

YUKON-KUSKOKWIM DELTA

Subsistence Regional Advisory Council



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Houses in Bethel, Alaska

Meeting Materials

February 23, 2012

Bethel, Alaska

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DRAFT

Yukon-Kuskokwim Delta Subsistence Regional Advisory Council

Winter 2012 Meeting Agenda
 February 23, 2012
 9:00 a.m. to 5:00 p.m.
 Bethel Moravian Church Fellowship Hall
 Bethel, Alaska

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 keep the meeting on schedule.

PLEASE NOTE: These are estimated times and the agenda is subject to change. Contact staff for the current schedule. Evening sessions are at the call of the chair.

1. **Call to Order** (*Chair*)
2. **Roll Call and Establish Quorum** (*Secretary*)..... 4
3. **Welcome and Introductions** (*Chair*)
 - A. Council
 - B. Staff
 - C. Public
4. **Housekeeping items and announcements** (*Alex Nick*)
5. **Review and Adopt Agenda** (*Chair*)..... 1
6. **Election of Officers**
 - A. Chair (*DFO*)
 - B. Vice Chair (*New Chair*)
 - C. Secretary (*New Chair*)
7. **Coordinating Fisheries Committee Appointments**
 - A. Lower Yukon
 - B. Lower Kuskokwim
 - C. Kuskokwim Salmon Management Working Group
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 1. Customary Trade Subcommittee meeting

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1. Federal Subsistence Board Meeting	
C. 805(c) Report (<i>Chair</i>)	
D. Committee Reports	
E. Working Group Reports	
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3. Kuskokwim Native Association	
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15. Future Meetings..... 81

- A. Confirm date and location of fall 2012 meeting on October 10 – 11, 2012 in Quinhagak
- B. Select date and location for winter 2013 meeting

16. Closing Comments

17. Adjourn (*Chair*)

Teleconferencing is available upon request. Call the Office of Subsistence Management, at 1-800-478-1456, 786-3888, at least five business days prior to the meeting to receive this service. Please state which agenda topic interests you and whether you wish to testify regarding it.

The U.S. Fish and Wildlife is committed to providing access to this meeting for those with a disability who wish to participate. Please direct all requests for accommodation for a disability to the Office of Subsistence Management at least five business days prior to the meeting.

If you have any questions regarding this agenda or need additional information, please contact the Office of Subsistence Management.

REGION 5—Yukon-Kuskokwim Delta Regional Advisory Council

Seat	Yr Apptd <i>Term Expires</i>	Member Name & Address
1	2004 2013	William Frank Brown Eek, Alaska 99578
2	1997 2013	James Aiagiak Charles Tuntutuliak, Alaska 99680
3	2010 2013	Noah M. Andrew Tuluksak, Alaska 99679
4	2010 2013	Evan Kus Polty Sr. Pilot Station, Alaska 99658
5	1996 2014	Lester Wilde (Sr.) Hooper Bay, Alaska 99604 Chair
6	2011 2014	Paul J. Manumik, Sr. Nunam Iqua, AK 99666
7	2011 2014	Andrew Brown, Sr. Mountain Village, AK 99632
8	1993 2014	Harry O. Wilde Sr. Mountain Village, Alaska 99632
9	1999 2014	Mary M. Gregory Bethel, Alaska 99559
10	2009 2012	Aloysius B. Unok Kotlik, Alaska 99620
11	2003 2012	Greg J. Roczicka Bethel, Alaska 99559
12	2003 2012	Robert E. Aloysius Kalskag, Alaska 99607
13	2006 2012	John W. Andrew Kwethluk, Alaska 99621

DRAFT
Yukon-Kuskokwim Delta Subsistence Regional Advisory Council
Minutes from September 29-30, 2011 Meeting
Bethel Moravian Fellowship Hall
Bethel, Alaska

Meeting was called to order by Lester Wilde, Chair.

Roll call by Robert E. Aloysius.

Members Present:

Lester Wilde
Robert Aloysius
John W. Andrew
Noah M. Andrew
James Charles
Mary M. Gregory
Raymond J. Oney
Evan K. Polty
Greg J. Roczicka
Aloysius B. Unok
Harry Wilde, Sr.
William F. Brown

Members Absent:

Meeting Participants:

Alex Nick, Tom Kron, Dr. David Jenkins, Chris McKee, OSM; Patricia Petrivelli, BIA; Sandra Nicori, Jimmy Andrew, Nick Alexie, Kwethluk; Dan Sharp, BLM; Philip Peter, Charles James, Akiachak; Dave Terchik, Derrick Evon, Paul Crane, Louie Andrew, Yukon Delta NWR; Darryl Sipary, Christopher Beans, St. Mary's; Andrew Brenner, David Runfola, Ben Baliver, Hiroko Ikuta, George Pappas, Phillip Perry, , Alissa Joseph Patrick Jones, ADF&G; Jeremy Mears, USFWS, Fairbanks; Jerry Berg Fish and Wildlife Service, Anchorage; Mr. Amik, McCann Center; Myron Naneng, AVCP, Timothy Andrew, AVCP; Merideth Downing, Court Reporter.

Invocation was by Mr. James A. Charles in English and Yup'ik.

Housekeeping Items:

Housekeeping items were provided by Alex Nick, Council Coordinator. Problems Council experienced at the hotel were resolved. Council members were advised to stay within travel plans when Council members return home as problems could arise if they make travel changes on their own. As long as Council members let OSM staff know they plan to extend their travel, there should not be any problems.

Mr. Louie Andrew, Chief Orutsararmiut Native Council provided welcoming remarks to meeting attendees. He said Orutsararmiut Native Council (ONC) serves over 3,000 tribal members who are living in Bethel and various villages in the Yukon-Kuskokwim Delta. ONC operates some

programs to benefit its tribal members, including a fisheries program with funding from Federal agencies.

Review and Adoption of Draft Agenda

Chair Lester Wilde reviewed draft agenda and asked the Council and for additional agenda topics. Following Kuskokwim River season summary was added on the agenda under item 11.B. Ms. Hiroko Ikuta with ADF&G was added on the agenda under 13.D. Subsistence - Alaska Department of Fish and Game.

Motion

Mr. Greg Roczicka moved to adopt draft agenda, which was seconded by Robert Aloysius. The motion carried.

Review and Adoption of the Draft Minutes

The Council reviewed minutes from February 23-24, 2011 meeting.

Motion

Robert Aloysius moved to adopt minutes from February 23-24, 2011, which was seconded by Greg Roczicka.

During discussion of the motion, staff were directed by Chair to record exact Yu'pik words Council members use when they provide comments in Yup'ik on record. On page 9 there is an error on "Alaska Federal of Natives". Correct statement is "Alaska Federation of Natives".

The motion to adopt the draft minutes carried.

Regional Advisory Council Concerns and Comment

- During last year's Council meeting, Council had a full agenda and Council had to rush through its important agenda topics because of timeline to finish up its business. Council needs to have flexible timeline while conducting its meetings and holding evening sessions when it becomes necessary. There needs to be considerations on allowing Tribal council members to apply for Council membership. Allowing Tribal council representatives on the Council membership would broaden Tribal concerns on the local and neighboring boundary issues
- Council's representation is all about the word "subsistence" and everything is in the word "subsistence" regardless of how the Federal Government defines the word "subsistence" to weaken the Federal Subsistence Board. The Board has been sued by individuals, agencies, and organizations to include other interests on the Federal Subsistence Management Program and this is not the right thing to do. Subsistence is a way of life, not a lifestyle. Subsistence is a way of life that is controlled by the four seasons of the year. Every living thing is viewed as people's relations and this is the reason why everything has to be respected. Locality must be respected by all. Others should not try to influence or change local subsistence users' way of living.
- There were some complaints by local elders that there is too much talk about subsistence resources. Elders said that whenever there is too much talk about subsistence resources, subsistence resource numbers tend to decline. One of the examples is last winter blackfish were very hard to harvest because there was hardly any blackfish. Another concern is, the U S Fish and Wildlife Service, the Alaska Department of Fish and Game,

and the enforcement personnel are viewed as just one term, “Fish and Game.” This misunderstanding creates a lot of confusion in terms of resource management agency decisions and enforcement activities in the field.

- Council become frustrated about the Federal Subsistence Board, which continues to shirk it’s responsibilities to provide for subsistence needs and is failing in its mandatory subsistence priority. The Federal Subsistence Board promulgates regulations that place subsistence in a secondary or tertiary position compared to other user groups.
- Agencies and staff are encouraged to communicate with local people on the resource issues and management issues so that local subsistence users have a better understanding of resource management.
- At times it is very hard to serve as one of the local people’s representative in the meetings. The hardest part for a local representative is when some of the local people have nothing to eat and nothing to harvest in order to endure hardship. In some of the local communities, there are people who are less fortunate and need other people’s help through sharing their resource harvest. This is true even for some of the leadership team members who look up to more experienced local elders for assistance in decision making process and dealing with resource issues. No matter how much effort local representatives might make, there are people who are not satisfied with what is being done; they would make remarks such as “you should have done it this way or that way to make things happen.” This kind of reaction makes serving as leader very difficult.
- Subsistence is a way of life as one of the Council members indicated earlier. It is local people’s culture and livelihood. Before local people adapted to the Western ways of life, local people followed four seasons of the year. It was difficult for younger generations to witness local people’s struggles to survive while they followed the four seasons which were very difficult at times. For that reason, elders used to advise hunters and fisherman to share their harvested resources with the community and give honor to those who shared with the community. Elders used to say this way an animal or fish will recognize what is being done and return and be harvested by them again. Elders also told hunters that, those who do not share harvested resources with the community will have difficult time to harvest subsistence resources while they hunt and fish in the future.

Review of 2012 – 2014 Wildlife Proposals

2012-2014 Federal Wildlife Proposals

The summaries of the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council actions and justifications are not alpha-numeric in order because Council took their action on proposals as they were presented by staff. Proposals are listed in order as presented to Council for review and deliberations. Following are summarized Council actions on 2012 – 2014 Federal wildlife regulatory change proposals.

Statewide Proposals

WP12-01

Dr. David Jenkins with Office of Subsistence Management provided analysis for WP12-01. Council wanted clarification on the sealing certificate. Dr. David Jenkins and Jerry Berg provided additional information and answered Council’s questions. Mr. George Pappas provided Alaska Department of Fish and Game comments on this proposal and other proposals. One of the

Council was concerned the bears could be harvested not for food but for interest in making money. Chair needed clarification whether or not there is subsistence bear hunt in Unit 18. Mr. Phillip Perry with ADF&G said there's several hunt opportunities each individual can harvest a bear. One of the hunts requires locking metal tag and requires to be sealed within 30 days. There were quite lengthy discussions with agency and organization staff. Mr. Timothy Andrew with Association of Village Council Presidents (AVCP) provided comments on the regulatory change proposals on behalf of AVCP.

Motion

Greg Roczicka moved to support proposal WP12-01, which was seconded by James Charles.

During discussion, Council members encouraged opposing this proposal because it is another way to hinder artists and bury them in more paperwork. There needs to be more discussion with the public on his issue.

Motion failed 4-7.

WP10-02 (Deferred)

Council took no action on deferred proposal WP10-02

WP12-02

Dr. David Jenkins with Office of Subsistence management provided analysis for proposal WP12-02.

Public comment: This proposal should be amended because it excludes widows, single females, and people under 60 years of age. This proposal should include those who are unable to physically hunt or provide for themselves. The reason is not all widows and single people are over age 60.

One of the Council members clarified the current Federal designated hunt regulation and intend of this proposal.

Motion

Mary Gregory moved to adopt proposal WP12-02, which was seconded by Raymond Oney.

Motion failed on a vote of 0-11.

Justification: The Council likes the way the Federal designated hunt is currently done. Proposal does not recognize traditional practices in the villages.

WP12-03

Before Council reviewed proposal WP12-03 Mr. Greg Roczicka declared conflict of interest and ask to step down during review and deliberation of the proposal. Mr. Roczicka's request was granted by the Chair.

Dr. David Jenkins with the Office of Subsistence Management provided analysis for proposal WP12-03. Mr. Greg Roczicka, Director of Orutsarmiut Native Council (ONC) Natural

Resources provided information based on ONC subsistence committee directives relating to actions by Federal and State enforcement officers that led to citations in the field.

During discussions, Council members expressed concerns about transporting a harvested animal to the appropriate agency. Hunters should be advised as to how to salvage and distribute harvested animal and keep what they want for themselves. Appropriate agency would be tribal council who in turn would distribute meat to those in need. It is clear it is not required to turn over harvested animal to the management agency.

Motion

Mary Gregory moved to adopt proposal WP12-03, which was seconded by Raymond Oney. The motion carried on a vote of 7-3.

Justification: The Council supports this proposal to help toward clearing up current regulatory confusion for subsistence users.

Regional Proposals

WP12-42

Chris McKee with the Office of Subsistence Management provided analysis for proposal WP12-42. Spencer Rearden, wildlife biologist for the Yukon Delta National Wildlife Refuge, said the refuge supports this proposal and hopes the Mulchatna caribou population will increase. The Council supports conservation efforts for future generations. Council support this proposal with the modification not to reduce the harvest limit but to eliminate March season and limit the impact to the east and south side of the Kuskokwim River of harvest on the Mulchatna Caribou Herd.

Motion

Greg Roczicka moved, seconded by Robert Aloysius to support WP12-42 as modified but to maintain current harvest limit of 2 caribou.

Modification to read:

Unit 18 – Caribou

***Unit 18 – 2 caribou Aug. 1 – Sept. 30
Dec. 20 – the last day of February***

Limit – 2 caribou

Motion carried on a vote of 7-4.

Justification: Subsistence hunters should have a real priority. Council supports harvest restrictions although it would allow less harvest opportunity by Federally qualified users. Subsistence hunters are always limited to access their subsistence food source while the Federal and State allows access by sport hunters and not limit sport activities. One of the Council members gets upset because State and Federal favors sport hunters that harvest breeding stocks.

WP12-43

Chris McKee with the Office of Subsistence Management provided analysis for proposal WP12-43.

Motion

Mary Gregory moved to adopt proposal WP12-43, which was seconded by Aloysius B. Unok.

Motion carried.

Justification: There are no conservation concerns in this case. Lynx are very good to eat.

WP12-44/48

Chris McKee with the Office of Subsistence Management provided analysis for proposal WP 12-44/48. Spencer Rearden explained last two years the refuge has allowed any moose in lowest Yukon River portion of Unit 18 through special action requests. Refuge submitted proposal WP12-48 so if this proposal is adopted, hunters would not wonder whether or not this would be allowed or not. Mr. Phillip Perry with ADF&G added in Unit 18 remainder, it would be status quo but where registration permits are required permits would be issued because remainder is the area outside of where registration permits are issued.

Motion

Greg Roczicka moved to support WP12-48 and take no action on WP12-44, which was seconded by James Charles.

Motion unanimously passed.

Justification: Moose are an important subsistence food and the current resource numbers can support the harvest proposed by WP12-48. Council took a single action for WP12-44 and WP12-48 because these two proposals were analyzed together.

WP12-49/ WP12-45

Chris McKee with the Office of Subsistence Management provided analysis for proposals 49/45. A Council member wanted to know who decided to allow two moose, how many hunters hunts proposed area, if proponent is moving winter moose hunt to fall hunt, and if this would not affect moose population in the area. In the Interior, similar situation occurred as that of what is happening now in lower Yukon River. All user groups hunted moose including sport hunters. Then moose population crashed in that area. Mr. Phillip Perry with ADF&G explained if this proposal is adopted, it would extend moose season from month of August through February. There was a lengthy discussion between Council and agency staff regarding how moose population could affect availability of browse. One of the Council members said browse grows faster than grass grows.

Public comment: Mr. Christopher Beans with Yupiit of Andreafsky commented that his community opposes proposal WP12-45 because these species are new to the area, having been there for only 15-20 years. As an example in Unit 22A moose did not have healthy population and they allowed cow moose and depleted moose population. His community does not want to see another moose moratorium established in lower Yukon. The price of gas is too high for locals to afford going farther for food.

Motion

John W. Andrew moved to adopt proposal WP12-49 and take no action on proposal WP12-45, which was seconded by Greg Roczicka.
Motion carried.

Justification: The lower Yukon moose population is growing very fast and there are no conservation concerns in this case. Moose are an important subsistence food.

WP12-46

Chris McKee provided analysis for proposal WP12-46.

Motion

Greg Roczicka moved to support proposal WP12-46. Motion was seconded by Raymond Oney.

Motion passed unanimously.

Justification: Proposal is a result of working with local user groups. This is a cooperative effort between all relevant user groups and resource management agencies.

WP12-47

Chris McKee provided analysis for proposal WP12-47. Spencer Rearden with Yukon Delta National Wildlife Refuge pointed out the refuge has some restrictions on transporters and guides, that moose hunters will not be dropped off on waterways accessible by boat and within one mile of Native allotments, and within three miles of other hunting camps. However, only exception is hunters could be dropped off on the North Fork of the Andreadsky River above Allen Creek if hunters are to float Andreadsky River. Refuge Manager Gene Peltola is trying to reduce user conflicts this way.

Motion

Mary Gregory moved to adopt proposal WP12-47, which was seconded by Raymond Oney.

Motion carried by a vote of 10-1.

Justification: The lower Yukon people sacrificed to build the moose population in the area. 13 villages depend on moose in this area. Local people do not support moose spotting from an airplane and hunters being dropped-off with an airplane in the hunt area. When people fly into villages, local people could help them.

WP12-50

Dr. David Jenkins provided analysis for proposal WP12-50. A Council member noted the analysis indicate referring directly to Unit 18 remainder and excludes Kuskokwim so it would be from Johnson River over to the Yukon River. George Pappas responded a new electronic process of ADF&G review for comments started, is an internet based, and supposed to be user friendly. As a result even conservation concerns have some errors. Mr. Pappas apologized for misinformation provided. Spencer Rearden indicated refuge understand that people often stay under power to steady a shot while hunting especially when there is current. However, this

regulation could possibly allow someone to be at high power which would pose hazard. Other concern refuge has is wounding loss which would not be recovered.

Motion

Mary Gregory moved to adopt proposal WP12-50, which was seconded by Raymond Oney.

Motion amendment

Greg Roczicka moved to amend and insert “you may take moose from a moving boat under power in the remainder of Unit 18” and strike everything else from proposed language, which was seconded by Robert Aloysius.

Amendment and motion as amended carried.

Justification: Council supported proposal WP12-50 as amended to include Unit 18 "remainder" in final regulatory wording. This amendment is not for the Kuskokwim portion of Unit 18. This is a historic standard practice. No accidents have been reported while using this practice during hunting activities. Local people are trying to efficiently put food on the family's table. People wishes to abide by the regulations while they are hunting.

WP12-51

Chris McKee with the Office of Subsistence Management provided analysis for proposal WP12-51. The Council expressed concerns about the time ptarmigan lay eggs and rear their young. Under Yup'ik tradition, egg hunting is done early in spring. The Council also was concerned about possible overhunting that could wipe out numbers of ptarmigan. Spencer Rearden explained ptarmigan season extension is intended to provide additional opportunity for ptarmigan hunters. June 15th was considered because the refuge understands the coastal areas has longer winter season. In some areas hunters cease from harvesting ptarmigan when waterfowl birds arrive.

Motion

Mary Gregory moved to adopt proposal WP12-51, which was seconded by Raymond Oney.

Motion failed on a vote of 4-7.

Justification: Elders advise local hunters not to take ptarmigan during breeding season. Local ptarmigan hunters target ptarmigan until migratory waterfowl migrates to the area. Local people will discontinue hunting ptarmigan voluntarily when that time comes. This regulatory change won't make any difference in the lower and middle Kuskokwim area. Ptarmigan numbers are available along the coast on a latter date, probably as late as June 15th. This proposal would provide an extended opportunity for subsistence users. Some subsistence users do really need ptarmigan for food. Currently fewer people are hunting ptarmigan than they did historically. By June first, most everyone in Kuskokwim area concentrate on preparing fish camps and kids are only ones that goes after ptarmigan. Adopting this proposal will not affect ptarmigan numbers.

WP12-52

Dr. David Jenkins provided analysis proposal WP12-52. A Council member brought up a question on protection of other users versus subsistence priority. Dr. Jenkins responded that Title VIII of ANILCA is very explicit that sport and commercial uses are secondary to subsistence uses of resources. Gene Pentola, Yukon Delta National Wildlife Refuge Manager explained the refuge

permits sport hunting activity within the refuge. Non-guided sport hunting activity is addressed via transporter permits. Before any transporter goes out to drop off their clients they give latitude/longitude for particular locations to the Refuge. In the Kuskokwim portion of Unit 18 moose hunt, registration permits were issued to Federally qualified subsistence moose hunters this year. There were quite lengthy discussions relating to moose hunting areas on the refuge and private lands. There was a concern all users, including Alaska Native Claims Settlement Act (ANCSA) corporations, should be made aware before this proposed regulation is adopted.

Motion

Greg Roczicka moved to take no action on proposal WP12-52, which was seconded by Robert Aloysius.

Motion carried.

Justification: These issues are already covered in the resource harvest regulations. Federal Subsistence Management Program regulations do not apply in Canada for subsistence hunting.

