

FEDERAL SUBSISTENCE BOARD
REGULATORY MEETING

VOLUME II

TELECONFERENCE - ALASKA
JANUARY 27, 2021

MEMBERS PRESENT:

Anthony Christianson, Chairman
Charles Brower, Public Member
Rhonda Pitka, Public Member
Chad Padgett, Bureau of Land Management
Greg Siekaniec, U.S. Fish and Wildlife Service
Don Striker, National Park Service
Gene Peltola, Bureau of Indian Affairs
David Schmid, U.S. Forest Service

Ken Lord, Solicitor's Office

Recorded and transcribed by:
Computer Matrix Court Reporters, LLC
135 Christensen Drive, Second Floor
Anchorage, AK 99501
907-243-0668; sahile@gci.net

1 P R O C E E D I N G S
2
3 (Teleconference - 1/27/2021)
4
5 (On record)
6
7 CHAIRMAN CHRISTIANSON: All right, I
8 think we'll go ahead and get started. It's about 6
9 after the hour here so I'd like to appreciate everybody
10 that's called in this morning and everybody out there
11 in telecom land, good morning to you. God bless you
12 all. And just like to thank you all for your business
13 yesterday, I think we did a good job of getting through
14 what we had yesterday and this morning we're starting
15 first with the public comment on non-agenda items so
16 we'd provide opportunity to.....
17
18 OPERATOR: Mr. Christianson.
19
20 CHAIRMAN CHRISTIANSON: Yes.
21
22 OPERATOR: Are you ready to begin the
23 actual conference, I have not moved your line.
24
25 CHAIRMAN CHRISTIANSON: Oh, yeah.
26
27 OPERATOR: Okay. I'm going to open the
28 lines and give the opening scripting. One moment,
29 please.
30
31 CHAIRMAN CHRISTIANSON: All right,
32 thank you.
33
34 OPERATOR: You're welcome.
35
36 MR. PELTOLA: BIA's on Tony.
37
38 CHAIRMAN CHRISTIANSON: Good morning,
39 Gene.
40
41 OPERATOR: Welcome and thank you for
42 standing by. For the duration of today's conference
43 all parties will be in listen only mode until the
44 question and answer sessions of the conference. At
45 those times you may press star one on your phone to ask
46 questions or make a comment. I would like to inform
47 all parties that today's conference is being recorded.
48 If you have any objections you may disconnect at this
49 time.
50

1 I would now like to turn the conference
2 over to Mr. Anthony Christianson. Thank you, you may
3 begin.
4

5 CHAIRMAN CHRISTIANSON: Thank you.
6 Thank you for the introduction and thank you for
7 everybody signing on this morning. Appreciate
8 everybody's work yesterday and getting through the
9 agenda to the point of today. Look forward to a
10 productive day and hope God blesses us all to do the
11 best job we can do for the people that we serve.
12

13 Again, we start each day with public
14 comment on non-agenda items and that's the opportunity
15 available to speak to non-agenda items to the public
16 and then we'll move on to old business of individual
17 customary and traditional use process, Josh Ream.
18

19 Before we do I'm going to call on
20 Orville, Orville, can you again bless the proceedings
21 today with an invocation for the start of our meeting.
22

23 MR. LIND: Thank you, Mr. Chair. Good
24 morning, everybody. Orville.
25

26 (Invocation)
27

28 CHAIRMAN CHRISTIANSON: Amen. Thank
29 you for that, Orville, brother, I appreciate that.
30

31 Sue, before we do jump into public
32 comment, is there any clearing house issues you have
33 that you or the Staff need to present.
34

35 MS. DETWILER: A couple things. One
36 thing, I just wanted to confirm for the record that we
37 do have a quorum on this call. Going through the roll
38 call, as people were joining, I believe the only Board
39 member that we still have not heard from is Board -- is
40 Public Member Rhonda Pitka. Other than that everybody
41 else has signed in so we have a quorum.
42

43 And also I just wanted to remind people
44 that the Board agenda and meeting materials are all
45 online at our website at www.doi.gov/subsistence/board.
46 The website has been dated with -- has been updated
47 with the current agenda showing the upcoming agenda
48 items that the Board will be dealing with. And folks
49 can also call phone numbers to find out what the
50

1 updates are on the agenda, or to get additional
2 information, and those two numbers are 800-478-1456,
3 and (907)-786-3888.

4
5 And I believe that's all I had, Mr.
6 Chair.

7
8 CHAIRMAN CHRISTIANSON: Thank you, Sue,
9 appreciate that. We'll go ahead and move on and do the
10 public comment period at this time on non-agenda items,
11 and we would just ask the Operator to recognize anybody
12 online that may want to testify this morning.

13
14 Thank you.

15
16 (Pause)

17
18 CHAIRMAN CHRISTIANSON: Again, I would
19 call on the Operator to see if there's anybody online
20 that would like to testify this morning on non-agenda
21 items, this is the opportunity.

22
23 OPERATOR: Thank you. For those on the
24 phone who would like to ask a question or make a
25 comment, please press star one on your phone to make a
26 question or a comment.

27
28 The first one comes from Ben Stevens,
29 your line is open.

30
31 MR. STEVENS: Well, thank you very
32 kindly Operator, and Mr. Chairman and members of the
33 Board. I really do appreciate the opportunity to share
34 and exchange information with you. And, bottom line
35 is, thank you very kindly for your help in our efforts
36 to feed the people.

37
38 Again, my name is Ben Stevens. I am
39 Koyukon from Stevens Village, which is north of
40 Fairbanks on the Yukon River. My day job is with the
41 Tanana Chiefs Conference. I head up the Hunting and
42 Fishing Task Force at the Tanana Chiefs and we help
43 folks throughout the region and often times throughout
44 the state, to help advocate for their hunting and
45 fishing rights. This, primarily, is subsistence. The
46 harvesting of wild foods that we have done forever. So
47 that's my day job.

48
49 The comments I'm making right now are
50

1 on my own behalf and as a member of the Stevens Village
2 Tribe.

3
4 The first thing that I would like to do
5 is start off by also honoring Harry Wilde. I knew him
6 back in the day when we used to run in some of these
7 meetings, goodness it must have been 20 years ago, 25
8 years ago, and I always held him in high regard and I
9 do appreciate this forum providing him with a moment.
10 It's definitely well deserved and I think that we need
11 to keep looking at folks that are advocates for our
12 people.

13
14 Also, of course, I want to mention that
15 Tom Doolittle has retired and is getting some rest, and
16 hopefully some sunshine and peace with it. We do
17 appreciate his past efforts.

18
19 Of course, Member Charlie Brower, Happy
20 Birthday and anniversary and best of this coming year
21 to you. I hope you're on right now and I hope you're
22 well up that way.

23
24 MR. BROWER: Thank you.

25
26 MR. STEVENS: So, anyway, let me -- I
27 don't want to beat the damn dead horse but we have
28 heard over and over again and I think it's probably
29 since the -- I mean the last 15 years, we've been
30 pounding on this concept of Regional Advisory Councils
31 getting qualified members to sit at their table. The
32 RAC recruitment process is vigorous but the ability for
33 us to bring those folks on is broken. It's not
34 working. We've seen over and over again some very very
35 talented, very capable qualified subsistence users be
36 passed over for the drunk guy, or the guy that can't
37 read, or somebody that's going to be totally
38 ineffective at defending subsistence rights, uses. And
39 so I don't know if beating up on you guys is going to
40 be any good because we have told you this over and over
41 and over and over again and it's still not getting
42 fixed. And so I'm kind of wanting some advice from you
43 folks, is, where do we call? The Federal Subsistence
44 Management System -- the Program was designed back in
45 the day to help advocate, not for every so-called
46 subsistence user in the state of Alaska but for
47 aboriginal folks that come from a history of surviving
48 off the land, from utilizing the animals on the land
49 and in the waters to sustain their life, contrary to
50

1 city folks that go to the store, but it's the same
2 thing. And so that is why the Federal Subsistence
3 Board was created. But as we all know and experience
4 and feel the pain of, that whole system has been
5 perverted by folks that talk about equal rights, and
6 that every single person, even the guy that got here
7 last week from Florida is a subsistence user. That's
8 perversion.

9
10 So we want to make sure that we help
11 you help us.

12
13 In the past I think probably Eva and
14 Zach and Ms. Wessels, they have seen how a partnership
15 between your system and our folks can create a really
16 good working relationship. When the coordinators put
17 out the word to us that they needed applicants for the
18 RACs, we, of course, stepped up. And if I'm not
19 mistaken, you started receiving record number of
20 applicants to the RACs, at least for the Western and I
21 believe the Eastern Interior, which is our areas. So
22 you get record applications but we're still vacant.
23 From what I understand, some Councils can't even meet
24 because they can't get enough people in the room.
25 Well, we need that fixed. And I am going to be sitting
26 on this phone after I hang up and I'm going to listen,
27 and I'm going to listen intently as to how it is that
28 we can help you fix this problem. I'm begging. It has
29 to be fixed.

30
31 Okay, I'll move on to something a
32 little bit less scorching and that is the SARs.

33
34 I mentioned it yesterday and I kept
35 checking back with the folks, and I said, look, where's
36 this information, what did you get from the Feds, tell
37 me what's -- if you want me to sit there in this
38 meeting you're going to have to give me the latest,
39 greatest and they got nothing. So they applied to you
40 folks, they begged you for help last fall -- last
41 spring, and you said, ah, hold that thought. Now, we
42 weren't just talking about some obscure idea that
43 someone was rolling around in their heads, we're
44 talking about a group of people asking you for
45 permission to eat from the land. That's not a
46 situation where you can actually hold your breath. And
47 we still don't know what's going on. Now, when it
48 comes back down to the Koyukuk SAR, we told them that,
49 no, we can't make a decision on this, we're going to
50

1 sit right here until some guidance comes along that
2 would help us determine what an emergency was. There's
3 several problems with that. One is I don't think you
4 or me can determine what Koyukuk's level of food
5 insecurity is or what is a threat. I grew up in the
6 village. I know that threat is constantly there even
7 during good times. And so we really need to look at
8 the villages, look at the people that are real
9 subsistence users and help them guide us into
10 determining when they are in danger.

11

12 And so, Koyukuk, from what I
13 understand, is still sitting there waiting. Stevens
14 Village is still sitting there waiting. All of these
15 villages are still sitting there. Except Kake. One of
16 the questions that I was asked was, what's the
17 difference between Koyukuk and Stevens Village and some
18 of the other dozen or so folks, their applications, and
19 Kake's. And I'm still waiting for that also.

20

21 But I want to make sure that you know
22 that we really, really, really do appreciate you giving
23 the people of Kake consideration. Those folks had it
24 really tough, as with almost every other part of the
25 state, they had it really tough, but you allowed them
26 to make sure that there was a soup bone in the pot, so
27 I want to thank you for that. And I'm not going to,
28 for a second, allow anyone to think that we're bashing
29 on them, we just want to know what the difference is.

30

31 So, with that, I will let you go and I
32 beg your forgiveness for taking way too much time. I
33 promise to be more succinct and to the point in the
34 future.

35

36 I thank you.

37

38 CHAIRMAN CHRISTIANSON: Thank you, Ben,
39 appreciate your comments and those are two pretty
40 heavy-weighted comments, you know, some of the more
41 challenging situations we've had recently with the
42 Board and with what has happened in recent times,
43 especially with the SAR situation and the special
44 actions that were coming out to try to sustain some
45 level of nutrition in our communities during the hard,
46 and definitely a food shortage, you know, due to the
47 pandemic. And just from my point of view, I agree with
48 you, and I wish the optics weren't the way they were,
49 you know, being that also the Federal Board Chair

50

1 happens to be from Southeast Alaska himself.

2

3 But, you know, we got put on hold
4 instantly, and somebody overrode the Federal Board
5 action and put a stay on any further SR action. And so
6 I would just -- if somebody else wants to defer to any
7 other Board member, if they want to clearly delineate
8 how that process broke down so the public is aware of
9 what it is that stopped us from providing the same
10 opportunity to other regions.

11

12 MR. SIEKANIEC: Hey, Tony, this is
13 Greg.

14

15 CHAIRMAN CHRISTIANSON: Yeah, Greg, you
16 got the floor.

17

18 MR. SIEKANIEC: Thank you, Mr. Chair.
19 So you're asking for just some thoughts on how it is
20 that the process was shut down?

21

22 CHAIRMAN CHRISTIANSON: Yes, just for
23 clarity, Greg, because I don't want to chop it up
24 either, you know, because also I'm a rural resident
25 with emotions behind it, too, and I was just hoping
26 somebody would just put the process into, you know, a
27 clear prospective for the rural users there in the
28 state so we can just say, hey, here's what actually
29 happened and this is why we were unable to accommodate
30 all of the requests that we got.

31

32 MR. SIEKANIEC: Okay, thanks, Mr.
33 Chair. And perhaps between myself and Sue we can
34 explain the process.

35

36 The Federal Subsistence Board is
37 established and is working on behalf of both the
38 Secretary of Interior and the Secretary of Agriculture.
39 When this issue came before the Board and we started
40 taking actions, the Department of Interior office here
41 in Alaska raised it to the Secretary's office and the
42 Secretary's office response to us was to be put on
43 pause and since we do respond or we work on behalf of
44 the Secretaries that word came down to us and that's
45 sort of the spot where we have been in since then.

46

47 We continued to ask for, well, could we
48 get some additional clarity in or around that issue
49 from the standpoint of, you know, removing the pause,
50

1 but that did not happen prior to us being -- going
2 through a transition. So I think that a transition to
3 a new Administration now gives us an opportunity to
4 raise that issue again.

5

6 That's a very basic discussion.

7

8 Sue, I don't know if you had any you
9 would like to add to that.

10

11 MS. DETWILER: I think that's a pretty
12 succinct description and I guess the only thing I would
13 add from my viewpoint was it seems like part of the
14 obstacle was that these special action requests related
15 to the pandemic were new to the Board, it went to
16 territory that the Board had not had to address before
17 about how to deal with emergency requests related to
18 food security, and so I think that's what -- that's my
19 sense of what caused part of the Department's wanting
20 to take a look at it a little more closely, especially
21 given that the State was put in charge of emergency
22 response within the state, and the Department wanted to
23 make sure that the Federal government, the Board
24 included, coordinated with the State Emergency Response
25 System on what we did related to the response to Covid.

26

27 Thank you.

28

29 MR. SIEKANIEC: Thank you, Sue. And
30 then, Mr. Chairman, and I don't know if -- if maybe Ken
31 Lord would potentially speak to this issue as well
32 because we did have a lawsuit then filed and I believe
33 that's when the Department took a really hard, you
34 know, sort of pause on us as the lawsuit works its way
35 through process.

36

37 MR. LORD: Mr. Chair, this is Ken.

38

39 CHAIRMAN CHRISTIANSON: Yes, Ken, you
40 have the floor.

41

42 MR. LORD: Yeah, thanks for handing me
43 the torch there, Greg.

44

45 MR. SIEKANIEC: No problem, Ken.

46

47 MR. LORD: There were some folks up in
48 the leadership positions in the Department that were
49 convinced that the Board had exceeded its authorities

50

1 when it made the decision on Kake, and they were really
2 concerned that what had happened was illegal and it
3 really should have been in the State's -- it should
4 have been the State taking that action and not the
5 Federal Subsistence Board.

6
7 The State actually did us a favor by
8 suing us and taking that question in front of a judge,
9 that lawsuit is ongoing, although early indications are
10 that the judge is inclined to support the Board's
11 action so -- but the lawsuit isn't fully resolved yet.

12
13 MR. SIEKANIEC: Thank you, Ken. Thank
14 you, Mr. Chair, I would hand it back to you.

15
16 CHAIRMAN CHRISTIANSON: Well, I just
17 want to thank all of you for taking the time to just at
18 least give some perspective to the public about what it
19 is that our process, and how it unfolded, so thank you
20 Greg and Sue and Ken for just putting that out there
21 and I would just, if Ben had a comment back I would
22 just entertain Ben at this time again.

23
24 MR. STEVENS: I do but, again, the horse
25 is dead. I just -- the criteria that we were supposed
26 to run away from and develop, it would be nice to know
27 the status of that. But also just for everybody
28 online, when you have questions like this, it would be
29 a really good idea to check with those folks that are
30 directly impacted. Because like I said, this is food
31 we're talking about. And as we all know food out in
32 the villages is scarce. I'm not entirely too sure if
33 everyone on this line knows what I mean. If you
34 haven't been out into the village for extended periods
35 of time you probably are trying to comprehend this and
36 I'd be willing to talk with folks off line if they want
37 to understand more about what we're talking about when
38 we talk about wild foods harvesting, traditional uses
39 of the resources, or subsistence is what we're calling
40 it.

41
42 You know a better idea, respectfully,
43 Sir, and members of the Board, is in the summertime my
44 family has a fish camp out there on the Yukon, and it
45 would be a great idea for folks to spend three or four
46 days out there just to see and to feel what it is that
47 the people feel that have to deal with the decisions
48 that you guys make or do not make.

49
50

1 Now, this was a goof up, and we are
2 negatively impacted. What I'm saying is, that, let us
3 help you. If you have questions, let's flesh out some
4 possible answers, we're very creative, so respectfully
5 I say that to the Board. And all those folks that work
6 very, very hard on trying to make this stuff happen.
7 It's not a job that I would chase after.

8
9 So thank you very much, members of the
10 Board and Mr. Chair.

11
12 CHAIRMAN CHRISTIANSON: Thank you, Ben.
13 Thank you for your thoughtful input this morning and
14 appreciate it. Any other questions for Ben.

15
16 (No comments)

17
18 CHAIRMAN CHRISTIANSON: Thank you to
19 everybody who chimed in there to give a better
20 perspective of what it is.

21
22 Okay, Operator, we'll go ahead and move
23 on to the next person online that wants to testify on
24 non-agenda items, we'll entertain them at this time.

25
26 OPERATOR: Justin Mason, your line is
27 open.

28
29 MR. MASON: Hello, this is Justin Mason
30 again. I just wanted to thank you guys for taking my
31 comment last night but I just wanted to hop on this
32 morning to just reiterate that later on this morning
33 you're going to take on the individual customary and
34 traditional use patterns. And we had a family here
35 that got kind of drug into this process and still have
36 not gotten their process of getting their individual
37 customary and traditional use approval here in Denali
38 and he's missed three hunting seasons now with his
39 family and as we all know with kids, that kids grow up
40 fast and it's hard to pass on these traditions and get
41 this in their blood. So I'd just ask you guys to
42 expedite the process and do what you can do to speed
43 this along so that we can get Blaine Mayo and his
44 family back to hunting together.

45
46 Yeah, super important decision for him
47 and his family today. So thank you for your time,
48 that's all I have.

49
50

1 CHAIRMAN CHRISTIANSON: Thank you,
2 appreciate you calling back in and sharing that.

3
4 Operator, is there someone else online
5 that would like to be recognized.

6
7 OPERATOR: Yes, Michael Butler, your
8 line is open.

9
10 MR. BUTLER: Thank you. My name is
11 Michael Butler, I'm calling from Cordova. And I'm
12 calling about the dipnetting adjustment made down here
13 and to make a few comments on it if I could.

14
15 I've talked before but what I didn't
16 mention is I'm also disabled and just something recent,
17 the last three years, and this would simplify and make
18 things much easier for myself and people like me who've
19 got to deal with physical disabilities, you know, to
20 get fish. And the impact of the fisheries, on the
21 commercial fishing, and on the sports fishing and
22 subsistence fishing of the communities north of us
23 farther up on the Copper would be completely
24 insignificant by the fish caught by this proposal.
25 It's less than one percent of the resource if we caught
26 a lot and we're not going to catch a lot, it's going to
27 -- you know as it is, you know, even if it doubled it
28 would be insignificant.

29
30 So I would like to encourage the Board
31 to accept the Advisory Committee recommendation to
32 allow this change to the subsistence rules here in
33 Cordova.

34
35 Thank you very much.

36
37 CHAIRMAN CHRISTIANSON: Thank you for
38 taking the time to call in today, Mr. Butler. And
39 definitely will take your comments as we mull over that
40 proposal today so thank you for that.

41
42 Any questions from the Board.

43
44 (No comments)

45
46 CHAIRMAN CHRISTIANSON: All right,
47 appreciate that. Operator is there anyone else online
48 who would like to be recognized at this time.

49
50

1 OPERATOR: Yes. Karen Linnell, your
2 line is open.

3
4 MS. LINNELL: Good morning. This is
5 Karen Linnell, Ahtna InterTribal Resource Commission.

6
7 I was just looking at -- or listening
8 this morning and Mr. Siekaniec just said that word got
9 to them to halt, does that mean that there was not a
10 written memo or a document or any type of letter
11 saying, okay, let's cease and desist on further actions
12 until we find out what's going through the courts? One
13 of the impacts from this was that Ahtna InterTribal
14 Resource Commission was unable to administer a fall
15 hunt because of this. The Board had already passed and
16 approved the community subsistence harvest program and
17 then you also, you know, we'd gone through -- we
18 thought -- dotted all the I's and crossed the T's and
19 the only thing left to do was to adopt the framework
20 and then we were told that everything had to stop. And
21 when we inquired a little more it was like, this is all
22 I have, is that it's not going to happen right now.
23 And so, you know, I'd like to know if there was any
24 formal or any documentation that says that the Federal
25 Subsistence Board was told to not take any action.

26
27 Thank you.

28
29 CHAIRMAN CHRISTIANSON: Thank you,
30 Karen. And I would go ahead and -- I think that was a
31 pointed question to Staff, or Board seat.

32
33 MR. SIEKANIEC: Yeah, Mr. Chair, this
34 is Greg.

35
36 CHAIRMAN CHRISTIANSON: Yes, Greg, you
37 have the floor.

38
39 MR. SIEKANIEC: Yeah, thank you. Thank
40 you Karen for that question. And as I'm recalling,
41 yes, there was a communication from the Department of
42 Interior's Office here in Alaska to us that we were to
43 be on a pause. You know, again, I'm going to ask, Sue,
44 do you have any recollection of that same process,
45 stepping down that way?

46
47 MS. DETWILER: Yes, Greg, this is Sue
48 Detwiler. That is my recollection. The pause came in
49 an email from Steve Wackowski through the -- Steve

50

1 Wackowski, who was the Field Secretary, the political
2 appointee here in Alaska for Department of Interior, he
3 sent an email through OSM to the Board instructing the
4 Board to pause its special action, emergency actions,
5 temporary actions until issues were resolved.

6
7 MR. SIEKANIEC: Thank you, Sue. Thank
8 you, Mr. Chair.

9
10 MS. LINNELL: Can I get a copy of that,
11 can you forward that email to us, I mean because we've
12 asked the people that were talking with us and it would
13 be nice to see that and it should have been
14 communicated to everyone with things out there. The
15 other special action requests and things, they should
16 have gotten something.

17
18 Thanks.

19
20 MR. SIEKANIEC: Yeah, Mr. Chair, this
21 is Greg.

22
23 CHAIRMAN CHRISTIANSON: Yes, Greg, you
24 have the floor.

25
26 MR. SIEKANIEC: Thank you, yes, we'll
27 look into figuring out how to get that email and see
28 whether or not it's appropriate for us to release it.

29
30 MS. LINNELL: Thank you. And then
31 also, you know, what about after Mr. Wackowski left, I
32 mean he's been gone for several months, and did anybody
33 revisit the situation and say, you know, okay, the
34 Judge has made a ruling already and said that this was
35 within the Federal Subsistence Board's rights, did
36 anybody readdress it?

37
38 MR. SIEKANIEC: Mr. Chair, this is
39 Greg.

40
41 (No comments)

42
43 MR. SIEKANIEC: Mr. Chair, this is
44 Greg.

45
46 CHAIRMAN CHRISTIANSON: Yeah, Greg, you
47 have the floor.

48
49 MR. SIEKANIEC: Thank you. Karen,
50

1 yeah, we've asked several times to the Department's
2 office here in Alaska as to whether or not the pause
3 is, you know, lifted or done and the answer has always
4 been, no, it has not been at this point in time. This
5 is why I referenced now with the Administration change
6 we'd probably have an opportunity soon to raise that
7 question again and see if we can get this resolved.

8
9 As far as your question about the
10 Court, I cannot answer that, I do not know.

11
12 MS. LINNELL: I understand. I
13 understand. One of the things is, you know, we're
14 still waiting for our charter to get to the Secretary
15 and it's my understanding that it's been sitting on Mr.
16 Wackowski's desk for three years for the Ahtna local
17 subsistence advisory committee, and so that, to me, is
18 kind of the indicator that he was not going to be pro-
19 subsistence in any way, you know. And it just begs the
20 question of due process and process and how this
21 happens and the right to appeal this decision through
22 the Secretary and all of that. There needs to be, I
23 think, a process formalized so that we can look at, you
24 know, when these types of things happen and Lord knows
25 I pray that we never go through another pandemic like
26 this, but I think that, you know, there's got to be a
27 mechanism for us to say, wait a minute, you're choosing
28 to let us starve over what's happening in the courts
29 or, you know, some sort of process for the tribes and
30 the rural residents, the Federally-qualified, to say,
31 wait a minute, we're not getting our needs met here
32 because of lack of action by the Federal Board.

33
34 (Teleconference interference -
35 participants not muted)

36
37 CHAIRMAN CHRISTIANSON: Hello.

38
39 MR. SIEKANIEC: I'm still here, Tony,
40 but, yeah, there seems like there's some feedback or
41 something going on.

42
43 CHAIRMAN CHRISTIANSON: Yeah, something
44 happened there, is everybody still here.

45
46 MR. STRIKER: Yes, sir.

47
48 MS. LINNELL: Yes, sir.

49
50

1 MR. PELTOLA: BIA is still on.

2

3 OPERATOR: This is the Operator, if you
4 are not speaking on the call please mute yourself by
5 using your mute button or star six to correct any
6 feedback.

7

8 CHAIRMAN CHRISTIANSON: All right.
9 Karen, were you still on?

10

11 MS. LINNELL: Yes, sir, I'm here.

12

13 CHAIRMAN CHRISTIANSON: I was just
14 making sure. If you wanted to continue, you still have
15 the floor.

16

17 MS. LINNELL: Thank you. I'm just
18 asking that some sort of process be put in place and
19 that, you know, there be some sort of appeal process so
20 that -- because you, as the Federal Subsistence Board,
21 your hands were tied because of a memo from one
22 individual and there's no way for us to go back and
23 say, wait a minute, action needs to be taken. You know
24 I feel for our relatives all across the state that were
25 unable to provide for themselves during this pandemic.
26 It just brings to light something that one of my elders
27 said before he passed, is that, we're going to become
28 outlaws trying to provide for our families. We're
29 going to be starving and we're going to be having to,
30 you know, go these distances and not abide by laws
31 because they're keeping us from feeding our families
32 and that scares me. I don't want to go there.

33

34 There's got to be a due process for
35 this. Much, you know, like Kake and these other
36 communities, aren't on the highway system, they can't
37 drive to the local store to get something and they're
38 flying food in and even the flights were limited and
39 things like that and so providing during that pandemic
40 was an issue. And I really think that there's got to
41 be a process put in place.

42

43 I'm starting to repeat myself so I'm
44 going to stop now.

45

46 Thank you.

47

48 CHAIRMAN CHRISTIANSON: No, I
49 appreciate your comments this morning, Karen, and it's

50

1 definitely something we really, as a Board need to
2 strongly consider. And I would also offer to you that
3 a conversation with the Kake leadership could lead you
4 down a path to resolving what next steps are when you
5 don't get what it is you feel is the appropriate
6 outcome when you deal with an agency, and it's called
7 petitioning the Department of Interior and getting a
8 government to government consultation set up. And down
9 here we had a similar situation with the Roadless Rule
10 and a bunch of tribes not too happy with the outcomes
11 of things that were happening and ultimately were able
12 to sit down with the Deputy Under Secretary and have
13 conversations at a level so they could deeply
14 understand the positions and things that we were
15 talking about, issues that may arise from such a
16 specific, you know, change to something. And so there
17 could be some lessons learned from the process itself,
18 I believe, and there is always a next step, and
19 remember we're sovereign nations as tribes and our
20 voice should go all the way to the top of the seat and
21 not -- this shouldn't be happening on anybody's watch
22 so I appreciate your comments.

23

24 MS. LINNELL: I just -- I have one last
25 thing to say and that is that I believe that OSM needs
26 to remember that they're here for us, for the rural
27 residents and that's -- they're here for the users and,
28 you know, have been very strong advocates at times but
29 to take this -- at that -- I know you're between a rock
30 and a hard place, but you're advocating for rural
31 subsistence users and I just wanted to put that out
32 there.

33

34 Thank you so much.

35

36 CHAIRMAN CHRISTIANSON: Thank you,
37 Karen. Any other questions or comments for Karen.

38

39 MR. LORD: Mr. Chair, this is Ken.

40

41 CHAIRMAN CHRISTIANSON: Ken, you have
42 the floor.

43

44 MR. LORD: Yeah, Karen, I just wanted to
45 respond a little bit with some -- I think there's hope
46 out there. I don't know if you're familiar with the
47 name Bob Anderson, or Robert Anderson, he was appointed
48 the Principle Deputy Solicitor, meaning he's, at least
49 for now, in charge of the Solicitor's Office nationwide

50

1 but he was in the Solicitor's Office under the Clinton
2 Administration, he has published Law Review Articles on
3 the Subsistence Program, he is a professor at Seattle
4 so he is intimately familiar with the Subsistence
5 Program and has been involved in the background, even
6 in recent years. So we have somebody who understands
7 the importance of subsistence in a position of
8 authority in this Administration and I think that we
9 will be in a good position to get that charter moving,
10 or at least elevated, you know, and hopefully
11 championed by people who understand its significance
12 whenever we get a Secretary. It won't happen in the
13 next few weeks but hopefully, you know, sometime in the
14 foreseeable future we'll be able to get things going.

15
16 MS. LINNELL: Thanks for that Ken.
17 We're all very familiar with Bob Anderson, appreciate
18 it.

19
20 MR. LORD: Yeah, thought you might be.

21
22 CHAIRMAN CHRISTIANSON: Amen. Any
23 other Board comments or questions.

24
25 MR. PELTOLA: Mr. Chair, BIA.

26
27 CHAIRMAN CHRISTIANSON: BIA, you have
28 the floor. Gene.

29
30 MR. PELTOLA: Thank you, Mr. Chair. I
31 just want to make a general comment that my
32 understanding of the Board pause was that that did not
33 originate with the Special Assistant to the Secretary,
34 that position was utilized to deliver the message, and
35 I just wanted to convey that.

36
37 Thank you, Mr. Chair.

38
39 CHAIRMAN CHRISTIANSON: Thank you,
40 Gene. Any other Board comments or questions.

41
42 (No comments)

43
44 CHAIRMAN CHRISTIANSON: All right,
45 hearing none, we'll move on. Operator, is there
46 anybody online who would like to be recognized at this
47 time for a non-consensus item.

48
49 OPERATOR: I do not show any further

50

1 comments at this time.

2

3 CHAIRMAN CHRISTIANSON: All right.
4 Well, I'd just like to thank the people who called in
5 today and truly appreciate the heavy-weighted
6 questions. I mean that's our job here is to hear and to
7 find solutions and a path forward to some of the
8 challenges we are facing during this very weak time
9 during the pandemic and also, you know, a lot of
10 abundance issues as far as resources go, fisheries and
11 wildlife, varied between different regions in the state
12 but, nonetheless, seem to be consistently happening and
13 so us having a solid path forward is just important for
14 us to recognize those needs.

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

So moving on now we'll go ahead and go
to old business; individual customary and traditional
use process, and we'll call on Josh Ream to provide an
overview.

Thank you.

MR. REAM: Good morning, Mr. Chair and
members of the Board. For the record my English name
is Joshua Ream and my Tlingit name is
Xixch'iToowoo. I'm the regional Subsistence Program
Manager for the National Park Service and in that
capacity I also serve as the Park Service's
representative on the InterAgency Staff Committee.

Today I'm presenting to you an overview
of individual customary and traditional use
determination, the National Park Service's suggested
standard operating procedures for these determinations
and a draft delegation of authority letter. These
materials start on Page 1 of your Board books. I do
not intend to walk the Board through every aspect of
subsistence eligibility in National Parks and Monuments
managed by the National Park Service, nor do I intend
to describe in detail all of the components of our
suggested standard operating procedures.

It is, however, important to point out
several overarching themes.

First, individual C&Ts are extremely
rare and less than a dozen requests have been made in
the history of the Program. We do not anticipate that
this will change.

1 Individual C&Ts are only applicable to
2 National Parks and National Monuments where subsistence
3 is authorized and where National Park Service is the
4 land manager.

5
6 Subsistence users of these lands must
7 meet all the normal eligibility criteria for Federal
8 public land, including a customary and traditional use
9 determination for the area and species that they intend
10 to harvest.

11
12 But while most Federally-qualified
13 users are harvesting under customary and traditional
14 use determination that have been made for their areas
15 or communities, those eligible to hunt and trap in
16 National Parks and National Monuments may satisfy this
17 requirement with an individual customary and
18 traditional use determination as well.

19
20 Why might someone request an individual
21 C&T rather than one that covers their community for
22 their area. One reason is that they may live remotely
23 away from other eligible users. Another reason could
24 be that they have a history of harvesting a specific
25 species in a specific area of a Park or Monument under
26 a pattern of use that others in their community do not
27 have. It is probably good to note here, too, that
28 eligibility to hunt and trap in Parks and Monuments is
29 more restrictive than other Federal public lands in
30 Alaska. One must either live in a resident zone
31 community or have a .13440 subsistence eligibility
32 permit that recognizes a pattern of historical use
33 within the Park or Monument. Additionally, unlike most
34 other Federal public land, there is not an option to
35 hunt under State of Alaska regulations in National
36 Parks and Monuments.

37
38 Given the rarity of requests for
39 individual C&T determinations, standardized processes
40 and written procedures have not been as solidly
41 established for these as compared to area and community
42 C&T determinations. This became clear in the spring of
43 2019 when Mr. Blaine Mayo submitted an individual C&T
44 determination request for moose in Denali National
45 Park. Mr. Mayo was erroneously told that he need not
46 have a .13440 eligibility permit before applying for
47 individual C&T. Yet, this is contrary to the Board's
48 existing policy. For this reason, Mr. Mayo's proposal
49 was deemed invalid. To help correct this from
50

1 occurring in the future and to expedite and document
2 processing of subsequent proposals, the National Park
3 Service developed the standard operating procedures
4 that are before you today.

5

6 I would like to point you to the chart
7 on Page 22 of your Board books. This comparison chart
8 summarizes the existing process as a compared to what
9 the National Park Service is proposing.

10

11 The Board did see this proposed process
12 last year. It appeared on the Board's agenda at its
13 July 2020 work session and it is and was considered an
14 administrative action. The Board decided to defer
15 action pending comment and recommendation from the 10
16 Subsistence Regional Advisory Councils. Staff from the
17 National Park Service facilitated presentations to both
18 the Regional Advisory Councils and the Park Subsistence
19 Resource Commissions during the fall 2020 meeting
20 cycle. I have a brief formal summary of each body's
21 action and justification that I will read for you
22 following this presentation.

23

24 In general, many of the RACs and SRCs
25 found the issue of individual customary and traditional
26 use determinations to be complex and difficult to
27 understand without focused study of the topic. Many of
28 the Councils and Commissions voted to defer action on
29 the issue until they had more time to review the
30 details. Subsistence eligibility criteria in Parks and
31 Monuments is, indeed, complex, and this is coupled with
32 the extreme rarity of individual C&T requests of which
33 many people are and were wholly unaware. Some Councils
34 supported the action, some opposed it and some offered
35 valuable feedback that I hope the Board will consider.
36 This feedback includes support for retention of the
37 Regional Advisory Council recommendations in the
38 process. Support for giving the Subsistence Resource
39 Commissions a role in making recommendations as well.
40 And support for retention of Federal Subsistence Board
41 decisionmaking, rather than a delegation.

