

# YUKON-KUSKOKWIM DELTA

## Subsistence

### Regional Advisory Council



*Andreafsky River weir*

*USFWS Photo*

## Meeting Materials

March 5-6, 2014

Bethel

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**YUKON-KUSKOKWIM DELTA SUBSISTENCE REGIONAL ADVISORY COUNCIL**

**Yupit Piciryarait Cultural Center**  
420 Chief Eddie Hoffman Highway  
Bethel, Alaska

March 5-6, 2014  
9:00 a.m. – 5:00 p.m. each day

**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.

**AGENDA**

\*Asterisk identifies action item.

- 1. **Roll Call and Establish Quorum** (*Secretary*)..... 4
- 2. **Call to Order** (*Chair*)
- 3. **Welcome and Introductions** (*Chair*)
- 4. **Review and Adopt Agenda\*** (*Chair*)..... 1
- 5. **Election of Officers**
  - A. Chair (*DFO*)
  - B. Vice Chair (*Chair*)
  - C. Secretary (*Chair*)
- 6. **Review and Approve Previous Meeting Minutes\*** (*Chair*)
- 7. **Reports**
  - Council member reports
  - Chair's report

<b>8. Public and Tribal Comment on Non-Agenda Items</b> (Each day)	
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a. KNA Update	

**12. Future Meeting Dates\***

- A. Confirm date and location of fall 2014 meeting .....111
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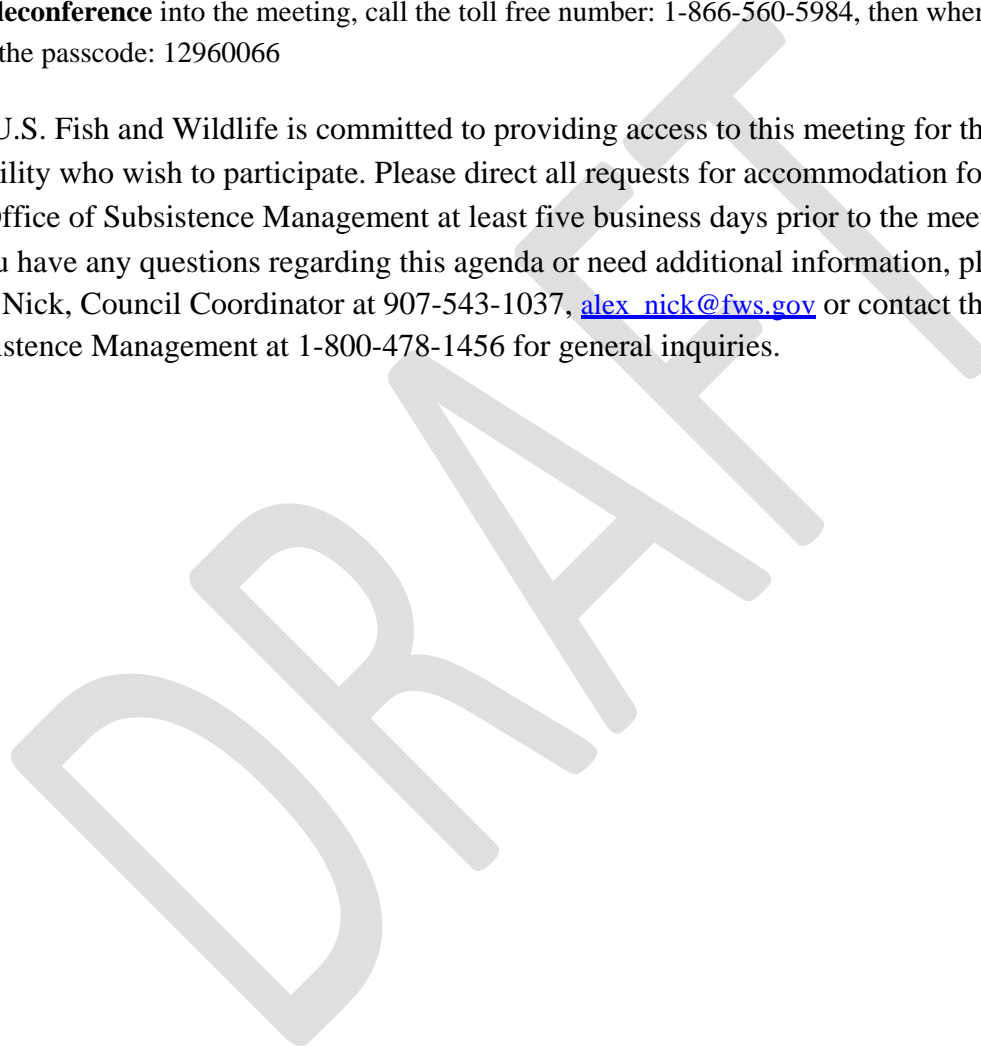
**13. Closing Comments**

**14. Adjourn** (*Chair*)

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

The U.S. Fish and Wildlife is committed to providing access to this meeting for those with a disability who wish to participate. Please direct all requests for accommodation for a disability to the Office of Subsistence Management at least five business days prior to the meeting.

If you have any questions regarding this agenda or need additional information, please contact Alex Nick, Council Coordinator at 907-543-1037, [alex\\_nick@fws.gov](mailto:alex_nick@fws.gov) or contact the Office of Subsistence Management at 1-800-478-1456 for general inquiries.



## REGION 5—Yukon-Kuskokwim Delta Regional Advisory Council

Seat	Yr Apptd <i>Term Expires</i>	Member Name & Address
1	2004 <b>2016</b>	<b>William Frank Brown</b> Eek
2	1997 <b>2016</b>	<b>James Aiagiak Charles</b> Tuntutuliak
3		
4		
5	1996 <b>2014</b>	<b>Lester Wilde (Sr.)</b> Hooper Bay <span style="float: right;"><b>Chair</b></span>
6	2011 <b>2014</b>	<b>Paul J. Manumik, Sr.</b> Nunam Iqua
7	2014 <b>2014</b>	<b>Anthony F. Ulak</b> Scammon Bay
8	1993 <b>2014</b>	<b>Harry O. Wilde Sr.</b> Mountain Village
9	1999 <b>2014</b>	<b>Mary M. Gregory</b> Bethel
10	2012 <b>2015</b>	<b>Raymond J. Oney</b> Alakanuk
11	2003 <b>2015</b>	<b>Greg J. Roczicka</b> Bethel
12	2003 <b>2015</b>	<b>Robert E. Aloysius</b> Kalskag
13	2006 <b>2015</b>	<b>David Bill, Sr.</b> Toksook Bay

Draft

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

Meeting Minutes

November 14-15, 2013

(Original scheduled meeting date was Oct. 2-3, 2013)

Yupiit Piciryarait Cultural Center

Bethel, Alaska

Meeting was called to order by Lester Wilde, Chair

Roll call was by Alex Nick, Council Coordinator

**Members Present**

Lester Wilde

James A. Charles

William F. Brown

Harry O. Wilde, Sr.

Greg J. Roczicka

Mary M. Gregory

David A. Bill, Sr.

Robert E. Aloysius

Evan K. Polty

**Members Absent**

Paul J. Manumik, Sr.

Raymond J. Oney

Noah M. Andrew, Sr.

**Meeting Participants**

Alex Nick, Jack Lorrigan, Ms. Palma Ingles (online), Ms. Karen Hyer (online), Trevor Fox, Jeff Brooks, Trent Liebich (online), OSM; Andy Aderman (online), Ms. Susanna Henry (online), Togiak Refuge; Daniel Sharp, William Charlie, Sr.; Merben Cebrian, Daniel Sharp (online), BLM; Glenn Chen, BIA; Fred Bue, Tom Doolittle, Spencer Rearden, Joe Asuluk, Sr., FWS; Doug Molyneaux; Jeff Parks, Travis Elison, Jeff Estenson (online), Phillip Perry, Drew Crawford (online), Eric Newland (online), Ms. Breena Ap-gar Kurtz, ADF&G; Steve Kessler, USFS; Wayne Jenkins, YRDFA; Greg Hoffman, Jr.; Timothy Andrew, Casie Stockdale, AVCP; Roberta Chavez, ONC; Francis Ashepak; Eugene Nicholas, Jr.; Peter Moses; Merrie Mendenhall, UAF; Louie Andrew, ONC; Taylor Brelsford, Keith Gordon, Donlin Mine Project; Ms. Lucy Williams-Olick; Tina Hile, Court Reporter; Mardi Hanson; Huey Ashapak; Rebecca with KNA; James Sipary, Sr.; David Bill; George Guest; Alfred Nicolai.

## **Invocation**

Invocation was by Ms. Mary Gregory.

## **Welcome and Introductions**

Lester Wilde welcomed everyone to Bethel.

## **Housekeeping Items**

Alex Nick provided housekeeping items and introduced Mr. Gene Peltola, Jr., ARD, Office of Subsistence Management.

## **Review and Adoption of Agenda**

Lester Wilde read into record draft agenda. Council reviewed its draft agenda and after a brief discussion added following items. Alex Nick informed Council a revised agenda did not make on time before meeting workbook is printed. There are some additions to the agenda items. Corrected draft agenda and additions are as follows.

- 10. A. Summary of Tribal and ANCSA Corporation Consultations
- 10. B. 2014-2016 Wildlife Proposals
- 10. C. 2013 U.S. Fish and Wildlife/ ADF&G Lower Yukon River Fishing Season Review
- 10. D. Draft 2014 Fisheries Resource Monitoring Plan
- 10. E. Rural Determinations Process Review
- 10. F. Award Presentation
- 10. G. Council Compensation
- 10. H. Invasive Plants
- 10. I. Donlin Creek EIS
- 11. Agency Reports

Under agency reports in number one should be budget update and so on.

Council took action to adopt revised agenda.

## **Election of Officers**

Election of officers was discussed and the Office of Subsistence Management staff informed Council this item is for winter Council meeting because election of officers are usually done during winter Council meetings. After a brief discussions concluded election of officers was postponed until winter 2014 Council meeting.

## ***Coordinating Fisheries Committee Appointments***

Council reviewed its Coordinating Fisheries Committee members and took action to make appointments to appropriate committee. Appointment results are as follows:

### ***Lower Yukon***

Paul J. Manumik, Sr. – Nunam Iqua

Evan K. Polty, Sr. – Pilot Station



***Lower Kuskokwim***

James A. Charles – Tuntutuliak  
Robert E. Aloysius – Kalakg

***Kuskokwim River Salmon Management Working Group***

Council Representative  
Robert E. Aloysius - Kalskag

**Previous Meeting Minutes**

Council reviewed its previous minutes from February 2013 and took action to adopt the meeting minutes as written with one opposing because member did not read draft minutes.

**Reports**

Alex Nick informed Council 805c letter is distributed to the Council and explained what 805c letter is. Mr. Lester Wilde read into record Federal Subsistence Board (FSB) 805c letter. 805c letter is a letter showing the Federal Subsistence Board (FSB) action record containing Council recommendations from its meeting and FSB actions. Council took action to accept 805c letter. One member opposed because he did not agree with some of the justifications for FSB actions.

**Public and Tribal Comments on Non-Agenda Items**

Mr. John Riley from Pitkas Point, a long time Fish and Game Advisory Committee member commented stating that local people are being affected by restrictions on harvesting Chinook salmon in the lower Yukon River. Mr. Riley is originally from Bethel and has lived in Bethel for about 20 years before he moved to lower Yukon community. He provided Chinook salmon to his family for subsistence and has commercially fished for Chinook and other salmon species in the past. He witnessed gillnet restrictions for salmon fishing from 8.5” to 8”, 8 and a quarter inch, and in the recent years to 7.5 inch gear to harvest Chinook salmon. 7.5 inch gillnets was used for only one fishing season and is now restricted. Elders are being affected by these restrictions on harvest of Chinook for subsistence. New method of harvest, use of beach seine and dipnet for subsistence harvest of salmon in the lower Yukon River has an adverse affect on subsistence fisherman. His son brought home what he calls red king salmon (one that looks like spawned out Chinook) which is not preferred food. Rich Chinook salmon is what local people prefer to harvest for winter food supply. Mr. Riley provided other information on his personal experiences when he observed what is happening in the past years relating to salmon fishery for subsistence.

There were some discussions about the lower Yukon River salmon fisheries management between agency staff, Council members, and other interested individuals following Mr. Riley’s comments.

Mr. James Sipary, Sr. from Toksook Bay provided comments on Federal and State mandated subsistence protection under the Alaska National Interests Lands Conservation Act. His concern was population levels for Bethel, Alaska that is close to 7,000 people

which could affect Bethel residents when it comes to rural determination process. He used Nelson Island communities as an example. Should combined population numbers for four communities in Nelson Island totals to 7,000 people that would have an affect on subsistence. Mr. Sipary used Yukon-Kuskokwim Delta Goose Management Plan as an example that was agreed upon between the U. S. Fish and Wildlife Service, State of Alaska, Association of Village Council Presidents, and Yukon-Kuskokwim Delta villages when migratory birds was of concern in early or mid-1980s. International Migratory Bird Treaty between United States, Canada, Russia agreed upon in 1916 was complied with across the country. He referred to Stevens-Magnuson Act that protects five species of salmon because people depend on salmon species across the State. Mr. Sipary's comments seem to be relating to conservation of salmon and other resources.

### **Old Business**

Jack Lorrigan with the Office of Subsistence Management provided information on the Customary and Traditional Use Determinations. Mr. Steve Kessler assisted Mr. Lorrigan and both answered Council's questions on C&T process. The Council listened to Mr. Lorrigan's and Steve Kessler's presentations and provided following comments:

- A Council member wanted to know how long existing customary and traditional use determinations lasts because he now is becoming an elder and does not hunt in the areas he used to hunt. He hunted in a certain Alaska State Game Management Unit for years from his village which is long distance
- Council feels the status quo on existing customary and traditional use determinations would not be of benefit to subsistence users because there will be a need to make changes on the customary and traditional uses of the resources in the future
- Subsistence hunters bring with their customary and traditional use determinations to wherever they end up hunting and fishing out in the field. The State of Alaska brings forth its own fish and wildlife harvest regulations to the areas that are unnecessary for local people
- Regional Advisory Councils were created under the authority of the Alaska National Interests Lands Conservation Act (ANILCA). ANILCA is a Federal legislation and has more power than the State of Alaska's authority in making determinations on the customary and traditional uses for fish and wildlife resources, edible plants, and berries
- Council agrees with the aspects of the area customary and traditional use determinations. However, Council does not agree with resource specie by specie customary and traditional use determinations of the subsistence resources.
- Customary and traditional use determinations should be based on a need for use and dependence of subsistence resources, not for the opportunity to harvest. Whenever there is a need for conservation of the resource, subsistence harvest of the resources should be priority. Salmon is a good example people needs for

winter subsistence food supply. Those that really don't need fish and wildlife resources should target other species

- The Association of the Village Council Presidents (AVCP) passed a resolution during its fall 2013 convention addressing to incorporate customary and traditional uses into resource management structure. The Alaska Federation of Natives (AFN) supported AVCP resolution during its fall 2013 convention. The Alaska Federation of Natives convention also addressed rural determinations process during its convention
- An elder was stopped by law enforcement officers for possessing a white fish he was bringing home for family dinner which he did not have C&T for in the area he was fishing. Not having C&T for any of the subsistence resources makes local people criminals unnecessarily. This type of encounters elders and subsistence users experience in the field and such regulations do not have a place in this area
- When local subsistence hunters and fisherman returns from their hunting and fishing trip, most of the harvested resources are usually shared within the entire community. Most subsistence fishers did not do well this past summer because there was high water level all over the Delta. As a result of high water level in the Delta, some fishers returned empty handed. Western Alaska and Southeast Alaska should not, and cannot be compared with in terms of their customary and traditional uses of the resources because there is a lot of difference between Southeast and Western Alaska. In Western Alaska, a woman of the house knows what fish and wildlife resources are needed for family's winter subsistence food supply. She has a say so if more or less fish and wildlife resources are needed. Otherwise, she could say to the head of the household, we have enough food supply for the winter and it's time to stop hunting and fishing
- The Federal Subsistence Board's authority under the Alaska National Interests Lands Conservation Act (ANILCA) Title VIII is clear. However, the Board has not implemented part of its authority under ANILCA Title VIII, the Board has only implemented a portion of the mandate the Board under ANILCA Title VIII
- Option No. 2 seem to make more sense, that would allow making some changes on the customary and traditional use determinations and this option reflects what Council discussed about subsistence resource species within the area where local people hunts and fishes

### **New Business**

#### ***Tribal Council/Alaska Native Claims Settlement Act (ANCSA) Consultation Results***

Jack Lorrigan with OSM provided a summary of the consultations with tribes and ANCSA corporations on statewide, regional, and crossover Federal regulatory change proposals for harvest of wildlife. Mr. Lorrigan's report was from August and September tribal and ANCSA corporation consultation results.

## **2014 – 2016 Federal Wildlife Regulatory Proposals**

Council heard Federal regulatory change analysis of 2014-2016 regulatory change proposals, Council heard agency, organization, public comments, and provided following recommendations to the Federal Subsistence Board by official action.

Mr. Drew Crawford with the Alaska Department of Fish and Game provided State comments on following Federal regulatory change proposals.

### Proposal WP14-01

Proposal requests the establishment of new statewide provisions for Federal trapping regulations that require trapper identification tags on all traps and snares, establish a maximum allowable time for checking traps, and establish a harvest/trapping report form to collect data on non-target species captured in traps and snares. *Submitted by Kevin Bopp*

ADF&G agreed with assessment and Federal conclusion not to support this proposal.

AVCP opposed this proposal in consideration of the cost trappers would experience. Extra regulation is not necessary.

Council opposed this proposal.

Council is not in support of proposal WP14-01 because winter dangerous trail conditions exist when weather is the factor. It would not be possible to check trap lines on schedule while there is inclement weather condition in trapping area where small drainages don't freeze due to snow cover and there is open water underneath the winter trail covered with snow.

### Special Action Request Proposal WSA13-01 (Temporary version of Proposal WP14-21)

Special Action requests an extension of the to-be-announced winter season and an increase in the harvest limit for moose under Federal hunting regulations in Unit 17A. *Submitted by the Bristol Bay Regional Advisory Council*

ADF&G supports these proposals because State and Federal regulations would be aligned.

Council supported this proposal.

Proposal WP14-21 and WSA13-01 requests to align the Federal caribou harvest regulations with the State caribou harvest regulations in the proposed area.

### Proposal WP14-21

Proposal requests an extension of the to-be-announced winter season and an increase in the harvest limit for moose under Federal hunting regulations in Unit 17A. *Submitted by the Bristol Bay Regional Advisory Council*

Council supported this proposal by unanimous consent.

Special Action Request WSA13-01 and WP14-21 requests to align the Federal caribou harvest regulations with the current State caribou harvest regulations. Council concurs with the proposal analysis and supported these proposals by unanimous consent.

Proposal WP14-23

Proposal requests an extension of the moose season in Unit 18, that portion north and west of the Kashunak (pronounced Kisunaq) River including the north bank from the mouth of the river upstream to the old village of Chakaktolik (pronounced Cuqar'talek) to Mountain Village and excluding all Yukon River drainages upriver from Mountain Village, from Aug. 1 to the last day of February to Aug. 1 to March 31. It also requests removal of the bull-only restriction from Aug. 1-Sept. 30. *Submitted by the Yukon-Kuskokwim Delta Regional Advisory Council.*

ADF&G support this proposal.

AVCP would support this proposal should portion of proposal 28 is incorporated into this proposal relating to

Council supported this proposal with modifications to read: ...in Unit 18, that portion north and west of the Kashunak River including the north bank from the mouth of the river upstream to the old village of Chakaktolik to Mountain Village and excluding all Yukon River drainages upriver from Mountain Village, from Aug 1 - March 31 eliminate bull-only restrictions and make Unit 18 remainder consistent between Lowest Yukon River season. Harvest limit-2 moose.

The Lower Yukon River communities have some concerns about several changes on the lowest Yukon moose hunt descriptor that occurred in the past. Council is also concerned how hunt descriptor changes could have an effect if this proposal is adopted. However, Council felt adoption of this proposal would provide additional harvest opportunity for limited communities near Unit 18 remainder.

Yukon Delta National Wildlife Refuge (Rearden) did not support one aspect of this proposal that dealing with harvest limits. Refuge encourages cow harvest to control rapid growth of moose numbers. Second reason is there could be some user conflicts in October and November season.

Proposal WP14-24/25

ADF&G is neutral. Buffer zone could be difficult to determine.

Proposal WP14-24 requests that the boundary for Unit 18, that portion north and west of the Kashunak River including the north bank from the mouth of the river upstream to the old village of Chakaktolik, west of a line from Chakaktolik to Mountain Village and excluding all Yukon River drainages upriver from Mountain Village be changed to include the Kashunak River and the North Fork of the Andrefsky River. *Submitted by the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council.*

Proposal WP14-25 requests that the boundary for Unit 18, that portion north and west of the mouth of the Kashunak River including the north bank from the mouth of the river upstream to the old village of Chakaktolik west of a line from Chakaktolik to Mountain Village be revised to include the south bank of the Kashunak River for its entire length. It would also liberalize moose harvest for a small area upriver of Mountain Village that would be included in the lower Yukon hunt instead of Unit 18 remainder. *Submitted by the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council*

Council supported these proposals with modifications.

Council agreed with the modifications and the analysis of the proposals that would combine intent of these proposals. Association of Village Council Presidents supported similar Board of Game proposals to use landmarks for hunt boundary instead of a line between Old Village of Chakaktolik and Mountain Village. Lower Kuskokwim Fish and Game Advisory Committee supports this proposal.

#### Proposal WP14-26

Proposal requests that for Unit 18, that portion to the east and south of the Kuskokwim River, the caribou hunt be changed to require a joint State/Federal registration permit, the 1 bull harvest restriction be eliminated and a continuous season from Aug.1 to Mar.15<sup>th</sup> be established. Additionally, the proponent asks that the Yukon Delta National Wildlife Refuge manager be given delegated authority to close or re-open Federal public lands to all users for this hunt if needed for conservation concerns after consultation with the Alaska Department of fish and Game (ADF&G), the Togiak National Wildlife Refuge manager, and the chair of the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council. *Submitted by the Yukon Delta National Wildlife Refuge*

ADF&G agree with the elements of this proposal but recommend do not support this proposal because elements are best incorporated in proposal 14-22 as amended.

Yukon Delta National Wildlife Refuge (proponent) believes allowing harvest of two caribou will not make any difference. Refuge is trying to simplify caribou harvest regulations.

Council supported this proposal with modifications to read: Unit 18, that portion to the east and south of the Kuskokwim River – 2 caribou by ADF&G registration permit. Aug. 1 –Mar. 31. Through a letter of delegation: The Yukon Delta National Wildlife Refuge

manager has the authority to close or re-open Federal public lands to all users for this hunt if necessary for conservation concerns, after consultation with ADF&G, the Togiak National Wildlife refuge manager, and the chair of the Yukon-Kuskokwim Regional Advisory Council.

Council does not agree with the Office of Subsistence Management preliminary conclusion language because proponent agrees with the regulatory change as proposed. Lower Kuskokwim Fish and Game Advisory Committee reviewed these proposals and did not make any recommendations for changes. The Association of Village Council Presidents supports the proposal to make it continuous season and recommended to eliminate the bull:cow ratio because in the past Mulchatna caribou has been extremely random.

#### Proposal WP14-27

Proposal requests a season for moose in Unit 18 “the Kuskokwim area” be established with a Sept.1-30 season and a harvest limit of one antlered bull by a joint State/Federal registration permit. Additionally, the hunt will be closed by the Yukon Delta National Wildlife Refuge manager by Special Action when the established quota is met.  
*Submitted by the Yukon Delta National Wildlife refuge.*

ADF&G support this proposal to make it State permit only.

Yukon Delta National Wildlife Refuge (proponent) support State registration requirement.

Council supported this proposal with modification to read: - 1 antlered bull by ADF&G registration permits RM615 available at license vendors in the hunt area from August 1 to August 25. Quota is to be announced. Hunt will be closed by the Yukon Delta National Wildlife Refuge manager by special Action when quota is expected to be met.

Moose population along the lower Kuskokwim River has grown substantially. Management objectives for both population size and bull: cow composition has been met over the last several years. Established season would be less confusing and easier for moose hunters. State Fish and Game support the proposal to make it State registration only. Lower Kuskokwim Fish and Game Advisory Committee support the proposal with minor modification to allow hunt from September 1<sup>st</sup> until quota is met, not from September 1 – 30. A Council member was concerned about the Unit 18 boundary near Kalskag villages causes some problems on moose hunt opportunity.

#### Proposal WP14-28

Proposal requests extension of the fall season for moose in Unit 18 remainder by 9 days and liberalization of the antlered requirement. *Submitted by the Yukon Delta National Wildlife Refuge.*

Council took no action on this proposal in reflection to Council discussions on proposal 23.

The current numbers of the Mulchatna caribou herd continues to be low, and harvest of this herd continues to decline since about 2003. Council's decision to take no action was in reflection of its discussions on proposal WP14-23.

#### Proposal WP14-22

Proposal requests changes to the Federal subsistence caribou hunting regulations in Units 9A, 9B, 9C, 17A, 17B, 17C, 18, 19A, and 19B. The proposal requests the establishment of permit requirements for all of the units and that the to-be-announced season in Units 17A remainder and 17C remainder be shorted from Aug.1 – March 31 to Aug. 1 – Mar.15. *Submitted by the Bristol Bay Regional Advisory Council*

ADF&G support this proposal because it would reduce confusion.

Council supported this proposal with modification using the language from Council workbook on page 148 to incorporate same proposed language as that of proposal WP14-26. Council agreed with the Office of Subsistence Management staff preliminary conclusion and justifications. The Lower Kuskokwim Fish and Game Advisory Committee support this proposal with its proposed modifications to align with the State harvest regulations.

