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

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PROCEEDINGS

(Teleconference - 1/27/2021)

(On record)

CHAIRMAN CHRISTIANSON: All right, I think we'll go ahead and get started. It's about 6 after the hour here so I'd like to appreciate everybody that's called in this morning and everybody out there in telecom land, good morning to you. God bless you all. And just like to thank you all for your business yesterday, I think we did a good job of getting through what we had yesterday and this morning we're starting first with the public comment on non-agenda items so we'd provide opportunity to.....

OPERATOR: Mr. Christianson.

CHAIRMAN CHRISTIANSON: Yes.

OPERATOR: Are you ready to begin the actual conference, I have not moved your line.

CHAIRMAN CHRISTIANSON: Oh, yeah.

OPERATOR: Okay. I'm going to open the lines and give the opening scripting. One moment, please.

CHAIRMAN CHRISTIANSON: All right, thank you.

OPERATOR: You're welcome.

MR. PELTOLA: BIA's on Tony.

CHAIRMAN CHRISTIANSON: Good morning, Gene.

OPERATOR: Welcome and thank you for standing by. For the duration of today's conference all parties will be in listen only mode until the question and answer sessions of the conference. At those times you may press star one on your phone to ask questions or make a comment. I would like to inform all parties that today's conference is being recorded. If you have any objections you may disconnect at this time.
I would now like to turn the conference over to Mr. Anthony Christianson. Thank you, you may begin.

CHAIRMAN CHRISTIANSON: Thank you.

Thank you for the introduction and thank you for everybody signing on this morning. Appreciate everybody's work yesterday and getting through the agenda to the point of today. Look forward to a productive day and hope God blesses us all to do the best job we can do for the people that we serve.

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

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

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

(Invocation)

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

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

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

And also I just wanted to remind people that the Board agenda and meeting materials are all online at our website at www.doi.gov/subsistence/board. The website has been dated with -- has been updated with the current agenda showing the upcoming agenda items that the Board will be dealing with. And folks can also call phone numbers to find out what the
updates are on the agenda, or to get additional information, and those two numbers are 800-478-1456, and (907)-786-3888.

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

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

Thank you.

(Pause)

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

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

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

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

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

The comments I'm making right now are
on my own behalf and as a member of the Stevens Village Tribe.

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

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

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

MR. BROWER: Thank you.

MR. STEVENS: So, anyway, let me -- I don't want to beat the damn dead horse but we have heard over and over again and I think it's probably since the -- I mean the last 15 years, we've been pounding on this concept of Regional Advisory Councils getting qualified members to sit at their table. The RAC recruitment process is vigorous but the ability for us to bring those folks on is broken. It's not working. We've seen over and over again some very very talented, very capable qualified subsistence users be passed over for the drunk guy, or the guy that can't read, or somebody that's going to be totally ineffective at defending subsistence rights, uses. And so I don't know if beating up on you guys is going to be any good because we have told you this over and over and over again and it's still not getting fixed. And so I'm kind of wanting some advice from you folks, is, where do we call? The Federal Subsistence Management System -- the Program was designed back in the day to help advocate, not for every so-called subsistence user in the state of Alaska but for aboriginal folks that come from a history of surviving off the land, from utilizing the animals on the land and in the waters to sustain their life, contrary to
city folks that go to the store, but it's the same
thing. And so that is why the Federal Subsistence
Board was created. But as we all know and experience
and feel the pain of, that whole system has been
perverted by folks that talk about equal rights, and
that every single person, even the guy that got here
last week from Florida is a subsistence user. That's
perversion.

So we want to make sure that we help
you help us.

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

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

I mentioned it yesterday and I kept
checking back with the folks, and I said, look, where's
this information, what did you get from the Feds, tell
me what's -- if you want me to sit there in this
meeting you're going to have to give me the latest,
greatest and they got nothing. So they applied to you
folks, they begged you for help last fall -- last
spring, and you said, ah, hold that thought. Now, we
weren't just talking about some obscure idea that
someone was rolling around in their heads, we're
talking about a group of people asking you for
permission to eat from the land. That's not a
situation where you can actually hold your breath. And
we still don't know what's going on. Now, when it
comes back down to the Koyukuk SAR, we told them that,
no, we can't make a decision on this, we're going to
sit right here until some guidance comes along that
would help us determine what an emergency was. There's
several problems with that. One is I don't think you
or me can determine what Koyukuk's level of food
insecurity is or what is a threat. I grew up in the
village. I know that threat is constantly there even
during good times. And so we really need to look at
the villages, look at the people that are real
subsistence users and help them guide us into
determining when they are in danger.

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

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

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

I thank you.

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

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

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

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

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

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

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

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

We continued to ask for, well, could we get some additional clarity in or around that issue from the standpoint of, you know, removing the pause,
but that did not happen prior to us being -- going through a transition. So I think that a transition to a new Administration now gives us an opportunity to raise that issue again.

That's a very basic discussion.

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

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

Thank you.

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

MR. LORD: Mr. Chair, this is Ken. I have the floor.

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

MR. SIEKANIEC: No problem, Ken.

MR. LORD: There were some folks up in the leadership positions in the Department that were convinced that the Board had exceeded its authorities
when it made the decision on Kake, and they were really concerned that what had happened was illegal and it really should have been in the State's -- it should have been the State taking that action and not the Federal Subsistence Board.

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

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

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

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

You know a better idea, respectfully, Sir, and members of the Board, is in the summertime my family has a fish camp out there on the Yukon, and it would be a great idea for folks to spend three or four days out there just to see and to feel what it is that the people feel that have to deal with the decisions that you guys make or do not make.
Now, this was a goof up, and we are negatively impacted. What I'm saying is, that, let us help you. If you have questions, let's flesh out some possible answers, we're very creative, so respectfully I say that to the Board. And all those folks that work very, very hard on trying to make this stuff happen. It's not a job that I would chase after.

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

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

(No comments)

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

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

OPERATOR: Justin Mason, your line is open.

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

Yeah, super important decision for him and his family today. So thank you for your time, that's all I have.
CHAIRMAN CHRISTIANSON: Thank you, appreciate you calling back in and sharing that.

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

OPERATOR: Yes, Michael Butler, your line is open.

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

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

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

Thank you very much.

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

Any questions from the Board.

(No comments)

CHAIRMAN CHRISTIANSON: All right, appreciate that. Operator is there anyone else online who would like to be recognized at this time.
OPERATOR: Yes. Karen Linnell, your line is open.

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

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

Thank you.

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

MR. SIEKANIEC: Yeah, Mr. Chair, this is Greg.

CHAIRMAN CHRISTIANSON: Yes, Greg, you have the floor.

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

MS. DETWILER: Yes, Greg, this is Sue Detwiler. That is my recollection. The pause came in an email from Steve Wackowski through the -- Steve
Wackowski, who was the Field Secretary, the political appointee here in Alaska for Department of Interior, he sent an email through OSM to the Board instructing the Board to pause its special action, emergency actions, temporary actions until issues were resolved.

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

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

Thanks.

MR. SIEKANIEC: Yeah, Mr. Chair, this is Greg.

CHAIRMAN CHRISTIANSON: Yes, Greg, you have the floor.

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

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

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

(No comments)

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

CHAIRMAN CHRISTIANSON: Yeah, Greg, you have the floor.

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

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

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

(Teleconference interference -
participants not muted)

CHAIRMAN CHRISTIANSON: Hello.

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

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

MR. STRIKER: Yes, sir.

MS. LINNELL: Yes, sir.
MR. PELTOLA: BIA is still on.

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

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

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

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

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

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

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

Thank you.

CHAIRMAN CHRISTIANSON: No, I appreciate your comments this morning, Karen, and it's
definitely something we really, as a Board need to strongly consider. And I would also offer to you that a conversation with the Kake leadership could lead you down a path to resolving what next steps are when you don't get what it is you feel is the appropriate outcome when you deal with an agency, and it's called petitioning the Department of Interior and getting a government to government consultation set up. And down here we had a similar situation with the Roadless Rule and a bunch of tribes not too happy with the outcomes of things that were happening and ultimately were able to sit down with the Deputy Under Secretary and have conversations at a level so they could deeply understand the positions and things that we were talking about, issues that may arise from such a specific, you know, change to something. And so there could be some lessons learned from the process itself, I believe, and there is always a next step, and remember we're sovereign nations as tribes and our voice should go all the way to the top of the seat and not -- this shouldn't be happening on anybody's watch so I appreciate your comments.

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

Thank you so much.

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

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

CHAIRMAN CHRISTIANSON: Ken, you have the floor.

MR. LORD: Yeah, Karen, I just wanted to respond a little bit with some -- I think there's hope out there. I don't know if you're familiar with the name Bob Anderson, or Robert Anderson, he was appointed the Principle Deputy Solicitor, meaning he's, at least for now, in charge of the Solicitor's Office nationwide
but he was in the Solicitor's Office under the Clinton Administration, he has published Law Review Articles on the Subsistence Program, he is a professor at Seattle so he is intimately familiar with the Subsistence Program and has been involved in the background, even in recent years. So we have somebody who understands the importance of subsistence in a position of authority in this Administration and I think that we will be in a good position to get that charter moving, or at least elevated, you know, and hopefully championed by people who understand its significance whenever we get a Secretary. It won't happen in the next few weeks but hopefully, you know, sometime in the foreseeable future we'll be able to get things going.

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

MR. LORD: Yeah, thought you might be.

CHAIRMAN CHRISTIANSON: Amen. Any other Board comments or questions.

MR. PELTOLA: Mr. Chair, BIA.

CHAIRMAN CHRISTIANSON: BIA, you have the floor. Gene.

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

Thank you, Mr. Chair.

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

(No comments)

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

OPERATOR: I do not show any further
CHAIRMAN CHRISTIANSON: All right. Well, I'd just like to thank the people who called in today and truly appreciate the heavy-weighted questions. I mean that's our job here is to hear and to find solutions and a path forward to some of the challenges we are facing during this very weak time during the pandemic and also, you know, a lot of abundance issues as far as resources go, fisheries and wildlife, varied between different regions in the state but, nonetheless, seem to be consistently happening and so us having a solid path forward is just important for us to recognize those needs.

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

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

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

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

Given the rarity of requests for individual C&T determinations, standardized processes and written procedures have not been as solidly established for these as compared to area and community C&T determinations. This became clear in the spring of 2019 when Mr. Blaine Mayo submitted an individual C&T determination request for moose in Denali National Park. Mr. Mayo was erroneously told that he need not have a .13440 eligibility permit before applying for individual C&T. Yet, this is contrary to the Board's existing policy. For this reason, Mr. Mayo's proposal was deemed invalid. To help correct this from...
occurring in the future and to expedite and document processing of subsequent proposals, the National Park Service developed the standard operating procedures that are before you today.

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

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

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

So where does that leave us today.

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

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

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

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

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

MR. BROWER: Mr. Chair.

CHAIRMAN CHRISTIANSON: Yes, Charlie,
you have the floor.

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

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

Thank you.

MR. BROWER: Thank you.

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

CHAIRMAN CHRISTIANSON: Greg, you have the floor.

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

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

Thank you.

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

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

MR. SIEKANIEC: Right, okay.

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

MR. SIEKANIEC: Thank you, Mr. Chair.

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

MR. BROWER: Mr. Chair, just one.

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

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

MR. REAM: Through the Chair. Thank you for your question, Mr. Brower. So the intent would be for National Park Service Staff to assist anyone interested in filling out the application. We want to make sure that we kill as many birds with the same stone as possible, so obtaining all of the information that we need in order to start the analysis process,
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you know, through the information provided on the
application, there are also a lot of documents in the
standard operating procedures that we offered. We
needed to be clear with the RACs and the SRCs that we
do not intend for this to be a burden on the public and
that most of those documents are internal to track the
process. But the application itself, you know, the
information does need to come from the proponent but we
want to be able to assist them in filling out the
application if they request it and if we're able to.

I hope that helps.

Thank you.

MR. BROWER: Thank you.

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

(No comments)

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

MR. REAM: Thank you, Mr. Chair.

Starting with the Southeast Alaska
Subsistence Regional Advisory Council. The Council
felt that the current process for making individual C&T
determinations is working and does not need to be
changed. Their justification was that 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
was 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 National Park
Service, 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.

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

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

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

The Yukon Kuskokwim Delta Alaska Subsistence Regional Advisory Council voted unanimously to take no action on this request from the park Service. Their justification was that the Council expressed frustration at the lack of advanced detailed information on this individual customary and traditional request before it being presented to the Council for action and that a full analysis of the request and effects should have been provided to the Council and public for review. While there are no National Park Service lands within the boundaries of the YK Delta RAC region, the Council is not comfortable making recommendations without adequate information and understanding of how this may impact subsistence communities and other regions who would be directly
affected by the National Park Service independently making individual C&T determination without it going through the Federal Subsistence Program public process.

The Western Interior Alaska Subsistence Regional Advisory Council supports the National Park Service proposed permitting changes for National Parks in Alaska. Their justification is that the Board would grant delegation of authority to the National Park Service Regional Director to issue individual customary and traditional use permits for ParkLands in Alaska. The Council believes that utilizing the Subsistence Resource Commission will provide a beneficial interface with the users in their respective Park unit. The Council recognizes that should an individual feel that the Regional Director acted inappropriately with the issuance of these permits, the individual could submit a proposal to the Board to rescind the delegation of authority to the National Park Service Regional Director.

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

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

The Eastern Interior Alaska Subsistence Regional Advisory Council supports the National Park Service proposed changes to the administration of the individual C&T use determination process and to request that the Federal Subsistence Board keeps the Council informed on the implementation of the new process. Their justification was that the Council stated the criteria and process for the individual C&T use determination has been in place for a period of time and there is a good system of checks and balances. The Council trusts that the National Park Service will administer the process correctly and honestly. The Council thinks that if the Federal Subsistence Board delegates the authority to the National Park Service to make individual C&T use determinations, the
administrative process will be streamlined and simplified. The Council also wants to ensure that the National Park Service periodically verifies the primary residence of users with individual C&T use determination to avoid possible misuse. Additionally, the Council agreed that the National Park Service Subsistence Resource Commission should continue to be involved in the process by staying informed while providing formal recommendations to the National Park Service on the determination. The Council also requested that the Board keeps the Council's apprised on the progress and their decision on this matter.

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

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

Thank you, Mr. Chair.

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

MS. PITKA: Hi, this is Rhonda.

OPERATOR: Yes, one moment.

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

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

Thank you.

MR. STRIKER: Mr. Chair, this is Don Striker.

CHAIRMAN CHRISTIANSON: Don, you have the floor.

MR. STRIKER: Yeah, my understanding of what Justin was basically saying was, regardless of what action we take on this specifically, we don't let Blaine continue to be sort of flapping out there in the wind for the what will be ultimately the fourth year of missing the ability to hunt. So if we don't adopt the proposal, then take one of the other actions that we just outlined so that we can make sure that we can get this application properly processed.

CHAIRMAN CHRISTIANSON: Thank you, Don. Any questions, any further comments.

MR. PELTOLA: Mr. Chair, BIA.

CHAIRMAN CHRISTIANSON: Go ahead, Gene.

MR. PELTOLA: Thank you, Mr. Chair. For the Park Service, I got kind of a little confused there. So the recommendation is that to have the delegation of authority going to the Regional Director of the Park Service or to be maintained within the Federal Subsistence Board?

MR. STRIKER: That's a complicated question. The draft proposal is to have it go to the Regional Director of the National Park Service, but you'll see when we actually make our motion that I'm going to make a motion with amendments.