WP12-53

Dr. David Jenkins read analysis for wildlife proposal WP12-53. In response to a question, Tim Andrew from the Association of Village Council Presidents (AVCP) explained that the phrase “at or near full gallop...” in the regulatory language was agreed to but some way or another it was changed to “fleeing”. Regulatory proposal AVCP submitted was only directed at caribou but somehow was changed to include other ungulates. Robert Sundown with Yukon Delta NWR explained if the word “fleeing” is substituted with “at or near full gallop” that would be the preferred language the Refuge and AVCP would like to see go forward. One of Council’s concerns was how this new regulation would be enforced and whether there be sufficient personnel for enforcement. There was much discussion with the staff regulatory language and definitions in the State and Federal regulations. David Jenkins commented that OSM’s analysis is intended to be close as possible to the proponent’s intent. A Council member was not comfortable with this proposal because enforcement could confiscate hunter’s snowmachines under the State regulations when cited.

Motion

Mary Gregory moved to adopt proposal WP12-53 as amended to add wording that in Unit 18 hunters "...may not pursue ungulates that are at or near full gallop." The motion was seconded by Robert Aloysius.

Motion carried.

Justification: This proposal is being directed toward caribou hunting. Subsistence hunters are trying to get food to feed their families. The "at or near full gallop" language was the original wording agreed to by AVCP and the Yukon Delta National Wildlife Refuge. State regulations require a mandatory court appearance, a fine and criminal charges; the desire is to have something less strict for subsistence users, to have a bailable offense under Federal subsistence regulations. AVCP pulled proposal WP12-41 and agreed with the US Fish and Wildlife Service, Yukon Delta National Wildlife Refuge to support this proposal with the understanding that the regulatory wording would say "...at or near full gallop." AVCP and USFWS-Yukon Delta NWR staff did not intend to mirror the Alaska Department of Fish and Game regulations in this case. The analysis needs to describe the USFWS-Yukon Delta NWR and AVCP agreement in the

analysis in this case. The Council specifically requested that Office of Subsistence Management support their proposed wording.

WP12-54

Dr. David Jenkins provided analysis for proposal WP12-54. Tim Andrew with AVCP pointed out that this proposal addresses the serious issue of predation on Federal lands. This proposal could decrease number of predators so caribou calves and caribou population would increase and would greatly assist toward rebuilding the Mulchatna Caribou Herd. Council members were concerned that increased wolves do threaten campers by making it known to campers their presence and howls in a circular form. The Council was also concerned that in areas without any prior wolf predation, the moose population was increasing, leading to an increase in wolf population.

Motion

Aloysius Unok moved to adopt proposal WP12-54. The motion was seconded by Raymond Oney.

Motion carried.

Justification: There are now more wolves in the lower and middle Kuskokwim areas and some subsistence users are having problems with wolves as wolf numbers increase. The Lower Kuskokwim Fish and Game Local Advisory Committee supported this proposal.

WP12-55

Chris McKee provided analysis for proposal WP12-55. The State provided no written comments.

Motion

Raymond Oney moved to adopt WP12-55. The motion was seconded by Aloysius Unok.

Motion carried.

Justification: The Lower Kuskokwim Fish and Game Local Advisory Committee supported this proposal. This proposal would provide a very limited additional opportunity for Yukon-Kuskokwim Delta subsistence users.

Crossover Proposals

WP12-39

Chris McKee provided analysis for proposal WP12-39. The Council had a question on boundaries of Unit 17B and 17C and whether or not this proposal affects the Kuskokwim region. Council supported this proposal because people from Kuskokwim area hunts in the proposed area.

Motion

Mary Gregory moved to adopt proposal WP12-39. The motion was seconded by John W. Andrew.

Motion carried.

Justification: This is a cooperative effort by Yukon-Kuskokwim Delta Subsistence Regional Advisory Council and the Bristol Bay Regional Advisory Council regions. People from Yukon-Kuskokwim Delta region hunts within proposed area.

WP12-40

Chris McKee provided analysis for proposal WP12-40. There were no official State comments. Mary Gregory wanted to know where Unit 17A is. Robert Aloysius explained Unit 17A is in the south side of the Kilbuck Mountains.

Motion

Greg Roczicka moved to support proposal WP12-40. The motion was seconded by Mary Gregory.

Motion carried.

Justification: There are not any conservation concerns for moose in the proposal area. This proposal would align the State and Federal harvest regulations.

Subsistence Fisheries Issues

2011 Yukon River Salmon Season Summary

Jeff Estensen, Ms. Holly Carroll, and Jeremy Mears with ADF&G updated Council and audience on Yukon River salmon stocks; management of summer and fall salmon seasons; 2011 pre-season report, 2011 outlook; 2011 summer season; management actions resulting achievement of U.S./Canada border salmon passage of 50,000 at Eagle sonar and estimated 49,800 salmon passed U.S. /Canada border. 2011 was the first time new fishing gear regulation restricting gillnet mesh size to no larger than seven and a half inches. Due to the overlap of summer chum and Chinook salmon commercial fishing was delayed until midpoint of Chinook run. Post-season, 2011 Chinook salmon run have been well below average. Outlook for 2012 is to be prepared by the Alaska Department of Fish and Game. If poor Chinook salmon productivity continue for summer of 2012, conservative management actions will be necessary. There were handouts for Council's information presenters refer to during their presentation. There were bit of discussions about salmon fisheries in the Yukon River between Council and Department staff.

2011 Kuskokwim Inseason Summary

Ms. Holly Carroll updated Council regarding Kuskokwim River salmon fisheries. 2011 pre-season outlook for Chinook salmon was to be below average. Tuluksak and Kwethluk Rivers had not met escapement goals for at least three years. Commercial fishery started much later than normal because of Chinook concerns in the Kuskokwim River. By end of the season most fishers met their goals despite closures and restrictions. Council were concerned about subsistence salmon fishing and commercial fishing that is important for financing subsistence fishing and hunting.

Public comment: Phillip Peter with Akiachak Native Community provided public comment stating subsistence fishers were frustrated with Kuskokwim salmon fishing closures. Mr. Peter provided information about necessary salmon fishing restrictions in 1970s. Entire Kuskokwim River was surprised this past summer because Association of village Council Presidents did not consult with local tribes and local subsistence users made some threatening comments to the local tribal leaders when closures were in place without their knowledge. During commercial fishing commercial fish buyers did not buy any of the Chinook salmon commercially harvested. Younger generations are not easy to reason with when it comes to restrictions. As a result of

subsistence fishing closures when subsistence fishing window is open, Kuskokwim River is like a commercial fish district.

Tri-Council Customary Trade Subcommittee Status Report

Dr. David Jenkins provided a summary of the Customary Trade Subcommittee. There were three proposals: the first one was to preclude customary trade of Yukon River Chinook salmon between rural residents and others; the second one was to allow customary trade of Yukon River salmon between rural residents within Yukon River drainage with a \$750.00 limit per household per year; and the third one was to require a subsistence Yukon River Chinook salmon permit and recordkeeping form which had three components. It had a harvest permit calendar for Yukon River Chinook salmon, customary trade recordkeeping form for Chinook salmon, and a transfer of possession for Yukon Chinook salmon. After Councils weigh in on these proposals, comments will be gathered and taken back to the subcommittee. Councils will provide their recommendations at the fall 2012 meetings.

Summary of the Councils recommendations on the Customary Trade of Yukon Chinook Salmon:

The Council appreciated the progress made by the subcommittee in its effort to find a river-wide solution to the issue of customary trade in the context of declining Chinook runs. The Council agreed with the subcommittee's prioritization of options, with the preferred regulatory change to allow customary trade of Yukon River Chinook salmon only between Federally qualified rural residents with a current customary and traditional use determination. Members of the Council also noted that if a dollar limit was imposed (the alternative option), a \$750 limit per year per household would be appropriate dollar figure. Tim Andrew with AVCP stated that AVCP also took active role in trying to curtail customary trade because of concerns of Chinook salmon. AVCP is concerned the directed commercial harvest of Chinook salmon no longer exists. Mr. Andrew went on and commented on the unregulated income earned by few and are able to buy very expensive trucks. Another concern Mr. Andrew was concerned about was Mr. Stan Prazinski's report to the Federal Subsistence Board indicated about 80% of fish harvested was for customary trade. There was much discussion about customary trade and salmon in the Yukon River. George Pappas brought up options that need clarifications. Option 1 is for qualified users that has customary and traditional use determination in Yukon River. Option 2 would allow sales of salmon outside the Yukon drainage to other rural residents only but never to Fairbanks, Eagle River, Juneau or wherever.

Review of 2012 Fisheries Resource Monitoring Program

Don Rivard with OSM provided information on the Fisheries Monitoring Program. Fisheries Monitoring Program projects used to be presented annually but in 2010 shifted to two-year cycle. Council listened to the summary of Fisheries Resource Monitoring Plan update and took following actions. After listening to the analysis of proposed projects Council took following actions.

Yukon Region Projects

Motion

Greg Roczicka moved to support the Yukon Region Fisheries Monitoring Projects as recommended for funding by Technical Review Committee. The motion was seconded by James Charles.

Motion carried.

Justification: The Council voted to support all six Technical Resource Committee recommendations for the Yukon River project proposals, all 7 project proposals for the Kuskokwim River, and supported Yukon and Kuskokwim Inconnu Genetic Baseline project.

Kuskokwim Region Projects

Motion

Mary Gregory moved to support Kuskokwim region FRMP projects as recommended by TRC. The motion was seconded by Aloysius Unok.

Motion carried.

Multi-Region Projects

Motion

Greg Roczicka moved to support funding for TRC recommendation to fund Yukon-Kuskokwim sheefish genetic baseline study. The motion was seconded by Raymond Oney.

Motion carried.

Agency/Organization Reports

A. Office of Subsistence Management

Tom Kron with OSM updated Council the Federal Subsistence Board has been taking steps to formally incorporate tribal consultation into the Federal Subsistence Management Program while maintaining and establishing the role of the Regional Councils. The Board's goal is to work with the tribes and Alaska Native Claims Settlement Act corporations to develop a consultation policy for Subsistence Management Program. Mr. Kron provided information on the key dates and events in October 2011 through January 2012. Ms. Crystal Leonetti, Tribal Liaison with U.S. Fish and Wildlife Service is leading the review of review process.

Tom Kron updated Council on Secretarial Review. Regulations are being developed to increase the membership of Federal Subsistence Board to include two additional public members to represent subsistence users. This now is complete and Council members are welcome to apply and there is information if anyone is interested.

Tom Kron updated Council on policy to expand deference to appropriate Regional Advisory Council recommendations in addition to the takings decisions of the Board provided for under Section 805 (c) of ANILCA, subject to the three exemptions found in the sections. He went on and provided information on number 3, number 4, number 5, number 6, and number 7 which are to be reviewed with Councils. There are also a number of things which the Board has not yet dealt with. Those are number 8, 9, and 10.

Don Rivard with OSM provided an update on Bering Sea/ Aleutian Island chum salmon bycatch. In May 2011 the Board sent a letter to the North Pacific Fishery Management Council (NPFMC) recommending a hard cap of 50,000. The NPFMC in its June 2011 meeting decided to direct its staff to do more analysis as there were timing issues.

B. U.S. Fish and Wildlife Service

Tom Doolittle with Yukon Delta National Wildlife Refuge gave an update on the fish and wildlife resource management. Refuge staff and ADF&G staff met to review and discuss proposals to change regulations. Some of the harvest regulations potentially will be aligned in

the future. Refuge Information program under supervision of Louie Andrew is fully staffed. Doolittle went on to report on ANSEP Program and there are three active students, Mr. Derek Evon, Ms. Dara Friday, and Aaron Moses.

C. Bureau of Land Management

Dan Sharp with Bureau of Land Management, Subsistence Coordinator, who serves on the Interagency Staff Committee, said there was no formal report but if anyone had land-related questions, they can see him during break.

D. Alaska Department of Fish and Game

Mr. Phillip Perry with ADF&G reported Federal wildlife harvest regulatory change proposals also have sister proposals with State Board of Game. The Refuge staff and State staff would like to see harvest regulations match as close as possible to eliminate or minimize confusion on wildlife harvest regulations. In the local moose hunt area, formerly Kuskokwim Moose Moratorium there were 1550 permits approximately 50 more than last year. A letter is sent to remind those who haven't return their harvest tickets as a reminder.

Dr. Hiroko Ikuta, Mr. David Runfola, and Andrew Brenner with ADF&G Division of Subsistence based in Fairbanks gave a brief overview of research projects taking place in the Council regions. The projects they briefed Council were index community baseline project, Donlin Creek mine subsistence baseline research, which includes subsistence surveys in the Kuskokwim River. Other projects they report were Yukon River salmon disaster project, Kuskokwim salmon ethnography, Strategic planning for whitefish. Bering Sea integrated economical research project, and lower Kuskokwim Big Game project. ADF&G report is quite lengthy and is in the meeting transcripts.

E. Association of Village Council Presidents

Tim Andrew with AVCP announced that Mr. Myon Naneng, President wanted him to relay to the Council and audience. The current Kuskokwim River Chinook salmon should be monitored by the Office of Subsistence Management Program. There are salmon being transported via Bethel Airport outside of the region and possibly via Aniak Airport. Since Chinook salmon is conservation concern last three years various spawning streams has not reached escapement goals, in consideration of subsistence restrictions that occurred this past summer, salmon leaving Kuskokwim River should be monitored. Mr. Andrew went on and briefed Council on subsistence hunting, sport hunting and subsistence resource issues. He also pointed out AVCP would like to hold AVCP Special Convention sometime in March 2012.

F. Yukon River Drainage Fisheries Association

Ms. Catherine Moncrieff with the Yukon River Drainage Fisheries Association gave an update on Chinook Conservation Plan which was initiated by a resolution from the river-wide YDFA Board of Directors. YRDFFA will be coordinating the meetings and provide staff support. There are numerous organizations who will participate and YRDFFA will partner with the Yukon-Kuskokwim Delta Subsistence, the Western Interior, and the Eastern Interior Regional Advisory Councils along with the Yukon River Panel, Alaska portion, and other interested groups such as AVCP and other organizations. After discussions, Mr. Evan K. Polty was appointed to represent YKDSRAC on Chinook Conservation Plan meetings.

G. Orutsararmiut Native Council

No report.

H. Kuskokwim Native Association

Robert Aloysius thanked the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council for approving a request for funding for Kuskokwim Native Association. It really made positive impact on how people work together with private organizations, nonprofit organizations, and agencies. He acknowledged Mr. Calvin Simeon now deceased for being influential person and worked with agencies. Mr. Simeon will be missed but his spirit will live on.

I. ANCSA Corporations

Mr. Nicholai with Kwethluk Incorporated stated that they were requested by the Federal Subsistence Board to participate on tribal consultation.

Ms. Sandra Nicori said they participated on two teleconference meetings but did not have meeting materials at the time. Another comment she made was if ADF&G is going to close subsistence, Quinhagak and Goodnews Districts should also be closed.

Regional Council Business

A. Annual Reply

Alex Nick informed the Council 2010 annual reply was distributed as a handout and is dated September 21, 2011. Annual reply didn't make it on time to be included in the Council meeting book. When request Alex Nick went over brief highlight of the reply mainly the responses to the issues.

B. Annual Report Topics

Alex Nick requested annual report topics from the Council for 2011 Annual Report. Some members wanted to provide annual report topics at a later date. Mr. Nick indicated that sometime the Council is given time to provide annual report topics but topics are never provided on a later date. After a brief discussion of potential topics, Council provided a few topics for 2011 Draft Annual Report.

C. Winter 2012 Meeting Date and Location

After discussing meeting date and location Council choose February 23-24, 2012 in Emmonak, Alaska.

D. Fall 2012 Meeting Date and Location

After discussions of fall 2012 meeting date and location, Council chose October 10 and 11, 2012 in Quinhagak.

Closing Comments

- Would like to request that law enforcement officers do not disturb hunters in the field while they hunt. When there are aircrafts flying, campers are not comfortable. A 10-day moose season is short and hunters should be left alone.
- There is an increase in populations of predators of moose and caribou such as wolves. There are moose being killed in the field. There should be increased monitoring of predators. Another concern is when commercial fishing is open and followed by subsistence fishing few hours later, there are no fish to harvest.
- There is a need for predator control of bears because they are troublesome every year. Last two years Kwethluk has been voluntarily closed for subsistence. Only gear allowed is a 4 inch mesh size gillnet for subsistence. It is frustrating to see sport fishers go up to fish while subsistence fishing is closed. Another concern is

when moose season is open the Kuskokwim River and its drainages are overcrowded with boats.

- In the past in my village there were less than 100 people. Now there is over 400 people in the village. If there are no regulations in place and should everyone from the village go out hunting there would be nothing left to hunt.
- Glad to see YRDFA is putting together a work group to involve everyone on Chinook conservation Plan. AVCP is also putting together work group to address the Chinook salmon.
- Thank those who are involved in the subsistence program. Have expressed concerns because I care about elderly people and I want them to live to the fullest. Elders that don't speak English language and do not eat Western food and Elders need the Council to represent them. When a child is born, first taste of food is from his mother's milk. What a child tastes and eats first, they will hunt for food in the future when he is grown up.
- Represent two of the smallest villages in the area which totals to less than 500 people. Those people are totally removed from urban areas that make me feel overwhelmed. Came to a giving up stage at times but continue what I'm doing. The other day I realize all the people I grew up with are gone. My aunts are all younger than me and they are the only ones left in my family. I give thanks for this beautiful land that we live in. I encourage my daughters and son in Kotlik to feed their children Native food.
- Thank council for their patience and all understanding and ability to sit down and be patient. Thank staff for staying with the Council until the end of the meeting. This meeting the Council accomplished a lot more than most meetings in the past.
- Suggest unified Yukon River Chinook Conservation Plan and suggest Mr. Evan Polty be appointed to the work group.

Closing prayer was provided by Robert Aloysius.

Adjournment

Meeting was adjourned on September 30, 2011 at 7:10 p.m.

Update on Tri-RAC Customary Trade Subcommittee on Yukon River Chinook (King) Salmon

The Tri-RAC subcommittee developed two recommendations, which were presented to the Regional Advisory Councils for review. The subcommittee strongly preferred the first recommendation, but developed the second to address the issue of a “significant commercial enterprise.”

Recommendation 1:

- Customary trade of Yukon River Chinook salmon may only occur between Federally qualified rural residents with a current customary and traditional use determination.

Recommendation 2:

- Preclude customary trade of Yukon River Chinook salmon between rural residents and others.
- Establish a \$750 limit per calendar year per qualified household;
- Require customary trade recordkeeping and receipt form.

The Yukon-Kuskokwim Delta Regional Advisory Council met on September 29–30, 2011 in Bethel. Council members supported the first recommendation, but some members felt that if a dollar limit was imposed, the \$750 limit was appropriate.

The Western Interior Regional Advisory Council met on October 4–6, 2011 in Aniak. The WIRAC voted unanimously to support the first recommendation and not the second.

The Eastern Interior Regional Advisory Council met on October 11-13, 2011 in Fairbanks. The EIRAC voted in favor of the subcommittee’s first recommendation, on a split vote. It voted against the second recommendation, also on a split vote.

Next Steps

1. The three RACs may consider submitting a proposal(s) to change customary trade regulations for Yukon River King salmon.
2. The proposal(s) will be analyzed and the Regional Advisory Councils will provide recommendations on the proposal(s) during the 2012 fall meetings.
3. The Federal Subsistence Board takes action on the proposed rule in January 2013.

WP10-69 (Deferred) Executive Summary	
General Description	Proposal WP10-69 requests the recognition of customary and traditional uses of moose in Unit 21E for residents of Lower Kalskag, Upper Kalskag, Aniak, and Chuathbaluk. The communities of Upper Kalskag, Aniak, and Chuathbaluk are located in Unit 19A; Lower Kalskag is in Unit 18. <i>Submitted by Kuskokwim Native Association</i>
Proposed Regulation	Unit 21E—Moose <i>Rural residents of Unit 21E, Aniak, Chuathbaluk, Kalskag, Lower Kalskag, and Russian Mission.</i>
OSM Conclusion (<i>From 2010 analysis</i>)	Support Proposal WP10-69 with modification to include only the area of Unit 21E south of Paimiut Slough (see Map 4). The modified regulation should read: Customary and Traditional Use Determination Unit 21E—Moose <i>South of a line beginning at the western boundary of Unit 21E near the mouth of Paimiut Slough, extending easterly along the south bank of Paimiut Slough to Upper High Bank, and southeasterly in the direction of Molybdenum Mountain to the juncture of Units 19A, 21A, and 21E—Residents of Unit 21E, Aniak, Chuathbaluk, Kalskag, Lower Kalskag, and Russian Mission.</i> <i>Remainder—Residents of Unit 21E and Russian Mission.</i>
Western Interior Regional Council Recommendation	Support Proposal WP10-69 with modification to include only the area of Unit 21E south of Paimiut Slough (see Map 4). See the OSM Conclusion for the modified regulation.
Yukon-Kuskokwim Delta Regional Council	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

**STAFF ANALYSIS
WP10-69 (Deferred)**

In 2010, the Federal Subsistence Board deferred WP10-69 to allow the Western Interior Subsistence Regional Advisory Council the opportunity to form a subcommittee to address Proposal WP10-69, which requests a revision to the customary and traditional use determination for moose in Unit 21E (FSB May 20, 2010: 487). The Board also asked for participation by the Office of Subsistence Management, the Bureau of Land Management, and the Bureau of Indian Affairs. The subcommittee met October 3 in Aniak. Representatives from affected communities—Lower Kalskag, Upper Kalskag, Aniak, Chuathbaluk—were invited to attend. The following proposal analysis was presented to the Board in May 2010.