#### Proposal WP14-32

Proposal requests a modification of the Paradise Controlled Use Area (Paradise CUA) boundary in Unit 21E under Federal regulations, by extending the eastern boundary two miles along the east bank of the Innoko River and along the east bank of Paimiut Slough. *Submitted by Robert Walker of Anvik*

ADF&G oppose this proposal and agree with OSM conclusion.

Council opposed this proposal.

Council felt that it would be ineffective to support this proposal on behalf of Unit 18 residents. Unit 18 residents don't hunt in the proposed are.

#### **2013 USFWS/ADF&G Lower Yukon River Fishing Season Review**

Mr. Fred Bue with the U.S. Fish and Wildlife Service gave an update on the Yukon River Chinook salmon fishery. He referred to the handout distributed to Council members and limited audience for their information. He reported on all agencies and organizations involved and informed Council and audience due to low returns there has been interest on Chinook salmon management in the Yukon River. One of the key approaches was windowed fish schedule that followed fish as salmon swim upriver. Use of gillnets was restricted to 6" mesh or less to conserve salmon. Mr. Bue shared information on lower



Yukon salmon test fishery. For commercial chum salmon fishery, dipnets and beach seine was allowed so incidentally caught Chinook would be released. Beach Seine and dipnets are expensive even for test fishing to see if it works in the fishery area. Mr. Bue provided much information that could be read in the transcripts by interested individuals.

Mr. Eric Newland added to Mr. Bue's Yukon River salmon fishery report there were a lot of enforcement in the river. Department plan to work with affected users to target other fishery species for the winter. Also Department hopes to obtain funding to have more meetings in winter and plan for salmon fishery management.

Mr. Jeff Estensen with ADF&G added that fall chum run strength in Yukon River has been good last several years. Mr. Estensen anticipated another good year in 2014 season. Chum salmon run strength has been good as well. Prior to 2012, subsistence harvest of chums averaged about 80,000 fish. Recently in 2012, subsistence harvest of chums total to about 97,000 fish.

### **Draft Fisheries Resource Monitoring Program Plan (FRMP)**

#### Council's FRMP Project Recommendations

##### ***Yukon River Projects***

Council reviewed Technical Review Committee (TRC) FRMP projects recommended for funding for the Yukon River fisheries projects. Council did not disagree with any of the TRC recommendations for funding for the Yukon River fisheries projects. There was not any need for discussions for Yukon River portion of the FRMP projects recommended for funding.

Council supported TRC recommendations for Yukon River fisheries projects recommended for funding. Motion was seconded by James Charles.

Council was fully in agreement with fisheries projects recommended for funding by TRC as proposed.

##### ***Kuskokwim River Projects***

Council had an extensive discussion about the Kuskokwim River Fisheries Resource Monitoring Program (FRMP) fisheries projects recommended by Technical Review Committee (TRC) as do not fund. Council heard extensive public testimonies about the importance of the projects TRC recommended not to fund in the Kuskokwim River. TRC recommended do not fund Tuluksak River and Takotna River fisheries projects because these projects have indicated a very low salmon returns according to available data. There were several letters of support for funding Tuluksak River and Takotna River fisheries projects that would justify funding. Council reviewed fisheries projects table, discussed, and identified fisheries projects less important for salmon data gathering for the purpose of future fisheries management tool for subsistence fisheries in the Kuskokwim River. Council discussed Kanektok River and Goodnews River fisheries projects and came up with conclusion that these two fisheries projects are commercial

salmon fishing interests while Takotna River and Tuluksak River are important for subsistence salmon fisheries data. Council also identified at least one other fisheries project that is less important, Upper Kuskokwim River Sheefish Enumeration Project and Council discussed and recommended to defund Upper Kuskokwim River Sheefish Enumeration project and shift funds from that project to supplement funding for Takotna and Tuluksak River fisheries projects. Council felt by defunding Kanektok River, Goodnews River, and Upper Kuskokwim River Sheefish Enumeration Projects, there could be sufficient funds to fund these projects that are important for subsistence fisheries data. After a lengthy discussion among the Council, staff, and other interested parties, Council made following recommendation.

Mr. Doug Molyneux had no affiliation but provided his comments in support of the weir projects in Tuluksak River and Takotna River. Mr. Molyneux used a powerpoint presentation and provided information so Council would understand importance of fisheries projects in the Kuskokwim River. More information is in the meeting transcripts beginning page 54, line 38.

Mr. Gene Peltola, Jr. with the Office of Subsistence Management provided information on Technical Review Committee has existed for many years. TRC reviews and makes its recommendations for funding of fisheries projects.

Mr. Steve Miller with Kenai Refuge Fisheries provided supporting comments on Kuskokwim River projects and referred to Mr. Doolittle's and other supporting letters regarding fisheries projects (Transcripts page 65, line 13). Mr. Miller provided much fisheries supporting information on Kuskokwim River weir projects. He answered Council's questions relating to fisheries. Mr. Miller asked Council to weigh in on the projects not recommended for funding. Mr. Miller provided a slide presentation to back up his recommendations on Tuluksak River and Takotna River project funding. Mr. Miller's presentation was kind of lengthy because he answered council's questions..

Mr. Travis Elison with the Alaska Department of Fish and Game provided supporting Kuskokwim River fisheries information. He said these projects are good and all seven weir projects have merits. He shared how he used to make management decisions on the Kuskokwim fisheries projects. The department is concerned about TRC recommendations not to fund important projects. He provided much information and answered Council's questions.

Ms. Casie Stockdale, AVCP informed Council a letter is being sent to tribal councils due to poor salmon run since 2010 including past summer, people needs to work together to arrive at salmon management solutions. Message is being disseminate from the Kuskokwim River Salmon Management Working Group.

Andy Aderman with Togiak National Wildlife Refuge spoke in support of Kanektok River and Goodnews River weir projects. He does not want to see salmon management tools like Kanektok and Goodnews Rivers weir projects discontinued. These two small drainages are unique and are important for monitoring salmon returns in the area. These

projects are important not only for salmon escapements but also for residents in Quinhagak, Goodnews Bay, and Platinum.

After listening to the agency, organization, and other interested individual comments, the Council took action to reprioritize TRC recommendations for FRMP Kuskokwim River fisheries project funding and move Tuluksak River and Takotna River projects up to number 5 and 6 for funding and defund Kanektok River, Goodnews River, and Upper Kuskokwim River projects placing these projects to “do not fund” recommendation.

Tuluksak River fisheries project and Takotna River fisheries projects has provided long term and important salmon return spawning grounds data that is important for subsistence salmon fisheries management tool. If funding for Tuluksak River and Takotna River is discontinued, very important data relating to salmon return to these spawning grounds will be lost. Tuluksak River and Takotna River fisheries projects are very important for gathering subsistence salmon resource data, not just for Chinook salmon but for all other important salmon species such as Coho and Sockeye salmon.

### **Rural Determinations Process Review**

#### ***Council Comments on Rural Determinations Process***

There were some discussions by the Council about “Sparsely populated area” definition of the Rural Determinations Process as a primary indicator for the rural areas.

Hunting or fishing areas could be used to figure out number of people that uses the respective area per square mileage and figure out how many people per square mileage are in the area using this method.

A resolution entitled “Protection of the Alaska Native Subsistence Priority in Federal Review of Rural Qualifications Criteria and Current Failure of Compliance with the Congressional Intent for Title VIII of the Alaska Interests Lands Conservation Act” (ANILCA) was read into record by Council member Greg Roczicka. The intent of the resolution was to address a very real concern that's been addressed at the Kuskokwim River Salmon Working Group level for a component of Bethel residents that doesn't really rely on salmon, yet they're able to go out fishing and harvest 20, 30 king salmon at a time in summer, and they have never learned how to take care of that many fish harvested at one point in time. By requesting the Federal Subsistence Board to adopt a criteria to protect the subsistence uses, it would still be open to all Native and non-Native residents, subsistence would be open for only people those that practices the use of the resources.

The Yukon-Kuskokwim Delta Regional Advisory Council made a recommendation regarding recommended changes to the Rural Determination Process. The Council’s recommendation is to use Chairman Lester Wilde’s comments as its position on record.

Chair Lester Wilde’s comments:

Council heard public testimony prior to this presentation about the grouping of the communities where people in this area do not feel that the grouping of communities would be too practical in this area because of the population size of community such as community of Bethel. And the population threshold as Council could see from the graph that there is room for the population variance from area to area. Council feels that those thresholds should not even be considered as a rural area with characteristics in it, then the population should not even come into consideration, it could be used as a final portion of rural determination. And Council also feel that the rural characteristics, use of fish and wildlife and economic development, diversity, infrastructure, transportation, and educational institutions, those are all good. But looking at those within city of Bethel, they are not as visible in Bethel as they are in communities that are mentioned, that are not in rural area preference, or in the process of rural determination. And as for the timeline of 10 years, that cycle should be left under consideration for under special circumstances when the review of the cycle time is placed under special circumstances. And the use of information source, the U.S. Census could be used but as far as the rest of those, that is what should be mentioned because if you are a rural area and you have characteristics of being a rural area as long as percentage of use and the percentage of the population is dependent on the subsistence resources that are in the area, some of the criteria should be the use of fish and wildlife resources and the percentage of use and the percentage of the population that are using fish and wildlife subsistence resources.

#### ***Award Presentation***

Mr. Harry Wilde, Sr. was presented a 20-year volunteer service award by Mr. Gene Peltola, Jr., with Office of Subsistence Management.

#### ***Donlin Gold Environmental Impact Statement***

Mr. Keith Gordon and Taylor Breslford introduced themselves and provided EIS information. Mr. Breslford, staffer on contract with Army Corps of Engineers provided information that they believe Donlin Gold EIS is very important for the region. It has lot of implications relating to the subsistence issues in the region. He felt Council would be interested understanding EIS timeline. He introduced Keith Gordon who works for Army Corps of Engineers, regulatory division. There are many agencies that cooperate including BLM in developing this project. Mr. Keith Gordon reported Donlin Creek mine is the largest pit mine project in State of Alaska. The U.S. Army Corps of Engineers is lead agency to develop this project. Mr. Gordon provided powerpoint presentation and explain processes of the project in each slide. They also explained National Environmental Policy Act (NEPA) agency complies with while EIS is being implemented such as Federal, State, and other laws. Mr. Gordon and Mr. Breslford provided a lot of information and answered Council's questions on EIS process.

#### ***Identify Issues for 2013 Annual Report***

Council did not identify 2013 Annual Report topics. In its winter 2013 meeting Council identified at least two beaver issues for its future annual report because Council was not clear of annual reply. There was not clear direction what Council wanted to do with its past annual report beaver issues such as abandoned beaver dams that needs to be removed to benefit fisheries resources.

## **Agency Reports**

### ***Office of Subsistence Management***

Mr. Jack Lorrigan gave an update on the budget. He reported there are eleven vacancies not filled at OSM. Gene Peltola, Jr. is the newly hired OSM<ARD. Also Jeff Brooks, anthropologist and Derek Hildreth, Permit Specialist were hired recently. He reported Helen Armstrong, Steve Fried, and Andrea Medeiros left OSM. He reported OSM Tribal Consultation Policy was approved by the Federal Subsistence Board. Tribal Consultation Implementation Policy is being written and approval by Subsistence Board is pending. Memorandum of Understanding (MOU) between the State and Federal is being reviewed by the State Advisory Committees for changes they want to incorporate. MOU to date is pending approval by parties.

### ***Yukon Delta National Wildlife Refuge***

Tom Doolittle, Acting Refuge Manager informed the Council about two letters he wrote addressed to the Federal Subsistence Board and the Council pertaining to Kuskokwim River weir projects in Tuluksak River and Takotna River. He looked at the Technical Resource Committee's funding priorities for the projects for Kuskokwim River and would like to ask Council to take a look at the funding recommendations and compare with the Alaska National Interest Lands Conservation Act's requirements on conservation of resources. Council needs to look at which resources would be most affected by TRC recommendations for funding. He said the U. S. Fish and Wildlife Service is obligated to manage resources when there is restrictions for subsistence uses of fish and wildlife resources. Mr. Doolittle provided much information and answered Council's questions relating to his letters.

### ***Togiak Refuge***

Andy Aderman provided Togiak Refuge Bulletin that was included in fall 2013 Council meeting workbook.

### ***Alaska Department of Fish and Game***

Travis Elison with ADF&G provided an update on Kuskokwim River King salmon fishery. Forecast was between 160,000 – 240,000 Chinook salmon return. Escapement results in spawning streams for Chinook salmon were very poor and lowest on record in all weir projects. Other salmon species return was average or near average in the spawning grounds. One of the management difficulties for Chinook salmon is tremendous harvest power in the river as people harvest lot of Chinooks. Fish and Game is going to work with Kuskokwim River Salmon Management Working Group to develop 2014 salmon management strategy.

### ***Bureau of Land Management***

Merben Cebrian, Subsistence Biologist with Bureau of Land Management (BLM) Reported BLM is starting Resource Management Plan a multi-year management plan which is meant to last about 20 years. Mr. Cebrian provided a slide presentation about public notice on Bering Sea-Western Interior resource Management Plan ( BSWI RMP). Scoping is the first process in the RMP. During scoping BLM will listen to public

comments. In this area there are not many BLM lands. Further upriver there is more BLM managed lands. Mr. Cebrian provided significant information on the multi-year resource management plan by powerpoint presentation. Locations for BLM public meetings were chosen because communities are close to BLM managed lands. Mr. Cebrian answered Council's questions at the end of his presentation.

### ***Organizations***

#### ***Association of Village Council Presidents (AVCP)***

Timothy Andrew, Director of Natural Resource Department provided an update on AVCP natural resource work. AVCP natural resource staff was directed by AVCP Convention's seven resolutions. Resolution 121003 authorized and directed natural resource staff to enter into an agreement with Bering Sea Elders Group and Alaska seafood Cooperative. Resolution 121004 calls for reduction of Chinook and chum salmon bycatch in the Bering Sea. Resolution 121005 calls to delay changes in the Kuskokwim River salmon escapement goals in the Kuskokwim River. Resolution 121006 calls for Mulchatna herd western population remain open only for harvest by Federally qualified hunters. He reminded Council and audience that this past summer there was public hearing on Mulchatna Caribou herd Special Action Request submitted by AVCP to close caribou harvest to nonFederally qualified hunters. Resolution 121007 requested to establish mainland muskox management plan. Lower Kuskokwim Fish and Game Committee did not recommend adoption of this management plan. Resolution 121008 requested to establish elder salmon fishery when salmon harvest restrictions are in place. He said that Mr. Tom Doolittle stated Federal management does not allow this while there is harvest restriction. Resolution 121009 requested review and revisions on Yukon River Salmon Treaty between United States and Canada to include provisions for low salmon production years. Resolution 12110 calls for organizing Intertribal Fisheries Commission for Yukon and Kuskokwim Rivers. Resolution 12111 calls for salmon test fisheries in every village in Kuskokwim River. Mr. Andrew briefly explained the outcome of natural resource work to satisfy requests by resolution. He answered Council's questions.

Ms. Casie Stockdale reported a letter provided to Council by Steve Miller in support of Kwethluk and Tuluksak fisheries project funding was sent. She also reported there is dataset for Kuskokwim fisheries. Ms. Stockdale urged to Council to weigh in on Tuluksak and Takotna weir projects back in for funding. Ms. Stockdale provided other information relating to Yukon River and Kuskokwim River fisheries.

#### ***Kuskokwim Native Association (KNA)***

No report

#### ***Orutsararmiut Native Council (ONC)***

Ms. Roberta Chavez with ONC gave an update on ONC projects. ONC subsistence salmon harvest surveys begin about June 10. ONC hires fishery technicians to do the fishery project work. 2013 salmon subsistence fishery opened with no restrictions and by mid-July most everyone was done fishing because they met their needs, which didn't do well for age, sex, and length project (ASL). Because subsistence fishers were worried

about potential restrictions, lot of effort on subsistence fishing was done. Some of the subsistence fisherman surveyed did not target Chinook. ONC hired five survey technicians and they targeted 536 households in Bethel which was met. Most households surveyed were happy with the season results.

### ***Yukon River Drainage Fisheries Association (YRDFA)***

Wayne Jenkins, Deputy Director with YRDFA updated Council 2013 teleconference inseason salmon management. There was 14 inseason management teleconferences in June, July, and August. Important salmon issues include low return of Chinook salmon in Yukon River drainage, salmon management strategies used inseason, salmon bycatch in the Bering sea Pollock fishery, and Magnuson-Stevens Act reauthorization. Fisherman was concerned about use of a six-inch gillnets because many did not have six inch mesh gillnet. He reported among other things the priorities of Alaska Native committees on salmon bycatch numbers. Chinook bycatch numbers in 2013 pollock fishery was 12,938, 1,595 over 2012 bycatch figure. Bycatch numbers for chum salmon in 2013 was 124,914, 102,637 over 2012 bycatch figure.

### **Future Meetings**

Winter 2014 meeting is on March 5-6, 2014 in Bethel, Alaska

Fall 2014 meeting is on October 14-15, 2014 in Bethel, Alaska

### **Closing Comments**

- Mr. Evan Polty thanked hosting community of Bethel and OSM for hospitality and accommodations provided for this meeting.
- Mr. Robert Aloysius commented that year after year it has been distracting to notice Council members going in and out of the meeting room while Council is conducting its business. Mr. Aloysius recommended the Chair take control of that to allow Council do its business without distraction. Another comment he provided was for the first time, it took him four days to travel to Bethel to attend Council meeting.
- Greg Roczicka thanked Mr. Harry Wilde for a job well done during the course of serving as a Chair and member of the Council. He took this opportunity to thank Mr. Wilde because he did not had chance to speak when Mr. Wilde received an award. He indicated Mr. Wilde taught him what subsistence ways in Yup'ik view means to local people.
- Mr. David Bill invited Council hold its future meeting in community of Toksook Bay. He stated there are different opportunities for lodging accommodations in Toksook Bay. He also stated in Yup'ik language you can do other things in community. Council would be welcomed by local residents.

- Lester Wilde commended Council members for their diligence and persistence while they made an effort to complete their business from the start of the meeting to the point of adjournment. He thanked staff for all their work compiling Council's meeting materials. Meeting materials makes it easier for Council to do their business.

**Adjournment**

Council took action to adjourn the meeting and meeting was adjourned at 9:25 p.m. on November 14, 2013.

Meeting minutes was drafted by Alex Nick, Council Coordinator



## **CUSTOMARY AND TRADITIONAL USE DETERMINATION BRIEFING**

The Federal Subsistence Board, and the Southeast Alaska Subsistence Regional Advisory Council, would like your recommendations on the current customary and traditional use determination process. The Board last asked the Councils a similar question in 2011 as directed by the Secretary of the Interior and the Secretary of Agriculture. All Councils, with the exception of the Southeast Council, indicated that the existing customary and traditional use determination process was working. At the request of the Southeast Council, this additional review is being conducted for your input.

We will briefly describe the history of customary and traditional use determinations, and illustrate the differences between those determinations and an ANILCA Section 804 analysis. We will then ask for Council discussion and recommendations. Our focus is not on *how* customary and traditional use determinations are made, but on *why* they are made. The Southeast Council would like you to recommend, as a Council, to eliminate, amend, or make no changes to the current customary and traditional use determination process.

The Alaska National Interest Lands Conservation Act (ANILCA) does not require customary and traditional use determinations. Customary and traditional use regulations were adopted from the State when the Federal Subsistence Management Program was established in 1990. In the 1992 Record of Decision, the Federal Subsistence Board considered four customary and traditional use options and recommended to the Secretaries of the Interior and Agriculture that State customary and traditional use determinations continue to be used. The State's eight criteria for determining customary and traditional use were subsequently slightly modified for use in Federal regulations. Since the establishment of the Federal Subsistence Management Program, the Board has made some 300 customary and traditional use determinations.

The Board initially adopted the State's customary and traditional use criteria (renaming them "factors"), anticipating the resumption of State management of subsistence on Federal public lands, and intending to "minimize disruption to traditional State regulation and management of fish and wildlife" (55 FR 27188 June, 29, 1990). The State has not resumed subsistence management on Federal public lands, and it appears the Federal Subsistence Management Program will be permanent. (See **Appendix A** for a listing of the eight factors.)

Note that the Board does not use customary and traditional use determinations to restrict amounts of harvest. The Board makes customary and traditional use determinations, relative to particular fish stocks and wildlife populations, in order to recognize a community or area whose residents generally exhibit eight factors of customary and traditional use. The Southeast Council is concerned that the effect is to exclude those Federally qualified rural residents who do not generally exhibit these factors from participating in subsistence harvests in particular areas.

In 2009, Secretary of the Interior Ken Salazar announced a review of the Federal subsistence program. Part of that review focused on customary and traditional use determinations. Specifically, in 2010, the Secretary of the Interior, with the concurrence of the Secretary of Agriculture, asked the Board to "Review, with RAC input, the customary and traditional use determination process and present recommendations for regulatory changes."

All ten Regional Advisory Councils were asked for their perspectives on customary and traditional use determinations during the 2011 winter meeting cycle. Nine Councils did not suggest changes to the

process (see **Appendix B**). The Southeast Council, however, suggested one modification, which was included in its annual report. The modified regulation reads as follows:

§100.16 (a) The Board shall determine which fish stocks and wildlife populations have been customarily and traditionally used for subsistence. These determinations shall identify the specific community's or area's use of ~~specific fish stocks and wildlife populations~~ **all species of fish and wildlife that have been traditionally used, in their (past and present) geographic areas**. For areas managed by the National Park Service, where subsistence uses are allowed, the determinations may be made on an individual basis.

In other words, once a customary and traditional use determination is made for an area, residents in that area would have customary and traditional use for *all* species. There would be no need for customary and traditional use determinations for specific fish stocks and wildlife populations, or on a species-by-species basis.

Subsequently, the Southeast Council formed a workgroup to analyze the customary and traditional use determination process. The Southeast Council workgroup, after conducting an extensive review of Regional Advisory Council transcripts, determined that Councils were not adequately briefed on the Secretaries' request for Council recommendations on the process. The Southeast Council drafted a letter and a briefing document, which were provided to the other Regional Advisory Councils during the 2013 winter meeting cycle; these are included in your meeting materials.

Pursuant to the workgroup findings, the Southeast Council emphasized the following:

The current customary and traditional use determination process is being used to allocate resources between rural residents, often in times of abundance. This is an inappropriate method of deciding which residents can harvest fish or wildlife in an area and may result in unnecessarily restricting subsistence users. The SE Council has a history of generally recommending a broad geographic scale when reviewing proposals for customary and traditional use determinations. Subsistence users primarily harvest resources near their community of residence and there is normally no management reason to restrict use by rural residents from distant communities. If there is a shortage of resources, Section 804 of ANILCA provides direction in the correct method of allocating resources.

The Southeast Council does not support retaining the current customary and traditional use determination process. Instead, the Southeast Council suggests that, when necessary, the Board restrict harvests by applying ANILCA Section 804 criteria:

- Customary and direct dependence upon the populations as the mainstay of livelihood;
- Local residency; and
- The availability of alternative resources.

The Federal Subsistence Board, and also the Southeast Council, would like your recommendations on the current customary and traditional use determination process. Specifically, the Southeast Council would like you to consider whether to

- (1) eliminate customary and traditional use determinations and instead use, when necessary, ANILCA Section 804 criteria,
- (2) change the way such determinations are made, by making area-wide customary and traditional use determinations for all species (not species-by-species or by particular fish stocks and wildlife

populations),

(3) make some other change, or

(4) make no change.

Council input will provide the basis for a briefing to the Federal Subsistence Board in response to the Secretaries' directive to review the customary and traditional use determination process and present recommendations for regulatory change, if needed. The Board could then recommend that the Secretaries eliminate, amend, or make no change to the current customary and traditional use determination process.

## APPENDIX A

For reference, here are the eight factors currently used in Federal regulations for making customary and traditional use determinations (36 CFR 242.16 and 50 CFR100.16):

*(a) The Board shall determine which fish stocks and wildlife populations have been customarily and traditionally used for subsistence. These determinations shall identify the specific community's or area's use of specific fish stocks and wildlife populations. For areas managed by the National Park Service, where subsistence uses are allowed, the determinations may be made on an individual basis.*

*(b) A community or area shall generally exhibit the following factors, which exemplify customary and traditional use. The Board shall make customary and traditional use determinations based on application of the following 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.*

## APPENDIX B

### **Summary of Winter 2011 Council Comments on the Customary and Traditional Use Determination Process**

*(Note that summaries were drafted by OSM LT members or the Council Coordinator that attended the meetings; see the Council transcripts for details.)*

The **Seward Peninsula Council** is satisfied with the current Federal subsistence customary and traditional use determination process. The Council noted that C&T determinations are important and that the Federal Subsistence Management Program provides ways to modify C&T determinations if needed.

The **Western Interior Council** is satisfied with the process used by the Federal Subsistence Board to make C&T determinations and thinks it works well. The Council felt that the Board is sensitive to local concerns, and there is room for the public to be involved. The Council felt that getting rid of the existing process would be problematic (i.e., what to do with the roughly 300 C&T determinations that have already been made), and inventing a new system could be counterproductive. The Council felt that maintaining the Councils' and AC's involvement in C&T determinations public process is key and the current process does just that.

The **Eastern Interior Council** is comfortable with the existing process and believes that it works well. In most cases there is no need to change the process. One member expressed the thought that the only time the process doesn't work well is when it is used to pit user against user.

The **North Slope Council** was fine with the current C&T process and had no suggestions for changes.

The **Yukon Kuskokwim Delta Council** was fine with the current C&T process, even though one member noted not always agreeing with the determinations.

The **Bristol Bay Council** observed that the C&T process works wonderfully in their region and noted that there is no burning need for change. There was discussion about the closure to hunting and subsistence uses in Katmai National Park.

