

# SOUTHEAST SUBSISTENCE REGIONAL ADVISORY COUNCIL

## Meeting Minutes

Via tele-video conference

October 20-22, 2020

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

The meeting was called to order Tuesday, October 20, 2020, at approximately 9:00 a.m. Council members Frank Wright, Jr., Michael Douville, Robert Schroeder, Albert Howard, Donald Hernandez, Harold Robbins, John Yeager, Larry Bemis, Jr., and Cathy Needham were present. Council member, Ronald Leighton, resigned over the summer, and the Council has four vacant seats. A quorum was established with nine of nine seated Council members participating by phone/video.

### Attendees:

#### *By Teleconference or Videoconference*

- Office of Subsistence Management (OSM), Anchorage: *Sue Detwiler, Tom Kron, Lisa Maas, Greg Risdahl, Orville Lind, Pippa Kenner, George Pappas*
- U.S. Forest Service (USFS), Juneau: *Wayne Owen, DeAnna Perry, Melinda Hernandez-Burke, Jacob Musselwhite, Nathan Stenson, Jessica Warmbrodt*; Washington, D.C.: Michael Ielmini; Sitka: *Terry Suminski, Justin Koller*; Yakutat: *Susan Oehlers*; Cordova: *Marci Johnson*
- Ketchikan Indian Community: *Keenan Sanderson*
- Bureau of Indian Affairs (BIA), Anchorage: *Pat Petrivelli*
- US Fish & Wildlife Service (USFWS), Anchorage: *Carol Damberg*
- National Park Service (NPS), Anchorage: Dr. *Joshua Ream*
- Alaska Department of Fish and Game (ADF&G), Anchorage: *Mark Burch, Lauren Sill*
- Members of the Public: **Patty Phillips, Kathy Hanson, Michael Kampnich, Tava Guilory, Sally Schlichting, Paulette Moreno**

### Review and Adopt Agenda

Motion by Mr. Wright, seconded by Mr. Howard, to adopt the agenda as a guide with the addition of “National Environmental Protection Act (NEPA) Changes - Updates” under “Forest Service – Agency Reports.” The motion passed unanimously.

### Review and Approve Previous Meeting Minutes

Motion by Mr. Yeager, seconded by Mr. Schroeder, to approve the winter 2020 meeting minutes as presented. The motion passed unanimously.

## **Council Member and Chair Reports**

Frank Wright of Hoonah reported that there were no COVID-19 cases reported in his community and that the community has a good COVID-19 plan in place. Fish prices were low this year. This was the first time, as a fisherman who has seined for 60+ years, that he did not even put his seine in the water. The first opening of Dungeness Crab was good – probably because of lower sea otter populations. Due to COVID-19, cruise ships did not employ local people; however, the new cruise ship dock was constructed. Hoonah Indian Association has helped distribute fish that is donated to the community – Southeast communities are helping each other. The community remains concerned about the Alaska Roadless Rulemaking (AKRR) issue and the lack of explanation/justification for building roads.

Michael Douville of Craig reported that wild fish as well as hatchery fish are not returning. There is a pending Endangered Species Act petition for wolves on Prince of Wales (POW) Island. Locals call into question the manner used to obtain an accurate wolf population estimate (using same place/methods every year; DNA results from hair may be inaccurate as not all wolves roll on the hair boards; and agencies not utilizing local knowledge and experience.) Deer season is slow and jittery deer are difficult to hunt.

Robert Schroeder of Juneau reported that harvests in the area aren't as good as in years past: deer hunting is more challenging and Coho Salmon and halibut fishing were not as successful. Sockeye and King Salmon fishing were good off the road system. He is concerned about lawlessness on the part of the Federal Government: failure to fully seat the 13-member Southeast Regional Advisory Council recently with no explanation for vacant seats; failure to follow Alaska National Interest Conservation Act (ANILCA), Section .810 requirements with respect to the process during the proposed Alaska Roadless Rulemaking process; and changes in the National Environmental Policy Act (NEPA) which greatly reduce public participation in the management of public lands. He is concerned about the decrease in the amount of field studies and research on subsistence in recent years, resulting in the Council operating and making decisions on a thinner objective database. There is a clear need for performing select studies on subsistence and for including traditional ecological knowledge in analyses. He recognized that the Council supported the Organized Village of Kake's recent special action for an additional hunt to provide food for the community. For several years, the work of the Council has managed to provide a reasonable amount of protection for subsistence users and ensure that subsistence ways of life continue.