MR. PELTOLA: And the reason I ask that, when we've talked about delegation of authority from the Federal Subsistence Board to a different level within particular agencies, arguments have been made if we were to remove a delegation of authority that it's a HR matter that shouldn't be addressed by the Board as opposed to a programmatic matter of removing an authority assigned by the Board. That's why I asked.
Thank you, Mr. Chair.

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

MR. BROWER: Mr. Chair.

CHAIRMAN CHRISTIANSON: Yes, you got the floor Charlie.

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

Thank you.

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

CHAIRMAN CHRISTIANSON: All right, any other Board questions.

(No comments)

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

MR. PELTOLA: Mr. Chair, BIA.

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

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

CHAIRMAN CHRISTIANSON: You got the floor, Ken.

MR. LORD: Thanks. So, Gene, removing a delegation of authority is not a problem, it's simply
a matter of revoking the letter of delegation. I think the recent question has been whether or not certain
deg�lations should be removed, not whether they can be removed.

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

Thank you, Mr. Chair.

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

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

CHAIRMAN CHRISTIANSON: Greg, you have the floor.

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

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

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

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

CHAIRMAN CHRISTIANSON: Yes, you have the floor.

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

MR. REAM: Through the Chair. Thank you, Member Siekaniec. I do think that that is the case that, you know, we heard, even if it wasn't as
part of the vote -- there was some hesitancy among members of various Regional Advisory Councils to include this delegation of authority component. And I think as you heard Don say our motion is likely to eliminate that component. And concerning specifically Blaine Mayo's request, we are standing ready if the Board takes action today to quickly receive the proposal and conduct an analysis, hopefully, in a manner that would allow us to quickly turn that around to present to the Regional Advisory Councils and the Subsistence Resource Commission of Denali during the winter/spring meetings that are upcoming so that those recommendations are available for the Board to consider at their next public meeting.

Thank you.

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

MR. PELTOLA: Mr. Chair, BIA.

CHAIRMAN CHRISTIANSON: BIA, go ahead.

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

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

So the resident zone criteria is separate from having a C&T. You need to live in the resident zone, which they can be changed through a formal rulemaking process, or have a .13440 permit if you live outside of a resident zone community, but you have a pattern of subsistence use within that Park. And that pattern of use could be established by having previously lived in a resident zone community or by having subsisted in the Park prior to its creation.
And so at the time of the original proposal, Mr. Mayo, did not live in Cantwell any longer, he now lives in Healy, which is not a resident zone community of the Park and so it would have required him under the existing Board process to have obtained a .13440 eligibility permit. He had not done that but he was erroneously advised, unfortunately by Staff that, you know, it -- I don't blame anyone about this but he didn't have that permit in place and he now does, and so that criteria of eligibility is no longer really at play for Mr. Mayo's proposal. He has that eligibility but Healy does not have a community or area C&T for moose in Unit 13E where Mr. Mayo is requesting access. And so lacking a community or area C&T, the last thing that Mr. Mayo would need is just the C&T of some sort and he requested that to be an individual C&T, for whatever reason I don't know how much dependence people of Healy have on moose resources in 13E but the request was for the individual C&T.

I hope that helps.

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

CHAIRMAN CHRISTIANSON: Any more Board questions or deliberations.

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

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

CHAIRMAN CHRISTIANSON: Go ahead Gene and then Charlie.

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

CHAIRMAN CHRISTIANSON: Thank you.

Charlie you have the floor.

MR. BROWER: Thank you, Mr. Chair. Just a question. On the Park Service, is this going to affect the residents of Arctic Village or Anaktuvuk Pass when they're already have individual customary and traditional use and they live within the perimeter of the Park and do they have to -- I'm just questioning
this ability if it's going to affect those villages within the Park, like AKP or Arctic Village or Allakaket or something like that. I mean not just for one person but it might be for the rest of the community subsistence hunters in the future.

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

MR. BROWER: Thank you.

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

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

CHAIRMAN CHRISTIANSON: Okay, Operator, if you could see if there's any Regional Advisory Council Chairs who are affected that want to comment. We're having a pretty good conversation here and we'd just like to hear maybe the perspective from the
Regional Council Chairs who are affected on why they may or may not support this proposal.

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

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

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

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

I'm sorry that the process has taken so long for Mr. Mayo, but, you know, a process is a process. I was at the SRC and having served on the SRC before, I think that, you know, how does that saying go, poor planning on your part doesn't constitute an emergency, as far as this process. The proposal and the delegation and things that we've gone through, I think having full information and the total impacts it will have on the rest of the state is an important piece. I would say that, you know, if you take no action on this other process, the delegation of authority, and just decide what to do with Mr. Mayo, that's a good thing, but more thought needs to be put in on the process and the total impacts it's going to have with other regions. Having heard Mr. Ream speak about the prior use before the Park formation, or long-term use, having lived in a resident zone, one of the things that concerns me is we have folks that come and work at the Parks and the agencies for temporary
assignments and then move away and having lived in a resident zone, if they get a 13 -- you know, and they're only here for a short time, to me, I'm still not clear on this -- but to me I can see them getting this permit and being able to move away to another rural community and then still being able to come back here and hunt, even though they were only here on temporary assignment, and that's something that concerns me because it's not a long-term, you know, prior to the Park, use.

So those are some of my concerns.

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

Thank you.

CHAIRMAN CHRISTIANSON: Thank you, Karen.

MR. BROWER: Mr. Chair.

CHAIRMAN CHRISTIANSON: Yes, go ahead.

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

MR. REAM: Through the Chair. Thank you, Member Brower. I think -- first off it's important to keep in mind that there are two different things here. There's the .13440 permit. Some Parks have issued these in the past for the lifetime of the applicant and some have offered them for five years. Under the new process we're hoping for continuity across Parks, they would be offered for a lifetime, however, every five years we would evaluate to make sure that they're still a Federally-qualified
subsistence user, you know, where their residency is
and that's for the permit. That just verifies that
they have an established pattern of use within the Park
or Monument. For the C&T, C&T's are also issued for
the lifetime of the resident, assuming they have the
other criteria as well, you know, living in a rural
area, living in a resident zone community and/or having
the .13440 permit. However, I wanted to point out that
we would use the same eight criteria for analyzing
customary and traditional uses that's used in the
normal area or community process, the analysis
undertaken typically by OSM. And most of these
criteria talk about a long-term consistent pattern of
use. A pattern that takes place in recurring in
specific seasons of each year, passing down of
information about hunting through generations. You
know if you actually apply these criteria to somebody
that was only very briefly in a community, it would be
difficult, I think, to determine that they have this
long-term pattern of use, if they were only there very
temporarily so we would continue to apply, just as OSM
does, these eight criteria for customary and
traditional use determinations.

Thank you.

MR. BROWER: Thank you.

MS. LINNELL: And, Mr. Chair, if I
might.

CHAIRMAN CHRISTIANSON: Go ahead, you
have the floor.

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

Thank you.

MR. STRIKER: So a couple quick points
on that, Ms. Linnell. First of all, we, the Park
Service aren't proposing to make this change just
because of the circumstances that Mr. Mayo faced. He
got caught in an unfortunate situation where we gave
him, frankly, bad advice, as the experts. But that's
separate from the need to streamline this process
that's been around for awhile. And so, you know, what
we're proposing today is not really a solution just to
Mr. Mayo's problem, and, in fact, what we hope to do is
separate those two items, taking action on this, or
defer an action on this and then based on which of
those binary choices we make then to see whether or not
we need to do something else to open up the opportunity
for Mr. Mayo's application to be continued to be
processed.

MS. LINNELL: Thank you for that.

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

(No comments)

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

MS. NEEDHAM: Mr. Chair.

CHAIRMAN CHRISTIANSON: Yes, you have
the floor.

MS. NEEDHAM: Thank you, Mr. Chairman.

This is, for the record, Cathy Needham, from the
Southeast Alaska Regional Advisory Council. And I
appreciate the opportunity to weigh in with some of the
comments that the Regional Advisory Council had during
their deliberation on this particular proposal.

As Mr. Ream stated, the Southeast
Regional Advisory Council did oppose this proposal,
this action, and Mr. Ream did cover our justification
really well. I did want to reiterate that our Council
had pretty -- we were pretty adamant in our concern
about granting the delegation of authority to the
National Park system because it would take -- we would
worry that it does narrow the authority and reduce the
capacity of Regional Advisory Councils to weigh in. In
Southeast Alaska we did have -- that discussion did
kind of center around a specific issue with the
National Park Service in Glacier Bay National Park and
the community of Hoonah and the Tlingit people, from
them being denied performing traditional and customary
use activities in that Park and while it was separate
from the issue that spawned this particular proposal in
the first place, it was very -- the discussion was very
-- the Council was pretty united on not wanting the new
process to kind of go in that direction again. We did
not have any weighing in from the Wrangell-St.Elias
Subsistence Resource Commission at our meeting, I don't
believe just because of the meeting schedule and our
representative not having the information that was
needed so when we did this, we did not get to hear from
their perspective of things and we do want them to be
able to have input into the process.

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

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

Thank you, Mr. Chairman.

CHAIRMAN CHRISTIANSON: Thank you.
Thank you for that Ms. Needham. Any questions for Ms.
Needham.

(No comments)

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

Any other further Board discussion or
deliberation.

(No comments)

CHAIRMAN CHRISTIANSON: I'll open up
the floor for Board action.
MR. STRIKER: Mr. Chair, Park Service.

CHAIRMAN CHRISTIANSON: You have the floor, Don.

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

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

So starting with Item No. 6.

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

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

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

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

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

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

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

Thank you.

(Teleconference interference - echoing)

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

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

CHAIRMAN CHRISTIANSON: You have the floor, Greg.

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

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

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

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

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

MR. PELTOLA: Mr. Chair, BIA.

CHAIRMAN CHRISTIANSON: Gene, you have the floor.

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

MR. REAM: Thank you, Don. And through the Chair. Member Peltola, so I think the question was if the Board were to make a determination or a lack of
a determination and a proponent was not happy with
that, of course they could, I believe -- and maybe the
Solicitor's Office could help with this but I believe
that they can submit that request again for the Board's
c consideration. I guess this is one little thing that
we hadn't thought of, you know, can they just quickly
and repeatedly ask the Board for, you know, another
review, I don't think that is, or perhaps should be the
case, and I think that that is an option for them, you
know, to subsequently ask the Board to reconsider
especially if there's new information available that
supports the person's existing pattern of use.

Thank you.

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

CHAIRMAN CHRISTIANSON: Go ahead, Gene.

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

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

Thank you, Mr. Chair.

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

CHAIRMAN CHRISTIANSON: You have the
floor Ken.

MR. LORD: Yeah, I'd have to do some
thinking about that. It depends on how the delegation
reads, if the Park Service could set up an appeal
process within the Park Service -- I mean I think it
could be done, probably without a regulatory change,
again, if it's set up properly within that letter of
delegation. But those are just my off the cuff
thoughts, I haven't put any real deep thinking into
this.

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

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

MR. PELTOLA: ...... again.

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.

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.

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.

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

OPERATOR: One moment, let me find the line.

OPERATOR: Could that individual please hit star zero to activate your line. Please hit star zero.

(Ms. Detwiler: Operator, I believe that would be Nanci Morris Lyon's line.)

OPERATOR: Thank you, one moment.

(Ms. Morris Lyon: Okay, thank you. Mr. Chair, can you hear me?)

CHAIRMAN CHRISTIANSON: Yes, I can hear you loud and clear, you have the floor.

(Ms. Morris Lyon: Okay. I'm going to return the floor back to you, I was having a lot of difficulty getting on and being recognized and at least I'm thru now so -- you already have a motion on the floor and I don't believe that what I had to add would add a lot to your deliberations but I thank you for recognizing me.

CHAIRMAN CHRISTIANSON: I'm sorry, she's kind of breaking up there, I'm not hearing you real well, can you state that again or Operator could you see if their line is still operating.

(Ms. Morris Lyon: Can you hear me?)
CHAIRMAN CHRISTIANSON: I can hear you a little bit now.

MS. MORRIS LYON: Okay, I.....

OPERATOR: Nanci, please go ahead.

MS. MORRIS LYON: (Indiscernible - breaking up)

OPERATOR: I am sorry, it does seem that Nanci has a bad connection.

CHAIRMAN CHRISTIANSON: Yeah, that sounds like a really bad connection there. Is there a Council Coordinator that knows the position of the Bristol Bay RAC that maybe could make it.

(Pause)

MS. DETWILER: Mr. Chair, that would be Donald Mike, I believe, if he's online.

(Pause)

CHAIRMAN CHRISTIANSON: All right, thank you for that Sue. I would just defer to Donald if he can provide a summary of what maybe Bristol Bay wants, if we can't make a connection here. I just don't want to lose the gist of what it is they want to comment on.

MR. MIKE: Thank you, Mr. Chair. This is Donald Mike, Council coordinator for Bristol Bay. I think what our Chair, Ms. Nanci Morris Lyon was just trying to inform the Board and members of the Board that the Bristol Bay Regional Advisory Council chose to defer this C&T process to their winter meeting and their justification was that they need more time to review the document and provide substantive comments to the National Park Service.

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you for that summarization Donald. I always appreciate you being abreast of what your Regional Advisory Council's up to. So taking that into consideration is there any other Board questions, deliberation. We do have a
motion on the floor by Don and seconded, and we are at
the discussion point now so now is the last time to
make any points and then we'll go to a roll call.

MS. PITKA: This is Rhonda.

CHAIRMAN CHRISTIANSON: Rhonda, you
have the floor.

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

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

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

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

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

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

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

CHAIRMAN CHRISTIANSON: Okay.

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

CHAIRMAN CHRISTIANSON: Thank you,
Rhonda.

MR. SIEKANIEC: Mr. Chair, Fish and
Wildlife Service.
CHAIRMAN CHRISTIANSON: Greg, you have the floor.

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

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

Thank you, Mr. Chair.

MR. STRIKER: Mr. Chair, Park Service.

CHAIRMAN CHRISTIANSON: Yes, Park Service.

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

MR. LORD: Yeah, Mr. Chair, this is Ken. I agree, that's a process issue therefore would almost certainly have to be adopted in the Secretarial regulations, Parts A and B. It would require a separate process.
MR. PELTOLA: And, Mr. Chair, BIA. I just concur with Don, and the Park Service's comments, but I just wanted to see it addressed because it may impact some of the decisions in the future.

CHAIRMAN CHRISTIANSON: Thank you. Any other Board comments.

(No comments)

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

MR. SIEKANIEC: Question.

MR. BROWER: Question.

CHAIRMAN CHRISTIANSON: Roll call, please, Sue.

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

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

MR. STRIKER: I support. Thank you.

MS. DETWILER: Greg Siekaniec, Fish and Wildlife Service.

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

MS. DETWILER: Thank you.

Gene Peltola, BIA.

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

MS. DETWILER: Thank you.

Chad Padgett, BLM.
MR. PADGETT: I support as modified by the Park Service.

MS. DETWILER: Thank you.

Dave Schmid.

MR. SCHMID: Yes, I also support as modified by the Park Service.

MS. DETWILER: Thank you.

Public Member Rhonda Pitka.

MS. PITKA: I support as modified by the National Park Service because it streamlines regulations for subsistence users.

Thank you.

MS. DETWILER: Thank you.

Public Member Charlie Brower.

MR. BROWER: I support it with the modifications by the National Park Service.

Thank you.

MS. DETWILER: Thank you.

And, finally, Chair Tony Christianson.