The **Southcentral Council** is generally satisfied with the process used by the Federal Subsistence Board to make C&T determinations, stating that it is not perfect but it has worked. The Council liked the process because it puts the information on customary and traditional use in front of the Councils and the Board, and that is valuable. The process gives a good understanding of how the rural subsistence process works. The Council felt that it could be tweaked a bit, for example, if you have C&T for a variety of species, you shouldn't have to do a separate C&T finding for every other species – there should be a way to streamline the process. The Council also discussed the disparity of information needed in some parts of the state versus in other parts of the state (i.e., Ninilchik). The Council sees C&T as being inclusive, not exclusive. The Board needs to defer to Councils on their recommendations on C&T. The Council also reminded itself that it could do a better job by building a solid record in support of its decisions.

The **Northwest Arctic Council** discussed this topic at length. In the end, the Council stated that the current process is working and it did not have any recommended changes at this time.

The **Kodiak/Aleutians Subsistence Council** discussed this subject at length. It generally supported the overall process, though had a lot of comments. One Council member stated that he thinks that the process

is good. Sometimes the process is too liberal and other times it is too literal, but it has been improving and overall it is good. Another Council member noted that the method used for making customary and traditional use determinations isn't perfect, but he couldn't think of another way to do it. He added that it would be nice if more concrete words were used, for example, what do "long term use" and "seasonal use" really mean? Another Council member asked about the process with regard to how introduced species fit in, especially with regard to the factor including "long term use". Finally, a Council member noted that we need to ensure that the process works, and that the subsistence priority remains.

The **Southeast Council** is drafting a letter to the Board concerning this issue. The Council noted that the eight factor analysis is a carryover from State of Alaska regulations and recommends that the Federal Subsistence Management Program draft new more suitable Federal regulations which adhere to provisions contained within Section 804 of ANILCA. The Council recommends that:

- The Board give deference to the Council recommendation for customary and traditional use determinations.
- 50 CFR100.16(a) read: "The Board shall determine which fish stocks and wildlife populations have been customarily and traditionally used for subsistence. These determinations shall identify the specific community's or area's use of [specific fish stock and wildlife population] **all species of fish and wildlife that they have traditionally used, in their (past and present) geographical areas**".
- If an eight factor approach is continued, then the regulations should be modified to include specific language for a holistic approach.

## INFORMATION/ BRIEFING MEMORANDUM ON ANILCA SECTION 804

### **Federal Subsistence Priority**

In order to qualify for the Federal subsistence priority, subsistence users in Alaska must cross two thresholds: the statutory threshold of “rural” residency, as articulated in the Alaska National Interest Lands Conservation Act (ANILCA), and the regulatory threshold of a “customary and traditional use” determination, as articulated in regulations implementing ANILCA. If the Board has made no customary and traditional use determination for a species in a particular area, then all rural residents are eligible to harvest under Federal regulations.

### **Limiting the Pool of Federally Qualified Subsistence Users**

The purpose of this briefing is to describe what happens when a fish and wildlife population in a particular area is not sufficient to allow for all subsistence users to harvest it. When that happens, the Board and the Secretaries of the Interior and Agriculture are forced by circumstances to choose among qualified rural residents who are eligible to fish or hunt from that depressed population. In such a case, Congress laid out a specific scheme to be followed. That scheme is found in Section 804 of ANILCA, and it requires the Board to make a determination based on three criteria. Note that an ANILCA Section 804 determination assumes that Federal public lands or waters have been or will be closed to non-Federally qualified users before restrictions are imposed on Federally qualified subsistence users.

#### **1. ANILCA Section 804**

*Except as otherwise provided in this Act and other Federal laws, the taking on public lands of fish and wildlife for nonwasteful subsistence uses shall be accorded priority over the taking on such lands of fish and wildlife for other purposes. Whenever it is necessary to restrict the taking of populations of fish and wildlife on such lands for subsistence uses in order to protect the continued viability of such populations, or to continue such uses, such priority shall be implemented through appropriate limitations based on the application of the following criteria:*

- (1) customary and direct dependence upon the populations as the mainstay of livelihood;*
- (2) local residency; and*
- (3) the availability of alternative resources.*

#### **2. Code of Federal Regulations [50 C.F.R. §100.17] Determining priorities for subsistence uses among rural Alaska residents.**

- (a) Whenever it is necessary to restrict the subsistence taking of fish and wildlife on public lands in order to protect the continued viability of such populations, or to continue subsistence uses, the Board shall establish a priority among the rural Alaska*

*residents after considering any recommendation submitted by an appropriate Regional Council.*

*(b) The priority shall be implemented through appropriate limitations based on the application of the following criteria to each area, community, or individual determined to have customary and traditional use, as necessary:*

- (1) Customary and direct dependence upon the populations as the mainstay of livelihood;*
- (2) Local residency; and*
- (3) The availability of alternative resources.*

*(c) If allocation on an area or community basis is not achievable, then the Board shall allocate subsistence opportunity on an individual basis through application of the criteria in paragraphs (b)(1) through (3) of this section.*

*(d) In addressing a situation where prioritized allocation becomes necessary, the Board shall solicit recommendations from the Regional Council in the area affected.*

## **Discussion**

Once a limited pool of qualified users is identified, based on an analysis of the above three criteria and informed by recommendations from the relevant Regional Advisory Council, other management actions are taken to ensure subsistence opportunities are available within the confines of specific conservation concerns. In other words, an analysis based on Section 804 does not allocate resources among those within the limited pool of users; it simply identifies that pool of users.

The Federal system has not developed regulatory definitions of “customary and direct dependence,” “local residency,” or “alternative resources.” The lack of specific definitions allows Section 804 analyses to remain flexible and responsive to particular environmental and cultural circumstances. In recent years, however, the program has treated the “availability of alternative resources” to mean alternative *subsistence* resources rather than resources such as cash or store-bought products.

Since 2000, the Federal Subsistence Board has heard one request for a Section 804 determination triggered by a limited deer population, two requests triggered by a limited caribou population, and eleven requests triggered by limited moose populations. The Board is scheduled to hear seven Section 804 determination requests at its April 2014 public meeting, six focused on a limited musk ox population and one on a limited moose population.



**Table 1. General comparison of the Section 804 and customary and traditional use approaches used in the Federal Subsistence Management Program.**

<b>Element</b>	<b>804 analysis</b>	<b>C&amp;T use determination analysis</b>
<b>Function</b>	Used to identify the pool of qualified subsistence users when a population of fish or wildlife in a particular area is not sufficient to allow for all qualified subsistence users to harvest from it	Used to recognize a community or area whose residents generally exhibit characteristics of customary and traditional use of specific fish stocks and wildlife populations for subsistence
<b>Authority</b>	<b>ANILCA Section 804<sup>a</sup></b>	<b>36 CFR 242.16 and 50 CFR 100.16</b>
<b>Legal language</b>	Except as otherwise provided in this Act and other Federal laws, the taking on public lands of fish and wildlife for nonwasteful subsistence uses shall be accorded priority over the taking on such lands of fish and wildlife for other purposes. Whenever it is necessary to restrict the taking of populations of fish and wildlife on such lands for subsistence uses in order to protect the continued viability of such populations, or to continue such uses, such priority shall be implemented through appropriate limitations based on the application of the following criteria:	(a) The Board shall determine which fish stocks and wildlife populations have been customarily and traditionally used for subsistence. These determinations shall identify the specific community's or area's use of specific fish stocks and wildlife populations. For areas managed by the National Park Service, where subsistence uses are allowed, the determinations may be made on an individual basis.  (b) A community or area shall generally exhibit the following factors, which exemplify customary and traditional use. The Board shall make customary and traditional use determinations based on application of the following factors:
<b>Criteria/factors</b>	(1) Customary and direct dependence upon the populations as the mainstay of livelihood; (2) Local residency; and (3) The availability of alternative resources.	(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.
<b>Frequency</b>	Since 1990, the Board has taken action on about twenty 804 analyses.	Since 1990, the Board has made about 300 C&T determinations.

<sup>a</sup> Please refer to the RAC operations manual page 84 for language in 50 CFR 100.17.

## Subsistence Regional Council Customary and Traditional Use Determinations – Action Summaries

### Southeast

At their fall meeting the SESRAC tasked the coordinator to work with the ad hoc C&T workgroup to develop a Draft proposal for consideration at the joint Southeast-Southcentral Council meeting in Anchorage on March 11, 2014. The Council also requested the OSM address several questions:

- What are the effects of the draft proposal to eliminate or change current regulations (see SC recommendation below)
- Can there be Region specific regulations
- Are there examples where the C&T process has not been favorable to continuation of subsistence uses e.g. unnecessary allocations through exclusive use in times of plenty
- Is it possible to maintain exclusive uses (Customary and Traditional use determinations) if the regulations are significantly changed or eliminated

During their 2014 fall meeting, the Southcentral Council adopted the following recommendation for amending the current C&T determination regulation.

*The Board shall determine which fish and wildlife have been customarily and traditionally used for subsistence. These determinations shall identify the specific community or area's use of a geographic area for the harvest of fish and wildlife.*

*In recognition of the differences between regions, each region should have the autonomy to write customary and traditional use determinations in the way that it wishes. (Not exact words but close enough to capture the intent)*

The joint council agenda steering committee agreed on the following agenda item:

- Customary Use Determinations, deference to Councils, regional regulations.
  - (a) Briefing from OSM regarding positions of other councils
  - (b) Action: draft regulation to Board based on SE and SC Council previous actions

## **Southcentral**

The council had extensive discussion on Customary and Traditional use. Council members had a number of suggestions on ways to modify C&T use determinations. Bert Adams and Kathy Needham from the Southeast RAC presented their Councils' recommendations on the C&T determination process and requested that the Southcentral RAC have a Joint meeting with the SERAC during the winter meeting cycle to have further discussions about this issue. The SCRAC thought it was a good idea and recommended a joint winter meeting 11-13 March 2014 in Anchorage.

The Council voted to suggest the following language for C&T:

Modify 50 CFR 100.16 (a). The regulation should read: "The Board shall determine which fish and wildlife have been customarily and traditionally used for subsistence. These determinations shall identify the specific community's or area's use of a geographic area for the harvest of fish and wildlife.

## **Kodiak-Aleutians**

There are several issues that the Council discussed regarding the current status of C&T determinations. Members indicated that the problem may be of unique concern to the Southeast region, and wondered if the Board could do things differently for that region compared to others. Chair Simeonoff encouraged Tribes to take a more active role in developing and distributing their own wildlife management plans. Several Council members discussed the problems with establishing priorities between communities.

A motion was made to support the C&T process in place as it is, while recognizing the issues and concerns raised by the Southeast Council but not supporting that Council's position. The motion carried.

## **Bristol Bay**

The Council recommended to address this issue again at its winter 2014 public meeting in Naknek. The Council stated that they wish to hear additional testimony or comments from the local native organizations, State Advisory Committees, SRC's and other public entities to bring their comments before the Council. The Council will develop its recommendation to the Federal Subsistence Board after receiving public comments at its winter 2014 public meeting in Naknek.

## **Yukon-Kuskokwim Delta**

Mr. Robert Aloysius made a motion to support Alternative No. 1 that would allow elimination of customary and traditional use determinations and instead use ANILCA Section 804 when it

becomes necessary to conserve fish and wildlife resources. Mr. Greg Roczicka seconded the motion.

The Council is in support of anything that would support local people who crave for taste of their subsistence resources and not label local people criminals. Customary and Traditional use determinations should be based on community's eligibility and needs for the subsistence resources. Subsistence hunters and fisherman travel long distance to harvest what is needed for their family subsistence food supply. Some parts of the area is considered by some people as a third world, only because of their environment and local cultures and traditions.

### **Western Interior**

The Western Interior Council deferred providing formal comment to their winter 2014 meeting where correspondence to the Federal Subsistence Board will be approved.

### **Seward Peninsula**

The intent of Customary and Traditional use determinations is not understood well enough by the users.

Alternative number 1 (proposed by the SERAC) would be a good choice. The patterns of uses of the resources need to be considered when ANILCA Section .804 situation kicks in. Some of the Council members have patterns of use in certain areas including around specific communities.

### **Northwest Arctic**

The Council did not take formal action or make any recommendation on the Customary and Traditional Use Determinations during their fall 2013 meeting cycle. The Council would like the opportunity to disseminate more information and share the newly prepared briefing to their communities, villages, and tribes. The Council plans to make a formal recommendation as a body during the winter 2014 meeting.

### **Eastern Interior**

The Council had extensive discussion about how Customary and Traditional Use is applied and what it would mean to eliminate C&T to use only ANILCA Section .804 analyses. Specifically the Council noted concerns about the species by species approach of the current C&T process when so many subsistence resources are used. Some suggested a general C&T for an area and

need for recognition of the shifting importance of subsistence resources when one species is in decline another becomes more important or shifting species ranges due to environmental change.

Ultimately, the Council voted in favor of maintaining the current system as it is with no changes. The supporting discussion was to keep things simple and that the process was working to some degree now it would be best not to make any big changes that might have unforeseen challenges.

### **North Slope**

The Council had extensive discussion and elected to take no action at this time, pending further information on the process, pitfalls, advantages, and alternatives to the current Customary and Traditional Use determinations process. The Council also wants time to consult with their communities on the information that was just provided at their fall 2013 meeting. The Council requested an analysis from OSM staff on how C&T has been used in the North Slope region and examples comparing C&T and ANILCA Section .804 analyses in place for the North Slope region. The Council wants to have continuing discussion and would like the requested analysis and further information presented at the winter 2014 meeting.

## **Rural Determination Review** **Regional Advisory Council Action Summaries**

### **Southeast**

- Regional councils should have deference in deciding which communities are rural. The Councils are the most appropriate groups to determine the characteristics of a rural community in their own region then evaluate the rural status criteria for all communities for their region.
- Saxman is a rural community. The intent of ANILCA, Title VIII was to continue a way of life that existed before ANILCA was written. The community of Saxman existed before ANILCA was written. The residents of Saxman maintain a subsistence way-of-life that existed before ANILCA was written and their rights under the law must be recognized and retained.
- Reliance on subsistence resources, history of use and cultural ties to resources are critical to fulfilling the traditional values of a rural subsistence lifestyle. The criteria must include consideration of social and cultural characteristics that allow the Board to determine that communities like Saxman remain rural.
- A presumed rural determination population threshold is not necessary or appropriate for the Southeast Alaska region.
- Aggregation or grouping of communities is arbitrary and does not lend itself to an objective or rational rural determination process. Communities can be in close geographic proximity yet still retain separate and distinct characteristics.
- There should be no review or changes to a community's rural status unless there is a significant change to the characteristics of a community. The review process can result in unnecessary financial hardships to a community.

### **Southcentral**

The Council offers the following comments/recommendation for your consideration on the Rural Determination Process.

#### **Overall Comments:**

- The recent shutdown of the Federal government has caused a delay in the public comment period. The Council strongly urges the Board to extend deadline on the comment period.
- The Council suggests that the Federal Subsistence Board consider criteria for determining why a subsistence priority can be taken away, rather than criteria of who can have a subsistence priority.
- Why should rural users defend themselves from the Federal government? The Regional Advisory Councils and the public should be in control (management actions i.e., be decision maker).

#### **Timelines:**

Why is it necessary to conduct the rural review every 10-years? Decisions should be left in place unless there are significant changes in a community's status that warrants reconsideration by the Council and the Board.

### **Population Thresholds:**

The 2,500 population threshold should still be used – communities under the criteria should remain rural.

The 2,500 – 7,000 population threshold is a grey area, (and should be analyzed to clearly define rural/non-rural for the purposes of subsistence uses)

### **Information Sources:**

The current U.S. Census is not working for the Bristol Bay region for determining rural/non-rural. Information is coming from outside influences, but (information) should be coming from grass roots sources, such as Native Tribes, Alaska Native Organizations etc.

### **Kodiak-Aleutians**

The Council voted to incorporate all public comments received at the fall 2013 Council meeting and the Rural Determination public hearing as its own comments. The following is a summary of those comments. In addition, the Council also incorporated as its own a set of talking points prepared by the Kodiak Rural Roundtable in preparation for the hearing, a copy of which is included after this summary.

### **Aggregation**

Aggregating communities together for the purpose of counting population is not appropriate. Social and communal integration among communities is part of the subsistence way of life; to use that to count population and thus deem an area “non-rural” punishes communities for living a traditional way of life. Aggregation of communities should be completely eliminated.

### **Population Thresholds**

Population should not be a primary factor in the Board's consideration. Transient workers should not be included in the community population count, but are considered if included in the population data source (i.e., counting military personnel during a census). The current population thresholds are arbitrary and too low in many instances. The presumed non-rural population threshold should be set at 25,000.

### **Rural Characteristics**

It was noted that the rural characteristic factors should be given more weight than population. The criteria need to be consistent and not subject to bias. Geographic remoteness should be a primary factor in determining the rural characteristics of a community. Island and archipelago communities are incredibly remote by their very nature and should be deemed automatically rural. For specific guidance on this issue, the Board should examine the “frontier” standards recently adopted by U.S. Department of Health & Human Services. (*See 77 FR 214*)

Other characteristics the Board should consider in identifying rural communities should include:

- Impact of weather on transportation to and from the community

- How supplies are delivered to the community (barge versus road system, for example)
- Cost of living
- Median income of the community
- The reason why people choose to live there
- External development forces that bring extra infrastructure and personnel into the community
- Proximity to fish and wildlife resources
- Use of fish and wildlife should not be considered, but access to those resources should be.
- Percentage of sharing among community members

It was also noted that the Board should examine the 12 criteria currently used by the State of Alaska in determining rural status.

### **Timing of Review**

There is no basis in Title VIII of ANILCA to conduct a decennial review. Once a community is determined rural, it should remain rural unless a significant change in population warrants review. A “significant change” should be defined as a 25% change from the last rural determination. The population of Kodiak has increased only 4% since the inception of the Federal Subsistence Management Program. Reviewing the rural status of a community every ten years causes a lot of frustration, pain, confusion, turmoil and anxiety for the communities undergoing review.

### **Information Resources**

The Permanent Fund Dividend database should be utilized in counting residents of communities, as it will provide a more accurate picture of the number of long term residents. Additionally, the Board could and should rely on Tribal population databases where available.

### **Other Issues**

Outside of these criteria currently used by the Board, there were other issues raised in the public meetings that warrant consideration. In many instances, people have moved away from their villages in order to seek work, but still own homes in their villages and return there to engage in subsistence activities. People should not be punished with losing their status as federally qualified subsistence users simply because they had to make this difficult choice to earn more income for their families.

In closing, the Council and the public could not express enough how importance subsistence is to the way of life for the Kodiak community. People have grown up living a subsistence way of life; it is part of their culture. They chose to live there because it provides them access to the resources that allow them to maintain that way of life. The Kodiak Archipelago has been and always will be rural because of its remote, isolated location.



**Kodiak Rural Subsistence Roundtable**  
**Suggested Talking Points for federal subsistence board rural determination**  
**Criteria public comment period:**

On 9/24, @ 7pm at the KI, the Federal Subsistence Board will receive comment on these “**criteria for rural determination**”:

**Population Threshold** with three categories of population:

- Population **under 2,500** is considered **rural**
- Population **between 2,500 & 7,000** is considered **rural** or **non rural** depending on **community characteristics**
- Population **over 7,000** is considered **non-rural**, unless there are significant characteristics of a **rural nature**
- **Rural characteristics** – considering the following:
  - **Use of fish & wildlife**
  - **Development & diversity of economy**
  - **Community infrastructure**
  - **Transportation**
  - **Educational institutions**
- **Aggregation of communities** – focusing on how communities & areas are connected to each other using the following:
  - If communities are **economically, socially & communally integrated**, they will be **considered** in the **aggregate** to determine rural or non-rural status with this criteria:
    - **30% or more working people commute** from one community to another;
    - People **share a common high school attendance area**; and
    - Are communities in **proximity & road-accessible** to one another?
- **Timelines** – Board review rural or non-rural status **every 10 years**, or **out of cycle** in **special circumstances**. Should the Board change this time of review?
- **Information sources** – most recent census conducted by the **U.S. Census Bureau** as **updated** by the **Alaska Department of Labor**. Should the board use the census data or something else?

**Our suggested thoughts:**

**Population Threshold:**

Regardless of any suggested population threshold, **this criterion shouldn't be the primary factor in determining a community rural!**

**Rural characteristics:**

A rural island subsistence hub definition should be a primary criterion that would preempt population threshold; under this criterion, population wouldn't be a consideration, but **geographic remoteness would be the primary factor.**

The current 5 characteristics that are used to determine a community rural are not adequate. The Board should be looking to use characteristics that are consistent with the State of Alaska so there is no conflict and inconsistency in determining rural/non-rural. If the Board adopts the 12 criteria that the State of Alaska currently uses, this process would be consistent and those criteria are more applicable to Alaskan communities. One example would be; the State of Alaska criterion #6 discusses the variety of fish and game used by people in the community. Kodiak has a substantial availability of resources and is within imminent proximity to those who use those resources. These resources have been able to sustain our residents for more than 7000 years. This factor is more important in defining our rural community's culture than the number of people residing here.

**Aggregation of communities:**

Aggregation of communities should only apply to communities that are physically connected to urban centers. Aggregation should not be used to combine rural communities in an effort to increase their population and determine them non-rural.

**Timelines:**

The board should not review community's rural determination every ten years. Once a community is determined rural it should remain rural unless there is a significant increase in population; such as a 25% increase in full-time residents.

**Information sources:**

In determining which data sources to use, the Board should consider being consistent in the use and definition of rural vs. non-rural. USDA and the Department of Health and Human Services who regularly provide services to rural communities and have extensively reviewed and determined communities to be rural, frontier, Island and non-rural.

*These talking points have been provided by:  
"Kodiak Rural Subsistence Roundtable"  
Including participation from Tribal Organizations, Fish and Game Advisory Committee,  
Pacific Islanders, Kodiak Island Borough, KRAC, Guides, Outfitters,  
Hunters and Fisherman.  
Providing information for an ethnically diverse community*

## **Bristol Bay**

The Bristol Bay Subsistence Regional Advisory Council provided formal comments/recommendations at its fall 2013 meeting.

### **Timelines:**

Why is it necessary to conduct the rural review every 10-years? Decisions should be left in place unless there are significant changes in a community's status that warrants reconsideration by the Council and the Board.

### **Population Thresholds:**

The 2,500 population threshold should still be used – communities under the criteria should remain rural. The 2,500 – 7,000 population threshold is a grey area, (and should be analyzed to clearly define rural/non-rural for the purposes of subsistence uses)

### **Information Sources:**

The current U.S. Census is not working for the Bristol Bay region for determining rural/non-rural. Information is coming from outside influences, but (information) should be coming from grass roots sources, such as Native Tribes, Alaska Native Organizations etc.

## **Yukon-Kuskokwim Delta**

The Council sees room for variance in the current population threshold. In areas which demonstrate strong rural characteristics, population should not be considered.

The Council also feels that the rural characteristics, use of fish and wildlife and economic development, diversity, infrastructure, transportation, and educational institutions, are all good criteria to consider.

### **Aggregation:**

The Yukon-Kuskokwim Delta Regional Advisory Council feels that grouping of communities is not practical in this region because of the population size of a community such as Bethel.

**Timeline:** The 10 year review timeline should be changed to consideration when needed under special circumstances that trigger a review of population size or evaluation of other rural criteria.

### **Information sources:**

The U.S. Census could be used but it is important to also consider other rural characteristics and data such as percentage of the population that is dependent on the subsistence resources that are in the area and use of fish and wildlife resources for subsistence.

## **Western Interior**

The Western Interior Council deferred providing formal comment to their winter 2014 meeting where correspondence to the Federal Subsistence Board will be approved.

## **Seward Peninsula**

The population threshold should be raised from 7,000 to 20,000 when communities are being considered to become non-rural.

## **Northwest Arctic**

The Council requested more time to gather feedback from the region and submit formal comments. Formal comments will be crafted at its winter 2014 meeting.

## **Eastern Interior**

The Council made recommendations on each of the rural criteria as follows:

### **Population threshold:**

The Council decided by consensus to maintain the current population thresholds

The Council then concurred with the Wrangell St- Elias Subsistence Resource Commission (SRC) to change the population assessment process from every 10 years to just an initial assessment and then any needed further assessment if triggered by an unusual event or extenuating circumstances, such as a long term population trend up or down or spike in population. Further the Council concurred that the population assessment should be measured using a five-year running average to avoid evaluating a community on a temporary population flux such as during pipeline or road development. This would avoid a determination being made on temporary extreme high or low of boom/bust cycle.

### **Rural characteristics:**

The Council agreed by consensus to remove education institutions from the list currently considered under rural characteristics noting that whether it be a local school, boarding school or university satellite campus that the staffing of those educational institutions is usually made up of a largely transient population. The council also agrees that some infrastructure is for temporary use – such as mining development or the example of the DEW line site and should be evaluated carefully as to what it actually brought for long term services to the community.

The Council agreed by consensus to add subsistence related activities such as gardening, gathering and canning of foods to put away for family and community for the year was indicative of a rural characteristic.

The Council concurred with the SRC that National Park Service resident zone communities should also be added as a rural characteristic, noting that there are 7 National Parks in Alaska that have recognized “resident zone” communities that have access to subsistence activities in the parks and are also evaluated based on long-term patterns of subsistence activity in the area.

### **Aggregation:**

The Council agreed by consensus to eliminate aggregation of communities as a criteria for rural status and discussed that each community has its own unique rural characteristics and subsistence patterns and should not be arbitrarily lumped with others simply due to proximity or being located on a road system. The Council heard public testimony and stressed that being

located on or near a road should not be a criteria for rural determination in since the road itself does not define the rural nature and subsistence activities of a community.

**Timeline:**

The Council agreed by consensus to eliminate the 10 year review cycle and move to a baseline population census and then as needed if triggered by extenuating circumstances as discussed for population thresholds above.

**Information sources:**

The Council agreed by consensus to include other information sources such as local government data, school attendance numbers, property ownership taxes, permanent fund data, harvest data may all be useful sources of information to determine population and residence.

