

Southcentral Alaska Subsistence Regional Advisory Council

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Anthony Christianson, Chair
Federal Subsistence Board
c/o Office of Subsistence Management
1011 E. Tudor Road, MS 121
Anchorage, Alaska 99503-6199

Dear Chairman Christianson:

The Southcentral Alaska Subsistence Regional Advisory Council (Council) appreciates the opportunity to submit its FY-2022 Annual Report to the Federal Subsistence Board (Board) under the provisions of Section 805(a)(3)(D) of the Alaska National Interest Lands Conservation Act (ANILCA). At its public meeting held on October 12-13, 2022, the Council identified concerns and recommendations for this report. The Council approved this Annual Report at its March 15, 2023 meeting. The Council wishes to share the following information and concerns dealing with the implementation of Title VIII of ANILCA and the continuation of subsistence uses in the Southcentral Region:

1. The process of reporting anticipated needs of subsistence as stated in the Council Charter

In Section 4(d)(1) and (2), the Council's charter states, "Prepare an annual report to the Secretary containing the following: (1) An identification of current and anticipated subsistence uses of fish and wildlife populations within the Region; (2) An evaluation of current and anticipated subsistence needs for fish and wildlife populations within the Region;" The Council requested clarification on reporting anticipated needs of subsistence and how to conduct an analysis of subsistence use amounts for fish and wildlife in the Southcentral Region. The Council is concerned about increasing competition for resources harvested by Federally qualified subsistence users.

2. Customary and Traditional Use determination process review and competition for the Federally qualified subsistence users for Copper River Salmon

The Council expressed interest in reviewing and updating the process for Customary and Traditional Use (C&T) determinations. The Council is aware of the eight factors for C&T (listed

below) and understands that not all factors need to be met to grant C&T to a community. The Council is also aware that in 2010, the Regional Advisory Councils were asked by the Secretary of the Interior to provide input on the process to make it broader and more inclusive. The Council noted that the input provided into the process by the Councils was to be broad and inclusive of *resources* harvested, not for those requesting C&T use determination. The Council is concerned about competition with other users for subsistence resources available to rural residents, especially for Copper River Salmon. The Council worries about increased competition from an increasing rural resident population and the establishment of new rural communities by non-rural residents who then request C&T. The Council noted requiring communities meet all factors of C&T could alleviate some issues with the C&T request process. Also, the process could be improved by setting some criteria thresholds. For example, the factors that incorporate time (e.g., the phrases “long-term”, “many years”, “passing knowledge from generation to generation”) are not clearly defined.

A community or area’s customary and traditional use is generally exemplified through these eight factors: (1) a long-term, consistent pattern of use, excluding interruptions beyond the control of the community or area; (2) a pattern of use recurring in specific seasons for many years; (3) a pattern of use consisting of methods and means of harvest which are characterized by efficiency and economy of effort and cost, conditioned by local characteristics; (4) the consistent harvest and use of fish or wildlife as related to past methods and means of taking: near, or reasonably accessible from the community or area; (5) a means of handling, preparing, preserving, and storing fish or wildlife which has been traditionally used by past generations, including consideration of alteration of past practices due to recent technological advances, where appropriate; (6) a pattern of use which includes the handing down of knowledge of fishing and hunting skills, values, and lore from generation to generation; (7) a pattern of use in which the harvest is shared or distributed within a definable community of persons; and (8) a pattern of use which relates to reliance upon a wide diversity of fish and wildlife resources of the area and which provides substantial cultural, economic, social, and nutritional elements to the community or area.

3. Climate change impacts on methods and means of use and the need for flexibility in seasons affected by climate change

The Council expressed concerns about climate change impacting the methods and means of harvest of subsistence resources. For example, high water levels from intense precipitation are impacting the use and efficacy of traditional fishwheels. Sites that are good for fish wheels which are often not suitable during high water events, and increased precipitation results in more debris (trees, root wads, etc.) in the river when the water is really high that can impact or break the wheels. This example, among others documented in previous annual reports and Council reports during Council meetings, make it difficult to reliably depend on traditional resources. Another major impact from climate change is a change in species migration timing, which results in a mismatch between regulated season timing and resource availability. Additionally, methods and means of harvest used by generations have become inefficient for harvest of traditional resources. The Council encourages the Board to review harvest seasons and methods of harvest and be ready to adapt to changing situations.

