

# **SOUTHEAST SUBSISTENCE REGIONAL ADVISORY COUNCIL**

## **Meeting Minutes**

Via Teleconference/Videoconference

March 22-24, 2022

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

The meeting was called to order Tuesday, March 22, 2022, at approximately 9:00 a.m. Council members Calvin Casipit, Michael Douville, Donald Hernandez, Albert Howard, Ian Johnson, Harvey Kitka, Cathy Needham, Patricia Phillips, Robert Schroeder, James Slater, John Smith, Louie Wagner, and Frank Wright were present. A quorum was established with 13 of 13 seated Council members participating by phone/videoconference during this meeting.

### ***Attendees participating via teleconference:***

- Office of Subsistence Management (OSM): ***Tom Kron, Pippa Kenner, Jason Roberts, Orville Lind, Justin Koller, and Lisa Grediagin***
- USDA - Forest Service (USFS): ***Earl Stewart, DeAnna Perry, Greg Risdahl, Rob Cross, Gregory Dunn, Susan Oehlers, Jake Musslewhite, Laurent Deviche, Jennifer Hanlon, Marci Johnson, Taylor Cunningham, and Sheila Jacobsen***
- Central Council Tlingit & Haida (CCTHITA): ***Marco Banda and Ray Paddock***
- Bureau of Indian Affairs (BIA): ***Glenn Chen and Pat Petrivelli***
- U.S. Fish & Wildlife Service: ***Jill Klein and Amy Kirkham***
- National Park Service (NPS), Anchorage: ***Victoria Florey***
- Wrangell-St. Elias National Park and Preserve (NPP), NPS: ***Barbara Cellarius***
- Tongass Women's Earth and Climate Action Network: ***Wanda Culp***
- Salomon Beyond Borders: ***Jill Weitz***
- Alaska Department of Fish and Game (ADF&G): ***Mark Burch, Frank Robbins, Lauren Sill, Amy Witta, and Flip Pryor***
- Members of the Public: ***James Phillips, Wendy Steinberg, Joel Jackson, Matt Johnson, Judith Eaton, Rick Nelson, Orielle Osprey, S Bethune, Tony Gallegos, R Havaleh, Amy Wiita, and Wendy Steinberger***

### ***Moment of Silence***

The Council observed a moment of silence in memoriam of former Council member, Harold Robbins, who passed away this past winter. Mr. Robbins had been a Council member since 2018.

### ***Welcome and Introductions***

Earl Stewart, Tongass National Forest Supervisor (USFS), thanked the Council members for their work and the value they add to the communities of Southeast Alaska. He then provided updates on several projects taking place on Forest Service lands and highlighted some of the partnerships with communities.

### ***Review and Adopt Agenda***

Motion by Mr. Harvey Kitka, seconded by Mr. Jim Slater, to adopt the agenda as a guide. The Council adopted the agenda with the following additional information noted:

10e: agenda item addition “2021 Council Charter Changes overview”

11f (Wrangell- St. Elias Subsistence Resource Commission) and 12c (ADF&G subsistence report and kelp farming presentation): Confirmed times certain

### ***Election of Officers***

Mr. Donald Hernandez was re-elected the Council’s Chair.

Ms. Cathy Needham was re-elected the Council’s Vice Chair.

Mr. Frank Wright was re-elected the Council’s Secretary.

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

Motion by Mr. Cal Casipit, seconded by John Smith, III, to approve the fall 2021 meeting minutes as written and included in the meeting book. The motion passed unanimously.

### ***Council Member Reports***

Ian Johnson of Hoonah reported that his area received a lot of snow this year: approximately seven feet at 1,000 feet elevation. There are concerns about the effect on deer populations because snow was predominate at sea level for a long time. His community is working on climate monitoring effect projects such as long-term stream temperature monitoring and snowpack monitoring for municipal water supply, salmon habitat, and hydro electric supply. He submitted a proposal to help address some concerns around stakeholder engagement re: deer population around north Chichagof Island and potentially western Admiralty Island. He is concerned about the Pink Salmon run this year due to the landslides from the heavy rains from December 2020 and the trickle-down effect this scouring event will have on the salmon return, subsistence and commercial fisheries, and the bears.

Frank Wright, Jr. of Hoonah reported that COVID-19 was still impacting Southeast communities. Regional sports teams couldn’t attend State tournaments because of the high levels of COVID-19 cases in their respective areas. He didn’t have a great Tanner Crab season, but the good prices helped make up for the low harvest. There was a lot of snow and cold temperatures in the area. Heating fuel was expensive. He shared traditional ecological knowledge about herring spawning on branches and Tlingit culture. He has gone to city council meetings to advocate for a recycling program in the area. Climate change is here.