**North Slope**

The Council took no action at this time. The Council was concerned that more information was needed before making a recommendation to the Federal Subsistence Board, stressing that the public only received a briefing the night before and the Council had no opportunity to consult with their communities and tribes prior to their meeting. The Council stated they would go back to their communities and consult with them on the Rural information and encourage public comments be submitted by the November 1 deadline but were concerned they were not given sufficient opportunity to deliberate and comment as a Council. The Council wishes to continue the discussion at the winter 2014 meeting and deferred formal comment until then.

## Fisheries Resource Monitoring Program

*The mission of the Monitoring Program is to identify and provide information needed to sustain subsistence fisheries on Federal public lands, for rural Alaskans...*

### Overview

The Fisheries Resource Monitoring Program (Monitoring Program) is unique to Alaska. It was established in 1999 under Title VIII of ANILCA and is run by the Office of Subsistence Management. The Monitoring Program is a competitive funding source for studies on subsistence fisheries that are intended to expand the understanding of subsistence harvest (Harvest Monitoring), traditional knowledge of subsistence resources (Traditional Ecological Knowledge), and the populations of subsistence fish resources (Stock Status and Trends). Gathering this information improves the ability to manage subsistence fisheries in a way that will ensure the continued opportunity for sustainable subsistence use by rural Alaskans on Federal public lands.

### Funding Regions

Funding for the Monitoring Program is separated into six regions: the *Northern Region*, which includes the North Slope, Northwest Arctic, and Seward Peninsula Regional Advisory Councils; the *Yukon Region* includes the Yukon-Kuskokwim Delta, Western Interior, and Eastern Interior Regional Councils; the *Kuskokwim Region* includes the Western Interior and Yukon-Kuskokwim Delta Regional Advisory Councils; the *Southwest Region* includes the Bristol Bay and Kodiak/Aleutians Regional Advisory Councils; the *Southcentral Region* includes the Southcentral Regional Advisory Council; and, the *Southeast Region* includes the Southeast Regional Advisory Council.

Table 1. Regional Advisory Councils represented within each of the six Funding Regions for the Fisheries Resource Monitoring Program.

Funding Region	Regional Advisory Councils
1. Northern	North Slope, Northwest Arctic, and Seward Peninsula
2. Yukon	Yukon-Kuskokwim Delta, Western Interior, and Eastern Interior
3. Kuskokwim	Western Interior and Yukon-Kuskokwim Delta
4. Southwest	Bristol Bay and Kodiak/Aleutians
5. Southcentral	Southcentral
6. Southeast	Southeast

### **Subsistence Resource Concerns**

For each of the six funding regions Federal Subsistence Regional Advisory Councils and other stakeholders have identified subsistence fishery resource concerns (Priority Information Needs). These are used by the Monitoring Program to request project proposals that will provide managers with the information needed to address those resource concerns.

In the coming year there will be at least two opportunities for Regional Advisory Councils and other stakeholders to discuss subsistence fishery resource concerns for their Monitoring Program funding regions. These discussions will occur at each of the winter 2014 and fall 2015 Regional Advisory Councils meetings. Resource concerns identified during these discussions will be used to direct the request for proposals for studies on subsistence fisheries during the 2016 funding cycle.

### **Funding Cycles**

Every two years the Monitoring Program requests proposals for studies on subsistence issues such as subsistence harvest (Harvest Monitoring), traditional knowledge of subsistence resources (Traditional Ecological Knowledge), and the populations of subsistence fish resources (Stock Status and Trends). The most recent funding cycle for the Monitoring Program occurred in 2014. The request for proposals was announced in spring of 2013 and funding decisions were made in winter of 2014. Projects selected to receive funding in 2014 will last from one to four years depending on the duration of the proposed study. The next funding cycle will begin with a request for proposals in spring of 2015 and funding decisions (Monitoring Plan) announced in 2016.

### **Funding Recommendations**

Project proposals received by the Office of Subsistence Management are summarized by staff biologists and social scientists in preparation for a Technical Review Committee. The Technical Review Committee made up of members of five Federal Agencies and three representatives from Alaska Department of Fish and Game. This committee reviews and then makes recommendations on whether the project is appropriate to receive funding (Fund), needs some modifications in order to be recommended for funding (Fund with Modification), or is not an appropriate proposal to receive funding from the Monitoring Program (Do Not Fund). Funding recommendations made by the Technical Review Committee are based on how well the project would meet Strategic Priorities for the region, whether the project has sound Technical-Scientific Merit, the Ability and Resources of the researchers, and, how well the project would support Partnership-Capacity building for future projects in the region. The Technical Review Committee's funding recommendation is called the Draft Monitoring Plan.

During the fall Federal Subsistence Regional Advisory Council Meetings the Draft Monitoring Plan is reviewed by Regional Advisory Council members and a ranking of projects within the funding region is made for projects proposed within each of the six funding regions.

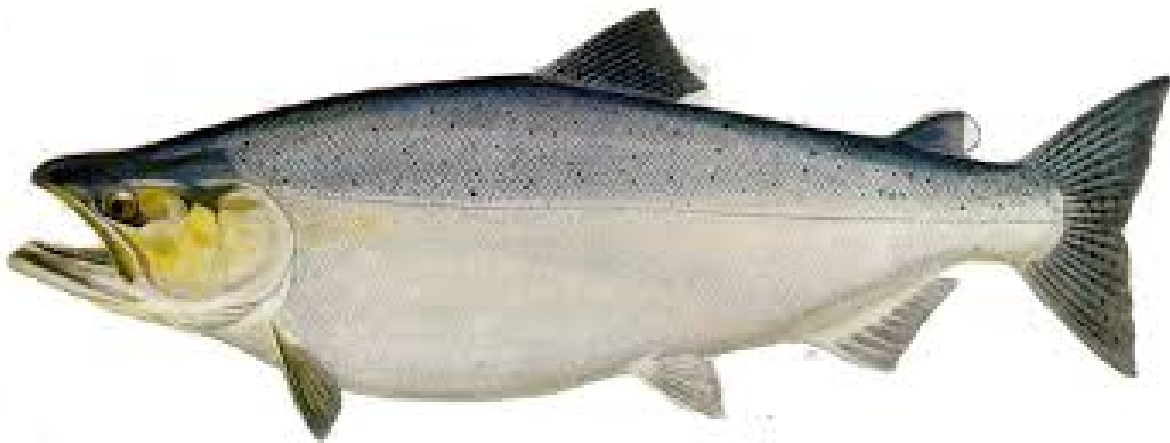
Following the fall Regional Advisory Council meetings and prior to the Federal Board Meeting, a second ranking of projects for the Draft Monitoring Plan is made by an Interagency Staff Committee consisting of members of each of the five federal agencies involved in subsistence management in Alaska.

The final funding recommendation is made during the Federal Subsistence Board Meeting when the Board reviews the draft Monitoring Plan and subsequent ranking recommendations made by the Regional Advisory Councils, and Interagency Staff Committee. The funding recommendation made by the Federal Subsistence Board is considered to be the final Monitoring Plan for the funding cycle. This Monitoring Plan is then approved by the Assistant Regional Director of the Office of Subsistence Management and funds are awarded to each of the projects recommended for funding in the final Monitoring Plan.



**OFFICE OF SUBSISTENCE MANAGEMENT  
FISHERIES RESOURCE MONITORING PROGRAM**

**2014 KUSKOKWIM AND YUKON REGIONS**



## 2014 Funded Projects – Kuskokwim Region

14-302 Tatlawiksuk River Salmon Escapement Monitoring	\$ 210,879
14-303 George River Salmon Escapement Monitoring	\$ 208,409
14-306 Tuluksak River Salmon Run Timing and Abundance	\$ 177,586
14-308 Kwethluk River Salmon Run Timing and Abundance	\$ 198,431
14-352 Kuskokwim Area Salmon Post-season Subsistence Harvest Surveys	\$ 166,011
14-353 Kuskokwim River Salmon Inseason Subsistence Survey	\$ 33,929
14-354 Kuskokwim River Support for Cooperative Management	\$ 62,991
14-356 Lower Kuskokwim Villages Whitefish Non-salmon Local Knowledge	<u>\$ 127,972</u>
<b>TOTAL</b>	<b>\$1,186,208</b>

**14-302 Tatlawiksuk River Salmon Escapement Monitoring.** This four-year project will continue operation of the Tatlawitsuk River weir to monitor salmon escapement. Daily and annual escapement estimates and the annual composition of age, sex, and length will be made for Chinook, chum, sockeye, and coho salmon. In addition, high school interns will be mentored on-site and an education curriculum will be administered. Daily weather and stream observations will also be made and recorded at the weir site. The weir has been operated cooperatively by **Alaska Department of Fish and Game and Kuskokwim Native Association** since 1998, and supported by Monitoring Program funds since 2005. This project addresses one of the 2014 priority information needs.

**14-303 George River Salmon Escapement Monitoring.** This four-year project will continue operation of the George River weir to monitor salmon escapement. Daily and annual escapement estimates and the annual composition of age, sex, and length will be made for Chinook, chum, sockeye, and coho salmon. In addition, high school interns will be mentored on-site and an education curriculum will be administered. The weir has been operated cooperatively by **Alaska Department of Fish and Game and Kuskokwim Native Association** since 1996, and supported by Monitoring Program funds since 2005. This project addresses one of the 2014 priority information needs.

**14-306 Tuluksak River Salmon Run Timing and Abundance.** This four-year project will continue operation of the Tuluksak River weir to monitor salmon escapement. The weir has been operated by the **U.S. Fish and Wildlife Service** from 1991 through 1994, and then again from 2002 to present; the latter time period in conjunction with the **Tuluksak Native Community**. This project addresses one of the 2014 priority information needs.

**14-308 Kwethluk River Salmon Run Timing and Abundance.** This four-year project will continue operation of the Kwethluk River weir to monitor salmon escapement. The project will estimate escapements of Chinook, sockeye, chum, pink, and coho salmon into the Kwethluk River. The Kwethluk River drainage is within the boundaries of the Yukon Delta National Wildlife Refuge and harvest of this stock occurs within Refuge boundaries. In addition to the subsistence, Kuskokwim River salmon stocks also support commercial and recreational fisheries. The weir has been operated since 2000 (except for three years of high water) by the **U.S. Fish and Wildlife Service and the Organized Village of Kwethluk**, supported by Monitoring Program funds. This project addresses one of the 2014 priority information needs.

**14-352 Kuskokwim Area Salmon Post-season Subsistence Harvest Surveys.** This four-year project funds the Kuskokwim Subsistence Salmon Harvest Monitoring Program, which the Alaska Department of Fish and Game has implemented since 1960. The overall goal of the project is to estimate the annual harvest of salmon for subsistence purposes, which is of high importance to both state and federal managers of this fishery. The project includes proven partnerships between **the Alaska Department of Fish and Game, Kuskokwim Native Association, and Orutsararmiut Native Council**. The technical and scientific merit and the investigators' abilities and resources are highly rated. The Office of Subsistence Management has contributed funds to the project since 2000. This investigation plan is a request to continue that funding. Residents of the Kuskokwim Fisheries Management Area harvest five species of salmon for subsistence uses within the boundaries of the Yukon Delta and the Togiak National Wildlife Refuges.

**14-353 Kuskokwim River Salmon Inseason Subsistence Survey.** The Office of Subsistence Management has contributed funds to the project since 2000. The project, jointly conducted by the **Alaska Department of Fish and Game and the Orutsararmiut Native Council**, uses a structured questionnaire to survey rural residents at their family fish camps during the subsistence salmon season in the vicinity of Bethel. The study provides in-season information to the Kuskokwim River Salmon Working Group, which can be used to aid management of the salmon fisheries in the Kuskokwim Area. The project is viewed as a high priority by fisheries managers and stakeholders in the region.

**14-354 Kuskokwim River Support for Cooperative Management.** This four-year project will continue funding for the **Kuskokwim River Salmon Management Working Group**, managed by the **Alaska Department of Fish and Game**. Formed in 1988, the Working Group is considered to be a successful model of collaboration, and it provides a much needed public forum in which rural subsistence fishers and other stakeholders can meet and have discussions with managers regarding use and management of this important salmon resource. The Office of Subsistence Management has contributed funds to the Working Group process since 2006.

**14-356 Lower Kuskokwim Villages Whitefish Non-salmon Local Knowledge.** This four-year project will be conducted by the **Association of Village Council Presidents and the University of Alaska Anchorage**. Residents of the lower Kuskokwim River drainage communities of Nunapitchuk, Atmautluak, Kasigluk (the tundra villages); and Napakiak, Napaskiak, and Oscarville will document their patterns of non-salmon fish use. The primary method will be "topic specific gatherings." A gathering of representatives of all six villages in Bethel will be followed by a gathering in one of the three tundra villages and a gathering in one of the three lower river villages. An important goal of the project is to provide experience and instruction to an assistant bi-lingual interpreter. Two sets of transcripts from the gatherings will be produced in English and Yup'ik. Transcripts will be analyzed to identify emergent themes, which will then be developed into a narrative. Emergent themes might include local taxonomy of whitefish, life history, and past and present harvesting methods. This project addresses a 2014 priority information need.

## 2014 Funded Projects – Yukon Region

14-201	Gisasa River Salmon Weir Videography Integration	\$ 24,900
14-202	East Fork Andreafsky R Chinook and Summer Chum Abundance	\$ 149,100
14-203	Gisasa River Salmon Weir Chinook and Summer Chum Abundance	\$ 137,700
14-206	Yukon River Coho Salmon Microsatellite Baseline	\$ 29,300
14-207	Yukon River Chum Salmon Mixed-stock Analysis	\$ 148,400
14-208	Koyukuk River Chum Salmon Radio Telemetry	\$ 125,400
14-209	Henshaw Creek Adult Salmon Abundance and Run Timing	\$ 73,400
14-252	Lower Yukon River Whitefish Harvest Monitoring	\$ 114,300
14-253	Upper Yukon Area Customary Trade	\$ 131,800
<b>Total</b>		<b>\$ 934,300</b>

**14-201 Gisasa River Salmon Weir Videography Integration.** Funding of this project, conducted by the **U.S. Fish and Wildlife Service**, allows for the installation and operation of an underwater video system in conjunction with the existing Gisasa River weir project (project 10-207, 14-203), which has been supported by the OSM since 2004. Adding video monitoring capability to the Gisasa River weir is anticipated to provide more reliable estimates of salmon abundance and identification, and also improve the long-term data set necessary to monitor changes in adult salmon run strength on the Koyukuk National Wildlife Refuge. Annual cost savings for Project 14-203 are estimated to be approximately \$18,000 per year after installation, resulting in cost recovery within the first two years of this four-year project.

**14-202 East Fork Andreafsky River Chinook and Summer Chum Abundance.** This four-year project, conducted by the **U.S. Fish and Wildlife Service**, will continue operation of the East Fork Andreafsky River weir, an established and successful monitoring project providing escapement and run strength data for Chinook, chum, pink, sockeye, and coho salmon in the Andreafsky River. These stocks are harvested by a large lower river subsistence fishery, and pass through commercial fishing districts between the mouths of the Yukon River and Andreafsky River confluence. Fisheries managers regard escapement monitoring data provided by this project as a primary indicator of the status of lower Yukon River Chinook and summer chum stocks. The weir on this river system was initiated in 1994 making it one of the longest continuous data sets on the number and quality of escapement of salmon in the Yukon Basin. The data collected at the project site is utilized by U.S. Fish and Wildlife Service and Alaska Department of Fish and Game managers to help in-season management decisions and post-season evaluations. This project addresses one of the 2014 priority information needs.

**14-203 Gisasa River Salmon Weir Chinook and Summer Chum Abundance.** This four-year project will continue the operation of the Gisasa River weir, an established and successful salmon monitoring project. Results from this project, conducted by the **U.S. Fish and Wildlife Service**, provide the primary escapement and run strength data of subsistence fisheries in the Koyukuk National Wildlife Refuge to manage and/or conserve fisheries stocks in the Gisasa River. This project addresses one of the 2014 priority information needs.

**14-206 Yukon River Coho Salmon Microsatellite Baseline.** This two-year project, conducted by the **U.S. Fish and Wildlife Service**, will update Yukon River coho salmon genetic information to improve the ability of managers to conduct a mixed-stock analysis (MSA) for Yukon River Coho salmon.

**14-207 Yukon River Chum Salmon Mixed-stock Analysis.** This four-year project, conducted by the **U.S. Fish and Wildlife Service**, will continue the in-season mixed stock genetic assessment of summer and fall chum salmon in conjunction with passage estimates at the Pilot Station sonar project at river mile 123 of the Yukon River. Information garnered from this project allows fisheries managers to calculate in-season stock abundance estimates supporting in-season management of chum salmon fisheries. Estimates of stock composition are provided to managers within 24–48 hours of receiving the genetics samples at the lab in Anchorage. This project addresses one of the 2014 priority information needs.

**14-208 Koyukuk River Chum Salmon Radio Telemetry.** This three-year project, conducted by the **U.S. Fish and Wildlife Service**, will use radio telemetry to estimate the proportional distribution of chum salmon throughout the Koyukuk River drainage. Results from the project will provide fisheries managers with more detailed information on the proportional distribution, run timing, and critical spawning areas of chum salmon in the Koyukuk River drainage. This project addresses one of the 2014 priority information needs.

**14-209 Henshaw Creek Adult Salmon Abundance and Run Timing.** This four-year project, conducted by **the Tanana Chiefs Conference**, will continue the operation of the Henshaw Creek weir. This project allows managers to determine daily escapement, run timing, and age, sex, and length composition of adult salmon, as well as the number of resident fish passing the weir during the study period. Additionally, the weir site serves as an outreach platform for **Kanuti National Wildlife Refuge staff and Tanana Chiefs Conference Partners Program fisheries biologists** to conduct an onsite science camp. The Henshaw Creek weir is the only upper Koyukuk River drainage escapement project and is valuable in providing data to effectively manage the subsistence Yukon salmon fisheries. This project addresses one of the 2014 priority information needs.

**14-252 Lower Yukon River Whitefish Harvest Monitoring.** This four-year project, conducted by the **Division of Subsistence, Alaska Department of Fish and Game**, will collect traditional ecological knowledge on and assess the harvest of whitefish species (along with other nonsalmon fish species) utilized by residents of Alakanuk, Kotlik, Nunam Iqua, Saint Marys, Pilot Station, and Marshall in the lower Yukon River area. Results from this project should provide useful information to subsistence fisheries managers for the lower Yukon River. The project addresses at least two 2014 priority information needs identified for the Yukon Region.

**14-253 Upper Yukon Area Customary Trade.** This three-year project, conducted by **the Yukon River Drainage Fisheries Association** and the **Division of Subsistence, Alaska Department of Fish and Game**, will document historic and contemporary practices of customary trade in upper Yukon River communities, with particular attention to understanding the nature and scope of customary trade and its role in a larger continuum of exchange practices. This project builds on earlier research on customary trade in the region, focusing specifically on the customary trade of salmon in upper Yukon River communities. This project addresses one of the 2014 priority information needs.



**PRELIMINARY DEVELOPMENT OF  
PRIORITY INFORMATION NEEDS  
FOR THE  
2016 NOTICE OF FUNDING OPPORTUNITY**



For the **Kuskokwim Region**, the 2014 Request for Proposals focused on the following priority information needs:

- Reliable estimates of Chinook, chum, sockeye, and coho salmon escapement (for example, projects using weir, sonar, mark-recapture methods).
- Methods for including “quality of escapement” measures (for example, potential egg deposition, sex and size composition of spawners, spawning habitat utilization) in establishing Chinook salmon spawning goals and determining the reproductive potential and genetic diversity of spawning escapements.
- Subsistence harvest of Chinook salmon from the Bethel Area by non-residents of the Kuskokwim River drainage—*This is no longer a priority. An Investigation Plan was submitted, but the Office of Subsistence Management did not fund it because the Councils and others deemed it was less a priority than other studies that were funded (OSM 14-351).*
- Temporal timing of tributary stocks of Chinook salmon through the lower Kuskokwim River subsistence fishery.
- Early life history of Chinook salmon stocks, with particular emphasis on determining freshwater density dependence factors.
- Broad whitefish population assessment, including distribution and age structure.
- Complete genetic baseline sampling and population marker development for sheefish spawning populations in the Kuskokwim River drainage.
- Local knowledge of whitefish species to supplement information from previous research. Groups of communities might include Kwethluk, Akiachak, Napaskiak, and Tuluksak or Chefornek, Kipnuk, Kongiganek, and Kwigillingok—*AVCP and UAA are the Principal Investigators for an Investigation Plan funded in 2014. The villages of Napaskiak, Napakiak, Oscarville, Nunapitchuk, Athmauthluak, and Kasiguluk are participating (OSM 14-356).*
- Harvest and associated contextual information for whitefish species in the lower Kuskokwim drainage communities of Eek, Tuntutuliak, Nunapitchuk, Atmauthluak, and Kasigluk
- An indexing method for estimating species-specific whitefish harvests on an annual basis for the Kuskokwim drainage. Researchers should explore and evaluate an approach where sub-regional clusters of community harvests can be evaluated for regular surveying with results being extrapolated to the rest of the cluster, contributing to drainage-wide harvest estimates.



*Continuing 2014 Investigations: The Monitoring Program is partially funding three continuing Investigations: (1) Greg Roczicka of the Orutsararmiut Native Council and Daniel Gillikin of the Kuskokwim Native Association conduct the yearly postseason salmon harvest surveys in the villages of Bethel and Aniak (OSM 14-352); (2) Greg Roczicka of Orutsararmiut Native Council conducts the yearly inseason salmon harvest monitoring with the users of Bethel area fish camps (OSM 14-353); and (3) Christopher Sheldon of the Division of Commercial Fisheries with ADF&G is the primary staff member for the Kuskokwim River Salmon Management Working Group that is supported by Monitoring Program funding (OSM 14-354).*

*Currently running 2012 Investigations: David Holen of the Division of Subsistence at ADF&G and the villages of Nikolai, Telida, and Lime Village are currently studying the harvest and use of fishes by residents of the villages (OSM 12-352).*

For the **Yukon Region**, the 2014 Request for Proposals focused on the following priority information needs:

- Reliable estimates of Chinook and chum salmon escapements (for example, projects using weir, sonar, mark-recapture methods).
- Methods for including “quality of escapement” measures (for example, potential egg deposition, sex and size composition of spawners, spawning habitat utilization) in establishing Chinook salmon spawning goals and determining the reproductive potential and genetic diversity of spawning escapements.
- Effects of diminished salmon abundance on contemporary economic strategies and practices. Topics could include an evaluation of barter, sharing, and exchange of salmon for cash (customary trade), as well as other economic strategies and practices that augment and support subsistence activities. Of particular interest are distribution networks, decision making, and the social and cultural aspects of salmon harvest and use—*Catherine Moncrieff with YR DFA is the Principal Investigator for an Investigation Plan funded in 2014 (OSM14-253). The villages of Fort Yukon and Stevens Village and the residents of Manley Hot Springs are participating in a study of their patterns of customary trade of wild resources.*
- Harvest and spawning escapement level changes through time in relation to changes in gillnet construction and use (for example, set versus drift fishing, mesh size changes) for Chinook salmon subsistence harvest in the mainstem Yukon River.
- Complete genetic baseline sampling and population marker development for sheefish spawning populations in the Yukon River drainage.
- Harvests, associated contextual information, and local knowledge of whitefish species in lower Yukon drainage communities, including Alakanuk, Kotlik, Nunam Iqua, Saint Marys, Pilot Station, and Marshall—*Dave Runfola with the Division of Subsistence at ADF&G is the Principal Investigator for an Investigation Plan funded in 2014. The villages of Alakanuk, Nunam Iqua, Saint Marys, and Kotlik are participating (OSM14-252).*
- An indexing method for estimating annual species-specific whitefish harvests for the Yukon drainage.
- Inseason harvest enumeration and sex and length information for northern pike taken during the winter subsistence fishery from Paimiut Slough to Holy Cross on the Yukon River.

*Currently running 2012 Investigations: Catherine Moncrieff of YRDFA conducts the Yukon River in-season salmon management teleconferences (OSM 12-251).*

*Recently completed 2010 Investigations: Climate Change and the Impacts on the Subsistence Fisheries in the Yukon River Drainage by David Anderson (Research North) and Caroline Brown (Division of Subsistence, ADF&G) (OSM 10-250).*

**The Partners for Fisheries Monitoring**  
Call for Funding 2016-2019

The Office of Subsistence Management (OSM), Partners for Fisheries Monitoring Program invites proposals from eligible applicants for funding to support fishery biologist, anthropologist, and educator positions in their organization. Proposals from all geographic areas throughout Alaska will be considered; however, direct involvement in OSM's funded Fisheries Resource Monitoring Program projects is mandatory. Organizations that have the necessary technical and administrative abilities and resources to ensure successful completion of programs may submit proposals. Eligible applicants include: Regional Native Non-Profit Organizations, Federally recognized Tribal Governments and Native Corporations, and other non-profit organizations.

OSM will develop cooperative agreements to support these positions. Proposals may focus exclusively on supporting fishery biologist, anthropologists, or educator positions as principal and/ or co-investigators, or a combination of all or any of them, as long as they are coordinated with project(s) within the Fisheries Resource Monitoring Program. Positions may be full or part-time within a calendar year. Requests for funding for fishery biologist, anthropologists, or educator positions may be up to four years, but must not exceed the duration of projects approved under the Monitoring Program. \$150,000 was the maximum yearly award for the last call for proposals.

The Partner hired will live in the community where the funded organization has their base. Partners work to ensure that the highest priority Federal subsistence information needs are addressed by developing and implementing projects in the Fisheries Resource Monitoring Program (Monitoring Program) and/ or implementing rural student education and internship programs for these projects. They work directly with constituent communities to disseminate information regarding fisheries research and to answer questions regarding subsistence fisheries resources. They communicate project results to various audiences such as regional organizations and their members, the Federal Subsistence Board, Regional Advisory Councils, and government agencies.

Timeline:

The next call for proposals: November 2014 (exact date to be announced).  
Proposal due date to OSM: May 2015 (exact date to be announced).

