MEMBERS PRESENT:

Anthony Christianson, Chairman
Charles Brower, Public Member
Rhonda Pitka, Public Member
Sara Boario, U.S. Fish and Wildlife Service
Sarah Creachbaum, National Park Service
Tom Heinlein, Bureau of Land Management
Gene Peltola, Bureau of Indian Affairs
David Schmid, U.S. Forest Service

Ken Lord, Solicitor's Office

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PROCEDINGS

(Teleconference - 4/15/2022)

(On record)

MS. DETWILER: And I want to confirm, Tina, the court reporter is on and is recording this.

REPORTER: I am on, Sue, and, yes.

MS. DETWILER: Thank you, Tina. So this is Sue Detwiler. This is Day 4 of the Federal Subsistence Board's regulatory meeting for the 2022 to '24 wildlife regulatory meeting and I'm going to start with a roll call to see which Board members we have on.

National Park Service, Sarah Creachbaum.

MS. CREACHBAUM: Good morning, this is Sarah, I'm present.

MS. DETWILER: Good morning, Sarah.

BLM, Thomas Heinlein.

MR. HEINLEIN: Good morning, this is Tom.

MS. DETWILER: Good morning, Tom.

Fish and Wildlife Service, Sara Boario.

MS. KLEIN: Good morning, Sue, this is Jill Klein. And I'll be on for Sara Boario for the beginning of the meeting this morning, she will join when she's done with her meeting, most likely mid-morning.

MS. DETWILER: Okay, thank you, Jill.

Forest Service, Dave Schmid.

MR. SCHMID: Good morning, Sue. Dave's here from sunny Juneau.

MS. DETWILER: Thanks, Dave.
BIA, Gene Peltola.

MR. PELTOLA: Good morning, all, BIA is on.

MS. DETWILER: Thank you.

Public Member Rhonda -- oh, actually I think Rhonda Pitka is not able to make it but I will call Public Member Rhonda Pitka are you on by chance.

(No comments)

MS. DETWILER: Public Member Charlie Brower.

(No comments)

MS. DETWILER: And Chair Anthony Christianson.

(No comments)

MS. DETWILER: So we're waiting for the Chair and Public Member Brower. We have five members on so let's just hold on and wait for Tony to come on.

(Pause)

CHAIRMAN CHRISTIANSON: Hello, anybody there?

MS. DETWILER: Tony, this is Sue Detwiler, yes, glad you're on. We just finished completing a roll call, yeah, and actually I neglected to see who else was on the line, Liaisons to the Board. But we have five members -- five Board members present. Rhonda Pitka is not going to be on the call today, I understand. We're still waiting for Charlie Brower to sign on, and you just joined us, so we have six out of eight of -- members now, so we have a quorum. And my mistake I had neglected to go through the rest of the roll call to see who the other folks were on this meeting so if you'd like me to go ahead and do that I will, Mr. Chair, I will or just have them just maybe -- maybe not go through that, either way.

CHAIRMAN CHRISTIANSON: You have the floor, Sue, go ahead and see who's on today and then
we'll go ahead and get started with the business this morning.

MS. DETWILER: Okay, thank you. Okay, so moving on to legal Counsel, Department of Interior, Regional Solicitor's Office, Ken Lord.

MR. LORD: Good morning.

MS. DETWILER: Good morning, Ken.

USDA's Office of General Counsel, Jim Ustasiewski.

(No comments)

MS. DETWILER: Liaisons to the Board. Department of Fish and Game, Ben Mulligan or Mark Burch.

MR. MULLIGAN: Good morning, Sue. I know I am on and so is Mark.

MS. DETWILER: Great.

And okay -- and moving to the Regional Advisory Council Chairs. Region 1, Southeast, Don Hernandez.

(No comments)

MS. DETWILER: Region 2, Southcentral, Gloria Stickwan.

MS. STICKWAN: Good morning, I'm here.

MS. DETWILER: Good morning, Gloria.

Region 2, Kodiak/Aleutians, Della Trumble.

MS. TRUMBLE: Good morning, I'm here.

Region 2, Bristol Bay Nanci Morris Lyon.

(No comments)

MS. DETWILER: YKDelta, Raymond Oney.
MS. PATTON: Good morning, Sue, this is Eva and I'll be speaking on behalf of Chairman Raymond Oney if anything comes up for YKDelta. Thank you.

MS. DETWILER: Okay, thank you.

Region 6, Jack Reakoff.

MR. REAKOFF: Jack Reakoff's here, good morning.

MS. DETWILER: Good morning.

Region 7, Seward Peninsula, Louis Green or Neesa.

MS. PILCHER: Yes, good morning, Sue. Yes, Neesa Pilcher here for Chairman Green.

MS. DETWILER: Okay, thank you.

Region 8, Northwest Arctic, Thomas Baker.

MS. MCDavid: Good morning, Sue. This is Brooke McDavid, the Council Coordinator for Northwest Arctic. Chairman Baker will not be available today so I will be presenting instead.

MS. DETWILER: Okay, thank you, Brooke.

Region 9, Eastern Interior, Sue Entsminger.

MS. ENTSMINGER: Yes, I'm here, good morning.

MS. DETWILER: Good morning, Sue.

Region 10, North Slope Borough, Gordon Brower.

MS. PATTON: Good morning, Sue. Gordon Brower, North Slope Subsistence Regional Advisory Council Chair will not be on today so I will be providing the Council's recommendation on the special action.

Thank you.
MS. DETWILER: Okay. Thank you, Mr. Chair. Mr. Chair, yes, so back to you.

CHAIRMAN CHRISTIANSON: Thank you, Sue. Good morning everybody. So we'll go ahead and get started with the order of business this morning and we'll go ahead and open up the floor for non-consensus agenda items. So this is an opportunity at the start of the day for the public to talk to items or subjects that may not be listed on the agenda that are important.

So we'll go ahead, Operator, and open up the floor for any public that wants to speak to non-agenda items. Thank you.

OPERATOR: Thank you. To ask a question, please press star, one. Please make sure that your phone is unmuted and record your name clearly when prompted and to withdraw your request please press star, two.

(Pause)

OPERATOR: We have a question or comment from Jill, your line is open.

MS. WEITZ: Thank you, can you hear me okay?

CHAIRMAN CHRISTIANSON: Yes, you have the floor.

MS. WEITZ: Great. Good morning, Mr. Chair and members of the Board, and many thanks for your time. My name is Jill Weitz and I currently serve as the Director of Salmon Beyond Borders here in (In Native) Juneau Alaska.

Salmon Beyond Borders is a community driven campaign that works to defend the transboundary salmon rivers that originate in Northwest British Columbia and spill out into Southeast Alaska. These rivers, the Taku, Stikine, and Unuk Rivers are the largest salmon producing rivers historically producing 80 percent of our region's king salmon. Across the international border, BC has more than a dozen industrial projects in varying stages from the abandoned and polluting (Indiscernible) Chief Mine in
the Taku River water shed to the operating large scale
open pit Red Chris Mine in the Stikine River water
shed, to the permitted KSM Mine, which would be the
largest open pit mine in North America -- one of the
largest open pit mines in North America and in the
world if built as proposed. The majority of these
projects are gold mines with earth and tailings dams
and require water treatment in perpetuity. With salmon
populations declining throughout the state and these
rivers, now, with kings listed by ADF&G as stocks of
concern it is important that we do everything we can to
ensure that the spawning and rearing habitats of these
fish remains intact and productive for generations to
come.

Southeast Alaskans, led by tribes
throughout Southeast Alaska, have, for years been
calling for elevated Federal engagement as it relates
to this international issue. This issue is currently
managed by a non-binding memorandum of understanding
between British Columbia and the State of Alaska and
effectively Alaskans have been calling for binding and
enforceable protections to not only ensure our salmon
water sheds remain healthy and productive but that
Alaskans have accountability should catastrophic events
from tailings dam failure occur or cumulative impacts
from multiple open pit projects in these very
significant water sheds continue to be developed as the
BC mining industry has identified this region as the
Golden Triangle.

As I mentioned the memorandum of
understanding, it doesn't work, it's not binding, it's
not funded, it does not allow for Southeast Alaska
tribes, or Alaska tribes to have a seat at the table in
determining how these water sheds are managed and, of
course, on the U.S. side of these water sheds we have
Federally-protected areas, such as Misty Fjords
National Monument, which is 19 miles from the
international border where the KSM Mine would be built.
We have the Stikine/LeConte Wilderness area at the
mouth of the Stikine where 80 percent of that water
shed on its BC side has been staked with BC mining
claims, and, of course, impacts to the Taku and the
impacts to the Tongass are of great concern.

We've identified roles for the Federal
government and in over the course of the last decade
there has been, with great support from the Alaska
Federal Delegation, to activate relevant Federal agencies to engage on this issue, not only with InterAgency cooperation but with coordination and collaboration across the international border, however, we have yet to get closer to obtaining these binding protections and really create opportunities and platforms for concerns from Alaskans to be heard and elevated and taken into consideration for developing these policies that will ensure that we have a seat at the table going forward.

Most recently, through the course of the last year, following a letter that the Southeast Alaska Indigenous Transboundary Commission sent to British Columbia requesting a pause in the permitting of new mines and expansion of existing mines until a formal consultation process is in place, many tribes throughout Southeast Alaska, as well as nine municipalities throughout Southeast Alaska have passed resolutions calling for a pause until international protections are in place as well as a permanent ban on tailings dams within these specific transboundary water sheds because of the risks that tailings dams pose to these water sheds at large.

I won't take up too much more of your time but I think it is incredibly important, of course, for relevant agencies, including the U.S. Forest Service, to increase their engagement with this issue especially as it relates to coordination with tribes in Southeast Alaska who have been working so hard to exert their sovereignty and garner a seat at the table in determining the management of these transboundary water sheds and the Southeast Alaska RAC has identified this issue as an important issue for our region's access to clean water and resources and I support those concerns and I support increased engagement from relevant departments and agencies within the Biden Administration and look forward to opportunities working in closure coordination with these agencies both here in Juneau and within our nation's capital.

I appreciate your time and I am happy to answer any questions if any members of the Board have any.

CHAIRMAN CHRISTIANSON: Thank you. Thank you for calling in this morning. Any questions from the Board.
CHAIRMAN CHRISTIANSON: Thank you for presenting the information this morning and have a good day. Operator, is there anybody else who would like to be recognized at this time.

OPERATOR: No further questions or comments on the phone at this time.

CHAIRMAN CHRISTIANSON: Thank you. At this time we'll go ahead and open it up for any Board sharing or discussions this morning before we get started with the agenda.

(No comments)

CHAIRMAN CHRISTIANSON: All right, hearing none, Sue, we'll go ahead and start where we left off yesterday. This morning we're going to pick up Wildlife Proposal WP22-36.

MS. DETWILER: Yes. That is the only remain -- that proposal is the only remaining item from the non-consensus agenda that was deferred from earlier this week to allow Staff to -- some time to work on the maps. I understand those maps are completed and they should be up on the website fairly soon. And I believe that we're ready to take that up and I'll turn it over to Lisa -- Lisa Grediagin.

MS. GREDIAGIN: Thank you, Sue and Mr. Chair. This is Lisa Grediagin, Wildlife Division Supervisor with OSM, for the record.

And just to recap a little bit on where we're at with Wildlife Proposal 22-36, this proposal was submitted by the Ahtna InterTribal Resource Commission and requests modifications to community harvest systems for moose and caribou in Units 11, 12 and 13.

On Wednesday afternoon we heard the -- Pippa, the analyst, give the presentation for this analysis and covered the written public comments and then we were taking public testimony when we heard from AITRC about a proposed area for the community harvest systems in Unit 12 and then the Board decided to table this proposal to allow time for everyone to review that
area. Staff created maps and distributed that to Board members. And as Sue mentioned, we're currently in the process of posting that map to the OSM website so that, you know, anyone from the public is able to access that map as well. Again, we can pick back up with that proposal process with asking for any additional public testimony unless the Board has, you know, any other questions or clarifications on this proposal or where we're at in the process.

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you. Any questions for Staff.

(No comments)

CHAIRMAN CHRISTIANSON: Sue, we didn't get through the public testimony on this proposal.

MS. DETWILER: I will defer to Lisa on that. I think she said we were in the midst of public testimony.

MS. GREDIAGIN: Yeah, thank you, Mr. Chair. This is Lisa. And we were taking public testimony when the Board decided to table this proposal so my recommendation is to ask if there's any additional public testimony on this proposal before moving on to the next step in the process.

Thank you.

CHAIRMAN CHRISTIANSON: Yep, that's where I'm at just making sure we're on track to do the same here. So if there's any other public testimony this would be your time to speak to this and so we'll go ahead and open up the floor. Operator, if anybody would like to speak to this agenda item this is their opportunity. Thank you.

OPERATOR: As a reminder, to make a comment or give a testimony please press star, one.

(Pause)

OPERATOR: First question or comment comes from Bruce, your line is open.
MR. ERVIN: Hi, good morning, can you hear me okay.

CHAIRMAN CHRISTIANSON: Yes, you have the floor.

MR. ERVIN: Hi, thank you, Chair. Board Members. I just wanted to say that I support Karen Linnell and AITRC on WP22-36.

And I was wondering, if possible, you know, would it be -- could we work out, maybe, an additional map to maybe acknowledge the Upper Tanana Dena' Traditional Territories, the boundaries of them. Maybe like a little supplemental map, or maybe just to put it on the record. I can email that to you guys if you want, I found a couple documents and so just to -- just to summarize, I support Karen Linnell and AITRC with WP22-36.

Thank you.

CHAIRMAN CHRISTIANSON: Thank you. Any questions for the caller.

(No comments)

CHAIRMAN CHRISTIANSON: Thank you. Operator, if there's anybody else in the cue we'll recognize them now.

OPERATOR: The next question or comment comes from Donna, your line is open.

MS. WILSON: Yes, hello, this is Donna Wilson. Thank you for recognizing me Chair. I have some comments to make in regards to this initially proposed 220 -- Proposal 224 with the Fish and Game has come -- has already passed and it looks like there is some interesting confusion or overlay here with the Federal and State lands. However, it doesn't reflect the public comment from Fish and Game when they were deciding this in the proposal. So I might add this just because I don't know if it was even considered.

I agreed with everything in this well reasoned proposal for Unit 13, and I commend Tony Gillum for addressing this so eloquently. There's a number of problems with this hunt. If the reasons
That particular hunt in Unit 13 is called CM -- well it's community moose hunt 300 and that is in the State regulations. I don't know about the other areas that they hunt, but I do know that this section along the Glenn Highway between Chickaloon and almost Glennallen, but it's a narrow section of highway that Unit 13 has access all along the highway, numerous trails go deep in but there are so many people on the road that hunt in their yard, et cetera, this being open here is decimated with the moose. There's generations of people that have been hunting in this area as a community but not with a permit and since this community moose permit thing has been allowed in 13 there has been a number of people signing up and hunting this community subsistence harvest hunt, moose and caribou, I believe, along the highway here that don't live in the area, they qualify for subsistence but they don't -- do not live in the area and they are hunting for people that don't even reside in Alaska and if you look at the permits that they issued you'll see that the addresses aren't all Alaska. It opens before the regular harvest and any bull means by the time these hunting parties have driven the highway they've shot every bull within the narrow corridor of the northern mountains and Matanuska River, nothing's left. It's lined by highway -- the highway is lined by homes, property, private property, tribal lands and people living along the miles of inescapable road, for man or beast, with numerous historic trailheads between. They service hunters, hikers, miners, trappers, skiers, dog sledgers and rural homesteaders, like myself, for generations from Chickaloon to Glennallen. Imagine the disappointment when watching a legal moose on your land for weeks waiting for regular harvest to open and suddenly shots from the highway and people walking through your fence hunting any moose in your yard. They already have the advantage of any bull, why do they have every bull and extra days to do it before anyone else can. It does not leave any legal ones, they shoot everything they see. They don't live in the game unit and some aren't even real residents or have ever hunted.

There has been some confrontations. It's hard to report a violation without some contact. It's never good when guns are involved. Some don't
want to show their permit, or just, you know, to anybody, so how do you police this. It's not working. This is the general feeling of those who live along the Glenn Highway. There's plenty of hunting for the regular season with resident harvest tag adopt -- I think you could either adopt that proposal, which was already I guess looked at by the State, but it does give me concern because a lot of people are using this that are not rural living people, they live in -- most of them live in the Valley or somewhere else but.....

(Teleconference interference - participants not muted)

MS. WILSON: It's possible that some people are, you know, hunting in their yard up there in Glennallen but this was for a Copper Basin hunt. And I don't know what could be done about it but maybe a regulation or something put in there that would exclude what is considered the Glacierview Community on the Glenn Highway or somehow put something in there to keep people from hunting in the community that they're not a part of. I'm not sure how that -- how that works or whether it's something that the Federal Subsistence Board can handle but I just think it was worth having that acknowledged, whether it comes from an individual like myself or the State or, you know, the Fish and Game. I think it is important to consider all these people that are affected by a broad hunt area that does overlap with State.

So thank you for hearing my comments and I'll sign off.

CHAIRMAN CHRISTIANSON: Thank you for taking the time to call in today. Any questions from the Board.

(No comments)

CHAIRMAN CHRISTIANSON: I appreciate you taking the time to call in. Operator, we'll go ahead and move on to the next one in the cue. Thank you.

OPERATOR: Next question or comment comes from Karen, your line is open.

MS. LINNELL: Thank you, Mr. Chair.
For the record my name is Karen Linnell, Ahtna InterTribal Resource Commission. I'd like to say thank you to the Park Service for providing and getting on the -- the map done to the areas that we agreed on. I appreciate the detail that is included in it and that we can truly understand and see what's going on on the landscape there, so I appreciate that. And I just want to say that I appreciate the collaboration and the support. Thank you, Donna, for getting on the record, the influx of hunters that we see in GMU 13, both under State and Federal hunts. I just appreciate that. Being on the highway system is both a blessing and a curse. And so I just want to say thank you very much for all the work that went into getting this done and I hope the Board will pass this unanimously.

Thank you.

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

MS. LINNELL: I'm sorry, it was Lisa that made the map, so thank you Lisa.

CHAIRMAN CHRISTIANSON: Okay, thank you for that. All right, Operator, we'll go ahead and go on to the next in the cue.

OPERATOR: There are no further questions or comments in the cue at this time.

CHAIRMAN CHRISTIANSON: Thank you. We'll go ahead and move on to Regional Advisory Council recommendation.

MS. ENTSMINGER: Yeah, this is Sue Entsminger, Eastern Interior Regional Advisory Council. On WP22-36 we modified it and -- with the -- by OSM's addendum with further modification to revise the community harvest system hunt area. And I do want to say that I think Pippa did a very good job of defining how this all went about.

And the Council was mostly agreed with OSM's conclusion from all of it. There's several points in it. But thought, including the Tetlin Refuge and the Wrangell-St. Elias lands in the Ahtna Traditional Use Territory as unnecessary because those lands were very remote. Only accessible by airplane
and would be utilized by anyone participating in a community harvest system. Additionally, Upper Tanana communities were concerned about the community harvest coming into their area.

This was discussed and the Tok River Bridge, on the Tok Cutoff as a northern boundary of the area better reflects the Ahtna Traditional Use Territory. I'm just reading what's in the book right now and I just want to say that this was a very confusing and I had talked with Karen Linnell and with Barbara Cellarius, she's actually the one that brought it to my attention about the maps, and the Nabesna Road missing on the maps to understand where we were on it and I really want to thank Barbara for bringing it to my attention and I want to say that we worked really well together with Karen and this new map, we would definitely -- I mean my Council and I probably got wrapped around the axle, and myself included, but we would definitely support this -- the hash-tagged area in the maps that's provided to you.

Thank you.

Sorry it took so long.

CHAIRMAN CHRISTIANSON: Thank you, Sue. Any questions for the Regional Advisory Council.

MS. PERRY: Mr. Chair, this is DeAnna, Coordinator for the Southcentral Regional Advisory Council. And I believe Gloria Stickwan is online and can provide you with the recommendation from that Council. Thank you.

