

FEDERAL SUBSISTENCE BOARD
REGULATORY MEETING

VOLUME IV

TELECONFERENCE - ALASKA
JANUARY 29, 2021

MEMBERS PRESENT:

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

Ken Lord, Solicitor's Office

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1 P R O C E E D I N G S
2
3 (Teleconference - 1/29/2021)
4
5 (On record)
6
7 CHAIRMAN CHRISTIANSON: Yes, please, do
8 roll call, Sue, and appreciate that.
9
10 Thank you.
11
12 MS. DETWILER: Okay.
13
14 Don Striker, Park Service.
15
16 MR. STRIKER: Good morning everyone.
17
18 MS. DETWILER: Greg Siekaniec or Vince
19 Mathews, Fish and Wildlife Service.
20
21 MR. MATHEWS: Yes, this is Vince
22 Mathews.
23
24 MS. DETWILER: Thank you, Vince.
25
26 Glenn Chen, BIA.
27
28 MR. CHEN: Yes, Glenn is here, thank
29 you.
30
31 MS. DETWILER: Thank you.
32
33 Chad Padgett, BLM.
34
35 MR. PADGETT: I'm here, thanks, Sue.
36
37 MS. DETWILER: Dave Schmid, Forest
38 Service.
39
40 MR. SCHMID: Hey, good morning, Dave's
41 here and I do have a hard conflict 11:30 to 12:30 so if
42 we're still going, Wayne will be filling in then but
43 I'm on, thanks.
44
45 MS. DETWILER: Thank you.
46
47 Public Member Rhonda Pitka.
48
49 MS. PITKA: I'm here, good morning.
50

1 MS. DETWILER: Morning.

2

3 Public Member Charlie Brower.

4

5 MR. BROWER: Here.

6

7 MS. DETWILER: Chair Tony Christianson.

8

9 CHAIRMAN CHRISTIANSON: Yes, I'm on,
10 Sue, good morning.

11

12 MS. DETWILER: Good morning. So we
13 have eight members here and at the last call we had --
14 from four Regional Advisory Councils we had either the
15 members of the Council or folks acting on behalf,
16 DeAnna Perry acting on behalf of the Council. It's --
17 are there any other Regional Advisory Council
18 representatives who did not sign in earlier today.

19

20 MS. DEATHERAGE: Hey, this is Karen
21 Deatherage. I'm acting on behalf of the Acting Chair
22 for the Western Interior Alaska Council.

23

24 Thank you.

25

26 MS. DETWILER: Okay. And I believe we
27 still have Ben Mulligan and Mark Burch from Alaska
28 Department of Fish and Game on, as well as Ken Lord
29 from Department of Interior, Solicitor's Office. So I
30 believe that is the roll call as we have it right now,
31 Mr. Chair.

32

33 CHAIRMAN CHRISTIANSON: All right,
34 thank you, Sue, appreciate it. Good morning everybody.
35 It's the final day of our Federal Board meeting and it
36 looks like we have one or two agenda items left before
37 us. Appreciate all the hard work yesterday,
38 deliberation and making sure we got all the record
39 straight. All the people who've called in and publicly
40 testified, you know, hats off to you for continuing to
41 serve your people and the resources. And so I just
42 like to always remember that they go hand in hand and
43 appreciate that.

44

45 Before we get started, I know Orville's
46 off today, so I'd like to start the morning with an
47 invocation and if we can just take a moment. We've had
48 a few passings in our community and that's why I've
49 been having to get off and on the last few days as I

50

1 had one of my nephews pass away from cancer at 26 years
2 old, and so I'd just like to extend a moment of silence
3 after my invocation to my local people here that we've
4 been -- we also lost an esteemed elder, and -- we lost
5 three people basically in the community in the last two
6 days and so I just wanted to take a moment of silence
7 after I say a prayer, and just appreciate your
8 patience.

9

10 (Invocation)

11

12 MS. DETWILER: Mr. Chair. Operator,
13 have you brought in -- have you opened up the lines so
14 that the public can hear as well. I'm sorry to break
15 in here.

16

17 OPERATOR: Yes. So I did just want to
18 go ahead and advise everyone that the call is being
19 recorded and if you have any objections you may
20 disconnect at this time. And we will have a public
21 comment session in today's call. If you'd like to have
22 a comment, you may dial star one on your phone to make
23 a comment. And I will go ahead and turn the meeting
24 over, thank you.

25

26 CHAIRMAN CHRISTIANSON: Thank you.

27

28 (Moment of silence)

29

30 CHAIRMAN CHRISTIANSON: And so that
31 concludes the mourning stuff, let's go ahead and get
32 started with the order of business today. And at the
33 beginning of each day we provide an opportunity for the
34 public to call in and speak to non-consensus agenda
35 items. And so we'll start the day with that and so,
36 Operator, again, if there's somebody who would like to
37 be recognized online, now is the time.

38

39 Thank you.

40

41 OPERATOR: Thank you. This will be a
42 public comment session. If you would like to make a
43 public comment, you may dial star one, unmute your line
44 and record your name, it is required to introduce you.
45 If you would like to withdraw the comment you can dial
46 star two. Again, star one to make a comment.

47

48 (Pause)

49

50

1 OPERATOR: Just one moment for those to
2 come through.
3
4 (Pause)
5
6 OPERATOR: And a comment here will come
7 from Rick Smeriglio, your line is now open.
8
9 MR. SMERIGLIO: Good morning. My
10 comment was for an agenda item and I thought that would
11 come later in the proceedings.
12
13 CHAIRMAN CHRISTIANSON: Yes, were you
14 calling for the nonrural to testify then?
15
16 MR. SMERIGLIO: Yes, sir, I was.
17
18 CHAIRMAN CHRISTIANSON: Okay. We could
19 recognize you then if you wish to be recognized then.
20
21 MR. SMERIGLIO: At this time.
22
23 CHAIRMAN CHRISTIANSON: Well, I would
24 entertain both, if you want to do it now or if you're
25 going to come back and do it during that, then I would
26 say maybe during that time would be best.
27
28 MR. SMERIGLIO: I'd rather do it when
29 it's best so I guess I'll just withdraw.
30
31 CHAIRMAN CHRISTIANSON: Okay. To make
32 sure we don't miss you, again, what was your name?
33
34 MR. SMERIGLIO: Rick Smeriglio, I live
35 in Moose Pass.
36
37 CHAIRMAN CHRISTIANSON: Okay, Rick.
38 We'll make sur that you're available and we're going to
39 jump right into that after the testimony this morning
40 so it shouldn't be more than I'd say 20 or 30 minutes.
41
42 Any others online that would like to be
43 recognized at this time for nonconsensus agenda items
44 -- or nonagenda items, sorry.
45
46 (Pause)
47
48 CHAIRMAN CHRISTIANSON: Operator, were
49 there any other.....
50

1 OPERATOR: And I do have.....

2

3 CHAIRMAN CHRISTIANSON:testimony
4 from the public online?

5

6 OPERATOR: I do see Charlene Stern.
7 Charlene, your line is now open.

8

9 MS. STERN: Thank you. Can you hear me
10 okay?

11

12 CHAIRMAN CHRISTIANSON: Yep, loud and
13 clear.

14

15 MS. STERN: Okay. Thank you, Chairman,
16 members of the Board and agency Staff. I would like to
17 especially thank the public members who provide
18 insight, knowledge and accountability while being
19 under-funded and un-supported by the Program, my hats
20 are off to them. And an early Happy Birthday also to
21 Board Member Rhonda Pitka.

22

23 My name is Charlene Stern. I am
24 originally from Arctic Village. I am an enrolled
25 tribal member of the Native Village of Venetie tribal
26 government, and I'm also serving as Vice President of
27 Tanana Chiefs Conference.

28

29 I am here today to respectfully offer
30 testimony on the operations of the Federal Subsistence
31 Management Program and the Federal Subsistence Board,
32 whose daily activities and decisions significantly
33 impact our tribal citizens, our communities and our
34 well-being. Our Hunting and Fishing Task Force, Ben
35 Stevens, Bruce Irvine, and Brooke Woods have also
36 testified on behalf of TCC and I recognize their
37 contribution.

38

39 The TCC region covers an area of
40 235,000 square miles in Interior Alaska, which is equal
41 to about 37 percent of the entire state. We encompass
42 six subregions including the lower Yukon subregion, the
43 upper Kuskokwim subregion, the upper Tanana subregion,
44 the Yukon Flats subregion, the Yukon/Koyukuk subregion
45 and the Yukon/Tanana subregion. Within our six
46 subregions are 37 Federally-recognized tribes and 42
47 tribal communities. We are charged at TCC with
48 advancing tribal self-determination and enhancing
49 regional Native unity. We provide many services while
50

1 also balancing traditional Athabascan and Alaska Native
2 values with modern demand. We work towards meeting the
3 health and the social service needs of our tribal
4 members and beneficiaries throughout the region. TCCs
5 vision is for healthy, strong, unified tribes and our
6 mission is to provide a unified voice in advancing
7 sovereign tribal governments through the promotion of
8 physical and mental, education, socio-economic
9 development and the culture of the Interior Athabascan
10 people.

11

12 Alaska Native hunting and fishing
13 practices, including the harvesting and sharing of
14 fish, game and other resources and the ceremonies which
15 accompany those practices are essential to the social,
16 cultural, spiritual and economic well-being and
17 survival of Alaska Native people. Alaska Natives have
18 served as stewards of their traditional lands and
19 resources maintaining healthy and productive ecosystems
20 for thousands of years. We maintain the belief that
21 human beings are an integral part of natural
22 functioning ecosystems and not separate from them.
23 Maintaining a balance in population dynamics have
24 always been a critical element of traditional
25 management practices.

26

27 I want to especially mention and give a
28 thank you for the protection of our traditional sheep
29 hunts in the Arctic Village Sheep Management Area.
30 During your regular meeting last year, there was action
31 taken, and we really commend that action, and thank you
32 for it, we had several of our young hunters this fall
33 do a successful hunt of sheep. And seeing the photos
34 and the joy and the pride that it brought to them to be
35 able to successfully harvest sheep and feed our elders
36 was one of the most amazing things that I will never
37 forget. And so, you know, this action really
38 demonstrated, I think, the ability of the Federal
39 Subsistence Management Program and the Federal
40 Subsistence Board to really meet the intent of ANILCA,
41 Title VIII, and we thank you.

42

43 We also want to thank you for acting on
44 the special request for the Organized Village of Kake,
45 that they may provide for their food sovereignty.
46 Again, this demonstrated the ability of the Federal
47 Subsistence Management Program and the Federal
48 Subsistence Board to meet the intent of ANILCA, Title
49 VIII, and, again, I thank you for that.

50

1 We are disheartened that due to legal
2 manoeuvring from the State your hands were tied in
3 acting on other decisions and we hope with the new
4 Administration that this is quickly remedied. We also
5 hope that you are taking swift action on developing the
6 necessary criteria to consider future SARs as you
7 directed OSM last summer and that you are consulting
8 with tribal governments in doing so.

9
10 Both of these actions demonstrate two
11 issues we find critical to the protection of our ways
12 of life, to the Federal Subsistence Management Program
13 and the Federal Subsistence Board meeting the intent of
14 ANILCA, Title VIII.

15
16 First, I want to mention that the level
17 of engagement in the Federal Subsistence Management
18 Program and the Federal Subsistence Board by the State
19 of Alaska remains of significant concern. As we all
20 are well aware the State is currently suing you all in
21 an effort to question and limit the authority that you
22 hold, yet at the same time they have levels of
23 engagement and authority within your Program that
24 tribal governments are not afforded. They sit on the
25 InterAgency Staff Committee, they sit at the table with
26 you, they are able to pull proposals off the consensus
27 agenda, and as we heard yesterday, they are deferred to
28 when taking action on regulatory proposals. There was
29 always the understanding that the State would work in
30 good faith to find a path forward to meet the intent of
31 ANILCA, Title VIII and assume subsistence management in
32 Alaska. In over three decades, the State of Alaska has
33 made no change to comply with Federal law, as a result
34 we are left with a broken dual management system that
35 disenfranchises our tribal citizens and turns our
36 hunters and fishers into criminals for feeding our
37 families, and it fails to meet the Federal trust
38 responsibility that each of your agencies have to
39 Federally-recognized tribes.

40
41 Today, we specifically request that the
42 current MOU with the State of Alaska be shared with
43 tribal governments and that tribal governments are
44 afforded a seat at the table in the negotiation of any
45 future MOUs. This MOU has a direct impact on our
46 tribal governments and by Federal policy we have a
47 right to a seat at the table.

48
49 Second, the Federal Subsistence
50

1 Management Program and the Federal Subsistence Board
2 must improve the relationship with tribal governments.
3 It is clear that some of the proposals under
4 construction have not received adequate consultation
5 from tribal governments that would be significantly
6 impacted. We wholly and support and appreciate Mr.
7 Orville Lind, this is not the work of one individual
8 and he is woefully under-supported and under-Staffed.
9 This is not acting in good faith and we look forward to
10 more clarity of exactly how the Department and the
11 Board are currently implementing this policy. It is
12 challenging for our remote tribes to continually
13 monitor the proposed changes that could affect our
14 traditional territories and our ways of life and then
15 stretch limited funds and Staff to attend these
16 meetings. We do not have the resources of the Federal
17 or the State government.

18
19 This brings us to a key takeaway and it
20 has been clearly displayed year after year and meeting
21 after meeting that tribal governments hold the
22 knowledge and ability to adequately steward our tribal
23 citizens and critical resources that provide for our
24 people. Although we have seen no movement in taking
25 seriously uplifting this role and voices of tribal
26 government within Federal subsistence management, those
27 whom we know clearly Title VIII of ANILCA was intended
28 to provide for. After decades of Federal Subsistence
29 management, we see no development or implementation of
30 ANILCA .809 agreements or Indian Self-Determination
31 Education and Assistance Act, Title IV agreements to
32 create more effective implementation of a program for
33 Alaskans. This is a failure. The time is now.

34
35 So at this time I just want to also
36 mention that the RAC, many of them are vacant, OSM
37 positions are vacant, there is a failure to meet the
38 intent of Title VIII of ANILCA and a failure of the
39 Federal agencies to enforce Federal subsistence fishing
40 regulations. The Secretary recognized this failure in
41 2010 and little has changed. We are thankful for Chief
42 Rhonda Pitka and Elder Charlie Brower, but they, alone,
43 cannot change the system. We urge you to take
44 seriously the request to enter into ANILCA .809
45 agreements and Title IV self-governance agreements to
46 implement Federal Subsistence Management Programs. We
47 are exhausted by the roadblocks and we ask you to help
48 us, let us help you.

49
50

1 We know that our globe, our nation, our
2 state faces a global pandemic. We know that Alaska is
3 leading the way in response to vaccinations. We have
4 no doubt that this is due to the leadership of Alaska
5 Natives, the Alaska Native Tribal Health Consortium and
6 the resources that we leverage and bring to the table
7 in the state. This should be an example, a model, a
8 demonstration of our capacity and commitment to
9 excellence and to a healthy stronger future for
10 Alaskans.