42

43 So where does that leave us today.

44

45 There are several options available to
46 the Board and I will lay a few of these out for your
47 consideration.

48

49 First, the Board could move to adopt

50

1 the standard operating procedures and/or the delegation
2 of authority letter, either permanently or temporarily
3 on a trial basis. The latter would give those RACs and
4 SRCs requesting more time to study the issue the
5 ability to do so. A second option would be for the
6 Board to oppose the standard operating procedures and
7 the delegation outright. A third option would be to
8 tweak them as it feels necessary. Options to modify
9 based on the Regional Advisory Council and Subsistence
10 Resource Commission feedback could be to eliminate the
11 delegation of authority, to retain the RAC
12 recommendation step in the current process or both.
13 And, finally, the Board could defer all action on this
14 matter until its summer 2021 work session, allowing the
15 RACs and the SRCs another opportunity to review and
16 comment. If this option is chosen by the Board, or any
17 other option for that matter, it may also consider
18 directing OSM to accept proposals for individual
19 customary and traditional use determinations out of the
20 normal regulatory cycle. This would allow Mr. Mayo to
21 resubmit his request at any time and to have it
22 considered in a more timely fashion. The National Park
23 Service would commit to assisting OSM with any
24 analysis, just as it has done historically for these
25 types of proposals. According to the Solicitor's
26 Office, proposals for individual C&T requests need not
27 be noticed in the Federal Register, they could be acted
28 on at any public meeting of the Board. This action
29 alone would expedite the individual C&T process and
30 prevent these rare requests from being unnecessarily
31 coupled with the Federal wildlife regulatory cycle.

32
33 Again, given the rarity of individual
34 C&T requests, we do not anticipate this creating
35 significant undue burden on OSM or the National Park
36 Service.

37
38 Thank you, Mr. Chair and members of the
39 Board. I would be happy to answer any questions that
40 you have, either now or following a summary of each of
41 the Regional Advisory Council actions on this matter.

42
43 CHAIRMAN CHRISTIANSON: Thank you,
44 Josh. I appreciate the presentation. Any questions
45 from the Board for Josh.

46
47 MR. BROWER: Mr. Chair.

48
49 CHAIRMAN CHRISTIANSON: Yes, Charlie,

50

1 you have the floor.

2

3 MR. BROWER: So this is just for
4 National Park Service and Monuments, not Refuges or
5 mountain ranges, anywhere, or is it just for that
6 purpose, for National Park Service Monuments and Parks?

7

8 MR. REAM: Through the Chair. Thank
9 you, Mr. Brower for your question. Individual C&Ts
10 only apply to Park and Monuments that are managed by
11 the National Park Service so it would not include
12 Refuges, or Forest lands, BLM lands or even Park
13 Service Preserves.

14

15 Thank you.

16

17 MR. BROWER: Thank you.

18

19 MR. SIEKANIEC: Mr. Chair, this is
20 Greg, Fish and Wildlife Service.

21

22 CHAIRMAN CHRISTIANSON: Greg, you have
23 the floor.

24

25 MR. SIEKANIEC: Yeah, thank you.
26 Thanks for the great introduction to this. Josh, could
27 you go through, I think it was what you called No. 5,
28 an option would be to direct OSM to accept individual
29 customary and traditional applications out of cycle and
30 then work with the National Park Service to determine
31 the appropriateness of that. And, again, I'm just
32 trying to make sure I followed you, and that would --
33 that could -- an action could be taken by the Board
34 then at any public meeting but it would not have to be
35 noticed in the Federal Register; is that what I believe
36 I heard you say.

37

38 MR. REAM: Through the Chair. Thank
39 you, Member Siekaniec. Yes, that is correct. And so
40 we could take these proposals at any time, again,
41 they're very rare but we do have a member of the public
42 that has been waiting on action for one of these for
43 several years now and so OSM would receive it, or if
44 the Board goes with our standard operating procedures,
45 our Park Staff would help to facilitate members of the
46 public submitting these applications and then
47 conducting an analysis. And so then the Board would be
48 able to act on it, you know, depending on what their
49 action is you might need to wait for a RAC and/or SRC

50

1 recommendation, under the current process you would
2 need a RAC recommendation, and then at the next public
3 meeting the Board could take action.

4

5 Thank you.

6

7 MR. SIEKANIEC: Thank you, Mr. Chair.
8 I think I followed that. Well, maybe Josh one more
9 question. I think what you said was the Board could
10 adopt the standard operating procedures and then it
11 would still work its way up to the Board for them to
12 take action?

13

14 MR. REAM: Through the Chair. Yes,
15 that is correct. Assuming the Board eliminates the
16 component that is a delegation of authority.

17

18 MR. SIEKANIEC: Right, okay.

19

20 MR. REAM: So under -- right, okay.

21

22 MR. SIEKANIEC: Thank you, Mr. Chair.

23

24 CHAIRMAN CHRISTIANSON: All right,
25 thank you, Greg. Any other questions from the Board
26 for Josh.

27

28 MR. BROWER: Mr. Chair, just one.

29

30 CHAIRMAN CHRISTIANSON: Yes, Charlie,
31 you've got the floor.

32

33 MR. BROWER: Okay. Josh, you stated in
34 your request for Monument, subsistence eligibility may
35 verbally, in person or in writing, apply for these
36 permits but I'm kind of leery about verbally, how will
37 you put that in order to if it was verbally accepted,
38 the person that does a verbal request, do they have to
39 complete a new application or the coordinators will
40 approve it verbally with no backup or anything like
41 that?

42

43 MR. REAM: Through the Chair. Thank
44 you for your question, Mr. Brower. So the intent would
45 be for National Park Service Staff to assist anyone
46 interested in filling out the application. We want to
47 make sure that we kill as many birds with the same
48 stone as possible, so obtaining all of the information
49 that we need in order to start the analysis process,

50

1 you know, through the information provided on the
2 application, there are also a lot of documents in the
3 standard operating procedures that we offered. We
4 needed to be clear with the RACs and the SRCs that we
5 do not intend for this to be a burden on the public and
6 that most of those documents are internal to track the
7 process. But the application itself, you know, the
8 information does need to come from the proponent but we
9 want to be able to assist them in filling out the
10 application if they request it and if we're able to.

11

12 I hope that helps.

13

14 Thank you.

15

16 MR. BROWER: Thank you.

17

18 CHAIRMAN CHRISTIANSON: Thank you. Any
19 other questions for Josh.

20

21 (No comments)

22

23 CHAIRMAN CHRISTIANSON: All right,
24 hearing no other, we'll ask Josh to provide the Council
25 recommendations, RAC Chairs can chime in as needed.

26

27 MR. REAM: Thank you, Mr. Chair.

28

29 Starting with the Southeast Alaska
30 Subsistence Regional Advisory Council. The Council
31 felt that the current process for making individual C&T
32 determinations is working and does not need to be
33 changed. Their justification was that the area
34 available for individual C&T permits in the Southeast
35 is limited, however, the Council was concerned that
36 this may create an ability for the National Park
37 Service to take land use out of the jurisdiction of the
38 Board. Currently the Regional Advisory Councils and
39 the Board play roles in determining who has customary
40 and traditional use in National Parks and the Council
41 was concerned that if this delegation of authority goes
42 through, that responsibility and opportunity to provide
43 input would cease. There is also a concern that if the
44 delegation of authority is granted to the National Park
45 Service, Alaska Regional Director, this would narrow
46 authority and reduce advisory capacity. The Council
47 does not wish to see access to subsistence areas denied
48 and subsistence activities further limited or
49 eliminated in National Park areas for Federally-

50

1 qualified subsistence users.

2

3

4 The Southcentral Alaska Subsistence
5 Regional Advisory Council respectfully requests that
6 this Board postpone any action on this issue until
7 critical questions are answered and vital information
8 needed to make an informed recommendation is known.
9 Their justification is that the Council would like to
10 consider the additional information coming from the
11 National Park Service to the Wrangell-St.Elias
12 Subsistence Resource Commission before it makes any
13 recommendation. It is imperative that the
14 possibilities and ramifications of such a delegation of
15 authority from this Board are fully explored. It is
16 the Council's understanding that many other Regional
17 Advisory Councils had questions and wanted additional
18 information on this matter. It seems that overall this
19 issue is not well understood by the Regional Advisory
20 Councils, nor by the subsistence users they represent.

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

21 The Kodiak/Aleutians Alaska Subsistence
22 Regional Advisory Council voted to leave it up to the
23 Subsistence Resource Commission and go with whatever
24 they decide.

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

26 The Bristol Bay Alaska Subsistence
27 Regional Advisory Council. The Council moved to defer
28 the National Park Service individual customary and
29 traditional process and guidelines for all National
30 ParkLands in Alaska to the Council's winter 2021 public
31 meeting. Their justification was that the Council
32 stated it needs additional time to review and develop
33 its comments on the document.

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

35 The Yukon Kuskokwim Delta Alaska
36 Subsistence Regional Advisory Council voted unanimously
37 to take no action on this request from the park
38 Service. Their justification was that the Council
39 expressed frustration at the lack of advanced detailed
40 information on this individual customary and
41 traditional request before it being presented to the
42 Council for action and that a full analysis of the
43 request and effects should have been provided to the
44 Council and public for review. While there are no
45 National Park Service lands within the boundaries of
46 the YK Delta RAC region, the Council is not comfortable
47 making recommendations without adequate information and
48 understanding of how this may impact subsistence
49 communities and other regions who would be directly

1 affected by the National Park Service independently
2 making individual C&T determination without it going
3 through the Federal Subsistence Program public process.
4

5 The Western Interior Alaska Subsistence
6 Regional Advisory Council supports the National Park
7 Service proposed permitting changes for National Parks
8 in Alaska. Their justification is that the Board would
9 grant delegation of authority to the National Park
10 Service Regional Director to issue individual customary
11 and traditional use permits for ParkLands in Alaska.
12 The Council believes that utilizing the Subsistence
13 Resource Commission will provide a beneficial interface
14 with the users in their respective Park unit. The
15 Council recognizes that should an individual feel that
16 the Regional Director acted inappropriately with the
17 issuance of these permits, the individual could submit
18 a proposal to the Board to rescind the delegation of
19 authority to the National Park Service Regional
20 Director.
21

22 The Seward Peninsula Alaska Subsistence
23 Regional Advisory Council deferred action on the
24 National Park Service's proposed changes to the
25 subsistence eligibility permit and individual customary
26 and traditional use determination process. Their
27 justification was that the Council agreed that more
28 time was needed to fully understand the issue prior to
29 their approval of the proposed changes.
30

31 The Northwest Arctic Alaska Subsistence
32 Regional Advisory Council voted to defer this to the
33 National Park Service Subsistence Resource Commission.
34

35 The Eastern Interior Alaska Subsistence
36 Regional Advisory Council supports the National Park
37 Service proposed changes to the administration of the
38 individual C&T use determination process and to request
39 that the Federal Subsistence Board keeps the Council
40 informed on the implementation of the new process.
41 Their justification was that the Council stated the
42 criteria and process for the individual C&T use
43 determination has been in place for a period of time
44 and there is a good system of checks and balances. The
45 Council trusts that the National Park Service will
46 administer the process correctly and honestly. The
47 Council thinks that if the Federal Subsistence Board
48 delegates the authority to the National Park Service to
49 make individual C&T use determinations, the
50

1 administrative process will be streamlined and
2 simplified. The Council also wants to ensure that the
3 National Park Service periodically verifies the primary
4 residence of users with individual C&T use
5 determination to avoid possible misuse. Additionally,
6 the Council agreed that the National Park Service
7 Subsistence Resource Commission should continue to be
8 involved in the process by staying informed while
9 providing formal recommendations to the National Park
10 Service on the determination. The Council also
11 requested that the Board keeps the Council's apprised
12 on the progress and their decision on this matter.
13

14 And, lastly, the North Slope Alaska
15 Subsistence Regional Advisory Council voted unanimously
16 for the Federal Subsistence Board to retain oversight
17 of the individual customary and traditional use
18 determination process as it currently is with proposals
19 going through the relevant Regional Advisory Councils
20 and full and transparent public process. The Council
21 is willing to reconsider this request at a later date
22 after a full analysis is provided in order for the
23 Council to gain a better understanding of what the
24 effects would be for the National Park Service to make
25 individual C&T determinations.
26

27 Those are all of the Regional Advisory
28 Council actions and justifications on this matter.
29

30 Thank you, Mr. Chair.
31

32 CHAIRMAN CHRISTIANSON: Thank you,
33 Josh. Now, any questions from the Board, any other
34 comments.
35

36 MS. PITKA: Hi, this is Rhonda.
37

38 OPERATOR: Yes, one moment.
39

40 MS. PITKA: Does this pertain to the
41 testimony this morning; is that correct? I just wanted
42 to be clear on it.
43

44 MR. REAM: Through the Chair. Thank
45 you, Member Pitka. Yes, it does. I believe Justin
46 Mason had called in in support of Blaine Mayo's
47 request, the request that had been invalidated. And I
48 believe that he was speaking in support of a process
49 that would better facilitate a final determination on
50

1 individual C&Ts.

2

3

Thank you.

4

5

MR. STRIKER: Mr. Chair, this is Don

6

Striker.

7

8

CHAIRMAN CHRISTIANSON: Don, you have

9

the floor.

10

11

MR. STRIKER: Yeah, my understanding of

12

what Justin was basically saying was, regardless of

13

what action we take on this specifically, we don't let

14

Blaine continue to be sort of flapping out there in the

15

wind for the what will be ultimately the fourth year of

16

missing the ability to hunt. So if we don't adopt the

17

proposal, then take one of the other actions that we

18

just outlined so that we can make sure that we can get

19

this application properly processed.

20

21

CHAIRMAN CHRISTIANSON: Thank you, Don.

22

Any questions, any further comments.

23

24

MR. PELTOLA: Mr. Chair, BIA.

25

26

CHAIRMAN CHRISTIANSON: Go ahead, Gene.

27

28

MR. PELTOLA: Thank you, Mr. Chair.

29

For the Park Service, I got kind of a little confused

30

there. So the recommendation is that to have the

31

delegation of authority going to the Regional Director

32

of the Park Service or to be maintained within the

33

Federal Subsistence Board?

34

35

MR. STRIKER: That's a complicated

36

question. The draft proposal is to have it go to the

37

Regional Director of the National Park Service, but

38

you'll see when we actually make our motion that I'm

39

going to make a motion with amendments.

40

41

MR. PELTOLA: And the reason I ask

42

that, when we've talked about delegation of authority

43

from the Federal Subsistence Board to a different level

44

within particular agencies, arguments have been made if

45

we were to remove a delegation of authority that it's a

46

HR matter that shouldn't be addressed by the Board as

47

opposed to a programmatic matter of removing an

48

authority assigned by the Board. That's why I asked.

49

50

1 Thank you, Mr. Chair.

2

3 CHAIRMAN CHRISTIANSON: Thank you,
4 Gene. Any other Board questions.

5

6 MR. BROWER: Mr. Chair.

7

8 CHAIRMAN CHRISTIANSON: Yes, you got
9 the floor Charlie.

10

11 MR. BROWER: Thank you. Thank you,
12 Josh. Thanks for your reading the recommendations from
13 the RAC committees and they all seem to be, not for it,
14 need some time, and more time and some changes and some
15 deferred it to the National Park Subsistence Committee
16 and there really seemed to be a split on this issue.
17 And your recommendation was to -- I didn't quite get
18 your recommendation on this issue, was it to postpone
19 it or was it one of the other, Southeast that requested
20 postponement.

21

22 Thank you.

23

24 MR. REAM: Through the Chair. Thank
25 you for the question Member Brower. You know I don't
26 want to speak for Don on this but I believe that the
27 Park Service, as Don had mentioned, is going to offer
28 some amendments so to take a couple of steps in the
29 right direction, from our perspective, incorporating
30 some of the concerns and recommendations that have
31 already been made by the RACs but also to leave the
32 door open for, you know, additional changes in the
33 future if they want to offer further recommendations to
34 improve the process then I think that the Park Service,
35 and presumably the Board would appreciate that too.

36

37 CHAIRMAN CHRISTIANSON: All right, any
38 other Board questions.

39

40 (No comments)

41

42 CHAIRMAN CHRISTIANSON: If hearing no
43 more questions or comments from the Board we'll move on
44 to Board deliberation.

45

46 MR. PELTOLA: Mr. Chair, BIA.

47

48 CHAIRMAN CHRISTIANSON: Go ahead, Gene.

49

50

1 MR. PELTOLA: Yeah, thank you, Mr.
2 Chair. I think proposed action that could entail a
3 delegation of authority beyond the Federal Subsistence
4 Board, I think the Board, as a whole, needs to address
5 the situation of what or what process or what entails
6 removing a delegation because that has been a sticking
7 point in the past and if any proposed course of action
8 is going to entail a delegation, and I did hear
9 mentioned earlier that it could be -- the Board could
10 be in a position to remove that, that's a significant
11 sticking point based on similar matters being addressed
12 to this body in recent history. I think that'd have to
13 be settled before we have any consideration on any
14 proposal that may include a further delegation beyond
15 the Board.

16
17 MR. LORD: Mr. Chair, this is Ken, may
18 I speak to that.

19
20 CHAIRMAN CHRISTIANSON: You got the
21 floor, Ken.

22
23 MR. LORD: Thanks. So, Gene, removing
24 a delegation of authority is not a problem, it's simply
25 a matter of revoking the letter of delegation. I think
26 the recent question has been whether or not certain
27 delegations should be removed, not whether they can be
28 removed.

29
30 MR. PELTOLA: Mr. Chair, BIA again.
31 Thank you, Ken, for imputing that. My recollection
32 was, in past discussions about removing a delegation of
33 authority, certain Board members felt it was an HR
34 issue and shouldn't be addressed by the Board when the
35 Board was faced with discussing revoking a delegation
36 of authority and that was a significant sticking point.
37 And there appears to be differences of opinions about
38 what revoking a delegation is and I still feel strongly
39 that that has to be addressed and solidified by the
40 Board members so we're all on the same page before we
41 proceed with anything that involves a delegation of
42 authority.

43
44 Thank you, Mr. Chair.

45
46 CHAIRMAN CHRISTIANSON: Thank you. Any
47 other Board deliberation or comments.

48
49 MR. SIEKANIEC: Mr. Chair, this is
50

1 Greg.

2

3 CHAIRMAN CHRISTIANSON: Greg, you have
4 the floor.

5

6 MR. SIEKANIEC: Thank you, Mr. Chair.
7 So I think I have a question, maybe for Don, you know,
8 Don, Josh described, you know, this No. 5, that OSM
9 could accept individual customary and traditional
10 applications working through the National Park Service,
11 it would be utilizing, I believe, its standard
12 operating procedures for evaluation in a process that
13 would be quicker or expedite rather than during the
14 regulatory cycle and I'm just -- I mean is that your
15 understanding of that, and I guess what I'm trying to
16 figure out is how do we address the one that's in front
17 of us right now so this three year outstanding is
18 actually addressed rather than, you know, pushed off
19 into the future.

20

21 MR. STRIKER: Yeah, Greg, thank you. I
22 appreciate that concern very much. I think that would
23 be my second preference. Again, I plan to make an
24 amended motion that I think addresses most of the
25 concerns with respect to Park Service overreach, if you
26 will, and also eliminates the delegation of authority.

27

28 So it may be that the motion that I
29 make works. If that doesn't work then I agree with you
30 then we should go with that Plan B or Option 5.

31

32 MR. SIEKANIEC: Okay. And then, Mr.
33 Chair -- sorry.

34

35 CHAIRMAN CHRISTIANSON: Yes, you have
36 the floor.

37

38 MR. SIEKANIEC: Thank you, Mr. Chair.
39 And then would that No. 5, Josh, in your opinion, kind
40 of address what we're hearing from this, you know,
41 diversity of thoughts from the Regional Advisory
42 Councils and keep that within a Federal Subsistence
43 Board role and not throw that into a, you know, an
44 issue of disagreement amongst all the Regional Advisory
45 Committees?

46

47 MR. REAM: Through the Chair. Thank
48 you, Member Siekaniec. I do think that that is the
49 case that, you know, we heard, even if it wasn't as
50

1 part of the vote -- there was some hesitancy among
2 members of various Regional Advisory Councils to
3 include this delegation of authority component. And I
4 think as you heard Don say our motion is likely to
5 eliminate that component. And concerning specifically
6 Blaine Mayo's request, we are standing ready if the
7 Board takes action today to quickly receive the
8 proposal and conduct an analysis, hopefully, in a
9 manner that would allow us to quickly turn that around
10 to present to the Regional Advisory Councils and the
11 Subsistence Resource Commission of Denali during the
12 winter/spring meetings that are upcoming so that those
13 recommendations are available for the Board to consider
14 at their next public meeting.

15

16 Thank you.

17

18 MR. SIEKANIEC: Thank you, Josh. Thank
19 you, Mr. Chair.

20

21 MR. PELTOLA: Mr. Chair, BIA.

22

23 CHAIRMAN CHRISTIANSON: BIA, go ahead.

24

25 MR. PELTOLA: Thank you, Tony -- Mr.
26 Chair. I have a question, so if I recall about previous
27 discussions, and I don't recall if they were before the
28 Board or with Staff, but then part of this equation
29 that we're trying to come up with a solution for
30 involves resident zone boundaries and if that's the
31 case, I've been informed that it's basically a three
32 mile buffer zone from a particular point which may be
33 the Post Office, so has the resident zone boundary of
34 inclusion in the community been revisited and, if so,
35 would that be an additional step which could be taken
36 or addressed?

37

38 MR. REAM: Through the Chair. Thank
39 you for your question, Member Peltola.

40

41 So the resident zone criteria is
42 separate from having a C&T. You need to live in the
43 resident zone, which they can be changed through a
44 formal rulemaking process, or have a .13440 permit if
45 you live outside of a resident zone community, but you
46 have a pattern of subsistence use within that Park.
47 And that pattern of use could be established by having
48 previously lived in a resident zone community or by
49 having subsisted in the Park prior to its creation.

50

1 And so at the time of the original
2 proposal, Mr. Mayo, did not live in Cantwell any
3 longer, he now lives in Healy, which is not a resident
4 zone community of the Park and so it would have
5 required him under the existing Board process to have
6 obtained a .13440 eligibility permit. He had not done
7 that but he was erroneously advised, unfortunately by
8 Staff that, you know, it -- I don't blame anyone about
9 this but he didn't have that permit in place and he now
10 does, and so that criteria of eligibility is no longer
11 really at play for Mr. Mayo's proposal. He has that
12 eligibility but Healy does not have a community or area
13 C&T for moose in Unit 13E where Mr. Mayo is requesting
14 access. And so lacking a community or area C&T, the
15 last thing that Mr. Mayo would need is just the C&T of
16 some sort and he requested that to be an individual
17 C&T, for whatever reason I don't know how much
18 dependence people of Healy have on moose resources in
19 13E but the request was for the individual C&T.

20

21 I hope that helps.

22

23 MR. PELTOLA: Yes, thank you, Josh,
24 appreciate it.

25

26 CHAIRMAN CHRISTIANSON: Any more Board
27 questions or deliberations.

28

29 MR. PELTOLA: Mr. Chair, BIA, one more.

30

31 MR. BROWER: Mr. Chair, just a
32 question.

33

34 CHAIRMAN CHRISTIANSON: Go ahead Gene
35 and then Charlie.

36

37 MR. PELTOLA: I just -- sorry about
38 that, Mr. Chair, I just wanted to convey that is a very
39 good explanation by Josh and I do appreciate it.

40

41 CHAIRMAN CHRISTIANSON: Thank you.
42 Charlie you have the floor.

43

44 MR. BROWER: Thank you, Mr. Chair.
45 Just a question. On the Park Service, is this going to
46 affect the residents of Arctic Village or Anaktuvuk
47 Pass when they're already have individual customary and
48 traditional use and they live within the perimeter of
49 the Park and do they have to -- I'm just questioning

50

1 this ability if it's going to affect those villages
2 within the Park, like AKP or Arctic Village or
3 Allakaket or something like that. I mean not just for
4 one person but it might be for the rest of the
5 community subsistence hunters in the future.

6
7 MR. REAM: Through the Chair. Thank
8 you, Member Brower. No. The answer is, no, this will
9 not affect the eligibility of those people living
10 already within resident zone communities and already
11 having customary and traditional use determination.
12 Most of the communities that you mentioned have
13 community C&Ts for many of the species that they would
14 be harvesting within the Parks. And I should probably
15 reiterate that this is not a new process, individual
16 C&Ts are not something new, they exist, but we've only
17 had a handful of requests for them in the past and what
18 we're trying to do is merely tweak the process to make
19 things a bit easier and more timely for the public, and
20 also for the Program to be better able to respond and
21 track the outcomes of these types of requests but it
22 will not change the availability of rural residents to
23 garner eligibility to hunt in Parks and Monuments, you
24 know, that will still be based on the .13440 permit as
25 well their resident zone status, and a customary and
26 traditional use determination but, again, most of those
27 are made for an area or a community. They have been
28 and will continue to be able to apply for individual
29 C&T as well.

30
31 MR. BROWER: Thank you.

32
33 CHAIRMAN CHRISTIANSON: Thank you for
34 that explanation, Josh. And I was just curious is
35 there any of the affected RACs online that would like
36 to speak to the proposal so maybe we could hear
37 directly from one of the Council Chairs from the
38 regions that are affected or, just putting that out
39 there.

40
41 MS. DETWILER: Mr. Chair. The Operator
42 may need to be prompted to get people to push their
43 star one button.

44
45 CHAIRMAN CHRISTIANSON: Okay, Operator,
46 if you could see if there's any Regional Advisory
47 Council Chairs who are affected that want to comment.
48 We're having a pretty good conversation here and we'd
49 just like to hear maybe the perspective from the
50

1 Regional Council Chairs who are affected on why they
2 may or may not support this proposal.

3
4 OPERATOR: Certainly. If you would
5 like to ask a question or make a comment please press
6 star one on your phone. Again, to make a question or
7 comment please press star one on your phone.

8
9 The first question or comment comes
10 from Karen Linnell, your line is open.

11
12 MS. LINNELL: Hi. Thank you. This is
13 Karen Linnell, Ahtna InterTribal Resource Commission.
14 I'm not too keen on delegating this authority away from
15 the Federal Subsistence Board. I think if the
16 individuals provide the information, it goes through
17 the SRC, it goes to the RAC and then it comes to the
18 Federal Subsistence Board for approval. It's been my
19 understanding that this is very infrequent and isn't
20 often enough and -- and for them to -- it doesn't
21 happen often enough for a delegation of authority.

22
23 I also think that it shouldn't wait for
24 -- if it's for wildlife, that it should wait until the
25 wildlife proposals come forward, that it can be done at
26 any meeting, I think that's an okay process as long as
27 the Subsistence Resource Commissions and the RACs have
28 received the information and were able to make a
29 recommendation to the Federal Subsistence Board.

30
31 I'm sorry that the process has taken so
32 long for Mr. Mayo, but, you know, a process is a
33 process. I was at the SRC and having served on the SRC
34 before, I think that, you know, how does that saying
35 go, poor planning on your part doesn't constitute an
36 emergency, as far as this process. The proposal and
37 the delegation and things that we've gone through, I
38 think having full information and the total impacts it
39 will have on the rest of the state is an important
40 piece. I would say that, you know, if you take no
41 action on this other process, the delegation of
42 authority, and just decide what to do with Mr. Mayo,
43 that's a good thing, but more thought needs to be put
44 in on the process and the total impacts it's going to
45 have with other regions. Having heard Mr. Ream speak
46 about the prior use before the Park formation, or long-
47 term use, having lived in a resident zone, one of the
48 things that concerns me is we have folks that come and
49 work at the Parks and the agencies for temporary
50

1 assignments and then move away and having lived in a
2 resident zone, if they get a 13 -- you know, and
3 they're only here for a short time, to me, I'm still
4 not clear on this -- but to me I can see them getting
5 this permit and being able to move away to another
6 rural community and then still being able to come back
7 here and hunt, even though they were only here on
8 temporary assignment, and that's something that
9 concerns me because it's not a long-term, you know,
10 prior to the Park, use.

11

12 So those are some of my concerns.

13

14 Things to think about. And I think
15 that there is more to think about in regards to that
16 that, you know, I think you can take action on Mr.
17 Mayo's request and be okay with that. Just I don't
18 want to set some policy forward and have it have a
19 greater impact than we had anticipated.

20

21 Thank you.

22

23 CHAIRMAN CHRISTIANSON: Thank you,
24 Karen.

25

26 MR. BROWER: Mr. Chair.

27

28 CHAIRMAN CHRISTIANSON: Yes, go ahead.

29

30 MR. BROWER: Thank you, Mr. Chair. If
31 I may ask the Park Service, what Karen just stated,
32 that these permits, she stated that they could always
33 come back but these permits will be issued for lifetime
34 of applicant as long as they retain their eligibility
35 as a Federally-recognized user. And the way that Karen
36 was just talking about the short-timers able to come,
37 so once they make a permit it stays with them for
38 lifetime.

39

40 MR. REAM: Through the Chair. Thank
41 you, Member Brower. I think -- first off it's
42 important to keep in mind that there are two different
43 things here. There's the .13440 permit. Some Parks
44 have issued these in the past for the lifetime of the
45 applicant and some have offered them for five years.
46 Under the new process we're hoping for continuity
47 across Parks, they would be offered for a lifetime,
48 however, every five years we would evaluate to make
49 sure that they're still a Federally-qualified
50

1 subsistence user, you know, where their residency is
2 and that's for the permit. That just verifies that
3 they have an established pattern of use within the Park
4 or Monument. For the C&T, C&T's are also issued for
5 the lifetime of the resident, assuming they have the
6 other criteria as well, you know, living in a rural
7 area, living in a resident zone community and/or having
8 the .13440 permit. However, I wanted to point out that
9 we would use the same eight criteria for analyzing
10 customary and traditional uses that's used in the
11 normal area or community process, the analysis
12 undertaken typically by OSM. And most of these
13 criteria talk about a long-term consistent pattern of
14 use. A pattern that takes place in recurring in
15 specific seasons of each year, passing down of
16 information about hunting through generations. You
17 know if you actually apply these criteria to somebody
18 that was only very briefly in a community, it would be
19 difficult, I think, to determine that they have this
20 long-term pattern of use, if they were only there very
21 temporarily so we would continue to apply, just as OSM
22 does, these eight criteria for customary and
23 traditional use determinations.

24
25 Thank you.

26
27 MR. BROWER: Thank you.

28
29 MS. LINNELL: And, Mr. Chair, if I
30 might.

31
32 CHAIRMAN CHRISTIANSON: Go ahead, you
33 have the floor.

34
35 MS. LINNELL: Yeah, I just wanted to
36 say, you know, this complication that Mr. Mayo had and
37 things, is this something that the Office of
38 Subsistence Management could have been helping him
39 through this process and not have it take four years?
40 You know, I don't -- I guess I'm not following the
41 process that he had to go through or is going through,
42 again, you know, clarity is best and transparency.

43
44 Thank you.

45
46 MR. STRIKER: So a couple quick points
47 on that, Ms. Linnell. First of all, we, the Park
48 Service aren't proposing to make this change just
49 because of the circumstances that Mr. Mayo faced. He
50

1 got caught in an unfortunate situation where we gave
2 him, frankly, bad advice, as the experts. But that's
3 separate from the need to streamline this process
4 that's been around for awhile. And so, you know, what
5 we're proposing today is not really a solution just to
6 Mr. Mayo's problem, and, in fact, what we hope to do is
7 separate those two items, taking action on this, or
8 defer an action on this and then based on which of
9 those binary choices we make then to see whether or not
10 we need to do something else to open up the opportunity
11 for Mr. Mayo's application to be continued to be
12 processed.

13

14 MS. LINNELL: Thank you for that.

15

16 CHAIRMAN CHRISTIANSON: Any other
17 discussion or deliberation from the Board.

18

19 (No comments)

20

21 CHAIRMAN CHRISTIANSON: Also offer,
22 again, to any other Regional Advisory Councils that may
23 want to weigh in on this from affected areas.

24

25 MS. NEEDHAM: Mr. Chair.

26

27 CHAIRMAN CHRISTIANSON: Yes, you have
28 the floor.

29

30 MS. NEEDHAM: Thank you, Mr. Chairman.
31 This is, for the record, Cathy Needham, from the
32 Southeast Alaska Regional Advisory Council. And I
33 appreciate the opportunity to weigh in with some of the
34 comments that the Regional Advisory Council had during
35 their deliberation on this particular proposal.

36

37 As Mr. Ream stated, the Southeast
38 Regional Advisory Council did oppose this proposal,
39 this action, and Mr. Ream did cover our justification
40 really well. I did want to reiterate that our Council
41 had pretty -- we were pretty adamant in our concern
42 about granting the delegation of authority to the
43 National Park system because it would take -- we would
44 worry that it does narrow the authority and reduce the
45 capacity of Regional Advisory Councils to weigh in. In
46 Southeast Alaska we did have -- that discussion did
47 kind of center around a specific issue with the
48 National Park Service in Glacier Bay National Park and
49 the community of Hoonah and the Tlingit people, from

50

1 them being denied performing traditional and customary
2 use activities in that Park and while it was separate
3 from the issue that spawned this particular proposal in
4 the first place, it was very -- the discussion was very
5 -- the Council was pretty united on not wanting the new
6 process to kind of go in that direction again. We did
7 not have any weighing in from the Wrangell-St.Elias
8 Subsistence Resource Commission at our meeting, I don't
9 believe just because of the meeting schedule and our
10 representative not having the information that was
11 needed so when we did this, we did not get to hear from
12 their perspective of things and we do want them to be
13 able to have input into the process.

14
15 So, again, we didn't believe that that
16 delegation of authority, taking it -- or reducing that
17 capacity by giving it just to the National Park system
18 was the right way to go about it. So that was just an
19 expansion on our justification of why we opposed it.

20
21 I do also want to say that we're very
22 sympathetic about the situation that has led us to
23 having this proposal come forward and would really
24 fully support finding a way to move forward with the
25 applicant that has been waiting four years for the
26 process to take place so finding a way to snag that up
27 without having to go through and potentially reduce the
28 opportunity for meaningful engagement for issuing
29 individual customary and traditional use permits in the
30 future.

31
32 Thank you, Mr. Chairman.

33
34 CHAIRMAN CHRISTIANSON: Thank you.
35 Thank you for that Ms. Needham. Any questions for Ms.
36 Needham.

37
38 (No comments)

39
40 CHAIRMAN CHRISTIANSON: Appreciate you
41 calling in and giving us the perspective of Southeast.

42
43 Any other further Board discussion or
44 deliberation.

45
46 (No comments)

47
48 CHAIRMAN CHRISTIANSON: I'll open up
49 the floor for Board action.

50

1 MR. STRIKER: Mr. Chair, Park Service.

2

3 CHAIRMAN CHRISTIANSON: You have the
4 floor, Don.

5

6 MR. STRIKER: Thanks. Mr. Chair, I
7 would move to adopt the NPS standard operating
8 procedures for individual customary and traditional use
9 determinations found on Page 1 of our meeting books
10 with modifications. And I'm noticing that the
11 modifications are presented on the screen for those of
12 you who have access and we've added a column to the
13 chart that was on your Board book, Page 22, to make it
14 easy to see what I'm proposing today and to track it
15 too both what the existing is and what the original
16 proposal was. I will also read those just so that it's
17 part of the record.

