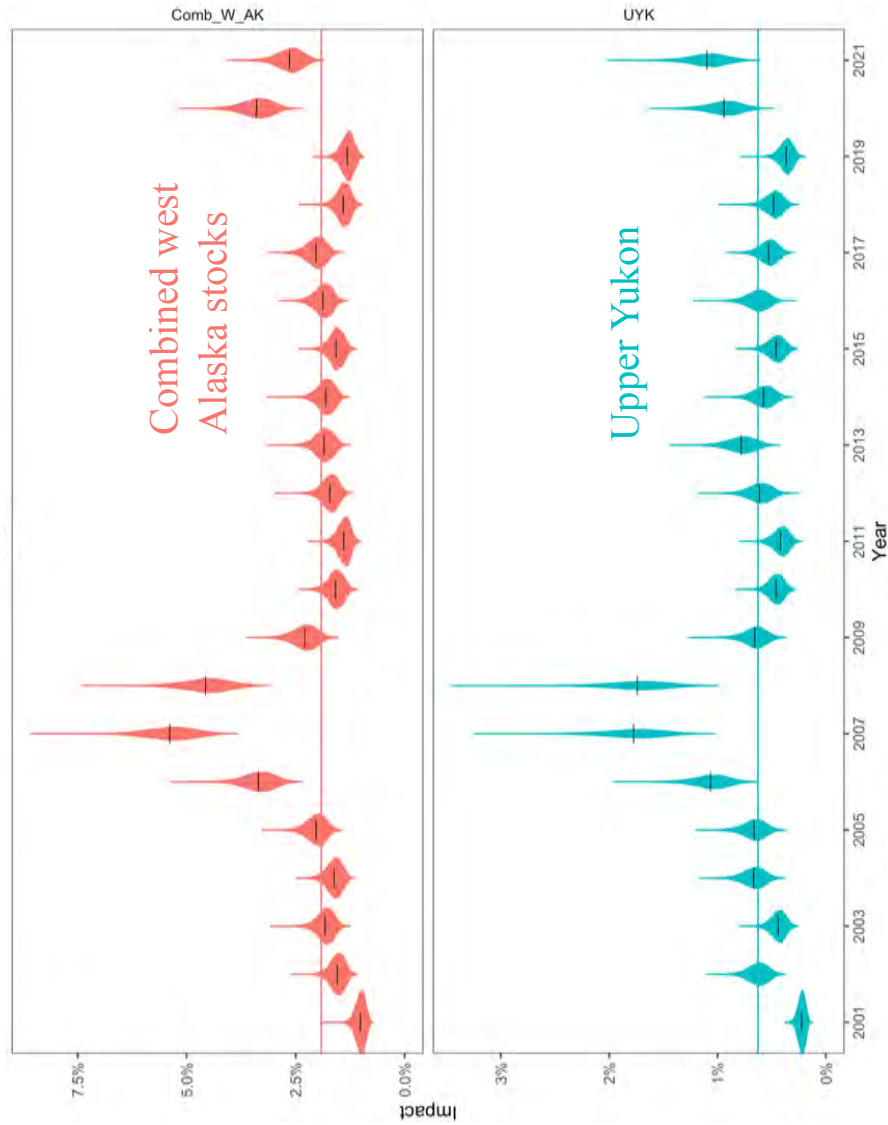
- To estimate Adult Equivalent (AEQ)
  - fish that would have returned to some river that year if they had not died from bycatch
- Information needs:
  - Number of salmon bycaught
    - from observer program
  - Age of fish
    - from observer data on length
    - using Age-Length key (updated 2022)
  - Region of origin
    - limited to Coastal West Alaska and Upper Yukon for WAK
  - Estimated maturity by year
    - We do this in aggregate across multiple WAK rivers
- To estimate impact rate the % of the total run
  - the sum of the rivers in a specific genetic grouping (e.g. CWAK or Upper Yukon) that would have returned to that genetic area had the fish not been caught as bycatch
- Information needs:
  - AEQ for that grouping
  - Run size estimate
    - for all applicable rivers in that grouping
    - E.g. only Upper Yukon has a single run size estimate, for CWAK it is sum across all western Alaska Rivers from Norton Sound to the Nushagak



2022 (A season) 5,184

# Run sizes



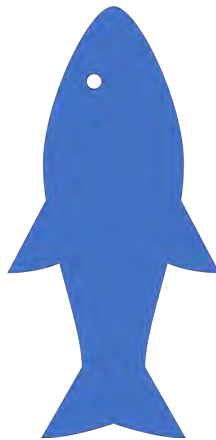


$$\frac{\text{Impact estimates}}{\text{AEQ}} \\ (\text{run size} + \text{AEQ})$$

## Summary

- Impact rates which has averaged 1.9% since 2011 for the combined coastal western Alaska stocks
  - 0.6% for the Upper Yukon
- The rate for the western Alaska stocks increased in 2020 to an estimate of 3.4% but dropped in 2021 to 2.6%
  - 0.9% and 1.1% for the Upper Yukon
- The increase is due to lower returns overall with the biggest decrease for Combined western Alaska from the Nushagak River

Chum salmon  
impact  
recommendations





## AEQ for chum

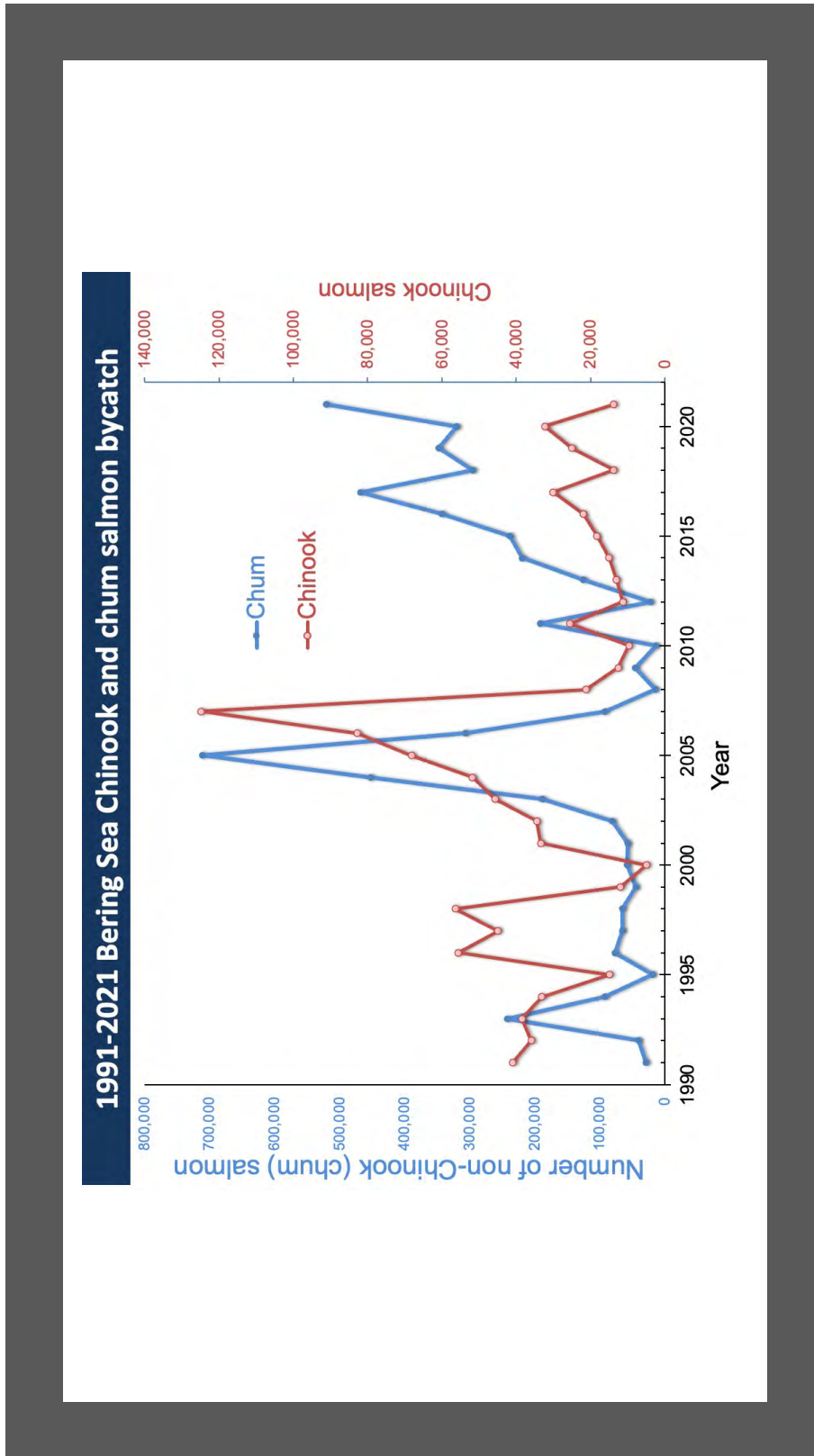
- a coarse estimate of an AEQ but several assumptions would need to be made where data are not available (i.e., maturity and natural mortality rate).

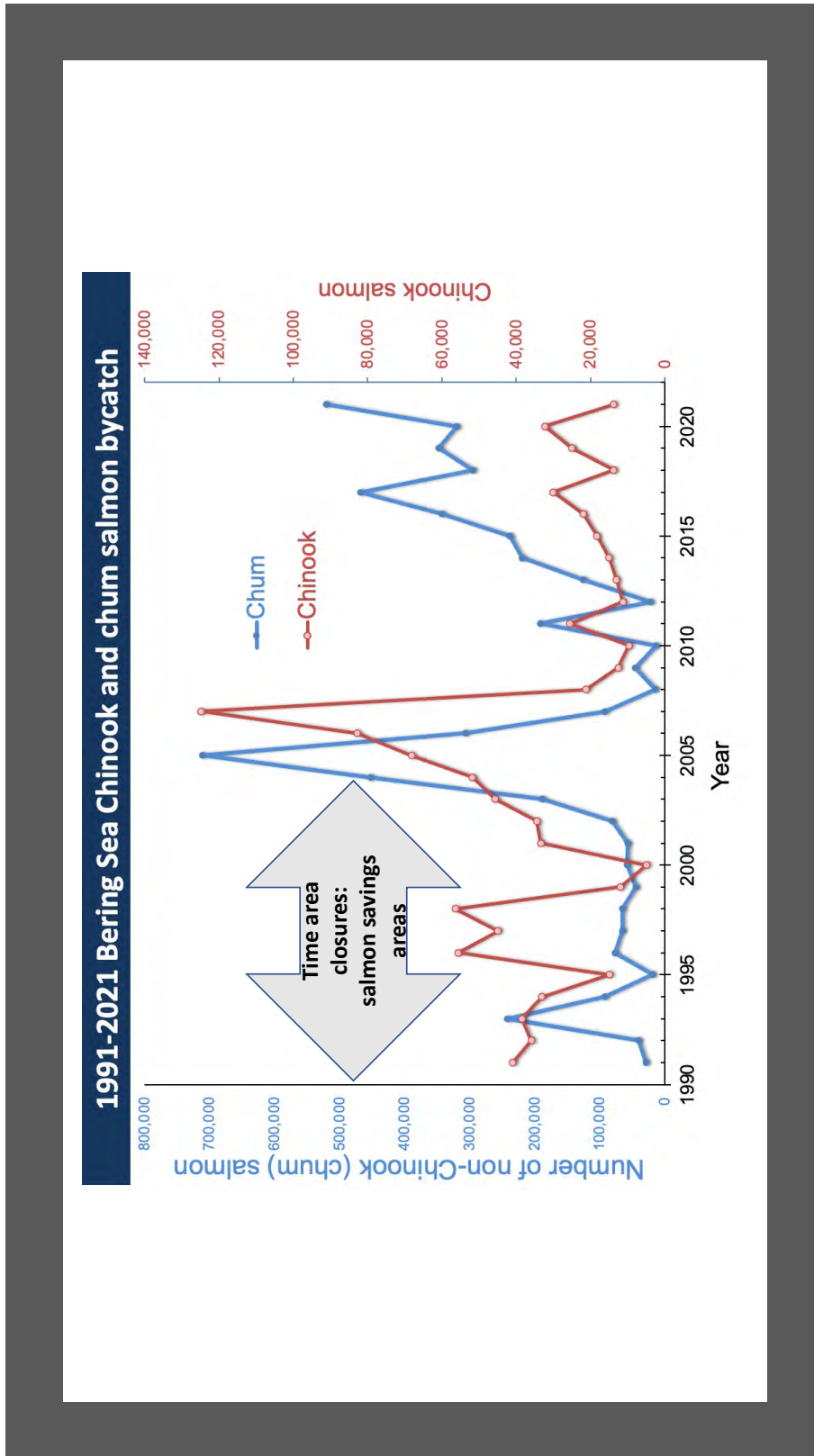
## Impact rate for chum

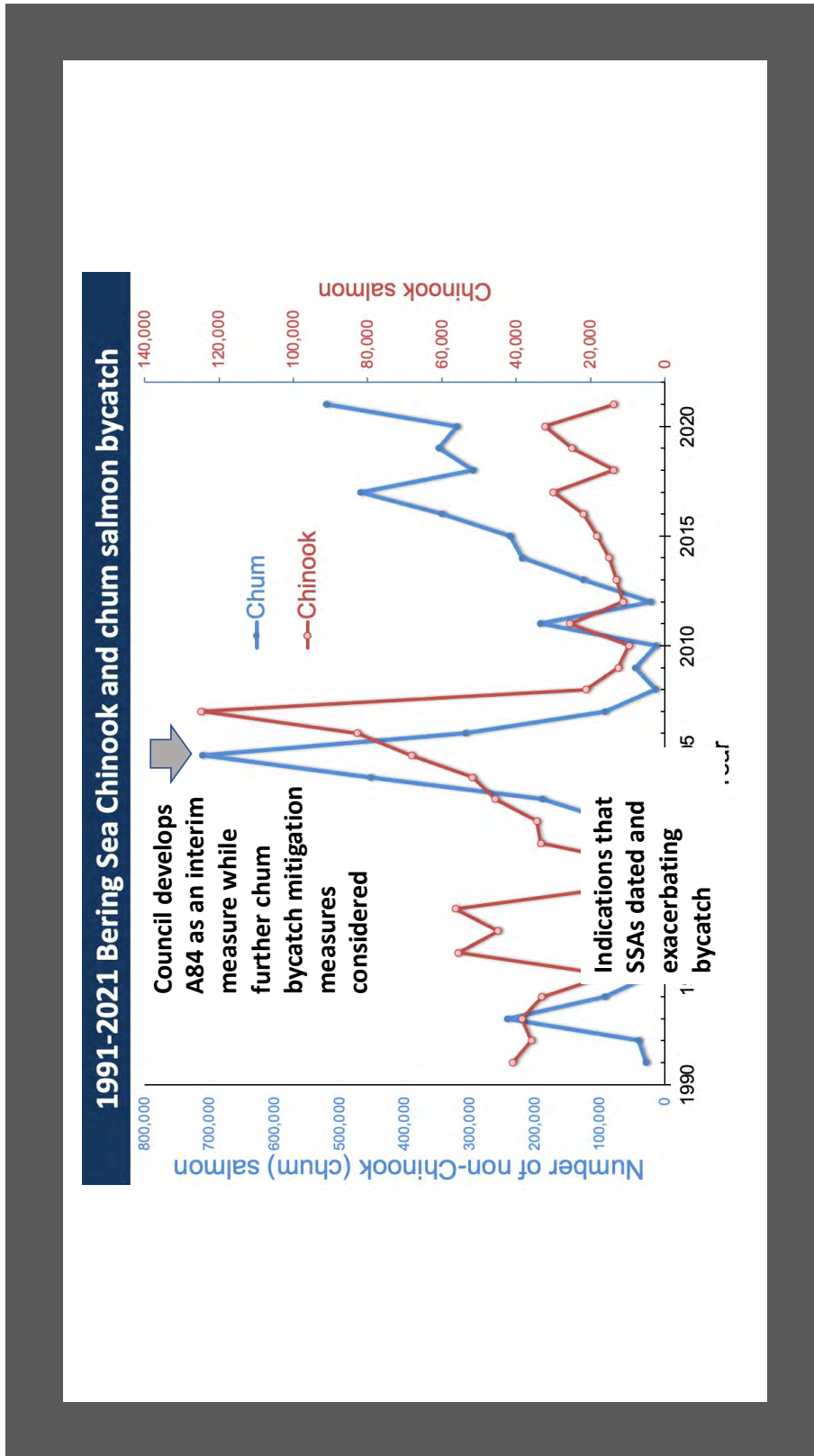
- For CWAK this is not possible.
- Run reconstructions are currently only available for Yukon River summer and fall chum salmon and Kwiniuk River chum salmon. This excludes large populations in Kuskokwim River and throughout Bristol Bay, Kotzebue Sound, and Norton Sound. Unlike Chinook salmon, the lack of run reconstructions for large populations of W. Alaska chum salmon means that a good approximation of total W. Alaska chum salmon abundance cannot be provided at this time.
- Impact rate for Yukon fall would be possible but may not reflect trends across all western AK chum stocks

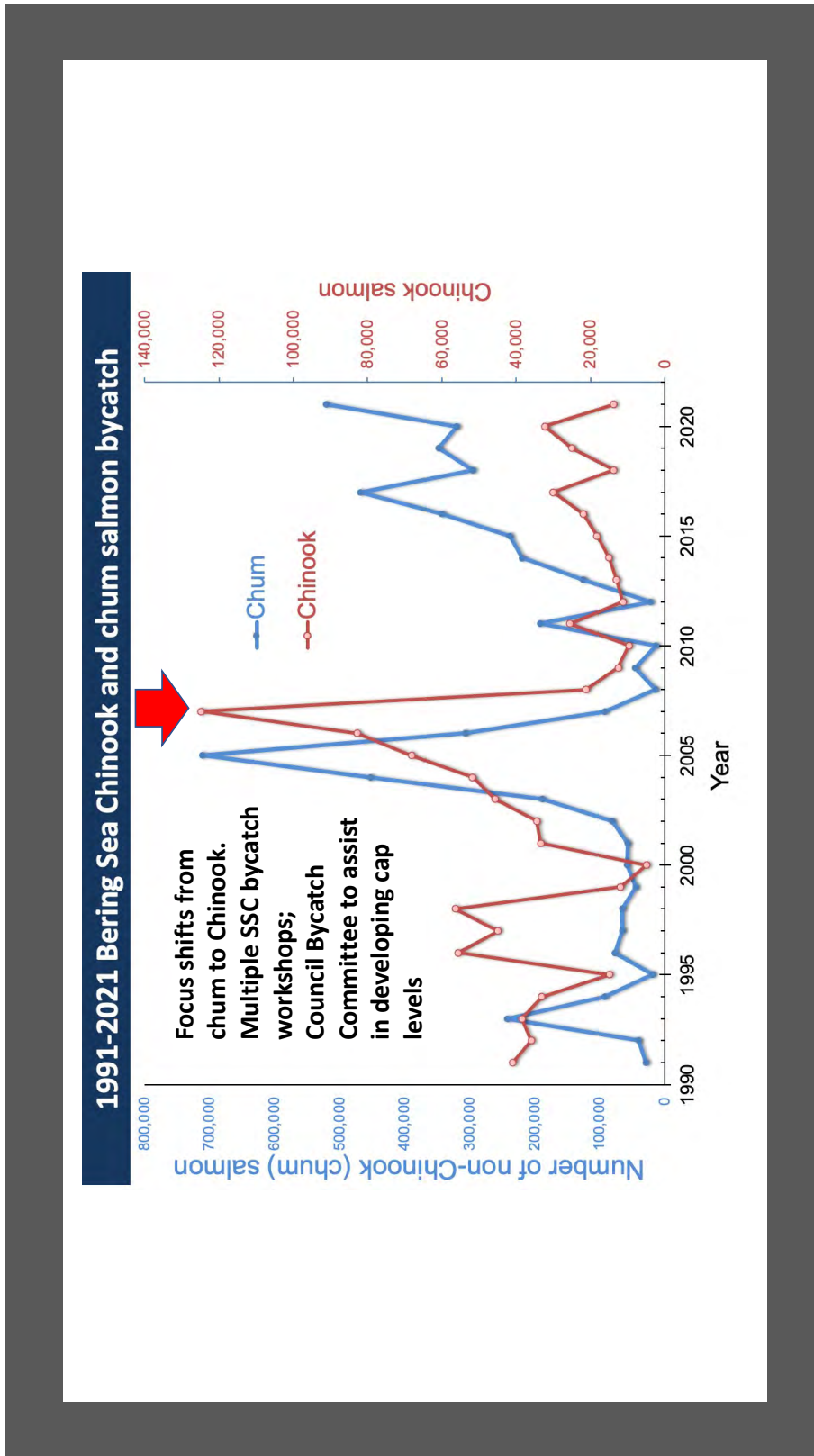
# Assessing impacts

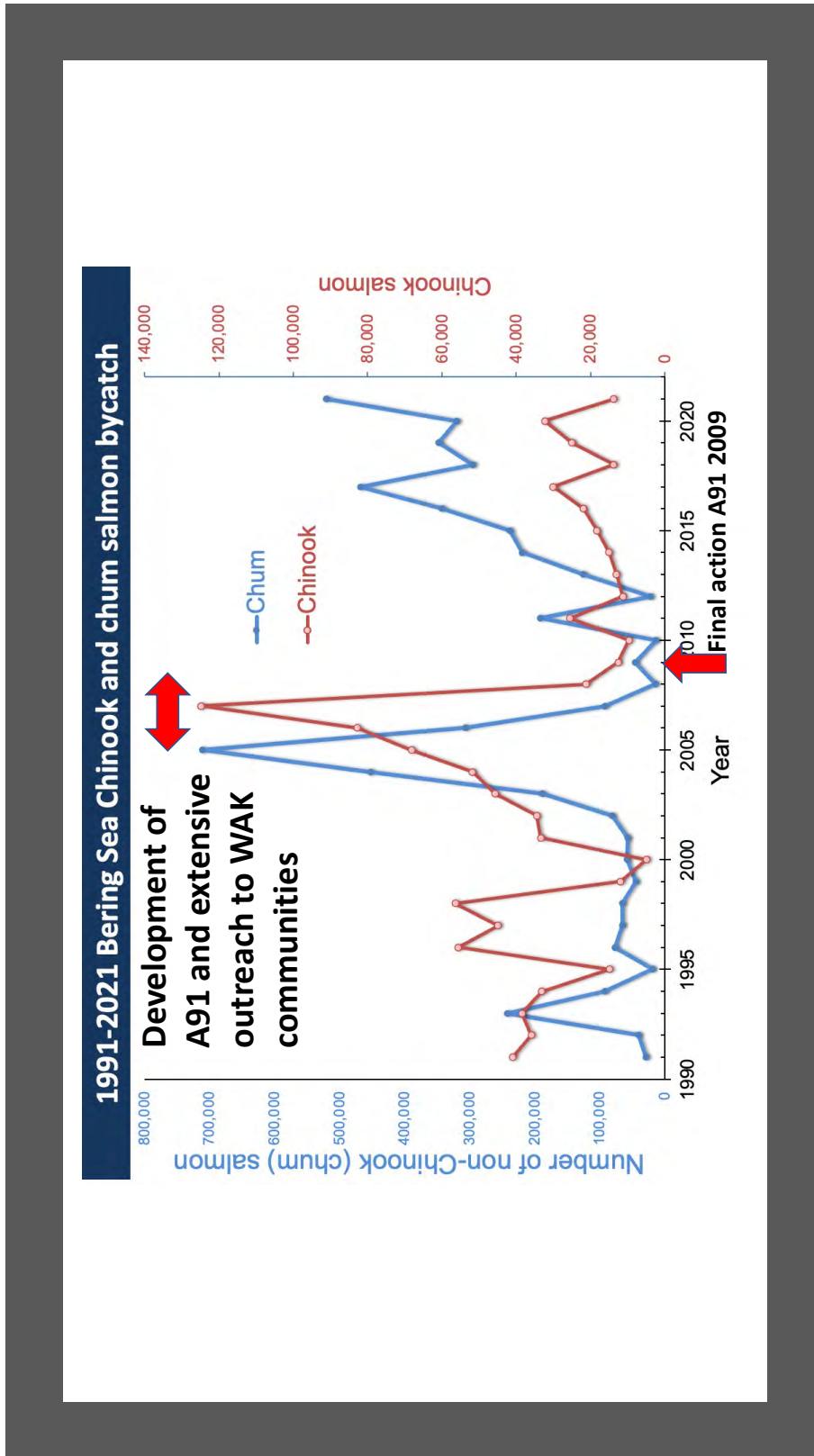
Brief history of actions related to  
Chinook and chum salmon bycatch  
management

