

# **EASTERN INTERIOR ALASKA Federal Subsistence Regional Advisory Council**



*Steve Kaufman/USFWS*

## **Meeting Materials**

March 3–4, 2011

Fairbanks

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**EASTERN INTERIOR ALASKA SUBSISTENCE REGIONAL ADVISORY COUNCIL**

Pike’s Landing  
Fairbanks, Alaska  
March 3 – 4, 2011  
8:30 a.m. – 5:30 p.m.

**PUBLIC COMMENTS:** Public comments are welcome for each agenda item and for regional concerns not included on the agenda. The Council appreciates hearing your concerns and knowledge. Please fill out a comment form to be recognized by the Council Chair. Time limits may be set to provide opportunity for all to testify and to keep on schedule.

**PLEASE NOTE:** Times and topic order are subject to change. Contact staff for the current schedule.

**AREA CONCERNS:** The Regional Council arranges its meetings to hear and understand the subsistence concerns of the local area where they meet. Please share your subsistence concerns and knowledge. The agenda is an outline and is open to the area’s subsistence concerns, listed or not.

**Evening Sessions are at the call of the Chair.**

**DRAFT AGENDA**

- 1. **Call to Order** (*Chair*)
- 2. **Welcome and Opening Remarks** (*Chair*)
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If you have a question regarding this agenda or need additional information about this meeting, please contact KJ Mushovic, Regional Coordinator, toll free at 1-800-478-1456 or 907-786-3953, email [kathleen\\_mushovic@fws.gov](mailto:kathleen_mushovic@fws.gov) or fax 907-786-3898.

Teleconferencing is available upon request. You must call the Office of Subsistence Management at 1-800-478-1456, 786-3888 or 786-3953 by Monday, February 28 to receive this service. Please notify Ms. Mushovic which agenda topic interests you and whether you wish to testify regarding it.

*Agenda*

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**REGION 9**  
**Eastern Interior Alaska Subsistence Regional Advisory Council**

<b>Seat</b>	<b>Year Appointed Term Expires</b>	<b>Member Name</b>	<b>Community</b>
<b>1</b>	2001 <b>2013</b>	Susan Entsminger, Chair	Mentasta Pass
<b>2</b>	2007 <b>2013</b>	Andrew Firmin, Secretary	Fort Yukon
<b>3</b>	2010 <b>2013</b>	Larry Williams Sr.	Venetie
<b>4</b>	2007 <b>2013</b>	Lester Erhart	Tanana
<b>5</b>	2002 <b>2011</b>	Andy Bassich	Eagle
<b>6</b>	2005 <b>2011</b>	William Glanz	Central
<b>7</b>	2008 <b>2011</b>	Frank Gurtler	Manley Hot Springs
<b>8</b>	2010 <b>2012</b>	Joseph A. Matesi	Porcupine River
<b>9</b>	2009 <b>2012</b>	Donald Woodruff	Eagle
<b>10</b>	2001 <b>2012</b>	Virgil Umphenour, Vice Chair	North Pole

**EASTERN INTERIOR SUBSISTENCE REGIONAL ADVISORY COUNCIL**  
**Draft Meeting Minutes**  
**Wednesday, October 13 and Thursday, October 14, 2010**  
**Regency Fairbanks Hotel, Fairbanks, Alaska**

**Call to Order**

The meeting was called to order by Chair Sue Entsminger at approximately 8:40 a.m.

Invocation was led by Council member Lester Erhart.

**Roll Call**

The following Council members were present and a quorum established: Sue Entsminger (Chair), Andy Bassich, Grafton Biederman, Lester Erhart, Andrew Firmin, William Glanz, Frank Gurtler, Virgil Umphenour, and Donald Woodruff. There is presently one vacant seat on the Council. Mr. Firman missed the roll call but arrived during the introductions portion of the agenda. Mr. Biederman was absent for portions of day two.

**Review and Adoption of Agenda**

Request was made that clarification of the terms “high/mean water” as related to agency jurisdiction on inland waters be addressed.

***Motion:** Mr. Andy Bassich **moved** to adopt the agenda as written but with flexibility to adapt as desired. The motion was **seconded** by Mr. Bill Glanz. Motion carried.*

**Welcome and Introductions**

The following persons were present at the start of the meeting and/or on subsequent days:

Al Barrette — public  
Art Nelson — Bering Sea Fisheries Association  
Barbara Cellarius — cultural anthropologist and subsistence specialist, National Park Service, Wrangell-St. Elias  
Bryan Miracle — lead scientist, Yukon River Intertribal Council  
Carl Kretsinger — Bureau of Land Management, Central Yukon Field Office, Fairbanks  
Dave Krupa — subsistence coordinator, National Park Service, Yukon Charley and Gates of the Arctic  
Dave Nelson — fisheries biologist, National Park Service, Anchorage  
David Jenkins — anthropologist, Fish and Wildlife Service, Office of Subsistence Management, Anchorage  
Dian Gurtler — commercial fisheries  
Fred Bue — Yukon Area Manager, Fish and Wildlife Service, Fairbanks  
Gary Youngblood — National Park Service  
George Pappas — Subsistence Liason Team, Alaska Department of Fish and Game, Juneau  
Gerald Maschmann — Fish and Wildlife Service, Fairbanks  
Greg Dudgeon — National Park Service, Yukon Charley  
James Van Lanen — Alaska Department of Fish and Game, Fairbanks  
Jason Hale — Yukon River Drainage Fisheries Association  
Jason Post — Bureau of Land Management, Eastern Interior Field Office, Fairbanks  
Jeff Estensen — Yukon Manager, Alaska Department of Fish and Game, Fairbanks  
Jeremy Mears — Fish and Wildlife Service, Fairbanks  
Jerry Berg — Interagency Staff Committee, Fish and Wildlife Service, Anchorage

Jim Simon — Alaska Department of Fish and Game  
Jimmy Fox — Fish and Wildlife Service, Fairbanks  
Katie Howard — Yukon Area Research Biologist, Alaska Department of Fish and Game, Anchorage  
KJ Mushovic — Fish and Wildlife Service, Office of Subsistence Management, Anchorage  
Larry Buklis — Fisheries Division Chief, Fish and Wildlife Service, Office of Subsistence Management, Anchorage  
Nancy Swanton — Interagency Staff Committee, National Park Service, Anchorage  
Pat Petrivelli — subsistence anthropologist, Bureau of Indian Affairs, Anchorage  
Pete DeMatteo — Eastern Interior Regional Biologist, Fish and Wildlife Service, Office of Subsistence Management, Anchorage  
Peter Keller — Fish and Wildlife Service, Tetlin National Wildlife Refuge  
Richard Cannon — fisheries biologist, Fish and Wildlife Service, Office of Subsistence Management, Anchorage  
Rita St. Louis — Alaska Department of Fish and Game, Fairbanks  
Robert Jess — Fish and Wildlife Service, Yukon Flats National Wildlife Refuge  
Robert Larson — Forest Service, Petersburg  
Ruth Gronquist — Bureau of Land Management, Eastern Interior Field Office, Fairbanks  
Stacey Buckelew — Alaska Department of Fish and Game, Anchorage  
Steve Hayes — Alaska Department of Fish and Game, Anchorage  
Terry Haynes — public  
Terry Suminski — subsistence program leader, Forest Service, Sitka  
Victor Lord — public  
Vince Mathews — subsistence specialist, Fish and Wildlife Service, Arctic, Kanuti and Yukon Flats Refuges, Fairbanks  
and  
Computer Matrix Court Reporter (Nickelle Reagle)

### **Review and Approval of Minutes of February, 2010 Meeting**

Mr. Bassich noted a typo on page 14 (of the current meeting materials book) that should read “beaver” instead of “beer,” and another on page 8, where “goo” should be “good.”

***Motion:** Mr. Bassich **moved** to adopt the minutes of the Eastern Interior Alaska Subsistence Regional Advisory Council’s February, 2010 meeting in Fairbanks as written, with the corrections of the identified typos. The motion was **seconded** by Mr. Glanz. Motion carried.*

### **Chair’s Report**

Chair attended the Federal Subsistence Board May 18–20, 2010 meeting. The Board did not defer to Council recommendations on multiple proposals. Chair stepped down in order to address the Chisana caribou herd issue as an individual.

Chair also serves on the Subsistence Resource Commission (SRC) for Wrangell-St. Elias, and attended commission meetings. Some of the SRC topics of interest will be discussed at this meeting.

Earlier this week Chair attended, at the invitation of the Council of Athabaskan Tribal Governments (CATG), a moose management meeting in Beaver. The meeting was well organized and the group plans to meet every six months or so. Council members should anticipate that the Chair may request a volunteer to attend for the Council in order to spread the travel burden.

Council sent the Fish and Wildlife Service (FWS) a letter regarding the intensive management issue identified in the last annual report. Members were provided copies of the FWS response and materials referenced in the response.

Chair encouraged members to make note of issues that should go in the next annual report.

Mr. Bassich asked that the Office of Subsistence Management (OSM) provide a staff member to attend the Council's winter meeting to discuss the impacts of non-rural users identified as a concern in the Council's last annual report.

**Motion:** *Mr. Bassich moved that the Council write a letter to the OSM regarding rural/non-rural use of wildlife education and outreach and include the issue as an agenda action item at the next meeting. The motion was **seconded** by Mr. Woodruff.*

Discussion: Mr. Bassich and Mr. Glanz volunteered to work with Mr. Larson to create a letter over the course of the meeting.

### **Council Members' Reports and Concerns**

Council members provided introductory remarks and highlighted issues including concern for the impacts of by-catch on in-river conservation efforts; the issue of customary trade of king salmon within the Yukon River drainage; the on-going struggle of subsistence users along the Yukon River to meet their needs for fish, and rural residents throughout the region in the harvest of moose and caribou; agency practices in relation to law enforcement contacts on the Yukon River; and the value of successful State/Federal cooperative management efforts (multiple examples of the fall Fortymile Caribou harvest).

### **Fisheries Resource Monitoring Program**

Mr. Richard Cannon, OSM fisheries biologist, presented the 2012 Fisheries Resource Monitoring Program Priority Information Needs generated by the OSM and solicited input from the Council on any potential additional needs. Discussion and questions posed to multiple State and Federal agency staff followed.

**Motion:** *Mr. Bassich moved to adopt the priority information needs identified for the Yukon region, prioritizing those related to Chinook salmon, and with the council's request that OSM consider seeking additional data related to habitat based models and historic Canadian Chinook fecundity; production of Chinook smolts; and burbot and burbot predation on juvenile salmon as part of existing identified priority information needs if possible. The motion was **seconded** by Mr. Umphenour. Motion carried.*

**Motion:** *Mr. Bassich moved to adopt the multi-regional priority information needs identified, with the comments of the council regarding in-river juvenile out-migration monitoring; harvest methods and means; and methods of preservation recognized, and, where possible, integrated into the monitoring program. The motion was **seconded** by Mr. Umphenour. Motion carried.*

### **Public Testimony**

Mr. Al Barrette addressed the Council to request a possible proposal to the Federal Subsistence Board to deal with dog lice, a non-indigenous species, on wolves through treatment with medication, primarily on lands managed by the FWS in Alaska. The lice is preventing the traditional use of wolf pelts.

**Motion:** *Mr. Umphenour moved that the Council write a letter to the federal land management agencies with wording based on Mr. Barrette's proposal, requesting responses in time for the*

*Winter 2011 meeting. The motion was **seconded** by Mr. Woodruff. The motion was **amended** by the chair to have the letter addressed to the OSM, with the request that the OSM coordinate with the applicable agencies, and to cc the State of Alaska. Motion carried.*

Mr. Victor Lord addressed the Council on Yukon River salmon.

### **Yukon River Salmon Post Season Report**

Fish and Wildlife Service staff provided a summary of the 2010 Yukon River Salmon Post Season Report, and responded to questions from council members, and then Department of Fish and Game staff provided additional information to the council.

Council members Firmin and Gurtler requested additional agency reporting from the Yukon River Intertribal Watershed Council on its water sampling studies, the USGS on its water sampling and permafrost studies, and the ADF&G on the effects of burbot predation on fry as well as the effects of predation in general on salmon fry in light of decreasing take of lush, burbot and sheefish in recent times.

### **Consideration and Recommendations on Federal Subsistence Fisheries Proposals**

Proposal FP11-01: Restrict Depth of Gillnets for Salmon in Yukon River

Council Action: Defer

Rationale: Action on proposal was deferred until the results of relevant National Marine Fisheries Service study is completed in 2011 and presented to the council.

Proposal FP11-02: Yukon River Chinook Salmon Conservation Plan

Council Action: Oppose

Rationale: The Council felt that the proposal is too restrictive. The Council has concerns about managers' ability to effectively execute this proposal, given that early run projections have been overly optimistic over the past four years, and that there are not enough data to confidently ensure the predominant presence of specific stocks in a given pulse in a timely manner. The Council heard some anecdotal observations that the first pulse consists primarily of males, so the Council does not feel confident that implementation of the proposal would enhance passage of females. There are also concerns that implementation of this proposal could put undue pressure on other Yukon River stocks. There are additional concerns that, because it would only apply to Federally managed sections of the river, its overall effectiveness would be diluted while negatively impacting only federal subsistence fishing opportunities. There is also a concern that prescribed closures could restrict options for in-season managers who already have the tool of emergency closure when warranted.

Proposal FP11-03: Define Additional Subdistricts Along the Yukon River

Council Action: Support

Rationale: The Council believes that this proposal would benefit conservation by targeting closures as needed more effectively than currently, and benefit subsistence users by allowing fishing when fish are available. It aligns with traditionally recognized regional boundaries, which will facilitate enforcement. It is a positive stewardship measure that appears to enjoy the support of the affected subsistence users.

Proposal FP11-04: Prohibit Use of Fishwheels to Harvest Salmon in Yukon River Districts 4 and 5

Council Action: Oppose

Rationale: The Council feels strongly that this proposal would negatively impact the subsistence users that rely on this method, and would not be an effective tool to achieve the proponent's objective. The Council recognized the use of fishwheels as a traditional harvest method that generally seems to target the smaller fish, usually males, which tend to travel further from the center of the river. The Council noted that the proposal appeared to be retaliatory and lacked sound rationale, and that there was a robust opposition record from all but the proponent.

Proposal FP11-05: Prohibit Customary Trade of Salmon and Use of Salmon for Dogfood in Yukon River Districts 4 and 5

Council Action: Oppose

Rationale: The Council acknowledges that the use of salmon for dog food is an established traditional subsistence use of salmon, particularly salmon that are not as highly valued by humans for food. The Council considered personal knowledge of the declining numbers of both mushers and dogs in the affected area, and that current trends indicate that salmon is rarely, if ever, the sole source of food for dog teams, resulting in a very limited salmon take for this purpose. The proposal would not accomplish a significant conservation objective.

Proposal FP11-06: Restrict Depth of Gillnets for Salmon in Yukon River Drainage

Council Action: Oppose

Rationale: The Council expressed concerns regarding the accuracy of the data available for analysis of the proposal, and the inherent inequity in targeting certain sections of the river to bear the burden of conservation measures. The Council also considered the unanimous opposition of each community, entity and individual motivated to write in objections to the proposal. Although the Council is interested in exploring the potential benefits of gillnet depth restrictions, having submitted a proposal of its own, it believes more information is necessary to make an informed decision.

FP11-07: Prohibit Use of Drift Gillnets to Harvest Salmon in Yukon River Districts 4 and 5

Council Action: Oppose

Rationale: The Council felt that this was a cross-over proposal from someone outside the region, which would negatively impact primarily the subsistence users of the villages of Galena and Ruby, where an insignificant number of fish have been harvested for subsistence use since this fishery opportunity became available in 2005. There appears to be no real conservation benefit from the proposal. The Council noted that the proponent appears to want to be able to fish with nets, but deny that opportunity to others, and that there was vigorous objection from affected subsistence users.

FP11-08 Prohibit Customary Trade of Salmon in the Yukon River Fisheries Management Area in Any Year Chinook Harvests are Restricted

Before making recommendations on Proposal FP11-08, the Council considered many factors and deliberated extensively.

Mr. Bassich **moved** to amend the proposal so that, if, in any given year in the Yukon River Fisheries

Management Area Chinook runs are insufficient to fully satisfy subsistence harvest needs and subsistence fisheries are restricted, customary trade *of Chinook salmon* will be prohibited (with a similar paragraph to be included in Sec C12). The motion was **seconded** by Mr. Umphenour.

After additional discussion, Mr. Umphenour **moved** to further amend the proposal as follows

If in any given year in the Yukon River Fisheries Management Area *the normal* Chinook salmon ~~runs are~~ insufficient to fully satisfy subsistence harvest needs and subsistence fisheries are restricted *subsistence fishing schedule is reduced in any portion*, customary trade *of Chinook salmon* will be prohibited *for the entire drainage for that season*. (with a similar paragraph to be included in Sec C12).

The motion was **seconded** by Mr. Bassich.

After additional discussion, Mr. Bassich called the question on the final wording of the modifications. Motion passed unanimously.

After additional discussion, the Chair called the question on the modified proposal and requested a role call vote.

Mr. Umphenour: yes

Mr. Woodruff: no

Mr. Gurtler: no

Mr. Glanz: no

Mr. Bassich: yes

Mr. Erhart: no

Mr. Biederman: absent

Mr. Firmin: no

Chair Entsminger: no

Motion failed to carry.

Mr. Bassich moved to request a subcommittee including members of the Eastern Interior, Western Interior and Yukon-Kuskokwim Delta Subsistence Regional Advisory Councils to work on the issues of customary trade and to create a proposal to present before the Federal Subsistence Board. The motion was seconded by Mr. Woodruff. Motion carried.

The Chair consulted with the Council and Mr. Bassich, Mr. Firmin and Mr. Glanz were identified to represent the Council on such a subcommittee.

Council Action: Oppose

Rationale: The Council recognizes the need for conservation measures, but has serious concerns with the potential for this proposal, as written, to negatively impact the ability of subsistence users to obtain enough fish if unable to personally do so — especially elders. There are additional concerns about the proposal's effect of inequity, as lower river users have access to disproportionately larger harvests even

when total numbers are low. The Council also noted that trade of processed fish products is already regulated. Before making recommendations on the following two proposals, the Council considered many factors. Comments included recognition of the need to respect regional differences regarding customary trade practices within the state as well as along the Yukon River. As written, the non-species specific proposal has the potential to affect all customary and traditional practices if the Chinook run is poor. It was observed that, when gas is \$9 per gallon, a \$500 limit on sales brings makes even covering expenses questionable and that non-monetary considerations that are traditionally part of customary trade are difficult to equate to a monetary limitation formula. Subsistence practitioners of customary trade are not necessarily keyed in to tracking the practice using administrative paperwork. Council member Woodruff, who had initially submitted a public comment in support of the proposal, withdrew his support after considering the additional information brought forward. The Council spent time crafting and voting on possible modifications to the wording of the proposal to clarify its application to specific species, rural to rural/rural to other customary trade, processed versus whole fish, definitions of barter, customary trade and commerce and the logistics of enforcement before coming to the conclusion that the issue was more far-reaching than this Council could resolve in the time allocated.

The Council recommends that the Federal Subsistence Board establish a subcommittee consisting of representatives of the Eastern Interior Alaska, Western Interior Alaska and Yukon/Kuskokwim Delta Regional Advisory Councils to consider the customary trade issue on a compressed time frame.

FP11-09: Limit Customary Trade of Chinook Salmon in the Yukon River Fisheries Management Area and Require Customary Trade Record Keeping

Council Action: No Action

Rationale: Given the desire of the Council to work with the other affected Councils in a subcommittee related to this proposal, the Council feels that a full examination of the proposal is not warranted at this time. It was noted that there is some merit to the proposal objective, but specifics regarding poundage and record keeping requirements were insufficient. The Council also questioned the possible commitment of managers to enforce the proposal, if adopted.

### **Agency/Organization Reports**

#### National Park Service

Wrangell-St. Elias National Park and Preserve staff distributed and/or presented multiple reports, which included the topics of a national Tribal Consultation initiative, Federal Subsistence permit statistics, the Chisana caribou herd, activities of the Wrangell St. Elias Subsistence Resource Commission, wildlife surveys, and the Nabesna Off-Road Vehicle Management Plan Draft Environmental Impact Statement.

***Motion:** Mr. Umphenour **moved** that the Council endorse the Wrangell-St. Elias Subsistence Resource Commission's comments regarding the Nabesna Off-Road Vehicle Management Plan Draft Environmental Impact Statement. The motion was **seconded** by Mr. Glanz. Motion carried.*

***Motion:** Mr. Umphenour **moved** that the Council send a letter to the Southcentral Alaska Subsistence Regional Advisory Council to suggest that the councils address issues related to the Chisana Caribou deferred proposal in subcommittee. The motion was **seconded** by Mr. Woodruff. Motion carried.*

Yukon Charley National Preserve staff provided updates on subsistence, a fisheries TEK report, and law enforcement on the Preserve.

#### Fish and Wildlife Service

Office of Subsistence Management staff provided handouts/briefings for the Brown Bear Claw Handicraft Working Group, Salmon Bycatch in the Bering Sea/Aleutian Islands Pollock Fishery, the new Federal Subsistence Permit System, and a news release from the Department concerning the Secretarial Review.

Refuge staff provided handouts/briefings on the Yukon Flats NWR involvement with youth, 2010 fires, moose management; the timeline for the Arctic NWR Comprehensive Conservation Plan; Tetlin NWR trail work, staffing changes and re-identification of the Mentasta Caribou Herd as a resource of concern.

#### Alaska Department of Fish and Game

The Department of Fish and Game's Subsistence Division staff provided briefings on the Yukon Salmon Disaster Project, Strategic Planning for Whitefish Research, Climate Change and Impacts on Subsistence Fisheries in the Yukon River Drainage, big game and trapping household surveys in the Yukon Flats, a chum salmon bycatch environmental impact statement, a regulatory impact report that the Division of Subsistence is contributing chum salmon subsistence harvest data to, and a traditional knowledge study of non-salmon fish species in Middle Yukon villages.

Staff from the Department's Division of Wildlife Conservation provided briefings on the Fortymile Caribou Harvest Plan update and the 2010 fall hunt, and status of black bear proposals.

Staff from the Department's Sport Fish Division discussed burbot and sheefish studies.

#### Yukon River Drainage Fisheries Association

Staff from the Association provided additional updates on bycatch, and other YRFDA projects, including the summer teleconference, an Alaska/Canada educational exchange, a natural indicators program to link elders' knowledge to scientific knowledge, a children's book in development that features elder knowledge and natural indicators, and the electronic newsletter initiated by YRDFDA this year.

#### Yukon River Intertribal Watershed Council

Staff from the Council provided an overview of the data that the organization has been collecting and indexing as a database for the past five years in conjunction with a partnership with the US Geological Survey.

#### Bureau of Land Management

Staff from the Bureau's Alaska Eastern Interior Field Office provided updates on the Eastern Interior Resource Management Plan timeline and a draft invasive species integrated management plan environmental assessment under development.

#### **Other Business**

The Council considered arrangements for upcoming meetings.

**Motion:** Mr. Glanz **moved** that the Eastern Interior, Western Interior and Yukon-Kuskokwim Delta Councils meet together in Fairbanks on March 1<sup>st</sup> or 2<sup>nd</sup>. The motion was **seconded** by Mr. Bassich. Motion carried.

**Motion:** Mr. Bassich **moved** that the Council schedule its 2011 Fall meeting on October 11 and 12. The motion was **seconded** by Mr. Woodruff. Mr. Bassich **moved** to amend the motion to recommend Tanana as the preferred location. The motion was **seconded** by Mr. Umphenour. Motion carried.

