

PROPOSALS 38, 39, 40 & 41
5 AAC 99.015
Joint Board Nonsubsistence
Areas

Prepared for

Alaska Joint Board of Fisheries & Game

October 2013

RC 6

Proposals 38, 39, 40, and 41

Proposal 38: repeal current five nonsubsistence areas.

Proposal 39: reduce size of Fairbanks Nonsubsistence Area based on Fortymile caribou herd range.

Proposal 40: create a Kodiak nonsubsistence area.

Proposal 41: create a Bethel nonsubsistence area.

Department Recommendations:

Neutral.

State Statute

AS 16.05.258(c):

- "The boards [of Fisheries and Game], acting jointly, shall identify by regulation the boundaries of nonsubsistence areas."
- "A nonsubsistence area is an area or community where dependence upon subsistence is not a principal characteristic of the economy, culture, and way of life of the area or community."
- "In determining whether dependence upon subsistence is a principal characteristic of the economy, culture, and way of life of an area or community under this subsection, the boards shall jointly consider the relative importance of subsistence in the context of the totality of the following [12] socio-economic characteristics of the area or community."

Effect of Proposals

- Repeal or change areas:
 - Individual boards could then consider proposals for subsistence hunting and fishing in these areas, including making customary and traditional use (C&T) determinations and findings of amounts reasonably necessary for subsistence (ANS).
- Create areas:
 - Subsistence hunting and fishing would not be permitted within the nonsubsistence area.
 - Current subsistence fishing and hunting regulations would need to be repealed.
 - Hunting could continue under general seasons.
 - Board of Fisheries could consider personal use fisheries.

Joint Board Steps

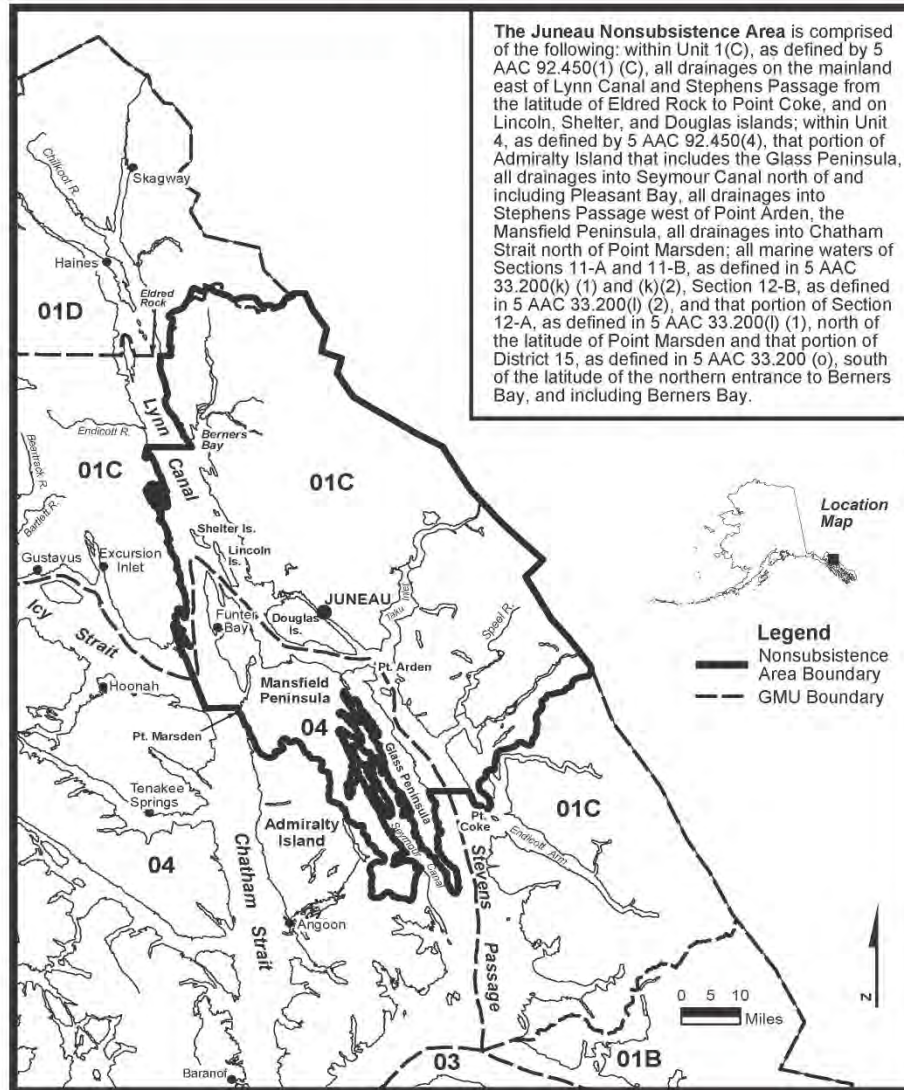
- Joint Board reviews department report (RC 3) and other information (such as public comments) to determine if relevant changes relative to 12 factors have occurred in areas addressed in proposals.
 - If yes, the Joint Board should evaluate the new information to determine if the determination of whether subsistence is a principal characteristic of the economy, culture, and way of life of area under review should be changed.
 - If no relevant changes have occurred, the Joint Board may take no action or vote to not adopt a proposal.

