

# **BRISTOL BAY SUBSISTENCE REGIONAL ADVISORY COUNCIL**

## **Meeting Minutes**

Via teleconference

February 8, 2022

### **Invocation**

Madam Chair Nanci Morris Lyon gave an invocation.

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

The meeting was called to order Tuesday, February 8, 2022, at 8:34 am. Council members Billy Trefon, Dan Dunaway, Norman Anderson, Richard Wilson, and Nanci Morris Lyon were present via teleconference. Lary Hill was not present at roll call but phoned in later. The Council has four vacant seats. A quorum was established with six of six seated Council members participating by phone.

### **Attendees:**

#### *Via teleconference*

- Bristol Bay Native Association (BBNA): Renee Roque, Cody Larson, Heidi Kritz, and Gayla Hoseth.
- Bureau of Indian Affairs (BIA): Pat Petrivelli (Anchorage).
- Fish and Wildlife Service (USFWS): Susan Alexander and Danny Moss (Alaska Peninsula and Becharof National Wildlife Refuge (NWR)), Jill Klein and Jon Gerken (Anchorage), Kenton Moos and Andy Aderman (Togiak NWR).
- Bureau of Land Management (BLM): Bruce Seppi and Walker Gussie (Anchorage)
- National Park Service (NPS): Susann Fleek Green and Liza Rupp (Lake Clark National Park and Preserve), Victoria and Dillion Patterson (Anchorage), and Troy Hamon (Katmai National Park and Preserve).
- U.S. Forest Service (USFS): Greg Risdahl (Anchorage).
- Alaska Department of Fish and Game (ADF&G): Mark Burch (Palmer), Bronwyn Jones and Lisa Scarborough (Anchorage), Lee Bordon (Dillingham).
- Office of Subsistence Management (OSM): Robbin La Vine, Orville Lind, Katya Wessels, Jarred Stone, George Pappas, and Pippa Kenner (Anchorage).

### **Review and Adopt Agenda**

Motion by Mr. Dunaway, seconded by Mr. Wilson, to adopt the agenda as read with the following changes:

- Add between agenda items 10 and 11. Old Business: Board of Game (BOG) proposal 23, allow the use of snowmachine to position wolf or wolverine for harvest in Unit 17 and Federal wildlife proposal WP22-40, use of snow machines for positioning wolves and wolverines for harvest.
- Bycatch update – if there is any.
- Add:
  - 11b. Update on Chignik Fisheries – USFWS
  - 11c. Chignik Association Report – Chignik InterTribal Coalition – George Anderson
  - 11e. Call for Non-rural Determination Proposals
  - 11 k. Anti-trapping bill for Wildlife Refuges (to end the use of body gripping traps in the National Wildlife Refuge System, and for other purposes).

The motion passed unanimously.

### **Election of Officers**

Ms. Nanci Morris Lyon was elected the Council’s Chair.  
 Mr. Dan Dunaway was elected the Council’s Vice Chair.  
 Mr. Richard Wilson was elected the Council’s Secretary.

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

Motion by Mr. Dunaway, seconded by Mr. Trefon, to approve the fall 2021 meeting minutes as presented with the following modification to address a spelling error in an attendee’s name.

The motion passed unanimously.

### **Council Member and Chair Reports**

*Richard Wilson of Naknek* (representing subsistence interests) reported that winter had been chilly. He noted that a lot of ptarmigan were arriving in his area and the community has been observing higher ptarmigan numbers. The smelt run has been good in Naknek, especially since freeze-up with lots of variety in smelt sizes. Mr. Wilson attended the Naknek/Kvichak Advisory Committee (AC) meeting where one topic of interest was lack of Chinook Salmon in the region. The AC discussed forming a subcommittee to draft language to address the bycatch issues and the Council may receive a letter seeking support.

*Dan Dunaway of Dillingham* (representing commercial and sport fishing interests) reported that it had been a quite winter, with cold temperatures. There was disappointment when the winter moose hunt in Unit 17C did not open due to harvest rates from the fall season and the moose population could not sustain additional harvest. There are reports that some moose were harvested in the winter hunt in New Stuyahok. In Unit 17A, a fair number of moose were harvested during the winter season. The season was extended to allow for more opportunity to hunt due to strong blizzards in the area. ADF&G announced

they hired the Area and Assistant Biologist positions located in Dillingham after three years of having difficulty filling the positions. Last fall, Curyung lands near Dillingham were closed to non-BBNC members for hunting, including berry picking; the restriction was removed after moose hunting season. At the Central and Southwest BOG meeting an Intensive Management plan was passed for bear in parts of Unit 17 due to heavy bear predation of moose and caribou calves. Mr. Dunaway was interested in discussing the bill that seeks to ban the use of body gripping traps in National Wildlife Refuges with the Council. The Nushagak is forecasted to have a large salmon returns again with more fish returning to the Nushagak rather than the Wood River, which is a switch from previous trends. Mr. Dunaway is looking forward to Covid restrictions potentially ending so the agency can perform vital field work. Ptarmigan reports are on the rise and hopefully they are restored to full abundance.