18

19 But the bottom line is we're adding the
20 amendment really to reflect the recommendations from
21 the affected Subsistence Regional Advisory Committees
22 and Councils and to reflect the somewhat consistent and
23 seemingly strong recommendation that we do not have any
24 associated delegation of authority to the National Park
25 Service Regional Director. The modifications I'm going
26 to read we would then reflect in the forms associated
27 with the process.

28

29 So starting with Item No. 6.

30

31 A summary of the request and analysis
32 will be provided by the relevant NPS Subsistence
33 Resource coordinator to the affected Subsistence
34 Regional Advisory Council or Councils, and the affected
35 Subsistence Resource Commission at their first meeting
36 following the completion of the interview. The RACs
37 and the SRC will make recommendations with
38 justification on issuance of any individual C&T use
39 determination.

40

41 Item 7 will be changed to the Regional
42 Council Coordinators and Park Subsistence Coordinator
43 shall forward the RAC and SRC recommendations and
44 justifications to the Alaska Regional Subsistence
45 Program Manager for archival purposes and for entry
46 into the subsistence eligibility permit/individual C&T
47 tracking log.

48

49 Item 8. The Alaska Subsistence Region

50

1 Program Manager will provide the individual C&T use
2 determination application, analysis and recommendations
3 and -- and there's strikeout -- so we're striking out
4 that the application be forwarded to the NPS Regional
5 Director, and instead replacing that with the
6 application, analysis and recommendations will be made
7 available to the Office of Subsistence Management to
8 facilitate Board deliberation at the Board's next
9 public meeting.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

Item 9 would change from the Alaska
Region Subsistence Program Manager to the Office of
Subsistence Management, will then draft a decision
letter on behalf of the Federal Subsistence Board. The
Board Chair will review and sign the letter, which will
be digitized, archived and forwarded to the applicant
with copies to the NPS Alaska Subsistence Program
Manager, the relevant Park Subsistence Coordinator, and
the Park Superintendent.

And then Item 10, the Office of
Subsistence Management will forward the decision letter
to the Chairs of the affected Regional Advisory
Councils. Councils will be informed of any changes to
individual C&Ts at the Councils next regularly
scheduled public meeting. The Park Subsistence
Coordinator will inform the SRC of any decision.

And following that lengthy amendment,
if I have a second I will explain why I intend to
support my motion.

MR. SIEKANIEC: Second, Fish and
Wildlife Service.

MR. STRIKER: Thank you.

CHAIRMAN CHRISTIANSON: Yeah, go ahead,
Greg -- yeah, you have the floor, Greg just stated his
second.

MR. STRIKER: So I intend to support my
motion to facilitate streamlining, consistency and
transparency in the individual customary and
traditional use determination process. Our Staff in
the Park Service have worked really hard to identify
ways in which the program could better serve
subsistence users seeking the individual C&T and
including expediting the evaluation of these pretty

1 rare proposals. Given their rarity and complexity,
2 clear standard operating procedures will provide
3 guidance for both applicants and Staff to address them.
4 I don't see a reason to further delay their
5 implementation especially since they can be modified
6 over time. I'm super appreciative of the fact that the
7 RACs and the SRCs took the time to review this
8 complicated issue and to offer us so much valuable
9 feedback. Importantly, we recognize that the RACs
10 showed reservation in giving up the ability to offer
11 formal recommendations as part of the process and I see
12 no reason that the RAC recommendation shouldn't be
13 considered along side the recommendations of the SRCs.
14 Some Councils also expressed their support for
15 inclusion of the SRC recommendation given that the
16 actions only apply to Parks and Monuments where these
17 occur. I look forward to the recommendations of both
18 Councils and Commissions on these requests.

19
20 Regarding the delegation of authority
21 for individual customary and traditional use, I'm
22 hesitant to recommend any such delegation at this time
23 given the feedback that we've heard.

24
25 As I said before, I mean frankly I hear
26 the sort of trepidation with respect to any perceived
27 Park Service overreach and certainly do not want to
28 forward such a perception. So I assure you that I
29 would have made any decisions diligently and
30 appropriately within existing regulation but I also
31 understand why folks want to keep this at the Board
32 level.

33
34 I think approving the new process with
35 the modifications offered will provide better service
36 to our subsistence users. I think it will streamline
37 the program's ability to respond effectively and
38 expeditiously and I hope that, if approved, Mr. Mayo
39 will consider resubmitting his request quickly so that
40 we can get it taken care of this year.

41
42 Thank you.

43
44 (Teleconference interference - echoing)

45
46 CHAIRMAN CHRISTIANSON: Any other Board
47 discussion or comments during this time.

48
49 MR. SIEKANIEC: Mr. Chair, Fish and
50

1 Wildlife Service.

2

3 CHAIRMAN CHRISTIANSON: You have the
4 floor, Greg.

5

6 MR. SIEKANIEC: Thank you, Mr. Chair.
7 So, Don, can you give me the sort of elevator
8 perspective on how this will address Mr. Mayo's C&T
9 determination?

10

11 MR. STRIKER: Yeah. Well, basically so
12 if we approve this new process then what we could do is
13 we could take his application and forward it to the SRC
14 and RAC for their next meeting and then have a
15 recommendation ready for the Board at our next meeting
16 and all of that could then happen before the next moose
17 hunting season.

18

19 MR. SIEKANIEC: Okay. So you're
20 confident that it could happen prior to the next moose
21 hunting opportunity or season.

22

23 MR. STRIKER: Yeah, I'm confident
24 because Josh is confident.

25

26 MR. SIEKANIEC: Yeah, I understand.
27 Thank you, Mr. Chair.

28

29 MR. PELTOLA: Mr. Chair, BIA.

30

31 CHAIRMAN CHRISTIANSON: Gene, you have
32 the floor.

33

34 MR. PELTOLA: Thank you, Mr. Chair. So
35 Don I have a question for you. We're establishing a
36 process and I may have missed it but if the process
37 plays out and there's a decision made that an
38 individual doesn't agree with, what's the appeal
39 process or standards?

40

41 Thank you, Mr. Chair.

42

43 MR. STRIKER: That's a good question
44 and it's one I don't have the answer to, Josh, if you
45 want to jump in or any of the Staff.

46

47 MR. REAM: Thank you, Don. And through
48 the Chair. Member Peltola, so I think the question was
49 if the Board were to make a determination or a lack of

50

1 a determination and a proponent was not happy with
2 that, of course they could, I believe -- and maybe the
3 Solicitor's Office could help with this but I believe
4 that they can submit that request again for the Board's
5 consideration. I guess this is one little thing that
6 we hadn't thought of, you know, can they just quickly
7 and repeatedly ask the Board for, you know, another
8 review, I don't think that is, or perhaps should be the
9 case, and I think that that is an option for them, you
10 know, to subsequently ask the Board to reconsider
11 especially if there's new information available that
12 supports the person's existing pattern of use.

13

14 Thank you.

15

16 MR. PELTOLA: Mr. Chair, BIA, followup.

17

18 CHAIRMAN CHRISTIANSON: Go ahead, Gene.

19

20 MR. PELTOLA: Thank you, Mr. Chair. So
21 from what I understand is that basically if a decision
22 is made because the Park Service takes the request,
23 writes up a recommendation -- I mean passes it on to
24 OSM, OSM makes a recommendation and it goes on to the
25 Chair for signature and authority, and it's granted,
26 everybody'd be happy. But if the decision is made that
27 an individual does not agree with, what I understand
28 is, we basically be following the RFR process of a
29 Board determination through execution by signature of
30 the Chair, and RFRs could take quite awhile. I'm not
31 in opposition to the process being presented, but along
32 those lines maybe the Solicitor's Office could step in,
33 and if we go ahead and approve this, could the Park
34 Service maybe work upon an amendment, or an appeal
35 process that might be more expedient than the "RFR"
36 process for Board determination.

37

38 I'd like to get input from the
39 Solicitor's Office please.

40

41 Thank you, Mr. Chair.

42

43 MR. LORD: Mr. Chair, this is Ken.

44

45 CHAIRMAN CHRISTIANSON: You have the
46 floor Ken.

47

48 MR. LORD: Yeah, I'd have to do some
49 thinking about that. It depends on how the delegation

50

1 reads, if the Park Service could set up an appeal
2 process within the Park Service -- I mean I think it
3 could be done, probably without a regulatory change,
4 again, if it's set up properly within that letter of
5 delegation. But those are just my off the cuff
6 thoughts, I haven't put any real deep thinking into
7 this.

8

9

MR. PELTOLA: Mr. Chair, BIA.....

10

11

MR. STRIKER: And then again.....

12

13

MR. PELTOLA: again.

14

15

16

MR. STRIKER:in this situation
there isn't any delegation to the Park Service. All
we're doing is preparing forms, you know, making
recommendation to SRCs and RACs, SRC and RACs then
invite this Board, the Federal Subsistence Board.

17

18

19

20

21

22

23

24

25

26

27

28

29

MR. LORD: Yeah, okay, my mistake, I
lost track of where we were going there. In that case,
yeah, then we'd be looking at the RFR process and
there's nothing else in regulation that would allow for
a different appeal process. And if we were to adopt
some different process, it would have to go through the
APA rulemaking and through the Secretaries to be
approved.

30

31

32

33

34

35

36

MR. PELTOLA: Mr. Chair, BIA with
additional followup. Could we do an amendment to this
motion to accept and then direct the Park Service and
OSM to come up with an appeals process before -- if a
determination is made through the process that an
individual may not agree with.

37

38

39

40

41

42

43

44

45

46

47

48

49

50

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you. Any
other Board deliberation or discussion.

(No comments)

CHAIRMAN CHRISTIANSON: I do have a
request that Bristol Bay RAC to be recognized at this
time and I did allow for other RACs to voice their
concerns or position. I will recognize at this time
the Bristol Bay RAC.

1 (Pause)

2

3 CHAIRMAN CHRISTIANSON: Operator, if
4 you could star one, or advise online Bristol Bay RAC as
5 how to get in so he can speak I will recognize him at
6 this time.

7

8 OPERATOR: One moment, let me find the
9 line.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

1 CHAIRMAN CHRISTIANSON: I can hear you
2 a little bit now.
3
4 MS. MORRIS LYON: Okay, I.....
5
6 OPERATOR: Nanci, please go ahead.
7
8 MS. MORRIS LYON: (Indiscernible -
9 breaking up)
10
11 OPERATOR: I am sorry, it does seem that
12 Nanci has a bad connection.
13
14 CHAIRMAN CHRISTIANSON: Yeah, that
15 sounds like a really bad connection there. Is there a
16 Council Coordinator that knows the position of the
17 Bristol Bay RAC that maybe could make it.
18
19 (Pause)
20
21 MS. DETWILER: Mr. Chair, that would be
22 Donald Mike, I believe, if he's online.
23
24 (Pause)
25
26 CHAIRMAN CHRISTIANSON: All right,
27 thank you for that Sue. I would just defer to Donald
28 if he can provide a summary of what maybe Bristol Bay
29 wants, if we can't make a connection here. I just
30 don't want to lose the gist of what it is they want to
31 comment on.
32
33 MR. MIKE: Thank you, Mr. Chair. This
34 is Donald Mike, Council coordinator for Bristol Bay. I
35 think what our Chair, Ms. Nanci Morris Lyon was just
36 trying to inform the Board and members of the Board
37 that the Bristol Bay Regional Advisory Council chose to
38 defer this C&T process to their winter meeting and
39 their justification was that they need more time to
40 review the document and provide substantive comments to
41 the National Park Service.
42
43 Thank you, Mr. Chair.
44
45 CHAIRMAN CHRISTIANSON: Thank you for
46 that summarization Donald. I always appreciate you
47 being abreast of what your Regional Advisory Council's
48 up to. So taking that into consideration is there any
49 other Board questions, deliberation. We do have a
50

1 motion on the floor by Don and seconded, and we are at
2 the discussion point now so now is the last time to
3 make any points and then we'll go to a roll call.

4

5 MS. PITKA: This is Rhonda.

6

7 CHAIRMAN CHRISTIANSON: Rhonda, you
8 have the floor.

9

10 MS. PITKA: So I understand this in my
11 mind. So this process was streamlined -- it would
12 streamline the process and make it easier for
13 subsistence users to be able to hunt; is that correct?

14

15 MR. STRIKER: Yeah, streamlines and
16 clarifies the requirements of what is a really rare,
17 but really complicated mechanism.

18

19 MS. PITKA: Great. And then also did I
20 hear Gene make an amendment?

21

22 MR. PELTOLA: Mr. Chair, BIA. No, I did
23 not make an amendment, I was asking if an amendment to
24 direct Park Service and OSM to work on an appeal
25 process. Because obviously there isn't enough time to
26 work on an appeal process before the Board votes on
27 this matter.

28

29 MS. PITKA: Okay, because I would
30 support an appeal process being built into this.

31

32 CHAIRMAN CHRISTIANSON: All right. Was
33 that you, Rhonda, I missed what you said Rhonda.

34

35 MS. PITKA: Oh, I was just saying that
36 I would support the appeal process being built into
37 this.

38

39 CHAIRMAN CHRISTIANSON: Okay.

40

41 MS. PITKA: So I thought Gene made the
42 amendment and I was going to second that, but not
43 hearing that -- I don't know, so thank you.

44

45 CHAIRMAN CHRISTIANSON: Thank you,
46 Rhonda.

47

48 MR. SIEKANIEC: Mr. Chair, Fish and
49 Wildlife Service.

50

1 CHAIRMAN CHRISTIANSON: Greg, you have
2 the floor.

3
4 MR. SIEKANIEC: Thank you, Mr. Chair.
5 So, Gene, I'm just trying to make sure I understand.
6 So are you interested in an appeal process that would
7 be specific to this customary and traditional --
8 individual customary and traditional decisionmaking
9 process or are you referencing kind of an appeal
10 process in general because the RFR is not as functional
11 as we perhaps think it should be?

12
13 MR. PELTOLA: The prior, not the latter
14 -- sorry, Mr. Chair. The prior not the latter. We
15 have a process that is put in place with, I guess,
16 assumed end point of an individual receiving a positive
17 C&T but all of our other processes have an appeal
18 mechanism if a determination is made that the applicant
19 does not agree with. And if we're making a specific
20 process for here there should be an avenue specific to
21 it to cut down the response time because it sounds like
22 we would have to refer on the normal Board RFR process,
23 which could be drawn out.

24
25 Thank you, Mr. Chair.

26
27 MR. STRIKER: Mr. Chair, Park Service.

28
29 CHAIRMAN CHRISTIANSON: Yes, Park
30 Service.

31
32 MR. STRIKER: You know I'm really
33 sensitive to this notion of appeal and I think it makes
34 a lot of sense. I don't think it makes sense to bog
35 down what we're doing right now with an amendment to
36 this because we could always take separate action to
37 then modify our newly adopted proposal later. And my
38 suspicion is and Ken can verify this, if we came up
39 with any such appeal process it would have to go
40 through some level of regulatory review, et cetera, et
41 cetera, et cetera, it wouldn't be as simple as just
42 saying, you know, somebody could independently overturn
43 a prior Board decision.

44
45 MR. LORD: Yeah, Mr. Chair, this is
46 Ken. I agree, that's a process issue therefore would
47 almost certainly have to be adopted in the Secretarial
48 regulations, Parts A and B. It would require a
49 separate process.

50

1 MR. PELTOLA: And, Mr. Chair, BIA. I
2 just concur with Don, and the Park Service's comments,
3 but I just wanted to see it addressed because it may
4 impact some of the decisions in the future.

5
6 CHAIRMAN CHRISTIANSON: Thank you. Any
7 other Board comments.

8
9 (No comments)

10
11 CHAIRMAN CHRISTIANSON: Hearing none,
12 I'm going to call for the question.

13
14 MR. SIEKANIEC: Question.

15
16 MR. BROWER: Question.

17
18 CHAIRMAN CHRISTIANSON: Roll call,
19 please, Sue.

20
21 MS. DETWILER: Okay. So the motion is
22 to adopt with modification to add recommendations from
23 the affected Subsistence Regional Advisory Councils to
24 the process and to eliminate steps associated with the
25 delegation of authority to the NPS Regional Director.

26
27 And we'll start the vote with Park
28 Service, Don Striker.

29
30 MR. STRIKER: I support. Thank you.

31
32 MS. DETWILER: Greg Siekaniec, Fish and
33 Wildlife Service.

34
35 MR. SIEKANIEC: I support as modified
36 by the National Park Service.

37
38 MS. DETWILER: Thank you.

39
40 Gene Peltola, BIA.

41
42 MR. PELTOLA: BIA supports as modified
43 and presented by the National Park Service and we hope
44 the OSM and Park Service will work on amendment
45 procedures to be implemented as soon as practicable.

46
47 MS. DETWILER: Thank you.

48
49 Chad Padgett, BLM.

50

1 MR. PADGETT: I support as modified by
2 the Park Service.
3
4 MS. DETWILER: Thank you.
5
6 Dave Schmid.
7
8 MR. SCHMID: Yes, I also support as
9 modified by the Park Service.
10
11 MS. DETWILER: Thank you.
12
13 Public Member Rhonda Pitka.
14
15 MS. PITKA: I support as modified by
16 the National Park Service because it streamlines
17 regulations for subsistence users.
18
19 Thank you.
20
21 MS. DETWILER: Thank you.
22
23 Public Member Charlie Brower.
24
25 MR. BROWER: I support it with the
26 modifications by the National Park Service.
27
28 Thank you.
29
30 MS. DETWILER: Thank you.
31
32 And, finally, Chair Tony Christianson.
33
34 CHAIRMAN CHRISTIANSON: I support. And
35 thank you guys for working diligently to find a process
36 and to, you know, air the concerns of our Regional
37 Advisory Council and public members to the process and
38 to the appeal and to the delegation and so thank you
39 for thoughtful comments and appreciate all the hard
40 work that goes into this. I support.
41
42 MS. DETWILER: Thank you. So the vote
43 is unanimously in favor of passing.
44
45 CHAIRMAN CHRISTIANSON: All right,
46 thank you for that unanimous vote. We're going to take
47 a 15 minute break and when we come back we will be on
48 the next agenda item, B, Wildlife Special Action WSA20-
49 04 [sic] and we'll be calling on Theo and so 15 minute
50

1 break and we'll be back here at 11:20.
2
3 Thank you.
4
5 Please don't hang up.
6
7 (Off record)
8
9 (On record)
10
11 MS. DETWILER: Chair Christianson, do
12 you want me to go through and do the Board roll call
13 now to make sure we have a quorum.
14
15 CHAIRMAN CHRISTIANSON: Yes, please,
16 Sue, appreciate it.
17
18 MS. DETWILER: Okay.
19
20 Don Striker, Park Service.
21
22 MR. STRIKER: Here, thank you.
23
24 MS. DETWILER: Greg Siekaniec, Fish and
25 Wildlife Service.
26
27 MR. SIEKANIEC: I'm here, Sue, thank
28 you.
29
30 MS. DETWILER: Gene Peltola, BIA.
31
32 MR. PELTOLA: Roger, Roger 10-4.
33
34 MS. DETWILER: Thank you.
35
36 Chad Padgett, BLM.
37
38 MR. PADGETT: I am here.
39
40 MS. DETWILER: Thank you.
41
42 Dave Schmid, Forest Service.
43
44 MR. SCHMID: Dave's on, thanks.
45
46 MS. DETWILER: Thanks.
47
48 Public Member Rhonda Pitka.
49
50

1 MS. PITKA: Hi, I'm on.

2

3 MS. DETWILER: Thank you, Rhonda.

4

5 Public Member Charlie Brower.

6

7 MR. BROWER: (In Inupiaq)

8

9 MS. DETWILER: Okay, thank you.

10

11 And, Mr. Chair, I know you're on so
12 that makes a complete quorum.

13

14 CHAIRMAN CHRISTIANSON: Thank you, Sue,
15 for that order of business. And we're going to get to
16 Wildlife Special Action WSA20-07 is on my agenda, and
17 so with that we'll call on Theo to provide the Staff
18 analysis.

19

20 MR. MATUSKOWITZ: Thank you, Mr. Chair.
21 For the record this is Theo Matuskowitz, U.S. Fish and
22 Wildlife Service, Office of Subsistence Management.
23 I'll be covering Temporary Special Action WSA10-07.
24 It's located on Page 23 of your Board book. This is an
25 action item for the Board. We will be asking you to
26 take a vote at the end to either adopt, reject or
27 defer, and this is Item 6b on the agenda.

28

29 This special action is, in reality, a
30 housekeeping action. It was submitted by OSM to
31 clarify the regulations in relationship to the AITRC
32 administered community harvest system that was set up
33 for moose and caribou in Units 11, 12 and 13.
34 Basically the intent behind it is to change some of the
35 wording of the regulation so that it would not have a
36 negative effect on non-participants in that community
37 hunt.

38

39 Basically what the regulations say now,
40 except as otherwise provided for in this part, an
41 animal taken is part of a community harvest limit
42 counts towards every community member's harvest limit
43 for that species taken under Federal or State of Alaska
44 regulations. What this means is that the harvest
45 limits of all residents of a community are affected,
46 whether or not they chose to participate in the
47 community harvest system. So that's basically what
48 we're looking at.

49

50

1 The change -- the wording of the actual
2 change to the regulation would be: Animals taken by
3 those opting to participate in this community harvest
4 system do not count toward the harvest limit of any
5 individual who do not opt to participate in this
6 community harvest system. And that would be included
7 into the regulations where we reference this community
8 harvest in the various parts of the regulations
9 covering Unit 11, 12 and 13.

10

11 Moving on to current events.

12

13 A public hearing was held on the 13th
14 of August, 2020 via teleconference to accept public
15 testimony on this special action. Two people testified
16 in support of the request. The Executive Director of
17 AITRC commented that she thought this issue has been
18 thoroughly addressed during the Board's April 2020
19 meeting and the July 16th teleconference, but if this
20 request is necessary to implement the community hunt,
21 then she is in full support of it. Another member of
22 the public also commented on the request so that the
23 community could also implement this community hunt.
24 The Alaska Department of Fish and Game submitted
25 written comments, which are in appendix A of your Board
26 book. ADF&G commented that they do not oppose this
27 special action but have concerns with the AITRC
28 administered community harvest system. But, once,
29 again, for the actual part dealing with this special
30 action they did not have a problem with it.

31

32 The OSM conclusion is to support
33 Temporary Wildlife Special Action 20-07.

34

35 The justification is providing an
36 exception to 50 CFR 100.26(e)(2) for the AITRC
37 administered community harvest system allows AITRC to
38 effectively administer the recently approved community
39 hunts in accordance with existing Federal regulation.
40 It also prevents unintentional and unnecessary
41 restrictions from being placed on any community member
42 who chooses not to participate in the community harvest
43 system.

44

45 At this time I'll be followed by Katya
46 Wessels, who will cover the ISC comments and then if
47 you have any questions I will be available to answer
48 those.

49

50

1 Thank you.

2

3 CHAIRMAN CHRISTIANSON: All right,
4 thank you, Theo. Any questions for him.

5

6 OPERATOR: For those on the phone if
7 you'd like to make a comment or question, please press
8 star one. Again, please press star one to make a
9 comment or question.

10

11 (Pause)

12

13 CHAIRMAN CHRISTIANSON: All right,
14 hearing none, we'll go ahead and move on to the next
15 part of the agenda. Can you call that, Sue, I just
16 stepped away from my desk for a second and.....

17

18 MS. WESSELS: Mr. Chair.

19

20 CHAIRMAN CHRISTIANSON:I'm.....

21

22 MS. WESSELS: This is Katya Wessels.

23

24 CHAIRMAN CHRISTIANSON: Katya, you have
25 the floor.

26

27 MS. WESSELS: The next part of the
28 procedure is to present the ISC comments. So, thank
29 you, Mr. Chair, members of the Board. My name is Katya
30 Wessels, and I am the OSM Acting Subsistence Policy
31 Coordinator and I serve as the Chair of the InterAgency
32 Staff Committee.

33

34 The InterAgency Staff Committee
35 recommends to approve Temporary Special Action Request
36 WSA20-07 to provide an exception to 50 CFR 100.26(e) (2)
37 for the Ahtna InterTribal Resource Commission
38 administered community harvest system for moose and
39 caribou in Units 11, 12 and 13 for the 2020/2022
40 regulatory cycle.

41

42 And this concludes the ISC
43 recommendation.

44

45 Thank you, Mr. Chair.

46

47 CHAIRMAN CHRISTIANSON: Thank you,
48 Katya, appreciate that. We'll move on to the next part
49 of the agenda which is the public comment. At this

50

1 time we'd offer the public, if there's anyone online
2 who would like to speak to this specific wildlife
3 action, now is your time. So Operator, if you could
4 please allow that to happen. We'd also say before the
5 Board discussion, I'd also like to make available any
6 lines to the Regional Advisory Council Chairs or their
7 designee to express any of their positions so thank
8 you. Operator, at this time I'll turn it over to you.

9
10 OPERATOR: Thank you. Again, to make a
11 comment please press star one. Please press star one
12 to make a comment.

13
14 The first comment comes from Karen
15 Linnell, your line is open.

16
17 MS. LINNELL: Thank you. Thank you,
18 Mr. Chair and Board members. Again, this is Karen
19 Linnell with the Ahtna InterTribal Resource Commission.
20 We support WSA20-07. We want to thank the Federal Staff
21 for realizing the need for this special action to
22 accomplish the intent of previous actions taken by the
23 Federal Subsistence Board last spring regarding the
24 Ahtna InterTribal Resource Commission administered
25 community harvest system.

26
27 AITRC supports this special action in
28 order to ensure that Federally-qualified users in the
29 eight Ahtna tribal communities are able to harvest a
30 moose or a caribou, whether they choose to register in
31 the Federal community hunt system or under individual
32 Federal subsistence harvest regulations. AITRC is
33 counting on Federal Staff to help ensure that this and
34 other temporary regulations that are associated with
35 AITRC administered community harvest system are
36 developed into permanent Federal subsistence hunting
37 regulatory change proposals. Because, as this WSA
38 demonstrates, it is quite complex and difficult for us
39 to ensure that these necessary regulatory adjustments
40 are made without the expertise of the Staff of the
41 Office of Subsistence Management and members of the
42 InterAgency Staff Committee.

43
44 AITRC is especially grateful to the
45 National Park Service, Dr. Joshua Ream and Barb
46 Cellarius for helping to get us this far. We really
47 appreciate all the help that we've received from all of
48 the Staff to get this framework developed. There was
49 several, several phone calls and meetings hosted by the
50

1 Park Service to help us get to a place in the framework
2 where we all could agree. And I do appreciate that
3 effort by all involved.

4
5 Thank you, Mr. Chair.

6
7 CHAIRMAN CHRISTIANSON: Thank you.
8 Appreciate your call today, Karen. Any questions for
9 Karen.

10
11 (No comments)

12
13 CHAIRMAN CHRISTIANSON: All right,
14 hearing none, Operator, we'll move on to the next
15 online commentor specific to this proposal.

16
17 Thank you.

18
19 OPERATOR: There is no one in que at
20 this time.

21
22 (Pause)

23
24 OPERATOR: Again, to make a question or
25 comment please press star one.

26
27 CHAIRMAN CHRISTIANSON: All right, I'll
28 turn.....

29
30 OPERATOR: There are no questions or
31 comments.

32
33 CHAIRMAN CHRISTIANSON:it over to
34 Board discussion.

35
36 MR. PADGETT: Mr. Chair, Chad Padgett,
37 BLM.

38
39 CHAIRMAN CHRISTIANSON: You have the
40 floor, Chad.

41
42 MR. PADGETT: Thank you. Karen, thanks
43 for your testimony as well. Just out of curiosity, I
44 just need a point of clarification from OSM or from
45 Staff. So does this action only affect AITRC or does
46 this -- would this affect the community hunts as a
47 whole? And the purpose of my question is that I'm
48 trying to discern, because we do have communityhunts
49 in other areas, if this is just specific to this one or

50

1 if this would affect all community hunts. Can you
2 clarify that for me?

3

4 MR. MATUSKOWITZ: Mr. Chair, this is
5 Theo Matuskowitz, I can answer that question.

6

7 CHAIRMAN CHRISTIANSON: Go ahead, Theo.

8

9 MR. MATUSKOWITZ: Yes, sir. This only
10 affects those three units and specifically the AITRC
11 community harvest hunts in those three units. This is
12 not a statewide proposal or special action, it's only
13 in relationship to the AITRC community harvest system.
14 I will add that it is our intent to submit a proposal
15 once the proposed rule is published to make this change
16 permanent and at that time if there is, you know, a
17 reason or interest in making this a statewide proposal
18 for some reason that, you know, that could be addressed
19 but as of right now this special action only covers
20 AITRC community harvest system in Units 11, 12, 13
21 regarding the take of moose and caribou.

22

23 Thank you.

24

25 MR. PADGETT: Thank you. Mr. Chair,
26 Chad again.

27

28 CHAIRMAN CHRISTIANSON: Thank you. Any
29 other comments.

30

31 MR. PADGETT: Yeah, Mr. Chair, Chad
32 Padgett again.

33

34 CHAIRMAN CHRISTIANSON: Yeah, Chad, you
35 have the floor.

36

37 MR. PADGETT: Thank you. Thanks again,
38 Theo, for the clarification. So within that, is there
39 a reason that we're not looking at this on a statewide
40 basis or can you clarify for me why we would
41 specifically exempt the AITRC framework and not the
42 other community hunts, is there a specific -- is there
43 a reason specific to this one, why we would do that?

44

45 Thank you.

46

47 MR. MATUSKOWITZ: Through the Chair.
48 Yes, sir. The reason behind this was due to the time
49 sensitivity of this specific issue. If we would make

50

1 this a statewide action for now we would have had to
2 hold public hearings throughout the entire state, which
3 would have drawn out the processeven longer. So we
4 figured to address this specific problem now because as
5 of right now this is the only part of the state that
6 this is an issue or a problem right now so we decided
7 to go and take action on this on a local level,
8 however, if there's interest on a statewide level, it
9 would be best to address that through the normal
10 regulatory process as opposed through just a special
11 action. So that was the reason we, you know, dealt
12 with this on a local level and then, you know, on the
13 upcoming wildlife regulatory cycle we can address it
14 much easier on a statewide basis and, you know, have
15 the issue go out to all of the Councils for them to,
16 you know, present to, you know, the communities and get
17 comments and make recommendations to the Board.

18
19 MR. PADGETT: Through the Chair. Thank
20 you, Theo, appreciate that.

21
22 CHAIRMAN CHRISTIANSON: Thank you,
23 Chad. Any other comments or discussion.

24
25 MR. BROWER: Mr. Chair.

26
27 CHAIRMAN CHRISTIANSON: Yes, you.....

28
29 MR. BROWER: Mr. Chair.

30
31 CHAIRMAN CHRISTIANSON:have the
32 floor.

33
34 MR. BROWER: Just a question. Theo,
35 OSM says support the wildlife action, then ISC come in
36 and say temporary action. So if it's a temporary
37 action, it's just for this regulatory cycle year until
38 the year 2022, and when that time comes they have to
39 submit another special action form to proceed again,
40 over?

41
42 MR. MATUSKOWITZ: Through the Chair.
43 If -- and I'm sorry, you're coming in rather broken to
44 me, but if I understand your question, yes, this only
45 goes for the next regulatory year and that would be
46 followed by a proposal that we intend on submitting
47 this year so the Board would be taking action on that
48 proposal next year so it would be in place for that
49 following season. So I think that answers your
50

1 question.

2

3 MR. BROWER: Yes, it did, but I'm just
4 concerned that, you know, they have to redo this every
5 cycle of the regulatory or every two or three years and
6 I thought replaces that one time -- that, you know,
7 it's for that purpose, if we approve it once it doesn't
8 have to come back to the regulatory year but I --
9 correct me if I'm wrong, but it's mandatory that they
10 resend it or request every regulatory year?

11

12 MR. MATUSKOWITZ: Through the Chair.
13 No, sir. Apparently I didn't make myself clear. The
14 current action before the Board is a special action
15 that will be good up, you know, through 2022. After
16 that we're starting a wildlife cycle as soon as the
17 proposed rule publishes and we will be submitting a
18 proposal, a regulatory proposal, to permanently change
19 these regulations so it will be part of the CFR. So
20 once the Board takes action on that and if they approve
21 or adopt that proposal it will be in the regulations
22 and no further action will need to be made in the
23 future, no other special actions or additional or
24 regulatory actions would be required, you know,
25 addressing this specific issue.

26

27 MR. SCHMID: Thank you, Theodore, I
28 understand now. Thank you.

29

30 CHAIRMAN CHRISTIANSON: Any other
31 comments.

32

33 MR. PADGETT: Mr. Chair, this is Chad.

34

35 CHAIRMAN CHRISTIANSON: Go ahead, Chad.

36

37 MR. PADGETT: Just one more
38 clarification. I want to make sure that -- at least
39 put this on the table, so I'm going to address this to
40 the Solicitor. In this realm, I'm going to refer to
41 Secretarial Order 3395, specific to the section on
42 regulatory issues and that all decisions have been
43 placed on hold as far as what the Secretarial Order
44 says as far as publishing in the Federal Register. Do
45 you have any more clarity on what the timing may look
46 like resulting from that order should this pass?

47

48 Thank you.

49

50

1 MR. LORD: Mr. Chair, this is Ken. I
2 do not. We, as Chad knows, we -- despite that order we
3 got permission to go ahead with the Board meeting this
4 week. One of the communications -- or as part of that
5 communication, though, it was understood that the
6 Administrat -- that the Secretary of the Department of
7 Interior and the Secretary of Agriculture would have an
8 opportunity to review any actions taken by the Board
9 before they actually get published and promulgated so I
10 don't have any idea how long that might take. It does
11 look like it may be several months before we have the
12 Secretary of the Interior confirmed. That's all I
13 know.

14
15 MR. MATUSKOWITZ: Mr. Chair, this is
16 Theo. I can add some light to Ken's comments if you'd
17 like regarding the regulatory process and guidance from
18 Washington.

19
20 CHAIRMAN CHRISTIANSON: Right on, Theo,
21 go ahead.

22
23 MR. MATUSKOWITZ: Once again this is
24 Theo. We submitted a special request for
25 reconsideration for our proposed rule through the new
26 Administration and it was approved and so we've already
27 submitted a new packet on our proposed rule that is
28 currently going through the clearance process in
29 Washington. So once that's done, that will be allowed
30 to be published. As for our Final Rule, which is what
31 we're working with here at this meeting, our contacts
32 in Washington have told us that they've been told that
33 it's probably going to be a 60 day hold, so that
34 shouldn't put us that far back in the process. I mean
35 it might be longer, but that's what I'm being told as
36 far as planning purposes for, you know, submitting new
37 regulatory documents. But like I said our proposed
38 rule has been approved to move forward and is going
39 through the clearance and I'm hoping, you know, in a
40 matter of weeks that it will be published.

41
42 So that's basically what I've gotten
43 and that was current as of yesterday. Hopefully that
44 helps.

45
46 Thank you.

47
48 CHAIRMAN CHRISTIANSON: Thank you. Any
49 other comments from the Board, questions for Staff.

50

1 (No comments)

2

3 CHAIRMAN CHRISTIANSON: All right,
4 hearing none we'll move on to the next part of the
5 agenda, which is Board discussion.

6

7 (No comments)

8

9 CHAIRMAN CHRISTIANSON: Hearing none,
10 I'm going to move on to Board action and open the floor
11 up for a motion.

12

13 MR. STRIKER: Mr. Chair, Park Service.

14

15 CHAIRMAN CHRISTIANSON: Yes, you have
16 the floor.

17

18 MR. STRIKER: Thank you, Mr. Chair. I
19 move to adopt Temporary Wildlife Special Action WSA20-
20 07. Following a second, I'll explain why I intend to
21 support my motion.