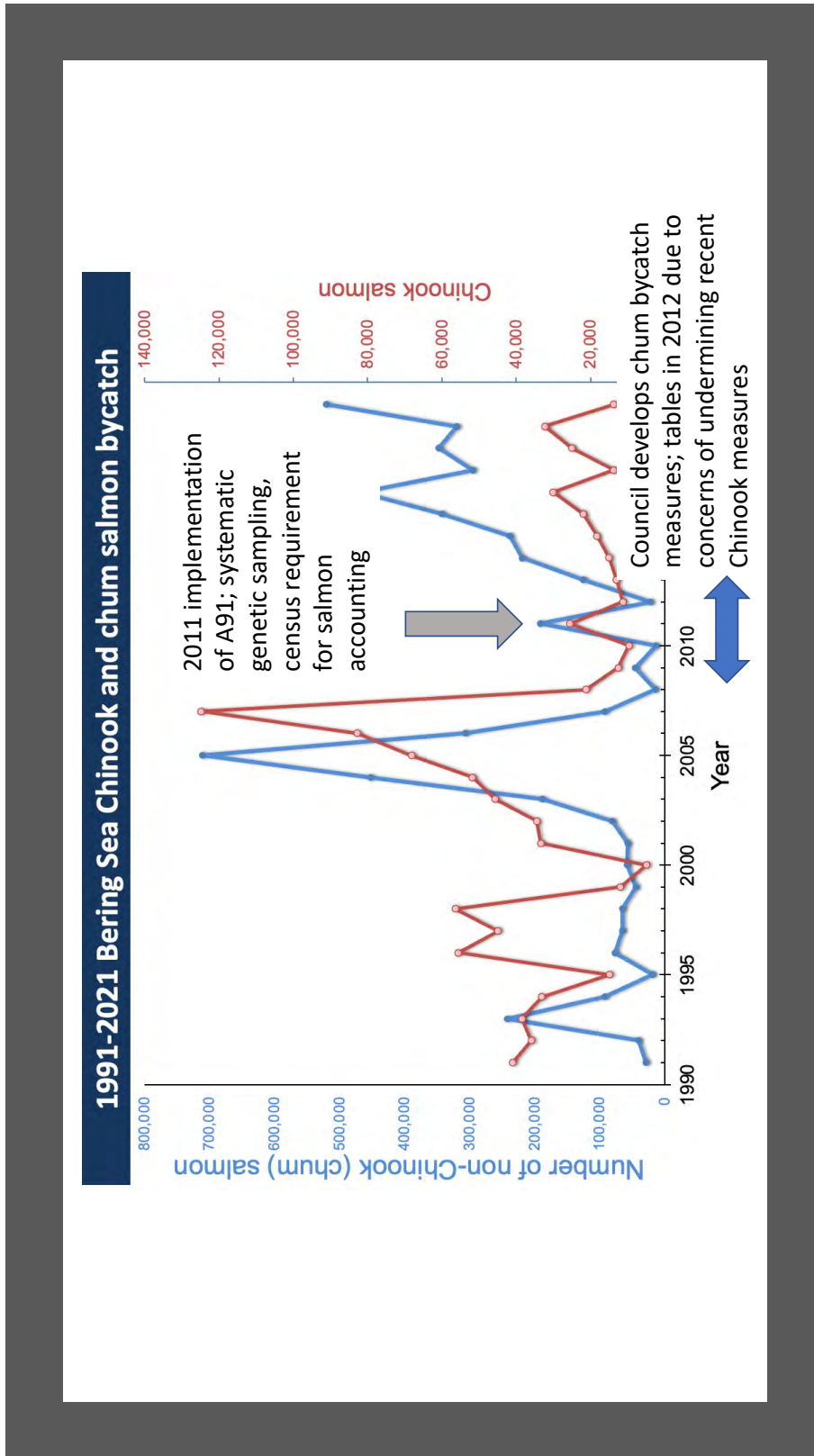




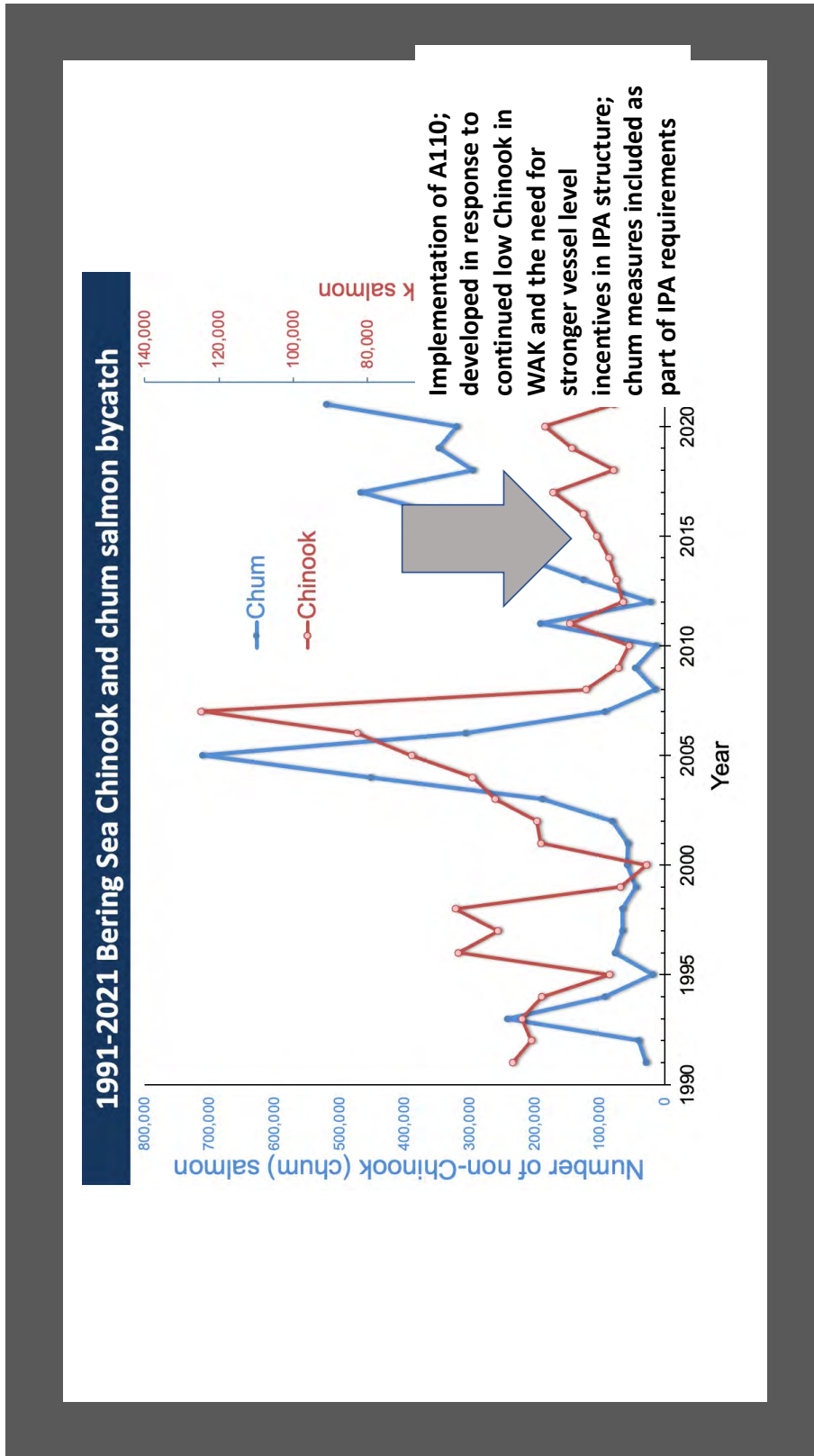














# Council Action in June 2022

The Council acknowledges the western Alaska salmon crisis and the impact it is having on culture and food security throughout western Alaska. Science indicates climate as the primary driver of poor salmon returns in western Alaska. The Council commits to continued improvements in bycatch management with a goal of minimizing bycatch at all levels of salmon and pollock abundance. Towards this end,

- **The Council requests the pollock industry implement additional chum salmon bycatch avoidance measures beginning immediately.** The Council recognizes that these new chum salmon avoidance measures may have limited ability to target the proportion of chum salmon (9%) destined to return to western Alaska but can reduce overall salmon bycatch.
- **The Council requests a discussion paper updating the 2012 analysis of chum salmon bycatch.** The paper should include:
  - updated chum salmon bycatch and genetic stock composition data, including a discussion of how the genetic composition data vary across space and time;
  - a description of the Council's rationale for establishing the current Bering Sea chum salmon bycatch management program;
  - a discussion of tradeoffs in the Bering Sea pollock fishery associated with avoiding different PSC species (e.g., chum salmon, Chinook salmon, herring); and
  - a summary of conditions that have changed since the 2012 analysis (e.g., increased Asian hatchery releases and western Alaska chum salmon stock status).



Part 1

- **The Council intends to consider the findings and recommendations of the State of Alaska’s Bycatch Task Force as it considers how to improve salmon bycatch management.**
- **The Council intends to collaborate with western Alaska salmon users by forming a working group of Tribal members, scientists, industry representatives, and other experts.** The working group will review and provide recommendations on: 1) the discussion paper on chum salmon bycatch referenced above; 2) the findings and recommendations from the State of Alaska’s Bycatch Task Force and the work of the Western Alaska salmon subcommittee; and 3) current information, including Local, Traditional, and Subsistence knowledge, and needed research to determine what is driving western Alaska salmon declines.

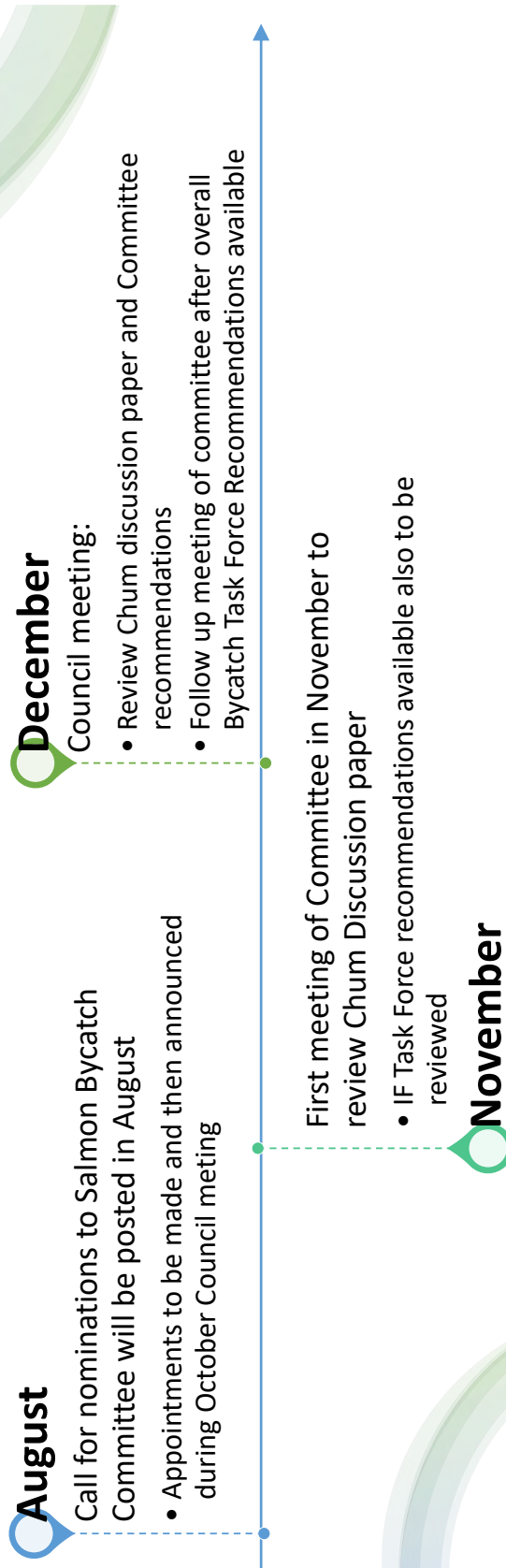




Part 3

- **The Council prioritizes research on Bering Sea salmon.**
  - The Council supports NOAA and ADF&G prioritizing development of models to predict where and when specific salmon stocks will be located in the Bering Sea. This work will inform development of management measures focused on avoiding western Alaska salmon bycatch in the pollock fishery.
  - The Council supports and prioritizes work to reduce the time for analysis of genetic data, increased survey work in the nearshore environment in the Bering Sea as proposed by ADF&G, and continued industry innovation on gear modifications that may reduce bycatch.

## What is next?



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

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

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

- a. Tribes
- b. ANCSA Corporations

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

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

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

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

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

### **6. Public Testimony**

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

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

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

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

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

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



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

**DRAFT STAFF ANALYSIS**  
**FP23-01**

**ISSUES**

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

**DISCUSSION**

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

**Existing Federal Regulation**

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

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

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

\*\*\*

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

\*\*\*

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

\*\*\*

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

\*\*\*

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

\*\*\*

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

### **Proposed Federal Regulation**

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

\*\*\*

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

\*\*\*

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

\*\*\*

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

\*\*\*

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

\*\*\*

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

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

\*\*\*

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

## **Relevant Federal Regulation**

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

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

\*\*\*

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

## **Existing State Regulation**

### **Yukon Area—Subsistence**

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

\*\*\*

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

\*\*\*

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

\*\*\*

## **Yukon River Area—Sport**

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

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

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

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

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

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

**\*\*\***

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

**\*\*\***

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

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

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

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

**\*\*\***

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

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

**\*\*\***

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

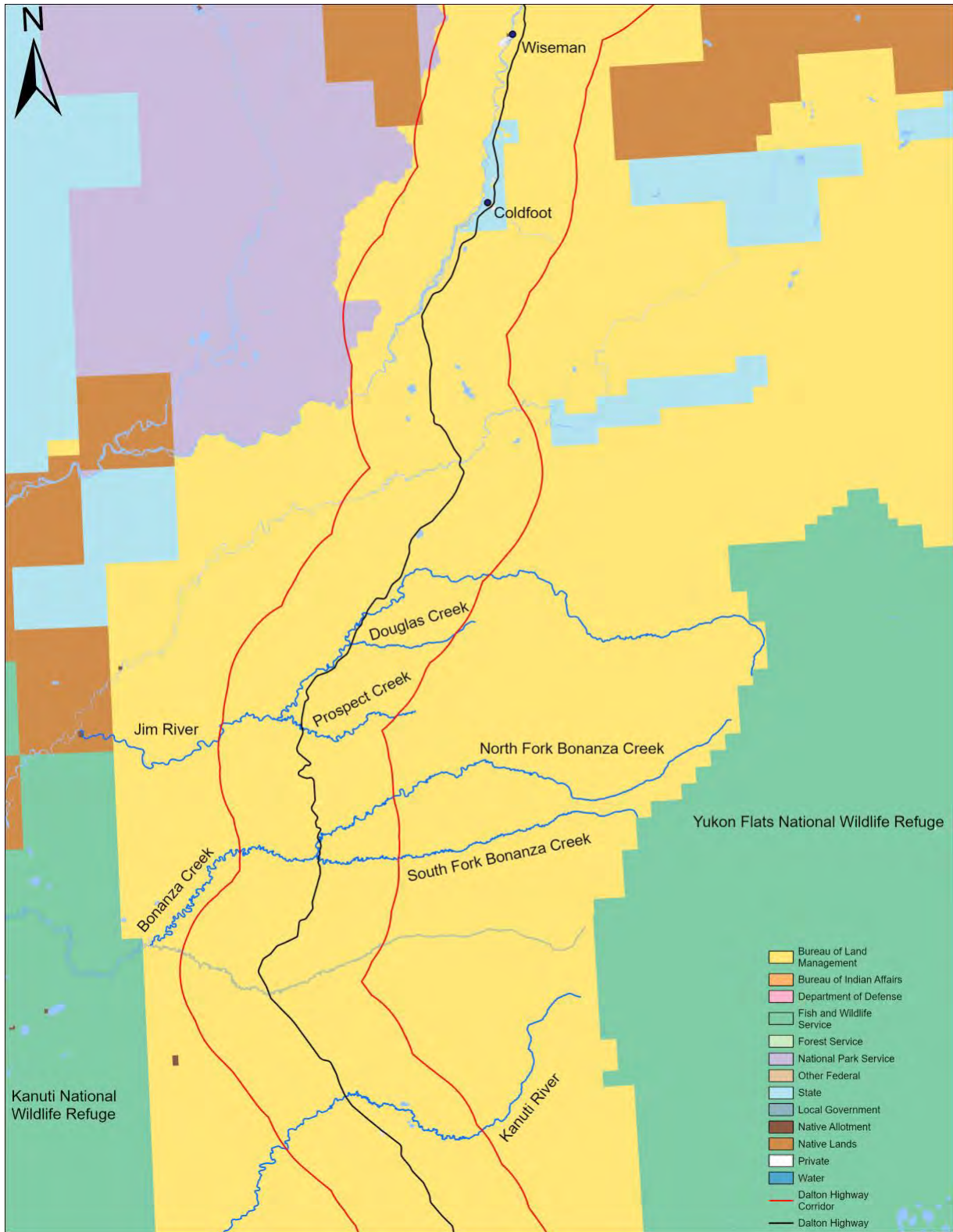
*(A) sport fishing for salmon is closed;*