CHAIRMAN CHRISTIANSON: I support. And thank you guys for working diligently to find a process and to, you know, air the concerns of our Regional Advisory Council and public members to the process and to the appeal and to the delegation and so thank you for thoughtful comments and appreciate all the hard work that goes into this. I support.

MS. DETWILER: Thank you. So the vote is unanimously in favor of passing.

CHAIRMAN CHRISTIANSON: All right, thank you for that unanimous vote. We're going to take a 15 minute break and when we come back we will be on the next agenda item, B, Wildlife Special Action WSA20-04 [sic] and we'll be calling on Theo and so 15 minute
break and we'll be back here at 11:20.

Thank you.

Please don't hang up.

(Off record)

(On record)

MS. DETWILER: Chair Christianson, do you want me to go through and do the Board roll call now to make sure we have a quorum.

CHAIRMAN CHRISTIANSON: Yes, please, Sue, appreciate it.

MS. DETWILER: Okay.

Don Striker, Park Service.

MR. STRIKER: Here, thank you.

MS. DETWILER: Greg Siekaniec, Fish and Wildlife Service.

MR. SIEKANIEC: I'm here, Sue, thank you.

MS. DETWILER: Gene Peltola, BIA.

MR. PELTOLA: Roger, Roger 10-4.

MS. DETWILER: Thank you.

Chad Padgett, BLM.

MR. PAGGETT: I am here.

MS. DETWILER: Thank you.

Dave Schmid, Forest Service.

MR. SCHMID: Dave's on, thanks.

MS. DETWILER: Thanks.

Public Member Rhonda Pitka.
MS. PITKA: Hi, I'm on.

MS. DETWILER: Thank you, Rhonda.

Public Member Charlie Brower.

MR. BROWER: (In Inupiaq)

MS. DETWILER: Okay, thank you.

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

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

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

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

Basically what the regulations say now, except as otherwise provided for in this part, an animal taken is part of a community harvest limit counts towards every community member's harvest limit for that species taken under Federal or State of Alaska regulations. What this means is that the harvest limits of all residents of a community are affected, whether or not they chose to participate in the community harvest system. So that's basically what we're looking at.
The change -- the wording of the actual change to the regulation would be: Animals taken by those opting to participate in this community harvest system do not count toward the harvest limit of any individual who do not opt to participate in this community harvest system. And that would be included into the regulations where we reference this community harvest in the various parts of the regulations covering Unit 11, 12 and 13.

Moving on to current events.

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

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

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

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

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

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

(Pause)

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

MS. WESSELS: Mr. Chair.

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

MS. WESSELS: This is Katya Wessels.

CHAIRMAN CHRISTIANSON: Katya, you have the floor.

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

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

And this concludes the ISC recommendation.

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you, Katya, appreciate that. We'll move on to the next part of the agenda which is the public comment. At this
time we'd offer the public, if there's anyone online who would like to speak to this specific wildlife action, now is your time. So Operator, if you could please allow that to happen. We'd also say before the Board discussion, I'd also like to make available any lines to the Regional Advisory Council Chairs or their designee to express any of their positions so thank you. Operator, at this time I'll turn it over to you.

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

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

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

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

AITRC is especially grateful to the National Park Service, Dr. Joshua Ream and Barb Cellarius for helping to get us this far. We really appreciate all the help that we've received from all of the Staff to get this framework developed. There was several, several phone calls and meetings hosted by the
Park Service to help us get to a place in the framework where we all could agree. And I do appreciate that effort by all involved.

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you.

Appreciate your call today, Karen. Any questions for Karen.

(No comments)

CHAIRMAN CHRISTIANSON: All right, hearing none, Operator, we’ll move on to the next online commentor specific to this proposal.

Thank you.

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

(Pause)

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

CHAIRMAN CHRISTIANSON: All right, I’ll turn.....

OPERATOR: There are no questions or comments.

CHAIRMAN CHRISTIANSON: .....it over to Board discussion.

MR. PADGETT: Mr. Chair, Chad Padgett, BLM.

CHAIRMAN CHRISTIANSON: You have the floor, Chad.

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

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

CHAIRMAN CHRISTIANSON: Go ahead, Theo.

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

Thank you.

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

CHAIRMAN CHRISTIANSON: Thank you. Any other comments.

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

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

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

Thank you.

MR. MATUSKOWITZ: Through the Chair.

Yes, sir. The reason behind this was due to the time sensitivity of this specific issue. If we would make
this a statewide action for now we would have had to hold public hearings throughout the entire state, which would have drawn out the process even longer. So we figured to address this specific problem now because as of right now this is the only part of the state that this is an issue or a problem right now so we decided to go and take action on this on a local level, however, if there's interest on a statewide level, it would be best to address that through the normal regulatory process as opposed through just a special action. So that was the reason we, you know, dealt with this on a local level and then, you know, on the upcoming wildlife regulatory cycle we can address it much easier on a statewide basis and, you know, have the issue go out to all of the Councils for them to, you know, present to, you know, the communities and get comments and make recommendations to the Board.

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

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

MR. BROWER: Mr. Chair.

CHAIRMAN CHRISTIANSON: Yes, you.....

MR. BROWER: Mr. Chair.

CHAIRMAN CHRISTIANSON: .....have the floor.

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

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

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

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

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

CHAIRMAN CHRISTIANSON: Any other comments.

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

CHAIRMAN CHRISTIANSON: Go ahead, Chad.

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

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

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

CHAIRMAN CHRISTIANSON: Right on, Theo, go ahead.

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

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

Thank you.

CHAIRMAN CHRISTIANSON: Thank you. Any other comments from the Board, questions for Staff.
(No comments)

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

(No comments)

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

MR. STRIKER: Mr. Chair, Park Service.

CHAIRMAN CHRISTIANSON: Yes, you have the floor.

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

MR. PELTOLA: BIA seconds.

MR. BROWER: Second.

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

Thank you.

MR. BROWER: Question.

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

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

Don Striker, Park Service.
MR. STRIKER: Support for the reasons articulated. Thank you.

MS. DETWILER: Thank you.

Greg Siekaniec, Fish and Wildlife Service.

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

(Pause)

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

MR. STRIKER: I hear you.

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

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

(Pause)

MR. SIEKANIEC: Yeah, Mr. Chair, this is Greg.

CHAIRMAN CHRISTIANSON: Yes, Greg, go ahead.

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

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

MR. SIEKANIEC: Yep.

(Pause)

MS. DETWILER: Hello, this is Sue Detwiler, am I in the meeting right now?
MS. WESSELS: Yes.

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

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

(Laughter)

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

(Laughter)

MR. LIND: I'm back on.

MS. DETWILER: Is that Chad?

MR. LIND: Orville.

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

Don Striker, are you on.

MR. STRIKER: Here.

MS. DETWILER: Greg Siekaniec.

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

MS. DETWILER: Thank you.

Gene Peltola.

MR. PELTOLA: Roger, Roger 10-04.

MS. DETWILER: Chad Padgett.

MR. PADGETT: I am here, thank you.

MS. DETWILER: Dave Schmid.
MR. SCHMID: I'm here, thanks.

MS. DETWILER: Rhonda Pitka.

MS. PITKA: Hi, I'm here.

MS. DETWILER: Thank you.

Charlie Brower.

MR. BROWER: (In Inupiaq)

MS. DETWILER: Excellent, thank you.

Tony, I assume you're still on.

So it looks like we do have all the Board members on and when we got dropped off the Board was voting to adopt WSA20-07 and we had proceeded through Don Striker who voted yes to adopt and Greg Siekaniec to adopt, so that brings us to Gene Peltola to vote.

MR. PELTOLA: BIA votes to adopt for reasons articulated by my colleague at the Park Service.

MS. DETWILER: Thank you.

Chad Padgett, BLM.

MR. PADGETT: I'm voting to reject as it's not consistent statewide and I'd like to see OSM work towards a statewide regulation change so it's fair and consistent across the board. Thank you.

MS. DETWILER: Okay, thank you.

Dave Schmid.

MR. SCHMID: Yeah, the Forest Service supports the motion for the reasons articulated by the National Park Service.

MS. DETWILER: Thank you.

Public Member Rhonda Pitka.

MS. PITKA: I vote to support the
motion. Thank you.

MS. DETWILER: Thank you.

Public Member Charlie Brower.

MR. BROWER: I support.

MS. DETWILER: Thank you.

And, finally, Chair Christianson.

CHAIRMAN CHRISTIANSON: Yes, I support.

MS. DETWILER: Thank you. So the vote is 7 to 1, motion passes so the proposal is adopted.

CHAIRMAN CHRISTIANSON: All right, thank you for your work everybody on that. That brings us to lunchtime here, noon, we'll look at the next agenda item and it looks like we'll have a fair overview and discussion on that and I know we should probably have a discussion with Ahtna InterTribal as well and so I think we should just pick this up after lunch. If I hear anybody else with a different idea, the time is to speak now.

MR. BROWER: Break for lunch, come back at 1:15.

CHAIRMAN CHRISTIANSON: Thank you, Charlie, concur. We'll meet you guys all back here at 1:15. Please try to call in a little bit early if you hang up, if not, please stay on the line if you can. We'll convene this meeting back at 1:15. Thank you, Charlie.

MR. SIEKANIEC: Thank you, Mr. Chair.

MR. STRIKER: Thank you, Mr. Chair.

(Off record)

(On record)

CHAIRMAN CHRISTIANSON: Hello everybody, the Board Chair is on.

MS. DETWILER: Hi, Tony, this is Sue
Detwiler. I will go ahead and start calling the roll to see who's on for the -- who's on with the Board. Let's see I've got you.

Do we have Charlie Brower, are you on.

(No comments)

MS. DETWILER: Rhonda Pitka, I just heard you, are you still on.

MS. PITKA: Yes, I am, thank you.

MS. DETWILER: Dave Schmid, Forest Service.

MR. SCHMID: Dave's back.

MS. DETWILER: Thank you, Dave.

Chad Padgett, BLM.

MR. PADGETT: I'm here, thanks, Sue.

MS. DETWILER: Thanks, Chad.

Gene Peltola, BIA.

(No comments)

MS. DETWILER: Greg Siekanieic, Fish and Wildlife Service.

MR. SIEKANIEC: Good afternoon, Sue, I'm on.

MS. DETWILER: Thank you, Greg.

Don Striker, Park Service.

MR. STRIKER: Thank you, Sue. I appreciate not going first.

(Laughter)

MS. DETWILER: Okay. Luck of the draw. Next time I'll have a different sequence of folks on my list here.
So, Mr. Chair, we are missing Charlie Brower and Gene Peltola. We have six people on the phone. Six public members [sic] on the phone.

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

MR. PELTOLA: BIA's here.

MS. DETWILER: Okay, thank you, Gene.

Got you marked checked in. So it looks like we are missing only Charlie Brower.

(Pause)

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

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

CHAIRMAN CHRISTIANSON: No, thank you at this time.

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

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

OPERATOR: Yes, are you ready now.

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

OPERATOR: Okay, one moment. In three, two, one.

CHAIRMAN CHRISTIANSON: All right, welcome back everybody. Hope you guys had a good lunch today, a little time to take a break and refresh and get ready for the order of business this afternoon and it looks like we're going to pick up fresh on a new agenda item. And I'll go ahead and turn it over to the Staff to present at this time.
MR. REAM: Thank you, Tony. Good afternoon, Mr. Chair and members of the Board. For the record my English name is Joshua Ream and my Tlingit name is Xixch'iToowoo. I am the regional Subsistence Program Manager for the National Park Service.

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

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

To begin, Wildlife Proposal WP18-19 requested that AITRC be allowed to distribute Federal registration permits to Ahtna tribal members for the Federal caribou hunt in Unit 13A, 13B and 13 remainder. At its April 2018 meeting the Board voted to defer WP18-19 to its August 2018 work session, pending development of a framework for a community harvest system and clarification regarding related items such as eligibility. The community harvest system was being considered as an alternative to modification of the request to distribute permits, which the Solicitors advised could not be delegated outside of Federal agency Staff. At its August 2018 work session, the Board agreed to meet with AITRC and to present a community harvest framework for discussion purposes.

Eventually the InterAgency Staff Committee in consultation with the Solicitor's Office developed a draft framework to be considered in efforts to address the framework requirement.

Fast-forward to April of 2020, the Board adopted deferred Proposal WP18-19 with modification. The modification was to name individual communities within the Ahtna traditional use territory authorized to harvest caribou and moose in Unit 13 and moose in Unit 11 as part of a community harvest system subject to a framework established by the Board under unit-specific regulation. Meanwhile, in February 2020 at which point the status of deferred WP18-19 was unclear, AITRC had submitted Temporary Special Action Request WSA20-02 for the development of an AITRC, A-I-
T-R-C administered community harvest system for moose and caribou in Units 11, 12 and 13 for the eight Ahtna tribal communities for the 2020/2021 regulatory year. In July of 2020 the Board approved WSA20-02 with modification. The modification was to name individual communities authorized to participate in the community harvest system on Federal public lands in Units 11, 12 and 13, specifically the eight Ahtna traditional communities of Cantwell, Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta Lake and Tazlina; 2, to define the geographic boundaries of eligible communities as the most recent census designated place, CDP, established by the United States census bureau; 3, to extend this action through the end of the wildlife regulatory cycle June 30th of 2022, or specify that harvest reporting will take the form of reports collected from hunters by AITRC and submitted directly to the land managers and OSM rather than through Federal registration permits, joint State/Federal registration permits or a State harvest ticket; and, 5, to set the harvest quota for the species and units authorized in the community harvest system as the sum of individual harvest limit for those opting to participate in the system. To implement its decision on WP18-19, and WSA20-02 the Board needs also to approve a framework for the community harvest system. After the decision on WSA20-02, Regional Office and field Staff from the National Park Service, the Bureau of Land Management and the U.S. Fish and Wildlife Service began working closely with AITRC to develop a workable, legally defensible framework. This is the framework that you have before you today and it has been vetted by both the Solicitor's Office and the AITRC legal counsel.

I'll mention that WSA20-07 was the result of the vetting process with the Solicitors. Passage of that special action today ensures that the implementation of the community harvest system does not affect the harvest limits of those living within eligible communities but opting not to participate in the system. And that brings us to the matter before you today.

The framework before you lays out how the community harvest system will work, how information will be gathered and shared between AITRC and the
Federal agencies, who the points of contact are and what AITRCs responsibilities will be. The document is designed largely using a question and answer format with the audience being those potentially interested in participating. I will not walk the Board through every point in the framework, I will, however, remind the Board that the community harvest quota for the AITRC administered community harvest system is the sum of individual harvest limit for the included species in hunt areas that otherwise would have been available to a community harvest system registrant had they chosen to hunt under the regular Federal subsistence hunting regulations. So there is no allocation of resource available to community harvest system participants that is not already available to individuals otherwise. Eligible individuals may opt in or may opt out but cannot participate in the community harvest system and also hunt under regular Federal regulations. Additionally, AITRC will collect the same harvest reporting data that is otherwise is sought under the regular Federal registration permit. AITRC will provide this information to Federal agency point of contacts on a weekly basis during the hunt season if this framework is approved.

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

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

Thank you, Mr. Chair and members of the Board.

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

Any questions for Josh from the Board or Staff.

(No comments)

CHAIRMAN CHRISTIANSON: Okay, well, thank you. Sue, could you remind me exactly where we
are on the agenda, what process would be next and could
you call that out please.

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

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

(No comments)

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

MR. STRIKER: Mr. Chair, Park Service.

CHAIRMAN CHRISTIANSON: You have the
floor Park Service.