4. Climate change impacts on ocean resources, including paralytic shellfish poisoning and ocean acidification impacts on clams, salmon, and ocean food webs

The Council is interested in continuing to receive information about the impacts of climate change on ocean resources. This has been a topic of interest to the Council for the last few years, and the staff at OSM has invited guest speakers to speak about climate impacts. The Council is particularly interested in how climate change is impacting marine food webs. Subsistence resources such as clams and salmon are critical to the people that call the Southcentral region home, and impacts to marine food webs will have profound impacts on species utilized as subsistence resources. Understanding the impacts of climate change on salmon and clams will allow State and Federal subsistence managers to respond more readily to changing population sizes. The Council noted they would be interested in learning more about the causes and impacts of paralytic shellfish poisoning (PSP). The seasonality of PSP has changed, and as a result, clams have not been safe to eat during the winter months.

5. Ahtna Intertribal Resource Commission Memorandum of Agreement on cooperative management of customary and traditional subsistence uses in the Ahtna region

The Council expressed interest in receiving an update on the Memorandum of Agreement (MOA) between the Department of Interior and Ahtna Intertribal Resource Commission. The purpose of this MOA was to formalize subsistence wildlife management partnership for the allocation and harvest of moose and caribou by rural residents of the Native villages in the Ahtna region on Federal public lands. The MOA was established in 2017 to create a new Federal advisory committee that covers the Ahtna Traditional Use territory. The Council would like to know the status of the MOA.

6. Jurisdiction on subsistence shellfish resources in Prince William Sound and concern over the stock size and closure of subsistence shellfish seasons

The Council expressed concerns over subsistence crabbing opportunities within Prince William Sound. The Council acknowledged that the Board does not have jurisdiction here and that the waters of Prince William Sound are State-managed. Subsistence harvesters have been utilizing the intertidal area to collect food for thousands of years, and it is a disservice to Federally qualified subsistence users to not have authority over the resources contained in the intertidal zone. State regulations have been much more stringent than Federal for peoples' ease of getting food. With the recent closure of the commercial Tanner and King Crab fisheries, there is concern that subsistence closures could be on the way.

7. Support opportunities for youth representative seat on the Regional Advisory Council

The Council advocates for a 'youth representative seat' on the Regional Advisory Councils. It is essential for younger subsistence users to learn about the Federal regulatory process so that this new generation of leaders can understand and participate in the public decision-making process effectively. The Council would like the Board to explore the possibility of applying college

credit towards engagement in the Council process. This will enable interested students to participate in the work of their Regional Advisory Council while also earning credits for school.

8. Request a standard four-year review of all Delegation of Authority Letters

The Board can delegate specific regulatory authority to local Federal managers to issue emergency or temporary special actions to ensure conservation of healthy fish or wildlife populations, to continue uses of fish or wildlife, to ensure public safety, or to assure the continued viability of fish or wildlife populations. Delegation of Authority is established pursuant to 36 CFR 242.10(d)(6) and 50 CFR 110.10(d)(6), which state: "The Board may delegate to agency field officials the authority to set harvest and possession limits, define harvest areas, specify methods or means of harvest, specify permit requirements, and open or close specific fish or wildlife harvest seasons within frameworks established by the Board." The Council requests the Board implement a four-year review process for Delegation of Authority similar to the periodic review of wildlife and fishery closures. A four-year review process will allow for continual inclusion of local participation and input during in-season management decisions, adjust to Federal staffing changes, and allow for flexibility in the management system.

The Southcentral Alaska Subsistence Regional Advisory Council appreciates the Board's attention to these matters and the opportunity to assist the Federal Subsistence Management Program in meeting its charge of protecting subsistence resources and uses of these resources on Federal public lands and waters. The Council looks forward to continuing discussions about the issues and concerns of subsistence users in the Southcentral Region. If you have any questions regarding this report, please contact me via Jessica Gill, Subsistence Council Coordinator, Office of Subsistence Management, at jessica_gill@fws.gov, or 1-800-478-1456 or 907-310-6129.

Sincerely,



Richard (Greg) Encelewski
Chair Regional Advisory Council
Southcentral Region

Enclosure

cc: Federal Subsistence Board
Southcentral Alaska Subsistence Regional Advisory Council
Office of Subsistence Management
Interagency Staff Committee
Benjamin Mulligan, Deputy Commissioner, Alaska Department of Fish and Game
Mark Burch, Special Projects Coordinator, Alaska Department of Fish and Game
Administrative Record