22

23 MR. PELTOLA: BIA seconds.

24

25 MR. BROWER: Second.

26

27 MR. STRIKER: Thank you, Mr. Chair.
28 Providing an exception to 50 CFR 100.26(e)(2) for the
29 AITRC administered community harvest system allows
30 AITRC to effectively administer the recently approved
31 community hunts and according with existing Federal
32 regulations. It also prevents unintentional and
33 unnecessary restrictions from being placed on any
34 community members who choose not to participate in the
35 community harvest system.

36

37 Thank you.

38

39 MR. BROWER: Question.

40

41 CHAIRMAN CHRISTIANSON: Question's been
42 called. Any other Board discussion, Charlie called the
43 question, hearing none we'll move on to roll call, Sue,
44 please.

45

46 MS. DETWILER: Okay. The motion is to
47 adopt WSA20-07, roll call.

48

49 Don Striker, Park Service.

50

1 MR. STRIKER: Support for the reasons
2 articulated. Thank you.

3
4 MS. DETWILER: Thank you.

5
6 Greg Siekaniec, Fish and Wildlife
7 Service.

8
9 MR. SIEKANIEC: I support for the
10 reasons offered by the National Park Service.

11
12 (Pause)

13
14 MR. SIEKANIEC: Sue, are you still
15 there or did I lose connection.

16
17 MR. STRIKER: I hear you.

18
19 MS. WESSELS: I think she's dropped off
20 the phone call, Mr. Chair. So we just need to wait a
21 second for her to rejoin, and if she can't I can
22 continue the roll call. This is Katya.

23
24 CHAIRMAN CHRISTIANSON: Okay, thank you
25 for that Katya. We'll wait a moment here for Sue to
26 sign back on.

27
28 (Pause)

29
30 MR. SIEKANIEC: Yeah, Mr. Chair, this
31 is Greg.

32
33 CHAIRMAN CHRISTIANSON: Yes, Greg, go
34 ahead.

35
36 MR. SIEKANIEC: Yeah, Tony, it looks
37 like a few people dropped off they're all trying to
38 sign back on now. So it shouldn't take but a couple
39 minutes.

40
41 CHAIRMAN CHRISTIANSON: Yeah, we'll
42 just have patience. Thanks for the update.

43
44 MR. SIEKANIEC: Yep.

45
46 (Pause)

47
48 MS. DETWILER: Hello, this is Sue
49 Detwiler, am I in the meeting right now?

50

1 MS. WESSELS: Yes.

2

3 CHAIRMAN CHRISTIANSON: Yes, you are
4 Sue and now we'll just give everybody -- it sounds like
5 a couple people also dropped off so we'll just wait a
6 minute and then maybe you can verify that we still have
7 a quorum and we were in the middle of the roll call
8 vote for this agenda item.

9

10 MS. DETWILER: Yeah, okay. Inopportune
11 time for a bunch of people to be dropped off the call.

12

13 (Laughter)

14

15 CHAIRMAN CHRISTIANSON: Just about
16 lunch time, somebody's stomach growled too hard.

17

18 (Laughter)

19

20 MR. LIND: I'm back on.

21

22 MS. DETWILER: Is that Chad?

23

24 MR. LIND: Orville.

25

26 MS. DETWILER: Oh, Orville, okay. I'll
27 just quickly go through and see which Board members we
28 have on and then proceed back to the roll call vote.

29

30 Don Striker, are you on.

31

32 MR. STRIKER: Here.

33

34 MS. DETWILER: Greg Siekaniec.

35

36 MR. SIEKANIEC: Welcome back, Sue, I'm
37 here.

38

39 MS. DETWILER: Thank you.

40

41 Gene Peltola.

42

43 MR. PELTOLA: Roger, Roger 10-04.

44

45 MS. DETWILER: Chad Padgett.

46

47 MR. PADGETT: I am here, thank you.

48

49 MS. DETWILER: Dave Schmid.

50

1 MR. SCHMID: I'm here, thanks.
2
3 MS. DETWILER: Rhonda Pitka.
4
5 MS. PITKA: Hi, I'm here.
6
7 MS. DETWILER: Thank you.
8
9 Charlie Brower.
10
11 MR. BROWER: (In Inupiaq)
12
13 MS. DETWILER: Excellent, thank you.
14
15 Tony, I assume you're still on.
16
17 So it looks like we do have all the
18 Board members on and when we got dropped off the Board
19 was voting to adopt WSA20-07 and we had proceeded
20 through Don Striker who voted yes to adopt and Greg
21 Siekaniec to adopt, so that brings us to Gene Peltola
22 to vote.
23
24 MR. PELTOLA: BIA votes to adopt for
25 reasons articulated by my colleague at the Park
26 Service.
27
28 MS. DETWILER: Thank you.
29
30 Chad Padgett, BLM.
31
32 MR. PADGETT: I'm voting to reject as
33 it's not consistent statewide and I'd like to see OSM
34 work towards a statewide regulation change so it's fair
35 and consistent across the board. Thank you.
36
37 MS. DETWILER: Okay, thank you.
38
39 Dave Schmid.
40
41 MR. SCHMID: Yeah, the Forest Service
42 supports the motion for the reasons articulated by the
43 National Park Service.
44
45 MS. DETWILER: Thank you.
46
47 Public Member Rhonda Pitka.
48
49 MS. PITKA: I vote to support the
50

1 motion. Thank you.
2
3 MS. DETWILER: Thank you.
4
5 Public Member Charlie Brower.
6
7 MR. BROWER: I support.
8
9 MS. DETWILER: Thank you.
10
11 And, finally, Chair Christianson.
12
13 CHAIRMAN CHRISTIANSON: Yes, I support.
14
15 MS. DETWILER: Thank you. So the vote
16 is 7 to 1, motion passes so the proposal is adopted.
17
18 CHAIRMAN CHRISTIANSON: All right,
19 thank you for your work everybody on that. That brings
20 us to lunchtime here, noon, we'll look at the next
21 agenda item and it looks like we'll have a fair
22 overview and discussion on that and I know we should
23 probably have a discussion with Ahtna InterTribal as
24 well and so I think we should just pick this up after
25 lunch. If I hear anybody else with a different idea,
26 the time is to speak now.
27
28 MR. BROWER: Break for lunch, come back
29 at 1:15.
30
31 CHAIRMAN CHRISTIANSON: Thank you,
32 Charlie, concur. We'll meet you guys all back here at
33 1:15. Please try to call in a little bit early if you
34 hang up, if not, please stay on the line if you can.
35 We'll convene this meeting back at 1:15. Thank you,
36 Charlie.
37
38 MR. SIEKANIEC: Thank you, Mr. Chair.
39
40 MR. STRIKER: Thank you, Mr. Chair.
41
42 (Off record)
43
44 (On record)
45
46 CHAIRMAN CHRISTIANSON: Hello
47 everybody, the Board Chair is on.
48
49 MS. DETWILER: Hi, Tony, this is Sue
50

1 Detwiler. I will go ahead and start calling the roll
2 to see who's on for the -- who's on with the Board.
3 Let's see I've got you.
4
5 Do we have Charlie Brower, are you on.
6
7 (No comments)
8
9 MS. DETWILER: Rhonda Pitka, I just
10 heard you, are you still on.
11
12 MS. PITKA: Yes, I am, thank you.
13
14 MS. DETWILER: Dave Schmid, Forest
15 Service.
16
17 MR. SCHMID: Dave's back.
18
19 MS. DETWILER: Thank you, Dave.
20
21 Chad Padgett, BLM.
22
23 MR. PADGETT: I'm here, thanks, Sue.
24
25 MS. DETWILER: Thanks, Chad.
26
27 Gene Peltola, BIA.
28
29 (No comments)
30
31 MS. DETWILER: Greg Siekaniec, Fish and
32 Wildlife Service.
33
34 MR. SIEKANIEC: Good afternoon, Sue,
35 I'm on.
36
37 MS. DETWILER: Thank you, Greg.
38
39 Don Striker, Park Service.
40
41 MR. STRIKER: Thank you, Sue. I
42 appreciate not going first.
43
44 (Laughter)
45
46 MS. DETWILER: Okay. Luck of the draw.
47 Next time I'll have a different sequence of folks on my
48 list here.
49
50

1 So, Mr. Chair, we are missing Charlie
2 Brower and Gene Peltola. We have six people on the
3 phone. Six public members [sic] on the phone.
4

5 OPERATOR: I do see Mr. Peltola dialed
6 in but he was on mute.
7

8 MR. PELTOLA: BIA's here.
9

10 MS. DETWILER: Okay, thank you, Gene.
11 Got you marked checked in. So it looks like we are
12 missing only Charlie Brower.
13

14 (Pause)
15

16 CHAIRMAN CHRISTIANSON: Thank you, Sue,
17 we'll give him a minute more and then we'll get started
18 here. Thank you.
19

20 OPERATOR: Just let me know when you're
21 ready for me to open the line. Did you need me to give
22 any kind of introduction.
23

24 CHAIRMAN CHRISTIANSON: No, thank you
25 at this time.
26

27 OPERATOR: All right, I'll just give
28 you a countdown of three, two, one and the line will be
29 open. Let me know when you're ready.
30

31 CHAIRMAN CHRISTIANSON: Yes, we'll be
32 ready now, thank you for that Operator.
33

34 OPERATOR: Yes, are you ready now.
35

36 CHAIRMAN CHRISTIANSON: Yes, we'll open
37 the lines now, thank you.
38

39 OPERATOR: Okay, one moment. In three,
40 two, one.
41

42 CHAIRMAN CHRISTIANSON: All right,
43 welcome back everybody. Hope you guys had a good lunch
44 today, a little time to take a break and refresh and
45 get ready for the order of business this afternoon and
46 it looks like we're going to pick up fresh on a new
47 agenda item. And I'll go ahead and turn it over to the
48 Staff to present at this time.
49

50

1 MR. REAM: Thank you, Tony. Good
2 afternoon, Mr. Chair and members of the Board. For the
3 record my English name is Joshua Ream and my Tlingit
4 name is Xixch'iToowoo. I am the regional Subsistence
5 Program Manager for the National Park Service.
6

7 This afternoon I'm presenting to you an
8 overview of the Ahtna InterTribal Resource Commission
9 community harvest system and associated framework which
10 can be found on Page 32 of your meeting book. This is
11 a topic that the Federal Subsistence Board, Staff from
12 several agencies, Solicitors and AITRC Staff have been
13 working on for a very long time.
14

15 To get started, I thought it would be
16 good to briefly review what has transpired in the past
17 and where we are today.
18

19 To begin, Wildlife Proposal WP18-19
20 requested that AITRC be allowed to distribute Federal
21 registration permits to Ahtna tribal members for the
22 Federal caribou hunt in Unit 13A, 13B and 13 remainder.
23 At its April 2018 meeting the Board voted to defer
24 WP18-19 to its August 2018 work session, pending
25 development of a framework for a community harvest
26 system and clarification regarding related items such
27 as eligibility. The community harvest system was being
28 considered as an alternative to modification of the
29 request to distribute permits, which the Solicitors
30 advised could not be delegated outside of Federal
31 agency Staff. At its August 2018 work session, the
32 Board agreed to meet with AITRC and to present a
33 community harvest framework for discussion purposes.
34 Eventually the InterAgency Staff Committee in
35 consultation with the Solicitor's Office developed a
36 draft framework to be considered in efforts to address
37 the framework requirement.
38

39 Fast-forward to April of 2020, the
40 Board adopted deferred Proposal WP18-19 with
41 modification. The modification was to name individual
42 communities within the Ahtna traditional use territory
43 authorized to harvest caribou and moose in Unit 13 and
44 moose in Unit 11 as part of a community harvest system
45 subject to a framework established by the Board under
46 unit-specific regulation. Meanwhile, in February 2020
47 at which point the status of deferred WP18-19 was
48 unclear, AITRC had submitted Temporary Special Action
49 Request WSA20-02 for the development of an AITRC, A-I-
50

1 T-R-C administered community harvest system for moose
2 and caribou in Units 11, 12 and 13 for the eight Ahtna
3 tribal communities for the 2020/2021 regulatory year.
4 In July of 2020 the Board approved WSA20-02 with
5 modification. The modification was to name individual
6 communities authorized to participate in the community
7 harvest system on Federal public lands in Units 11, 12
8 and 13, specifically the eight Ahtna traditional
9 communities of Cantwell, Chistochina, Chitina, Copper
10 Center, Gakona, Gulkana, Mentasta Lake and Tazlina; 2,
11 to define the geographic boundaries of eligible
12 communities as the most recent census designated place,
13 CDP, established by the United States census bureau; 3,
14 to extend this action through the end of the wildlife
15 regulatory cycle June 30th of 2022, or specify that
16 harvest reporting will take the form of reports
17 collected from hunters by AITRC and submitted directly
18 to the land managers and OSM rather than through
19 Federal registration permits, joint State/Federal
20 registration permits or a State harvest ticket; and, 5,
21 to set the harvest quota for the species and units
22 authorized in the community harvest system as the sum
23 of individual harvest limit for those opting to
24 participate in the system. To implement its decision
25 on WP18-19, and WSA20-02 the Board needs also to
26 approve a framework for the community harvest system.
27 After the decision on WSA20-02, Regional Office and
28 field Staff from the National Park Service, the Bureau
29 of Land Management and the U.S. Fish and Wildlife
30 Service began working closely with AITRC to develop a
31 workable, legally defensible framework. This is the
32 framework that you have before you today and it has
33 been vetted by both the Solicitor's Office and the
34 AITRC legal counsel.

35
36 I'll mention that WSA20-07 was the
37 result of the vetting process with the Solicitors.
38 Passage of that special action today ensures that the
39 implementation of the community harvest system does not
40 affect the harvest limits of those living within
41 eligible communities but opting not to participate in
42 the system.

43
44 And that brings us to the matter before
45 you today.

46
47 The framework before you lays out how
48 the community harvest system will work, how information
49 will be gathered and shared between AITRC and the
50

1 Federal agencies, who the points of contact are and
2 what AITRCs responsibilities will be. The document is
3 designed largely using a question and answer format
4 with the audience being those potentially interested in
5 participating. I will not walk the Board through every
6 point in the framework, I will, however, remind the
7 Board that the community harvest quota for the AITRC
8 administered community harvest system is the sum of
9 individual harvest limit for the included species in
10 hunt areas that otherwise would have been available to
11 a community harvest system registrant had they chosen
12 to hunt under the regular Federal subsistence hunting
13 regulations. So there is no allocation of resource
14 available to community harvest system participants that
15 is not already available to individuals otherwise.
16 Eligible individuals may opt in or may opt out but
17 cannot participate in the community harvest system and
18 also hunt under regular Federal regulations.
19 Additionally, AITRC will collect the same harvest
20 reporting data that is otherwise is sought under the
21 regular Federal registration permit. AITRC will
22 provide this information to Federal agency point of
23 contacts on a weekly basis during the hunt season if
24 this framework is approved.

25
26 In summary, the framework is the
27 culmination of years now of hard work by many different
28 parties. It has been vetted by Federal agency Staff,
29 AITRC and several lawyers, including the Board's
30 Solicitor.

31
32 I would be happy to try to answer any
33 questions that you have and if I do not know the
34 answers, I believe my esteemed colleagues on this call
35 can help to provide additional support.

36
37 Thank you, Mr. Chair and members of the
38 Board.

39
40 CHAIRMAN CHRISTIANSON: Thank you for
41 that Josh and I appreciate the presentation.

42
43 Any questions for Josh from the Board
44 or Staff.

45
46 (No comments)

47
48 CHAIRMAN CHRISTIANSON: Okay, well,
49 thank you. Sue, could you remind me exactly where we
50

1 are on the agenda, what process would be next and could
2 you call that out please.

3
4 MS. DETWILER: So this is an action
5 item. The next step would be Board deliberation.

6
7 CHAIRMAN CHRISTIANSON: We open the
8 floor for the Board to deliberate on this -- I'm sorry,
9 I just stepped away from my agenda for a second -- and
10 anybody wants to speak to it they have the floor now.

11
12 (No comments)

13
14 CHAIRMAN CHRISTIANSON: Hearing none, I
15 open the floor for Board action.

16
17 MR. STRIKER: Mr. Chair, Park Service.

18
19 CHAIRMAN CHRISTIANSON: You have the
20 floor Park Service.

21
22 MR. STRIKER: Thank you, Mr. Chair.
23 Park Service moves to adopt the Ahtna InterTribal
24 Resource Commission community harvest system framework
25 as found on Page 32 of our book. Following a second
26 I'll explain why I intend to support my motion.

27
28 MR. PELTOLA: Second, BIA.

29
30 MR. STRIKER: Thank you. I support
31 this motion for many reasons. Adoption of this
32 framework will finally allow for the implementation of
33 the Board's previous decisions on WP18-19, Wildlife
34 Special Action 20-02. This framework is a long time in
35 the making and it's been vetted by many different
36 entities to ensure that it is in accordance with
37 existing law and regulation. Staff from several
38 agencies have spent many hours in its construction
39 dedicated to finding a workable solution for making
40 this community harvest system a reality. I truly
41 appreciate their efforts. And I'd also be remiss if I
42 didn't acknowledge AITRC's burden in all of this. They
43 have been remarkably patient, very supportive and
44 instrumental in getting us to where we are today. I
45 can't express how strongly I feel that this is finally
46 a step in the right direction of the intent of the MOU
47 that we signed with the Department of the Interior and
48 Ahtna, geez, five years ago now. No doubt, they've
49 experienced a lot of frustration in dealing with our
50

1 governmental bureaucracy but in the end I'm really
2 happy to be moving towards this resolution.

3
4 The framework we have before us, I
5 think, is solid. It clearly defines the roles of all
6 the parties, including rural users. The document makes
7 clear who's eligible to participate and how that's
8 determined. It defines the verification requirements,
9 the reporting requirements and the harvest quota.
10 Perhaps most importantly, it protects those who opt to
11 participate and those who choose not to participate. I
12 feel comfortable that this framework and the resulting
13 community harvest system will be administered
14 responsibly and that ultimately it will lead us to more
15 options for users and a better relationship between
16 agencies and our partners in the Copper River region.
17 There will most certainly be challenges and stumbling
18 blocks in the years to come but I have complete faith
19 that our agency Staff and AITRC will work together to
20 address any of these prudently and effectively. The
21 framework can also be modified if the need to do so
22 arises or as we have other ideas for improvements in
23 the future.

24
25 I'd just quickly remind us, too, that
26 this motion is not for the approval of the community
27 harvest system, right, we've already adopted that, and
28 what's before us is simply the guidelines by which this
29 system will occur. So I hope you'll join me in
30 supporting this framework.

31
32 Thank you, Mr. Chair.

33
34 CHAIRMAN CHRISTIANSON: Thank you.
35 Appreciate the comments. I'd also like to thank
36 everybody for their patience and understanding as well
37 as all the work that went into it.

38
39 Is there any other Board members that
40 would like to discuss it.

41
42 (No comments)

43
44 CHAIRMAN CHRISTIANSON: Call for the
45 question.

46
47 MR. PELTOLA: Question.

48
49 MR. BROWER: Question.

50

1 CHAIRMAN CHRISTIANSON: Roll call, Sue,
2 please.

3
4 MS. DETWILER: Okay. Motion's been
5 made and seconded to adopt the AITRC community harvest
6 system framework. We'll start with the motion maker
7 Don Striker.

8
9 MR. STRIKER: Thank you. I support for
10 the reasons identified.

11
12 MS. DETWILER: Greg Siekaniec, Fish and
13 Wildlife Service.

14
15 MR. SIEKANIEC: Thank you, Sue. I
16 support the motion as outlined by my esteemed colleague
17 at the National Park Service.

18
19 Thank you.

20
21 MS. DETWILER: Thank you.

22
23 BIA, Gene Peltola.

24
25 MR. PELTOLA: BIA supports as
26 articulated by my colleague at the National Park
27 Service previously.

28
29 MS. DETWILER: Okay, thank you.

30
31 BLM, Chad Padgett.

32
33 MR. PADGETT: Thank you, Sue. Mr.
34 Chair, I will not be voting to approve the AITRC
35 community harvest framework. I'm concerned that the
36 framework is not consistent with the intent of Title
37 VIII of ANILCA in that it seeks to exclude some rural
38 communities who should be eligible to participate in a
39 community harvest system in the area of interest.

40
41 Thank you.

42
43 MS. DETWILER: Okay. So I have
44 recorded that as a no vote.

45
46 Moving on to Dave Schmid, Forest
47 Service.

48
49 MR. SCHMID: Yeah, the Forest Service
50

1 supports the motion as articulated by the National Park
2 Service.

3

4 MS. DETWILER: Thank you.

5

6 Public Member Rhonda Pitka.

7

8 MS. PITKA: I support the motion as
9 stated by the National Park Service. Thank you.

10

11 MS. DETWILER: Okay.

12

13 Public Member Charlie Brower.

14

15 (No comments)

16

17 MS. DETWILER: Okay, I thought -- maybe
18 Charlie hasn't joined us yet. Okay.

19

20 Moving on to Chair Tony Christianson.

21

22 CHAIRMAN CHRISTIANSON: I support as
23 stated.

24

25 MS. DETWILER: Okay. So we -- that is
26 a vote of 6 to 1, one not present so the motion passes.
27 The harvest framework is adopted.

28

29 CHAIRMAN CHRISTIANSON: Thank you, Sue.
30 And appreciate again all of the agency work that went
31 into that and Karen's diligent work over the years of
32 being patient with the Board and continuing to pursue
33 and make sure that, you know, the meetings were
34 happening and so hat's off to you guys for all that
35 work and look forward to the success of your program.

36

37 We'll move on next to the D, deferred
38 proposal WP20-26 and we'll call on Robbin LaVine and
39 Donald Mike.

40

41 MR. MIKE: Thank you, Mr. Chair. This
42 is Donald Mike, Council Coordinator and Robbin LaVine,
43 our OSM anthropologist will also be presenting on this
44 topic. Thank you, Mr. Chair and members of the Board.
45 This is a briefing update on deferred Wildlife Proposal
46 20-26, which was submitted by the Bristol Bay Regional
47 Advisory Council requesting that Federally-qualified
48 subsistence users be allowed to use a snowmachine to
49 position wolves and wolverines on BLM lands in Units 9

50

1 and 17.

2

3

This is not an action item.

4

5

6 As you all know the Board deferred
7 Wildlife Proposal 20-26 to a working group compromised
8 of Bristol Bay Regional Advisory Council members and
9 State and Federal agency Staff. The working group
10 first met in July of 2020, the first meeting. And the
11 next meeting was held in October 2020. And our recent
12 meeting occurred in January 2021.

12

13

14

15

16

17

I will now turn it over to Ms. Robbin
LaVine, Staff anthropologist to provide the points on
the discussions that were made during these working
group sessions.

17

18

19

Thank you, Mr. Chair.

19

20

21

22

23

24

MS. LAVINE: Hi. Thank you, Donald.
Hello, everyone. For the record, this is Robbin
LaVine, anthropologist with the Office of Subsistence
Management.

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

So the working group has already
supported, as did you all, I believe, expanding the
analysis to include all Federal lands in Units 9B and
C, and Units 17B and C, so that includes BLM lands,
Park Service lands and U.S. Fish and Wildlife Service
lands. The working group is still considering
identifying specific regulatory language that may
reduce complexity between State and Federal
regulations, assist enforcement and recognizing a
traditional practice of harvest and providing clarity
for hunters in consideration of Federal agency specific
regulations. So as Donald just stated the working
group met last week, July 21st [sic] and public members
were in attendance to listen in and provide input and
testimony.

40

41

42

43

44

45

46

A big part of the discussion was Board
of Game Proposal 23, which is submitted by the Nushagak
Advisory Committee requesting the use of a snowmachine
to position wolves and wolverines on State lands in
Units 17 only.

46

47

48

49

50

The working group wanted to hold its
recommendation on Wildlife Proposal 20-26 until Board
of Game action on Proposal 23, however, by the end of

1 the meeting OSM Staff learned that due to Covid19 the
2 Board of Game will not meet on this issue until 2022,
3 and that's where we ended it. So the working group
4 intends to address Wildlife Proposal 20-26 at the next
5 Bristol Bay Regional Advisory Council meeting and
6 that's scheduled for February 9th, 2021 so it's just a
7 couple weeks away. And certainly because the Bristol
8 Bay Regional Advisory Council is the proponent on this
9 proposal, the working group is looking for guidance.
10 Should we wait until we see how the State acts on
11 Proposal 23 or should we move forward. I think a lot
12 of folks are really interested in addressing this issue
13 as quickly as possible.

14

15 So, with that, both myself and my
16 colleague, Donald Mike, are on hand to answer any
17 questions you may have.

18

19 Thank you, Mr. Chair.

20

21 We're ready for your questions.

22

23 CHAIRMAN CHRISTIANSON: Thank you,
24 Robbin and Donald. Any questions from the Board to
25 Staff as it pertains to this.

26

27 MR. SIEKANIEC: Mr. Chair, this is
28 Greg.

29

30 CHAIRMAN CHRISTIANSON: Greg, you have
31 the floor.

32

33 MR. SIEKANIEC: Thank you, Mr. Chair.
34 Yes, Donald and Robbin, thank you very much for the
35 update and for the working group. Because I am one
36 that very much looks forward to trying to come up with
37 as much commonality around this issue as we possibly
38 can. It's unfortunate that the State Fish and Game
39 meeting has been pushed off until 2022 so I do
40 encourage you to continue on with the working group and
41 take it, you know, to the Regional Advisory Council and
42 see if we can come up with some commonality around it
43 and I look forward to hearing the report out, and
44 potentially leading us to action on this issue.

45

46 Thank you.

47

48 Thank you, Mr. Chair.

49

50

1 CHAIRMAN CHRISTIANSON: Thank you,
2 Greg. I'd just like to echo your comments as well, so
3 thank you Staff.

4
5 MS. MORRIS LYON: Mr. Chair.

6
7 CHAIRMAN CHRISTIANSON: Yes, you have
8 the floor.

9
10 MS. MORRIS LYON: Yeah, this is Nanci
11 Morris Lyon with the Bristol Bay RAC and I am a member
12 of that committee and Robbin did a very good job of
13 bringing you up to date on where we're at. And I feel
14 like, just to give everybody a head's up, I felt like
15 with our last discussion we will be moving forward and
16 attempting our best to take the lead on this, not
17 waiting for the State. The gentleman who had initially
18 brought this problem, or proposal to us is from our
19 area and has been very diligent about sticking with it
20 and seeing it through so we're not really willing to
21 wait and we will be coming forward with some language.
22 We were interested in doing our very best to integrate
23 that language into what the State might be looking at,
24 but, now, knowing they're going to wait so long we will
25 be moving forward.

26
27 CHAIRMAN CHRISTIANSON: Thank you for
28 that insight and appreciate the work that you continue
29 to do to make sure we can meet the needs of rural
30 Alaskans. So, thank you, and thank you for, like I
31 said, again, the work you do and testifying today.

32
33 Any other questions from the Board.
34 Comments.

35
36 (No comments)

37
38 CHAIRMAN CHRISTIANSON: All right,
39 hearing none, I just want to thank you, again, the
40 Staff, and look forward to a report the next time we
41 can convene on the subject. We'll move on to the next
42 order of business, No. 7, the 2021 to 2023 Subpart C
43 and D Proposals and Closure Reviews, Fish and Shellfish
44 regulations, and under that tribal government to
45 government and ANILCA Corporation consultation summary,
46 Orville Lind. So Orville will provide a consultation
47 summary for us.

48
49 You have the floor Orville.
50

1 MR. LIND: Quyana. Thank you, Mr.
2 Chair, Board members. I'm honored to be able to give
3 you the summary of the tribal consultation and ANCSA
4 consultation that happened on the 26th. It began at
5 9:05. I was very pleased that we had 33 souls that
6 called in.
7

8 I will begin giving the summary from
9 the Chignik and their Tribal Coalition, Mr. Andersen,
10 mentioned that this was his first time he'd called in
11 and he was very excited and looking forward to being
12 part of this Federal process. And he did give a little
13 background about the Chignik closures that happened in
14 2018, 2019 and 2020 and considered to be a disastrous
15 salmon season, though salmon returns -- had huge
16 concerns through all five communities in that Chignik
17 district. The closures had a huge impact and the
18 people are concerned. They are requesting assistance
19 and more information and guidance on stock assessments
20 and looking to rebuild and have recovery plans looked
21 into for the Chignik district.
22

23 Sealaska Corporation called in.
24 Jayleen is very happy to participate. And the
25 traditional way of life is very important, she
26 mentions, and she was really thankful and thanked the
27 Board for helping Kake, the village of Kake last spring
28 with their Covid19 special action request, and for the
29 help with all the litigation from ADF&G since then.
30 She also mentioned that Sitka herring is a huge concern
31 and the subsistence of herring is in need of
32 protection. Recent changes by the Alaska Department of
33 Fish and Game should help. And she says that we all
34 need to work together to protect subsistence herring
35 and she heartedly thanked the Federal Board for their
36 help and assistance to protect the subsistence of
37 herring.
38

39 We had Ahtna InterTribal Resource
40 Commission Chair Karen Linnell representing eight
41 Federal recognized tribes and she was very interested
42 in seeing that the Board take action on AITRC's
43 proposal for moose and caribou in Units 11, 12 and 13.
44 She thanked the National Park Service, BLM and OSM for
45 working alongside them. And they've been working with
46 the public on a lot of educational outreach efforts
47 heading up to the 2021 hunting season. She also
48 mentioned it's been a very, very long road, thanks to
49 all that have helped and the time it has taken. She's
50

1 saving her comments on her community subsistence
2 harvest for later in the Board meeting.

3
4 And, Tony, did say that he was happy
5 that they were moving forward with this and Mr.
6 Striker, from the Park Service said, thank you, Karen,
7 for all your hard work and he said he agrees it has
8 been a long process.

9
10 We had folks from Kwethluk
11 Incorporated. We had Martin, Anthony and Nick. They
12 had submitted a food security special action but it was
13 denied. With low water, some didn't get their salmon,
14 didn't get their moose. It is vital to their community
15 to be able to get subsistence foods. They are
16 concerned that everyone doesn't have what they need for
17 subsistence foods. And they thanked the Federal Board
18 for any assistance they can provide. Caribou, moose
19 and fish are key subsistence resources for Kwethluk and
20 around. It is a struggle every year for them to meet
21 their annual salmon subsistence needs. And salmon
22 restriction to depth and length for -- salmon gear
23 restricted to depth and length for gillnets was a
24 concern. Fish doesn't travel in low water up river,
25 escapement goals are a concern and they want Lower and
26 Middle Kuskokwim River to use same gillnet length and
27 depth.

28
29 We move on to Stevens Village and the
30 Tanana Chiefs Conference. Mr. Ben Stevens mentioned
31 that the food security issue is a huge concern with
32 Covid19. Stevens Village was very disappointed that
33 their Covid19-related special action request for food
34 security was denied. Criteria and guidance are not
35 well defined for those special action requests and they
36 would like to help, offer their assistance to OSM and
37 the Federal Subsistence Management Program to better
38 define the process for the future. They weren't able
39 to provide for seven families, which they'd always done
40 in the past with salmon fishing last summer. He
41 believes that they will find a solution to this in the
42 future. Actions for salmon management have been a
43 concern. A lot of times salmon haven't reached the
44 Yukon Flats and the escapement goal numbers needed for
45 escapement and subsistence. Working with tribes is
46 incredibly valuable, he states. A lot of people
47 haven't been eating very well over the past decade
48 along with Yukon Flats because of the lack of salmon.
49 He was very concerned that their request for food was
50

1 put on hold due to politics and wasn't supported by the
2 Alaska Department of Fish and Game or the Department of
3 Interior. He's concerned that we are asking the wrong
4 people and he looks forward to further discussions in
5 the future and he really appreciates the Federal
6 Subsistence Board's work.

7
8 We have Mr. Darrell Vent from the
9 Huslia Tribal Corporation. And Mr. Vent is a former
10 Western Interior RAC member. And he says that they are
11 having issues, same as Mr. Stevens in Stevens Village.
12 Caribou is a huge concern and there are no caribou
13 after the Pipeline, the caribou lost their migration
14 patterns -- changed their migration patterns and now
15 they are having the same kind of issues with fish and
16 moose. They don't have a large breeding moose
17 population anymore because they are now concerned with
18 predators that are around the area and a little
19 frustrated that they don't have predator control. They
20 are seeing lots of cow moose without calves and some
21 moose that are remaining to stand in water to avoid
22 predators and also grizzlies have been known to be
23 taking the calves also.

24
25 So Charlie Brower asked a question
26 about refreshing his memory on food security team who
27 approves these food security requests. Mr. Kron
28 replied that last spring there were over a dozen food
29 security requests and the Board looked at them all.
30 The State of Alaska did not find that there were any
31 food security issues, but the Board approved the one
32 for Kake. And Mr. Anthony from Kwethluk said, you
33 know, they put in a food security request but, again,
34 it was denied or not accepted and they are still trying
35 to sort it out and to see what happens next. He said
36 it's very vital for a community to have these foods.
37 The store is out of meat and it is very expensive and
38 the lockdown also makes it difficult to go anywhere and
39 we would like the Federal Board to give us opportunity
40 to harvest.

41
42 And there was a question asked by
43 Public Member Pitka and she asked what is the most
44 abundant food resource in the area. And Anthony
45 replied that there's moose, caribou, fish and even fish
46 in the wintertime underneath the ice but they haven't
47 been able to hunt caribou because the population is
48 down and not around. Moose are pretty good it looks
49 like but the wolves are killing a lot he says. Not
50

1 very many small animals around.

2

3 And we had another comment made by
4 Martin from Kwethluk and he says, but our people are
5 really having a hard time harvesting their subsistence
6 foods in the Kwethluk area.

7

8 Sue Detwiler, the ARD of OSM, stated
9 that the Board was directed by Department of Interior
10 of the last Administration to stop working on the food
11 security requests. The new Administration is now
12 looking at whether to start looking at these again. We
13 have not received any new special actions for food
14 security since that first set.

15

16 We did have Gloria Stickwan from the
17 Tazlina Tribal Council. She was concerned about salmon
18 fisheries, the Lower Copper River. Salmon runs and
19 subsistence catch were very -- harvests were very poor
20 last summer and there's a really big concern to allow
21 chinook and sockeye salmon to get to Upper Copper
22 River. She thanked Orville and the Federal Subsistence
23 Board.

24

25 Public Member Pitka asked if there was
26 a low run just this last year or is there a trend. Ms.
27 Stickwan replied that last year was particularly bad
28 but previous years, since 2018 have been good. The
29 forecast for this year is going to be bad. It is hard
30 to just dry one or two fish, we need to dry a lot of
31 fish. It is hard to get subsistence fish -- our fish
32 needs met.

33

34 And Orville Lind replied also that, you
35 know, in the Chignik district, all five communities are
36 really experiencing a hard time in the last few years
37 and it's important for people to call in to these
38 meetings to get the word out and possibly get some
39 guidance.

40

41 Mr. Stevens also replied after -- he
42 appreciated the second opportunity to speak and really,
43 really disturbed to hear that our food security
44 requests were put on hold by the State and it seems
45 like -- he was very disturbed that we are asking the
46 wrong people again, as he said earlier. Mr.
47 Christianson replied to him, I agree with your
48 sentiments, it's a mandate that came down from
49 Department of Interior, this is a really important

50

1 issue, I'm hoping things will change in the new
2 Administration. Public Member Pitka also stated that I
3 understand, hearing your pain as well, I know it costs
4 to live in a village, dialogue with the village is one
5 of the most important things that this Board does and
6 to thank you for your comments and input.