For more information contact Dr. Palma Ingles, Partners Program Coordinator, 907-786-3870. Email: [palma\\_ingles@fws.gov](mailto:palma_ingles@fws.gov)



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



Forest Service

## Federal Subsistence Board News Release

### **For Immediate Release:**

January 13, 2014

### **Contact:**

George Pappas  
(907) 786-3822 or (800) 478-1456  
George\_Pappas@fws.gov

### **Call for Proposals to Change Federal Subsistence Fish and Shellfish Regulations**

The Federal Subsistence Board is accepting proposals through March 28, 2014, to change Federal regulations for the subsistence harvest of fish and shellfish for the 2015-2017 regulatory years (April 1, 2015-March 31, 2017).

The Board will consider proposals to change Federal fishing seasons, harvest limits, methods of harvest, and customary and traditional use determinations. The Board will also accept proposals for individual customary and traditional use determinations from residents of national park and national monument resident zone communities, or those who already hold a Section 13.440 subsistence use permit.

Federal public lands include national wildlife refuges; national parks, monuments and preserves; national forests; national wild and scenic rivers; and national conservation and recreation areas. Federal public lands also include Bureau of Land Management areas that are not part of the national conservation system. Federal subsistence regulations do not apply on State of Alaska lands, private lands, military lands, Native allotments, or Federal lands selected by the State of Alaska or Native corporations.

### **Submit proposals:**

- **By mail or hand delivery**  
Federal Subsistence Board  
Office of Subsistence Management -- Attn: Theo Matuskowitz  
1011 East Tudor Road, MS-121  
Anchorage, AK 99503
- **At any Federal Subsistence Regional Advisory Council meeting**  
See the Meetings and Deadlines page of the Federal Subsistence Management Program's website for dates and locations of Council meetings.  
<http://www.doi.gov/subsistence/index.cfm>

- **On the Web at <http://www.regulations.gov>**

Search for FWS-R7-SM-2013-0065, which is the docket number for this proposed rule.

You may call the Office of Subsistence Management at 1-800-478-1456 or email [subsistence@fws.gov](mailto:subsistence@fws.gov) with your questions.

Additional information on the Federal Subsistence Management Program can be found at <http://www.doi.gov/subsistence/index.cfm>

-###-



# Call for 2015-2017 Federal Subsistence Fish and Shellfish Regulatory Proposals

The Office of Subsistence Management is accepting proposals through March 28, 2014 to change Federal regulations for the subsistence harvest of fish and shellfish on Federal public lands. Proposed changes are for April 1, 2015 through March 31, 2017.

Please submit the information on the back side of this page to propose changes to harvest limits, season dates, methods and means of harvest, or customary and traditional use determinations. Submit a separate proposal for each change you propose. If you live in a resident zone community of a national park or national monument, or if you already hold a Section 13.440 subsistence use permit issued by a National Park Service superintendent, you may apply for an individual customary and traditional use determination.

.....

## Submit proposals:

- ▶ **By mail or hand delivery**  
Federal Subsistence Board  
Office of Subsistence Management  
Attn: Theo Matuskowitz  
1011 E. Tudor Rd., MS-121  
Anchorage, AK 99503
- ▶ **At any Federal Subsistence Regional Advisory Council meeting**
- ▶ **On the Web at <http://www.regulations.gov>**  
Search for FWS-R7-SM-2013-0065

**Questions?** Call (800) 478-1456 or (907) 786-3888

All proposals and comments, including personal information provided, are posted on the Web at <http://www.regulations.gov>

Federal Subsistence Board  
Office of Subsistence Management  
1011 E. Tudor Rd., MS-121  
Anchorage, AK 99503



# 2015–2017 Federal Subsistence Fish and Shellfish Proposal

(Attach additional pages as needed).

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Submit proposals by  
March 28, 2014**

**Questions?**

**Call:** (800) 478-1456 or (907) 786-3888

**E-mail:** subsistence@fws.gov

**Information on submitting proposals is also available on the Office of Subsistence Management website: <http://www.doi.gov/subsistence/index.cfm>**

**This proposal suggests a change to (check all that apply):**

- |   |  |
|---|--|
| <input type="checkbox"/> Harvest season | <input type="checkbox"/> Method and means of harvest                 |
| <input type="checkbox"/> Harvest limit  | <input type="checkbox"/> Customary and traditional use determination |

- 1 What regulation do you wish to change?** Include management unit number and species. Quote the current regulation if known. If you are proposing a new regulation, please state “new regulation.”
- 2 How should the new regulation read?** Write the regulation the way you would like to see it written.
- 3 Why should this regulation change be made?**
- 4 What impact will this change have on fish or shellfish populations?**
- 5 How will this change affect subsistence uses?**
- 6 How will this change affect other uses, i.e., sport/recreational and commercial?**

— Please attach any additional information that would support your proposal. —



## **FEDERAL SPECIAL ACTION REQUEST**

**YOUR NAME AND ORGANIZATION:**

Jacqueline Cleveland, Director of Natural Resources  
Native Village of Kwinhagak & IRA Council

**MAILING ADDRESS:**

Box 149  
Quinhagak, AK 99655

**DAYTIME TELEPHONE:** (907)556-8165 X 265

**FAX NUMBER:** (907)556-8166

**This proposal suggests a change to (check that all apply):**

Harvest season(s)                      \_\_\_ Methods and means of harvest  
\_\_\_ Harvest limit(s)

- 1. WHAT REGULATION DO YOU WISH TO CHANGE?** (include fishing district or area, species, and current regulation, if possible.)

**No Federal Priority**

No existing Federal moose harvest regulation in Unit 18- South of and including the Kanektok River drainages to the Goodnews River drainages.

- 2. how should the new regulation read?** (write the regulation the way you would like to see it written.)

**Proposed Federal Regulation**

**Unit 18** Moose - Kanektok River drainage, and South to the Arolik River drainage (including all tributaries and head-waters) – 1 antlered bull by State registration permit from September 1-30. Any needed closures will be announced by the Togiak National Wildlife Refuge Manager after consultation with ADF&G, and the Chair of Yukon-Kuskokwim Delta Subsistence Regional Advisory Council.

- 3. WHY SHOULD THIS REGULATION CHANGE BE MADE?**

Currently, there is no federal subsistence season allowing rural residents of Unit 18 an opportunity to harvest antlered moose on federal public lands in this portion of Unit 18.

In comparison, the 2009-2010 Alaska Hunting Regulations has an established antlered bull moose hunt for Residents Only of Unit 18 which states: (that portion south of the Eek River drainage and north of the Goodnews River drainage) one antlered bull Sept 1-Sept 30.

The current state regulation indicates with a red star that federal restrictions exist. See below: Subsistence Management Regulation for the Harvest of Wildlife on Federal Public Lands in Alaska, Pg. 87, Unit 18 south of and including the Kanektok River drainage No Federal Open Season (Federal public lands are closed to the hunting of moose by all users).

If approved, this Proposal would allow rural residence of Unit 18, who have a customary and traditional use determination, an opportunity to hunt antlered bull moose from this portion of Unit 18 on federal public lands, during an established federal season which would be aligned with the established State managed season for this portion of Unit 18.

The current incongruent state and federal regulatory schemes prevent meaningful subsistence opportunities for local hunters seeking to realize growing moose populations. Local residents also recognize the migratory patterns of the region's moose and have become frustrated by the seemingly arbitrary federal closure boundary. The Proposal's author has spoken with and observed frustrated local hunters seeking to access federal lands to hunt moose who are limited to small enclaves of "state" land such as gravel bars. Opening federal lands to be consistent with the state season will also help curb frustrated local hunters tempted to take cows as the only opportunity available on nearby lands.

In summary, the Proposal will allow local residents to benefit from increasing moose populations, align state and federal regulations, and promote a flexible regulation that local hunters will be more motivated to follow and respect.

#### **4. WHAT IMPACT WILL THIS CHANGE HAVE ON WILDLIFE/FISH POPULATIONS?**

Based on observations from local residents and radio collar moose tracking reports from the U.S. Fish and Wildlife Service, the Togiak National Wildlife Refuge, it is believed that the moose population has been increasing each successive year. Local residents have also observed an increase in the number of moose migrating into and through the Kanektok and Arolik River Drainages.

The USFWS TNWR moose radio collaring project combined with aerial surveys within the TNWR has also proven that moose populations are increasing within the TNWR area and that moose are constantly migrating between drainage within the refuge.

The increase in moose population was noted at the Togiak Fish and Game Advisory committee in January:

*Andy (Andy alderman) also shared some numbers regarding Moose in GMU 17A, which includes some federal land. The last count was approximately 1100 moose and going up. Some of the moose from this area have moved west into the Goodnews River drainages. The folks in Unit 18 in the Goodnews area had their first fall moose hunt in 2008.*

*Meeting minutes dated January 29, 2009.*

*Based on Subsistence Management Regulations for the Harvest of Wildlife on Federal Public Lands in Alaska, residents of Unit 18 have an opportunity to harvest 1 antlered bull by State registration permit on federal public lands in the Goodnews River Drainage, and south to the Unit 18 boundary.*

*With the Lower Kuskokwim river under a 5-year moose moratorium until fall 2009 and the Goodnews River under a moose management strategy until fall 2008 the numbers of moose have increased significantly both north, south and east of the proposed area. And with the migratory nature of moose, which has been scientifically verified, it is expected that the population will be increasing steadily within both of the proposed drainages. It's also expected that there will be more sightings of migrating moose throughout the region.*

*Additionally, the drafter of this Proposal and other community members have had numerous conversations over the past few years with the TNWR Refuge Manager regarding the moose population increases. The Refuge Manager has informally stated that it is really not necessary for Quinhagak residents to support a moose moratorium for the Kanektok and Arolik River drainages since the populations are very likely going to be migrating into the proposed area as the populations on both sides of the drainages increase.*

*Approval of this Proposal will establish an appropriate harvest level that accurately reflects the moose population trends and local resident concern that federal limitations are outdated and ill-suited to compliance and enforcement.*

## **5. HOW WILL THIS CHANGE AFFECT SUBSISTENCE USERS?**

This proposed federal subsistence regulation would give rural residents of Unit 18 an opportunity to harvest antlered bull moose on federal public lands in this portion of Unit 18, during an established federal season. Additionally, rural residents of Unit 18 will not be restricted to hunting only on State managed lands within the proposed area, such as un-vegetated gravel bars, village Corporation owned lands and Native Allotments. It is believed that current State regulations severely restrict antlered bull harvest opportunities due to the limited area that rural residents are allowed to hunt in. Furthermore, the federal restriction places undue hunting pressure on the moose populations within the State managed areas, effectively decreasing their chances of increasing and establishing healthy moose population. By establishing an open season on federal public lands, moose populations on State managed lands, Native Corporation owned lands and Native Allotments will have an opportunity to increase and become established.

5a. Which communities have used this resource? Quinhagak, Eek, Goodnews and Platinum

5b. Where has this resource been harvested? (Indicate specific areas if possible.)  
Kanektok and Arolik River Drainages

5c. In what months has this resource been harvested? September

5d. Is there any additional information that supports your proposal, such as how the resource is processed, the extent that it is shared, other resources harvested by the communities, how knowledge of hunting is passed down, or any other information?

Local resident who have traditionally harvested moose in the region have become frustrated by federal regulation that have not been modified to reflect the growing moose populations and migratory patterns. Hunters who have historically hunted in the affected drainages have had to travel long distances for subsistence opportunities. Approval of this Proposal will return legal hunting to traditional hunting grounds and restore an important resource for the community.

**6. HOW WILL THIS CHANGE AFFECT OTHER USES, I.E. SPORT/RECREATIONAL AND COMMERCIAL?**

No effect

## Special Action Request To The Federal Subsistence Board

Dave Cannon  
P.O. Box 355  
(907) 676-0012

[dcannonapaimuteed@earthlink.net](mailto:dcannonapaimuteed@earthlink.net)

### Kuskokwim Salmon Management Working Group

The Kuskokwim Salmon Management Working Group would like to add dip nets as legal gear for fishing for salmon in the Kuskokwim River drainage. At this time, only gillnet, beach seine, fish wheel, or rod and reel are allowed in regulation.

*Have there been unusual or significant changes in resource abundance or unusual conditions affecting harvest opportunities that could not reasonably have been anticipated and that potentially could have significant adverse effects on the health of fish and wildlife populations or subsistence users?*

Yes, there have been significant changes in the abundance of Chinook salmon the past several years, with 2013 experiencing the lowest escapement of Chinook salmon in every enumeration project throughout the Kuskokwim drainage.

*Is the requested action needed for reasons of public safety or administration?*

This special action is not needed for reasons of public safety or administration purposes.

*What are the extenuating circumstances that necessitate a regulatory change before the next regulatory review?*

The following emergency petition has been submitted to the Alaska Board of Fish by the Kuskokwim Salmon Management Working Group as a result of the low Chinook salmon returns to the Kuskokwim River the past several years:

The purpose of this letter is to request that the Alaska Board of Fisheries (BOF) consider an emergency petition to add dip nets as legal gear for the taking of salmon other than king salmon in the Kuskokwim Area during times of king salmon conservation. Currently, the regulations only allow for the use of gillnets, fish wheels, beach seines, and hook and line attached to a rod or pole.

Section 5AAC 07.365(2)(a) of the Kuskokwim River Salmon Management Plan states in: In addition to the gear specifications and operations provisions of 5 AAC [01.270\(n\)](#), when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner may, by emergency order, close the

subsistence fishery and immediately reopen the fishery during which gillnet mesh size may not exceed four inches until sockeye and chum abundance exceeds the king salmon abundance;

The Kuskokwim Salmon Management Working Group (Working Group) is requesting that the use of dip nets be allowed during this critical period when king salmon numbers are at an all-time low. As part of this request, we would like to see the following provision included in a regulation allowing the use of dip nets – “all king salmon caught with a dip net must be released alive to the water.”

We believe that an emergency action by the Board of Fisheries is warranted in accordance with AS AAC 96.625, which states:

In this section, an emergency is an unforeseen, unexpected event that either threatens a fish or game resource, or an unforeseen, unexpected resource situation where a **biologically allowable resource harvest would be precluded by delayed regulatory action and such delay would be significantly burdensome to the petitioners because the resource would be unavailable in the future.**

The Working Group justifies this request for emergency action based on our conviction that an emergency exists pertaining to both resource conservation and to food security for local residents:

1. First and foremost, 5AAC 07.365 – The Kuskokwim Salmon Management Plan states: *(a) The purpose of this management plan is to provide guidelines for management of the Kuskokwim salmon fisheries that result in the sustained yield of salmon stocks large enough to meet escapement goals, amounts reasonably necessary for subsistence uses, and for nonsubsistence fisheries.* Unfortunately, these objectives have not been attained in recent years.
2. In 2013 all seven of the Kuskokwim’s salmon enumeration projects observed the lowest king salmon escapements on record, resulting in a failure to meet the drainagewide escapement goal (Figure 1). A new drainagewide escapement goal of 65,000 to 120,000 king salmon was adopted in 2013. For the second time in the past four years, escapements on the Kuskokwim fell below this mark.
3. The Alaska Department of Fish and Game’s (department) preseason forecast for 2013 was for between 160,000-240,000 king salmon, however, the department’s preliminary run reconstruction estimate for the entire river was only 94,000 king salmon. Of these, roughly 46,000 were harvested by subsistence fishermen, allowing only about 47,000 to escape to the spawning grounds. Subsequently, the 2013 escapement was the lowest on record, dipping below the 2010 estimate of 49,000.
4. The 2012 preseason forecast was also imprecise and in November and December of 2013, the department reassessed the accuracy of the many preseason modeling tools. The department concluded that management for the upcoming year (i.e., 2014) could be better informed based on the

outcome from the prior year. Consequently, the 2014 preseason forecast range is projected to be in the ballpark of 70,000-117,000 (i.e.,  $\pm 25\%$  of 94,000).

5. The annual king salmon subsistence harvest for the entire Kuskokwim drainage often exceeds 80,000. Considering that the upper bound of the 2014 forecast is 117,000 - that would leave a harvestable surplus of 52,000 above escapement needs. This is well below the average harvest of king salmon among Kuskokwim River communities and would be burdensome to many residents in regards to food security.
6. If the return comes in closer to the lower bound of the forecast (i.e., 70,000), there would be no more than 5,000 fish available for harvest (based on the lower bound of 65,000). This represents a potential 94% reduction in the subsistence king salmon fishery. Given that in some years roughly 2,500 subsistence households participate in the fishery - if resources could be equitably distributed - that would leave only two king salmon per household! And that 5,000 fish "surplus" could potentially be harvested in the 4-inch whitefish nets at the beginning of the season, depending on how many nets are deployed. As in past years, the vast majority of that harvest would occur in the lower river; therefore, it's very unlikely that such a scant surplus could be distributed equitably.
7. Significant restrictions during 2012 resulted in a subsistence harvest of only 22,000 kings; the restrictions included 288 hours of total closure during the mid-part of the season and 216 hours where only 6" mesh or less nets were allowed toward the end of the season. This reduction did result in an escapement consistent with the newly established 2013 drainagewide goal. In 2013 a mesh size restriction of 6" or less was implemented during the later part of the season that contributed to a harvest estimated at 46,000 - twice as many as in 2012; but unlike 2012, the escapement goal was not achieved. Unfortunately, there was a substantial disparity among fishers' success in 2013. The lower river residents, although still below their average harvest levels, did manage to put away a considerable amount of kings; the middle and upriver residents, however, were unable to meet their needs.
8. In 2013 the in-season assessment tools proved inadequate to accurately assess the run strength much of the season, so it is unrealistic to expect in 2014 that they could detect or track the removal of the potential 5,000 fish surplus during the early part of the run. This alone could endanger the possibility of attaining escapement if the run is at the low end of the forecast.

All indications point to a need for restrictions in 2014, even more restrictive than what were imposed in 2012; that year residents experienced the most severe limits ever enacted on the Kuskokwim River. Figure 2 shows one possible schedule proposed by the department allowing very limited opportunity in June and July. Regardless of what restriction are in place, and given the likely limited surplus expected, it's very unlikely that subsistence fishers will be allowed one opening per week as spelled out in the Management Plan (5 AAC 07.365).

If the king salmon run in the Kuskokwim River continues to decline, it is possible and downright frightening, that no harvestable surplus would be available from the get go. As noted, restrictions are almost a certainty. No one wants to repeat last year's scenario of the disparity among fishers' ability to harvest king salmon and the non-attainment of escapement. Limiting the customary methods of fishing that most Kuskokwim residents employ for extended time periods would certainly hinder fishers' ability and opportunity to fulfill their subsistence fisheries needs. Depending on the king salmon conservation measures executed, it is possible that they would interfere with the ability of fishers to harvest other abundant salmon species like chum or sockeye salmon.

The addition of dip nets as a gear option could broaden fishers' opportunity to provide for their families by allowing subsistence activities to proceed without severely impacting the king run. If the Board were to accept this emergency petition, it would provide one more method that could allow fishers an opportunity to attempt to supplement their normal subsistence harvest by catching chum and sockeye salmon.

The Kuskokwim Salmon Management Working Group fully understands that the allowance of dip nets is not the solution to the impending food security dilemma for several reasons: 1) this is a new method and very few residents own a dip net at this time and 2) It will take time for people to learn how and where to use a dip net effectively. However, dip nets, if applied successfully, can help mitigate the impact of king conservation measures on food security for at least some Kuskokwim subsistence users.

Figure 1. Kuskokwim Weir Project King Counts 2003 - 2013

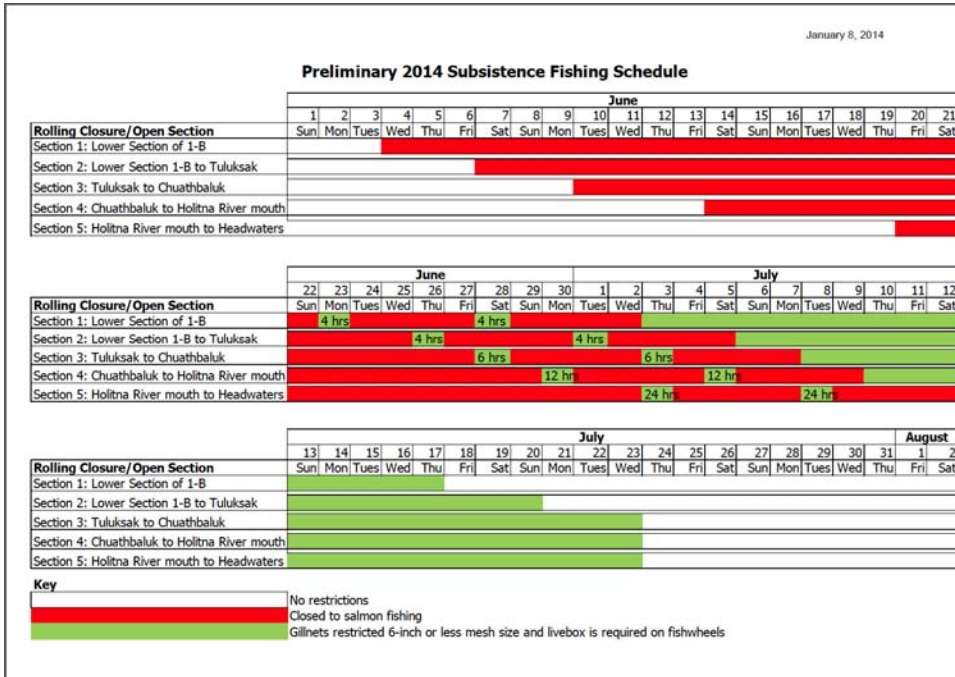
Year	Chinook Salmon Escapement						Takotna Salmon
	Kwethluk	Tuhsak	George	Kogrukuk	Tatlawiksuk	Takotna Salmon	
2003	14,474	1,064	4,693	11,771	1,683	378	<sup>a</sup>
2004	28,605	1,475	5,207	19,651	2,833	461	<sup>a</sup>
2005	<sup>a</sup>	2,653	3,845	22,000	2,918	499	<sup>a</sup>
2006	17,619	1,043	4,357	19,414	1,700	539	<sup>a</sup>
2007	13,267	374	4,883	13,029	2,061	418	6,220
2008	5,312	701	2,698	9,730	1,071	413	2,376
2009	5,710	362	3,663	9,702	1,071	311	<sup>a</sup>
2010	1,693	201	1,500	5,690	567	178	<sup>a</sup>
2011	4,079	288	1,571	6,891	1,012	134	<sup>a</sup>
2012	<sup>a</sup>	560	2,302	<sup>a</sup>	1,116	228	<sup>a</sup>
2013 <sup>b</sup>	<sup>a</sup>	193	1,158	1,713	495	94	598
SEG	4,100-7,500		1,800-3,300	4,800-8,800			
Average 2003-2012	11,345	872	3,472	13,098	1,603	356	4,298

<sup>a</sup> Weir did not operate or counts were incomplete.

<sup>b</sup> Preliminary numbers subject to change.



Figure 2. One of the Potential Subsistence Fishing Schedule's Proposed by ADF&G for the 2014 Season.



## Special Action Request To The Federal Subsistence Board

Dave Cannon  
P.O. Box 355  
(907) 676-0012

[dcannonapaimuteed@earthlink.net](mailto:dcannonapaimuteed@earthlink.net)

### Kuskokwim Salmon Management Working Group

The Kuskokwim Salmon Management Working Group would like to add a gear limitation of 25 fathoms in length to the regulations only when the need for Chinook salmon conservation warrants such a restriction as determined by the federal inseason manager. Currently, subsistence gillnets are allowed to be no longer than 50 fathoms.

*Have there been unusual or significant changes in resource abundance or unusual conditions affecting harvest opportunities that could not reasonably have been anticipated and that potentially could have significant adverse effects on the health of fish and wildlife populations or subsistence users?*

Yes, there have been significant changes in the abundance of Chinook salmon the past several years, with 2013 experiencing the lowest escapement of Chinook salmon in every enumeration project throughout the Kuskokwim drainage.

*Is the requested action needed for reasons of public safety or administration?*

This special action is not needed for reasons of public safety or administration purposes.

*What are the extenuating circumstances that necessitate a regulatory change before the next regulatory review?*

The following emergency petition has been submitted to the Alaska Board of Fish by the Kuskokwim Salmon Management Working Group as a result of the low Chinook salmon returns to the Kuskokwim River the past several years:

The purpose of this letter is to request the Alaska Board of Fisheries (BOF) to consider an emergency petition to add the additional gear limitation of 25-fathom net length during times when the commissioner determines it to be necessary for the conservation of king salmon. This request would be added as a legal gear option for Emergency Order gear restrictions 5AAC 01.270 (n) the following option:

(4) a gillnet may not exceed 25 fathom in length.