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

MR. PELTOLA: Second, BIA.

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

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

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

Thank you, Mr. Chair.

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

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

(No comments)

CHAIRMAN CHRISTIANSON: Call for the question.

MR. PELTOLA: Question.

MR. BROWER: Question.
CHAIRMAN CHRISTIANSON: Roll call, Sue, please.

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

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

MS. DETWILER: Greg Siekaniec, Fish and Wildlife Service.

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

Thank you.

MS. DETWILER: Thank you.

BIA, Gene Peltola.

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

MS. DETWILER: Okay, thank you.

BLM, Chad Padgett.

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

Thank you.

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

Moving on to Dave Schmid, Forest Service.

MR. SCHMID: Yeah, the Forest Service
supports the motion as articulated by the National Park Service.

MS. DETWILER: Thank you.

Public Member Rhonda Pitka.

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

MS. DETWILER: Okay.

Public Member Charlie Brower.

(No comments)

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

Moving on to Chair Tony Christianson.

CHAIRMAN CHRISTIANSON: I support as stated.

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

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

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

MR. MIKE: Thank you, Mr. Chair. This is Donald Mike, Council Coordinator and Robbin LaVine, our OSM anthropologist will also be presenting on this topic. Thank you, Mr. Chair and members of the Board. This is a briefing update on deferred Wildlife Proposal 20-26, which was submitted by the Bristol Bay Regional Advisory Council requesting that Federally-qualified subsistence users be allowed to use a snowmachine to position wolves and wolverines on BLM lands in Units 9
This is not an action item.

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

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.

Thank you, Mr. Chair.

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

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.

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.

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

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

Thank you, Mr. Chair.

We're ready for your questions.

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

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

CHAIRMAN CHRISTIANSON: Greg, you have
the floor.

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

Thank you.

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

MS. MORRIS LYON: Mr. Chair.

CHAIRMAN CHRISTIANSON: Yes, you have the floor.

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

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

Any other questions from the Board. Comments.

(No comments)

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

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

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

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

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

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

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

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

We move on to Stevens Village and the
Tanana Chiefs Conference. Mr. Ben Stevens mentioned
that the food security issue is a huge concern with
Covid19. Stevens Village was very disappointed that
their Covid19-related special action request for food
security was denied. Criteria and guidance are not
well defined for those special action requests and they
would like to help, offer their assistance to OSM and
the Federal Subsistence Management Program to better
define the process for the future. They weren't able
to provide for seven families, which they'd always done
in the past with salmon fishing last summer. He
believes that they will find a solution to this in the
future. Actions for salmon management have been a
concern. A lot of times salmon haven't reached the
Yukon Flats and the escapement goal numbers needed for
escapement and subsistence. Working with tribes is
incredibly valuable, he states. A lot of people
haven't been eating very well over the past decade
along with Yukon Flats because of the lack of salmon.
He was very concerned that their request for food was
put on hold due to politics and wasn't supported by the Alaska Department of Fish and Game or the Department of Interior. He's concerned that we are asking the wrong people and he looks forward to further discussions in the future and he really appreciates the Federal Subsistence Board's work.

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

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

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

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

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

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

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

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

Mr. Stevens also replied after -- he
appreciated the second opportunity to speak and really,
really disturbed to hear that our food security
requests were put on hold by the State and it seems
like -- he was very disturbed that we are asking the
wrong people again, as he said earlier. Mr.
Christianson replied to him, I agree with your
sentiments, it's a mandate that came down from
Department of Interior, this is a really important
issue, I'm hoping things will change in the new
Administration. Public Member Pitka also stated that I
understand, hearing your pain as well, I know it costs
to live in a village, dialogue with the village is one
of the most important things that this Board does and
to thank you for your comments and input.

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

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

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

Thank you, Mr. Chair.

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

Any questions from the Board for Staff,
for Orville, comments.

(No comments)

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

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

MR. LIND: Mr. Chair.
CHAIRMAN CHRISTIANSON: Yeah, go ahead.

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

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

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

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

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

So currently there are eight fisheries proposals and four fisheries closure reviews on the consensus agenda. These are proposals where there has been agreement among Federal Subsistence Regional Advisory Councils, the Federal InterAgency Staff Committee and the Alaska Department of Fish and Game concerning Board action. Anyone may request that the Board remove a proposal from the consensus agenda and place it on the regular agenda. The Board retains the final authority for removal of the proposals from the consensus agenda. The Board will take final action on the consensus agenda after deliberations and decisions are made on all other proposals. So I'll read through these proposals twice. This first round I'll just read the numbers off and you can follow those numbers on
Page 3 and Page 4, roman numeral-wise in your book, and then once we go into the non-consensus -- we'll have a time to talk to allow discussion and public comment on the consensus agenda and then go into deliberations on the non-consensus agenda and then I'll get back on record under E and at that point I will read through -- have a brief summary of each proposal so you understand the package you're going to be voting on for consensus agenda, you'll know what's in there.

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

Fisheries Proposal 21-01.
Fisheries Proposal 21-03.
Fisheries Proposal 21-05.
Fisheries Proposal 21-06.
And I'm just reading through the list on Page 3 and 4.
Fisheries Proposal 21-07.
Fisheries Proposal 21-08.
Fisheries Proposal 21-09.
Fisheries Proposal 21-12.
Fisheries Closure Review 21-01.
Fisheries Closure Review 21-04.
Fisheries Closure Review 21-06.
Fisheries Closure Review 21-22.
That's the simple part of my position here. Thank you, Mr. Chair. And I'll hand it back to you to begin the public comment period for the consensus agenda items.
Thank you, Mr. Chair.
CHAIRMAN CHRISTIANSON: Thank you, George, appreciate that. Any questions for George.
MR. BROWER: Mr. Chair, Charlie.

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

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

MR. PAPPAS: Through the Chair.

Charlie, no. Fisheries Proposal 1, 3, 5, 6, 7, 8, 9, 12, and then for Fisheries Closure Reviews, Closure Review 1, Closure Review 4, Closure Review 6, and Closure Review 22. The rest of them are on the non-consensus agenda.

Thank you, Mr. Chair.

MR. BROWER: Thank you.

MR. PAPPAS: Anytime, sir.

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

(No comments)

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

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

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

(Pause)

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

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

Thank you, Mr. Chair.

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

(No comments)

CHAIRMAN CHRISTIANSON: This time, Operator, I would like to -- thank you, Karen, for that presentation. At this time, Operator, is there anyone else online who would like to be recognized at this
OPERATOR: Yes, sir. We have James Horrel [sic], your line is open.

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

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

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

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

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

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

Thank you.

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

(No comments)

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

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

MR. LARSON: Good afternoon, Mr. Chairman. My name's Cody Larson, I work for the Bristol Bay Native Association and I just wanted to...
speak to one proposal on the consensus agenda, and I'm not recommending it be removed from the consensus agenda. It's Fisheries Proposal 21-08. And it's specific to a regulation on a closure of fishing--subsistence fishing area and even though it was put in as a proposal, I suggest that this be brought forward for future review as a closure review, because it's a closure of all gear types and all fish species for an area of water. So I don't suggest removing it from the consensus agenda but maybe a future closure review.

Thank you.

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

(No comments)

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

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

CHAIRMAN CHRISTIANSON: Thank you.

That will conclude the public comment period on consensus item agenda. That will bring us to the Board deliberation, action on non-consensus items. And before we do that, I know there was one request that we pull a proposal. I don't know if somebody on the Board was going to speak to that.

(No comments)

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

MR. PELTOLA: BIA.

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

MR. PELTOLA: BIA.

CHAIRMAN CHRISTIANSON: .....agenda -- hello?
MR. PELTOLA: Yeah, Mr. Chair, BIA.

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

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

MR. SIEKANIEC: Second, Fish and Wildlife Service.

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

MR. BROWER: Mr. Chair.

CHAIRMAN CHRISTIANSON: Yes, go ahead.

MR. BROWER: What proposal was that, 12?

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

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

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

(No comments)

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

MR. SIEKANIEC: Question.

CHAIRMAN CHRISTIANSON: Question's been
called. Do roll call, Sue, thank you.

MS. DETWILER: Okay. To the motion maker, Gene Peltola.

(Pause)

MS. DETWILER: Let's see, Gene, yeah, the motion is to remove Fisheries Proposal 21-12 from the consensus agenda and I was starting out with Gene, Gene are you on for your vote.

MR. PELTOLA: Yes, I'm on. Support.

MS. DETWILER: Okay.

Moving on to Chad Padgett, BLM.

MR. PADGETT: Can you give me just a second here, Sue, and maybe go on to somebody else.

MS. DETWILER: Okay.

Greg Siekaniec, you seconded it, Fish and Wildlife Service.

MR. SIEKANIEC: Yeah, thank you, Sue, I support.

MS. DETWILER: Thank you.

Don Striker, Park Service.

MR. STRIKER: I support.

MS. DETWILER: Okay.

Dave Schmid, Forest Service.

MR. SCHMID: Yeah, the Forest Service supports.

MS. DETWILER: Okay.

Public Member Rhonda Pitka.

MS. PITKA: Hello, I support. Thank you.
MS. DETWILER: Public Member Charlie Brower.

MR. BROWER: Support.

MS. DETWILER: Thank you.

-going back to Chad Padgett, are you ready?

MR. PADGETT: Yeah, sorry about that. I oppose in deference to the RAC, thanks.

MS. DETWILER: Okay, thank you.

And, finally, Chair Tony Christianson.

CHAIRMAN CHRISTIANSON: I support for further discussion. Thank you.

MS. DETWILER: Okay. So the vote is 7 to 1 to remove it from the consensus agenda, move it to the non-consensus agenda. And I would recommend putting it between -- well, I would -- I guess I would defer to the Staff who know more about these proposals, but it looks like it would belong in the first group of proposals in Prince William Sound, I would suggest between 21- -- Fisheries Proposal 21-11 and 21-13, but Staff who are more familiar with these might have a different suggestion.

UNIDENTIFIED VOICE: Hi, Sue, this is.....

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

CHAIRMAN CHRISTIANSON: Okay, I have two being recognized there, so I hear Katya, and I didn't recognize the other one. So I'll call on Katya.


Thank you.

CHAIRMAN CHRISTIANSON: Thank you for that feedback from the Staff. So with the understanding we're pulling from the consensus to place
on the non-consensus in the format that Staff just suggested to put it between 11 and 13 where it should be anyway. With that understood, any other Board discussion.

(No comments)

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

(Laughter)

MR. STRIKER: It's all good.

CHAIRMAN CHRISTIANSON: Sorry.

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

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

(Laughter)

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

Thank you.

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

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

REPORTER: Yep.

CHAIRMAN CHRISTIANSON: Loud and clear, Milo.

MR. BURCHAM: Thank you. This is Milo
Burcham of the Chugach National Forest based in Cordova and I will present a summary of the analysis for FP21-10. It can be found on Page 127 of your Board book.

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

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

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

The Upper Copper River sustainable escapement goal of 360,000 to 750,000 wild sockeye salmon has successfully been met or exceeded annually from 2010 to 2019. The recent 10 year average for Copper River sockeye salmon total run is 2.4 million.
sockeye. Since 2002 the lower bound of the chinook salmon sustainable escapement goal for this system was met or exceeded 11 of 16 years. The 10 year average, 2008 to 2017 for Copper River chinook salmon run is 45,000 fish.

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

Harvest of Copper River salmon takes place among a wide range of user groups. Average harvest of Copper River sockeye salmon over the last 10 years, 2010 through 2019 has been 1.5 million salmon. Commercial harvest on the Copper River Flats has averaged 1.3 million sockeye or 85 percent of the harvest over that time period. Up river harvest of sockeye by personal use and sportfisheries has averaged 225,000 sockeye and represent 14 percent of the total harvest. These two fisheries combined account for 98 percent of the harvest of Copper River sockeye.

Federal subsistence users in the Upper Copper River have harvested 21,198 sockeye or 1.3 percent of the total sockeye harvest. Harvest of sockeye by the State subsistence gillnet fishery on the Copper River Flats has averaged 3,159 sockeye, or 0.2 percent of the harvest. Harvest of sockeye under this proposal, if implemented, is projected to be 2,000 sockeye or 0.1 percent of the total harvest.

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

Public input and response to this proposal for a salmon fishery in the Lower Copper River has raised several issues.
One concern shared by some community members was the establishment of a Federal subsistence fishery would lead to the development of a State personal use fishery in the same area resulting in crowding and overharvest on the Lower Copper River. This concern is an unrelated event and could occur with or without the adoption of FP21-10. For reference, no State personal use fishery has been proposed since the Federal subsistence fishery for fresh waters of the Copper River Delta was established in 2004.

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

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

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

The justification is harvest and escapement information indicate that sufficient salmon are present to allow a Federal subsistence fishery in the Lower Copper without creating a biological concern. The proposal provides an opportunity for Federally-qualified subsistence users of Cordova that do not have access to a saltwater capable boat and a drift gillnet to sockeye and chinook salmon in the Lower Copper River. Projected harvest is anticipated to be very small in comparison with other user groups and concern of harvest occurring prior to the salmon being counted at the Miles Lake Sonar can be addressed with the
proposed modification of a requirement to report harvest to area managers within 48 hours. The historic use of dipnets in harvest of salmon in the proposed area is well documented.

That concludes my presentation of the analysis of this proposal.

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

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

CHAIRMAN CHRISTIANSON: Yep, you have the floor.

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

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

MR. STRIKER: Thank you.

MR. SCHMID: Mr. Chair, Dave Schmid.

CHAIRMAN CHRISTIANSON: You have the floor, Dave.

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

MR. BURCHAM: Okay. There is a Federal subsistence permit for fresh waters on the Copper River
Delta and most of the fishing takes place from the road system near the Copper River Highway on the systems like the Ibeck Creek and Alaganik, and from that fishery approximately 600 coho are harvested each year and about 100 sockeye. Of course the highest demand fish in this area are Copper River sockeye and kings. There are no kings -- there's relatively small numbers of sockeye in those systems and no kings to speak of. There is a terminal fishery at Flemming Spit, adjacent to Cordova in salt water on the edge of town and some kings are harvested there but they're not the famed Copper River kings.

MR. SCHMID: Thank you, Milo.

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

(No comments)

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

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

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

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

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

A summary of those comments.

The Ahtna TeneNene' are concerned that opening a new permanent fishery in the Lower Copper River district would be detrimental to the Upper Copper River fisheries. Dipnetters in the Lower Copper River...
Delta may take too many salmon and then Federally-qualified subsistence users in the Upper Copper River district would not be able to harvest enough salmon. In the past year those users who did not have their subsistence needs met.

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

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

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

Brandon Maxwell strongly opposed the proposal.

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

The Native Village of Eyak share that their opposition was to this proposal based on direct input from their members of which 52 were opposed and 21 were in favor. They state that given the weak
sockeye runs in the last two to three years they could not support expanded in-river fisheries at this time. However, when substantial changes on the Copper River including timely reporting for all salmon harvested, stock specific management and adequate law enforcement for in-river fisheries, then the Native Village of Eyak would reconsider this position.

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

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

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

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

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

CHAIRMAN CHRISTIANSON: Thank you. And appreciate the summary of public comment. Any questions from the Board.
(No comments)

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

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

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

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

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

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

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

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

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

Thanks.

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

MS. WESSELS: Mr. Chair.

CHAIRMAN CHRISTIANSON: Yes.

MS. WESSELS: Mr. Chair. This is
Katya.

CHAIRMAN CHRISTIANSON: Katya, you have
the floor.