Albert Howard of Angoon reported that the impact of COVID-19 has created a lot of stress within the community. Approximately 80 percent of Angoon residents are unemployed. Pink Salmon were small this year, and his attempts at getting Sockeye Salmon were challenging. He has concerns about the many issues impacting Angoon (which no one considers when making regulations) and he is concerned about the local, long-term knowledge that was lost recently when two Council members were not reappointed to the Council. Bear attacks have increased and bears are eating at the kelp line, indicating there is a lack of salmon for them to eat. Deer are harder to harvest, but the community hopes that deer will sustain them through winter. He is concerned about the Hecla Greens Creek proposed tailings expansion and water contamination at Hawk Inlet. Seiners are struggling as very large vessels come in and continuously fish, unlike in the past – the boats were smaller and fishing had to stop when boats were full. The community

is concerned about food uncertainty, especially during this pandemic. They recognize that other people have a significant impact on the food resources and their ability to obtain them. There is a discrepancy in conservation of species when Bering Sea harvesters can throw away 30 to 40 thousand pounds of King Salmon, but an Angoon local person can be put in jail and lose his boat for catching one salmon.

Harold Robbins of Yakutat reported that the normal storms across the Gulf made fish catches pretty limited this season. There was a reasonable King Salmon run in the Situk and Alsek rivers but this wasn't reflected well because of the weather conditions involved. Moose season has been quite aggressive and the west side of the Dangerous River area has closed with a harvest of 30+ animals. The east side is still open (for harvest of another 10 moose). There is a heavy migration of waterfowl, especially snow geese in the Dry Bay area, and he'd like to explore the possibility of harvesting more than just the standard goose limit.

John Yeager of Wrangell reported that just about every industry in his community was affected due to COVID-19. The community did well with protocols and necessary actions to limit exposure to the virus. A normal Sockeye fishery took place on the Stikine River. Due to the wet summer, it was a bad year for berries in the area. He suspects that the moose harvest will be substantially lower in the number of bulls shot off the Stikine River this year. There isn't a lot of harvest of deer yet – they are seeing a lot of does and not many bucks. The community is hunkering down and rallying together to help each other out during these times of hardship caused by the virus.

Larry Bemis, Jr. of Yakutat (born in Sitka, raised in Yakutat – 66 yr resident) reported that herring was slow in the spring and, due to the cold, spawning occurred in unusual areas which caused people to travel farther to harvest. It was not an average return, but most harvesters were still able to catch herring and some people also collected eggs. The community helped contain COVID-19 by utilizing a lot of local testing opportunities when positive cases were first detected. The Sockeye run was slow and although the escapement goal was met, the return was not normal. King Salmon met the lower end of the escapement goal. Silver Salmon returns were average for commercial and sportfishing. The bag limit was increased for some fish species, which made it good for those that came to harvest. There were quite a few sportfishermen in the fall. There is a huge community concern about State proposals regarding manning nets. Many people are disturbed to see the impact and the lack of transparency regarding the harvest of timber by the local Corporations. A lot of land has been cleared, and as a result, wolves, bear, and deer have been misplaced from their previous areas of cover.

Cathy Needham of Juneau reported that she has been living on POW since March. She continues to work with Tribes across the region to address their concerns with the roadless (AKRR) issue. Despite numerous efforts, Tribal authority and knowledge was not used to help guide the process. Tribes that signed on as cooperating agencies all uniformly pulled out of the process after the Final Environmental Impact Statement was released, as they did not feel that their hard work and efforts affected any change in the Department of Agriculture's decisions. She also reported that three Council members presented the Council's comments on the AKRR with Office of Information and Regulatory Affairs, Division of Office

of Management and Budget (OIRA/OMB). There is currently a “Homelands Petition” by the Tribes to restart the rulemaking process for land stewardship on the Tongass National Forest.