7
8 We have, also, a report from a Robbin
9 from Gulkana Village, which stated that, you know, the
10 elders talk about their -- they predicted having two
11 summers and two winters and no subsistence and it just
12 talks about how valuable that some of the elders
13 knowledge comes across for us.

14
15 And, lastly, Chairman Christianson,
16 Charlie Brower, Rhonda, Don, thanked all tribal and
17 corporation representatives that called in. People
18 need the subsistence food to survive and it is
19 extremely important to be a part of the process. And
20 Don noted that the Park Service has elevated food
21 security special action requests to a critical issue.

22
23 And that concludes the consultation
24 summary from the morning of the 26th. Folks, if you
25 notice anything that I missed, please, let me know and
26 once this is completed I will provide the information
27 and have it on our website.

28
29 Thank you, Mr. Chair.

30
31 CHAIRMAN CHRISTIANSON: Thank you,
32 Orville, for that thorough synopsis of the tribal
33 government to government and ANCSA Corporation
34 consultation.

35
36 Any questions from the Board for Staff,
37 for Orville, comments.

38
39 (No comments)

40
41 CHAIRMAN CHRISTIANSON: Thank you, I
42 think that was a good reflection of the conversation as
43 I recollected it.

44
45 Okay, we'll go ahead and move on
46 to.....

47
48 MR. LIND: Mr. Chair.

49
50

1 CHAIRMAN CHRISTIANSON: Yeah, go ahead.

2

3 MR. LIND: I'm sorry, I have to
4 acknowledge and thank Mr. Tom Kron and Mr. Greg Risdahl
5 for the excellent note taking during the consultation.

6

7 Quyana.

8

9 CHAIRMAN CHRISTIANSON: Thank you,
10 Orville, for that recognition, appreciate that. And
11 we'll move on to the next on the agenda, B, the public
12 announcement of the consensus agenda and we'll call on
13 George Pappas and George, I sure wish I was there for
14 some of that good meat you share there.

15

16 MR. PAPPAS: Good afternoon, Mr. Chair
17 and members of the Board, and I hear you, let's get
18 back on track and there's plenty to share. Can you hear
19 me just fine there, Mr. Chair.

20

21 CHAIRMAN CHRISTIANSON: Loud and clear,
22 George, you got the floor.

23

24 MR. PAPPAS: Wonderful. Okay, we're
25 going to look at Item 7B on your agenda and that will
26 start, if you'll flip your meeting materials open to
27 III or No. 3, that will be where I'll start here.
28 Again, my name is George Pappas, I am the State
29 Subsistence Liaison for OSM for the Board of Fish and
30 Board of Game in a Federal advisory capacity and also
31 as of last Tuesday, I was tapped to be the Acting
32 Fisheries Division Supervisor for OSM as Greg Risdahl
33 moved on to Forest Service.

34

35 So currently there are eight fisheries
36 proposals and four fisheries closure reviews on the
37 consensus agenda. These are proposals where there has
38 been agreement among Federal Subsistence Regional
39 Advisory Councils, the Federal InterAgency Staff
40 Committee and the Alaska Department of Fish and Game
41 concerning Board action. Anyone may request that the
42 Board remove a proposal from the consensus agenda and
43 place it on the regular agenda. The Board retains the
44 final authority for removal of the proposals from the
45 consensus agenda. The Board will take final action on
46 the consensus agenda after deliberations and decisions
47 are made on all other proposals. So I'll read through
48 these proposals twice. This first round I'll just read
49 the numbers off and you can follow those numbers on

50

1 Page 3 and Page 4, roman numeral-wise in your book, and
2 then once we go into the non-consensus -- we'll have a
3 time to talk to allow discussion and public comment on
4 the consensus agenda and then go into deliberations on
5 the non-consensus agenda and then I'll get back on
6 record under E and at that point I will read through --
7 have a brief summary of each proposal so you understand
8 the package you're going to be voting on for consensus
9 agenda, you'll know what's in there.

10
11 So I'll just get right to the list of
12 proposals.

13
14 Fisheries Proposal 21-01.

15
16 Fisheries Proposal 21-03.

17
18 Fisheries Proposal 21-05.

19
20 Fisheries Proposal 21-06.

21
22 And I'm just reading through the list
23 on Page 3 and 4.

24
25 Fisheries Proposal 21-07.

26
27 Fisheries Proposal 21-08.

28
29 Fisheries Proposal 21-09.

30
31 Fisheries Proposal 21-12.

32
33 Fisheries Closure Review 21-01.

34
35 Fisheries Closure Review 21-04.

36
37 Fisheries Closure Review 21-06.

38
39 Fisheries Closure Review 21-22.

40
41 That's the simple part of my position
42 here. Thank you, Mr. Chair. And I'll hand it back to
43 you to begin the public comment period for the
44 consensus agenda items.

45
46 Thank you, Mr. Chair.

47
48 CHAIRMAN CHRISTIANSON: Thank you,
49 George, appreciate that. Any questions for George.

50

1 MR. BROWER: Mr. Chair, Charlie.

2

3 CHAIRMAN CHRISTIANSON: Yeah, go ahead,
4 Charlie. Welcome back.

5

6 MR. BROWER: Yeah, I'm back. I was
7 back. Just, George, on the proposals you said 21-01,
8 2, 3, 5, 6, 7, 8, 9, 10, all the way through 14, right?

9

10 MR. PAPPAS: Through the Chair.
11 Charlie, no. Fisheries Proposal 1, 3, 5, 6, 7, 8, 9,
12 12, and then for Fisheries Closure Reviews, Closure
13 Review 1, Closure Review 4, Closure Review 6, and
14 Closure Review 22. The rest of them are on the non-
15 consensus agenda.

16

17 Thank you, Mr. Chair.

18

19 MR. BROWER: Thank you.

20

21 MR. PAPPAS: Anytime, sir.

22

23 CHAIRMAN CHRISTIANSON: Thank you. Any
24 other questions for George.

25

26 (No comments)

27

28 CHAIRMAN CHRISTIANSON: Thank you,
29 Charlie. All right, we'll move on to public comment on
30 consensus items. This is the opportunity available at
31 the beginning of each subsequent day prior to the final
32 action and so I'll just ask if the Operator can make
33 available the lines to anybody online that may want to
34 speak to the consensus agenda, specifically, at this
35 time. If there is anything that needs to be removed or
36 anything else, this would be your opportunity to bring
37 it up to the Board.

38

39 OPERATOR: To make a public comment,
40 please press star one. You may remove yourself from
41 the que by pressing star two. Again, to join the que
42 for public comment, please press star one.

43

44 We have Karen Linnell in the que. One
45 moment please.

46

47 (Pause)

48

49 OPERATOR: Karen, your line is open.

50

1 MS. LINNELL: Okay, thank you. Hi,
2 this is Karen Linnell with the Ahtna InterTribal
3 Resource Commission. I wanted to speak specifically to
4 the FP21-12 regarding the use of monofilament material
5 or multifilament mesh dipnets. We had a meeting here
6 in Copper River called the Copper River Salmon
7 Synthesis. It was hosted by the Copper River Watershed
8 Project and WISE*, and AITRC. Many folks in attendance
9 that included the Alaska Department of Fish and Game,
10 Fisheries Division, CommFish, Sportfish. We had
11 sportfishermen there, some dipnetters, subsistence
12 users and commercial fishermen from out of Cordova in
13 attendance. And we were talking about the health of
14 the salmon population. And one of the things that we
15 were talking about there was, among them, the use of
16 the monofilament dipnets. They're pretty large. If
17 you get a -- you know, and we were in a state where we
18 had reduced or no -- no take of king salmon or chinook
19 salmon and I don't know about you but when you get a
20 big king salmon in that net and you're trying to
21 release them, they get tangled in the nets and trying
22 to -- you're not supposed to take them out of the water
23 to do this, it can be dangerous and/or fatal for the
24 king salmon and yourself. There's not been a year here
25 in the last 20 or so that I know of that we haven't
26 lost an individual while dipnetting.

27
28 So this is one of the concerns that we
29 kind of came to the consensus on and thought that it
30 was worth putting in a proposal. This river is a
31 different river than is on the Kenai or elsewhere where
32 dipnetting is allowed and can be fairly dangerous.
33 It's not a slow moving river. And so that's why we put
34 the -- we worked to get this proposal submitted. And,
35 anyway, we would ask that you might reconsider and pull
36 this from the consensus agenda so it can be deliberated
37 over.

38
39 Thank you, Mr. Chair.

40
41 CHAIRMAN CHRISTIANSON: Thank you. Any
42 questions for Karen in consideration for her proposal.

43
44 (No comments)

45
46 CHAIRMAN CHRISTIANSON: This time,
47 Operator, I would like to -- thank you, Karen, for that
48 presentation. At this time, Operator, is there anyone
49 else online who would like to be recognized at this
50

1 time for consensus agenda items.

2

3 OPERATOR: Yes, sir. We have James
4 Horrel [sic], your line is open.

5

6 MR. HORNELL: Thank you. This is James
7 Hornell with the Copper Basin Advisory Committee for
8 the State. We took up four proposals 21-10, 21-11, 21-
9 12 and 21-14, which we opposed all of those.

10

11 Basically on 21-10 the fish numbers in
12 the river have been fairly low for the last several
13 years and we don't think it's a good idea to open a new
14 fishery at this time.

15

16 21-11, we opposed that because the
17 harvest reporting, we figure, was sufficient at the
18 time.

19

20 21-11 -- I'm sorry, I'm new at this so
21 I'm a little nervous, hold on one second -- 21-12 we
22 also opposed, we don't figure the mesh will help
23 anything.

24

25 And then on 21-14, the removal of depth
26 finders in boats, we figured there's a safety issue,
27 removing the depth finders from the boats would be a
28 bigger safety issue in our opinion than catching fish,
29 even though there is low numbers.

30

31 That's all I have to say at this time.

32

33 Thank you.

34

35 CHAIRMAN CHRISTIANSON: Thank you. Any
36 questions from the Board. Comments.

37

38 (No comments)

39

40 CHAIRMAN CHRISTIANSON: All right,
41 hearing none, Operator, is there anybody else who would
42 like to be recognized at this time.

43

44 OPERATOR: Yes, sir. Next we have Cody
45 Larson, please go ahead.

46

47 MR. LARSON: Good afternoon, Mr.
48 Chairman. My name's Cody Larson, I work for the
49 Bristol Bay Native Association and I just wanted to

50

1 speak to one proposal on the consensus agenda, and I'm
2 not recommending it be removed from the consensus
3 agenda. It's Fisheries Proposal 21-08. And it's
4 specific to a regulation on a closure of fishing--
5 subsistence fishing area and even though it was put in
6 as a proposal, I suggest that this be brought forward
7 for future review as a closure review, because it's a
8 closure of all gear types and all fish species for an
9 area of water. So I don't suggest removing it from the
10 consensus agenda but maybe a future closure review.

11

12 Thank you.

13

14 CHAIRMAN CHRISTIANSON: Thank you for
15 that. Any feedback from the Council [sic]. Any
16 questions.

17

18 (No comments)

19

20 CHAIRMAN CHRISTIANSON: I appreciate
21 you calling in today. Operator, could you recognize
22 the next person if there is one, please.

23

24 OPERATOR: We have no one else in que
25 at this time.

26

27 CHAIRMAN CHRISTIANSON: Thank you.
28 That will conclude the public comment period on
29 consensus item agenda. That will bring us to the Board
30 deliberation, action on non-consensus items. And
31 before we do that, I know there was one request that we
32 pull a proposal. I don't know if somebody on the Board
33 was going to speak to that.

34

35 (No comments)

36

37 CHAIRMAN CHRISTIANSON: Hearing no
38 action we will move on to Board deliberation.....

39

40 MR. PELTOLA: BIA.

41

42 CHAIRMAN CHRISTIANSON:and action
43 on non-consensus.....

44

45 MR. PELTOLA: BIA.

46

47 CHAIRMAN CHRISTIANSON:agenda --
48 hello?

49

50

1 MR. PELTOLA: Yeah, Mr. Chair, BIA.

2

3 CHAIRMAN CHRISTIANSON: Okay, go ahead,
4 Gene, you have the floor.

5

6 MR. PELTOLA: Yeah, BIA moves to remove
7 FP21-12 for discussion purposes from the consensus
8 agenda and move it to the non-consensus agenda.

9

10 MR. SIEKANIEC: Second, Fish and
11 Wildlife Service.

12

13 CHAIRMAN CHRISTIANSON: There's a
14 motion been made and seconded by Fish and Wildlife
15 Service to pull the proposal for discussion purposes.

16

17 MR. BROWER: Mr. Chair.

18

19 CHAIRMAN CHRISTIANSON: Yes, go ahead.

20

21 MR. BROWER: What proposal was that,

22 12?

23

24 CHAIRMAN CHRISTIANSON: Yes, I believe
25 it was the dipnet proposal.

26

27 MS. DETWILER: Mr. Chair, this is Sue,
28 I believe that was Fisheries Proposal 21-12, having to
29 do with modifying the Federal regulation to remove the
30 use of monofilament or multifilament mesh dipnets prior
31 to August 15th in the Upper Copper River for salmon.

32

33 CHAIRMAN CHRISTIANSON: Okay, thank you
34 for the clarification, Sue, for the record, and that's
35 what we have before us now is to pull that for
36 discussion purposes off the consensus to the non-
37 consensus. We have a motion and it's been seconded.
38 Any further discussion or Board deliberation on the
39 motion as presented.

40

41 (No comments)

42

43 CHAIRMAN CHRISTIANSON: All right,
44 hearing none, I'm going to go ahead and call for the
45 question at this time.

46

47 MR. SIEKANIEC: Question.

48

49 CHAIRMAN CHRISTIANSON: Question's been

50

1 called. Do roll call, Sue, thank you.
2
3 MS. DETWILER: Okay. To the motion
4 maker, Gene Peltola.
5
6 (Pause)
7
8 MS. DETWILER: Let's see, Gene, yeah,
9 the motion is to remove Fisheries Proposal 21-12 from
10 the consensus agenda and I was starting out with Gene,
11 Gene are you on for your vote.
12
13 MR. PELTOLA: Yes, I'm on. Support.
14
15 MS. DETWILER: Okay.
16
17 Moving on to Chad Padgett, BLM.
18
19 MR. PADGETT: Can you give me just a
20 second here, Sue, and maybe go on to somebody else.
21
22 MS. DETWILER: Okay.
23
24 Greg Siekaniec, you seconded it, Fish
25 and Wildlife Service.
26
27 MR. SIEKANIEC: Yeah, thank you, Sue, I
28 support.
29
30 MS. DETWILER: Thank you.
31
32 Don Striker, Park Service.
33
34 MR. STRIKER: I support.
35
36 MS. DETWILER: Okay.
37
38 Dave Schmid, Forest Service.
39
40 MR. SCHMID: Yeah, the Forest Service
41 supports.
42
43 MS. DETWILER: Okay.
44
45 Public Member Rhonda Pitka.
46
47 MS. PITKA: Hello, I support. Thank
48 you.
49
50

1 MS. DETWILER: Public Member Charlie
2 Brower.
3
4 MR. BROWER: Support.
5
6 MS. DETWILER: Thank you.
7
8 Going back to Chad Padgett, are you
9 ready?
10
11 MR. PADGETT: Yeah, sorry about that.
12 I oppose in deference to the RAC, thanks.
13
14 MS. DETWILER: Okay, thank you.
15
16 And, finally, Chair Tony Christianson.
17
18 CHAIRMAN CHRISTIANSON: I support for
19 further discussion. Thank you.
20
21 MS. DETWILER: Okay. So the vote is 7
22 to 1 to remove it from the consensus agenda, move it to
23 the non-consensus agenda. And I would recommend
24 putting it between -- well, I would -- I guess I would
25 defer to the Staff who know more about these proposals,
26 but it looks like it would belong in the first group of
27 proposals in Prince William Sound, I would suggest
28 between 21- -- Fisheries Proposal 21-11 and 21-13, but
29 Staff who are more familiar with these might have a
30 different suggestion.
31
32 UNIDENTIFIED VOICE: Hi, Sue, this
33 is.....
34
35 MS. WESSELS: Mr. Chair, this is Katya.
36
37 CHAIRMAN CHRISTIANSON: Okay, I have
38 two being recognized there, so I hear Katya, and I
39 didn't recognize the other one. So I'll call on Katya.
40
41 MS. WESSELS: Okay. I agree with Sue's
42 suggestion to put it between FP21-11 and FP21-13.
43 That's logical.
44
45 Thank you.
46
47 CHAIRMAN CHRISTIANSON: Thank you for
48 that feedback from the Staff. So with the
49 understanding we're pulling from the consensus to place
50

1 on the non-consensus in the format that Staff just
2 suggested to put it between 11 and 13 where it should
3 be anyway. With that understood, any other Board
4 discussion.

5

6 (No comments)

7

8 CHAIRMAN CHRISTIANSON: Question,
9 deliberation, hearing none I'll call for the question
10 -- oh, we already pulled it off, I'm sorry.

11

12 (Laughter)

13

14 MR. STRIKER: It's all good.

15

16 CHAIRMAN CHRISTIANSON: Sorry.

17

18 MS. DETWILER: Yeah, unless the Board
19 members had anything else they wanted to discuss on the
20 consensus agenda items before moving to the non-
21 consensus agenda items.

22

23 CHAIRMAN CHRISTIANSON: Yep, that's
24 where we're at, Sue. Sorry, I ate too much lunch
25 today.

26

27 (Laughter)

28

29 CHAIRMAN CHRISTIANSON: All right, so
30 now we're moving on. We'll start the non-consensus
31 agenda items and so what I'll do now is turn it over to
32 you Sue to call out the proposals as far as how they'll
33 present.

34

35 Thank you.

36

37 MS. DETWILER: The first item -- the
38 first agenda item is Fisheries Proposal 21-10 led by
39 Milo Burcham.

40

41 MR. BURCHAM: Hello, this is Milo, can
42 you all hear me.

43

44 REPORTER: Yep.

45

46 CHAIRMAN CHRISTIANSON: Loud and clear,
47 Milo.

48

49 MR. BURCHAM: Thank you. This is Milo

50

1 Burcham of the Chugach National Forest based in Cordova
2 and I will present a summary of the analysis for FP21-
3 10. It can be found on Page 127 of your Boardbook.
4

5 Proposal FP21-10 submitted by Jesse
6 Carter and Robert Jewell of Cordova, Alaska requests
7 the Federal Subsistence Board implement a salmon
8 subsistence fishery in the Lower Copper River adjacent
9 to the Copper River Highway with a harvest limit of 15
10 salmon, other than pink salmon, for the first two
11 members of the household and 10 salmon for each
12 additional household member with not more than five
13 chinook salmon per household using dipnet, rod and
14 reel, spear or gaff only. This harvest limit would not
15 be additive to the currently existing Federal
16 subsistence permit on the fresh waters of the Copper
17 River Delta and the State subsistence fishing permit
18 for the Copper River district.
19

20 Currently, Federally-qualified
21 subsistence users in the Cordova area primarily fulfill
22 their subsistence salmon needs under a State of Alaska
23 subsistence salmon fishing permit. Participation in
24 the State subsistence gillnet fishery within marine
25 waters of the Copper River Flats district requires use
26 of a saltwater capable boat, fishing during commercial
27 openers and fishing during specific limited open
28 periods which can be a substantial barrier for many
29 local fishers. The proponents rationale for submitting
30 the proposal is to improve access to Copper River
31 salmon by providing residents a road accessible harvest
32 area.
33

34 Currently, qualified rural residents of
35 Cordova may fish in fresh waters of the Copper River
36 Delta but not in the Lower Copper River. This proposal
37 would open waters of the Lower Copper River one-half
38 mile above and below the Copper River Highway to
39 dipnetting for salmon. The proponent intended for the
40 proposal to serve those not owning boats and unable to
41 participate in the State subsistence gillnet fishery on
42 the Copper River Flats, therefore restricted the area
43 to largely look at the access by foot from the highway.
44

45 The Upper Copper River sustainable
46 escapement goal of 360,000 to 750,000 wild sockeye
47 salmon has successfully been met or exceeded annually
48 from 2010 to 2019. The recent 10 year average for
49 Copper River sockeye salmon total run is 2.4 million
50

1 sockeye. Since 2002 the lower bound of the chinook
2 salmon sustainable escapement goal for this system was
3 met or exceeded 11 of 16 years. The 10 year average,
4 2008 to 2017 for Copper River chinook salmon run is
5 45,000 fish.

6
7 Recent, exceptionally low run returns
8 of Copper River sockeye salmon have prompted concerns
9 in both 2018 and 2020. This resulted in the 2018
10 commercial harvest of the Copper River district to be
11 the second lowest in the last 100 years and the 2020
12 commercial harvest to be the fourth lowest in the last
13 51 years.

14
15 Harvest of Copper River salmon takes
16 place among a wide range of user groups. Average
17 harvest of Copper River sockeye salmon over the last 10
18 years, 2010 through 2019 has been 1.5 million salmon.
19 Commercial harvest on the Copper River Flats has
20 averaged 1.3 million sockeye or 85 percent of the
21 harvest over that time period. Up river harvest of
22 sockeye by personal use and sportfisheries has averaged
23 225,000 sockeye and represent 14 percent of the total
24 harvest. These two fisheries combined account for 98
25 percent of the harvest of Copper River sockeye.
26 Federal subsistence users in the Upper Copper River
27 have harvested 21,198 sockeye or 1.3 percent of the
28 total sockeye harvest. Harvest of sockeye by the State
29 subsistence gillnet fishery on the Copper River Flats
30 has averaged 3,159 sockeye, or 0.2 percent of the
31 harvest. Harvest of sockeye under this proposal, if
32 implemented, is projected to be 2,000 sockeye or 0.1
33 percent of the total harvest.

34
35 Chinook harvest has averaged 19,590
36 salmon. Commercial harvest and State Up river harvest
37 combined has averaged 18,312 or 93 percent of total
38 chinook harvest. Federal subsistence users in the
39 Upper Copper River have harvested 760 or 3.8 percent,
40 while State subsistence gillnet harvest from the Copper
41 River Flats has averaged 518 or 2.6 percent of chinook
42 harvest. Harvest under this proposal, if passed, is
43 projected to be 300 chinook or 1.5 percent of the
44 chinook harvest.

45
46 Public input and response to this
47 proposal for a salmon fishery in the Lower Copper River
48 has raised several issues.

49
50

1 One concern shared by some community
2 members was the establishment of a Federal subsistence
3 fishery would lead to the development of a State
4 personal use fishery in the same area resulting in
5 crowding and overharvest on the Lower Copper River.
6 This concern is an unrelated event and could occur with
7 or without the adoption of FP21-10. For reference, no
8 State personal use fishery has been proposed since the
9 Federal subsistence fishery for fresh waters of the
10 Copper River Delta was established in 2004.

11
12 If adopted, this proposal would create
13 access under a new Federal subsistence permit for the
14 Lower Copper River area. It would provide additional
15 subsistence opportunities for Federally-qualified
16 subsistence users living in the Prince William Sound
17 area, especially those in the community of Cordova.
18 This new harvest opportunity may generate some level of
19 new interest but would also shift some of the harvest
20 efforts from the State subsistence gillnet fishery in
21 the Copper River Flats and the Federal subsistence
22 fishery in fresh waters of the Copper River Delta to
23 the Copper River and its tributaries. The total salmon
24 harvest limit permitted per household is cumulative
25 among these fisheries and would not change.

26
27 The proposed regulatory change would be
28 expected to have minimal biological effects on fish
29 stocks, projected harvest would be the smallest of any
30 user group in the Copper River system up to 2,000
31 sockeye and 300 chinook salmon annually.

32
33 The OSM preliminary conclusion is to
34 support Fisheries Proposal 21-10 with modification to
35 include a requirement to report harvest of salmon to
36 area managers within 48 hours of harvest.

37
38 The justification is harvest and
39 escapement information indicate that sufficient salmon
40 are present to allow a Federal subsistence fishery in
41 the Lower Copper without creating a biological concern.
42 The proposal provides an opportunity for Federally-
43 qualified subsistence users of Cordova that do not have
44 access to a saltwater capable boat and a drift gillnet
45 to sockeye and chinook salmon in the Lower Copper
46 River. Projected harvest is anticipated to be very
47 small in comparison with other user groups and concern
48 of harvest occurring prior to the salmon being counted
49 at the Miles Lake Sonar can be addressed with the
50

1 proposed modification of a requirement to report
2 harvest to area managers within 48 hours. The historic
3 use of dipnets in harvest of salmon in the proposed
4 area is well documented.

5
6 That concludes my presentation of the
7 analysis of this proposal.

8
9 CHAIRMAN CHRISTIANSON: Thank you.
10 Thank you for the Staff analysis on that. Any
11 questions from the Board for Staff.

12
13 MR. STRIKER: Mr. Chair, National Park
14 Service.

15
16 CHAIRMAN CHRISTIANSON: Yep, you have
17 the floor.

18
19 MR. STRIKER: I just have a point of
20 clarification, does this change any of the existing
21 delegations of authority for the in-season manager?

22
23 MR. BURCHAM: Right now the in-season
24 manager for the entire Copper River is the Park Service
25 and that doesn't change by this proposal.

26
27 MR. STRIKER: Thank you.

28
29 MR. SCHMID: Mr. Chair, Dave Schmid.

30
31 CHAIRMAN CHRISTIANSON: You have the
32 floor, Dave.

33
34 MR. SCHMID: Yeah, thank you, Mr.
35 Chair. Hey, thank you Milo, great presentation here,
36 appreciate that. I would like you, though, to speak,
37 and I'm curious as well this proposal is, you know,
38 specific to the Copper River itself versus the other
39 fresh water streams on the Copper River Delta, and I
40 guess I'm curious, would like to hear about how folks,
41 rural residents there of Prince William Sound and
42 Cordova that don't have a saltwater capable boat are
43 meeting, or not meeting their needs with salmon from
44 the existing road system, primarily the coho fishery
45 that exists there along the Copper River Highway and
46 the Lower West Copper River Delta?

47
48 MR. BURCHAM: Okay. There is a Federal
49 subsistence permit for fresh waters on the Copper River
50

1 Delta and most of the fishing takes place from the road
2 system near the Copper River Highway on the systems
3 like the Ibeck Creek and Alaganik, and from that
4 fishery approximately 600 coho are harvested each year
5 and about 100 sockeye. Of course the highest demand
6 fish in this area are Copper River sockeye and kings.
7 There are no kings -- there's relatively small numbers
8 of sockeye in those systems and no kings to speak of.
9 There is a terminal fishery at Flemming Spit, adjacent
10 to Cordova in salt water on the edge of town and some
11 kings are harvested there but they're not the famed
12 Copper River kings.

13

14 MR. SCHMID: Thank you, Milo.

15

16 CHAIRMAN CHRISTIANSON: All right,
17 thank you. Any other Board questions, comments.

18

19 (No comments)

20

21 CHAIRMAN CHRISTIANSON: All right,
22 thank you, Milo, for that analysis. And we'll go ahead
23 and move on to the summary of public comment, Council
24 Coordinator.

25

26 MS. PERRY: Mr. Chair, this is DeAnna
27 Perry, Council Coordinator for the Southcentral
28 Regional Advisory Council. Can you hear me okay?

29

30 CHAIRMAN CHRISTIANSON: I hear you loud
31 and clear, DeAnna, you have the floor. Thank you.

32

33 MS. PERRY: Thank you. Mr. Chair,
34 members of the Board. We have received several
35 comments on this proposal throughout the process. I'll
36 provide a summary of those comments and note when, in
37 the proposal process, these comments were received.

38

39 11 written public comments in
40 opposition were received on this proposal during the
41 written public comment period, and those can be found
42 in your meeting book starting on Page 162.

43

44 A summary of those comments.

45

46 The Ahtna TeneNene' are concerned that
47 opening a new permanent fishery in the Lower Copper
48 River district would be detrimental to the Upper Copper
49 River fisheries. Dipnetters in the Lower Copper River

50

1 Delta may take too many salmon and then Federally-
2 qualified subsistence users in the Upper Copper River
3 district would not be able to harvest enough salmon.
4 In the past year those users who did not have their
5 subsistence needs met.

6
7 The Cordova District Fishermen United
8 is concerned that a fishery placed below the sonar site
9 that is critical for the management of all fisheries on
10 the Copper River may impact and skew escapement and run
11 size data. They are also concerned that there are
12 three other harvest opportunities in the Copper River
13 Delta region for subsistence users that do not require
14 a boat in order to participate, and that this proposal
15 does not specific -- provide specific whether a
16 subsistence user is allowed to dipnet from a boat and
17 does not specify a requirement for timely reporting
18 which is critical to sustainable management.

19
20 Steven Gildnes commented about the
21 increased expense to upgrade fishing vessels because of
22 volatile ocean conditions and that this has resulted in
23 less time fishing in recent years. He states that an
24 additional dipnet subsistence fishery here is
25 unnecessary, that there would be further escapement
26 data loss, that additional patrols for ill-funded,
27 under-staffed local State Troopers would be necessary
28 and that there is ample time and area to provide for
29 local subsistence needs.

30
31 Todd Ladd commented that he opposed the
32 proposal because it would negatively impact the Copper
33 River fishery.

34
35 Brandon Maxwell strongly opposed the
36 proposal.

37
38 Michael Mahoney stated he opposed this
39 proposal and that given the concerns of biologists,
40 managers and stakeholders have with king and sockeye
41 abundance on Copper River a new fishery on Lower Copper
42 River would not be a good idea. He also felt that
43 Cordova residents have ample opportunity to harvest
44 salmon resources in the area.

45
46 The Native Village of Eyak share that
47 their opposition was to this proposal based on direct
48 input from their members of which 52 were opposed and
49 21 were in favor. They state that given the weak
50

1 sockeye runs in the last two to three years they could
2 not support expanded in-river fisheries at this time.
3 However, when substantial changes on the Copper River
4 including timely reporting for all salmon harvested,
5 stock specific management and adequate law enforcement
6 for in-river fisheries, then the Native Village of Eyak
7 would reconsider this position.

8
9 Thea Thomas strongly opposed this
10 proposal stating that subsistence users have more than
11 adequate opportunity through the State of Alaska
12 subsistence openers which occur three days a week and
13 the Federal subsistence opportunity on the Eyak River.

14
15 Ray Renner strongly opposed the Lower
16 Copper dipnet fishery and stated that Cordova already
17 has ample subsistence opportunities that are currently
18 under-utilized and there are opportunities for both
19 people with boats and without boats.

20
21 Jack Stevenson strongly opposed the
22 Lower Copper dipnet fishery because the Copper River
23 salmon currently face too much pressure already. The
24 commercial fish has been managed strictly with few
25 openers with the small salmon runs while the personal
26 use fishery continues on depleting the salmon up river.

27
28 The Copper River Prince William Sound
29 Advisory Committee opposed the proposal and found that
30 the current rules for Eyak River, Ibeck Creek and
31 Alaganik Slough provide opportunities for multiple
32 species, harvest methods and are easily accessible.
33 Adopting this proposal would change the traditions
34 surrounding subsistence in this area forever.

35
36 In addition to those comments that you
37 can read in their entirety on Page 162 -- starting on
38 162, just before the Southcentral Regional Advisory
39 Council meeting we received another seven unique
40 comments in support of this proposal and I also
41 received around 150 letters with identical wording
42 submitted by individuals. I can provide a summary of
43 those comments and wording for the identical letters
44 received if the Board would like.

45
46 CHAIRMAN CHRISTIANSON: Thank you. And
47 appreciate the summary of public comment. Any
48 questions from the Board.

1 (No comments)

2

3

CHAIRMAN CHRISTIANSON: Thank you,
4 DeAnna, appreciate your thoroughness on that. And
5 we'll go ahead at this time open the floor to the
6 public. Operator, if you could go ahead and see if
7 anybody online would like to speak to this specific
8 non-consensus item, please open their line.

9

10 OPERATOR: Yes, sir. As a reminder to
11 join the que for public comment, please press star one.
12 You may remove yourself from the que by pressing star
13 two.

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

(Pause)

OPERATOR: First we have Hope Roberts,
please go ahead your line is open.

MS. ROBERTS: Hello. Hope Roberts.
Thanks to the Board for giving me the opportunity to
speak. I'll start with my Native language, Gwich'in.
(In Gwich'in).

I'm from Circle and I live in Valdez. I
am Gwich'in, Koyukon and Tlingit. I am an employee at
Chugach Regional Resources Commission as the
InterTribal Liaison for Federal subsistence outreach.
I own Surreel Saltwater Deep Sea Fishing Charters here
in Valdez. I am a marine mammal cultural harvester.
Some of my volunteer work includes being the active
secretary of the Valdez Native Tribe's board of
directors and the current Chair of the Valdez Advisory
Committee. I restarted my region's (indiscernible) AC
in January of 2018 in order to use the voice of the
Valdez community to help with State fish and game
proposals in the area. CRRC, Chugach Regional
Resources Commission, I hope you don't mind I use the
acronyms CRRC from here, is an intertribal fish and
wildlife commission formed in 1984 to address
environmental and natural resource issues of concern to
seven tribes of the Chugach region; Chenega, Eyak, Port
Graham, Nanwalek, Kudachik(ph), Tatitlek and Valdez.
Our mission is to promote and support tribal natural
resource management and sustainable development
programs in our region through training, education,
advocacy and technical assistance. In 2020 we
developed the InterTribal Federal Subsistence
Cooperative Management Alliance, which meets monthly

1 with representatives from each tribe to develop
2 regional tribal priorities for Federal fish and game
3 management with support from our member tribe.
4

5 CRRC thanks the Board for the
6 opportunity to represent the views of our alliance
7 members at this meeting today in regards to a couple of
8 proposals before you -- I'll just keep with FP21-10.
9

10 We ask the Board to oppose FP21-10
11 modifying Federal regs to include a new dipnet fishery
12 in the Lower Copper River. The salmon at the mouth of
13 the Copper River is the most important run to the
14 Native Village of Eyak. Opportunity for subsistence
15 for salmon without a boat already exists in the area.
16 Federal subsistence fishing permits for the Copper
17 River Delta, Prince William Sound area allow Federally-
18 qualified users to harvest salmon and other finfish in
19 fresh water, excluding the Copper River and Lake Eyak.
20 Ibeck Creek, Eyak River and Alaganik Slough are all
21 used for subsistence salmon harvest without a boat.
22 The area proposed as a subsistence opener has fast
23 currents and is unpredictable. Areas of quicksand make
24 it difficult to dipnet from shore without a skiff as
25 the proposal indicates.
26

27 We believe this fishery will create
28 more danger for subsistence users that will require
29 more enforcement, both for personal safety and health
30 of the resource.
31

32 People of the Native Village of Eyak
33 have seen dishonest salmon harvest in the past. The
34 Board members at the Native Village of Eyak have said
35 there are only two Fish and Game officers available.
36 Supporting this proposal would attract more fishers
37 during a time of uncertain escapement. More people
38 would require more law enforcement. Further we agree
39 with the NVE, Native Village of Eyak, sensitivity to
40 meeting food security for their tribe before expansion
41 in that remote area where winter months and an ongoing
42 world-wide pandemic is currently happening.
43

44 With conservation in mind we also have
45 comments on the other upcoming proposals in this agenda
46 item but I can wait until those come up.
47

48 Thank you for hearing my comment -- our
49 comments. I am open to feedback or anything from
50

1 anybody.

2

3

Thanks.

4

5

6

CHAIRMAN CHRISTIANSON: Thank you for taking the time to call in and appreciate that comment.

7

8

MS. WESSELS: Mr. Chair.

9

10

CHAIRMAN CHRISTIANSON: Yes.

11

12

MS. WESSELS: Mr. Chair. This is

13

Katya.