SUBSISTENCE REGIONAL ADVISORY COUNCIL RECOMMENDATIONS

Western Interior Subsistence Regional Advisory Council

Support Proposal **WP10-69 with modification** to include only the area of Unit 21E south of Paimiut Slough (see **Map 4**).

The Council feels that the addition of four larger communities to the customary and traditional use determination for Unit 21E south of Paimiut Slough would potentially result in over harvest during the winter moose hunt. The council feels strongly that the four new C&T communities should be precluded from winter moose hunting in GMU 21E, until such time as regulations are established to maintain biological health. Therefore the Council would like the Innoko Moose Management Plan, Section 1.9 be reviewed regarding GMU winter moose harvest. The Council would also like to submit a proposal during the 2013 wildlife cycle requesting that two management zones be established for GMU21E. The proposal intent is to establish zone 1 (the new C&T area as shown in Map 4) and zone 2 (the remainder of GMU 21E) with biologically supported allocations.

WP10-69 Executive Summary (2010 Analysis)	
General Description	Proposal WP10-69 requests the recognition of customary and traditional uses of moose in Unit 21E for residents of Lower Kalskag, Upper Kalskag, Aniak, and Chuathbaluk. The communities of Upper Kalskag, Aniak, and Chuathbaluk are located in Unit 19A; Lower Kalskag is in Unit 18. <i>Submitted by Kuskokwim Native Association</i>
Proposed Regulation	Unit 21E—Moose <i>Rural residents of Unit 21E, Aniak, Chuathbaluk, Kalskag, Lower Kalskag, and Russian Mission.</i>
OSM Preliminary Conclusion	Support Proposal WP10-69 with modification to include only the Paimiut Slough area of Unit 21E and to exclude Chuathbaluk (see Map 3). The modified regulation should read: Customary and Traditional Use Determination Unit 21E—Moose <i>South of a line beginning at the western boundary of Unit 21E near Tabernacle Mountain, extending easterly to the junction of Paimiut Slough and Innoko Slough, and southeasterly in the direction of Molybdenum Mountain to the juncture of Units 19A, 21A, and 21E—Residents of Unit 21E, Aniak, Kalskag, Lower Kalskag, and Russian Mission.</i> <i>Remainder—Residents of Unit 21E and Russian Mission.</i>
OSM Conclusion	Support Proposal WP10-69 with modification to include only the area of Unit 21E south of Paimiut Slough (see Map 4). The modified regulation should read: Customary and Traditional Use Determination Unit 21E—Moose <i>South of a line beginning at the western boundary of Unit 21E near the mouth of Paimiut Slough, extending easterly along the south bank of Paimiut Slough to Upper High Bank, and southeasterly in the direction of Molybdenum Mountain to the juncture of Units 19A, 21A, and 21E—Residents of Unit 21E, Aniak, Chuathbaluk, Kalskag, Lower Kalskag, and Russian Mission.</i> <i>Remainder—Residents of Unit 21E and Russian Mission.</i>

continued on next page

WP10-69 Executive Summary (continued)	
Western Interior Regional Council Recommendation	<p>Support Proposal WP10-69 with modification to include only the area of Unit 21E south of Paimiut Slough (see Map 4).</p> <p>The modified regulation would read:</p> <p style="text-align: center;">Customary and Traditional Use Determination</p> <p style="text-align: center;">Unit 21E—Moose</p> <p style="text-align: center;"><i>South of a line beginning at the western boundary of Unit 21E near the mouth of Paimiut Slough, extending easterly along the south bank of Paimiut Slough to Upper High Bank, and southeasterly in the direction of Molybdenum Mountain to the juncture of Units 19A, 21A, and 21E—Residents of Unit 21E, Aniak, Chuathbaluk, Kalskag, Lower Kalskag, and Russian Mission.</i></p> <p style="text-align: center;"><i>Remainder—Residents of Unit 21E and Russian Mission.</i></p>
Yukon-Kuskokwim Delta Regional Council	<p>Support Proposal WP10-69 with modification described in the OSM Preliminary Conclusion (to include only the Paimiut Slough area of Unit 21E; see Map 3) with an additional modification to keep Chuathbaluk on the list of communities with a positive customary and traditional use determination.</p> <p>The modified regulation should read:</p> <p style="text-align: center;">Customary and Traditional Use Determination</p> <p style="text-align: center;">Unit 21E—Moose</p> <p style="text-align: center;"><i>South of a line beginning at the western boundary of Unit 21E near Tabernacle Mountain, extending easterly to the junction of Paimiut Slough and Innoko Slough, and southeasterly in the direction of Molybdenum Mountain to the juncture of Units 19A, 21A, and 21E—Residents of Unit 21E, Aniak, Chuathbaluk, Kalskag, Lower Kalskag, and Russian Mission.</i></p> <p style="text-align: center;"><i>Remainder—Residents of Unit 21E and Russian Mission.</i></p>
Interagency Staff Committee Comments	<p>The Interagency Staff Committee found the staff analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Council recommendations and Federal Subsistence Board action on the proposal.</p>
ADF&G Comments	<p>Although the Department supports this proposal in general, it is conditional. <i>See full comments following the analysis.</i></p>
Written Public Comments	<p>None</p>

STAFF ANALYSIS WP10-69

ISSUES

Proposal WP10-69, submitted by Kuskokwim Native Association (KNA), requests the recognition of customary and traditional uses of moose in Unit 21E for residents of Lower Kalskag, Upper Kalskag,¹ Aniak, and Chuathbaluk. The communities of Upper Kalskag, Aniak, and Chuathbaluk are located in Unit 19A; Lower Kalskag is in Unit 18.

DISCUSSION

The proposal is being submitted for all of Unit 21E; however, the proponent states that it is the Paimiut Slough area that is customarily and traditionally used by Lower Kalskag, Upper Kalskag, Aniak, and Chuathbaluk (see **Map 1**), and it encourages the Western Interior Subsistence Regional Advisory Council to consider modifying the proposal to include that area only. The proponent further states that this proposal reflects comments received from residents of the communities named in the request, and that historically these communities depended on moose from Unit 21E to feed their families.

In part, this request is being made because of the growing scarcity of moose in Unit 19A and the Kuskokwim River drainage portion of Unit 18 and regulatory restrictions that resulted beginning in 2003. The impetus for KNA to request a modification to the existing customary and traditional use determination for moose in Unit 21E is the closure and then removal of the State-managed winter moose hunt in Unit 21E in 2003/04. Only the Federal winter moose season has remained open, and as a consequence, the winter moose season has been closed to all but the Federally qualified communities of Grayling, Anvik, Shageluk and Holy Cross (collectively known as GASH) and Russian Mission. The GASH communities are in Unit 21E, and Russian Mission is located in Unit 18.

While caribou can be harvested in Unit 21E under Federal subsistence regulations by residents of some communities in Unit 19A—Aniak, Chuathbaluk, and Crooked Creek—currently no community in Unit 19A is included in the customary and traditional use determination for moose in Unit 21E.

Existing Federal Regulation

Customary and Traditional Use Determination

Unit 21E—Moose

Rural residents of Unit 21E and Russian Mission.

¹ For the purposes of this analysis, Upper Kalskag is designated as “Upper” to clarify the difference between Upper Kalskag and Lower Kalskag.

Proposed Federal Regulation

Customary and Traditional Use Determination

Unit 21E—Moose

Rural residents of Unit 21E, Aniak, Chuathbaluk, Kalskag, Lower Kalskag, and Russian Mission.

Extent of Federal Public Lands

Federal public lands comprise approximately 55% of Unit 21E and consist of 79% Bureau of Land Management and 21% U.S. Fish and Wildlife Service lands (**Map 1**).

Background

A similar request was submitted by KNA to the Federal Subsistence Board (Board) in February 2008 in the form of a special action request (WSA08-01). The Board rejected the request in part because of the differences in the Yukon Kuskokwim Delta and Western Interior Councils' recommendations suggesting that additional public participation and discussion was necessary. The Board encouraged KNA to submit a regular-cycle proposal. That regular cycle proposal is the topic of this analysis.

As noted, this request was made in part because of the growing scarcity of moose in Unit 19A. In March 2006, ADF&G and the Board closed the eastern portion of Unit 19A to all moose hunting due to conservation concerns. Subsequently, in September 2006, hunting opportunity in the western portion of Unit 19A was reduced through Tier II and ANILCA Section 804. Initially, this occurred through a special action and emergency order but these restrictions were subsequently passed into regulation in May 2007. This situation has resulted in reduced opportunity and harvest of moose in all of Unit 19A, the primary area used by the proponents for hunting moose. Since the 2006/07 season, a State Tier II permit or a Federal permit has been required to hunt moose in Unit 19A. The Central Kuskokwim Moose Management Plan, published in June 2004, guides moose management in Units 19A and 19B (ADF&G 2004).

For the Kuskokwim River drainage portion of Unit 18, in the fall of 2004 a five-year moratorium on moose hunting, intended to increase moose numbers, went into effect (ADF&G 2006:4). In September 2009, State-managed lands in this area opened for moose hunting with a quota of 75 moose. The hunting season was 10 days.

For Unit 21E, the GASH Fish and Game Advisory Committee and State of Alaska Board of Game did not support the State winter season for antlerless moose in 2003/04 due to concerns about the possibility of a decline in the moose population (ADF&G 2006:3). The winter season has not opened since that time. State antlerless moose seasons require approval by a majority of the active advisory committees located in, or the majority of members reside in, the affected unit or subunit (see 5 AAC 98.005 and AS 16.05.780). The Federal winter moose season has remained open. Regulatory changes in units to the south of Unit 21E have caused increased concern about displaced hunters causing increased hunting pressure in Unit 21E (ADF&G 2006:4). However, in recent years the moose population has grown in the lower Yukon River area in Unit 18, which has resulted in fewer hunters traveling upriver (ADF&G 2006:1; WIRAC 2010:187).

The Yukon-Innokko Moose Management Plan, published in December 2006, guides management actions in Units 21A and 21E (ADF&G 2006). An Adaptive Plan for Intensive Management of Moose in Unit 21E was completed by ADF&G in 2008 (2008a). The Working Group that drafted the Yukon-Innokko Moose Management Plan did not identify requests to expand the customary and traditional use determination for moose in Unit 21E as a major issue to be considered in the plan; however, it recommended that “if the federal customary and traditional subsistence use determination (C&T) for Unit 21E is revised to make a large number of additional communities eligible, the federal winter season should be eliminated” (ADF&G 2006:22). The Working Group deferred further comment of customary and traditional use determinations to the Federal subsistence regional advisory councils representing the area (ADF&G 2006:23).

Regulatory History

This proposal is the first to request the expansion of the customary and traditional use determination for moose in Unit 21E to include Unit 19A communities. However, the Board has dealt with a number of proposals requesting the expansion of the customary and traditional use determination for moose in Unit 21E to include communities in Unit 18. The Board deferred those proposals until local users could work out a compromise, which has not been achieved.

The current customary and traditional use determination for moose in Unit 21E, adopted from the State at the inception of the Federal Subsistence Management Program in 1990, is for rural residents of Unit 21E and Russian Mission.

Aniak and Chuathbaluk are included in the customary and traditional use determination for moose in Unit 19 only. Upper Kalskag is included in the customary and traditional use determination for moose in Unit 18 and Unit 19 only. Lower Kalskag is included in the customary and traditional use determination for Unit 18, Unit 19A, and Unit 19B only. These customary and traditional use determinations were adopted from the State in 1990.

Community Characteristics

The communities of Upper Kalskag, Aniak, and Chuathbaluk are located along the middle Kuskokwim River in Unit 19A, and Lower Kalskag is located in Unit 18 downriver from the Unit 19A boundary and adjacent to Upper Kalskag. The unit boundary goes between the two villages that are otherwise connected. With the exception of a State-maintained 4.2-mile gravel road connecting Upper and Lower Kalskag, no road connections exist between the other communities (ADCCED 2008). However, boats are used to travel between villages, and trails and the frozen river are used by people on snow machines and ATVs during winter. A trail runs from the Paimiut Portage, linking Upper Kalskag to the now-abandoned village of Paimiut on the Yukon River (see **Map 1**; Burch 1976:1–10).

Before 1900, in the area of the above named communities, people lived in semi-permanent villages, often in semi-subterranean dwellings. Most people moved seasonally to harvest various species of fish and wildlife at sites within 30 miles of each other in a relatively fixed range (Fienup-Riordan 1984:68). Before 1900 many seasonal dwelling places and semi-permanent villages existed between present-day Lower Kalskag and Napaimute, such as Kolmakovski Redoubt, Crow Village, and Ohagamute. Several more permanent communities were established after an epidemic of influenza in 1900 when villages experiencing high death rates re-grouped into fewer villages—Kalskag,² Ohagamute, Napaimute, and Crooked Creek. The migration to permanent communities continued to the 1950s at which time most

² Before the village divided into two villages, Kalskag and Lower Kalskag.

residents were living in permanent communities, traveling seasonally to temporary camps to harvest wild resources (Fienup-Riordan 1984:82–85).

Between 1950 and 1960, another population shift occurred, prompted by the requirement to send children to school imposed by the territorial government (Nick 1984). Some Paimiut residents initially moved to Upper and Lower Kalskag along the Kuskokwim River, and then some of those people again relocated to Russian Mission in the 1960s (Pete 1991:18-19). Descendants of Paimiut residents currently reside in middle Kuskokwim communities, including Lower Kalskag, Upper Kalskag, and Aniak (Pete 1991:19; YKDRAC 2008:79, 81–82). Mining and trading enterprises also contributed to the movement of people.

Crow Village, an abandoned village that was located near present-day Chuathbaluk, and Paimiut were the farthest inland settlements whose residents spoke only Central Yup'ik (Oswalt and VanStone 1967:1). According to Charnley (1984), in 1983 Upper and Lower Kalskag, and Chuathbaluk were composed primarily of Yup'ik Eskimos. Sleetmute, Stony River, and Crooked Creek included individuals of both Yup'ik and Athabascan descent. Aniak, the regional center, was composed of both non-Native and Yup'ik people. Aniak is located approximately 26 miles upriver from Lower Kalskag, and 11 miles downriver from Chuathbaluk.

In 2000 these four communities consisted of an estimated 1,200 people in 335 households (U.S. Census 2000; **Table 1**).

Table 1. Community population 1950 - 2000 and and number of households 2000 (Rollins 1978, U.S. Census 2000).

Community	1950	1960	1970	1980	1990	2000	Number of Households in 2000
Lower Kalskag	88	122	183	246	297	267	66
Upper Kalskag	139	147	122	129	172	230	62
Aniak	142	308	205	341	540	572	174
Chuathbaluk			94	105	97	119	33
Total	369	577	604	821	1,106	1,188	335

Eight Factors for Determining Customary and Traditional Uses

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

The Board makes customary and traditional use determinations based on a holistic application of these eight factors (50 CFR 100.16(b) and 36 CFR 242.16(b)). In addition, the Board takes into consideration the reports and recommendations of any appropriate Regional Advisory Council regarding customary and traditional use of subsistence resources (50 CFR 100.16(b) and 36 CFR 242.16(b)). The Board makes customary and traditional use determinations for the sole purpose of recognizing the pool of users who generally exhibit the eight factors. The Board does not use such determinations for resource management or restricting harvest. If a conservation concern exists for a particular population, the Board addresses that concern through the imposition of harvest limits or season restrictions rather than by limiting the customary and traditional use finding.

Specific information on each of the eight factors is not required because a community or area seeking a customary and traditional use determination only has to “generally exhibit” the eight factors (50 CFR 100.16(b) and 36 CFR 242.16(b)).

A holistic evaluation of eight factors for residents of Lower Kalskag, Upper Kalskag, Aniak, and Chuathbaluk is described below.

In the late 19th century, moose were not numerous in the Middle Kuskokwim Area, an area generally encompassing the Kuskokwim River drainage from Lower Kalskag to Stony River in Units 18 and 19 (Seavoy 2008); however, caribou were more common (Charnley 1983:5). For example, according to John Kilbuck, a missionary for the Moravian Church who arrived in Bethel in 1885, during a trip upriver, Kilbuck wrote that a man near Napaimute shot four deer [caribou] with five bullets that were all he had. “To get home with the meat, he made a flat boat with two skins, and in this he descended a small creek, up/into the river and then on down” (Fienup-Riordan 1988:187). Additionally, Kilbuck wrote of the people of the Middle Kuskokwim Area:

The Upper River people were the first to use firearms—from the blunder-buss with its flint and flash pan, whose chief value as a weapon of defense was the deafening report it could make, when fired. —A few of the old people still carry powder marks on their faces from the use of this ancient arm. The blunder-buss was replaced by the musket, and the musket was replaced by the Kentucky rifle. Now the latest improved repeating rifle is the equipment of the modern hunter (Fienup-Riordan 1988:7).

Moose began entering this area in larger numbers in the early 1900s and populations have increased in size and distribution throughout the area since that time (Charnley 1983:5).

The primary sources of information on resource use by residents of these communities contain observations made over 30 years ago: Brelsford et al.’s research in Aniak (Brelsford et al. 1987), Charnley’s work in Chuathbaluk (Charnley 1983, 1984), and Stickney’s central Kuskokwim food survey (Stickney 1981). All indicate that land mammals and salmon and nonsalmon fish were critical resources for these communities. An attempt to update these observations has been made through Krauthoefer and Koster’s (2006) research; however, the findings focus on the results of household harvest surveys almost entirely and offer little insight into possible changes in moose use patterns of the residents of Lower Kalskag, Upper Kalskag, Aniak, and Chuathbaluk.

Harvest and Use Levels

In the area of these communities, as in much of rural Alaska, household surveys tend to provide a more accurate accounting of harvests than do returned harvest tickets (Andersen and Alexander 1992). Consequently, in 2003, 2004, and 2005, three 12-month household surveys were conducted to provide

an accurate estimate of the number of moose taken by residents of these communities (Krauthoefer and Koster 2006) (**Table 2**). With the exception of a household survey at Chuathbaluk in 1983 (Charnley 1983), no other household surveys have been conducted for moose at Lower Kalskag, Upper Kalskag, Aniak, and Chuathbaluk.

Table 2. Summary of household participation in harvest surveys that included moose, Aniak, Chuathbaluk, Lower Kalskag, and Upper Kalskag, all study years (ADF&G 2008b).

Community	Study Year	Type of Sample	Total Identified Households	Surveyed Households	Percentage of Total	Estimated Human Population
Aniak	2003	Census	163	82	50%	509
	2004	Census	155	92	59%	492
	2005	Census	168	124	74%	545
Chuathbaluk	1983	Census	29	29	100%	132
	2003	Census	30	17	57%	125
	2004	Census	23	17	74%	108
	2005	Census	42	21	50%	124
Lower Kalskag	2003	Census	72	34	47%	303
	2004	Census	73	59	81%	303
	2005	Census	84	30	36%	336
Upper Kalskag	2003	Census	59	34	58%	243
	2004	Census	52	50	96%	243
	2005	Census	68	34	50%	266

The estimated harvest (from all areas) and use of moose during the four study years—1983, 2003, 2004, and 2005—at Lower Kalskag, Upper Kalskag, Aniak, and Chuathbaluk are reported in **Table 3** and **Table 4**. The estimated moose harvest ranged from an annual high of 46 moose by Aniak residents in 2005, to a low of one moose by a Chuathbaluk resident in 2004 (**Table 3**). This difference between these two harvest numbers is in part because Aniak’s human population was much larger than Chuathbaluk’s population of people in the study years (**Table 1**; U.S. Census 2000).

Krauthoefer and Koster (2006) determined that in 2003, 2004, and 2005 moose were taken from Units 18, 19, and 21 by residents of the communities in the request (**Table 5**). No household from any of the four communities reported taking a moose in Unit 21E in 2003. In 2004 an estimated 6 moose total were taken in Unit 21E by residents of the four communities; and in 2005, an estimated 5 moose total were taken in Unit 21E by residents of the four communities. This is 0%, 9%, and 8%, respectively, of the total moose harvest of all four communities combined in 2003, 2004, and 2005. However, Lower Kalskag and Chuathbaluk had no reported moose harvest in Unit 21E in any of the three survey years. It is important to note that residents of these communities were no longer eligible to participate in the winter hunt in Unit 21E beginning in 2003/2004.

Another source of information is the ADF&G harvest ticket database. It should be noted that many rural Alaska areas have low compliance with harvest ticket systems (cf. Andersen and Alexander 1992). Because of the potential for under reporting, conventional ADF&G harvest reporting systems do not always reflect the true level of harvest. From 1983 to 2006 a cumulative total of 80 returned permits reported hunting in Unit 21E by residents of the four communities, and a cumulative total of 47 moose

Table 3. The use and harvest of moose based on household surveys, Aniak, Chuathbaluk, Lower Kalskag, and Upper Kalskag, all study years (ADF&G 2008b).