Her observations on POW included working closely with biologists to address Sockeye Salmon concerns on a number of systems in southern Southeast. Hetta Lake had the third lowest return, and most of the fish seemed to be four or five year old fish. She did not observe many subsistence fishing efforts on the Hetta, Eek, or Kasook systems. For conservation of the species, the community had voluntarily delayed their harvest of salmon and were upset when the commercial fishery opened to harvest those salmon. There were no further openings this season due to low volume/biomass of Sockeye in Cordova Bay. Hydaburg reported 182 Sockeye Salmon harvested for the entire season. They received Bristol Bay Sockeye brokered partially by the Trollers’ Association. It was an amazing bog cranberry year.

Donald Hernandez of Point Baker reported that as a 39-year veteran gillnetter, this is the worst commercial fishing season he’s ever seen. The Sockeye Salmon catch was exceptionally low. The commercial fishing time in the area was reduced to let enough fish get through for successful subsistence fishing. Coho Salmon fishing was very poor in the fall except for a one/two week time period when the Stikine River fish transited through their area. King and Chum Salmon fishing were very weak and the hatcheries did not do very well. Factors for these circumstances include changes in climate and ocean conditions and the immediate consequences of poor fish runs will be felt by subsistence users.

Mr. Hernandez also provided the Chair’s report, advising the Council of his attendance in the Kake food security, special action meeting held by the Federal Subsistence Board (Board), his participation on the presentation of testimony to OIRA/OMB on AKRR, and his attendance of deer summit planning meetings for the Unit 2 deer issue. He reminded the Council of his letter to the Tongass Forest Supervisor addressing comment deadlines on upcoming timber sales and projects.

## **Service Awards**

Tom Kron, OSM, congratulated two Council members for reaching milestone length-of-service anniversaries: Michael Douville has served for 20 years and John Yeager has served for 10 years. These men have made numerous, significant contributions to the extraordinary work performed by this Council.

## **Old Business**

### ***805(c) Report***

805(c) Report: This report, which outlines the actions taken by the Federal Subsistence Board (Board) on issues for the Southeast Region, was printed in the meeting books. Council took no further action.

## *Unit 2 Deer*

Tom Schumacher, Southeast Regional Supervisor, ADF&G, provided an update on the status of deer in Game Management Unit 2 based on limited data (as a result of COVID-19). Although the Council hoped to learn the population estimate for wolves in Unit 2 (as this predator impacts deer harvest), Mr. Schumacher advised that the State and the Forest Service have not yet reached a conclusion on the management of the upcoming wolf hunting/trapping season, and so he could not release the population estimate at this time. He also provided information on the current Endangered Species Act petition which requests that the Southeast Alaska wolves be designated as a distinct population segment. Earl Stewart, Forest Supervisor, Tongass National Forest, also reported on the Forest Service involvement with wolf management. The Council asked several questions and provided comments to Mr. Schumacher and Mr. Stewart on this highly controversial matter.

## *Board of Fish Proposals*

The Council has submitted five proposals to the State Board of Fish (BOF) for this cycle. Amended Motion by Mr. Wright, seconded by Mr. Bemis to send two Council members to the BOF meeting in April to present the Council's support on its five proposals, and to possibly provide comments on others. The motion passed on a unanimous vote.

Motion by Ms. Needham, seconded by Mr. Yeager, to submit a request letter to OSM to release funding for two Council members to travel to the BOF 2021 meeting. The motion passed on a unanimous vote.

The Council began discussion on additional Alaska BOF proposals: Nos. 93, 126, 127, 129, 130, 134, 142, 143, 144, 145, 146, 147, 148, 161, 170, 177, 210, and 234.

Motion by Mr. Howard, seconded by Mr. Wright, to adopt the list of preliminary comments on the Alaska BOF proposals as a product of the Council for further discussion at its next meeting.