### Meeting Action Review and Closing Comments

Mr. Larson requested review and approval of the four Council letters generated during the course of the meeting:

Letter to Wrangle-St. Elias National Park and Preserve supporting the recommendations of the Wrangle-St. Elias Subsistence Resource Commission regarding the Nabesna Off-Road Vehicle Management Plan Draft Environmental Impact Statement

Letter to Southcentral Alaska Subsistence Regional Advisory Council Chair suggesting creation of an Eastern Interior/Southcentral subcommittee to consider Chisana caribou herd issues

Letter to the Office of Subsistence Management requesting data gathering and analysis of rates of infection, plans and policies related to dog lice from each of the federal land management agencies in Alaska

Letter to the Office of Subsistence Management requesting that a staff member be assigned to attend the winter Council meeting to become familiar with Council concerns and assist in strategy development for improved cultural sensitivity education and outreach to non-rural users of rural lands for both consumptive and non-consumptive purposes

The Council then reviewed and discussed inclusion of the following issues of concern for its annual report:

Education of non-rural users in rural areas  
Bycatch of salmon in marine waters  
Customary trade in an expedited fashion  
Dog lice  
Potential effects of climate change on seasons and bag limits  
Burbot and the effects of burbot predation on salmon fry  
Intensive management

Council members provided closing remarks that were primarily expressions of appreciation for the information and opportunity for dialog brought to the meeting by the attendees, recognizing the value even when there are differences of opinion.

**Motion:** Mr. Bassich **moved** to adjourn. The motion was **seconded** by Mr. Woodruff. Motion passed by unanimous consent and the meeting adjourned.

I certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

\_\_\_/s/ KJ Mushovic\_\_\_\_\_  
KJ Mushovic, Designated Federal Officer

\_\_\_1/5/2011\_\_\_\_\_  
Date

\_\_\_/s/ Sue Entsminger\_\_\_\_\_  
Sue Entsminger, Chair

\_\_\_1/5/2011\_\_\_\_\_  
Date

These minutes will be formally considered by the Regional Advisory Council at its Winter 2011 public meeting in Fairbanks, Alaska on March 3–4, 2011, and any corrections or notations will be incorporated in the minutes of that meeting.

**BOARD ACTION REPORT**  
Federal Subsistence Board Meeting  
January 18–20, 2011

**YUKON-NORTHERN AREA**

**FP11-01**

**Description:** FP11-01 requested that all gillnets with greater than 6-inch stretch mesh be restricted to not more than 35 meshes in depth in Federal public waters of the Yukon River drainage. Submitted by the Eastern Interior Alaska Subsistence Regional Advisory Council.

**Council Recommendation/Justification:**

**Yukon-Kuskokwim Delta** — Oppose FP11-01. It does not make sense to restrict mesh depth when water can be 70–100 feet deep. The Council also opposes the proposals due to the burden to subsistence users because of the cost to alter nets.

**Western Interior Alaska** — Oppose FP11-01. The Council stated that current data shows salmon will swim in various depths in the water column. Weather will also affect the migration pattern of the salmon swimming upriver and fishermen will adapt and fish in different depth of water.

**Seward Peninsula** — Oppose FP11-01. The proposal does not address the issue of concern and would not have much impact other than cost to subsistence users to alter their nets. Also, there is opposition to the proposal from people that would be affected.

**Eastern Interior Alaska** — Took No Action on FP11-01. Action was deferred until the results of a relevant study is completed in 2011 and presented to the Council.

**Board Action/Justification:** Rejected. Reduced depth reduces efficiency, thereby making it more difficult for people to meet their needs. There is a lack of substantial evidence to support such a change; however, if new information becomes available, a new proposal can be submitted. This action follows the recommendation of the Yukon-Kuskokwim Delta, Western Interior Alaska, and Seward Peninsula subsistence regional advisory councils.

**FP11-02**

**Description:** Proposal FP11-02 requested that Federal public waters of the Yukon River be closed to subsistence and commercial fishing from the river mouth to the Canadian border during the first pulse, and second pulse if necessary, of the Chinook salmon run. These rolling closures would correspond to the periods of the Chinook salmon migration when stocks returning to Canadian waters constitute the majority of the run. No harvest on these stocks would be allowed for at least 12 years or until such time as this stock's abundance and escapement quality (age/sex/length) is restored to a level that provides sustained yields to support historic commercial and subsistence fisheries. Submitted by Jack Reakoff.

**Council Recommendation/Justification:**

**Yukon-Kuskokwim Delta** — Oppose. Closing subsistence fishing when the first pulse arrives will not address the problem. Restrictions are not necessary given current regulation and ability of in-season managers.

**Western Interior Alaska** — Support with modification as follows: *(B) Federal public waters of the Yukon River will be closed, or predominantly closed, to the taking of Chinook salmon by all users sequentially from the river mouth to the Canadian border during the first pulse of Chinook salmon, through very short or no openings, using statistical area closures to provide greater protection, to expressly protect the U.S./Canadian Yukon River Panel agreed-upon escapement goal, without negatively impacting conservation of other stocks. This regulation will be in place for four years.* Implementing a closure for 12 years will create an undue hardship and will be too restrictive for rural residents. The Council supports a four year closure to protect the run and to restore it to a level that supports historic commercial and subsistence fisheries.

**Seward Peninsula** — Oppose. This would bring a fragmented management approach to the river and would restrict needed management flexibility. Also, this proposal would prevent subsistence fishers from fishing even if there is a harvestable surplus.

**Eastern Interior Alaska** — Oppose. The proposal is too restrictive. The Council has concerns about managers' ability to effectively execute this proposal, given that early run projections have been overly optimistic of the past four years, and that there are not enough data to confidently ensure the predominant presence of specific stocks in a given pulse in a timely manner. The Council heard some anecdotal observations that the first pulse consists primarily of males, so the Council does not feel confident that implementation of the proposal could enhance passage of females. There are also concerns that implementation of this proposal could put undue pressure on other Yukon River stocks. There are additional concerns that, because it would only apply to Federally managed sections of the river, its overall effectiveness would be diluted while negatively impacting only Federal subsistence fishing opportunities. There is also a concern that prescribed closures could restrict options for in-season managers who already have the tool of emergency closure when warranted.

**Board Action/Justification:** Rejected. Fisheries managers currently have the authority to implement this request so a regulation is not necessary at this time. This action follows the recommendation of the Seward Peninsula, Yukon-Kuskokwim Delta, and Eastern Interior Alaska subsistence regional advisory councils.

**FP11-03**

**Description:** Proposal FP11-03 requested that Federal public waters of Yukon River Subdistrict 5D be further subdivided into three subdistricts to provide managers additional flexibility to more precisely regulate harvest while conserving the Chinook salmon run that spawns in the upper Yukon River. Submitted by Andrew Firmin.

**Council Recommendation/Justification:**

**Yukon-Kuskokwim Delta** — Oppose. The proposal is unnecessary.

**Western Interior Alaska** — Defer. Deferral would allow more local input and submission to the State process while the proposal is considered in the Federal regulatory process.

**Seward Peninsula** — Took No Action. This is an issue that is far removed from the Bering Straits Region and the proposal is better addressed by the people that are affected.

**Eastern Interior Alaska** — Support. The Council believes that this proposal would benefit conservation by targeting closures as needed more effectively than currently, and benefit subsistence users by allowing fishing when fish are available. It aligns with traditionally recognized regional boundaries, which will facilitate enforcement. It is a positive stewardship measure that appears to enjoy the support of the affected subsistence users.

**Board Action/Justification:** Deferred Action. The Board agreed that the area is large and that the intent of the proposal has merit. Deferring action on the proposal will provide time to refine the proposal and garner more public input.

#### **FP11-04**

**Description:** Proposal FP11-04 requested the use of fish wheels be prohibited for the harvest of salmon in Districts 4 and 5 of the Yukon Area, to allow more fish to escape to the spawning grounds. Submitted by the Mountain Village Working Group.

#### **Council Recommendation/Justification:**

**Yukon-Kuskokwim Delta** — Oppose. The proposal is unnecessary, unproductive, and would potentially create controversy.

**Western Interior Alaska** — Oppose. This proposal is counterproductive and does not address Yukon River drainage conservation efforts.

**Seward Peninsula** — Took No Action. This proposal addresses an issue for an area that is far outside the Bering Straits Region. Also, taking away fish wheels from some users is taking away a customary and traditional practice.

**Eastern Interior Alaska** — Oppose. The Council feels strongly that this proposal would negatively impact the subsistence users that rely on this method, and would not be an effective tool to achieve the proponent's objective. The Council recognized the use of fish wheels as a traditional harvest method that generally seems to target the smaller fish, usually males, which tend to travel further from the center of the river. The Council noted that the proposal appeared to be retaliatory and lacked sound rationale, and that there was a robust opposition record from all but the proponent.

**Board Action/Justification:** Withdrawn. The Board withdrew this proposal as requested by the proponent and consistent with the recommendations of the Eastern Interior Alaska, Western Interior Alaska, Yukon-Kuskokwim Delta, and Seward Peninsula subsistence regional advisory councils.

#### **FP11-05**

**Description:** Proposal FP11-05 requested that the Board preclude customary trade of salmon in Yukon River Districts 4 and 5 and that the Board preclude the use of salmon for dog food in Yukon River Districts 4 and 5, with the exception of whole Chinook salmon caught incidentally during a subsistence chum salmon fishery in the Koyukuk River drainage after July 10. Submitted by the Mountain Village Working Group.

**Council Recommendation/Justification:**

**Yukon-Kuskokwim Delta** — Oppose. Written comments from the affected area oppose the proposal.

**Western Interior Alaska** — Oppose. This proposal is restrictive and targets Districts Y4 and Y5 users.

**Seward Peninsula** — Oppose. If something were to be done, it should be done drainage-wide; this proposal only addresses District 4 and 5. The Council supports limits on significant commercial enterprise, but is opposed to limits on customary trade. Managers should manage and not worry about what people do with the fish after it is legally harvested.

**Eastern Interior Alaska** — Oppose. The Council acknowledges that the use of salmon for dog food is an established traditional subsistence use of salmon, particularly salmon that are not as highly valued by humans for food. The Council considered personal knowledge of the declining numbers of both mushers and dogs in the affected area, and that current trends indicate that salmon is rarely, if ever, the sole source of food for dog teams, resulting in a very limited salmon take for this purpose. The proposal would not accomplish a significant conservation objective.

**Board Action/Justification:** Withdrawn. The Board withdrew this proposal as requested by the proponent and consistent with the recommendations of the Eastern Interior Alaska, Western Interior Alaska, Yukon-Kuskokwim Delta, and Seward Peninsula subsistence regional advisory councils.

**FP11-06**

**Description:** Proposal FP11-06 requested that the depth of 7.5 inch stretch mesh gillnets be restricted to 20 meshes in depth in Yukon River Districts 4 and 5. Submitted by the Mountain Village Working Group.

**Council Recommendation/Justification:**

**Yukon-Kuskokwim Delta** — Oppose. It does not make sense to restrict mesh depth when water can be 70–100 feet deep. The Council is also opposed to the proposal due to the burden to subsistence users because of the cost to alter nets.

**Western Interior Alaska** — Oppose. Current data shows salmon will swim in various depths in the water column. Weather will also affect the migration pattern of the salmon swimming upriver and fishermen will adapt and fish in different depth of water.

**Seward Peninsula** — Oppose. The proposal does not address the issue of concern and would not have much impact other than cost to subsistence users to alter their nets. There is opposition to the proposal from people that would be affected.

**Eastern Interior Alaska** — Oppose. The Council expressed concerns regarding the accuracy of the data available for analysis of the proposal, and the inherent inequity in targeting certain sections of the river to bear the burden of conservation measures. The Council also considered the unanimous opposition of each community, entity, and individual motivated to write to the Board. Although the Council is interested in exploring the potential benefits of gillnet depth restrictions, having submitted a proposal of its own, it believes more information is necessary to make an informed decision.

**Board Action/Justification:** Withdrawn. The Board withdrew this proposal as requested by the proponent and consistent with the recommendations of the Eastern Interior Alaska, Western Interior Alaska, Yukon-Kuskokwim Delta, and Seward Peninsula subsistence regional advisory councils.

#### **FP11-07**

**Description:** Proposal FP11-07 requested that the use of drift gillnets be prohibited for the harvest of salmon in Districts 4 and 5 of the Yukon Area, to allow more fish to escape to the spawning grounds. Both Federal and State regulations do not allow the use of drift gillnets for the harvest of salmon in District 5. Therefore, the proposal only applies to the use of drift gillnets for the harvest of salmon by Federally qualified users in the Federal public waters of District 4 (Subdistricts 4A, 4B, and 4C). Submitted by the Mountain Village Working Group.

#### **Council Recommendation/Justification:**

**Yukon-Kuskokwim Delta** — Oppose. Written public comments indicated that there would be a problem if the proposed regulation were adopted. There would not be enough space for subsistence set nets in limited, small areas.

**Western Interior Alaska** — Oppose. Written public comments from the area indicated that there would be some problems if this proposed regulation were adopted. If this proposed regulatory change were adopted, there would not be enough space for subsistence set nets in limited small areas.

**Seward Peninsula** — Took No Action. This proposal addresses an issue far outside the region.

**Eastern Interior Alaska** — Oppose. The Council felt that this was a cross-over proposal from someone outside the region, which would negatively impact primarily the subsistence users of the villages of Galena and Ruby, where an insignificant number of fish have been harvested for subsistence use since this fishery opportunity became available in 2005. There appears to be no real conservation benefit from the proposal. The Council noted that the proponent appears to want to be able to fish with nets, but would deny that opportunity to others and that there was vigorous objection from affected subsistence users.

**Board Action/Justification:** Withdrawn. The Board withdrew this proposal as requested by the proponent and consistent with the recommendations of the Eastern Interior Alaska, Western Interior Alaska, Yukon-Kuskokwim Delta, and Seward Peninsula subsistence regional advisory councils.

#### **FP11-08**

**Description:** Proposal FP11-08 requested that customary trade in the Yukon River Fisheries Management Area be prohibited in any year when Chinook salmon runs are insufficient to fully satisfy subsistence harvest needs and subsistence fisheries are restricted. As submitted, the prohibition would only affect customary trade between rural residents. Submitted by the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council.

#### **Council Recommendation/Justification:**

**Yukon-Kuskokwim Delta** — Support with modification to delete all proposed language under (iii) and replace with the following: *(iii) Yukon River Fishery Management Area—The total cash value per household of salmon taken within Federal jurisdiction in the Yukon River Fishery Management Area and exchanged in customary trade to rural residents may not exceed \$750.00 annually.* The Council supports

proposals to prohibit customary trade until salmon runs rebound. This issue needs to be addressed for both Chinook and chum salmon. This is a river-wide issue and it is up to the people to conserve salmon. There are also reports of abuse of customary trade.

**Western Interior Alaska** — Oppose. The Council voted to request the Board to establish a subcommittee to further address the customary trade issue. The subcommittee would be charged to address Yukon River Chinook salmon customary trade regulation development and would consist of participants from each of the three Yukon River regional advisory councils and relevant State fish and game advisory committees. The Council named Robert Walker and Mickey Stickman to serve on this subcommittee, with Ray Collins and Jenny Pelkola named as alternates. The Council also recommended that a second subcommittee be charged to address Yukon River Chinook salmon management for improved escapement abundance and quality, and that this second subcommittee should meet immediately following meetings of the customary trade subcommittee for purposes of efficiency.

**Seward Peninsula** — Took No Action. The Council took no action on FP11-08 but supported the idea of a working group that includes representatives from all three affected regional advisory councils to address this long standing and ongoing issue.

**Eastern Interior Alaska** — Oppose. The Council recognizes the need for conservation measures, but has serious concerns with the potential for this proposal, as written, to negatively impact the ability of subsistence users to obtain enough fish if unable to personally do so, especially elders. There are additional concerns about the proposal's effect of inequity, as lower river users have access to disproportionately larger harvests even when total numbers are low. The Council also noted that trade of processed fish products is already regulated. The Council recommends that the Board establish a subcommittee consisting of representatives of the Eastern Interior Alaska, Western Interior Alaska, and Yukon-Kuskokwim Delta regional advisory councils to consider the customary trade issue on a compressed time frame.

**Board Action/Justification:** Deferred Action. The Board approved a subcommittee of the Eastern Interior Alaska, Western Interior Alaska, and Yukon-Delta subsistence regional advisory councils. The Board stated that the purpose of the subcommittee is to define "significant commercial enterprise" for sales of subsistence caught salmon to other rural residents and to others. The intent is to develop language that will be applied to the entire Yukon River drainage. The Board stipulated that the subcommittee will be comprised of three members of each of the three councils, that the subcommittee should consider starting with a household limit of \$750 per year, that the Solicitor's Office and Law Enforcement will assist with the final language, and that the work will be completed as soon as possible.

The Board's intent is to allow time for subcommittee work and subsequent council recommendations as noted in the current recommendations of the Eastern Interior Alaska, Western Interior Alaska, and Seward Peninsula subsistence regional advisory councils.

#### **FP11-09**

**Description:** Proposal FP11-09 requested that the Board limit the customary trade of Chinook salmon in the Yukon River Management Area and require a customary trade recordkeeping form. The proposal also requested that the Board impose a geographic constraint to the customary trade of Chinook salmon caught in the Yukon River Management Area: Such trade, including the delivery of fish to a purchaser, should only occur in the Yukon River Management Area. Submitted by the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council.

**Council Recommendation/Justification:**

**Yukon-Kuskokwim Delta** — Support with modification to delete all proposed language under (iii) and replace with the following: *(iii) Yukon River Fishery Management Area—The total cash value per household of salmon taken within Federal jurisdiction in the Yukon River Fishery Management Area and exchanged in customary trade between rural residents and individuals other than rural residents may not exceed \$750.00 annually. These customary trade sales must be immediately recorded on a customary trade record keeping form. The recording requirement and the responsibility to ensure the household limit is not exceeded rests with the seller.* There is a need for measureable enforcement tools to address commercial advertisements that are escalating under the guise of subsistence customary trade. There should be a dollar limit of \$750.00 annually because there is no limit now.

**Western Interior Alaska** — Oppose. The Council voted to request the Board to establish a subcommittee to further address the customary trade issue. The subcommittee charge would be as noted for FP11-08.

**Seward Peninsula** — Oppose. The Council opposed the proposal, but supports the idea of having representatives from the three affected regional advisory councils get together to resolve these long standing contentious issues.

**Eastern Interior Alaska** — Take No Action. Given the desire of the Council to work with the other affected Councils on a subcommittee related to this proposal, the Council felt that a full examination of the proposal is not warranted at this time. It was noted that there is some merit to the proposal objective, but specifics regarding poundage and record keeping requirement were insufficient. The Council also questioned the commitment of managers to enforce the proposal if adopted.

**Board Action/Justification:** No Action. The Board took no action on FP11-09 due to its action on FP11-08.

## CHIGNIK AREA

### FP11-10

**Description:** Proposal FP11-10 requested that all drainages in the Chignik Area be opened to the harvest of salmon by seine, gillnet, spear, and hook and line that may be attached to a rod or pole, or with gear specified on a subsistence fishing permit, except that hook and line gear may not be used in Chignik River. The proposal also would: 1) restrict power purse seine gear from Mensis Point downstream; 2) permit hand seining only in Chignik River and Chignik Lake; 3) permit gillnets to be used only in Chignik River, Chignik Lake, and in the waters of Clark River and Home Creek, from each of their confluences with Chignik Lake to a point one mile upstream; and 4) restrict a gillnet from being staked or anchored or otherwise fixed in a stream slough, or side channel to where it obstructs more than one-half the width of that stream, slough, or side channel. Submitted by the Chignik Lake Traditional Council.

**Council Recommendation/Justification:** Support with modification as presented in the Office of Subsistence Management conclusion. The Bristol Bay Subsistence Regional Advisory Council supports a long standing subsistence fishery and FP11-10 will provide additional harvest opportunities for rural residents of the Chignik Area. Subsistence users have a long established customary and traditional use of salmon in the Black Lake and the tributaries of Black and Chignik lakes. The proposal will allow access, with some restrictions, to areas in all drainages in the Chignik Area to harvest salmon from January 1 to December 31 and allow additional gear types.

**Board Action/Justification:** Adopted with modification. The modified language is as follows:

*§\_\_.27(c) Subsistence taking of fish: methods, means, and general restrictions*

*(4) Except as otherwise provided for in this section, you may not obstruct more than one-half the width of any stream with any gear used to take fish for subsistence uses.*

*(10) You may not take fish for subsistence uses within 300 feet of any dam, fish ladder, weir, culvert or other artificial obstruction, unless otherwise indicated.*

***§\_\_.27(i)(8) Subsistence taking of fish: Chignik Area***

*(i) You may take fish other than salmon, rainbow/steelhead trout, or char at any time, except as may be specified by a subsistence fishing permit. For salmon, Federal subsistence fishing openings, closings and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action. If you take rainbow/steelhead trout incidentally in other subsistence net fisheries, you may retain them for subsistence purposes.*

*(ii) You may not take salmon in the Chignik River, from a point 300 feet upstream of the ADF&G weir to Chignik Lake from July 1 through August 31. You may not take salmon **by gillnet** in Black Lake or any tributary to Black or Chignik Lakes, ~~except those~~ **You may take salmon in the waters of Clark River and Home Creek from their confluence with Chignik Lake upstream 1 mile.***

*(A) In the open waters of **Chignik Lake, Chignik River, Clark River and Home Creek** you may take salmon by gillnet under the authority of a **subsistence fishing State** permit.*

*(B) In the open waters of Clark River and Home Creek you may take salmon by snagging (handline or rod and reel), spear, bow and arrow, or capture by hand without a permit. The daily harvest and possession limits using these methods are 5 per day and 5 in possession.*

*(iii) You may take salmon, trout, and char only under the authority of a subsistence fishing permit **unless otherwise indicated in this section or as noted in the permit conditions.***

*(iv) You must keep a record on your permit of subsistence-caught fish. You must complete the record immediately upon taking subsistence-caught fish and must return it no later ~~than October 31~~ **than the due date listed on the permit.***

*(v) If you hold a commercial fishing license, you may only subsistence fish for salmon as specified on a ~~State~~ subsistence ~~salmon~~ fishing permit.*

*(vi) You may take salmon by seines, gillnets, rod and reel, or with gear specified on a subsistence fishing permit, except that in Chignik Lake, you may not use purse seines. You may also take salmon without a permit by snagging (by handline or rod and reel), using a spear, bow and arrow, or capturing by bare hand.*

*(vii) You may take fish other than salmon by gear listed in this part unless restricted under the terms of a subsistence fishing permit.*

*(viii) You may take no more than 250 salmon for subsistence purposes unless otherwise specified on the subsistence fishing permit.*

The modification is consistent with the Bristol Bay Subsistence Regional Advisory Council's intent and will increase opportunity, clarify regulations, recognize a subsistence use pattern and make legal a long-standing subsistence practice.

## KODIAK AREA

### FP11-11

**Description:** Proposal FP11-11 requested that the annual harvest limit for king crab in the Kodiak Management Area be changed from six per household to three per household. Submitted by the Kodiak/Aleutians Subsistence Regional Advisory Council.

**Council Recommendation/Justification:** Support. This proposal addresses conservation concerns and would continue to provide fishing opportunity for elderly subsistence users from Kodiak city. Only a few crab are taken out of all of Chiniak Bay and there is no information about how many are taken from Womens Bay in particular; however, observations of local fisheries managers are that the population of crab in Womens Bay has remained stable over the years. Womens Bay is one of few crab fishing places on the island that are road accessible and is the most accessible location where elders from Kodiak city can continue to fish.

**Board Action/Justification:** Adopted. The Board considered that this is necessary for conservation and noted that the current situation in Womens Bay is not a major concern to NOAA (the agency that monitors the Womens Bay population). If information received later indicates a significant concern for juvenile king crab in Womens Bay, the Board can address that situation.