Community	Study Year	Percentage of Households					Moose Harvest				
		Using Moose (%)	Hunting Moose (%)	Harvesting Moose (%)	Giving Moose (%)	Receiving Moose (%)	Reported (Number)	Expanded to Households Not Surveyed (Number)	Lower Estimate (Number)	Higher Estimate (Number)	95% Confidence Interval (+/- %)
Aniak	2003	85	62	15	16	74	12	24	12	37	53
	2004	80	71	23	24	65	23	38	25	51	33
	2005	80	62	25	22	60	34	46	31	55	19
Chuathbaluk	1983	NA	72	24	NA	NA	16	16	16	16	0
	2003	29	35	18	18	24	3	5	3	10	103
	2004	59	35	6	12	53	1	1	1	1	0
Kalskag	2003	74	62	24	24	62	14	30	14	53	75
	2004	36	41	17	8	24	10	12	10	15	29
	2005	40	30	3	3	37	1	2	1	8	279
Upper Kalskag	2003	74	59	29	26	59	12	21	12	32	51
	2004	72	76	16	14	64	9	9	9	10	14
	2005	59	50	18	15	44	6	12	6	21	78

NA=not asked.

Table 4. The harvest of moose by weight per household and per person from harvest surveys, Aniak, Chuathbaluk, Lower Kalskag, and Upper Kalskag, all study years (ADF&G 2008b).

Community	Study Year	Percentage of Households					Moose Harvest Levels in Pounds Usable Weight ^a		
		Using Moose (%)	Hunting Moose (%)	Harvesting Moose (%)	Giving Moose (%)	Receiving Moose (%)	Per Household (Pounds)	Per Person (Pounds)	Confidence Interval (+/- %)
Aniak	2003	85	62	15	16	74	79	25	53
	2004	80	71	23	24	65	80	42.5	33
	2005	80	62	25	22	60	109	46	19
Chuathbaluk	1983	NA	72	24	NA	NA	394	87	0
	2003	29	35	18	18	24	95	23	103
	2004	59	35	6	12	53	24	9	0
Lower Kalskag	2003	74	62	24	24	62	222	53	75
	2004	36	41	17	8	24	74	25	29
	2005	40	30	3	3	37	6	5	279
Upper Kalskag	2003	74	59	29	26	59	191	46	51
	2004	72	76	16	14	64	94	26	14
	2005	59	50	18	15	44	48	24	78

NA=not asked.

^a Conversion factor is 540 lb per moose.

Table 5. Estimated harvest of moose by unit from household surveys, Aniak, Chuathbaluk, Lower Kalskag, and Upper Kalskag, 2003/04, 2004/05, and 2005/06 (Krauthoefer and Koster 2006).^a

Unit	Lower Kalskag	Upper Kalskag	Aniak	Chuathbaluk	Total	Percentage
2003/04						
18	13	2	0	0	14	18%
19A	15	10	14	5	44	56%
19B	0	0	2	0	2	3%
19D	0	0	0	0	0	0%
21A	0	0	0	0	0	0%
21E	0	0	0	0	0	0%
Unknown	2	9	8	0	19	24%
Subtotal	30	21	24	5	80	100%
2004/05						
18	1	3	0	0	4	7%
19A	11	4	29	1	45	73%
19B	0	0	0	0	0	0%
19D	0	0	2	0	2	3%
21A	0	0	3	0	3	5%
21E	0	2	3	0	6	9%
Unknown	0	0	2	0	2	3%
Subtotal	12	9	39	1	62	100%
2005/06						
18	0	0	0	0	0	0%
19A	3	8	34	2	47	82%
19B	0	0	1	0	1	2%
19D	0	0	0	0	0	0%
21A	0	0	0	0	0	0%
21E	0	2	3	0	5	8%
Unknown	0	2	0	2	4	7%
Subtotal	3	12	38	4	57	100%

^a Residents of the four communities were not Federally qualified to participate in the Federal winter hunt in Unit 21E.

Table 6. The moose harvest in Unit 1E 1983 - 2006 (ADF&G 2008c and 2008d).

Community	1983-2006 Cumulative Reported Moose Harvest	
	Number of Hunters	Number Harvested
Aniak	50	29
Chuathbulak	0	0
Lower Kalskag	11	9
Upper Kalskag	19	9
TOTAL	80	47

harvests were reported in Unit 21E (**Table 6**). Only Chuathbaluk did not report hunting moose in Unit 21E during this period.

For 2003, 2004, and 2005, survey results document that many households in the communities used moose, ranging from a high of 85% at Aniak in 2003, to a low of 29% at Chuathbaluk in 2003 and 2005 (**Table 3**). Many households attempted to harvest moose (ranging from 76% at Upper Kalskag in 2004, to 29% at Chuathbaluk in 2005), but few (16% and 0%, respectively) were successful.

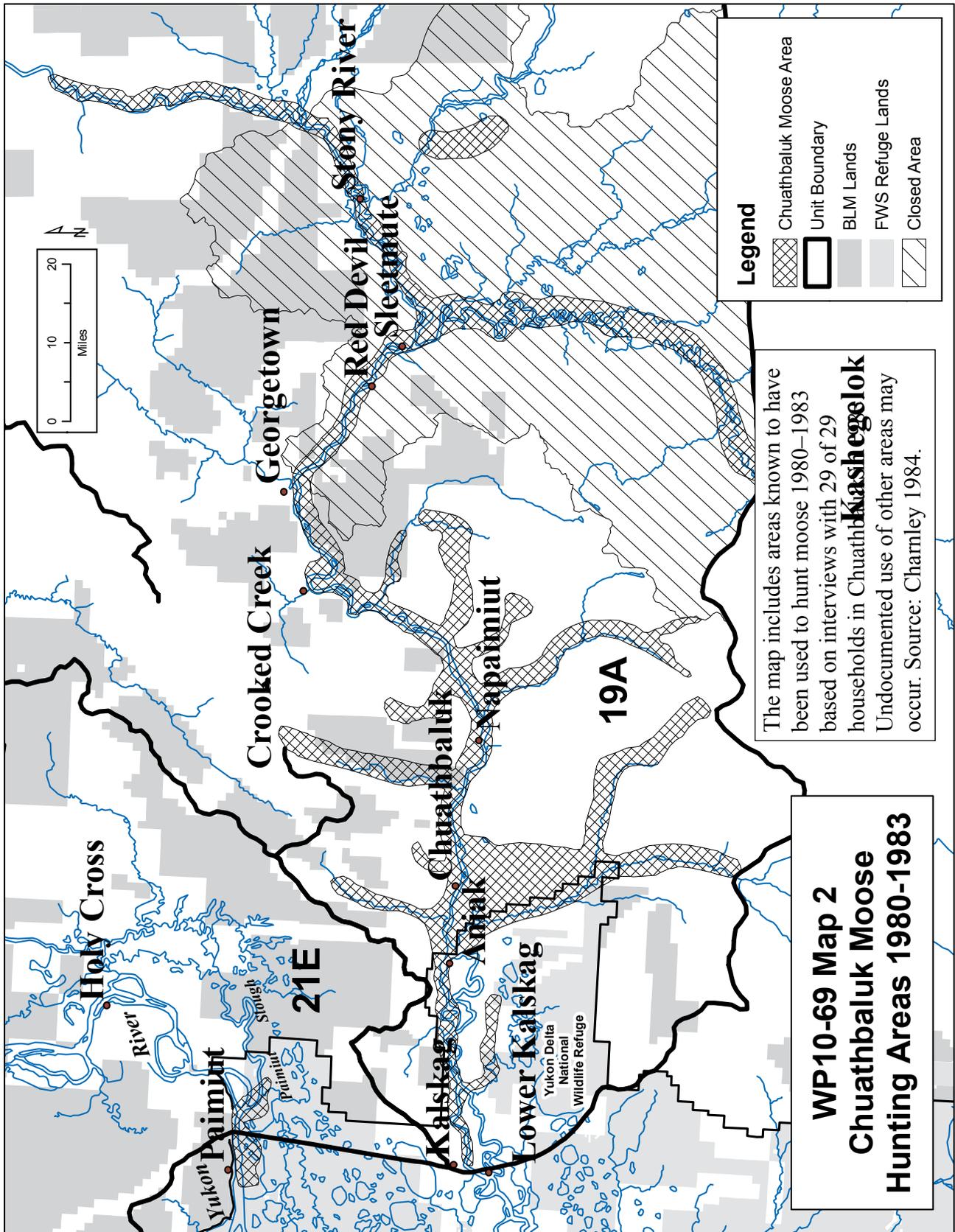
The harvests of moose by residents of Lower Kalskag, Upper Kalskag, Aniak, and Chuathbaluk are shared extensively with other households having kinship and other ties to hunters (Charnley 1983:35; Krauthoefer and Koster 2006). Sharing was documented in 2003, 2004, and 2005, at Lower Kalskag, Upper Kalskag, Aniak and Chuathbaluk. For example, for the three study years in each community, between 24% and 74% of households reported receiving moose from other households (Table 3).

Chuathbaluk

Charnley's (1983) research offers an in-depth view of the harvest and use of moose in Chuathbaluk. Although over 30 years old, the general use pattern she documented (including seasonality of harvests, work groups, and preferences) is probably being followed today. Some findings of her research, however, are probably less applicable, such as the lack of refrigeration for preserving moose meat. According to Charnley (1983), Chuathbaluk residents hunted moose year-round, however, the intensity of harvest effort was influenced by weather conditions and regulations. Moose were available to hunters July, August, and September in habitats such as willows bordering rivers, creeks, and lakes. Bulls and cows were especially fat during these months (Charnley 1983:9). Bulls entered the rut in late September. In October the better-tasting meat of cows was preferred. In fall, access to moose habitat was possible if and when rivers and creeks were swollen from heavy rain. However, moose were more sedentary in rainy weather and harder to find, and gravel bars, where moose could sometimes be found feeding, became submerged (Charnley 1983:10). Freeze-up along the middle Kuskokwim River usually occurred in November, and it was often unsafe for travel. Warm spells in winter could return rivers and creeks to dangerous conditions for travel by hunters. Deep snow aided hunting by allowing travel by snow machine, and by hampering moose mobility (Charnley 1983:11).

At Chuathbaluk moose hunting was almost always engaged in by the adult and adolescent men (Charnley 1983:17). During September an extended family group that often included the wife, sisters, mother, and daughters of the hunters camped together for up to a week. At this time, generally, women and children gathered berries while men hunted moose and black bear. Sometimes two or three households camped together in one area. The November and February hunts usually involved the male members of a household only, and hunting occurred while checking trap lines and during day or overnight trips from the village. In February, camping was limited by cold weather (Charnley 1983:17).

During house to house interviews residents of Chuathbaluk reported hunting moose in Unit 21E in the area of Paimiut, located in Unit 21E, in 1980–1983 (see **Map 2**, ADF&G 1986:Plate 3). It is important to note that Chuathbaluk was re-established as a village in 1954 for religious purposes by people from other villages, including Aniak, Crooked Creek, Sleetmute, Upper Kalskag, Napaimute, and Crow Village (Charnley 1983:21–22). As a result, and perhaps not surprisingly, moose hunting areas documented by Charnley in 1983 reflected individuals' affiliations to their original villages. These use areas, located in Unit 19, were described as follows, beginning with former community of residence: Upper Kalskag—the Whitefish Lake area; Crow Village—Discovery and Swift creeks, and the Aniak River; Aniak—the Aniak River; Napaimute—the Holokuk River; Crooked Creek—the Oskawalik and George rivers; and Sleetmute—the Holitna and Hoholitna rivers.



Chuathbaluk is not located in immediate proximity to a major Kuskokwim tributary that has high natural resource potential (Charnley 1983:22). However, Charnley (1983) noted that since living in Chuathbaluk, residents had begun to utilize smaller tributaries in the vicinity of the village, all located in Unit 19A, including Veahna Creek, the Kolmakof River, and the Owhat River. During the 1982/83 hunting season hunters traveled as far as McGrath, located in Unit 19D, to hunt moose, as competition increased in their traditional hunting areas (Charnley 1983:26).

Aircraft were seldom used in moose hunting by residents of Chuathbaluk, and moose were typically hunted from boats in the fall. Motors were shut off and boats were allowed to drift downstream, guided by oars. Most moose hunting took place within one mile of either side of the waterway that was being hunted (Charnley 1983:13–15). Snow machines also were used to travel to areas where moose were likely to be found. Fresh tracks were followed on snow machine or foot. Moose were sometimes tracked with snowshoes to beds where they were resting for the day (Charnley 1983:15).

Generally, moose were butchered at the kill site by members of hunting parties, taken back to the village, and further processed (Charnley 1983:18). According to Chuathbaluk residents, in their lifetimes meat was dried and smoked at fall hunting camps. When enough animals had been taken, skin boats were constructed using the animal hides, and the hunters drifted back downstream (Charnley 1983:13).

According to Charnley (1983:13), dry meat was a staple food eaten throughout the summer when families were at fish camp. In 1982 electricity became available in Chuathbaluk, and at that time most residents did not own freezers and did not plan on acquiring one immediately due to the expense (Charnley 1983:31). Most villagers depended on the weather to prevent their meat from spoiling. For this reason, hunting seasons that occurred during months when temperatures had already fallen below freezing were preferred. The hind and front quarters and rump were commonly hung in a salmon smokehouse, or suspended from a rack, wrapped with material such as burlap to protect them from animals (Charnley 1983:32).

During warm months, meat was placed in garbage bags and submerged in creeks to be kept cool. If meat was hung it was also brushed with a brine solution to discourage flies from laying eggs. The large, butchered parts of the animal such as legs, rump, and ribs were smoked to create a hardened outer layer over the meat. This protective layer kept flies off of the meat (Charnley 1983:32).

Preparing moose meat for meals commonly meant boiling it, and less often frying, roasting, and barbecuing. Marrow from the leg bone was considered a delicacy. Moose head soup was a favorite dish, the nose, tongue, cheek meat, and brains being the most desirable parts. The liver, heart, kidneys, part of the stomach muscle, and one of the four stomachs were all eaten. Moose fat was highly valued and was cooked and eaten or rendered into oil (Charnley 1983:34).

Aniak

At Aniak, Brelsford et al. (1987) studied the period 1964–1986 and reported that:

Harvest areas employed by the people of Aniak are particularly extensive, ranging along the Kuskokwim River from near Tuluksak to McGrath, and from the Iditarod Flats southward to the Aniak-Chikuminuk Lake complex [including areas located in Unit 21E]. The large number of households at Aniak contributes to make the community pattern especially widespread. This also is influenced by the distinctive pattern of a small number of Aniak households who employ aircraft extensively in their hunting and trapping activities (Brelsford et al. 1987:21; bracketed text inserted by analysis author).

The focus of harvest was the lowlands between the Kuskokwim River and the Kilbuck Mountains, on the Aniak River, in an area north of Aniak, in the George River Basin, and throughout the Holitna Basin. However, other areas also were used (Brelsford et al. 1987:21–22, cf. FWS 1996:Western Interior 27). Brelsford et al. (1987:21) observed that at Aniak in the mid-1980s households used aircraft in their hunting and trapping activities.

Upper and Lower Kalskag

According to the Yukon Delta National Wildlife Refuge comprehensive conservation plan (FWS 1988), for Upper and Lower Kalskag,

Moose hunting occurs in a large area extending up the Kuskokwim River to the refuge boundary and beyond and north of the communities to the Yukon River, particularly in the Paimiut Slough area [located in Unit 21E] during the winter. The Aniak drainage including the Whitefish Lake area is hunted as well (FWS 1988:183; bracketed text inserted by analysis author).

Additional Use Area Information from March 2010 Regional Advisory Council Meetings

The Western Interior Subsistence Regional Advisory Council discussed this proposal at its February 24 and 25, 2010, meeting in Fairbanks. Several Council members said that the Unit 19A residents living near the boundary of Unit 21E hunt moose in a part of Unit 21E primarily in winter (WIRAC 2010:190, 200). One Council member described the use in Unit 21E by Unit 19A residents as coming primarily from families that are descended from residents of Paimiut, located in southwestern Unit 21E (WIRAC 2010:204). One Council member described that in his lifetime the area south of the mouth of Paimiut Slough to the last or upper high bank on the slough was used by Unit 19A residents for hunting and berry picking (WIRAC 2010:226–227). The member of the Council from Aniak was absent from this discussion (WIRAC 2010:226). The Chair referred Council members to the Aniak member's testimony at the October 28 and 29, 2008, meeting in McGrath when it reviewed the Special Action Request for the customary and traditional use determination encompassed by this proposal. At that time the Aniak Council member stated that he had participated in the State moose hunt in Unit 21E almost every winter, as did others; this demonstrated a history of use in the area even though it may be by only a few people (WIRAC 2008:101).

The Yukon Kuskokwim Delta Subsistence Regional Advisory Council met on March 2 and 3, 2010 and discussed this proposal. One Council member described former residents of Paimiut and their descendants hunting in Unit 21E (YKDRAC 2010:258). Specifically mentioned was a family from Paimiut living in Old Crow Village hunting in Unit 21E. Later the family moved to Chuathbaluk. The Council member from Upper Kalskag said that he did not think that there is a history of residents of Chuathbaluk coming from the Yukon River area, and he knew of no hunter from Chuathbaluk hunting in Unit 21E, even in winter (YKDRAC 2010:259). Public testimony included that there were additional communities, located on the lower Kuskokwim River drainage, that went to Unit 21E to hunt moose (YKDRAC 2010:260).

Summary

In summary, the communities of Lower Kalskag, Upper Kalskag, Aniak, and Chuathbaluk use only a part of Unit 21E, primarily the area that was used by former residents of Paimiut, the Paimiut Slough area, in winter (ADF&G 1986:Plate 3; Brelsford et al. 1987:21; FWS 1988:183). Descendants of Paimiut residents currently reside in middle Kuskokwim communities, including Lower Kalskag, Upper Kalskag, and Aniak (Pete 1991:19; YKDRAC 2008:79, 81–82). The hunting pattern demonstrated by these

individuals differs from that of residents of communities in Unit 21E, Grayling, Anvik, Shaguluk, and Huslia, who are known to hunt moose in areas of the entire 21E subunit (Brown et al. 2004; Brown and Koster 2005; Wheeler 1998).

Additionally, access to Unit 21E by Lower Kalskag, Upper Kalskag, Aniak, and Chuathbaluk is overland in winter, typically on snow machines or snowshoes. Several factors have been identified that influence the decision to travel to Paimiut Slough to hunt moose (Charnley 1983:44–47). One is a low success rate in the fall season, and second is if favorable travel conditions occur in February. If favorable travel conditions do not exist, hunters are unlikely to travel to the area.

Effects of the Proposal

If this proposal is adopted, residents of Lower Kalskag, Upper Kalskag, Aniak, and Chuathbaluk would be eligible to harvest moose in Unit 21E under Federal regulations. Conservation concerns are addressed through implementation of seasons and harvest limits and are not part of the consideration in making customary and traditional use determinations. No effects on non-Federally qualified users are anticipated as the February season in the area is currently closed to nonsubsistence uses. If the proposal is not adopted, the communities of Aniak, Chuathbaluk, Lower Kalskag, and Upper Kalskag would continue to not be able to harvest moose under Federal regulations on Federal public lands in Unit 21E.

OSM PRELIMINARY CONCLUSION

Support Proposal WP10-69 **with modification** to include only the Paimiut Slough area of Unit 21E and to exclude Chuathbaluk (see **Map 3**).