*Lary Hill of Iliamna* (representing subsistence interests) reported there are a lot of rabbits (hares) and foxes. Some wolves were observed but did not stay in the area long. There may have been two moose harvested during the season. Travel conditions made hunting difficult. The weather has been cold.

*William Trefon of Nondalton* (representing subsistence interests) reported that only one moose was harvested during the season. The meat was distributed as much as possible to the community. They have been experiencing extremely cold weather and gasoline shortages. The rabbits (hares) population is exploding, more than he's seen before. Mr. Trefon would like to hear updates on the proposed season extension for moose and a Mulchatna caribou update. He would also like to extend invitations to the Chairs of the Advisory Committees to the Council's meetings.

*Norm Anderson of Dillingham* (representing subsistence interests) reported that last year he only harvested one Chinook Salmon and relates that to a bycatch issue, which he would like on the agenda. Mr. Anderson is from Naknek and now lives in Dillingham. He expressed his appreciation and welcomed elders, Tribal members, and guests. He also introduced his parents. Mr. Anderson has been advocating for subsistence rights for over 40 years. He has attended summits, conferences, meetings, skill sessions, and was in the first meeting where the term subsistence was defined. Providing for subsistence uses especially on Federal lands has been a major issue for Mr. Anderson.

*Nanci Morris Lyon of King Salmon* (representing commercial and sport fishing interests) reported that many folks in King Salmon were able to harvest caribou in the fall for the first time in many years and the community was very grateful to have caribou meat again. She hopes they will be able to continue to use the resource into the future. Ms. Morris Lyon attended the Statewide Council and notified this Council they will be receiving a letter with more information soon. She will do her best to attend future meetings or will ensure someone from this Council will attend.

## **Old Business**

***BOG Proposals 23 and 271, to Allow the Use of Snowmachines to Position Wolf or Wolverine for Harvest in Unit 17 and Federal Wildlife Proposal WP22-40***

The Council discussed concerns over language in wildlife proposal WP22-40, specifically the distance and speed restrictions. The restrictions will reduce the opportunity to harvest wolves, which will have an impact on the subsistence economy and activities. The BOG is addressing similar proposals during the 2021-2022 meeting cycle. At the Statewide BOG meeting, they will be addressing proposal 271, and the Council may want to wait and see what the BOG decides. The Council discussed if they should request the Board to defer taking action on WP22-40 until user groups can be informed and ramifications can be explored further.

Motion by Mr. Dunaway, seconded by Mr. Wilson, to request the minutes and the discussion the Council had on this topic be summarized and provided to Ms. Morris Lyon to take the Federal Subsistence Board and request that the Board defer action.

The motion passed by unanimous consent.

## **New Business**

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

Mr. Jarred Stone presented the Council with the Fisheries Resource Monitoring Program (FRMP) update. The 2022 FRMP funding cycle is in the final stages. The Board met in early February and made recommendations about the 2022 FRMP. The Assistant Regional Director of the OSM will approve the funding plan once the budget has been finalized and applicants will be notified of the status of their submission. This summer, the Council will have the opportunity to develop Priority Information Needs (PINs) for the 2024 FRMP. The Council will have an opportunity to review and finalize the PINs at their fall 2022 meeting. Mr. Stone requested volunteers from the Council to meet with the Kodiak/Aleutians Regional Advisory Council this summer to identify knowledge gaps and information needs for the management of the subsistence fisheries for the Southwest region. Mr. Dan Dunaway volunteered to assist with the development of PINs. Mr. Stone will notify the Council of future meeting dates so others may have an opportunity to participate if they are able.