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

MS. STICKWAN: Council supported WP20-36 with modification to insert additional language to include only those portions of Unit 12 that lie within the Ahtna Traditional Use Territory. This proposal is beneficial to subsistence users as it provides for customary and traditional use of resources in Unit 11, 13 and the Ahtna Traditional Territory within Unit 12.

Thank you.

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

(No comments)

CHAIRMAN CHRISTIANSON: All right, hearing none, we'll go ahead and move on to Tribal Liaison comments.

MS. LAVINE: Good morning, Mr. Chair. This is Robbin LaVine standing in for Tribal Liaison Orville Lind. There were no comments or recommendations during the consultation on this proposal.

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you. We'll go ahead and move on to our Federal Liaison.

MR. MULLIGAN: Good morning, Mr. Chair. For the record, the Alaska Department of Fish and Game kind of parsed out aspects of this proposal and so I'll have a few statements on this one.

First is, the Department supports allowing community members to opt out of a community harvest system and retain their individual harvest limits. We viewed that as something as a fairness and having someone be stuck into one system seemed unnecessary. I'll at this time also put a pitch in for not -- we wouldn't recommend that quotas or bag limits be set based on number of participating hunters in any Federal or State harvest, rather quotas and bag limits should be based on the status of the available resource and the harvestable surplus based on biological metrics.

Next.

The Department took no position on defining the geographic boundaries of eligible communities as the most recent CDP established by the U.S. Census Bureau.

And then, third, you know, is we've testified previously on WP22-01 and 02. You know we have expressed our concerns over the timeliness and accuracy of data that will be collected but, you know, on Wednesday when we took this up and the first time
Ms. Linnell, from AITRC, testified she -- we heard loud and clear the importance of that data to them and also to us as managers and so we appreciate that statement.

And I will end our testimony there.

Thank you, sir.

CHAIRMAN CHRISTIANSON: Thank you, State. Any questions for Ben.

(No comments)

CHAIRMAN CHRISTIANSON: All right, hearing none, ISC recommendations.

MS. LAVINE: Good morning, Mr. Chair and members of the Board. This is Robbin LaVine, Subsistence Policy Coordinator and the InterAgency Staff Committee Chair. For Wildlife Proposal 22-36 the InterAgency Staff Committee provided the standard comment.

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you, ISC. Any Board discussion or deliberation.

(No comments)

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

MS. CREACHBAUM: Mr. Chair, National Park Service. Mr. Chair, I move to approve Wildlife Proposal 22-36 to codify temporary regulations that expire June 30th, 2022 regarding the community harvest system for moose and caribou in Units 11, 12 and 13 with the OSM modification to clarify regulatory language, and with a second modification describing the area for the community harvest system in Unit 12 that better reflects that Ahtna Traditional Territory instead of all Federal public lands in Unit 12. With respect to the harvest system area in Unit 12, my modification includes the Eastern Interior Regional Advisory Council recommendation for lands along the Tok Cutoff plus an additional area of Unit 12 that is based on existing moose harvest areas in Federal regulations.
Specifically, the following would be included:

Federal public lands in Unit 12 within the Tok and Little Tok River drainages, south of the Tok River Bridge and east of the Tok Cutoff Road and within the Nibesna River drainage west and east of the east bank of the Nibesna River up stream from the southern boundary of Tetlin National Wildlife Refuge. And that portion of Unit 12 that is east of the Nibesna River and south of the Pickeral Lake winter trail running southeast from Pickeral Lake to the Canadian Border.

This area is consistent with the recommendation of the proponent. If I get a second I will explain why I intend to support my motion.

MR. SCHMID: Forest Service seconds.

MS. CREACHBAUM: Thank you. Approval of 22-36 is necessary to fully implement the Ahtna region community harvest system that was recently approved by the Board and is administered in cooperation with the Ahtna InterTribal Resource Commission. It will codify in regulations several provisions that were previously adopted by the Board on a temporary basis. My support for this proposal is consistent with the recommendations of the Southcentral Regional Advisory Council and the Wrangell-St. Elias National Park Subsistence Resource Commission.

Thank you.

CHAIRMAN CHRISTIANSON: Thank you. Any further Board discussion, comments or questions.

(No comments)

CHAIRMAN CHRISTIANSON: Call for the question.

MR. PELTOLA: BIA, question.

CHAIRMAN CHRISTIANSON: Thank you. Roll call, please, Sue.

MS. DETWILER: Start with the maker of the motion, National Park Service, Sarah Creachbaum.
MS. CREALCHBAUM: The National Park supports the motion.

MS. DETWILER: Thank you.

Fish and Wildlife Service, Sara Boario.

MS. KLEIN: This is Jill Klein for Sara Boario and Fish and Wildlife Service supports the motion.

MS. DETWILER: Thank you, Jill.

BIA, Gene Peltola.

MR. PELTOLA: BIA supports.

MS. DETWILER: Thank you.

Tom Heinlein, BLM.

MR. HEINLEIN: BLM supports.

MS. DETWILER: Thank you.

Dave Schmid, Forest Service.

MR. SCHMID: The Forest Service supports.

MS. DETWILER: Thank you.

Public Member Rhonda Pitk -- oh, I'm sorry, Rhonda is not on today. I understand Public Member Charlie Brower is with us now, Charlie, are you on.

MR. BROWER: Yeah, I'm on. I've been on. I support.

MS. DETWILER: Okay, thank you, Charlie.

Chair Christianson.

CHAIRMAN CHRISTIANSON: I support.

MS. DETWILER: Thank you. The motion passes with seven votes.
CHAIRMAN CHRISTIANSON: Thank you, Sue.
And I think that concludes our non-consensus agenda
items and as a matter of process I believe we now have
to accept the consensus agenda items, Sue.

MS. DETWILER: Yes. Yes. And Lisa
Grediagin will be presenting the consensus agenda.

CHAIRMAN CHRISTIANSON: All right,
we'll go ahead.

MS. GREDIAGIN: All right, thank you,
Mr. Chair. This is Lisa Grediagin, the Wildlife
Division Supervisor at OSM. I'll be reading all the
consensus agenda proposals and closure reviews along
with their recommendations into the record.

These are the proposals and closure
reviews for which there is agreement among the Federal
Subsistence Regional Advisory Councils, the Federal
InterAgency Staff Committee and the Alaska Department
of Fish and Game concerning Board action. The
following are the consensus agenda proposals and
closure reviews.

Proposal WP22-05 requests the
establishment of a draw permit hunt for elk in the
Etolin Island area of Unit 3 with one permit issued per
household. The recommendation is to oppose.

Proposal WP22-06 requests the
establishment of a Federal draw permit moose hunt with
an any bull harvest limit and a harvest quota of up to
20 bulls on Kupreanof and Kuiu Island in Unit 3. The
recommendation is to oppose.

Proposal 22-09 requests that Federal
public lands draining into Lisianski Inlet and
Lisianski Strait and Stag Bay south of the latitude of
Mike Cove and north of the latitude of Lost Cove be
closed to deer hunting October 15th to December 31st
except by Federally-qualified subsistence users. The
recommendation is to oppose.

Proposal 22-11 requests that Federal
regulation for mountain goats in Units 5A remainder be
changed to remove the following language: A minimum of
four goats in the harvest quota will be reserved for
Federally-qualified subsistence users. The
recommendation is to support with the OSM modification to remove the language describing an announcement of the quota from unit-specific regulations and maintaining the delegation of authority letter only.

Wildlife Closure Review, WCR22-02 review the closure to moose hunting from October 8th to October 12th west of the Dangerous River and September 16th to September 30th east of the Dangerous River in Unit 5A except by residents of Unit 5A. The recommendation is to maintain status quo.

Proposal WP22-13 requests that deer be removed from the Unit 6 specific designated hunter regulation. The recommendation is to oppose.

Proposal WP22-14 requests that the black bear harvest limit in Unit 6 be increased from one to two black bears per year and that the Unit 6D season would close if the harvest quota was met. The recommendation is to oppose.

Proposal WP22-15 requests prohibiting trap or snare usage within 1,000 feet of specified trails, roadways and campgrounds. The recommendation is to oppose.

Proposal WP22-16 requests that the Federal Subsistence Board recognize the customary and traditional use of moose in Unit 7, 15A and 15B by residents of Moose Pass. The recommendation is to support.

Proposals WP22-17, 22-18 and 22-19 requests the Board recognize the customary and traditional use of moose in Units 7, 15A, and 15B and 15C respectively by residents of Moose Pass. The recommendation is to support. The recommendation for WP22-17 and 18 -- oh, I'm sorry.

The recommendation for WP22-17 and 18 is to support. The recommendation for WP22-19 is to oppose.

Proposals WP22-21 and 22-22 requests that the Board recognize the customary and traditional use of caribou in Unit 7, and 15B and 15C respectively by residents of Moose Pass. The recommendation for WP22-21 is to support. The recommendation for WP22-22
is to support with modification to remove Unit 15C.

Proposals WP22-23 and 22-24 requests that the Board recognize the customary and traditional use of goats in Unit 7 remainder and Unit 15 respectively by residents of Moose Pass. The recommendation is to support WP22-23 and to support WP22-24 with modification to remove Unit 15C.

Proposal WP22-26(a) requests that the Board recognize the customary and traditional uses of sheep in Unit 7 by residents of Moose Pass. The recommendation is to support.

Proposal WP22-25(a) requests that the Board recognize the customary and traditional use of sheep in Unit 7 by residents of Cooper Landing. The recommendation is to support.

Proposal WP22-27 requests that the Board recognize the customary and traditional use of sheep in Unit 15 by residents of Cooper Landing. The recommendation is to support with modification to only establish customary and traditional use of sheep for Cooper Landing in Unit 15A and 15B and not in Unit 15C.

Proposal WP22-32 requests the Federal Subsistence Board to recognize customary and traditional uses by rural residents of the North Fork Road area and the Nikolaevsk area for black bears, brown bears, caribou, mountain goat, moose and dall sheep in Unit 15. The recommendation is to oppose.

Proposal WP22-33 requests eliminating the sealing requirement for black bear in Units 11 and 12. The recommendation is to support.

Proposal WP22-34 requests to change the salvage requirement to a bone-in for sheep taken in Units 11 and 12. The recommendation is to oppose.

Proposal WP22-37 requests that the Federal Subsistence Board recognize the customary and traditional use of ptarmigan in Unit 9D by residents of Cold Bay, King Cove, Sand Point, Belkofski, Sanak, Pauloff Harbor, Unga and Nelson Lagoon. The recommendation is to support with the OSM modification to recognize the customary and traditional use of ptarmigan by residents of Unit 9D.
Proposal WP22-38(a) requests that the Federal Subsistence Board recognize the customary and traditional use of caribou in Unit 10 Unimak Island for residents of Cold Bay and Nelson Lagoon. The recommendation is to support.

Wildlife Proposal WP22-38(b) requests closure of State public lands in Unit 10 Unimak Island only to caribou hunting except by Federally-qualified subsistence users unless the caribou population estimate exceeds the population threshold. The recommendation is to support with modification to remove the closure from the unit-specific regulations and delegate authority to the Izembek National Wildlife Refuge Manager to open and close State public lands to non-Federally-qualified users annually based on the current population status of the Unimak Caribou Herd in consultation with ADF&G Staff via delegation of authority letter only.

Wildlife Closure Review WCR22-07 reviews the closure to caribou hunting except by Federally-qualified subsistence users unless the population estimate exceeds 900 caribou in Unit 17. Specifically Unit 17A and 17C, that portion of 17A and 17C consisting of the Nushagak Peninsula south of the Igushik River, Tuklung River and Tuklung Hills west to Tvativak Bay. The recommendation is to maintain status quo.

(Teleconference interference - participants not muted)

MS. GREDIAGIN: Proposal WP22-42 requests the Federal Subsistence Board increase the harvest limit of moose from two to three in Unit 18 remainder. The recommendation is to support.

Proposal WP22-43 requests delegating authority to the Federal in-season manager to increase the moose harvest quota in Zone 1 of the Kuskokwim hunt area of Unit 18 if the water levels are too low to access Zone 2. The recommendation is to oppose.

Proposal WP22-48 requests modification of the boundary between two hunt areas in Unit 22A. The recommendation is to support.

Wildlife Closure Review WCR22-09(c)
reviews the closure to moose hunting in Unit 22A remainder, except by Federally-qualified subsistence users. The recommendation is to maintain status quo.

Wildlife Closure Review WCR22-16
reviews the closure to moose hunting in Unit 22E except by Federally-qualified subsistence users. The recommendation is to maintain status quo.

Wildlife Closure Review WCR22-27
reviews the closure to muskox in Unit 23 Cape Krusenstern National Monument except by Federally-qualified subsistence users but not residents of Point Hope. The recommendation is to modify or eliminate the closure as recommended by OSM.

Proposal WP22-51 requests elimination of the Minto Flats Management Area registration hunt for moose in 20B. The recommendation is to support.

Proposal WP22-52 requests that the closing date of the moose season in 25A be extended to December 20th. The recommendation is to support with modification to extend the moose season in the Coleen, Firth and Old Crow River drainages only.

Proposal WP22-53 requests establishing a trapping season for Arctic fox in Unit 25. The recommendation is to support.

Wildlife Closure Review WCR22-22
reviews the closure of moose hunting in Unit 25D west to everyone except residents of Unit 25D west. The recommendation is to maintain status quo.

Wildlife Closure Review WCR22-25
reviews the closure to Federal public lands for hunting muskox in Units 26C except by rural Alaska residents from the village of Kaktovik. The recommendation is to maintain status quo.

Thank you, Mr. Chair.

That concludes the consensus agenda proposals and closure reviews.

And I'd also like to take this opportunity to commend all the analysts for their great work analyzing the proposals as well as all the OSM
Staff and Council members and everyone that contributed to this meeting. I think we're all pretty frustrated with the teleconference format and looking forward to meeting in person again but besides all the technical and communication challenges I think this was a pretty successful meeting so far and, again, thank you everyone for all the work contributed to this meeting.

So I'll turn it back over to you, Mr. Chair, thank you.

CHAIRMAN CHRISTIANSON: Thank you, Lisa. And I echo everything that you said there, I appreciate all of the patience from everybody online for this and all the Staff work and being available to answer the questions and then to work through issues as they arise as the meeting happens and to be able to come back and pull together packages that gives us enough information to do our job, I appreciate that from the Staff and all the Regional Advisory Council members that give us the insight on these proposals and the background. So just appreciate everybody that pulls together, the collective work that it takes for us to decide on these proposals. So thank you, Lisa, and the Staff and Sue.

So we'll go ahead, and I believe that opens up the floor for Board action on consensus agenda.

MR. PELTOLA: Mr. Chair, BIA.

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

MR. PELTOLA: Thank you, Mr. Chair. The Bureau of Indian Affairs moves to adopt the consensus agenda as presented.

MR. SCHMID: The Forest Service will second.

CHAIRMAN CHRISTIANSON: So we have a motion on the floor and seconded to accept. Any discussion by the Board.

(No comments)

CHAIRMAN CHRISTIANSON: Call for the
Mr. Schmid: Question.

Chairman Christianson: All in favor to accept the consensus agenda signify by saying aye.

In Unison: Aye.

Chairman Christianson: Opposed, same sign.

(No opposing votes)

Chairman Christianson: Motion carries unanimously. Thank you.

Ms. Detwiler: Mr. Chair, this is Sue Detwiler. That brings us to agenda item 8, which is Wildlife Special Action WSA22-01 pertaining to Unit 22 and 23 muskox. This is an action item and that presenter will be Brian Ubelaker.

Mr. Ubelaker: Thank you, Sue. Good morning, Mr. Chair and Members of the Board. Can everybody hear me all right?

Chairman Christianson: Yes, you have the floor.

Mr. Ubelaker: Great, thank you. As Sue said, and for the record my name is Brian Ubelaker and I'm a Wildlife Biologist with the Office of Subsistence Management. I'll be presenting a summary of Temporary Wildlife Special Action WSA22-01 which was submitted by the National Park Service and the Bureau of Land Management.

This special action has been separated into two parts, WSA22-01(a) pertaining to the Seward Peninsula muskox in Units 22 and 23 and WSA22-01(b) for northern Unit 23 Cape Thompson muskoxen. However, I will summarize both parts in my presentation. This analysis is found in your supplemental materials.

Temporary Special Action WSA22-01 requests the Federal Subsistence Board change the Federal muskox permits in Units 22 and 23 from a registration to a drawing permit for the 2022/24
regulatory cycle. This is considered a housekeeping requests as these permits have been distributed via a draw since about 1998. In addition the proponents request to standardize the language in the delegation of authority letters and to change the in-season manager from the Western Arctic National ParkLand superintendent to the Anchorage Field Office manager for the Federal muskox hunts in the southwestern portion of Unit 23.

Both muskox populations have been managed under a shared quota system with the State of Alaska since 1998. ADF&G has mostly issued permits under Tier II restrictions and Federal permits have been issued by drawing since about the same time. Federal in-season managers use the draw system to distribute permits because unclear language in the delegation of authority letters led them to believe they could. The Federal in-season managers consider a draw permit hunt to be the best management strategy for conserving natural and healthy populations while still allowing for subsistence use by Federally-qualified subsistence users.

Federal muskox hunts were originally established in 1995 on the Seward Peninsula with a harvest quota of seven muskoxen. In 1998, along with a shared quota system with the State being established the current season of August 1st through March 15th was established. Then in 2001 ADF&G initiated muskox hunts in Unit 23 north and west of the Noatak River. In 2002 authority for the Unit 23 southwest hunt was delegated to the Western Arctic ParkLands superintendent. In 2005 the Federal Subsistence Board established a muskox season within Cape Krusenstern National Monument and the Board of Game established a registration permit hunt in Unit 22D. In 2010 the Board opened Federal land to all users and allowed cow harvest for the entire season in Unit 22E. But in 2014 the cow hunt was eliminated Seward Peninsula-wide as a result of declining population. In 2016 the Federal Subsistence Board established a muskox hunt in Unit 23 north and west of the Kobuk River. In 2020 the Board reviewed Federal land closures on the Seward Peninsula and decided to maintain the closures because of low muskox populations.

Muskoxen were reintroduced to the Seward Peninsula in 1970 and the population grew
rapidly until 2010. Then between 2010 and 2012 the population declined by about 23 percent. After this the population appears to have stabilized at the new lower population number and has averaged 2,233 muskox since 2012.

The Cape Thompson Herd was introduced steadily at eight percent until 1998. The growth rate continued at two percent until 2005 when the population declined, which is believed to be caused by range expansion. Since then the population appears to have stabilized averaging 234 muskoxen.

The harvest rate of Seward Peninsula muskoxen declined from the high of 5.8 percent in 2012 which coincided with the drop in population to an average of 1.4 percent and has remained steady since then.

Approving WSA22-01 will not change subsistence use of muskoxen by Federally-qualified subsistence users or affect the muskox population in either area as it is an administrative change only. However, allowing a Federal drawing permit hunt for muskoxen ensures harvest remains within sustainable levels and response to both changing hunt and herd conditions. A drawing permit also randomizes the selection of who receives a permit making permit distribution more equitable among Federally-qualified subsistence users.

Standardizing the language in a delegation of authority letters to close the season, set any needed permit conditions, determine the annual harvest quota, the number of permits to issue, and the method of permit allocation between State and Federal permits provides clarity to the in-season managers on what authority they have and allows for effective and flexible hunt administration, while the change of in-season manager better reflects land status in the Unit 23 southwest hunt area.

Therefore, it is OSM's conclusion to support Temporary Wildlife Special Action WSA22-01.

Thank you, Mr. Chair. Members of the Board.

I'd be happy to address any questions.
MS. DETWILER: Yes, this is Sue Detwiler from OSM stepping in here. I just got a text that Chair Tony Christianson had to leave to take care of a community issue and so usually Rhonda Pitka would be second in line to act as a Temporary Board Chair, she is not here today. So I'm going to ask Ken Lord and unless I hear something from another Board Member, I'm going to ask Ken Lord if it's okay if I just run through the steps to get through this wildlife special action at this point and then when we get to the actual Board action where the Board makes a motion and takes an action, if we stop and see if Tony is back online and if Tony is not back online, then my suggestion would be we -- the Board takes a vote to select a temporary Acting Chair.

Ken, is that within the scope of Board procedures?