The modified regulation should read:

Customary and Traditional Use Determination

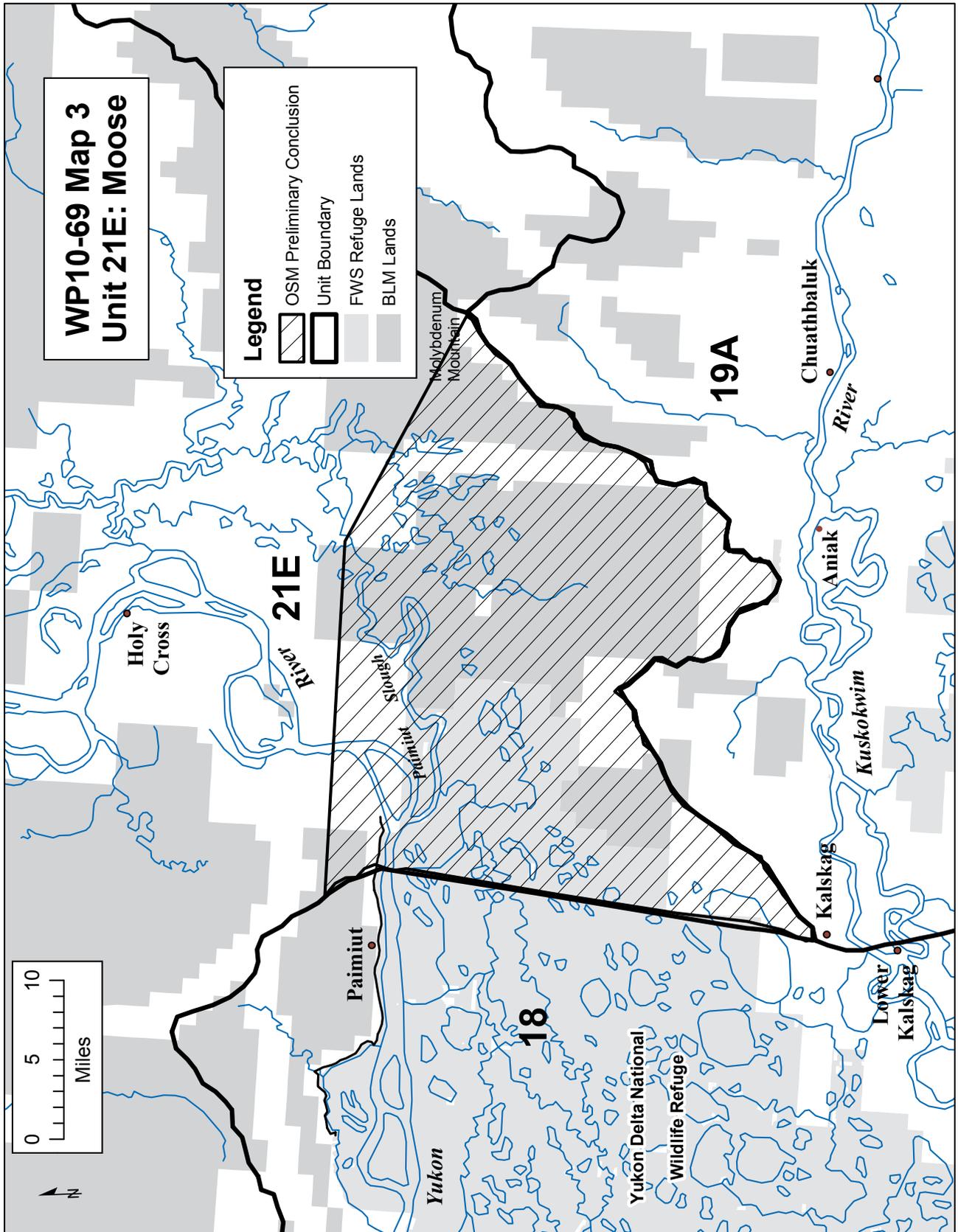
Unit 21E—Moose

South of a line beginning at the western boundary of Unit 21E near Tabernacle Mountain, extending easterly to the junction of Paimiut Slough and Innoko Slough, and southeasterly in the direction of Molybdenum Mountain to the juncture of Units 19A, 21A, and 21E—Residents of Unit 21E, Aniak, Kalskag, Lower Kalskag, and Russian Mission.

Remainder—Residents of Unit 21E and Russian Mission.

Justification

Based on a review of the eight factors, residents of Lower Kalskag, Upper Kalskag, and Aniak have demonstrated customary and traditional uses of moose in a wide area accessible to them by boat and snow machine, including the Paimiut Slough area of Unit 21E; however, information to support a recommendation for Chuathbaluk is very sparse. This is based on the data collected during three annual household surveys and reported on harvest tickets to ADF&G since 1983, and the findings of ethnographic studies describing areas used by the communities to harvest moose.



ANALYSIS ADDENDUM

OSM CONCLUSION

Support Proposal WP10-69 **with modification** to include only the area of Unit 21E south of Paimiut Slough (see **Map 4**).

The modified regulation should read:

Customary and Traditional Use Determination

Unit 21E—Moose

South of a line beginning at the western boundary of Unit 21E near the mouth of Paimiut Slough, extending easterly along the south bank of Paimiut Slough to Upper High Bank, and southeasterly in the direction of Molybdenum Mountain to the juncture of Units 19A, 21A, and 21E—Residents of Unit 21E, Aniak, Chuathbaluk, Kalskag, Lower Kalskag, and Russian Mission.

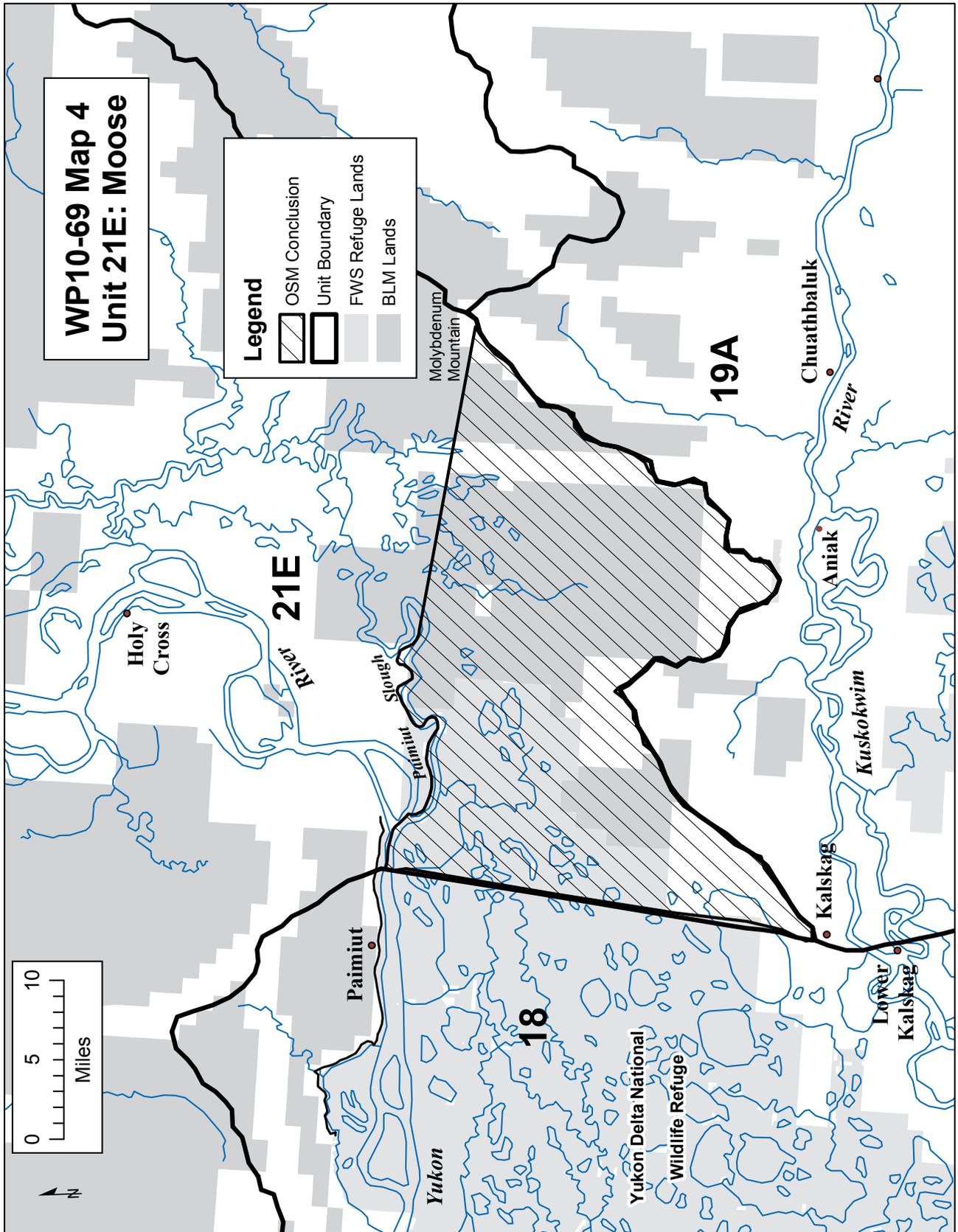
Remainder—Residents of Unit 21E and Russian Mission.

Justification

Based on a review of the eight factors and testimony at the winter 2010 Council meetings, residents of Lower Kalskag, Upper Kalskag, Aniak, and Chuathbaluk have demonstrated customary and traditional uses of moose in a wide area accessible to them by snow machine, snowshoes, and foot including the southwestern portion of Unit 21E. Available information supporting this customary and traditional use determination included the results of annual household harvest surveys and data reported on harvest tickets returned to ADF&G since 1983, and the findings of ethnographic studies describing areas used by the communities to harvest moose. The former residents and their descendents of Paimiut (located in the southwestern corner of Unit 25E) reside in Aniak, Chuathbaluk, Kalskag, and Lower Kalskag. These communities are within a couple of miles of the Unit 21E boundary. There is evidence that residents of these four communities have been harvesting moose from Unit 21E recently and in the past based on household harvest surveys and harvest ticket returns. Travelling off the river and creek corridors is difficult until winter when residents of these communities are able to access the southern part of Unit 21E by snowshoe, and snowmachine. Former residents of communities including Aniak and Upper Kalskag came together in the 1950s to form the community of Chuathbaluk, located approximately 11 miles up the Kuskokwim River from Aniak and 10 miles from the Unit 21E boundary. Moose hunting area information for Chuathbaluk presented in Map 2 and testimony at the Council meetings indicated that residents of Chuathbaluk have also travelled to the southwestern part of Unit 21E to harvest moose. The available information indicates that the portion of Unit 21E south of Paimiut Slough is the only area of Unit 21E that has been customarily and traditionally used by the communities in the request.

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REGIONAL ADVISORY COUNCIL RECOMMENDATION

WESTERN INTERIOR SUBSISTENCE REGIONAL ADVISORY COUNCIL

Support Proposal WP10-69 **with modification** to include only the area of Unit 21E south of Paimiut Slough (see **Map 4**). The recommended boundary has natural identifiers known to local residents. The two zones [the area north of Paimiut Slough and south of Paimiut Slough] will ensure that harvest is allocated throughout the entire unit.

The modified regulation would read:

Customary and Traditional Use Determination

Unit 21E—Moose

South of a line beginning at the western boundary of Unit 21E near the mouth of Paimiut Slough, extending easterly along the south bank of Paimiut Slough to Upper High Bank, and southeasterly in the direction of Molybdenum Mountain to the juncture of Units 19A, 21A, and 21E—Residents of Unit 21E, Aniak, Chuathbaluk, Kalskag, Lower Kalskag, and Russian Mission.

Remainder—Residents of Unit 21E and Russian Mission.

YUKON-KUSKOKWIM DELTA SUBSISTENCE REGIONAL ADVISORY COUNCIL

Support Proposal WP10-69 **with modification** described in the OSM Preliminary Conclusion (to include only the Paimiut Slough area of Unit 21E; see **Map 3**) with an additional modification to keep Chuathbaluk on the list of communities with a positive customary and traditional use determination. Residents of Kalskag, Lower Kalskag, Aniak, and Chuathbaluk were proposed to have customary and traditional use determinations in Unit 21E by the Kuskokwim Native Association. These communities are all in the same area and likely to have similar harvest use patterns. Chuathbaluk was excluded from some hunting opportunity in Unit 21E. Historic harvest information record is limited. The Central Kuskokwim Fish and Game Advisory Committee supports the Kuskokwim Native Association's original proposal.

The modified regulation should read:

Customary and Traditional Use Determination

Unit 21E—Moose

South of a line beginning at the western boundary of Unit 21E near Tabernacle Mountain, extending easterly to the junction of Paimiut Slough and Innoko Slough, and southeasterly in the direction of Molybdenum Mountain to the juncture of Units 19A, 21A, and 21E—Residents of Unit 21E, Aniak, Chuathbaluk, Kalskag, Lower Kalskag, and Russian Mission.

Remainder—Residents of Unit 21E and Russian Mission.

**INTERAGENCY STAFF COMMITTEE COMMENTS
WP10-69**

The Interagency Staff Committee found the staff analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Council recommendations and Federal Subsistence Board action on the proposal.

Comments WP10-69
April 30, 2010; Page 1 of 2

Alaska Department of Fish and Game
Comments to the Federal Subsistence Board

Wildlife Proposal WP10-69: Submitted by Kuskokwim Native Association, this proposal requests a positive finding of customary and traditional use of moose in Game Management Unit 21E by residents of Lower Kalskag, located in Unit 18, and by residents of Upper Kalskag, Aniak, and Chuathbaluk, located in Unit 19A.

Customary and Traditional Determination: For the most part, the analysis appears to be complete and accurate, although the Department did not attempt to check the specific data presented in the tables or qualitative data. Recent information from Division of Subsistence was used, which was applicable to the issues. The information presents the kind of documentation that is relevant to evaluate the eight federal regulatory factors for making a customary and traditional use determination of a specific wildlife population by specific communities.

However, more specific information is needed to clarify the differences in the boundaries of the proposed area encompassed by the customary and traditional determination and to discuss why Chuathbaluk should not be included. The community clearly has had a pattern of customary and traditional use before residents set up the new community for religious reasons and still exhibits family patterns of harvest and sharing according to some discussion in the federal staff analysis.

The Western Interior Regional Advisory Council, which represents Central Kuskokwim (where the proponents are from) and the GASH (area most affected by the proposal), made a recommendation that parallels the recommendation by the Office of Subsistence Management (OSM), but retains the community of Chuathbaluk that OSM proposes to delete and proposes a different boundary. The Yukon-Kuskokwim Regional Advisory Council supports modification in the boundary proposed by OSM but retains the community of Chuathbaluk as well.

Recommendation: Although the Department supports this proposal in general, it is conditional upon necessary clarification as discussed above.

**DRAFT
ANNUAL REPORT**

Yukon-Kuskokwim Delta Subsistence Regional Advisory Council

c/o U.S. Fish and Wildlife Service
Yukon Delta National Wildlife Refuge
Office of Regional Council Coordinator
P.O. Box 346
Bethel, Alaska 99559

Phone: 1-907-543-1037 or 1-800-621-5804 ext.257

Fax: 1-907-543-4413 E-mail: Alex_Nick@fws.gov

February 23, 2012

Tim Towarak, Chair
Federal Subsistence Board
c/o U.S. Fish and Wildlife Service
Office of Subsistence Management
1011 East Tudor Road, Mail Stop 121
Anchorage, Alaska 995503

Dear Mr. Towarak:

The Yukon-Kuskokwim Delta Subsistence Regional Advisory Council (Council) hereby submits its FY 2011 Annual Report, as required under Section 805(a)(3) (D) of the Alaska National Interests Lands Conservation Act (ANILCA) of December 2, 1980 as amended. The Council understands and supports the importance of addressing fish and wildlife resource topics annually, expressing its concerns, and addressing long term planning needs that are not addressed through the regulatory cycles throughout the year. The Council looks forward to your continued guidance and support on the topics listed in this report.

The harvest of fish and wildlife resources continues to be the single and most important need for all rural residents of the Yukon-Kuskokwim Delta for survival and economic dependence. With the continuing drastic governmental budget cuts currently impacting rural Alaska, resulting in financial setbacks of rural economic support and adverse effects on local economies, dependence on fish and wildlife resources for food is even more important and vital to the residents of Yukon-Kuskokwim Delta. There is drastically growing need to continue hunting and fishing to supplement harvesting food for personal and family needs. The ever-changing Federal and State regulations play a significant part in restricting harvests of fish and wildlife within the Yukon-Kuskokwim Delta, when it is most needed for food, clothing, and financial support where appropriate and legal.

The Council has participated in the deliberations on issues and topics and has recommended regulatory changes for managing fish and wildlife resources. The Council is very much aware of how these regulatory changes impact the Yukon Delta residents' subsistence activities and economic dependence. Because of its duties and responsibilities, as set forth in ANILCA Sec.805 and the Regional Advisory Council Operating Manual, the Council carefully weighs all concerns that are expressed by subsistence stakeholders and other user groups when making its recommendations to the Federal Subsistence Board.

The Council appreciates this opportunity to submit its Fiscal Year 2011 Annual Report. The following are the regional resource concerns of the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council.

Issue1. Monitor Salmon Transported from Yukon-Kuskokwim Delta Region

In the past it has been the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council's continuing concern that Chinook salmon and other salmon species important to subsistence harvest have been shipped outside of the region and transported out of the region by subsistence users from other parts of the State or to the Lower 48 states. Conservation managers have failed in the past to keep track of the poundage or numbers of Chinook and other salmon that have been harvested and shipped out of the Yukon-Kuskokwim Delta region. There is immediate need to conduct research to find what numbers of salmon species and what poundage of fish is being removed from the Yukon-Kuskokwim Delta region each summer. The Council and members of the public attending its meetings have identified concerns that there have been unaccounted numbers of salmon and poundage leaving the region on a continuous, daily basis when salmon subsistence fishing is allowed in the summer. As a result of apparent overharvest by qualified subsistence users from other parts of the State and other users, subsistence salmon fishing has been restricted unnecessarily and has caused an impact on much-needed subsistence salmon harvest for the winter food supply. Salmon fishing restrictions also have an adverse impact on the ability of region residents to harvest salmon, the foundation for residents' diets, for the winter food supply.

Recommendation

The Federal Subsistence Board has jurisdiction to regulate salmon harvest on the Federal waters within Federal public lands and boundaries. Pursuant to 50 CFR Ch. I (10 – 06 Edition) §100.17 (a)" ...the Federal Subsistence Board shall establish a priority among the rural Alaska residents after considering any recommendation submitted by an appropriate Regional Advisory Council." Given the breadth of its jurisdiction in the region as a result of the Yukon Delta National Wildlife Refuge and the Togiak National Wildlife Refuge, the Board can take action necessary to protect subsistence users in the region. The Council hereby strongly recommends the Board to research and analyze how the export of salmon from the Yukon-Kuskokwim Delta could be restricted.

Issue 2: Abandoned Beaver Dams

Abandoned beaver dams have been an issue in the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council annual reports in the past and the Council *vowed not to give up on this issue* because the Council represents the very people who continually raise concerns about the abandoned beaver dams. Abandoned beaver dams cause impacts and multiple incidents in the field. Abandoned beaver dams impede subsistence activities in the summer such as berry picking, gathering edible plants, and hunting. Abandoned beaver dams damage rubber boats, canoes, and cause dents or damage to any small boats used for summer subsistence activities such as Lund boats. In the winter season, abandoned beaver dams could cause damage to snowmachine parts like tracks, belly, and skis. Abandoned beaver dams could also cause fatal accidents to snowmachine passengers in the sled because when a hardened willow in abandoned beaver dam is hit hard it could flip over a heavy snowmachine or a heavy and loaded sled.

Recommendation:

In the past several years, the Council submitted beaver dam and related issues and whenever annual reply is received the Council has expressed that the Board's reply is unsatisfactory. The Council is aware of possible solution brought forth by the agency staff that responded to

Council's questions and concerns. Council recommends both the Federal and State agency staff work with the Council to identify appropriate and acceptable tools to remove old and abandoned beaver dams.

Issue 3: Control Customary Trade of Salmon

The Council would like the Chinook salmon in the Yukon River continue as a subsistence and commercial fishing resource. The Council working with other affected Councils in the Yukon River made an effort to deal with the Customary Trade in the past to increase Chinook numbers into Yukon River. Customary Trade of salmon and salmon conservation does collide when agencies are making effort to conserve salmon while customary trade of salmon is being allowed. This leads toward possible depletion of the Yukon River Chinook salmon stocks. Control of salmon customary trade would allow an increase of Chinook salmon return to the Yukon River for future generations. Council realizes there is a Customary Trade Subcommittee currently working on the issue. However, subcommittee efforts have produced minimal results.

Recommendation

The Federal Subsistence Board should make certain the Customary Trade Subcommittee does not drag on and on to complete assigned task to deal with customary trade in the Yukon River. The Board should impose a timeframe for the Subcommittee to complete a customary trade resolution to save Yukon River Chinook salmon.

Issue 4: Information Exchange Between Council Members and the Office of Subsistence Management (OSM)

There is a need to improve communications between Council and OSM staff and disseminating important information regarding fish and wildlife resources such as Chinook salmon.

Recommendation

The Federal Subsistence Board should direct its staff to improve the dissemination of information relating to fish and wildlife and related issues. This would enhance Council's recommendations to the Board as to what actions should be taken to better serve the subsistence user groups.

Issue 5: Impact of Subsistence Salmon Fishery Closures

Some family members fish for salmon on behalf of multiple family members and households. Not everyone owns an outboard motor and boat to fish for salmon on their own in the summer salmon fishing season. As a result of this, those able to assist other families often fish for up to seven households. Following commercial fishing seasons there is hardly any fish to harvest for subsistence. One does not harvest much fish when a fisher harvests only 5-10 salmon each drift. Another important consideration is in the summer time, brown bears raid fish racks and can clean out a winter's-supply of dried salmon.

Recommendation

The Federal Subsistence Board should work closer with respective conservation units to lessen adverse impacts on subsistence users due to harvest closure or related issues. For most subsistence users, subsistence harvested food is the primary and the Western food is supplemental food.

Issue 5: Annual Report Replies

The Federal Subsistence Board appears to not be able to directly or correctly reply to the annual reports submitted by the Council. The Council believes that it is not that the Board is incapable of addressing an issue, but rather that the Board chooses to not provide a correct reply. Council members do read up on the policies and letters provided for information.

Recommendation:

The Federal Subsistence Board needs to work harder in understanding where Council is coming from, especially when the Council has to repeat annual report issues more than once. The Board should work more directly and cooperatively with Regional Advisory Councils on responding to annual report issues.