We believe that an emergency action by the Board of Fish is warranted in accordance with AS AAC 96.625 which states:

In this section, an emergency is an unforeseen, unexpected event that either threatens a fish or game resource, or an unforeseen, unexpected resource situation where a **biologically allowable resource harvest would be precluded by delayed regulatory action and such delay would be significantly burdensome to the petitioners because the resource would be unavailable in the future.**

The Working Group justifies this request for emergency action based on our conviction that an emergency exists pertaining to both resource conservation and to food security for local residents:

1. First and foremost, 5AAC 07.365 – The Kuskokwim Salmon Management Plan states: *(a) The purpose of this management plan is to provide guidelines for management of the Kuskokwim salmon fisheries that result in the sustained yield of salmon stocks large enough to meet escapement goals, amounts reasonably necessary for subsistence uses, and for nonsubsistence fisheries.* Unfortunately, these objectives have not been attained in recent years.
2. In 2013 all seven of the Kuskokwim's salmon enumeration projects observed the lowest king salmon escapements on record, resulting in a failure to meet the drainagewide escapement goal (Figure 1). A new drainagewide escapement goal of 65,000 to 120,000 king salmon was adopted in 2013. For the second time in the past four years, escapements on the Kuskokwim fell below this mark.
3. The Alaska Department of Fish and Game's (department) preseason forecast for 2013 was for between 160,000-240,000 king salmon, however, the department's preliminary run reconstruction estimate for the entire river was only 94,000 king salmon. Of these, roughly 46,000 were harvested by subsistence fishermen, allowing only about 47,000 to escape to the spawning grounds. Subsequently, the 2013 escapement was the lowest on record, dipping below the 2010 estimate of 49,000.
4. The 2012 preseason forecast was also imprecise and in November and December of 2013, the department reassessed the accuracy of the many preseason modeling tools. The department concluded that management for the upcoming year (i.e., 2014) could be better informed based on the outcome from the prior year. Consequently, the 2014 preseason forecast range is projected to be in the ballpark of 70,000-117,000 (i.e.,  $\pm 25\%$  of 94,000).
5. The annual king salmon subsistence harvest for the entire Kuskokwim drainage often exceeds 80,000. Considering that the upper bound of the 2014 forecast is 117,000 - that would leave a harvestable surplus of 52,000 above escapement needs. This is well below the average harvest of king salmon among Kuskokwim River communities and would be burdensome to many residents in regards to food security.
6. Significant restrictions during 2012 resulted in a subsistence harvest of only 22,000 kings; the restrictions included 288 hours of total closure during the mid-part of the season and 216 hours where only 6" mesh or less nets were

allowed toward the end of the season. This reduction did result in an escapement consistent with the newly established 2013 drainagewide goal. In 2013 a mesh size restriction of 6" or less was implemented during the later part of the season that contributed to a harvest estimated at 46,000 - twice as many as in 2012; but unlike 2012, the escapement goal was not achieved. Unfortunately, there was a substantial disparity among fishers' success in 2013. The lower river residents, although still below their average harvest levels, did manage to put away a considerable amount of kings (many of the lower river fishers fish with 50-fathom nets); the middle and upriver residents, however, were unable to meet their needs (these fishers tend to fish with 25-fathom nets).

All indications point to a need for restrictions in 2014, even more restrictive than what were imposed in 2012; that year residents experienced the most severe limits ever enacted on the Kuskokwim River. Figure 2 shows one possible schedule proposed by the department allowing very limited opportunity in June and July. Regardless of what restriction are in place, and given the likely limited surplus expected, it's unlikely that subsistence fishers will be allowed one opening per week as spelled out in the Management Plan (5 AAC 07.365).

If the king salmon run in the Kuskokwim River continues to decline, it is possible and downright frightening, that no harvestable surplus would be available from the get go. As noted, restrictions are almost a certainty. No one wants to repeat last year's scenario of the disparity among fishers' ability to harvest king salmon and the non-attainment of escapement.

By enacting this regulation, a significant reduction in per-drift fishing efficiency would occur for a large number of fishers who currently use 50-fathom nets. The use of the larger nets along with the sizeable number of households reliant on subsistence fishing is a contributing factor to why the subsistence fishery has "enormous fishing power" as described by Travis Elison, the department's Area manager; hence, the consideration of the tentative two 4-hour periods shown in Figure 2.

Reducing the subsistence fleet's fishing power would derive two benefits. It would not only improve the chances of king salmon escaping the fishery and reaching the spawning grounds, it could allow for additional openings which would give fishers more time to harvest other salmon species to fill the void of the weak king abundance.

Limiting the customary methods of fishing that most Kuskokwim residents employ for extended time periods would certainly hinder fishers' ability and opportunity to fulfill their subsistence fisheries needs. Depending on the king salmon conservation measures executed, it is likely that they would interfere with the ability of fishers to harvest other abundant salmon species like chum or sockeye salmon. Based on a conversation with Sergeant Ken Actin with the Wildlife Troopers in Bethel, there are

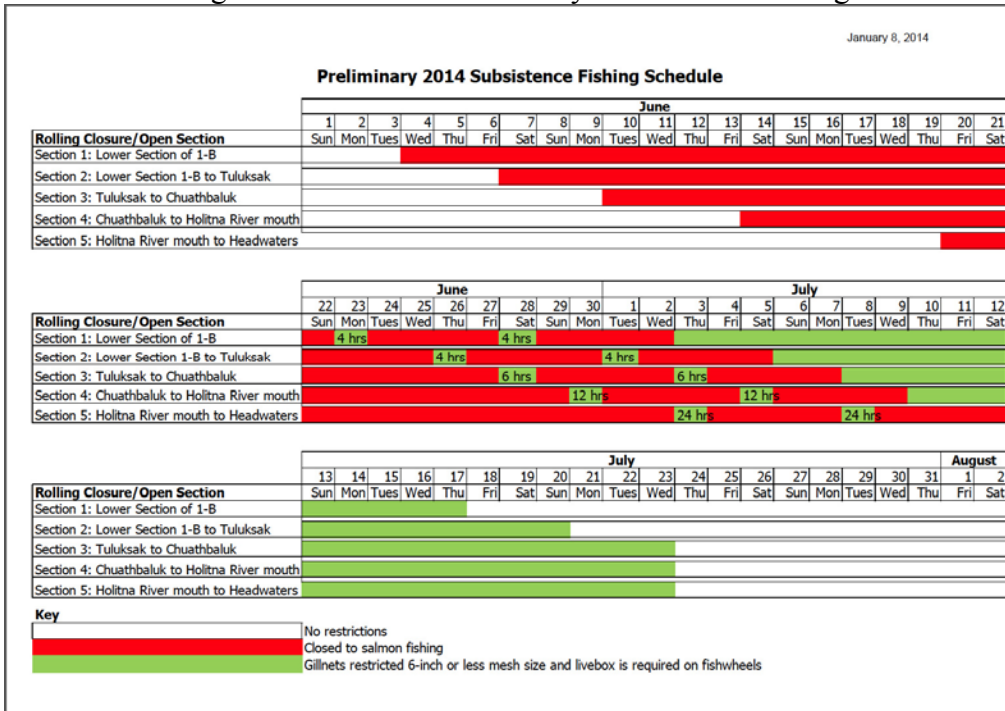
ways to reduce net length without cutting nets that would make it acceptable for enforcement yet not excessively burden fishermen.

Figure 1. Kuskokwim Weir Project King Counts 2003 - 2013

Year	Chinook Salmon Escapement						
	Kwethluk	Tuluksak	George	Kogrukhuk	Tatlawiksuk	Takotna	Salmon
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SEG	4,100-7,500		1,800-3,300	4,800-8,800			
Average							
2003-2012	11,345	872	3,472	13,098	1,603	356	4,298

<sup>a</sup> Weir did not operate or counts were incomplete.  
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Figure 2. ADF&G Preliminary Subsistence Fishing Schedule



# 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.



U.S. FISH and WILDLIFE SERVICE  
BUREAU of LAND MANAGEMENT  
NATIONAL PARK SERVICE  
BUREAU of INDIAN AFFAIRS  
FWS/OSM 13054.CJ

## Federal Subsistence Board

1011 E. Tudor Rd., MS 121  
Anchorage, Alaska 99503-6199



U.S. FOREST SERVICE

SEP 09 2013

Lester Wilde, Sr., Chair  
Yukon-Kuskokwim Delta Subsistence  
Regional Advisory Council  
c/o U.S. Fish & Wildlife Service  
1011 E. Tudor Road, MS 121  
Anchorage, Alaska 99503

Dear Chairman Wilde:

This letter responds to the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council's (Council) 2012 Annual Report as approved at its winter 2013 meeting. The Secretaries of the Interior and Agriculture have delegated the responsibility to respond to these reports to the Federal Subsistence Board (Board). The Board appreciates your effort in developing the Annual Report and values the opportunity to review the issues brought forward concerning your region. Annual Reports allow the Board to become more aware of the issues that fall outside of the regulatory process and affect subsistence users in your region.

The Board has reviewed your Annual Report and offers the following responses:

### **Issue 1: Subsistence Salmon Fisheries Closures**

*Subsistence users in the region consider last summer's salmon fisheries closures by Federal and State fisheries management teams to be abusive to subsistence users. Regional residents viewed these management actions as abusive because the effect of the actions was to prevent subsistence users from stocking up on their much-needed winter food supply. Additionally, while salmon harvest for subsistence users was restricted on the Kuskokwim River, sport users in Kuskokwim River tributaries and spawning streams were allowed to harvest salmon throughout the subsistence salmon fisheries closing. This constitutes a disparate and discriminatory treatment of subsistence users compared to sport users. As a representative and voice of the subsistence users of salmon, the Council insists that subsistence harvest of salmon be permitted on the Kuskokwim River and its tributaries at any time when sport users are allowed to harvest salmon in the same watershed.*

### **Recommendation:**

The Council recommends the Federal Subsistence Board work with and encourage Federal fisheries managers to use information about the average annual subsistence harvest of salmon



as a tool to allow and manage subsistence harvest of salmon when considering limited restrictions of subsistence harvest of salmon. It is apparent salmon closures cause adverse effects on subsistence users, contrary to the purpose of ANILCA. Allowing other user groups, such as sport fishers, to continue to fish under State regulations is also viewed as not being in compliance with the intent and purpose of ANILCA.

**Response:**

Under Alaska National Interest Land Conservation Act (ANILCA), the taking on public lands of fish and wildlife for non-wasteful subsistence uses is accorded priority over the taking on such lands of fish and wildlife for other purposes. Also under ANILCA, the Federal Subsistence Board has both the authority and responsibility to restrict the taking of populations of fish and wildlife on such lands for subsistence uses in order to protect the continued viability of such populations.

In 2012, Federal and State in-season managers, with concurrence from the Kuskokwim River Salmon Working Group, determined a target Chinook salmon escapement goal of 127,000 for the Kuskokwim River. Early indications showed that the Chinook salmon run timing was later than average and the run much weaker (less fish) than forecasted, which meant that the likelihood of reaching the escapement goal was very low. In response to this information, and to protect the continued viability of Kuskokwim River Chinook salmon populations, the in-season managers deemed it necessary to close Chinook salmon fishing for as much as 12 days on some portions of the river. The Kuskokwim River Salmon Working Group concurred with the first 7 days of that closure. Post-season preliminary estimates show that the 2012 Kuskokwim River Chinook salmon run of approximately 100,000 fish (80,000 escapement and 20,000 subsistence harvest) was the lowest on record. The long-term subsistence harvest average is approximately 80,000. The Board recognizes that there was a great burden to subsistence fishermen in 2012, because they were not allowed to harvest Chinook salmon. However, if they had been allowed to fish without any restrictions in 2012, and harvested the average 80,000 Chinook salmon, the viability of Chinook salmon populations would have been put in jeopardy.

Summary of 2012 management actions:

- On June 1<sup>st</sup>, 2012 sport fishing for King salmon was closed on the Kisaralik, Kasigluk, and Kwethluk drainages to their confluence with Kuskokuak Slough and included all waters of Kuskokuak slough between Alaska Department of Fish and Game (ADF&G) regulatory markers in the slough. Additionally, this closure included the Tuluksak River drainage including its confluence with the Kuskokwim and downstream to the upstream side of Mishevik Slough, the Aniak River drainage to ADF&G regulatory markers at its confluence with the Kuskokwim River, and the George River drainage including its confluence with the Kuskokwim River and downstream approximately one-half mile to an ADF&G regulatory marker.

- On June 13<sup>th</sup>, 2012 sport fishing for King salmon was closed on the main stem of the Kuskokwim river and bag and possession limit was reduced to one king salmon in all tributaries of the Kuskokwim River that are not previously closed by emergency order.
- On June 22<sup>nd</sup>, 2012 sport fishing for King salmon was closed on the entire Kuskokwim River drainage.
- Rolling closures to subsistence salmon fishing was implemented in a stepwise progression up the Kuskokwim River consistent with salmon run timing. A summary of closures to subsistence salmon fishing by river section were as follows:

Section 1: June 10-21

Section 2: June 13-24

Section 3: June 17-28

Section 4: June 22-July 3

Section 5: June 27-July 8

During subsistence salmon fishing closures, 4-inch or less mesh size gillnets not to exceed 60-feet in length were allowed to harvest non-salmon species such as whitefish.

Following the rolling closures, subsistence salmon fishing using 6-inch or less mesh sized gillnets were allowed.

Subsistence salmon fishing with unrestricted gillnet mesh size re-opened in sections 1,2,3,4, and 5 on July 16<sup>th</sup>, 19<sup>th</sup>, 23<sup>rd</sup>, 23<sup>rd</sup>, and 23<sup>rd</sup> respectively.

## **Issue 2: Salmon Test Fishery in Bethel**

*The Bethel test fishery area has been in the same location since the early 1980s. Kuskokwim River channels have changed frequently over the years and, as a result, fish migration routes have changed because formerly shallow channels have become deep channels, and vice versa. The Council recognizes and understands that these channel changes may adversely affect the accuracy of fisheries information data gathering.*

### **Recommendation:**

*The Council recommends that alternative sites or methods (such as set gillnets) for the Bethel Test Fishery be considered or added for data gathering and be put in place for more accurate in-season fisheries information data. Enhancing fishery data gathering would benefit fisheries managers in obtaining crucial information of salmon passage and escapement estimates, and hopefully minimize restrictions on reasonable subsistence harvest opportunity.*

**Response:**

The Bethel test fishery, managed and conducted by the Alaska Department of Fish and Game (ADF&G), has been conducted in the same location approximately three miles upstream of Bethel since 1984.

The Bethel test fishery provides an in season catch per unit effort (CPUE) index comparable to historic test-fish CPUE indices that fishery managers use to address in season salmon run timing and relative abundance. The current year test-fish CPUE index can be compared to prior year indices and, along with associated subsistence reports and weir, sonar, and aerial survey data, can be used to assess salmon run strength.

The two primary objectives for the Bethel test fishery are to:

1. Determine a daily mean index expressed as catch per unit effort or CPUE and a cumulative daily mean CPUE index for Chinook, sockeye, chum and coho salmon at the Bethel test-fish site from June 1 through August 24; and
2. Estimate relative run abundance and timing of Chinook, sockeye, chum and coho salmon at the Bethel test-fish site by comparison with historical test-fish information.

The methods and location currently used to achieve the objectives of this project are similar to previous years. Following each high tide, a series of gillnet drifts are conducted by the test-fish crew in the Kuskokwim River approximately 3 miles upstream of Bethel, just below where Straight Slough diverges from the main river channel.

Kuskokwim River subsistence and commercial fishery salmon managers believe the Bethel test fishery provides an accurate index of the relative abundance and migratory timing of salmon runs. Fishery managers require timely in season assessment of salmon run abundance in order to effectively conduct in season management. Due to the great river distances between areas of harvest and escapement project locations throughout the drainage, escapement projects provide limited usefulness early in the salmon runs. As the runs progress, a relationship can be seen between in season index information and escapement project information.

In order for the Bethel test fishery to successfully achieve its objectives, project methods and procedures must be performed consistently between tides throughout the season and between years. This provides managers with reliable data sources so they can compare the current year's data with the more recent historical years' data in order to observe and manage those factors that impact the population over time.

The Bethel test fishery has evolved into the primary in season salmon management tool for the Kuskokwim River. Consistency in methods, completeness of a historical database, frequency of operation, and timeliness of results contribute to the success of this program. The test fishery, by itself, is an imperfect tool that requires experienced staff to interpret the information

effectively. When used in conjunction with other in season assessment tools, the test fishery can provide managers with insight into salmon run abundance and migratory timing to provide for sustained yield fishery management.

Historically, other test fisheries have been attempted in the Kuskokwim River: Kwegooyuk fishery, 1966–1983; Eek test fishery, 1988–1994; Kuskokwim River subsistence test, 1988–1990; Aniak test fishery, 1992–1995; Chuathbuluk test fishery, 1992–1993; and the Lower Kuskokwim River test fishery, 1995. Most of these projects were initiated at the prompting of groups other than the ADF&G. They were all eventually discontinued for a variety of reasons, including lack of funding, consistency problems, difficulties with catch disposition and ambiguous results.

The Bethel test fishery is managed and conducted by ADF&G. Any changes to the methods, gear type and/or location of this test fishery need to be done through, and by, the Department. OSM staff could assist the Council in drafting a letter expressing any recommended changes the Council feels are necessary and transmitting it to ADF&G.

### **Issue 3: Confiscation of Subsistence Fishing Gear**

*During the 2012 subsistence salmon fishing season, fishing was restricted for up to 12 days on the Kuskokwim River to allow for the escapement of Chinook salmon. These closures imposed considerable hardship and had an adverse effect on all Kuskokwim River subsistence users who depend on salmon for their winter food supply. During the closure periods, when subsistence users were only permitted to use 4 inch or less mesh gillnets to harvest other fish, the salmon processing and drying season passed by. If salmon are not harvested early in the season, the later periods are too wet for salmon to dry. During the closures, at least three Kuskokwim River communities – at the direction of their respective elders and councils – chose to engage in salmon fishing within their fishery boundary with their preferred gear. Subsequently, law enforcement officers confiscated expensive gillnets, which have reportedly not yet been returned to the legal owners in the villages.*

#### *Recommendation:*

*The Council recommends that the Federal Subsistence Board declare that gear may not be confiscated from a subsistence user when there is an allegation of violation of state or federal laws related to subsistence hunting, fishing, and trapping, until final rulings are made on charges of illegal take of subsistence resources. Additionally, if such gear is confiscated, it should be returned to its owners at the soonest possible time.*

#### **Response:**

The Federal Subsistence Board does not have any authority or control over law enforcement officials or the courts regarding 1) which penalties will be imposed, or not imposed, on fishermen who fail to follow subsistence fishing regulations, and 2) when confiscated gear is returned to its owners.

Service law enforcement officers are often compelled to seize evidence of violations when conducting investigations. Evidence of unlawful fishing can include fish, tackle, and equipment, such as nets and poles. In some situations, the court may authorize the return of equipment to the defendants after violations are adjudicated.

In closing, I want to thank you and your Council for their continued involvement and diligence in matters regarding the Federal Subsistence Management Program. I would like to specifically thank Harry O. Wilde, Sr. for his 20 years of service and Greg Roczicka and Robert Aloysius for their 10 years of service to the Federal Subsistence Management program as members of this Council. I speak for the entire Board in expressing our appreciation for your efforts and our confidence that the subsistence users of the Kodiak/Aleutians Region are well represented through your work.

Sincerely,



Tim Towarak  
Chair

- cc. Yukon-Kuskokwim Delta Subsistence Regional Advisory Council  
Federal Subsistence Board  
Interagency Staff Committee  
Gene Peltola, Jr., Assistant Regional Director, OSM  
Kathleen M. O'Reilly-Doyle, Deputy Assistant Regional Director, OSM  
Carl Johnson, Council Coordination Division Chief, OSM  
Alex Nick, Subsistence Council Coordinator  
Administrative Record

# **Report to Federal Subsistence Regional Advisory Councils on**

## **1. Tribal Consultation Draft Implementation Guidelines**

## **2. Draft ANCSA Consultation Policy**

**January 24, 2014**

From the Federal Subsistence Board's Consultation Workgroup

**Requesting Regional Advisory Council Feedback** on these two documents; while simultaneously seeking feedback from federally recognized Tribes and Alaska Native Claims Settlement Act (ANCSA) Corporations.

### ***Draft Implementation Guidelines Summary***

- The guidelines are intended to provide federal staff additional guidance on the Federal Subsistence Board's Tribal Consultation Policy.
- It includes
  - when consultations should be regularly offered,
  - meeting protocols including
    - meeting flow,
    - room setup suggestions,
    - topics for consultation,
    - preparation and follow-up for the meetings,
  - communication and collaboration with Tribes throughout the regulatory cycle,
  - training guidance and topics for federal staff and the Board,
  - reporting on consultation,
  - and how to make changes to the policy or guidance as needed or requested.

### ***Draft ANCSA Corporation Consultation Policy Summary***

- This policy is adapted from the DOI Policy on Consultation with ANCSA Corporations
- It includes a preamble, guiding principles and policy
- For your awareness, please read the policy section
- This draft policy has been improved upon by the workgroup, which now has representatives from village and regional ANCSA corporations, thereby adding to the meaning of this policy for the Board. It was originally drafted in December 2011.

## **Workgroup members**

- Rosemary Ahtuanguaruak, Co-Chair, Barrow/Nuiqsut
- Crystal Leonetti, Co-Chair, US Fish & Wildlife Service
- John W. Andrew, Organized Village of Kwethluk
- Lillian Petershoare, US Forest Service
- Della Trumble, Agdaagux Tribe of King Cove, King Cove Village Corporation
- Jean Gamache, National Park Service
- Richard Peterson, Organized Village of Kasaan
- Jack Lorrigan, Office of Subsistence Management
- Brenda Takeshorse, Bureau of Land Management
- Bobby Andrew, Native Village of Ekwok
- Glenn Chen, Bureau of Indian Affairs
- Charles Ekak, Olgoonik Corporation of Wainwright
- Cliff Adams, Beaver Kwit'chin Corporation
- Gloria Stickwan, Ahtna, Inc.
- Roy Ashenfelter, Bering Straits Native Corporation
- Chief Gary Harrison, Chickaloon Native Village
- Edward Rexford, Native Village of Kaktovik
- Michael Stickman, Nulato Tribal Council

# IMPLEMENTATION GUIDELINES

*for the*

## *Federal Subsistence Board Government-to-Government Tribal Consultation Policy*

### INTRODUCTION

This document provides federal staff additional guidance on the Federal Subsistence Management Program’s Tribal Consultation Policy. Refer to the *Federal Subsistence Board Government-to-Government Tribal Consultation Policy* for a broad scope including goals of the policy; consultation communication, roles and responsibilities, topics, timing, and methods; accountability and reporting; and training.

Tribal consultation will be regularly scheduled twice each year:

- 1) before the fall Regional Advisory Council (RAC) meetings, and
- 2) before the spring Federal Subsistence Board (Board) meetings.

Additional consultations may be initiated by the Board and consultation is also available to tribal governments at any time on regulatory or non-regulatory topics as the need arises.

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### MEETING PROTOCOLS

#### **1. Timing:**

- a. During the Meeting
  - i. Intend to not rush through the consultation
- b. When to hold the meetings
  - i. Before RAC Meetings: hold one or more teleconferences (depending on number of proposals) at least two weeks before RAC meetings begin.
  - ii. At Board Meetings: consultation should begin prior to the start of the regular Board meeting. The regular Board meeting then begins after the consultation meeting is complete.



2. **Introductions:** Board member and tribal government representative introductions.  
All representatives will state for the purpose of this consultation: who they officially represent, and what their role is during the consultation (e.g. “I am Geoff Haskett, a member of the Federal Subsistence Board, and for the purpose of this government-to-government consultation, I am representing the U.S. Fish and Wildlife Service. My role is to listen, ask questions, and gain an understanding of Tribal perspectives so that I can fully consider those perspectives in my actions as a decision-maker for the U.S. Fish and Wildlife Service.”).
3. **Room Setup:**
  - a. At in-person meetings, room should be configured in such a way that Board members and Tribal Government representatives are seated equally at the table. Consider chairs placed in a circle with or without tables. This will differentiate between the room configurations during the public process.
  - b. Board members and Tribal representatives should be dispersed around the table.
  - c. One or more people will be designated note-takers and notes will be made available to all participants as soon as they are typed and reviewed after the meeting.
4. **Topics:**
  - a. Topics to be consulted on can be determined by either Tribes or Board members, and do not need to be determined nor agreed upon in advance, but known topics shall be announced one week ahead of the consultation (e.g.: proposals, rural determination process, OSM budget, etc.)
  - b. The Board Chair should ask, “What other topics should we be consulting on?”
  - c. For topics not within the purview of the Board, Tribes will be referred to a federal liaison who can help them determine how that topic can be addressed.
  - d. For topics that need further consultation on any topic, the OSM Native Liaison will arrange follow-up consultation.
5. **Briefings:**
  - a. Briefing materials, such as those given to Board members should be made available to all Tribal governments one week, or earlier as they’re available, before the consultation.
  - b. Tribes who are interested are encouraged to send in briefing materials one week before the consultation to the OSM Native Liaison for their topics of interest; these will be provided to the Board.
6. **Board Member Summary:**

A lead Board member shall be selected who will conclude the consultation with a summary of the consultation discussion.
7. **Information Availability:**
  - a. Pre- and post-meeting materials and teleconference information will be displayed on the Federal Subsistence Management Program’s website.
  - b. A written summary of consultations will be provided to RACs and Tribes by email, fax, or mail as appropriate.
8. **Follow-up to Participating Tribes:**

A letter from the Chair will be sent to participating Tribes expressing appreciation for their participation and explanation of how their input was utilized and the decision that was made. These letters may be archived on the OSM website.

**9. Consultation Meetings Requested by Tribes:**

- a. If a consultation meeting is requested by a Tribe(s), two Board members – one representing the nearest land managing agency, and the nearest public member will participate in that meeting. Other Board members can join if they wish.
- b. Consultation meeting may take place in the Tribal community or by teleconference.
- c. Meeting notes (see 3.c.) will be provided to the entire Board upon completion.

## REGULATORY CYCLE TIMELINE AND ROLES AND RESPONSIBILITIES

The Board is committed to providing Federally Recognized Tribes with opportunities to be meaningfully involved in the wildlife and fisheries regulatory process. On an annual basis, the Board accepts proposals to change wildlife or fisheries regulations on seasons, harvest limits, methods and means and customary and traditional use determinations. In some instances, regulations are modified in-season, and that is typically accomplished through in-season or special actions taken by either the Board or the relevant land manager. The Board will provide Tribes with the opportunity to consult on the regulatory process, which includes proposal development and review, proposal analysis and review, and decision making by the Board.

Tribes must be given the opportunity to consult throughout the Federal Subsistence Management process when a “departmental action with tribal implications<sup>1</sup>” is taken. A regulatory proposal is potentially a departmental action with substantial direct effect on an Indian Tribe. As information becomes available which changes the recommendations or potential decision on a proposal, affected Tribes will be notified.