### FP11-12

**Description:** Proposal FP11-12 requested the Federal subsistence harvest of herring for the Kodiak Management Area be limited to 500 pounds per person annually. Submitted by the Kodiak/Aleutians Subsistence Regional Advisory Council.

**Council Recommendation/Justification:** This proposal was withdrawn by the proponent according to Board policy and was not, therefore, addressed by the Board.

### FP11-13

**Description:** Proposal FP11-13 requested that no harvest limit be associated with subsistence permits issued to Federally qualified subsistence users who fish for salmon in Federal public waters of the Kodiak Management Area that cannot be accessed from the Kodiak road system, except the Mainland District. It also requested that recording of harvests on all permits be done prior to leaving the fishing site rather than immediately upon landing fish. Submitted by the Kodiak/Aleutians Subsistence Regional Advisory Council.

**Council Recommendation/Justification:** Support with modification. The Council modified the proposed regulatory language to remove references to herring, which allows §\_\_.27(i)(9)(iv) to revert to existing regulatory language, and to insert the word "Federal" in paragraph (A) as the descriptor for waters. These

modifications will clarify the regulatory language for the benefit of subsistence users. It is understood that the intent of the proposal was to address salmon annual harvest limits and reporting, but not to deal with herring. The modified regulations should read:

§\_\_ .27(i)(9)(iv) *You must have a subsistence fishing permit for taking salmon, trout, and char for subsistence purposes. You must have a subsistence fishing permit for taking herring and bottomfish for subsistence purposes during the State commercial herring sac roe season from April 15 through June 30.*

*(v) ~~With a subsistence salmon fishing permit you may take 25 salmon plus an additional 25 salmon for each member of your household whose names are listed on the permit. You may obtain an additional permit if you can show that more fish are needed. The annual limit for a subsistence salmon fishing permit holder is as follows:~~*

*(A) In the Federal waters of Kodiak Island, east of the line from Crag Point south to the westernmost point of Saltery Cove, including the waters of Woody and Long islands, and the salt waters bordering this area within one mile of Kodiak Island, excluding the waters bordering Spruce Island, 25 salmon for the permit holder plus an additional 25 salmon for each member of the same household whose names are listed on the permit: an additional permit may be obtained if it can be shown that more fish are needed;*

*(B) In the remainder of the Kodiak Area not described in (A) of this subsection, there is no annual limit.*

*(vi) ~~You must~~ **Subsistence fishermen shall keep a record on your subsistence permit of the number of subsistence fish taken by that subsistence fisherman each year. The number of subsistence fish taken shall be recorded on the reverse side of the permit. ~~You~~ The catch must be complete the recorded prior to leaving the fishing site immediately upon landing subsistence-caught fish, and the permit must be returned to the local representative of the department by February 1 of the year following the year the permit was issued.***

**Board Action/Justification:** Adopted with modification as recommended by the Kodiak/Aleutians Subsistence Regional Advisory Council. This action should help with harvest reporting accuracy and is very similar to action taken by the Alaska Board of Fisheries at its January 2011 meeting. The Board indicated that while some administrative modifications to the wording proposed by the Council might be needed, the intent of the proposal (see Description) would not be changed.

#### **FP11-14**

**Description:** Proposal FP11-14 requested that in the Kodiak Area a Federally qualified user of salmon that is also an owner, operator, or employee of a lodge, charter vessel, or other enterprise that furnishes food, lodging, or sport fishing guide services may not furnish to a client or guest of that enterprise who is not a rural resident of the state, salmon that has been taken under Federal subsistence fishing regulations. Submitted by the Kodiak/Aleutians Subsistence Regional Advisory Council.

**Council Recommendation/Justification:** This proposal was withdrawn by the proponent according to Board policy and was not, therefore, addressed by the Board.

## FP11-15

**Description:** Proposal FP11-15 requests that Federally qualified subsistence users only be allowed to fish for salmon from 6:00 a.m. until 9:00 p.m. from January 1 through December 31 in Federal Public waters accessible from the Kodiak road system. Submitted by the Kodiak/Aleutians Subsistence Regional Advisory Council.

**Council Recommendation/Justification:** This proposal was withdrawn by the proponent according to Board policy and was not, therefore, addressed by the Board.

## FP11-16/17

**Description:** Proposal FP11-16, submitted by Michael Douville, requested that the season closing date for the Federal subsistence sockeye salmon fishery in the Klawock River be extended from July 31 to August 15 and that the Monday through Friday fishing schedule be removed. Proposal FP11-17, submitted by the Southeast Alaska Subsistence Regional Advisory Council, requested that the season closing date for the Federal subsistence sockeye salmon fishery in the Klawock River be extended from July 31 to August 7 but retains the Monday through Friday fishing schedule.

### **Council Recommendation/Justification:**

Proposal FP11-16 Support with modification to remove the defined season and fish schedule for subsistence sockeye salmon fishing in the Klawock River drainage from regulation. The modified regulation should read:

*§ \_\_\_\_ .27(i)(13)(xiv) From July 7 through July 31, you may take sockeye salmon in the waters of the Klawock River and Klawock Lake only from 8:00 a.m. Monday until 5:00 p.m. Friday.*

The Council determined that this proposal, as modified, would provide additional fishing opportunity for subsistence users and simplify subsistence harvest regulations. The original regulation establishing the season and weekly fishing schedule was developed during a period of time when there was considerable non-local weekend travel to the island. The regulation was developed by the State and incorporated into the Federal program when the Federal government assumed authority for subsistence management of fish. The intent of the regulation was to give local residents an advantage over non-locals. There is not the need to restrict non-local participation in Federal subsistence fisheries. There is not a conservation concern in the Klawock River that requires retaining the current regulation. The Klawock River is the only Federal subsistence sockeye salmon fishery with a defined fishing season and weekly fishing schedule in Southeast Alaska. Deleting the sockeye salmon season and weekly fishing schedule would align the Klawock fishing regulations with other Federal sockeye salmon management systems in the Region. The current rules are largely ineffective in restricting sockeye salmon harvest as current regulations for the Southeast Alaska Area allow for sockeye salmon to be retained outside the designated season and weekly fishing period as incidental harvest while fishing for other species.

Proposal FP11-17. Took no action due to previous action on FP11-16. The Council determined that previous action on FP11-16 provided a superior solution to the issue.

**Board Action/Justification:** Adopted FP11-16 with modification and took no action on FP11-17 due to action taken on FP11-16 as recommended by the Southcentral Alaska Subsistence Regional Advisory Council. There are no conservation concerns so the current regulation is no longer needed. The in-season manager is authorized to take action if needed.

## FP11-18

**Description:** Proposal FP11-18 requested all waters draining into Sections 1C and 1D be closed to the harvest of eulachon. Submitted by the Southeast Alaska Subsistence Regional Advisory Council.

**Council Recommendation/Justification:** Support with modification to clarify the applicable area, and to make explicit that the closure applies to all users. The modified regulation should read:

*§ \_\_.27(i)(13)(ii) You must possess a subsistence fishing permit to take salmon, trout, grayling, or char. You must possess a subsistence fishing permit to take eulachon from any freshwater stream flowing into fishing Sections 1C or 1D.*

*§ \_\_.27(i)(13)(xxii) All freshwater streams flowing into Sections 1C and 1D are closed to the harvest of eulachon by all users.*

The Council determined there were no other management actions appropriate for this area after the collapse of the stock. There will likely be no harvestable surplus in the foreseeable future for any user. The Council considered it very unfortunate this action was necessary and felt this was an example where the need for conservation was not recognized early enough for alternative solutions to be implemented.

**Board Action/Justification:** Deferred Action. The Board deferred action until the next fisheries regulatory cycle. While conservation of this stock is a serious issue (there is a severe decline of eulachon and no harvestable surplus), a permanent closure would be detrimental to subsistence users and a deferral is not a threat to the resource. Therefore, time can be taken to confer with the local residents who are most affected.

Management of this fishery can continue by special action during this time. This deferral should allow further study and monitoring of the resource. During this time managers will confer with local residents who are the most affected users.

## FP11-19

**Description:** Proposal FP11-19 requested that the Federal Subsistence Board recognize the customary and traditional uses of all marine species of fish and shellfish within the Federal public waters of District 13 for the residents of the City and Borough of Sitka. Submitted by the Sitka Tribe of Alaska.

This proposal was withdrawn by the proponent according to Board policy and was not, therefore, considered by the Southeast Alaska Subsistence Regional Advisory Council or the Board.

## FP09-05 Deferred

**Description:** Proposal FP09-05 seeks to close the Federal public waters in the Makhnati Island area near Sitka to the harvest of herring and herring spawn except for subsistence harvests by Federally qualified subsistence users. This proposal was deferred by the Federal Subsistence Board in January 2009 for a period not to exceed two years. Submitted by the Sitka Tribe of Alaska.

**Council Recommendation/Justification:** Defer to a time determined by the Board. The Sitka Tribe of Alaska (STA), the original proponent, submitted a letter to the Council requesting that the proposal be deferred once again. This postponement would allow more time for peer review of a STA authored research paper on herring management and population assessment of Sitka Sound herring.

Additionally, STA has started a Herring Research Priority Planning Group which may provide additional recommendations regarding the proposal. The Council also wanted to provide the new Board chair additional time to become engaged in this issue. The Council determined that action on this proposal may be premature at this time because implementation of recommendations contained within the secretarial review may provide different or additional rules or policies appropriate to evaluate the proposal.

**Board Action/Justification:** Deferred Action as recommended by the Southeast Alaska Subsistence Regional Advisory Council. The Board will take up the proposal at or before the next fisheries regulatory meeting in January 2013.

### **FP09-15 Deferred**

**Description:** Proposal FP09-15 requested that a “no Federal subsistence priority” customary and traditional use determination be made for all fish in the Juneau road system area (all waters crossed by or adjacent to roads connected to the City and Borough of the Juneau road system). In January 2009, the Federal Subsistence Board deferred Proposal FP09-15 to allow time to develop an analysis of the customary and traditional uses of fish in Districts 11 and 15. Submitted by the Alaska Department of Fish and Game.

**Council Recommendation/Justification:** Oppose. The Southeast Alaska Subsistence Regional Advisory Council determined that the staff analysis was incomplete and the proposal was unnecessary and detrimental to the continuation of subsistence uses. There is a high degree of certainty that additional information exists regarding the use of this area by residents of various rural communities. The transcripts of the previous meeting contained evidence of subsistence use that was not recognized in the current analysis. The difficulty in documenting historical use is likely due to interruption of traditional activities due to recent regulations. Sport fishing is a subsistence harvest method and the amount of that use should be better described. The Council does not know the outcome of relevant jurisdictional issues currently under consideration by the court in *Katie John II*. In addition, it is likely there will be new and currently unknown rules regarding the evaluation of customary use, as a result of the Secretarial review of the subsistence program. The intent of ANILCA does not require the Council to determine non-subsistence use areas or make a negative customary use determination. The Council agrees that there are management challenges in this area but there are management tools available to Federal managers to provide for conservation and sustainability of these stocks. The Council heard public testimony citing economic factors that bring rural residents to Juneau as transient workers. There should be an opportunity for subsistence harvest of fish for rural residents that are forced by necessity to spend time in Juneau. This proposal is detrimental to the satisfaction of subsistence needs and would be precedent setting. The Council has already rejected two similar proposals in previous years and there should be deference shown to the Council on this issue. There is no evidence to indicate that subsistence fishing in streams on the Juneau road system is inappropriate and no evidence that Federal subsistence fishing regulations are not conservative and sustainable.

**Board Action/Justification:** Rejected. The Office of Subsistence Management opposed this proposal when it was first presented in 2009 and there is insufficient information to support the proposal now. The entire Juneau area is a traditional use area. The ADF&G harvest survey was limited. There should not be any Federal lands where an entire group of animals, such as fish, is closed to subsistence use. This Board action is consistent with the Southeast Alaska Subsistence Regional Advisory Council recommendation.

UNITED STATES DEPARTMENT OF THE INTERIOR  
EASTERN INTERIOR ALASKA SUBSISTENCE REGIONAL ADVISORY COUNCIL

CHARTER

1. **Official Designation:** Eastern Interior Alaska Subsistence Regional Advisory Council.
2. **Objectives and Scope of Activity:** The objective of the Council is to provide an administrative structure that enables residents of the region who have personal knowledge of local conditions and requirements to have a meaningful role in the management of fish and wildlife and of subsistence uses of those resources on public lands in the region.
3. **Period of Time Necessary for the Council's Activities and Termination Date:** The Council is expected to exist into the foreseeable future. Its continuation is, however, subject to rechartering every biennial anniversary of the Alaska National Interest Lands Conservation Act of December 2, 1980. The Council will take no action unless the charter filing requirements of section 9 of the Federal Advisory Committee Act have been met.
4. **Official to Whom the Council Reports:** The Council reports to the Federal Subsistence Board Chair, who is appointed by the Secretary of the Interior with the concurrence of the Secretary of Agriculture.
5. **Support Services:** The U.S. Fish and Wildlife Service, Department of the Interior, provides administrative support for the activities of the Council.
6. **Duties of the Council:** The Council possesses the authority to perform the following duties:
  - a. Initiate, review and evaluate proposals for regulations, policies, management plans, and other matters relating to subsistence uses of fish and wildlife on public lands within the region.
  - b. Provide a forum for the expression of opinions and recommendations by persons interested in any matter related to the subsistence uses of fish and wildlife on public lands within the region.
  - c. Encourage local and regional participation in the decision making process affecting the taking of fish and wildlife on the public lands within the region for subsistence uses.
  - d. 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.

- (3) A recommended strategy for the management of fish and wildlife populations within the region to accommodate such subsistence uses and needs.
  - (4) Recommendations concerning policies, standards, guidelines and regulations to implement the strategy.
- e. Appoint one member to the Denali National Park Subsistence Resource Commission and one member to the Wrangell-St. Elias National Park Subsistence Resource Commission in accordance with Section 808 of ANILCA.
  - f. Make recommendations on determinations of customary and traditional use of subsistence resources.
  - g. Make recommendations on determinations of rural status.
  - h. Provide recommendations on the establishment and membership of Federal local advisory committees.

The Council will perform its duties in conformity with the Regional Advisory Council Operations Manual.

7. **Estimated Operating Costs:** Annual operating costs of the Council are estimated at \$150,000, which includes three-quarters person-year of staff support.
8. **Meetings:** The Council may meet twice each year at the call of the Council, Council Chair, Federal Subsistence Board Chair, or Designated Federal Officer with the advance approval of the Federal Subsistence Board Chair and the Designated Federal Officer, who will also approve the agenda.
9. **Membership:** The Council's membership is as follows:

Ten members who are knowledgeable and experienced in matters relating to subsistence uses of fish and wildlife and who are residents of the region represented by the Council. To ensure that a diversity of interests is represented, the Department of the Interior will comply with the requirements of the Federal Advisory Committee Act, Section 5(b)(2) as expressed by the U. S. District Court in Safari Club International versus Demientieff in the amended order dated August 7, 2006.

The Secretary of the Interior will appoint members based on the recommendations of the Federal Subsistence Board and with the concurrence of the Secretary of Agriculture.

**Vacancy:** Whenever a vacancy occurs among Council members appointed under paragraph 9, the Secretary will appoint an individual in accordance with paragraph 9 to fill that vacancy for the remainder of the applicable term.

**Terms of Office:** Except as provided herein, each member of the Council will serve a 3-year term with the term ending on December 2 of the appropriate year unless a member of the Council resigns prior to the expiration of the 3-year term or he/she is removed for cause by the

Secretary upon recommendation of the Federal Subsistence Board. Members will be notified of their appointment in writing. If resigning prior to the expiration of a term, members will provide a written resignation.

**Election of Officers:** Council members will elect a Chair, a Vice-Chair, and a Secretary for a 1-year term.

**Removal of Members:** If a Council member appointed under paragraph 9 has two consecutive unexcused absences of regularly scheduled meetings, the Chair of the Federal Subsistence Board may recommend that the Secretary of the Interior with the concurrence of the Secretary of Agriculture remove that individual. A member may also be removed due to misconduct.

**Compensation:** Members of the Council will receive no compensation as members. Members will, however, be allowed travel expenses, including per diem, in the same manner as persons employed intermittently in government service are allowed such expenses under 5 U.S.C. 5703.

10. **Ethics Responsibilities of Members:** No Council or subcommittee member will participate in any specific party matter including a lease, license, permit, contract, claim, agreement, or related litigation with the Department in which the member has a direct financial interest.

11. **Designated Federal Officer or Employee:** Pursuant to Section 10(e) of the Federal Advisory Committee Act, the Designated Federal Officer will be the Federal Regional Coordinator or such other Federal employee as may be designated by the Assistant Regional Director - Subsistence, Region 7, U.S. Fish and Wildlife Service.

12. **Authority:** The Council is reestablished by virtue of the authority set out in the Alaska National Interest Lands Conservation Act (16 U.S.C. 3115 (1988)).

/s/ Ken Salazar

\_\_\_\_\_  
Secretary of the Interior

NOV 20 2009

\_\_\_\_\_  
Date Signed

DEC 3 2009

\_\_\_\_\_  
Date Filed



## 2011 Yukon River Chinook Salmon Rebuilding Initiative

Yukon River Chinook salmon are important to all users in the Yukon Area. Unfortunately, they have experienced a drop in production. Current run sizes are about half of historic levels, making it difficult to meet escapement goals and provide for subsistence uses on the river. Harvests have been greatly reduced since 2000 (Figure 1). Despite good parent year escapements in 2007, 2008, and 2010, runs were below expectations and escapement goals into Canada were not met (Figure 2). Preliminary analyses suggest the 2011 Yukon River Chinook salmon run will again be below average to poor. Due to poor production in recent years, it is likely the 2011 Chinook run may not be sufficient to fully support subsistence needs.

Over half of the Yukon River Chinook salmon that are harvested in Alaska are Canadian-origin. Therefore, it is very important to keep Canadian as well as Alaska stocks healthy. Conservation of fisheries resources by all users is extremely important for ensuring future salmon runs. It is now prudent to enter the 2011 season with the expectation that conservation measures will be required in an effort to meet escapement goals and share the available subsistence harvest.

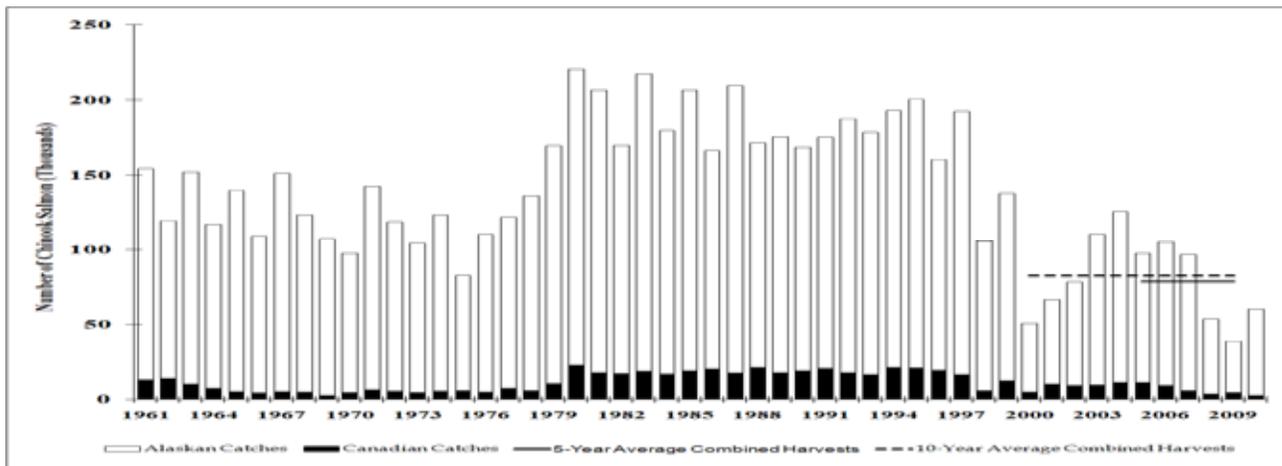


Figure 1. Total utilization of Chinook salmon, Yukon River, 1961-2010. 2010 data are preliminary.

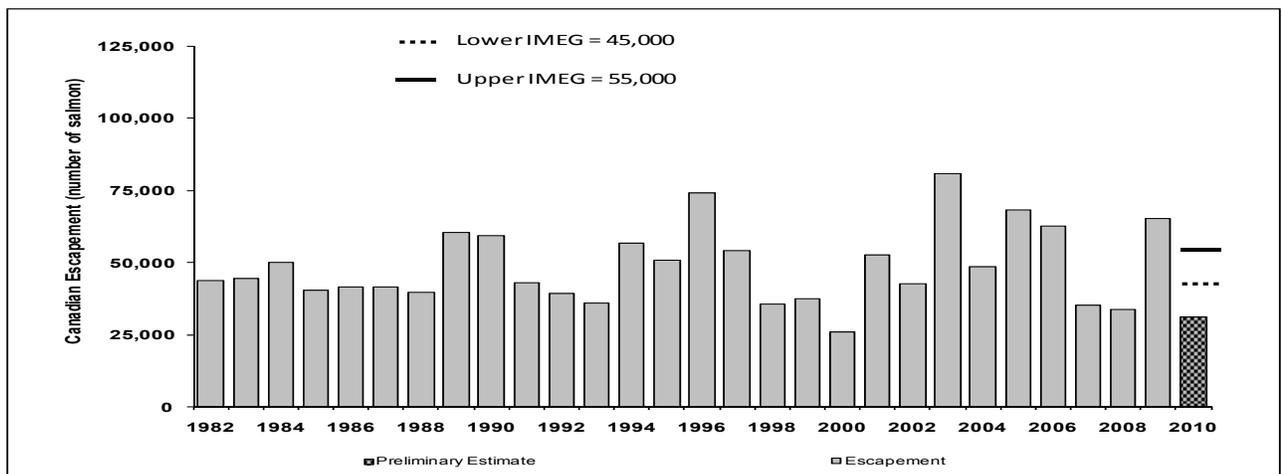


Figure 2. The estimated number of Chinook salmon reaching spawning grounds in the Canadian portion of the mainstem Yukon River drainage, 1982-2010. The dotted and dashed lines represent the 2010 interim escapement goal range (IMEG).



## **2011 Yukon River Chinook Salmon Rebuilding Initiative**



It is necessary for all users to help in meeting escapement goals. In recent years, Canadian fishermen have voluntarily reduced their subsistence harvest, sometimes by more than 50%, in order to allow fish to reach the spawning grounds (Figure 1). During these low runs, it is necessary for all users to look at the amount they harvest and determine how they can help ensure adequate Chinook salmon escapement.

Given the users' concerns over the future of Yukon River Chinook salmon runs, it is necessary to develop a management plan focused on rebuilding the stocks. The initial objectives of the plan would be to achieve escapement goals in the Alaska portion of the drainage and meet escapement and harvest sharing commitments to Canada. Furthermore, this plan must provide for subsistence use of Chinook salmon in the Alaska portion of the drainage and management of overlapping summer chum salmon fisheries.

Yukon River fisheries managers need your assistance developing options and management strategies for 2011 that will assist in getting fish to the spawning grounds should the Chinook salmon run be similar to the poor runs of 2007, 2008, and 2010. Because of the trend of low productivity, it is anticipated that a conservative rebuilding plan will be in place for the next few years.

During the winter and spring, State and Federal fisheries managers will attend several meetings to inform fishermen and user groups of the 2011 outlook, and to receive input on management options for the 2011 fishing season. Yukon River fisheries managers are soliciting practical ideas for reducing Chinook salmon harvests from resource users on the river. All people who depend on Yukon River salmon have a role in protecting these special fish for future generations.