Issue 6: Muskoxen Moratorium

The Yukon-Kuskokwim Delta Subsistence Regional Advisory Council worked with the State Department of Fish and Game and Mr. Roger Seavoy, past Wildlife Conservation Manager in Unit 18, on the possibility to establish muskoxen moratorium modeled after the Lower Yukon Moose Moratorium. The Council wanted to begin by educating local villages to conserve muskoxen so future generations will have an opportunity to harvest musk ox.

Recommendation

In the past, the Council brought up this issue and wanted to work with appropriate agencies to establish a Muskoxen moratorium in the Yukon-Kuskokwim Delta. There are more and more muskoxen showing up inland and this is the prime time to establish a muskoxen moratorium to supplement red meat for the region's people. The Council hereby requests the Board's support to consider muskoxen as subsistence resource in the Yukon-Kuskokwim Delta region and to take appropriate action to protect the resource.

Issue 7: Tribal Involvement on Council Membership

The Council believes there is a need to involve Tribal councils or their representatives on Council membership. Allowing tribal membership on the Council would enhance reporting to and from the tribal government on the resource issues within the region.

Recommendation

The Federal Subsistence Board should support Tribal council membership on the Regional Advisory Councils. The Council membership with tribal representatives would increase Council membership interests for younger generations.

Meetings in 2011

On February 23 and 24, 2011, the Council met in Mountain Village, Alaska. Council reviewed Federal wildlife closures and made recommendations on continuation or lifting of closures. The Council heard staff updates on the closure policy. The Council called for Federal regulatory changes to proposals for fiscal year 2012 – 2014. The Council reviewed its draft 2010 annual report and accepted changes. Council reviewed its Charter and provided recommendations for changes. Council heard agency and organization updates and reports from agency and organization staff.

On September 29 and 30, 2011 the Council met in Bethel, Alaska. There were Federal wildlife regulatory change proposals for Council's review and recommendations. Council reviewed fisheries projects recommended for funding by TRC and made its recommendations on the Fisheries Resource Monitoring Program proposed fisheries research statewide projects, regional projects, and crossover projects. The Council heard reports on closures, resource updates, and agency policies. Over the course of the year, Council members were also involved in other fish and wildlife resource management and related meetings, working group meetings, subcommittee meetings, and fish and wildlife resource workshops throughout the year.

Thank you for the continued opportunity to assist the Federal Subsistence Management Program in meeting its obligations to protect subsistence uses of fish and wildlife resources on Federal lands in our region. The Council looks forward to continued discussions about the issues and concerns of subsistence stakeholders of the Yukon-Kuskokwim Delta region.

If you have any questions about this annual report and the past Council involvements, please contact Alex Nick, Regional Council Coordinator at 907-543-1037 or 1-800-621-5804 ext. 257.

Sincerely,

Lester Wilde, Chair
Yukon-Kuskokwim Delta Subsistence Regional Advisory Council

cc: Yukon-Kuskokwim Delta Subsistence Regional Advisory Council members
Regional Team
Alex Nick
Pippa Kenner
Don Rivard
Paul McKee
Carl Johnson, Council Coordination Division Chief
Chuck Ardizzone, Deputy Assistant Regional Director
Interagency Staff Committee
Administrative file

Federal Subsistence Board DRAFT Tribal Consultation Policy

Briefing Paper for Regional Advisory Council 2012 Winter Meetings

Introduction

The Federal Subsistence Board Workgroup for Tribal Consultation has been meeting, listening, consulting, and discussing the development of this policy since June, 2011. The group realizes the significance of this change – that is, the addition of Tribal Consultation - to the Federal Subsistence Management Program. All members of this workgroup have a strong sense of mission, and come to the table with a positive outlook for strengthening federal-tribal relations.

List of Workgroup members:

Della Trumble, Co-Chair, King Cove
Crystal Leonetti, Co-Chair, US Fish & Wildlife Service
John W. Andrew, Organized Village of Kwethluk
Lillian Petershoare, US Forest Service
Rosemary Ahtuanguaruak, Barrow/Nuiqsut
Jean Gamache, National Park Service
Nancy Swanton, National Park Service
Shawna Larson, Native Village of Chickaloon
Richard Peterson, Organized Village of Kasaan
Pete Probasco/Andrea Medeiros, Office of Subsistence Management
Brenda Takeshorse, Bureau of Land Management
George Carlson Yaska, Jr., Huslia/Fairbanks
Bobby Andrew, Native Village of Ekwok
Glenn Chen/Pat Petrivelli, Bureau of Indian Affairs

Steps Taken to Draft this Policy

May 2011 FSB Working Session - Board assigned the task of writing a protocol to the workgroup. Workgroup was assembled with 7 Tribal and 7 Federal members.

June 2011 – Workgroup met in Anchorage for 2 days, drafted an interim protocol to be used for the fall cycle of Regional Advisory Council meetings. A Tribal Co-chair was named.

July 2011 – The Board, at its work session, adopted the two interim protocols – one for Tribes and one for ANCSA Corporations to be used during the fall cycle of Regional Advisory Council meetings for the wildlife proposals.

July 26, 2011 – Separate letters were sent to Tribes and to ANCSA Corporations the Chair of the FSB regarding consultation on the 2012-2014 Wildlife Proposals and on the development of a long-term consultation protocol.

August – October 2011 – 12 consultation teleconferences were held to consult on the 2012-2014 Wildlife Proposals. Although this was a first-time process, we are positive that there will be more attendance in the future and we will be doing more outreach to increase awareness of this type of

opportunity. There was a wonderful learning experience for both Tribes & ANCSA Corporations, *and* for federal staff. What we learned during these teleconferences helped us draft this policy.

September 30, 2011 – A letter was sent to all Tribes inviting them to an in-person consultation in December, with a new draft version of the protocol.

October 20, 2011 – A consultation with ANCSA Corporations and Tribes was held during the Alaska Federation of Natives annual convention here in Anchorage. It was well attended, and we gained more valuable insight at this meeting.

December 1, 2011 – A consultation with Tribes was held during the BIA Tribal Service Providers Conference in Anchorage. It was attended by at least 300 people (my estimate) and we learned substantially more.

December 6-8, 2011 – the workgroup met in Anchorage to consider all verbal and written direction we received from Tribes and ANCSA corporations.

General Concepts of this Draft Policy

1. The policy should be simple, general, and broad. This reflects the DOI policy. Since it does not prescribe a process on how to consult, we changed the name of it from "protocol" to "policy".
2. There is no need to regurgitate the Department-level policies since we need to follow those anyway. What we attempted with this new policy format, is to utilize the DOI and USDA policies as the base, and focus this policy on Federal Subsistence Management and its unique nature.
3. Keeping this policy simple, general, and broad allows the Board (and Tribes) to remain flexible and adapt to what makes sense for meaningful consultation based on the scope and issues being consulted about.
4. The DOI is drafting a "supplemental consultation policy for ANCSA corporations". The workgroup is mirroring this format, knowing that the DOI has had Department-level Solicitors in agreement on this approach.

Themes of this Draft Policy

- Training – For the Board, Staff, and Tribes and ANCSA Corporations
- Adaptability/Living Document – this document can change based on regular reviews and it allows us to adapt to varying situations.
- “How to” is not included here, but intended to be written after a final policy is adopted

Next Steps and Timeline

1) Further Board direction given to workgroup at the January Board meeting, changes are incorporated into the document in the RAC books.

2) Regional Advisory Councils will review and discuss the Policy and provide feedback through staff to the Working Group.

3) A letter from the Board to Tribes and Corporations will go out mid-February asking for feedback on the new draft policy.

4) Workgroup and Interagency Staff Committee to meet in April (via tele- or video conference) to incorporate any changes from RAC discussions or written feedback from Tribes/Corporations

5) Meet with Board members, whichever are available, to discuss new draft prior to the May FSB meeting - including in-depth discussion about implementation guidelines

6) Adopt policy at May FSB meeting

7) Finalize Implementation Guidelines

Questions for Regional Advisory Councils

- Do you feel this policy is going in the right direction? If not, why not?
- Is there anything else that the workgroup needs to consider?
- Do you feel that Tribes concerns from the consultations *have been* or *will be* meaningful to the Regional Advisory Council consideration on each topic?

Thank you, Regional Advisory Councils, for your consideration of the Tribal Consultation Policy and any feedback that you might provide.

1 *“Tribes and Alaska Native peoples have been this lands’ first conservationists and first multiple*
2 *use land managers.” - Lillian Petershoare, Workgroup Member, USFS*

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4

Federal Subsistence Board

5

Tribal Consultation Policy

6

7

Draft: 1/19/2012

8

Preamble

9 The Federal Subsistence Board recognizes that indigenous Tribes of Alaska are spiritually, culturally, and
10 historically connected to the land, the wildlife and the waters. These strong ancestral ties to the land,
11 wildlife and waters are intertwined with indigenous ceremonies such as songs, dances, and potlatches.
12 The customary and traditional way of life has sustained the health, life, safety, and cultures of Alaska
13 Native peoples since time immemorial. To effectively manage the Federal Subsistence Program, the
14 Board will collaborate and partner with Tribes to protect and provide opportunities for continued
15 subsistence uses on public lands.

16 The United States has a unique legal and political relationship with Indian tribal governments, which has
17 been established through and confirmed by the Constitution of the United States, statutes, executive
18 orders, judicial decisions and treaties. In recognition of that special relationship, and pursuant to
19 direction given by the Secretaries of the Interior and Agriculture to implement Executive Order 13175 of
20 November 2000, “Consultation and Coordination with Indian Tribal Governments”, and to meet the
21 requirements of the Presidential Memorandum of November 5, 2009, “Subject: Tribal Consultation”, the
22 Federal Subsistence Board (Board) is developing this Government-to-Government Tribal Consultation
23 Protocol. This Policy affirms the Federal government’s responsibility to engage in regular and
24 meaningful consultation and collaboration with Federally recognized Indian Tribes on matters that may
25 have substantial effects on Alaska Tribes. This Policy also upholds the Congressional mandate to
26 implement the provisions of the Alaska National Interest Lands Conservation Act (ANILCA) of 1990, P.L.
27 66-487, which, with its implementing regulations, defines the roles and responsibilities of the
28 Departments of the Interior and Agriculture in administering subsistence management of fish and
29 wildlife on Federal public lands.

30 Government-to-government consultation undertaken through the Board’s process is a direct two-way
31 communication conducted in good faith to secure meaningful participation in the decision-making
32 process to the full extent allowed by law. The Board will take into consideration the Tribes’ concerns
33 brought forth through the consultation process (as defined in this policy) before making its final
34 decision(s).

1 Two Department level consultation policies provide the foundation for this policy. They are the
2 Department of the Interior's *Policy on Consultation with Indian Tribes (2011)* and the Department of
3 Agriculture's *2010 Action Plan for Consultation and Collaboration*. This policy is consistent with the
4 Department-wide consultation policies, and it expands on them to apply consultation to the Federal
5 subsistence management program.

6 The intent of this policy is to describe a framework whereby the Board and Federally recognized Tribes
7 may consult on ANILCA Title VIII, subsistence matters under the Board's authority.

8 Background

9 The Federal Subsistence Program, as established by the Secretaries of the Interior and Agriculture, is a
10 multi-agency program consisting of five agencies: Bureau of Indian Affairs, Bureau of Land Management,
11 U.S. Forest Service, National Park Service, and U.S. Fish and Wildlife Service. These agencies and rural
12 subsistence users maintain the opportunity for a subsistence way of life by rural Alaskans on Federal
13 public lands and waters while managing for healthy populations of fish and wildlife. The Federal
14 Subsistence Regional Advisory Councils have a foundational role in the Federal Subsistence Program. By
15 statute the Board must defer to Federal Subsistence Regional Advisory Council recommendations on
16 regulations unless they are: a) not supported by substantial evidence, b) violate recognized principles of
17 fish and wildlife conservation, or c) would be detrimental to the satisfaction of subsistence needs
18 (ANILCA § 805(c)). The Board distinguishes the deference to Federal Subsistence Regional Advisory
19 Councils from the Tribal government-to-government relationship enjoyed by Federally recognized
20 Tribes, and this Policy will not diminish in any way that relationship and the consultation obligations
21 towards Federally recognized Tribes.

22 The Federal Subsistence Management Program regulations can be found in the Code of Federal
23 Regulations (CFR) at 50 CFR 100 and 36 CFR 242. The regulations have four subparts. Subparts A and B
24 are within the sole purview of the Secretaries of the Department of the Interior and Department of
25 Agriculture. Responsibility and decisions relating to the provisions of Subparts C and D are delegated by
26 the Secretaries to the Federal Subsistence Board. Subpart C contains Board Determinations, including
27 rural and customary and traditional use determinations, while subpart D consists of the regulations for
28 taking fish, wildlife and shellfish.

29 Goals

30 With respect to the Federal Subsistence Management Program:

- 31 1. Create and maintain effective relationships with Federally recognized Tribes.
- 32 2. Establish meaningful and timely opportunities for government-to-government consultation.
- 33 3. Be responsive to requests from Federally recognized Tribes to engage in consultation.
- 34 4. Work with Federally recognized Tribes to improve communication, outreach and education.
- 35 5. Acknowledge, respect and use traditional ecological knowledge.
- 36 6. Recognize the importance of coordination, consultation and follow-up between the Federal
37 Subsistence Board and Tribes.

- 1 7. Integrate tribal input effectively into the decision-making process for subsistence management
 2 on public lands and waters while maintaining deference to the Federal Subsistence Regional
 3 Advisory Councils.

4

5

Consultation

6 1. Communication

7 Information sharing between Tribes and the Board/Federal staff is encouraged to occur early
 8 and often. Communication between the Federal agencies and Tribes will occur in a timely
 9 manner to maximize opportunities to provide input to the Board’s decisions. For in-season
 10 management decisions, formal consultation is not always possible, but 2-way communication
 11 will take place prior to implementing those decisions. When issues are brought by Tribes which
 12 the Board does not have jurisdiction, the Board and Federal staff will provide Tribes with contact
 13 information for the correct state or Federal agency related to the issue, as well as provide the
 14 relevant state or Federal agency the Tribe’s contact information. Information sharing will
 15 include but is not limited to sharing of traditional knowledge, research and scientific data.

16 2. Roles and Responsibilities

17 Board members are responsible for implementing this policy and ensuring its effectiveness. The
 18 Native Liaison in the Office of Subsistence Management is the key contact for the Board’s
 19 consultations with Tribes. The Native Liaison will also assist Federal land managers and Tribes
 20 with their consultations, as requested or as needed. Federal land managers and staff have a
 21 local relationship with Tribes and will maintain effective communications and coordination.

22 3. Topics for consultation are listed under the definition for “Action with Tribal Implications”.
 23 They may also include, but are not limited to:

- 24 • For regulations: (e.g., taking of fish, wildlife and shellfish - harvest amounts, methods
 25 and means, cultural and educational permits and funerary/mortuary ceremonies;
 26 emergency and temporary special actions; customary and traditional use
 27 determinations and customary trade)
- 28 • Policies and guidance documents [[Note: this is consistent with page 3 “Definitions” of
 29 DOI Policy “Departmental Action with Tribal Implication” and cite USDA policy here.](#)]
- 30 • Budget and priority planning development [[Note: this is consistent with page 16 USDA
 31 Action Plan for Tribal Consultation and Collaboration \(Nov 2009\) and page 3
 32 “Definitions” of DOI policy – “Departmental Action with Tribal Implication” – specifically
 33 “operational activity”.](#)]
- 34 • Agreements (e.g. Cooperative Agreement, Memorandum of Understanding, Funding
 35 Agreement)

36

37 4. Timing

1 Timing of consultation will need to be respectful to both the Federal subsistence management
2 cycle and to Tribal timeframes for doing business. Implementing this policy includes providing
3 early notification, methods of notice, availability of Federal analyses, time and place of Federal
4 Subsistence Regional Advisory Council meetings and Board meetings. This is described further in
5 Appendix “A: Federal Subsistence Consultation Implementation Guidelines”. A chart showing
6 the Federal subsistence management cycle is in Appendix “B: Federal Subsistence Management
7 Cycle.”

8 5. Methods

9 No single formula exists for what constitutes appropriate consultation. The planning and
10 implementation of consultation should consider all aspects of the topic under consideration.
11 The Board will be flexible and sensitive to Tribal cultural matters and protocols. Familiarity
12 with and use of Tribes’ constitutions and consultation protocols will help ensure more
13 effective consultation. Consultation may be prompted by a Federally-recognized Tribe or by
14 the Board. Methods for correspondence, meetings, and communication are further
15 described in Appendix “A: Federal Subsistence Consultation Implementation Guidelines.”

16

17 Accountability and Reporting

18 The Board will monitor consultation effectiveness and report information to the Secretaries, pursuant to
19 the Department of the Interior and Department of Agriculture policies. On an annual basis, the Board
20 shall evaluate whether the policy has been implemented and is effective, including progress towards
21 achieving the seven goals outlined in this policy. The Board will actively seek feedback from Tribes on
22 the effectiveness of consultation, and the evaluation will reflect this feedback. The Board shall modify
23 the consultation process to address needed enhancements, as identified through the annual review. The
24 Board will provide Tribes an oral and written summary through the Board meeting process, of the
25 evaluation and changes, if any. This will assist the Board in meeting its obligations to report annually to
26 the Secretaries of the Department of the Interior and Department of Agriculture.

27

28

29 Training

30 The program will adhere to the Department of the Interior and Department of Agriculture consultation
31 policies for training of Federal staff. The Board recognizes the unique traditional values, culture and
32 knowledge Tribes bring to the process and shall incorporate Tribes into the training for the Board and
33 staff. The Federal Subsistence Board will strive to accompany subsistence users to gain direct experience
34 in traditional Alaska Native hunting and fishing activities. In addition, the program will offer Federal
35 Subsistence Management training to Tribes. A list of possible venues to provide training is included in
36 Appendix “C: Venues for Training.”

1

2 **Alaska Native Corporation Consultation**

3 Refer to the supplemental policy for consultation with Alaska Native Claims Settlement Act (ANCSA)
4 corporations.

5

6

7

8

9 Adopted by the Board on _____,

10

Tim Towarak, Chair

11

cc: Secretary of the Interior

12

Secretary of Agriculture

13

Federally Recognized Tribes in Alaska

14

Federal Subsistence Board

15

Office of Subsistence Management

16

Interagency Staff Committee

17

State of Alaska, ADF&G Federal Liaison

Definitions

1

2 Action with Tribal Implications – Any Board regulations, rulemaking, policy, guidance, legislative proposal, grant
3 funding formula changes, or operational activity that may have a substantial effect on an Indian Tribe.

4 ANILCA – Alaska National Interest Lands Conservation Act of 1980. Title VIII of the Act provides for the
5 protection and continuation of subsistence uses of fish and wildlife by rural Alaskans on Federal public lands.

6 ANCSA Corporations – As defined in 43 U.S.C. § 1606, those regional and village corporations formed by
7 Congress through the Act to provide for the settlement of certain land claims of Alaska Natives, approved
8 December 18, 1971, as amended.

9 Consensus Agenda – The Federal Subsistence Board’s consensus agenda is made up of regulatory proposals for
10 which there is agreement among the affected Regional Advisory Councils, a majority of the Interagency Staff
11 Committee members, and the Alaska Department of Fish and Game concerning a proposed regulatory action.
12 Anyone may request that the Board remove a proposal from the consensus agenda and place it on the non-
13 consensus (regular) agenda. The Board votes on the consensus agenda after deliberation and action on all other
14 proposals.

15 Consultation – When the Federal government’s actions and decisions may affect Tribal interests, the process of
16 effective and meaningful government to government communication and coordination between appropriate
17 Federal agency(ies) and Tribes conducted prior to action being taken or implementing decisions that may affect
18 Tribes.

19 Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) – A Presidential
20 Memorandum requiring regular and meaningful consultation and collaboration with Tribal officials in the
21 development of Federal policies that have Tribal implications, to strengthen the United States government-to-
22 government relationships with Indian Tribes, and to reduce the imposition of unfunded mandates upon Indian
23 Tribes.

24 Federal Subsistence Board – The Board administers the subsistence taking and uses of fish and wildlife on public
25 lands, and the related promulgation and signature authority for regulations of subparts C and D. The voting
26 members of the Board are: a Chair, appointed by the Secretary of the Interior with the concurrence of the
27 Secretary of Agriculture; two public members who possess personal knowledge of and direct experience with
28 subsistence uses in rural Alaska to be appointed by the Secretary of the Interior with the concurrence of the
29 Secretary of Agriculture; the Alaska Regional Directors of the U.S. Fish and Wildlife Service, National Park
30 Service, and Bureau of Indian Affairs; the Alaska Regional Forester of the U.S. Forest Service; and, the Alaska
31 State Director, Bureau of Land Management.

32 Federally Recognized Tribe – Any Indian or Alaska Native Tribe, band, nation, pueblo, village, or community that
33 the Secretary of the Interior acknowledges to exist as an Indian Tribe pursuant to the Federally Recognized
34 Indian Tribe List Act of 1994, 25 U.S.C. §479a.

35 Interagency Staff Committee – The ISC is made up of senior staff from the National Park Service, U.S. Fish and
36 Wildlife Service, Bureau of Indian Affairs, Bureau of Land Management, and USDA Forest Service. The ISC
37 members serve as the primary advisors for their agency’s respective Board member.