MR. LORD: It is Sue, that would be fine.

MS. DETWILER: Okay, thank you. So unless I hear something from the other Board Members I'll just go down our list of steps here for this wildlife special action. We've just heard the analysis from the lead author so I believe the next step would be opportunity for Board questions of the author.

(No comments)

MS. DETWILER: Not hearing any questions from the Board for Brian so the next step would be Regional Advisory Council recommendations.

MS. PILCHER: This is Neesa Pilcher, Council Coordinator for the Seward Peninsula Regional Advisory Council. I'll be presenting the Council's justification or comments for this special action request.

The Seward Peninsula Advisory Council supported WSA22-01. The Council considered this a housekeeping request and recognized that the overharvest of muskox population would be really easy. They felt administering the permit by random drawing to be the most equitable manner for distribution and would help protect the muskox population.
Thank you.

MS. DETWILER: Thank you, Neesa. And do we have any comments from Northwest Arctic Regional Council, Brooke McDavid.

MS. MCDAVID: Yes, this is Brooke McDavid, the Northwest Arctic Council Coordinator.

And the Northwest Arctic Council supported WSA22-01. The council considered this a housekeeping request and concurs with administering the hunt in the same way it has been in the past. They also noted that muskox are really good eating for subsistence.

Thank you.

MS. DETWILER: Thank you, Brooke.

Moving to North Slope, do we have Gordon Brower or Eva on for the Regional Council recommendation.

MS. PATTON: Thank you, Sue. This is Eva Patton, Council Coordinator for the North Slope Subsistence Regional Advisory Council. And the North Slope only took action on the special action (b) addressing Unit 23 which will be coming up next.

Thank you.

MS. DETWILER: Thank you, Eva.

MS. GREDIAGIN: Sorry to interrupt, Sue, this is Lisa, but we're presenting them both together so I'm sorry for any confusion there, Eva, but, yeah, WSA22-01, the analysis were separated out but the intention is for the Board, you know, to act on them together. Thank you.

MS. PATTON: Okay, great, thank you.

In that case both North Slope and the Northwest Subsistence Regional Advisory Council have recommendations on WSA22-01(b). And, again, for the record, Eva Patton, Council Coordinator for the North Slope Subsistence Regional Advisory Council making the Council recommendations on behalf of Chair Gordon Brower.

And the North Slope RAC supports WSA22-
01 and the Council considered distributing permits  
through a random drawing to be more inclusive and fair  
than a registration permit hunt which favors those  
living closer to the permitting office. So, again, the  
Council thought drawing permits would be a more fair  
and equitable way to administer this hunt.  

Thank you, Mr. Chair -- Madame Chair.  

MS. DETWILER: Okay, that's my mistake  
there so thank you for that, Lisa. So I believe we  
need to go to WSA22-01(b), back to the Brian for that  
Staff analysis.  

MS. GREDIAGIN: Yeah, this is Lisa, I  
got a little distracted there. Brian, could you  
clarify, I thought you presented them together.  

MR. UBELAKER: Yes. Yes, Lisa. Brian  
Ubelaker. I did present (a) and (b) together, yeah,  
information for 21(a) was regarding Seward Peninsula  
muskox, 22-01(b) was for the northern 23 Cape Thompson  
muskox. But, yes, information was presented together  
for 22-01, in general.  

Thank you.  

MS. DETWILER: Okay. So sorry about  
that confusion. So I just -- if that's the case then I  
would just want to make sure that all three Regional  
Councils have said everything -- made all the comments  
that they would like to on both of those proposals. Is  
that correct Neesa and Brooke.  

MS. PILCHER: That is correct. This is  
Neesa Pilcher for the record. That is correct for  
Seward Peninsula.  

MS. MCDAVID: For the record, this is  
Brooke McDavid. And, yes, that is also correct for  
Northwest Arctic.  

MS. DETWILER: Okay. Okay, thank you.  
Then we can move on to Alaska Department of Fish and  
Game comments.  

MR. MULLIGAN: Hello, this is Ben  
Mulligan. I'll just do (a) and (b) together. The  
Alaska Department of Fish and Game did not officially
take a position on the special action viewing it as a
housekeeping measure. But I will say that when
discussing this with the region, our wildlife biologist
there, felt that for the health of the muskox
population there the draw hunt was the way to go.

Thank you.

MS. DETWILER: Thank you, Ben. Next is
InterAgency Staff Committee comments.

MS. LAVINE: Thank you, Madame Chair.
This is Robbin LaVine. And for Wildlife Special Action
22-01 the InterAgency Staff Committee provided the
standard comment. Thank you.

MS. DETWILER: Thank you. And Board
discussion. Actually I think at this point I would
feel most comfortable if we stopped here and make sure
that Tony has not joined yet -- Tony, are you on, Tony
Christianson.

(No comments)

MS. DETWILER: Sounds like not. So I
would put it to the Board to select a temporary Chair
and, Ken Lord, I'm not sure if there's a special
procedure that the Board needs to go through.

MR. BROWER: Ma'am.

MS. DETWILER: Yes.

MR. BROWER: I would nominate Gene from
BIA to be the temporary Chair. Thank you.

MS. DETWILER: Is there a second.

MR. PELTOLA: This is BIA. I may have
to step out shortly for a brief period and I wouldn't
want to cause additional disruption. So I was
wondering if Dave would be willing to, even though he
may have a potential conflict coming up. So I hope to
have it open for discussion.

MR. SCHMID: Yeah, this is Dave with
the Forest Service. And I'd be happy to fill in that
role here if other Board Members were okay until the --
I think one of our next agenda items, 9, I will be
making the motion there and would prefer someone else

to cover that so it might be better for another Board
Member here to take us to the end of the meeting if
need be.

MS. DETWILER: So, Ken, does the maker
of the original motion need to withdraw the motion to
have Gene step in or is this something that can be a
little bit more informally, like a consensus of the
Board Members.

MR. LORD: We're in unchartered waters
here, Sue, I think, you know, I think you can move
ahead and if someone objects then please speak up.

MS. DETWILER: Okay. So it sounds like
we just need a Board Member to step in. So let's see
the next -- well, this agenda item will be voted on and
then we have another agenda item after that. As Dave
said, Dave is going to be involved with.

MR. SCHMID: So Sue I might offer a
path here. Let's maybe work through this. I'd be
happy to sit in as pro temp or whatever until we get
through No. 8, agenda item, and then maybe take a break
and see if our Chair, Mr. Christianson, is able to come
back, and if not then more formally appoint another
Board Member at that time.

MS. DETWILER: Does that sound good to
the rest of the Board Members.

MR. PELTOLA: Fine by BIA.

MR. BROWER: Fine by Public Member.

MS. DETWILER: Any objections.

MS. KLEIN: No objections from Fish and
Wildlife Service.

MS. DETWILER: Okay, thank you. So it
sounds like it's back to you then, Dave. Okay. Thank
you. So it sounds like it's back to you then Dave and
we're at the Board discussion on Wildlife Special
Action 22-01 followed by Board action.

MR. SCHMID: Thank you, Sue. So, as
Sue stated, at Board discussion here on WSA22-01 and,
again, we took those together as 1(a) and 1(b). I'd open it for any discussion.

(No comments)

MR. SCHMID: Hearing no discussion I would entertain a motion at this point.

MS. CREACHBAUM: Mr. Chair, National Park Service.

MR. SCHMID: Go ahead, Park Service, thank you.

MS. CREACHBAUM: Thanks. I move to approve Temporary Wildlife Special Action WSA22-01(a) and WSA 22-01(b). And if I get a second I'll explain why I intend to vote in support of my motion.

MR. PELTOLA: BIA seconds.

MR. BROWER: Second, Public Member.

MS. CREACHBAUM: Thank you. Approval of WSA22-01(a) and WSA22-01(b) will not affect the subsistence use of muskox in Game Management Unit 22 and 23. It is an administrative change to how Federal permits are distributed. Allowing for a Federal draw hunt will ensure that harvest remains within sustainable levels and respond to both changing hunt and herd conditions. It will further allow for more equitable distribution of permits -- excuse me -- to Federally-qualified subsistence users through the use of a random drawing and will allow for a limited harvest the population can sustain. Standardizing language in the delegation of authority letters will provide clarity to in-season managers and will allow for effective and flexible hunt administration and changing the in-season manager for muskox hunts in GMU 23 to Southwest -- southwest -- better reflects land status in the hunt area.

Thank you, Mr. Chair.

MR. SCHMID: Yeah, thank you. Any other questions for Park Service.

(No comments)
MR. SCHMID: Hearing none, would anyone like to call for the question.

MR. BROWER: Question.

MR. SCHMID: Thank you, Charlie. Question's been called. Sue, could you take a roll call vote here. Thank you.

MS. DETWILER: Yes.

National Park Service, Sarah Creachbaum.

MS. CREACHBAUM: National Park Service supports the motion.

MS. DETWILER: Thank you.

Jill Klein on behalf of Sara Boario, Fish and Wildlife Service.

MS. KLEIN: Fish and Wildlife Service supports the motion.

MS. DETWILER: Thank you.

Gene Peltola, BIA.

MR. PELTOLA: BIA supports.

MS. DETWILER: Thank you.

Tom Heinlein, BLM.

MR. HEINLEIN: Bureau of Land Management supports.

MS. DETWILER: Thank you.

Dave Schmid, Forest Service.

MR. SCHMID: The Forest Service supports with the justification provided by the Park Service.

MS. DETWILER: Okay.

Public Member Charlie Brower.
MR. BROWER: Support.

MS. DETWILER: Thank you. And I will just check and see if Chair Christianson came on.

(No comments)

MS. DETWILER: Okay. So the motion passes six with two absent.

MR. SCHMID: Thank you, Sue. And, again, I would recommend that we break until the bottom of the hour, 10:30, and at which time if we come back and Chair Christianson is with us we will turn that back to him, and if not we will look for another Board Member to step into that role. We will still have a quorum, I believe, and can finish the agenda. So let's take a break until 10:30.

Thank you.

(Off record)

(On record)

MR. SCHMID: Hello, this is Dave Schmid with the Forest Service, are you ready to reconvene here?

MS. DETWILER: Yes, I am. I just had a bunch of papers, and all my papers fell off here so I'm shuffling but I'm going to -- I'm trying to pull up the roll list to see which Board members we have on now if that's all right with you, Mr. Chair.

MR. SCHMID: Acting Chair, that would be great. Thank you, so much.

MS. DETWILER: Acting Chair, okay.

Sarah Creachbaum, National Park Service.

MS. CREACHBAUM: Hi, Sue, I'm here.

MS. DETWILER: Thank you.

Bureau of Land Management, Tom Heinlein.
MR. HEINLEIN:  I'm on, good morning.

MS. DETWILER:  Thank you.

Fish and Wildlife Service, Jill Klein or Sara Boario.

MS. KLEIN:  Hi, Sue. This is Jill Klein, and Sara will be calling in momentarily.

MS. DETWILER:  Thank you.

MS. KLEIN:  Thank you.

MS. DETWILER:  Dave Schmid, I know you're on.

Gene Peltola, BIA.

MR. PELTOLA:  BIA's on.

MS. DETWILER:  Thank you.

Charlie Brower, are you still on, Public Member.

(No comments)

MS. DETWILER:  Anthony Christianson.

(No comments)

MS. DETWILER:  So, Mr. Chair -- Temporary Chair, Acting Chair we have five Board members on. We're missing Rhonda Pitka, Charlie Brower and Anthony Christianson.

MR. SCHMID:  Okay, thank you. Thank you, Sue. I'm a bit concerned without any public members here, moving forward, at this point, but would like to hear from others and I'd open it up just for Board thoughts here as we look for a path here. If we need to break and try and get more public members back on or try to move forward with a very small quorum.

MR. PELTOLA:  BIA concurs about the lack of presence a Public Member. I guess I should clarify, BIA would prefer that we have at least one of our Public Members or the Chair present before we
Mr. Schmid: BIA, I agree. Gene, I agree. Gene, let's just quickly poll the other Federal members and see if they're in the same place here. Maybe I can start that round, Sue, and just start with Park Service.

Ms. Creachbaum: I concur.

Mr. Schmid: Fish and Wildlife Service.

Ms. Klein: Hi, this is Jill, and Sara is here and so I think we concur that we would like to have a Public Member present and/or Chair Christianson as Gene recommended.

Mr. Schmid: Okay. I think we're all in agreement. Let's look at maybe taking another break here until the top of the hour if that would be agreeable to folks here. I know I have conflicts starting after lunch but I would not feel comfortable moving forward without at least a Public Member here with us. And so unless I hear any opposition let's try another 25 minutes here until the top of the hour at 11:00 and maybe Sue or Staff, if you could continue to try and outreach to both Charlie and Tony and see if you can get any timing on their potential return and if you do get a hold of them that we would reconvene at 11:00 o'clock. Would that work for folks without any other objection.

Mr. Peltola: Fine by BIA.

Ms. Boario: Fine with the Service.

Mr. Heinlein: BLM's good with that.

Ms. Creachbaum: Yes.

Mr. Schmid: Okay, let's do that, and my apologies, this is part of our challenges with a teleconference meeting. I know we probably have public, I know we have Staff and others on but lets regroup here at the top of the hour, Operator, thank you.

(Off record)
MR. SCHMID: Welcome back folks here.
This is Dave Schmid filling in briefly as the Chair.
Sue, could you take another roll and make sure that we have at least a Public Member on before we move forward here at 11:00.

MS. DETWILER: Yes, uh-huh, I will do that. Starting with National Park Service, Sarah Creachbaum.

MS. CREACHBAUM: Hi, Sue, I'm here.

MS. DETWILER: Thank you.

Bureau of Land Management, Tom Heinlein.

MR. HEINLEIN: Hi, Sue, I'm present.

MS. DETWILER: Thank you.

Fish and Wildlife Service, Sara Boario or Jill Klein.

(No comments)

MS. DETWILER: I'll come back to them.

Dave Schmid, I know you're on.

Gene Peltola.

MR. PELTOLA: BIA's on.

MS. DETWILER: Charlie Brower, Public Member.

(No comments)

MS. DETWILER: Go back to Fish and Wildlife Service, Sara Boario, Jill Klein.

(No comments)

MS. DETWILER: They may be having a hard time getting into the speaker line.

We currently have National Park
Service, Bureau of Land Management, Forest Service and Bureau of Indian Affairs. And we heard Charlie Brower on the line just a couple of minutes ago and so maybe he muted his phone. And Sara Boario from Fish and Wildlife Service, we're still waiting to hear from them.

MR. SCHMID: Yeah, I see Sara's on but apparently not in the speaking mode. I just received a chat there, Sue, if the Operator could get her into the speaking room.

MS. DETWILER: Yes. Robbin or Lisa, I imagine you're helping out with that.

MS. LAVINE: We're working with the Operator now, thank you.

(Pause)

OPERATOR: Sara's line is open.

MS. DETWILER: Hi, Sara, this is Sue Detwiler, I was doing roll call, are you on -- can you confirm that you're on?"

MS. BOARIO: I am on, can you hear me?

MS. DETWILER: Yes.

MS. BOARIO: Thank you.

MS. DETWILER: Just doing roll call, and I'm going to see if Charlie Brower has gotten into the speaking room yet.

MR. BROWER: Yes, I have. Just my phone seems to be funny right now.

MS. DETWILER: Great. Okay, thank you very much Charlie. And Chair Anthony Christianson.

(No comments)

MS. DETWILER: Not on. So we do have six members, Mr. Chair -- Acting Chair.

MR. SCHMID: Okay. Thank you, Sue. And we do have Public Member Charlie Brower on, which I
know we weren't comfortable moving forward with at least one Public Member and we do have a quorum. At this time, though, I think our next agenda item that we were going to take up is No. 9, which is the Fisheries Proposal 21-10, Lower Copper River area salmon that was deferred and coming back to the Board and since I will be involved in making the motion, at this time unless there's any other objection I would like to pass the gavel over to BIA, Gene Peltola. But, please, speak up anyone if you have an issue with that, if not, I will turn it over to Gene.

(No objections)

MR. PELTOLA: Hearing none, no objection, thank you, Dave, I appreciate it. So as Dave mentioned we're on Agenda Item 9, FP21-10 Copper River salmon. Sue, could you tell us what we have for the action process on this proposal.

MS. DETWILER: Yes, so the action items that we have listed on our -- for this agenda item would be an introduction of this agenda item, that will be done by Scott Ayers, our Fisheries Supervisor. We have an updated analysis of this proposal. We have a summary of Regional Advisory Council meeting points from when the two Regional Advisory Councils met on this, present that summary, and that would be an opportunity for the Council Coordinators and the Chairs of those two Councils to provide their summary and also be available for additional discussion. And then after the summary of Regional Advisory Council Chair comments, the Board would go into discussion and finally take action. And what is not currently on this agenda is a public comment period. It would be up to the discretion of the Board as to whether they wanted to add an additional public comment item, and if that were to be added it would probably come after the updated presentation of the updated analysis.

MR. PELTOLA: Okay, Sue, thank you. And I'm all in favor of inserting the comment period right after the updated analysis. Does anybody not agree with that step.

(No objections)

MR. PELTOLA: Okay, hearing none, Sue, why don't we go ahead and put the comment period right
after the updated analysis and then from there we'll
move on to turning it over to Scott and proceeding with
the analysis. Go ahead, Scott.

MR. AYERS: Thank you, Mr. Chair.
Members of the Board. Again, this is Scott Ayers, the
Fisheries Division lead at OSM. We're going to switch
things up a bit here and talk about a fisheries topic.

Specifically I'm here to speak with you
about deferred Fisheries Proposal FP21-10 which
requested a new Federal Subsistence fishery for salmon
in the Lower Copper River adjacent to the Copper River
Highway and then also why it's back in front of you
again.

Fisheries Proposal FP21-10 requests the
Federal Subsistence Board implement a salmon
subsistence fishery in the Lower Copper River adjacent
to the Copper River Highway with a harvest limit of 15
salmon other than pink salmon for the first two members
of the household and then 10 salmon for additional
household members. It would limit chinook salmon
harvest to five per household. Allowable gear types
would be dipnet, rod and reel, spear or gaff. The
proposal was submitted by Jesse Carter and Robert
Jewell of Cordova.

FP21-10 was presented at the
Subsistence Regional Advisory Councils at their fall
2020 meetings. The Southcentral Council provided a
recommendation in support of the proposal with the OSM
modification that required a 48 hour reporting
requirement. The Eastern Interior Council provided a
comment in opposition to the proposal. Board action on
this proposal at your January 2021 meeting was to
defer, your justification was that the proposal
resulted in a disagreement between Regional Advisory
Councils, some tribal communities and other Federally-
qualified subsistence users. You noted that the
deferral would give the Southcentral and Eastern
Interior Councils time to meet and work towards a
compromise that can be supported by those affected. On
March 16th, 2022 the Southcentral and Eastern Interior
Councils met jointly to take up this deferred proposal.
The Chairs of both Councils ran the meeting jointly.
Board Member Creachbaum and Board Member Schmid were
present and welcomed the group. Board Member Schmid
also provided a clarification on expectations letting
the group know that it was okay for the Councils to
disagree and that they were not required to compromise
as part of this process. Council Members heard a
presentation of the updated proposal analysis and were
provided an overview of all the materials that were
sent to the Councils for their consideration.
Following this each Council member provided statements
on the topic at hand touching on reasons for support of
opposition, ideas for potential modification and then
comments on process. When that was completed each
Council voted on a comment to the Board. The meeting
ended with closing comments. A transcript of that
meeting is available on the OSM website by going to
regions, choosing Southcentral or Eastern Interior and
then clicking on meeting transcripts.

As I close here you'll receive an
overview of the updated proposal analysis.

A summary of the main points from the
joint Southcentral and Eastern Interior Council meeting
will then be provided by the Council Coordinators.

The Council Chairs are here to speak to
any questions that you may have and then you can
proceed to your discussion, deliberation and action and
obviously now we've added a public comment section in
there as well.

Thank you for your time and please let
me know if you have any questions.

MR. PELTOLA: Thank you, Scott,
appreciate it. Any questions for Scott before we
proceed.

(No comments)

MR. PELTOLA: Okay, hearing none, Sue,
next item.