**For additional information:**

**ADF&G:** Steve Hayes in Anchorage 907-267-2383

**USFWS:** Fred Bue in Fairbanks 907-455-1849

## **BERING SEA POLLOCK FISHERY CHUM SALMON BYCATCH UPDATE**

The North Pacific Fishery Management Council (NPFMC) is currently evaluating measures to limit chum salmon bycatch in the Bering Sea commercial pollock fishery. During its meeting in Seattle in early February 2011, the NPFMC is scheduled to conduct a preliminary review of an impact analysis written by staff, which includes several management alternatives. Subsequent steps, leading to new management measures and/or regulations, are listed below:

### **Recent and Upcoming Actions**

- **June–December 2010:** Preparation by NPFMC staff of the analysis for preliminary review.
- **Early February 2011 in Seattle:** NPFMC review of preliminary data/analysis.
- **February–March 2011:** NPFMC members and staff plan to attend 4 Federal Subsistence Regional Advisory Council meetings (YKD, EI, WI, BB), give presentations on the proposed chum salmon bycatch management measures and solicit public comments.
- Preparation by NPFMC staff of revised analysis.
- **June 2011 in Nome:** NPFMC to select the preliminary preferred alternative, which must be within the range of alternatives analyzed.
- **October or December 2011 in Anchorage:** NPFMC final action to select final preferred alternative, which will be provided to the Secretary of Commerce for decision. Rule making process will follow.
- **January 2012 (tentative):** Chum salmon management measures implemented in the Bering Sea pollock fishery.

See attached materials from the NPFMC for more details.

**June 2010 Council motion:**

*The Council moves the following suite of alternatives for preliminary analysis of chum salmon bycatch management measures.*

**C-1(b) Bering Sea Chum Salmon Bycatch**

**Alternative 1 – Status Quo**

Alternative 1 retains the current program of the Chum Salmon Savings Area (SSA) closures triggered by separate non-CDQ and CDQ caps with the fleet’s exemption to these closures per regulations for Amendment 84 and as modified by the Amendment 91 Chinook bycatch action.

**Alternative 2 – Hard Cap**

Component 1: Hard Cap Formulation (with CDQ allocation of 10.7%)

- a) 50,000
- b) 75,000
- c) 125,000
- d) 200,000
- e) 300,000
- f) 353,000

Component 2: Sector Allocation

Use blend of CDQ/CDQ partner bycatch numbers for historical average calculations.

- a) No sector allocation
- b) Allocations to Inshore, Catcher Processor, Mothership, and CDQ
  - 1) Pro-rata to pollock AFA pollock sector allocation
  - 2) Historical average
    - i. 2007-2009
    - ii. 2005-2009
    - iii. 2000-2009
    - iv. 1997-2009
  - 3) Allocation based on 75% pro-rata and 25% historical
  - 4) Allocation based on 50% pro-rata and 50% historical
  - 5) Allocation based on 25% pro-rata and 75% historical

For Analysis:

CDQ	Inshore CV	Mothership	Offshore CPS
3.4%	81.5%	4.0%	11.1%
6.7%	63.3%	6.5%	23.6% <sup>1</sup>
10.7%	44.77%	8.77%	35.76%

Suboption: Allocate 10.7% to CDQ, remainder divided among other sectors (**see table above**).

Component 3: Sector Transfer

- a) No transfers or rollovers
- b) Allow NMFS-approved transfers between sectors

Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:

<sup>1</sup> Note the actual midpoint is CDQ = 7.05%, CV 63.14%, Mothership 6.39%, CP 23.43% . However as noted by staff during Council deliberation numbers reflected in the table are an existing option as the historical average from 2005-2009 allocated 50:50 pro-rata AFA to historical average by section.

- 1) 50%
- 2) 70%
- 3) 90%
- c) Allow NMFS to roll-over unused bycatch allocation to sectors that are still fishing

**Component 4: Cooperative Provision**

- a) Allow allocation at the co-op level for the inshore sector, and apply transfer rules (Component 3) at the co-op level for the inshore sector.  
Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:
  - 1) 50%
  - 2) 70%
  - 3) 90%
- b) Allow NMFS to rollover unused bycatch allocation to inshore cooperatives that are still fishing.

**Alternative 3 – Trigger Closure**

**Component 1: Trigger Cap Formulation**

- Cap level
- a) 25,000
  - b) 50,000
  - c) 75,000
  - d) 125,000
  - e) 200,000

Application of Trigger Caps

- a) Apply trigger to all chum bycatch
- b) Apply trigger to all chum bycatch between specific dates

Trigger limit application:

Two options for application of trigger caps for area closure options (applied to caps under consideration)

- 1- Cumulative monthly proportion of cap (left-side of table below)
- 2- Cumulative monthly proportion AND monthly limit (left and right sides of table together. Note monthly limit should evaluate +/- 25% of distribution below)

Option of cumulative versus monthly limit for trigger area closures (assuming a trigger cap of 100,000 fish). Monthly limit based on minimum of monthly cumulative value and 150% of monthly historical proportion.

Month	Cumulative		Monthly limit	
	Cumulative Proportion	Monthly Cumulative	Monthly proportion	Monthly limit
June	10.8%	10,800	10.8%	10,800
July	31.5%	31,500	20.7%	31,050
August	63.6%	63,600	32.1%	48,150
September	92.3%	92,300	28.6%	42,900
October	100.0%	100,000	7.7%	11,550

**Component 2: Sector allocation**

Use blend of CDQ/CDQ partner bycatch numbers for historical average calculations.

- a) No sector allocation
- b) Allocations to Inshore, Catcher Processor, Mothership, and CDQ
  - 1) Pro-rata to pollock AFA pollock sector allocation
  - 2) Historical average
    - i. 2007-2009
    - ii. 2005-2009
    - iii. 2000-2009
    - iv. 1997-2009
  - 3) Allocation based on 75% pro-rata and 25% historical
  - 4) Allocation based on 50% pro-rata and 50% historical
  - 5) Allocation based on 25% pro-rata and 75% historical

For Analysis:

CDQ	Inshore CV	Mothership	Offshore CPS
3.4%	81.5%	4.0%	11.1%
6.7%	63.3%	6.5%	23.6% <sup>2</sup>
10.7%	44.77%	8.77%	35.76%

Suboption: Allocate 10.7% to CDQ, remainder divided among other sectors.

**Component 3: Cooperative Provisions**

- a) Allow allocation at the co-op level for the inshore sector, and apply transfer rules (Component 3) at the co-op level for the inshore sector.
  - Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:
    - 1) 50%
    - 2) 70%
    - 3) 90%
- b) Allow NMFS to roll-over unused bycatch allocation to cooperatives that are still fishing

**Component 4: Area and Timing Options**

Groupings of ADFG area closures by month that represent 40%, 50%, 60% of historical bycatch. The analysis should include quantitative analysis of the 50% closure options and qualitative analysis of the 40% and 60% closure options.

**Component 5: Timing Option – Dates of Area Closure**

- a) Trigger closure when the overall cap level specified under Component 1(a) was attained
- b) Discrete small closures would close when a cap was attained and would close for the time period corresponding to periods of high historical bycatch

**Component 6** Rolling Hot Spot (RHS) system – Similar to status quo (with RHS system in regulation), participants in a vessel-level (platform level for Mothership fleet) RHS would be exempt from regulatory triggered closure below.

- 1. A large area trigger closure (encompassing 80% of historical bycatch).

<sup>2</sup> Note the actual midpoint is CDQ = 7.05%, CV 63.14%, Mothership 6.39%, CP 23.43% . However as noted by staff during Council deliberation numbers reflected in the table are an existing option as the historical average from 2005-2009 allocated 50:50 pro-rata AFA to historical average by section.

Sub-option: RHS regulations would contain an ICA provision that the regulatory trigger closure (as adopted in Component 4 apply to participants with a rate in excess of 200% of the Base Rate

In constructing an ICA under this component, the following aspects should be considered:

- Closures that would address timing & location of bycatch of Western AK chum stocks.

In addition, include the following items in the initial review analysis:

1. Analyze discrete area approach normalized across years (i.e. proportion of salmon caught in an area in a year rather than numbers of salmon);
2. Discuss how Component 6 would be applied;
3. In depth description of the rolling hot spot regulations (Amendment 84), focusing on parameters that could be adjusted if the Council found a need to refine the program to meet objectives under Component 7. Specifically analyze:
  - a. the base rate within the RHS program;
  - b. the options for revising the tier system within the RHS program;
  - c. the Council's options for revising the fine structure within the RHS program. Analysis should include a discussion of the meaningfulness of fines, including histograms of number and magnitude of fines over time as well as a comparison of penalties under the RHS program to agency penalties and enforcement actions for violating area closures.
4. Discussion from NMFS of catch accounting for specific caps for discrete areas, and area aggregations described in Component 5 and for areas within those footprints that may have other shapes that could be defined by geographic coordinates [Component 6(c)] Discussion from NMFS on the ability to trigger a regulatory closure based on relative bycatch within a season (with respect to catch accounting system and enforcement limitations) considering changes in bycatch monitoring under Amendment 91.
5. Contrast a regulatory closure system (Components 5 and 6) to the ICA closure system (Component 7) including data limitations, enforcement, potential level of accountability (i.e., fleet-wide, sector, cooperative, or vessel level).
6. Examine differences between high bycatch years (i.e. 2005) and other years to see what contributes to high rates (i.e. timing/location, including fleet behavior and environmental conditions).
7. Examine past area closures and potential impacts of those closures on historical distribution of bycatch and on bycatch rates (qualitative); include 2008 and 2009 data and contrast bycatch distribution under VRHS versus the Chum Salmon Savings Area.

**NOTICE: Chum Salmon Bycatch in the Bering Sea Pollock Fishery**

**The North Pacific Fishery Management Council is  
Evaluating Measures to Limit Chum Salmon  
Bycatch in the Bering Sea Pollock Fishery**

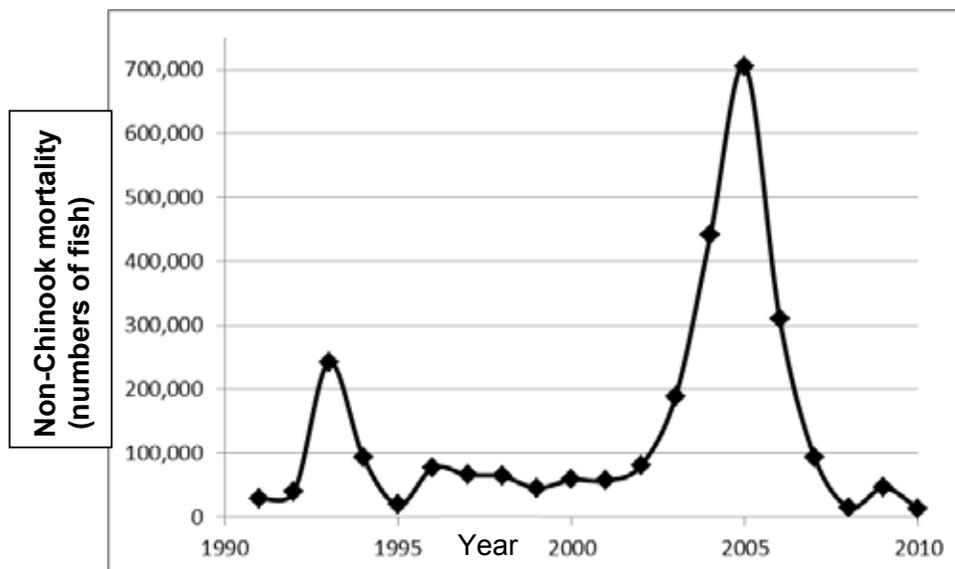


Salmon and pollock are both important fisheries for Alaska. Salmon support large and critically important subsistence, commercial, and recreational fisheries throughout Alaska and elsewhere, and are the basis of a cultural tradition in many parts of the state. At the same time, the commercial pollock fishery produces significant revenue for participants in the fishery, the State of Alaska, and other states. In addition, participation in the fishery (through royalties and employment) is important for the western Alaska Community Development Quota communities.

Salmon are caught unintentionally in the Bering Sea pollock trawl fishery, and may not be kept by regulation. Despite bycatch control measures implemented in the pollock fishery since the mid-1990s, chum (non-Chinook) salmon bycatch reached a historic high of 704,590 in 2005 (see figure below). Levels since that time have been lower, most recently 13,300 in 2010. Current fishery regulations attempt to control bycatch through fixed area closures, triggered by a cap of 42,000 chum salmon. These are areas with historically high chum salmon bycatch. However, current regulations include an exemption to these fixed area closures for vessels that participate in a program that requires more frequently adjusted closures for vessels with high bycatch rates. The North Pacific Fishery Management Council (Council) is required by the Magnuson-Stevens Fishery Conservation and Management Act to balance minimizing salmon bycatch, to the extent practicable, with allowing full harvest of the pollock total allowable catch.

**Current trends in non-Chinook (chum) salmon bycatch**

Salmon bycatch in the groundfish fisheries is grouped as Chinook bycatch and non-Chinook bycatch (comprised of chum, sockeye, pink, and silver salmon species). Over 99% of non-Chinook bycatch is comprised of chum salmon. Chum bycatch in the Bering Sea pollock fishery from 1991 - 2010 is shown below. Chum bycatch is taken almost entirely in the summer/fall ('B') pollock fishery.



**Non-Chinook salmon bycatch in the Bering Sea pollock trawl fishery, 1991 - 2010**

Note: 1991 - 1993 values do not include CDQ fisheries. 2010 data is preliminary.

## NOTICE: Chum Salmon Bycatch in the Bering Sea Pollock Fishery

### The Council is considering whether new measures are needed to limit chum salmon bycatch

The Council is beginning the process of considering modifying management measures to limit chum salmon bycatch in the Bering Sea pollock trawl fishery. The current range of alternatives is on the Council website: [http://www.fakr.noaa.gov/npfmc/current\\_issues/bycatch/Chumbycatchmotion610.pdf](http://www.fakr.noaa.gov/npfmc/current_issues/bycatch/Chumbycatchmotion610.pdf). Measures currently under consideration include:

- caps on the amount of chum salmon bycatch allowed in the pollock fisheries, that when reached, would prevent further harvest of pollock
  - limits under consideration range from annual caps of 50,000 to 353,000 chum salmon (overall for the pollock fishery or divided by processing sector with options for transferable bycatch allocations among sectors or components of sectors).
- Rolling closure of areas where high chum salmon bycatch has historically occurred

### Next steps & schedule for action

The Council reviewed a discussion paper in June 2010 on area closure options, as well as the full suite of alternatives for analysis. The Council modified the suite of alternatives at that meeting. The preliminary impact analysis of the current alternatives is scheduled for review at the February 2011 Council meeting, with the draft analysis released to the public in mid-January. The Council's initial review of a comprehensive analysis is scheduled for its June 2011 meeting, in Nome.

The Council's Rural Community Outreach Committee identified this action as an important project for outreach efforts to rural communities. An outreach plan has been developed for the proposed action, available here: [http://www.fakr.noaa.gov/npfmc/current\\_issues/bycatch/ChumOutreach1010.pdf](http://www.fakr.noaa.gov/npfmc/current_issues/bycatch/ChumOutreach1010.pdf). The outreach plan includes attending several regional meetings in rural Alaska, in order to explain the proposed action, provide preliminary analysis, and receive direct feedback from rural communities. The majority of these meetings will occur in early 2011. The current analytical schedule is as follows:

<i>May 4, 2010</i>	<i>Community teleconference, prior to Council final review of alternatives.</i>
<i>June 7 – 15, 2010</i>	<i>Council meeting, Sitka. Council review and opportunity to revise alternatives prior to preliminary analysis; review of expanded discussion paper on area closure options; report on community teleconference.</i>
<i>December 2010</i>	<i>Presentation to Yukon River Panel (Anchorage)</i>
<i>June – Dec 2010</i>	<i>Preparation of preliminary review analysis.</i>
<i>Mid-Jan 2011</i>	<i>Preliminary review draft analysis available.</i>
<i>February 2011</i>	<i>Council meeting, Seattle. Council preliminary review of impact analysis.</i>
<i>Feb – March 2011</i>	<i>Rural community outreach meetings on Council preliminary review draft. Potentially 7 regional meetings.</i>
<i>Feb - April 2011</i>	<i>Preparation of revised analysis for initial review.</i>
<i>May 2011</i>	<i>Initial review draft analysis available.</i>
<i>June 2011</i>	<i>Council meeting, Nome. Council initial review of analysis; review of outreach report; Council selection of preliminary preferred alternative.</i>
<i>Oct or Dec 2011</i>	<i>Council meeting, Anchorage. Council takes final action, selects final preferred alternative.</i>

## **NOTICE: Chum Salmon Bycatch in the Bering Sea Pollock Fishery**

### **Outreach meetings:**

The general components of the outreach plan for the proposed action on chum salmon bycatch in the Bering Sea pollock fisheries include: direct mailings to stakeholders; community outreach meetings; additional outreach (statewide teleconference, radio/newspaper, press releases); and documentation of rural outreach meeting results. The entire outreach plan is provided on the Council website.

The approach for community outreach meetings is to work with established community representatives and Native entities within the affected regions and attend annual or recurring regional meetings, in order to reach a broad group of stakeholders. The timing is such that outreach would occur prior to the Council's selection of a preliminary preferred alternative (tentatively scheduled for June 2011 in Nome). This would allow the public to review and provide comments directly on the preliminary impact analysis, such that changes could be made prior to completion of the final analysis, and allow the Council to receive community input prior to its selection of a preliminary preferred alternative.

In sum, through coordination with the meeting sponsors, the Council has been offered time on the agenda of each of the following regional meetings. All of these meetings are open to the public. The lead Council staff analyst and at least two Council members are scheduled to attend.

<b>Yukon River Panel</b>	<b>Dec 6 - 9, 2010; Anchorage</b>
<b>Yukon River Drainage Fisheries Assn annual meeting</b>	<b>Feb 14 – 17, 2011; Mountain Village</b>
<b>Yukon-Kuskokwim Delta Regional Advisory Council</b>	<b>Feb 23 – 24, 2011; Mountain Village</b>
<b>Bering Strait Regional Conference (Tentative)</b>	<b>Feb 22 – 24, 2011; Nome</b>
<b>Eastern Interior Regional Advisory Council</b>	<b>March 3 – 4, 2011; Fairbanks</b>
<b>Western Interior Regional Advisory Council</b>	<b>March 1 – 2, 2011; Galena</b>
<b>Bristol Bay Regional Advisory Council</b>	<b>March 9 – 10, 2011; Naknek</b>
<b>Tanana Chiefs Conference annual meeting</b>	<b>Mar 15 – 19, 2011; Fairbanks</b>
<b>North Pacific Fishery Management Council meeting</b>	<b>June 6 – 14, 2011; Nome</b>

## **GULF OF ALASKA GROUND FISH FISHERIES CHINOOK SALMON BYCATCH UPDATE**

During its December 2010 meeting, the North Pacific Fishery Management Council (NPFMC) identified concerns about Chinook salmon bycatch taken in the Gulf of Alaska (GOA) groundfish fisheries, and directed its staff to initiate two analyses to implement short- and long-term salmon bycatch control measures. In the short-term, focused measures for expedited review and rulemaking have been initiated for the GOA pollock fishery. A longer-term amendment package will address comprehensive salmon bycatch management in the GOA trawl fisheries. A summary of the alternatives:

### **Western/Central GOA pollock fishery analysis — expedited track**

**Alternative 1:** Status quo

**Alternative 2:** Establish Chinook salmon bycatch limit for the directed pollock fishery (hard cap, by regulatory area) and increase observer coverage on vessels under 60 feet

**Alternative 3:** Require membership in a mandatory salmon bycatch control cooperative in order to fish in the directed pollock fishery

### **GOA trawl fisheries analysis — regular track**

**Alternative 1:** Status quo

**Alternative 2:** Establish a Chinook salmon bycatch limit for the non-pollock trawl fisheries (hard cap, may be apportioned by area and/or directed fishery)

**Alternative 3:** Require membership in a mandatory salmon bycatch control cooperative in order to fish in all Western/Central GOA trawl fisheries

**Alternative 4:** Require full retention of all salmon in all western/central GOA trawl fisheries (includes an option to require electronic monitoring or observers to monitor for discards)

The limit range of Chinook salmon bycatch to be analyzed for the directed pollock fishery includes 15,000, or 22,500, or 30,000 fish, applied to the Western/Central GOA fisheries as a whole. For the non-pollock fisheries, the Chinook salmon bycatch limit range to be analyzed is 5,000, or 7,500, or 10,000 fish.

### **Upcoming Actions**

- **Early February in Seattle:** NPFMC to review workplan and timetable.
- **March/April in Anchorage:** The NPFMC is scheduled to conduct an initial review of the analysis for the Western/Central GOA pollock fishery.
- **June 2011 (tentative) in Nome:** NPFMC final action to select final management measures for the Western/Central GOA pollock fishery.

- The public is invited to provide input and comments at either or both the March and June meetings.
- A draft of the analysis will be made available on the NPFMC website (<http://www.fakr.noaa.gov/npfmc/>) at least two weeks before each meeting.
- If the NPFMC takes final action in June, the National Marine Fishery Service will then proceed to rulemaking, and the new management measures would be implemented, at the earliest in mid-2012, in time for the fall pollock fishing season in 2012. For the longer term, more comprehensive bycatch management package for the GOA trawl fisheries, NPFMC staff will begin work on that analysis once they are finished with the pollock fishery analysis, sometime in fall 2011.

See the following pages for the full NPFMC motion.

### C-5 GOA Chinook salmon bycatch

#### Council motion

*The Council adopts the following problem statement and moves the following alternatives for initial review.*

#### **Problem statement:**

*Chinook salmon bycatch taken incidentally in GOA groundfish fisheries is a concern, and no salmon bycatch control measures have been implemented to date. Current observer coverage levels and protocols in some GOA groundfish trawl fisheries raise concerns about bycatch estimates and may limit sampling opportunities. Limited information is available on the origin of Chinook salmon taken as bycatch in the GOA; it is thought that the harvests include stocks from Asia, Alaska, British Columbia, and lower-48 origin. Despite management actions by the State of Alaska to reduce Chinook salmon mortality in sport, commercial, and subsistence fisheries, minimum Chinook salmon escapement goals in some river systems have not been achieved in recent years. In addition, the level of GOA Chinook salmon bycatch in 2010 has exceeded the incidental take amount in the Biological Opinion for endangered Chinook salmon stocks. The sharp increase in 2010 Chinook bycatch levels in the GOA fisheries require implementing short-term and long-term management measures to reduce salmon bycatch to the extent practicable under National Standard 9 of the Magnuson-Stevens Act. In the short term, measures focused on the GOA pollock fisheries are expected to provide the greatest savings. In the long term, comprehensive salmon bycatch management in the GOA is needed.*

#### **Alternatives for expedited review and rule making:**

The below alternatives apply to directed pollock trawl fisheries in the Central and Western GOA.

Alternative 1: Status quo.

Alternative 2: Chinook salmon Prohibited Species Catch (PSC) limit and increased monitoring.

Component 1: 30,000 Chinook salmon PSC limit (hard cap).

Option: Apportion limit between Central and Western GOA

- a) proportional to the pollock TAC.
- b) proportional to historic average bycatch rate of Chinook salmon (5 or 10-year average).
- c) proportional to historic average bycatch number of Chinook salmon (5 or 10-year average).

Component 2: Expanded observer coverage.

Extend existing 30% observer coverage requirements for vessels 60'-125' to trawl vessels less than 60' directed fishing for pollock in the Central or Western GOA.

December 12, 2010

**Alternative 3: Mandatory salmon bycatch control cooperative membership.**

In order to fish in the Central or Western GOA pollock fisheries a vessel must be a member of a salmon bycatch control cooperative for the area where they are participating. Cooperative formation will be annual with a minimum threshold (number of licenses).