14

15

CHAIRMAN CHRISTIANSON: Katya, you have the floor.

16

17

18

MS. WESSELS: Mr. Chair. I just want to clarify that DeAnna Perry is the Council Coordinator for the Southeast -- I mean for the Southcentral RAC, didn't have a chance to finish her presentation, she did pause. If she can finish the summary of written public comments at this point that would be great.

19

20

21

22

23

24

25

CHAIRMAN CHRISTIANSON: Thank you, Katya. Yes, you know she can, so thank you. DeAnna you have the floor.

26

27

28

29

MS. PERRY: Thank you, Mr. Chair. I did want to mention that the Wrangell-St.Elias National Park Subsistence Resource Commission provided a comment at the Southcentral RAC meeting. They unanimously opposed this proposal stating that a creation of a new fishery on the Copper River will have the potential to effect Upper Copper River fisheries. This was a low year for both chinook and sockeye salmon runs and SRC members have heard reports about people not getting enough salmon. Residents of Cordova have other opportunities to harvest salmon, whereas up river residents rely solely on the Upper Copper fisheries -- or the Upper Copper River fisheries. The written public comments included in the proposal analysis indicate opposition from several long-term residents of Cordova, along with the Native Village of Eyak with no comments from Cordova in support of the proposal. In the absence of local support there is no reason for the SRC to support the proposal.

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

Also the Copper Basin Advisory

50

1 Committee commented just last week. They oppose this
2 proposal, in summary, saying that the area experienced
3 the lowest hatchery numbers in the last five to six
4 years and that their access to the fishery is above the
5 point where this dipnet fishery would occur and
6 questioned why they would want a dipnet fishery below
7 the point where they access the fishery. Again, they
8 oppose this proposal stating, lastly, that numbers are
9 very low right now and it is not a time to open a new
10 fishery.

11

12 Thank you, Mr. Chair and members of the
13 Board, for letting me complete the summary on the
14 written public comments for this proposal.

15

16 CHAIRMAN CHRISTIANSON: Thank you,
17 DeAnna. Any questions.

18

19 (No comments)

20

21 CHAIRMAN CHRISTIANSON: And, again,
22 back to the public testimony -- was there any questions
23 for the public testimony that we just heard as well, I
24 didn't want to miss that opportunity. Was there a
25 question from the Board for the public testifier?

26

27 (No comments)

28

29 CHAIRMAN CHRISTIANSON: All right.
30 Operator, at this time -- thank you for calling in and
31 testifying, is there anybody additional online that
32 would like to be recognized at this time.

33

34 OPERATOR: Yes, sir. Next we have Jesse
35 Carter, please go ahead.

36

37 MR. CARTER: Can you hear me?

38

39 CHAIRMAN CHRISTIANSON: Loud and clear,
40 you have the floor.

41

42 MR. CARTER: Can you hear me? Hello?

43

44 REPORTER: Yes. Go ahead and state
45 your name, please.

46

47 MR. CARTER: Yes, this is Jesse Carter.
48 And first I'd like to thank Mr. Chair and the members
49 of the Board for the opportunity to speak.

50

1 I've lived in Cordova for over 30
2 years. I've participated in every fishery in and
3 around Cordova and I've even been an owner/operator of
4 the driftnet fishery on the Copper River Flats. I know
5 what it takes to get out there and fish on the Flats
6 and you got to have a skiff to do it and you have to
7 have the knowledge of the area to get around. And I
8 can tell you that many Cordova residents do not have
9 the equipment and the opportunity to get out there and
10 harvest any of these reds or kings.

11
12 And so I turned in -- I participated
13 in, you know, proposing this proposal because I seen
14 the need for Cordova and the access issue that we've
15 had to go gather our fish. And I'd like to speak to
16 the access a little bit, you know, as far as I think
17 this speaks louder than words. You know the Native
18 Corporation here in Cordova, they've implemented a
19 program where they have a boat and a hired skipper that
20 takes their members out to catch their subsistence
21 fish, where much of the community, they don't have
22 access to that. And I think that speaks pretty loud to
23 the access issue that we have here. I've heard that
24 the fresh water fisheries in the Alaganik, Eyak River,
25 the Ibeck, I've tried to dipnet all of those rivers and
26 it's not even considered, you know, a very good access,
27 you know, a very good way to get your fish because
28 they're slow moving rivers, the water's clear and the
29 fish just sit there. The best way you get your fish is
30 when a boat runs by and they get spooked into your net.
31 It's just not -- it's not a way that you can go out and
32 get your subsistence fish, you know, anyone who's been
33 down there trying to dipnet those rivers know that.

34
35 Just one second here.

36
37 So I also heard that there may have
38 been some issues on timing of some of the letters that
39 I've collected and turned in, you know, I collected
40 over 150 letters, you know, that were turned in prior
41 to the Southcentral RAC meeting and I'd just like to
42 let you know that I'm not an organized group, I'm just
43 -- I have a full-time job, most of my work is out in
44 the Prince William Sound, I'm not even in town half the
45 time but I did this proposal because I could see the
46 need. I represent, you know, I speak for a lot of the
47 community, you know, the Filipino community, a large
48 portion of them who don't have a voice, you know, I'm
49 doing this because I think it's the right thing to do
50

1 and a lot of the Native members are for this, even a
2 lot of fishermen are for this proposal. Once, you
3 know, I explained that this is not a State fishery for
4 everybody to come in, all we're talking about here is
5 just for the local Prince William Sound to come in and
6 be able to subsistence fish the Copper River out the
7 road. And a lot of them just aren't educated. And
8 they're like, well, they don't have any issues with it,
9 they think that it's a good idea that the residents can
10 go out there and get some fish because they know
11 there's really no other good means of doing it.

12
13 So the support I got on this was
14 overwhelming. I mean it's -- all the letters I
15 collected was in a very short period of time and a lot
16 of them represent households. You know I could easily
17 go out there and get 100 more letters, there's just a
18 ton of support here and there's a need. I've been
19 involved in food drives in Cordova and I understand,
20 you know, there's a lot of families that would take
21 advantage of this and put some, you know, some fish in
22 their freezers. There's people with health conditions.
23 You know just between the last meeting with the
24 Advisory Committee and now I know someone who found out
25 they had cancer and, you know, having to access the
26 fish like this, to be able to afford, you know, and go
27 collect something for a healthy diet, that would be big
28 to them. They don't have a skiff. They can't get out
29 there in the ocean and go catch fish, it's too
30 expensive.

31
32 One thing that I don't understand is,
33 you know, between the commercial fishery and the
34 personal use fishery, they take up 98 percent of the
35 sockeye catch. What we're projected to take on this
36 fishery is barely even a blip on the charts, you know,
37 it's .1 percent, it's really nothing and that would go
38 a long ways to helping people in need in Cordova.

39
40 I really ask that you take the -- you
41 know, support the Advisory Committee's decision on this
42 and Cordova needs it. The ferry system has pretty much
43 diminished. Food prices are going up. Cost of living.
44 You know we're a Federal subsistence community, you
45 know, we live off the land and the fish and that would
46 just help us out.

47
48 I appreciate your time.

49
50

1 CHAIRMAN CHRISTIANSON: Thank you for
2 taking the time to call in, appreciate that. Any
3 questions from the Board.

4
5 MR. SIEKANIEC: Mr. Chair, this is Greg
6 with the Fish and Wildlife Service.

7
8 CHAIRMAN CHRISTIANSON: Yep, you have
9 the floor Greg.

10
11 MR. SIEKANIEC: Thanks. So I'm just
12 trying to understand the difference in possibly the
13 harvest. I think I just heard that 98 percent of the
14 fish are harvested under the State either personal use
15 fishery or subsistence fisheries permit and the people
16 that are fishing under that are very successful, I mean
17 they have a strong harvest per user, is that -- has
18 anybody taken a look at that, you know, does the
19 harvest reporting for the season that's associated with
20 the Cordova area represent a successful harvest per
21 individual user?

22
23 (No comments)

24
25 MR. SIEKANIEC: And I don't know if
26 that -- you know, I guess that could go back to even
27 Milo, if Milo had any thoughts on that.

28
29 MR. BURCHAM: Oh, yeah, this is Milo
30 Burcham if it's okay, I could speak to that.

31
32 CHAIRMAN CHRISTIANSON: Yes, Milo, you
33 have the floor.

34
35 MR. BURCHAM: Yeah, what he's referring
36 to is what I talked about in the analysis, that 98
37 percent of the sockeye harvest takes place between the
38 commercial fishery at the Flats and that's -- who take
39 84 percent of the Copper River sockeye and the personal
40 use and sport and subsistence -- State subsistence
41 fishery up river -- so the State subsistence, personal
42 use and sport fisheries up river take 14 percent, and
43 the commercial harvest takes 84 percent -- so 98
44 percent of the sockeye are taken by lower priority uses
45 than Federal subsistence. That's the point that Jesse
46 was trying to make and that I made in my presentation.

47
48 MR. SIEKANIEC: And is there any way --
49 I'm sorry, Mr. Chair, this is Greg.

50

1 CHAIRMAN CHRISTIANSON: Go ahead, Greg,
2 you have the floor freely.

3
4 MR. BURCHAM: So, Milo, is there any
5 way of knowing are those participants under the State
6 fishery also the Federally-qualified users?

7
8 MR. BURCHAM: So the -- well, I'll
9 speak to the commercial fishery first. A large percent
10 of the commercial fishery are Cordova residents and
11 qualified rural residents, commercial fishermen
12 typically take most of their harvest as Home-Pack,
13 they're allowed on their fish tickets, when they turn
14 them into the processors to retain an unregulated
15 portion of their catch for personal home use. So they
16 meet their needs that way. They also, because they
17 have boats and gillnets, participate in subsistence
18 only openers when the State subsistence gillnet fishery
19 had an opener when the commercial openers are closed,
20 then they can go out and harvest fish under the State
21 subsistence gillnet fishery and they're very good at
22 it. Other non-local members can participate in that
23 fishery as well. There's some portion of the
24 commercial fleet is the Russian component that live out
25 of Cordova but live here in the summertime and they
26 make up some of that State subsistence gillnet harvest.

27
28 Does that answer your question, I might
29 have forgot your original question.

30
31 MR. SIEKANIEC: Well, I think what I
32 was trying to get at was do we understand the
33 relationship between the Federally-qualified
34 subsistence user and the users that are operating under
35 the State permitting system, both commercial and the
36 other fishery opportunity under subsistence?

37
38 MR. BURCHAM: Okay. So the people that
39 participate in the fresh water fishery, the Federal
40 subsistence fishery in the Copper River Delta, they
41 could participate in this Lower Copper River fishery,
42 if it opens, and then the State fisheries that I
43 mentioned that take the 14 percent up river, the State
44 personal use, sport and up river subsistence, they
45 could participate in this but it's not likely they
46 would because of barriers, you know, transportation
47 barriers without ferry services so they would be
48 qualified to fish in the Lower Copper River but
49 probably wouldn't. It would probably be just Cordova
50

1 residents, or mostly Cordova residents that participate
2 in this.

3

4 MR. SIEKANIEC: Yeah, thank you. I
5 think what I'm trying to get at is, do we know if there
6 are a lot of Federally-qualified users that are not
7 getting their fish?

8

9 MR. BURCHAM: I think what Jesse
10 testified to, and he could speak to his letters he
11 collected 160 [sic] letters from residents of Cordova
12 saying that they would like this opportunity to get
13 fish. I think that speaks to that.

14

15 MR. SIEKANIEC: Yeah, I appreciate
16 that, I was just wondering if we had any reporting
17 statistics that demonstrated that.

18

19 And then maybe just one more question,
20 Milo, I think you had, in your report it said that the
21 estimate would be like 300 chinook would likely be
22 harvested under this proposal. Given a year like last
23 year, would a 300- chinook harvest raise any concerns,
24 or even under a year like this past year, you know,
25 we're hearing from all around the state that, you know,
26 chinook runs are really depressed and uncertain of what
27 future runs will be delivering, does that raise any
28 concern?

29

30 MR. BURCHAM: It could and it could be
31 managed for. But I guess I would defer to the in-river
32 Copper River managers with the Park Service. I know
33 people like David Sarafin or some of the up river
34 Wrangell-St. Elias folks could probably better answer
35 that question.

36

37 MR. SIEKANIEC: Thank you, Mr. Chair.

38

39 CHAIRMAN CHRISTIANSON: Yep, you have
40 the floor.

41

42 MR. SIEKANIEC: Yeah, I yield it back
43 unless somebody else has a potential answer to that and
44 wanted to join.

45

46 CHAIRMAN CHRISTIANSON: Thank you,
47 Greg.

48

49 MR. SCHMID: Mr. Chair, Dave Schmid.

50

1 CHAIRMAN CHRISTIANSON: You have the
2 floor.

3
4 MR. SCHMID: Yeah, thanks. Thanks,
5 again, Milo. I just want to be clear, so primarily
6 what you're looking at here, what the proposer has --
7 Mr. Carter, is for a sockeye -- targeting a sockeye,
8 chinook dipnet fishery versus the coho that might be
9 available later in the season on the fresh water
10 streams on the Copper available from the Copper River
11 Highway?

12
13 MR. BURCHAM: Yes. True.

14
15 MR. SCHMID: And I'm going where I
16 think Greg is going, is trying to find out your -- if I
17 may, Mr. Chair, sorry -- is this more a matter of
18 preference, is it a matter of timing or are current
19 needs -- I fully acknowledge and understand and
20 support, you know, a number of residents that Mr.
21 Carter has heard from that would like to increase and
22 have this opportunity to fish, I guess I'm looking back
23 here, are the protein needs, are the numbers of fish by
24 rural residents -- Federally-qualified users being met
25 through the current coho fishery that exists there.

26
27 MR. BURCHAM: Essentially I can't
28 answer that question of who -- how many -- what portion
29 of the population doesn't get enough fish, I don't have
30 a number for you.

31
32 MR. SCHMID: Thank you. Thank you, Mr.
33 Chair.

34
35 MR. PELTOLA: Mr. Chair, BIA.

36
37 (No comments)

38
39 MR. PELTOLA: Tony, BIA.

40
41 CHAIRMAN CHRISTIANSON: Go ahead, you
42 have the floor, Gene.

43
44 MR. PELTOLA: Okay, thank you. Milo, I
45 have a question for you. Generally speaking, I recall
46 in your analysis that you stipulated inclusion --
47 potential inclusion of this fishery would not cause a
48 biological concern, correct?

49
50

1 MR. BURCHAM: That's what we concluded,
2 yes.

3
4 MR. PELTOLA: Okay, thank you. Now, I'd
5 have a general statement. My recollection, the last
6 time the Board took up a Copper River proposal during
7 the last fisheries cycle we were trying to split hairs
8 over less than one percent of the harvest of the
9 population and in addition to the proposal pitted the
10 Lower River against the Upper River. Based on my
11 recollection just of your sockeye numbers, once, again,
12 we're trying to split hairs over less than two percent
13 of the harvest of the population, and once again we've
14 put the Lower River against the Upper River. When we
15 are, as a Board, are trying to enforce the Federal
16 priority for subsistence being the priority consumptive
17 use, that seems to be an ongoing battle but we all know
18 in-river harvest is not the challenge with regard to
19 the population.

20
21 So I apologize, Mr. Chair, I started
22 off with a general question for Milo and then I went
23 into a statement but there's a lot of similarities with
24 this proposal with regard to pitting one against the
25 other, in addition to as a Board member we give -- via
26 statutes, we give deference to the Regional Advisory
27 Councils with regard to take. This is a take issue but
28 also we have a split Regional Advisory Council
29 recommendation, the difference for the Lower versus the
30 Upper, Eastern Interior, Southcentral, and, once again
31 we're splitting hairs over less than two percent of one
32 population and still a fraction of another.

33
34 Thank you, Mr. Chair.

35
36 CHAIRMAN CHRISTIANSON: Thank you. Any
37 other discussion.

38
39 (No comments)

40
41 CHAIRMAN CHRISTIANSON: All right that
42 was a good discussion and thank you to the public
43 testifier. The still is open for public testimony,
44 Operator, can you please check online if there's
45 anybody else online that would like to testify at this
46 time about this non-consensus item.

47
48 OPERATOR: Yes. And next we have Karen
49 Linnell, your line is open, please go ahead.

50

1 MS. LINNELL: Thank you. Thank you,
2 Mr. Chair and members of the Board. The Ahtna
3 InterTribal Resource Commission is opposed to the
4 opening of this new fishery.
5

6 I have to say there was discussion on
7 the comments received after the comment period
8 deadline. There was solicitation of comments. I had
9 personally been contacted by an agency Staff member to
10 ask for support for this proposal; and I was appalled
11 at that. Especially after the closure of the comment
12 period.
13

14 I agree with Ahtna TeneNene' comments.
15

16 I also would like to say that although
17 -- to me, it feels like there might be some fish snobs,
18 coho isn't good enough, that they want some of the
19 Copper River reds when they have other opportunities
20 with the other rivers and creeks mentioned. We have no
21 other opportunity up here, up river. We only have the
22 Copper River for our fisheries in our fishwheels.
23

24 The numbers that you have regarding the
25 up river take includes both Federal and State harvest.
26

27 To us, and with the last few years of
28 closure or near closure for chinook and sockeye, the
29 delayed start in personal use fishery, the delayed
30 start for the commercial fishery because of the low
31 return, now's not the time to open any new fishery.
32 And, yes, we're talking about a small number, but it's
33 a big number to me, personally, and to the rest of the
34 tribes and communities that I represent. We have seven
35 of our eight tribes on the Copper River and they're all
36 dependent on the fish that we're able to harvest this
37 year. With the low returns this year and the lack of
38 harvest of wild game, we had one of our communities,
39 with this low run this year, double hit, because no one
40 in their community was able to harvest a moose this
41 year. It's not for the lack of trying. We're in a
42 high competition area because of our highway access and
43 what little that we do get, it seems like it's getting
44 whittled away and we're able to retain less and less to
45 provide for the whole rest of the state, whether
46 they're Federally-qualified or not.
47

48 We were near the point of asking for a
49 Federal closure for the Feds to close the rivers to
50

1 non-Federally-qualified users. That's where we were
2 feeling. This year, personally, my fishwheel in one
3 month, one month, 30 days, I got 66 salmon and 16
4 kings. That's it. No more. And I shut it down
5 because I felt that the sockeye and the fish weren't
6 getting to their spawning grounds so we shut down our
7 camp and our wheel and left it. And you heard Gloria
8 Stickwan speak yesterday regarding this from Native
9 Village of Tazlina that that's what's happening when
10 she was talking about the gas to get there and her fish
11 camp is only like three miles away. Mine's 50. I have
12 to go home to my dad's homelands. I usually move there
13 for the entire summer. In the last two years, three
14 years, I haven't stayed there the entire summer at all.
15 I've stayed short stints because the salmon weren't
16 there and it just wasn't feasible to pay the dollar per
17 potato or the extra .40 cents a gallon for gas to
18 commute for my day job because the salmon weren't
19 there. And I don't just provide for my household as
20 we're allowed under the Federal subsistence, I share
21 with my parents and my siblings, and so when I don't
22 get anything, they don't get anything. And, you know,
23 we don't have the opportunity to go over to the next
24 river and try, it's not there.

25
26 I just want to point that out, and,
27 again, it may not seem like much to folks down there on
28 the ocean and near the other streams and rivers with
29 other points of access to salmon, but it is extremely
30 important to us.

31
32 I do also want to say that the proposal
33 and the intent of the proposal is to provide for those
34 without a boat and when a member of the Southcentral
35 RAC requested an amendment, a friendly amendment to say
36 that it would be for folks without a boat it was shot
37 down. To me, that means that it's not an access issue,
38 they're being selective, and they wanted to increase
39 and open it up. We're having issues here with folks
40 dipnetting from boats and stealing fish from fishwheels
41 all the way from Gakona and Gulkana all the way down to
42 Copper Center and into Chitina, that's four or five of
43 our communities that are getting fish stolen from their
44 fishwheels because of river access and dipnetting from
45 boats. Especially those folks with the live fish
46 boxes.

47
48 So, to me, this is a big deal. To our
49 communities, this is a big deal. And we strongly urge
50

1 you to oppose this proposal, Fisheries Proposal 21-10.

2

3

Thank you.

4

5

6

CHAIRMAN CHRISTIANSON: Thank you,
Karen. I appreciate your presentation and calling in.
Any questions from the Board.

7

8

9

(No comments)

10

11

12

13

14

15

16

17

CHAIRMAN CHRISTIANSON: I think you
painted a good picture for us Karen, the breadth of the
issue you guys face on the river and especially we've
heard the shortage the last couple of years so coming
up with a plan that works for everybody is going to be
challenging. So appreciate you calling.

18

19

20

Operator, is there anybody else online
at this time that would like to be recognized.

21

22

23

OPERATOR: Yes, sir, next we have Julia
[sic] Stickwan, your line is open.

24

25

26

27

28

(No comments)

29

30

31

32

33

MS. STICKWAN: This is Gloria Stickwan.
I testified during tribal consultation. I have concern
about this proposal. I'm not -- I'm opposed to it, I'm
not in favor of it.

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

They say you can report within 48 hours
for the Lower Copper River fisheries, 48 hours of
fishing possibly from a boat, if you have a dipnet, you
could possibly catch a lot of fish, a lot of sockeyes,
a lot of kings within that period of time. That's my
concern if they're able to use a boat. There's like
3,000 people in that area that potentially could be
fishing. If you times 3,000 people, I believe there
is, they say up to 2,000 people could catch sockeye and
300 chinook, and you have 48 hours to fish, I mean
that's -- to me that's a lot of time that they could be
catching a lot of fish and reporting. I hope they have
a really good reporting system down there, I'm really
concerned about that. Are they going to report in
time. They have 40 [sic] hours to fish and people do
have problems reporting their harvest.

1 That's my concern.
2

3 This fishery is below the Miles Lake
4 sonar count that depend -- that sonar count gives the
5 managers decisions whether to restrict fisheries on the
6 subsistence fisheries up here on the Copper River,
7 which has been done, the Chitina area, they were
8 talking about closing Federal too at one time, 2018 --
9 2016, I believe it was. That was a deep concern for
10 us. Like Karen said, we were talking about asking the
11 Federal Board to close down commercial fisheries
12 because it was a concern to us up here. It still is a
13 concern. And we do have sympathy for the people in the
14 Lower Copper River, I mean I do, personally -- I should
15 say this, personally, I do have a concern that they say
16 they're not catching fish, sockeyes and kings, but they
17 live down there close to the river, they have Eyak too,
18 the have charter boats, and they have jobs, they have a
19 commercial fisheries plant down there to charter a boat
20 to get out there and fish. They have the Eyak River,
21 the Alaganik Slough and the Ibeck Creek.
22

23 And as Karen said, I'm going to say it
24 again, we only have the Copper River to fish on. We
25 don't have any other system to fish to get sockeye and
26 kings. They say they don't have a lacking of boat
27 knowledge to get to the fisheries or they don't have a
28 boat, you know, they live in that area where there's a
29 lot of boats.
30

31 I'm glad to see that the delegation of
32 authority is going to be kept with the Park. My
33 understanding, I just heard that.
34

35 I want to say that Fish and Game
36 opposes this, the Native Village of Eyak opposes this,
37 the Upper River communities oppose this, public comment
38 opposed from the very beginning and then all of a
39 sudden, bang, as soon as this proposal later on came
40 out, I mean later -- all at once, hundreds of letters
41 came in with -- it was a form letter, same wording, all
42 people did was sign the letter -- sign this note saying
43 they approved this, which I thought was kind of a
44 sneaky way of getting in a lot of comments all at once.
45

46 I also want to say that the chinook
47 [sic] river was below average between -- it was below
48 average on the Copper River between 2009 and 2016 and
49 it failed to reach its escapement goal in 2010, 2014
50

1 and 2016. I also want to say they have gillnet fishery
2 to go out there and fish with a gillnet. As a
3 community, you know, when people need help up here we
4 help other people. Tazlina Council has a fishwheel, we
5 allow non-Natives to use our fishwheel. After tribes
6 are satisfied or they're busy or whatever, we let other
7 people use our fishwheel. And, you know, the community
8 of Cordova, I believe, are the same way, according to
9 Eyak, they do provide for their community. And I've
10 been down there and I've seen that myself how the
11 community of Eyak does work with their community.
12

13 And I also want to say the commercial
14 fisheries were restricted from the inside barriers
15 prior to 2018 because of the low chinook run and salmon
16 migration. State did that for a reason. It was
17 because there was low runs. In 2020 the commercial
18 harvest was low. Prior to June 25th the cumulative
19 objective was 530,313, that was just barely above the
20 escapement goal of 360.
21

22 We heard that 20 -- this year the
23 forecast is going to be low again. We are going to be
24 impacted by this. The Upper Copper River is.
25

26 They also have Home-Pack to go and get
27 fish. Eyak provides for them as well as I said
28 earlier.
29

30 And, again, I want to say up to 2,000
31 sockeyes could be harvested by 3,000 people; 300
32 chinook could possibly be harvested, that is going to
33 have an impact on us.
34

35 And I just want to say I hope you guys
36 don't allow them to fish from a boat in the Lower
37 Copper River.
38

39 And, again, I want to say I feel for
40 those people down there, for the subsistence fisheries,
41 I know they need fish, but they do have the
42 opportunity, more than opportunities than we do up
43 river. We only have the Copper River to fish on.
44

45 And as far as for my family, our
46 fishwheel, we have like 60 people using our fishwheel,
47 families, people from Anchorage come out and use our
48 fishwheel under the State -- they get a State permit,
49 and then we have people traveling like 60 miles a day
50

1 to fish and then they come up here and they don't get
2 any fish, you know, that one person was upset because
3 he doesn't have a job, he doesn't have income coming
4 in, but, yet, every day like for three days he was
5 coming up to get fish from our fishwheel for his family
6 and there wasn't no fish. He finally just gave up and
7 said, this is just wasting my gas, I mean I'm not
8 getting any fish and he was upset but there wasn't --
9 we take turns using our fishwheel, we let family
10 members use it at different times, we schedule a time,
11 this week is your week and that was his week to use it
12 because we have a large family. And so he didn't get
13 any fish other than his mom had to ask other people for
14 fish for him, and that's how he was able to get fish.
15 But when his turn at the fishwheel was, he didn't get
16 any fish, any sockeye, any king. That's what I'm
17 talking about when I say the up river people are going
18 to be affected by this if this new fishery opens.

19
20 During this time of low run of sockeye,
21 during this time of low run of chinook and possibly --
22 we don't know what the chinook escapement goal is, I
23 haven't heard anything yet about that, we don't know if
24 it's been met or not and, yet, we're allowing a new
25 fishery. One of the Board's concern should be
26 conservation concern, that should be the top most
27 important thing you look at, is the conservation of
28 sockeye, the conservation of chinook, are spawning
29 escapement goals being met. That should be one of the
30 most important things you think about.

31
32 And as far as the Eastern Interior not
33 having a say in this proposal, they are a RAC, all RACs
34 have deference to proposals even -- I think they need
35 to have deference, they opposed this and they opposed
36 it for a reason because they've heard us speak to them,
37 they're our -- during their meeting. What they had to
38 say, what they had to write should be given deference
39 as well as Southcentral RAC. And I don't think the
40 Southcentral RAC understood what the -- what the
41 fishery was like here as well as they could have, they
42 didn't understand the escapement goal, how low it was,
43 the chinook, they had no -- they had no data on chinook
44 or how low it was or even if it was being met when they
45 made their decision. And I still haven't heard any
46 word about has the chinook met their escapement goal.

47
48 So I really hope you guys will not pass
49 this right now and just sit on it for awhile until we
50

1 can get better runs to conserve our sockeye and
2 chinook.

3
4 CHAIRMAN CHRISTIANSON: Thank you,
5 Gloria. Are you finished?

6
7 MS. STICKWAN: Yes, thank you.

8
9 CHAIRMAN CHRISTIANSON: Oh, okay, thank
10 you for taking the time to call in today and share with
11 us all that valuable information. Any questions from
12 the Board for Gloria.

13
14 (No comments)

15
16 CHAIRMAN CHRISTIANSON: All right,
17 again, thank you for calling in Gloria.

18
19 Operator, is there anybody else online
20 who would like to speak to this agenda item.

21
22 OPERATOR: Yes, sir. Next we have Save
23 Sarafin, your line is open, please go ahead.

24
25 MR. SARAFIN: Hello, Mr. Chair. I was
26 just trying to activate my phone in case there are
27 other questions that popped up. Milo had referred to
28 me regarding chinook concerns, I believe. So I'm more
29 prepared to answer if you do have any questions.

30
31 (Pause)

32
33 MR. SARAFIN: Hello, was I on mute
34 there.

35
36 REPORTER: No.

37
38 MS. PITKA: No, I heard you. I'm not
39 sure if Tony got kicked off the line or not.

40
41 MR. SARAFIN: Okay. Yeah, this was
42 Dave Sarafin with the National Park Service, so I was
43 just trying to be ready online in case you had any
44 questions regarding anything I could help with.

45
46 MS. PITKA: Well, thank you, sir, very
47 much. Do we have anybody else online for public
48 testimony.

49
50

1 OPERATOR: Yes, next we have Kelsey
2 [sic] Haisman, your line is open.
3

4 MS. PITKA: Thank you, go ahead. You
5 have the floor now.
6

7 MS. HAISMAN: Yeah, hi, my name is
8 Chelsea Haisman and I represent Cordova District
9 Fishermen United, which is a commercial stakeholder
10 group but there are a few things that I would like to
11 reiterate, many of which have already been stated by
12 other individuals today.
13

14 We are coming off of what was
15 essentially a run failure on the Copper River this past
16 year and also in 2018 and the timing of this proposal
17 should be taken with caution given the concerns of
18 stakeholders, both up river and down, particularly with
19 the absence of concrete data that suggests local
20 residents are not meeting their protein needs with
21 current opportunities.
22

23 We also -- from the analysis it states,
24 we also recognize, however, that there are many
25 competing fisheries and stakeholders throughout the
26 Copper River drainage that are dependent on the health
27 and viability of salmon stocks. For these reasons we
28 believe that it is prudent to be cautious in creating a
29 new Federal fishery even though the expected harvest
30 from this fishery is anticipated to be low.
31

32 We echo this caution and that that has
33 been expressed by other stakeholders up river as well.
34

35 It's already been called to your
36 attention, but Alaska Department of Fish and Game
37 comments were opposed. Public comments that were
38 received on time were opposed. The Native Village of
39 Eyak and up river tribes were opposed. And Advisory
40 Committees to the State from both up river and down
41 were opposed to this.
42

43 The proponents rationale for submitting
44 this proposal is to improve access to Copper River
45 salmon by providing residents a road accessible harvest
46 area, and it's been stated already that there are
47 currently three road accessible Federal subsistence
48 dipnet fisheries open in the Copper River Delta.
49
50

1 I'd also like to reiterate that many
2 rural residents bring home their Home-Pack during
3 commercial openers under personal use and this
4 contribution is what is essentially -- to what is
5 essentially, subsistence, often goes unrecognized.

6
7 (Teleconference interference -
8 participants not muted)

9
10 MS. HAISMAN: Sorry, what was that?

11
12 MS. PITKA: I think that was just
13 somebody in the background. I'm sorry, please proceed.

14
15 MS. HAISMAN: Oh, okay. Unfortunately
16 I don't have the specific numbers in front of me but
17 based on data that I've reviewed in the past I do
18 believe that approximately 40 percent of the commercial
19 harvesters in Cordova would be Federally-qualified
20 users and beyond that another 30 percent to 35 percent
21 are Alaska residents.

22
23 As a commercial fishing organizations,
24 we also hold several fish donation drives each summer
25 to bring more fish into our community. We provide fish
26 for the school and we also do a senior salmon daydrive
27 that provides fish to elders 60 and above within the
28 community. It likely doesn't meet all of the needs but
29 we like to do our part to contribute.

30
31 In the State subsistence fishery
32 there's the ability to proxy and to also bring other
33 permitholders out with you and many commercial
34 fishermen take advantage of this opportunity to make
35 sure that their friends, family and neighbors get their
36 needs met as well.

37
38 I believe it was also mentioned earlier
39 that the -- I think Milo said the 10 year average of
40 the commercial catch was over one million sockeye, but
41 I would like to point out that that number is heavily
42 weighted toward the beginning of the last decade and
43 this year, in 2020, the commercial catch was only
44 98,000 sockeye, which is significantly less than that.

45
46 That concludes my public comments. If
47 there's any questions please let me know.

48
49 MS. PITKA: Thank you, for your
50

1 comment.

2

3 CHAIRMAN CHRISTIANSON: Thank you,
4 appreciate the public comment. Any questions.

5

6 (No comments)

7

8 CHAIRMAN CHRISTIANSON: Hearing none,
9 all right, thank you for calling in. Operator, anybody
10 else online.

11

12 OPERATOR: Yes, sir. Next, we have
13 Robert Jewell, your line is open, please go ahead.

14

15 (Pause)

16

17 OPERATOR: Robert, please go ahead,
18 your line is open.

19

20 (Pause)

21

22 OPERATOR: And then next we have Karen
23 Linnell, your line is open.

24

25 MS. LINNELL: Thank you. I just have
26 one point of clarification. The Eastern Interior RAC
27 represents Mentasta, which is at the head waters of the
28 Copper River, and who's tribal community members, not
29 just from the Native Village of Mentasta, but the Slana
30 residents use the -- have their fishwheels on the north
31 end of the Nabesna Road, that includes the Katie John
32 Native allotment and Jean Henry who were, you know, why
33 we have a Federal fishery, and that is at the
34 headwaters. And so the Eastern Interior RAC does have
35 a say in regards to what happens on the Copper River.
36 Sue Entsminger was the Chair of the EIRAC and we spoke
37 about this some, and she brought that back to Mentasta
38 as well and spoke to them and represented them at the
39 EIRAC and that's why they were opposed.

40

41 So I just wanted to make sure that you
42 folks know that they do have a say on the Copper River.
43 They represent Mentasta Village.

44

45 Thank you.

46

47 MS. PITKA: Thank you for that further
48 testimony. Are there any other comments in the que.

49

50

1 OPERATOR: There's no one else in the
2 que at this time.

3
4 CHAIRMAN CHRISTIANSON: All right,
5 thank you. Any other people online, Operator, that
6 would like to be recognized at this time.

7
8 OPERATOR: It looks like Robert Jewell,
9 your line is open, please go ahead.

10
11 MR. JEWELL: Hi, can you hear me now?
12

13 CHAIRMAN CHRISTIANSON: Yeah, we can
14 hear you now Robert.

15
16 MR. JEWELL: Okay, thank you. Sorry, I
17 got disconnected somehow. I just wanted to second what
18 Jesse Carter had proposed here.

19
20 Being a resident of Cordova it is
21 extremely hard to dipnet on the Eyak and the Alaganik,
22 you just can't do it. We're not fish snobs down here.
23 We would just like to have a small percentage of the
24 fish. It seems like there's a lot of special interest
25 groups who would not like that. We don't all have
26 access to boats. We don't have access to all the gear
27 that you have to run out into the ocean to do this.
28 Not everyone has that. There's a lot of folks around
29 here who live paycheck to paycheck. We don't have a
30 ferry anymore. The cost of living is going up
31 expeditiously. It's -- you know, we're not -- and I
32 like what the Board member said, it seems like the
33 bottom and the top of the Copper River are fighting
34 each other over one percent of the harvest. I thought
35 that was very well stated.

36
37 I heard a lot of comment about folks
38 coming from Anchorage, Fairbanks, all these places,
39 well, guess what they all have Costcos, Walmarts,
40 Targets, they all get to go to those stores, get their
41 groceries. We don't get that opportunity. We have to
42 have everything either barged here or flown here.