MS. DETWILER: Yes, I believe that
we're going to go into the Staff analysis. Scott was
that going to be Stormy and Milo.

MR. AYERS: Yes, that's correct.

MR. PELTOLA: Please proceed Scott with
the analysis.
MR. HAUGHT: Thank you. Good morning,
this is Stormy Haught with Chugach National Forest.
Thank you Sue and thanks Scott for that background.
Good morning Mr. Acting Chair and Members of the Board.

Again, my name is Stormy Haught,
Chugach National Forest. I'll be presenting an updated
analysis for FP21-10. This updated analysis is
available in the supplemental meeting materials.

Proposal FP21-10 submitted by Jesse
Carter and Robert Jewell of Cordova, Alaska request
that the Federal Subsistence Board implement a salmon
subsistence fishery in the Lower Copper River adjacent
to the Copper River Highway. Harvest limits would not
be additive to the current existing Federal subsistence
permit for the Prince William Sound area or the State
subsistence fishing permits in the Copper River
district.

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

The proposed Lower Copper River area
includes that portion of the Copper River from a
boundary one-half mile up stream of the Copper River
Highway to a boundary extending one-half mile down
stream of the Copper River Highway, from the west bank
of the river near Highway Mile 27, also known as Flag
Point to the east bank of the river near Highway Mile
38.

Allowable gear would be dipnet, rod and
reel, spear and gaff. With harvest limits for a
household of one person of 15 salmon other than pink,
five cutthroat trout with only two over 20 inches and
no more than five chinook salmon per household. For a
household of two would be 30 salmon other than pink
salmon, plus an additional 10 salmon for each
additional person in the household over two. Five
cutthroat trout with only two over 20 inches for each
household member with a maximum household limit of 30
cutthroat trout may be taken, with no more than five
chinook salmon per household.

I'll go through a little bit of
regulatory history, this starts on Page 10 of the
analysis.

The existing Federal subsistence
fishing permit within the Copper River Delta and Prince
William Sound area, this is FFPW010, which was
established in 2004 allows for the harvest of fish in
freshwater year-round except in the Lower Copper River
and its tributaries which are closed to Federal
subsistence harvest of salmon by regulation and
excluding Eyak Lake and its tributaries which are
closed to fishing for salmon. The Federal subsistence
permit limits the harvest of salmon to 15 fish for a
household of one, 30 fish for a household of two, and
10 for each additional person in that household. The
Federal and State subsistence permit harvest limits may
not be added. There is no limit on the number of
chinook salmon that may be taken within the total
salmon limit on this permit because there are few, if
any, chinook salmon returning to the freshwaters open
to subsistence harvest in this area.

Historically there have been several
Board actions on proposals submitted for the harvest of
salmon in the Copper River down stream of the 52 Mile,
or also known as the Million Dollar Bridge.

In 2007 Proposal FP07-14 was submitted
requesting that the Copper River waters down stream of
the Million Dollar Bridge be open to Federal
subsistence harvest of salmon using dipnets and rod and
reel with bait for the month of May, June and July.
The Board rejected this despite noting in their
decision justification that at that time there were no
biological concerns. At that time the Southcentral
Alaska Subsistence Regional Advisory Council felt that
other opportunities for harvesting salmon for
subsistence already existed in the Cordova and Prince
William Sound, both in the marine waters with a gillnet
and in freshwaters with a dipnet.

In the 2018 fisheries proposal cycle
Proposal FP19-14 submitted by the Native Village of Eyak proposed to extend the current Federal subsistence salmon fishery to waters of the Lower Copper River beginning one-half mile down stream of the road crossing at the Copper River Highway, Mile 27 and extending up stream to the Million Dollar Bridge using dipnet and rod and reel. The Native Village of Eyak withdrew Proposal FP19-14 during the first day of the 2018 Council meeting.

In April 2020 a request was submitted to the Board to open a Federal subsistence dipnet season for salmon in the Lower Copper River. This was Fisheries Special Action Request FSA20-04 to offset related health and safety issues associated with the existing means of harvesting Copper River salmon in the State's Copper River district fishery. This issue generated large amounts of public interest with 38 written comments supporting and 10 opposed to the measure. The proposal was considered by a special session of the Board and not adopted. One concern shared by some community members was the establishment of a Federal subsistence fishery would lead to the development of a State personal use fishery resulting in crowding and over harvest in the Lower Copper River. This could occur with or without the adoption of a Federal proposal, and for reference the State personal use was not proposed after the Federal fishery for freshwaters on the Copper River Delta was established in 2004.

Biological background on Page 17 of the analysis.

The State Upper Copper River SEG is 360,000 to 750,000 sockeye salmon. Since 1998 escapements have met or exceeded the minimum thresholds of the SEG range for sockeye salmon in the Copper River. Copper River chinook salmon failed to reach the sustainable escapement goal of 24,000 fish in 2010, 2014, 2016, 2020. There's a summary of Upper Copper River sockeye and chinook total run and escapement numbers on Table 2, Page 18 of the analysis and note that the numbers in that table are for Upper Copper River wild stocks only so wouldn't include Delta stocks or Gulkana hatchery stocks. Coho, chum and pink salmon are not expected to be significantly impacted by this proposal, though some incidental harvest may occur. Additionally there are populations of unknown size of
rainbow trout that migrate up the Copper River, these are steelhead. Current Federal subsistence management regulations require the immediate release of rainbow trout unharmed unless taken incidentally in a fishwheel.

Moving to current events, this is Page 14 of the analysis.

Poor runs of Copper River sockeye salmon in 2008 [sic] and 2020 prompted concerns with total sockeye salmon run size of less than a million each of those year. Sockeye salmon sustainable escapement goals were met in both years but the 2018 commercial harvest of just over 40,000 sockeye salmon in the Copper River district was the second lowest in the last 100 years and the 2020 commercial harvest of about 102,000 sockeye salmon was well below the 10 year average of over a million sockeye salmon. In-river personal use and sportfisheries were restricted in both years and State subsistence fisheries were restricted in 2018 including the first ever closure of the Glennallen subdistrict subsistence fishery.

In 2021 cumulative passage of 750,000 fish passed the Miles Lake Sonar indicate in-river management objectives and the SEG were met for sockeye salmon. Commercial harvest of about 400,000 sockeye salmon in 2021 was considerably below the 10 year average of 1.25 million fish. The 2021 commercial harvest of 7,000 chinook salmon was below the 10 year average of 13,000 fish. For chinook salmon, the Native Village of Eyak's preliminary 2021 estimate of in-river abundance was 21,656 chinook salmon, that's below the 24,000 fish escapement goal.

Cultural and traditional practices, Page 19 of the analysis.

The population of Cordova has been relatively stable over the last decade with the population of about 2,239 in 2010 and 2,316 in 2020. Commercial fishing and subsistence activities are considered central to the culture of the community. In 2014 the ADF&G conducted a comprehensive subsistence survey of resources harvested by residents in Cordova. The surveys found that sockeye salmon were used and harvested by Cordova households more than any other salmon, with about 73 percent of households followed by
coho salmon at 71 percent of households and chinook salmon at 63 percent.

The most commonly used gear type for harvesting salmon was removal from the commercial catch also known as homepack, followed by sport use rod and reel, which composed 38 percent of the total salmon harvested by weight. Access to sockeye salmon in freshwaters near Cordova is limited and in 2014 only 10 percent of the harvest of sockeye was by rod and reel. The Federal subsistence and State rod and reel fisheries are especially important to Cordova residents because they are accessible by road. These fisheries focus on fall coho salmon primarily in the heavily used Ibeck Creek, Alaganik Slough and the Eyak River.

A little harvest history here. I'll quickly summarize the harvest of the existing sub, and PU -- subsistence and PU fisheries in the Copper River, just kind of moving from smallest to largest. And this information is summarized in Figure 2 on Page 19 and Figure 3 on Page 21 of the analysis.

The 10 year average annual salmon harvest by fishery for the Federal subsistence harvest in the Copper River Delta, Prince William Sound area, again, this is primarily Ibeck Creek, Eyak River and Alaganik Slough, averaged 486 salmon total, approximately 80 percent of these were coho salmon. No chinook salmon have been reported as harvest under the Copper River Delta, Prince William Sound area Federal subsistence permit since its inception.

State subsistence permitholders in the Copper River district, this is the Copper River Flats gillnet fishery, averaged about 3,674 sockeye salmon and 550 chinook salmon. Federal subsistence harvest for the Upper Copper River district, this includes Chitina and Glennallen subdistricts combined, averaged 21,011 sockeye salmon and 809 chinook salmon. State subsistence salmon dipnet permitholders in the Upper Copper River district, this is the Glennallen subdistrict averaged 60,348 sockeye salmon and 2,500 chinook salmon. During this time dipnets composed about 70 percent of the State Gulkana subsistence permits issued. And then finally the Chitina subdistrict personal use fishery averaged harvest of 142,000 sockeye salmon and about 1,200 chinook salmon.
Effects of this proposal.

If adopted, this proposal would create access under a new Federal subsistence permit for the Lower Copper River area to include waters of the Lower Copper River as described previously. It would provide additional subsistence opportunities for Federally-qualified subsistence users living in the Prince William Sound area, especially those in the community of Cordova. This new harvest opportunity may generate some level of new interest that has potential of expanding the number of users and associated harvest, but it would also shift some of the harvest effort from the State subsistence fishery in the Copper River district and from the Federal subsistence fishery in the freshwaters of the Copper River Delta to the Lower Copper River. The total salmon harvest limit permitted per household would not change.

The proposed regulatory change would be expected to have a minimal biological effects on fish stocks, the projected harvest would be the smallest of any user group in the Copper River system estimated at about 2,000 sockeye salmon and 300 chinook salmon annually. And for context with other fisheries you can take a look at Figures 4 and 5 on Pages 27 and 28 of the analysis. This estimate is based on the annual State subsistence gillnet harvest in the Copper River district taking into account the smaller pool of qualified users and reduced efficiency of the allowable gear types; and that's essentially dipnet compared to a driftnet gillnet. It's not anticipated that the harvest from the proposed Lower Copper River area would affect subsistence, personal use or sport harvest in the Upper Copper River district.

The Superintendent of Wrangell-St. Elias National Park and Preserve is the Board delegated in-season manager for subsistence fisheries within the Federal waters of the Copper River drainage. While the Board delegated authority in all other non-Copper River waters within the Prince William Sound area to the Cordova District Ranger of the Chugach National Forest.

If approved, this fishery would need to be administered under a non-stackable Federal permit, separate from the existing permit, FFPW01 which is issued by the Forest Service. Both Federal permits would be available from the Forest Service office in
Cordova.

Wrapping up here with the OSM conclusion.

Support FP21-10 with modifications to include a requirement to report take of salmon to area managers within 48 hours of harvest.

And finally the justification:

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

Thank you, Mr. Chair. Members of the Board. That concludes my summary of Staff analysis. Would be happy to take any questions.

MR. PELTOLA: Thank you, appreciate that analysis. Any questions for Staff on the analysis.

(No comments)

MR. PELTOLA: Okay, hearing none, Sue, I think this is where we inserted comments, is that correct?

MS. DETWILER: Yes.

MR. PELTOLA: Will you please work with the Operator to open up the lines for any comments from the public.

OPERATOR: Thank you. As a reminder, to ask a question or comment please press star, one.
MR. PELTOLA: Operator, have you seen anybody hit star, one wanting to be heard?

OPERATOR: Yes, sir, we have two in the cue, just a moment.

MR. PELTOLA: Okay, thank you.

OPERATOR: First question or comment comes from Karen, your line is open.

MS. LINNELL: Thank you, Mr. Chair. For the record my name is Karen Linnell, Executive Director for Ahtna InterTribal Resource Commission. We represent seven tribes along the Copper River -- I'd like to -- from the headwaters down to Chitina.

I'd like to say that I object to the addition of the written comments -- that only allows for the comments were -- submitted late last year for the on time comments -- there has been no other public opportunity for input through this review and deferment with either the Southcentral or Eastern Interior RACs. There was no advertisement or allowance for AITRC or anybody else to provide written comments. It's only those that were late for last year, so I object to the addition of that. It provides an unfair advantage to those comments solicited by the U.S. Forest Service Staff last year.

The one thing that I would like to really state, though, is right now we're in a decline and we've been struggling to meet management objectives, a 24,000 chinook goal. At the last Board of Fish meeting the Staff informed us that they were changing their management objective from 24,000 chinook to a range of 21,000 to 31,000 chinook. They created this range at a lower level, I believe, so that they would not have to declare a species of concern because they -- four out of the last five years they hadn't met their objective.

So that's one of our concerns.

The other concern is the Copper River residents north from Chitina up do not have another river to go to for salmon. They don't have the ocean
to go to for salmon, this is our only source, while the residents of Cordova have two other rivers to go to and the ocean. So at what point does providing for everybody's subsistence needs negate our up river subsistence needs. We have nowhere else to go. And that, to me, is choosing one group over the other. While they have plenty of opportunity elsewhere, you know, once something happens to this river we have nothing, we have nowhere to go. And, you know, heaven forbid I have to go to the Cook Inlet to go get fish and take from other people's region, like the Kenaitze and the folks from Ninilchik. I know they're overwhelmed with folks coming into their area to take fish from their back door, I don't want to be one of those people going to somebody else's backyard to harvest.

I do have to say two years ago fishing was so poor we shut our wheels down. I got 66 salmon in over a month. It used to be I'd get 66 in a day and shut my wheel down to work on them. In that one month I shut my wheel down. The Department Staff would say that I didn't put in the effort. But I was taught to not take when it's not there to take. I was taught to conserve. I was taught that when I was in -- in abundance to shut down as well because you want to let some go by. Right now the way the management is happening when they have, quote, record numbers going by the sonar, they liberalize what is allowed by personal use fisheries. Well, they don't liberalize anything for subsistence users. When they liberalize it we end up with more folks coming to dipnet. And I have to say when dipnetting in the personal use fishery first started there were only 3,000 dipnetters and right now it goes anywhere from seven to 9,000 dipnetters come in. And it used to be that when there was high water they wouldn't fish. The water -- high water -- the water's high, dipnetting's poor but now they're dipnetting from boats and targeting those areas where the fish hold up during high water. So it used to be that when the high water would start to drop we'd start to catch fish in our fishwheels, we're not getting that anymore.

And so for me and my fishwheel is near the headwaters at Chistochina, the only one farther than mine is Katie John's family camp, there's a few up there at Slana that -- and at Katie John's camp, which is why we have Federal fisheries in the first place in
the Copper River, all the way down, and that's my family, my home starts there and goes all the way to Chitina because I was married to Chitina people. So to be able to provide for everyone in between, our neighbors, all those Federally-qualified between Chitina and Slana is important and is our goal, not to limit anybody else's subsistence opportunities but they have way more subsistence opportunities down there than we do on the Copper River.

And just, again, I just want to say that I do object to the addition of those written comments. It provides an unfair advantage and skews. I do appreciate the Eastern Interior RAC and Southcentral RAC getting together again, although we weren't able to talk to them. It's my understanding that the Southcentral RAC voted again and they voted it down, from my understanding. And that's, I think, what Gloria said, it was by one vote.

But I do appreciate you folks taking this up again and I thank you for your time.

MR. PELTOLA: Thank you, Karen. Does anybody have any questions or comments from the Board for Karen.

(No comments)

MR. PELTOLA: Okay, hearing none, Operator, could we go to the second person who was online for comment.

OPERATOR: Next person is Robert, your line is open.

MR. PELTOLA: Thank you, Operator.

MR. JEWELL: Hi, my name is Robert Jewell. I'm one of the co-sponsors for this. I appreciate what the prior caller said but what people up north don't understand is you need to have access to the fish and if you don't have a boat, a commercial boat to go out and get them it's -- it's very dangerous. People go out there in those little skiffs and just by the Grace of God they make it back sometimes. All we're asking is for access to the same amount of fish.
When you heard the report, we're not really going to be taking any more fish than we already are. And what it comes down to me is, I'm really wondering why special interest groups are getting priority over rural Alaska residents. We live in a rural community that does not have road access like all the northern areas that can go to the Copper River at Chitina and get their fish. The two extra streams that the reds come in on are clear streams that you cannot dipnet. So and everybody knows, reds don't bite on line and lure. So our only trick is to try to do dipnets with them and you spook them away. We made this proposal Federal so that only Cordovans would use it. We don't want everyone coming here to use it, we just want Cordovans. There's a lot of folks here who could use this because living in a true rural community that doesn't -- that's not on road access our bills are skyrocketing and to have extra healthy fish would be a benefit.

And as stated in the meeting last year, we're fighting over two less than two percent of the fish and why we're not prioritizing subsistence users, I'm baffled.

Thank you for your time, have a great day.

MR. PELTOLA: Thank you. I appreciate those comments. And anybody on the Board have any questions for our last presenter.

(No comments)

MR. PELTOLA: Okay, hearing none, Operator, do we have anybody else in the cue to provide comments.

OPERATOR: Yes, sir, the next person is Donna, your line is open.

MS. WILSON: Hello, thank you, Mr. Chairman for allowing us to speak. For 40 years we have lived at the headwaters of the Chitina River, we've been there a long time. And we used to go to various places up and down the river and watch copious numbers of salmon spawn. Now we see very few, if any. Those spaces where they spawned are gone, they're just empty, the water's just there clear and just sitting
there and this is of great concern to me.

I understand what the Cordovans are expressing, that they only have those three or four places and it's hard. Well, it is really hard for us anymore. We don't have any fish. We just don't have any fish. And this is one river in the Upper Copper, not even all of them.....

(Teleconference interference - participants not muted)

REPORTER: Wait a minute. Donna. Donna, hold on. So if everybody could take a second and please look at your line star, six to mute, because somebody's talking over Donna right now. I'd appreciate that, star, six or mute.

Okay, Donna, go ahead.

MS. WILSON: Okay, thank you. All of us up here only have the Copper, that's it. We can't go to a slough or a creek or another place and find the salmon, we've just got this up here. I would hope that you don't open it more.

They say that many fish wouldn't be caught but where does that number come from. I've been asking around, where does that number come from? The guy -- the man from Cordova that just spoke said lots of folks could use this one, what do those numbers mean, what does that mean? They say it would be 2,000, where does that come from. What if it's easy to do up there and everybody chooses to go up there. I don't know. It's so scary because it's such a small resource for all of us and those of us up at the upper reaches don't have another option.

So we work hard to get our fish and sometimes that's just what it takes, it takes hard work and sometimes some people have to maybe ask for help or ask for others to help them.

And that's what I have to say, thank you.

MR. PELTOLA: Thank you, Donna, appreciate it. Any Board members have any questions for Donna. And, Donna, I do apologize on behalf of the
Program for the brief period by when you were spoke over by someone, we do apologize for that.

MS. WILSON: Yeah, thank you. I lost my bearing, I hope I didn't sound really stupid.

MR. PELTOLA: No, no, not at all. We appreciate your time and effort and your comments.

MS. WILSON: Okay, thank you.

MR. PELTOLA: Hearing no questions for Donna, Operator, do we have anybody else in the cue.

OPERATOR: Yes. The next person we have is Jesse, your line is open.

MR. CARTER: Hello, can you hear me?

MR. PELTOLA: Yes, we can Jesse.

MR. CARTER: Thank you. So thank you for this opportunity again to speak on the proposal. I guess I'll just start off with a brief on, you know, how we came here.

I've been in Cordova for 33 years and I was involved in every fishery around Cordova. I was an owner and operator of the Copper River Flats Driftnet and this subject has come up quite a bit. But we used to be a booming town, we used to have herring fisheries, you know, we're subsidized, some of the community people with more income, but we've lost a lot of that, it's gotten tougher to live in Cordova, expenses, cost of living and everything is going way up. I've been involved in food drives in Cordova and there is a population that is in need with a little extra support to help them through the winter. So that's kind of the basis, you know, on the proposal.

We went around, we found an enormous amount of support, you know, for the proposal. And coming from, you know, being a fisherman and married into a fishing family who basically are living off of the Copper River I had to think this through from my perspective because I don't want to damage our fishery, our residents, I had to weigh out the needs. So my approach coming from my perspective into this is just
going to go forward and pull out any reason that would
come up that would say why we do not need this fishery
and I found the opposite. It's this fishery would help
people. It would give a little boost to help them
through the wintertime because there are people that
could really use it. We have family members that are
-- two families that are stacked up in trailers at
times, you know, it's tough to live in Cordova. We
need this extra support.