Cooperative contractual agreements would include a requirement for vessels to retain all salmon bycatch until vessel or plant observers have an opportunity to determine the number of salmon and collect any scientific data or biological samples. Cooperative contractual agreements would also include measures to control Chinook salmon bycatch, ensure compliance with the contractual full retention requirement, promote gear innovation, salmon hotspot reporting, and monitoring individual vessel bycatch performance.

Annual cooperative reports to the Council would include the contractual agreements and successes and failures for salmon bycatch controls by season and calendar year.

The Council requests staff explore options related to the following aspects of mandatory cooperative formation:

- Minimum number of licenses required to promote meaningful exchange of information and cooperation to avoid bycatch under the current directed fishery management structure. (Minimum threshold for cooperative formation should be set to ensure all eligible licenses have a reasonable opportunity to participate).
- Options to ensure participants outside of a bycatch control cooperative would be subject to regulatory bycatch controls if it is determined mandatory cooperative membership is not possible.
- Appropriate contract elements and reporting requirements.

**Alternatives for regular review and rule making track:**

The below alternatives apply to non-pollock trawl fisheries in the Central and Western GOA.

Alternative 1: Status quo.

Alternative 2: 10,000 Chinook salmon PSC limit (hard cap).

Option 1: Apportion limit between Central and Western GOA.

Option 2: Apportion limit by directed fishery.

Applies to both options: Apportion proportional to historic average bycatch of Chinook salmon (5 or 10-year average).

Alternative 3: Mandatory salmon bycatch control cooperative membership.

In order to fish in the Central or Western GOA trawl fisheries a vessel must be a member of a salmon bycatch control cooperative for the area where they are participating. Cooperative formation will be annual with a minimum threshold (number of licenses).

Cooperative contractual agreements would include measures to control Chinook salmon bycatch, promote gear innovation, salmon hotspot reporting, and monitoring individual vessel bycatch

December 12, 2010

performance. Annual cooperative reports to the Council would include the contractual agreements and successes and failures for salmon bycatch controls by season and calendar year.

The below alternatives applies to all trawl fisheries in the Central and Western GOA.

Alternative 4: Full retention of salmon.

Vessels will retain all salmon bycatch until the number of salmon has been determined by the vessel or plant observer and the observer's collection of any scientific data or biological samples from the salmon has been completed.

Option: Deploy electronic monitoring or observers to monitor for discards in order to validate salmon census data for use in catch accounting.

The Council also requests staff to provide the following:

- Chinook salmon bycatch rate data for each GOA groundfish fishery by month and area.
- Correlation between bycatch rates and time of day (based on observer data or anecdotal information).
- Correlation between bycatch rates and time of year (based on observer data or anecdotal information).
- Information on the flexibility under Steller sea lion measures to adjust season dates.
- Current trip limit management and implications of lowering GOA pollock trip limits.
- Information on current excluder use, effectiveness of salmon excluders, and deployment of excluders on smaller trawl vessels.
- A discussion of potential benefits, with respect to available bycatch measures and salmon savings, of a cooperative management structure for the GOA pollock fisheries. The discussion should assume a cooperative program for the Central and Western GOA directed pollock catcher vessels. Licenses qualifying for the program would annually form cooperatives that would receive allocations based on the catch histories of members. Catcher vessel cooperatives would be required to associate with a shore-based processor in the GOA, but members may change cooperatives and cooperatives may change processor associations annually without penalty.

## **WILDLIFE CLOSURE REVIEW BRIEFING**

As called for in the Closure Policy, the Office of Subsistence Management is reviewing existing wildlife closures to determine whether the original justifications for closure continue to apply. These reviews are being conducted in accordance with guidance found in the Federal Subsistence Board's Policy on Closures to Hunting, Trapping and Fishing on Federal Public Lands and Waters in Alaska, which was adopted in 2007. According to the policy, existing closures will be reviewed on a three-year rotational schedule. All of the closures being reviewed this cycle were last reviewed by the Federal Subsistence Board (Board) in 2006. A summary of the current closure reviews which are applicable to your Regional Advisory Council are provided.

Section 815(3) of ANILCA allows closures when necessary for the conservation of healthy populations of fish and wildlife, and to continue subsistence uses of such populations. The existing closures represent both situations. For example, closures for the hunting of muskox in Unit 22 were adopted because of the relatively low and recovering muskox population; and the Unit 2 deer closure was adopted because rural residents provided substantial evidence that they were unable to meet their subsistence needs because of competition from other users of the resource.

Distribution and abundance of fish and wildlife populations are known to fluctuate based upon a variety of factors such as weather patterns, management actions, habitat changes, predation, harvest activities, and disease. Subsistence use patterns are also known to change over time in response to many factors including resource abundance, and human population changes, among others. It is for these reasons that the Board decisions to establish specific closures are revisited periodically.

The Wildlife Closure Reviews contain a brief history of why a closure was implemented, along with a summary of the current resource condition and a preliminary OSM recommendation as to whether the closure should be continued or deleted from the regulations.

Councils are asked to consider the OSM preliminary recommendation and share their views on the issue. Input from the Councils is critical to the development of regulatory proposals needed to address adjustments to regulations. Any regulatory proposals that may result from this review process will be considered through the normal regulatory cycle. The current window for wildlife proposals closes on March 24, 2011. Councils may choose to work with OSM staff to develop a proposal; however proposals addressing these issues can be submitted by anyone.

**POLICY ON CLOSURES TO HUNTING, TRAPPING AND FISHING  
ON FEDERAL PUBLIC LANDS AND WATERS IN ALASKA**

**FEDERAL SUBSISTENCE BOARD**

Adopted August 29, 2007

**PURPOSE**

This policy clarifies the internal management of the Federal Subsistence Board (Board) and provides transparency to the public regarding the process for addressing Federal closures (closures) to hunting, trapping, and fishing on Federal public lands and waters in Alaska. It also provides a process for periodic review of regulatory closures. This policy recognizes the unique status of the Regional Advisory Councils and does not diminish their role in any way. This policy is intended only to clarify existing practices under the current statute and regulations; it does not create any right or benefit, substantive or procedural, enforceable at law or in equity, against the United States, its agencies, officers, or employees, or any other person.

**INTRODUCTION**

Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) establishes a priority for the taking of fish and wildlife on Federal public lands and waters for non-wasteful subsistence uses over the taking of fish and wildlife on such lands for other purposes (ANILCA Section 804). When necessary for the conservation of healthy populations of fish and wildlife or to continue subsistence uses of such populations, the Federal Subsistence Board is authorized to restrict or to close the taking of fish and wildlife by subsistence and non-subsistence users on Federal public lands and waters (ANILCA Sections 804 and 815(3)). The Board may also close Federal public lands and waters to any taking of fish and wildlife for reasons of public safety, administration or to assure the continued viability of such population (ANILCA Section 816(b)).

**BOARD AUTHORITIES**

- ANILCA Sections 804, 814, 815(3), and 816.
- 50 CFR Part 100 and 36 CFR Part 242, Section .10(d)(4).

**POLICY**

The decision to close Federal public lands or waters to Federally qualified or non-Federally qualified subsistence users is an important decision that will be made as set forth in Title VIII of ANILCA. The Board will not restrict the taking of fish and wildlife by users on Federal public lands (other than national parks and park monuments) unless necessary for the conservation of healthy populations of fish and wildlife resources, or to continue subsistence uses of those populations, or for public safety or administrative reasons, or "pursuant to other applicable law." Any individual or organization may propose a closure. Proposed closures of Federal public lands and waters will be analyzed to determine whether such restrictions are necessary to assure conservation of healthy populations of fish and wildlife resources or to provide a meaningful preference for qualified subsistence users. The analysis will identify

the availability and effectiveness of other management options that could avoid or minimize the degree of restriction to subsistence and non-subsistence users.

Like other Board decisions, closure actions are subject to change during the yearly regulatory cycle. In addition, closures will be periodically re-evaluated to determine whether the circumstances necessitating the original closure still exist and warrant continuation of the restriction. When a closure is no longer needed, actions to remove it will be initiated as soon as practicable. The Office of Subsistence Management will maintain a list of all closures.

### **Decision Making**

The Board will:

- Proceed on a case - by - case basis to address each particular situation regarding closures. In those cases for which conservation of healthy populations of fish and wildlife resources allows, the Board will authorize non-wasteful subsistence taking.
- Follow the statutory standard of "customary and traditional uses." Need is not the standard. Established use of one species may not be diminished solely because another species is available. These established uses have both physical and cultural components, and each is protected against all unnecessary regulatory interference.
- Base its actions on substantial evidence contained within the administrative record, and on the best available information; complete certainty is not required.
- Consider the recommendations of the Regional Advisory Councils, with due deference (ANILCA § 805 (c)).
- Consider comments and recommendations from the State of Alaska and the public (ANILCA § 816 (b)).

### **Conditions for Establishing or Retaining Closures**

The Board will adopt closures to hunting, trapping or fishing by non-Federally qualified users or Federally qualified subsistence users when one or more of the following conditions are met:

- Closures are necessary for the conservation of healthy populations of fish and wildlife:
  - a) When a fish or wildlife population is not sufficient to provide for both Federally qualified subsistence users and other users, use by non-Federally qualified users may be reduced or prohibited, or
  - b) When a fish or wildlife population is insufficient to sustain all subsistence uses, the available resources shall be apportioned among subsistence users according to their:

- 1) Customary and direct dependence upon the populations as the mainstay of livelihood,
  - 2) Local residency, and
  - 3) Availability of alternative resources, or
- c) When a fish or wildlife population is insufficient to sustain any use, all uses must be prohibited.
- Closures are necessary to ensure the continuation of subsistence uses by Federally qualified subsistence users.
  - Closures are necessary for public safety.
  - Closures are necessary for administrative reasons.
  - Closures are necessary “pursuant to other applicable law.”

### **Considerations in Deciding on Closures**

When acting upon proposals recommending closure of Federal public lands and waters to hunting, trapping, or fishing, the Board may take the following into consideration to the extent feasible:

- The biological history (data set) of the fish stock or wildlife population.
- The extent of affected lands and waters necessary to accomplish the objective of the closure.
- The current status and trend of the fish stock or wildlife population in question.
- The current and historical subsistence and non-subsistence harvest, including descriptions of harvest amounts, effort levels, user groups, and success levels.
- Pertinent traditional ecological knowledge.
- Information provided by the affected Regional Advisory Councils and Alaska Department of Fish and Game.
- Relevant State and Federal management plans and their level of success as well as any relationship to other Federal or State laws or programs.
- Other Federal and State regulatory options that would conserve healthy populations and provide a meaningful preference for subsistence, but would be less restrictive than closures.

- The potential adverse and beneficial impacts of any proposed closure on affected fish and wildlife populations and uses of lands and waters both inside and outside the closed area.
- Other issues that influence the effectiveness and impact of any closure.

### Reviews of Closures

A closure should be removed as soon as practicable when conditions that originally justified the closure have changed to such an extent that the closure is no longer necessary. A Regional Council, a State or Federal agency, or a member of the public may submit, during the normal proposal period, a proposal requesting the opening or closing of an area. A closure may also be implemented, adjusted, or lifted based on a Special Action request according to the criteria in 50 CFR 100.19 and 36 CFR 242.19.

To ensure that closures do not remain in place longer than necessary, all future closures will be reviewed by the Federal Subsistence Board no more than three years from the establishment of the closure and at least every three years thereafter. Existing closures in place at the time this policy is implemented will be reviewed on a three-year rotational schedule, with at least one - third of the closures reviewed each year.

Closure reviews will consist of a written summary of the history and original justification for the closure and a current evaluation of the relevant considerations listed above. Except in some situations which may require immediate action through the Special Action process, closure review analyses will be presented to the affected Regional Council(s) during the normal regulatory proposal process in the form of proposals to retain, modify or rescind individual closures.

*/S/ Mike R. Fleagle*

Chair, Federal Subsistence Board

*/S/ Thomas O. Melius*

Board Member, U.S. Fish and Wildlife Service

*/S/ Niles Cesar*

Board Member, Bureau of Indian Affairs

*/S/ Denny Bschor*

Board Member, U.S. Forest Service

*/S/ Marcia Blaszak*

Board Member, National Park Service

*/S/ T. P. Lonnie*

Board Member, Bureau of Land Management

**FEDERAL WILDLIFE CLOSURE REVIEW  
WCR10-21**

**Closure Location:** Sheep – Unit 25A—Arctic Village Sheep Management Area

**Current Federal Regulation:**

*2 rams by Federal registration permit only. Aug. 10–Apr. 30*

*Federal public lands, except the drainages of Red Sheep Creek and Cane Creek during the period of Aug. 10–Sept. 20, are closed to the taking of sheep except by rural Alaska residents of Arctic Village, Venetie, Fort Yukon, Kaktovik and Chalkyitsik hunting under these regulations.*

**Closure Dates:** August 10 – April 30

**Current State Regulations:**

**Unit 25A east of Middle Fork of Chandalar River — Sheep**

*Residents: One ram with full-curl horn or larger Harvest Ticket Aug. 10–Sept. 20*

*Or*

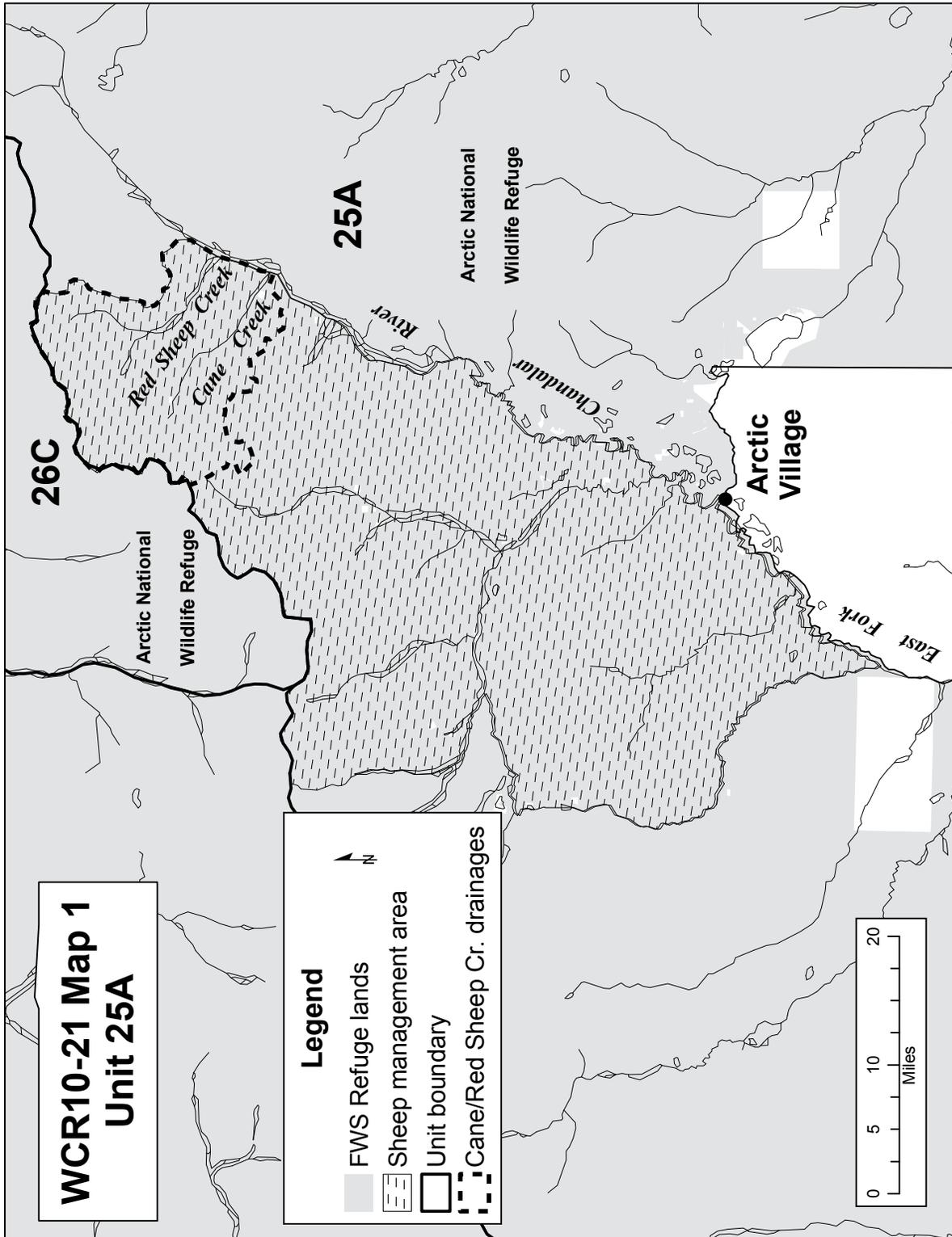
*Three sheep by permit available online at [hunt.alaska.gov](http://hunt.alaska.gov) or in person in Fairbanks and Kaktovik beginning Sept. 22. The use of aircraft for access to hunt sheep and to transport harvested sheep is prohibited in this hunt except into and out of the Arctic Village and Kaktovik airports. No motorized access from the Dalton Highway. RS595 Oct. 1–April. 30*

*Nonresidents: One ram with full-curl horn or larger Harvest Ticket Aug. 10–Sept. 20*

**Regulatory Year Initiated:** 1991

**Proposal number of initial closure and any subsequent proposals:** The establishment of the Arctic Village Sheep Management Area (AVSMA) closed Federal public lands to non-Federally qualified users in 1991 (**Map 1**). The establishment of the AVSMA did not include the Cane Creek and Red Sheep Creek drainages. OSM was not able to find the original proposal for the establishment of the AVSMA. The Federal Subsistence Board (Board) meeting transcript for June 4, 1991 mentions the establishment of the AVSMA at the “last meeting;” however, the previous Board meeting transcript (December 17, 1990) does not include proceedings regarding the AVSMA.

1991 — Proposal 91–21, requested that the Board remove the closure restriction to allow for the harvest of sheep by non-Federally qualified users in the closure area. The Board rejected the proposal.



1991 — Proposal 91–25, submitted by the Arctic Village Council, requested that the Board include the drainages of Cane Creek and Red Sheep Creek into the Federal closure area. The Board rejected this proposal.

1995 — Proposal 95–54, submitted by the Arctic Village Council, again requested the Board to include the drainages of Cane Creek and Red Sheep Creek into the Federal closure area. A representative of Arctic Village told the Board that Cane Creek and Red Sheep Creek drainages contain many allotments and traditional cultural sites and that this area is the key sheep hunting area for the village. The Board was told by the proponents that the issue was one of displacement of the subsistence users because of considerable air traffic causing the sheep to remain high in the mountains where Arctic Village hunters cannot get to them; and because Arctic Village hunters could not compete with nonlocal hunters using more sophisticated equipment such as more powerful scopes and the use of aircraft to track sheep. The Board recognized that the issue was not one of resource abundance, as staff reported the population could support both subsistence and nonsubsistence harvests. The Board adopted the proposal with a commitment to review the issue the following year.

Following that Board's decision, the Alaska Department of Fish and Game (ADF&G) submitted a Request for Reconsideration, which was rejected by the Board.

1996 — Proposal 96–55, submitted by the ADF&G, requested to exclude Cane Creek and Red Sheep Creek from the Federal closure area. The analysis of Proposal 96–55 included the results of a Arctic National Wildlife Refuge monitoring project: In a 30-day period during the previous sheep hunting season, forty-two aircraft events by guides based in Red Sheep Creek, who were guiding hunts in drainages east of Red Sheep Creek, were observed. The Board rejected the proposal, expressing disappointment with the absence of dialogue between the State and Arctic Village.

2006 — Proposal WP06-57 submitted by ADF&G, requested removal of the Federal closure within the AVSMA. The Board rejected the proposal. The Board requested that the Arctic National Wildlife Refuge conduct a sheep population survey within the affected area. It was the intent of the Board to revisit the issue at its May 2007 meeting pending the results of a population survey and a revised analysis.

In July 2006, Special Action WSA06-03 was submitted by the FWS and requested that the closure to non-Federally qualified users in the Cane Creek and Red Sheep drainages be lifted during the Aug. 10–Sept. 20, 2006 sheep season. This request followed the commitment by the Board to address the issue of the Federal closure to sheep hunting in the Red Sheep Creek and Cane Creek drainages, following completion of a sheep population survey by Arctic Refuge staff conducted from June 19–21, 2006. The Special Action was adopted and was effective for the 2006 season on the basis that the sheep population in these drainages were determined to be healthy.

2007 — Proposal WP07-56, submitted by the ADF&G requested lifting the Federal closure within the Cane Creek and Red Sheep Creek drainages. The Board adopted the proposal because sheep populations in these drainages were determined to be healthy.

**Justification for original closure (Section 815(3) criteria):** The Board established the AVSMA in 1991 in response to concerns raised by residents of Arctic Village, who felt that non-Federally qualified hunters interfered with sheep hunting by local residents. In 1995, the Board extended the original boundary of the AVSMA to include the Cane Creek and Red Sheep Creek drainages, but then eliminated these areas from Federal closure in 2007. The Board also established the management area to facilitate better harvest reporting. The AVSMA was established in response to social concerns of Federally qualified hunters to

continue subsistence uses (Section 815(3) criteria), and not in response to any biological concerns about the status and trends in the sheep population.

**Regional Advisory Council recommendation for original closure:** In regards to the original closure, there were no Federal Subsistence Regional Advisory Councils in place in 1990 and there was no recommendation stated by the State Fish and Game Interior Regional Council in the December 17, 1990 or June 4, 1991 Board meeting transcripts.

However, there were recommendations by the Eastern Interior and North Slope Regional Advisory Council and the State Fish and Game Interior Regional Council on subsequent proposals:

- Eastern Interior and North Slope Regional Advisory Council recommendations on the 1995 and 1996 proposals were in support of the Arctic Village positions to maintain the closure and expand the closure to the drainages of Red Sheep Creek and Cane Creek within the Unit 25A Arctic Village Sheep Management Area.
- Proposal 91–21: The State Fish and Game Interior Regional Council opposed the proposal to remove the closure restrictions.
- Proposal 91–25: The State Fish and Game Interior Regional Council supported the proposal to expand the closure area.

**State recommendation for original closure:** No recommendation by the State is stated in the December 17, 1990 or June 4, 1991 Board meeting transcripts; however, the State’s subsequent proposals and Request for Reconsideration indicated its opposition to the AVSMA closure.

**Other significant comments presented when the Board adopted the original closure:** None.

**Current resource abundance related to management objective:** The current ADF&G management objectives for the Unit 25 sheep population are to manage for a harvest of Dall sheep rams with full-curl or larger horns (Caikoski 2008).

Recent data for the AVSMA where Federal public lands are currently closed to non-Federally qualified users is lacking. However, recent (2006, 2007, and 2008) surveys were conducted within the Cane Creek and Red Sheep Creek areas, which are within the AVSMA, but are no longer closed to non-Federally qualified users. Densities of sheep varied: 1.7 sheep/mile<sup>2</sup> in 2006 (Payer 2006) and 0.8 sheep/mile<sup>2</sup> in 2007 (Brackney and Payer 2007). Densities may have differed due to slightly differing survey areas associated with mineral licks that could have attracted sheep from outside the survey unit (Wald 2010, pers. comm.). In 2008, during a sheep population-composition survey, 130 sheep in 20 groups were observed (Payer 2008) with a ratio of 59 lambs:100 ewes, suggesting good productivity.