### ***Chignik Fisheries Update***

Mr. John Gerken and Mr. Reed Johnson presented the Council with a preseason outlook for the Chignik fisheries. The 2022 forecast for the Chignik River watershed is about 1.3 million total Sockeye Salmon combined for both the early and late run; 639,000 Sockeye Salmon are expected to return for the early run and 633,000 for the late run. The early run last year did not meet the escapement goal of 244,000. In-season management will be based on the escapement of the past weir counts. The Chignik River weir is expected to be installed the last week of May, first week of June. The preseason meeting will occur the week of May 30<sup>th</sup>. In 2018, the USFWS implemented a special action to restrict harvest of early run Sockeye Salmon to Federally qualified subsistence users only. Since 2017, there have been harvest restrictions on Chinook Salmon in Federal waters, which encompasses all freshwater within the Chignik area.

### ***Chignik Association Report***

Mr. George Anderson informed the Council the InterTribal Coalition is requesting a formal stock assessment and research recovery plans to support the conservation of a healthy Sockeye and Chinook Salmon population and the continuation of subsistence harvest opportunities. The Coalition participated in the Department of the Interior's (DOI) listening session, which was a government-to-government consultation opportunity for the Tribes. Connectivity issues, such as lack of land lines and unreliable internet, in addition to Covid restrictions have made participation challenging and has also negatively impacted the community's ability to voice their opinions. Sockeye Salmon have been reported in Chignik Lake and Coho Salmon were present at Hatchery Beach, which is known as a Sockeye Salmon harvesting area. The in-river goal of 20,000 Sockeye Salmon was met in August and September. Mr. Anderson reported that due to diminishing salmon returns and limited harvest or no harvest opportunities for Sockeye and Chinook Salmon the barter system have started to erode, and it is impacting food security and the subsistence economy.

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

Mr. Jarred Stone informed the Council that the Board will be accepting proposals to change Federal regulations for the subsistence harvest of fish and shellfish on Federal public lands and waters for the 2023-2025 regulatory years for a period of at least 30 days upon the publication of the proposed rule in the Federal Register. The Board will consider proposals to change Federal subsistence fish and shellfish seasons, harvest limits, methods, and means related to taking of fish for subsistence uses, as well as customary and traditional use determinations. The Council did not develop any fish or shellfish proposals at the meeting.

### ***Call for Non-rural Determination Proposals***

Ms. Pippa Kenner informed the Council that the Board will be accepting proposals to formally change in Federal regulations a community's status from nonrural to rural or from rural to nonrural. Any valid nonrural determination proposal submitted this year will be acted on by the Board in 2025. Upon the publication of the proposed rule in the Federal Register, the public comment and proposal submission period will be open for least 30 days. The call for nonrural determination proposals occurs every four years concurrent with every other fisheries regulatory cycle. The next call for proposals for nonrural determinations will be in 2026. The Council did not develop any non-rural determination proposals at the meeting.

### ***Review and Approve FY2021 Annual Report***

The Council reviewed the FY-2021 Annual Report and requested that item No. 4, bear predation be edited to clearly articulate the Council's concern regarding that the dwindling salmon returns in some areas is

increasing the danger of higher predation on moose and caribou. In other areas of the region, there is an increase in salmon returns, which is fueling the growth of the brown bear population.

Motion by Mr. Wilson, seconded by Mr. Dunaway, to adopt the 2021 annual report.

The motion passed unanimously.

***Federal Subsistence Board Annual Report Reply Process Review and Revision Discussion and Council Comments and Feedback***

Ms. Robbin La Vine informed the Council that the Board is seeking the Council's input on how the Board responds to issues in annual reports. The Interagency Staff Committee (ISC) suggested that in addition to providing the Board with the Annual Report, letter writing could be a way to request the Board response to an important topic or concern. The Council agreed that writing letters would give better direction to the Board, a better way to direct the Council's immediate needs and allow for quicker communication between the Board and the Council.

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

Ms. Katya Wessels guided the Council through the discussion on how the Council would like to receive public comments on proposals during the fall 2022 public meeting cycle where the Council will be discussing fisheries proposals and closure reviews. There was consensus among the Council that receiving written or oral public comments is essential and comments should be accepted throughout the duration of the meeting. The Council would like to receive public comments in their entirety from the Coordinator, not a summary. If it is a lengthy comment or a topic that might elicit a large volume of comments, then a summary from the Coordinator would be sufficient.

***Briefing and Council Comments on Proposed Actions to Automate Federal Subsistence Permits***

Ms. Katya Wessels informed the Council that the Office of Management and Budget (OMB) is exploring ways to collect information from the public and the use of automated permits within our Program. The OSM was tasked with getting feedback from the public and Councils until November 15<sup>th</sup>. The OSM provided the Council with a set of questions to address potential issues identified by the OSM such as, internet infrastructure, conservation concerns, and ability to limit permits and/or address quotas. The Council's main concern was how one would verify Federal qualifications. The Council will review the set of questions and provide feedback at their fall meeting.