11
12 We urge the Board to actively work and
13 enter into agreements with us as tribal governments, to
14 push your agencies and your department to do so. We
15 urge you to see us as equal partners and act and a
16 solution.

17
18 In closing, TCC offers an invitation
19 for Board members to coordinate village visits to
20 better be able to understand the impacts of your
21 decisions on the people of the Interior. TCC urges the
22 Board and the Office of Subsistence Management to
23 adequately implement your adopted Tribal Consultation
24 Policy which would allow us to address many of our
25 longstanding issues that continually come before you.
26 Together, in respectful consultation, we are more
27 likely to develop solutions that we can all advance.

28
29 And, with that I want to just say Mahsi
30 Choo again, and that is the end of my testimony.

31
32 Thank you.

33
34 OPERATOR: And the next comment here
35 will come from Karen Linnell. Karen, your line is now
36 open.

37
38 MS. LINNELL: Good morning, this is
39 Karen Linnell, Ahtna InterTribal Resource Commission
40 representative of eight Ahtna tribes in the Copper
41 River Basin, and two ANCSA corporations in the Ahtna
42 region.

43
44 I just wanted to thank the Board for
45 your diligence and hard work. Again, looking forward
46 to seeing some of the -- although it's a minor change,
47 but there -- that you took our request under
48 consideration yesterday with the fish proposals, and,
49 again, just thank you. I know it's not an easy job
50

1 that you have and wanted to express my thanks for the
2 action taken yesterday.

3
4 Although we didn't get everything that
5 we asked for it is a step in the right direction.

6
7 We look forward to working with you
8 folks again and seeing you in person sometime in the
9 near future, Lord's willing, and that's all I have for
10 this morning.

11
12 Thank you, so much.

13
14 CHAIRMAN CHRISTIANSON: Thank you.

15
16 MS. LINNELL: And, Anthony, I just
17 wanted to say I'm so sorry for your life. I know it's
18 really difficult at this time to be able to try to
19 comfort one another when you can't get in the
20 proximity, it's just changed so much for everyone, and
21 we feel for you and we are saying prayers for peace and
22 comfort for you all.

23
24 Thank you.

25
26 CHAIRMAN CHRISTIANSON: Thank you,
27 Karen, I really, truly appreciate that. And it
28 definitely is a struggle at this time to go through our
29 proper protocols and definitely there's a whole level
30 of disconnection happening all around but I see promise
31 and hope and light at the end of this tunnel, and thank
32 you for your good words and recognition of the Board's
33 work in the past few days. Thank you, Karen. And also
34 appreciate your diligence and staying the course for
35 the people and the resource.

36
37 Operator, is there anybody next that
38 would like to be recognized?

39
40 OPERATOR: Yes. So the next comment
41 here comes from Brooke Woods, your line is now open.

42
43 MS. WOODS: Good morning, can you hear
44 me okay?

45
46 CHAIRMAN CHRISTIANSON: You got the
47 floor, Brooke.

48
49 MS. WOODS: Great. First off I'd like
50

1 to say thank you, Chair, and members of the Board for
2 putting in so many days for the meeting.

3
4 The one thing that I do want to mention
5 is I'm extremely disappointed that FSB and the Yukon
6 River Panel were scheduled for the same time. One of
7 our most valuable Yukon River Panel members is also on
8 the Federal Subsistence Board and her presence was
9 dearly missed. And I would also like to say Happy
10 Birthday to Rhonda.

11
12 So before I start I just want to let
13 you know my name is Brooke Woods, I'm from a very small
14 village on the Yukon River and I am representing myself
15 today. So between serving on the Yukon River Panel and
16 trying to listen in to the Federal Subsistence Board
17 there are some things that I would like to say that
18 were very concerning for me. The vacancies at OSM.
19 The RAC appointments, we have highly qualified and
20 willing, traditional fishermen and hunters. And also I
21 do not understand why several RAC members were not
22 reappointed. And I feel like that's falling on deaf
23 ears and there's no accountability there.

24
25 As you all know this spring we
26 experienced the global pandemic and we are still very
27 much in the global pandemic. And during that time many
28 tribes had requested the opportunity to provide for
29 their communities. Shortly after that our summer
30 season started and we needed to be able to harvest our
31 king salmon and our chum and they did not come. And I
32 really encourage you all to participate in the weekly
33 YRDFA call. They were devastating, heartbreaking,
34 frustrating when you hear a grown man pleading and
35 crying because he cannot fish and he does not
36 understand what is going on.

37
38 Another thing that I have noticed and
39 heard is agency -- upper level agency members saying
40 why do these people live in these villages if life is
41 so hard but I would like to let -- remind you and let
42 you know that these are the most beautiful places in
43 the world. And you may vacation in Hawaii but I go
44 home to my village in Rampart and it is the most
45 beautiful place there. So it might be fighting words
46 for those listening and those on the Board but I just
47 want to reiterate that our traditional territories are
48 where are where our roots are and our hearts, our
49 culture, our people and if you do not understand that
50

1 you need to go out into the village. And I really
2 encourage Ben Muller [sic] and Chad Padgett, Greg
3 Siekaniec, to put yourself in many tribes' position.
4 You are out there and it's a pandemic, you and the rest
5 of the community do not have access, affordable access
6 to commercial food and the State has told you, no, you
7 cannot have an emergency hunt during a pandemic. And
8 we called the grocery store where food prices are
9 inflated, and we called the airline, there's no
10 disruption, and you're waiting for your king salmon to
11 come and they don't. And like many people on the Yukon
12 River, when there's no king salmon you wait for the
13 chums and the numbers are so devastating there is
14 absolutely no opportunity to get chum.

15
16 So as you may all be aware the State
17 denied 12, I believe 12 villages the right to provide
18 for their communities. Doug Vincent-Lang said there
19 are not surplus harvestable animals to open these hunts
20 without jeopardizing future hunt opportunities. I
21 mentioned that our traditional territories are the most
22 beautiful places but they are also places that have
23 provided for our people for 10,000 years and there will
24 be no tribes that take the last animal and there will
25 be no tribe that jeopardizes any resource.

26
27 From there many, many tribes went to
28 the Federal Subsistence Board requesting the
29 opportunity to provide for their tribes and when you
30 look at the language 36 CFR 242.19 it says provide all
31 necessary authority to the FSB to take immediate action
32 on emergency special requests and provide for the
33 intent of ANILCA, Title VIII. And in an emergency
34 situation, if necessary, to ensure the continued
35 viability of fish and wildlife populations and to
36 continue subsistence use of fish and wildlife or for
37 public safety reasons, the Board may immediately open
38 or close public lands for the taking of fish and
39 wildlife for subsistence uses or modify the
40 requirements to take for subsistence use. And when you
41 look at Alaska Fish and Game laws and regulations, they
42 read 5 AAC 92.400, emergency taking of game. Nothing
43 in 5 AAC prohibits a person from taking game for food
44 during a closed season in case of dire emergency as
45 defined in 5 AAC 92.990. If it is reasonably possible
46 to do so, the person taking game under this section
47 shall salvage all edible portions. And when you look
48 at the definitions, a dire emergency need, a situation
49 in which a person is in a remote area; check; if
50

1 involuntarily experience an absence of food required to
2 sustain life; check; well beyond able to perform the
3 functions necessary for survival leading to a high risk
4 of death or serious and permanent health problem if
5 wild game is not immediately taken or consumed, you
6 will never find a tribal member that gets to that
7 point, but do we need to get to that point to be able
8 to provide for our community.
9

10 And prior to the pandemic happening, we
11 -- I, myself, was preparing for Board of Game, and I
12 was reading the ADF&G Staff analysis in preparation for
13 Board of Game and I found a very large number of
14 harvestable surplus documented for several of the
15 communities that requested hunts.
16

17 I want to thank Federal Subsistence
18 Board for providing the traditional hunt for the
19 Organized Village of Kake. I know many residents from
20 Kake, I saw the photo, I saw the sharing and passing
21 out of that food. And when you look at the court
22 documents there is one section that says the Organized
23 Village of Kake is a Federally-recognized Indian Tribe
24 with the power of self-governance and jurisdiction over
25 its tribal citizens and such subsistence resources.
26 Now, when I'm participating in Federal Subsistence
27 Board, many of the agencies are silent on this
28 situation or saying thank you for suing me, and there's
29 no accountability, especially for those SARs that were
30 paused. So I really push you to have these
31 conversations and understand how incredibly important
32 these requests were to many villages and, you know,
33 these situations are more dire. I explained how
34 devastating the salmon run was and the lack of those
35 emergency hunts to provide healthy nutritional,
36 traditional foods for our people.
37

38 I would like to read out ANILCA Section
39 .804 which you all likely should know by heart with the
40 work that you do but I'll briefly just read a few
41 points. Customary and direct dependence upon the
42 population as a mainstay of livelihood; local residency
43 and availability of alternate resources are some of the
44 things that really stick out forme.
45

46 And, .801, the continuation of the
47 opportunity for subsistence uses for rural residents of
48 Alaska, including both Native and non-Native.
49
50

1 The situation in Alaska is unique, in
2 that, in most cases no particular alternative means are
3 available to replace the food supply and other items
4 gathered from fish and wildlife, which supplies rural
5 residents dependent on subsistence uses. Continuation
6 of the opportunity for subsistence uses of resources on
7 public and other lands in Alaska is threatened by the
8 increasing population in Alaska with resulting pressure
9 on subsistence resources by sudden decline in the
10 population of some wild species which are crucial
11 subsistence resources by increasing accessibility of
12 remote areas containing subsistence resources. These
13 are just some real opportunities for you to meet the
14 needs of our people out that depend on these resources.
15

16 And when you look at the Indian Self-
17 Determination and Education Assistance Act, as amended
18 Public Law 93.638, tribal government purposes promote
19 the sovereignty of Federally-recognized tribes, tribal
20 government services carry out this policy by supporting
21 and assisting Indian tribes in the development and
22 maintenance of strong and stable tribal governments
23 capable of administering quality programs and
24 developing economic of their respective communities.
25

26 When I look at this and I read these
27 out to you, these are real opportunities for you to
28 work directly with tribes if you're unable to do it
29 yourself. I look forward to working with Holly
30 Carroll, she's been on the river, she understands the
31 need and the continuation of this friendship that we
32 have developed with her, and I look forward to
33 implementing self-governance with her.
34

35 Another tool that the State of Alaska
36 may not be aware of is the policy on government to
37 government relations with the Federally-recognized
38 tribes of Alaska. This policy articulates and
39 reenforces a government to government relation between
40 the State of Alaska, Fish and Game, Boards of Fisheries
41 and Game, and the Federally-recognized tribes in Alaska
42 through consultation on significant matters of mutual
43 concern. These are very beautiful words to me. This
44 policy, the Department and the Boards are committed to
45 consulting with tribes in Alaska as early in the
46 Department's decisionmaking process as practical and is
47 permitted by law prior to taking action or undertaking
48 activities that significantly or uniquely affect a
49 tribe or tribes. There is one section that says inter-
50

1 Department cooperation. The Department will work
2 cooperatively with other State and Federal agencies to
3 accomplish the goals and responsibilities of this
4 policy, request for consultation determined to be out
5 of the Department's purview will be referred to the
6 appropriate "see contact" of another State Department.
7

8 And before I close I would like to say
9 President Biden has released a memorandum of tribal
10 consultation and strengthening of nation to nation
11 relationships. Indian tribes and Alaska Native Tribe
12 nations are sovereign governments recognized under the
13 Constitution of the United States, treaties, statutes,
14 executive orders and court decisions. He says, it is
15 my priority of my Administration to make respect for
16 tribal sovereignty and self-governance, commitment to
17 fulfill Federal trust and treaty responsibilities to
18 tribal nations and regular, meaningful and robust
19 consultation with tribal nations, cornerstones of
20 Federal Indian Policy. The United States has made
21 solemn promises to tribal nations for more than two
22 centuries, honoring these commitments is particularly
23 vital now as our nation faces crises related to health,
24 the economy, racial justice, and climate change, and
25 these are all things that harm Native Americans.
26

27 If you would like a copy of this, feel
28 free to reach out to me, my email is
29 blwoods@alaska.edu.
30

31 And, with that, I would like to thank
32 you so much for letting me testify in front of you
33 today and I look forward to reinstating the importance
34 that you have there together as so many agencies with
35 good work ahead of you and tribes that are really
36 depending on you, but also have to uphold their
37 traditional ways of life, they can never be taken away.
38 And when I look at the struggle of our tribes today, I
39 feel the pain that my great-grandmother had during the
40 assimilation period and I just wish that things would
41 be better, we are all equal governance. We are all
42 human. We come from different backgrounds, but we are
43 all here together and I really look to you to honor so
44 many of our tribes that are needing you today and in
45 the next 100 years.
46

47 Thank you so much for your time.
48

49 CHAIRMAN CHRISTIANSON: Hello. Thank
50

1 you, did that conclude your testimony?

2

3 OPERATOR: Excuse me, we do have
4 another comment here and that comment will come from
5 Mary Peltola.

6

7 CHAIRMAN CHRISTIANSON: Okay. And,
8 before Mary gets on, I just wanted to say I appreciate
9 you calling in and expressing, you know, what ANILCA is
10 and having that in-depth knowledge and sharing that
11 with us here today, so it's always good to recap on
12 that and then also to share the struggle that you have
13 out there, because the struggle is real and we hope we
14 can get back on track to providing that meaningful
15 role, both for the rural user and, us, as the Federal
16 Board, to provide for the needs of rural Alaskans and
17 so just appreciate you taking the time to call in and
18 present as you did.

19

20 Thank you.

21

22 And, then, Operator, I'll just go ahead
23 and move on to Mary Peltola, and welcome you to the
24 Board. Mary.

25

26 MS. PELTOLA: Thank you, Mr. Chairman.
27 Can you hear me?

28

29 CHAIRMAN CHRISTIANSON: Yes, hear you
30 loud and clear, and hope you're having a Happy New
31 Year.

32

33 MS. PELTOLA: Okay. Thank you so much.
34 And condolences to the people in Hydaburg and Prince of
35 Wales for your losses.

36

37 Thank you Mr. Chairman and members of
38 the Board. My name is Mary Peltola. I'm the Executive
39 Director of the Kuskokwim River InterTribal Fish
40 Commission. This morning I want to speak about the
41 State's lawsuit against the Federal Subsistence Board.
42 But before I do that I want to thank the Federal
43 Subsistence Board for the special meeting conducted on
44 May 1st of 2020, which did Federalize the Kuskokwim
45 River by a 5/2 vote. It really saved the chinook run
46 this summer and I want to speak to that in my comments.