The motion passed on a unanimous vote with one Council member absent for this vote.

## **New Business**

Terry Suminski, USFS, provided a Federal Subsistence Fisheries Update for the Southeast Region to the Council, including results from the Sockeye escapement monitoring project from the Fisheries Resource Monitoring Program.

## *Fisheries Proposals and Closure Reviews*

### Regional:

FCR21-22: Closure of herring harvest in the Makhnati Island Federal public waters in Sitka Sound, except by Federally qualified subsistence users

Motion by Mr. Wright, seconded by Mr. Howard, to maintain status quo of the closure.

The Council has heard testimony for years that people are having a hard time meeting their subsistence needs/harvest goals for herring, and it is widely known that herring numbers have been decimated throughout Southeast Alaska. It is recognized that the harvest of row on kelp and branches in Sitka is culturally important and is a significant symbol of indigenous strength and wealth. The closure has been beneficial to subsistence users, and the closure is still necessary to provide some protection of the resource while providing the opportunity to continue subsistence uses. The closure is consistent with explicit wording and the intent of ANILCA under which the RAC makes its recommendations. The closure is also consistent with fish and wildlife management principles and is not a detriment to other uses.

The motion passed on a unanimous vote with one Council member absent for this vote.

### ***2022 Fisheries Resource Monitoring Program***

Ms. Pippa Kenner, OSM, and Terry Suminski, USFS, presented the Council with the Fisheries Resource Monitoring Program (FRMP) Priority Information Needs (PINs) information. The Council reviewed its PINs list from 2018 as a starting point for discussion.

Motion by Mr. Wright, seconded by Mr. Yeager, to establish a working group to discuss regional needs and present information and recommendations to the Council for official action later in the meeting.

Working group members: Frank Wright, Harold Robbins, Albert Howard, Cathy Needham; Support staff: Terry Suminski and Justin Koller (USFS), and Pippa Kenner (OSM).

The motion passed on a unanimous vote.

Working group member, Cathy Needham, informed the whole Council of the working group's meeting and the resulting recommended PINs list.

Motion by Ms. Needham, seconded by Mr. Howard, to approve the working group's recommendations for PINs and to forward the list to OSM on behalf of the Council.

The motion passed on a unanimous vote with one Council member absent for the vote.

### ***Identifying Issues for FY2020 Annual Report***

The Council identified the following topics for inclusion into the FY-19 Annual Report:

- Council Vacancies – seats not filled during last appointment cycle; review charter language
- ANILCA Responsibilities
  - Subsistence hearings are not being conducted pursuant to established process
- Federal Agency Decision Making Levels limit local manager input/involvement
- Staff Support Request
  - Need better attendance and participation by staff biologists (particularly local biologists) at Council meetings to aid Council's discussion on issues affecting a certain geographical area
  - Need staff and resources to conduct surveys/studies in inclement weather – need current data
- ANILCA Section .805 information to the Board for Southeast communities
- Protecting Subsistence Resources

- concern that creating commercial fisheries on subsistence resources negatively impacts subsistence users
- Access to Subsistence Resources
  - elevate access issue: Community of Hoonah denied historical access to Glacier Bay
  - reasonable access to resources in emergencies

Motion by Mr. Howard, seconded by Ms. Needham, to draft the annual report with the items offered by the Council. The motion passed on a unanimous vote with one Council member absent for the vote.

### ***Proposed Review Processes for NPS Individual C&T Use Determinations***

Dr. Joshua Ream, NPS, presented the Council with proposed changes to the NPS individual customary and traditional (C&T) use determinations review process and requested the Council's opinion on the changes.

Motion by Ms. Needham, seconded by Mr. Yeager, to support the recommended changes to the individual NPS C&T process guidelines.

The motion failed on a unanimous vote with one Council member absent for the vote.