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.

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

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.

Also the Copper Basin Advisory
Committee commented just last week. They oppose this proposal, in summary, saying that the area experienced the lowest hatchery numbers in the last five to six years and that their access to the fishery is above the point where this dipnet fishery would occur and questioned why they would want a dipnet fishery below the point where they access the fishery. Again, they oppose this proposal stating, lastly, that numbers are very low right now and it is not a time to open a new fishery.

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

CHAIRMAN CHRISTIANSON: Thank you, DeAnna. Any questions.

(No comments)

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

(No comments)

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

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

MR. CARTER: Can you hear me?

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

MR. CARTER: Can you hear me? Hello?

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

MR. CARTER: Yes, this is Jesse Carter. And first I'd like to thank Mr. Chair and the members of the Board for the opportunity to speak.
I've lived in Cordova for over 30 years. I've participated in every fishery in and around Cordova and I've even been an owner/operator of the driftnet fishery on the Copper River Flats. I know what it takes to get out there and fish on the Flats and you got to have a skiff to do it and you have to have the knowledge of the area to get around. And I can tell you that many Cordova residents do not have the equipment and the opportunity to get out there and harvest any of these reds or kings.

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

Just one second here.

So I also heard that there may have been some issues on timing of some of the letters that I've collected and turned in, you know, I collected over 150 letters, you know, that were turned in prior to the Southcentral RAC meeting and I'd just like to let you know that I'm not an organized group, I'm just -- I have a full-time job, most of my work is out in the Prince William Sound, I'm not even in town half the time but I did this proposal because I could see the need. I represent, you know, I speak for a lot of the community, you know, the Filipino community, a large portion of them who don't have a voice, you know, I'm doing this because I think it's the right thing to do.
and a lot of the Native members are for this, even a
lot of fishermen are for this proposal. Once, you
know, I explained that this is not a State fishery for
everybody to come in, all we're talking about here is
just for the local Prince William Sound to come in and
be able to subsistence fish the Copper River out the
road. And a lot of them just aren't educated. And
they're like, well, they don't have any issues with it,
they think that it's a good idea that the residents can
go out there and get some fish because they know
there's really no other good means of doing it.

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

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

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

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

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

CHAIRMAN CHRISTIANSON: Yep, you have the floor Greg.

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

(No comments)

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

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

CHAIRMAN CHRISTIANSON: Yes, Milo, you have the floor.

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

MR. SIEKANIEC: And is there any way -- I'm sorry, Mr. Chair, this is Greg.
CHAIRMAN CHRISTIANSON: Go ahead, Greg,
you have the floor freely.

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

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

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

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

MR. BURCHAM: Okay. So the people that
participate in the fresh water fishery, the Federal
subsistence fishery in the Copper River Delta, they
could participate in this Lower Copper River fishery,
if it opens, and then the State fisheries that I
mentioned that take the 14 percent up river, the State
personal use, sport and up river subsistence, they
could participate in this but it's not likely they
would because of barriers, you know, transportation
barriers without ferry services so they would be
qualified to fish in the Lower Copper River but
probably wouldn't. It would probably be just Cordova
residents, or mostly Cordova residents that participate in this.

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

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

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

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

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

MR. SIEKANIEC: Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Yep, you have the floor.

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

CHAIRMAN CHRISTIANSON: Thank you, Greg.

MR. SCHMID: Mr. Chair, Dave Schmid.
CHAIRMAN CHRISTIANSON: You have the floor.

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

MR. BURCHAM: Yes. True.

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

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

MR. SCHMID: Thank you. Thank you, Mr. Chair.

MR. PELTOLA: Mr. Chair, BIA.

(No comments)

MR. PELTOLA: Tony, BIA.

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

MR. PELTOLA: Okay, thank you. Milo, I have a question for you. Generally speaking, I recall in your analysis that you stipulated inclusion -- potential inclusion of this fishery would not cause a biological concern, correct?
MR. BURCHAM: That's what we concluded, yes.

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

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

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you. Any other discussion.

(No comments)

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

OPERATOR: Yes. And next we have Karen Linnell, your line is open, please go ahead.
MS. LINNELL: Thank you. Thank you, Mr. Chair and members of the Board. The Ahtna InterTribal Resource Commission is opposed to the opening of this new fishery.

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

I agree with Ahtna TeneNene' comments.

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

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

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

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

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

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

So, to me, this is a big deal. To our communities, this is a big deal. And we strongly urge
you to oppose this proposal, Fisheries Proposal 21-10.

Thank you.

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

(No comments)

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.

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

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

(No comments)

OPERATOR: Julia [sic], your line is open, please go ahead.

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.

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.
That's my concern.

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

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

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

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

I also want to say that the chinook [sic] river was below average between -- it was below average on the Copper River between 2009 and 2016 and it failed to reach its escapement goal in 2010, 2014.
and 2016. I also want to say they have gillnet fishery
to go out there and fish with a gillnet. As a
community, you know, when people need help up here we
help other people. Tazlina Council has a fishwheel, we
allow non-Natives to use our fishwheel. After tribes
are satisfied or they're busy or whatever, we let other
people use our fishwheel. And, you know, the community
of Cordova, I believe, are the same way, according to
Eyak, they do provide for their community. And I've
been down there and I've seen that myself how the
community of Eyak does work with their community.

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

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

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

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

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

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

And as far as for my family, our
fishwheel, we have like 60 people using our fishwheel,
families, people from Anchorage come out and use our
fishwheel under the State -- they get a State permit,
and then we have people traveling like 60 miles a day
to fish and then they come up here and they don't get
any fish, you know, that one person was upset because
he doesn't have a job, he doesn't have income coming
in, but, yet, every day like for three days he was
coming up to get fish from our fishwheel for his family
and there wasn't no fish. He finally just gave up and
said, this is just wasting my gas, I mean I'm not
getting any fish and he was upset but there wasn't --
we take turns using our fishwheel, we let family
members use it at different times, we schedule a time,
this week is your week and that was his week to use it
because we have a large family. And so he didn't get
any fish other than his mom had to ask other people for
fish for him, and that's how he was able to get fish.
But when his turn at the fishwheel was, he didn't get
any fish, any sockeye, any king. That's what I'm
talking about when I say the up river people are going
to be affected by this if this new fishery opens.

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

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

So I really hope you guys will not pass
this right now and just sit on it for awhile until we
can get better runs to conserve our sockeye and
chinook.

CHAIRMAN CHRISTIANSON: Thank you, Gloria. Are you finished?

MS. STICKWAN: Yes, thank you.

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

(No comments)

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

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

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

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

(Pause)

MR. SARAFIN: Hello, was I on mute there.

REPORTER: No.

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

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

MS. PITKA: Well, thank you, sir, very much. Do we have anybody else online for public testimony.
OPERATOR: Yes, next we have Kelsey [sic] Haisman, your line is open.

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

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

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

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

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

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

The proponents rationale for submitting this proposal is to improve access to Copper River salmon by providing residents a road accessible harvest area, and it's been stated already that there are currently three road accessible Federal subsistence dipnet fisheries open in the Copper River Delta.
I'd also like to reiterate that many rural residents bring home their Home-Pack during commercial openers under personal use and this contribution is what is essentially -- to what is essentially, subsistence, often goes unrecognized.

(Teleconference interference - participants not muted)

MS. HAISMAN: Sorry, what was that?

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

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

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

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

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

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

MS. PITKA: Thank you, for your
CHAIRMAN CHRISTIANSON: Thank you, appreciate the public comment. Any questions.

(No comments)

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

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

(Pause)

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

(Pause)

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

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

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

Thank you.

MS. PITKA: Thank you for that further testimony. Are there any other comments in the que.
OPERATOR: There's no one else in the que at this time.

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

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

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

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

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

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

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

That's kind of all I have.

I really appreciate all of you guys.

We have many more people who wanted to sign, it just got to us too late. And that's it for me.
CHAIRMAN CHRISTIANSON: Thank you.

Thank you for taking the time to call in and share that point of view, appreciate that.

Any questions from the Board.

(No comments)

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

OPERATOR: The que is clear.

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

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

CHAIRMAN CHRISTIANSON: Yep, you have the floor Greg.

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

But this -- what we did is we supported it. It was 6/3, there was some opposing, but we supported it for reasons based on our input that we received from the total meeting there. The Council considered the comments submitted for all its Council meetings and deliberated over the comments and testimonies that they had received by the time the issue came up for the agenda. The Council's majority supports this proposal based on the information provided by OSM showing that there would be a minimal impact to the salmon run. The Council acknowledged that some users stated their subsistence needs were not
being met for both Upper river and Lower river, and
there is a need to provide additional harvest
opportunities. ANILCA’s provision for rural
subsistence priorities supports creating this fishery.
As Federal food resources should take precedences over
any State use and it is important for those under-
served-Federally-qualified subsistence users who do not
own boats. The Council recognized that this was an
issue that polarized the community, however, they felt
that the request for the modification is reasonable and
that allowing this fishery would provide for easier and
safer access to harvest of this important resource.

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

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

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

Thank you.

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

(No comments)

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

(No comments)

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

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

CHAIRMAN CHRISTIANSON: Yes, Katya.

MS. WESSELS: I think that perhaps
Susan Entsminger -- Sue Entsminger from Eastern Interior is online and she wanted to talk in regards to that proposal.

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

MS. ENTSMINGER: Hello. They won't let me.....

CHAIRMAN CHRISTIANSON: Go ahead, Sue.

MS. ENTSMINGER: Oh, you can hear me now.

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

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

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

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

I wanted to point out, I've been on the Eastern Interior RAC 20 years and we've been talking about king salmon and low runs on the Yukon River, so I believe that the Eastern Interior can really see a very
-- is sensitive to the subject of the low returns and then the low returns that are starting to occur here on the Copper. So in the 20 years that I've been on the Eastern Interior the Yukon has not come back yet, so this is a big concern and I think we wanted to weigh in on it.

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

Additionally, the Council wanted to highlight to the Board that it appears to be different positions in the community of Cordova. Some people support and some people oppose. 11 comments received by OSM prior to the proposal, written comment deadline of July 2nd of 2020 were all in opposition of the proposal, and then during the meeting the Council learned that a large number of written public comments in support solicited by the proposed proponent were given to the Forest Service and submitted to the Southcentral RAC, to the coordinator during their recent meeting. At that meeting the public expressed frustration, that's our meeting, we expressed frustration that these comments were submitted after the proposal written comment deadline. The Council commented that this situation made it difficult for the Council to evaluate the public support or opposition to a particular proposal. Moreover, the Council became privy to information that suggested that some users in Cordova have actually illegally sold their subsistence fish because the salmon caught in the fishery are highly sought after. And it came up at our meeting that the people of Ahtna were contacted to support this proposal by some Staff in Forest Service and that also became something that we were concerned about. And I know in our area it seems like if the Federal people in these management areas come up with a proposal, which kind of happened here in Unit 12, then they put the proposal forward and then it comes out that the people didn't know about it and they become very upset. And I just wanted to point out that there is potential of abuse on this fishery.
That's all I have.

Thank you.

And actually I do want to say that, you know, people in the southern part of Unit 12 are the ones that have the C&T on the Upper Copper River, which includes Mentasta and people around Tok area.

So for that we oppose.

Thank you.

CHAIRMAN CHRISTIANSON: Thank you.

Thank you for that. Any questions from the Board for Sue.

(No comments)

CHAIRMAN CHRISTIANSON: Thank you, Sue.

And I appreciate you taking the time to call in. That brings us back to tribal Alaska, Native corp. Orville Lind.

MR. LIND: Yes, can you hear me, Mr. Chair.

CHAIRMAN CHRISTIANSON: Got you loud and clear, brother.

MR. LIND: Thank you, Mr. Chair and Board members. On June 11th we conducted consultations and we did have the Native Village of Eyak, Eyak Corporation call in. We had a question by Mr. Olson who would be -- if the fishery was open who would be enforcing it -- Mr. (Indiscernible) replied that he'd defer that question to Mr. Wayne Owen and Mr. Owen's reply, he said the enforcement would be with Forest Service. And also Mr. Adams-- Mr. Adams from Eyak, after Robbin LaVine gave the brief overview of the fisheries proposal, 21-10, he said according to how Robbin read it, one and a half miles downstream to the Million Dollar Bridge would be open for dipnetting. And the other member, Adams, replied that he now understood the proposal. And then Mr. Owen replied that this is an early stage of the process and additional opportunities to comment on this proposal would be at the Regional Advisory Council meeting and then consultation at the Federal Board meeting. Mr.
Olson also replied that they were going to try to set 
up some consultations with the Forest Service.

We also had folks from Tazlina, Ms. 
Gloria Stickwan commented, saying that we are concerned 
about this new fisheries at this time and possibly in 
the future. Because the fisheries for sockeye and 
salmon are very low, below management objectives. Not 
sure what the Federal management is going to do. I 
know the people up here, I'm going to talk to them, and 
they are only catching a very few fish, a few kings but 
hardly any sockeyes, and we don't want this fishery to 
be opened. When asked, Angela (ph), from Eyak 
Corporation, she replied that she agrees with Gloria, 
it is a real bad year for salmon and the corporation is 
not taking any stand just now but gathering all the 
information they can but is going along with what 
Gloria has stated.

And that concludes the consultation 
information, Mr. Chair.

Thank you.

CHAIRMAN CHRISTIANSON: Thank you, 
Orville. Thank you. Any questions for Orville.

(No comments)

CHAIRMAN CHRISTIANSON: All right, 
appreciate that. That moves us on to Alaska Department 
of Fish and Game comments, and we'll call on Mr. Ben 
Mulligan.

MR. MULLIGAN: Hi, Mr. Chairman. Good 
to be with you guys again, wish it was in person, of 
course. For the record my name is Ben Mulligan. I'm 
with the Alaska Department of Fish and Game.

You guys have, of course, our comments 
in writing and have had those, but for the record, for 
this meeting, ADF&G opposes this proposal. As we 
interpret ANILCA, we believe that the Federal 
Subsistence Board has the ability to reopen seasons or 
areas that were previously closed but not the ability 
to create new fisheries or hunts. So, again, we oppose 
this proposal.

Thank you.
MS. PITKA: Thank you, Mr. Mulligan, for your comments. Does anybody have any questions for Mr. Mulligan at this time.

(No comments)

MS. PITKA: If not, InterAgency Staff comments. Thank you.

MS. WESSELS: Thank you, Madame Chair. Members of the Board. For the record my name is Katya Wessels and I will be presenting the InterAgency Staff Committee comments on.....

CHAIRMAN CHRISTIANSON: I'm back on.

MS. WESSELS: .....Fisheries Proposal
FP21-10. So the InterAgency Staff Committee supports the proposal to provide a new Federal salmon subsistence fishing opportunity in the Lower Copper River adjacent to the Copper River Highway for Federally-qualified subsistence users, especially those residing in Cordova.

ISC recognized that access to sockeye salmon in the State subsistence fishery near Cordova can be difficult for those lacking a boat and the knowledge of safely navigating the fishery. The ISC also recognized, however, that there are many competing fisheries and stakeholders throughout the Copper River drainage that are dependent on the health and viability of salmon stocks. For these reasons the ISC believes that it is prudent to be cautious in creating a new Federal fishery, even though the expected harvest from this fishery is anticipated to be low. To mitigate the potential risks associated with a new fishery in the Copper River, and to help alleviate the concerns expressed by many rural stakeholders and fishery managers, the ISC supports the OSM modification to include a requirement to report take of salmon to the delegated Federal manager for the Copper River drainage within 48 hours of harvest. The ISC furthermore suggests that the Board consider a modification to open the proposed new season on June 1st, rather than on May 15th so allow managers to review early run strength information provided through the initial commercial fishing periods and the Miles Lake sonar. Further proposals to adjust the season start date may be warranted once Federal managers are able to ascertain
the effects of a new fishery within the drainage, including the level of harvest and participation in this fishery. The NPS has been issued a delegation of authority letter to manage the Federal public waters within the Copper River drainage in the Prince William Sound area, if this proposal is adopted the NPS could issue emergency special actions in response to in-season management concerns in the new fishery under the existing delegation of authority.