### WHO SHOULD PARTICIPATE IN GOVERNMENT-TO-GOVERNMENT CONSULTATION

Tribal Officials are elected or appointed Tribal leaders or officials designated in writing by a federally recognized Tribe to participate in government-to-government consultations. Federal Officials are those individuals who are knowledgeable about the matters at hand, are authorized to speak for the agency and/or Board, and exercises delegated authority in the disposition and implementation of a federal action.

<sup>1</sup> Department of the Interior Policy on Tribal Consultation definition of “Departmental Action with Tribal Implications” is: Any Departmental regulation, rulemaking, policy, guidance, legislative proposal, grant funding formula changes, or operational activity that may have a substantial direct effect on an Indian Tribe on matters including, but not limited to:

1. Tribal cultural practices, lands, resources, or access to traditional areas of cultural or religious importance on federally managed lands;
2. The ability of an Indian Tribe to govern or provide services to its members;
3. An Indian Tribe’s formal relationship with the Department; or
4. The consideration of the Department’s trust responsibilities to Indian Tribes.

This, however, does not include matters that are in litigation or in settlement negotiations, or matters for which a court order limits the Department’s discretion to engage in consultation.

REGULATORY PROCESS OUTLINED BELOW CORRESPOND TO THE STEPS IN THE BOARD'S TRIBAL CONSULTATION POLICY *APPENDIX B: FEDERAL SUBSISTENCE MANAGEMENT PROGRAM ANNUAL REGULATORY PROCESS AT A GLANCE.*

**Step 1.A.: Call for Proposals (January – March):** This step is where changes to fish or wildlife harvesting regulations can be offered such as seasons, harvest limits, methods and means and customary and traditional use determinations. The Office of Subsistence Management (OSM) staff or land managers can assist Tribes in developing proposals.

**RESPONSIBLE LEAD      ACTION**

Federal Agencies      Contacts representatives of affected Tribes, prior to federal agency submitting regulatory proposals.

OSM

Sends a return receipt letter to Tribes:

- announcing the call for proposals and describing what this means;
- providing an overview and timeline of the annual Federal Subsistence Regulatory process;
- providing name and contact information for OSM staff who can provide assistance in reviewing and developing proposals;

**Step 1.B.: Federal Subsistence Regional Advisory Council (RAC) Meetings: (Winter Meetings February-March):** During these meetings, the RACs develop proposals to change subsistence regulations. The Tribes have the opportunity to work with the RACs to draft proposals.

OSM

Sends public notice to all Tribes announcing all RAC meetings.

- If available, teleconference information is included in announcements and posted to the Federal Subsistence Management Program's website.

Arranges teleconference line for RAC meeting(s) so Tribes can participate in the RAC meetings. Tribes may discuss proposals with the RACs and relevant federal staff.

Posts meeting materials on the Federal Subsistence Management Program's website so Tribes can review the materials.

Coordinates with Interagency Staff Committee (ISC) and Tribal representatives to draft summary reports on Tribal Consultations (if any have taken place since the fall RAC meetings). These written summaries are provided to the RACs. Tribal representatives are encouraged to share in the delivery of this report.

**Step 2-3: Review of Regulatory Proposals (April-May)** Once the Proposals are received by OSM, they are compiled into a book that includes all proposals from throughout Alaska. Tribes will have the opportunity to review the proposals. Consultation will also be made available to Tribes on deferred proposals.

OSM Sends Tribes the proposal book with a link to the Federal Subsistence Management Program website, and a description of the process schedule. Name and contact information for OSM staff will be included in the proposal book.

Coordinates with appropriate Federal staff to notify Tribes if a particular proposal might impact them.

If Tribe(s) is interested in consulting at this step, they may contact an agency official and discuss course of action through phone calls, emails, internet communication, and other methods.

Prepare draft analyses on proposals to make available to Tribes before consultations.

**STEP 3: Proposal Analysis (April – August):** Each of these proposals will be analyzed by agency staff to determine their effects on the resource, other resources, rural subsistence users, other users, etc.

OSM Draft analyses will be made available to Tribes one month prior to RAC meetings.

**TRIBAL CONSULTATION OCCURS:** One or more teleconference(s) will be scheduled to provide consultation open to all Tribes to discuss all proposals.

**Step 4: Federal Subsistence Regional Advisory Council (RAC) Meetings (Fall meetings August - October):** During these meetings, RACs develop recommendations on the proposal based on their review of the analysis, their knowledge of the resources and subsistence practices in the area, testimony received during the meeting, Tribal input and staff analysis.

OSM Sends public notice to all Tribes announcing all RAC meetings, including teleconference information if available.

Contacts local media (newspaper, radio, TV) to provide meeting announcement and agendas.

Arranges teleconference line for RAC meeting(s) so that Tribes can participate. Tribes may discuss proposals with the RACs, and appropriate federal staff.

Posts pre- and post-meeting materials and teleconference information on the Federal Subsistence Management Program’s website so that the Tribes can review the materials.

Coordinates reports on prior Tribal consultations during the regulatory cycle to the

RACs, and encourages Tribal representatives to share in delivery of this report.

A written summary of relevant consultations will be provided to RACs and Tribes by email, fax, or mail as appropriate.

**Step 5: Federal Subsistence Board Regulatory Meeting (Winter):** This is where the Board reviews the staff analyses, considers recommendations provided by the RACs, comments provided by the State, consults with Tribes, and makes a decision as to whether to adopt, reject, defer, or take no action on each proposed change to the subsistence regulations. **TRIBAL CONSULTATION OCCURS BEFORE THE BOARD MEETING.**

OSM Sends meeting announcement to Tribes, including teleconference call information.

Posts meeting materials on the Federal Subsistence Management Program’s website so that Tribes can review the materials before the meeting. During the meeting, OSM staff and/or Tribal representatives will report on the results of prior Tribal consultations.

Following the meeting, OSM will send notification on meeting results to the Tribes. Tribes who consulted on proposals will be notified of the outcome by telephone.

## OTHER REGULATORY ACTIONS NOT COVERED UNDER REGULATORY PROCESS

Tribal consultation will also be offered on proposals which are deferred or not carried through the normal regulatory process.

## IN-SEASON MANAGEMENT AND SPECIAL ACTIONS

Special actions include emergency and temporary special actions. Because the regulatory process occurs on a bi-annual basis (fish one year, wildlife the next), sometimes issues come up that require immediate action; these actions may be taken as needed to address harvest regulations outside of the normal regulatory process.

In-season management actions and decisions on Special Action requests usually require a quick turnaround time and consultation may not be possible; however, in-season and land managers will make every effort to consult with Tribes that are directly affected by a potential action prior to taking action. Regular public meeting requirements are followed for special actions that would be in effect for 60 days or longer. Affected Tribes will be notified of actions taken. Federal field staff are encouraged to work with Tribes in their area and distribute Tribal consultation information.

## NON-REGULATORY ISSUES

For non-regulatory issues, the Board's process for consultation with Tribes will be followed when needed.

## TRAINING

The Board's policy directs that the Federal Subsistence Management Program follow the Department of the Interior and Agriculture's policies for training of Federal staff.

1. OSM staff will work with the ISC to develop training modules on the subsistence regulatory process, customary & traditional use determinations, rural versus non rural criteria, proposal development, Tribal consultation, and the federal budget process. Additionally, OSM staff will work with the ISC, agency Tribal liaisons, and others such as Tribal elders to develop a training module that federal staff can deliver at regional Tribal meetings (see Appendix C of the FSB's Tribal Consultation Policy) and to interested Tribal councils.
2. These trainings will be open to other entities responsible for management of subsistence resources, such as marine mammals, migratory birds, halibut, etc.
3. Board members should make every opportunity to directly participate in or observe subsistence activities.
4. It is recommended that Board members, OSM, ISC, & Federal Land Management Staff directly involved in Tribal consultation as part of their work responsibilities attend regional cross-cultural training to learn the unique communication and cultural protocols of the Tribes with which they interact.
5. Recommended Training Topics for Federal Staff and Tribal Citizens
  - a. Alaska Native identity, language, cultures, traditions, history, and differences
  - b. Alaska Native perspectives on natural resource management
  - c. Customary and Traditional relationship to land, water, and wildlife
  - d. Effects of colonialism on Alaska Native peoples
  - e. Alaska National Interest Lands Conservation Act subsistence provisions
  - f. Natural resource law, especially pertaining to fisheries and wildlife management and conservation
  - g. Federal subsistence regulations
  - h. Federal subsistence regulatory process
    - a. Special actions

- b. In-season management
- c. Customary and traditional use determinations
- i. Rural Determination process and implications
- j. Jurisdiction ( Tribal /Federal Government/ State of Alaska)
- k. Relevant information about Tribe(s), including sovereignty, history of Tribal interactions with the United States government, Tribal constitutions, and traditional knowledge
- l. Foundations of the government-to-government relationship and trust responsibility within Federal Indian law as expressed through the U.S. Constitution, U.S. Code, Supreme Court decisions, and executive actions.
- m. Tribal and Federal consultation policies
- n. Wildlife and fisheries monitoring, including the Fisheries Resource Monitoring Program
- o. Opportunities for co-management or shared stewardship
- p. Leadership transition protocols so that the tribal leaders and the agency staff are clear about 1) how authority gets transferred (who are the successors & timelines) and 2) next steps in moving a project forward (outgoing official documents project accomplishments and next steps in a letter to his supervisor and copies the relevant tribal leaders).
- q. Communication etiquette and protocols

## ACCOUNTABILITY, REPORTING, AND INFORMATION MANAGEMENT

1. **Tribal Contact Information:**
  - a. Department of the Interior (DOI) employees will utilize the DOI Tribal Consultation SharePoint site contact list.  
<https://connect.doi.gov/os/Portal/nat/SitePages/Home.aspx>
  - b. U.S. Department of Agriculture (USDA) employees will utilize the Forest Service contact database. [web address]
2. **Tracking Consultations:**
  - a. The Alaska Region of the Forest Service has a tribal consultation database to track Forest Service and tribal consultations.
  - b. Office of Subsistence Management and DOI employees shall utilize the DOI Tribal Consultation SharePoint site database to track and record consultations.
3. **Report on Consultations**
  - a. Report annually as required by DOI and USDA consultation policies.

- b. The OSM Native Liaison provides a summary report annually to the Board on Federal Subsistence Management Program consultations; noting any feedback received from Tribes regarding the policies and the implementation of them; and any other follow-up actions or accomplishments. The OSM report on the Board's consultations with Tribes shall be posted on the OSM web site.
4. **Review of the Tribal Consultation Policy:**
- a. Annually, the Consultation Workgroup, OSM Native Liaison, land managers, and ISC should assess the effectiveness of the Tribal Consultation Policy and implementation guidelines. The Workgroup will report to the Board at its annual winter meeting.
5. **Follow-up to Consultations at the Federal Subsistence Board Meeting:**
- a. OSM is responsible to follow up on action items from Tribal Consultations at Federal Subsistence Board meetings.
  - b. Post-Board meeting follow-up includes notification to Tribes of Board actions.

DRAFT



*\*Note to reviewer: This supplemental policy for consultation with ANCSA corporations is adapted from the DOI Policy on Consultation with Alaska Native Claims Settlement Act (ANCSA) Corporations. Where it said “Department”, it was changed to say “Board” or “Department” was deleted. Where ANILCA or FSMP provisions required extra explanation for this policy, it was added and is indicated as additions in italics.*

## **Federal Subsistence Board Policy on Consultation with Alaska Native Claims Settlement Act (ANCSA) Corporations**

### **I. Preamble**

*The Federal Subsistence Board (Board) distinguishes the federal relationship to ANCSA Corporations from the Tribal government-to-government relationship enjoyed by any federally recognized Indian Tribe, and this Policy will not diminish in any way that relationship and the consultation obligations towards federally recognized Indian Tribes. Recognizing the distinction, the Board is committed to fulfilling its ANCSA Corporation consultation obligations by adhering to the framework described in this Policy.*

*The Department of the Interior has a Policy on Consultation with ANCSA Corporations and the U.S. Department of Agriculture has an Action Plan on Consultation and Collaboration with Tribes, which includes consultation with ANCSA corporations. The Board will follow the Department-level policies; and for the purpose of Federal Subsistence Management, this policy further clarifies the Federal Subsistence Board’s responsibilities for consultation with ANCSA Corporations.*

## **II. Guiding Principles**

In compliance with Congressional direction, this Policy creates a framework for consulting with ANCSA Corporations. Congress required that the Director of the Office of Management and Budget and all Federal agencies shall hereafter consult with Alaska Native Corporations on the same basis as Indian Tribes under Executive Order Number 13175. Pub. L. No. 108-199 as amended by Pub. L. No. 108-447. Pursuant to the Alaska Native Claims Settlement Act (ANCSA) of 1971, ANCSA Corporations were established to provide for the economic and social needs, including the health, education and welfare of their Native shareholders. ANCSA also extinguished aboriginal hunting and fishing rights.

*Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) states, “except as otherwise provided by this Act or other Federal laws, Federal land managing agencies, in managing subsistence activities on the public lands and in protecting the continued viability of all wild renewable resources in Alaska, shall cooperate with adjacent landowners and land managers, including Native Corporations, appropriate State and Federal agencies and other nations.”*

## **III. Policy**

*The Board will consult with ANCSA Corporations that own land within or adjacent to lands subject to the jurisdiction of the Federal subsistence program (see 36 CFR242.3 and 50 CFR 100.3) when those corporate lands or its resources may be affected by regulations enacted by the Board.*

*ANCSA Corporations may also initiate consultation with the Board at any time by contacting the Office of Subsistence Management Native Liaison.*

*Provisions described in the Federal Subsistence Board Tribal Consultation Policy sections entitled Consultation, Training, and Accountability and Reporting shall apply to the Federal Subsistence Board Policy on Consultation with ANCSA Corporations, with adjustments as necessary to account for the unique status, structure and interests of ANCSA Corporations as appropriate or allowable.*

DRAFT

# Federal Subsistence Regional Advisory Council

## MEMBERSHIP INFORMATION

Membership applications or nominations for seats on the 10 Federal Subsistence Regional Advisory Councils are being accepted now through **March 21, 2014**.

The Regional Advisory Councils provide advice and recommendations to the Federal Subsistence Board about subsistence hunting, trapping, and fishing issues on Federal public lands. Membership on the Councils is one way for the public to become involved in the Federal subsistence regulatory process.

Each Council has either 10 or 13 members, and membership includes representatives of subsistence use and commercial/sport use.

### **Council Membership**

Regional Advisory Council members are usually appointed to three-year terms. The Councils meet at least twice a year; once in the fall (August through October) and once in the winter (February or March). While Council members are not paid for their volunteer service, their transportation and lodging are pre-paid and per diem is provided for food and other expenses under Federal travel guidelines.

### **Council Responsibilities:**

- **Review and make recommendations to the Federal Subsistence Board** on proposals for regulations, policies, management plans, and other subsistence-related issues;
- **Develop proposals that provide for the subsistence harvest of fish and wildlife;**
- **Encourage and promote local participation** in the decision-making process affecting subsistence harvests on Federal public lands;
- **Make recommendations on customary and traditional use determinations** of subsistence resources; and,
- **Appoint members** to National Park Subsistence Resource Commissions

### **Membership Criteria Who Qualifies?**

- ✓ RESIDENT of the region member represents
- ✓ RESOURCE KNOWLEDGE – Knowledge of the region’s fish and wildlife resources
- ✓ SUBSISTENCE USES – Knowledge of the region’s subsistence uses, customs, and traditions
- ✓ OTHER USES – Knowledge of the region’s sport, commercial, and other uses
- ✓ LEADERSHIP SKILLS – Leadership and experience with local and regional organizations
- ✓ COMMUNICATION SKILLS – Ability to communicate effectively
- ✓ AVAILABILITY – Willingness to travel to attend two or more Regional Advisory Council meetings each year (usually in October and February) and occasionally attend Federal Subsistence Board meetings.

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*“Sharing common values and developing solutions to resource problems helps to bridge cultures by developing trust and respect through active communication and compromise. Our meetings allow warm renewal of decades of friendships and acquaintances.... Basically, membership on a Regional Advisory Council comes down to a lot of hard work, mutual respect, willingness to compromise, and a sense of humor. As a result, one develops the ultimate satisfaction of being able to help folks you care about.”*

*-Pat Holmes, Council member,  
Kodiak/Aleutians Regional Advisory Council*

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## 2014 Application Timeline

<b>March 21</b>	<b>Deadline for submitting membership applications and nominations.</b>
<b>Mar.-May.</b>	<b>Regional panels conduct interviews.</b>
<b>Aug.</b>	<b>Federal Subsistence Board reviews panel reports and develops recommendations.</b>
<b>Sept.-Dec.</b>	<b>Secretaries of the Interior and Agriculture review recommendations and appoint members to the Regional Advisory Councils.</b>

## Federal Subsistence Regional Council Coordinators

Federal Subsistence Regional Advisory Council coordinators facilitate the work of the Regional Advisory Councils and serve as the primary contacts for the Councils.

### **Southeast Alaska, Region 1:**

Robert Larson, Petersburg  
(907) 772-5930; fax: (907) 772-5995  
e-mail: robertlarson@fs.fed.us

### **Southcentral Alaska, Region 2 / Bristol Bay, Region 4:**

Donald Mike, Anchorage  
(800) 478-1456 or (907) 786-3629; fax: 786-3898  
e-mail: donald\_mike@fws.gov

### **Kodiak/Aleutians, Region 3:**

Carl Johnson, Anchorage  
(800) 478-1456 or (907) 786-3676; fax: 786-3898  
e-mail: carl\_johnson@fws.gov

### **Western Interior Alaska, Region 6 / Northwest Arctic, Region 8:**

Melinda Hernandez, Anchorage  
(800) 478-1456 or (907) 786-3885; fax: 786-3898  
e-mail: melinda\_hernandez@fws.gov

### **Yukon-Kuskokwim Delta, Region 5 /**

#### **Seward Peninsula, Region 7:**

Alex Nick, Bethel  
(800) 621-5804 or (907) 543-1037; fax: 543-4413  
e-mail: alex\_nick@fws.gov

### **Eastern Interior Alaska, Region 9 / North Slope, Region 10:**

Eva Patton, Anchorage  
(800) 478-1456 or (907) 786-3358; fax: 786-3898  
e-mail: eva\_patton@fws.gov

## Federal Subsistence Board

The Federal Subsistence Board oversees the Federal Subsistence Management Program. The Board members include Alaska heads of the U.S. Fish and Wildlife Service, National Park Service, Bureau of Land Management, Bureau of Indian Affairs, and U.S. Forest Service. The Board's chair is a representative of the Secretaries of the Interior and Agriculture. In 2012, the Secretaries added two seats for representatives of rural Alaska subsistence users. Federal Subsistence Regional Advisory Councils and State of Alaska representatives play active roles in Board deliberations.

**For more information on the nominations process and for a full application packet, go to:**

**<http://www.doi.gov/subsistence/councils/application/index.cfm>**

**Number of Regional Advisory Council Applications Received Each Year**

	<i>SE</i>	<i>SC</i>	<i>KA</i>	<i>BB</i>	<i>YK</i>	<i>WI</i>	<i>SP</i>	<i>NW</i>	<i>EI</i>	<i>NS</i>	<b>TOTAL</b>
<b>1995</b>											104
<b>1996</b>	13	18	11	10	19	11	20	11	10	5	128
<b>1997</b>	18	11	11	7	8	7	7	4	11	4	88
<b>1998</b>	13	10	15	8	18	11	9	9	7	8	108
<b>1999</b>	17	15	7	12	16	7	7	5	7	6	99
<b>2000</b>	17	13	13	9	15	9	8	3	20	8	114
<b>2001</b>	20	11	9	5	16	14	3	4	11	5	98
<b>2002</b>	19	16	8	8	13	8	7	5	14	9	107
<b>2003</b>	17	17	4	10	13	9	5	7	7	5	96
<b>2004</b>	14	16	10	7	16	8	7	8	6	8	100
<b>2005</b>	7	7	5	3	7	4	9	5	6	5	58
<b>2006</b>	10	8	1	5	9	3	5	9	7	3	60
<b>2007</b>	17	16	8	9	17	6	5	2	12	3	95
<b>2008</b>	9	8	5	8	12	7	7	4	3	4	67
<b>2009</b>	12	12	4	3	11	5	2	6	7	2	64*
<b>2010</b>	15	14	6	7	6	6	2	8	8	3	75*
<b>2011</b>	15	9	7	7	12	6	8	4	7	5	81
<b>2012</b>	11	10	7	7	11	5	4	5	4	3	67
<b>2013</b>	13	7	5	5	12	5	6	6	11	4	74*

**NOTE:** No information is available for the years 1993 and 1994.

\* Too few applications were received in the initial application period so a second call for applications was published. This number is the total of both application periods open that cycle.

**Western Interior Alaska Subsistence Regional Advisory Council**  
**c/o U.S. Fish and Wildlife Service**  
**1011 East Tudor Road, MS 121**  
**Anchorage, AK 99503**  
**Phone: (907) 786-3888, Fax (907) 786-3898**  
**Toll Free: 1-800-478-1456**

RAC WI14003.MH

**FEB 12 2014**

Honorable Sally Jewell  
Secretary of the Interior  
U.S. Department of the Interior  
Office of the Secretary  
1849 C Street, N.W.  
Washington, D.C. 20240

Dear Secretary Jewell:

The Western Interior Alaska Subsistence Regional Advisory Council (Council) is one of the ten Federal Subsistence Regional Advisory Councils formed under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and chartered under the Federal Advisory Committee Act (FACA). Section 805 of ANILCA and the Council's charter establish its authority to initiate, review, and evaluate regulations, policies, management plans, and other matters related to subsistence on Federal public lands and waters within the Western Interior Alaska region. The Council provides a regional forum for discussion and recommendations for subsistence related issues on public lands.

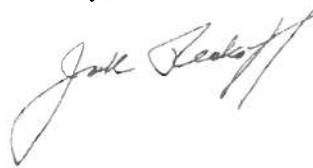
All of the Councils are dealing with an extremely late completion of the annual Secretarial Appointment process to fill Council seats. The delay also happened last year, and this Council sent a letter to you expressing concerns about the problem (see enclosure). This year's delay is even worse than last year, making each year progressively later in completing official appointments. Terms expired on December 2, 2013 for three seats on our Council. It is now February 11, less than 3 weeks before our winter meeting—we only just received word on February 6, 2014 on appointments for two seats and the question remains as to who will be appointed to fill the third seat.

The delay in appointments has had a negative effect on the planning and execution of important and extensive work which must be completed in a timely manner prior to our meetings. Further, these delays have discouraged applicants and future applicants from serving on the Council. This is a disastrous consequence given the steady decrease in the number of applications in recent years. Our Council wishes to re-emphasize that steps must be taken to ensure delays in

appointments do not continue. We suggest our Council charters be amended to allow for a member to continue serving until official Secretarial Appointments are made.

It is an important role for this Council, and others, to assist the Federal Subsistence Program in meeting its charge of protecting subsistence resources and uses of these resources on public lands and waters in Alaska. We cannot fulfill our role when timely appointments to fill vacant seats are not given a priority. If you have questions about this letter, please contact me via Melinda Burke, Subsistence Council Coordinator, with the Office of Subsistence Management at 1-800-478-1456 or (907) 786-3885.

Sincerely,



Jack Reakoff, Chair

Enclosure

cc: Tom Vilsack, Secretary of Agriculture, USDA  
Laura Marquez, White House Liaison  
Pat Pourchot, Special Assistant for Alaska Affairs, DOI  
Geoff Haskett, Regional Director, USFWS Region 7  
Eugene R. Peltola Jr., Assistant Regional Director, OSM  
Karen Hyer, Acting Deputy Assistant Regional Director, OSM  
David Jenkins, Policy Coordinator, OSM  
Carl Johnson, Council Coordination Division Chief, OSM  
Federal Subsistence Board  
Interagency Staff Committee  
Western Interior Alaska Subsistence Regional Advisory Council  
Administrative Record



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Toll Free: 1-800-478-1456**

RAC WI13014.MH

**MAY 06 2013**

Honorable Sally Jewel  
Secretary of Interior  
U.S. Department of the Interior  
Office of the Secretary  
1849 C Street, N.W.  
Washington, D.C. 20240

Dear Secretary Jewel:

The Western Interior Alaska Subsistence Advisory Council (Council) is one of the ten regional councils formed under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and chartered under the Federal Advisory Committee Act (FACA). Section 805 of ANILCA and the Council's charter establish its authority to initiate, review, and evaluate regulations, policies, management plans, and other matters related to subsistence on Federal public lands and waters within the Western Interior Alaska region. The Council provides a forum for discussion and recommendations for subsistence fish and wildlife management in the region.

The Council met in Galena, Alaska, on March 5-6, 2013, and conducted a public meeting regarding subsistence issues. Among the topics discussed at this meeting were the very late Secretarial appointments to the Regional Subsistence Advisory Councils as well as the currently vacant Assistant Regional Director position since the departure of Peter J. Probasco at the Office of Subsistence Management (OSM).

Our way of life and the extreme weather common to our region are just two of the factors that make it necessary for the Council to plan well in advance for travel (personal and Council) as well as seasonal food gathering activities. The extremely late appointments create tremendous difficulties for individuals to plan in advance for travel and Council commitments. Further, our support staff needs sufficient time to plan for the very complicated logistical arrangements necessary for travel to and from rural Alaska communities. This year's delay was significantly longer than we have experienced in the past. Two of our incumbent council members did not hear about their appointment status until less than two weeks before our most recent scheduled gathering. Shockingly, it is my understanding that there remains at least one Council that has not

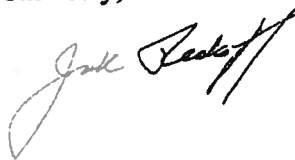
received word of a member's reappointment, amounting to a nearly four-month delay. Such delays are unacceptable to our statutory "meaningful role" in Federal subsistence management of fish and wildlife. Steps need to be taken as soon as possible so that delays in these very important and critical appointments do not happen again.