The one thing I want to touch on is
throughout these meetings that I've been involved in,
they keep saying we have all this access and all this
fish and that's bologna. If you look at the report
that was just put out you can see clearly that the
commercial fishermen, which is what you call homepack
catch the majority of the fish because they have these
100,000 vessels, they have the gear, the hydraulics and
they have the safety, and not only the safety they have
the experience of going out on the Flats to fish. And
for the people who do have skiffs and go out there and
fish subsistence have to compete with commercial
fishermen and that's not an easy thing to do.

I want to go back to the Eyak River and
the Alaganik. These rivers are very slow moving,
they're clear. I've tried dipnetting it several times
and you cannot dipnet those rivers, you cannot get
sockeyes in there unless you get lucky or unless a boat
goes by and they spook the fish into your net. And we
all know the regs, you cannot spook or herd fish. So
you would be forced to fish illegally in the river
unless you have a perfect ideal condition where the
water happens to be murky and it's flooding.

So those rivers are not accessible for
us to catch any kind of a homepack for reds. We do
have silvers that we can catch on rod and reel. That
ones's -- and that's mostly based on the Eyak and the
Ibeck Rivers what puts a lot of stress on that with all
the sportfishermen coming in.

There was an opportunity for someone to
come down, we were going to show them, you know, the
rivers, the access issues we have, take them around to
some people, and let them talk to them why they needed
it and they came in, we had no contact, no
communication, they cherry-picked and went back to the
Board and made statements like, you know, this -- this
person is against it or this group is against it, and I don't think that's fair. That's not fair to our community, it's not fair to the people that need it and I'm sorry that that happened that way but it's just not fair to us.

The catch is cumulative, that means we're not catching any more?

(Teleconference interference - participants not muted - busy tone ringing)

MR. PELTOLA: We can still hear you.
MR. CARTER: Can you hear me?
MS. LAVINE: Yes, please.....
MR. PELTOLA: Yes, we hear you.
MS. LAVINE: .....hold Jesse.....
MR. CARTER: Okay. I hear a busy sound.

MS. LAVINE: .....please hold on while the Operator identifies the -- there you go -- oh, please hold on while the Operator identifies the line.
MR. CARTER: j Okay.
MS. LAVINE: Operator, please let us know when we can proceed.
OPERATOR: You can proceed.
MR. CARTER: Okay, am I -- can you hear me?
MR. PELTOLA: Yep.
MR. CARTER: Okay, sorry about that. But I just wanted to, you know, Cordova has a need, basically that's what I'm getting at. They -- we keep coming back that there's no access and -- or I mean that we have all these rivers and there's access and unless you've been here trying it you'll see that you have to have a skiff, you have to have a skiff so you can access, you know, the Flats to go up there and
subsistence fish with your State permit to get reds.

So I don't think it's fair for the, you know, special interest groups to come in and say all these things that are like half-truths. You know like one of the Boards here they say there was a unanimous vote no, well, that was only one fifth of the Native voters that voted that down and I heard it was spearheaded by certain individuals. Because I followed up on that from the last meeting when they made that statement and I found several Native members that were for it, they didn't vote, but there was only one (indiscernible) that did and most of them were fishermen, which is another special interest. So I would just like for the facts to at least be straight if we're going to try to figure out how -- what is fair with the subsistence fish instead of making it political because that's not fair to us when the impact on this fishery, as you see, is going to be very minute, it's all accumulative and most of the fishermen that bring their pack in are commercial fishermen anyways.

I just ask that when you guys go to vote that we are a subsistence community and there are families who need this fish and they do not have access to catch these fish on the Eyak River and the Alaganik. So I appreciate your time and thank you for all the work that you've done.

MR. PELTOLA: Thank you, Jesse. And on behalf of the Board I do apologize for that brief interruption when we had some background noise, it was not intended and we do apologize for that. So Board members, do you have any questions for Jesse, or comments.

MS. DETWILER: Mr. Chair, this is Sue Detwiler. While they're thinking of their comments, would it be possible to get Jesse's last name for our records.

REPORTER: Carter.

MR. CARTER: Yes, am I still open.

MR. PELTOLA: Yes, you are Jesse, please proceed.
MR. CARTER: Yes, Jesse Carter.

MS. DETWILER: Thank you.

MR. CARTER: And one last thing I'd like to mention, you know, the corporation here has put together a program, I think it's wonderful but the program is where they have a hired skipper and they take their members out on the Flats with a gillnet in a commercial boat to help them get their subsistence State fish. And I think that's important because if that doesn't speak louder than words on what kind of an access issue that we have, you know, that's -- that just says it, you know, we don't have an access issue -- we do have an access issue where you have to have a vessel.

So I just wanted to add that last point in, thank you.

MR. PELTOLA: Thank you, Jesse. And one more time do any Board members have any questions or comments for Jesse.

(No comments)

MR. PELTOLA: Hearing none, Operator, is there anybody else in the cue.

OPERATOR: Yes, sir. And as a reminder to give a question or a comment please press star, one. The next one in cue is Barbara, your line is open.

MS. CELLARIUS: Mr. Chair, my name is Barbara Cellarius. I am the Cultural Anthropologist for Wrangell-St. Elias National Park and Preserve. And I guess I should stop and make sure that you can hear me.

MR. PELTOLA: Yep, I could hear you on this end.

MS. CELLARIUS: Thank you. The Wrangell -- so I'm going to be presenting the comments for the Wrangell-St. Elias Subsistence Resource Commission. These aren't my comments, they're from the Commission.

And so at it's fall 2020 meeting, the
Commission took up this proposal and the Commission unanimously opposed the proposal. The creation of a new fishery on the Copper River will have the potential to affect Upper Copper River fishery. This was a low year for both chinook and sockeye salmon runs and SRC members have heard reports of people not getting enough salmon. Residents of Cordova have other opportunities to harvest salmon whereas Upper Copper -- upper river residents rely solely on Upper Copper River fisheries. The written public comment included in the proposal analysis indicated opposition from several long-term residents of Cordova along with the Native Village of Eyak with no comments from Cordova in support of the proposal. In the absence of local support, there is no reason for the SRC to support the proposal.

Thank you, Mr. Chair.

I would just add that the SRC did provide a comment to the joint RAC at their meeting -- or a comment at their spring -- the SRC voted at their spring 2022 meeting to make a comment to the RACs at the joint meeting and they also opposed the proposal unanimously in that comment.

Thank you, Mr. Chair.

MR. PELTOLA: Thank you, Barbara. Are there any Board members who have any questions for Barbara.

(No comments)

MR. PELTOLA: Okay, hearing none, Operator, do we have anybody else in the cue. And just for timing purposes, I'm not sure if we have anybody else in the cue or how many we have but we'll probably continue to take comment until the top of the hour so we could proceed with the consideration of the proposal.

Operator.

OPERATOR: Yes. Again, as a reminder to give a question or comment press star, one. The next person in the cue is Jim, your line is open.

MR. SIMON: Hello, did you say Jim, Jim Simon?
MR. PELTOLA: Yes, Jim, go ahead.

OPERATOR: Yes, sir.

MR. SIMON: Oh, thank you very much.
For the record my name is Jim Simon, I'm a Consultant
with Ahtna InterTribal Resource Commission but I'm
taking off that hat and just speaking as a former
Federally-qualified user from the Upper Copper River.
I grew up in the Nelchina area. My father was Herb
Simon and my mother Jackie Meekin.

And I just want to say that this is a
complicated issue, I think, for the Federal Subsistence
Board and I appreciate the challenges that you have in
listening to the various testimonies.

You know when I was a kid we traded
with Ahtna friends and neighbors in order to get most
of our salmon, although I have helped on my family's
fishwheel in the past and been a dipnet user in the
Chitina subdistrict. The numbers of fish that are
available in the Glennallen subdistrict today compared
to when I was a kid in the '80s is just so dramatically
difference, it's very concerning at the thought of
opening up an additional fishery. I've only been to
Cordova a couple times but at this last Board of Fish
meeting in Cordova in December was the last time I
visited there and it was great, you know, people are
very friendly and one guy actually went out with one of
my co-workers and caught a winter kind which we shared
and ate during a break from the Board meeting and was
really wonderful, you know, that another gentleman from
Cordova shared with another co-worker, you know, a box
of fish that I helped carry to the airport and, you
know, it's really great that Cordovan residents share
with those of us from the Upper Copper.

And I guess maybe I don't fully
understand the access issues that others have spoken to
but I see in the -- from Page 23 of the 2020 Prince
William Sound annual management report, that says, and
I quote, the Federal subsistence salmon fishery in the
western portion of the Copper River Delta is
administered by the U.S. Forest Service. In 2005 the
Federal government began issuing permits allowing
subsistence harvest on Federal lands in Prince William
Sound and the Lower Copper River area. Legal gear
types are dipnet, rod and reel and spear. In 2020 an
estimated total of 101 Federal permits were issued but only 47 permits were fished with an estimated harvest of 98 sockeye and 416 coho. So it seems like in some respects these opportunities are provided, maybe not in the specific place that this proposal speaks to, but I am also concerned, like others, about how establishing this fishery could have additional detrimental affects on the subsistence fisheries up river and -- and I just don't think this is the right time.

There seems that there are opportunities that are really not being taken advantage of with less than half of the issued Federal permits, subsistence fishing permits being fished.

So with that, thank you very much.

MR. PELTOLA: Thank you, Jim. Do any Board members have any questions or comments for Jim.

(No comments)

MR. PELTOLA: Hearing none from others. Actually I have one if you wouldn't mind Jim. when you're mentioning about the Glennallen subdistrict you used the descriptor, different, would you elaborate on what you meant by different?

MR. SIMON: What's different is just the inability to share with like my family, that used to happen in the '80s because even though I still get fish from my friends with fishwheels, it's almost like I feel guilty even receiving any of those fish because they're getting so few fish for their own needs. And, you know, that's what made me wonder, you know, here I was an outsider coming into Cordova and, yet, people were very quickly sharing with us but then to hear other Cordova residents, you know, it begs the question as to how much sharing is actually happening within the community, you know, because generally when you look at rural Alaskan communities across the state, from my previous work for the State Subsistence Division, 30 percent of the households, and these are largely Alaska Native communities, 30 percent of the households harvest 70 percent of the resources consumed, used by that community. And -- so I wonder what's happening in Cordova that there are supposedly all these people who don't have any access to salmon and it seems peculiar from my standpoint and my, you know, 50 years of
history of sharing in the Upper Copper River area from
the Glennallen subdistrict point of view where I was
raised.

I hope that answers your question, Mr. Peltola.

MR. PELTOLA: Thank you, appreciate it.

Any other questions or comments for Mr. Simon.

(No comments)

MR. PELTOLA: Okay, hearing none, Operator, we're approaching the top of the hour, I'll take comments from one more individual if we have anybody in the cue.

OPERATOR: Okay. The last question or comment comes from Bruce, your line is open.

MR. PELTOLA: Go ahead, Bruce, if you're with us.

(No comments)

MR. PELTOLA: Hello. Operator, can you ensure that his line is open or remind him about the mute code.

OPERATOR: Bruce's line is open.

(No comments)

OPERATOR: Bruce, are you there?

(No comments)

OPERATOR: So he's not saying anything, I don't know if he's muted on his end but his line is open here.

MR. PELTOLA: Okay. And it's star, six, correct.

MR. ERVIN: Can you hear me?

OPERATOR: Yes, sir, we can here.

MR. PELTOLA: Is that you Bruce?
MR. ERVIN: Hi, sorry about that. This is Bruce Ervin, you can hear me okay.

MR. PELTOLA: Yep, go ahead, Bruce.

MR. ERVIN: Okay, sorry, I've been hitting all kinds of buttons -- not flying an airplane or something.

But thank you, Chair. Members of the Board. Thank you for this opportunity to comment today. My name is Bruce Ervin, I'm a Northway Tribal member. And you know just starting off I'd like to oppose FP21-10 and I'd just like to reiterate and echo Karen and Jim, you know, some of the concerns of AITRC. And, you know, as an Upper Tanana Dena' we have C&T for the Upper Copper River and, you know, I'm just really concerned about the low returns. I respect what Jesse and Robert were saying earlier, you know, it's really sad that the system where they live is really broken right now and they don't have that opportunity when they should but, you know, what we're saying up here is we're not seeing the salmon return and I sure as heck don't want to see it end up like the Yukon River. I don't want Batzulnetas to end up being like Canada where they don't be able to -- where they're not able to fish at all.

I heard a story from one of my grandpas and I have Ahtna roots through Batzulnetas, one of my grandpas grew up there as a kid and is the brother of Katie John, and, you know, one of my grandpas, you know, he said that they used to get, you know, up to 200 salmon a day, that's how good the numbers used to be back in the day. I don't think they see that anymore today and I don't want to see the Copper River end up like the Yukon. Because our Yukon relatives are really suffering right now, they weren't able to fish last year, I don't want to see that happen to the Copper River. Those low numbers, I see it, I hear it. All the tribes along the Copper River are letting you all know about it. They don't see it like how they used to when they were a kid. The numbers are going down and that's what they're trying to say. That's why they're fighting so hard right now to not let this happen.

You know, sure, maybe if the population was good for the salmon, but we're just not seeing that right now. You know, these salmon are more than food
security, they're our identity, we're fighting for our relatives right now. So I don't think it's sustainable at this point in time and respectfully I'll have to oppose it.

And I see it every year, I see so many people going to Chitina, it's just flooded. A lot of the people who are there, they monetize it, they turn it into a cash economy and it's impacting our salmon. I see it at the Kenai River, all the people that flood there. When I first went there -- I don't even go there anymore there's so many people there and they charge so much money just to stay for a night, you know, you pay in 12 hour periods, you have to pay for parking, pay for camping, pay for this and that, you have to be rich to go fish in Kenai and there's thousands of people right there at the mouth. So that's another reason, you know, I'm very cautious about this proposal. You know there needs to be a better system in place for the people in Cordova, they shouldn't have to fight with us, we shouldn't have to fight with them. We all survive and we all depend on the salmon and the numbers right now are very low and I really don't want it to crash like the Yukon.

I just want to say thank you. Thank you, again, for letting me testify today and providing this opportunity. I appreciate you all and thank you for all your hard work.

Thank you.

MR. PELTOLA: Thank you, Bruce. Appreciate you providing time to provide comments to the Board. Board members, you have any questions or comments for Bruce.

(No comments)

MR. PELTOLA: Okay, hearing none, that will close out the public comment section for consideration of FP21-10, the Copper River salmon. Before we go into the summary of the Regional Advisory Council meetings, Sue, I was wondering if you could give a brief summary to the Board for our benefit about when and where these meetings took -- when and where these Regional Advisory Council meetings took place.

Thank you.
MS. DETWILER: Yes, I would have to defer to the Council Coordinators on that. They are more up to speed on those details than I am, if you don't mind, Mr. Chair.

MR. PELTOLA: No, no problem at all. I just wanted the Board to be presented with the date and times when the Regional Advisory Councils did take this up post deferral by the Board.

MS. DETWILER: So I think, yeah, so the Council Coordinators, DeAnna Perry, and Brooke McDavid, I believe they will be summarizing the main points of the Council's joint meeting and then the Council Chairs or their actings are available for any additional discussion.

MR. PELTOLA: Okay. Let's proceed with that presentation by the Council Coordinators and please include the date and location when the RACs convened. Thank you, much. Go ahead, proceed.

MS. PERRY: Hello, Mr. Peltola, Acting Chair and members of the Board. This is DeAnna Perry, Council Coordinator for the Southcentral Regional Advisory Council. I'll be providing you with information regarding actions by the Southcentral Council. And then Brooke McDavid, the Council Coordinator for the Eastern Interior will follow with information regarding actions by the Eastern Interior Council.

Before I start can everyone hear me okay.

MR. PELTOLA: I can hear you fine on this end.

MS. PERRY: Thank you. I will have to get back to you on the exact dates, I do not have those right in front of me since this I came prepared to give (indiscernible - cuts out)

(Indiscernible - cuts out)

MS. PERRY: Southcentral Alaska Council changed their position on the fisheries proposal from support to opposition. To express the position, the Southcentral Alaska Council voted on a motion to
provide a comment in support of Fisheries Proposal 21-10 with new OSM modification. The result of the vote was six votes in opposition and five in support. Two Southcentral Council members were absent and could not participate in the vote, however, they did provide written statements in support of the proposal.

This Board was provided with a link to the transcript of the FP21-10 joint meeting between Southcentral and Eastern Interior Regional Advisory Councils so that they could read all Council member comments in their entirety. Council members spent a significant amount of time preparing and participating in this meeting and it was important to both Councils that this Board read their individual comments.

As a reminder the Southcentral Council members comments begin on Page 71 of that joint meeting transcript and Eastern Interior Council members comments begin on Page 60.

In the interest of time I'll remind you of some of the common themes expressed by Southcentral Council members.

The following points were made in opposition of the proposal.

There is already ample opportunity for subsistence salmon fishing in the Cordova area.

Upper river residents only have the Copper River to fish on for salmon.

The pandemic has passed and the same concerns for social distancing don't apply as when this proposal was introduced.

If someone doesn't have a boat they can once again go with someone who does.

People take care of each other. If someone doesn't have a boat to get the fish they need someone who will share salmon with them and allow them to fish with them.

Salmon gets shared widely and passed out in Cordova.
Native Village of Eyak is a great example of proxy subsistence community fishing under State rules.

There is no history of anyone dipnetting in the Lower Copper River so a new fishery would not be providing for use.

It is not a good idea to open a new fishery and increase opportunity when runs are declining even if projected harvest would be small. Runs of both chinook and sockeye salmon are returning smaller and weaker fish.

The State lowered escapement goals and still run sizes have only been at the lower end of management objectives.

Subsistence salmon needs in the upper river are not being met.

This proposal will affect 23 communities who fish up river from where the proposed fishery would occur.

Pursuant to data provided by the Ahtna InterTribal Resource Commission, in two of the 15 years from Gakona up to Batzulnetas and in seven out of 15 years from Tonsina to Gakona amounts necessary for subsistence have not been met.

Fishing would occur below sonar before proper assessment of run size could occur.

The part of the river where this fishery is proposed would be difficult for anyone without a boat to access so this will not increase opportunity for people without boats.

There are concerns that incidental catch will impact the stocks of king salmon.

Opening new areas to make it easier to fish is not warranted in a declining fishery.

And the current fishery has too much use already.

Again, those were the Southcentral
Regional Advisory Council comments in opposition, but, again, I would ask everyone to look at the transcripts for all of those comments in their entirety.

The Southcentral Alaska Council members made the following points in support of the proposal.

There is support from this proposal from many local residents and entities.

Adding a new fishing opportunity will not have an impact on escapement or up river harvest as harvest will be tiny compared to the other subsistence, personal use, and commercial fisheries take.

Not all community members can participate in the State subsistence fishery.

This will give subsistence users who cannot afford a boat, gas or gillnet a chance to catch some salmon.

Will help people harvest subsistence salmon for their families and they especially help younger folks and elders.

This fishery isn't taking away from the other fisheries or other opportunities for people to fish elsewhere, it just provides another place to harvest under a Federal subsistence fishery.

King salmon incidentally caught in dipnets can be easily released so this fishery will not impact that species.

Dipnetting in other areas of Southcentral such as those shared between the communities of Hope, Cooper and Ninilchik have been successful without negatively impacting the resource.

There was a lot of opposition for the Ninilchik gillnet, fear of decimating the fishery and harming king salmon, however, this has not had a negative impact and has provided close to 4,000 fish for their community.

During low runs managers will be able to reduce or shut down this opportunity just like the other fisheries.
If fishing needs to be limited, personal and commercial use should be limited first. Subsistence users take a small piece of the pie and should not have to fight over that small piece.

It would help ensure opportunity is provided for all Federally-qualified subsistence users and it is our duty as RAC members to provide a priority for all Federally-qualified rural subsistence users.

Again, these were points gleaned from the transcript from Southcentral in support of the proposal.