This concludes the InterAgency Staff Committee comments.

Thank you.

CHAIRMAN CHRISTIANSON: Thank you, Katya. We'll now move on to Board discussion.

(No comments)

CHAIRMAN CHRISTIANSON: Hearing none, we'll open up for Board action.

MR. BROWER: Mr. Chair.

CHAIRMAN CHRISTIANSON: Yes, you have the floor.

MR. BROWER: Just a question to Orville or made this proposal, is that about 11 mile stretch from the area boundary up stream from the river to the highway to the -- Highway 38, is that about 11 mile stretch you're talking about, just a question, that's all.

MR. BURCHAM: This is Milo Burcham and I could probably answer that and if the slide could be moved back to the map, it is approximately 11 miles crossing the Copper River, there's multiple channels, but the road stretches about 11 miles. It was washed out at 36 Mile and there's a gap in the road there so it would take a boat to access the further reach of road.

MR. BROWER: Thank you. Just curious.

MR. SIEKANIEC: Mr. Chair, this is Greg.
CHAIRMAN CHRISTIANSON: Greg, you have the floor.

MR. SIEKANIEC: Thank you. Milo, in looking at the map now that Charlie asked this question, you know, my familiarity with the Copper River it's just a very braided stream, so all of the braids that lead into the primary river would all be considered open for fishing and is that -- do fish utilize all of those braided channels, or is this going to concentrate it right at the largest stretch of the river there.

MR. BURCHAM: That's difficult to answer because there's a lot known. There's multiple channels of various sizes, probably most of the fish go through the bigger channel where the most water is going through and that is around 36 Mile. But certainly fish cross in other channels as well. Yeah, it's a wide crossing, you know, 10 or 11 miles of braided channels.

MR. SIEKANIEC: Yeah, it looks that way. And you said at the 36 Mile, that would still be accessible by the road, and then past that is where you would need a boat to continue on?

MR. BURCHAM: Where you would need a boat to access the remaining road, yes.

MR. SIEKANIEC: Okay.

MR. BURCHAM: And so 27 to 36 mile is intact, 27 Mile is the west bank of the Copper River, 36 Mile is where it's washed out and it's around 38 Mile, if I'm not mistaken, that's the end of the crossings.

MR. SIEKANIEC: Okay, thanks. Appreciate the little geography lesson. Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you. Any other Board discussion, questions for Staff.

(No comments)

CHAIRMAN CHRISTIANSON: We'll open up the floor, hearing none, to Board action.
MR. SCHMID:  Mr. Chair, Dave Schmid, Forest Service.

CHAIRMAN CHRISTIANSON:  You have the floor Dave.

MR. SCHMID:  Thank you, Mr. Chair.  I'm going to move to defer Proposal FP21-10 as submitted by Jesse Carter and Robert Jewell of Cordova, Alaska, including the OSM recommended modification and ISC delayed start date recommendation.  This proposal is shown on 127 of the Board book.  Following a second, I will explain why I intend to defer the motion.

MR. PELTOLA:  Second, BIA.

MR. BROWER:  Second.

CHAIRMAN CHRISTIANSON:  Go ahead, Dave.

MR. SCHMID:  Thank you.  Gosh, a lot. First and foremost, I appreciate the testimony and the comments we've heard from all hear.  The Board here today, we face a decision about allocating, you know, a limited number of salmon among multiple groups of Federally-qualified subsistence users.

While I really truly, very much appreciate the efforts of the InterAgency Staff Committee and others to find a way to make this proposal work, I still remain concerned that Fisheries Proposal 21-10 has elicited, as we've heard, a point of disagreement between Regional Advisory Councils, some of the tribal communities and others.  These regions and communities are already faced with a, you know, a greatly diminished fisheries resource, from which to meet their subsistence needs, and I believe it is important to find, or at least explore, to find a compromise and identify if there are cooperative solutions between the RACs.

I also heard clearly, you know, we are talking about a very small number of fish within the overall harvest in the Copper River, but I believe that the residents of Cordova currently have a meaningful priority for subsistence fishing in the Copper and typically are usually able to harvest at least the fish that they need.  I do believe, and as we may have heard from a minority of folks, that there may be some social
justice issues associated here with access to resources
and access to fish.

I would go on to say this, while the
harvest, I think, is meeting some of the current needs
there in Cordova, this isn't necessarily true higher up
in the Copper River watershed, at least in some of the
recent years.

Therefore, I'm moving that we defer
approval of FP21-10 until such time that the
Southcentral and the Eastern Interior RACs can meet and
maybe work on to develop or explore a compromise that
can be supported by those affected as well. And,
again, I did, I think, Mr. Peltola, with BIA, nailed
it, in terms of the Up River/Lower River, we're pitting
folks, users, subsistence users against each other over
a very small proportion of the fishery.

I do have faith in the Advisory Council
process. And I'm certain that the wisdom and maybe
with some work might lead to a consensus proposal that
we could all support or consider in the future.

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you,
Dave. Such an eloquent position to take there in the
making of your motion with a second. I somewhat agree
with everything that you stated there. And so if
there's any other Board discussion on this or what not,
right now we have a current motion to defer based on
Dave's motion.

(No comments)

MR. BROWER: Question.

CHAIRMAN CHRISTIANSON: Thank you,
Charlie. Question's been called.

We'll do roll call, Sue, please, thank
you.

MS. DETWILER: Okay. Thank you. The
motion is to defer Proposal FP21-10 as submitted by
Jesse Carter and Robert Jewell of Cordova, Alaska,
including the OSM recommended modification and ISC
delayed start recommendation.
So at the request of Park Service I'm going to ask for their vote first, Don Striker.

MR. STRIKER: Yes, I support the motion for the reasons so well articulated by Mr. Schmid. I, too, really respect the perspective and the passion and am deeply troubled by this notion of needing to sort of force competition between equally worthy rural residents.

You know the one thing that I would just like to put on the record is that I'm also troubled by the notion that we would do anything that restricts Federally-qualified users when other State, commercial and personal fisheries are taking place.

So with that caveat, I support the motion.

Thank you.

MS. DETWILER: All right, thank you, Mr. Striker.

Greg Siekaniec, Fish and Wildlife Service.

MR. SIEKANIEC: Thank you, Sue. I support the motion to defer as articulated by our colleague at the Forest Service, Mr. Schmid.

I also agree that, you know, it's a most unfortunate setting where we start pitting upper and lower, and I would really like to, again, as Mr. Schmid said, see our Regional Advisory Committees come together or Councils come together and really look to see if there isn't some solution that can be worked out between them and then be brought back before the Board.

Thank you.

MS. DETWILER: Thank you, Greg.

Dave Schmid.

MR. SCHMID: Yeah, thank you. Again, I'm going to support deferring this motion for the reasons and the justification I provided.
Thank you.

MS. DETWILER: Thank you.

Gene Peltola, BIA.

MR. PELTOLA: BIA supports deferring the proposal as articulated earlier by the Forest Service. In addition to, the Program should not be put in a position to potentially put one RAC over another, relying on a similar resource on the same river, and in addition to, the priority consumptive use of the resources may not be getting a fair shake.

Thank you.

MS. DETWILER: Okay. Thank you, Gene.

Chad Padgett, BLM.

MR. PADGETT: Sorry, I couldn't find my mute button. I support as articulated by the Forest Service.

Thank you.

MS. DETWILER: Thank you.

Public Member Rhonda Pitka.

MS. PITKA: I support to defer this. I would like the Regional Advisory Councils to speak more on it, but, at the same time I feel like they've given a lot of testimony today. I support the deferral, thank you.

MS. DETWILER: Thank you.

Public Member Charlie Brower.

MR. BROWER: I support it as stated by Forest Service. Thank you.

MS. DETWILER: Okay, thank you.

Finally, Chair Tony Christianson.

CHAIRMAN CHRISTIANSON: I support.
MS. DETWILER: All right, thank you.

Unanimous support. So the motion passes, FP -- FP21-10 is deferred.

CHAIRMAN CHRISTIANSON: Alrighty, good job guys. I'm going to call for a 10 minute break right now. I'm pretty sure somebody needs to go to the bathroom or just let our brains rest for a minute so we'll call for a 10 minute break. Please don't hang up, stay on the line and we'll come back here at five after 4:00 to conduct another round of business.

Thank you.

MR. SIEKANIEC: Thank you, Mr. Chair.

(Off record)

(On record)

MS. DETWILER: I just jumped on, should I just quickly go through the roll and make sure we have a quorum.

CHAIRMAN CHRISTIANSON: Yeah, you can. Just go ahead and start over there, Sue, it sounds like most people are on, but we'll just go ahead and have it officially recorded by you and we'll start over.

Thank you.

MS. DETWILER: Okay. I hear Charlie Brower, you're on.

MR. BROWER: Yeah, I'm here.

MS. DETWILER: Okay, thank you.

Rhonda Pitka.

MS. PITKA: Hi, I'm here.

MS. DETWILER: Dave Schmid.

MR. SCHMID: I'm here, Sue, thanks.

MS. DETWILER: Okay. And I understand Chad Padgett had to leave, Chris McKee, are you on.
MR. MCKEE: I'm here, Sue.

MS. DETWILER: Thank you.

Gene Peltola.

MR. CHEN: Hey, Sue, this is Glenn Chen, I'm holding Gene's spot until he gets off the phone.

MS. DETWILER: Okay, thank you.

Greg Siekanieic.

MR. SIEKANIEC: Yep, Sue, I am here.

MS. DETWILER: Thank you.

And Don Striker.


MS. DETWILER: It looks like we have everybody here.

CHAIRMAN CHRISTIANSON: All right, thank you.

MR. BROWER: Louis Green, are you online.

(No comments)

CHAIRMAN CHRISTIANSON: So we do have a quorum established, thank you, Sue, for that. And we will get back on, we finished up with the last proposal and we will move on, we'll call on you Sue to go ahead and call on the order of business and the Staff who will provide the analysis.

Thank you.

MS. DETWILER: Okay. So we're continuing on with Prince William Sound Fisheries Proposal 21-11, and I believe that's Hannah Voorhees.

MS. VOORHEES: Good afternoon, Mr. Chair and members of the Board. This is Hannah Voorhees and I'm an anthropologist at the Office of
Subsistence Management. Can you hear me properly before I continue, I just wanted to do a sound check.

CHAIRMAN CHRISTIANSON: Sounds good, I can hear you, you're loud and clear, thank you, you have the floor.

MS. VOORHEES: Great, thank you, Mr. Chair. Fisheries Proposal 21-11 begins on Page 186 of your Board book. This proposal was submitted by Kirk Wilson of Glennallen and requests that the Board require that in the Upper Copper River district, daily harvest of salmon be recorded and reported to the agency issuing the permit within three days of harvest, and the reports must be made for any day that fishing gear was in the water.

The proponent believes that obtaining in-season harvest information would help to protect against the possibility of overharvest.

I will be presenting multiple proposals for the Upper Copper River district so will spend time on background information here but will forego it in the next presentation.

This proposal would apply to waters in the Upper Copper River district within and adjacent to the exterior boundaries of Wrangell-St. Elias National Park and Preserve. This area is in the traditional territory of the Ahtna Athabascans. For contemporary communities with a customary and traditional use determination for salmon in the Copper River drainage, sockeye and chinook continue to make up the majority of their harvest of wild foods.

In recent years, both sockeye and chinook returns have experienced decreasing trends. In 2020 the sustainable escapement goal was met for sockeye but not chinook. Both salmon passage at Miles Lake sonar resulted in closure of the commercial gillnet fishery at the mouth of the river as well as reductions in the Chitina personal use fishery and the chinook sportfishery in the Upper Copper River district. All Copper River Federal and State subsistence fisheries remained unrestricted through the 2020 season. The estimate of sockeye and chinook harvest under Federal subsistence permits in the Upper Copper River district between 2010 and 2019 was only
about nine percent of the overall subsistence and personal use harvest.

There is currently no in-season reporting requirement in either the State subsistence and personal use fisheries or the Federal subsistence fishery. Under Federal subsistence permits, fishers must already keep accurate daily records of their catch, showing the number of fish taken by species, location and date, therefore, this proposal would not require that new information be collected, only that it be reported in-season.

However, the OSM conclusion is to oppose this proposal with the following justification.

Adopting this proposal would result in limited in-season data being available to managers. However, it would place an additional burden on those fishing under Federal subsistence permits to report their harvest within three days. If adopted, the reporting timelines for Federal subsistence users would be significantly stricter than for those fishing under State subsistence and personal use permits. This proposal would make in-season phone or internet access a precondition for participating in the subsistence harvest and compliance with regulations. This proposal would likely not result in the intended conservation effect because fishing under Federal permits makes up a relatively small portion of the overall harvest in the Upper Copper River. This partial information may not be useful for management decisionmaking without in-season recording under State permits. A proposal similar to the one under consideration here will be taken up at the next Board of Fisheries meeting -- at the next meeting at which Prince William Sound proposals are discussed. This proposal submitted to the State would require in-season reporting of subsistence, sportfish and personal use harvest on the Copper River under State regulation.

Thank you.

This concludes my presentation.

CHAIRMAN CHRISTIANSON: Thank you. Any questions for the Staff from the Board.

(No comments)
CHAIRMAN CHRISTIANSON: All right, hearing none, we'll move on to the next -- the ISC recommendation.

MS. DETWILER: Actually, excuse me, Mr. Chair, I believe the next -- oh, I'm -- never mind, I'm the summary of public comments.

CHAIRMAN CHRISTIANSON: Yeah, you're correct sorry. Thank you for that Sue, we'll do summary of public comments.

MS. PERRY: Mr. Chair. This is DeAnna Perry, Coordinator for the Southcentral Regional Advisory Council.

CHAIRMAN CHRISTIANSON: Yes, DeAnna, you have the floor.

MS. PERRY: Thank you. Mr. Chair and members of the Board. Five written public comments in support were received on this proposal and can be found in your meeting books starting on Page 206.

A summary of these comments.

The Ahtna InterTribal Resource Commission strongly feels there is a need for more timely harvest data in the up river subsistence and personal use fisheries. During years of low abundance this could provide more granular data on the fishery enabling more adaptive management decisionmaking and might also help to build trust and consensus between fisheries management and interested local public.

Michael Mahoney supports the proposal stating good in-season management requires current data and that with modern communication options there is no reason why this timely reporting would be too burdensome.

Thea Thomas strongly supports this proposal and commented that it was important to limit overharvest in the Chitina dipnet fishery and to acquire timely data on the harvest.

Ahtna TeneNene' supports the proposal to have it optional to have Federally-qualified
subsistence users report their fish harvest within three days to a Federal agency. They should not be burdened with unnecessary regulations. A few of these users may not have a cell phone to make a reporting and they are not harvesting the bulk of sockeyes and chinook in the Copper River.

Bonnie Yazzie supports this proposal because this would require in-season reporting and there is a need to know exactly what is being taken in order to accurately manage the fishery.