Calvin Casipit of Gustavus reported that his community experienced a tough winter with a lot of snow. There is concern about the impact of the snow on deer. He informed everyone of the micro grant opportunity available through Alaska Department of Natural Resources for projects regarding food security like greenhouses and chicken coops. He encouraged people who are concerned about food security in their communities to explore this and he provided the website link.

Michael Douville of Craig reported that there is concern on Prince of Wales Island with the pending Alexander Archipelago Wolf Endangered Species Act petition (AA-wolf petition). Trappers were able to harvest 64 wolves last season, which was under the amount needed to maintain the wolf population level (estimated at 323 last year). There seems to be no biological reason for listing the wolf as endangered. The community is looking forward to herring egg spawn and looking forward to the upcoming fishing season.

James Slater of Pelican reported that the community experienced two building collapses and damage to other structures due to the heavy snow this year. This snow has resulted in more deer mortality locally than he has ever witnessed. He heard that funding fell through for a proposed mine in the area so that will affect Lisianski Inlet, both economically and environmentally.

Robert Schroeder of Juneau reported that with changes taking place in Southeast Alaska, the Council will likely be more supportive of conservation and restoration of subsistence resources than in allocation of them. He has two major concerns: the climate catastrophe we are facing at this moment and the development of a policy on Indigenous management or co-management of natural resources.

Albert Howard of Angoon clarified a comment he made in the last meeting regarding support for proposals. He reported community concerns about the King Salmon closure and shared that members are taking chances (that they normally wouldn't take if season was open full-time) to get King Salmon before the closure takes effect. Deer season was good, but there seemed to be more hunting pressure (even from residents as far away as Sitka), and he expounded on how important local resources were to local subsistence users. He is disturbed by the amount of bycatch/mortality from the amount of crab pots dumped in some community areas (specifically around Kake).

Donald Hernandez of Point Baker reported that Prince of Wales Island experienced uncharacteristically cold weather and snow in December and then heavy rains in January. Deer were concentrated in old growth timber close to the beaches, so it is hoped that the healthy canopy kept heavy snows from impacting too many deer. Berry bushes have leafed out this week. It was not a successful hunting season for many people in the community. He has not seen any herring wintering over in the bays. King Salmon fishing has not been very good.

Patty Phillips of Pelican shared traditional ecological knowledge of the impact of commercial fisheries on local resources. She reported an increase in bear activity in the community (*Ms. Phillips's cellular connection was broken up and much of her report was inaudible*).

Louie Wagner, Jr. of Metlakatla reported that since no cruise ships came into the area, the community enjoyed clams for the second year. He voiced concerns about the discharge of cruise ships' wastewater in the local waters and the need for subsistence users to travel out three miles from shore to avoid the resources contaminated by the wastewater. Salmon streams on the island are doing well except for dog (Chum) salmon. The cause may be the hatchery's weir across the stream. There are two small herring spawns on the island. He would like to see improvement in the organization of the allowance for Eulachon process, specifically regarding proxy harvesting, as there are people missing out on their fish.

Harvey Kitka of Sitka reported that there is a continuing concern for Sockeye Salmon runs in the area as some did not return. There are increased bear-human encounters with some bears charging people. There are observations of effects of climate change on various resources. There were previous issues with sea otters in the area (predation). Some of their seafoods, such as gumboots, are coming back. It is herring time, and they should have an indication of how well they are spawning by the weekend.

John Smith, III of Juneau reported that environmental conditions, such as clean air, have improved in the absence of cruise ships. He has observed sea lions, seals, geese, and other birds coming back into the area. He shared observations that he made during his work with local Tribes (the testing of contaminants in clams and cockles at various places). He is concerned about the water being very cold and the effect that the powerful watersheds have on natural medicines and food. He provided further traditional ecological knowledge about historical harvests in Hoonah, including herring. He voiced concerns about the amount of crab pots and how quickly King Crab could be decimated in one spot.

Cathy Needham of Juneau reported that she is just returning from attending the Alaska Board of Fisheries (BOF) meeting in Anchorage as the Council's representative. She informed the Council that the U.S. Fish and Wildlife Service reached out to obtain knowledge about wolves in the Southeast to integrate local and traditional knowledge into their decision making about the pending AA-wolf petition. She encouraged the Council to consider working with advisory committees to put in a halibut proposal to the National Marine Fisheries Service (NMFS) and perhaps a proposal to gather information on un-guided, non-resident sport fishermen harvest to close the current data gap.