Additionally, during that joint meeting Southcentral Council members suggested the following modifications to the proposal if the Board were to adopt FP21-10. Although they did not vote on these proposed modifications as a Council items brought up were:

- To require the release of king salmon.
- Only allow dipnets, no spears or gaffs.
- No guiding in the subsistence fishery.
- And prohibit dipnetting from boats.

And finally there were additional comments stated by Council members by the Board's decision to defer this proposal and the request that both Councils meet to develop a compromised or consensus position. Some of those points that they wanted to share with the Board:

- This whole process has been very confusing to the Council members.
- We were told to compromise and then we were told we don't need to.
- We were told we can't vote on this modified proposal again but now we're voting.
- We can't make a new recommendation, only a comment.
This joint meeting is a public meeting but no public comments are allowed.

This whole process has gone awry of ANILCA.

When a new fishery was proposed in Kenai, OSM allowed a local working group to discuss a new fishery and the Council thinks they should have been allowed to do the same on this proposal.

The Council members felt that it was not right for the Board to pit two Councils against each other.

Additionally, they felt it was not appropriate to defer this issue for input from the Eastern Interior Council since the fishery would occur in the Southcentral region.

The Council members were not sure why this was sent back to them since they already voted on it.

The new Council members, almost half of each Council did not hear the public testimony that was received when Fisheries Proposal 21-10 was originally taken up by both Councils in the fall of 2020.

Mr. Acting Chair and members of the Board, that concludes some of the main points made by the members of the Southcentral Council at the joint meeting which happened on March 16th, 2022. That was a meeting with Eastern Interior Council. Again, I hope that you've all had a chance to review all of the Council comments from the transcript on this matter.

I'll now turn it over to Brooke McDavid to share specific information on Eastern Interior's actions at the joint meeting and then afterwards, Vice Chair of Southcentral RAC, Gloria Stickwan, and the Chair of Eastern Interior RAC, Sue Entsminger, are standing by to answer questions and provide additional feedback as well as myself and Ms. McDavid.

And, Mr. Acting Chair, it looks as though Staff has helped me out with the meeting dates. The Southcentral RAC took up the proposal the first time at the fall 2020 meeting, and that was October 7th.
and 8th. And I would have to get back to you on the
rest of the dates, I don't have that at my fingertips,
Mr. Peltola, Acting Chair.

Thank you.

MR. PELTOLA: Thank you, DeAnna. Go
ahead, Brooke.

MS. MCDAVID: Thank you, Mr. Chair.
Mr. Chair and members of the Board. For the record my
name is Brooke McDavid and I am the Coordinator for the
Eastern Interior Regional Advisory Council.

Just to provide a little bit of
history, the Eastern Interior Advisory Council
originally took this up -- took up this proposal during
their fall 2020 meeting, which was held October 14th
and 15th via teleconference. And then the Board ended
up deferring the proposal at their 2021 meeting and it
returned to the Councils. The Councils tried to meet
jointly in the fall of 2021 but were unable to because
of scheduling and so they ended up meeting jointly at
the March 16th, 2022 meeting, also held via
teleconference.

So at that joint meeting on March 16th
with the Southcentral Advisory Council, the Eastern
Interior Council continued to oppose Fisheries Proposal
FP21-10. To express their position, the Eastern
Interior Council voted on a motion to provide a comment
in support of the proposal with the new OSM
modification. The result of a roll call vote was six
votes in opposition and zero in support with four
members absent.

At this joint meeting members of the
Eastern Interior Advisory Council made several points
about the proposal and I will provide a summary of
those main points now. So, again, these are points
made in opposition to the proposal during the meeting.

There are major conservation concerns
for Copper River salmon and a new fishery should not be
created when run sizes are declining and there is
difficulty meeting escapement goals.

Alaska Department of Fish and Game
lowered the escapement goal so that it looks like
Copper River runs are doing okay but management strategies are not working if escapement goals had to be lowered.

It is irresponsible to create a new fishery given all the changes in the marine environment where salmon rear.

Cautious management is paramount due to the unknown impacts of climate change on Copper River salmon stocks.

Fish are getting smaller in the Copper River because smaller females have less eggs, more fish need to reach the spawning grounds to ensure the viability of these runs into the future.

Creating more opportunity in the lower river will put upper river subsistence fishers at a further disadvantage.

Fishers in the Cordova region have tremendous opportunity to harvest multiple high quality salmon and other species while fishing opportunity in the upper river is very limited.

Food insecurity is a concern in the Interior region and additional harvest down river could exacerbate this.

There has been a decline in the ability of residents who live throughout the Copper River area to meet their subsistence needs in recent years.

Dipnetting on the Copper River is not a customary and traditional fishery for Cordovans.

Not having a boat is not a reason to start a new fishery.

Council members were concerned that this sets a precedent and that new fisheries could be established every time someone says their subsistence needs aren't being met.

Council members were also concerned that some fishers in Cordova might be abusing subsistence opportunities and selling some subsistence caught salmon.
Managers need to learn from the salmon declines on the Yukon River and the severe impacts that has had on Yukon River subsistence users. It would be sad to see the same thing happen on the Copper River.

The Copper River is already experiencing increased numbers of users and that increase is already stressing the resource.

Mr. Chair, that concludes a summary of the main points made at the joint meeting in opposition of 21-10 by the members of the Eastern Interior Council.

There were no comments from the Eastern Interior Council members in support of FP21-10 at that meeting.

Even though the Council was in opposition to the proposal, during discussion some Council members did suggest two potential modifications if the proposal were to be adopted by the Board.

1. Prohibit guide services in this new fishery.

2. Prohibit dipnetting by boat.

These modifications were just brought up during discussion and the Council did not vote on these modifications.

In addition to comments about the proposal itself, the Eastern Interior Council members also provided comments about the Board's decision to defer FP21-10 and the request that both Councils meet to develop a compromise. Some of those points that members made were as follows:

It has been too long between when Fisheries Proposal FP21-10 was originally reviewed by the Council and now, the joint meeting, to be deciding on it again.

The Council has had three meetings since we originally took this up and after so much time lapse this is not really fair for our members to have to be discussing it again.
There are four new members who were not present for the original deliberation and recommendation and who have not been previously been presented information on this proposal.

It is unfair for the Board the two Councils meet and try to compromise.

Additionally, some members felt under pressure by the Board to come up with additional comments.

Mr. Chair, and members of the Board that concludes the summary of some of the main points provided by members of the Eastern Interior Council at the March 16th, 2022 joint meeting with the Southcentral Council to discuss deferred Fisheries Proposal FP21-10. As DeAnna previously mentioned, the full transcripts are available for the full comments.

I will now turn it over to Southcentral Council Vice Chair, Gloria Stickwan, and the Eastern Interior Council Chair Sue Entsminger who may wish to provide additional comments.

MR. PELTOLA: Thank you. Gloria and Sue, please proceed.

MS. STICKWAN: This is Gloria Stickwan. Earlier this morning I heard about no one met with people in Cordova from up here. There was a Board of Fish meeting, my understanding was they did meet with residents in Cordova about fishing. I did not go down there so I don't really know. But I do know that they met with the people down there and had dinner with them, from -- people from up this way, the Ahtna people and fisheries proposals was talked about but I can't tell you who. I know they met with residents though.

And I just want to say, again, that, you know, all the RAC Southcentral members that fish on the Copper River were all opposed to this fishery and Eastern Interior as well.

And, again, Eyak has continuously been saying no to this proposed fishery.

I was told to say only things that the RAC has said, but I had to respond to that comment made
this morning. I think all the points were made. I hope you will consider and give deference to the RACs after meeting two times on this proposal.

A decision was made by both RACs.

Thank you.

MR. PELTOLA: Thank you, Gloria. Sue, do you have any additional comments as the Chair of the Eastern Interior.

MS. ENTSMINGER: Yes, thank you. You can hear me.

MR. PELTOLA: Five by five.

MS. ENTSMINGER: Okay. This is Sue Entsminger, Eastern Interior Chair. Yes, that was a good summary of all of the comments.

I want to talk a little bit, this kind of reminds me of the Yukon River, because I've been on this Council 21 years and, boy, this is the beginning stages of what has happened on the Yukon River to the point where they're not even being able to fish chums either, kings or chums, even for subsistence. So we need to be really, really careful when we look at these proposals.

And I want to talk a little bit about the process. And I do want to remind the Board members, there was three members not present at our meeting because they were at other meetings, and couldn't attend, and at any rate, Greg and I, the Chair of the Southcentral RAC were called by DeAnna and we started talking about what to do with coming up with a compromise. And I know, Greg -- I said, Greg, we probably won't agree on this one because of the Yukon River and the -- the -- we, the Eastern Interior, have -- it's a crossover proposal because the Copper River we have a C&T, the southern -- or the Unit 12 people have a C&T for the river and we put our wheels in or get fish from the Slana area. And at any rate Greg and I were talking and I -- we both felt a little -- a little bit concerned that it was brought back to us -- for the concern -- and we talked about it several times and as you know it was delayed several times and every time I talked to Greg we felt like it put a lot on us
and I think a better process for us, as a Council, this
might be a real learning experience for Staff, would be
to have recognized that, okay, we didn't allow -- we
were looking at this same proposal, we were not looking
at any new information and it's a controversial issue
over up river and down river and this would be better
met if there was a working group. I suggested that at
first to Greg when we talked. We talked several times
before this meeting actually happened and we -- I don't
think he was in favor of a working group at first but
once we had the joint meeting I heard him say it a
couple of times, that a working group and giving more
information and allowing public testimony would have
been a better way to have addressed this. And I think
in the future it was really wrong not to have public
testimony at the meeting or -- and then have public
testimony at this meeting. So it just -- it's a little
bit perplexed and confusing and concerned about the
process. So I think it's very important to have more
opportunity for the public to get involved and maybe
talk about specifics about proposals that we might
agree on, could have happened, but we're volunteers. I
have to remind you all we're volunteers, and work that
you guys do to help us is really important.

And that's the only thing that I have
to add is just concern about the process.

MR. PELTOLA: Thank you, Sue. And I
would just like to provide comment from this end is
that providing public testimony is the discretion of
the Chair but since I did hear some complaints that we
had not provided those, that is the reason why I opted
to allow opportunity for now for the Board's
consideration.

With that being said we have heard from
DeAnna, we've heard from Brooke, we've heard from the
Vice Chair of Southcentral, the Chair of Eastern
Interior, does the Board have any questions or comments
for any of those four individuals involved in that
presentation, if so please go ahead and ask directly.

MR. SCHMID: Yeah, Mr. Chair, this is
Dave. Just a point of clarification, if I could help,
maybe going back to DeAnna's comments and others that I
heard on the vote as well. I know that the vote during
the joint RAC meetings, I know there were a number of
folks absent from the Eastern Interior and there were a
couple that were absent as well that submitted a
written comment there, DeAnna, in terms of the
Southcentral's RACs vote. Could you clarify that
because you said that they voted against it but I know
that the Chair, Greg, spoke a bit at the very end of
the meeting and folks started falling off the phone
fairly quickly but how did that end, if you could
clarify that, in terms of a vote for the Southcentral.

MS. PERRY: Thank you, Member Schmid.
Through the Chair, this is DeAnna Perry, Coordinator
for the Southcentral Council. We did have two
Southcentral Council members who were unable to attend
any part of the meeting. In lieu of that attendance
they did provide written statements in support of the
motion, however, because they were absent they could
not participate in the vote.

And, Mr. Peltola, Acting Chair, I do
have the information that you requested earlier.

Again, the issue came before the
Southcentral Council on October 7th through 8th, their
fall 2020 meeting. The Board deferred this action in
its meeting, January 26th through 29th, 2021. After
that plans were made to have a joint meeting with
Eastern Interior and we had targeted the week of
October 11th, 2021 but as you know fall is our
regulatory meeting and as we got closer and we found
out how many proposals that both Southcentral and
Eastern Interior would have on their agenda, with the
approval of the Chairs, we deferred that to the winter
meeting where we thought there would be more time,
however, we couldn't have more than two RAC meetings in
one week so both Councils picked one day, March 16th,
to have their joint meeting and that's what Ms. McDavid
and myself have summarized.

So thank you, Mr. Acting Chair, for
allowing me to put that on the record.

MR. PELTOLA: Thank you, I appreciate
the effort. Are there any other questions from Board
members for the group.

MS. ENTSMINGER: Mr. Chair, this is
Sue, the Eastern Interior RAC Chair.

MR. PELTOLA: Go ahead, Sue.
MS. ENTSMINGER: Yeah, I just wanted to let David Schmid know that, I think that's who was -- about the members absent at our meeting. We had taken this up at our own meeting, not the joint meeting and it was a zero seven vote against it. And a lot of our members that are new and I -- I don't think the people on the Yukon River would be voting for it. But I'm just summarizing, I just wanted to let you know that.

MR. PELTOLA: Thank you, Sue. Any further questions for Gloria, Sue, DeAnna or Brooke.

(No comments)

MR. PELTOLA: Hearing no others, Sue, the next item on the list is Board discussion, correct.

MS. DETWILER: Yes, that's correct.

MR. PELTOLA: Okay. We'll proceed. Any Board members have any further concerns, comments, questions they'd like to be answered, addressed from any of the parties involved at this point.

MR. SCHMID: Yeah, Mr. Chair.

MR. PELTOLA: Yeah, go ahead. Dave.

MR. SCHMID: Yeah, not to drag this out any further but there were other -- let me see here, I didn't know if the ISC had any more comments, was that part of it or are we ready for Board deliberation?

MR. PELTOLA: I'd defer to Sue on the process with regard to consideration for 21-10.

MS. DETWILER: Yeah, to my knowledge the ISC did not take this up.

MR. PELTOLA: Okay.

MR. SCHMID: Okay.

MS. DETWILER: But I would defer to Robbin on that.

MS. LAVINE: Thank you, Mr. Chair. Through the Chair. The ISC did provide a recommendation on the original proposal and the Board
was presented with the original Regional Advisory Council recommendations and comments, the results of tribal consultations, the results -- or the comments from the State Liaison, and the comments from the ISC at that time and I believe you may find the ISC comments from the very first time this proposal was presented to the Board on -- let's see what page is that, on Page 35 of the analysis, that is part of the supplemental materials on our website.

Thank you, Mr. Chair.

MR. PELTOLA: Thank you, much, appreciate it. So Dave, I think we're at the point if the Board does not have any further discussion we're open for a motion on the action -- the proposal. Any other questions, or comments, discussion from Board members.

(No comments)

MR. PELTOLA: Hearing none we're open for a motion for action on the item.

MR. SCHMID: Okay, Mr. Chair, Forest Service.

MR. PELTOLA: Go ahead, Dave.

MR. SCHMID: Mr. Chair, I move to adopt WP21-10 [sic] in support of the original Southcentral Alaska Subsistence Regional Advisory Council recommendation to implement a salmon season fishery in the Lower Copper River adjacent to the Copper River Highway with a harvest limit of 15 salmon other than pink salmon for the first two members of the household and 10 salmon for additional household members and an annual harvest limit of five chinook salmon per household with the OSM modification to require a 48 hour reporting period and additional modifications to include -- I have three of them:

1. Fishing by dipnet or rod and reel only.
2. Delay the start of the season to June 1st.
3. Prohibit dipnetting from boats.
Following a second I will explain why I intend to support my motion in support of the original Southcentral RAC’s recommendation including the OSM's modification as well as the three additional proposed modifications that I just presented.

MR. BROWER: Second by Public Member Brower.

MR. PELTOLA: We have a second, please proceed.

MR. SCHMID: Thank you, Charlie. First of all, and most importantly I truly want to express how much I emphasize with the Federally-qualified rural residents of the Upper Copper River, including Ahtna and members of the Eastern Interior Subsistence Regional Advisory Council over concerns about the declining salmon runs on the Copper.

The Upper Copper has seen significant growth and you heard that from across the board, in the State personal use fishery, which has included the increased use of boats as dipnetting platforms as well as commercial guiding. From 2010 to 2019 the average annual harvest has been over 140,000 sockeye salmon in the Chitina subdistrict State personal use fishery.

During the same time, commercial harvest have averaged over 1.3 million sockeye salmon annually.

Declining chinook salmon runs have been a concern to all users across the state of Alaska for over a decade including those on the Upper and Lower Copper.

It is truly unfortunate to see two Federally-qualified user groups at odds with each other when over 90 percent of the Copper River sockeye and 96 percent of the chinook salmon harvested between 2010 and 2019 were by non-Federally-qualified user groups while Federally-qualified subsistence users took only three and four percent respectively. It's difficult for me to see how such a disparate harvest between non-Federally-qualified and Federally-qualified users translates into a subsistence priority to Federally-qualified users that rely on Copper River salmon for subsistence.
I've heard from others today that have mentioned that there's three streams, or two streams primarily in the Cordova area with Federal subsistence seasons for salmon, Eyak and Ibeck, and as you've heard, and I won't repeat, due to -- from public testimony -- due to low stream gradient and clear water dipnetting for salmon in the two streams is very challenging if not impossible most of the time. Again, the total harvest from those Federal fisheries is small from 2010 to 2019, I think you heard before, the average harvest on these streams combined was only 102 sockeye and 481 coho and it's notable that most of these are caught on rod and reel.

It's clear to me that these streams which represent the entirety of the existing Federal subsistence opportunity in Cordova do not provide adequate access or opportunity to constitute a reasonable Federal subsistence priority.

Simply put, it leaves a significant portion of the Cordova community without a means to obtain Federal subsistence salmon.

And, next, the proposed Federal subsistence fishery would provide a first opportunity for Federally-qualified rural users that don't have access to marine waters to obtain Copper River salmon coming out of winter when the need for salmon subsistence fish is greatest.

Finally, probable -- the probable harvest from the proposed subsistence dipnet fishery on the Lower Copper is very low and anticipated to be at a maximum of 2,000 sockeye salmon annually. This is less than one-tenth of one percent, .08 percent, of the total average annual Copper River sockeye salmon run and less than one percent, .63 percent, of the total annual Copper River chinook salmon run. Such low harvest levels are likely to have a significant impact on the overall in-river salmon abundance relative to other existing fisheries.

In summary, conservation and management actions over low salmon abundance should target where the vast majority of harvest occurs, primarily in the State commercial fishery in marine waters and State personal use fisheries in the Upper Copper River drainage. While the Joint Council meetings did not
result in any compromise that was supported, several
constructive suggestions were made by members from each
Council, which I've taken into consideration and
incorporated into our modification of the proposal.
With the addition of these modifications to the
proposed regulation many of the concerns expressed
about overharvest should be alleviated.

Thank you, Mr. Chair.

MR. PELTOLA: Thank you, Dave. We'll
go into Board deliberation.

(No comments)

MR. PELTOLA: So one thing I'd like to
comment about is that we've heard from both the
Southcentral and Eastern Interior and about how they
feel like they were put on the spot. At least from
BIA's perspective that was never the intention. The
deerence provided to Regional Advisory Councils is
very significant and they did have a split in opinion,
that's at least from BIA's perspective, that's where I
look for us going back to the Regional Advisory
Councils, it was not intended to put them on the spot,
put them in a bad light, whatsoever. There is great
significance of the position of the Regional Advisory
Councils with regards to the Board and there's certain
things that -- there's only certain circumstances when
the Board can counter a Regional Advisory Council
decision with regard to take, those are very limited.
So that's the significance of the Regional Advisory
Council input. I apologize and I'm sorry to hear that
the Regional Advisory Councils weren't as happy as they
could have been but that's the significant role that
the Regional Advisory Councils play.

A question that maybe, before we get to
-- before we get to the call for the question, I could
ask of OSM, if they could address this for the Board's
benefit as well, is, the delegation of authority to
this potential fishery if the Board passes, where does
that lie, is the first question, Sue, or maybe Scott.

MR. AYERS: Mr. Chair, this is Scott
Ayers for the record.

MR. PELTOLA: Thank you, Scott, go
ahead.
MR. AYERS: The delegated authority for managing the Copper River lies with the National Park Service with the Superintendent of Wrangell-St. Elias, I believe.

MR. PELTOLA: In that delegation, Scott, does it stipulate methods, means and bags, or harvest levels?