38 Office of Subsistence Management – The OSM provides support to the Federal Subsistence Board and the
39 Federal Subsistence Regional Advisory Councils. The staff includes fish and wildlife biologists, cultural
40 anthropologists, technical and administrative staff an Alaska Native liaison and liaisons to the Alaska
41 Department of Fish and Game, and the Alaska Boards of Fish and Game.

1 Regional Advisory Councils – Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) provides a
2 foundational role for the ten Regional Advisory Councils in the development of regulations guiding the taking of
3 fish and wildlife on Federal public lands in Alaska. Council members, a majority of whom are rural subsistence
4 users, are appointed by the Secretary. In making its regulatory decisions, the Board must follow the
5 recommendations of the Regional Advisory Councils unless they are not supported by substantial evidence,
6 violate recognized principles of fish and wildlife conservation, or would be detrimental to the satisfaction of
7 subsistence needs (805(c) of ANILCA). Deference to the Councils ensures that rural residents have a meaningful
8 role in the management of fish and wildlife and subsistence uses, as envisioned by Congress.

9 Special Action – An out-of-cycle change in the seasons, harvest limits or methods and means of harvest. The two
10 types include: 1) emergency, which are effective for up to 60 days, and 2) temporary, which are effective for the
11 remainder of the regulatory cycle.

12

13

14

15 **List of Appendices and Supplements**

16 APPENDIX A: Federal Subsistence Consultation Implementation Guidelines

17 APPENDIX B: Federal Subsistence Management Cycle

18 APPENDIX C: Venues for FSMP Training

19 Supplemental Policy on Consultation with ANCSA Corporations

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Federal Subsistence Board

Alaska Native Claims Settlement Act (ANCSA) Corporation Consultation Policy

Supplement of the Federal Subsistence Board Tribal Consultation Policy

**Note to reviewer: This supplemental policy for consultation with ANCSA corporations is adapted from the DOI DRAFT Policy on Consultation with Alaska Native Claims Settlement Act (ANCSA) Corporations. Where ANILCA or FSMP provisions required extra explanation for this policy, it was added and is indicated as additions in italics.*

I. Preamble

In compliance with Congressional direction, this Policy creates a framework for consulting with ANCSA Corporations. Pursuant to the Alaska Native Claims Settlement Act (ANCSA) of 1971, ANCSA Corporations were established to provide for the economic and social needs, including the health, education and welfare of their Native shareholders. Congress also required that “[t]he Director of the Office of Management and Budget [and all Federal agencies] shall hereafter consult with Alaska Native Corporations on the same basis as Indian Tribes under Executive Order Number 13175.” Pub. L. No. 108-199 as amended by Pub. L. No. 108-447.

The Federal Subsistence Board (Board) distinguishes the federal relationship to ANCSA Corporations from the Tribal government-to-government relationship enjoyed by any federally recognized Indian Tribe, and this Policy will not diminish in any way that relationship and the consultation obligations towards federally recognized Indian Tribes. Recognizing the

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distinction, the Board is committed to fulfilling its ANCSA Corporation consultation obligations by adhering to the framework described in this Policy.

The Department of Interior is in the development stages of the Department-wide Policy on Consultation with ANCSA Corporations [this is slated to be finished in spring or summer 2012 – finalize this sentence at that time] and the U.S. Department of Agriculture has a policy in place for Consultation with Tribes and ANCSA Corporations. The Board will follow the Department-level policies; and for the purpose of Federal Subsistence Management, this policy further clarifies the Federal Subsistence Board’s responsibilities for consultation with ANCSA Corporations.

II. Guiding Principles

The Alaska National Interest Lands Conservation Act (ANILCA) is a law that has a foundation built on conservation. ANILCA Section 802(3) provides direction for interactions with Alaska Native corporations: “except as otherwise provided by this Act or other Federal laws, Federal land managing agencies, in managing subsistence activities on the public lands and in protecting the continued viability of all wild renewable resources in Alaska, shall cooperate with adjacent landowners and land managers, including Native Corporations, appropriate State and Federal agencies and other nations.”

IV. Policy

The Board will consult with ANCSA Corporations that own land within or adjacent to boundaries of federal conservation units in which that land or its resources may be affected by regulations enacted by the Board.

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ANCSA Corporations may also initiate consultation with the Board by contacting the Office of Subsistence Management Native Liaison.

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Consultation Implementation Guidelines

Guidelines for implementing the Board's policies for consultation with Tribes would provide details about how the policy would be carried out. It might best be developed by a work group comprised of a balanced number of Tribal leaders and Federal staff, similar to the approach taken in developing the consultation policy. It could be comprised of members different from or in addition to those who served on the consultation policy work group. For example, Federal staff on the work group might include representation from the Office of Subsistence Management, Interagency Staff Committee, agency Native Liaisons, local land managers and/or law enforcement. Tribal members of the consultation policy work group mentioned repeatedly that, currently, most consultation occurs with local land managers and local biologists, cultural resource professionals and/or subsistence specialists; thus, a voice from the field would be beneficial in drafting the guidelines. The work group would reflect the broad interests, knowledge and experiences of subsistence users and Federal land managers.

Ideas and suggestions raised during the development of the Tribal consultation policy, as well as experience and information gained through Tribal consultations and Federal staff input should be considered in drafting the implementation guidelines.

The format for the implementation guidelines could follow the format used for the consultation policy. Major headings would mirror those used for the policy:

Communication

Roles and Responsibilities

Timing

Methods

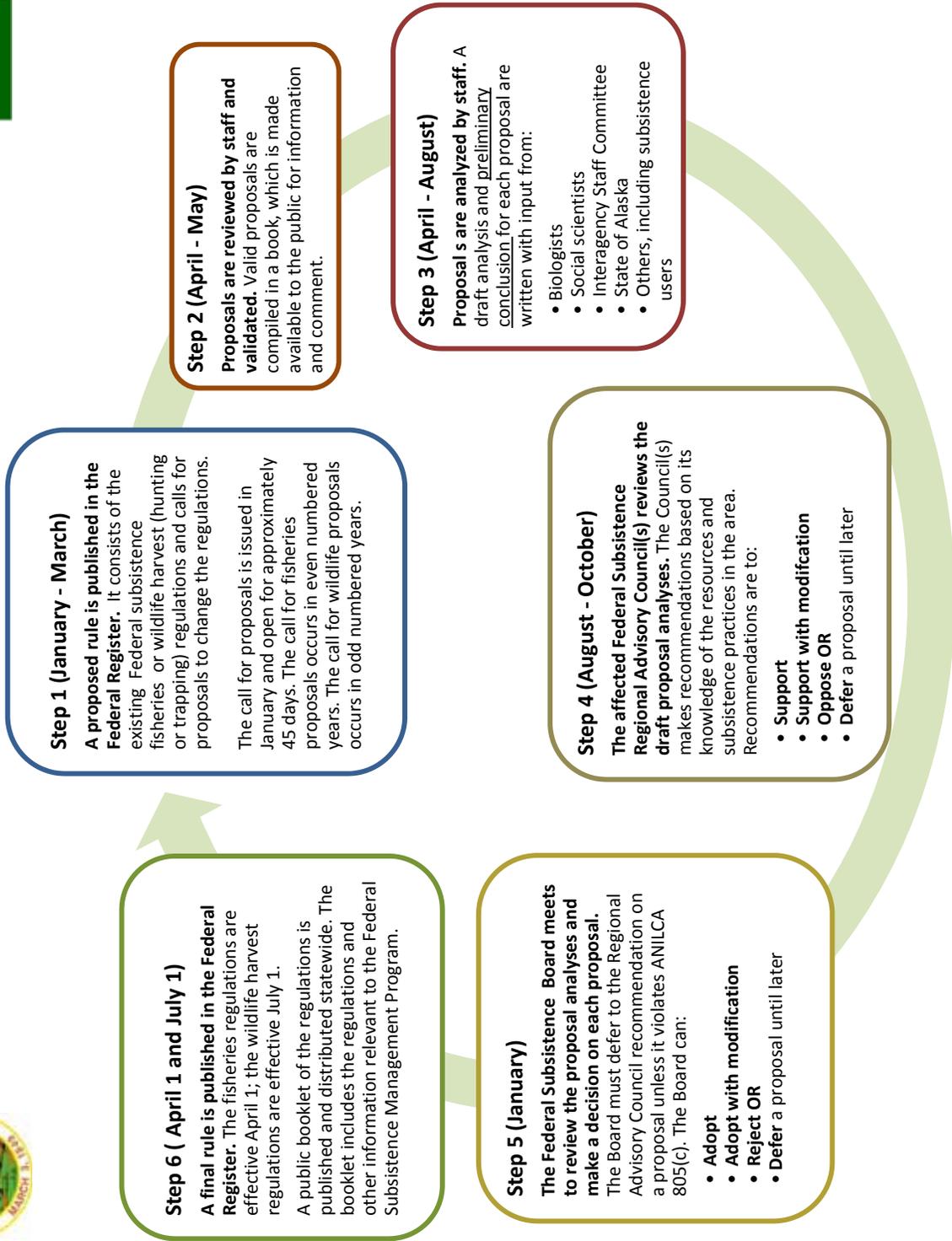
Accountability and Reporting

Training

Note: A list of ideas and recommendations raised during consultations, staff input, and workgroup meetings is being compiled and can be provided upon request.



FEDERAL SUBSISTENCE MANAGEMENT PROGRAM REGULATORY PROCESS AT A GLANCE



Appendix C: Venues for Training

Bureau of Indian Affairs Tribal Service Providers Conference

Alaska Forum on the Environment

Alaska Tribal Conference on Environmental Management

Alaska Federation of Natives Annual Convention

Association of Village Council Presidents

Tanana Chiefs Conference

Bristol Bay Native Association

Aleutians Pribilof Islands Association

Cook Inlet Tribal Council

Karawek, Inc.

Maniilaq Association

Sealaska Heritage Institute

Central Council of Tlingit and Haida Tribal Assembly

Southeast Clan Conference

Arctic Slope Native Association

Chugach Regional Resources Commission

Copper River Native Association

Kodiak Area Native Association

First Alaskans Institute Elders & Youth Conference

Alaska Native Professionals Association

**GATES OF THE ARCTIC NATIONAL PARK
SUBSISTENCE RESOURCE COMMISSION
c/o 4175 Geist Road
Fairbanks, AK. 99709
(907) 455-0631 or FAX (907) 455-0601**

June 15, 2011

Gates of the Arctic Subsistence Resource Commission
Hunting Plan Recommendation 11-01

A recommendation that requests an increase in the per diem rate for State of Alaska Subsistence Resource Commissions and Federal Regional Advisory Councils.

The Gates of the Arctic Subsistence Resource Commission (SRC) proposes Hunting Plan Recommendation 11-01, which states that there should be an increase in the per diem rate for all Subsistence Resource Commissions, as well as Federal Regional Advisory Councils. ANILCA Title VIII sec. 808 mandates the establishment of an SRC for each of the national parks where subsistence uses are allowed. The formal involvement of SRCs includes sharing information about traditional subsistence activities and the resources found on federal lands, specifically National Park Service lands. It is integral to the SRC and the management of parklands that well-qualified people serve on the commission, people with a strong knowledge base of the subsistence way of life and the fish and wildlife populations upon which they rely. In order to maintain and fulfill the mandate set forth by ANILCA, it is important to attract and/or retain suitable people who are interested in serving as commission members.

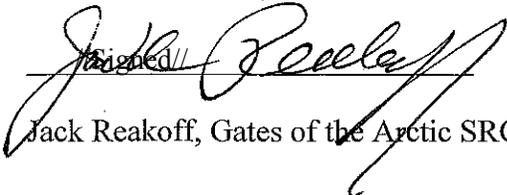
It should also be considered that the cost of living in Alaska is substantially higher than the lower 48. The Gates of the Arctic SRC would like the amount of the Alaska per diem to be set at a rate that reflects the exorbitant costs residents experience in order to live in Alaska. The SRC is requesting at this time an increase in per diem rates so that they reflect the actual costs of living in both urban and rural Alaskan communities.

Recommendation 11-01 would reinforce the commitment the Federal government has taken in upholding the ANILCA mandate related to the formation of Subsistence Resource Commissions and Regional Advisory Councils.

Sincerely,

//Signed//


Pollock Simon Sr., Gates of the Arctic SRC Chair

//Signed//


Jack Reakoff, Gates of the Arctic SRC Vice-Chair

Cc.

- Secretary of Interior & Pat Pourchot, Special Assistant for Alaska Affairs
- All Regional Advisory Councils in Alaska
- All NPS Subsistence Resource Commissions



Pollock Simon, Sr. (Chairperson), Jack Reakoff (Vice-Chairperson), Levi Cleveland, Taquik Hepa, Tim Fickus, Rachel Riley, Louie Commack, James Nageak, and Chris Zwolinski

Status Report on Selected Secretarial Recommendations to the Federal Subsistence Management Program

1. Develop a proposed regulation to increase the membership on the Federal Subsistence Board to include two additional public members representing subsistence users.
 - **Status:** A final rule was published in the Federal Register on September 12, 2011.
 - Applications/nominations for the two seats were accepted by the Secretary's Office.
 - Final selections were announced January 27, 2012. See the following news release from the Office of the Secretary.
2. 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.
 - **Status:** The MOU was provided to all ten Regional Advisory Councils for comment during the winter 2011 meeting cycle. Council comments were summarized and reviewed by the Board in summer 2011. The Board proposed to the State that a joint workgroup be re-established to address the changes recommended by the councils.
 - The State accepted the Board's proposal to form a joint MOU workgroup. The work group has had several meetings, and will report back to the Board with proposed changes by May 2012.
3. Review, with RAC input, the rural determination process and present recommendations for regulatory changes.
 - **Status:** The Board held a several executive and work sessions in 2011 to learn about the rural process, and is continuing to develop and review potential courses of
 - At its January 2012 public meeting the Board discussed the rural determination process and the decennial rural determination review. The board directed staff to publish a proposed rule to solicit comments from the public on the rural determination process and the current rural/nonrural determinations. In addition, based on its decision and the Secretarial program review, the Board directed staff to publish a direct final rule to extend the compliance date of the May 2007 final rule on rural determinations until the current review is complete or for five years, whichever comes first.



United States Department of the Interior

OFFICE OF THE SECRETARY

1689 C Street, Suite 100
Anchorage, Alaska 99501-5151

January 27, 2012

PRESS RELEASE

Contact: Pat Pourchot, Special Assistant to the Secretary
907-271-5485

Secretary Appoints Two Public Members to the Federal Subsistence Board

Secretary of the Interior Ken Salazar today announced the appointment of two public members to the Federal Subsistence Board (FSB). Secretary of Agriculture Tom Vilsack concurred in the appointments of Anthony Christianson of Hydaburg and Charles Brower of Barrow. Following a review of the federal subsistence program in 2010 the Secretaries had recommended that the FSB be expanded to include additional public members representing rural subsistence users. The Board currently consists of a public Chair and five directors of Alaska federal agencies.

Mr. Christianson and Mr. Brower are life-long Alaskans with deep personal knowledge and experience with subsistence. In the review Secretary Salazar asked the Board and the Department to take a number of actions, including the appointment of two additional public Board members, "to provide a more responsive, more effective subsistence program." The Secretary believes that these appointments will go far in bringing increased knowledge of subsistence users and uses to the decision-making process of the Board.

Secretary Vilsack strongly supports the selection of Mr. Christianson and Mr. Brower for service on the Federal Subsistence Board. "Their records of leadership and experience will bring important insight to the work of the Board and represents a new chapter in the working relationship between the federal government and the people of rural Alaska."

Mr. Anthony Christianson is a life-long resident of Southeast Alaska and currently serves as Natural Resource Director for the Hydaburg Cooperative Association, a federally recognized tribal entity. He also serves as Mayor of the City of Hydaburg. Mr. Christianson has participated in a number of programs and studies related to fish and wildlife in Southeast Alaska.

Mr. Charles Brower is a life-long resident of Barrow, Alaska, and currently serves as Special Assistant to the Vice President of the Ukpeavik Inupiat Corporation, the Barrow village corporation. Former positions include Wildlife Department Director for the Native Village of Barrow and Wildlife Department Director for the North Slope Borough. Mr. Brower has served on a number of wildlife commissions including the Alaska Migratory Bird Co-Management Council, the Alaska Nanuuq (polar bear) Commission, and the Eskimo Walrus Commission.

OFFICE OF SUBSISTENCE MANAGEMENT STAFF CHANGES

In 2011, the Office of Subsistence management had a high number of staff retirements, staff leaving to take positions in other areas of the US Fish and Wildlife Service or positions with other government organizations.

- **Council Coordinator** – Barbara Atoruk (Council Coordinator for North Slope, and Northwest Arctic RAC's) retired. Currently recruiting to fill this position.
- **Council Coordinator** – KJ Mushovic (Council coordinator for Eastern Interior and Southcentral RAC's) left taking another position with Bureau of Land Management in Alaska. Currently Melinda Hernandez from the US Forest Service has been detailed to act as one of our Council Coordinators (Council Coordinator for Western and Eastern Interior RAC's). We are currently recruiting to fill this position on a permanent basis.
- **Native Liaison** – Carl Jack retired. Recruitment is currently underway for this position.
- **Fisheries Division Chief** – Larry Buklis left taking another position with the US Fish and Wildlife Service in Washington State. Stephen Fried was selected as the new Division Chief.
- **Fisheries Biologist** – This position is vacant as the result of Stephen Fried's promotion to Fisheries Division Chief. The recruitment process has been initiated.
- **Fisheries Biologist** – Richard Cannon retired. Currently working with personnel to finalize recruitment paperwork for this position.
- **Fisheries SCEP Student** – Kay Larson-Blair returned to OSM as a SCEP Student.
- **Fisheries SCEP Student** – Stephanie Meggars started as a new SCEP Student.
- **State Liaison for Fisheries** – Rod Campbell retired. Applications for this position have been received. The final selection for this position has not been made.
- **Wildlife Biologist** – Coleen Brown left taking another position with the Department of Transportation in Colorado. The recruitment process has been initiated.
- **Administrative Support Assistant** – Ron Babb resigned from his position. Recruitment has taken place for this position. A selection has been made and will be finalized by the end of January 2012.
- **Policy Coordinator** – Gary Goldberg took another position with the US Fish and Wildlife Service in Alaska. David Jenkins, anthropologist, is currently acting in this position.
- **Council Coordination Division Chief** – Ann Wilkinson retired. Carl Johnson has been selected as the new Council Coordination Division Chief.
- **Deputy Assistant Regional Director** – Polly Wheeler accepted a position as Deputy Chief of Refuges – Alaska Region for the US Fish and Wildlife Service. Chuck Ardizzone, the Wildlife Division Chief, is currently acting in this position. Kathleen M. O'Reilly-Doyle has been

selected as the new Deputy Assistant Regional Director as should start in her new position sometime in April 2012.

- **Purchasing Agent** – Darcy Herring took another position with Department of Defense. Other staff will assume the duties of this position.
- **Budget Analyst** – Amber Wagner left OSM. Durand Tyler was selected as the new Budget Analyst.
- **Administrative Assistant** – Durand Tyler vacated the Administrative Assistant position. Glenn Westdahl was selected to replace him.
- **Subsistence Outreach Coordinator** – The Publications Specialist position was combined with the Public Affairs position. Former Publications Specialist Andrea Medeiros was selected to fill this new position.
- **Supervisory Secretary** – Verna Miller left OSM. Anita Roberts was selected as the new Supervisory Secretary.



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Togiak National Wildlife Refuge
P.O. Box 270
Dillingham, Alaska 99576
Phone 907-842-1063
Fax 907-842-5402

INFORMATION BULLETIN - January 2012

The Roles of Alder and Salmon in Driving Aquatic Productivity Contact: Pat Walsh

In 2010, Togiak Refuge, the University of Illinois, the University of Washington, and ADF&G began a 4-year project to determine the relative role of salmon and alder in controlling productivity in lakes. Both salmon and alder contribute nutrients to lakes: salmon do so via decomposition of carcasses after spawning, and alder does so through nitrifying the soil, and by mobilizing soil nutrients which would otherwise be biologically inaccessible. This project will measure the contribution of nutrients from both sources by analyzing water samples from thirteen Refuge lakes over a four year period. The information that will come from this project will help salmon managers better understand the ecological consequences of harvest. Since 2010, we have installed water quality and quantity monitoring equipment at 13 lakes on Togiak Refuge. We collected and processed water samples in summer and fall 2010 and 2011 and have begun laboratory analysis for a battery of biological and chemical attributes. We monitored stream discharge in summer and fall at 26 streams entering the study lakes in order to estimate lake water budgets. We performed aerial sockeye salmon surveys at all study lakes and estimated run size in each. We have begun updating an existing landcover map to refine our estimate of alder cover in the study area. A progress report is available.

Cooperative Salmon Escapement Monitoring Projects Contact: Mark Lisac

In 2012 Togiak Refuge will again provide support to the Native Village of Kwinhagak (NVK) and ADF&G to operate salmon escapement monitoring projects (weirs) on the Kanektok (KRW) and Middle Fork Goodnews Rivers (MFGRW). The November storm that ravaged western Alaska destroyed most of the project equipment, including the underwater video gear, stored in Goodnews Bay. Replacement and installation may be delayed in 2012.