The Council felt that the current process for determining Individual C&T determinations is working and does not need to be changed. The area available for individual C&T permits in the Southeast is limited; however, the Council was concerned that this may create an ability for the National Park Service to take land use out of the jurisdiction of the Board. Currently, the Regional Advisory Councils and the Board play roles in determining who has customary and traditional use in national parks and the Council is concerned that if this delegation of authority goes through, that responsibility and opportunity to provide input would cease. There is also a concern that if the delegation of authority is granted to the NPS Alaska Regional Director, this would narrow authority and reduce advisory capacity. The Council does not wish to see access to subsistence areas denied and subsistence activities further limited or eliminated in national park areas for Federally qualified subsistence users.

### ***Status Updates on Forest Service Projects on the Tongass National Forest***

Earl Stewart, Forest Supervisor of the Tongass National Forest, USFS, provided updates on the following Forest Service projects and fielded questions by the Council:

- Twin Mountain II Timber Sale – old growth and young growth timber harvest in Staney and Red Bay areas of Prince of Wales Island
- Prince of Wales Landscape Level Analysis Project – overview of 2021 planned projects
- South Revilla Integrated Project - Notice of Availability: Draft Environmental Impact Statement (EIS) released; two public meetings, one subsistence hearing being held
- Central Tongass Project – expecting Supplemental EIS to be published in March 2021
- Hecla Greens Creek Mine (plan submitted to expand existing tailings storage facility) – Notice of Intent to prepare a Supplemental EIS published on October 9, 2020; virtual public meetings
- Alaska Roadless Rulemaking – Final EIS released September 25, 2020; Record of Decision expected after October 25 (30 days after FEIS release)

## ***Correspondence***

The Council took action to send letters regarding the following issues:

- Twin Mountain II Timber Sale – scoping comments to USFS  
Motion by Ms. Needham, seconded by Mr. Howard; motion passed on a unanimous vote with one Council member absent for the vote.
- Hecla Greens Creek Tailings Expansion – water quality comments, request to replicate 1980s baseline study  
Motion by Mr. Wright, seconded by Mr. Howard; motion passed 7 yays, 1 abstention, and 1 Council member absent for the vote.
- Authorization Letter to OSM for Council Chair to provide timely responses on behalf of Council when comment periods expire prior to Council meetings  
Motion by Ms. Needham, seconded by Mr. Howard; motion passed on a unanimous vote with one Council member absent for the vote.
- ANILCA procedures, Subsistence Hearing Requirement comments to USFS  
(vote by Council covered in vote for Authorization letter, above)
- Council appreciation letter to FSB for its decision on the recent Organized Village of Kake food security special action  
Motion by Mr. Schroeder, seconded by Ms. Needham; motion passed on a unanimous vote with one Council member absent for the vote.
- Request for funding to OSM to send Council member to Alaska BOF meeting (previously mentioned)

## **Agency Reports:**

- Tom Kron, Acting Council Coordination Division Chief, presented the OSM program updates and Sue Detwiler, new Assistant Regional Director for OSM introduced herself to the Council
- Terry Suminski, Tongass National Forest Subsistence Program Leader, presented the summary of special actions taken to-date
- Lauren McChesney, Regional Environmental Coordinator, USFS, presented updates on changes to the National Environmental Policy Act
- Lauren Sill, Subsistence Resource Specialist for Alaska Department of Fish and Game (Douglas), presented an update on the activities of the Division

**Future Meeting Dates:**

Winter 2021 meeting to be held March 16-18, 2021, in Sitka

Fall 2021 meeting to be held October 19-21, 2021, in Craig



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DeAnna Perry, Designated Federal Officer  
USDA Forest Service



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Chair  
Southeast Subsistence Regional Advisory Council

**These minutes were reviewed and approved in their current form at the Winter 2021 Meeting of the Southeast Subsistence Regional Advisory Council.**

A more detailed report of this meeting, copies of the transcript, and meeting handouts are available upon request. Call Office of Subsistence Management at 1-800-478-1456 or Council Coordinator, DeAnna Perry at 907-209-7817 or email [deanna.perry@usda.gov](mailto:deanna.perry@usda.gov).