MR. AYERS: I don't have the delegation pulled up right now but all of the fisheries delegations are the same allowing for emergency special actions only -- I can look that up in just one moment, Mr. Chair.

MR. PELTOLA: Thank you.

(Pause)

MR. PELTOLA: Please bear with us for a slight pause here.

(Pause)

MR. SCHMID: Mr. Chair, while we're waiting, Dave Schmid.

MR. PELTOLA: Go ahead, Dave.

MR. SCHMID: Yeah, I, too, and I should have begun earlier here extending my apologies to the RACs that the intent, as Gene shared was not to pit one against the other, one RAC, or to put -- to try and find some forced comprise. And I know that that's how it was interpreted and I apologize if some of the language that I used earlier or on the record contributed to that. I did try to make that clear when we started the -- when welcoming folks together to the meeting that, you know, not compromising or not changing positions was perfectly acceptable and I do apologize for that. I think if anything contributed to a hardening of original positions and maybe some stronger feelings.

So my deepest regrets if I did contribute, that was certainly not the intent. I was hoping that the RACs could hear from each other and maybe at least understand each other's position a little bit closer.
Thank you, Mr. Chair.

MR. PELTOLA: Thank you, Dave. And your comments do address what I consider the backbone of the Federal Subsistence Program, and that is the engagement and involvement and the outcomes from our Regional Advisory Councils. Thank you, Dave.

MR. AYERS: Mr. Chair, this is Scott. I'm ready.

MR. PELTOLA: Go ahead, Scott.

MR. AYERS: I pulled up the letter or delegation and specifically I'm looking at the scope of delegation and it permits the in-season manager to open or close Federal subsistence fishing periods or areas provided under the codified regulations. It also permits them to specify methods and means, to specify permit requirements and to set harvest and possession limits for Federal subsistence fisheries. It also permits them to close and reopen Federal public waters to non-subsistence fishing but does not permit them to specify method and means, permit requirements or harvest and possession limits for State managed fishery. That delegation may only be exercised when it's necessary to conserve healthy populations of fish or to ensure the continuation of subsistence uses. All other changes to codified regulations such as customary and traditional use determinations or requests for special actions greater than 60 days shall be directed to the Board.

Please let me know if that clarifies things, Mr. Chair.

MR. PELTOLA: Thank you, Scott. I do appreciate that. One other point I would like to raise is, and then I'll go see if there is any other Board members who have any comments or concerns before we call for the question, but I'd like to reiterate a portion of the statement that Dave made when he was justifying his motion.

Is that, once, again, the Federal Subsistence Program is placed in a scenario to argue over a significant minority of the run, it constitutes anywhere from one to two percent of the run. The overall impact of the fishery for Federally-qualified
users lies outside the potential direct action of the Federal Subsistence Board and our Federal regulations have a minimum impact on the overall run size return as a whole. I just wanted to reiterate what Dave mentioned.

With that being said, any other Federal Subsistence Board have any questions or comments.

MS. CREACHBAUM: Mr. Chair, NPS.

MR. PELTOLA: Go ahead.

MS. CREACHBAUM: Mr. Chair, I move to amend the motion to authorize the Lower Copper River fishery on a temporary basis for a three year period beginning in 2022. And if I get a second I'll explain the justification for supporting my amendment.

MS. BOARIO: Second.

MR. PELTOLA: We have a second. Go ahead, Sarah.

MS. CREACHBAUM: Thank you. The intent of my amendment is to authorize the Federal subsistence fishery on the Lower Copper River on a trial basis. I acknowledge the introduction of this Federal subsistence fisheries is consistent with the intent of ANILCA and, as such, a Federal priority. This said, it comes at a difficult time with the Secretary of Commerce recently declaring disasters in the Copper River salmon fisheries in 2018 and 2020. Additionally, the chinook salmon runs have been at historic lows in recent years and sockeye salmon runs have been weak. The introduction of a new fishery should be done with great caution, have a deliberate approach and allow for those that manage the fisheries of the Copper River, the State of Alaska and Wrangell-St.Elias National Park and Preserve the opportunity to test the fishery for three years to best learn how the new activity integrates into current systems of commercial and in-river management before finalizing the regulations. This pilot approach is the responsible and professional action required of public servants employing the precautionary principle to management of fish and wildlife while best meeting the needs of the resources and the people who depend on them. It is also appropriate to allow our partner in conservation of
Copper River, the State of Alaska, the opportunity to evaluate and adapt to a new fishery while minimizing any potential impacts to participants in existing Federal subsistence fisheries up river, many of whom, already have difficulty in meeting their needs.

For these reasons I intend to support my amendment to establish the Lower Copper River fishery on a temporary basis only with an exception of evaluation and revision in three years time.

Thank you, Mr. Chair.

MR. PELTOLA: Thank you, Sarah. Any discussion or comments about the amendment.

MR. AYERS: Mr. Chair, this is Scott Ayers with OSM, I have a question.

MR. PELTOLA: Go ahead, Scott.

MR. AYERS: Sorry, I was listening in to the amendment and I just wanted to make sure I had it accurately, that this would make this a temporary three year fishery and the starting year would be 2022?

MS. CREACHBAUM: That's correct.

MR. AYERS: Thank you.

MR. PELTOLA: Any other questions or comments before we proceed.

(No comments)

MR. PELTOLA: Hearing none then I'd like to make one comment. I'm not necessarily a fan of sunset clauses. I think if the Board were to take an action to establish a fishery, that there is ample in-season and regulatory measures to serve the same purpose, it would just require due diligence and paying attention to the fishery, the agency, and the management.

Anybody else have any questions or comments.

(No comments)
MR. PELTOLA: Hearing none, would
support a call for the question.

MS. PITKA: Hi, I'm sorry, this is
Rhonda Pitka.

MR. PELTOLA: Go ahead, Rhonda.

MS. PITKA: Hi. No, I just wanted to
let you know that I was online finally.

MR. PELTOLA: Okay. Rhonda.....

MS. PITKA: My plane was late and I
finally landed.

MR. PELTOLA: Okay. We are at -- we
are discussing FP21-10, the Lower Copper River area
salmon. We've gone through the intro by the Fisheries
Office, we received an updated analysis, we received a
summary from the Regional Advisory Council Joint
meeting of Southcentral and Eastern Interior, in
addition to comments from the two Chairs. We took
about 45 minutes of additional public comment. We had
a motion made by National Forest Service [sic], and
then we had an amendment made by the National Park
Service.

And for Rhonda's benefit, Sue, could
you please ask Staff to read the original motion and
then the amendment.

MS. DETWILER: Yes. So the original
motion was to adopt Fisheries Proposal 21-10 as
modified by OSM and further modified by the Forest
Service to allow fishing only by dipnet, and rod and
reel, delay the start of the fishery to June 1 and
prohibit dipnetting by boat.

And the amendment that is now under
consideration is to make this a temporary three year
fishery starting in 2022.

REPORTER: And, excuse me, this is
Tina, the court reporter, could I just clarify who made
the second on the amendment because I only heard a
woman's voice but no name. Thank you.

MS. DETWILER: The second on the
amended -- the second on the motion to amend was made by Rhonda Pitka, I believe.

REPORTER: Oh, okay, I thought it was Fish and Wildlife Service. Rhonda, is that correct?

MS. PITKA: No, no, I did not make that -- I'm sorry, I didn't make that second, I wasn't -- my line was still on mute.

REPORTER: That's what I thought, okay.

MS. DETWILER: Oh, okay......

REPORTER: So who made the second, Fish and Wildlife Service?

MS. BOARIO: Fish and Wildlife Service seconded.

REPORTER: Thank you. Thank you, very much.

MR. PELTOLA: So, Rhonda, a procedural question for me, since normally you fill in in the absence of the Chair, would you like to take over at this time or would you like me to follow through with the completion of 21-10, then have you take over after that.

MS. PITKA: I'd like you to follow through with completion. Thank you.

MR. PELTOLA: Okay. Okay, thank you, Rhonda. So we've updated Rhonda, she's online now, we appreciate your presence, Rhonda.

So at this point we've had a motion, we've had an amendment to the motion. So we could look for a call for the question to vote on the amendment.

MR. SCHMID: Question on the amendment.

MR. BROWER: Mr. Chair, I have a question.

MR. PELTOLA: We had two people speak over each other.
MR. BROWER: Yes, I just had a question on the amendment, if I may before we vote.

MR. PELTOLA: Yeah, go ahead, Charlie.

MR. BROWER: Yeah, I have a concern with the trial run for three years. What -- what's the outcome of this pre-run trial?

MR. PELTOLA: Okay, Sue, if you could elaborate, if I get it wrong. But if the Board was to adopt this with the amendment the regulation would be put in place for a three year period starting in 2022 and would potentially expire after that. You can correct me if......

MS. DETWILER: Yes, that's -- that's -- yeah, that's my understanding. But I also would like to ask Theo Matuskowitz, if he's online, he's our regulatory specialist, if you would like anything further than that he can provide that information.

MR. PELTOLA: Theo, if you're on board could you provide a little input for the Board's consideration please.

MR. MATUSKOWITZ: Yes, Mr. Chair. This is Theo Matuskowitz, for the record. What Sue said is basically correct. This regulation would expire at the end of the season in 2024 and unless someone took an action to submit a proposal to continue this action it would just expire and removed from the regulations.

Let me know if you have any further questions. Thank you.

MR. PELTOLA: Thank you, Theo. Appreciate that clarification.

MS. CREACHBAUM: Mr. Chair, National Park Service.

MR. PELTOLA: Go ahead, Sarah.

MS. CREACHBAUM: Just for a point of clarification, the three year time period would be made with an expectation of evaluation and revision in three years time. Thank you.
MR. PELTOLA: So I have a question then, would the evaluation or revision based on your motion you made, would you intend the regulation to be permanent, the Board revisit and reevaluate and take potential action three years out?

MS. CREACHBAUM: Yes, Mr. Chair.

MR. PELTOLA: So based on that clarification I'd have a question for legal counsel, Solicitor's Office, Ken. Would the Board be able to revisit an existing regulation that is on the books for reevaluation or consideration three years out without a particular motion -- or proposal being made to the Board for consideration?

MR. LORD: Gene, I actually had the same question and I was about to text that to Theo so we could discuss it. So if you could give us a minute offline we'll figure that out for you.

MR. PELTOLA: Thank you, Ken. So at this time I propose let's give them a 12, 15 minute break, come back at 15 minutes past the hour and hopefully we'll have clarification. Thank you, Ken. Talk to everybody shortly.

(Off record)

(On record)

MS. DETWILER: We'll go back and do a roll call here to make sure we have a quorum of Board members back on the call.

Starting with National Park Service, Sarah Creachbaum.

MS. CREACHBAUM: Hi Sue, I'm present.

MS. DETWILER: Thank you.

Tom Heinlein, BLM.

MR. HEINLEIN: Hi, Sue, I'm present.

MS. DETWILER: Thank you.

Fish and Wildlife Service, Sara Boario.
MS. BOARIO:  I am here, thanks, Sue.

MS. DETWILER:  Forest Service, Dave Schmid.

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

MS. DETWILER:  Thanks, Dave.

BIA, Gene Peltola.

MR. PELTOLA:  BIA's back.

MS. DETWILER:  Thank you.

Public Member Rhonda Pitka.

MS. PITKA:  Hi, I'm online.

MS. DETWILER:  Thank you, Rhonda.

Public Member Charlie Brower.

(No comments)

MS. DETWILER:  Chair Anthony Christianson.

(No comments)

MS. DETWILER:  Robbin, or someone on the call, could you check with the Operator and see if Public Members Brower is trying to get in.

OPERATOR:  This is the Operator, if you're on the line please press star, zero. If you're on the line please press star, zero.

(Pause)

OPERATOR:  No one has signaled at this time.

MS. DETWILER:  Mr. Chair, we have Rhonda Pitka -- Public Member Rhonda Pitka and then the five agency Board Members online. We're trying to get Mr. Brower, who was just recently online and Anthony Christianson.
MR. PELTOLA: Thank you, Sue. Sue, why
don't give it a couple more minutes to try to get
Charlie online. We have at least Rhonda here if we are
in a position where we end up proceeding although I
would like to have both involved in the final decision
of this proposal if can be. So let's give it a couple
more minutes.

MS. DETWILER: Thank you.

(Pause)

MR. PELTOLA: To the members of the
public, we do apologize, we're giving it a couple more
minutes here to see if we get one more of our Public
Members back online. If we don't hear from anybody
here shortly then we'll proceed.

(Pause)

MR. PELTOLA: Operator, have we had any
success in getting Public Member Brower back on board?

OPERATOR: At this time I don't -- I
still do not see Mr. Brower.

MR. PELTOLA: Okay, unless there's an
objection from any of the other Board Members I propose
we proceed.

(No objections)

MR. PELTOLA: Okay, hearing no
objections, Theo and Ken, could you please enlighten
the Board what you have discussed, please.

MR. MATUSKOWITZ: Yes, Mr. Chair.
Again, this is Theo Matuskowitz for the record. First,
I'll point out that this is something new that the
Board hasn't done before, however, I feel fairly
confident the Office of Federal Register would allow
this. We could use terminology along the lines of, you
know, this regulation expires on XX, you know, end of
season 2024 unless reviewed or renewed by action of the
Board. So I think that would be safe to use and would
be accepted by the Federal Register.

And I'll also point out since we're
talking about a three year period here, also that would
not preclude anyone from submitting a regular proposal to revise change, you know, whatever this -- this regulation. But as of what we're attempting to do -- what you're attempting to do now, yes, I believe we can do that if we were to word it a certain way and I'll work with the Federal Register to get this through.

Please let me know if you have any questions.

Thank you.

MR. PELTOLA: Yes, Theo, this is Gene. Just one follow up after your explanation there. Would there need to be a specific -- what would it take for the Board to invoke an expiration or extension if we were going to review the effectiveness after the three year period. So procedurally what would have to be presented to the Board outside of another proposal to take action as proposed?

MR. MATUSKOWITZ: Well, since -- well, it would be in the regulation that, you know, we're referring to, you know, some action being renewed by the Board, it's in the record that at the expiration if you want -- if the Board wants to vote to continue it, if the Board wants to vote to, you know, make it permanent and drop the, you know, the timeline you can do that because we're saying it this certain way in the actual regulation. So it's basically, you know, in 2024 the Board can act on this if they so desire and make whatever changes they want or if they decide -- if you decide to do nothing it will expire.

MR. PELTOLA: Okay, Theo, thank you. Anybody have any questions for Theo and/or Ken, from the Board.

(No comments)

MR. PELTOLA: Any questions or comments.

(No comments)

MR. PELTOLA: I'd like to provide one. I do appreciate the effort that Ken and Theo put into it. I'm still a bit uncomfortable with the verbiage or terminology which has been utilized, is that I've heard
should, may be able to, will work with as opposed to a yes or no, and for those reasons I'm leaning towards not supporting this amendment.

Any other questions or comments from any other Board members.

(No comments)

MR. PELTOLA: Hearing none, we'd entertain a call for the question to vote on the amendment.

MR. SCHMID: Question. And I believe Charlie has joined or is trying to call in now.

MR. PELTOLA: Okay. I have a question, Operator, can you confirm whether Public Member Charlie Brower is on or not.

OPERATOR: Mr. Brower, if you're on the line please press star, zero. Again, if you're on the line please press star, zero. At this time I don't see where anyone has called in with the host passcode. Just a moment.

(Pause)

MS. DETWILER: Mr. Chair, while we're waiting for Charlie to join on, may I just read the wording that we have now for the amendment to make sure that it's what the Board is wanting to vote on.

MR. PELTOLA: Please do, Sue, with the concurrence of the motion maker.

MS. DETWILER: Okay, thank you. So the amendment that the Board will be voting on would make -- it's an amendment to the prior motion, to adopt with modifications. This amendment would make it a temporary fishing season starting in 2022 to expire following the 2024 season unless renewed by action of the Federal Subsistence Board.

(Pause)

MS. DETWILER: So I'm just looking for concurrence with the motion maker and seconder, that that is -- and, I guess the attorneys, to make sure
that is the wording -- wording of the amendment
that the Board should be voting on.

MR. MATUSKOWITZ: Mr. Chair, this is
Theo Matuskowitz, may I address this issue, please.

MR. PELTOLA: Go ahead, Theo.

MR. MATUSKOWITZ: Yes, I think we'd
have a problem using the word, temporary. These are in
the CFR, they're permanent regulations, so that very
well could become a sticking point to try and get this
published. I think it would be best if we remove,
temporary, and just say, to make, you know, this
regulation effective starting in 2022 and to expire
following the 2024 season unless renewed by action of
the Federal Subsistence Board. The temporary part, I
feel, would be questioned because they'd probably refer
to our special action regulations and say, well, why
don't you address it this way because, you know, the
CFR are permanent regulations.

So that would be my only
recommendation.

Thank you.

MR. PELTOLA: Thank you, Theo, for the
clarification. So, Sue, can.....

MS. DETWILER: Yeah, reread -- reread
it as -- as modified by Theo.

MR. PELTOLA: Excuse me?

MS. DETWILER: I'm sorry, I
interrupted, I was going to offer to reread it with the
modification by Theo.

MR. PELTOLA: Oh, actually I was
checking with Sue [sic] to see what her motion actually
was, if she could review her motion and be willing to
read it such that -- since we did have a second and we
had a call for question, and if she used the term,
temporary, then I would say with concurrence of the
motion maker and the second before we continue
deliberations and potential vote and strike that from
her motion -- or her amendment I should say. So Sue
[sic], did you use the term, temporary.
MS. CREACHBAUM: You're asking for Sarah.

MR. PELTOLA: Yes, Sarah Creachbaum.

MS. CREACHBAUM: National Park Service.

MR. PELTOLA: Yes, sorry about that.

MS. CREACHBAUM: Oh, that's okay. It's not -- we did not use the word temporary.

UNIDENTIFIED VOICE: We can take it out. We did but we can take it out.

MS. CREACHBAUM: Oh, I see, I'm sorry. We did apparently but we're prepared to remove that.

MR. PELTOLA: So with the verbiage, temporary, in the original amendment, in order to facilitate the concerns expressed by our Regulations Specialist and with input from the Solicitor's, with the concurrence of the second, would -- Sarah Creachbaum, would you be willing to strike the term, temporary?

MS. CREACHBAUM: Yes.

MR. PELTOLA: The second on that motion I believe was Sara Boario.

REPORTER: Yes.

MR. PELTOLA: Sue, could you confirm who the second was on the amendment for us, please, so we could get concurrence from the second.

MS. DETWILER: I believe it was Sara Boario or Jill Klein may be sitting in for her at the moment.

MR. PELTOLA: Jill or Sara are you online?

MS. BOARIO: Yeah.

MR. PELTOLA: Do you concur striking the term, temporary?
MR. PELTOLA: Thank you much. So we have clarification on the motion that, temporary, is not utilized based on the advice from the Regulations -- and Solicitor's Office input. Question has been called, is that correct, Sue?

MS. DETWILER: Actually I don't remember who called for the question if they did.

REPORTER: Yes, the Forest Service.

MR. SCHMID: This is Dave. I did call for the question, Forest Service.

MR. PELTOLA: Okay, thank you, Dave. Sue, could you please proceed with the roll call vote on the amendment.

MS. DETWILER: Yes. Starting with the maker of the motion, Sarah Creachbaum, National Park Service.

MS. CREACHBAUM: The National Park Service supports.

MS. DETWILER: Thank you.

Sara Boario, Fish and Wildlife Service.

MS. BOARIO: Fish and Wildlife Service supports.

MS. DETWILER: Thank you.

Gene Peltola, BIA.

MR. PELTOLA: Bureau of Indian Affairs votes to oppose. This is too complex of an issue to be trying something for an initial first time with the significance of subsistence on the Copper River. Thank you.

MS. DETWILER: Thank you.

Bureau of Land Management, Tom Heinlein.
MR. MCKEE: Sue, this is Chris McKee, I'm standing in for Tom, he had to step away for another meeting briefly so I'll be acting in his stead.

BLM supports.

MS. DETWILER: Okay, thank you.

Dave Schmid, Forest Service.

MR. SCHMID: Forest Service opposed.

MS. DETWILER: Okay.

Public Member Rhonda Pitka.