Kirk Wilson, the proponent, stated that he supported the modification to have it optional, to have Federally-qualified subsistence users to report fish harvest within three days to a Federal agency.

Again, for the comments in their entirety those can be read starting on Page 206 of the meeting book.

Last week, prior to this Board meeting, I did receive an additional comment, that was from the Copper Basin Advisory Committee, opposing this proposal. In summary it said that the sooner reports are made the better. If reports are not done in three days they might as well not report at all. The AC recognizes that some people can't report online or by cell phone, they suggested encouraging early reporting within three days of harvest but not make this requirement mandatory.

Also the Wrangell-St.Elias National Park Subsistence Resource Commission gave a comment. They opposed a modified version of Fish Proposal 21-11 with a vote of two in support and six opposed. The modification would have made in-season harvest reporting optional. The SRC noted that a similar proposal had been submitted to the Alaska Board of Fisheries for their consideration in relation to State managed fisheries, which account for the majority of the total salmon harvest in the Upper Copper River. Federal subsistence represents a very small portion of the total Copper River salmon harvest and requiring in-season reporting by Federal subsistence users will be a burden to people who don't have phones to call in their harvest reports. There was also general opposition to imposing a restriction that would only apply to subsistence users. The requirement to report even when
harvest is unsuccessful is onerous. With respect to the proposed modification to have the reporting be optional, there was concern that it wouldn't functionally work and would make the regulations more complicated.

That is a summary of the written public comments received on this proposal.

Thank you.

CHAIRMAN CHRISTIANSON: Yes, thank you. Thank you for that, appreciate the summary. Sue, could you call the next order of business please, I'm still not at my desk.

MS. DETWILER: Sure. It's -- the next step is public testimony.

CHAIRMAN CHRISTIANSON: All right. Operator, at this time we would like to offer anybody online who would like to be recognized at this time to speak to the specific proposal, now would be the time.

Thank you.

OPERATOR: Thank you. If you would like to make public comment and join the que, please press star one. You may remove yourself from the que by pressing star two. Again, to join the que for public comment press star one.

And our first comment comes from Hope Roberts, your line is now open.

MS. ROBERTS: Hello, again, Board -- Federal Subsistence Board. Chugach Regional Resources Commission, the Alliance. We have similar comments for the rest of the proposals in this agenda portion, FP21-11 through 14. May I just comment on those together or would you like me to just stick with FP21-11 right now.

CHAIRMAN CHRISTIANSON: If we could just stay specific to the one now I thank you.

MR. ROBERTS: All right, thank you. Well, the Alliance and Chugach Regional Resources Commission, we just encourage the Board to adopt FP21-11 adding harvest reporting requirements for the Upper
Copper River subsistence fishery.

Thank you, that's all for now.

CHAIRMAN CHRISTIANSON: At this time I would just want to ask you if there was some other time constraints you had that made you have to testify to the other ones I would allow that now.

MS. ROBERTS: I didn't quite catch that, sir.

CHAIRMAN CHRISTIANSON: I was just saying if there was some reason you wouldn't be available to testify during the next proposals that I would entertain that at this time.

MS. ROBERTS: Oh, no, no, I'll be here, thank you.

CHAIRMAN CHRISTIANSON: Okay, thank you. I was just making sure, I wanted to accommodate you. All right, thank you.

MS. ROBERTS: Thank you, sir.

CHAIRMAN CHRISTIANSON: Any questions from the Board.

(No comments)

CHAIRMAN CHRISTIANSON: All right, hearing none, Operator, is there anyone else who would like to be recognized at this time, please.

OPERATOR: Yes, sir, next we have Karen Linnell, your line is now open.

MS. LINNELL: Thank you. Thank you, Mr. Chair. Karen Linnell, Ahtna InterTribal Resource Commission.

In consideration of those who were talking about ability to report and things like that, yes, we do record our harvest daily on our permits, but maybe a -- rather than every three days, have a weekly submittal, on a Sunday or a Monday or something would be helpful as Federal managers see fit.
I think that having this tool in the toolbox to better understand what's happening with our salmon harvest and salmon -- and the fishery on the Copper River is important. Without the authority to do such, it makes it difficult for managers to act quickly. And this, again, came out of the Copper River Salmon Synthesis Workshop that was held with Copper River Watershed Project, Wrangell Institute for Science and Environment, Ahtna InterTribal Resource Commission, Alaska Department of Fish and Game, Sportfish and CommFish Divisions and Native Village of Eyak, commercial fishermen, subsistence fishermen and sportfish guides as well. This proposal is one of many. We have similar proposals going before the Federal of Alaska, which is going to be now seen, I guess, December of 2021 with their deferment.

This is something that we're looking at as a whole. The more data we have, the better. Commercial fishermen report daily. It's the up river, in-river usage that isn't reported daily and we would like to have that -- like I said, the more information the better they are able to manage the stock.

Our biggest fear coming off the last few years is that we're going to turn into the Yukon or Kuskokwim where subsistence uses are restricted and we don't want that. We want to manage for sustainability. Manage the resource in a way that will ensure that we have salmon on this river for generations to come. I know this is a little odd coming from, you know, a subsistence user and, you know, to have that type of requirement, but I think we need the option to collect the information in-season and having that available for the managers, especially in times of shortage and in times of abundance. Run timing and that kind of thing, it's really important that we know what's going on. Once it gets past that Miles Lake sonar so much changes. When they're showing record numbers of salmon crossing the Miles Lake sonar and then the Gulkana Hatchery managed by Prince William Sound Aquaculture Corporation can't meet their brood stock take, for the last, I believe, four years, I've asked them to write a formal report over the decades that they've run that hatchery, I think it's been in place since the '70s. And the last four years or so, five years, they haven't been able to meet their brood stock goals, which is an important part to our fishery.
So I'd urge you to support this in some form or fashion with an amendment, whether it be optional or whether it be weekly reporting, or at the call of management at the Park Service would be a good option as well with that three or five day increment -- or seven day increment, once a week or every three days, you know, letting the in-season manager at the National Park Service make those decisions and have them have the ability to request it would be very helpful.

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you, Karen. Any questions from the Board for Karen. Appreciate you calling in today to testify to this.

MR. PELTOLA: Mr. Chair, BIA.

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

MR. PELTOLA: Thank you, Mr. Chair. Good afternoon, almost evening, Karen. So can you tell me, to your knowledge, are there any current krill surveys or any in-season, in-river harvest surveys conducted on the Copper?

MS. LINNELL: Not to my knowledge, no. The other fisheries, the sportfish and the dipnetters report at the end of season, much like we do, but we're logging our harvest daily and so we're willing and able to submit those as needed or when requested. The sportfishery is a voluntary survey that is done when they get something in the mail, they can answer it or they don't have to. But as far as I know, no krill surveys are being done at this time.

MR. PELTOLA: Yeah, thank you. So then I guess my next question may be addressed by Karen, but it might be better addressed by Staff, have we had any requests for in-season, in-river harvest surveys through the FRMP process?

MS. LINNELL: I know that we've put in a couple of proposals through the FRMP process. We're currently working on one with the Native Village of Eyak, where we're going to be putting sonar on the Klutina River to monitor escapement north of where the...
sportfish happens there. From a radiotelemetry project that Native Village of Eyak did some years ago we found that 30 to 50 percent of the sockeye return is in the Klutina and so we want to be able to monitor that, especially now that the State of Alaska has -- have access and created an access, or gotten a right-of-way on the road to Klutina itself, and so their plans in the future are to open it up for recreational development and that's one of the biggest concerns we have, is what's going to happen to the salmon on that river.

The other, we've also put in another proposal to do a limnology study.....

(Teleconference interference - participants not muted)

MS. LINNELL: .....in what's happening on the Gulkana River, which is where the hatchery is and why aren't they reaching their brood stock. And so those are done in partnership with Native Village of Eyak and ADF&G.

(Teleconference interference - participants not muted)

MR. PELTOLA: Mr. Chair, one other followup question.

CHAIRMAN CHRISTIANSON: Yeah, Gene, go ahead.

MR. PELTOLA: And for our Federal managers and also the State, if they're willing to address it. My question derived from a comment that Ms. Linnell made, was that she said that they'd be willing to provide their recorded harvest information if requested. So along the lines of this proposal, would our Federal in-season managers and the State managers utilize that information.....

(Teleconference interference - participants not muted)

MR. PELTOLA: .....that concludes my question for this round, Mr. Chair. Thank you. I look forward to responses.
MR. SIEKANIEC: Mr. Chair.

CHAIRMAN CHRISTIANSON: Yes, go ahead, you have the floor.

MR. SIEKANIEC: Mr. Chair, this is Greg. Yeah, I'm having trouble hearing, there seems like there's a number of conversations going on and I couldn't hear what Gene was actually asking.

(Teleconference interference - participants not muted)

MR. PELTOLA: Mr. Chair.

MR. BROWER: Yeah, there's a lot of communication happening, I can't hear either.

CHAIRMAN CHRISTIANSON: Yes, if somebody could mute their lines I'd appreciate that. Thank you guys for the comments.

MS. LINNELL: Mr. Chair, I might be able to answer Mr. Peltola's question.

CHAIRMAN CHRISTIANSON: Go ahead Karen.

MS. LINNELL: At that Copper River Salmon Synthesis, we had both our local manager with the State, Mark Somerville there, we had Klause Wittig (ph) out of Fairbanks, we had CommFish Division from Cordova and then we also had the National Park Service in attendance, and we talked about being able to have in-season data to better manage. At first we were told by one of the managers, well, even if we had the data we wouldn't use it, and then after some discussion, you know, some discussion and coming out of Fairbanks from Klause and from CommFish Division, they also said you know what having more information doesn't hurt and we could better manage the resources.

If we could find out that whether a fishery is having a bigger impact as to what's getting to the spawning grounds, then why not have it. And we're looking at -- because there's some folks that believe that subsistence users aren't reporting the
actual numbers of their take, and the same is happening
with personal use fishery, or sportfish, that they're
not reporting actually what they're taking and so we're
looking at, you know, being able to work well together.
And so at that conference, that meeting, we got
commitment from ADF&G and the Park Service that they
would see what happens, what kind of information do
they get and it can't hurt their management.

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you for
that. Any other questions or discussion.

MR. PELTOLA: Mr. Chair, BIA.

CHAIRMAN CHRISTIANSON: Yes, go ahead,
Gene.

MR. PELTOLA: Thank you, Mr. Chair. I
appreciate your input, Karen, and if we were to support
this program my understanding that the Federal
reporting requirements would be stricter than those
which are provided for under the State regulations,
which could put additional burden on our Federally-
qualified subsistence users. I'd still like to hear
specifically from the Federal and State managers, if we
were to implement this requirement, would they
effectively utilize the data; that question would be
for the Park Service in-season manager and the State,
if they're willing to provide comment.

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you. Any
other questions, any other comments.

(No comments)

CHAIRMAN CHRISTIANSON: I appreciate
that good dialogue there. Thank you, Karen. Operator,
we'll move on, is there any additional people on line.

OPERATOR: Yes, sir. We have Gloria
Stickwan, your line is now open.

MS. STICKWAN: I have conflicting
opinions about this. This testimony I'm about to give
on FP21-11 is my views only. I do not represent Ahtna
TeneNene', I am representing myself, Gloria Stickwan.

I have been thinking about this and, you know, during times of shortage and this years forecast is predicted to be low for fisheries, I think during those times when it's well established through data that there are times when we need to have an accurate count. There should be some mechanism in place to report data during those times only. However, when there is not a conservation concern I am opposed to this because it is placing a burden on the Federal subsistence users. The State doesn't have it right now. I know there are proposals in there. I know in the past it's been proposed before by personal use fisheries, it has been voted down by the Board of Fisheries before. What they're going to do in the upcoming meeting, I don't know. But I do know in the past they voted down against it.

I just think through Section .809 of ANILCA, if NPS doesn't have the funds to administer such a program they could do -- the Board or someone, OSM could do a Section .809 with AITRC to give them funding to do the reporting during times of shortage when there is well established data that we are at a low number and that we need to get accurate numbers. These accurate numbers during times of low -- well established low numbers of returns will help the Federal fisheries managers to make a sound decision on whether to restrict fisheries. During those times only, I think this should be done. When there isn't a conservation concern, I would be opposed to this because it's going to make people criminals for not reporting. It's going to possibly take away permits from people if they don't report. I don't know what the return rate is for Federal management, I think it's like 80 percent they get back every year, there's about 20 percent maybe that don't return their permits or they're late with it. I'm not sure about that. But I do know that not everyone returns their permits and, you know, I'm wondering, if you don't return your permit you could possibly lose your permit and that would be a concern for me.

But I do see a need for this during low returns and there's well established data between the Federal managers and the State managers saying restriction -- we need to do a restriction. That is when we need those numbers, we need to have the Federal
fisheries to do a reporting, and, again, AITRC is--
has professional people on board, they have a
professional biologist -- fisheries biologist, wildlife
biologist, anthropologist on board, they have degrees,
they can conduct these projects. All we need to do is
an FRMP project or do it through a Section .809
agreement, give that money to AITRC, let them manage
this, they can do it, I know they can.

That's my opinion.

I'm not representing Ahtna TeneNene'.
I'm not representing the Ahtna people. I want to make
that very clear, I'm representing myself.

Thank you.

Hannah.

(No comments)

Hannah Voorhees.

It sounds like we may have
lost the Chair, this is Rhonda, go ahead, Hannah.

Thank you. I just
wanted to respond to a question that Member Peltola had
about whether in-season monitoring was a component of
the Fisheries Resource Monitoring Program. And in the
2022 Southcentral FRMP priority information needs there
is a highlighted information need to implement the
collection of real-time harvest data of salmon in the
Copper River drainage. In-season harvest monitoring
reporting of harvest of salmon in the Copper River
drainage. Sorry that's a little repetitive, but you
get the idea. So I just wanted to chime in and clarify
that.

Thank you, Hannah. And,
also, Gloria, thank you for your comments and your
testimony. Is there any further public testimony at
this moment, is there anybody else in the que.

(No comments)

I'm hearing none, can we go
to the Regional Council recommendation.

Thank you.

MR. ENCELEWSKI: Hello, Rhonda and the rest of the Board there. This is Greg, is it time for me to comment?

MS. PITKA: Yeah, you're the Regional Advisory Chair, Hi, Greg, good to hear your voice.

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.

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.

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.

That concludes my comment from our RAC.

Thank you.

MS. PITKA: Thank you very much. Does anybody have any questions for Greg.

MS. ENTSMINGER: Yeah, this is Sue Entsminger, Eastern Interior RAC.

MR. ENCELEWSKI: Yeah, Sue, go ahead.

MS. ENTSMINGER: All right. Am I interrupting you, Greg.

MR. ENCELEWSKI: No, I thought you had a question. She asked if anyone had a question for
Greg and you said this is Sue.

MS. ENTSINGER: I do not, I'm sorry.

MR. ENCELEWSKI: Okay, go ahead. I'll get out of the way. Thank you.

MS. PITKA: Okay, no worries. Does anybody have any questions for Greg at this moment.

(No comments)

MS. PITKA: If not then we'll move on to the next Regional Advisory Council comment. Thank you. And, Sue, I believe that's you now.

MS. ENTSINGER: Yes, thank you. I can't wait to meet you Sue, two Sue's to each other here.

Okay, thank you very much. This is Sue Entsminger, Eastern Interior RAC.