47

48 Recent litigation initiated by the
49 State of Alaska against the Federal Subsistence Board

50

1 contends that there are negative impacts of Federal
2 subsistence management on non-Federal subsistence uses.
3 What is omitted in this discussion is the fact that the
4 total estimated annual harvest of fish and wildlife in
5 Alaska, only .9 percent is harvested under State and
6 Federal subsistence hunting and fishing regulations.
7 An even smaller percentile is provided by Federal
8 subsistence harvest. And I want to say that again, of
9 all the total harvest of fish and game in Alaska, .9,
10 less than one percent, is subsistence harvest on State
11 and Federal lands. And I'd be very curious to know
12 what the actual, you know, infindecimal percentage is
13 of Federal harvest on Federal land for subsistence
14 uses.
15

16 We, the Kuskokwim River InterTribal
17 Fish Commission therefore contend that the impact of
18 Federal subsistence management has very negligible
19 impacts on commercial, sport and recreational fishing
20 and hunting activities. Federal subsistence management
21 is not about recreation or a family vacation, trophy
22 hunting or fishing, Federal subsistence management is
23 literally creating an efficiency of harvest, feeding
24 our families and ensuring food security. Other options
25 to replace our nutritional, economic, cultural and
26 spiritual dependence on the fish and wildlife outside
27 of our traditional territories do not exist. And I
28 think that the Ahtna Executive Director -- the Ahtna
29 InterTribal Resource Commission Executive Director,
30 Karen Linnell, spoke to this very well yesterday when
31 she talked about not being able to just move to another
32 river. It's very much the same way with folks on the
33 Kuskokwim. Even though we live in the Yukon/
34 Kuskokwim/Delta, there is not much back and forth
35 between our rivers, we are tied to the places where we
36 know how to fish, where we feel like that's, you know,
37 our setnet site, or our harvesting locations. Recent
38 correspondence also suggests that the Federal
39 Subsistence Management Program puts at risk the
40 sustainable management of fisheries and wildlife in
41 Alaska because of actions by the Federal Subsistence
42 Board. These complaints about the impacts to Federal
43 subsistence management on the health and sustainability
44 of Federal decisionmaking also fail to recognize the
45 detrimental approaches promoted by the State of Alaska
46 on the Kuskokwim River.
47

48 In May of 2020, the Department of Fish
49 and Game recommended opening subsistence chinook salmon
50

1 fishing on the Kuskokwim for 24 hours every other day
2 without taking into consideration the large amount of
3 uncertainty associated with their 2020 preseason
4 forecast. In both 2019 and 2020, Fish and Game's
5 forecasts were off by 100,000 chinook salmon. In 2019,
6 the preseason forecast that Fish and Game published
7 underestimated the chinook run by 73 percent, as
8 100,000 more chinook returned than were forecasted. In
9 2020 Fish and Game's preseason forecast over estimated
10 the return by 100,000 chinook, which is about 100
11 percent error based on the preliminary data resulting
12 in a much lower escapement than desired by the Fish
13 Commission and only four 12 hour fishing opportunities
14 during the chinook season occurred, and we still came
15 in under our escapement goal of 110,000. The 2020 Fish
16 and Game preseason forecast also predicted an average
17 return of chum, while in fact the 2020 chum run was one
18 of the lowest on record. Without the actions of the
19 Federal Subsistence Board regarding chinook and the
20 cooperative in-season management between the Refuge and
21 the InterTribal Fish Commission Fish and Game would
22 have once again failed to meet the drainage-wide
23 chinook salmon escapement goal. And their bottom end
24 is only 65,000 chinook and that's success to them.
25 That would have repeated the disastrous State of Alaska
26 management of the 2013 Kuskokwim River season in which
27 the escapement was only 37,000 chinook. Instead
28 Federal subsistence management of the 2020 chinook
29 season resulted in a much more sustainable management
30 regime that would not have occurred if the State of
31 Alaska managed the Kuskokwim River fishery.

32
33 We further want to address the
34 protections afforded to rural Alaskans under the Alaska
35 National Interest Lands Conservation Act, ANILCA, are
36 not weight-based. Section .801 specifies that the
37 cultural and social aspects of subsistence are provided
38 for the Alaska Native and non-Native rural residents
39 alike. The term used while providing a subsistence
40 preference is, "Federally-qualified user" and pertains
41 to all people who have lived in the harvest area for at
42 least one year and intend to remain in the harvest
43 area. On the Kuskokwim River many of the proponents of
44 the special action request to the Federal Subsistence
45 Board are non-Native, as many of you know, who are
46 Lamont Albertson and Dave Cannon, the Kuskokwim River
47 InterTribal Fish Commission, as our name suggests is a
48 tribal consortium, however, three of our tribally
49 appointed fish commissioners have been non-Native. On
50

1 the Kuskokwim River there are longtime residents that
2 harvest salmon resources who's families integrated from
3 Korea, Taiwan, Albania, Macedonia, Poland, and
4 elsewhere. We have people from across the country that
5 share in our way of life -- we have people from across
6 the country that share in our way of life. All people
7 living in rural Alaska are welcomed and encouraged to
8 harvest wild foods including during times of
9 conservation.

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Furthermore, promises made to the Alaska Natives by the United States Federal Government to protect hunting and fishing rights associated with Alaska statehood, Alaska Native Claims Settlement Act and ANILCA continue to be broken. The Secretary of Interior has been given broad authority by Congress to reserve lands and waters in Alaska to protect food sovereignty and food security of the Federally-recognized tribes in Alaska.

And, you know, the other thing I want to mention is that we did submit -- we didn't, but a member of the -- a stakeholder from the Kuskokwim, Lamont Albertson, submitted a special action request in June to the Federal Subsistence Board regarding chum salmon and, again, it was a disastrous year for chum salmon, the OSM Staff indicated to the Board members that if the special action request was not acted upon that ANILCA, you know, the job that you're supposed to be doing under ANILCA would be broken, and it didn't happen. And, interestingly, the Refuge manager that we had at the time, your Federally-appointed in-season manager promoted us fishing for 50,000 more fish before we even really knew -- could assess all the indices, the in-season indices that revealed that it was 100 percent off of the prediction and -- you know the forecast prediction, he really wanted to open it up and hand it back to the State and, luckily, you know, thank God, Nick Smith, who was the acting area manager -- who is the area manager for the Kuskokwim on the State side, he chose to keep the run closed after seeing how bad the return ended up being, and he actually kept the river closed until, I think, the 9th, 8th or 9th of July, which is extremely late but it really shows the direness of the situation of the actual run return compared to the forecast. So I just really want to thank the members who voted to Federalize the chinook run last summer, it made all the difference.

1 I do continue to have concerns that
2 there is entirely too much deference and concern and
3 almost an obsession with what the State thinks and
4 feels, when clearly the Federal Subsistence Management
5 Program and the way that the State prioritizes its uses
6 are not in compliance with one another. The State's
7 actions are not in compliance with the Federal law.
8 And to hear the Solicitor for the Federal Subsistence
9 Board at the beginning of the meeting say the State is
10 actually doing us a favor by suing us is very alarming.
11 And I'm surprised no one else, especially members of
12 the Board, would take contention with the State is
13 doing us a favor. The State is not doing the Federal
14 Subsistence Board or the Federal Subsistence Program,
15 or Federal subsistence users any favors. And this was
16 -- we're actually talking about two moose and five
17 deer, and some of the deer are only as big as a large
18 dog. I mean some of those deer don't have a ton of
19 meat on them, so, you know, I just don't think that
20 people really understand that no favors are being done
21 while the Federal Subsistence Board is caught up in
22 litigation, it's essentially a waste of time, because
23 everyone here knows that the Federal law supersedes
24 State law in every case.

25
26 So thank you very much for your time,
27 Mr. Chairman, and Happy New Year.

28
29 CHAIRMAN CHRISTIANSON: All right,
30 thank you, Mary, appreciate that and taking the time to
31 call in and express the concerns from the region and to
32 help us understand the position out there. Any
33 questions from the Board.

34
35 (No comments)

36
37 CHAIRMAN CHRISTIANSON: All right,
38 thank you, Mary, and wish the best to you guys out
39 there. Operator, anybody else who would like to be
40 recognized at this time online.

41
42 OPERATOR: Thank you, yes. So we do
43 have another comment from Adolf Lupie, your line is now
44 open.

45
46 MR. LUPIE: Good morning, Chairman and
47 Federal Subsistence Board. Adolf Lupie from
48 Tuntutuliak, I'm a tribal member for recognized tribe
49 of Tuntutuliak Native. And I am a representative for
50

1 Kuskokwim InterTribal Commission for two years now.
2 And I am in support the two ladies before me that made
3 a testimony, it's a heartfelt, eloquently speaking out
4 for me. And I'm happy that the Board is listening and
5 hearing and I hope you ask what we're doing.

6
7 Tuntutuliak, whenever there's a
8 regulation that's changed, or fishing season open, we
9 announce it to the village there will be no fishing
10 today, use the restriction meshes, please abide by
11 them. We are conserving fish. And there were 32
12 commissioners in Kuskokwim and our theme was working
13 together and we are all working together.

14
15 And just last week there was
16 announcement, do not hunt caribou, caribous are
17 declining. Those who hunt every year, please do not
18 hunt this year. Please comply with the conservation.
19 And we did.

20
21 And the most thing that all through the
22 pandemic we experience that when they were closed to
23 moose hunting, if somebody here, our grocery stores,
24 they are closed, please do not come in and some days in
25 bad weather we're low on food and when we want to hunt
26 the regulation says we cannot hunt, it's restricted,
27 even you are Native you cannot hunt. And I think on
28 here in my generation it's my domain throughout the
29 generation why cannot I hunt in my domain, I was raised
30 by my father and forefathers. I wasn't raised by Ape
31 and I'm not Tarzan.

32
33 Thank you, and good morning. Please
34 have a good day.

35
36 CHAIRMAN CHRISTIANSON: Thank you. Any
37 questions. We appreciate you taking your time to call
38 in.

39
40 (No comments)

41
42 CHAIRMAN CHRISTIANSON: Operator, would
43 anybody else like to be recognized at this time.

44
45 OPERATOR: Yes, thank you. Next we do
46 have Ben Stevens, your line is now open.

47
48 MR. STEVENS: Thank you, Operator and
49 thank you, Mr. Chair and members of the Board. I
50

1 really do appreciate the opportunity to share with you
2 the perspective from where we come from.

3
4 There are a couple of things I wanted
5 to mention before I have to shift over to another
6 meeting. The Stevens Village Tribal Council is still
7 waiting for that response to their request to gather
8 food. They'd appreciate that response.

9
10 In addition, I would like a response as
11 to how we are going about preparing or satisfying the
12 need for guidance. It's been like almost a half a year
13 now and I think that if there's some guidance being
14 developed is to help -- help us find this straight
15 route to the resources we need for food, then by all
16 means we would be interested in helping you. Moreover,
17 I think as you have seen from our performance in the
18 past, we can help. I mentioned a couple of days ago
19 that when the system requested our help in procuring
20 additional applicants for the RACs, we did. We turned
21 to our folks and we said, you know, we need your help,
22 we need your opinion, you're the real deal, sit down
23 here and help expand our horizons. And from what I
24 understand you received a record number of applicants
25 for those RACs. We helped do that. We can do that
26 type of thing.

27
28 And so we stand ready to help you help
29 us.

30
31 That, Mr. Chairman, is what I can offer
32 at this moment. We're still waiting for those
33 responses. But as I thank you for your time and all
34 your help, I do want to provide just a brief reminder
35 that the subsistence management system is made for us
36 and it just seems to me like we're all -- we tend to
37 get sideways a lot when we hear folks like Ben and Chad
38 talking about making sure that our system adheres to
39 theirs and I do not think that that is the correct way
40 to start a discussion. I think what we need to do is
41 we need to take a look at how can we help the people
42 that this program was designed to help, and not
43 necessarily push them aside so we can sit down and be
44 in alignment with State regulations. And so the
45 deference to the State is, I think, a dangerous thing
46 for us because they're not interested in what is good
47 for us. That is up to us. And so I want to put out a
48 word of caution that that deference is going to get
49 probably weighty in the near future.

50

1 With that, I will, again, thank you for
2 your help, your attention, such incredible amount of
3 time that each and every one of you have had to
4 dedicate to try and help us, and so that is noted and
5 we want to say Mahsi.

6
7 So, with that, I'm finished.

8
9 CHAIRMAN CHRISTIANSON: Thank you, Ben.
10 Appreciate your guys' kind words today and we'll
11 continue to do what we can do to support all of our
12 rural residents. And I also thank you for your personal
13 support, Ben, it goes a long ways brother, Amen.

14
15 Operator, is there anybody else online
16 who would like to be recognized at this time.

17
18 OPERATOR: I am showing no one left in
19 que to be recognized so I will turn the call back over.

20
21 Thank you.

22
23 CHAIRMAN CHRISTIANSON: Thank you. And
24 I just want to say thank you to all the people who
25 called in this morning and testified, that was a very
26 powerful string of people calling in with some really
27 good topics and considerations for the Board here as we
28 look forward to how we do business in the future and
29 also, you know, how we do business with each other and
30 keeping our eyes on the resources that are so important
31 to the people. So thank you all for taking the time
32 this morning to educate this Board and to give us some
33 insight into the lives that you have out there in rural
34 Alaska.

35
36 With that, Sue, we'll move on this
37 morning to the nonrural proposal, RP.....

38
39 MR. BROWER: Mr. Chair.

40
41 CHAIRMAN CHRISTIANSON: Yes, go ahead.

42
43 MR. BROWER: This is Charlie, thank
44 you, Mr. Chair. I'd like to thank the speakers that
45 spoke this morning on behalf of their constituents, Dr.
46 Stern, Brooke Woods, Ben Stevens, Karen Linnell, you
47 guys spoke truly the need for subsistence rights and so
48 on and I appreciate that. So I will continue to work
49 with you guys in the future and things will get better.

50

1 Thank you, Mr. Chair.

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CHAIRMAN CHRISTIANSON: Thank you, Charlie. Appreciate the comments for the people who called in. And any other Board member who wants to make a comment at this time.

(No comments)

CHAIRMAN CHRISTIANSON: All right, thank you for those words, Charlie, and, again, thank you everyone who took the time to call in.

We'll go ahead, Sue, and we'll move on to the nonrural proposal RP19-01, and I'll turn it over to you to call on Staff.

MS. DETWILER: Yep, thank you, Mr. Chair. Robbin LaVine is starting the presentation on that.

MS. LAVINE: Good morning, Mr. Chair. Members of the Board. For the record, my name is Robbin LaVine and I'm an anthropologist with the Office of Subsistence Management.

Today I'm presenting the analysis for nonrural determination Proposal RP19-01 which is a proposal to rescind the nonrural status of Moose Pass, and you can find the analysis on Page 302 of your Board book. And for those of you listening online you can find the Board book on our website. Go to the Federal Subsistence Board tab and click on the meeting materials.