In 1991, Dall sheep density in the Red Sheep Creek and Cane Creek drainages was estimated to be 2.25 sheep/mile<sup>2</sup> (Mauer 1996), which is higher than surveys done in 2006 and 2007. The sheep population may have declined during this interval despite harvest restrictions for non-Federally qualified users. This is consistent with trends observed in other Brooks Range sheep populations, and likely reflects incomplete recovery from weather-related declines during 1990–1994 (Mauer 1996). Thirty-two of 96 rams (33%) were classified as “mature” in the 2006 survey (Payer 2006) and six of 14 rams (43%) were classified as “mature” in the 2007 survey. Composition results for years 2006 and 2007 may have differed due to slightly differing survey areas associated with mineral licks that could have attracted sheep from outside the survey unit (Wald 2010, pers. comm.). The “mature” category included rams with full-curl horns as

well as larger-bodied rams having horns with massive bases and horn tips pointing upwards. These latter rams may have been less than full curl, but could not be differentiated from full-curl rams from a fixed-wing aircraft.

Mauer (1996) estimated sheep density in the southern part of the AVSMA between Cane and Crow Nest Creeks to be only 0.2 sheep/mile<sup>2</sup>. Most of the sheep that Mauer (1996) observed in this area were clustered around mineral licks between Crow Nest and Ottertail Creeks. Similarly, Payer (2006) surveyed the area between Ottertail and Crow Nest Creeks (but not the remainder north of Ottertail Creek to Cane Creek), and observed 87 sheep, 85 of which were associated with two mineral licks.

There are significant differences in sheep abundance and distribution within the area that was designated as the AVSMA (Mauer 1990). Specifically, the region north of Cane Creek has supported a sheep density approximately eight times greater than the region between Crow Nest and Cane Creeks. This is probably related to differences in geology and vegetation; shale formations that occur more commonly north of Cane Creek support more vegetation and therefore this area supports more sheep (Smith 1979).

**Resource population trend:** The Dall sheep population in the Cane Creek and Red Sheep Creek drainages may have declined between 1991 and 2007, while the trend for the southern part of the AVSMA is unknown. However 2008 composition data has indicated good production. Anecdotal reports from hunters suggest that sheep populations in the area continue to be relatively low, corroborating survey results presented above.

**Harvest trend and/or hunting effort:** Data on use of the AVSMA for sheep hunting is lacking. Therefore, it is not clear how much sheep are utilized in the area. OSM records indicate that six Federal permits for AVSMA sheep were issued between 1991 and 2004 and none were returned. Past proposals to lift the closure along with outreach efforts by Arctic NWR staff may have caused Federally qualified users to document use of the AVSMA for sheep hunting. During 2005–2007, 11 permits were issued; of those, one sheep was known to be harvested, four did not hunt, and six permits were not returned. No permits were issued in 2008 and 2009. Although there has been some compliance with the Federal permit system, the amount of use of the AVSMA for sheep hunting is not clearly understood because some Federally qualified subsistence users may not be using the Federal permit system. Nevertheless, the AVSMA is traditionally used for hunting by local residents and serves as an important subsistence area (Voss 2010, pers. comm.).

## OSM PRELIMINARY CONCLUSION

- maintain status quo
- initiate proposal to modify or eliminate the closure
- other recommendation

**Justification:** A thorough discussion with the Eastern Interior and North Slope Regional Advisory Councils and area biologists should occur to determine if the Federal closure should be eliminated or kept in place. Given the current data, it is unclear if the Federal closure is necessary for the conservation of a healthy population or to continue subsistence uses of such populations (Sec. 815(3)). Concerns over competition with non-Federally qualified users have led to the establishment of the Federal closure and those concerns are likely still shared by local subsistence users.

It is not clear if there is sufficient biological data to support a Federal closure or if there is a population concern due to the lack of data. Past data from the AVSMA for 1990–1994 indicated that the population was consistent with trends observed in other Brooks Range sheep populations (Mauer 1996). It is not

clear if recent surveys (2006–2008) adjacent to the AVSMA indicate a biological concern for sheep within the AVSMA.

It is difficult to determine the effects of increased competition if the closure were to be eliminated because reported Federal harvest of sheep within the AVSMA is low, which may be due to noncompliance with the reporting system or low harvest. However, increased competition is still likely perceived by Federally qualified subsistence users as negatively affecting subsistence opportunity.

Additionally, staff with Arctic NWR recently conducted scoping meetings in Arctic Village as part of their process to update the refuge Comprehensive Conservation Plan. During these meetings local residents continued to voice their support of the current closure citing the cultural importance of the AVSMA. Previous surveys (1990 and 2006) indicate that the current closed area does not support as many sheep as areas to the north, most likely because of geological differences that result in lower habitat quality. Given the importance of this area to subsistence uses of sheep and other resources and the lack of any new biological information to support lifting the closure, the Arctic NWR is in support of maintaining the closure.

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## **UPDATE ON TRAVEL PROCEDURES**

### **Travel Arrangements**

All Federal agencies are required to make all travel arrangements through the Travel Control Center. All council member travel arrangements must be made by OSM staff. If you amend your travel yourself, you will not receive any per diem for travel time after the amended ticket is issued and you may be liable for the cost of airfare.

Therefore, any changes to your travel absolutely must be made through your coordinator. If you are unable to contact your coordinator, call Durand Tyler at 907-786-3888 or 1-800-478-1456 or Ann Wilkinson at 907-786-3676.

### **Travel Vouchers**

The U.S. Fish and Wildlife Service nationwide is preparing to initiate new software for the Federal financial and business management system at the start of fiscal year 2012 (October 1, 2011), which will extend the time when OSM cannot make purchases or payments. There are two ways this might affect you directly: 1) Members who make a last minute decision to attend a council meeting may not receive a travel advance, and 2) travel vouchers for the fall 2011 council meetings will be delayed.



THE SECRETARY OF THE INTERIOR  
WASHINGTON

DEC 17 2010

Mr. Tim Towarak  
Chair, Federal Subsistence Board

Dear Mr. Towarak:

First, I want to thank you for your service on the Federal Subsistence Board (FSB). I recognize that your work represents a significant commitment of time and energy to a task that is complex and often controversial.

Under the terms of Title VIII of ANILCA, we have a duty to provide an effective program that serves rural residents of Alaska. In October 2009, at the Alaska Federation of Natives convention, I announced a review of the Federal subsistence program to ensure that the program is best serving rural Alaskans and that the letter and spirit of Title VIII are being met. That review, conducted through my Alaska Affairs office, included meetings with stakeholder groups and individuals throughout Alaska as well as Federal, State, and local officials. Following an analysis of the wide variety of comments, concerns, and suggestions expressed, a number of recommendations for programmatic changes were presented for consideration. On August 31, 2010, Secretary of Agriculture Tom Vilsack and I announced our decision to pursue a number of those recommendations to provide a more responsive, more effective subsistence program. A copy of the press release is enclosed for your information.

A number of these proposed actions are best accomplished by the FSB. With concurrence of the Secretary of Agriculture, I respectfully request that the FSB initiate the following actions at the earliest practical time:

1. Develop a proposed regulation to increase the membership on the FSB to include two additional public members representing subsistence users;
2. As a matter of policy, expand deference to appropriate Regional Advisory Council (RAC) recommendations in addition to the "takings" decisions of the Board provided for under Section 805(c) of ANILCA, subject to the three exceptions found in that Section;
3. Review, with RAC input, the December 2008 Memorandum of Understanding (MOU) with the State to determine either the need for the MOU or the need for potential changes to clarify federal authorities in regard to the subsistence program;

4. Review, with RAC input, and present recommendations for changes to Federal subsistence procedural and structural regulations (Parts A&B of the CFRs) adopted from the State in order to ensure Federal authorities are fully reflected and in accord with subsistence priorities provided for in Title VIII;
5. Review, with RAC input, the customary and traditional use determination process and present recommendations for regulatory changes;
6. Review, with RAC input, rural/nonrural determination process and present recommendations for regulatory changes;
7. Review the Board's written policy on executive sessions and minimize the use of executive sessions to those cases specifically prescribed;
8. At the request of the Director of the Fish and Wildlife Service and under Departmental procedures, review and submit recommendations for Departmental consideration of the annual budget for the Federal subsistence program;
9. Ensure the Secretaries are informed when non-Department rule-making entities develop regulations that may adversely affect subsistence users;
10. To the extent practicable, utilize contracting and use of ANILCA Section 809 cooperative agreements with local tribes and other entities in the Board's review and approval of proposals for fulfilling subsistence program elements; and
11. Prepare and submit a status report on these actions to me, with a copy to the Secretary of Agriculture, within a year of this letter.

Again, thank you for your service. I look forward to further recommendations the FSB may have to strengthen our subsistence management program.

An identical letter is being sent to Mr. Tim Towarek, Chair, Federal Subsistence Board.

Sincerely,

*/S/ Ken Salazar*

**Ken Salazar**

**Enclosure**



OFFICE OF THE SECRETARY  
**U.S. Department  
of the Interior**

www.doi.gov

# News Release

## Tim Towarak Appointed Chairman of Alaska's Federal Subsistence Board; Will Lead Board Revitalization Initiative

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### Comprehensive Review of Subsistence Program Calls for Board Action to Strengthen Rural Representation, Regional Advisory Councils

08/31/2010

Contact: Kate Kelly (DOI) 202-208-6416  
USDA Office of Communications 202-270-4623

**ANCHORAGE** – Secretary of the Interior Ken Salazar and Secretary of Agriculture Tom Vilsack today announced the appointment of Tim Towarak as the Chair of the Federal Subsistence Board in Alaska. Towarak, an Alaska Native and a life-long resident of the rural village of Unalakleet, Alaska, is president of the Bering Straits Native Corporation and co-chair of the Alaska Federation of Natives.

“Tim has participated in subsistence activities all his life and has demonstrated a keen understanding of the needs of rural residents of Alaska as well as the workings of government and the private sectors,” said Secretary Salazar, whose department recently completed a review of the subsistence program management. “With his experience and understanding, he is uniquely qualified to lead the Board in carrying out improvements that will strengthen its role in managing fish and wildlife on the public lands in Alaska.”

Secretary Vilsack commended Towarak, saying “We are confident Tim can lead the Board’s revitalization initiative. The federal subsistence management program embodies key USDA roles and priorities, including sustaining livelihoods of rural families, ensuring access to healthy and affordable food, providing jobs in rural communities, sustaining culture and traditional ways of life, and strengthening relationships with Alaska Native tribes.”

The Federal Subsistence Board manages the fish and wildlife harvest for rural residents who depend on these resources for their lives and livelihoods. The board includes the Alaska Directors for the Fish and Wildlife Service, the National Park Service, the Bureau of Indian Affairs, the Bureau of Land Management, and the Alaska Regional Forester for the Department of Agriculture’s Forest Service. The Board works through Regional Advisory Councils.

The program review proposed several administrative and regulatory changes to strengthen the program and make it more responsive to the concerns of those who rely on it for their subsistence needs. One proposal calls for adding two rural Alaskans to the Board, which allows additional regional representation and increases stakeholder input in the decision-making process. This change would be open to public comment through the rule-making process.

The Secretaries also are asking the new Chair and the Board to ensure that the Regional Advisory Councils are given the full authorities in the rule-making process that they are granted in the Alaska National Interest Lands Conservation Act (ANILCA), and that the board take on greater responsibilities for budget preparation as well as hiring and evaluating the director of the Office of Subsistence Management.

*Secretarial Review of the Subsistence Management Program*

The Board also is being requested to evaluate the Memorandum of Understanding (MOU) it negotiated in 2008 with the State of Alaska to ensure it does not constrain federal subsistence management responsibilities. This evaluation will include all parties, including the Regional Advisory Councils.

Reviewers also received recommendations for statutory changes to better meet the goals of ANILCA and the Alaska Native Claims Settlement Act. While these proposals are acknowledged, they fall outside the authorities of the Secretaries but will be forwarded to concerned Members of Congress and the relevant committees with oversight of the statutes.

Additional changes to the subsistence program may follow. Secretary Salazar has asked his Policy, Management and Budget team at Interior to conduct a professional management review of the Office of Subsistence Management to ensure that the organizational structure created nearly 20 years ago, and the budgets they live with, meet the increasingly complex research and management demands that have accrued through nearly two decades of court decisions and resource allocation challenges.

Additionally, the USDA Forest Service's Washington Office recently reviewed its Alaska Region's portion of the program. Recommendations based on that review are being evaluated and will be integrated with Interior's findings for consideration by both Departments.

Under Title VIII of ANILCA, rural residents of Alaska are given priority for subsistence uses of fish and wildlife on federal lands. The State of Alaska managed for the rural resident subsistence priority until a 1989 Alaska Supreme Court decision ruled the priority conflicted with the state's constitution. The Interior and Agriculture departments began managing the subsistence priority for wildlife on federal lands in 1992. Six years later, following a federal court ruling, federal management for subsistence fisheries in certain waters within or adjacent to federal lands was added to the responsibilities of the Interior and Agriculture departments.

The federal subsistence management structure was crafted as a temporary DOI/USDA program to meet the requirements of ANILCA until the state could amend its constitution and comply with Title VIII of that law. This DOI/USDA review was predicated on the assumption that the state is no longer attempting to regain management authority for the ANILCA subsistence priority, and that federal management will continue for the foreseeable future.

###

**BRIEFING  
ON  
MEMORANDUM OF UNDERSTANDING**

In his letter to the Federal Subsistence Board following the program review, the Secretary specifically directed the Federal Subsistence Board to review the Memorandum of Understanding (MOU) with the Regional Advisory Councils, and determine either the need for the MOU or the need for potential changes to clarify Federal authorities in regard to the subsistence program. Consistent with that direction, the Federal Subsistence Board is seeking input from the Regional Councils on the MOU during the winter 2011 meeting cycle.

**BACKGROUND**

When the Federal subsistence program expanded into subsistence fisheries management in 1999, both Federal and State entities believed that a Memorandum of Agreement (MOA) would help with the coordination of subsistence management between Federal and State Programs. As a result, an MOA was negotiated between a state and federal team that included Regional Advisory Council representatives. It was initialed by all parties in April 2000. The 2008 MOU, which is based in large part on the MOA, was developed by a team of state and federal officials over a period of about one year and was signed in December 2008. FACA concerns precluded RAC members from being on the development team.

The purpose of the MOU "...is to provide a foundation and direction for coordinated interagency fish and wildlife management for subsistence uses on Federal public lands..." while allowing the Federal and State agencies to continue to act in accordance with their respective statutory authorities. Signatories include the Chair of the Federal Subsistence Board and its members, consisting of the Alaska Regional and State Directors of BLM, BIA, NPS, USFWS, and USDA Forest Service); the Commissioner of the Alaska Department of Fish and Game, and the Chairs of the Alaska Board of Fisheries and the Alaska Board of Game.

**KEY POINTS**

- The MOU helps to address the necessity of having some degree of communication and coordination between the State and Federal governments in order to aid in effective management of fish and wildlife resources in Alaska.
- Several sections of Title VIII expressly require the Secretaries to communicate and/or consult with State representatives on certain issues relating to subsistence uses by rural Alaskans (e.g., ANILCA §§ 802(3), 805(a), 810(a), 812, and 816(b)).
- The MOU was carefully reviewed by the Federal team and legal counsel to ensure that provisions of Federal law and the Board's obligations to rural residents as defined in Title VIII of ANILCA continue to be maintained.
- The body of the MOU contains several references to State law, prompting some observers to express concern that in signing the MOU, the Board undermined its obligation under Title VIII to provide for a subsistence priority for rural Alaskans on Federal public lands.

- However, the Board's authority, charge, and obligation to rural residents come only from Title VIII and any other applicable federal statutes: the MOU will not, and cannot, change that.
- Three protocols targeted at specific issues were developed under the guidance of the MOA/ MOU: *Subsistence Management Information sharing Protocol, April 2002, Yukon River Drainage Subsistence Salmon Fishery Management Protocol, April 2002, and the Memorandum of Understanding: Review and Development of Scientifically Based Salmon Escapement Goals, June 2005. These protocols facilitate management, as well as the exchange and sharing of data between the Federal and State agencies.*
- Other key guiding principles of the MOU include: avoiding duplication of research, monitoring, and management; involving subsistence and other users in fish and wildlife management planning efforts; and promoting clear and enforceable hunting, fishing and trapping regulations.

#### **ACTION NEEDED**

- Regional Councils and State Advisory Committees are being asked to review the MOU and offer specific comments about the wording of the document and how it might be improved. Regional Council and State Advisory Committee members are welcome to offer their general opinion of the MOU as well.

#### **NEXT STEPS**

- The Federal Subsistence Board's review period is now open and will go until May 1, 2011.
- The Federal Subsistence Board will review all comments in the summer of 2011 and determine what the next steps should be. Because the MOU involves other parties, there will need to be discussion with those parties also.

Submit comments to:  
Gary Goldberg  
Office of Subsistence Management  
1011 East Tudor Road  
Anchorage, AK 99503

or

via E-mail to  
Gary\_Goldberg@fws.gov\_

or

via fax at 907-786-3898

## MEMORANDUM OF UNDERSTANDING

for

Coordinated Interagency Fish and Wildlife Management for Subsistence Uses on Federal  
Public Lands in Alaska

between the

Federal Subsistence Board

(U.S. Fish and Wildlife Service, U.S. Forest Service, National Park Service, Bureau of  
Land Management, Bureau of Indian Affairs, and Secretarial appointed Chair)

and

State of Alaska

(Alaska Department of Fish and Game (ADF&G) and Alaska Board of Fisheries and  
Alaska Board of Game (State Boards))

### I. PREAMBLE

This Memorandum of Understanding (MOU) between the Federal Subsistence Board and the State of Alaska establishes guidelines to coordinate in managing subsistence uses of fish and wildlife resources on Federal public lands in Alaska.

WHEREAS, the State of Alaska, under its laws and regulations, is responsible for the management, protection, maintenance, enhancement, rehabilitation, and extension of the fish and wildlife resources of the State of Alaska on the sustained yield principle, subject to preferences among beneficial uses, such as providing a priority for subsistence harvest and use of fish and wildlife (where such uses are customary and traditional), and implements its program through the State Boards and the ADF&G, providing for public participation through Advisory Committees authorized in the State's laws and regulations (Alaska Statutes Title 16; Alaska Administrative Code Title 5) and through Alaska Administrative Procedure Act;

WHEREAS, the Secretaries of Agriculture and the Interior (Secretaries), by authority of the Alaska National Interest Lands Conservation Act (ANILCA) and other laws of Congress, regulations, and policies, are responsible for ensuring that the taking on Federal public lands of fish and wildlife for nonwasteful subsistence uses, as defined in ANILCA §803, shall be accorded priority over the taking on such lands of fish and wildlife for other purposes as provided for in ANILCA §804; and that the Secretaries are responsible for protecting and providing the opportunity for rural residents of Alaska to engage in a subsistence way of life on Federal public lands in Alaska, consistent with the conservation of healthy populations of fish and wildlife; and these lands are defined in ANILCA §102 and Federal regulation (36 CFR Part 242 and 50 CFR Part 100); and that the Secretaries implement this priority through the Federal Subsistence Board, providing for public participation through Regional Advisory Councils authorized by ANILCA §805 and Federal regulations (above); and,

WHEREAS, ANILCA, Title VIII, authorizes the Secretaries to enter into cooperative agreements in order to accomplish the purposes and policies of Title VIII, and the State of Alaska and the Federal Subsistence Board believe it is in the best interests of the fish and wildlife resources and the public to enter into this Memorandum of Understanding;

THEREFORE, the signatories endorse coordination of State and Federal regulatory processes and the collection and exchange of data and information relative to fish and wildlife populations and their use necessary for subsistence management on Federal public lands. This MOU forms the basis for such cooperation and coordination among the parties with regard to subsistence management of fish and wildlife resources on Federal public lands.

## **II. PURPOSES**

The purpose of this MOU is to provide a foundation and direction for coordinated interagency fish and wildlife management for subsistence uses on Federal public lands, consistent with specific State and Federal authorities as stated above, that will protect and promote the sustained health of fish and wildlife populations, ensure conservation and stability in fish and wildlife management, and include meaningful public involvement. The signatories hereby enter this MOU to establish guidelines for subsequent agreements and protocols to implement coordinated management of fish and wildlife resources used for subsistence purposes on Federal public lands in Alaska.

## **III. GUIDING PRINCIPLES**

- 1) Ensure conservation of fish and wildlife resources while providing for continued uses of fish and wildlife, including a priority for subsistence uses, through interagency subsistence management and regulatory programs that promote coordination, cooperation, and exchange of information between State and Federal agencies, regulatory bodies, Regional Advisory Councils and/or State Advisory Committees, state and local organizations, tribes and/or other Alaska Native organizations, and other entities;
- 2) Use the best available scientific and cultural information and local traditional knowledge for decisions regarding fish and wildlife management for subsistence uses on Federal public lands;
- 3) Avoid duplication in research, monitoring, and management;
- 4) Involve subsistence and other users in the fisheries and wildlife management planning processes;
- 5) Promote stability in fish and wildlife management and minimize unnecessary disruption to subsistence and other uses of fish and wildlife resources; and
- 6) Promote clear and enforceable hunting, fishing, and trapping regulations.

**IV. THE FEDERAL SUBSISTENCE BOARD AND STATE OF ALASKA  
MUTUALLY AGREE:**

- 1) To cooperate and coordinate their respective research, monitoring, regulatory, and management actions to help ensure the conservation of fish and wildlife populations for subsistence use on federal public lands.
- 2) To recognize that State and Federal historical and current harvest and population data and information and cultural information are important components of successful implementation of Federal responsibilities under ANILCA Title VIII.
- 3) To provide a priority for subsistence uses of fish and wildlife resources and to allow for other uses of fish and wildlife resources when harvestable surpluses are sufficient, consistent with ANILCA and Alaska Statute 16.05.258.
- 4) To recognize that cooperative funding agreements implementing the provisions of this MOU may be negotiated when necessary and as authorized by ANILCA §809 and other appropriate statutory authorities. Federal funding agreements for cooperative research and monitoring studies of subsistence resources with organizations representing local subsistence users and others will be an important component of information gathering and management programs.
- 5) To recognize that State and Federal scientific standards for conservation of fish and wildlife populations are generally compatible. When differences interpreting data are identified, the involved agencies should appoint representatives to seek resolution of the differences.
- 6) To cooperatively pursue the development of information to clarify state and federal regulations for the public.
- 7) To recognize that the signatories may establish protocols or other procedures that address data collection and information management, data analysis and review, in-season fisheries and wildlife management, and other key activities and issues jointly agreed upon that affect subsistence uses on Federal public lands. (See Appendix)
- 8) To provide an opportunity, through interagency Federal-State technical committees, for appropriate scientific staff, along with Regional Advisory Council and/or State Advisory Committee representatives, subsistence users, and other members of the public to discuss and review data analyses associated with proposal analyses and resource and harvest assessment and monitoring.
- 9) To designate liaisons for policy communications and, as appropriate, to identify local agency representatives for efficient day-to-day communication, field operations, and data retrieval between State and Federal programs.
- 10) To provide adequate opportunity for the appropriate Federal and State agencies to review analyses and justifications associated with special actions and emergency orders affecting subsistence uses on Federal public lands, prior to implementing such actions. Where possible and as required, State and Federal agencies will provide advance notice to

Regional Advisory Council and/or State Advisory Committee representatives and other interested members of the public before issuing special actions or emergency orders. Where conservation of the resource or continuation of subsistence uses is of immediate concern, the review shall not delay timely management action.

11) To cooperatively review existing and proposed State fish and wildlife management plans and Federal subsistence management plans that affect subsistence uses on Federal public lands, providing an opportunity for Regional Advisory Council and/or State Advisory Committee representatives and other public to participate. Consider State fish and wildlife management plans as the initial basis for any management actions so long as they provide for subsistence priorities under State and Federal law. Procedures for management plan reviews and revisions will be developed by the respective Federal and State Boards in a protocol.