Chair's Report – Don Hernandez advised that he would be attending and representing the Council at the upcoming Federal Subsistence Board (Board) wildlife regulatory meeting in April. He thanked Vice-Chair, Cathy Needham, for her attendance and excellent representation of the Council at the recent BOF meeting. He has attended meetings of the Deer Summit Steering Committee and led conversations for the Council's Indigenous Management Working Group meetings.

### ***Old Business***

#### ***Review WP22-06 ( Establish quota and place restriction on Moose harvest limit (Unit 3)***

Rob Cross, Acting Tongass National Forest Subsistence Coordinator, USFS, informed the Council of the need to revisit this proposal to review the OSM amendments necessary to fully implement the proposed regulation, enter the Wrangell Advisory Committee public comment into the record, and to receive clarification on prior testimony from Joel Jackson, President, Organized Village of Kake (OVK). The

previously proposed language “Recipients of a Federal draw permit are not eligible for a State Permit” could not be implemented as written because OSM cannot legally restrict harvesters from receiving a State permit. An amended proposed regulation was suggested:

*“Unit 3 moose, one antlered bull with spike-fork or 50-inch antlers or three or more brow tines on either antler or antlers with two brow tines on both sides by State registration permit from September 15 to October 15 or Unit 3 Kupreanof and Kuiu Islands, one bull by Federal drawing permit. Only one moose permit may be issued per household. Successful hunters are required to send a photo of their moose antlers to ADF&G and a five inch section of lower jaw with front teeth, September 15th to October 15th.”*

Motion by Ms. Needham, seconded by Ms. Phillips, to **support WP22-06 as written** (to supersede the prior recommendation from the Council). Motion failed unanimously.

The Council originally submitted the proposal WP22-06 to increase opportunity for subsistence users in Unit 3; however, it is now understood that the proposal could potentially have an unintended consequence of creating competition for Organized Village of Kake subsistence users for moose. If the proposal is amended, the potential for competition would remain, and this is contrary to this Council’s intent. The Council withdrew its support for the proposal and voted to oppose the proposal.

### ***Wolf Update***

Tom Schumacher, Regional Supervisor, ADF&G, addressed a question raised earlier in the meeting and reported that the most recent data shows that the number of wolves sealed in Unit 2 was 64. The season closed in early December due to snow and the Commissioner did not grant any requests to re-open the season. Mr. Schumacher concluded his remarks by thanking the trappers for their high compliance in providing tissue samples for DNA, which contributes to the determination of population estimates.

### ***Alaska Board of Fisheries Update***

Cathy Needham, Vice-Chair, provided a report from participation at the recent BOF meeting. The Council spent a significant amount of time during three separate meetings discussing and formulating proposals and comments for this meeting. She relayed the BOF’s decisions and reminded the Council of the opportunities to work other interested parties (AC’s, Tribes) for solutions to common-ground issues.

Council Member, Harvey Kitka, also informed the Council of his participation at the BOF meeting as spokesman for Sitka Kaagwaantaan clan, and he shared information on the issues/concerns regarding the current State herring management plan.

### ***Indigenous Management Working Group Report***

DeAnna Perry, Council Coordinator, USFS, provided a history of the Council’s Indigenous Management or Co-Management Work Group, which was formed in its winter 2021 meeting. It was created so that the Council could stay informed about various organizations’ efforts to pursue the Indigenous management/co-management of resources. The group has met five times and suggests that the Council develop a position statement on this issue. The Council voted to draft a position or policy statement to

request or address issues under the Federal Subsistence Management Program's (FSMP) jurisdiction and for the facilitation of appropriate changes in regulations.

Motion by Mr. Ian Johnson, seconded by Ms. Needham, to authorize a drafting committee to draft a document from the Council's discussion on co-management and then submit it to the Council for review and possible action at its fall meeting. Motion passed unanimously (12-0, 1 absent). Volunteers to serve on the drafting committee are Don Hernandez, Bob Schroeder, Cal Casipit, Ian Johnson, and John Smith, III.

### ***Deer Summit Update***

Don Hernandez, Chair, advised that he is representing the Council on a steering committee that is planning a deer summit to address management issues on Unit 2 (Prince of Wales Island). The summit would provide an opportunity for discussion on various topics relating to the success of deer hunters in Unit 2 and possible topics include status of deer populations, information on the latest research projects, habitat conditions, and road management. Considering the COVID-19 pandemic and future unknown mitigation plans, it is hoped that the summit will take place between summer seasonal activities and the hunting season.