So RP19-01 was submitted by Jeffery Bryden of Moose Pass and he asks the Federal Subsistence Board to consider Moose Pass as rural community, independent of the greater Seward area. Moose Pass was formerly aggregated with Seward as part of the Seward nonrural hub. The proponent argues that Moose Pass is a distinct rural community with its own unique culture and character and should be considered on its own merits, separate from Seward.

Before discussing the proposal, I'll give you a brief overview of the nonrural determination process. You can read a detailed discussion of the rural/nonrural regulatory history starting on Page 305.

1 When the rural determination process
2 was established in 1990 it included a process for
3 aggregating communities that it determined were
4 socially and economically integrated before assessing
5 the community or area for rural or nonrural
6 characteristics. The Board aggregated Moose Pass with
7 Seward in 1990 and, again, during the decennial review
8 in 2000. Both times the Board determined that the
9 Seward area had primarily nonrural characteristics and
10 created Seward a nonrural area, and that map can be
11 seen on Page 306 of your Board book. In 2017 the Board
12 approved a new policy on nonrural determinations, which
13 enables the Board to be more flexible in making
14 decisions and to take into account regional differences
15 found throughout the state. The policy provides
16 guidelines for determining the nonrural status of a
17 community. It's important to note that the new
18 nonrural policy does not provide explicit criteria or a
19 checklist. The text on Page 309 was taken directly
20 from the policy and it shows bold and underlined
21 wording that highlights the guidance upon which this
22 analysis is focused. Specifically the Board will use a
23 comprehensive approach, information provided by the
24 public, information within the administrative record,
25 so meaning testimony and discussions from public
26 hearings, Council and Board meetings, the Board will
27 use evidence and considerations presented in the
28 proposal, the discretion to modify the geographical
29 extent of the area and most importantly, confirmation
30 from the Regional Advisory Councils that relevant
31 information accurately describes the unique
32 characteristics of the effected community or region.

33
34 Because both the policy and Council
35 guidance highlight the importance of information
36 provided by the public, the analysis incorporates
37 public testimony provided at the public hearing and the
38 Southcentral Regional Advisory Council meetings from
39 the fall of 2019. In addition to public testimony, the
40 analysis relies on State technical papers and reports
41 and local historical accounts.

42
43 Throughout this presentation, I will
44 refer to the Moose Pass area. For the purpose of this
45 analysis the Moose Pass area is inclusive of the Moose
46 Pass census designated place, or CDP, the Crown Point
47 CDP and the Primrose CDP. The proposal, as written,
48 identifies just the Moose Pass CDP as the area for
49 consideration. Residents from Crown Point CDP and
50

1 Primrose CDP have expressed interest in being
2 considered in the proposal as residents of the Moose
3 Pass community, which many say is broader than the
4 Moose Pass CDP.

5
6 So now I'm going to go present the
7 proposal and analysis.

8
9 The proponent describes the area for
10 consideration as extending from Mile 25 to Mile 37 of
11 the Seward Highway. He explains that south of Mile 25
12 has a different postal code and a separate electrical
13 service than north of Mile 25, and that no one lives
14 north of Mile 37 until the start of the Sterling
15 Highway. The proponent asserts that under the new
16 Federal Subsistence Board's nonrural policy Moose Pass
17 will qualify as rural. He writes that Moose Pass
18 residents rely upon fishing and hunting and they gather
19 natural resources from the Forest Service lands that
20 surround the area. These Federal lands limit
21 population growth and have allowed the community to
22 keep the rural feel and culture that drew him to the
23 area in the first place. The proponent argues that
24 because Forest Service lands are open to subsistence
25 harvest activities Moose Pass residents should be
26 eligible to harvest local resources as Federal
27 opportunities allow.

28
29 So on Page 304 you can see Figure 1,
30 and that's a map of Federal lands in Unit 7.

31
32 If you turn to Page 313 you will find a
33 map of the Moose Pass area. The milepost markers
34 stretch along the Seward Highway from Milepost 37 to
35 Milepost 15.5, which marks the Snow River Hostel, and
36 the last structure in the Primrose CDP, there are
37 approximately eight miles of uninhabited road
38 stretching between the Snow River Hostel and the first
39 Seward-connected settlement within the southern portion
40 of the Bear Creek CDP. Importantly you'll notice that
41 the shaded yellow area describes the proposed Moose
42 Pass community boundary in the original proposal.

43
44 So now I want to draw your attention to
45 the section, the extent of the Moose Pass community and
46 it's midway on Page 311.

47
48 Some Council members and residents of
49 the Moose Pass area, from the public hearing, requested
50

1 the Board consider an extension of the geographic
2 definition of the community, to include residents that
3 live within the boundaries outlined in the original
4 proposal. The public hearing in Moose Pass was
5 attended by 46 people. 12 people provided public
6 testimony. 6 of those people were from the Moose Pass
7 CDP, 5 were from the Crown Point CDP and one person
8 provided testimony who was a resident of the Primrose
9 CDP. Most public testimony at the hearing indicated
10 that a sense of community among the residents is more
11 broad and inclusive and that residents of Primrose and
12 Crown Point CDPs are considered and consider themselves
13 part of the Moose Pass community. The analysis also
14 reviewed documents from local organizations, clubs,
15 commissions as well as preliminary research conducted
16 by UAA graduate student, Christine Brummer. All
17 sources indicate that the Moose Pass community is
18 expansive and inclusive of residents living from
19 Milepost 15 of the Seward Highway to Milepost 37, or
20 the Y, and in some cases beyond, some people said to
21 Summit Lake at Milepost 45.

22
23 The Moose Pass has its origins in the
24 development phase of the early Gold Rush period on the
25 Kenai Peninsula during the early 1900s and was part of
26 an important mining district.

27
28 On Page 314, Table 1 describes the
29 Moose Pass area population from all three CDPs since
30 1990. The population of the entire area is 391 people
31 and demonstrates relative stability of the area
32 population over the recent years.

33
34 At the bottom of Page 316 is a section
35 Moose Pass as a rural community. Based on policy and
36 Council guidance a valuable assessment of the status of
37 Moose Pass as rural comes from the community itself.
38 All 12 people who provided testimony defined their home
39 as rural and described a community and way of life that
40 relied heavily on hunting and fishing, was defined by
41 limited amenities and services and emphasized the rural
42 character of their community as something that they
43 valued and looked to protect.

44
45 Beginning on Page 318 is the section
46 use of wild resources. In this section, use of wild
47 resources is demonstrated through public testimony,
48 subsistence surveys, and ADF&G permit harvest reports.
49 All sources demonstrate consistent harvest and use of
50

1 wild foods by residents under the opportunities
2 available to them. And public testimony captured the
3 value of being able to gather firewood and food from
4 the lands bordering their homes.

5
6 At the bottom of Page 319 is the
7 section communities with rural status in Southcentral
8 Alaska. There are numerous communities in areas within
9 Southcentral Alaska that are designated as rural under
10 Federal regulations. In this analysis we seek to
11 understand Moose Pass in comparison to communities with
12 rural status on the Kenai Peninsula. Nonrural
13 communities are included in these comparisons to
14 provide context for identifying the threshold between
15 rural and nonrural communities in the immediate area.

16
17 And now for the effects of this
18 proposal.

19
20 If this proposal is adopted residents
21 of Moose Pass will be able to hunt and fish under
22 Federal regulations that are inclusive of all rural
23 residents. However, it's not guaranteed they will
24 qualify for all harvest opportunities on Federal lands
25 in their region. For that to occur the community will
26 need to submit customary and traditional use proposals
27 for fish and wildlife species in their area.

28
29 If this proposal is not adopted, the
30 status of Moose Pass will remain nonrural and residents
31 can continue to hunt and fish under State of Alaska
32 regulations.

33
34 The OSM conclusion is to support
35 Proposal RP19-01 rescinding the nonrural determination
36 for Moose Pass with a modification to define the
37 community of Moose Pass as encompassing the Moose Pass,
38 Crown Point, and Primrose census designated places.

39
40 The justification is as follows:

41
42 Moose Pass shares experiences and
43 characteristics similar to other Southcentral rural
44 communities. Public testimony, harvest surveys and
45 harvest reports demonstrate consistent participation in
46 hunting and fishing opportunities. All residents
47 providing testimony described the importance of wild
48 foods in their diet and home and as a main reason for
49 living in their community. Moose Pass has limited

50

1 local amenities and a geographic isolation that can
2 hamper access to important hub communities with
3 critical services during extreme weather events.
4 Residents point to a lack of local amenities, services
5 and businesses as a key distinguishing feature between
6 their community and the nearest nonrural hub of Seward.
7 Significantly, Moose Pass is surrounded by Federal
8 public lands upon which residents rely for most of
9 their wild harvest. Residents consistently mentioned
10 these lands as bordering their properties, providing
11 resources and contributing to the rural character of
12 their community.

13
14 Finally, public testimony and available
15 sources indicate that the community of Moose Pass
16 extends beyond the boundaries described in the original
17 proposal. It is important to note that half of the
18 public testimony that describes Moose Pass as rural and
19 that helps identify the unique characteristics of the
20 area was provided by residents from Crown Point and
21 Primrose.

22
23 Thank you, Mr. Chair. Members of the
24 Board. I am ready to take any questions.

25
26 CHAIRMAN CHRISTIANSON: Thank you,
27 Robbin, appreciate that. Any questions from the Board
28 for Robbin.

29
30 MS. PITKA: This is Rhonda.

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

34
35 MS. PITKA: Yes, I just wanted to thank
36 you for your really thorough analysis on this proposal.
37 I appreciated reading how clearly it was laid out.
38 That was excellent, thank you. I definitely used all
39 this information.

40
41 CHAIRMAN CHRISTIANSON: Thank you. Any
42 other questions from the Board.

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

46
47 CHAIRMAN CHRISTIANSON: Go ahead, Greg,
48 you have the floor.

49
50

1 MR. SIEKANIEC: Thank you. Yeah,
2 Robbin, thanks for the very thorough presentation. And
3 can you remind me, has there been any communications
4 between the original applicant of this who had
5 recommended that it was the Moose Pass area in regards
6 to this proposal? And why I'm asking is the addition
7 of the Primrose and the Crown Point, is that -- did the
8 applicant -- have you had any discussions with the
9 original applicant regarding that?

10
11 MS. LAVINE: Thank you. Through the
12 Chair. Mr. Siekaniec. The proponent of this proposal
13 is aware of the OSM recommendation to modify the
14 original proposal. I believe he's online and can
15 actually speak to your question but it's my
16 understanding that he could speak to what he understood
17 his boundaries to be and that was the original Moose
18 Pass CDP.

19
20 MR. SIEKANIEC: Okay.

21
22 MS. LAVINE: Again, that's something
23 that he can potentially provide information on.

24
25 MR. SIEKANIEC: Thanks. Thank you,
26 Robbin. And then just maybe an addition to that is I
27 see the Regional Advisory Council also is recommending
28 to stay with the original proposal, I wonder if they
29 are on as well to provide some thoughts.

30
31 Thank you, Mr. Chair.

32
33 CHAIRMAN CHRISTIANSON: Greg, we will
34 run through the full spectrum of proposals before us
35 and so we will continue to provide opportunity of
36 summary of public comment as well as open the floor for
37 public testimony and call on our Regional Advisory
38 Council Chairs.

39
40 MR. SIEKANIEC: Okay. All right, thank
41 you, Mr. Chair.

42
43 CHAIRMAN CHRISTIANSON: In fact, that's
44 the next order of business so once the Staff is done
45 we'll open up the floor for summary of public comment
46 and then I would entertain at that time anyone online
47 that wants to get on and speak to this proposal. And
48 so, I'll call on the request for summary public
49 comment.

50

1 MS. PERRY: Good morning, Mr. Chair and
2 members of the Board. This is DeAnna Perry, Council
3 Coordinator for the Southcentral Regional Advisory
4 Council. We did receive one written public comment on
5 this issue on January 4th of this year from Lisa
6 Lipetzky. It's my understanding that Ms. Lipetzky had
7 intended on reading her comment or providing a summary
8 of her written comments to the Board herself. I know
9 she was online yesterday afternoon to do that but not
10 sure if she's on this morning. So since this was the
11 only public comment received, you could perhaps move on
12 to public testimony and see if she's available. If not
13 I would leave it to the Board if you all would like me
14 to read her comment on the record.

15

16 Thank you.

17

18 CHAIRMAN CHRISTIANSON: Is she online
19 Operator, if she is online would you please clear her
20 line.

21

22 OPERATOR: Yes, if you would like to
23 speak, please dial star one with your name so I can
24 open up your line for your comment. Thank you.

25

26 (Pause)

27

28 OPERATOR: And I do not see Lisa
29 opening up her line so I will turn it back, thank you.

30

31 CHAIRMAN CHRISTIANSON: Thank you.
32 I'll ask that you read it into the record then, please.

33

34 MS. PERRY: Thank you, Mr. Chair.
35 Again, this is a written comment from Lisa Lipetzky to
36 the Southcentral anthropologist and the Southcentral
37 Council Coordinator received January 4th.

38

39 I am not entirely sure who to email
40 regarding the Moose Pass proposal but I had reached out
41 to Christine Brummer, whom we interviewed with and she
42 suggested I start here. Please forward my comments and
43 concerns as appropriate or let me know whom I should
44 reach out to.

45

46 I have to say that as a member of the
47 Moose Pass community, but a physical resident of Crown
48 Point, after a very promising start to this process it
49 has become confusing, frustrating and discouraging.

50

1 Here's why.

2
3 After reading the draft Staff analysis,
4 I initially felt like those of us who live in a Moose
5 Pass community but are in Crown Point to Primrose areas
6 who testified were, in fact, listened to and clearly
7 the boundaries of the original proposal were wrong.
8 The wide breadth of research put into this proposal
9 from history, subsistence, socio-economics, school use,
10 postal and fire service, Moose Pass Sportsmen Club
11 bylaws, et cetera, makes it clear as day to everybody
12 that we are all a part of the Moose Pass community and
13 that the separate CDPs used for nonrural determination
14 were fundamentally flawed from the start.

15
16 So we were very unhappy to read at the
17 end of the draft document -- or I'm sorry, let me
18 scratch that -- so we were very happy to read at the
19 end of the draft document OSM preliminary conclusion to
20 support Proposal 19-01 with modification to define the
21 community of Moose Pass as accompanying the Moose Pass,
22 Crown Point and Primrose census designated places.