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

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

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

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



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

## **Customary and Traditional Use Determination**

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

## **Regulatory History**

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

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

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

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

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



## **Biological Background**

### Salmon

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

### Nonsalmon

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

### *Arctic Grayling*

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

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

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

#### *Burbot*

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

#### *Whitefish*

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

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

#### *Longnose Sucker*

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

#### *Northern Pike*

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

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

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

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

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

### Wiseman and Coldfoot

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

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

### Salmon

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

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

### Nonsalmon fish

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

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

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

### *Arctic Grayling*

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

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

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

### *Burbot*

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

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

### *Whitefish*

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

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

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

### *Longnose Sucker*

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

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

*Northern Pike*

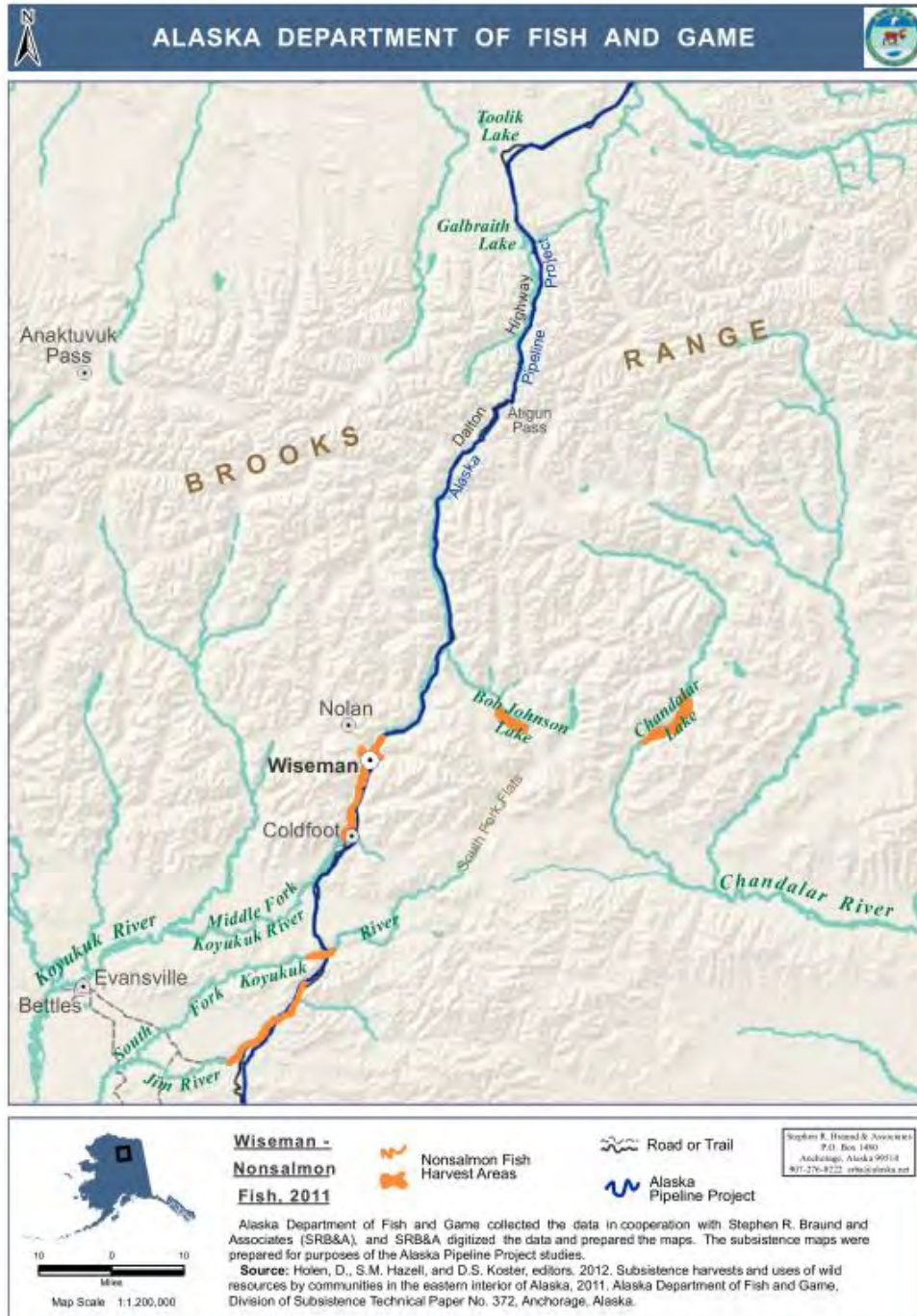
Northern Pike are known as *k’oolkkoye* in the Koyukon language, and are an important food resource that is available year-round. Northern Pike are present but not common in the Koyukuk River near Bettles, and are not present in the Middle Fork of the Koyukuk near Wiseman.

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

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

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

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



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

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

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

## **Harvest History**

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

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

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

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

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



## **Other Alternatives Considered**

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

## **Effects of the Proposal**

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

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

## **OSM PRELIMINARY CONCLUSION**

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

#### **Justification**

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

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

## LITERATURE CITED

- ADF&G. 2020. Community subsistence information system, ADF&G Div. of Subsistence. <https://www.adfg.alaska.gov/sb/CSIS/>. Retrieved June 2, 2020.
- ADF&G. 2022a. AYK database management system. [https://www.adfg.alaska.gov/CF\\_R3/external/sites/aykdbms\\_website/Default.aspx](https://www.adfg.alaska.gov/CF_R3/external/sites/aykdbms_website/Default.aspx)
- ADF&G. 2022b. Alaska freshwater fish inventory. <https://www.adfg.alaska.gov/sf/SARR/AWC/index.cfm?ADFG=main.interactive>. Retrieved May 11, 2022.
- ADLWD: Alaska Department of Labor and Workforce Development, Research and Analysis Section. 2019. Alaska population overview: 2018 estimates. <https://live.laborstats.alaska.gov/pop/estimates/pub/18popover.pdf>
- Andersen, D.B., C.L. Brown, R.J. Walker, and K. Elkin. 2004. Traditional ecological knowledge and contemporary subsistence harvest of non-salmon fish in the Koyukuk River drainage, ADF&G, Div. of Subsistence Tech. Paper No. 282.
- BLM, 2005. Fish streams along the Trans-Alaska pipeline system, a compilation of selected references with current TAPS stationing. Fourth Edition. BLM Alaska Open File Report 105. BLM/AK/ST-06/004+6674+990. U.S. Department of the Interior, Bureau of Land Management, Anchorage, AK.
- Brown, C. L., N.M. Braem, M.L. Kostick, A. Trainor, L.J. Slayton, R.M. Runfola, E.H. Mikow, H. Ikuta, C.R. McDevitt, J. Park, and J.J. Simon. 2016. Harvests and uses of wild resources in 4 interior Alaska communities and 3 arctic Alaska communities, 2014. ADF&G, Div. of Subsistence Tech. Paper No. 426. Fairbanks, AK.
- Fish, J. T. 1997. Stock assessment of Arctic grayling in the Jim River and other streams adjacent to the Dalton Highway, 1995–1997. ADF&G, Fishery Manuscript Series No. 97-3, Anchorage, AK.
- Holen, D., S.M. Hazell, and D.S. Koster, eds. 2012. Subsistence harvests and uses of wild foods by communities in the eastern Interior of Alaska, 2011. ADF&G, Div. of Subsistence Tech. Paper No. 372. Anchorage, AK.
- Hughes, N.F. 1992. Selection of positions by drift-feeding salmonids in dominance hierarchies: model and test for Arctic Grayling (*Thymallus arcticus*) in subarctic mountain streams, Interior Alaska. *Can. J. Fish. Aquat. Sci.* 49(10): 1999–2008. doi:10.1139/f92-223.
- Stuby, L. 2021. Fishery management report for sport fisheries in the Yukon Management Area, 2019. ADF&G, Fishery Management Report No. 21-27, Anchorage, AK.
- Sumida, V.A. 1988. Land and resource use patterns in Stevens Village, Alaska. ADF&G, Div. of Subsistence Tech. Paper No. 129. Fairbanks, AK.
- Trainor, A. 2022. Northern Region Program Manager. Personal communication: email. ADF&G, Div. of Subsistence. Fairbanks, AK.

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

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

**Issue**

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

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

**Current Federal Regulation**

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

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

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

\*\*\*

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

\*\*\*

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

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

\*\*\*

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

\*\*\*

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

\*\*\*

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

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

\*\*\*

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

## **Relevant Federal Regulation**

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

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

\*\*\*

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

**Closure Dates:** Year-round

## **Current State Regulation**

### **Yukon Area—Subsistence**

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

\*\*\*

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

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

\*\*\*

### **Yukon River Area—Sport**

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

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

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

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

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

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

\*\*\*

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

\*\*\*

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

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

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

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

\*\*\*

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

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

\*\*\*

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

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

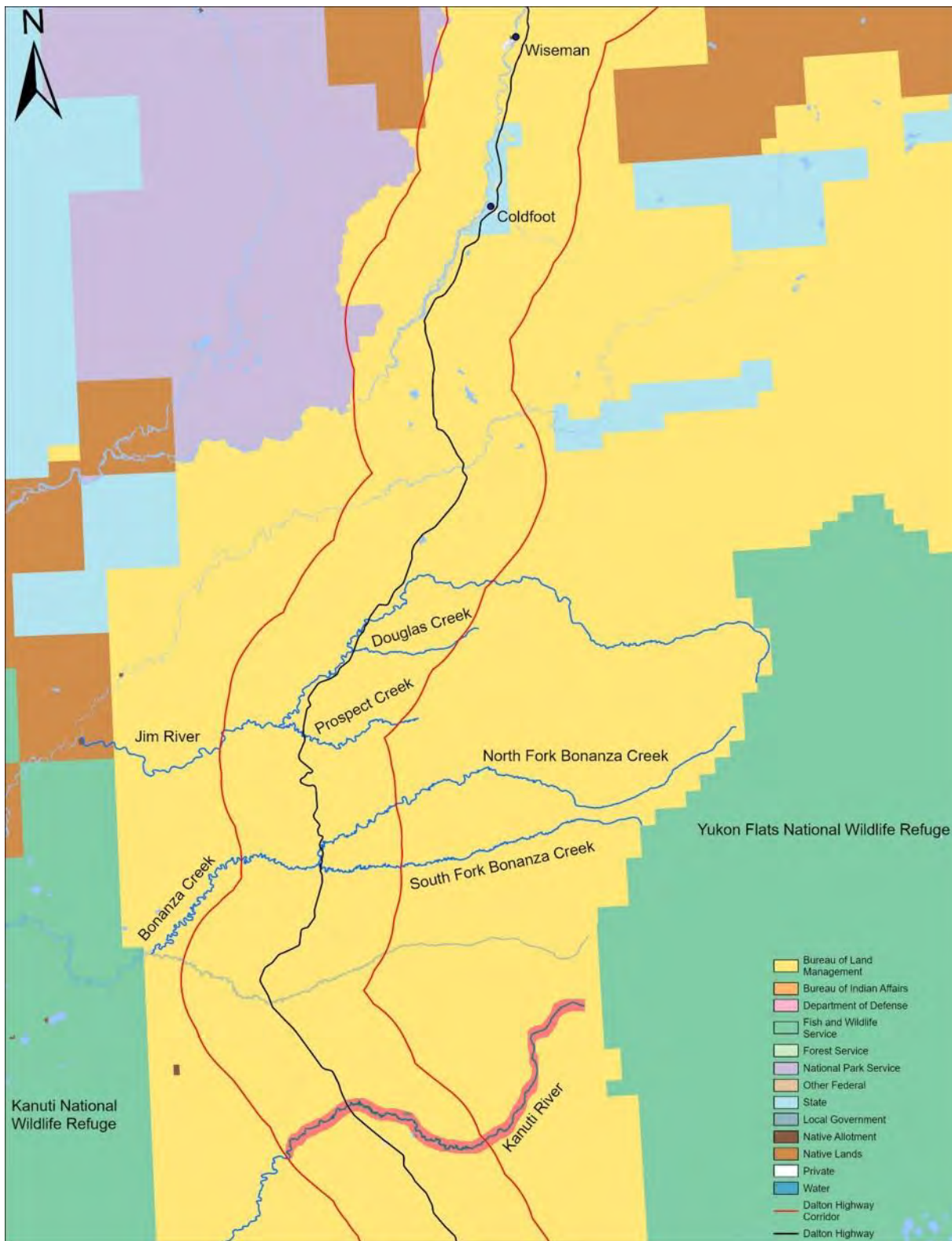
*(B) lake trout may be taken only by catch-and-release fishing, and may not be possessed or retained; all lake trout caught must be immediately released;*

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

**Regulatory Year Initiated:** 1992

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

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



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



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

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

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

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

### **Regulatory History**

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

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

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

### **Closure Last Reviewed**

There have been no previous reviews of this closure.

### **Justification for Original Closure**

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

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

N/A

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

N/A

### **Biological Background**

#### Salmon

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

#### Nonsalmon Fish

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

#### *Arctic Grayling*

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

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

#### *Longnose Sucker*

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

#### *Burbot*

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

#### *Whitefish*

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

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

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

#### *Northern Pike*

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

## **Cultural Knowledge and Traditional Practices**

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

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

### Wiseman and Coldfoot

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

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

### Salmon

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

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

### Nonsalmon fish

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

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

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

### *Arctic Grayling*

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

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

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

#### *Longnose Sucker*

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

#### *Burbot*

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

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

#### *Whitefish*

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

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

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

#### *Northern Pike*

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

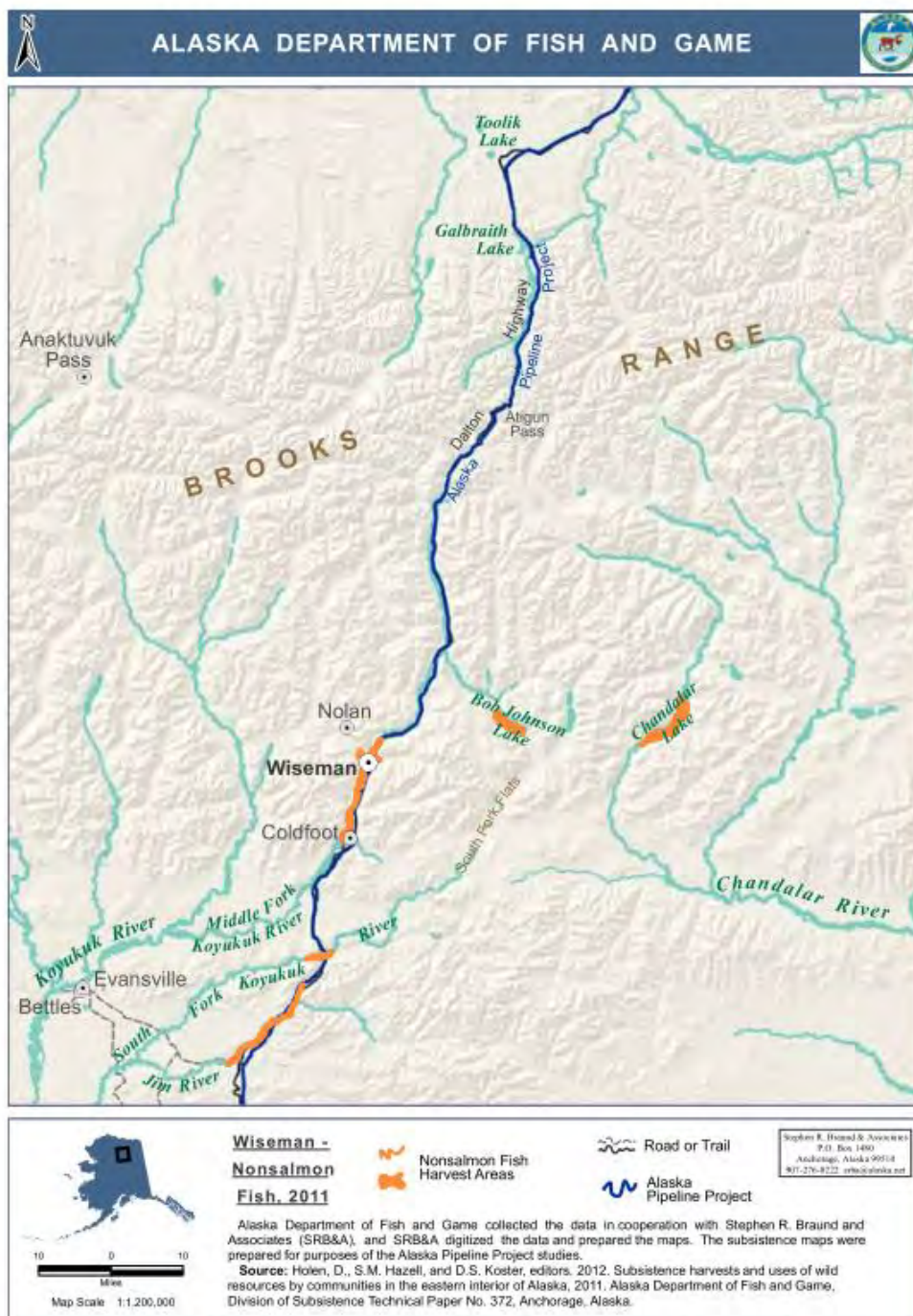
On the Koyukuk River, Northern Pike are caught with gillnets in spring and fall. “Pike are sometimes caught during the summer using artificial lures and rod and reel gear in area lakes or specific river or slough locations known for being good pike fishing. Pike are also frequently taken as by-catch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

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

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

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

Fish species	Estimated number of fish	Estimated pounds per person
Lake Trout	9	0.97
Whitefish	25	0.96
Dolly Varden	2	0.13



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



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

### **Harvest History**

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

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

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

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

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

a mail survey. Estimates based on fewer than 12 responses indicate that the sport fishing occurred and are subject to high variance. The majority of estimates for the Dalton Highway during 2009–2018 were based on fewer than 12 respondents (Stuby 2021). These data suggest that sport fish harvest and effort may not be large enough to cause conservation concerns for Arctic Grayling in the Kanuti River.

### **Other Alternatives Considered**

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

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

### **Effects**

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

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

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

## OSM PRELIMINARY CONCLUSION

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

The modified regulation should read:

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

\*\*\*

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

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

\*\*\*

## Justification

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

## LITERATURE CITED

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

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

- ADF&G. 2022b. AYK database management system. [https://www.adfg.alaska.gov/CF\\_R3/external/sites/aykdbms\\_website/Default.aspx](https://www.adfg.alaska.gov/CF_R3/external/sites/aykdbms_website/Default.aspx). Retrieved May 11, 2022.
- ADF&G. 2022c. Alaska freshwater fish inventory. <https://www.adfg.alaska.gov/sf/SARR/AWC/index.cfm?ADFG=main.interactive>. Retrieved May 11, 2022.
- ADLWD: Alaska Department of Labor and Workforce Development, Research and Analysis Section. 2019. Alaska population overview: 2018 estimates. <https://live.laborstats.alaska.gov/pop/estimates/pub/18popover.pdf>
- Andersen, D.B., C.L. Brown, R.J. Walker, and K. Elkin. 2004. Traditional ecological knowledge and contemporary subsistence harvest of non-salmon fish in the Koyukuk River drainage, ADF&G, Div. of Subsistence Tech. Paper No. 282.
- BLM (United States Department of the Interior, Bureau of Land Management). 2005. Fish Streams along the Trans-Alaska Pipeline System, a compilation of selected references with current TAPS stationing. Fourth edition. BLM Alaska Open File Report 105. BLM/AK/ST-06/004+6674+990. U.S. Department of the Interior, Bureau of Land Management, Anchorage, AK.
- Brown, R. J. 2009. Distribution and demographics of whitefish species in the upper Koyukuk River drainage, Alaska, with emphasis on seasonal migrations and important habitats of Broad Whitefish and Humpback Whitefish, Technical Report, No. 104. U.S. Fish and Wildlife Service, Alaska Fisheries.
- Brown, C. L., N.M. Braem, M.L. Kostick, A. Trainor, L.J. Slayton, R.M. Runfola, E.H. Mikow, H. Ikuta, C.R. McDevitt, J. Park, and J.J. Simon. 2016. Harvests and uses of wild resources in 4 interior Alaska communities and 3 arctic Alaska communities, 2014. ADF&G, Div. of Subsistence Tech. Paper No. 426. Fairbanks, AK.
- Holen, D., S.M. Hazell, and D.S. Koster, eds. 2012. Subsistence harvests and uses of wild foods by communities in the eastern Interior of Alaska, 2011. ADF&G, Div. of Subsistence Tech. Paper No. 372. Anchorage, AK.
- Hughes, N.F. 1992. Selection of positions by drift-feeding salmonids in dominance hierarchies: model and test for Arctic Grayling (*Thymallus arcticus*) in subarctic mountain streams, Interior Alaska. *Can. J. Fish. Aquat. Sci.* 49(10): 1999–2008. doi:10.1139/f92-223.
- JTC (Joint Technical Committee of the Yukon River U.S./Canada Panel). 1985. Yukon River technical report, 1985.
- Stuby, L. 2021. Fishery management report for sport fisheries in the Yukon Management Area, 2019. ADF&G, Fishery Management Report No. 21-27, Anchorage, AK. Sumida, V.A. 1988. Land and resource use patterns in Stevens Village, Alaska. ADF&G, Div. of Subsistence Tech. Paper No. 129. Fairbanks, AK.
- Trainor, A., B.M. McDavid, L.A. Sill, and L.S. Naaktgeboren. 2019. Local traditional knowledge of the freshwater life stages of Yukon River Chinook and Chum salmon in Anvik, Huslia, Allakaket, and Fort Yukon. ADF&G, Div. of Subsistence Tech. Paper No. 447, Fairbanks, AK.
- Trainor, A. 2022. Northern Region Program Manager. Personal communication: email. ADF&G, Div. of Subsistence. Fairbanks, AK.