MS. PITKA: I oppose the amendment.

MS. DETWILER: Thank you.

Public Member Charlie Brower.

MR. BROWER: Oppose.

MS. DETWILER: Okay. The vote is -- Chair Anthony Christianson, did you come on.

(No comments)

MS. DETWILER: So it looks like the motion fails, three yeas and four nos.

MR. PELTOLA: Okay, thank you, Sue. That brings us back to the original motion as presented by National Forest Service [sic]. Any other discussion, if not we'd be ready to entertain the call for the question.

(No comments)

MR. BROWER: Question.

MR. PELTOLA: Question's been called. And, Sue, can you please conduct a roll call vote of the Board members.

MS. DETWILER: Okay. So for clarification the original motion was to adopt FP21-10 with modification as recommended by OSM, with further
modification by Forest Service to allow fishing only by
dipnet and rod and reel, delay the start of the fishery
to June 1, and prohibit dipnetting by boats.

And starting with the Forest Service.

MR. SCHMID: Yes, Forest Service. I
support the motion with the justification I provided
earlier.

MS. DETWILER: Okay, thank you.

Sarah Creachbaum, Park Service.

MS. CREACHBAUM: National Park Service
supports.

MS. DETWILER: Sara Boario, Fish and
Wildlife Service.

MS. BOARIO: Service supports.

MS. DETWILER: Thank you.

Gene Peltola, BIA.

MR. PELTOLA: The Bureau of Indian
Affairs asks that as Acting Chair you come to us at the
end of the roll call vote.

MS. DETWILER: Thank you.

BLM, Thomas Heinlein.

MR. MCKEE: BLM supports.

MS. DETWILER: Okay.

Public Member Rhonda Pitka.

MS. PITKA: Hello, can you hear me?

MS. DETWILER: Yes. Yes, Rhonda, what
is your.....

MS. PITKA: Okay, great. I oppose. I
oppose FP21-10. The Eastern Interior Regional Advisory
Council opposed the proposal because of potential
conservation concerns and depletion of very important
subsistence resource, and they detailed a lot of concerns on Page 34 of the Board book.

Thank you.

MS. DETWILER: Thank you.

Public Member Charlie Brower.

MR. BROWER: Opposed.

MS. DETWILER: Okay.

Chair Anthony Christianson, if you've come on.

(No comments)

MS. DETWILER: Finally back to you, Mr. Peltola.

MR. PELTOLA: Standby, concurring with Staff.

(Pause)

MR. PELTOLA: BIA's been very torn on this issue, although when I spoke to the significance of the Regional Advisory Councils and their input, the last vote presented to us is two Regional Advisory Councils in opposition so BIA votes to oppose in support of the Regional Advisory Councils.

MS. DETWILER: Okay, thank you. So the vote is four in favor of the motion to adopt, and three opposed. The motion passes.

MR. PELTOLA: Okay, that completes FP21-10. I appreciate everybody's patience. I know we did -- it was a little unorthodox but we try to get some input in, we tried to get legal advice so the Board could take appropriate action. With that being said, I would like to, if she's willing to take it, pass on to -- pro tem duties to duties to Public Member Rhonda Pitka.

MS. PITKA: Yes, absolutely.

MR. PELTOLA: Thank you, Rhonda.
MS. PITKA: Thank you very much, Mr. Peltola for your handling the meeting. I just landed in Seattle at about 1:00 p.m., and so my service was very spotty at times.

So right now we're at scheduling of upcoming Board meetings.

MS. DETWILER: Yes, Madame Chair, we just have two more agenda items. Schedule of upcoming Board meetings and the last item is Federal Subsistence Management correspondence procedures and I would note for Item 11, correspondence procedures, the original requester for that agenda items was the Chair, Tony Christianson, who requested this item be on the agenda and he is not present as far as I know. That is -- it's not a time sensitive issue, the Board could, at it's pleasure, defer it to the next meeting or continue on with this agenda item at this meeting. I'm prepared to go either way on that, I'm the presenter on that.

And actually I kind of got ahead of you, Madame Chair, I apologize. You were ready to launch in to schedule of upcoming Board meetings.

MS. PITKA: Yes, thank you. So the schedule of upcoming Board meetings, I believe that's Robbin LaVine.

MS. LAVINE: Yes, thank.....

MS. DETWILER: Yes.

MS. LAVINE: .....you, Madame Chair.

This is Robbin.

MS. PITKA: Go ahead.

MS. LAVINE: And I first would like to confirm the 2022 summer work session. Earlier in the year we conducted a doodle poll and seven of the eight Board members confirmed availability for July 26th and 27th. I want, on the record, to confirm that a quorum of the Board would be available on those dates. And I would note that this is a very difficult time for Board members and Staff alike. Staff, in particular, are constrained by deadlines, reviews and preparing all of the work and meeting materials for the Regional Advisory Councils -- the printing of those Council book
materials would begin August 3rd. So just letting you
know that it's very hard to schedule these things with
so many busy people.

Thank you, Madame Chair.

And I'm, you know, ready to entertain
discussion on the dates of July 26th and 27th.

MR. PELTOLA: Madame Chair, BIA.

MS. PITKA: Go ahead, BIA.

MR. PELTOLA: Thank you, Madame Chair.
Robbin, I do appreciate the comments about being busy,
as well as the leadership of our DOI agencies, we are
busy as well. Just so people are aware I did respond
to the doodle poll, those are the only dates that I, at
BIA, could participate in the summer work session.

Thank you, Madame Chair.

MS. PITKA: Thank you. And, yeah, so I
responded to the doodle poll is those dates were the
only dates that would work for me. But, really, with
the lack of salmon fishing in the Interior right now I
think my calendar's pretty clear.

So does anybody else have any comments
on the dates.

MS. BOARIO: Madame Chair, Fish and
Wildlife Service.

MS. PITKA: Go ahead.

MS. BOARIO: My apologies to the Board
and to the Staff, those dates do not work for me. And,
Sue, it sounds like if what you need is a quorum, you
may well have it so.

MS. PITKA: Fish and Wildlife Service,
will your alternate be available at that time?

MS. BOARIO: Yep, my alternate will be
available.

MS. PITKA: Thank you. Does anybody
else have any comments on the summer session dates.
(No comments)

MS. PITKA: If not, I'm not sure what action's required here, is it a vote?

MS. LAVINE: No, Madame Chair, no formal action is required unless we are selecting and confirming a final date for the winter public meeting. I just wanted to confirm and it sounds like aside from Board Member Boario we do have a quorum for the July 26th and 27th, and in addition an alternate is available.

Thank you, Madame Chair. We will begin planning that meeting for -- it is a work session -- we will be addressing the annual reports for the Regional Advisory Councils and reviewing Board replies. Additionally, the Board is required to have an executive session to review Council member nominations. And we're very hopeful that we'll be able to hold this meeting in person but I, of course, defer to my superiors on that. We can all be hopeful and I am hopeful.

So thank you, Madame Chair, we'll begin work on that.

The next item that I'll bring to your attention.....

MS. PITKA: Thank you. I just have one more question. So do we know what dates where we will know if we will be in person or not, when we can confirm that we will or will not be in person?

MS. DETWILER: Madame Chair, this is Sue. And I have not heard of any firm deadlines, I think it's kind of a moving target depending on how the pandemic goes. You know, yeah, that's all we know, the numbers are trending in a positive direction and we're going to be planning to have the upcoming meeting in July and fall meetings in person but things could change.

MS. PITKA: Okay. I was mostly just asking for planning purposes for myself and child care.

MR. PELTOLA: Madame Chair, BIA.
MS. PITKA: Go ahead, BIA.

MR. PELTOLA: Thank you, Madame Chair.

DOI has been operating under the no personal attendance at gatherings greater than 50. I heard rumors that that was lifted when I inquired earlier on this week so that'd be something that OSM could and should look into. Based on the experience that we have had, I think we're well overdue with regard to continuity and to be effectively pulling off a Board meeting to have a -- to be proceed -- proceed with the meeting between now and the fall all in person.

Thank you, Madame Chair.

MS. PITKA: Thank you for that clarification, I appreciate it.

Okay, now, we are on B, 2023 winter public meeting. Go ahead, Robbin LaVine.

MS. LAVINE: Thank you, Madame Chair. I would like to bring to your notice that we will be scheduling the fish and shellfish regulatory meeting. That is a public meeting. It's usually a three day meeting and we are identifying the last week of January, you know, the first couple of days of February, or the week of -- or the days of February 7th through the 9th for that meeting.

So if -- if anyone has a preference, you can speak now, otherwise if you request, I will send out a doodle poll soon to confirm. Regulatory meetings, especially if we are to have them in-person require a lot of logistical work in advance.

Thank you, Madame Chair.

MS. PITKA: Thank you, I appreciate that. Does anybody have any comments on those dates for the winter public meeting.

MR. PELTOLA: Madame Chair, BIA.

MS. PITKA: Go ahead.

MR. PELTOLA: A doodle poll probably would help, but conferring with Staff February 7th to 9th fits the BIA's agenda.
MS. PITKA: Okay, does anybody else have any comments or would we all just have a doodle poll.

(No comments)

MS. LAVINE: Madame Chair, I'll prepare a doodle poll for the Board and your Staff.

MS. PITKA: Thank you so much, I appreciate that.

So with the knowledge that it's those two dates that's going (indiscernible - background) available to me. Thank you, very much.

Now, we're at Federal Subsistence Management Program correspondence procedures. Go ahead, Sue, you were saying something about this earlier.

MS. DETWILER: I was just trying to get off mute here. This agenda item was requested by two Board Members, one of whom was Tony Christianson. It's an informational item to go over what the Board's -- what OSM's correspondence procedures are after the Board takes an action. So I'm prepared to give that overview now unless the Board would rather wait until Tony is back to also engage in the discussion and hear the overview.

MS. PITKA: You can just go ahead and give the overview and then we'll brief him after.

MS. DETWILER: Okay. Okay. So I will -- I'll go over the information I had prepared. And so a couple of -- a couple of Board members had requested an overview from OSM correspondence procedures including how we process Board decisions after they're made and on our procedures for outgoing correspondence.

Federal subsistence regulations assign U.S. Fish and Wildlife Service with responsibility for providing administrative support to the Board. Within Fish and Wildlife Service, the Office of Subsistence Management or OSM is the program that carries out this administrative support. OSM prepares the outgoing correspondence and other documents needed to implement Board decisions and carry out other direction from the
Board. We also prepare correspondence drafted by the Regional Advisory Councils such as their reports to the Board, their comments on proposals that are under consideration by the Alaska Board of Game and Board of Fisheries, letters to other agencies and tribes and so on. Fish and Wildlife Service and USDA Forest Service co-manage the Federal Subsistence Management Program so OSM works closely with the Forest Service in preparing regulatory and policy documents. The Forest Service's Regional Advisory Council Coordinator also works closely with OSM in preparing correspondence and other documents coming from the Regional Advisory Councils. The Regional Advisory Council's documents -- the Council Coordinators draft the documents, such as the Council's annual reports to the Board. These documents are reviewed in OSM and we help with editing for clarity and formatting and we put the documents on letterhead. OSM does not change the messaging or content of RAC correspondence. After OSM has finalized the letter it goes back to the Regional Advisory Council Coordinator and to the Council Chair for their review -- final review and signature. OSM then mails the correspondence to the recipient and the parties indicated on the CC list.

So that's for Regional Advisory Council documents.

And so turning to documents for the Board. OSM also prepares documents for the Board that implement actions the Board has taken. Board actions include, regulatory actions such as Subparts C and D regulations, which are the harvest regulations such as seasons, harvest limits, methods and means as well as the customary and traditional use determinations. The Board also makes recommendations to the Secretaries of Interior and Agriculture on revisions to Subparts A and B of the regulations which include general provisions of Program structure.

Other non-regulatory actions the Board takes are recommendations to the Secretaries of Interior and Agriculture such as nominations to the Regional Advisory Councils as well as general correspondence to the Alaska Department of Fish and Game. So OSM drafts Board correspondence for those actions as well.

Correspondence coming from the Board,
such as Board decisions or letters, OSM drafts the correspondence often in consultation with the Regional Solicitor's Office and sends the draft to the Board Chair for his review and approval. After the Board Chair approves the document, OSM applies his signature to the document and we forward it to the next steps in the process which are our internal agency processes.

So the regulatory actions requiring a Federal Register notice, OSM works with the Regional Solicitor's Office, Forest Service Staff and Fish and Wildlife Service headquarters and Department of Interior to prepare the Federal Register Notice. And the Federal Register package includes not just the Federal Register notice but all the additional informational materials that are required by Fish and Wildlife Service and Departmental -- Department of Interior for all Federal Register notices.

For any other Board letter or other documents that go to the Secretaries of Interior or Agriculture and for any issues that may be controversial or rise to the attention of the Fish and Wildlife Service Director or Headquarter's office, Fish and Wildlife Service has internal review processes that must be completed before the documents can be finalized and transmitted. The purpose of these reviews is to ensure that Fish and Wildlife Service Regional and National Leadership are fully knowledgeable of Federal Subsistence Management issues that may require the attention of the Fish and Wildlife Service Director.

So for the Regional review process, for leadership here in Alaska, OSM prepares a package that includes Board documents, such as the memo or letter from the Board, or the nominations package for the Regional Advisory Councils, we also include a note to reviewers that briefly describes the document, a briefing paper with more detailed information on the documents, possibly a communications plan and any other necessary reporting documents. And so that package goes also includes a Regional surname sheet, who, in the region has reviewed and signed off on the -- on the package. And so OSM prepares that package and then we route it within the region to our external affairs office and from there it goes to the regional executive secretary in our office -- in the regional office, Deputy Regional Director and then finally the Regional Director for review and approval of the package before
it goes to the Fish and Wildlife Service Headquarters' office. At the Headquarters' office, they have their review process as well. It's reviewed by upper level managers before it goes to the Fish and Wildlife Service Director. And once the Fish and Wildlife Service Director is completely apprised of the issue, then the package is forwarded to the final recipient, such as the Departments of -- Secretaries of Interior and Agriculture.

And just -- so those are the -- that's the process, and just a couple of other comments.

The Fish and Wildlife Service regional and Headquarters review processes do not modify the decisions made by the Board but they may edit other information in the package and this regional review process also reviews for developing briefing materials for the Fish and Wildlife Service when she briefs Headquarters' Staff and Department of Interior on Federal Subsistence Management issues.

So that is the overview of OSM correspondence procedures for Board actions.

Thank you, Madame Chair.

MS. PITKA: Thank you, very much, Sue, I appreciate that.

I've lost internet connectivity on my laptop so does anybody have any questions for Sue right now.

MR. PELTOLA: Madame Chair, BIA. I don't have any questions but I have some comments.

MS. PITKA: Oh, please, go ahead.

MR. PELTOLA: Thank you, Madame Chair. So going through the process, I was one of the Board members that asked this to be presented to the Federal Subsistence Board for a looksee. My concern has been and continues to be that 50 CFR 110.9 stipulates that the Fish and Wildlife Service will be provide administrative services to the Office of Subsistence Management, although, if you look at the process which has been put in place for correspondence and the outcomes of Board meetings, I think it's too
burdensome, too much of a burden, it is designed to be agency-specific as opposed to Federal Subsistence Program position. So we have Fish and Wildlife Service's review process must be completed before a document could be finalized and transmitted. The purpose of those reviews is to ensure that the Fish and Wildlife Service and the National Leadership are fully knowledgeable about the Federal Subsistence Management issues as is required action of the Fish and Wildlife Service Director. I agree that that is a significant role for any agency within the Federal Subsistence Program, including the National Leadership, although that is why each of the Bureau's has an ISC member to prepare those internal briefs for our particular membership and I think there is -- this is:

1. Takes way too long.
2. Too much oversight.
3. Has potential to be allowed for passage of an agency-specific position rather than the Federal Subsistence Program position.

And once the draft is made by OSM, I think -- I have no problem it being reviewed by External Affairs Staff but it also should be run by the Forest Service to recognize their role the Program, and then put out to the public or the final destination after that minimal review.

And it is -- I think we would get to a point where we'd have a lot quicker correspondence to the public, which they deserve. I think there'd be more of a programmatic position forwarded on.

And with that being said, Madame Chair, for the Board's consideration I would like to recommend that multiple Board members come together to establish a correspondence committee to establish procedures and policies for the Federal Subsistence Program for OSM to follow.

Thank you, Madame Chair.

MS. PITKA: All right, thank you, Member Peltola, was that a motion.

MR. PELTOLA: It can be made a motion,
correct. Yes.

MS. PITKA: Oh, perfect. Please make
that a motion -- oh, sorry.

MR. PELTOLA: So moved as stipulated.

MS. PITKA: Thank you, very much Member
Peltola, I appreciate that. Is there a second for this
motion.

(Pause)

MS. PITKA: Did I get cut off again?

MS. LAVINE: Nope, we hear you.

MR. PELTOLA: Hear you fine.

MS. PITKA: Okay, so there's a motion
on the floor to form a committee to discuss the public
comment, writing process, is that correct?

MR. PELTOLA: Yes, Madame Chair, to
establish a committee to establish correspondence
procedures for the Federal Subsistence Program to be
implemented by the Office of Subsistence Management.

MS. BOARIO: Madame Chair, are we still
looking for a second.....

MS. PITKA: Yes.

MS. BOARIO: .....this is the Fish and
Wildlife Service. I will second it. And am happy to
work with a subcommittee on looking at this. This is
my -- coming to the end of my first month in this seat
and definitely want to make sure we're all on the same
page with this. I'm happy to see in Sue's notes that
it doesn't appear that anything has -- decisions have
not been modified but I am happy to be part of a team
to look at the larger process.

Thank you, Mr. Chair.

MS. PITKA: Thank you, very much for
that volunteering and the second. Sue, I'm not sure
what the process would be right now, would that be a
roll call or just an aye vote.
MS. DETWILER: Just -- well, I -- well, deferring to Ken on this but my gut reaction would be to ask for -- we have a motion and then a second and ask for any comment and if Tony were here, depending on the comment, whether there were comments or not, of any sense that anybody would disagree then he would go for a formal roll call vote but if it sounds like it's an item that everybody would agree to, he would just do a voice vote.

MS. PITKA: Oh, perfect. Does anybody have any comments on the motion that's been seconded.

MR. PELTOLA: I appreciate -- this is BIA. We appreciate the second by the Fish and Wildlife Service, who has volunteered. The BIA, Board seat would participate in the endeavor as well.

MS. PITKA: Thank you. I hear two volunteers for this, it sounds to me like overwhelming support. So can I get a voice vote on this one, so if you support say aye. If you don't support then I'll ask for that after.

Okay, all in favor say aye.

IN UNISON: Aye.

MS. PITKA: Okay, all opposed say nay.

(No opposing votes)

MS. PITKA: Oh, great, the motion passed. Okay, thank you, Sue.

MS. DETWILER: Thank you.

MS. PITKA: I believe that that is all of our Board agenda items. Was there any other business.

(No comments)

MS. PITKA: Sue, am I still on?

MS. DETWILER: Oh, I -- there was no -- the Board did not add any other business, or items.....

MS. PITKA: Oh, perfect.
Ms. Detwiler: .....unless somebody else has something now.

Ms. Pitka: Okay. Well, hearing none it's been a really great meeting. I thank Mr. Peltola for taking over in my absence this morning. I apologize for that, I was on a plane to Seattle and very shortly I'll be on a plane to Denver so a motion....

Ms. Detwiler: A motion to adjourn someone.

Ms. Pitka: .....to adjourn. Yes, can somebody please make a motion to adjourn.

Mr. Peltola: Motion to adjourn, BIA.

Ms. Pitka: Thank you, BIA.

Mr. Brower: So moved.

Ms. Pitka: Can I get a second to that motion.

Mr. Brower: Second.

Ms. Pitka: Thank you, Charlie Brower. Okay, all in favor of adjourning the meeting say aye.

In unison: Aye.

Mr. Brower: Happy Easter everyone.

Ms. Pitka: Oh, Happy Easter, Happy Good Friday. Okay, bye.

Ms. Detwiler: Thank you.

(Off record)

(End of Proceedings)
CERTIFICATE

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 15th day of April;

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 17th day of May 2022.

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