23
24 Imagine my astonishment later listening
25 to the Southcentral Regional council meeting in October
26 2020, I was flabbergasted at the statements by the
27 Council members at the end of the discussion stating
28 that they would not consider expanding the proposal
29 boundaries to include Crown Point or Primrose and that
30 Crown Point should have written our own proposal. Even
31 more of a shock was some of the comments from the RAC
32 saying things like I would love to give Moose Pass
33 their nonrural determination but I don't know what I
34 would vote in favor of the other communities, I haven't
35 really given that any thought -- wait, what, so many
36 folks from Crown Point to Primrose participated in
37 meetings, phone calls, written comments and even in-
38 depth interviews to support the rural determination
39 but, also, correct, the original proposal to reflect
40 our actual community boundary. It had been brought up
41 repeatedly by many people. Did the Southcentral RAC
42 even read the incredibly thorough, well researched OSM
43 draft Staff analysis that was readily available before
44 their meeting? We were told the boundary could possibly
45 be modified when the process began and proceeded
46 through the public comment period under the idea that
47 there was still a chance to correct the proposal.

48
49 To go from reading the OSM draft Staff
50

1 analysis supporting an expanded boundary to then
2 hearing the Southcentral RAC say they hadn't even
3 considered it was like a slap in the place.

4
5 I thought it was great that Jeff
6 Bryden's proposal opened the door to this new
7 discussion for a process that had never been done
8 before. The redetermination of an area from nonrural
9 to rural, he is uniquely qualified to understand this
10 process better than most of the general public as he
11 was a subsistence lawenforcement officer. We figured
12 once the door was open and the proposal was on the
13 agenda, then the public comments would start and that
14 process would clearly show that the Moose Pass rural
15 area doesn't end at Falls Creek like in the initial
16 proposal. Those of us living south of Jeff Bryden's
17 proposed arbitrary Moose Pass boundary thought the
18 folly in defining Moose Pass in such a limited manner
19 would be corrected once public testimony was received
20 and it was brought up as a possibility at the local
21 meeting. Imagine if the tables were turn, if Crown
22 Point had submitted a proposal before a Moose Pass
23 resident, you bet Moose Pass folks would rightfully say
24 that they should be included since we all live in the
25 same area surrounded by National Forest. What
26 precedent would it set if the Council or Federal
27 Subsistence Board did not allow proposals to be
28 modified after scoping/research clearly shows the
29 proposed boundary was not aligned with reality.

30
31 By not allowing modification of the
32 proposal's boundary, because it isn't how the author
33 wrote it or intended it, and leaving out people who are
34 clearly members of the same community is a dangerous
35 precedent and could give an author of any proposal
36 unjustified and arbitrary control over the entire
37 definition of a community.

38
39 I don't believe Bryden had ill-intent,
40 but it certainly could open the door for one person to
41 take advantage of this system.

42
43 Side note. Today I got mail from Moose
44 Pass post office and put my Moose Pass fire department
45 dues in the mail so my home in the Crown Point
46 neighborhood is protected. I am sad Trail Lake Lodge is
47 closed, that is the hub for mingling for everybody no
48 matter what side of Falls Creek you live on, but at
49 least we got to celebrate New Years with our Moose Pass
50

1 community, including Crown Point and Primrose folks, of
2 course, watching fireworks funded by the Moose Pass
3 Sportsmen's Club, a club funded by and open to persons
4 residing within the area of Mile 16 Seward Highway to
5 Mile 50 Seward Highway. Where, in any of my day as a
6 resident just south of Falls Creek does it seem like
7 Crown Point is its own stand-alone entity from Moose
8 Pass. Why would any of us have thought we needed our
9 own nonrural proposal when we are a part of Moose Pass
10 in every other way. The only thing differentiating our
11 community is literally the verbiage in Proposal 19-01.
12 Verbiage we did not see until the proposal was out for
13 public comment and we sure did comment.
14

15 I understand public comments are closed
16 but we have already given comments and it seems like
17 the Southcentral RAC disregarded our comments about the
18 true boundaries of our community and only used Crown
19 Point and Primrose for the intent of showing that Moose
20 Pass is surrounded by rural communities that engage in
21 subsistence activities. How can rural and subsistence
22 use/character of Crown Point and Primrose be used to
23 support Moose Pass' limited boundary bid for the
24 determination but not also show that Crown Point and
25 Primrose should also be classified as nonrural and part
26 of the same community.
27

28 My husband and I have been taking the
29 time to read through documents and try to figure out
30 how to navigate these two different positions between
31 the OSM and the Southcentral RAC, what it all means and
32 what can still be done before the next conference. I
33 simply don't even know what to do, to submit a stand-
34 alone proposal for Crown Point after thinking we would
35 be included in a corrected boundary of the original
36 proposal puts us years behind the rest of our community
37 north of Falls Creek. On top of that does Line (ph),
38 Victor Creek and Primrose need to submit their own
39 proposals, that just seems unnecessary as the research
40 has already been done for this entire area.
41

42 I am not as well spoken or well written
43 as the original proposals author and apologize for
44 being long-winded and redundant. I hope this letter
45 makes sense, why I am confused and looking for
46 guidance. When Proposal 29-01 is officially voted on,
47 will it consider the expanded boundaries or not? Can I
48 request it officially be amended, aligned with OSM's
49 findings and suggestion? The long and the short is, is
50

1 there anything left we can do to ensure Crown Point and
2 Primrose are still being considered for a rural
3 determination at the same time as Moose Pass before the
4 meeting at the end of January. Knowing that
5 Southcentral RAC already heard our comments and still
6 dismissed them during their October meeting is why I
7 feel like I need to reach out and ensure the OSM and
8 Southcentral RAC that Crown Point and Primrose are
9 still paying attention, are very concerned, and
10 disagree with dividing our community. Any advice,
11 guidance or help, please let me know.
12

13 Again, that's from Lisa Lipetzky, who I
14 believe had intended reading this into the record
15 yesterday afternoon.
16

17 Thank you.
18

19 CHAIRMAN CHRISTIANSON: Thank you,
20 appreciate that written comment. Any questions from
21 the Board.
22

23 MS. PITKA: This is Rhonda.
24

25 CHAIRMAN CHRISTIANSON: Rhonda, you
26 have the floor.
27

28 MS. PITKA: Yeah, so is her comment
29 addressed by the OSM conclusion? That was my only
30 question. Thank you.
31

32 MS. LAVINE: Mr. Chair, this is Robbin.
33

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

37 MS. LAVINE: Yes, thank you, Rhonda and
38 Mr. Chair. If -- if -- well, the OSM conclusion is
39 recommended to define the community of Moose Pass as
40 inclusive of all three CDPs and so that would include
41 Lisa's CDP of Crown Point. And I think that the
42 comment was generated out of concern after the
43 Southcentral Regional Advisory Council gave its
44 recommendation on supporting the proposal as written.
45 And so from what I understand the Southcentral Regional
46 Advisory Council and I'm sure you'll hear their
47 recommendation shortly did recognize the community of
48 Moose Pass as rural, but was concerned about expanding
49 the definition of the community and decided to support
50

1 the proposal as written.

2

3 Thank you.

4

5 CHAIRMAN CHRISTIANSON: Thank you,
6 Robbin. Any other questions from the Board.

7

8 MS. PERRY: Mr. Chair, this is DeAnna
9 Perry again. I just wanted to let everyone know that I
10 just received a text from Ms. Lipetzky and she advises
11 she is on the line so if the Board does have further
12 questions she should be available.

13

14 Thank you.

15

16 CHAIRMAN CHRISTIANSON: Thank you,
17 DeAnna, appreciate that. If I hear no more questions
18 from the Board I will open up the floor for public
19 testimony and entertain her at this time if she wishes
20 to speak to it or any questions fielded from the Board
21 to her. So, Operator, can you make her line available,
22 please.

23

24 OPERATOR: Yes, Lisa, your line is now
25 open. And as a public comment, if you would like to
26 make any comment you can dial star one to make a
27 comment and star two to remove a comment. Again, star
28 one.

29

30 (Pause)

31

32 OPERATOR: And we do have a comment
33 here from Christine Brummer, your line is now open
34 Christine.

35

36 MS. BRUMMER: Hi. I just wanted to
37 remind the Board that I gave public testimony yesterday
38 morning thinking that you guys were going to actually
39 get to the Moose Pass proposal yesterday. But I have
40 today off so I am online and if you have any questions
41 I'm here and I just wanted to remind you about that the
42 speech that I gave you so that you guys could take what
43 I had to say into consideration.

44

45 Thank you so much.

46

47 CHAIRMAN CHRISTIANSON: Thank you. And
48 appreciate you being able to call in today to follow
49 your testimony. Any questions from the Board.

50

1 (No comments)

2

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CHAIRMAN CHRISTIANSON: All right. Hearing no further questions from the Board, I'll ask if there is any other people on the line, Operator, that would like to be recognized at this time.

OPERATOR: Yes, thank you. The next comment here will come from Rick Smeriglio, your line is now open.

MR. SMERIGLIO: Good morning, Mr. Christianson -- Mr. Chair that is, and members of the Board. My name is Rick Smeriglio, I live in Moose Pass and I live in that Crown Point area about one-half mile south of the boundary that's outlined in RP19-01.

And before I go any farther I would just like to acknowledge that we're talking about Kenaitze territory here. I am not a member of the Kenaitze Tribe and I do not speak for the Kenaitze but I would like to respectfully acknowledge that the lands where I hunt are Kenaitze territory.

So the reason I'm calling in is to support rural determination for Moose Pass and I guess that's properly rescinding the nonrural determination. But I also favor that OSM modification of RP19-01, which would then include my neighborhood and well beyond. I think the description of Moose Pass and the analysis that you got in your packet are very accurate and they're very fair, extremely detailed. I enjoyed reading it. I've lived here for 34 years and I certainly learn things by reading the analysis of OSM.

I do have to disagree, though, with ADF&G's conclusion to not find us rural just because we're similar to Seward. We're also similar to Hope and Cooper Landing and both those small communities have been found rural and I think we're probably more similar to Hope and Cooper Landing in terms of population, in terms of our rural lifestyle and the general traditions.

But all that demographic stuff aside, I'd just like to say that Moose Pass is more than a place name, it's more than a census district, we are a distinct community and we have a great reliance on the subsistence resources. And for that reason I urge you

1 to vote in favor of RP19-01 and especially the OSM
2 modification of it, which would then include the whole
3 population of what I call Moose Pass.

4
5 Thank you very much for your time. I
6 know you've put in a lot of it today and I know it's
7 been a long three days, and that's the end of my
8 comment.

9
10 Thank you, again.

11
12 CHAIRMAN CHRISTIANSON: Thank you for
13 calling in. Appreciate you calling in and adding your
14 support for your proposal for us to consider here. Any
15 questions from the Board.

16
17 (No comments)

18
19 CHAIRMAN CHRISTIANSON: All right,
20 hearing none. We'll ask the Operator, is there anybody
21 else online who would like to be recognized at this
22 time.

23
24 OPERATOR: Yes, thank you. We do have
25 Bruce Jaffa, Bruce your line is now open.

26
27 MR. JAFFA: Thank you. Through the
28 Chair and the Board. I appreciate the opportunity to
29 speak in favor of RP19-01, the correction and
30 reclassification of rural status of the Moose Pass
31 community and the OSM conclusion of broader
32 interpretation of three CDP area boundaries.

33
34 For an initial submission to a very
35 complex Federal process, a small area may have been
36 selected, but should now be expanded to include the
37 full Moose Pass community. As a long time resident we
38 have typically considered the area from Mile 18 to the
39 Y at Mile 37 to be the Moose Pass area. Our issue is
40 much less complex than many of those that you've
41 reviewed over the last few days and I am impressed by
42 the knowledge and effort of so many speakers who have
43 presented to your Board. I have listened over the last
44 few days and I'm impressed by the time and effort
45 involved.

46
47 I am a member of the Kenai Mountain
48 Turnagain Arm Heritage Area and I'm aware of the stark
49 activities that include the indigenous population in
50

1 this area. They participated with the earlywestern
2 explorers, hunters and miners. This area just didn't
3 spring out of nowhere, there was a historical presence
4 here of many, many people for generations, centuries.
5

6 I spoke to your Board in 2019 and
7 several years before, both times in favor of the
8 reclassification, not much has changed over the years
9 except we are all getting older. My wife and I have
10 lived for 45 years at Milepost 36 of the Seward Highway
11 after moving from a dry cabin in Cooper Landing. We
12 settled here only 10 years after the 1964 Earthquake.
13 The State Highway has been improved but not enough to
14 shrink the distance to any town, commercial store or
15 gas station. We truly are remote in every sense of the
16 word rural.
17

18 The opportunity to use local fish and
19 game resources has always been important, never more so
20 than during the current times. The report before you
21 compares resource consumption in Moose Pass to the
22 remote communities of Nanwalek and Port Graham. Due to
23 geographic realities this is not a fair comparison.
24 Other examples of rural communities such as Cooper
25 Landing support our status as rural, substantial,
26 practical and regular access to supplies and stores may
27 be a truer test. As an example, incorrectly using data
28 I point to the current Chugachmiut Health Clinic in
29 Seward that provides services to many people on the
30 Kenai Peninsula and Prince William Sound communities
31 and is seriously considering an expansion in Seward.
32 Certainly the use of this care facility does not and
33 would not diminish the accuracy of rural residency of
34 anyone who may live in Port Graham or Chenega or
35 elsewhere across Alaska. Likewise, the mere proximity
36 of Moose Pass to Seward should not be overly used as a
37 criteria to evaluate our rural status. There is no
38 central water system here, no police, only a local
39 volunteer fire company, local neighbor to neighbor
40 boards provide community guidance and support.
41

42 As a striking separation of
43 communities, the Covid pandemic has put a light on
44 things as never before. When Seward initially
45 considered closing the town along the highway, airport
46 and harbor to nonresident travel, Moose Pass was
47 excluded -- was on the excluded side of the issue. At
48 that time my freezer with stored food, including fish,
49 game and berries looked even more important. Rarely
50

1 have we been more clearly presented as independent of
2 Seward, on our own and rural. In every sense Moose
3 Pass is rural, deserves subsistence recognition as
4 that.

5

6 I appreciate your time and
7 consideration and I'm available for questions as
8 needed.

9

10 CHAIRMAN CHRISTIANSON: Thank you for
11 your articulated point of view and if there's any
12 questions from the Board now is your time to ask them.

13

14 (No comments)

15

16 CHAIRMAN CHRISTIANSON: All right,
17 hearing no questions, again, thank you for calling in
18 and sharing your life and experience down there in
19 Moose Pass and hopefully things continue to improve out
20 of this pandemic.

21

22 Operator, is there anyone else online
23 who would like to be recognized at this time.

24

25 OPERATOR: Yes, thank you. Next up we
26 will have Hope Roberts, Hope, your line is now open.

27

28 MS. ROBERTS: Good morning Federal
29 Board and Staff. Thank you, again, for letting me
30 speak this morning. I'm Hope Roberts. I live in
31 Valdez. I am an employee at Chugach Regional Resources
32 Commission as their intertribal liaison for Federal
33 subsistence outreach. We represent seven Chugach
34 communities -- Native communities, which are, Chenega,
35 Eyak, Port Graham, Nanwalek, Qutekcak, Tatitlek and
36 Valdez.