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

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

**Issue**

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

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

**Current Federal Regulation**

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

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

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

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

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

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*(B) Bonanza Creek;*

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

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

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

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

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

## **Relevant Federal Regulation**

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

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

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

**Closure Dates:** Year-round

**Current State Regulation**

**Yukon Area—Subsistence**

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

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

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*(3) Bonanza Creek;*

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**Yukon River Area—Sport**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) sport fishing for salmon is closed;

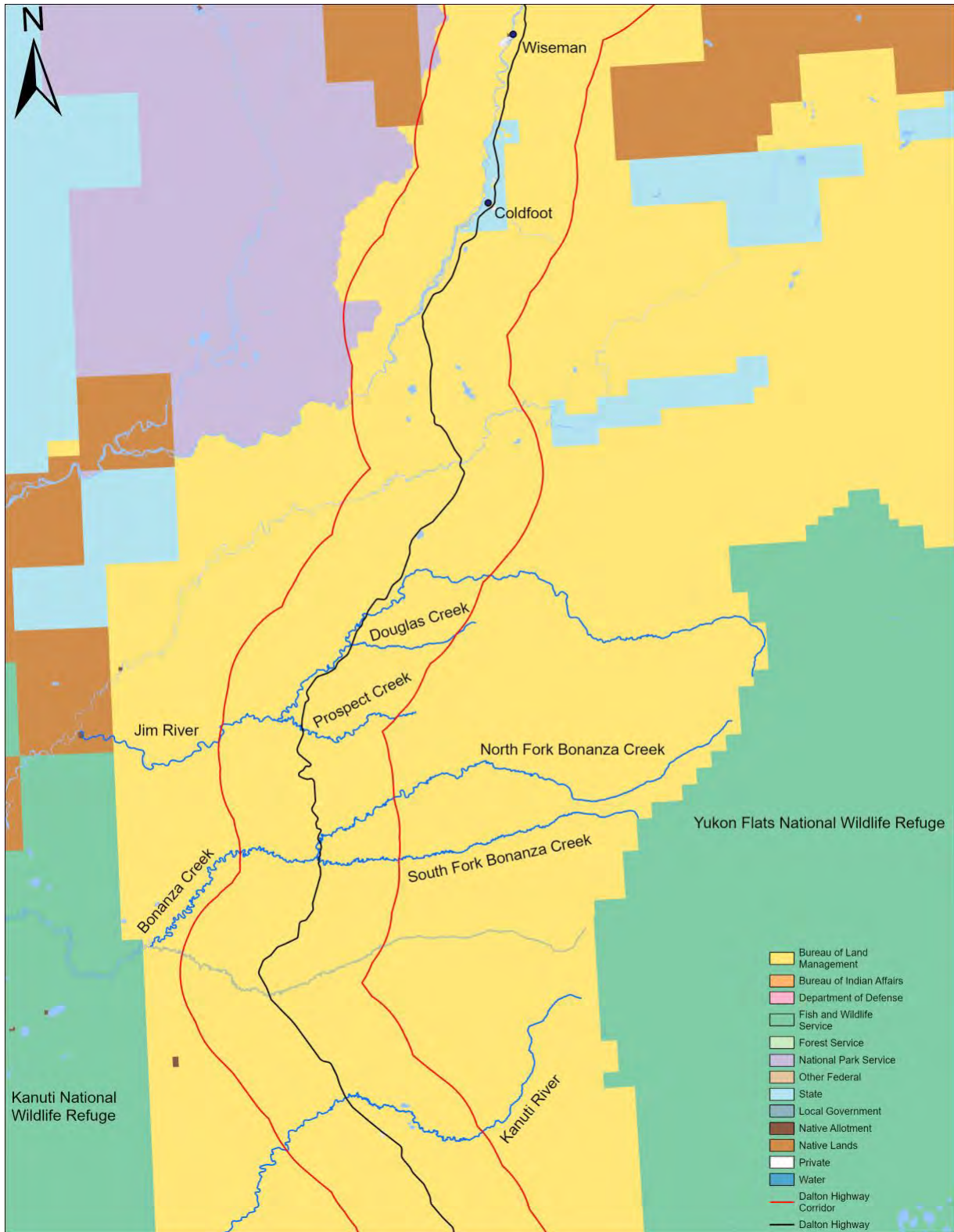
(B) lake trout may be taken only by catch-and-release fishing, and may not be possessed or retained; all lake trout caught must be immediately released;

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

**Regulatory Year Initiated:** 1992

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

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



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

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

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

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

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

### **Regulatory History**

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

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

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

### **Closure Last Reviewed**

There have been no previous reviews of this closure.

### **Justification for Original Closure**

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

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

N/A

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

N/A

### **Biological Background**

#### Salmon

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

#### Nonsalmon Fish

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

#### *Arctic Grayling*

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

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

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

#### *Burbot*

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

#### *Whitefish*

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

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

#### *Longnose Sucker*

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

#### *Northern Pike*

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

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

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

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

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

### Wiseman and Coldfoot

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

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

### Salmon

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

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

### Nonsalmon fish

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

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

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

### *Arctic Grayling*

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

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

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

### *Burbot*

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

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

### *Whitefish*

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

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

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

### *Longnose Sucker*

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



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

*Northern Pike*

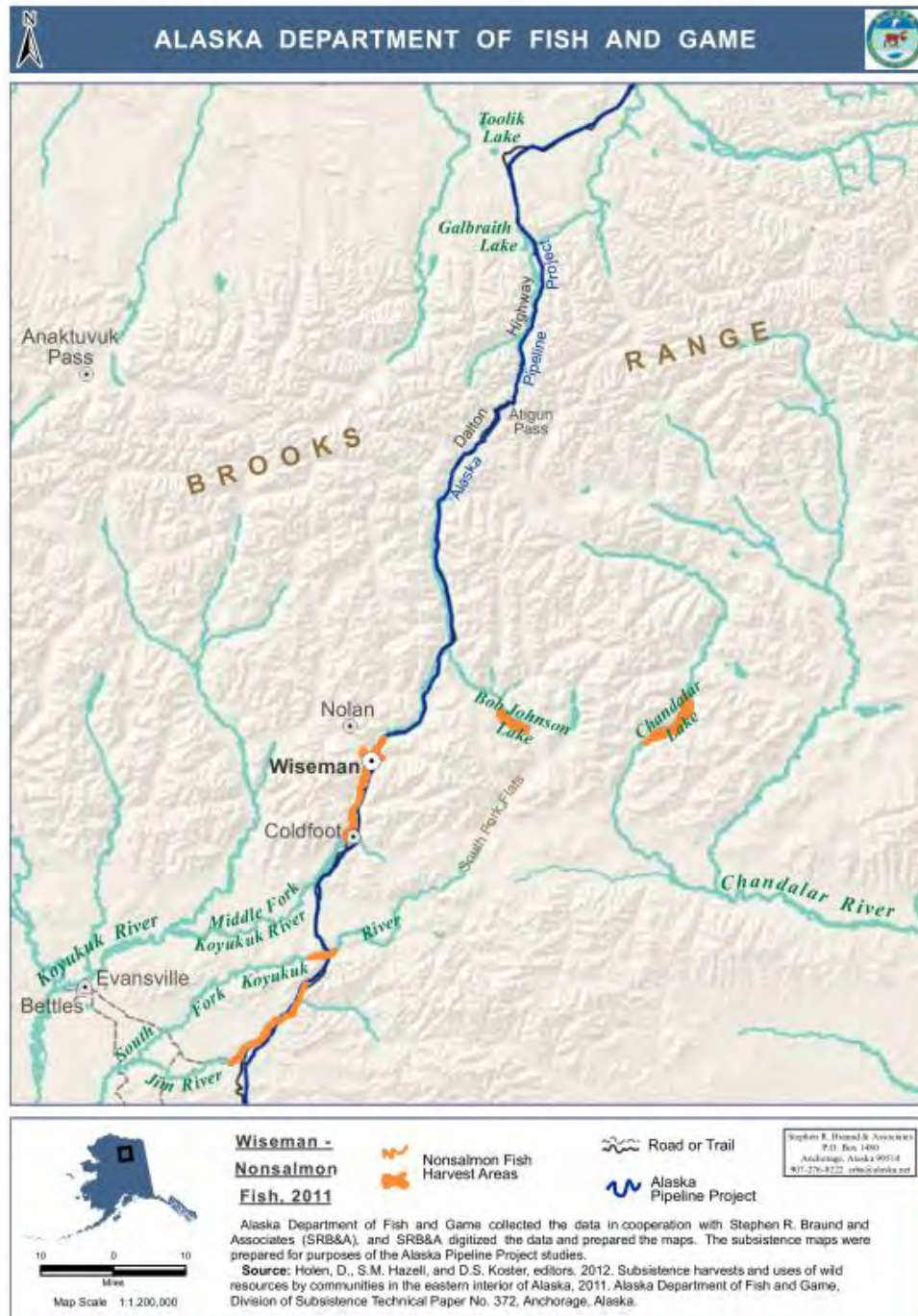
Northern Pike are known as *k’oolkkoye* in the Koyukon language, and are an important food resource that is available year-round. Northern Pike are present but not common in the Koyukuk River near Bettles, and are not present in the Middle Fork of the Koyukuk near Wiseman.

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

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

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

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



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

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

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

### **Harvest History**

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

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

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

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

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

## **Other Alternatives Considered**

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

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

## **Effects**

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

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

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

## **OSM PRELIMINARY CONCLUSION**

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

The modified regulation should read:

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

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

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

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**Justification**

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

**LITERATURE CITED**

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

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

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

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

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

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

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

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

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

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

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

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

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

<b>FP23-02 Executive Summary</b>																
<b>General Description</b>	<p>Proposal FP23-02 requests the Federal Subsistence Board to recognize customary and traditional uses of Chinook, summer Chum, Coho, Sockeye, and Pink salmon in the Yukon River drainage by residents of Chevak, Hooper Bay, and Scammon Bay. <i>Submitted by: Chevak Native Village.</i></p>															
<b>Proposed Regulation</b>	<p><b>Customary and traditional use determinations—Fish</b></p> <p><b>Yukon-Northern Area</b></p> <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; vertical-align: top;"><i>Yukon River drainage</i></td> <td style="width: 33%; vertical-align: top;"><i>Salmon <del>other than Fall Chum Salmon</del></i></td> <td style="width: 33%; vertical-align: top;"><i>Rural residents of the Yukon River drainage and the community of community of Stebbins, <b>Scammon Bay, Hooper Bay, and Chevak</b></i></td> </tr> <tr> <td style="vertical-align: top;"><del><i>Yukon River drainage</i></del></td> <td style="vertical-align: top;"><del><i>Fall Chum Salmon</i></del></td> <td style="vertical-align: top;"><del><i>Rural residents of the Yukon River drainage and the communities of Stebbins, Scammon Bay, Hooper Bay, and Chevak</i></del></td> </tr> <tr> <td style="vertical-align: top;"><i>Yukon River drainage</i></td> <td style="vertical-align: top;"><i>Freshwater fish species (other than salmon)</i></td> <td style="vertical-align: top;"><i>Residents of the Yukon-Northern Area</i></td> </tr> <tr> <td style="vertical-align: top;"><i>Remainder of the Yukon-Northern Area</i></td> <td style="vertical-align: top;"><i>All fish</i></td> <td style="vertical-align: top;"><i>Residents of the Yukon-Northern Area, excluding the residents of the Yukon River drainage and excluding those domiciled in Unit 26B</i></td> </tr> <tr> <td style="vertical-align: top;"><i>Tanana River drainage contained within the Tetlin NWR and the Wrangell-St. Elias NPP</i></td> <td style="vertical-align: top;"><i>Freshwater fish (other than salmon)</i></td> <td style="vertical-align: top;"><i>Residents of the Yukon-Northern Area and residents of Chistochina, Mentasta Lake, Slana, and all residents living between Mentasta Lake and Chistochina</i></td> </tr> </table>	<i>Yukon River drainage</i>	<i>Salmon <del>other than Fall Chum Salmon</del></i>	<i>Rural residents of the Yukon River drainage and the community of community of Stebbins, <b>Scammon Bay, Hooper Bay, and Chevak</b></i>	<del><i>Yukon River drainage</i></del>	<del><i>Fall Chum Salmon</i></del>	<del><i>Rural residents of the Yukon River drainage and the communities of Stebbins, Scammon Bay, Hooper Bay, and Chevak</i></del>	<i>Yukon River drainage</i>	<i>Freshwater fish species (other than salmon)</i>	<i>Residents of the Yukon-Northern Area</i>	<i>Remainder of the Yukon-Northern Area</i>	<i>All fish</i>	<i>Residents of the Yukon-Northern Area, excluding the residents of the Yukon River drainage and excluding those domiciled in Unit 26B</i>	<i>Tanana River drainage contained within the Tetlin NWR and the Wrangell-St. Elias NPP</i>	<i>Freshwater fish (other than salmon)</i>	<i>Residents of the Yukon-Northern Area and residents of Chistochina, Mentasta Lake, Slana, and all residents living between Mentasta Lake and Chistochina</i>
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<b>FP23–02 Executive Summary</b>	
<b>OSM Preliminary Conclusion</b>	<b>Support</b>
<b>Yukon-Kuskokwim Delta Subsistence Regional Advisory Council Recommendation</b>	
<b>Western Interior Alaska Subsistence Regional Advisory Council Recommendation</b>	
<b>Seward Peninsula Subsistence Regional Advisory Council Recommendation</b>	
<b>Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation</b>	
<b>Interagency Staff Committee Comments</b>	
<b>ADF&amp;G Comments</b>	
<b>Written Public Comments</b>	<b>None</b>



## DRAFT STAFF ANALYSIS

### FP23-02

#### ISSUES

Proposal FP23-02, submitted by the Chevak Native Village, requests the Federal Subsistence Board (Board) to recognize customary and traditional uses of Chinook, summer Chum, Coho, Sockeye, and Pink salmon in the Yukon River drainage by residents of Chevak, Hooper Bay, and Scammon Bay.

#### DISCUSSION

The proponent states that residents of Chevak, Hooper Bay, and Scammon Bay depend on Chinook, summer Chum, Coho, Sockeye, and Pink salmon in the Yukon River drainage and should be able to harvest salmon under Federal regulations. The current customary and traditional use determinations for Yukon River drainage salmon were adopted from State regulations in 1992 at the beginning of the Federal Subsistence Management Program and should be modified to include these three coastal communities.

For the purpose of the customary and traditional use determinations for salmon, the Yukon River drainage consists of waters flowing into the Bering Sea from Point Romanof extending south and west along the coast of the delta to approximately one nautical mile south of the mouth of the Black River, based on the description of the Yukon River drainage in regulation in **Appendix 1**. District 1 of the Yukon River drainage encompasses the mouth of the Yukon River and the Black River, as shown in **Figure 1**. The Coastal District, which encompasses the three communities, is shown in **Figure 2**.

In contrast, for the propose of managing seasons, harvest limits, and gear, the “Yukon River drainage” encompasses the entire Yukon Area. This has confused interpretation of these customary and traditional use determinations, which this analysis is intended to fix.

#### Existing Federal Regulation

##### Customary and traditional use determinations—Fish

##### Yukon-Northern Area

<i>Yukon River drainage</i>	<i>Salmon other than Fall Chum Salmon</i>	<i>Residents of the Yukon River drainage and the community of community of Stebbins</i>
<i>Yukon River drainage</i>	<i>Fall Chum Salmon</i>	<i>Residents of the Yukon River drainage and the communities of Stebbins, Scammon Bay, Hooper Bay, and Chevak</i>

<i>Yukon River drainage</i>	<i>Freshwater fish species (other than salmon)</i>	<i>Residents of the Yukon-Northern Area</i>
<i>Remainder of the Yukon-Northern Area</i>	<i>All fish</i>	<i>Residents of the Yukon-Northern Area, excluding the residents of the Yukon River drainage and excluding those domiciled in Unit 26B</i>
<i>Tanana River drainage contained within the Tetlin NWR and the Wrangell-St. Elias NPP</i>	<i>Freshwater fish (other than salmon)</i>	<i>Residents of the Yukon-Northern Area and residents of Chistochina, Mentasta Lake, Slana, and all residents living between Mentasta Lake and Chistochina</i>

**Proposed Federal Regulation**

**Customary and traditional use determinations—Fish**

**Yukon-Northern Area**

<i>Yukon River drainage</i>	<del><i>Salmon other than Fall Chum Salmon</i></del>	<i>Residents of the Yukon River drainage and the community of community of Stebbins, <b>Scammon Bay, Hooper Bay, and Chevak</b></i>
<del><i>Yukon River drainage</i></del>	<del><i>Fall Chum Salmon</i></del>	<del><i>Residents of the Yukon River drainage and the communities of Stebbins, Scammon Bay, Hooper Bay, and Chevak</i></del>
<i>Yukon River drainage</i>	<i>Freshwater fish species (other than salmon)</i>	<i>Residents of the Yukon-Northern Area</i>
<i>Remainder of the Yukon-Northern Area</i>	<i>All fish</i>	<i>Residents of the Yukon-Northern Area, excluding the residents of the Yukon River drainage and excluding those domiciled in Unit 26B</i>

<i>Tanana River drainage contained within the Tetlin NWR and the Wrangell-St. Elias NPP*</i>	<i>Freshwater fish (other than salmon)</i>	<i>Residents of the Yukon-Northern Area and residents of Chistochina, Mentasta Lake, Slana, and all residents living between Mentasta Lake and Chistochina</i>
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\*Note: NWR=National Wildlife Refuge and NNP=National Park and Preserve.

## Relevant Federal Regulations

### 50 CFR 100.14 Relationship to State procedures and regulations.

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

## Relevant State Regulations

### 5 AAC 05.100 - Description of Yukon Area

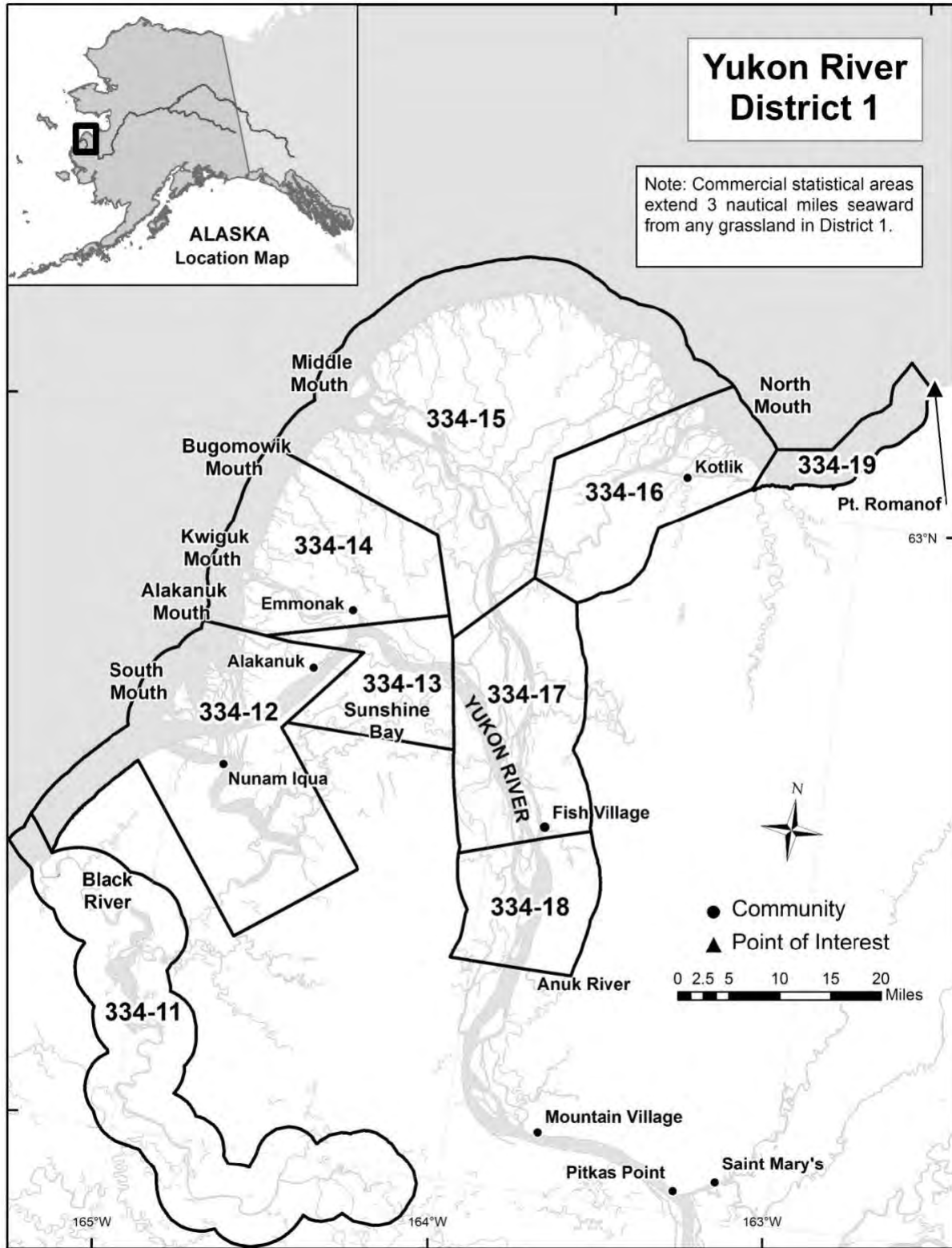
*The Yukon Area includes all waters of Alaska between a line extending 315° northwest from Point Romanof at 63° 12.16' N. lat., 162° 49.72' W. long. to a point three nautical miles offshore at 63° 14.27' N. lat., 162° 54.40' W. long. and the latitude of the westernmost point of the Naskonat Peninsula, including those waters draining into the Bering Sea.*

Descriptions of Yukon Area districts and subdistricts in State regulations are in **Appendix 1**. These State regulations that include Federal public waters are incorporated into these Federal regulations.