In the future, this Council would appreciate correspondence from the Office of Subsistence Management if these delays persist. Incumbent applicants must be informed of the status of appointments if they are expected to prepare for coming meetings and allow time in their schedules for travel. Old appointments expire in early December, which is when the announcement for appointments to those vacant seats is anticipated. New applicants may assume they have not been appointed if no official notice is sent about the delay. This could affect their ability to travel to their meetings, as lead time is necessary for the proper authorizations as well as clearing their personal calendars for Council duties.

The recent high number of retirements, budget issues, sequestration, and hiring freeze has caused great concern among the Council regarding the leadership and workload of OSM. The permanent hiring of a new Assistant Regional Director is a critical action which this Council feels needs to happen as soon as possible. This Council would be willing to correspond and provide any supporting language to make this happen soon, despite the current hiring freeze.

Thank you for the opportunity for this Council to assist the Federal Subsistence Management Program to meet its charge of protecting subsistence resources and uses of our resources on Federal public lands and waters. We look forward to continuing discussions about the issues and concerns of subsistence users of the Western Interior Region. If you have questions about this correspondence, please contact me via Melinda Hernandez, Subsistence Council Coordinator with OSM, at (907) 786-3885.

Sincerely,



Jack Reakoff, Chair  
Western Interior Alaska Subsistence  
Regional Advisory Council

cc: Kathleen M. O'Reilly-Doyle, Acting Assistant Regional Director, OSM  
David Jenkins, Acting Deputy Assistant Regional Director, OSM  
Carl Johnson, Council Coordination Division Chief, OSM  
Melinda Hernandez, Council Coordinator, OSM  
Pat Pourchot, Special Assistant for Alaska Affairs, DOI  
Federal Subsistence Board  
Western Interior Regional Advisory Council  
Administrative Record



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Togiak National Wildlife Refuge  
P.O. Box 270  
Dillingham, Alaska 99576  
Phone 907-842-1063  
Fax 907-842-5402



## INFORMATION BULLETIN - February 2014

***Reconstructing Salmon Runs for 500 Years*** Contact: Pat Walsh and Mark Lisac

Togiak Refuge biologists collaborated with University of Washington fisheries scientists to reconstruct prehistoric salmon runs based on an analysis of nitrogen isotopes found in lake sediments. The study took place at 25 lakes in southwestern Alaska, half of which occurred on Togiak, Kodiak, and Alaska Peninsula/Becharof Refuges. The study reconstructed salmon runs 500 years back into time, and demonstrated cycles which persisted for longer periods of time than ever before understood, some longer than 200 years. Other significant findings were that: 1) There were huge fluctuations in salmon abundance prior to the commercial harvest, 2) Salmon stocks have the capacity to rebuild naturally following prolonged periods of low abundance, 3) Salmon production is widely variable between river systems, including prior to commercial harvest. This study was published in the Proceedings of the National Academy of Sciences (see <http://www.pnas.org/content/early/2013/01/15/1212858110.abstract>).

***The Roles of Alder and Salmon in Driving Aquatic Productivity*** Contact: Pat Walsh

In 2010, Togiak Refuge, the University of Illinois, the University of Washington, and ADF&G began a 4-year project to determine the relative role of salmon and alder in controlling productivity in lakes. Both salmon and alder contribute nutrients to lakes: salmon do so via decomposition of carcasses after spawning, and alder does so through nitrifying the soil, and by mobilizing soil nutrients which would otherwise be biologically inaccessible. This project will measure the contribution of nutrients from both sources by analyzing water samples from thirteen Refuge lakes over a four year period. The information that will come from this project will help salmon managers better understand the ecological consequences of harvest. Since 2010, we have installed water quality and quantity monitoring equipment at 13 lakes on Togiak Refuge. We monitored stream discharge in summer and fall at 26 streams entering the study lakes in order to estimate lake water budgets. We performed aerial sockeye salmon surveys at all study lakes and estimated run size in each. We completed the final round of sampling in summer 2013 and have begun analysis. A progress report is available.

***Cooperative Salmon Escapement Monitoring Projects*** Contact: Mark Lisac

In 2013 Togiak Refuge provided support to the Native Village of Kwinhagak (NVK) and

ADF&G to operate salmon escapement monitoring projects (weirs) on the Kanektok (KRW) and Middle Fork Goodnews Rivers (MFGRW).

On the Middle Fork Goodnews River, ADF&G has monitored Chinook, chum and sockeye salmon escapement since 1980. Escapement goals and management of the commercial fishery are based on salmon escapement at the weir. Togiak Refuge has worked with ADF&G since 1992 to include the coho salmon and Dolly Varden runs in the project operation. ADF&G, Togiak Refuge and the Office of Subsistence Management (OSM) fund the project operation. Since 2006 this weir project has also used an underwater video system which allows the weir to be opened to salmon passage more hours a day. Use of motion sensors and digital recording video can improve fish counting accuracy, especially during periods of high water and poor visibility. The MFGRW was fish tight on 24 June and counted fish until September 2013 when it became flooded out.

On the Kanektok River, ADF&G, NVK and Togiak Refuge have worked cooperatively to monitor salmon and Dolly Varden runs since 2001. This project is currently funded by OSM and Coastal Villages Region Fund. Escapement goal ranges have not been established for the Kanektok River because the weir has not been operational for enough years. This weir began operation 25 June and operated until 13 August.

Escapement counts for the MFGRW and KRW 2013 are:

	Chinook	Sockeye	Chum	Coho	Pink	Dolly V.
MFGRW	1,168	23,029	27,673	NC	NC	5,163
KRW	3,569	128,761	43,040	NC	NC	41,730

NC = no count possible.

NOTE: KRW and MFGRW projects are not recommended by the Federal Subsistence Board for funding in 2014.

***Arctic Char Population Inventory*** Contact: Mark Lisac

Togiak Refuge is developing a multi-year study to inventory Arctic char populations throughout the Refuge. This species is confirmed to occur in 27 lakes and are likely to be found in many more. We will attempt to collect size, shape and genetic information from each lake population encountered. If you have any first hand knowledge of small or unique Arctic char populations and would be willing to share that information please contact Mark Lisac at the Refuge office.

***Rainbow Trout Population Identification*** Contact: Pat Walsh

Togiak Refuge, ADF&G Sport Fish, and the Conservation Genetics Laboratory are working together to inventory populations and determine the genetic relationships between populations of rainbow trout throughout Togiak Refuge. Archived genetic material collected from previous investigations were inventoried and assessed for suitability in the current study. A collection plan for unsampled populations was completed and new tissue collections began in the Goodnews, Kanektok, Igushik, Snake, and Wood River watersheds in summer 2009. Collections continued in Ice Creek and the Osviak River in 2012. All collections are now complete, and genetic analysis is underway. A progress report is available.

***Mulchatna Caribou*** Contact: Andy Aderman

Togiak Refuge assisted ADF&G with telemetry monitoring flights, radiocollar deployment, satellite data acquisition, data entry and database management. A composition survey conducted by ADF&G on October 23, 2013 estimated 19 calves:100 cows and 27 bulls:100 cows for the entire herd. The calf ratio in 2013 was lower than the 2012 estimate, but similar to values observed in 2010 and 2011. The bull ratio is the highest since the fall of 2000.

***Nushagak Peninsula Caribou*** Contact: Andy Aderman

A composition survey conducted October 22, 2013 estimated 40.3 calves and 32.2 bulls per 100 cows. Ratios over the previous ten years averaged 41.4 calves and 41.2 bulls per 100 cows. The Nushagak Peninsula Caribou Planning Committee met on January 22, 2014 and recommended 230 more permits be made available (70 permits were issued for the 2013 fall hunt and are valid for the 2014 winter hunt) to achieve a harvest of 176 caribou. Four bulls were reported taken during the fall hunt. No caribou were reported taken during December 2013 or January 2014.

***Wolf Predation on Nushagak Peninsula Caribou*** Contact: Pat Walsh

Using radio telemetry, Togiak Refuge and ADF&G investigated the seasonality and duration of wolf use of the Nushagak Peninsula, in order to assess whether predation is a likely factor in driving population dynamics of Nushagak Peninsula caribou. From 2007 through 2012, we used GPS radio telemetry to track the movement of wolves from two packs located within 30 km of the Nushagak Peninsula. Field work was concluded in spring 2012, at which time collars were removed from wolves. One of the two packs used the Nushagak Peninsula approximately 36% of the year, spending less than 10% of its time on the Peninsula during winter months, and up to 70% during late summer. Over the course of the study, wolf use of the Nushagak Peninsula increased steadily, although overall wolf numbers remained relatively constant. During this same time, the Nushagak Peninsula caribou population increased from an estimated 579 to over 900. We conclude that wolf predation has not been the primary population driver for this caribou herd during the years of this study, but instead that the wolf population has responded to increased caribou abundance by shifting the amount of time it spends on the Peninsula. A progress report is available, and a final report is expected in spring 2014.

***Moose*** Contact: Andy Aderman

No population surveys have been conducted during the 2013-2014 winter due to lack of snow. The Unit 17A winter moose hunt started January 7 and hunters reported taking only 4 cows and 3 bulls by January 31 due to poor travel conditions. The ADF&G extended the Unit 17A winter moose hunt until February 14 or until the quota of 10 cows is reached, whichever comes first. A request to extend moose hunting in Unit 17C during January was denied by ADF&G and the Alaska Board of Game. A similar request was made to the Federal Subsistence Board which supported a two week season (January 22-February 4) for Togiak National Wildlife Refuge lands in Unit 17C. As of February 3, no moose were reported taken during the Unit 17C Federal hunt.

***Walrus*** Contact: Michael Winfree

Togiak National Wildlife Refuge has monitored Pacific walrus haul-outs located on Refuge coastlines since 1985. In 2012 and 2013, cameras programmed to take a photo every hour were used to monitor haul-outs located at Cape Peirce and Hagemeister Island, while aerial surveys were conducted to monitor Cape Newenham. In 2012, there were 19 haul-outs at Cape Peirce with a peak of 1,730 walruses, and 24 haul-out events at Hagemeister Island with a peak count of 1

2,655 walrus. Analysis of photos collected in 2013 is not complete. No walrus were observed at Cape Newenham during aerial surveys in 2012, and 183 walrus were observed during a survey on December 2, 2013.

***Seabirds*** Contact: Michael Swaim

The abundance and reproductive success of black-legged kittiwakes, common murre, and pelagic cormorants was monitored annually at Cape Peirce from 1990-2013, and intermittently at Cape Newenham from 1990-2009. During this period, the number of kittiwakes and murre that were counted at Cape Peirce changed in a non-linear way, while the number of pelagic cormorants remained relatively constant. From 1991-2009, the number of kittiwakes counted at Cape Newenham averaged 2,132 birds (range 1,676-2,424), the mean number of murre was 5,815 (range 4,964-6,790), and the mean number of cormorants was 15 birds (range = 5-30). The long-term productivity of kittiwakes, murre, and cormorants at Cape Peirce averaged 24%, 42%, and 53% respectively between 1990 and 2013.

***Water Temperature Monitoring*** Contact: Michael Swaim

Stream temperature was monitored at 18 sites on 14 rivers in Togiak National Wildlife Refuge between 2001 and 2012. Temperature was recorded on an hourly basis using Onset TidbiT dataloggers and the data were successfully recovered from the field 76% of the time. Over 1.4 million hourly temperature records have been collected, quality-graded, and entered into a relational database. Maximum daily mean temperature readings varied from 11.5—19.6° C between sites, with the Kukaktlim Lake outlet site being the warmest and the Weary River the coldest. Peak temperature readings were recorded over a 24-hour period during July of 2004 at 15 of 18 sites. Trends in temperature decreased among years at one or more sites nine months out of the year, with a statistically significant cooling trend detected at 13 of 18 sites during the month of June. Annual differences in the Pacific Decadal Oscillation (PDO) index were significantly correlated with monthly mean temperature changes at Kagati Lake outlet, Kukaktlim Lake outlet, Nichols Lake outlet, Osviak River, and Pungokepuk Creek during the month of June.

***Quantifying River Discharge*** Contact: Michael Winfree

Togiak Refuge and the USFWS Water Resources Branch have worked cooperatively since 1999 to acquire baseline hydrologic data of the flow regime (magnitude, duration, timing, frequency, and rate of change) and water quality. A network of stream discharge gages collected stream flow data from 1999-2005 at 20 locations. A subset of five of these stations continued to collect data through fall 2009, after which three of the five stations were removed. We will continue indefinitely to monitor discharge in the Togiak and Kulukak Rivers. Each gage is instrumented with pressure sensors that measure water level every 15 minutes. Six discharge measurements occurred at each site in 2013.

***Salmon River Water Quality*** Contact: Michael Winfree

The Salmon River drainage, just south of Platinum, has been the site of a placer mine since the 1930's. Major production by the Goodnews Bay Mining Company stopped in 1976. The mine was sold to Hanson Industries in 1980, who in turn sold it to XS Platinum in 2007. In the summer of 2009, re-mining of the old tailings began. In response, Togiak Refuge initiated a water quality monitoring program on the Salmon River in fall 2009. The water quality program

benefits the Refuge in collecting baseline information on the river, and monitoring mining activity in efforts to protect important Pacific salmon spawning habitat. The mine was observed violating State of Alaska water quality standards for turbidity in July 2011. The data collected by Togiak Refuge was used to document the extent of the exceedances of water quality standards. Furthermore, the Refuge notified State of Alaska and federal regulatory agencies of the violation. As a result, the Alaska Department of Environmental Conservation and the Bureau of Land Management issued Notices of Violation to the mining company. The mining company voluntarily shut down operations in September 2011 and is now defunct.

***Historical Retreat of Glaciers in the Ahklun Mountains*** Contact: Pat Walsh

The Ahklun Mountains support the only existing glaciers in western Alaska, approximately 1/3 of which occur on Togiak National Wildlife Refuge. The glaciers were originally mapped by the U.S. Geological Survey using photogrammetry methods based on 1972 – 1973 aerial photos. We surveyed for presence or absence of the glaciers by fixed-wing aircraft in 2006. Of 109 glaciers originally mapped, 10 (9%) had disappeared. Using aerial imagery of a subset of 76 glaciers at three time steps between 1957 – 2009, we determined the average rate of area loss was 47% over 52 years. At this rate, it is likely that all Ahklun Mountain glaciers will be extinguished by the end of the current century. A report on this study is available.

***Education and Outreach*** Contact: Terry Fuller

Togiak Refuge has an active education and outreach program including the Migratory Bird Calendar; National Wildlife Refuge Week; career fairs; production of Bristol Bay Field Notes (a new episode airs every Friday morning at 8:50 am on KDLG); and numerous teacher requested classroom presentations in 12 villages in the Southwest Region, Lower Kuskokwim, Dillingham City school districts and the Dillingham 7<sup>th</sup> Day Adventist School. Field trips with area students for the 2012-2013 school year included bird walks, animal tracks and ID, archery, salmon life cycles, aquatic resources and bear safety. The refuge website is also a valuable education tool and is available at <http://togiak.fws.gov>. Togiak Refuge took the plunge into social media in 2013 and now has an active Facebook page which disseminates information on a daily basis. Also, the refuge partners with others to conduct three environmental education camps described below:

***\*Note on Science Camps for 2013:*** *As a part of funding cuts resulting from sequestration, Region 7 eliminated all funding for Science Camps for 2013. Togiak Refuge was able to still participate in the Southwest Alaska Science Academy through providing the use of equipment (boats and motors) and instructional time. Enough funding was put together to hold one of the other two camps. The Summer Outdoors Skills and River Ecology Float Camp took place, with modifications. The Cape Peirce Marine Science and Yup'ik Culture Camp was cancelled for 2013.*

***Southwest Alaska Science Academy*** Contact: Terry Fuller

This past July (2013), Togiak Refuge helped with the 12<sup>th</sup> year of a summer camp aimed at teaching middle and high school students about fisheries science and the importance of salmon to our ecosystem. Students were selected from the Bristol Bay region. During the camp students worked in the field alongside fisheries professionals. Cooperators with the refuge on this project included the Bristol Bay Economic Development Corporation, Bristol Bay Science and Research

Institute, University of Alaska, University of Washington School of Fisheries, the Dillingham City and Southwest Region school districts, and the Alaska Department of Fish and Game.

***Summer Outdoor Skills and River Ecology Float Camp*** Contact: Terry Fuller

The 2013 Float Camp was originally scheduled to take place on the Ongivinuk River. Due to poor weather/travel limitations, the camp was moved to a static location at Okstukuk Lake. Certain lessons took place on the upper stretches of the Kokwok River. While rafting as an activity received less emphasis, many of the same skills were taught, including water safety, different angling methods (Catch and Release), Leave No Trace camping practices and bear safety. Students also participated in other outdoor activities such as outdoor survival skills, identification of juvenile salmonid species and archery. Discussions included stewardship and careers with the USFWS. Traditional councils and school districts from western Bristol Bay are cooperators in this camp.

***River Ranger Program*** Contact: Allen Miller

The Refuge River Ranger Program was conceived during the public use management planning process and was first implemented in 1991. The program serves many purposes. River Rangers are the main contact source for sport fishermen and local residents. Information distributed to the public includes Service policies, regulations, resource management practices, State sport fish regulations, bear safety, wilderness ethics, Leave-No-Trace camping, and information about private lands to prevent trespass. Rangers document public use occurring on the river along with the location and timing of activities, conflicts between users, and sport fish catch/harvest per unit effort. Rangers also assist Refuge and ADF&G staff at the Kanektok River and Middle Fork Goodnews River weirs, and assist Refuge staff with biological studies. In addition, Rangers patrol campsites for litter, monitor compliance of sport fishing guides, and offer assistance as needed.

Two River Rangers were stationed in the village of Togiak during summer 2013 and patrolled the Togiak River several times each week. One of them was hired as a student intern through the Bristol Bay Native Association and the other position was filled by Pete Abraham who works for the refuge as a Refuge Information Technician during the rest of the year. Two River Rangers were stationed in the village of Quinhagak during summer 2013 and patrolled the Kanektok River several times each week. Both are long time residents of Quinhagak. One Park Ranger stationed out of Dillingham patrols several refuge rivers using motorboats and inflatable kayaks. Use of kayaks allows rangers to access the entire length of the rivers, which are inaccessible to power boats during most water levels. They are also less disruptive of refuge users and wildlife.



# Fall 2014 Regional Advisory Council Meeting Calendar

August–October 2014 current as of 2/4/2014  
Meeting dates and locations are subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<i>Aug. 17</i>	<i>Aug. 18</i>  WINDOW OPENS	<i>Aug. 19</i>	<i>Aug. 20</i>	<i>Aug. 21</i>	<i>Aug. 22</i>	<i>Aug. 23</i>
		<b>NS—TBD</b>				
<i>Aug. 24</i>	<i>Aug. 25</i>	<i>Aug. 26</i>	<i>Aug. 27</i>	<i>Aug. 28</i>	<i>Aug. 29</i>	<i>Aug. 30</i>
<i>Aug. 31</i>	<i>Sept. 1</i>	<i>Sept. 2</i>	<i>Sept. 3</i>	<i>Sept. 4</i>	<i>Sept. 5</i>	<i>Sept. 6</i>
<i>Sept. 7</i>	<i>Sept. 8</i>  HOLIDAY	<i>Sept. 9</i>	<i>Sept. 10</i>	<i>Sept. 11</i>	<i>Sept. 12</i>	<i>Sept. 13</i>
		<b>KA—King Cove/Cold Bay</b>				
<i>Sept. 14</i>	<i>Sept. 15</i>	<i>Sept. 16</i>	<i>Sept. 17</i>	<i>Sept. 18</i>	<i>Sept. 19</i>	<i>Sept. 20</i>
<i>Sept. 21</i>	<i>Sept. 22</i>	<i>Sept. 23</i>	<i>Sept. 24</i>	<i>Sept. 25</i>	<i>Sept. 26</i>	<i>Sept. 27</i>
		<b>SE—Sitka</b>				
<i>Sept. 28</i>	<i>Sept. 29</i>	<i>Sept. 30</i> <i>End of Fiscal Year</i>	<i>Oct. 1</i>	<i>Oct. 2</i>	<i>Oct. 3</i>	<i>Oct. 4</i>
<i>Oct. 5</i>	<i>Oct. 6</i>	<i>Oct. 7</i>	<i>Oct. 8</i>	<i>Oct. 9</i>	<i>Oct. 10</i>	<i>Oct. 11</i>
		<b>SP—Nome</b>				
			<b>NWA—TBD</b>			
<i>Oct. 12</i>	<i>Oct. 13</i>	<i>Oct. 14</i>	<i>Oct. 15</i>	<i>Oct. 16</i>	<i>Oct. 17</i>	<i>Oct. 18</i>
		<b>SC - Kenai Peninsula</b>				
		<b>YKD—Bethel</b>				
					<i>WINDOW CLOSES</i>	
<i>Oct. 19</i>	<i>Oct. 20</i>	<i>Oct. 21</i>	<i>Oct. 22</i>	<i>Oct. 23</i>	<i>Oct. 24</i>	<i>Oct. 25</i>
		<b>BB - Dillingham</b>				
			<b>EI - TBD</b>			
<i>Oct. 26</i>	<i>Oct. 27</i>	<i>Oct. 28</i>	<i>Oct. 29</i>	<i>Oct. 30</i>	<i>Oct. 31</i>	<i>Nov. 1</i>
		<b>WI - McGrath</b>				

# Winter 2015 Regional Advisory Council Meeting Calendar

*February–March 2015 current as of 2/18/2014*

Meeting dates and locations are subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<i>Feb. 8</i>	<i>Feb. 9</i> <i>Window Opens</i>	<i>Feb. 10</i>	<i>Feb. 11</i>	<i>Feb. 12</i>	<i>Feb. 13</i>	<i>Feb. 14</i>
<i>Feb. 15</i>	<i>Feb. 16</i> <b>HOLIDAY</b>	<i>Feb. 17</i>	<i>Feb. 18</i>	<i>Feb. 19</i>	<i>Feb. 20</i>	<i>Feb. 21</i>
<i>Feb. 22</i>	<i>Feb. 23</i>	<i>Feb. 24</i>	<i>Feb. 25</i>	<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>	<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>	<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>	<i>Mar. 19</i>	<i>Mar. 20</i> <i>Window Closes</i>	<i>Mar. 21</i>

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

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

**Charter**

1. **Committee's Official Designation.** The Council's official designation is the Yukon-Kuskokwim Delta Subsistence Regional Advisory (Council).
2. **Authority.** The Council is reestablished by virtue of the authority set out in the Alaska National Interest Lands Conservation Act (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 established in accordance with the provisions of 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.** The Council possesses the authority to perform the following duties:
  - a. Recommend the initiation of, review, and evaluate proposals for regulations, policies, management plans, and other matters relating to subsistence uses of fish and wildlife on public lands within the Region.
  - b. Provide a forum for the expression of opinions and recommendations by persons interested in any matter related to the subsistence uses of fish and wildlife on public lands within the Region.
  - c. Encourage local and regional participation in the decisionmaking process affecting the taking of fish and wildlife on the public lands within the Region for subsistence uses.
  - d. Prepare an annual report to the Secretary containing the following:
    - (1) An identification of current and anticipated subsistence uses of fish and wildlife populations within the Region.
    - (2) An evaluation of current and anticipated subsistence needs for fish and wildlife populations within the Region.
    - (3) A recommended strategy for the management of fish and wildlife populations within the Region to accommodate such subsistence uses and needs.

- (4) Recommendations concerning policies, standards, guidelines, and regulations to implement the strategy.
- e. Make recommendations on determinations of customary and traditional use of subsistence resources.
  - f. Make recommendations on determinations of rural status.
  - g. 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 \$160,000, including all direct and indirect expenses and 1.15 staff years.
  8. **Designated Federal Officer.** The DFO is the Subsistence Council Coordinator for the Region or such other Federal employee as may be designated by the Assistant Regional Director – Subsistence, Region 7, U.S. Fish and Wildlife Service. The DFO is a full-time Federal employee appointed in accordance with Agency procedures. The DFO will:
    - Approve or call all of the advisory committee's and subcommittees' meetings,
    - Prepare and approve all meeting agendas,
    - Attend all committee and subcommittee meetings,
    - Adjourn any meeting when the DFO determines adjournment to be in the public interest, and
    - 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 terminate 2 years from the date the Charter is filed, unless, prior to that date, it is renewed in accordance with the provisions of Section 14 of the FACA. The Council will not meet or take any action without a valid current charter.

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

Thirteen members who are knowledgeable and experienced in matters relating to subsistence uses of fish and wildlife and who are residents of the Region represented by the Council. To ensure that each Council represents a diversity of interests, the Board in their nomination recommendations to the Secretary will strive to ensure that nine of the members (70 percent) represent subsistence interests within the Region and four of the members (30 percent) represent commercial and sport interests within the Region. The portion of membership representing commercial and sport interests must include, where possible, at least one representative from the sport community and one representative from the commercial community.

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

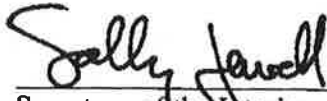
Members will be appointed for 3-year terms. A vacancy on the Council will be filled in the same manner in which the original appointment was made. Members serve at the discretion of the Secretary.

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

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

13. **Ethics Responsibilities of Members.** No Council or subcommittee member will participate in any specific party matter in which the member has a direct financial interest in a lease, license, permit, contract, claim, agreement, or related litigation with the Department.
14. **Subcommittees.** Subject to the DFO's approval, subcommittees may be formed for the purpose of compiling information and conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full Council for consideration. Subcommittees must not provide advice or work products directly to the Agency. The Council Chair, with the approval of the DFO, will appoint subcommittee members. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.

15. **Recordkeeping.** Records of the Council, and formally and informally established subcommittees or other subgroups of the Council, shall be handled in accordance with General Records Schedule 26, Item 2, and other approved Agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

  
Secretary of the Interior

**NOV 25 2013**

Date Signed

**DEC 03 2013**

Date Filed