43
44 That's kind of all I have.

45
46 I really appreciate all of you guys.

47
48 We have many more people who wanted to
49 sign, it just got to us too late. And that's it for me
50

1 for right now. Thank you, all.

2

3 CHAIRMAN CHRISTIANSON: Thank you.
4 Thank you for taking the time to call in and share that
5 point of view, appreciate that.

6

7 Any questions from the Board.

8

9 (No comments)

10

11 CHAIRMAN CHRISTIANSON: All right, you
12 have a nice day. Operator, is there anyone else who
13 would like to be recognized at this time online.

14

15 OPERATOR: The que is clear.

16

17 CHAIRMAN CHRISTIANSON: Alrighty, thank
18 you. Appreciate that. That concludes the public
19 testimony portion of this. We will move on to the
20 Regional Council recommendation, will RAC Chair or
21 designee please step -- next.

22

23 MR. ENCELEWSKI: Mr. Chairman. Tony.
24 This is Greg, Southcentral Regional Advisory Council
25 and other Federal Board members there, if it is the
26 right time I'll give my report and my comments.

27

28 CHAIRMAN CHRISTIANSON: Yep, you have
29 the floor Greg.

30

31 MR. ENCELEWSKI: Okay. Let's see,
32 where do I start. Holy smokes, this is -- you know,
33 first of all we spent a lot of time on this issue and
34 we took a lot of comment and we deliberated it very
35 thoroughly, and we rely on the comments given to us at
36 the time of our meeting.

37

38 But this -- what we did is we supported
39 it. It was 6/3, there was some opposing, but we
40 supported it for reasons based on our input that we
41 received from the total meeting there. The Council
42 considered the comments submitted for all its Council
43 meetings and deliberated over the comments and
44 testimonies that they had received by the time the
45 issue came up for the agenda. The Council's majority
46 supports this proposal based on the information
47 provided by OSM showing that there would be a minimal
48 impact to the salmon run. The Council acknowledged
49 that some users stated their subsistence needs were not

50

1 being met for both Upper river and Lower river, and
2 there is a need to provide additional harvest
3 opportunities. ANILCA's provision for rural
4 subsistence priorities supports creating this fishery.
5 As Federal food resources should take precedences over
6 any State use and it is important for those under-
7 served-Federally-qualified subsistence users who do not
8 own boats. The Council recognized that this was an
9 issue that polarized the community, however, they felt
10 that the request for the modification is reasonable and
11 that allowing this fishery would provide for easier and
12 safer access to harvest of this important resource.

13

14 Subsistence users should be provided
15 the opportunity to obtain their fish. And any
16 restrictions to address a conservation concern should
17 come from the other user groups.

18

19 Again, the Council relies heavily on
20 all comments given to them for recommendation.

21

22 And I'll be glad to answer any
23 questions you may have of me. That was, I thought, a
24 very thoroughly vetted thing at our Council and that's
25 the conclusion of our Council.

26

27 Thank you.

28

29 CHAIRMAN CHRISTIANSON: Thank you,
30 Greg. Any questions from the Board for Greg.

31

32 (No comments)

33

34 CHAIRMAN CHRISTIANSON: Thank you.
35 Thank you for that thorough report out, appreciate
36 that. And was there any other Regional Advisory
37 Council Chairs who wished to speak to this proposal.

38

39 (No comments)

40

41 CHAIRMAN CHRISTIANSON: Hearing none,
42 we'll move on to tribal Alaska, Native corp comments.
43 Orville Lind.

44

45 MS. WESSELS: Mr. Chair, this is Katya.

46

47 CHAIRMAN CHRISTIANSON: Yes, Katya.

48

49 MS. WESSELS: I think that perhaps

50

1 Susan Entsminger -- Sue Entsminger from Eastern
2 Interior is online and she wanted to talk in regards to
3 that proposal.

4
5 CHAIRMAN CHRISTIANSON: Yes, the floor
6 is open for that. I did call so, Sue, you have the
7 floor if you can speak now.

8
9 MS. ENTSMINGER: Hello. They won't let
10 me.....

11
12 CHAIRMAN CHRISTIANSON: Go ahead, Sue.

13
14 MS. ENTSMINGER: Oh, you can hear me
15 now.

16
17 CHAIRMAN CHRISTIANSON: Got you now,
18 Sue, thank you for calling in.

19
20 MS. ENTSMINGER: Yeah, they wouldn't
21 let me on. So, hey, thanks for hearing the Eastern
22 Interior. This is Sue Entsminger with the Eastern
23 Interior.

24
25 We wanted to share with the Board on
26 this issue. Even though the Eastern Interior RAC does
27 not have a C&T for the Lower Copper River, which this
28 proposal affects, we do have people in the Upper Copper
29 River that are C&Ts for -- Eastern Interior do have
30 C&Ts for the Upper Copper River, so we're very
31 concerned about the Copper River fish and particularly
32 the kings. So we took this proposal up at our last
33 meeting.

34
35 We opposed the proposal due to the
36 potential conservation concerns and depletion of an
37 important subsistence resource. The Federally-
38 qualified subsistence users in the Upper Copper River
39 that depend on the river resources have serious
40 concerns regarding the establishment of a new fishery.
41 The Council believes that it's not the right time to
42 open a new fishery. There is already a lot of hardship
43 taking place, not only in the Copper River, but also in
44 many other Alaska rivers that are losing king salmon.

45
46 I wanted to point out, I've been on the
47 Eastern Interior RAC 20 years and we've been talking
48 about king salmon and low runs on the Yukon River, so I
49 believe that the Eastern Interior can really see a very
50

1 -- is sensitive to the subject of the low returns and
2 then the low returns that are starting to occur here on
3 the Copper. So in the 20 years that I've been on the
4 Eastern Interior the Yukon has not come back yet, so
5 this is a big concern and I think we wanted to weigh in
6 on it.

7
8 Other salmon returns are poor as well.
9 When salmon runs are weak, communities in up river have
10 much less access to other fish resources than users in
11 the lower river. The Council is concerned that the
12 fishery will specifically target king salmon,
13 especially since it includes rod and reel, spear or
14 gaff. The users in Cordova already have multiple
15 places to go fish for other salmon species.

16
17 Additionally, the Council wanted to
18 highlight to the Board that it appears to be different
19 positions in the community of Cordova. Some people
20 support and some people oppose. 11 comments received
21 by OSM prior to the proposal, written comment deadline
22 of July 2nd of 2020 were all in opposition of the
23 proposal, and then during the meeting the Council
24 learned that a large number of written public comments
25 in support solicited by the proposed proponent were
26 given to the Forest Service and submitted to the
27 Southcentral RAC, to the coordinator during their
28 recent meeting. At that meeting the public expressed
29 frustration, that's our meeting, we expressed
30 frustration that these comments were submitted after
31 the proposal written comment deadline. The Council
32 commented that this situation made it difficult for the
33 Council to evaluate the public support or opposition to
34 a particular proposal. Moreover, the Council became
35 privy to information that suggested that some users in
36 Cordova have actually illegally sold their subsistence
37 fish because the salmon caught in the fishery are
38 highly sought after. And it came up at our meeting
39 that the people of Ahtna were contacted to support this
40 proposal by some Staff in Forest Service and that also
41 became something that we were concerned about. And I
42 know in our area it seems like if the Federal people in
43 these management areas come up with a proposal, which
44 kind of happened here in Unit 12, then they put the
45 proposal forward and then it comes out that the people
46 didn't know about it and they become very upset. And I
47 just wanted to point out that there is potential of
48 abuse on this fishery.

49
50

1 That's all I have.

2

3 Thank you.

4

5 And actually I do want to say that, you
6 know, people in the southern part of Unit 12 are the
7 ones that have the C&T on the Upper Copper River, which
8 includes Mentasta and people around Tok area.

9

10 So for that we oppose.

11

12 Thank you.

13

14 CHAIRMAN CHRISTIANSON: Thank you.
15 Thank you for that. Any questions from the Board for
16 Sue.

17

18 (No comments)

19

20 CHAIRMAN CHRISTIANSON: Thank you, Sue.
21 And I appreciate you taking the time to call in. That
22 brings us back to tribal Alaska, Native corp. Orville
23 Lind.

24

25 MR. LIND: Yes, can you hear me, Mr.
26 Chair.

27

28 CHAIRMAN CHRISTIANSON: Got you loud
29 and clear, brother.

30

31 MR. LIND: Thank you, Mr. Chair and
32 Board members. On June 11th we conducted consultations
33 and we did have the Native Village of Eyak, Eyak
34 Corporation call in. We had a question by Mr. Olson
35 who would be -- if the fishery was open who would be
36 enforcing it -- Mr. (Indiscernible) replied that he'd
37 defer that question to Mr. Wayne Owen and Mr. Owen's
38 reply, he said the enforcement would be with Forest
39 Service. And also Mr. Adams-- Mr. Adams from Eyak,
40 after Robbin LaVine gave the brief overview of the
41 fisheries proposal, 21-10, he said according to how
42 Robbin read it, one and a half miles downstream to the
43 Million Dollar Bridge would be open for dipnetting.
44 And the other member, Adams, replied that he now
45 understood the proposal. And then Mr. Owen replied
46 that this is an early stage of the process and
47 additional opportunities to comment on this proposal
48 would be at the Regional Advisory Council meeting and
49 then consultation at the Federal Board meeting. Mr.

50

1 Olson also replied that they were going to try to set
2 up some consultations with the Forest Service.

3
4 We also had folks from Tazlina, Ms.
5 Gloria Stickwan commented, saying that we are concerned
6 about this new fisheries at this time and possibly in
7 the future. Because the fisheries for sockeye and
8 salmon are very low, below management objectives. Not
9 sure what the Federal management is going to do. I
10 know the people up here, I'm going to talk to them, and
11 they are only catching a very few fish, a few kings but
12 hardly any sockeyes, and we don't want this fishery to
13 be opened. When asked, Angela (ph), from Eyak
14 Corporation, she replied that she agrees with Gloria,
15 it is a real bad year for salmon and the corporation is
16 not taking any stand just now but gathering all the
17 information they can but is going along with what
18 Gloria has stated.

19
20 And that concludes the consultation
21 information, Mr. Chair.

22
23 Thank you.

24
25 CHAIRMAN CHRISTIANSON: Thank you,
26 Orville. Thank you. Any questions for Orville.

27
28 (No comments)

29
30 CHAIRMAN CHRISTIANSON: All right,
31 appreciate that. That moves us on to Alaska Department
32 of Fish and Game comments, and we'll call on Mr. Ben
33 Mulligan.

34
35 MR. MULLIGAN: Hi, Mr. Chairman. Good
36 to be with you guys again, wish it was in person, of
37 course. For the record my name is Ben Mulligan. I'm
38 with the Alaska Department of Fish and Game.

39
40 You guys have, of course, our comments
41 in writing and have had those, but for the record, for
42 this meeting, ADF&G opposes this proposal. As we
43 interpret ANILCA, we believe that the Federal
44 Subsistence Board has the ability to reopen seasons or
45 areas that were previously closed but not the ability
46 to create new fisheries or hunts. So, again, we oppose
47 this proposal.

48
49 Thank you.

50

1 MS. PITKA: Thank you, Mr. Mulligan,
2 for your comments. Does anybody have any questions for
3 Mr. Mulligan at this time.

4
5 (No comments)

6
7 MS. PITKA: If not, InterAgency Staff
8 comments. Thank you.

9
10 MS. WESSELS: Thank you, Madame Chair.
11 Members of the Board. For the record my name is Katya
12 Wessels and I will be presenting the InterAgency Staff
13 Committee comments on.....

14
15 CHAIRMAN CHRISTIANSON: I'm back on.

16
17 MS. WESSELS:Fisheries Proposal
18 FP21-10. So the InterAgency Staff Committee supports
19 the proposal to provide a new Federal salmon
20 subsistence fishing opportunity in the Lower Copper
21 River adjacent to the Copper River Highway for
22 Federally-qualified subsistence users, especially those
23 residing in Cordova.

24
25 ISC recognized that access to sockeye
26 salmon in the State subsistence fishery near Cordova
27 can be difficult for those lacking a boat and the
28 knowledge of safely navigating the fishery. The ISC
29 also recognized, however, that there are many competing
30 fisheries and stakeholders throughout the Copper River
31 drainage that are dependent on the health and viability
32 of salmon stocks. For these reasons the ISC believes
33 that it is prudent to be cautious in creating a new
34 Federal fishery, even though the expected harvest from
35 this fishery is anticipated to be low. To mitigate the
36 potential risks associated with a new fishery in the
37 Copper River, and to help alleviate the concerns
38 expressed by many rural stakeholders and fishery
39 managers, the ISC supports the OSM modification to
40 include a requirement to report take of salmon to the
41 delegated Federal manager for the Copper River drainage
42 within 48 hours of harvest. The ISC furthermore
43 suggests that the Board consider a modification to open
44 the proposed new season on June 1st, rather than on May
45 15th so allow managers to review early run strength
46 information provided through the initial commercial
47 fishing periods and the Miles Lake sonar. Further
48 proposals to adjust the season start date may be
49 warranted once Federal managers are able to ascertain
50

1 the effects of a new fishery within the drainage,
2 including the level of harvest and participation in
3 this fishery. The NPS has been issued a delegation of
4 authority letter to manage the Federal public waters
5 within the Copper River drainage in the Prince William
6 Sound area, if this proposal is adopted the NPS could
7 issue emergency special actions in response to in-
8 season management concerns in the new fishery under the
9 existing delegation of authority.

10
11 This concludes the InterAgency Staff
12 Committee comments.

13
14 Thank you.

15
16 CHAIRMAN CHRISTIANSON: Thank you,
17 Katya. We'll now move on to Board discussion.

18
19 (No comments)

20
21 CHAIRMAN CHRISTIANSON: Hearing none,
22 we'll open up for Board action.

23
24 MR. BROWER: Mr. Chair.

25
26 CHAIRMAN CHRISTIANSON: Yes, you have
27 the floor.

28
29 MR. BROWER: Just a question to Orville
30 or made this proposal, is that about 11 mile stretch
31 from the area boundary up stream from the river to the
32 highway to the -- Highway 38, is that about 11 mile
33 stretch you're talking about, just a question, that's
34 all.

35
36 MR. BURCHAM: This is Milo Burcham and
37 I could probably answer that and if the slide could be
38 moved back to the map, it is approximately 11 miles
39 crossing the Copper River, there's multiple channels,
40 but the road stretches about 11 miles. It was washed
41 out at 36 Mile and there's a gap in the road there so
42 it would take a boat to access the further reach of
43 road.

44
45 MR. BROWER: Thank you. Just curious.

46
47 MR. SIEKANIEC: Mr. Chair, this is
48 Greg.

49
50

1 CHAIRMAN CHRISTIANSON: Greg, you have
2 the floor.

3
4 MR. SIEKANIEC: Thank you. Milo, in
5 looking at the map now that Charlie asked this
6 question, you know, my familiarity with the Copper
7 River it's just a very braided stream, so all of the
8 braids that lead into the primary river would all be
9 considered open for fishing and is that -- do fish
10 utilize all of those braided channels, or is this going
11 to concentrate it right at the largest stretch of the
12 river there.

13
14 MR. BURCHAM: That's difficult to
15 answer because there's a lot known. There's multiple
16 channels of various sizes, probably most of the fish go
17 through the bigger channel where the most water is
18 going through and that is around 36 Mile. But
19 certainly fish cross in other channels as well. Yeah,
20 it's a wide crossing, you know, 10 or 11 miles of
21 braided channels.

22
23 MR. SIEKANIEC: Yeah, it looks that
24 way. And you said at the 36 Mile, that would still be
25 accessible by the road, and then past that is where you
26 would need a boat to continue on?

27
28 MR. BURCHAM: Where you would need a
29 boat to access the remaining road, yes.

30
31 MR. SIEKANIEC: Okay.

32
33 MR. BURCHAM: And so 27 to 36 mile is
34 intact, 27 Mile is the west bank of the Copper River,
35 36 Mile is where it's washed out and it's around 38
36 Mile, if I'm not mistaken, that's the end of the
37 crossings.

38
39 MR. SIEKANIEC: Okay, thanks.
40 Appreciate the little geography lesson. Thank you, Mr.
41 Chair.

42
43 CHAIRMAN CHRISTIANSON: Thank you. Any
44 other Board discussion, questions for Staff.

45
46 (No comments)

47
48 CHAIRMAN CHRISTIANSON: We'll open up
49 the floor, hearing none, to Board action.

50

1 MR. SCHMID: Mr. Chair, Dave Schmid,
2 Forest Service.

3
4 CHAIRMAN CHRISTIANSON: You have the
5 floor Dave.

6
7 MR. SCHMID: Thank you, Mr. Chair. I'm
8 going to move to defer Proposal FP21-10 as submitted by
9 Jesse Carter and Robert Jewell of Cordova, Alaska,
10 including the OSM recommended modification and ISC
11 delayed start date recommendation. This proposal is
12 shown on 127 of the Board book. Following a second, I
13 will explain why I intend to defer the motion.

14
15 MR. PELTOLA: Second, BIA.

16
17 MR. BROWER: Second.

18
19 CHAIRMAN CHRISTIANSON: Go ahead, Dave.

20
21 MR. SCHMID: Thank you. Gosh, a lot.
22 First and foremost, I appreciate the testimony and the
23 comments we've heard from all hear. The Board here
24 today, we face a decision about allocating, you know, a
25 resource, a limited number of salmon among multiple
26 groups of Federally-qualified subsistence users.

27
28 While I really truly, very much
29 appreciate the efforts of the InterAgency Staff
30 Committee and others to find a way to make this
31 proposal work, I still remain concerned that Fisheries
32 Proposal 21-10 has elicited, as we've heard, a point of
33 disagreement between Regional Advisory Councils, some
34 of the tribal communities and others. These regions
35 and communities are already faced with a, you know, a
36 greatly diminished fisheries resource, from which to
37 meet their subsistence needs, and I believe it is
38 important to find, or at least explore, to find a
39 compromise and identify if there are cooperative
40 solutions between the RACs.

41
42 I also heard clearly, you know, we are
43 talking about a very small number of fish within the
44 overall harvest in the Copper River, but I believe that
45 the residents of Cordova currently have a meaningful
46 priority for subsistence fishing in the Copper and
47 typically are usually able to harvest at least the fish
48 that they need. I do believe, and as we may have heard
49 from a minority of folks, that there may be some social
50

1 justice issues associated here with access to resources
2 and access to fish.

3
4 I would go on to say this, while the
5 harvest, I think, is meeting some of the current needs
6 there in Cordova, this isn't necessarily true higher up
7 in the Copper River watershed, at least in some of the
8 recent years.

9
10 Therefore, I'm moving that we defer
11 approval of FP21-10 until such time that the
12 Southcentral and the Eastern Interior RACs can meet and
13 maybe work on to develop or explore a compromise that
14 can be supported by those affected as well. And,
15 again, I did, I think, Mr. Peltola, with BIA, nailed
16 it, in terms of the Up River/Lower River, we're pitting
17 folks, users, subsistence users against each other over
18 a very small proportion of the fishery.

19
20 I do have faith in the Advisory Council
21 process. And I'm certain that the wisdom and maybe
22 with some work might lead to a consensus proposal that
23 we could all support or consider in the future.

24
25 Thank you, Mr. Chair.

26
27 CHAIRMAN CHRISTIANSON: Thank you,
28 Dave. Such an eloquent position to take there in the
29 making of your motion with a second. I somewhat agree
30 with everything that you stated there. And so if
31 there's any other Board discussion on this or what not,
32 right now we have a current motion to defer based on
33 Dave's motion.

34
35 (No comments)

36
37 MR. BROWER: Question.

38
39 CHAIRMAN CHRISTIANSON: Thank you,
40 Charlie. Question's been called.

41
42 We'll do roll call, Sue, please, thank
43 you.

44
45 MS. DETWILER: Okay. Thank you. The
46 motion is to defer Proposal FP21-10 as submitted by
47 Jesse Carter and Robert Jewell of Cordova, Alaska,
48 including the OSM recommended modification and ISC
49 delayed start recommendation.

50

1 So at the request of Park Service I'm
2 going to ask for their vote first, Don Striker.

3
4 MR. STRIKER: Yes, I support the motion
5 for the reasons so well articulated by Mr. Schmid. I,
6 too, really respect the perspective and the passion and
7 am deeply troubled by this notion of needing to sort of
8 force competition between equally worthy rural
9 residents.

10
11 You know the one thing that I would
12 just like to put on the record is that I'm also
13 troubled by the notion that we would do anything that
14 restricts Federally-qualified users when other State,
15 commercial and personal fisheries are taking place.

16
17 So with that caveat, I support the
18 motion.

19
20 Thank you.

21
22 MS. DETWILER: All right, thank you,
23 Mr. Striker.

24
25 Greg Siekaniec, Fish and Wildlife
26 Service.

27
28 MR. SIEKANIEC: Thank you, Sue. I
29 support the motion to defer as articulated by our
30 colleague at the Forest Service, Mr. Schmid.

31
32 I also agree that, you know, it's a
33 most unfortunate setting where we start pitting upper
34 and lower, and I would really like to, again, as Mr.
35 Schmid said, see our Regional Advisory Committees come
36 together or Councils come together and really look to
37 see if there isn't some solution that can be worked out
38 between them and then be brought back before the Board.

39
40 Thank you.

41
42 MS. DETWILER: Thank you, Greg.

43
44 Dave Schmid.

45
46 MR. SCHMID: Yeah, thank you. Again,
47 I'm going to support deferring this motion for the
48 reasons and the justification I provided.

49
50

1 Thank you.
2
3 MS. DETWILER: Thank you.
4
5 Gene Peltola, BIA.
6
7 MR. PELTOLA: BIA supports deferring
8 the proposal as articulated earlier by the Forest
9 Service. In addition to, the Program should not be put
10 in a position to potentially put one RAC over another,
11 relying on a similar resource on the same river, and in
12 addition to, the priority consumptive use of the
13 resources may not be getting a fair shake.
14
15 Thank you.
16
17 MS. DETWILER: Okay. Thank you, Gene.
18
19 Chad Padgett, BLM.
20
21 MR. PADGETT: Sorry, I couldn't find my
22 mute button. I support as articulated by the Forest
23 Service.
24
25 Thank you.
26
27 MS. DETWILER: Thank you.
28
29 Public Member Rhonda Pitka.
30
31 MS. PITKA: I support to defer this. I
32 would like the Regional Advisory Councils to speak more
33 on it, but, at the same time I feel like they've given
34 a lot of testimony today. I support the deferral,
35 thank you.
36
37 MS. DETWILER: Thank you.
38
39 Public Member Charlie Brower.
40
41 MR. BROWER: I support it as stated by
42 Forest Service. Thank you.
43
44 MS. DETWILER: Okay, thank you.
45
46 Finally, Chair Tony Christianson.
47
48 CHAIRMAN CHRISTIANSON: I support.
49
50

1 MS. DETWILER: All right, thank you.
2 Unanimous support. So the motion passes, FP -- FP21-10
3 is deferred.

4
5 CHAIRMAN CHRISTIANSON: Alrighty, good
6 job guys. I'm going to call for a 10 minute break
7 right now. I'm pretty sure somebody needs to go to the
8 bathroom or just let our brains rest for a minute so
9 we'll call for a 10 minute break. Please don't hang
10 up, stay on the line and we'll come back here at five
11 after 4:00 to conduct another round of business.

12
13 Thank you.

14
15 MR. SIEKANIEC: Thank you, Mr. Chair.

16
17 (Off record)

18
19 (On record)

20
21 MS. DETWILER: I just jumped on, should
22 I just quickly go through the roll and make sure we
23 have a quorum.

24
25 CHAIRMAN CHRISTIANSON: Yeah, you can.
26 Just go ahead and start over there, Sue, it sounds like
27 most people are on, but we'll just go ahead and have it
28 officially recorded by you and we'll start over.

29
30 Thank you.

31
32 MS. DETWILER: Okay. I hear Charlie
33 Brower, you're on.

34
35 MR. BROWER: Yeah, I'm here.

36
37 MS. DETWILER: Okay, thank you.

38
39 Rhonda Pitka.

40
41 MS. PITKA: Hi, I'm here.

42
43 MS. DETWILER: Dave Schmid.

44
45 MR. SCHMID: I'm here, Sue, thanks.

46
47 MS. DETWILER: Okay. And I understand
48 Chad Padgett had to leave, Chris McKee, are you on.

49
50

1 MR. MCKEE: I'm here, Sue.
2
3 MS. DETWILER: Thank you.
4
5 Gene Peltola.
6
7 MR. CHEN: Hey, Sue, this is Glenn Chen,
8 I'm holding Gene's spot until he gets off the phone.
9
10 MS. DETWILER: Okay, thank you.
11
12 Greg Siekaniec.
13
14 MR. SIEKANIEC: Yep, Sue, I am here.
15
16 MS. DETWILER: Thank you.
17
18 And Don Striker.
19
20 MR. STRIKER: Hello. Hello. Thank
21 you.
22
23 MS. DETWILER: It looks like we have
24 everybody here.
25
26 CHAIRMAN CHRISTIANSON: All right,
27 thank you.
28
29 MR. BROWER: Louis Green, are you
30 online.
31
32 (No comments)
33
34 CHAIRMAN CHRISTIANSON: So we do have a
35 quorum established, thank you, Sue, for that. And we
36 will get back on, we finished up with the last proposal
37 and we will move on, we'll call on you Sue to go ahead
38 and call on the order of business and the Staff who
39 will provide the analysis.
40
41 Thank you.
42
43 MS. DETWILER: Okay. So we're
44 continuing on with Prince William Sound Fisheries
45 Proposal 21-11, and I believe that's Hannah Voorhees.
46
47 MS. VOORHEES: Good afternoon, Mr.
48 Chair and members of the Board. This is Hannah
49 Voorhees and I'm an anthropologist at the Office of
50

1 Subsistence Management. Can you hear me properly
2 before I continue, I just wanted to do a soundcheck.

3

4 CHAIRMAN CHRISTIANSON: Sounds good, I
5 can hear you, you're loud and clear, thank you, you
6 have the floor.

7

8 MS. VOORHEES: Great, thank you, Mr.
9 Chair. Fisheries Proposal 21-11 begins on Page 186 of
10 your Board book. This proposal was submitted by Kirk
11 Wilson of Glennallen and requests that the Board
12 require that in the Upper Copper River district, daily
13 harvest of salmon be recorded and reported to the
14 agency issuing the permit within three days of harvest,
15 and the reports must be made for any day that fishing
16 gear was in the water.

17

18 The proponent believes that obtaining
19 in-season harvest information would help to protect
20 against the possibility of overharvest.

21

22 I will be presenting multiple proposals
23 for the Upper Copper River district so will spend time
24 on background information here but will forego it in
25 the next presentation.

26

27 This proposal would apply to waters in
28 the Upper Copper River district within and adjacent to
29 the exterior boundaries of Wrangell-St. Elias National
30 Park and Preserve. This area is in the traditional
31 territory of the Ahtna Athabascans. For contemporary
32 communities with a customary and traditional use
33 determination for salmon in the Copper River drainage,
34 sockeye and chinook continue to make up the majority of
35 their harvest of wild foods.

36

37 In recent years, both sockeye and
38 chinook returns have experienced decreasing trends. In
39 2020 the sustainable escapement goal was met for
40 sockeye but not chinook. Both salmon passage at Miles
41 Lake sonar resulted in closure of the commercial
42 gillnet fishery at the mouth of the river as well as
43 reductions in the Chitina personal use fishery and the
44 chinook sportfishery in the Upper Copper River
45 district. All Copper River Federal and State
46 subsistence fisheries remained unrestricted through the
47 2020 season. The estimate of sockeye and chinook
48 harvest under Federal subsistence permits in the Upper
49 Copper River district between 2010 and 2019 was only

50

1 about nine percent of the overall subsistence and
2 personal use harvest.

3
4 There is currently no in-season
5 reporting requirement in either the State subsistence
6 and personal use fisheries or the Federal subsistence
7 fishery. Under Federal subsistence permits, fishers
8 must already keep accurate daily records of their
9 catch, showing the number of fish taken by species,
10 location and date, therefore, this proposal would not
11 require that new information be collected, only that it
12 be reported in-season.

13
14 However, the OSM conclusion is to
15 oppose this proposal with the following justification.

16
17 Adopting this proposal would result in
18 limited in-season data being available to managers.
19 However, it would place an additional burden on those
20 fishing under Federal subsistence permits to report
21 their harvest within three days. If adopted, the
22 reporting timelines for Federal subsistence users would
23 be significantly stricter than for those fishing under
24 State subsistence and personal use permits. This
25 proposal would make in-season phone or internet access
26 a precondition for participating in the subsistence
27 harvest and compliance with regulations. This proposal
28 would likely not result in the intended conservation
29 effect because fishing under Federal permits makes up a
30 relatively small portion of the overall harvest in the
31 Upper Copper River. This partial information may not
32 be useful for management decisionmaking without in-
33 season recording under State permits. A proposal
34 similar to the one under consideration here will be
35 taken up at the next Board of Fisheries meeting -- at
36 the next meeting at which Prince William Sound
37 proposals are discussed. This proposal submitted to
38 the State would require in-season reporting of
39 subsistence, sportfish and personal use harvest on the
40 Copper River under State regulation.

41
42 Thank you.

43
44 This concludes my presentation.

45
46 CHAIRMAN CHRISTIANSON: Thank you. Any
47 questions for the Staff from the Board.

48
49 (No comments)

50

1 CHAIRMAN CHRISTIANSON: All right,
2 hearing none, we'll move on to the next -- the ISC
3 recommendation.
4

5 MS. DETWILER: Actually, excuse me, Mr.
6 Chair, I believe the next -- oh, I'm -- never mind, I'm
7 -- I believe the next step after the Staff analysis is
8 the summary of public comments.
9

10 CHAIRMAN CHRISTIANSON: Yeah, you're
11 correct sorry. Thank you for that Sue, we'll do
12 summary of public comments.
13

14 MS. PERRY: Mr. Chair. This is DeAnna
15 Perry, Coordinator for the Southcentral Regional
16 Advisory Council.
17

18 CHAIRMAN CHRISTIANSON: Yes, DeAnna,
19 you have the floor.
20

21 MS. PERRY: Thank you. Mr. Chair and
22 members of the Board. Five written public comments in
23 support were received on this proposal and can be found
24 in your meeting books starting on Page 206.
25

26 A summary of these comments.
27

28 The Ahtna InterTribal Resource
29 Commission strongly feels there is a need for more
30 timely harvest data in the up river subsistence and
31 personal use fisheries. During years of low abundance
32 this could provide more granular data on the fishery
33 enabling more adaptive management decisionmaking and
34 might also help to build trust and consensus between
35 fisheries management and interested local public.
36

37 Michael Mahoney supports the proposal
38 stating good in-season management requires current data
39 and that with modern communication options there is no
40 reason why this timely reporting would be too
41 burdensome.
42

43 Thea Thomas strongly supports this
44 proposal and commented that it was important to limit
45 overharvest in the Chitina dipnet fishery and to
46 acquire timely data on the harvest.
47

48 Ahtna TeneNene' supports the proposal
49 to have it optional to have Federally-qualified
50

1 subsistence users report their fish harvest within
2 three days to a Federal agency. They should not be
3 burdened with unnecessary regulations. A few of these
4 users may not have a cell phone to make a reporting and
5 they are not harvesting the bulk of sockeyes and
6 chinook in the Copper River.

7
8 Bonnie Yazzie supports this proposal
9 because this would require in-season reporting and
10 there is a need to know exactly what is being taken in
11 order to accurately manage the fishery.

12
13 Kirk Wilson, the proponent, stated that
14 he supported the modification to have it optional, to
15 have Federally-qualified subsistence users to report
16 fish harvest within three days to a Federal agency.

17
18 Again, for the comments in their
19 entirety those can be read starting on Page 206 of the
20 meeting book.

21
22 Last week, prior to this Board meeting,
23 I did receive an additional comment, that was from the
24 Copper Basin Advisory Committee, opposing this
25 proposal. In summary it said that the sooner reports
26 are made the better. If reports are not done in three
27 days they might as well not report at all. The AC
28 recognizes that some people can't report online or by
29 cell phone, they suggested encouraging early reporting
30 within three days of harvest but not make this
31 requirement mandatory.

32
33 Also the Wrangell-St.Elias National
34 Park Subsistence Resource Commission gave a comment.
35 They opposed a modified version of Fish Proposal 21-11
36 with a vote of two in support and six opposed. The
37 modification would have made in-season harvest
38 reporting optional. The SRC noted that a similar
39 proposal had been submitted to the Alaska Board of
40 Fisheries for their consideration in relation to State
41 managed fisheries, which account for the majority of
42 the total salmon harvest in the Upper Copper River.
43 Federal subsistence represents a very small portion of
44 the total Copper River salmon harvest and requiring in-
45 season reporting by Federal subsistence users will be a
46 burden to people who don't have phones to call in their
47 harvest reports. There was also general opposition to
48 imposing a restriction that would only apply to
49 subsistence users. The requirement to report even when
50

1 harvest is unsuccessful is onerous. With respect to
2 the proposed modification to have the reporting be
3 optional, there was concern that it wouldn't
4 functionally work and would make the regulations more
5 complicated.

6
7 That is a summary of the written public
8 comments received on this proposal.

9
10 Thank you.

11
12 CHAIRMAN CHRISTIANSON: Yes, thank you.
13 Thank you for that, appreciate the summary. Sue, could
14 you call the next order of business please, I'm still
15 not at my desk.

16
17 MS. DETWILER: Sure. It's -- the next
18 step is public testimony.

19
20 CHAIRMAN CHRISTIANSON: All right.
21 Operator, at this time we would like to offer anybody
22 online who would like to be recognized at this time to
23 speak to the specific proposal, now would be the time.

24
25 Thank you.

26
27 OPERATOR: Thank you. If you would
28 like to make public comment and join the queue, please
29 press star one. You may remove yourself from the queue
30 by pressing star two. Again, to join the queue for
31 public comment press star one.

32
33 And our first comment comes from Hope
34 Roberts, your line is now open.

35
36 MS. ROBERTS: Hello, again, Board --
37 Federal Subsistence Board. Chugach Regional Resources
38 Commission, the Alliance. We have similar comments for
39 the rest of the proposals in this agenda portion, FP21-
40 11 through 14. May I just comment on those together or
41 would you like me to just stick with FP21-11 right now.

42
43 CHAIRMAN CHRISTIANSON: If we could
44 just stay specific to the one now I thank you.

45
46 MR. ROBERTS: All right, thank you.
47 Well, the Alliance and Chugach Regional Resources
48 Commission, we just encourage the Board to adopt FP21-
49 11 adding harvest reporting requirements for the Upper
50

1 Copper River subsistence fishery.

2

3 Thank you, that's all for now.

4

5 CHAIRMAN CHRISTIANSON: At this time I
6 would just want to ask you if there was some othertime
7 constraints you had that made you have to testify to
8 the other ones I would allow that now.

9

10 MS. ROBERTS: I didn't quite catch
11 that, sir.

12

13 CHAIRMAN CHRISTIANSON: I was just
14 saying if there was some reason you wouldn't be
15 available to testify during the next proposals that I
16 would entertain that at this time.

17

18 MS. ROBERTS: Oh, no, no, I'll be here,
19 thank you.

20

21 CHAIRMAN CHRISTIANSON: Okay, thank
22 you. I was just making sure, I wanted to accommodate
23 you. All right, thank you.

24

25 MS. ROBERTS: Thank you, sir.

26

27 CHAIRMAN CHRISTIANSON: Any questions
28 from the Board.

29

30 (No comments)

31

32 CHAIRMAN CHRISTIANSON: All right,
33 hearing none, Operator, is there anyone else who would
34 like to be recognized at this time, please.