### ***Overview of 2021 Council Charter Changes***

DeAnna Perry, USFS, provided a summary of the changes to the Council's charter as approved by the Board. For this Council, these included the 'carry-over terms' clause to allow members to continue to serve until new Secretarial appointments are made, and removal of two clauses in Section 4 with no relevance to the Council's duties and authorities under Title VIII of ANILCA.

### ***New Business***

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

Justin Koller, Fishery Biologist, OSM, presented the Council with the Fisheries Resource Monitoring Program (FRMP) update and advised that the 2022 FRMP funding cycle is in its final phase. The Council will be asked to identify and approve Priority Information Needs (PINs) for the 2024 FRMP cycle during its fall 2022 meeting. The purpose of PINs is to identify knowledge gaps and information needs for the management of subsistence fisheries for the Southeast region.

#### ***Federal Fisheries Closure Reviews***

Justin Koller informed the Council that concurrent with the Federal fish and shellfish call for proposals, OSM Staff will conduct reviews of closures to Federal subsistence fisheries. OSM reviews half of all closures during each applicable regulatory cycle. Two closure reviews for the Southeast region will be up for review at the fall 2022 fisheries regulatory meeting.

### ***Fisheries Report for Southeast Alaska***

Jake Musslewhite, Fishery Biologist, USFS, presented a report to provide the most current Southeast fisheries harvest information available. Data and observations from FRMP and other sources throughout Southeast Alaska were given.

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

Justin Koller informed the Council that the Board will be accepting proposals to change Federal regulations for the subsistence harvest of fish and shellfish on Federal public lands and waters for the 2023-2025 regulatory years for a period of at least 30 days upon the publication of the proposed rule in the Federal Register.

The Council discussed possible subjects for fishery proposals and the Council drafted a proposal for customary and traditional use (C&T) determination for shellfish for all Southeast Alaska and the Yakutat area so that resources such as clams can be identified as a subsistence fishing resource.

Motion by Mr. Casipit, seconded by Ms. Phillips, to **submit the C&T Proposal as written to OSM during the current Call for Fisheries Proposals**. The proposal requested C&T determination for all shellfish in all units in Southeast region for all rural residents. Motion passed unanimously (11-0, 2 absent).

The Council recognized that the C&T determinations adopted by the Board in 1990 were directly from the State of Alaska regulations and these did not include shellfish species that are the target of commercial fisheries. To address that issue of concern to many Southeast rural communities, the Council submitted this proposal to broaden C&T determination for all shellfish in the Southeast region. This submission is similar in basis to the Council's recent wildlife-based C&T determination submissions, which the Board determined aligned well with the current process followed statewide in the Program.

### ***Call for Nonrural Determination Proposals***

Pippa Kenner informed the Council that the Board will soon be accepting proposals to change a community's status from non-rural to rural or from rural to non-rural in Federal regulations during the same window as the call for fisheries proposals. The call for non-rural determination proposals occurs every four years and after the pending call for non-rural determination proposals, the next opportunity to submit a nonrural determination proposal will be in 2026.

### ***Wrangell-St. Elias Subsistence Resource Commission Appointment***

Barbara Cellarius, Wrangell-St. Elias Subsistence Coordinator, NPS, reminded the Council of its opportunity to appoint a representative to the Wrangell-St. Elias Subsistence Resource Commission. Although the Council could appoint a primary representative as well as an alternate at this time, there are no eligible candidates as this Council could only appoint a resident of Yakutat.

### ***Review and approve FY 2021 Annual Report***

The Council unanimously approved the drafted fiscal year 2021 Annual Report to the Board. The Council included ‘information share’ items to make the Board aware of issues of interest to subsistence users in the Southeast as well as specific requests to the Board for information on other concerns. List of topics to be included in the Annual Report are:

1. Transboundary River Mining
2. Information sharing policy between OSM and ADF&G
3. Need for local knowledge to be included in OSM’s Recommendations
4. Public testimony and public comment policies clarification needed
5. Regulatory Analyses and Presentation Content – include cumulative effects
6. Request information on Mariculture Permitting – Effects on Subsistence Sensitive Areas
7. Council is working on a position statement re: co-management of subsistence resources
8. Support Continues for 2001 Alaska Roadless Rule
9. Attachment: Status of Fish and Wildlife Resources in Southeast (status harvest reports)

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

Tom Kron, Statewide Support Division Supervisor, OSM, and Robbin La Vine, Policy Coordinator, OSM, informed the Council that the Interagency Staff Committee is working to improve workload efficiencies within the FSMP and briefed the Board on the annual report reply process and possible revisions to improve responsiveness to the Regional Advisory Council concerns. The Council provided feedback on the process and stated that this Council has worked hard to establish good credible communication with the Board and to create a strong public record and it believes that the current annual report reply process should not change.