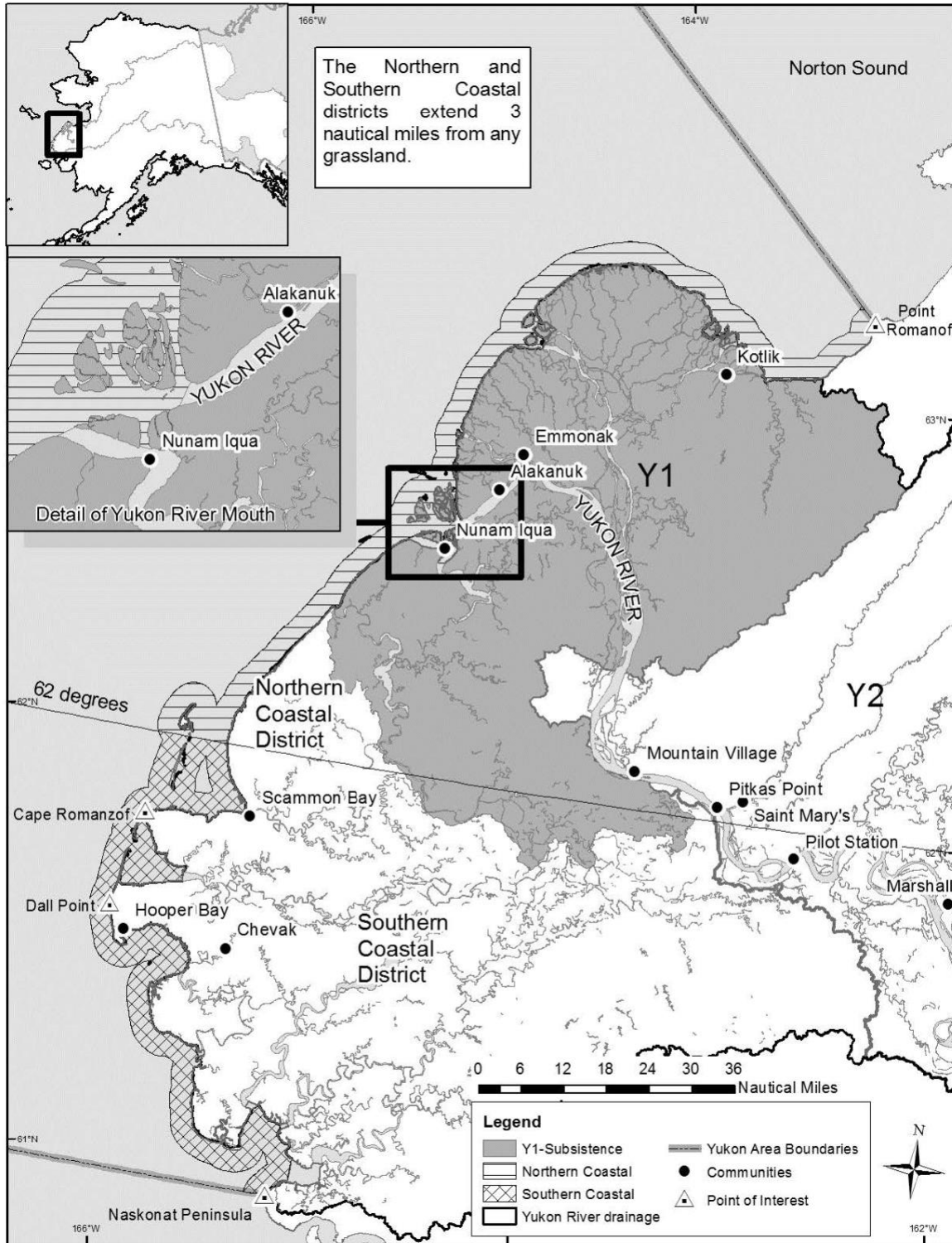
## Extent of Federal Public Waters

For purposes of this discussion, the phrase “Federal public waters” is defined as those waters described under 50 CFR 100.3. Federal public waters in the Yukon Area include all navigable and non-navigable freshwaters located within and adjacent to the exterior boundaries of the following Federal conservation units: Arctic, Innoko, Kanuti, Koyukuk, Nowitna, Tetlin, Yukon Delta, and Yukon Flats National Wildlife Refuges, Yukon-Charley Rivers National Preserve, Gates of the Arctic National Park and Preserve, and Wrangell St. Elias National Park and Preserve, Steese National Conservation Area, and White Mountains National Recreation Area. Federal public waters also include those segments of Beaver Creek, Birch Creek, Delta River, and Fortymile River National Wild and Scenic River systems located outside the boundaries of the other listed Federal conservation units (see **Lower Yukon River Map** and **Upper Yukon River Map**).

Inland freshwaters in Yukon District 1 and the Coastal District, nearby the communities in this proposal, are entirely within the outer boundary of the Yukon Delta National Wildlife Refuge. District 1



**Figure 1.** Map showing District 1 of the Yukon River drainage. The Black River drainage is situated within District 1 (Source: Estensen et al. 2018).



**Figure 2.** Map showing the Coastal District of the Yukon Area. The communities of Chevak, Hooper Bay, and Scammon Bay are situated within the Southern Coastal District (Source: Estensen et al. 2018).

encompassing the mouth of the Yukon River and the Black River is shown in **Figure 1**. The Coastal District, which encompasses the three communities, is shown in **Figure 2**.

### **Regulatory History**

In 1987, the Alaska Board of Fisheries adopted a regulation limiting the subsistence harvest of fall Chum Salmon in the Yukon River drainage to rural residents of the Yukon River drainage and the communities of Chevak, Hooper Bay, Scammon Bay, and Stebbins (State of Alaska July 1987 Register 102: page 5-14). The communities of Chevak, Hooper Bay, Scammon Bay, and Stebbins were considered outside the Yukon River drainage. Stebbins was outside the northern boundary of the Yukon Area.

It appears the definitions differ between the “Yukon River drainage” and the broader “Yukon Area,” because the communities of Chevak, Hooper Bay, and Scammon Bay were specifically cited. The new regulation is in **bolded** language:

#### **5 AAC 01.235 Limits on Participation in Subsistence Finfish Fisheries—Yukon Area**

*(a) Only those residents domiciled in the community of Nenana between mile posts 300 and 309 of the Parks Highway and in the community of Minto may take pike in the waters of the Tolovana River drainage upstream of its confluence with the Tanana River.*

***(b) Only those residents domiciled in rural locations in the Yukon River drainage as determined by the joint Boards of Fisheries and Game under 5 AAC 99, and the communities of Stebbins, Scammon Bay, Hooper Bay, and Chevak may take Yukon River Fall chum salmon for subsistence purposes.***

In 1988, the Alaska Board of Fisheries adopted a regulation limiting subsistence harvests of all salmon in the Yukon Area to rural residents of the Yukon Area and the community of Stebbins (State of Alaska April 1988 Register 105: page 5-15). Scammon Bay, Hooper Bay, and Chevak were considered within the Yukon Area. This new regulation for the Yukon Area, *(a)* below, encompassed the previous regulation for the Yukon River drainage, *(b)* below. The new regulation is in **bolded** language:

#### **5 AAC 01.235 Limits on Participation in Subsistence Finfish Fisheries—Yukon Area**

~~*(a) Only those residents domiciled in the community of Nenana between mile posts 300 and 309 of the Parks Highway and in the community of Minto may take pike in the waters of the Tolovana River drainage upstream of its confluence with the Tanana River.*~~

***(a) Only those residents domiciled in the rural locations of the Yukon Area, as determined by the joint Boards of Fisheries and Game in 5 AAC 99.014 and in the community of Stebbins may take salmon in the Yukon Area.***

*(b) Only those residents domiciled in rural locations in the Yukon River drainage, as determined by the joint Boards of Fisheries and Game under 5 AAC 99, and the communities of Stebbins,*

*Scammon Bay, Hooper Bay, and Chevak may take Yukon River Fall chum salmon for subsistence purposes.*

***(c) Only those residents domiciled in rural locations in the Yukon Area, as determined by the joint Boards of Fisheries and Game in 5 AAC 99.014, may take freshwater fish species, including sheefish, whitefish, lamprey, burbot, sucker, grayling, pike, char, and blackfish, in the Yukon Area.***

...

In 1992, the Federal Subsistence Board adopted Yukon Area customary and traditional use determinations for salmon and freshwater fishes that were in State regulations (57 Fed. Reg. 104, 22962 [May 29, 1992]). The difference between the definitions of the “Yukon River drainage” and the “Yukon Area,” mentioned above, appeared to still exist in the new Federal regulations:

**Customary and Traditional Use Determinations for Fish—Yukon Area**

<i>Yukon Area</i>	<i>Salmon</i>	<i>Rural residents of the Yukon Area, including the community of Stebbins</i>
<i>Yukon River</i>	<i>Fall Chum Salmon</i>	<i>Rural residents of the Yukon River drainage, including the communities of Stebbins, Scammon Bay, Hooper Bay, and Chevak</i>
<i>Yukon Area</i>	<i>Freshwater fish</i>	<i>Residents of the Yukon Area</i>

In 1993, the Alaska Board of Fisheries revised all State customary and traditional use findings to include all residents of Alaska (State of Alaska July 1993 Register 126: page 21). Subsequently, for the State, any question of effects of these regulations on residents of Chevak, Hooper Bay, and Scammon Bay was no longer relevant. The new regulation was the following:

**5 AAC 01.236 Customary and Traditional Uses of Fish Stocks—Yukon-Northern Area**

***The Alaska Board of Fisheries finds that the following fish stocks are customarily and traditionally taken or used for subsistence:***

***(1) Salmon in the Yukon-Northern Area***

...

In 1999, the Federal Subsistence Board announced it was revisiting customary and traditional use determinations statewide for fish and shellfish to incorporate determinations that the Board of Fisheries had made since 1990 where they applied on Federal public waters and were consistent with Title VIII of

the Alaska National Interest Lands Conservation Act, ANILCA. For those determinations made by the Board of Fisheries since 1990, the Board made a determination that eligibility for fisheries should be limited to the residents of the area identified (64 Fed. Reg. 64; 1279–1284 [January 8, 1999]). The new regulations are in **bolded** language:

**Customary and traditional use determinations for fish— Yukon-Northern Area**

<i>Yukon River <del>Area</del> drainage</i>	<b><i>Salmon other than Fall Chum Salmon</i></b>	<i>Rural residents of the Yukon River drainage and the community of community of Stebbins</i>
<i>Yukon River drainage</i>	<i>Fall Chum Salmon</i>	<i>Rural residents of the Yukon River drainage and the communities of Stebbins, Scammon Bay, Hooper Bay, and Chevak</i>
<i>Yukon River drainage</i>	<i>Freshwater fish species (other than salmon)</i>	<b><i>Residents of the Yukon-Northern Area</i></b>
<b><i>Remainder of the Yukon-Northern Area</i></b>	<b><i>All fish</i></b>	<b><i>Residents of the Yukon-Northern Area, excluding the residents of the Yukon River drainage and excluding those domiciled in Unit 26B</i></b>

Again, the difference between the definitions of the “Yukon River drainage” and the “Yukon Area,” mentioned above, appeared to still exist in the newly modified Federal regulations (67 Fed. Reg. 26, 5893 [February 7, 2002]). It appears residents of the communities of Chevak, Hooper Bay, and Scammon Bay were considered to be outside of the Yukon River drainage for the purposes of these customary and traditional use determinations. Instead, the three communities were within the “Remainder” area of the Yukon-Northern Fisheries Management Area. If this was true, the communities had a determination for all salmon species in the Yukon-Northern Area except for in the Yukon River drainage. In the Yukon River drainage, the communities were eligible to harvest fall Chum Salmon only. In contrast, for the propose of managing seasons, harvest limits, and gear, the “Yukon River drainage” encompasses the entire Yukon Area. This has confused interpretation of these customary and traditional use determinations, which this analysis is intended to fix.

**Eight Factors for Determining Customary and Traditional Use**

Customary and traditional uses in a community or area 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. 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 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 by limiting the customary and traditional use finding.

### Introduction

The ancestors of people living in the area of Chevak, Hooper Bay, and Scammon Bay have relied on a seasonal round of wild resource harvesting in which salmon was prominent for at least several thousand years. Evidence suggests the ancestors of contemporary Central Yup'ik people most likely settled coastal areas of the Yukon-Kuskokwim delta by sometime after 4,500 years ago. The area consists of an intricate web of waterways ultimately flowing into the Bering Sea. VanStone (1984a:227) notes, "From the earliest times people were oriented toward a maritime economy in which the seal was the most important animal hunted. On the adjacent tundra there was some caribou hunting, and fishing for salmon was significant at the mouths of rivers and in certain bays."

A resident of Chevak further describes this longevity,

Before the missionaries, we were nomadic. . . . There are no further records, but we can establish that our forefathers have lived for generations before our first known establishment or communal remains in *Nunaruluq*. . . . Artifacts are proof that our forefathers were here for generations before the influx of the western society (Slats 2022, pers. comm.)

The area is crisscrossed by waterways, sloughs, and lakes that allow routes for people to access interior areas. Coastal areas are shallow, which discouraged Europeans from visiting the area, and as a result Yupiit in coastal areas had intensive contact with Europeans later than those who lived along the banks of the Yukon River, for example. While people lived in numerous settlements situated near to seasonal

migrations of fish, birds, seals, caribou, and other animals, “It was the presence of predictable supplies of salmon that made possible large and stable concentration of population” in this nomadic network (VanStone 1984b:207).

Historical settlements in the vicinity of these three communities are numerous (Fienup-Riordan 1986, Frink 2016, Godduhn et al. 2020). “Much of this rhythm of harvesting foods across the landscape is practiced even today. But a significant change is that the people of Chevak and other coastal communities are permanently settled. Some families still move out to the summer fish camp, and some will still travel to berry camp” (Frink 2016:26). Contemporary village sites are generally bases for winter activities. During summer, families disperse and reorganize into a number of smaller settlements, known as summer camps or fish camps. Some people are highly mobile between alternative dwelling places, especially during summer months (Ikuta 2016).

### Processing, Preservation, and Storage

The ability to keep foods edible is time-consuming and requires training and ability because proper processing is critical. “In the extreme Arctic environment, being able to find and harvest your foods is crucial. But just as important is the attendant processing of the harvested animals. Without the proper processing of foods, the harvest would be meaningless. Women have perfected the art of processing foods for appropriate consumption and storage in the Arctic climate for thousands of year” (Frink 2016:31). Frink (2016) describes women processing salmon,

Salmon are commonly cut with their tails still in place and hung. . . After the fish are dried, some are smoked in plywood sheds enclosed by plastic tarps. Before these structures were used, women would smoke the fish with willow wood (still used as fuel) in small, sod-covered pits. After the fish are properly prepared, they are stored in five-gallon plastic buckets, which have largely replaced the use of woven grass bags (Frink 2016:40).

People at Scammon Bay said that they begin salmon harvesting with the arrival of the first Chinook and summer Chum Salmon. At Scammon Bay,

Salmon fishers set gillnets in coastal areas to harvest these fish and process their harvests by cutting, hanging, and drying fish for long-term storage. Some salmon are also smoked, salted, partially dried and frozen, fresh frozen, or eaten fresh. Salmon fishing continues throughout the summer months depending on the needs of individual families and fishing groups . . . Fishers also set gillnets for pink salmon, coho salmon, and whitefishes in summer months (Ikuta et al. 2016:28).

People use store-bought foods to supplement meals but rely on subsistence or traditional foods (Frink 2016, Ikuta 2016).

### The Subsistence Way of Life

People show animals respect in many ways (see Fienup-Riordan 1994, 2007). A resident of Chevak explained,

The subsistence way of life is taught from childhood until they begin living the subsistence ways, and the subsistence users will then teach their own children as they have been taught. . . . Hunting, fishing, handling, preparing, preserving, and storing are taught throughout their lives. The subsistence ways are a generational practice that is handed down for generations since time immemorial. . . . Fish and game that allowed itself to be caught is shown respect and is handled with care and processed with respect. All the parts are put back to the earth or the river with the understanding that they will return to you. All parts are used. . . . Nothing is wasted and we never take more than we need. We rely on the fish for maintaining our culture and heritage. Our fish camps are an integral part of what we use to teach our children subsistence (Slats 2022, pers. comm.).

### Community Background

Residents of Chevak, Hooper Bay, and Scammon Bay rely on a seasonal round of wild resource harvesting in which salmon are prominent. These three communities are situated near one another on the Bering Sea coast in southwestern Alaska. Chevak is approximately 140 air miles from Bethel and 520 air miles from Anchorage, Alaska. These communities are accessible by airplane only. Residents are primarily of Yup'ik and Cup'ik (in Chevak and Hooper Bay) cultural traditions (Fienup-Riordan 1986; Slats 2022, pers. comm.).

Chevak (*Cev'ak*), or *Qissunamiut* “Kashunamiut” (people of *Qissunaq* “Kashunak”), is located on the north bank of the Ninglikfak River, which empties into Hooper Bay 17 miles to the east of Chevak. Earlier, people lived at Kashunak (known locally as *Nunaraluq*),

. . . when traders, and following them Jesuit missionaries, entered the region in the later 1800s and early 1900s. . . . In 1949, the people of Kashunak left their village mound and brought their belongs upriver to Old Chevak, conveniently located at the confluence of the Keoklivik and Kashunak rivers. . . . Shortly after the establishment of the village, Old Chevak was vacated in 1950, and the entire group moved to the present village of Chevak (Frink 2016:13)

Chevak was established in about 1950 by residents of Old Chevak because the Bureau of Indian Affairs would not build a school in the low marshy lands surrounding the site of Old Chevak (Frink 2016; Slats 2022, pers. comm.).

Hooper Bay (*Naparyarmiut*) is the largest coastal community in the Yukon-Kuskokwim delta area and functions as the hub of transportation and trade for nearby villages. It is located two miles from the Bering Sea on the shores of Hooper Bay. The protected bay and abundance of wild resources attracted people to this village site. Hooper Bay was also known as *Askinuk* or *Askinaghamiut* (Orth 1967, FWS 1988).

The community of Scammon Bay (*Marayaaq*) is situated about one mile from the Bering Sea at the mouth of the Kun River. Historically, people called the people living there *Marayaarmiut* (people of *Marayaaq*). In the 1930s, people moved to the site of the contemporary Scammon Bay community to escape flooding, to attend church, to visit the nearby trading post, for children to attend school, and for other reasons (Ikuta et al. 2016, Godduhn et al. 2020).

The combined population of these communities has more than tripled in the 60 years between 1960 and 2020; in 2020, an estimated 2,926 people were permanent rural residents (**Table 1**, ADLWD 2022).

**Table 1.** The estimated number of people living in the communities of Chevak, Hooper Bay, and Scammon Bay, based on the U.S. Census (ADLWD 2022).

Community	1960	1970	1980	1990	2000	2010	2020
Chevak city	315	387	466	598	765	938	951
Hooper Bay city	460	490	627	845	1,014	1,093	1,375
Scammon Bay city	115	166	250	343	465	474	600
Total	890	1,043	1,343	1,786	2,244	2,505	2,926

### Geographic Use Areas/Method and Means

People living in the coastal communities of Chevak, Hooper Bay, and Scammon Bay harvest salmon from marine waters and freshwater rivers, streams, sloughs, and lakes.

Chevak residents harvest salmon primarily along the coast and in the lower stretches of some rivers from Nuok Spit in Hooper Bay south to the mouth of the Aphrewn River. Set and drift nets are used to harvest salmon (FWS 1988), but as put forth by a Chevak resident, “Methods and mean of harvest would be those that are allowed by law and regulation. We are law abiding citizens. We prefer use of traditional tools and means of taking fish and game to maintain our culture and heritage” (Slats 2022, pers. comm.) (see **Figure 3**). A resident of Chevak continued,

We have fished for all fish in the ponds, streams, creeks, rivers, and our seas. . . . We have hunted and fished for the land and water resources in Kashunak and the river south from Chevak, the Bay, and mainly the rivers south of our location since time immemorial. We will continue to hunt and fish so long as the wind shall blow and the grass still blooms. Closing of fish that has been our mainstay will turn a culture and tradition into a life of extreme hardship through regulations, instead of environmental and climatic challenges that have been evident throughout our lives” (Slats 2022, pers. comm.).

Hooper Bay residents harvest salmon primarily with set nets in Hooper Bay and numerous rivers near the community. A popular area is the tidal flats inward of Nuok Spit. The lower Kokechik River, the Kashunak River from Nanvaranak Lake downstream to the Keoklevik River, the Keoklevik River, and the mouth of the Kashunak River are all important salmon fishing areas. Chinook and Chum salmon are



**Figure 3.** Map showing some of the rivers, creeks, and lakes visited by residents of Chevak, Hooper Bay, and Scammon Bay to harvest salmon (base map google.com)

the primary species of salmon harvested. Some Pink and Coho salmon are also harvested (FWS 1988) (see **Figure 3**).

At Scammon Bay, sea ice-out typically occurs in late May, and people begin herring fishing. Salmon fishing begins with the arrival of the first Chinook and summer Chum salmon:

Some people set gillnets in the Kun River or in Scammon Bay within a short distance from the community. Others travel to family fish camp sites, some of which are within five to ten miles west of Scammon Bay along the coast. Other fish camps are as far away as 20 miles north along the coast at the mouth of Melatolik Creek, to 40 miles north in the lower portion of Black River (Ikuta et al. 2016:28).

Scammon Bay residents described where they traveled in 2013 in order to harvest salmon:

[People] harvested salmon in the lower five miles of the Black River, in an area of the Bering Sea surrounding the mouth of the Black River, and in a strip of ocean along the coast extending approximately 15 miles from the mouth of the Black River southwest towards the mouth of Melatolik Creek. Fishers also harvested salmon in the mouth of Melatolik Creek and in the mouth of the Kipungolak River where it drains into the Black River. [People] harvested salmon in locations close to Scammon Bay including in the Kun River, from the mouth of the Kikneak River and other sites downstream to the mouth of the Kun River. Fishers also harvested salmon in an area of the Scammon Bay water body extending from the community eight miles west along the coast (Ikuta et al. 2016:68).