***Briefing on the Secretarial Regulations Proposing the Inclusion of Identified Submerged Lands in the Tongass National Forest***

Ms. Katya Wessels provided an information briefing on the proposed rule that would add to the list of submerged parcels in the Federal subsistence regulations that have been identified through agency review.

The purpose of this proposed rule is to complete the regulatory proceedings to address submerged public lands within the Tongass National Forest. The document is to be published in the Federal Register in February 2022 and will have a 60-day comment period. The Council asked for clarification on why these lands need to be included and how it will affect the Bristol Bay Region. Ms. Kenner and Mr. Risdahl explained these lands and waters were old logging transfer sites and current Federal regulations do not apply on these lands and waters and acknowledging the transfer puts them under Federal Subsistence Board jurisdiction for the purposes of managing fish and wildlife. This decision would not have any implication on the Bristol Bay Region.

***Anti-trapping Bill for Wildlife Refuges (to End the Use of Body-Gripping Traps in the National Wildlife Refuge System, and for Other Purposes)***

Ms. Susan Alexander provided information on the House of Representatives Bill 47-16. There had been a hearing within the National Resources Committee of the House of Representatives to prohibit the use of body gripping traps on National Wildlife Refuges by the public and USFWS. Body gripping traps have been defined as: “any device that is intended to kill or capture wildlife by physically restraining any part of the animals.” This would include prohibiting the use of field, leg hold traps, kill types of traps, and snares. There is an exception within the bill for Federal agencies to use body restraining traps for management activities to control invasive species or to protect threatened, endangered, or sensitive species. Don Young was opposed to this bill due to the prohibition conflicting with ANILCA and requested an exemption for Alaska if the bill moves forward.

The Council discussed that trapping has had a strong traditional and cultural tie to the Alaskan way of life. Limiting subsistence activities would have a dire impact on the subsistence economy and food security. Many villages are surrounded by NWR land and have little alternate economy. The bill is in violation of ANILCA. Body-gripping traps were designed to be more humane and are an important tool for harvesting marten, muskrat, mink, beaver, and otter. Trapping is also an important tool for managing populations e.g., reducing foxes could assist in lowering the spread of rabies, reducing beaver populations to prevent land from turning into wetlands, and the management of invasive species.

A motion was made by Mr. Dunaway, seconded by Mr. Wilson, to have the Council write a letter to the Board with the request to forward to the Secretary of the Interior, Alaska Congressional Delegation, the Alaska Governor and legislature, expressing their concern and objection to Bill 47-16.

The motion carried by unanimous consent.

**Agency Reports:**

- Bristol Bay Native Association update presented by Gayla Hoseth.
- Alaska Peninsula and Becharof National Wildlife Refuges update presented by Susan Alexander, Alaska Peninsula and Becharof NWR
- Togiak National Wildlife Refuge update presented by Andy Aderman, Togiak NWR

- Lake Clark National Park and Preserve update presented by Susanne Fleek-Green, NPS
- Katmai National Park and Preserve update presented by Troy Hamon, NPS
- Bureau of Land Management update presented by Tom Sparks, BLM
- Alaska Department of Fish and Game update presented by Mark Burch, Rick Merizon, and Dave Crowley, ADF&G, Wildlife Conservation
- Alaska Department of Fish and Game updated presented by Bronwyn Jones and Lisa Scarbrough, ADF&G, Subsistence
- Office of Subsistence Management update presented by Katya Wessels, OSM

**Future Meeting Dates:**

Fall meeting will be held November 2-3, 2022, in Dillingham.

Winter meeting will be held March 14-15, 2023, in Naknek.



Leigh Honig on behalf of Robbin La Vine, Designated Federal Officer  
USFWS Office of Subsistence Management



Nanci Morris Lyon, Chair  
Bristol Bay Subsistence Regional Advisory Council

These minutes will be formally considered by the Bristol Bay Subsistence Regional Advisory Council at its fall 2022 meeting, and any corrections or notations will be incorporated in the minutes at that meeting.

A more detailed report of this meeting, copies of the transcript, and meeting handouts are available upon request. Call Leigh Honig at 1-800-478-1456 or 907-891-9053, email leigh\_honig@fws.gov.