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

Tom Kron also informed the Council of the opportunities for the public to provide oral/written comments to the Board and to the Council during each regulatory cycle:

- First opportunity: When the call for proposals is published in the Federal Register (general comments as well as proposals are accepted during this timeframe outlined in the Federal Register – window is open 45 to 90 days or longer)
- Second opportunity: When validated proposals are published in the ‘proposal book’ and the book is posted on the FSMP web page
- Third opportunity: At the Regional Advisory Council meetings (the region that would be affected by the proposal)
- Fourth opportunity: During the Board meeting

The Council provided opinions on the comment submission policy, such as: there should be better public education regarding comment opportunities/processes and the capacity of supporting staff to handle whatever process is chosen (such as letter writing) should be considered.

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

Tom Kron reminded the Council that there is currently a law that requires all Federal departments and agencies to gain approval through the Office of Management and Budget (OMB) prior to collecting of information from the public. OMB contacted OSM and tasked them with exploring the use of automated permits within the program. A few comments from the council included a reminder that many families/villages do not have internet service and to consider the time and possible special trips to a city/borough that may be required to obtain a permit.

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

Tom Kron provided a briefing on the status of a proposed rule to complete regulatory proceedings addressing submerged public lands within the Tongass National Forest, as directed by the Court. Greg Risdahl, Subsistence Program Coordinator, USFS, provided more background information and history of this issue which asked for the identity of Federal (submerged) lands that remain within Federal management authority for subsistence.

***Public Testimony*** (for complete testimony, please review meeting transcripts for March 22-24, 2022, posted online: <https://www.doi.gov/subsistence/library/transcripts/1-southeast-alaska>)

***Harvey Kitka***, *Sitka Kaagwaantaan Clan*, inquired about the status of the Extra-Territorial Jurisdiction petition that the clan submitted to the Secretary of Agriculture.

***Wanda Culp***, *Tongass Women's Earth and Climate Action Network (WECAN)*, provided a presentation about Tongass-based solutions for food security issues.

***Jill Weitz***, *Salmon Beyond Borders*, provided an update on the work by the Southeast Alaska Indigenous Transboundary Commission to address mining impacts to transboundary rivers.

***Joel Jackson***, *President, Organized Village of Kake*, provided comments about BOF regulations and commercial crabbing and the negative impact that this is having on the subsistence harvest.

***Matt Jackson***, *Southeast Alaska Conservation Council (SEACC)*, informed the Council of SEACC's effort to gather input/solicit proposed solutions to ocean acidification, climate change, young growth transition, and other issues of concern.

***Agency Reports:***

- Central Council Tlingit and Haida: Raymond Paddock, Environmental Manager, and Marco Banda, Regional Resource Specialist, presented a report on the Guardians Network Program

- USFS:
  - Greg Risdahl provided the annual USFS-Subsistence Program report
  - Rob Cross provided information on four special actions and delivered a detailed overview of the 2020 State and Federal wildlife harvest for the region, with preliminary 2021 information
  - Jennifer Hanlon, new Tongass National Forest Tribal Relations Specialist, introduced herself and provided a few highlights of her program
  - DeAnna Perry provided highlights from a written report on the Southeast Alaska Sustainability Strategy Program (SASS), with a status of SASS projects and funding
- ADF&G:
  - Lauren Sill, Subsistence Resource Specialist, presented ADF&G Subsistence Report
  - Flip Pryor, Statewide Aquaculture Section Chief, delivered a comprehensive presentation on kelp farming
- Tom Kron, presented the Office of Subsistence Management report, including personnel updates, the effect of COVID-19 on Council meetings across the State, and an update on the lawsuit by the State of Alaska against the Board.

***Future Meeting Dates:***

Fall 2022 meeting to be held October 25-27, 2022, in Ketchikan, if able to meet in person.

Winter 2023 meeting to be held February 28 – March 2, 2023, in Juneau, if able to meet in person.



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DeAnna Perry, Designated Federal Officer  
USDA Forest Service



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Don Hernandez, Chair  
Southeast Subsistence Regional Advisory Council

These minutes were formally considered and approved by the Southeast Subsistence Regional Advisory Council at its fall 2022 meeting.

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