Residents of the three communities travel to the mouth of the Yukon River to participate in salmon commercial and subsistence fisheries there (Wolfe 1981, 1982; Fienup-Riordan 1986; Crawford and Lingnau 2004; Ikuta et al. 2016). In the 1980s, “Scammon Bay families regularly moved north to fish salmon around the mouth of the Black River. In 1981 some Scammon Bay people fished along the south pass, apparently with fish camps established on Manning Island” at the south mouth of the Yukon River (Wolfe 1981:59). Residents of Hooper Bay and Chevak worked at the salmon processor in Mountain Village. Fienup-Riordan (1986) reported that from their fish camps just inside the mouth of the Black River (about 30 miles below the south mouth of the Yukon River), Scammon Bay “men sometimes move into the Yukon River proper, as far up as Mountain Village, to try their luck drifting. Also, after the commercial season closes at Black River, several families normally relocate to the north or middle mouths of the Yukon River to take advantage of the fall runs of Chum and Coho, which only briefly visit the Black River area” (Fienup-Riordan 1986:136).

### Estimated Harvest of Salmon

In addition to population growth, social and economic changes have affected salmon harvesting in the area. One subsistence activity that impacted salmon harvesting levels was the use of salmon to feed sled dogs, described below.

The period from 1900 to 1940 encompasses the peak sled dog era in the Yukon River drainage . . . virtually every family maintained a small number of sled dogs . . . . In the 1930s airplanes began to replace commercial dog teams for the movement of freight and mail but sled dogs continued to provide the bulk of winter transportation for individuals and families throughout the Yukon River drainage (Andersen and Scott 2010:2–5).

During the summer of 1957, the U.S. Fish and Wildlife Service collected harvest information in the community of Scammon Bay and estimated a harvest of 2,270 Chum Salmon and observed 140 sled dogs. In Hooper Bay they estimated a harvest of 12,150 Chum Salmon and observed 116 sled dogs. In Chevak they estimated a harvest of 14,480 Chum Salmon and observed 350 sled dogs (Mattson 1962).

By the 1970s snowmobiles had largely replaced the family dog team although some people continue to keep dogs (Andersen and Scott 2010).

*Division of Subsistence ADF&G Household Harvest Survey*

Residents of the community of Scammon Bay collaborated with researchers at the Alaska Department of Fish and Game (ADF&G) Division of Subsistence in 2013 to estimate their community’s harvests and describe their uses of wild resources (Ikuta et al 2016). While Chevak and Hooper Bay were not included in this research, some insight into the general use patterns of salmon can be gained because of their proximity and cultural similarities to Scammon Bay. Additionally, subsistence harvest surveys and ethnographic interviews were conducted by ADF&G Division of Subsistence in winter 2022 in Chevak and Hooper Bay, but results of these surveys have not yet been published at the time of this analysis (McDavid 2022, pers. comm.). Harvest of salmon plays a vital role in the seasonal round of all three communities.

Based on the household survey conducted in 2013, people at Scammon Bay harvested an estimated 11,488 salmon in 2013, or 85 pounds in edible weight per person. By far, most of the harvest was summer Chum Salmon (**Table 2**).

**Table 2.** The estimated harvest of salmon by species in numbers of fish and per person in pounds of edible weight at Scammon Bay in 2013 (N=86 households) (Source: ADF&G 2022b).

Salmon species	Salmon estimated harvest (in fish)	Lower harvest estimate (in fish)	Upper harvest estimate (in fish)	Per person harvest (in pounds of edible weight)
Summer Chum	9,680	9,669	9,691	71.4
Fall Chum	157	156	159	1.2
Unknown Chum	43	43	43	0.3
Coho Salmon	139	138	139	1.0
Chinook Salmon	455	454	456	6.9
Pink Salmon	930	927	932	4.0
Sockeye Salmon	84	84	85	0.6
Total	11,488	11,475	11,500	85.4

*Division of Commercial Fisheries ADF&G Postseason Harvest Survey*

Only two of these communities are included in the State's salmon harvest monitoring program: Scammon Bay and Hooper Bay. **Table 3** describes the harvest of salmon by species and year from 2006 to 2021, based on the annual postseason salmon harvest survey conducted by the Division of Commercial Fisheries at ADF&G. Summer Chum Salmon are harvested at the highest levels in these communities. People have been able to harvest fewer and fewer salmon each year as conservation concerns for salmon have increased and harvest opportunities have been curtailed, especially in recent years, as demonstrated in **Table 3**.

Sharing of Wild Food Harvests

A Chevak resident described that people normally share their wild food harvests,

Sharing is our tradition, within our families, community members, and especially our elders. Customary trade is based on need for certain types of food that is not available in our areas, i.e. interior communities that don't have fish and game from the sea and vice versa. . . . Gift giving is done during festivals, potlucks, and potlatches. Communities will give gifts to other communities that come to their communities for celebrations, festivals, potlatches, and potlucks (Slats 2022, pers. comm.)

People sharing their harvests of wild resources is a predominant feature of subsistence economies in Alaska. Salmon were and continue to be distributed through kin and community networks. A high level of sharing occurs at Scammon Bay, and households share, either through giving (45% of households) or receiving (58% of households), based on household surveys conducted in 2013 and local oral interviews with residents (ADF&G 2022b). For example, Ikuta and others (2016) documented that Scammon Bay households received salmon shared by Hooper Bay and Chevak households.

Reliance upon a Wide Diversity of Fish and Wildlife

Residents of Chevak, Hooper Bay, and Scammon Bay rely on a wide variety of wild resources. These resources comprise a substantial portion of their diet. The ADF&G Division of Subsistence household survey conducted in Scammon Bay in 2013 demonstrates this variety of use. **Table 4** describes this variety of wild foods. The overall harvest rate was 417 pounds in edible weight per person. Residents of Scammon Bay harvest fish (including salmon, halibut, herring, and whitefish), land mammals (including caribou and moose), and marine mammals (including seals), at the highest levels. Birds and eggs, vegetation (including berries), marine invertebrates (including clams and mussels), and small land mammals (including hares and porcupines) comprise smaller portions of annual harvests but are important components of the diet (ADF&G 2022b).



**Table 3.** Estimated harvests of salmon for subsistence at Hooper Bay and Scammon Bay 2006–2021, based on postseason surveys. Chevak residents were not surveyed. Pink and Sockeye salmon questions were not on the survey (Source: ADF&G 2022a; 2019, 2020, 2021 are preliminary data).

Community	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b>Chinook</b>																
Hooper Bay	376	430	388	183	584	252	1,090	1,210	455	534	284	320	456	784	436	13
Scammon Bay	507	768	1,104	722	716	517	1,014	332	108	432	602	733	661	1,233	935	17
<b>Summer Chum</b>																
Hooper Bay	19,468	12,234	12,007	9,195	17,020	13,460	15,799	13,629	13,236	11,870	6,324	7,969	8,332	2,999	3,450	290
Scammon Bay	4,703	3,887	6,113	3,602	5,405	4,845	7,442	9,506	6,068	8,598	5,520	6,036	7,019	4,037	3,776	13
<b>Fall Chum</b>																
Hooper Bay	26	64	329	41	116	267	1	91	137	79	105	139	158	210	636	28
Scammon Bay	84	170	57	117	70	48	10	58	115	119	657	422	367	605	417	11
<b>Coho</b>																
Hooper Bay	175	26	66	24	45	0	7	73	118	95	121	222	117	342	150	41
Scammon Bay	160	84	50	222	79	55	86	214	86	79	234	213	754	462	200	9
<b>Total</b>																
Hooper Bay	20,045	12,754	12,790	9,443	17,765	13,979	16,897	15,003	13,946	12,578	6,834	8,650	9,063	4,335	4,672	372
Scammon Bay	5,454	4,909	7,324	4,663	6,270	5,465	8,552	10,110	6,377	9,228	7,013	7,404	8,801	6,337	5,328	50

**Table 4.** The harvest of wildlife resources by resource category, in pounds of edible weight, during one study year in 2013 at Scammon Bay, based on household surveys (N=86 households) (Source: ADF&G 2022b).

Wild resource category	Per Person harvest (in pounds edible weight)	Percentage of total wild resources harvested
Salmon	85	20%
Nonsalmon Fish	103	25%
Land Mammals	82	20%
Large Land Mammals	82	20%
Small Land Mammals	<1	<1%
Marine Mammals	84	20%
Birds and Eggs	40	10%
Marine Invertebrates	1	<1%
Vegetation	21	5%
All Resources	417	100%

### Recent Events

In spring 2022, the Federal Subsistence Board adopted Fisheries Special Action FSA22-01 and closed Federal public waters of the Yukon Area to the harvest of salmon from June 1 through September 30, 2022. Any subsistence fishing opportunity on Federal public waters would be announced by the Federal Manager. This highlighted an issue, that Chevak, Hooper Bay, and Scammon Bay residents’ customary and traditional use determination for salmon in the Yukon River drainage is for fall Chum Salmon only. If the Federal Manager provided opportunity to harvest salmon in District 1, residents of the three communities would not be eligible to harvest other species of salmon there, and Federal regulations prevent the Office of Subsistence Management from accepting a Special Action Request between two-year fishery regulatory cycles to modify a customary and traditional use determination, and therefore, a Special Action Request was not an option.

Staff requested the Chevak Native Village to submit this proposal requesting the Federal Subsistence Board to recognize the customary and traditional uses of all salmon species in the Yukon River drainage by residents of Chevak, Hooper Bay, and Scammon Bay.

### Effects of the Proposal

If this proposal is adopted, residents of Chevak, Hooper Bay, and Scammon Bay will be eligible to harvest Chinook, summer Chum, Coho, Sockeye, and Pink salmon, in addition to fall Chum Salmon, under Federal regulations in the Yukon River drainage beginning April 1, 2023.

If this proposal is adopted, the primary effect on the three communities is to make them eligible to continue harvesting these salmon species, Chinook, summer Chum, Coho, Sockeye, and Pink salmon, in the Yukon River drainage when the Federal Manager, one, closes the drainage to the harvest of salmon

except by Federally qualified subsistence users, and two, provides subsistence fishing opportunity. Currently, residents of the three communities are not Federally qualified subsistence users of these salmon species, and most salmon harvesting in the Yukon River drainage by them has been under State regulations.

If this proposal is not adopted, residents of the three communities will continue to be non-eligible to harvest Chinook, summer Chum, Coho, Sockeye, or Pink salmon in the Yukon River drainage when it is closed to the harvest of these salmon species except by Federally qualified users and when harvest opportunity is provided by the Federal Manager. The effect on these communities can be substantial because they are highly dependent on salmon. For example, Yukon District 1 includes the Black River, which is a fish harvesting area frequently mentioned by residents of the communities.

## **OSM PRELIMINARY CONCLUSION**

**Support** Proposal FP23-02.

### **Justification**

Residents of Chevak, Hooper Bay, and Scammon Bay exemplify the customary and traditional use of all species of salmon in the Yukon River drainage. Traditionally and historically, residents of the three communities have used this area to harvest salmon, which is an important component of their diet and a large portion of their subsistence harvests each year.

Fisheries Special Action FSA22-01 was adopted by the Board in spring 2022 and highlighted that these three communities do not have a customary and traditional use determination for Chinook, summer Chum, Coho, Sockeye, or Pink salmon in the Yukon River drainage. The Chevak Native Village submitted this proposal on behalf of the residents of Chevak, Hooper Bay, and Scammon Bay.

In the past, State regulations have provided opportunities for these communities to harvest salmon in the Yukon River drainage, but FSA22-01, described above, closed the Federal public waters in the drainage to the harvest of salmon, and State regulations were no longer effective.

The Board should recognize the customary and traditional uses of all salmon in the Yukon River drainage by residents of Chevak, Hooper Bay, and Scammon Bay.

## **LITERATURE CITED**

ADF&G. 2022a. Subsistence harvest data, Yukon Management Area. Online database. [https://www.adfg.alaska.gov/index.cfm?adfg=commercialbyareayukon.subsistence\\_salmon\\_harvest](https://www.adfg.alaska.gov/index.cfm?adfg=commercialbyareayukon.subsistence_salmon_harvest), retrieved February 18, 2022. Div. of Commercial Fisheries. Anchorage, AK.

ADF&G. 2022b. Community subsistence information system. Online database. <http://www.adfg.alaska.gov/sb/CSIS/>, retrieved February 2022. Div. of Subsistence Anchorage, AK.

- ADLWD (Alaska Department of Labor and Workforce Development). 2022. 2020 data for redistricting. <https://live.laborstats.alaska.gov/cen/2020/downloads>, retrieved May 17, 2022. Research and Analysis Section. Juneau, AK.
- Andersen, D.B. and C.L. Scott. 2010. An update on the use of subsistence-caught fish to feed sled dogs in the Yukon River drainage, Alaska. Final Report 08-250. Fisheries Resource Monitoring Program, Office of Subsistence Management, USFWS. Anchorage, AK.
- Crawford, D.L. and T.L. Lingnau. 2004. Hooper Bay subsistence monitoring project, 2003. Regional Information Report No. 3A04-15, Division of Commercial Fisheries, Alaska Department of Fish and Game, Anchorage, AK.
- Estensen, J. L., H. C. Carroll, S. D. Larson, C. M. Gleason, B. M. Borba, D. M. Jallen, A. J. Padilla, and K. M. Hilton. 2018. Annual management report Yukon Area, 2017. Alaska Department of Fish and Game, Fishery Management Report No. 18-28, Anchorage, AK.
- Fienup-Riordan, A. 1986. When our bad season comes: a cultural account of subsistence harvesting and harvest disruption on the Yukon delta. Aurora, Alaska Anthropological Association Monograph Series No. 1. Anchorage, AK.
- Fienup-Riordan, A. 1994. Boundaries and passages: rules and ritual in Yup'ik Eskimo oral tradition. University of Oklahoma Press. Norman and London.
- Fienup-Riordan, A. 2007. *Yuungnaqpiallerput*, the way we genuinely live: masterworks of Yup'ik science and survival. University of Washington Press, Seattle.
- Frink, L. 2016. A tale of three villages: Indigenous-colonial interaction in southwestern Alaska, 1750–1950. University of Arizona Press, Tucson, AZ. 169 pages.
- FWS (U.S. Fish and Wildlife Service). 1988. Yukon Delta National Wildlife Refuge Comprehensive Conservation Plan, Environmental Impact Statement, Wilderness Review, and Wild River Plan. Region 7. Bethel, AK. 605 pages.
- Godduhn, A.R., and C.R. McDevitt, C.L. Brown, and D.M. Runfola. Subsistence harvests and use of nonsalmon fish in coastal Yukon-Kuskokwim Delta communities, 2017. ADF&G, Div. of Subsistence Tech. Paper No. 458. Fairbankis, AK. 356 pages.
- Ikuta, H., D.M. Runfola, J.J. Simon, and M.L. Kostick. 2016. Subsistence harvests in 6 communities on the Bering Seas, in the Kuskokwim River drainage, and on the Yukon River, 2013. ADF&G, Div. of Subsistence Tech. Paper No. 417. Juneau, AK. 569 pages.
- Mattson, C. R. 1962. Chum Salmon resources of Alaska from Bristol Bay to Point Hope. USFWS, Anchorage, AK. 22 pages.
- McDavid, B. Council Coordinator. Personal communication: by email. Office of Subsistence Management, USFWS. Anchorage, AK.
- Orth, D.J. 1967. Dictionary of Alaska place names. U.S. Geological Survey Professional Paper 567. Government Printing Office, Washington DC. 1,084 pages.

Slats, R. 2022. Resident of Chevak. Personal communication: by email.

VanStone, J.W. 1984a. Mainland Southwest Alaska Eskimo. Damas, D., editor, pages 224–242 *in* Handbook of North American Indians, Volume 5 Arctic. Smithsonian Institution, Washington DC.

VanStone, J.W. 1984b. Southwest Alaska Eskimo: Introduction. Damas, D., editor, pages 205–208 *in* Handbook of North American Indians, Volume 5 Arctic. Smithsonian Institution, Washington DC.

Wolfe, R.J. 1981. Norton Sound/Yukon Delta sociocultural systems baseline analysis. ADF&G, Div. of Subsistence Tech. Paper No. 59. Juneau, AK.

Wolfe, R.J. 1982. The subsistence salmon fishery of the Lower Yukon River. ADF&G, Div. of Subsistence Tech. Paper No. 60. Juneau, AK.

## APPENDIX 1

### YUKON AREA FISHING DISTRICTS AND SUBDISTRICTS

#### 5 AAC 05.100 - Description of Yukon Area

*The Yukon Area includes all waters of Alaska between a line extending 315° northwest from Point Romanof at 63° 12.16' N. lat., 162° 49.72' W. long. to a point three nautical miles offshore at 63° 14.27' N. lat., 162° 54.40' W. long. and the latitude of the westernmost point of the Naskonat Peninsula, including those waters draining into the Bering Sea.*

#### 5 AAC 05.200 - Fishing districts and subdistricts

*(a) District 1 consists of that portion of the Yukon River drainage from a line extending northwest from Point Romanof at 63°12.16' N. lat., 162° 49.72' W. long., to a point three nautical miles offshore at 63° 14.27' N. lat., 162° 54 .40' W. long., extending south and west along the coast of the delta to a line approximately one nautical mile south of the mouth of the Black River from 62° 20.58' N. lat., 165° 22.66' W. long., to a point located three nautical miles offshore at 62° 22.67' N. lat., 165° 27.37' W. long., including the waters within three nautical miles seaward from any grassland bank within that area, and upstream from the mouth of the Black River to the northern edge of the mouth of the Anuk River and all waters of the Black River.*

*(b) District 2 consists of that portion of the Yukon River drainage from the northern edge of the mouth of the Anuk River upstream to an ADF&G regulatory marker located at Toklik, and includes the Anuk River drainage.*

*(c) District 3 consists of that portion of the Yukon River drainage from an ADF&G regulatory marker located at Toklik upstream to an ADF&G regulatory marker at the mouth of an unnamed slough three-fourths of a mile downstream from Old Paradise Village.*

*(d) District 4 consists of the Yukon River drainage from an ADF&G regulatory marker at the mouth of an unnamed slough three-fourths of a mile downstream from Old Paradise Village upstream to the western edge of the mouth of Illinois Creek at Kallands.*

*(1) Subdistrict 4-A consists of that portion of the Yukon River drainage from an ADF&G regulatory marker at the mouth of an unnamed slough three-fourths of a mile downstream from Old Paradise Village upstream to the tip of Cone Point;*

*(2) Subdistrict 4-B consists of the Yukon River drainage from the tip of Cone Point upstream along the north bank of the river to the westernmost edge of Illinois Creek and includes the following islands: Cook, Lark, Serpentine, Louden, Fish, Dainty, Yuki, Melozi, Dasha, Straight, Kit, Fox, Hardluck, Mickey, Florence, Doyle, Chokoyik, Lady, Liner, Flora and Cronin;*

(3) Subdistrict 4-C consists of the Yukon River drainage from the tip of Cone Point upstream along the south bank of the river to a point opposite the westernmost edge of Illinois Creek and includes the following islands: Cat, Hen, Jimmy, Big, Ninemile, Ham, Emerald, Edith, Kathaleen, Henry, Burns, Youngs, Weir, Clay, Large and Brant.

(e) District 5 consists of that portion of the Yukon River drainage (excluding the Tanana River drainage) from the western edge of the mouth of Illinois Creek to the United States-Canada border, and includes the Illinois Creek drainage.

(1) Subdistrict 5-A consists of the Yukon River drainage from a point opposite the westernmost edge of Illinois Creek upstream along the south bank of the river to the easternmost edge of the Tanana River mouth and includes the following islands: Second, Corbusier, Sixmile, Deet'laa', Swanson, Blind, Basco, Sword, Leonard, Still, Tanana and Mission;

(2) Subdistrict 5-B consists of the Yukon River drainage from the westernmost edge of Illinois Creek upstream along the north bank of the river to a point opposite the easternmost edge of the Tanana River mouth upstream along both banks of the Yukon River to the westernmost tip of Gar-net Island and includes the following islands: Willow I, II, and III, Steamboat, Grant, Darwin, Little Joker, Station, Tozitna, Circle, Bull, and Long;

(3) Subdistrict 5-C consists of the Yukon River drainage upstream from the westernmost tip of Garnet Island to ADF&G regulatory markers located approximately two miles downstream from Waldron Creek;

(4) Subdistrict 5-D consists of the Yukon River drainage from ADF&G regulatory markers located approximately two miles downstream from Waldron Creek upstream to the United States-Canada border.

(f) District 6 consists of the Tanana River drainage to its confluence with the Yukon River.

(1) Subdistrict 6-A consists of that portion of the Tanana River drainage from its mouth upstream to the eastern edge of the mouth of the Kantishna River and includes the Kantishna River drainage;

(2) Subdistrict 6-B consists of that portion of the Tanana River drainage from the eastern edge of the mouth of the Kantishna River upstream to the eastern edge of the mouth of the Wood River and includes the Wood River drainage;

(3) Subdistrict 6-C consists of the Tanana River drainage from the eastern edge of the mouth of the Wood River upstream to the eastern edge of the mouth of the Salcha River and includes the Salcha River drainage;

(4) Old Minto Area consists of that portion of Subdistrict 6-B from the downstream end of upper Tolovana Island, located approximately two miles upstream of the Tolovana River, to three miles upstream of the mouth of the Totchaket Slough.