Rainbow Trout Population Identification Contact: Pat Walsh

Togiak Refuge, ADF&G Sport Fish, and the Conservation Genetics Laboratory are working together to inventory populations and determine the genetic relationships between populations of rainbow trout throughout Togiak Refuge. Archived genetic material collected from previous investigations were inventoried and assessed for suitability in the current study. A collection plan for unsampled populations was completed and new tissue collections began in the Goodnews, Kanektok, Igushik, Snake, and Wood River watersheds in summer 2009. A collection trip occurred in the Indian River in summer 2010, but no rainbow trout were encountered. Collections continued in the North Fork Goodnews River in 2011. It is anticipated that this project will occur through 2014. A progress report is available.

Kanektok River Rainbow Trout Population Identification Contact: Mark Lisac

In 2009 the Refuge, Kenai Fish and Wildlife Field Office and ADFG Sport Fish Division implanted radio transmitters in 200 rainbow trout in the Kanektok River. The purpose of this study is to identify the

geographic extent of the population and specifically to document these fishes' overwintering locations, seasonal movements, and to locate potential spawning areas. Thirty-six aerial tracking flights have been conducted between August 2009 and August 2011. Analysis of the information collected is currently being analyzed. Fishers are asked to contact the Refuge office if they recover any radio tags.

Chinook Salmon Escapement In The Togiak River Watershed Using Radio Telemetry Contact: Theresa Tanner (Anchorage Fish & Wildlife Field Office)

In 2011 the Anchorage Fish and Wildlife Field Office completed the fourth year of a five year study to determine Chinook salmon run timing, distribution and abundance in the Togiak River watershed. One hundred seventy-one Chinook salmon were captured and implanted with esophageal radio transmitters, and an additional 122 fish were marked with a brightly colored spaghetti tags in the lower river. Movements and final spawning destinations of radio tagged Chinook salmon was documented using seven fixed data-logging receiver stations and a combination of intensive aerial and boat tracking surveys. A weir operated in the Gechiak Creek counted 241 Chinook, nine of which were fish tagged in the lower river marking event. The known number of Chinook salmon past the Gechiak River weir will be used to extrapolate an escapement estimate for the entire Togiak drainage. This project is currently funded by OSM through 2012. Fishers are asked to contact the Refuge office if they recover any radio tags.

Determining Aquatic Habitat Quantity and Quality Contact: Mark Lisac

The Refuge worked with the UAF School of Fisheries and Ocean Science, and the U.S. Geological Survey developing a project to estimate the quantity and quality of aquatic habitat in two study areas in the Kulukak River watershed. Multispectral digital imagery and field data were collected in 2009 and 2010. This data is used to assess habitat quality and estimate the habitat quantity for juvenile salmon. Habitat is being classified by in-stream physical habitat features, water chemistry, and juvenile salmon abundance and distribution. Over 10,000 images and over 5,000 juvenile coho and sockeye salmon were captured during 2010. Preliminary results have provided estimates of the surface area of pool, riffles, runs and eddy drop zones in the East and West Fork study areas. Based on this estimate there are approximately 121,000 and 102,000 juvenile coho salmon in the West and East Fork study areas, respectively. There are approximately 22,000 sockeye salmon juveniles in each study area. This project will result in Masters degrees for two UAF graduate students and lead to developing a juvenile salmon and habitat relationships model. This model will be useful to estimate habitat carrying capacity for salmon and serve as a baseline for monitoring aquatic habitat in the future to determine if changes have occurred.

Mulchatna Caribou Contact: Andy Aderman

Togiak Refuge assisted ADF&G with telemetry monitoring flights, radiocollar deployment, satellite data acquisition, data entry and database management. Primary calving areas in 2011 were near Lime Village (Unit 19A) and the mid-Nushagak River area (Unit 17C) similar to the past several years. Caribou were also observed calving in the southern Kilbuck Mountains (Unit 18). Caribou did not group up sufficiently after calving to conduct a photocensus. A composition survey conducted in October 2011 found 19.0 calves and 21.7 bulls:100 cows. The calf:cow ratio is about the same as the fall 2010 survey (19.5) and within the range seen during the past eleven years. The bull:cow ratio for 2011 is the highest since fall 2007. This is still below the management objective of 35 bulls:100 cows, and has been since fall 2000.

Nushagak Peninsula Caribou Contact: Andy Aderman

Fifty Federal subsistence caribou permits (1 caribou per permit) were issued for the February 1 – March 31, 2011 hunt. Forty-five caribou were reported harvested. During late May 2011, 23 of 27 (85.2%) radiocollared caribou produced a calf. A photocensus conducted on July 5, 2011 found a minimum of 859 caribou. A similar effort in 2010 found a minimum of 708 caribou. A composition survey on October 6, 2011 estimated 39 calves and 29 bulls:100 cows. The bull:cow ratio is the lowest since monitoring began. The Nushagak Peninsula Caribou Planning Committee will meet in January.

Wolf Predation on Nushagak Peninsula Caribou Contact: Pat Walsh

Using radio telemetry, Togiak Refuge and ADF&G are investigating the seasonality and duration of wolf use of the Nushagak Peninsula, in order to assess whether predation is a likely factor in driving population dynamics of Nushagak Peninsula caribou. From 2007 through 2011, we placed GPS radio transmitters on wolves from two packs located within 30 km of the Nushagak Peninsula. Collars were programmed to record locations every three hours. Tracking flights have been flown monthly to locate wolves and to download location data from the GPS collars. One of the two packs used the Nushagak Peninsula approximately 36% of the year, spending less than 10% of its time on the Peninsula during winter months, and up to 70% during late summer. Since 2008, wolf use of the Nushagak Peninsula increased steadily, although overall wolf numbers remained relatively constant. During this same time, the Nushagak Peninsula caribou population increased from an estimated 579 to 859. We tentatively conclude that wolf predation has not been the primary population driver for this caribou herd during the years of this study, but that the wolf population has responded to increased caribou abundance by shifting the amount of time it spends on the Peninsula. This study will continue through spring 2012, at which time collars will be removed from wolves.

Moose Contact: Andy Aderman

In May 2011, 20 of 32 radiocollared cows produced a minimum of 34 calves, or 106 calves:100 cows. Calf survival to November was 36.4 percent, suggesting a fall recruitment rate of 37.5 calves:100 cows. Both calf production and fall recruitment estimates in 2011 were near the lower end of the range since monitoring began in 1998. Preliminary harvest numbers for moose for the Unit 17A fall hunt were 27 bulls; Unit 17A winter hunt - 17 bulls; and Unit 18 – Goodnews River drainage fall hunt - 17 bulls. We plan to conduct moose surveys this winter in the Goodnews, Arolik, and Kanektok drainages.

Walrus Contact: Michael Winfree

Refuge staff monitors the numbers of walrus that haul out on land at various locations on Togiak Refuge. Peak haulout counts over the past three decades have varied greatly, from less than 100 to over 12,000 walrus. Cameras installed at Cape Peirce on the cliff edges overlooking the beaches recorded 32 haulout events from 1 January through 12 November 2011. The number of walrus present during the haulout events ranged from 1 to 286. Cameras were installed at other primary walrus haulouts on Hagemeister Island, Round Island, and Cape Seniavin in June and August 2011. There were 13 haulout events on the Hagemeister Island haulout from 9 June through 25 July, 2011. Numbers ranged from 1 to 61 walrus.

In fall 2010, an electric fence was installed at Cape Peirce in efforts to prevent mortality events caused when walrus travel up the bluff and fall off cliffs. The camp at Cape Peirce was also staffed to monitor walrus and maintain the electric fence from October 1 through November 13, 2011. There were no documented mortality events in fall 2011.

Seabirds Contact: Michael Swaim

Togiak National Wildlife Refuge has monitored seabird populations at Cape Peirce since 1980, making this one of the longest continuously studied seabird colonies in the state of Alaska. During this time, pelagic cormorant populations have remained relatively constant, while black-legged kittiwake and common murre populations declined by 1.5% and 1.7% per year respectively.

Ualik Lake Bird Die-Off Contact: Michael Swaim

In September 2011, a die-off involving hundreds of glaucous-winged gulls occurred at Ualik Lake. Multiple aerial surveys were completed over a three-week period to determine the severity and extent of the mortality. Most of the affected birds appear to have been juveniles and no additional species were involved. This die-off was confined to Ualik Lake and Ongoke River area. Five fresh carcasses were

collected and sent to the National Wildlife Health Center in Madison, Wisconsin for necropsy and diagnostic evaluation. Each of the dead birds was emaciated, but the cause of emaciation was not determined. Tests for Botulism (Type C and Type E), Salmonella, and Avian Influenza were negative.

Eelgrass Monitoring Contact: Michael Swaim

Togiak Refuge has partnered with the USGS Alaska Science Center to map and conduct biological inventories of 23 eelgrass beds on the refuge since 2007. In 2010, a series of boat-based surveys were completed in Goodnews Bay, Chagvan Bay, and Nanvak Bay to characterize the distribution and abundance of eelgrass. Water temperature sensors were also deployed in Nanvak Bay to assess the rate of seawater exchange within the site. Future work will focus on re-acquiring aerial photographs for Goodnews Bay, Hagemeister Spit, and portions of Togiak Bay and developing better maps of eelgrass distribution.

Water Temperature Monitoring Contact: Michael Swaim

Togiak Refuge staff have continuously monitored water temperature at eighteen locations on the refuge since 1990. To date, no statistically significant trends have been detected on any of these rivers. The refuge plans to continue monitoring water temperature indefinitely, since this study provides important baseline information that is useful for a variety of other fisheries and climate-related studies.

Quantifying River Discharge Contact: Michael Winfree

Togiak Refuge and the USFWS Water Resources Branch have worked cooperatively since 1999 to acquire baseline hydrologic data of the flow regime (magnitude, duration, timing, frequency, and rate of change) and water quality. A network of stream discharge gages collected stream flow data from 1999-2005 at 20 locations. A subset of five of these stations continued to collect data through fall 2009, after which three of the five stations were removed. We will continue indefinitely to monitor discharge in the Togiak and Kulukak Rivers. Each gage is instrumented with pressure sensors that measure water level every 15 minutes.

Salmon River Water Quality Contact: Michael Winfree

The Salmon River drainage, just south of Platinum, has been the site of a placer mine since the 1930's. Major production by the Goodnews Bay Mining Company stopped in 1976. The mine was sold to Hanson Industries in 1980, who in turn sold it to XS Platinum in 2007. In the summer of 2009, re-mining of the old tailings began. In September 2009, Togiak Refuge installed a continuous water-quality gage on the Salmon River. The gage monitors pH, turbidity, specific conductivity, dissolved oxygen, temperature, and depth. The gage runs continuously, taking a reading every 15 minutes. Baseline value estimates from April 1 through November 17, 2010 were: temperature = 5.0°C, specific conductivity = 83 µS/cm at 25°C, pH=7.3, turbidity=8.9 NTU, dissolved oxygen= 12.2mg/L. Baseline values will be further refined with the collection of more data.

Education and Outreach Contact: Terry Fuller

Togiak Refuge has an active education and outreach program including the Migratory Bird Calendar and Junior Duck Stamp contests; National Wildlife Refuge Week; career fairs; production of Bristol Bay Field Notes (aired three times weekly @ 10 minutes per episode on KDLG); and numerous classroom presentations in 12 villages in the Southwest Region, Lower Kuskokwim, and Dillingham City school districts. Field trips with area students for the 2010-2011 school year included bird walks, animal tracks and ID, archery, salmon life cycles, aquatic resources and bear safety. The refuge website is also a valuable education tool and is available at <http://togiak.fws.gov>. Also, the refuge partners with others to conduct three environmental education camps described below:

Southwest Alaska Science Academy Contact: Terry Fuller

This past July, Togiak Refuge helped with the 10th year of a summer camp aimed at teaching middle and

high school students about fisheries science and the importance of salmon to our ecosystem. Students were selected from the Bristol Bay region. During the camp students worked in the field alongside fisheries professionals. Cooperators with the refuge on this project included the Bristol Bay Economic Development Corporation, Bristol Bay Science and Research Institute, University of Alaska, University of Washington School of Fisheries, the Dillingham City and Southwest Region school districts, and the Alaska Department of Fish and Game.

Cape Peirce Marine Science and Yup'ik Culture Camp Contact: Terry Fuller

July 2011 saw a return of the junior high Science camp to the Cape Peirce site, after a three year hiatus due to high bear numbers. (an alternate camp was held at Togiak Lake for each of those three years) Students at this camp were able to observe seabirds, marine mammals and learn how field studies are conducted, as well as learning about food webs and ecological relationships. Students and agency staff also learned- through the instruction of a local village elder- about traditional Yup'ik uses of animals and plants and about Native survival skills. This camp is designed to help students gain a better understanding of the biological diversity of a marine ecosystem. It also strengthens their sense of stewardship for local natural resources. Other topics at this camp included tide pools, wilderness survival skills and careers with USFWS. Traditional councils and school districts from throughout western Bristol Bay are cooperators with this camp.

Summer Outdoor Skills and River Ecology Float Camp Contact: Terry Fuller

The 2011 Float Camp took place on the Togiak River. Students learned about river ecosystems and how to enjoy them safely and responsibly while taking part in a float trip. Students observed and learned about the many fish, wildlife and plant species found on refuge rivers and streams. Rafting skills, water safety, different angling methods (Catch and Release), Leave No Trace camping practices and bear safety were topics during the trip. Students also participated in other outdoor activities such as outdoor survival skills, archery and careers in natural resource fields. This camp helped students understand the biological diversity of riparian ecosystems and the importance of salmon as a nutrient source, while developing a deeper sense of stewardship for local natural resources. Traditional councils and school districts from throughout western Bristol Bay are cooperators with this camp.

River Ranger Program Contact: Allen Miller

The Refuge River Ranger Program was conceived during the public use management planning process and was first implemented in 1991. The program serves many purposes. River Rangers are the main contact source for sport fishermen and local residents. Information distributed to the public includes Service policies, regulations, resource management practices, State sport fish regulations, bear safety, wilderness ethics, Leave-No-Trace camping, and information about private lands to prevent trespass. Rangers document public use occurring on the river along with the location and timing of activities, conflicts between users, and sport fish catch/harvest per unit effort. Rangers also assist Refuge and ADF&G staff at the Kanektok River and Middle Fork Goodnews River weirs, and assist Refuge staff with biological studies. In addition, Rangers patrol campsites for litter, monitor compliance of sport fishing guides, and offer assistance as needed.

Two River Rangers were stationed in the village of Togiak during summer 2011 and patrolled the Togiak River several times each week. One River Ranger was also stationed in Quinhagak and patrolled the Kanektok River. All three rangers were residents of the villages where they were assigned. Two River Rangers stationed out of Dillingham patrolled the north and middle forks of the Goodnews River. Rangers on the Kanektok and Goodnews rivers used inflatable kayaks in addition to motorboats (which have been used since the program started). Use of kayaks allowed rangers to access the entire length of the Kanektok and Goodnews rivers, which are inaccessible to power boats during most water levels.

Fall 2012 Regional Advisory Council Meeting Calendar

August 20–October 12, 2012 current as of 10/26/11

Meeting dates and locations are subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Aug. 12	Aug. 13	Aug. 14	Aug. 15	Aug. 16	Aug. 17	Aug. 18
		NS—TBA				
Aug. 19	Aug. 20 WINDOW OPENS	Aug. 21	Aug. 22	Aug. 23	Aug. 24	Aug. 25
		NWA—TBA				
Aug. 26	Aug. 27	Aug. 28	Aug. 29	Aug. 30	Aug. 31	Sept. 1
Sept. 2	Sept. 3 HOLIDAY	Sept. 4	Sept. 5	Sept. 6	Sept. 7	Sept. 8
			KA—Sand Point			
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	Sept. 22
Sept. 23	Sept. 24	Sept. 25	Sept. 26	Sept. 27	Sept. 28	Sept. 29
			SE—Sitka			
Sept. 30 END OF FY2012	Oct. 1	Oct. 2	Oct. 3	Oct. 4	Oct. 5	Oct. 6
		SC—TBA		SP—Nome		
Oct. 7	Oct. 8 HOLIDAY	Oct. 9	Oct. 10	Oct. 11	Oct. 12	Oct. 13
			YKD—Quinhagak		WINDOW CLOSES	
			WI—Aniak			
Oct. 14	Oct. 15	Oct. 16	Oct. 17	Oct. 18	Oct. 19	Oct. 20
		EI—Central				

BB—Has not yet identified meeting dates and location.

Winter 2013 Regional Advisory Council Meeting Calendar

February–March 2013 current as of 01/25/12

Meeting dates and locations are subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<i>Feb. 10</i>	<i>Feb. 11</i> <i>Window Opens</i>	<i>Feb. 12</i>	<i>Feb. 13</i>	<i>Feb. 14</i>	<i>Feb. 15</i>	<i>Feb. 16</i>
		SP—Nome				
<i>Feb. 17</i>	<i>Feb. 18</i> HOLIDAY	<i>Feb. 19</i>	<i>Feb. 20</i>	<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>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>Window Closes</i>	<i>Mar. 23</i>

**Department of the Interior
U. S. Fish and Wildlife Service**

Yukon-Kuskokwim Delta Subsistence Regional Advisory Council

Charter

1. **Committee's Official Designation.** The Council's official designation is the Yukon-Kuskokwim Delta Subsistence Regional Advisory (Council).
2. **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)) Title VIII, and under the authority of the Secretary of the Interior, in furtherance of 16 U.S.C. 410hh-2. The Council is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., Appendix 2.
3. **Objectives and Scope of Activities.** The objective of the Council is to provide a forum for the residents of the region with personal knowledge of local conditions and resource requirements to have a meaningful role in the subsistence management of fish and wildlife on Federal lands and waters in the region.
4. **Description of Duties.** The Council possesses the authority to perform the following duties:
 - a. Recommend the initiation of, 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. Make recommendations on determinations of customary and traditional use of subsistence resources.
 - f. Make recommendations on determinations of rural status.
 - g. Provide recommendations on the establishment and membership of Federal local advisory committees.
5. **Agency or 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.
 6. **Support.** The U.S. Fish and Wildlife Service will provide administrative support for the activities of the Council through the Office of Subsistence Management.
 7. **Estimated Annual Operating Costs and Staff Years.** The annual operating costs associated with supporting the Council's functions are estimated to be \$150,000, including all direct and indirect expenses and .75 staff years.
 8. **Designated Federal Officer.** The DFO is the Subsistence Council Coordinator for the region or such other Federal employee as may be designated by the Assistant Regional Director – Subsistence, Region 7, U.S. Fish and Wildlife Service. The DFO is a full-time Federal employee appointed in accordance with Agency procedures. The DFO will:
 - Approve or call all of the advisory committee's and subcommittees' meetings,
 - Prepare and approve all meeting agendas,
 - Attend all committee and subcommittee meetings,
 - Adjourn any meeting when the DFO determines adjournment to be in the public interest, and
 - Chair meetings when directed to do so by the official to whom the advisory committee reports.
 9. **Estimated Number and Frequency of Meetings.** The Council will meet 1-2 times per year, and at such times as designated by the Federal Subsistence Board Chair or the DFO.
 10. **Duration.** Continuing.
 11. **Termination.** The Council will terminate 2 years from the date the Charter is filed, unless, prior to that date, it is renewed in accordance with the provisions of Section 14 of the FACA. The Council will not meet or take any action without a valid current charter.

12. **Membership and Designation.** The Council's membership is composed of representative members as follows:

Thirteen 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 each Council represents a diversity of interests, the Board in their nomination recommendations to the Secretary will strive to ensure that seven of the members (70 percent) represent subsistence interests within the region and three of the members (30 percent) represent commercial and sport interests within the region. The portion of membership representing commercial and sport interests must include, where possible, at least one representative from the sport community and one representative from the commercial community.

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

Members will be appointed for 3-year terms. A vacancy on the Council will be filled in the same manner in which the original appointment was made. Members serve at the discretion of the Secretary.

Council members will elect a Chair, a Vice-Chair, and a Secretary for a 1-year term.

Members of the Council will serve without compensation. However, while away from their homes or regular places of business, Council and subcommittee members engaged in Council, or subcommittee business, approved by the DFO, may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service under Section 5703 of Title 5 of the United States Code.

13. **Ethics Responsibilities of Members.** No Council or subcommittee member may participate in any specific party matter in which the member has a direct financial interest in a lease, license, permit, contract, claim, agreement, or related litigation with the Department.
14. **Subcommittees.** Subject to the DFO's approval, subcommittees may be formed for the purposes of compiling information or conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full Council for consideration. Subcommittees must not provide advice or work products directly to the Agency. The Council Chair, with the approval of the DFO, will appoint subcommittee members. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.

- 15. Recordkeeping.** Records of the Council, and formally and informally established subcommittees or other subgroups of the Council, must be handled in accordance with General Records Schedule 26, Item 2, or other approved Agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

//Signed//

Secretary of the Interior

DEC - 2 2011
Date Signed

DEC 03 2011

Date Filed