On Federal Fisheries Proposal 21-11, our Council supports. We supported this proposal due to the increased use of the Upper Copper River fish by users from all over the state. The Council indicated in-season harvest monitoring and estimation are needed to prevent overharvest and allow managers to timely respond during years when there's weak runs. The Council believes that there might be a conservation concern and does not want to see fish declining in the Copper River. The Council thinks that in-season reporting would be very beneficial to the managers. The Federal Program should lead the way in this type of monitoring for the State to follow. And the State and Federal Programs should work together to achieve the best harvest management. This reporting would not be a burden to users, almost everyone has telephones or other means to access the internet. The Council pointed out that all the Yukon River communities on the road system must fill out catch calendars. The Yukon River communities that are not on the road system must fill out in-season reports. The Council expressed an opinion that similar harvest monitoring and reporting should be instituted in more areas than just the Copper River. Additionally, the Council noted that on the Taylor Highway successful caribou hunters must report their harvest within three days under State regulations.
and if this works for reporting wildlife harvest then
it should work for reporting fish harvest. This
proposed regulation is a step in the right direction
for better future of fisheries in Alaska.

And that's all I have.

MS. PITKA: Thank you, Sue, for your
Regional Advisory Council comments. Does anybody have
any questions for Sue Entsminger right now.

(No comments)

MS. PITKA: Hearing none, can we go to
Orville Lind with the tribal, Alaska Native Corporation
comments, thank you.

MR. LIND: Thank you, Madame Chair.
Board members. Orville Lind, Native Liaison for the
Office of Subsistence Management.

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.

Thank you, Madame Chair.

MS. PITKA: Thank you very much
Orville. And does anybody have any questions for
Orville.

(No comments)

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.

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.

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
potential gains achieved through a three day harvest report. More importantly is our response to poor weekly sonar counts through restrictions in up river fisheries, if needed, to achieve escapement goals. That is, the information provided by a three day harvest report would still lag behind the sonar counts and would only provide a more effective post-season information source with no added benefit for conservation, this would -- and a large burden on the users.

Again, we oppose this proposal.

Thank you.

Oh, and, sorry, Madame Chair, for the record if there are detailed questions about management and data collection, I do have the area biologist, Mark Somerville available if needed.

Thank you.

MS. PITKA: Great, thank you so much, Mr. Mulligan. Does anybody have any questions for the State of Alaska.

MR. PELTOLA: Madame Chair, BIA.

MS. PITKA: Yes, Mr. Peltola, go ahead.

MR. PELTOLA: Thank you, Madame Chair.

This question would be for Mark, the State in-season manager. If the Federal Program was to make this requirement as proposed to collect this information and it was provided to you, would you use it in in-season management on the Upper Copper?

MR. MULLIGAN: Madame Chair, I think we'd have to unmute Mark Somerville.

MS. PITKA: I believe it's star one to put him in the que.

OPERATOR: Mark, your line is open.

MR. SOMERVILLE: Thank you. This is Mark Somerville, Upper Copper River manager for SportFish Division of Alaska Fish and Game.
So the question is, would we use the data if there was three day or in-season reporting for, specifically, the Federal fishery and as far as in-season management goes, no, I would not. It's much more effective managing off abundance from the comm-- from the sonar. Again, we have sonar counts that are two to three weeks ahead of the fishery actually occurring. In all the fisheries, all permitholders are required to record their date -- their harvest daily. As from an enforcement standpoint, we can check people's permits each day when we're down there working, Troopers can do that, and we can check that. As far as getting information, you know, as to what was actually caught in a specific week, again, it would help us in perhaps managing for the coming years and provide us more information as far as catch and probabilities and so on, but for the most part we would still manage completely off abundance, rather than using any in-season reporting.

MR. PELTOLA: Thank you.

MS. PITKA: Thank you for that answer, I appreciate it.

MR. SOMERVILLE: Yeah, no problem.

MS. PITKA: Are there further questions for the State of Alaska.

(No comments)

MS. PITKA: I believe I heard somebody.

(No comments)

MS. PITKA: Well, hearing no more questions can we go to InterAgency Staff Committee comments, please.

MS. WESSELS: Thank you, Madame Chair.

Members of the Board. For the record this is Katya Wessels. And I'm going to be presenting InterAgency Committee Staff comments on FP21-11.

The ISC appreciates the willingness of Federally-qualified subsistence users to initiate steps to conserve subsistence resources. In the case of Fisheries Proposal FP21-11, which calls for in-season
reporting of salmon harvest within the Upper Copper River district, we do not believe -- the ISC does not believe that it is appropriate to implement such a requirement currently. Such a requirement is not currently in place within the State salmon fisheries in this area and the local State manager has suggested that in-season reporting is not needed for management purposes at this time.

Most up river harvest of salmon is in State managed fisheries and the State management plan does not currently incorporate in-season harvest data. The proposed requirement would place a burden on both Federally-qualified subsistence users and Staff without a clear plan for use of the resulting data in making management decisions. Federal Staff has expressed concern that requiring in-season reporting would erode end of season reporting compliance, which is arguably more important data at this time and the multiple requirements may confuse users. Adding to these user friendly tools for reporting in-season harvest information are not currently available.

The ISC suggests that the Board consider directing the Office of Subsistence Management to explore the possibility of an online reporting system accessible by cell phone or computer that provides for individual user accounts, the ability to see ones permits, to view the status of previous reporting and which can provide automated data summaries. This would reduce the need for Federal Staff to enter individual reports.

If the State were to implement in-season reporting requirements and include such data in their management plan and if user friendly tools were in place to report individual in-season harvest events, reevaluation of the burden on subsistence users could occur through a future proposal.

This concludes the InterAgency Staff Committee comments.

Thank you, Madame Chair.

MS. PITKA: Thank you. Does anybody have any questions right now for the InterAgency Staff Committee.
MR. PELTOLA: Madame Chair, BIA.

MS. PITKA: Yes, Mr. Peltola.

MR. PELTOLA: Thank you, Madame Chair. My question for Katya, is if she's exposed -- has been exposed to the ISC discussion, you mentioned potentially an online reporting system, but also they talk about in the future once options are explored or potentially implemented, what were some of those other additional options for in-season harvest information to be obtained through the Program.

Thank you.

MS. WESSELS: Thank you, Mr. Peltola -- Member Peltola. Since I came on board with the ISC just a little bit ago I was not present when the ISC developed their comment on FP21-11 so I would like to refer to the ISC members that are online currently who can help me to answer Member Peltola's question.

Thank you.

MS. PITKA: Is there a specific ISC member that you'd like to call on.

MR. PELTOLA: So if my memory recalls, is correct, the NPS has the in-season management for the Upper Copper, so I would like to hear from the NPS ISC member.

Thank you.

MS. PITKA: Thank you. Do we have the NPS ISC member on the call.

MR. REAM: Madame Chair. This is Joshua Ream. I am the ISC member for the National Park Service. Could we please have Member Peltola repeat his question.

MR. PELTOLA: Yes, I'd be more than happy to. You know the ISC comment that stood out to me was that potentially support in the future once options are explored. We heard specific mention of an online reporting system but what other options may have been discussed by the ISC which could be implemented in the near future to address in-season harvest.
Thank you.

MR. REAM: Through the Chair. Thank you, Gene, for your question. So we didn't have a lot of discussion at the ISC level about what the specifics of the reporting mechanisms would look like. We hoped that the Office of Subsistence Management and in combination with the InterAgency Staff Committee could explore all of the possible options. We liked the idea of, to whatever extent possible, utilizing any virtual system that could be used, using ones cell phone or a computer with access to the internet, but also recognized that some folks in rural area, and even in urban areas, don't have great access to those tools, so we would have to potentially provide, you know, options for both types of users to report. But we did not have a clear, I guess, vision, as to what the resulting product would look like.

Thank you.

MR. PELTOLA: Thank you, appreciate it.

MS. PITKA: Thank you very much for that answer. Does anybody else have any further questions.

(No comments)

MS. PITKA: Hearing none, that brings us to Board discussion.

(No comments)

MS. PITKA: The floor is open for Board discussion.

(No comments)

MS. PITKA: So if there's no -- not hearing any Board discussion so we move to Board action.

Thank you.

MR. STRIKER: Madame Chair, Park Service.

MS. PITKA: Yes, please go ahead.
MR. STRIKER: Thank you. Well, first of all I sense we must be closing in on that 5:00 o'clock hour, uh, people are getting quiet.

I move that we adopt FP21-11. And if I get a second I'll explain my justification for voting against my motion.

MR. SIEKANIEC: Second, Fish and Wildlife Service.

MR. STRIKER: Thank you. I intend to vote against this proposal. My opposition is consistent with the recommendations of the Wrangell-St. Elias SRC and the Office of Subsistence Management. While I agree in concept with the Eastern Interior and Southcentral Regional Advisory Councils about the need for in-season harvest information, especially given how timely and accurate in-season information about harvest efforts and successes are critically important for well supported and defensible in-season management decisions regarding fisheries in the Upper Copper River, particularly during these years of low runs, like we've experienced in 2018 and 2020, I fundamentally believe that opposing the proposal is justified per Section .805(c)(1), frankly, because there's not evidence that a mandatory three day harvest reporting requirement is the best, or even a good way to collect such information. I think it was well summarized by Mr. Mulligan and particularly given the absence of any kind of user friendly reporting system, you know, in short there's no substantial evidence that requiring this burden would be worth it in terms of the information that we would get out.

I think we also need to recognize if there's a structural bias when we think about systems like this. Rural users are frequently not connected online as some of us are here today and our systems of reporting need to recognize that.

The proposed mandatory requirement tied to every Federal subsistence fishing permit is burdensome and will likely result in a high degree of non-compliance. It also only addresses harvests by Federally-qualified subsistence users who make up a relatively small percentage of the harvesters, again, questioning the validity of the data or the usefulness of the data.
As an alternative, I believe that a better way to collect this information would be through the kind of purposeful program design that some other people have been brainstorming as alternatives to develop in-season estimates of salmon harvest in the Upper Copper River.

This topic has been identified as a priority information need for the Southcentral Alaska region for the Fisheries Resource Monitoring Program in both 2020 and 2022. A similar program has also been developed by the U.S. Fish and Wildlife Service for the Kuskokwim River subsistence salmon fisheries. A program like this could provide data for management decisions designed to address sustainable salmon escapement and to ensure subsistence harvest opportunities are provided. These data are also important for stakeholders who are affected by fisheries management decisions and have a critical stake in the long-term health of the Copper River salmon.

The responsibility for shared stewardship of Copper River salmon necessitates that we all contribute to the best available information to make decisions. And while the intent of this proposal is to generate in-season information about fishing effort and salmon harvest is admirable, I believe that a well designed sampling program would generate the high quality information that we really need with substantially less burden on subsistence users than the mandatory reporting called for in this proposal.

Thank you, Mr. Chair.

MS. PITKA: Thank you very much.

There's a motion on the floor.

MR. STRIKER: Madame Chair, I apologize.

MR. LORD: Madame Chair, this is Ken. May I jump in here real quick.

MS. PITKA: Ken, like Ken Lord.

MR. LORD: Yes.

MS. PITKA: Yes.
MR. LORD: Ken Lord.

MS. PITKA: Okay.

MR. LORD: Just very quickly, I want to remind the Board that .805(c) deference is only required for proposals involving the taking of fish and wildlife. This is not a taking proposal, this is an administrative function that occurs after taking. But while the Board members may decide they agree with the Council, they're not legally mandated to defer to the Council's recommendation.

Thank you.

MS. PITKA: Thank you, Mr. Lord. So we have a motion on the floor with no second.

REPORTER: It was seconded by Fish and Wildlife Service, Rhonda.

MS. PITKA: Okay, thank you very much, Tina.

MR. SIEKANIEC: It was seconded.

MR. SCHMID: This is Dave, I'll call for the question.

MS. PITKA: Thank you, Dave. Can we get a roll call vote, please.

MS. DETWILER: Yes, thank you, the -- this is Sue Detwiler. The motion on the floor is to adopt Fisheries Proposal 21-11 and I will start the roll call with Don Striker, Park Service.

MR. STRIKER: Thank you. I oppose for the lengthy reasons that I gave a few minutes ago.

Thank you.

MS. DETWILER: Yeah, thank you.

Greg Siekaniec, Fish and Wildlife Service.

MR. SIEKANIEC: Thank you, Sue. I oppose for the reasons articulated by Regional Director
Striker. Although, you know, we all recognize information is incredibly important to a decisionmaking process, whether it be in-season but I see the information collection right now would be much more important as a post-season analysis from its significance and I cannot see the utility of it being an in-season management tool at this time. I think some of the options that are being discussed is for a broader information collection has much more utility.

Thank you.

MS. DETWILER: Okay, thank you.

Gene Peltola, BIA.

MR. PELTOLA: Bureau of Indian Affairs has considered Southcentral and Eastern Interior's support for their concerns about -- or their statements about not overly being burdensome in the increased use of the Copper, although we've also heard from Alaska Department of Fish and Game in opposition, the ISC in opposition, OSM in opposition, more so, the Alaska Department of Fish and Game in-season manager said he would not utilize the data if provided to him, did not hear from the National Park Service in-season manager; for those reasons I would have to vote to oppose with the caveat that; one, is the FRMP had called for proposals with regard to krill survey and the in-season harvest that they seriously consider proposals from this region and others throughout the state and I would -- one of the supporters and proponents of this proposal, the Ahtna InterTribal Resource Commission may be in a position to write up a proposal for in-season harvest along the -- not only the Upper Copper, but the Copper as a drainage.

Thank you, much.

MS. DETWILER: Okay, thank you, Gene.

Moving to BLM, Chris McKee.

MR. MCKEE: BLM opposes for the reasons articulated by the Park Service.

MS. DETWILER: Okay.

MR. MCKEE: Thank you, Madame Chair.
MS. DETWILER: Thank you.

Dave Schmid.

MR. SCHMID: Yeah, Forest Service also opposes with the reasons articulated by the Park Service.

Thank you.

MS. DETWILER: Thank you.

Public Member Pitka -- Rhonda Pitka.

MS. PITKA: Yes, I oppose FP21-11 for the reasons articulated by Mr. Striker. And also.....

MS. DETWILER: Okay.

MS. PITKA: .....it would provide a burden on the subsistence user.

Thank you.

MS. DETWILER: Thank you.

Public Member Charlie Brower.

MR. BROWER: I oppose as stated by National Park Service. Thank you.

MS. DETWILER: Okay. Thank you.

Chair Tony Christianson, did you come back online.

(No comments)

MS. DETWILER: Okay, it sounds like not. So unanimous vote. This motion fails, therefore, Fisheries Proposal 21-11 is not adopted. So that conclu -- I believe that concludes action on that proposal, Madame Chair.

MS. PITKA: That does, thank you very much. So we are at.....

MR. BROWER: Madame Chair.
MS. PITKA: Yes.

MR. BROWER: Requesting maybe we should recess until tomorrow morning, or is it up to the Board to continue or not, I'm just asking if we should recess until tomorrow morning.

MS. PITKA: Thank you, very much Member Brower, I do suggest that we recess until tomorrow morning.

MR. STRIKER: Second.

MR. SIEKANIEC: The Fish and Wildlife Service concurs.

MR. SCHMID: Forest Service concurs.

MR. PELTOLA: BIA concurs.

MR. MCKEE: As does BLM.

MR. BROWER: Thank you, everyone, all right, goodnight.

MS. PITKA: Okay, thank you. Goodnight. We'll see you tomorrow at 9:00 a.m.

(Off record)

(PROCEEDINGS TO BE CONTINUED)
CERTIFICATE

UNITED STATES OF AMERICA

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.

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Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 09/16/22