*(g) Repealed 7/13/2012.*

*(h) Coastal District: all waters between the latitude of the westernmost point of the Naskonat Peninsula and a line extending 315° northwest from Point Romanof at 63° 12.16' N. lat., 162° 49.72' W. long. to a point three nautical miles offshore at 63° 14.27' N. lat., 162° 54.40' W. long. not included in (a) - (f) of this section.*



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

## FEDERAL FISHERIES CLOSURE REVIEW FCR23-05

### Issue

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

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

### Current Federal Regulation

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

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

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

\*\*\*

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

\*\*\*

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

\*\*\*

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

\*\*\*

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

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

\*\*\*

## **Relevant Federal Regulation**

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

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

\*\*\*

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

**Closure Dates:** Year-round

## **Current State Regulation**

### **Yukon Area—Subsistence**

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

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

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

*(2) for salmon;*

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

## **Tanana River Area—Sport**

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

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

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

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

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

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

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

*\*\*\**

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

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

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

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

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

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

*\*\*\**

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

*\*\*\**

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

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

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

\*\*\*

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

\*\*\*

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

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

\*\*\*

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

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

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*(G) the Tangle Lake system;*

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

\*\*\*

**Regulatory Year Initiated:** 1992

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

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

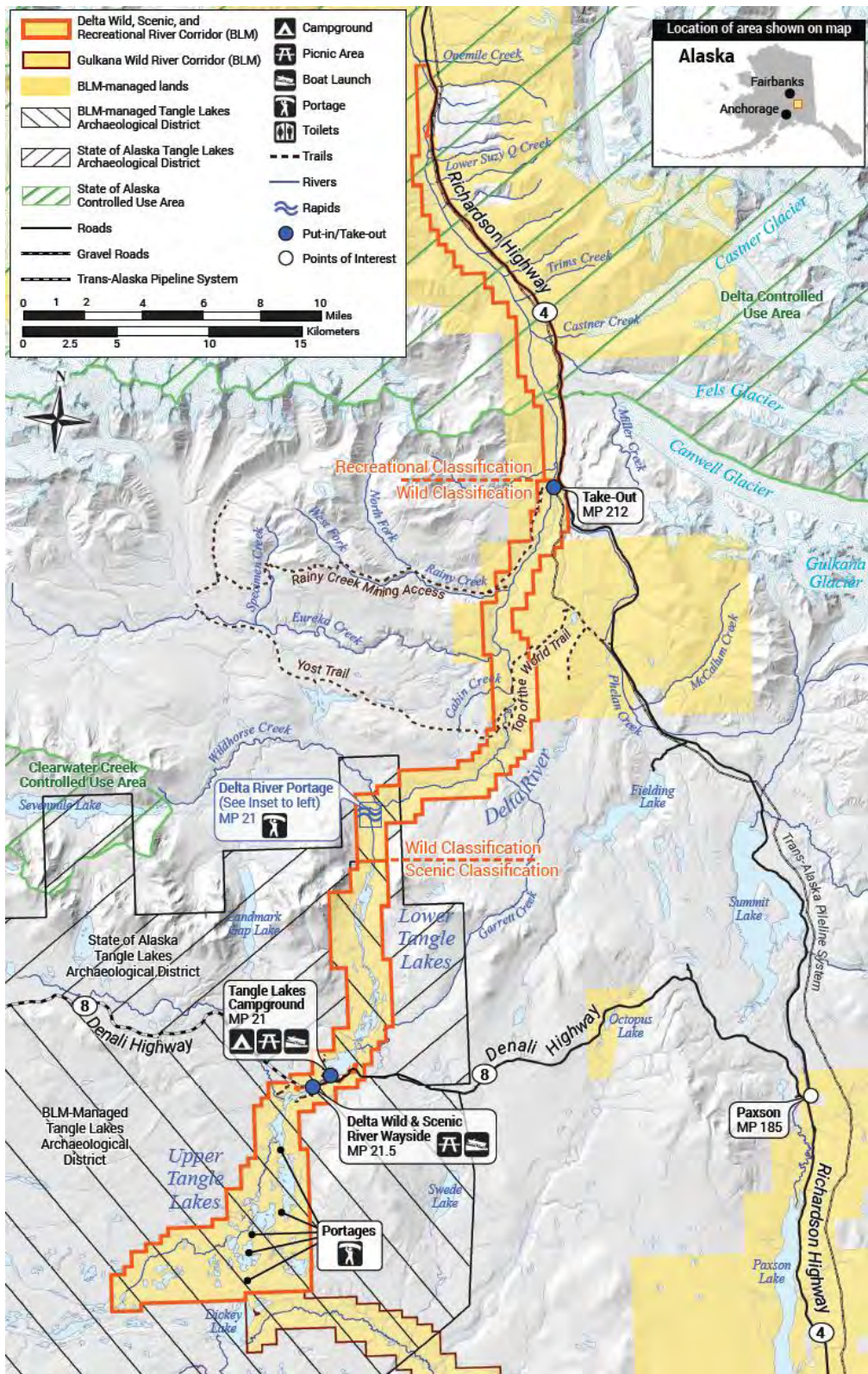


Figure 1. Federal public waters of the Delta River (BLM n.d.).

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

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

### **Regulatory History**

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

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

### **Closure Last Reviewed**

There have been no previous reviews of this closure.

### **Justification for Original Closure**

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

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

N/A

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

N/A

### **Biological Background**

#### Salmon

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

## Nonsalmon Fish

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

### *Arctic Grayling*

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

## **Cultural Knowledge and Traditional Practices**

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

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

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



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

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

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

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

### Harvest History

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

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

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

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

### **Other Alternatives Considered**

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

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

### **Effects**

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

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

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

## OSM PRELIMINARY CONCLUSION

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

The modified regulation should read:

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

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

## Justification

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

## LITERATURE CITED

- ADF&G. 2022a. Anadromous Waters Catalog. Available online at: <https://www.adfg.alaska.gov/sf/SARR/AWC/index.cfm?ADFG=main.interactive>. Retrieved May 11, 2022.
- ADF&G. 2022b. Alaska Sport Fishing Survey database. Available online at: <https://www.adfg.alaska.gov/sf/sportfishingsurvey/>. Retrieved May 25, 2022.
- ADLWD: Alaska Department of Labor and Workforce Development, Research and Analysis Section. 2019. Alaska population overview: 2018 Estimates. <https://live.laborstats.alaska.gov/pop/estimates/pub/18popover.pdf>

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

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

Retrieved January 28, 2022.

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

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

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

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

# Fisheries Resource Monitoring Program (FRMP)

## 2024 Overview

### Quick Info

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

### What is the FRMP?

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

### Priority Information Needs (PINs)

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

### FRMP Timeline

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

December 2022: OSM publishes Notice of Funding Opportunity

February–May 2023: OSM reviews proposals

June 2023: Technical Review Committee evaluates and scores proposals

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

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

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

May–July 2024: Projects begin

## Yukon Region FRMP Projects Since 2000

Project Number	Project Title	Investigators
<b>Salmon Projects</b>		
00-003	Effects of Ichthyophonous on Chinook Salmon	UW
00-005	Tanana Upper Kantishna River Fish Wheel	NPS
00-018	Pilot Station Sonar Upgrade	ADF&G
00-022	Hooper Bay Test Fishing	ADF&G, NVHB
00-024	Pilot Station Sonar Technician Support	AVCP
00-025	Henshaw Creek Salmon Weir	USFWS
00-026	Circle and Eagle Salmon and Other Fish TEK	NVE
01-014	Yukon River Salmon Management Teleconferences	YRDFA
01-015	Yukon River Salmon TEK	YRDFA
01-018	Pilot Station Sonar Technician Support	AVCP
01-026	East Fork Andreafski River Salmon Weir	BSFA
01-029	Nulato River Salmon Weir	BSFA
01-032	Rampart Rapids Tagging Study	USFWS
01-038	Kateel River Salmon Weir	USFWS
01-048	Innoko River Drainage Weir Survey	USFWS
01-050	Kaltag Chinook Salmon Age-Sex-Length Sampling	COK
01-058	East Fork Andreafsky Weir Panel Replacement	USFWS
01-122	Lower Yukon River Salmon Drift Test Fishing	ADF&G, EMV
01-141	Holitna River Chinook, Chum, and Coho Telemetry	ADF&G
01-177	Rampart Rapids Extension	USFWS
01-197	Rampart Rapids Summer CPUE Video	SZ
01-199	Tanana Fisheries Conservation Outreach	TTC
01-200	Effects of Ichthyophonous on Chinook Salmon	USGS
01-211	Upper Yukon, Porcupine, & Black River Salmon TEK	CATG
02-009	Pilot Station Sonar Technician Support	AVCP
02-011	Rampart Rapids Fall Chum Handling/ Mortality	USFWS
02-097	Kuskokwim Yukon Sex Ratios of Juvenile & Adult Chinook	USFWS
02-121	Yukon River Chinook Salmon Genetics	USFWS, ADF&G, DFO
02-122	Yukon River Chinook & Chum Salmon In-season Subsistence	USFWS
03-009	Tozitna River Salmon Weir	BLM
03-013	Gisasa River Salmon Weir	USFWS
03-015	Phenotypic Characterization of Chinook Salmon Harvests	YRDFA, USFWS
03-034	East Fork Andreafsky River Salmon Weir	USFWS
03-038	Yukon River Sub-District 5-A Test Fishwheel	BF
04-206	Tozitna River Salmon Weir	BLM
04-208	East Fork Andreafsky River Salmon Weir	USFWS
04-209	Gisasa River Salmon Weir	USFWS
04-211	Henshaw Creek Salmon Weir	USFWS
04-217	Rampart Rapids Fall Chum Salmon Abundance	USFWS

<b>Project Number</b>	<b>Project Title</b>	<b>Investigators</b>
04-228	Yukon River Chum Salmon Genetic Stock Identification	USFWS
04-229	Lower Yukon River Salmon Drift Test Fishing	ADF&G
04-231	Yukon River Chinook Salmon Telemetry	ADF&G
04-234	Kaltag Chinook Salmon Age-Sex-Length Sampling	COK
04-251	Fort Yukon Traditional Ecological Knowledge Camp	TCC, CATG, ADF&G
04-255	Yukon River Salmon Fishery Traditional Ecological Knowledge	NPS
04-256	Tanana Conservation Outreach	TTC, USFWS
04-263	Yukon River Salmon Management Teleconferences	YRDFA
04-265	Yukon River TEK of Customary Trade of Subsistence Fish	YRDFA
04-268	Hooper Bay Subsistence Monitoring	ADF&G, HBTC
05-203	Yukon River Coho Salmon Genetics	USFWS
05-208	Anvik River Salmon Sonar Enumeration	ADF&G
05-210	Tanana River Fall Chum Salmon Abundance	ADF&G
05-211	Henshaw Creek Salmon Weir	TCC, USFWS
05-254	Yukon Salmon In-Season Subsistence Harvest Monitoring	USFWS
06-205	Yukon River Chum Salmon Mixed Stock Analysis	USFWS
07-202	East Fork Andreafsky River Salmon Weir	USFWS
07-204	Lower Yukon River Salmon Drift Test Fishing	ADF&G
07-207	Gisasa River Salmon Weir	USFWS
07-208	Tozitna River Salmon Weir	BLM
07-209	Yukon River Salmon Management Teleconferences	YRDFA
07-210	Validation of DNA Gender Test Chinook Salmon	USFWS
07-211	Kaltag Chinook Salmon Age-Sex-Length Sampling	COK
07-253	Yukon River Salmon Harvest Patterns	RWA, AC
08-200	Kaltag Chinook Salmon Age-Sex-Length Sampling	COK
08-201	Henshaw Creek Salmon Weir	TCC
08-202	Anvik River Chum Salmon Sonar Enumeration	ADF&G
08-253	Yukon River Teleconferences and In-Season Management	YRDFA
10-200	Yukon River Chinook Salmon Run Reconstruction	BUE
10-205	Yukon River Chum Salmon Mixed Stock Analysis	USFWS
10-206	Nulato River Salmon Assessment	TCC
10-207	Gisasa Chinook and Summer Chum Salmon Assessment	USFWS
12-202	Henshaw Creek Abundance and run timing of adult salmon	TCC
12-204	Anvik River Sonar Project	ADF&G
12-205	Kaltag Chinook Salmon Sampling Project	KAL
12-251	In-season Salmon Teleconferences and Interviews	YRDFA
14-201	Gisasa R Salmon Video	USFWS
14-202	East Fork Andreafsky Salmon	USFWS
14-203	Gisasa River Salmon	USFWS
14-206	Yukon River Coho Salmon	USFWS
14-207	Yukon River Chum Salmon	USFWS

<b>Project Number</b>	<b>Project Title</b>	<b>Investigators</b>
14-208	Koyukuk River Chum Salmon	USFWS
14-209	Henshaw Creek Salmon	TCC
16-204	Henshaw Creek Abundance and Run Timing of Adult Salmon.	TCC
16-251 <sup>a</sup>	Yukon Burbot Habitats, Migration, Spawning Populations	ADF&G
16-255	Yukon River In-Season Community Surveyor Program	YRDFA, USFWS
16-256	In-Season Salmon Management Teleconferences	YRDFA
18-201 <sup>a</sup>	E. Fork Andreafsky Chinook and Summer Chum Salmon	USFWS
18-202 <sup>a</sup>	Gisasa River Chinook and summer Chum Salmon	USFWS
18-250 <sup>a</sup>	Salmon Spawning Upper Tanana River Drainage	ADF&G
18-251 <sup>a</sup>	Traditional Knowledge Fish Yukon Flats Draanjik Basin	TCC
18-252 <sup>a</sup>	Subsistence salmon networks in Yukon River communities	ADF&G
20-200 <sup>a</sup>	Yukon River Coho Salmon Radio Telemetry	ADF&G, USFWS
20-201 <sup>a</sup>	Mixed Stock Analysis for Yukon River Chum Salmon	USFWS
20-251 <sup>a</sup>	In-season Yukon River Subsistence Salmon Survey Program	YRDFA, USFWS
20-252 <sup>a</sup>	Customary Trade in the Lower and Middle Yukon River	ADF&G
20-256 <sup>a</sup>	Yukon River In-Season Salmon Management Teleconferences	YRDFA
22-201	East Fork Andreafsky River Weir Chinook and Summer Chum Salmon Abundance and Run Timing Assessment	USFWS
22-202	Gisasa River Weir Chinook and Summer Chum Salmon Abundance and Run Timing Assessment	USFWS
22-204	Western Alaska Coho Salmon Genetic Baseline Development	ADF&G
22-251	Presence and Use of Salmon in the Pastolik and Pastoliak Rivers	ADF&G
<b>Nonsalmon Fish Projects</b>		
00-004	Humpback Whitefish/ Beaver Interactions	USFWS, CATG
00-006	Traditional Ecological Knowledge Beaver/ Whitefish	ADF&G, CATG
00-021	Dall River Northern Pike	ADF&G, SV
00-023	Upper Tanana River Humpback Whitefish	USFWS
01-003	Old John Lake TEK of Subsistence Harvests and Fish	ADF&G, AV, USFWS
01-011	Arctic Village Freshwater Fish Subsistence Survey	ADF&G, AV, USFWS
01-100	Koyukuk Nonsalmon Fish TEK and Subsistence Uses	ADF&G, TCC
01-140	Yukon Flats Northern Pike	ADF&G, SV
01-238	GASH Area Working Group	USFWS
02-006	Arctic Village Freshwater Fish Subsistence	ADF&G, NVV
02-037	Lower Yukon River Nonsalmon Harvest Monitoring	ADF&G, TCC
02-084	Old John Lake Oral History and TEK of Subsistence	USFWS, AV, ADF&G
04-253	Upper Tanana Fisheries Traditional Ecological Knowledge	USFWS, UAF, ADF&G
04-269	Kanuti NWR Whitefish TEK and Radio Telemetry	USFWS, RN
06-252	Yukon Flats Nonsalmon Traditional Ecological Knowledge	ADF&G, BLM, USFWS CATG



Project Number	Project Title	Investigators
06-253	Middle Yukon River Nonsalmon TEK and Harvest	ADF&G, LTC
07-206	Innoko River Inconnu Radio Telemetry	USFWS, ADF&G
08-206	Yukon and Kuskokwim Coregonid Strategic Plan	USFWS, ADF&G
08-250	Use of Subsistence Fish to Feed Sled Dogs	RN, AC
10-209	Yukon Delta Bering Cisco Mixed-stock Analysis	USFWS
10-250	Yukon Climate Change Impacts on Subsistence Fisheries	RN
12-200	Alatna River Inconnu Population Structure	USFWS
12-207	Yukon Bering Cisco Spawning Origins Telemetry	USFWS
12-700	Yukon and Kuskokwim Rivers Inconnu Genetic Baseline	USFWS
14-252	Lower Yukon Whitefish	ADF&G
14-253	Upper Yukon Customary Trade	YRDFA
16-203	Bering Cisco Spawning Abundance in the Upper Yukon Flats	ADF&G, USFWS
16-205 <sup>a</sup>	Burbot Population Assessments in Lakes of the Upper Tanana and Upper Yukon River Drainages	NPS
16-752	Yukon Kuskokwim Coastal Communities Harvest and Use of Fish	ADF&G
20-202 <sup>a</sup>	Evaluating Dart and Telemetry Tags in an Effort to Track Run Timing and Migration Patterns of Yukon River Arctic Lamprey	USFWS, UAF, ADF&G
22-252	Humpback Whitefish and other Nonsalmon Fishes Traditional Ecological Knowledge and Biological Sampling in the Upper Koyukuk Region	ADF&G

a= Ongoing projects.

Abbreviations: **AC** = Alaskan Connections, **ADF&G** = Alaska Department of Fish and Game, **AVCP** = Association of Village Council Presidents, **AV** = Arctic Village, **BF** = Bill Fliris, **BUE** = Bue Consulting, **BLM** = Bureau of Land Management, **BSFA** = Bering Sea Fisherman's Association, **CATG** = Council of Athabaskan Tribal Governments, **COK** = City of Kaltag, **DFO** = Department of Fisheries and Oceans, **EMV** = Emmonak Village Council, **KAL** = City of Kaltag, **NPS** = National Park Service, **LTC** = Loudon Tribal Council, **NVE** = Native Village of Eagle, **NVHB** = Native Village of Hooper Bay, **NVV** = Native Village of Venetie, **RN** = Research North, **RW** = Robert Wolfe and Associates, **SVNRC** = Stevens Village, **SZ**=Stan Zuray, **TCC** = Tanana Chiefs Conference, **TTC** = Tanana Tribal Council, **UAF** = University of Alaska Fairbanks, **USFWS** = U.S. Fish and Wildlife Service, **USGS** = U.S. Geological Survey, **UW** = University of Washington, and **YRDFA** = Yukon River Drainage Fisheries Association.