12) To use the State's harvest reporting and assessment systems supplemented by information from other sources to monitor subsistence uses of fish and wildlife resources on Federal public lands. In some cases, Federal subsistence seasons, harvest limits, or data needs may necessitate separate Federal subsistence permits and harvest reports.

13) To ensure that local residents and other users will have meaningful involvement in subsistence wildlife and fisheries regulatory processes that affect subsistence uses on Federal public lands.

## **V. GENERAL PROVISIONS**

1) No member of, or Delegate to, Congress shall be admitted to any share or part of this document, or to any benefit that may arise therefrom.

2) This MOU is complementary to and is not intended to replace, except as specifically regards Federal responsibility for subsistence uses of fish and wildlife on Federal public lands, the Master Memoranda of Understanding between the individual Federal agencies and ADF&G. Supplemental protocols to this document may be developed to promote further interaction and coordination among the parties.

3) Nothing herein is intended to conflict with Federal, State, or local laws or regulations.

4) Policy and position statements relating specifically to this MOU may be made only by mutual consent of the parties.

5) Nothing in this MOU is intended to enlarge or diminish each party's existing responsibilities and authorities, if any, for management of fish and wildlife.

6) Upon signing, the parties shall each designate an individual and an alternate to serve as the principal contact or liaison for implementation of this MOU.

7) This MOU becomes effective upon signing by all signatories and will remain in force until such time as the Secretary of the Interior determines that the State of Alaska has implemented a subsistence management program in compliance with Title VIII of

ANILCA, or, signatories terminate their participation in this MOU by providing 60 days written notice. Termination of participation by one signatory has no impact on this MOU's effectiveness between the remaining signatories.

8) The signatories will meet annually, or more frequently if necessary, to review coordinated programs established under this MOU and to consider modifications to this MOU that would further improve interagency working relationships. Documentation of the review and consideration of any modifications within the scope of this understanding shall be made by mutual consent of the signatories, in writing, signed and dated by all parties. If no review is conducted, this MOU will expire 5 years after the most recent review was conducted.

9) Nothing in this document shall be construed as obligating the signatories to expend funds or involving the United States or the State of Alaska in any contract or other obligations for the future payment of money, except as may be negotiated in future cooperative funding agreements.

10) This MOU establishes guidelines and mutual management goals by which the signatories shall coordinate, but does not create legally enforceable obligations or rights.

11) This MOU is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement, contribution of funds, or transfer of anything of value between the parties to this MOU will be handled in accordance with applicable laws, regulations, and procedures.

12) This MOU does not restrict the signatories from participating in similar agreements with other public or private agencies, organizations, and individuals.

**SIGNATORIES**

In WITNESS WHEREOF, the parties hereto have executed this MOU as of the last date written below.

/S/ Denby Lloyd

\_\_\_\_\_  
Commissioner  
Alaska Department of Fish and Game  
Date: 7 Nov. 08

/S/ John Jenson

\_\_\_\_\_  
Chair  
Alaska Board of Fisheries  
Date: Nov 3 2008

/S/ Cliff Judkins

\_\_\_\_\_  
Chair  
Alaska Board of Game  
Date: 11/09/08



/S/ Geoff Haskett

\_\_\_\_\_  
Regional Director  
U.S. Fish and Wildlife Service  
Date:

/S/ Denny Bschor

\_\_\_\_\_  
Regional Forester  
U.S. Forest Service  
Date: 12/17/08

/S/ Sue Masica

\_\_\_\_\_  
Regional Director  
National Park Service  
Date: 12.12.08

/S/ T. P. Lonnie

\_\_\_\_\_  
State Director  
Bureau of Land Management  
Date: 12-18-08

/S/ Niles Cesar

*Regional* \_\_\_\_\_  
Area Director  
Bureau of Indian Affairs  
Date: 12-15-08

/S/ Mike R. Fleagle

\_\_\_\_\_  
Chair  
Federal Subsistence Board  
Date: 12/5/08

## APPENDIX

### SCOPE FOR PROTOCOLS AND/OR PROCEDURES

- 1) Joint technical committees or workgroups may be appointed to develop protocols and/or procedures.
- 2) Individual protocols and/or procedures should:
  - a. Be developed by an interagency committee. The committee shall involve, as appropriate, Regional Advisory Council and/or State Advisory Committee representatives and other State/Federal regional or technical experts.
  - b. Identify the subject or topic of the protocol and provide justification.
  - c. Identify the parties to the protocol.
  - d. Identify the process to be used for implementing the protocol.
  - e. Provide for appropriate involvement of Regional Advisory Council and/or State Advisory Committees, tribes and/or other Alaska Native organizations, governmental organizations, and other affected members of the public when implementing protocols.
  - f. Specify technical committee or workgroup memberships.
  - g. Develop a timeline to complete tasks.
  - h. Identify funding obligations of the parties.
  - i. Define the mechanism to be used for review and evaluation.
- 3) Protocols or procedures require concurrence by the signatories of this MOU prior to implementation.



U.S. FISH and WILDLIFE SERVICE  
BUREAU of LAND MANAGEMENT  
NATIONAL PARK SERVICE  
BUREAU of INDIAN AFFAIRS

**Federal Subsistence Board**

1011 E. Tudor Rd., MS 121  
Anchorage, Alaska 99503-6199



U.S. FOREST SERVICE

FWS/OSM 10089

December 21, 2010

[REDACTED]  
[REDACTED]  
[REDACTED], Anchorage, Alaska 99503

Dear [REDACTED]:

Consistent with the Secretaries of the Interior and Agriculture's renewed emphasis on respectful relationships with tribes, the Federal Subsistence Board would like to enhance our government-to-government consultation with tribes. This letter explains the process that the Federal Board intends to pursue. Because of the central role of the Regional Advisory Councils, we want to ensure that you, as a Council member, are kept informed throughout this process, and that you have the opportunity to participate meaningfully as we move forward.

As a Council member you know that Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) provides a foundational role for the ten Regional Advisory Councils in the development of regulations guiding the taking of fish and wildlife on Federal public lands in Alaska. In making its regulatory decisions, the Federal Board must follow the recommendations of the Regional Advisory Councils unless they are not supported by substantial evidence, violate recognized principles of fish and wildlife conservation, or would be detrimental to the satisfaction of subsistence needs (805(c) of ANILCA). Deference to the Councils ensures that rural residents have a meaningful role in the management of fish and wildlife and subsistence uses, as envisioned by Congress. To date, because of the foundational role of Councils in the Federal program, as well as the requirement by statute that the Board defer to the Councils' recommendations, the Federal Board has not explicitly consulted with tribes during the development of regulations.

With regard to the soon-to-be-expiring fisheries regulations, the Federal Board is requesting immediate input so that the rural subsistence-fishing priority can continue after March 31, 2011. The process for developing fisheries regulations has been underway for ten months, beginning with publication in the Federal Register on January 15, 2010, of a proposed rule to continue the regulations for another two years. In response to the proposed rule, the Program received 19 proposals to change regulations. The proposals were then analyzed by Federal staff, and the relevant analyses were reviewed by Regional Advisory Councils during public meetings in their respective regions this past fall. At each Regional Council meeting the Councils heard testimony on the proposals and through a deliberative process provided recommendations to the Federal Board on relevant proposals.

[REDACTED]

The Federal Board is scheduled to act on these recommendations at its January 18-21, 2011, meeting in Anchorage. As the existing regulations expire on March 31, 2011, the new regulations must be in place by April 1, 2011. If Federal regulations expire before new regulations are in place, the ANILCA rural priority would lapse and state regulations would guide subsistence take on Federal lands. In light of the need for expediency, the Federal Subsistence Board has invited tribes to an in-person consultation session with the Board and the ten Regional Advisory Council chairs on January 18<sup>th</sup>, the first day of our meeting. Recognizing that it could be difficult for people to travel to that session in Anchorage, we have made provisions for telephonic consultation as well as the incorporation of written input (see enclosure). The Federal Board will consider this input during its deliberations at the January 18-21 meeting. We recognize that this approach may fall short of how tribes would like to consult with Federal officials on subsistence; however, it is our hope that by inviting input in this manner concerns will be addressed for this immediate Board action on fishery proposals.

To ensure more comprehensive and effective future tribal involvement, we also intend to develop a tribal consultation protocol. Towards that end, we have invited tribes to an initial meeting with the Board and Regional Council Chairs to begin discussions on how best to structure future tribal consultation working with the Board and the Regional Councils. This winter we will also discuss with Regional Councils how they envision tribal government-to-government consultation should occur. The meeting with tribes will be held on January 21, 2011, at the Egan Center, beginning at 9:00 AM. Again, we will provide an opportunity for telephonic participation (see enclosed) or comments or suggestions may be sent to the Board (see enclosure for mailing address).

Based on input and the discussions at the meeting on January 21<sup>st</sup>, and later with the Regional Advisory Councils, the Federal Board will develop a draft approach to tribal consultation. We will share that approach with tribes and Regional Councils prior to finalizing our process. For further information, please contact Gary Goldberg, Subsistence Policy Coordinator at the Office of Subsistence Management, at 1-800-478-1456.

In closing, I appreciate your interest in and service to the Federal Subsistence Program.

Sincerely,

/S/ Tim Towarak

Tim Towarak, Chair  
Federal Subsistence Board

## **SUMMARY OF THE JANUARY 5, 2011 FEDERAL SUBSISTENCE BOARD EXECUTIVE SESSION**

- The Federal Subsistence Board held an executive session on Wednesday, January 5, 2011 at which it discussed possible follow-up work on six items that came out of the Secretarial Review of the Federal Subsistence Management Program.
- FSB Members (or their alternates) in attendance at the January 5, 2011 meeting included:
  - Tim Towarak, Chair
  - Sue Masica, NPS
  - Julia Dougan, BLM
  - Kristin K'eit and Gene Virden, BIA
  - Larry Bell, FWS
  - Beth Pendleton, USDA, FS.
- Staff in attendance included:
  - Keith Goltz and Ken Lord, SOL; Jim Ustaciewski, OGC;
  - Pete Probasco, Polly Wheeler, Gary Golberg and Larry Buklis, OSM
  - Nancy Swanton, Sandy Rabinowitch, and Dave Mills, NPS
  - Jerry Berg and Crystal Leonetti, FWS;
  - Glenn Chen and Pat Petrivelli, BIA
  - Dan Sharp, BLM
  - Steve Kessler, USDA FS.
- Pat Pourchot, Special Assistant for Alaska, Secretary of the Interior was also in attendance.

No formal action was taken at the meeting. The Board discussed six items from the Secretarial review, including:

- Developing a proposed regulation to increase the membership on the Federal Subsistence Board to include two additional public members representing subsistence users.
  - OSM and Pat Pourchot developed a proposed rule, it will be published in the Federal Register in mid-February, with a 60 day public comments period.
- As a matter of policy, expand deference to appropriate Regional Advisory Council (RAC) recommendations in addition to the “takings” decisions of the Board provided for under Section 805(c) of ANILCA, subject to the three exceptions found in that Section.
  - The FSB will generally defer to Regional Councils on C&T, but likely not on rural, as the Courts have ruled that rural is an absolute term. The FSB has not yet decided on whether or not it will defer to RACs on the rural process.
- Review, with Regional Council input, the December 2008 Memorandum of Understanding (MOU) with the State to determine either the need for the MOU or the need for potential changes to clarify Federal authorities in regard to the subsistence program.
  - The MOU is being presented to all Councils at the winter 2011 meetings for their review and comment.
- Review, with Regional Advisory Council input, the customary and traditional (C&T) use determination process and present recommendations for regulatory changes.

- RACs are being asked for their general perspectives on the C&T process. That is, are they okay with it, and if not, what in their view should be changed.
- Review, with Regional Advisory Council input, the rural/nonrural determination process and present recommendations for regulatory changes.
  - The FSB will be holding a work session on this process on April 6. No further action will be taken until after that meeting.
- Review the Board's written policy on executive sessions and minimize the use of executive sessions to those specifically prescribed.
  - The Board will minimize the use of executive sessions. It also intends to add a sentence to its guidelines, stating that formal report-outs will be provided following executive sessions. This document represents the first such "report out."

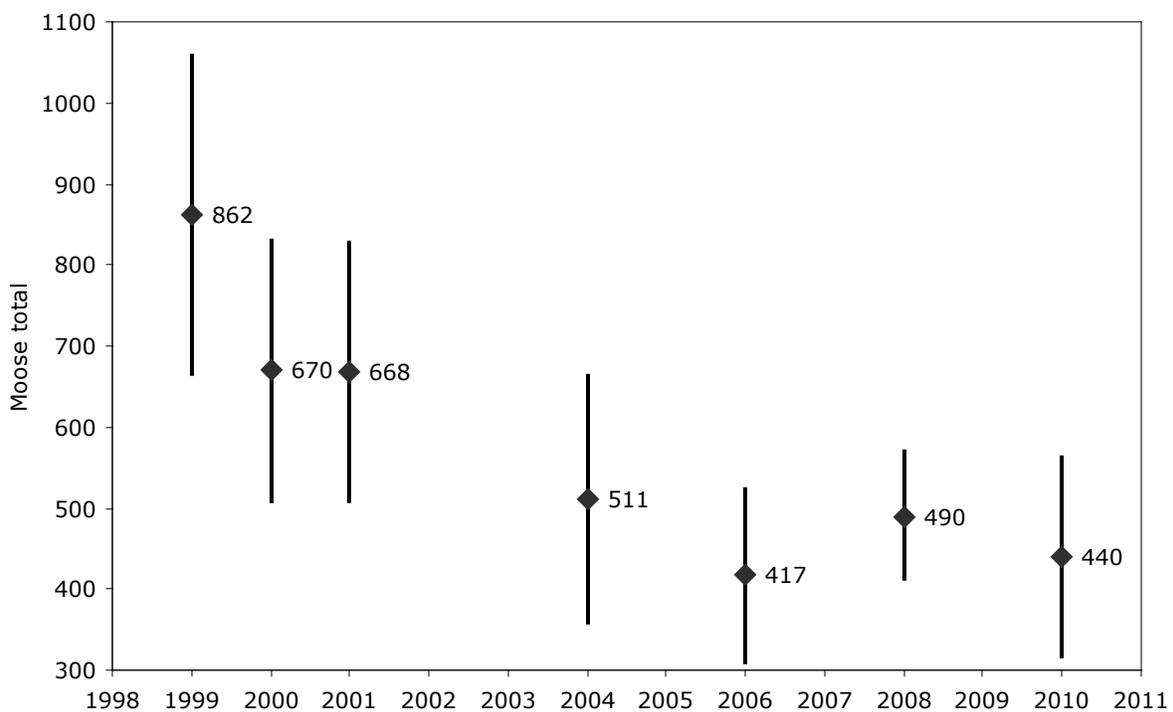
Action Item from Secretarial Review	Status	Next Steps	RAC Involvement
<b>Expand FSB membership</b>			
	Requires change to subpart B regulations	Anticipate publication of draft regulation during spring 2011	Will be asked for comment at Winter 2011 meetings
	Draft has been prepared	FSB will make recommendation to Secretaries in May 2011	
		Nominees will not be solicited until regulations finalized, likely in 2011	
<b>Expand deference to RACS:</b>			
<b>C&amp;T</b>	FSB generally supportive of expanding deference to RACs on C&T; policy and/or possible rulemaking need to be pursued	Develop interim policy (following 805(c)) for deference on C&T	Circulate draft for comment - Fall 2011
		Determine appropriate mechanism (policy, rulemaking/advance notice of intent) for formalizing intent on C&T	
<b>Rural Determinations</b>	The Courts have found that rural is an absolute term meaning "sparsely populated," and not subject to interpretation, therefore deference regarding rural determinations would be inappropriate.	Focus on process and criteria for rural/nonrural determinations	RAC chairs invited to April 6, 2011 meeting to understand 2000 census process

Action Item from Secretarial Review	Status	Next Steps	RAC Involvement
<b>Expand deference to RACS (Continued)</b>			
<i>In-Season management</i>	No change for in-season management, will defer as time and conservation allow	Revise inseason delegation of authority letters as needed and provide copies to RACs	Discuss communications improvements/enhancements that flow from delegation of authority letters  Close loop if concerns are raised and notify FSB with concerns
<b>Review MOU</b>			
	Overview/briefing at winter 2011 RAC meetings	Receive feedback by May 1, 2011	Review and discuss MOU at Winter 2011 meetings
		FSB to review comments during summer 2011	Provide comments to FSB by May 1, 2011
		FSB to discuss changes with State	
		Any proposed changes will be brought before the RACs in Fall 2011	
<b>Review C&amp;T determination process</b>			
	Seek input from RACs as to what changes, if any, are needed	Receive RAC input	Broad discussion on C&T process at Winter 2011 meetings
	Explore and develop possible options for changes	Refine options (if any) during Summer 2011	If needed, review and develop options at Fall 2011 meetings
		Options presented to RACs in Fall 2011	

Action Item from Secretarial Review	Status	Next Steps	RAC Involvement
<b>Review rural/nonrural process</b>			
	Educational work session on April 6, 2011	Need to examine process for considering changes to rural determinations process	Invite RAC chairs to April 6, 2011 work session

From the *Moose population Survey of the western Yukon Flats — November 2010*  
December 14, 2010:

A moose population survey was conducted on the Yukon Flats National Wildlife Refuge in November 2010. The estimate for the 2,269 mi<sup>2</sup> survey area in the western Yukon Flats (Game Management Unit [GMU] 25D) was 440 moose (95% confidence interval; 294-587 moose). Density of moose was 0.19/mi<sup>2</sup>. The population was comprised of 265 cows (95% CI; 170-361), 85 calves (45-125), and 93 bulls (49-137). Search time averaged 6.5 minutes/mi<sup>2</sup>. The 2010 estimate of total moose was 10% less than the November 2008 estimate of 490 (412–569). Due to fog and winds in mountainous terrain, 7 units went unsampled, 3 of which had good numbers of moose in past surveys. Accounting for the 7 unsampled units increased the estimate of total moose to approximately 460, using averages of counts in those units since 2004.



From the *Wolf kill rate on moose: seasonal and annual variation in a single ungulate prey system in Alaska* Draft report January 28, 2011:

Estimates of the wolf (*Canis lupus*) kill rate on moose (*Alces alces*) aid in understanding the impact of predation on ungulate populations. Previously, such estimates were not collected consistently across the winter months in Alaska and the Yukon because sampling intervals were dictated by weather and day length that permitted aerial telemetry. We used a combination of aerial tracking of wolves and visits to Global Positioning System (GPS) location clusters to estimate variation in the kill rate of wolves on moose across the winter. Kill rate was estimated monthly during November 2009 to March 2010 and during late winter 2009. The detection of kills was also estimated by combining aerial telemetry and GPS cluster methods. Kill rate declined from early to late winter, and estimates were highest in November and lowest in February. Prey composition was primarily young-of-the-year (38%) and adult females (38%). Detection of kills from the air was 100%. We attribute an elevated kill rate in early winter to predation on more abundant and vulnerable young-of-the-year. We suggest that recruitment of moose on the Yukon

Flats is hampered by wolf predation in early winter. From a population dynamics standpoint, predation occurred primarily on the most valuable demographic component of the population.

## **OVERVIEW OF THE ALASKA MIGRATORY BIRD CO-MANAGEMENT COUNCIL**

**By:** Fred Armstrong, Executive Director, Alaska Migratory Bird Co-Management Council (AMBCC)

### **Introduction**

The Migratory Bird Treaty Act was amended to allow the Federal government to regulate an otherwise closed season between March 10 and September 1. The AMBCC was created to provide regulatory recommendations to the Service Regulations Committee.

### **Background**

The AMBCC consists of Alaska Natives, State of Alaska and U.S. Fish & Wildlife Service representatives that meet and act on regional regulations. Current partners include:

State of Alaska	Bristol Bay Native Association
Aleutian/Pribilof Islands Association	Copper River Native Association
Association of Village Council Presidents	Kawerak Inc.
Chugach Regional Resource Commission	Tanana Chiefs Conference
Sun'aq Tribe of Kodiak	North Slope Borough
Maniilaq Association	

The council recommends regulations based on the customary and traditional lifestyle of indigenous inhabitants located in eligible areas of the state defined in the amendments protocol. The season runs from April 2–August 31 of each year with a 30 day closure prescribed for each region during the principle nesting season. An open and closed list of birds is also published annually as well as methods and means prohibitions.

The public can submit proposals during the open period of November 1 through December 15 annually. The AMBCC acts on regional and statewide proposals at their April regulatory meeting of each year.

All hunters ages 16 and over must have in possession a federal duck stamp when hunting waterfowl.

Law Enforcement will actively enforce all migratory bird regulations promulgated for the spring and summer season in Alaska.

Visit <http://alaska.fws.gov/ambcc/index.htm> to view the current regulations for the subsistence harvest of migratory birds and find more information on the AMBCC.

**Alaska Migratory Bird Co-Management Council**  
*(Updated September 2010)*

**Association of Village Council Presidents**

Myron Naneng  
Tel: Wk 907/543-7300; Fax: 907/543-3596  
Email: mnaneng@avcp.org

**Bristol Bay Native Association**

Molly Chythlook  
Tel: 907/842-5257; Fax: 907,842-5932  
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**Chugach Regional Resources Commission**

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Email: pnormanvc@hotmail.com

**Copper River Native Association**

Joeneal Hicks  
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**Kawerak, Inc.**

Sandra Tahbone  
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Email: stahbone@kawerak.org

**Southeast Inter-tribal Fish & Wildlife  
Commission**

Matt Kookesh  
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**Aleutian/Pribilof Islands Assoc.**

Peter Devine  
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**Sun'aq Tribe of Kodiak**

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**Maniilaq Assoc.**

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**North Slope Borough**

Taqulik Hepa  
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**Tanana Chiefs Conference**

Randy Mayo  
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Email: stevensvillage@hotmail.com

**U.S. Fish & Wildlife Service**

Doug Alcorn  
Tel: 907/786-3491; Fax: 907/465-6142  
Email: doug\_alcorn@fws.gov

**Alaska Department of Fish & Game**

Dale Rabe  
Tel: 907/465-4190; Fax: 907/465-6145  
Email: dale.rabe@alaska.gov

## Proposal Form

The Alaska Migratory Bird Co-Management Council  
***Proposed Change for 2012 Alaska Subsistence Spring/Summer  
Migratory Bird Harvest Regulations***

All proposals received by the AMBCC office will be sent to the affected regional management body for their consideration and recommendation. Recommendations will be forwarded to the statewide body for consideration and action. To ensure success of your proposal, please plan on attending your local regional management body meeting to present data or information on your proposal. Proposals received without adequate information may be deferred or rejected.

Proposed by: \_\_\_\_\_

Name: \_\_\_\_\_

Organization/Affiliation: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Fax Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**What problem or issue are you trying to address?** (Clearly state the problem to be solved or a situation that should be corrected.)

**How should the new regulation read?** (Indicate if it is a change to season dates, species of bird/eggs open to hunting, area open to hunting, methods and means, or harvest limits)

**To what geographic area does this regulation apply?** (Is it a statewide, regional, or local regulation? If it pertains to a local area, please describe where it applies.)

**What impact will this regulation have on migratory bird populations?**

**How will this regulation affect subsistence users?**

**Why should this regulation be adopted?**

**Please attach any additional information that supports your proposal.**

## Fall 2011 Regional Advisory Council Meeting Calendar

*August 22–October 14, 2011 current as of 10/29/10*

Meeting dates and locations are subject to change.