37

38 We -- oh, first (In Native) Rhonda
39 Pitka, Happy Birthday.

40

41 And, with that, we ask you to support
42 FP19-01 designating Moose Pass as a rural community
43 independent from the greater Seward area. There are
44 registered members of the Qutekcak Native Tribes who
45 reside in areas that would be considered rural under
46 this new determination. Supporting this rural
47 determination would allow these citizens to practice
48 their customary and traditional harvest near their
49 home, a right denied them under current regulations.

50

1 Staff consulted with Qutekcak about this proposal and
2 received their Councils full backing to provide
3 official Alliance testimony in support of this
4 proposal. Unit 7, where Moose Pass is located is
5 surrounded by Federal lands with 78 percent of land in
6 the unit being Federal and over 50 percent of that land
7 eligible for subsistence by Federally-qualified users.
8 A favorable rural determination would open new
9 opportunities for tribal citizens and other residents
10 of this area to hunt and fish near where they live.
11 Currently Federally-qualified subsistence users from
12 elsewhere on the Peninsula and the state can harvest on
13 Federal lands surrounding Moose Pass but Moose Pass'
14 nonrural determination denies residents the ability to
15 hunt, fish and gather food in their own backyard.
16

17 Originally Moose Pass and the nearby
18 areas of Primrose and Crown Point were combined with
19 Seward's population to create the Seward nonrural area.
20 Moose Pass is sufficiently separate from Seward and
21 should be considered as its own community upon being
22 considered for rural determination. This is supported
23 by the fact that Moose Pass has its own utilities,
24 school, post office, store and other services separate
25 from Seward and relies on the Alaska State Troopers for
26 law enforcement like other rural areas around the
27 state. The population and use of wild foods also makes
28 it more similar to other Kenai Peninsula communities
29 with a rural determination such as Cooper Landing and
30 Ninilchik than larger populations such as Homer
31 providing further evidence to support a rural
32 designation is the Alaska Department of Fish and Game's
33 2003 subsistence survey that estimated 99 percent of
34 households in Moose Pass, Crown Point and Primrose used
35 wild foods and 92 percent of households participated in
36 harvest. This high percentage of users of wild food is
37 like other rural communities in Alaska.
38

39 From the Chugach regional villages that
40 I am representing today.
41

42 Quyana, Federal Subsistence Board and
43 Staff for your time.
44

45 Questions are welcome, thanks.
46

47 CHAIRMAN CHRISTIANSON: Thank you.
48 Thank you for taking the time to call in and provide
49 your point of view, any questions for Hope.
50

1 MR. SIEKANIEC: Mr. Chair, this is
2 Greg.
3
4 CHAIRMAN CHRISTIANSON: Greg, you have
5 the floor.
6
7 MR. SIEKANIEC: Thank you. Yeah,
8 thanks for that testimony. I just wanted to confirm
9 that when you refer to the Moose Pass area you are also
10 including Primrose and Crown Point within that?
11
12 MS. ROBERTS: I believe I did, yes,
13 sir.
14
15 MR. SIEKANIEC: Okay, thank you very
16 much.
17
18 CHAIRMAN CHRISTIANSON: Thank you. Any
19 additional questions.
20
21 (No comments)
22
23 CHAIRMAN CHRISTIANSON: All right,
24 thank you, Hope. Operator, was there anybody else
25 online who would like to be recognized at this time.
26
27 OPERATOR: Yes, thank you. The next
28 comment here will come from Willow Hetrick, Willow your
29 line is now open.
30
31 MS. HETRICK: Hi, Mr. Chair, members of
32 the Council. Can you hear me?
33
34 CHAIRMAN CHRISTIANSON: You got the
35 floor loud and clear.
36
37 MS. HETRICK: All right, thank you.
38 For the record my name is Willow Hetrick. Thanks for
39 allowing me to testify before you today. I am a
40 working professional in the natural resource management
41 arena, a Board member of the Kenai Mountain Turnagain
42 Arm National Heritage Area, which is always a mouthful,
43 and an avid participant in managing (indiscernible)
44 grant applications on behalf of Moose Pass Chamber of
45 Commerce and the Moose Pass public library.
46
47 My family moved to Moose Pass from
48 Prince William Sound so that myself and my siblings
49 could go to an actual school. My parents chose Moose
50

1 Pass because of its small town feel, where people take
2 care of their neighbors, where their kids can grow up
3 living off the land and where they can provide for
4 their family. Now my entire family are proud
5 homeowners in Moose Pass. I harvested my first moose in
6 Abernathy Creek drainage along the Resurrection Pass
7 trail and several years later I harvested my first
8 caribou in that very same drainage with my husband. I
9 was able to harvest all of those animals through luck
10 of the draw in the State system. My family catches
11 fish on the Russian River. We pick berries and harvest
12 plants all over the Chugach National Forest. And Moose
13 Pass is just surrounded by a majority of Federal lands
14 and it's a special place that I now share with my two
15 children.

16
17 In 1990 after my family moved to Moose
18 Pass, this very Board used an arbitrary aggregation to
19 exceed the population thresholds of Seward. I was five
20 years old. 10 years later, the Alaska Department of
21 Fish and Game visited Moose Pass to conduct their very
22 first comprehensive harvest assessment of wild
23 resources in the area. What are the most important
24 resources according to this study, while similar to
25 other communities that are considered rural, salmon,
26 wild plants and land mammals. These are the same
27 resources that are neighboring rural communities are
28 harvesting under the Federal system. The residents
29 that live in Moose Pass today are largely not the ones
30 from 19 years ago that the Alaska Department of Fish
31 and Game surveyed. My generation has aged. We're
32 living, recreating and subsisting off the land. New
33 families have moved in that value that same subsistence
34 lifestyle.

35
36 In 2017 this Board was given the
37 authority to make nonrural determinations using a
38 comprehensive approach, and I'm just going to go
39 through some of those factors.

40
41 Population size was one of those
42 factors, and, indeed, Moose Pass we are small averaging
43 around 250 people.

44
45 Density is another one of those
46 factors, our town encompasses a large area that spans
47 over 30 miles along the road system surrounded by the
48 Chugach National Forest.

49
50

1 Economic indicators are another factor
2 for you to consider. My explanation of our town and
3 its amenities indicate that economic opportunities are
4 few.

5
6 Military presence is another factor, of
7 which we have none.

8
9 Industrial facilities is another factor
10 for this Board to consider, of which we have none.

11
12 Use of fish and wildlife. My previous
13 statistics indicate, you know, and from other folks who
14 have also provided public testimony today indicate that
15 our community, we are subsistence users.

16
17 Another factor for the Board to
18 consider, degree of remoteness. As Mr. Jaffa pointed
19 out, whereas we're not really considered technically
20 remote we are often isolated. And that isolation has
21 happened in my lifetime through avalanches that have
22 shut off the community going both directions for
23 multiple days. Most recently Covid pandemic travel
24 restrictions.

25
26 And one other point I want to make to
27 the Board is about the integration between our
28 community of Moose Pass and other rural communities of
29 Hope and Cooper Landing. I want it to be known that
30 our kids share schools. We share sports. We share
31 sport equipment. We travel between communities to
32 harvest firewood, pick berries, hunt and fish.
33 Community members that live -- there are community
34 members that live and work between all three of the
35 communities. For example, the postmistress in Cooper
36 Landing lives in Moose Pass and a teacher from Moose
37 Pass lives in Hope.

38
39 Our community is in the heart of the
40 Kenai Peninsula. We're surrounded by the Chugach
41 National Forest. I'm sure you're aware that 80 percent
42 of Unit 7, which is considered our hunting area is
43 comprised of Federal land. To get out of Unit 7 we
44 must travel for over 100 miles.

45
46 And, Mr. Chair, thanks for offering me
47 the opportunity to testify today. I urge the Board to
48 pass this rural designation as proposed, however, I
49 would also ask the Board to heavily consider the
50

1 expansion of the boundaries as well. Of course if
2 there are any questions on the expansion of the area,
3 the best thing to do today would be to take the
4 original proposal over nothing. Make no mistake, the
5 lands surrounding the community are essential to our
6 community's physical, economic, traditional and
7 cultural existence. Moose Pass was the original town
8 on the Kenai Peninsula, has kept a consistently small
9 number of residents with limited services and amenities
10 and we deserve a seat at this very table to be able to
11 manage our natural resources along with all of you.

12

13 Thank you.

14

15 I'll take any questions.

16

17 CHAIRMAN CHRISTIANSON: Thank you.
18 Appreciate you calling in today and giving us your
19 perspective on everything. Any questions from the
20 Board.

21

22 (No comments)

23

24 CHAIRMAN CHRISTIANSON: All right,
25 hearing none, thank you for calling in today.
26 Operator, is there anybody else online who would like
27 to be recognized at this time.

28

29 OPERATOR: Yes, next up we will have Dan
30 Migow (ph), Dan, your line is now open.

31

32 MR. MIGOW: Hello, can you hear me?

33

34 CHAIRMAN CHRISTIANSON: Yes, Dan, you
35 have the floor.

36

37 DAN: Okay, thank you. I'm calling in
38 support of modifying this proposal to include the Crown
39 Point and Primrose CDP. I've lived in the Crown Point
40 area for 14 years and I've never had to explain why I'm
41 a part of Moose Pass. Anyone who lives in any of these
42 three CDPs will tell you the community extends to
43 include Crown Point and Primrose.

44

45 Contrary to the submitted proposal, I
46 do have a Moose Pass address. I pay my dues to the
47 Moose Pass Volunteer Fire Department. My P.O. Box is
48 in Moose Pass. Moose Pass dump is even south of my
49 house but here I am defending being part of my

50

1 community. Why Crown Point and Primrose remain
2 separate CDPs is a mystery to me. They're not
3 communities, they are just small subdivisions of Moose
4 Pass, the same as (indiscernible) and Goat Haven
5 Estates to the north. Everything stated in Mr.
6 Bryden's proposal to define Moose Pass as a rural
7 community applies to us because we are the same. The
8 churches, community club, fire department, post office,
9 businesses and schools cited in the proposal that make
10 Moose Pass unique are the same ones that we use and
11 support. We are surrounded by the same Federal land
12 that we depend on for a wide variety of natural
13 resources.

14

15 It's frustrating to have to justify
16 something so inherently known by residents, something
17 that wasn't an issue until this proposal.

18

19 The southern boundary stated in this
20 proposal is arbitrary as it pertains to our community.
21 It doesn't stop at a small creek, there's not even a
22 break in residences there. Further up, the proposed
23 boundary of Falls Creek itself are adopted. At Mile 25
24 it would include some households already within the
25 Crown Point CDP. The proposal also tries to use
26 utility coverage as a defining characteristic of
27 community. Yes, those of us in Crown Point and
28 Primrose are stuck paying Seward for our electricity
29 but everyone else pays Chugach Electric based in
30 Anchorage. It would be ridiculous to say they are part
31 of the Anchorage municipality based on where their
32 bills get paid.

33

34 The proposal as written draws a line
35 through our community. It would create haves and have-
36 nots, a neighborhood gained the privileges of
37 subsistence rights and I wouldn't be able to share the
38 same right just outside my door. There is more than
39 enough testimony, research stating that Moose Pass,
40 Crown Point and Primrose CDPs are all one community to
41 see that it is the case. Please modify this proposal
42 to include our entire community and be a true depiction
43 of Moose Pass.

44

45 And, you know, just to add on to that,
46 you know, I say frustrating but it's kind of a light
47 word. You know it's awkward to have to justify the
48 community you live in. I'd rather be telling the Board
49 about our, you know, the resources we collect and how
50

1 we depend on hunting and fishing but, you know, I'm
2 just trying to be a part of the community right now,
3 you know, without -- Moose Pass is our town center,
4 Crown Point and Primrose is just a handful of houses
5 with really nowhere to call home, you know. So if the
6 discussion is really about the community of Moose Pass,
7 the proposal as submitted it just isn't it, you know,
8 it's dividing our community instead of bringing it
9 together.

10

11 So, again, I urge you to really look at
12 all those materials. Christine Brummer's well done
13 thesis. Public comments. You know everything says
14 we're part of the community and we should be included.

15

16 So please support and modify this
17 proposal to include Crown Point and Primrose.

18

19 Thank you.

20

21 CHAIRMAN CHRISTIANSON: Can you hear
22 me?

23

24 MS. PITKA: Yes.

25

26 CHAIRMAN CHRISTIANSON: Thank you for
27 calling in and testifying, I appreciate that and
28 hopefully we could be inclusive here today as the Board
29 deliberates on this. Operator, is there -- or I mean
30 Board any questions, or Operator who's next online.

31

32 (No comments)

33

34 OPERATOR: All right, the next comment
35 here comes from Jeffery Biden -- or excuse me, Bryden,
36 your line is now open.

37

38 MR. BRYDEN: Can you hear me, Mr.
39 Chairman?

40

41 CHAIRMAN CHRISTIANSON: Yes, Mr.
42 Bryden, you have the floor.

43

44 MR. BRYDEN: Thank you very much.
45 Thank you, Board, for taking the time in considering
46 this proposal. As you can see there's a lot of
47 different feelings and concerns.

48

49 I have been involved in this process

50

1 for a very long time. As a Moose Pass resident for
2 over 25 years. I started going to my first Federal
3 Subsistence Board meetings in 1992. So I've seen how
4 the Board's have worked and how it reacts on different
5 things. In looking at these proposals and putting this
6 together, I specifically wrote the proposal strictly to
7 eliminate possibilities to have it being not
8 considered.

9
10 At this time there are three different
11 CDPs. Moose Pass, the Crown Point and the Primrose. I
12 used the criteria that the Board put together and part
13 of what they used to look at was where is your Post
14 Office Box, where is your electric service coming from,
15 where is the defined boundaries. As I'm trying to show
16 Moose Pass as a community that became a problem, but
17 the CDPs clearly showed a defined boundary for Moose
18 Pass so that's what I used in putting the proposal
19 because I thought it was the cleanest way of doing it.
20 In the past the Southcentral RAC has always said if
21 members are not in that member and they want to be
22 included that they should put a proposal in also, to
23 put it in.

24
25 I have no problem with including Crown
26 Point and Primrose into the mix, the problem I have is
27 if putting them into the mix weakens the case. And if
28 you decide to do that I'd like to see that the vote
29 first go through with Moose Pass by itself, as I
30 proposed it, and if that passes then bring up adding on
31 the additional communities to see how that would go
32 through.