## Kuskokwim Region FRMP Projects Since 2000

Project Number	Project Title	Investigators
<b>Salmon Projects</b>		
00-007	Tatlawiksuk River Salmon Weir	ADF&G, KNA
00-008	Bethel In-Season Subsistence Harvest Data	ONC
00-009	Bethel Postseason Harvest Monitoring	ADF&G, ONC
00-019	Kwethluk River Salmon Weir	USFWS, OVK
00-027	Goodnews River Salmon Weir	ADF&G
00-028	Kanektok River Salmon Weir	ADF&G, USFWS
00-029	Documentation/ Communication on Floating Weirs	AVCP
00-030	Kuskokwim Salmon Project Site Surveys	ADF&G, USFWS
01-019	Planning Meetings in AVCP Region	AVCP, KNA
01-023	Upper Kuskokwim River In-Season Data	ADF&G, MNVC
01-024	Bethel Postseason Fishery Household Surveys	ADF&G, ONC
01-053	Tuluksak River Salmon Weir	USFWS, TNC
01-070	Kuskokwim River Chinook Salmon Genetic Diversity	ADF&G, USFWS
01-086	Kuskokwim River Escapement Project Technician	ONC
01-088	Natural Resource Internship Program	KNA
01-116	Kuskokwim River Salmon Work Group Support	ADF&G
01-117	Kuskokwim Salmon Age-Sex-Length Assessment	ADF&G
01-118	Kanektok River Salmon Weir	ADF&G, BSFA
01-132	Bethel In-Season Subsistence Salmon Harvest Data	ONC, ADF&G
01-141	Holitna River Chinook, Chum, and Coho Telemetry	ADF&G
01-147	Aniak River Sport Fisheries Survey	ADF&G, KNA
01-225	Middle Kuskokwim River In-Season Salmon Harvest	KNA, ADF&G, USFWS
01-226	Subsistence Fisheries Research Capacity Building	ADF&G
02-036	Aniak Postseason Subsistence Fishery Surveys	ADF&G, KNA
02-046	Kuskokwim River Chinook Salmon Inriver Abundance	ADF&G
03-030	Kuskokwim River Salmon Mark-Recapture	ADF&G, KNA
03-041	Kuskokwim Coho Salmon Genetics	ADF&G, USFWS
03-931	Kuskokwim Science Plan	BSFA
04-301	Kwethluk River Salmon Weir	USFWS, OVK
04-302	Tuluksak River Salmon Weir	USFWS, TNC
04-305	Kanektok River Salmon Weir	ADF&G, BSFA

<b>Project Number</b>	<b>Project Title</b>	<b>Investigators</b>
04-310	Tatlawiksuk River Salmon Weir	ADF&G, KNA
04-311	Kuskokwim Coho Salmon Genetic Mixed Stock Assessment	USFWS
04-312	Goodnews River Coho Salmon Weir	ADF&G
04-351	Kuskokwim Bay Traditional Ecological Knowledge and Oral History	USFWS
04-353	Bethel In-Season Subsistence Salmon Data Collection	ADF&G, ONC
04-359	Kuskokwim Postseason Salmon Subsistence Harvest Surveys	ADF&G, KNA, ONC
05-302	Kuskokwim River Chinook Salmon Inriver Abundance	ADF&G
05-304	George and Takotna River Salmon Weirs	ADF&G
05-305	Kuskokwim Chinook Salmon Genetic Stock Identification	ADF&G
05-306	Kuskokwim River In-Season Subsistence Harvest Data	ADF&G, ONC
05-307	Lower Kuskokwim Subsistence Fisheries Catch Monitoring	ONC
05-353	Nunivak Island Subsistence Cod Fisheries	NPT
05-356	Kuskokwim Area Postseason Subsistence Salmon Harvest Survey	ADF&G
06-306	Lower Kuskokwim Salmon In-Season Subsistence Catch Monitoring	ADF&G
06-307	Kuskokwim River Salmon Management Working Group	ADF&G
07-302	Kuskokwim River Chum Salmon Run Reconstruction	ADF&G, BC
07-303	Kuskokwim River Salmon Age-Sex-Length Assessment	ADF&G
07-304	Tatlawiksuk River Salmon Weir	ADF&G, KNA
07-305	Kanektok-Goodnews River Salmon and Dolly Varden Weirs	ADF&G
07-306	Kwethluk River Salmon Weir	USFWS, OVK
07-307	Tuluksak River Salmon Weir	USFWS, TNC
08-302	Lower Kuskokwim Subsistence Chinook Salmon Age-Sex- Length	ADF&G
08-303	George River Salmon Weir	ADF&G
08-304	Takotna River Salmon Weir	ADF&G
08-351	Tuluksak River Subsistence Chinook Salmon Age-Sex-Length	USFWS
08-352	Bethel and Aniak Postseason Subsistence Salmon Harvest Surveys	ADF&G
10-300	Kanektok and Goodnews River Salmon Assessment	ADF&G
10-303	Kuskokwim River Salmon Age Sex Length Assessment	ADF&G
10-304	Tatlawiksuk River Salmon Assessment	ADF&G
10-306	Kwethluk River Salmon Assessment	USFWS
10-307	Tuluksak River Salmon Assessment	USFWS
10-352	Kuskokwim Salmon Postseason Harvest Monitoring	ADF&G
10-353	Kuskokwim Salmon Working Group Support	ADF&G
10-354	Kuskokwim Salmon In-Season Harvest Monitoring	ADF&G
12-302	Lower Kuskokwim River Subsistence Chinook Salmon Harvest ASL	ADF&G, ONC

Project Number	Project Title	Investigators
12-303	George River Salmon Weir	ADF&G, KNA
12-304	Takotna River Salmon Weir	ADF&G, TCA
12-309	Kwethluk River Salmon Weir	USFWS
14-302	Tatlawiksuk River Salmon Weir	ADF&G
14-303	George River Salmon Weir	ADF&G
14-306	Tuluksak River Salmon Weir	USFWS
14-308	Kwethluk River Salmon Weir	USFWS
14-351	Kuskokwim Delta Chinook Salmon Non-local Harvesters	USFWS
14-352	Kuskokwim Area Salmon Post-season Subsistence Harvest Surveys	ADF&G
14-353	Kuskokwim River Salmon In-Season Subsistence Survey	ADF&G
14-354	Kuskokwim River Support for Cooperative Management	ADF&G
16-301	Lower Kuskokwim River Subsistence Chinook Salmon Harvest ASL	ADF&G, ONC
16-302	Salmon River of the Pitka Fork Weir	ADF&G, MTNT
16-351	Middle Kuskokwim River In-season Subsistence Salmon Harvest Monitoring and Estimation	ADF&G, NVN
18-304 <sup>a</sup>	George River Salmon Weir	ADF&G
18-350 <sup>a</sup>	Bethel Subsistence Harvest Surveys	ONC, ADF&G
18-351 <sup>a</sup>	Kuskokwim Area Salmon Post Season Subsistence Harvest Surveys	ADF&G, ONC
20-301 <sup>a</sup>	Kuskokwim River Coho Salmon Abundance Estimation and Whitefish Indices Using Sonar	ADF&G, ONC
20-302 <sup>a</sup>	Salmon River of the Pitka Fork Chinook Salmon Escapement Monitoring	ADF&G, MTNT
20-303 <sup>a</sup>	Middle Kuskokwim River Chinook and Chum Salmon In-Season Assessment	NVN
20-308 <sup>a</sup>	Kwethluk River Salmon Run Timing and Abundance	USFWS, OVK, BSFA, USFWS
22-300	Takotna River Weir Salmon Run Timing and Abundance	KRITFC
22-304	George River Salmon Weir	ADF&G
22-350	Bethel Subsistence Harvest Survey	ONC
22-351	Kuskokwim Management Area Postseason Subsistence Salmon Harvest Survey	ADF&G
22-352	Local and Traditional Knowledge of Salmon Harvest and Use for Subsistence in the Lower Kuskokwim River Drainage	ADF&G
22-353	Natural Indicators of Salmon in the Lower Kuskokwim Drainage	ADF&G
22-354	Community-Based Harvest Monitoring Network for Kuskokwim River Chinook Salmon	KRITFC
<b>Nonsalmon Fish Projects</b>		
01-052	Whitefish Lake Humpback & Broad Whitefish	USFWS, KNA
01-112	Aniak River Subsistence Fisheries Study	ADF&G, KNA

Project Number	Project Title	Investigators
01-235	Upper Kuskokwim Community Use Profiles	ADF&G
04-304	Whitefish Lake Whitefish Telemetry	USFWS
05-301	Whitefish PIT Tags	USFWS
06-303	Kuskokwim River Whitefish Migratory Behavior	USFWS, KNA
06-305	Kuskokwim River Inconnu Spawning Distribution	ADF&G
06-351	Lower Kuskokwim Nonsalmon Harvest and TEK	ADF&G, AVCP
08-206	Yukon Kuskokwim Whitefish Research Strategic Plan	USFWS, ADF&G
08-300	Aniak River Rainbow Trout Seasonal Distribution	ADF&G
10-305	Kuskokwim River Sheefish Spawning, Distribution and Timing	ADF&G
12-312	Status of Sheefish in Highpower Creek and Upper Kuskokwim River	ADF&G
12-313	Location, Migration Timing, and Description of Kuskokwim River Bering Cisco Spawning Origins	KNA, USFWS
12-352	Whitefish Trends on the Upper Kuskokwim, Alaska	ADF&G
12-700	Yukon and Kuskokwim Rivers Inconnu Genetic Baseline	USFWS
14-301	Kuskokwim River Broad Whitefish Spawning above McGrath	USFWS
14-307	Upper Kuskokwim River Sheefish Enumeration	USFWS
14-356	Lower Kuskokwim Villages Whitefish	CEC
16-303	Enumeration and Spawning Area Characterization of Sheefish in the Upper Kuskokwim River	ADF&G
16-752	Yukon Kuskokwim Coastal Communities Harvest and Use of Fish	ADF&G
18-75	Togiak Drainage Dolly Varden	ADF&G, BBNA, USFWS
22-301	Kuskokwim River Broad Whitefish Subsistence Harvest and Spawning Abundance	USFWS

a = On-going projects during 2020.

Abbreviations: **ADF&G** = Alaska Department of Fish and Game, **AVCP** = Association of Village Council Presidents, **BC** = Bue Consulting, **BSFA** = Bering Sea Fisherman's Association, **CEC** = Calista Education and Culture, **KNA** = Kuskokwim Native Association, **KRITFC** = Kuskokwim River Inter-Tribal Fish Commission, **MNVC** = McGrath Native Village Council, **MTNT** = McGrath, Takotna, Nikolai, Telida Ltd. **NPT** = Nuniwarmiut Piciryarata Tamaryalkuti, Inc., **NVN** = Native Village of Napaimute, **ONC** = Orutsarmiut Native Council, **OVK** = Organized Village of Kwethluk, **TCA** = Takotna Community Association, **TNC** = Tuluksak Native Community, **USFS** = U.S. Forest Service, and **USFWS** = U.S. Fish and Wildlife Service.

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

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

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



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

## **ANNUAL REPORTS**

### **Background**

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

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

### **Report Content**

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

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

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

### **Report Clarity**

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

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

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

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

### **Report Format**

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

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





# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Anchorage Field Office  
4700 BLM Road  
Anchorage, Alaska 99507-2591  
[www.blm.gov/alaska](http://www.blm.gov/alaska)

## **Updates to Subsistence Regional Advisory Councils** **Fall 2022 Meetings**

The Anchorage Field Office completed a busy summer 2022 field operations. The summary below is an overview of priority projects by resource. We are continuing to increase in fieldwork operations, while adhering to any COVID-19 protocols and mitigations.

An overview map of the Anchorage Field Office can be found at:

[https://www.blm.gov/sites/blm.gov/files/documents/files/Maps\\_Alaska\\_Anchorage-Field-Office.pdf](https://www.blm.gov/sites/blm.gov/files/documents/files/Maps_Alaska_Anchorage-Field-Office.pdf)

BLM Alaska publicly available interactive maps are available at: <https://blm-egis.maps.arcgis.com/apps/MinimalGallery/index.html?appid=d2da853631fe4b60ac768f19bec4e84b>

### **Wildlife and Subsistence**

- Conducted Breeding Bird Survey routes on the Unalakleet and Anvik Rivers in June.
- Completed a peregrine falcon nesting survey on the Kuskokwim River between McGrath and Aniak in July.
- Assisted Alaska Department of Fish and Game with the release of 28 Wood Bison on the Innoko River near Kellen Creek. The bison were barged to the site and held in a temporary corral before being released on August 6<sup>th</sup> to the wild bison herd already in the area.
- BLM issued federal muskox permits for hunts in Units 22B, 22D and 23.
- BLM issued federal moose permits in Unalakleet for the fall hunt in unit 22A.
- Contributed funds in an Inter-agency Agreement with FWS Togiak Wildlife Refuge to help monitor the Mulchatna Caribou Herd.
- Contributed funds in an Interagency Agreement with NPS to help fund the Western Arctic Caribou Herd Working Group meeting in December. The meeting is funded by BLM, NPS and FWS and ADF&G. The working Group will discuss the management of the herd and its current population status.

## **Aquatics**

- Conducted e-DNA sampling in the Kigluaik Mountains on the Seward Peninsula for BLM sensitive species Kigluaik Arctic Char.
- Completed initial aquatic habitat baseline data collection from the Seward Peninsula Planning Area based out of Kotzebue and Nome as part of the National Assessment Inventory and Monitoring Program (AIM). AIM data provides a framework to inventory and quantitatively assess the condition and trend of natural resources on public lands.
- Conducted ongoing stream gaging flow quantification efforts on Big River and Unalakleet Wild and Scenic River
- Conducted ongoing water quality monitoring work at Platinum. This is a partnership with USFWS Togiak National Refuge for installation of a Video Weir in 2023 on the Salmon River monitoring salmon escarpment numbers.

## **Ecology**

- Continued collecting Assessment Inventory and Monitoring (AIM) terrestrial and riparian and wetland plot data for the Kobuk Seward Peninsula Planning Area. In July/August 2022, 23 plots were established and sampled using this monitoring framework. Data on plant cover, invasive species, sensitive species, woody structure, phenology, pollinator activity, and soil structure were collected. In addition to these national core monitoring indicators, BLM has developed methods to collect data on lichen cover and disturbance to determine rangeland health in areas that BLM permits reindeer grazing.
- In July 2022, exclosures on the Seward Peninsula were visited and monitored. These small fenced-in areas protect vegetation from grazing, providing a baseline to learn about the long-term effects of grazing on lichens and plants. The exclosures were installed in 2011 and 2012 and baseline data was collected at that time. This is the first year that vegetation has been reassessed to determine how it has changed over the past 10 years. Data will be analyzed during the upcoming winter months.
- Re-issued four firewood harvest permits to residents on the Seward Peninsula.
- Collaborated with the United State Forest Service Forest Inventory and Analysis Program (FIA) to facilitate data collection at 105 plot locations on BLM within the FIA's Southwest Inventory Unit.
- Anchorage Area: Conducted invasive species control treatments on Campbell Tract in July with another planned for August 2021. Bird vetch and orange hawkweed were targeting this year and spot treatment occurred within a 6-acre area that is assessed annually.

- Continuing to support the Anchorage Cooperative Invasive Species Management Area through an assistance agreement to partially fund meetings, public events, and chairperson coordination.

### **Archaeology**

- OTZ Telecom Cooperative has applied to the BLM for rights-of-way to construct several towers that would provide internet service to northwest Alaska. The BLM is working with the USDA Rural Utilities Service, the US Fish and Wildlife Service, the National Park Service, and the State of Alaska to develop a Programmatic Agreement to address potential effects to cultural resources under the National Historic Preservation Act.

### **Recreation**

- Spring 2022- conducted SRP monitoring in the Neacola Mountains and Tordrillo Mountains.
- June 2022- inspected guide and outfitter camps in GMU 19D & 19C.
- July 2022- inspected guide and outfitter camps and airstrips in GMU 23.
- August 2022- a new BLM sign will be placed at the boundary of BLM lands and Unalakleet Native Lands on the Unalakleet Wild and Scenic River.
- Issued new Special Recreation Permit (SRP) for guided bear hunts in GUA 21-03.
- Issued new Special Recreation Permit (SRP) for guided big game hunts in GUA 19-12.
- Issued new Special Recreation Permit (SRP) for guided big game hunts in GUA 21-01.

### **Iditarod Trail**

- The BLM worked with Denali National Park & Preserve personnel to rehabilitate and stabilize the Rohn Public Use Cabin. The work stabilized the condition of this National Register of Historic Places eligible cabin for decades to come.

### **Realty**

- OTZ lease application
- Mukluk Telephone fiberoptic lease application
- Private individual road right of way application

- Bristol Bay Cellular 2 ROW lease renewals
- NPS Nome lease clean-up of Hill 3870 on the Teller Road
- Seldovia Certificate Inspection and Possession Environmental Site Assessment exam

### **Hazmat**

- Kolmakoff Mine Site has been funded for FY23 remedial fieldwork.
- Three remote trespass cabin sites have been remediated and will be submitted for regulatory closure.
- RCRA HAZMAT removed and disposed of from an aircraft crash site in Squirrel River SMRA.
- Accumulated HAZMAT from AFO and GFO properly disposed of.

### **Minerals**

- Minerals staff have had a productive field inspection and are scheduled to accomplish all planned mine inspections by the end of September.
- Salmon River Fish Passage Project is undergoing NEPA review and funding options are being sought after.
- Nixon Fork experienced a severe wildfire fire event that burned much of the surface infrastructure. There continues to be multiple enforcement actions against the operator and staff are trying to bring them into compliance before the end of FY22.
- Multiple operators in Flat have made progress in their mine site reclamation.
- One operator in Nome is beginning reclamation this fall and BLM is pursuing cleanup actions for the other operator.
- Minerals staff have worked extensively in closing out legacy mineral material casefiles associated with Native Allotments.

# Winter 2023 Regional Advisory Council Meeting Calendar

*Last updated 03/28/2022*

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

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

# Fall 2023 Regional Advisory Council Meeting Calendar

*Last updated 08/1/2022*

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

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

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

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

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

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

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

### **Policy**

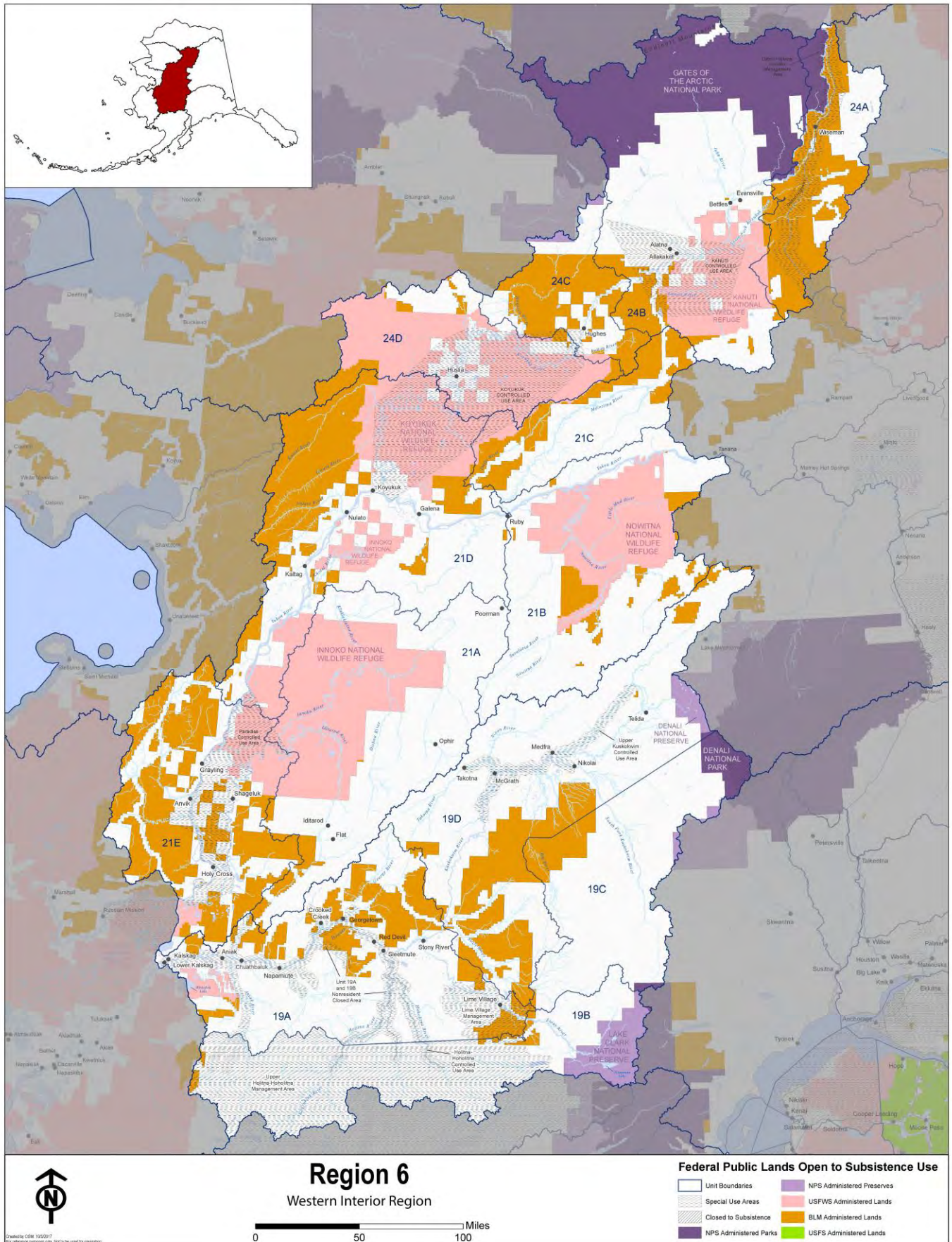
1. The subject matter of Council correspondence shall be limited to matters over which the Council has authority under §805(a)(3), §808, §810 of Title VIII, Subpart B §\_\_\_.11(c) of regulation, and as described in the Council charters.
2. Councils may, and are encouraged to, correspond directly with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

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

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



Region 6 – Western Interior Region Map



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

**Western Interior Alaska Subsistence Regional Advisory Council**

**Charter**

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

- (3) A recommended strategy for the management of fish and wildlife populations within the Region to accommodate such subsistence uses and needs; and
    - (4) Recommendations concerning policies, standards, guidelines, and regulations to implement the strategy.
  - e. Appoint one member to the Gates of the Arctic National Park Subsistence Resource Commission in accordance with section 808 of the ANILCA.
  - f. Make recommendations on determinations of customary and traditional use of subsistence resources.
  - g. Make recommendations on determinations of rural status.
  - h. Provide recommendations on the establishment and membership of Federal local advisory committees.
- 5. **Agency or Official to Whom the Council Reports.** The Council reports to the Federal Subsistence Board Chair, who is appointed by the Secretary of the Interior with the concurrence of the Secretary of Agriculture.
- 6. **Support.** The U.S. Fish and Wildlife Service will provide administrative support for the activities of the Council through the Office of Subsistence Management.
- 7. **Estimated Annual Operating Costs and Staff Years.** The annual operating costs associated with supporting the Council's functions are estimated to be \$180,000, including all direct and indirect expenses and 1.15 Federal staff years.
- 8. **Designated Federal Officer.** The DFO is the Subsistence Council Coordinator for the Region or such other Federal employee as may be designated by the Assistant Regional Director – Subsistence, Region 11, U.S. Fish and Wildlife Service. The DFO is a full-time Federal employee appointed in accordance with Agency procedures. The DFO will:
  - (a) Approve or call all Council and subcommittee meetings;
  - (b) Prepare and approve all meeting agendas;
  - (c) Attend all committee and subcommittee meetings;
  - (d) Adjourn any meeting when the DFO determines adjournment to be in the public interest; and

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

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

**10. Duration.** Continuing.

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

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

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

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

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

For geographic membership balance, it is a Council goal to seat three members who reside in the Northern Koyukuk area (Unit 24), three members who reside in the Middle Yukon (Unit 21A-D), three members who reside in the Upper Kuskokwim area (Unit 19), and one member who resides in the Grayling/Anvik/Shageluk/Holy Cross area (GASH-Unit 21E).

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

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



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