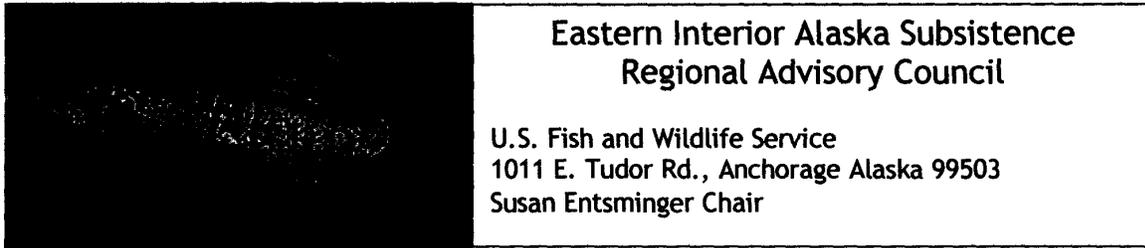
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Aug. 21	Aug. 22 WINDOW OPENS	Aug. 23 NWA—TBA NS—TBA	Aug. 24	Aug. 25	Aug. 26	Aug. 27
Aug. 28	Aug. 29	Aug. 30	Aug. 31	Sept. 1	Sept. 2	Sept. 3
Sept. 4	Sept. 5 HOLIDAY	Sept. 6	Sept. 7 KA—Cold Bay or King Cove	Sept. 8	Sept. 9	Sept. 10
Sept. 11	Sept. 12	Sept. 13	Sept. 14	Sept. 15	Sept. 16	Sept. 17
Sept. 18	Sept. 19	Sept. 20	Sept. 21 SP—Nome	Sept. 22	Sept. 23	Sept. 24
Sept. 25	Sept. 26	Sept. 27 SE—Wrangell	Sept. 28	Sept. 29 YKD—TBA	Sept. 30 END OF FY2011	Oct. 1
Oct. 2	Oct. 3 SC—Cantwell	Oct. 4 WI—Aniak	Oct. 5	Oct. 6	Oct. 7	Oct. 8
Oct. 9	Oct. 10 HOLIDAY	Oct. 11 EI—Tanana	Oct. 12 BB—Dillingham	Oct. 13	Oct. 14 WINDOW CLOSES	Oct. 15

# Winter 2012 Regional Advisory Council Meeting Calendar

*February–March 2012 current as of 01/28/11*

Meeting dates and locations are subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<i>Feb. 12</i>	<i>Feb. 13</i> <i>Window Opens</i>	<i>Feb. 14</i>	<i>Feb. 15</i>	<i>Feb. 16</i>	<i>Feb. 17</i>	<i>Feb. 18</i>
<i>Feb. 19</i>	<i>Feb. 20</i> <b>HOLIDAY</b>	<i>Feb. 21</i>	<i>Feb. 22</i>	<i>Feb. 23</i>	<i>Feb. 24</i>	<i>Feb. 25</i>
<i>Feb. 26</i>	<i>Feb. 27</i>	<i>Feb. 28</i>	<i>Feb. 29</i>	<i>Mar. 1</i>	<i>Mar. 2</i>	<i>Mar. 3</i>
<i>Mar. 4</i>	<i>Mar. 5</i>	<i>Mar. 6</i>	<i>Mar. 7</i>	<i>Mar. 8</i>	<i>Mar. 9</i>	<i>Mar. 10</i>
<i>Mar. 11</i>	<i>Mar. 12</i>	<i>Mar. 13</i>	<i>Mar. 14</i>	<i>Mar. 15</i>	<i>Mar. 16</i>	<i>Mar. 17</i>
<i>Mar. 18</i>	<i>Mar. 19</i>	<i>Mar. 20</i>	<i>Mar. 21</i>	<i>Mar. 22</i>	<i>Mar. 23</i> <i>Window Closes</i>	<i>Mar. 24</i>



Mr. Pete Probasco  
U.S. Fish and Wildlife Service  
Office of Subsistence Management  
1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503-6199

October 14, 2010

Dear Mr. Probasco

The Eastern Interior Alaska Subsistence Regional Advisory Council requests assistance in fact finding efforts regarding the infection rates and the effect dog lice may have on wolves and other canine species in the State of Alaska. During the October 13 and 14 meeting in Fairbanks, the Council received testimony regarding the spread of this invasive species and the deleterious effects the infection was having on the subsistence value of wolves. This issue has the potential to negatively affect subsistence uses and users throughout the State.

The Council recognizes that this may be an issue to addressed by the individual land managers but the Council requests that the staff at the Office of Subsistence Management assist the Council by preparing an analysis of the present rates of infection and what plans and policies each land management agency may have to address this situation. The Council would be particularly interested in what remedial actions are possible. The following are Council topics of specific concerns:

- *Trichodectes canis* (dog lice), is a communicable parasite that was introduced into the State from imported domestic canines. Confirmed cases of wolves being infected with the dog lice may be spreading though out all of Alaska.
- Wolves on Federal Public Lands could be but may not be treated by researchers that come into contact with infected wolves.
- There is a great biological need to stop the spread of this communicable parasite.
- Dog lice may damage a wolf's pelt beyond use to the subsistence user.

Thank you for considering our request.

Sincerely,

/S/ Sue Entsminger  
Sue Entsminger

cc: Denby Lloyd, Commissioner, Alaska Department of Fish and Game



IN REPLY REFER TO:

## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

1011 E. Tudor Road  
Anchorage, Alaska 99503-6199



FWS/OSM 11004/GG

FEB 3 2011

Eastern Interior Alaska Subsistence Regional Advisory Council  
Sue Entsminger, Chair  
C/o US Fish and Wildlife Service  
Office of Subsistence Management  
1011 East Tudor Road, MS-121  
Anchorage, Alaska 99503

Dear Ms. Entsminger:

Thank you for your letter dated October 14, 2010, requesting assistance in the form of fact finding efforts to provide the Eastern Interior Alaska Subsistence Regional Advisory Council (Council) with information concerning infection rates of dog lice on wolves, identifiable effects, and any plans and policies each land management agency may have in place to address the issue. We understand that the Council received testimony during its fall 2010 meeting expressing concern over how this is impacting the value of wolves, as well as having the potential to adversely affect the passing down of traditional knowledge of subsistence uses within the Eastern Interior region.

The authorities of the Federal Subsistence Board (Board) are enumerated in 50CFR100.10 and 36CFR242.10, and fundamentally speak to implementing the subsistence priority under Alaska National Interest Lands Conservation Act (ANILCA) Title VIII and the establishment of harvest seasons, harvest limits, and methods and means of take of fish and wildlife harvested for subsistence purposes on Federal public lands. As pointed out in your letter, actions related to the issues of treating or studying the extent of lice on wolves is one that is most appropriately addressed by the individual land managers. In light of your request for assistance, we have requested information from agencies managing Federal public lands in the Eastern Interior region. We have heard back from the three Federal agencies with responsibility for managing Federal public lands in Units 12, 20, and 25.

Researchers with Alaska Department of Fish and Game (ADF&G), Craig L. Gardner and Kimberlee B. Beckmen, are conducting a project entitled "Evaluating methods to control an infestation by the dog louse (*Trichodectes canis*) in grey wolves". This study is focused on the wolf population in Unit 20A, using wolves in Unit 20C as a control, and is a multi-year effort that began July 1, 2006 and will continue until June 30, 2011. The objectives of the study speak directly to the Council's specific concerns; for example, determining the extent of louse infestation of wolf packs in Unit 20A, determining the efficacy of a treatment approach to manage the lice, establishing the rate of transmission between packs, and determining whether lice-infected packs have lower productivity or survival rates than wolves in packs that are not infected with lice.



Sue Entsminger, Chair

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Enclosed please find a hard copy of the researcher's annual progress report for the year ending June 30, 2010. Progress reports for the first three years of the study are posted online at the following link: <http://www.wildlife.alaska.gov/index.cfm?adfg=pubs.reports#wolves>. It is anticipated that a manuscript reviewing this five year research project will be drafted after June 30, 2011, for eventual publication.

Communications with staff from the National Park Service (NPS) indicate that wolves in and adjacent to Denali National Park and Preserve and Yukon-Charley Rivers National Preserve are being monitored for lice infections. Biologists from both the NPS and ADF&G believe that the louse was introduced by man via domesticated dogs to wolves. NPS staff indicates that ADF&G biologists are studying the situation in areas where there seems to be a high concentration of louse infected packs and are experimenting with a number of methods to treat the wolves. NPS personnel will continue to work closely with ADF&G staff as they test methods of treatment in these areas outside of park boundaries.

The Park Service addresses pest related issues on a case by case basis. Should the lice be found to have moved to wolf packs within the parks, appropriate studies would need to be undertaken in order to determine whether the louse should be considered an "exotic pest" in order to justify beginning removal attempts under the NPS integrated pest management plan, or if it should be categorized as a native pest, in which case the criteria permitting eradication is more restrictive. The 2006 NPS Management Policies book beginning at section 4.4.5 (pages 48-49) addresses the general issue of, and approaches to, pest management depending upon whether a pest is deemed an exotic or native species within the park. More information can be found at this link <http://www.nps.gov/policy/MP2006.pdf>. NPS biologists continue to share information with the ADF&G, so that a cooperative approach to control lice on wolves can be taken if or when needed. Any pest control activity would give full consideration to threatened and endangered species, natural and cultural resources, human health and safety, and legal requirements including the subsistence mandate under ANILCA Title VIII. Alternatives would be identified, reviewed, assessed, and selected through one of the public processes prescribed under the National Environmental Policy Act.

Staff from the Yukon Flats, Tetlin, and Arctic National Wildlife Refuges have reviewed your letter and understand your concerns. The U.S. Fish and Wildlife Service has not specifically studied the incidence of louse infestation in wolves occupying those refuges, but is certainly aware of the ADF&G studies in nearby areas. Lice were not detected when routine wolf monitoring studies were conducted suggesting that the incidence of louse infestation is likely low among wolves occupying areas where there has been monitoring. However, staff at Tetlin NWR is aware of at least one known wolf pack that has dog lice that ranges onto the refuge at times. Refuge personnel will continue to work closely with ADF&G and be responsive to reports of lice infected wolves on refuge lands.

There are no specific policies that guide how refuges would address the issue of wolf lice. The Comprehensive Conservation Plan for each refuge contains the following guidance that may

Sue Entsminger, Chair

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apply, however: "*Certain disease organisms, viruses, or vectors of disease (e.g., rabies or parasites) may threaten human health or the health and survival of native wildlife or plant species. These threats may be managed or eliminated after consideration of all reasonable options and consultation with the State of Alaska and other concerned parties. This will normally only occur when severe resource damage is likely or when public health or safety is jeopardized.*"

Although no parasite control measures are planned for the Yukon Flats, Tetlin, or Arctic National Wildlife Refuges at this time, future lice control activities would be given full consideration if deemed necessary, consistent with this guidance. Presently, these refuges request that subsistence users assist with monitoring the incidence of infection by reporting harvest or observations of wolves with lice to Federal or State biologists.

The Bureau of Land Management (BLM) has not developed a policy on this issue. BLM is a land management agency that manages for multiple uses on Federal public lands. The BLM mission does not include directly managing wildlife. BLM recognizes the State of Alaska as the wildlife management agency in Alaska. BLM State and Field Office personnel have kept in touch on this issue through agency contacts, professional associations, and review of the literature. Although BLM has not developed policy on this matter, agency staff is aware of the issue and supports the State's objectives.

If you have further questions regarding the issue of dog lice on wolves, please contact Gary Goldberg, Subsistence Policy Coordinator, at (907) 786-3834.

Sincerely,

/S/ Larry Buklis For

Peter J. Probasco <sup>tor</sup>  
Assistant Regional Director

Enclosure

cc: Coordinator, Eastern Interior Council

**FEDERAL AID ANNUAL  
RESEARCH PERFORMANCE REPORT**

ALASKA DEPARTMENT OF FISH AND GAME  
DIVISION OF WILDLIFE CONSERVATION  
PO Box 115526  
Juneau, AK 99811-5526

**Alaska Department of Fish and Game  
Wildlife Restoration Grant**

**GRANT NUMBER:** W-33-8

**PROJECT NUMBER:** 14.25

**PROJECT TITLE:** Evaluating methods to control an infestation by the dog louse in gray wolves

**PROJECT DURATION:** 1 July 2006–30 June 2011

**REPORT PERIOD:** 1 July 2009–30 June 2010

**REPORT DUE DATE:** 1 September 2010

**PRINCIPAL INVESTIGATORS:** Craig L. Gardner and Kimberlee B. Beckmen

**WORK LOCATION:** Units 20A and 20C

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**I. PROBLEM OR NEED THAT PROMPTED THIS RESEARCH**

The dog louse (*Trichodectes canis*), an obligate ectoparasite of canids (Tompkins and Clayton 1999; Durden 2001), was first identified in Alaska on wolves (*Canis lupus*) on the Kenai Peninsula during winter 1981–1982 (Schwartz et al. 1983; Taylor and Spraker 1983). No other infestations were documented in Alaska until 1998 when dog lice were found on wolves and coyotes (*Canis latrans*) in the Matanuska-Susitna Valley (Golden et al. 2000) and then in 2004 in Interior Alaska (this study). Schwartz et al. (1983) reported that dog louse were not identified on wild canid populations in Alaska prior to 1981 but occurred in a low-level enzootic stage on domestic dogs. It is not known how dog louse infestation was transmitted to the Matanuska-Susitna Valley; Golden et al. hypothesized that the vectors were domestic dogs but it could have been carried by wolves dispersing from the Kenai Peninsula. Louse transmission occurs from direct physical contact and use of denning and bedding sites (Durden 2001).

Infestation by this parasite often results in loss of hair, but the severity of hair loss appears to be variable among individuals. Pups are usually the most affected (Schwartz et al. 1983). Dog louse infestation spread rapidly in both the Kenai Peninsula and in the Matanuska-Susitna Valley and the effects are chronic; 10–29 years following detection, the majority of wolves in these areas continue to be infested and have exhibited little adaptation to the parasite. On the Kenai Peninsula, in about 10 years, 100% of the known packs were infested and in the Matanuska-Susitna Valley 68% were affected within a few years after detection. No additional wolf mortality attributed to louse infestation was observed in either the Kenai Peninsula or Matanuska-Susitna Valley suggesting that dog louse infestation does not affect population trends. However, severely infested wolves have a higher probability of contracting other diseases (Schwartz et al. 1983).

14.25 Evaluating methods to control an infestation by the dog louse in gray wolves  
FY10 Progress Annual Report

Poor pelt condition reduces monetary and aesthetic value of wolves to trappers and wildlife viewers; therefore, louse infestations can cause economic loss. Unless there are unknown environmental factors that may limit dog louse range expansion in Alaska, there is management concern that lice will continue to spread into different areas of the state because the parasite does not kill its host and wolves disperse long distances. The *Wolf Conservation and Management Policy for Alaska* addresses the issue of disease and parasite control. The policy recognizes that wolves have evolved in the presence of many natural diseases and parasites and, in most cases, are capable of responding to any effects without human intervention. However, the policy also recognizes that there may be cases where management actions would be appropriate to halt the spread of diseases or parasites for the benefit to the overall wolf population, particularly if the disease or parasite is from an unnatural source.

## II. REVIEW OF PRIOR RESEARCH AND STUDIES IN PROGRESS ON THE PROBLEM OR NEED

Due to the life cycle of a dog louse, multiple treatments of all infested wolves are necessary if infestations are to be managed. ADF&G attempted to manage louse infestation of wolves on the Kenai Peninsula (1983) and Matanuska-Susitna Valley (1999). Taylor and Spraker (1983) found that ivermectin (Ivomec<sup>®</sup>; Merial Limited, Duluth GA), developed to eliminate ectoparasites in horses and cattle, could be used as a possible treatment for louse-infested wolves and coyotes. When administered orally, subcutaneously, or intramuscularly at twice the recommended dosage, ivermectin eliminated the adult lice and any hatching nymphs before the lice could reproduce. Ivermectin was tested on 3 infested wolves held in captivity and was determined to be a possible alternative to killing the infested packs (Taylor and Spraker 1983).

In 1983, wolves from 5 infested packs on the Kenai Peninsula were captured and treated with ivermectin. Furthermore, baits injected with ivermectin were distributed in areas near wolf-killed moose in an attempt to treat any infested wolves not captured. The program was halted after the second treatment year. During 1999, 3 of the 14 packs in the vicinity of Wasilla and Talkeetna were found to be infested with lice. Twenty-seven of the 34 wolves in the 3 packs were caught and treated with ivermectin and 1200 baits were distributed throughout the area of infestation. Treatment only occurred during that year.

Both attempts used the same methodology; captured infested individuals and injected the antiparasitic drug ivermectin and distributed ivermectin-treated baits during late winter in the vicinity of kill sites and along travel routes. Both attempts failed because of the difficulty in adequately treating all exposed individuals over large areas and because funding was not adequate to treat over multiple years.

Theresa Woldstad, a Masters student at University of Alaska Fairbanks, studied the possible ecological constraints of dog louse infestation on wolves in Alaska (Woldstad 2010 [In press]). She is currently writing up her results for publication.

14.25 Evaluating methods to control an infestation by the dog louse in gray wolves  
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### **III. APPROACHES USED AND FINDINGS RELATED TO THE OBJECTIVES AND TO PROBLEM OR NEED**

OBJECTIVE 1: Determine extent of louse infestation in wolf packs in Unit 20A using visual observations of live wolves, hide inspections of trapper-caught wolves, and collection.

During FY06–FY10 we radiocollared 40 wolves and evaluated 19 of 23 Unit 20A packs (83%) for louse infestation. We documented wolf dispersal patterns and frequency of inter-pack conflicts and are analyzing the effects of these factors in louse transmission.

During the study, we maintained a sample of 15–19 radiocollared wolves in 11–15 packs to help estimate the extent and spread of louse infestation. During FY06–FY09, our sampling in Unit 20A indicated that 7 of 12 (58%), 4 of 12 (33%), 1 of 13 (8%), and 0 of 16 (0%) were infested with lice. In FY10 we inspected 31 wolves from 17 packs in Unit 20A for louse infestation using hide digestion (9), visual inspection (18), and skin biopsies (4). Overall, we inspected 17 of the 23 known wolf packs (73.9%) in Unit 20A during FY10 and none of these were infested with lice.

OBJECTIVE 2: Determine efficacy of den-rendezvous site treatment to manage lice infection.

We treated louse infested packs by dropping baits (fist size chunks of moose meat) injected with ivermectin at the den-rendezvous sites from aircraft (Piper Super Cub) during May–August. We varied the dose depending on pup presence and size. During the period when pups are 0–6 weeks old and not very mobile (early May–19 June) we treated the adult wolves by dropping 5–20 baits injected with 12 mg ivermectin at the den site. We completed 3 adult treatments/pack/year. The number of baits dropped at each den or rendezvous site varies by pack size. After 19 June we reduced the dosage to safely treat both the pups and adults. During 19 June–5 July the dose was 0.15 mg/bait. We increased the dosage to 0.18 ml and 0.20 ml during 15–31 July and 1–26 August. Our dose was based on estimated pup weights obtained from the literature. We completed 4 pup treatments/pack/year.

We treated 5 packs in 2006, 4 packs in 2007, and 0 packs during 2008–2010. We did not treat during 2008–2010 because none of the radiocollared packs were infected. The one known infested pack during 2008 was trapped and the newly established pack in the area was found not infested.

During FY10, to evaluate short- and long-term treatment effects, we collected one pup or performed biopsies on captured wolves from each of the treated and untreated radiocollared packs in Unit 20A during the winter. We also purchased from trappers 1 wolf from each of our 2 louse infested control packs in Unit 20C to evaluate longevity of louse infestations. The hides of the collected wolves were chemically digested to detect occult lice infestations. This technique is highly sensitive in detecting louse presence.

OBJECTIVE 3: Establish rate of transmission between packs.

We maintained 1–3 radiocollared wolves in 12 Unit 20A packs in FY10. We identified dispersals and pack interactions and evaluated the effects of these factors on louse

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transmission. We monitored 12–15 packs during 2006–2009 in Unit 20A. During the course of the study, we documented 13 dispersals of radiocollared wolves. Five of these established territories in the study area and 8 dispersed outside the study area. Six of the long distance dispersers were from packs that had been infested with lice but were treated and clean at the time of dispersal. We documented that at least 4 of these 6 were observed with other wolves after dispersal. We documented 5 episodes of pack conflict. In one of these cases lice were transmitted from an infected pack to an uninfected pack.

OBJECTIVE 4: Determine if lice-infested packs have lower productivity and survival rates.

Due to funding restraints and to the success of treatment resulting in few infested wolves, we did not pursue this objective.

#### IV. MANAGEMENT IMPLICATIONS

Our study results indicate that repeated treatments at den and rendezvous sites of wolves infested with dog lice can be successful in managing this ectoparasite. Based on results from our control packs and from the Kenai Peninsula and Matanuska-Susitna Valley, once a pack becomes infested it will remain so unless it is treated or dies out. We also found that infestations can reoccur due to immigration. Possible factors that slow infestation rate are reduced immigration.

#### V. SUMMARY OF WORK COMPLETED ON JOBS FOR LAST SEGMENT PERIOD ONLY

JOB/ACTIVITY 1: Literature review

**Accomplishments:** We reviewed published literature and management reports concerning lice infestation within Alaska. We also consulted with fellow colleagues and the literature on treatment and detection methods for other types of ectoparasites in canids that may apply to managing dog lice in wolves. Federal funds were used to pay salaries while working on this task.

JOB/ACTIVITY 2: Wolf collection and sampling

**Accomplishments:** We collected one 6- to 7-month-old wolf from 9 of 12 packs we had radiocollared during the collection period (October 2008–November 2009) in Unit 20A. We also inspected the hides of 18 wolves harvested by trappers in Unit 20A and 2 wolves from Unit 20C. We evaluated skin biopsies from 4 live-captured wolves in Unit 20A. We used these data to evaluate the presence and transmission of lice and the long-term effectiveness of treatment. We documented that the 17 monitored packs in Units 20A were lice free and the 2 packs in Unit 20C continued to be louse infested. Eight (47.0%) of the 17 Unit 20A packs had been infested prior to treatment within the last 4 years. Both Unit 20C packs had remained infested for 4 years. Federal funds were used to pay salaries for project personnel.

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JOB/ACTIVITY 3: Maintain radio collar sample (1–2 wolves/pack) in 10–15 packs in Unit 20A

**Accomplishments:** We maintained 1–3 radio collars (<2 years operating time) in 12 packs during the report period. We caught and radiocollared 4 wolves from 4 packs in October 2009. Federal funds were used to pay salaries for project personnel.

JOB/ACTIVITY 4: Radiotracking packs

**Accomplishments:** During the report period, we completed 10 radiotracking flights and located 2–12 of the radiocollared packs/flight. Our intent was to monitor pack movement patterns and inter-pack conflict, determine pack territory boundaries, and identify dispersal patterns to help delineate louse transmission through Unit 20A. We did not document inter-pack conflicts during FY10. There were 2 dispersals from the area. Both dispersing wolves were from packs that had been successfully treated for lice prior to dispersal.

JOB/ACTIVITY 5: Maintain radio collar sample in Unit 20C to act as a control

**Accomplishments:** During FY10, we did not radiocollar any additional wolves in Unit 20C but continued to monitor 2 packs that were instrumented previously in 2007. Federal funds were used to pay salaries for project personnel to monitor these wolves.

JOB/ACTIVITY 6: Data analysis and report preparation

**Accomplishments:** We tested 9 wolf hides using hide digestion, and biopsied 4 live wolves in the field for lice presence. None tested positive for lice. We did not detect lice through visual inspection of 18 wolf hides harvested by trappers in Unit 20A. We verified that both of our control packs in Unit 20C continued to be infested following visual inspection of wolves harvested by trappers. We continued to analyze movement data to evaluate louse transmission in the wolf population.

## VI. PUBLICATIONS

None.

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## **VII. RECOMMENDATIONS FOR THIS PROJECT**

Prepare manuscript for publication during FY11.

**Prepared by:** Craig L. Gardner

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