33
34 Having been at the meeting in 2000 when
35 the entire Kenai Peninsula got included, part of the
36 reason that vote was put in was the information that
37 was provided from the Moose Pass residents. Part of
38 what got us moving into this whole thing was the Forest
39 Plan. As I've lived here we've had two different
40 Forest Plans and both of those plans have taken away
41 accessibility to people that live in our area. We used
42 to be able to take ATVs up the Mills Creek Road system
43 in Manitoba, up the Stetson Creek area out in the
44 Resurrection and Snow Rivers. The Forest Plan's taken
45 that away. We used to be able to go up Ress Pass every
46 year on snow machines in the wintertime, that's taken
47 away. We use those areas to be able to get away from
48 other folks and to harvest resources. A lot of the
49 resources we harvest aren't just fish and game, but
50

1 they're berries, they're mushrooms and they're
2 firewood. Right now as you can see on the maps, the
3 Moose Pass community as well as the Crown Point and the
4 Primrose are surrounded by National Forest. Community
5 members from Hope and Cooper Landing can come over to
6 our areas take motorized vehicles go up our closed
7 areas and harvest any of those game they like and the
8 berries, mushrooms and type stuff, bring out the
9 firewood when we're not allowed. That's what I was
10 trying to get us into was to have better access for
11 resources to be able to come in.

12
13 We talked a little bit -- Willow
14 brought up about our coordinations of our schools, we
15 do have Cooper Landing students that go to Moose Pass
16 school. Obviously our history with the school system
17 has members of our students meeting up with the Hope
18 kids and the Cooper Landing kids and going to Alyeska
19 to make a large enough group to be able to get
20 discounts on groups, rates and type, so we have a
21 really good feeling with the other communities.

22
23 I'm just trying to get this proposal to
24 go forward and have it pass and that's my concern.

25
26 Any questions.

27
28 CHAIRMAN CHRISTIANSON: Thank you for
29 taking the time to call. Any questions from the Board.

30
31 MR. SCHMID: Dave Schmid, Mr. Chair.

32
33 CHAIRMAN CHRISTIANSON: Dave, yep, you
34 have the floor.

35
36 MR. SCHMID: Yeah, thanks, Jeff. I
37 appreciate your opening the proposal here. I guess
38 looking forward here, if we were to modify, I think we
39 could go either way as a Board, and I'm getting ahead
40 of things a little bit, but if we were to modify the
41 proposal to include the other communities, and should
42 that fail I would certainly be more than willing to
43 offer another motion to go back and just consider your
44 original. And so that's at least just kind of sharing
45 what I'm thinking and would just like to hear your
46 reaction to that.

47
48 MR. BRYDEN: That would be find with
49 me. Again, we have no concern with adding the other
50

1 residents other than it weakens my original case for
2 trying to put it forward and be appealed.

3

4 MR. SCHMID: Yeah, through the Chair
5 there. Back to Jeff, thank you for that, and I
6 appreciate your openness to the other communities as
7 well.

8

9 Thank you.

10

11 CHAIRMAN CHRISTIANSON: Thank you. Any
12 other questions from the Board.

13

14 (No comments)

15

16 CHAIRMAN CHRISTIANSON: All right,
17 thank you for taking your time to call in today,
18 appreciate that. Operator, is there anybody else
19 online who would like to be recognized at this time.

20

21 OPERATOR: Yes, our next comment comes
22 from Jim Simon, your line is now open.

23

24 MR. SIMON: Thank you, Mr. Chair and
25 members of the Board. My name is Jim Simon. I'm a
26 consultant with the Chugach Regional Resource
27 Commission but today I'm just giving you my personal
28 testimony as a 50-some year old guy who's from the
29 roaded rural areas of Alaska.

30

31 My family grew up in -- I grew up in
32 the Nelchina area and yet we did not live between the
33 road signs identifying Nelchina. My grandparents, my
34 uncle and my aunt's property which was 20 miles from
35 our house, you know, was in a different census
36 designated place and I think that that -- just because
37 a census designated place exists does not make that a
38 community, those census designated place boundaries
39 have changed through time as a way of collecting census
40 information and reporting socio-economic data but they
41 do not define specific communities, in my opinion and
42 experience, having worked for the Division of
43 Subsistence for 14 years where we conducted community
44 surveys largely using census designated places because
45 of the utility in being able to make statistical
46 expansions, sampling design, et cetera. However, I
47 don't believe that there is anything in Federal
48 regulation that requires you to define communities
49 based on census designated places and the issue of the

50

1 post office in this geographic definition of community
2 is problematic. At my family's place in Nelchina, our
3 post office was either Palmer or Glennallen, it shifted
4 through time as the highway corridor postal address.
5 And so I think there is ample testimony that's been
6 provided from the residents of these three census
7 designated places that speak to the community aspects
8 there.

9
10 And I encourage the Federal Subsistence
11 Board to work with the Office of Subsistence Management
12 to really evaluate alternative approaches to looking at
13 community definitions beyond census designated places.
14 This has also been an issue in my home region, in the
15 Copper River Basin in defining communities. And it's
16 very difficult for local people to explain what a
17 community really is when you talk about the social
18 relationships and the sharing and the interactions that
19 occur with people on a distant road system. And there
20 tends to be conflict in how local people define their
21 community and the census designated place
22 determinations made by the U.S. Census Bureau.

23
24 And as one of the previous speakers,
25 Willow, mentioned, there are ample criteria for you to
26 utilize beyond -- in making rural/nonrural
27 determinations and it is much more complicated than
28 just lines on a map and geography.

29
30 Thank you.

31
32 CHAIRMAN CHRISTIANSON: Thank you,
33 appreciate you taking the time to call in today. Any
34 questions from the Board.

35
36 (No comments)

37
38 CHAIRMAN CHRISTIANSON: All right,
39 appreciate that. Operator is there anybody else who
40 would like to be recognized at this time.

41
42 OPERATOR: We have no further comments
43 at this time.

44
45 CHAIRMAN CHRISTIANSON: Thank you. And
46 I appreciate everybody who took the time to call in and
47 share and express the wishes of the area and hopefully
48 we can deliberate here and come out with a positive
49 outcome.

50

1 Moving on, we'll call on the Regional
2 Advisory Council recommendation, RAC Chairs.

3
4 MS. PERRY: Mr. Chair and members of
5 the Board. This is DeAnna Perry, Council Coordinator
6 for the Southcentral Subsistence Regional Advisory
7 Council. Our Chair, Mr. Greg Encelewski is unavailable
8 today and it's my pleasure to speak on his behalf on
9 this matter.

10
11 Robbin did a fantastic job of outlining
12 the process this proposal has taken. Just a few
13 details to reiterate.

14
15 There was a public meeting for input on
16 the rural determination of Moose Pass during the time
17 that the Southcentral RAC was in Seward for its meeting
18 in October of 2019. Several Council members did attend
19 that public hearing. The next day the Council's
20 deliberations on the record when it discussed rural
21 characteristics of the Moose Pass area clearly showed
22 that they appreciated and recognized that many people
23 living in the areas just outside the proponent's
24 proposed boundaries felt that they were a part of Moose
25 Pass and as shown in the record of that meeting it was
26 not the intent of the Southcentral RAC to be exclusive.
27 The Council heard from the proponent later in that
28 meeting and again at its most recent meeting where the
29 Southcentral RAC drafted its recommendation on the
30 proposal. I believe the Council's recommendation was
31 honoring Mr. Bryden's initial proposal and supporting
32 testimony for a few reasons, which you just heard from
33 Mr. Bryden. The Council understood that Mr. Bryden did
34 not want to speak on behalf of any other community and
35 that Mr. Bryden's concern that if the area he proposed
36 for the determination was expanded, that this might
37 increase the odds of the proposal being unsuccessful.
38 So, therefore, the Council supported this proposal as
39 written.

40
41 And the formal justification.

42
43 The Council supports the proposal as
44 written by the proponent based on testimony heard at
45 its meetings as well as the public hearing held in
46 Moose Pass in the fall of 2019. The Council toured
47 Moose Pass in fall of 2019 and recognized it as a rural
48 community. Also discussing the rural characteristics
49 of Moose Pass during that fall meeting, including rural
50

1 culture, economy, uses of fish and wildlife resources
2 for sustenance, art and firewood, the sparse population
3 of the area and lack of community services such as
4 schools, air field and police. The Council felt the
5 discussion on this proposal was adequately stated in
6 the final analysis as well as in the transcripts of
7 their past meetings since this proposal was originally
8 submitted.

9
10 That's the recommendation of the
11 Southcentral Subsistence Regional Advisory Council.

12
13 Thank you.

14
15 CHAIRMAN CHRISTIANSON: Thank you,
16 appreciate that. Any questions for the Regional
17 Advisory Council position.

18
19 (No comments)

20
21 CHAIRMAN CHRISTIANSON: I would also
22 offer up at this time if there is any other Regional
23 Advisory Councils who would like to speak to this issue
24 now is your time.

25
26 (No comments)

27
28 CHAIRMAN CHRISTIANSON: Hearing none,
29 we'll call on the tribal, Alaska Native Corp comments,
30 Native Liaison.

31
32 MR. MIKE: Thank you, Mr. Chair. This
33 is Donald Mike. I'm covering for Mr. Orville Lind,
34 he's got some prior commitments today.

35
36 Back in October 2018, the Tribal
37 Liaison, Mr. Orville Lind, sent a notice of tribal
38 consultation on FP -- excuse me, Rural Proposal 19-01.
39 And on this particular proposal there were no questions
40 or comments on this proposal.

41
42 Thank you, Mr. Chair.

43
44 CHAIRMAN CHRISTIANSON: Thank you,
45 Donald, appreciate that. We'll move on to the Alaska
46 Department of Fish and Game, Mr. Ben Mulligan.

47
48 MR. MULLIGAN: Thank you. Good
49 morning, Mr. Chairman. For the record this is Ben
50

1 Mulligan at the Alaska Department of Fish and Game.

2

3 We provided extensive comment for the
4 record so I'll just summarize our position. The
5 Department opposes the proposal, given after looking at
6 the data the strong similarities we see between the
7 community of Moose Pass and Seward and the bigger
8 differences we see between Moose Pass and the other
9 rural communities on the Kenai Peninsula. We also
10 encourage the Federal Subsistence Board to consider
11 the characteristics that we described in our written
12 comments and in the reference study when considering
13 this rural designation.

14

15 Thank you, Mr. Chair.

16

17 CHAIRMAN CHRISTIANSON: Thank you, Ben,
18 appreciate that. Thank you for the quick summary. Any
19 questions from the Board for the State.

20

21 (No comments)

22

23 CHAIRMAN CHRISTIANSON: Hearing none,
24 we'll move on to the InterAgency Staff Committee
25 comments. Katya.

26

27 MS. WESSELS: Thank you, Mr. Chair.
28 Members of the Board. This is Katya Wessels, the
29 InterAgency Staff Committee provided the standard
30 comment on RP19-01.

31

32 Thank you.

33

34 CHAIRMAN CHRISTIANSON: Thank you,
35 Katya. We'll open up the floor for Board discussion.

36

37 (No comments)

38

39 CHAIRMAN CHRISTIANSON: Hearing none,
40 Board action.

41

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

43

44 CHAIRMAN CHRISTIANSON: You have the
45 floor Dave.

46

47 MR. SCHMID: Thank you. And appreciate
48 all the conversation here. I move to adopt Proposal
49 RP19-01 with the recommended OSM modification to define

50

1 the community of Moose Pass as encompassing the Moose
2 Pass, Crown Point and Primrose census designated
3 places. Following a second I will explain my reasoning
4 for broadening the extent of the rural area proposal.

5

6 MR. PADGETT: Chad Padgett, BLM,
7 second.

8

9 MR. SCHMID: Thank you, Mr. Padgett.
10 My justification for supporting the adoption of RP19-01
11 with the described modification includes the following
12 key points.

13

14 Moose Pass, Crown Point and Primrose,
15 as you've heard share a rural experience with other
16 Southcentral rural communities that includes reliance
17 on wild foods, reduced amenities and services,
18 geographic isolation and a shared sense of identity as
19 a cohesive rural community.

20

21 Public testimony, discussions within
22 these communities, harvest surveys and harvest reports
23 demonstrate consistent participation in hunting and
24 fishing opportunities in Moose Pass, Crown Point and
25 Primrose designated places.

26

27 All residents providing testimony
28 described the importance of wild foods in their diet
29 and home.

30

31 It would, and will be difficult to
32 justify separating Primrose and Crown Point from Moose
33 Pass when determining rural status, given their very
34 close juxtaposition and common subsistence-based
35 lifestyles. Opportunities for Primrose and Crown Point
36 to gain rural status determination should be the same
37 as Moose Pass.

38

39 Thank you, Mr. Chair.

40

41 CHAIRMAN CHRISTIANSON: Thank you,
42 Dave, appreciate that. Did we receive a second on
43 that?

44

45 REPORTER: Yes.

46

47 MS. PITKA: I heard Chad Padgett
48 second.

49

50

1 REPORTER: Thank you, Rhonda.

2

3 CHAIRMAN CHRISTIANSON: Oh, yeah, Chad,
4 thank you for that. So the floor is open for
5 discussion, thank you, Rhonda.

6

7

8 (No comments)

9

10 CHAIRMAN CHRISTIANSON: Call for the
11 question.

12

13 MR. SIEKANIEC: Question.

14

15 MR. STRIKER: Question.

16

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

19

20 MS. DETWILER: Okay, the motion on the
21 floor is to adopt Rural Proposal 19-01 with the OSM
22 modification to define the community of Moose Pass as
23 encompassing the Moose Pass, Crown Point and Primrose
24 census designated places.

25

26 We'll start with the maker of the
27 motion, Dave Schmid, Forest Service.

28

29 MR. SCHMID: Yeah, thank you. I
30 support the motion for the justification I just
31 provided.

32

33 MS. DETWILER: Thank you.

34

35 Chad Padgett, BLM.

36

37 MR. PADGETT: I support for the Forest
38 Service motion. Thank you.

39

40 MS. DETWILER: Thank you.

41

42 Gene Peltola, BIA.

43

44 MR. PELTOLA: BIA supports based on the
45 justification provided by the Forest Service, in
46 addition to the testimony received by this body earlier
47 on today.

48

49 MS. DETWILER: Thank you, Gene.

50

1 Fish and Wildlife Service, Greg
2 Siekaniec.

3
4 MR. SIEKANIEC: Thank you, Sue. For
5 the reasons noted by our colleague at the U.S. Forest
6 Service I support the motion as modified to define the
7 community of Moose Pass encompassing Moose Pass, Crown
8 Point and Primrose CDPs.

9
10 Thank you.

11
12 MS. DETWILER: Thank you, Greg.

13
14 Don Striker, National Park Service.

15
16 MR. STRIKER: Thank you, Sue. Park
17 Service supports for the reasons outlined by Mr.
18 Schmid. And I'd also like to add that I was really
19 impressed with all the testimony we received. I
20 disagree with Ms. Lipetzky, I think she was very
21 articulate and Ms. Brummer's Master's work was
22 excellent. Thank you so much.

23
24 MS. DETWILER: Thank you, Don.

25
26 Moving to Public Member Rhonda Pitka.

27
28 MS. PITKA: I support as outlined. And
29 I would also like to recognize all the excellent
30 testimony today and the testimony that was put on the
31 record.

32
33 Thank you.