35

36 OPERATOR: Yes, sir, next we have Karen
37 Linnell, your line is now open.

38

39 MS. LINNELL: Thank you. Thank you,
40 Mr. Chair. Karen Linnell, Ahtna InterTribal Resource
41 Commission.

42

43 In consideration of those who were
44 talking about ability to report and things like that,
45 yes, we do record our harvest daily on our permits, but
46 maybe a -- rather than every three days, have a weekly
47 submittal, on a Sunday or a Monday or something would
48 be helpful as Federal managers see fit.

49

50

1 I think that having this tool in the
2 toolbox to better understand what's happening with our
3 salmon harvest and salmon -- and the fishery on the
4 Copper River is important. Without the authority to do
5 such, it makes it difficult for managers to act
6 quickly. And this, again, came out of the Copper River
7 Salmon Synthesis Workshop that was held with Copper
8 River Watershed Project, Wrangell Institute for Science
9 and Environment, Ahtna InterTribal Resource Commission,
10 Alaska Department of Fish and Game, Sportfish and
11 CommFish Divisions and Native Village of Eyak,
12 commercial fishermen, subsistence fishermen and
13 sportfish guides as well. This proposal is one of
14 many. We have similar proposals going before the
15 Federal of Alaska, which is going to be now seen, I
16 guess, December of 2021 with their deferment.

17
18 This is something that we're looking at
19 as a whole. The more data we have, the better.
20 Commercial fishermen report daily. It's the up river,
21 in-river usage that isn't reported daily and we would
22 like to have that -- like I said, the more information
23 the better they are able to manage the stock.

24
25 Our biggest fear coming off the last
26 few years is that we're going to turn into the Yukon or
27 Kuskokwim where subsistence uses are restricted and we
28 don't want that. We want to manage for sustainability.
29 Manage the resource in a way that will ensure that we
30 have salmon on this river for generations to come. I
31 know this is a little odd coming from, you know, a
32 subsistence user and, you know, to have that type of
33 requirement, but I think we need the option to collect
34 the information in-season and having that available for
35 the managers, especially in times of shortage and in
36 times of abundance. Run timing and that kind of thing,
37 it's real important that we know what's going on. Once
38 it gets past that Miles Lake sonar so much changes.
39 When they're showing record numbers of salmon crossing
40 the Miles Lake sonar and then the Gulkana Hatchery
41 managed by Prince William Sound Aquaculture Corporation
42 can't meet their brood stock take, for the last, I
43 believe, four years, I've asked them to write a formal
44 report over the decades that they've run that hatchery,
45 I think it's been in place since the '70s. And the
46 last four years or so, five years, they haven't been
47 able to meet their brood stock goals, which is an
48 important part to our fishery.

49
50

1 So I'd urge you to support this in some
2 form or fashion with an amendment, whether it be
3 optional or whether it be weekly reporting, or at the
4 call of management at the Park Service would be a good
5 option as well with that three or five day increment --
6 or seven day increment, once a week or every three
7 days, you know, letting the in-season manager at the
8 National Park Service make those decisions and have
9 them have the ability to request it would be very
10 helpful.

11

12 Thank you, Mr. Chair.

13

14 CHAIRMAN CHRISTIANSON: Thank you,
15 Karen. Any questions from the Board for Karen.
16 Appreciate you calling in today to testify to this.

17

18 MR. PELTOLA: Mr. Chair, BIA.

19

20 CHAIRMAN CHRISTIANSON: Go ahead, Gene,
21 you have the floor.

22

23 MR. PELTOLA: Thank you, Mr. Chair.
24 Good afternoon, almost evening, Karen. So can you tell
25 me, to your knowledge, are there any current krill
26 surveys or any in-season, in-river harvest surveys
27 conducted on the Copper?

28

29 MS. LINNELL: Not to my knowledge, no.
30 The other fisheries, the sportfish and the dipnetters
31 report at the end of season, much like we do, but we're
32 logging our harvest daily and so we're willing and able
33 to submit those as needed or when requested. The
34 sportfishery is a voluntary survey that is done when
35 they get something in the mail, they can answer it or
36 they don't have to. But as far as I know, no krill
37 surveys are being done at this time.

38

39 MR. PELTOLA: Yeah, thank you. So then
40 I guess my next question may be addressed by Karen, but
41 it might be better addressed by Staff, have we had any
42 requests for in-season, in-river harvest surveys
43 through the FRMP process?

44

45 MS. LINNELL: I know that we've put in a
46 couple of proposals through the FRMP process. We're
47 currently working on one with the Native Village of
48 Eyak, where we're going to be putting sonar on the
49 Klutina River to monitor escapement north of where the
50

1 sportfish happens there. From a radiotelemetry project
2 that Native Village of Eyak did some years ago we found
3 that 30 to 50 percent of the sockeye return is in the
4 Klutina and so we want to be able to monitor that,
5 especially now that the State of Alaska has -- have
6 access and created an access, or gotten a right-of-way
7 on the road to Klutina itself, and so their plans in
8 the future are to open it up for recreational
9 development and that's one of the biggest concerns we
10 have, is what's going to happen to the salmon on that
11 river.

12
13 The other, we've also put in another
14 proposal to do a limnology study.....

15
16 (Teleconference interference -
17 participants not muted)

18
19 MS. LINNELL:in what's happening
20 on the Gulkana River, which is where the hatchery is
21 and why aren't they reaching their brood stock. And so
22 those are done in partnership with Native Village of
23 Eyak and ADF&G.

24
25 (Teleconference interference -
26 participants not muted)

27
28 MR. PELTOLA: Mr. Chair, one other
29 followup question.

30
31 CHAIRMAN CHRISTIANSON: Yeah, Gene, go
32 ahead.

33
34 MR. PELTOLA: And for our Federal
35 managers and also the State, if they're willing to
36 address it. My question derived from a comment that
37 Ms. Linnell made, was that she said that they'd be
38 willing to provide their recorded harvest information
39 if requested. So along the lines of this proposal,
40 would our Federal in-season managers and the State
41 managers utilize that information.....

42
43 (Teleconference interference -
44 participants not muted)

45
46 MR. PELTOLA:that concludes my
47 question for this round, Mr. Chair. Thank you. I look
48 forward to responses.

49
50

1 (Teleconference interference -
2 participants not muted)

3

4 MR. SIEKANIEC: Mr. Chair.

5

6 CHAIRMAN CHRISTIANSON: Yes, go ahead,
7 you have the floor.

8

9 MR. SIEKANIEC: Mr. Chair, this is
10 Greg. Yeah, I'm having trouble hearing, there seems
11 like there's a number of conversations going on and I
12 couldn't hear what Gene was actually asking.

13

14 (Teleconference interference -
15 participants not muted)

16

17 MR. PELTOLA: Mr. Chair.

18

19 MR. BROWER: Yeah, there's a lot of
20 communication happening, I can't hear either.

21

22 CHAIRMAN CHRISTIANSON: Yes, if
23 somebody could mute their lines I'd appreciate that.
24 Thank you guys for the comments.

25

26 MS. LINNELL: Mr. Chair, I might be
27 able to answer Mr. Peltola's question.

28

29 CHAIRMAN CHRISTIANSON: Go ahead Karen.

30

31 MS. LINNELL: At that Copper River
32 Salmon Synthesis, we had both our local manager with
33 the State, Mark Somerville there, we had Klause Wittig
34 (ph) out of Fairbanks, we had CommFish Division from
35 Cordova and then we also had the National Park Service
36 in attendance, and we talked about being able to have
37 in-season data to better manage. At first we were told
38 by one of the managers, well, even if we had the data
39 we wouldn't use it, and then after some discussion, you
40 know, some discussion and coming out of Fairbanks from
41 Klause and from CommFish Division, they also said you
42 know what having more information doesn't hurt and we
43 could better manage the resources.

44

45 If we could find out that whether a
46 fishery is having a bigger impact as to what's getting
47 to the spawning grounds, then why not have it. And
48 we're looking at -- because there's some folks that
49 believe that subsistence users aren't reporting the
50

1 actual numbers of their take, and the same is happening
2 with personal use fishery, or sportfish, that they're
3 not reporting actually what they're taking and so we're
4 looking at, you know, being able to work well together.
5 And so at that conference, that meeting, we got
6 commitment from ADF&G and the Park Service that they
7 would see what happens, what kind of information do
8 they get and it can't hurt their management.

9

10 Thank you, Mr. Chair.

11

12 CHAIRMAN CHRISTIANSON: Thank you for
13 that. Any other questions or discussion.

14

15 MR. PELTOLA: Mr. Chair, BIA.

16

17 CHAIRMAN CHRISTIANSON: Yes, go ahead,
18 Gene.

19

20 MR. PELTOLA: Thank you, Mr. Chair. I
21 appreciate your input, Karen, and if we were to support
22 this program my understanding that the Federal
23 reporting requirements would be stricter than those
24 which are provided for under the State regulations,
25 which could put additional burden on our Federally-
26 qualified subsistence users. I'd still like to hear
27 specifically from the Federal and State managers, if we
28 were to implement this requirement, would they
29 effectively utilize the data; that question would be
30 for the Park Service in-season manager and the State,
31 if they're willing to provide comment.

32

33 Thank you, Mr. Chair.

34

35 CHAIRMAN CHRISTIANSON: Thank you. Any
36 other questions, any other comments.

37

38 (No comments)

39

40 CHAIRMAN CHRISTIANSON: I appreciate
41 that good dialogue there. Thank you, Karen. Operator,
42 we'll move on, is there any additional people on line.

43

44 OPERATOR: Yes, sir. We have Gloria
45 Stickwan, your line is now open.

46

47 MS. STICKWAN: I have conflicting
48 opinions about this. This testimony I'm about to give
49 on FP21-11 is my views only. I do not represent Ahtna

50

1 TeneNene', I am representing myself, Gloria Stickwan.

2

3 I have been thinking about this and,
4 you know, during times of shortage and this years
5 forecast is predicted to be low for fisheries, I think
6 during those times when it's well established through
7 data that there are times when we need to have an
8 accurate count. There should be some mechanism in
9 place to report data during thosetimes only. However,
10 when there is not a conservation concern I am opposed
11 to this because it is placing a burden on the Federal
12 subsistence users. The State doesn't have it right
13 now. I know there are proposals in there. I know in
14 the past it's been proposed before by personal use
15 fisheries, it has been voted down by the Board of
16 Fisheries before. What they're going to do in the
17 upcoming meeting, I don't know. But I do know in the
18 past they voted down against it.

19

20 I just think through Section .809 of
21 ANILCA, if NPS doesn't have the funds to administer
22 such a program they could do -- the Board or someone,
23 OSM could do a Section .809 with AITRC to give them
24 funding to do the reporting during times of shortage
25 when there is well established data that we are at a
26 low number and that we need to get accurate numbers.
27 These accurate numbers during times of low -- well
28 established low numbers of returns will help the
29 Federal fisheries managers to make a sound decision on
30 whether to restrict fisheries. During those times
31 only, I think this should be done. When there isn't a
32 conservation concern, I would be opposed to this
33 because it's going to make people criminals for not
34 reporting. It's going to possibly take away permits
35 from people if they don't report. I don't know what
36 the return rate is for Federal management, I think it's
37 like 80 percent they get back every year, there's about
38 20 percent maybe that don't return their permits or
39 they're late with it. I'm not sure about that. But I
40 do know that not everyone returns their permits and,
41 you know, I'm wondering, if you don't return your
42 permit you could possibly lose your permit and that
43 would be a concern for me.

44

45 But I do see a need for this during low
46 returns and there's well established data between the
47 Federal managers and the State managers saying
48 restriction -- we need to do a restriction. That is
49 when we need those numbers, we need to have the Federal
50

1 fisheries to do a reporting, and, again, AITRC is --
2 has professional people on board, they have a
3 professional biologist -- fisheries biologist, wildlife
4 biologist, anthropologist on board, they have degrees,
5 they can conduct these projects. All we need to do is
6 an FRMP project or do it through a Section .809
7 agreement, give that money to AITRC, let them manage
8 this, they can do it, I know they can.

9

10 That's my opinion.

11

12 I'm not representing Ahtna TeneNene'.
13 I'm not representing the Ahtna people. I want to make
14 that very clear, I'm representing myself.

15

16 Thank you.

17

18 MS. VOORHEES: Mr. Chair, this is
19 Hannah.

20

21 (No comments)

22

23 MS. VOORHEES: Mr. Chair, this is
24 Hannah Voorhees.

25

26 MS. PITKA: It sounds like we may have
27 lost the Chair, this is Rhonda, go ahead, Hannah.

28

29 MS. VOORHEES: Thank you. I just
30 wanted to respond to a question that Member Peltola had
31 about whether in-season monitoring was a component of
32 the Fisheries Resource Monitoring Program. And in the
33 2022 Southcentral FRMP priority information needs there
34 is a highlighted information need to implement the
35 collection of real-time harvest data of salmon in the
36 Copper River drainage. In-season harvest monitoring
37 reporting of harvest of salmon in the Copper River
38 drainage. Sorry that's a little repetitive, but you
39 get the idea. So I just wanted to chime in and clarify
40 that.

41

42 MS. PITKA: Thank you, Hannah. And,
43 also, Gloria, thank you for your comments and your
44 testimony. Is there any further public testimony at
45 this moment, is there anybody else in the que.

46

47 (No comments)

48

49 MS. PITKA: I'm hearing none, can we go

50

1 to the Regional Council recommendation.

2

3

Thank you.

4

5

6

7

MR. ENCELEWSKI: Hello, Rhonda and the rest of the Board there. This is Greg, is it time for me to comment?

8

9

10

11

MS. PITKA: Yeah, you're the Regional Advisory Chair, Hi, Greg, good to hear your voice.

12

13

14

15

16

MR. ENCELEWSKI: Hi. Okay, I'm going to give you my comment and this will be the last you hear from me because I've got meetings tomorrow but DeAnna will give the other comments.

17

18

19

20

21

22

23

24

25

26

FP21-11, our Regional Council supported it. It was 7/2. The Council majority supports this regulation that would provide a timely in-season, in-river data to aid in fishery management and, although, the Council does not support more requirements for the Federally-qualified subsistence user, they do not feel this was over burdensome as many other hunters, fishers have similar reporting requirements in place to benefit the management of the resource.

27

28

29

30

31

32

The Council voiced their hope that the State would follow suit and require the same reporting under State regulations to gather this important information as Federal harvest is only 8 to 10 percent of the harvest on the Copper River.

33

34

That concludes my comment from our RAC.

35

36

37

38

39

Thank you.

MS. PITKA: Thank you very much. Does anybody have any questions for Greg.

40

41

42

MS. ENTSMINGER: Yeah, this is Sue Entsminger, Eastern Interior RAC.

43

44

45

46

47

MR. ENCELEWSKI: Yeah, Sue, go ahead.

MS. ENTSMINGER: All right. Am I interrupting you, Greg.

48

49

50

MR. ENCELEWSKI: No, I thought you had a question. She asked if anyone had a question for

1 Greg and you said this is Sue.

2

3 MS. ENTSMINGER: I do not, I'm sorry.

4

5 MR. ENCELEWSKI: Okay, go ahead. I'll
6 get out of the way. Thank you.

7

8 MS. PITKA: Okay, no worries. Does
9 anybody have any questions for Greg at this moment.

10

11 (No comments)

12

13 MS. PITKA: If not then we'll move on
14 to the next Regional Advisory Council comment. Thank
15 you. And, Sue, I believe that's you now.

16

17 MS. ENTSMINGER: Yes, thank you. I
18 can't wait to meet you Sue, two Sue's to each other
19 here.

20

21 Okay, thank you very much. This is Sue
22 Entsminger, Eastern Interior RAC.

23

24 On Federal Fisheries Proposal 21-11,
25 our Council supports. We supported this proposal due
26 to the increased use of the Upper Copper River fishby
27 users from all over the state. The Council indicated
28 in-season harvest monitoring and estimation are needed
29 to prevent overharvest and allow managers to timely
30 respond during years when there's weak runs. The
31 Council believes that there might be a conservation
32 concern and does not want to see fish declining in the
33 Copper River. The Council thinks that in-season
34 reporting would be very beneficial to the managers. The
35 Federal Program should lead the way in this type of
36 monitoring for the State to follow. And the State and
37 Federal Programs should work together to achieve the
38 best harvest management. This reporting would not be a
39 burden to users, almost everyone has telephones or
40 other means to access the internet. The Council
41 pointed out that all the Yukon River communities on the
42 road system must fill out catch calendars. The Yukon
43 River communities that are not on the road system must
44 fill out in-season reports. The Council expressed an
45 opinion that similar harvest monitoring and reporting
46 should be instituted in more areas than just the Copper
47 River. Additionally, the Council noted that on the
48 Taylor Highway successful caribou hunters must report
49 their harvest within three days under State regulations

50

1 and if this works for reporting wildlife harvest then
2 it should work for reporting fish harvest. This
3 proposed regulation is a step in the right direction
4 for better future of fisheries in Alaska.

5

6

And that's all I have.

7

8

MS. PITKA: Thank you, Sue, for your
9 Regional Advisory Council comments. Does anybody have
10 any questions for Sue Entsminger right now.

11

12

(No comments)

13

14

15

16

17

MS. PITKA: Hearing none, can we go to
Orville Lind with the tribal, Alaska Native Corporation
comments, thank you.

18

19

20

21

MR. LIND: Thank you, Madame Chair.
Board members. Orville Lind, Native Liaison for the
Office of Subsistence Management.

22

23

24

25

26

27

During our consultation on June 11th
the only thing we had was Darrel Olson from the Native
Village of Eyak asked Hannah to introduce Fisheries
Proposal 21-11 and we did not have any questions or
comments.

28

29

Thank you, Madame Chair.

30

31

32

33

MS. PITKA: Thank you very much
Orville. And does anybody have any questions for
Orville.

34

35

(No comments)

36

37

38

39

MS. PITKA: If not then we're going to
be moving on to the Alaska Department of Fish and Game
comments, Ben Mulligan. Thank you.

40

41

42

43

44

MR. MULLIGAN: Thank you, Madame Chair.
For the record my name is Ben Mulligan and I work for
the Alaska Department of Fish and Game. The Department
opposes this proposal.

45

46

47

48

49

50

Harvest and effort patterns in the
subsistence and personal use fisheries are very
predictable on a weekly basis and correlate strongly
with run strength. The uncertainty associated with
weekly changes in sonar counts far outweigh any

1 potential gains achieved through a three day harvest
2 report. More importantly is our response to poor
3 weekly sonar counts through restrictions in up river
4 fisheries, if needed, to achieve escapement goals.
5 That is, the information provided by a three day
6 harvest report would still lag behind the sonar counts
7 and would only provide a more effective post-season
8 information source with no added benefit for
9 conservation, this would -- and a large burden on the
10 users.

11

12 Again, we oppose this proposal.

13

14 Thank you.

15

16 Oh, and, sorry, Madame Chair, for the
17 record if there are detailed questions about management
18 and data collection, I do have the area biologist, Mark
19 Somerville available if needed.

20

21 Thank you.

22

23 MS. PITKA: Great, thank you so much,
24 Mr. Mulligan. Does anybody have any questions for the
25 State of Alaska.

26

27 MR. PELTOLA: Madame Chair, BIA.

28

29 MS. PITKA: Yes, Mr. Peltola, go ahead.

30

31 MR. PELTOLA: Thank you, Madame Chair.
32 This question would be for Mark, the State in-season
33 manager. If the Federal Program was to make this
34 requirement as proposed to collect this information and
35 it was provided to you, would you use it in in-season
36 management on the Upper Copper?

37

38 MR. MULLIGAN: Madame Chair, I think
39 we'd have to unmute Mark Somerville.

40

41 MS. PITKA: I believe it's star one to
42 put him in the que.

43

44 OPERATOR: Mark, your line is open.

45

46 MR. SOMERVILLE: Thank you. This is
47 Mark Somerville, Upper Copper River manager for
48 SportFish Division of Alaska Fish and Game.

49

50

1 So the question is, would we use the
2 data if there was three day or in-season reporting for,
3 specifically, the Federal fishery and as far as in-
4 season management goes, no, I would not. It's much
5 more effective managing off abundance from the comm--
6 from the sonar. Again, we have sonar counts that are
7 two to three weeks ahead of the fishery actually
8 occurring. In all the fisheries, all permit holders are
9 required to record their date -- their harvest daily.
10 As from an enforcement standpoint, we can check
11 people's permits each day when we're down there
12 working, Troopers can do that, and we can check that.
13 As far as getting information, you know, as to what was
14 actually caught in a specific week, again, it would
15 help us in perhaps managing for the coming years and
16 provide us more information as far as catch and
17 probabilities and so on, but for the most part we would
18 still manage completely off abundance, rather than
19 using any in-season reporting.

20

21 MR. PELTOLA: Thank you.

22

23 MS. PITKA: Thank you for that answer,
24 I appreciate it.

25

26 MR. SOMERVILLE: Yeah, no problem.

27

28 MS. PITKA: Are there further questions
29 for the State of Alaska.

30

31 (No comments)

32

33 MS. PITKA: I believe I heard somebody.

34

35 (No comments)

36

37 MS. PITKA: Well, hearing no more
38 questions can we go to InterAgency Staff Committee
39 comments, please.

40

41 MS. WESSELS: Thank you, Madame Chair.
42 Members of the Board. For the record this is Katya
43 Wessels. And I'm going to be presenting InterAgency
44 Committee Staff comments on FP21-11.

45

46 The ISC appreciates the willingness of
47 Federally-qualified subsistence users to initiate steps
48 to conserve subsistence resources. In the case of
49 Fisheries Proposal FP21-11, which calls for in-season

50

1 reporting of salmon harvest within the Upper Copper
2 River district, we do not believe -- the ISC does not
3 believe that it is appropriate to implement such a
4 requirement currently. Such a requirement is not
5 currently in place within the State salmon fisheries in
6 this area and the local State manager has suggested
7 that in-season reporting is not needed for management
8 purposes at this time.

9
10 Most up river harvest of salmon is in
11 State managed fisheries and the State management plan
12 does not currently incorporate in-season harvest data.
13 The proposed requirement would place a burden on both
14 Federally-qualified subsistence users and Staff without
15 a clear plan for use of the resulting data in making
16 management decisions. Federal Staff has expressed
17 concern that requiring in-season reporting would erode
18 end of season reporting compliance, which is arguably
19 more important data at this time and the multiple
20 requirements may confuse users. Adding to these user
21 friendly tools for reporting in-season harvest
22 information are not currently available.

23
24 The ISC suggests that the Board
25 consider directing the Office of Subsistence Management
26 to explore the possibility of an online reporting
27 system accessible by cell phone or computer that
28 provides for individual user accounts, the ability to
29 see ones permits, to view the status of previous
30 reporting and which can provide automated data
31 summaries. This would reduce the need for Federal
32 Staff to enter individual reports.

33
34 If the State were to implement in-
35 season reporting requirements and include such data in
36 their management plan and if user friendly tools were
37 in place to report individual in-season harvest events,
38 reevaluation of the burden on subsistence users could
39 occur through a future proposal.

40
41 This concludes the InterAgency Staff
42 Committee comments.

43
44 Thank you, Madame Chair.

45
46 MS. PITKA: Thank you. Does anybody
47 have any questions right now for the InterAgency Staff
48 Committee.

49
50

1 MR. PELTOLA: Madame Chair, BIA.

2

3 MS. PITKA: Yes, Mr. Peltola.

4

5 MR. PELTOLA: Thank you, Madame Chair.
6 My question for Katya, is if she's exposed -- has been
7 exposed to the ISC discussion, you mentioned
8 potentially an online reporting system, but also they
9 talk about in the future once options are explored or
10 potentially implemented, what were some of those other
11 additional options for in-season harvest information to
12 be obtained through the Program.

13

14 Thank you.

15

16 MS. WESSELS: Thank you, Mr. Peltola --
17 Member Peltola. Since I came on board with the ISC
18 just a little bit ago I was not present when the ISC
19 developed their comment on FP21-11 so I would like to
20 refer to the ISC members that are online currently who
21 can help me to answer Member Peltola's question.

22

23 Thank you.

24

25 MS. PITKA: Is there a specific ISC
26 member that you'd like to call on.

27

28 MR. PELTOLA: So if my memory recalls,
29 is correct, the NPS has the in-season management for
30 the Upper Copper, so I would like to hear from the NPS
31 ISC member.

32

33 Thank you.

34

35 MS. PITKA: Thank you. Do we have the
36 NPS ISC member on the call.

37

38 MR. REAM: Madame Chair. This is
39 Joshua Ream. I am the ISC member for the National Park
40 Service. Could we please have Member Peltola repeat
41 his question.

42

43 MR. PELTOLA: Yes, I'd be more than
44 happy to. You know the ISC comment that stood out to
45 me was that potentially support in the future once
46 options are explored. We heard specific mention of an
47 online reporting system but what other options may have
48 been discussed by the ISC which could be implemented in
49 the near future to address in-season harvest.

50

1 Thank you.

2
3 MR. REAM: Through the Chair. Thank
4 you, Gene, for your question. So we didn't have a lot
5 of discussion at the ISC level about what the specifics
6 of the reporting mechanisms would look like. We hoped
7 that the Office of Subsistence Management and in
8 combination with the InterAgency Staff Committee could
9 explore all of the possible options. We liked the idea
10 of, to whatever extent possible, utilizing any virtual
11 system that could be used, using ones cell phone or a
12 computer with access to the internet, but also
13 recognized that some folks in rural area, and even in
14 urban areas, don't have great access to those tools, so
15 we would have to potentially provide, you know, options
16 for both types of users to report. But we did not have
17 a clear, I guess, vision, as to what the resulting
18 product would look like.

19
20 Thank you.

21
22 MR. PELTOLA: Thank you, appreciate it.

23
24 MS. PITKA: Thank you very much for
25 that answer. Does anybody else have any further
26 questions.

27
28 (No comments)

29
30 MS. PITKA: Hearing none, that brings
31 us to Board discussion.

32
33 (No comments)

34
35 MS. PITKA: The floor is open for Board
36 discussion.

37
38 (No comments)

39
40 MS. PITKA: So if there's no -- not
41 hearing any Board discussion so we move to Board
42 action.

43
44 Thank you.

45
46 MR. STRIKER: Madame Chair, Park
47 Service.

48
49 MS. PITKA: Yes, please go ahead.

50

1 MR. STRIKER: Thank you. Well, first
2 of all I sense we must be closing in on that 5:00
3 o'clock hour, uh, people are getting quiet.
4

5 I move that we adopt FP21-11. And if I
6 get a second I'll explain my justification for voting
7 against my motion.
8

9 MR. SIEKANIEC: Second, Fish and
10 Wildlife Service.
11

12 MR. STRIKER: Thank you. I intend to
13 vote against this proposal. My opposition is
14 consistent with the recommendations of the Wrangell-
15 St.Elias SRC and the Office of Subsistence Management.
16 While I agree in concept with the Eastern Interior and
17 Southcentral Regional Advisory Councils about the need
18 for in-season harvest information, especially given how
19 timely and accurate in-season information about harvest
20 efforts and successes are critically important for well
21 supported and defensible in-season management decisions
22 regarding fisheries in the Upper Copper River,
23 particularly during these years of low runs, like we've
24 experienced in 2018 and 2020, I fundamentally believe
25 that opposing the proposal is justified per Section
26 .805(c)(1), frankly, because there's not evidence that
27 a mandatory three day harvest reporting requirement is
28 the best, or even a good way to collect such
29 information. I think it was well summarized by Mr.
30 Mulligan and particularly given the absence of any kind
31 of user friendly reporting system, you know, in short
32 there's no substantial evidence that requiring this
33 burden would be worth it in terms of the information
34 that we would get out.
35

36 I think we also need to recognize if
37 there's a structural bias when we think about systems
38 like this. Rural users are frequently not connected
39 online as some of us are here today and our systems of
40 reporting need to recognize that.
41

42 The proposed mandatory requirement tied
43 to every Federal subsistence fishing permit is
44 burdensome and will likely result in a high degree of
45 non-compliance. It also only addresses harvests by
46 Federally-qualified subsistence users who make up a
47 relatively small percentage of the harvesters, again,
48 questioning the validity of the data or the usefulness
49 of the data.
50

1 As an alternative, I believe that a
2 better way to collect this information would be through
3 the kind of purposeful program design that some other
4 people have been brainstorming as alternatives to
5 develop in-season estimates of salmon harvest in the
6 Upper Copper River.
7

8 This topic has been identified as a
9 priority information need for the Southcentral Alaska
10 region for the Fisheries Resource Monitoring Program in
11 both 2020 and 2022. A similar program has also been
12 developed by the U.S. Fish and Wildlife Service for the
13 Kuskokwim River subsistence salmon fisheries. A
14 program like this could provide data for management
15 decisions designed to address sustainable salmon
16 escapement and to ensure subsistence harvest
17 opportunities are provided. These data are also
18 important for stakeholders who are affected by
19 fisheries management decisions and have a critical
20 stake in the long-term health of the Copper River
21 salmon.
22

23 The responsibility for shared
24 stewardship of Copper River salmon necessitates that we
25 all contribute to the best available information to
26 make decisions. And while the intent of this proposal
27 is to generate in-season information about fishing
28 effort and salmon harvest is admirable, I believe that
29 a well designed sampling program would generate the
30 high quality information that we really need with
31 substantially less burden on subsistence users than the
32 mandatory reporting called for in this proposal.
33

34 Thank you, Mr. Chair.
35

36 MS. PITKA: Thank you very much.
37 There's a motion on the floor.
38

39 MR. STRIKER: Madame Chair, I
40 apologize.
41

42 MR. LORD: Madame Chair, this is Ken.
43 May I jump in here real quick.
44

45 MS. PITKA: Ken, like Ken Lord.
46

47 MR. LORD: Yes.
48

49 MS. PITKA: Yes.
50

1 MR. LORD: Ken Lord.

2

3 MS. PITKA: Okay.

4

5 MR. LORD: Just very quickly, I want to
6 remind the Board that .805(c) deference is only
7 required for proposals involving the taking of fish and
8 wildlife. This is not a taking proposal, this is an
9 administrative function that occurs after taking. But
10 while the Board members may decide they agree with the
11 Council, they're not legally mandated to defer to the
12 Council's recommendation.

13

14 Thank you.

15

16 MS. PITKA: Thank you, Mr. Lord. So we
17 have a motion on the floor with no second.

18

19 REPORTER: It was seconded by Fish and
20 Wildlife Service, Rhonda.

21

22 MS. PITKA: Okay, thank you very much,
23 Tina.

24

25 MR. SIEKANIEC: It was seconded.

26

27 MR. SCHMID: This is Dave, I'll call
28 for the question.

29

30 MS. PITKA: Thank you, Dave. Can we
31 get a roll call vote, please.

32

33 MS. DETWILER: Yes, thank you, the --
34 this is Sue Detwiler. The motion on the floor is to
35 adopt Fisheries Proposal 21-11 and I will start the
36 roll call with Don Striker, Park Service.

37

38 MR. STRIKER: Thank you. I oppose for
39 the lengthy reasons that I gave a few minutes ago.

40

41 Thank you.

42

43 MS. DETWILER: Yeah, thank you.

44

45 Greg Siekaniec, Fish and Wildlife
46 Service.

47

48 MR. SIEKANIEC: Thank you, Sue. I
49 oppose for the reasons articulated by Regional Director

50

1 Striker. Although, you know, we all recognize
2 information is incredibly important to a decisionmaking
3 process, whether it be in-season but I see the
4 information collection right now would be much more
5 important as a post-season analysis from its
6 significance and I cannot see the utility of it being
7 an in-season management tool at this time. I think
8 some of the options that are being discussed is for a
9 broader information collection has much more utility.

10

11 Thank you.

12

13 MS. DETWILER: Okay, thank you.

14

15 Gene Peltola, BIA.

16

17 MR. PELTOLA: Bureau of Indian Affairs
18 has considered Southcentral and Eastern Interior's
19 support for their concerns about -- or their statements
20 about not overly being burdensome in the increased use
21 of the Copper, although we've also heard from Alaska
22 Department of Fish and Game in opposition, the ISC in
23 opposition, OSM in opposition, more so, the Alaska
24 Department of Fish and Game in-season manager said he
25 would not utilize the data if provided to him, did not
26 hear from the National Park Service in-season manager;
27 for those reasons I would have to vote to oppose with
28 the caveat that; one, is the FRMP had called for
29 proposals with regard to krill survey and the in-season
30 harvest that they seriously consider proposals from
31 this region and others throughout the state and I would
32 -- one of the supporters and proponents of this
33 proposal, the Ahtna InterTribal Resource Commission may
34 be in a position to write up a proposal for in-season
35 harvest along the -- not only the Upper Copper, but the
36 Copper as a drainage.

37

38 Thank you, much.

39

40 MS. DETWILER: Okay, thank you, Gene.

41

42 Moving to BLM, Chris McKee.

43

44 MR. MCKEE: BLM opposes for the reasons
45 articulated by the Park Service.

46

47 MS. DETWILER: Okay.

48

49 MR. MCKEE: Thank you, Madame Chair.

50

1 MS. DETWILER: Thank you.
2
3 Dave Schmid.
4
5 MR. SCHMID: Yeah, Forest Service also
6 opposes with the reasons articulated by the Park
7 Service.
8
9 Thank you.
10
11 MS. DETWILER: Thank you.
12
13 Public Member Pitka -- Rhonda Pitka.
14
15 MS. PITKA: Yes, I oppose FP21-11 for
16 the reasons articulated by Mr. Striker. And also.....
17
18 MS. DETWILER: Okay.
19
20 MS. PITKA:it would provide a
21 burden on the subsistence user.
22
23 Thank you.
24
25 MS. DETWILER: Thank you.
26
27 Public Member Charlie Brower.
28
29 MR. BROWER: I oppose as stated by
30 National Park Service. Thank you.
31
32 MS. DETWILER: Okay. Thank you.
33
34 Chair Tony Christianson, did you come
35 back online.
36
37 (No comments)
38
39 MS. DETWILER: Okay, it sounds like
40 not. So unanimous vote. This motion fails, therefore,
41 Fisheries Proposal 21-11 is not adopted. So that
42 conclu -- I believe that concludes action on that
43 proposal, Madame Chair.
44
45 MS. PITKA: That does, thank you very
46 much. So we are at.....
47
48 MR. BROWER: Madame Chair.
49
50

1 MS. PITKA: Yes.
2
3 MR. BROWER: Requesting maybe we should
4 recess until tomorrow morning, or is it up to the Board
5 to continue or not, I'm just asking if we should recess
6 until tomorrow morning.
7
8 MS. PITKA: Thank you, very much Member
9 Brower, I do suggest that we recess until tomorrow
10 morning.
11
12 MR. STRIKER: Second.
13
14 MR. SIEKANIEC: The Fish and Wildlife
15 Service concurs.
16
17 MR. SCHMID: Forest Service concurs.
18
19 MR. PELTOLA: BIA concurs.
20
21 MR. MCKEE: As does BLM.
22
23 MR. BROWER: Thank you, everyone, all
24 right, goodnight.
25
26 MS. PITKA: Okay, thank you.
27 Goodnight. We'll see you tomorrow at 9:00 a.m.
28
29 (Off record)
30
31 (PROCEEDINGS TO BE CONTINUED)
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

C E R T I F I C A T E

UNITED STATES OF AMERICA)
) ss.
STATE OF ALASKA)

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter of Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing, contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD MEETING, VOLUME II taken electronically by our firm on the 27th day of January 2021 via teleconference;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by under my direction and reduced to print to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 31st day of January 2021.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 09/16/22