34
35 MS. DETWILER: Thank you.

36
37 Public Member Charlie Brower.

38
39 MR. BROWER: I support as stated by
40 Forest Service. Thank you.

41
42 MS. DETWILER: Thank you.

43
44 Chair Tony Christianson.

45
46 CHAIRMAN CHRISTIANSON: I support.

47
48 MS. DETWILER: Thank you. Motion
49 passes unanimously, the proposal is adopted as modified

50

1 by OSM.

2

3 CHAIRMAN CHRISTIANSON: Thank you. And
4 that was a good job, diligent, and, again, I'd like to
5 thank everyone who called in to give us a clear
6 perspective of the wishes of the area and
7 congratulations to the Moose Pass residents and I hope,
8 you know, looking forward we can continue to strive to
9 serve your rural residents.

10

11 Sue, on my agenda, I thought that we
12 placed another item on the agenda for consideration
13 today.

14

15 MS. DETWILER: Yes, we did. We
16 actually have two more items before you adjourn. One
17 is an information item which is an update on the
18 subsistence budget review and the second item is to
19 schedule upcoming Board meetings.

20

21 The -- and I understand Don Striker
22 will be leading the discussion on the update on the
23 subsistence budget.

24

25 CHAIRMAN CHRISTIANSON: Yep, thank you,
26 and so we'll call on Staff to do the budgets.

27

28 MR. STRIKER: So just a point of order,
29 in the past we had done the budget conversation, I
30 believe, at an executive session, just an open
31 question. (Indiscernible - cuts in and out) I don't
32 know how the other Board members feel about that,
33 whether we should finish our public facing discussion
34 first and then move into executive session
35 (indiscernible - cuts in and out)

36

37 REPORTER: Okay, sorry, this is Tina,
38 if I could just interrupt. So, Don, I don't know what
39 kind of device you're talking on but you're coming in
40 very choppy every other word or two.

41

42 MR. PELTOLA: Mr. Chair, BIA.
43 (Indiscernible - cuts in and out) how progress has
44 proceeded generically because some of us were involved
45 in that and some of us were not.

46

47 Thank you, Mr. Chair.

48

49 MR. STRIKER: With that then, Mr.

50

1 Chair, with your indulgence I'll just give people the
2 update. Park Service worked with Fish and Wildlife
3 Service and Staff to develop a draft template for how
4 we could all articulate our budgets. I'll give you the
5 short answer first. We did a lot of work and then I
6 dropped the ball.

7
8 The way we tried to approach this was
9 to have one bureau and that was the Park Service take
10 point on developing what would be a really
11 comprehensive template that looked, not only on sort of
12 the central office costs currently incurred and that we
13 think we should be incurring, but also to look into the
14 field offices. And so as part of that process it took
15 us until about the end of September to poll all of the
16 Parks in the Alaska region for the National Park
17 Service and to put together a template.

18
19 We then had a meeting with the
20 InterAgency folks and sort of blessed and endorsed that
21 draft and I thought, at the time, that what we decided
22 was that that was a good template and that we would
23 then be sharing that template with all of the rest of
24 you, but I see now in looking through my email right
25 before I went hunting, the actual aspect came back to
26 me, was for me to bless this before the Staff sent it
27 to the rest of you, so I'm the hold up and you can
28 expect that coming your way next week.

29
30 That's the long and the short of it.

31
32 CHAIRMAN CHRISTIANSON: Thank you, Don.
33 I don't fault you for dropping the ball during hunting
34 season because I drop the ball too during hunting
35 season.

36
37 (Laughter)

38
39 MR. STRIKER: Thanks for your
40 understanding.

41
42 CHAIRMAN CHRISTIANSON: Everything
43 stops when it's time to go hunting brother, sorry about
44 that.

45
46 (Laughter)

47
48 CHAIRMAN CHRISTIANSON: Was there any
49 other Board members, I think that's the short answer,
50

1 and I appreciate that update. I think it's still,
2 again, Gene, something we need to focus on and probably
3 just direct Staff to continue to look towards that
4 budget and maybe at our work session that we have
5 coming up this summer, it could be something we could
6 hash out in a more diligent way within the framework of
7 the program and the agencies that represent the OSM.

8

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

10

11 CHAIRMAN CHRISTIANSON: Go ahead, Don.

12

13 MR. STRIKER: Yeah, I might also say
14 that with the change in Administration, I think we
15 actually are going to have an awesome opportunity to
16 present a consolidated budget ask, at least within
17 Interior, sorry Dave, that sort of represents all the
18 bureaus, and it may well be that if we include the
19 Forest Service it would provide sort of a good
20 justification across agencies for an initiative that's
21 so important up here in Alaska.

22

23 Thank you.

24

25 CHAIRMAN CHRISTIANSON: Well, I think
26 that sounds good. As you know, you know, how under-
27 funded this program has gotten in the last decade, you
28 know, we went from almost \$13 million down to 5 and
29 that really drastically (indiscernible - cuts out)
30 especially the information needs program that got the
31 ax, which is where we need to go with the issues that
32 you continue to hear from rural Alaska and needing to
33 engage and uplift and involve in a meaningful role
34 through those partnerships that seem to be growing in
35 numbers across the region due to resource issues. And
36 so appreciate that effort and I think a consolidated
37 voice would be a lot better approach to coming at this
38 new Administration and it looks like they're stacking
39 Farm Bills and USDAs up there so appreciate the effort
40 from the agency.

41

42 MR. SCHMID: Yeah, Mr. Chair, Dave
43 Schmid.

44

45 CHAIRMAN CHRISTIANSON: Yes, Dave.

46

47 MR. SCHMID: Yeah, just wanted to share
48 on behalf of the Department of AG and representing the
49 Secretary here, there will be a much better appetite, I

50

1 think, for a combined effort here with Interior and
2 just all in on that and hopefully we can maybe move
3 that needle where it needs to be. So I appreciate
4 Don's outreach there as well. We're all in with you on
5 this.

6
7 And then, finally, I have to jump off,
8 Wayne will cover here. But as to a side note, Anthony,
9 just wanted to extend, certainly my condolences and
10 sympathies to you, your family, the community of
11 Hydaburg during this time and we'll be thinking about
12 you and I'll say a prayer for you, so you all take
13 care.

14
15 Wayne will cover for me here.

16
17 CHAIRMAN CHRISTIANSON: Thank you,
18 Dave. And appreciate all your work this week and
19 definitely enjoy sitting on the Board with you guys, so
20 best to you as you depart and God Bless.

21
22 MR. SCHMID: Thank you.

23
24 CHAIRMAN CHRISTIANSON: Any other
25 questions on the budget.

26
27 (No comments)

28
29 CHAIRMAN CHRISTIANSON: All right,
30 we'll just expect this to just be a continuing effort
31 to continue to elevate our concerns (indiscernible -
32 cuts out) with the intent of this. But if
33 (indiscernible - cuts out) and elevate that up to
34 showcase the shortfalls we have, I think we'll be in a
35 position to improve our position with the Program. So
36 any other input.

37
38 MS. PITKA: This is Rhonda. I'd just
39 like to thank Don Striker for taking on that work and
40 making sure, you know, and with the Staff, I really
41 appreciate that. Thank you.

42
43 CHAIRMAN CHRISTIANSON: All right, I
44 think that concludes the budget update. Sue, we'll
45 call on the next meetings.

46
47 MS. DETWILER: Yes, Katya Wessels will
48 be leading that -- kicking that agenda item off,
49 schedule of upcoming Board meetings.

50

1 MS. WESSELS: Thank you, Mr. Chairman
2 and members of the Board. This is Katya Wessels. We
3 now need to schedule next two Board meetings.
4

5 First of all the summer 2021 work
6 session. I sent an email to all of you with the
7 proposed dates, but I'll repeat it here now. So the
8 summer work sessions are usually held like early
9 August, and the Board, two of the items on that agenda
10 are the Board RAC appointment packets to be recommended
11 and also discussion of the annual report replies and
12 any postponed special actions. So the OSM proposes two
13 weeks in early August, August 2nd through 6th, or
14 August 9th through 13th, and that's a two day meeting.
15

16 So I received a couple of replies from
17 you, one of the vote was for the second week and the
18 other one was for the first week. So I just would like
19 to hear which week do you prefer to schedule the
20 meeting and then we can pinpoint the dates.
21

22 MS. PITKA: This is Rhonda. I would
23 prefer the first week.
24

25 MS. WESSELS: Thank you, Rhonda.
26

27 MR. BROWER: Mr. Chair, Charlie.
28

29 CHAIRMAN CHRISTIANSON: Charlie, you
30 have the floor.
31

32 MR. BROWER: For summer, first week is
33 fine with me.
34

35 MS. WESSELS: You said the first week,
36 Charlie.
37

38 MR. BROWER: Yes.
39

40 MS. WESSELS: Thank you.
41

42 CHAIRMAN CHRISTIANSON: Katya, this is
43 Anthony here. You were talking about June, right?
44

45 MS. WESSELS: No, we're talking about
46 August.
47

48 CHAIRMAN CHRISTIANSON: Oh, August.
49
50

1 MS. WESSELS: August 2nd week or August
2 9th week.
3
4 CHAIRMAN CHRISTIANSON: Okay. Early
5 works good for me.
6
7 MS. WESSELS: The first week.
8
9 MR. SIEKANIEC: Mr. Chair, this is
10 Greg.
11
12 CHAIRMAN CHRISTIANSON: Go ahead, Greg.
13
14 MR. SIEKANIEC: Yeah, I would just
15 voice an interest in the second week, it just fits my
16 schedule much better at this point in time.
17
18 Thank you.
19
20 MS. WESSELS: Thank you, Greg.
21
22 MR. STRIKER: Mr. Chair, Park Service.
23
24 CHAIRMAN CHRISTIANSON: Go ahead, Don.
25
26 MR. STRIKER: I would -- I'll make it a
27 priority either week. I would suggest we defer to our
28 public members.
29
30 MR. PELTOLA: And, Mr. Chair, BIA.
31
32 MS. WESSELS: Thank you.
33
34 MR. PELTOLA: We would concur with the
35 Park Service, because agency representatives on the
36 Board we have alternates that could sit in for us but
37 the Public Members do not. In addition to the second
38 week of August is the start of sheep season.
39
40 MS. WESSELS: Thank you.
41
42 MR. PADGETT: Mr. Chair, Chad Padgett,
43 BLM. I agree with both Parks and BIA.
44
45 MS. WESSELS: Thank you.
46
47 MR. SIEKANIEC: Mr. Chair, this is
48 Greg.
49
50

1 CHAIRMAN CHRISTIANSON: Greg.

2

3 MR. SIEKANIEC: Yeah, I can agree with
4 that because you're right we do have alternates Gene.

5

6 Thank you.

7

8 MR. OWEN: And, Mr. Chair, the Forest
9 Service concurs with the group.

10

11 CHAIRMAN CHRISTIANSON: Sounds good.
12 We'll figure it the first week of August then.

13

14 MS. WESSELS: Okay. So since it's the
15 first week of August I propose Wednesday and Thursday,
16 August 4th and 5th. And we can move it around that
17 week if we need to, if we need to start a little bit
18 earlier or a little bit later when we get close to the
19 meeting but at this point it's Wednesday and Thursday,
20 August 4th and 5th.

21

22 Okay, thank you.

23

24 So now on to scheduling the April 2022
25 Wildlife Regulatory Meeting, and we can do it in almost
26 any week during April. So we can't schedule it any
27 later because we need to allow the adequate time to
28 publish the wildlife regulations. So the four proposed
29 weeks, the week of April 4th, 11th, 18th or 25th and
30 that's 2022.

31

32 And I received a couple of ideas for
33 that and April 11th week was proposed or April 4th but
34 I would like to hear from all the Board members.

35

36 MR. BROWER: Mr. Chair, Charlie. I
37 would take the week of April 11th to the 15th, it would
38 work with me, or the week of April 4th to 8th.

39

40 MS. WESSELS: Thank you, Charlie.

41

42 MS. PITKA: This is Rhonda. That April
43 11th works for me.

44

45 MR. PELTOLA: Mr. Chair, BIA. I'd
46 recommend we defer to the Public Members for the same
47 reasoning we utilized the schedule for the summer work
48 session. We could make it work on this end.

49

50

1 CHAIRMAN CHRISTIANSON: Sounds good.
2 Concurrence from the rest of the Board.
3
4 MR. SIEKANIEC: Fish and Wildlife
5 concurs.
6
7 MR. PADGETT: BLM concurs.
8
9 MR. OWEN: Forest Service concurs.
10
11 MS. WESSELS: Okay, so the week of
12 April 11th through the 15th, correct?
13
14 CHAIRMAN CHRISTIANSON: Sounds good,
15 yep, that's what I recollect there, Katya.
16
17 MS. WESSELS: Okay. So the actual
18 meeting will be April 12th through 15th, four day
19 meeting.
20
21 Thank you.
22
23 CHAIRMAN CHRISTIANSON: And if we all
24 got our vaccines, I'm hoping to see you all in person
25 by then.
26
27 MR. OWEN: Woo-hoo.
28
29 MR. SIEKANIEC: Fish and Wildlife
30 concurs.
31
32 MS. WESSELS: Thank you, very much.
33
34 MR. BROWER: Public Member concurs.
35
36 CHAIRMAN CHRISTIANSON: Sounds good.
37 Well, I think that concludes the business guys. I want
38 to just say thank all of you for your hard work and
39 patience and listening and truly appreciate the work by
40 the Staff to get us through a week of this
41 teleconferencing, you know, it was challenging with the
42 drops and the on's and thank you Rhonda for being
43 diligent and picking up the Chairmanship when I lose my
44 calls. Sue, staying on point on the agenda. All the
45 Staff for their analysis and thoughtful input. All the
46 testifiers who called in with their meaningful,
47 educational information for us to help us make the best
48 decision we can for rural users and the resources. I
49 just want to reach out to all of you and Bless you and
50

1 hope we continue to strengthen the relationship between
2 the rural public and the Federal Board in managing
3 Alaska's resources for priority use, consumptive
4 purposes. And just want to say thank you.
5

6 And at this time if there isn't any
7 other comments to entertain at this time, a motion will
8 do to adjourn.
9

10 MR. PELTOLA: So moved.
11

12 MR. SIEKANIEC: Mr. Chair, I move to
13 adjourn.
14

15 MR. BROWER: So moved -- second. Happy
16 Birthday Rhonda.
17

18 CHAIRMAN CHRISTIANSON: Adjourned, Happy
19 Birthday Rhonda.
20

21 MS. PITKA: Thank you all.
22

23 (Off record)
24

25 (END OF PROCEEDINGS)
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C E R T I F I C A T E

UNITED STATES OF AMERICA)
) ss.
STATE OF ALASKA)

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter of Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing, contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD MEETING, VOLUME IV taken electronically by our firm on the 29th 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 6th day of February 2021.

—
Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 09/16/22