Proposal 38

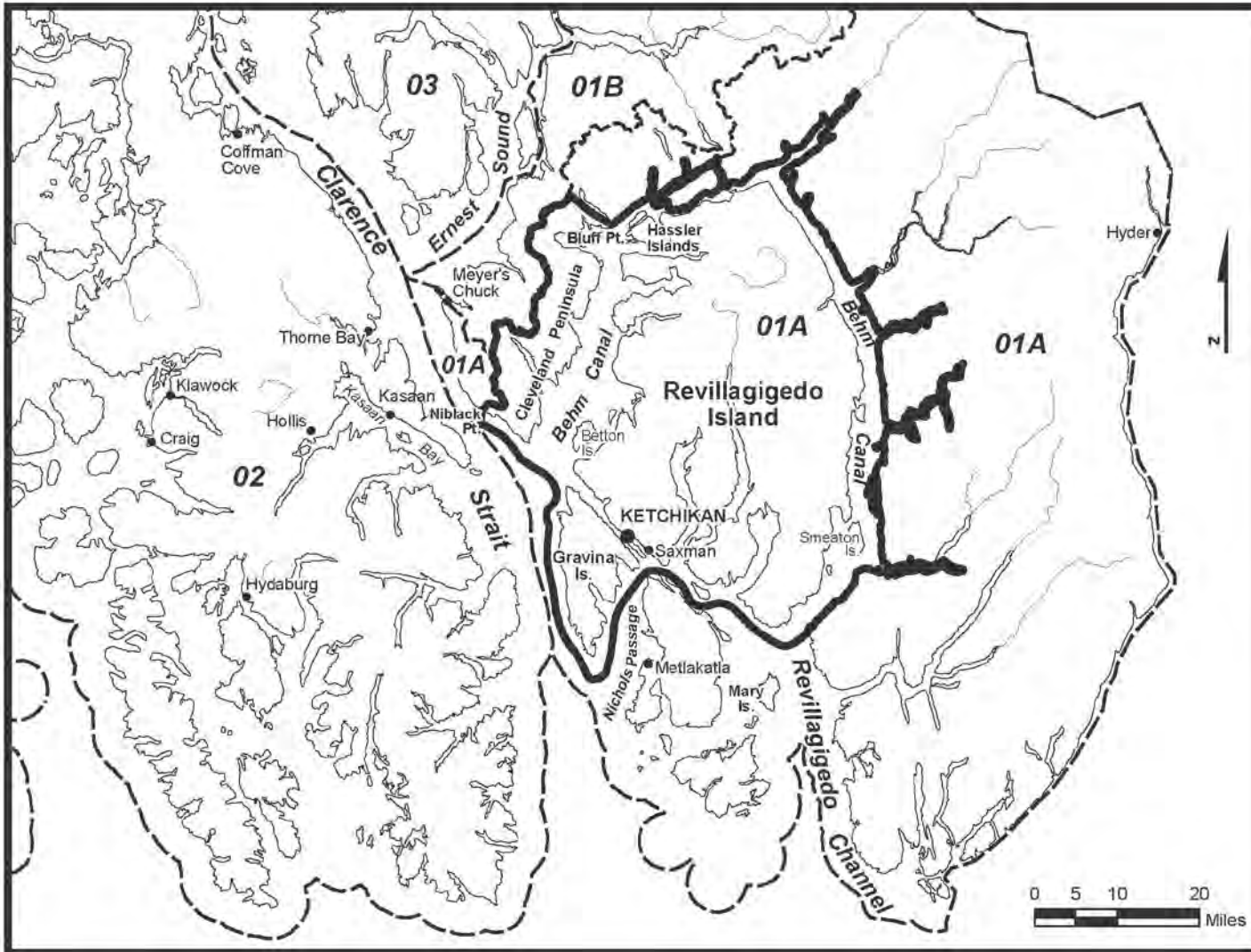
- Eliminate all current nonsubsistence areas.

Juneau Nonsubsistence Area

The Juneau Nonsubsistence Area is comprised of the following: within Unit 1(C), as defined by 5 AAC 92.450(1) (C), all drainages on the mainland east of Lynn Canal and Stephens Passage from the latitude of Eldred Rock to Point Coke, and on Lincoln, Shelter, and Douglas islands; within Unit 4, as defined by 5 AAC 92.450(4), that portion of Admiralty Island that includes the Glass Peninsula, all drainages into Seymour Canal north of and including Pleasant Bay, all drainages into Stephens Passage west of Point Arden, the Mansfield Peninsula, all drainages into Chatham Strait north of Point Marsden; all marine waters of Sections 11-A and 11-B, as defined in 5 AAC 33.200(k) (1) and (k)(2), Section 12-B, as defined in 5 AAC 33.200(l) (2), and that portion of Section 12-A, as defined in 5 AAC 33.200(l) (1), north of the latitude of Point Marsden and that portion of District 15, as defined in 5 AAC 33.200 (o), south of the latitude of the northern entrance to Berners Bay, and including Berners Bay.





Ketchikan Nonsubsistence Area



The Ketchikan Nonsubsistence Area is comprised of the following: within Unit 1(A), as defined in 5 AAC 92.450(1) (A), all drainages of the Cleveland Peninsula between Niblack Point and Bluff Point, Revillagigedo, Gravina, Pennock, Smeaton, Bold, Betton, and Hassler Islands; all marine waters of Sections 1-C, as defined by 5 AAC 33.200(a) (3), 1-D, as defined by 5 AAC 33.200(a) (4), 1-E, as defined by 5 AAC 33.200(a) (5), that portion of Section 1-F, as defined by 5 AAC 33.200(a) (6), north of the latitude of the southernmost tip of Mary Island and within one mile of the mainland and the Gravina and Revillagigedo Island shorelines; and that portion of District 2, as defined by 5 AAC 33.200(b), within one mile of the Cleveland Peninsula shoreline and east of the longitude of Niblack Point.



Legend

-  Nonsubsistence Area Boundary
-  GMU Boundary

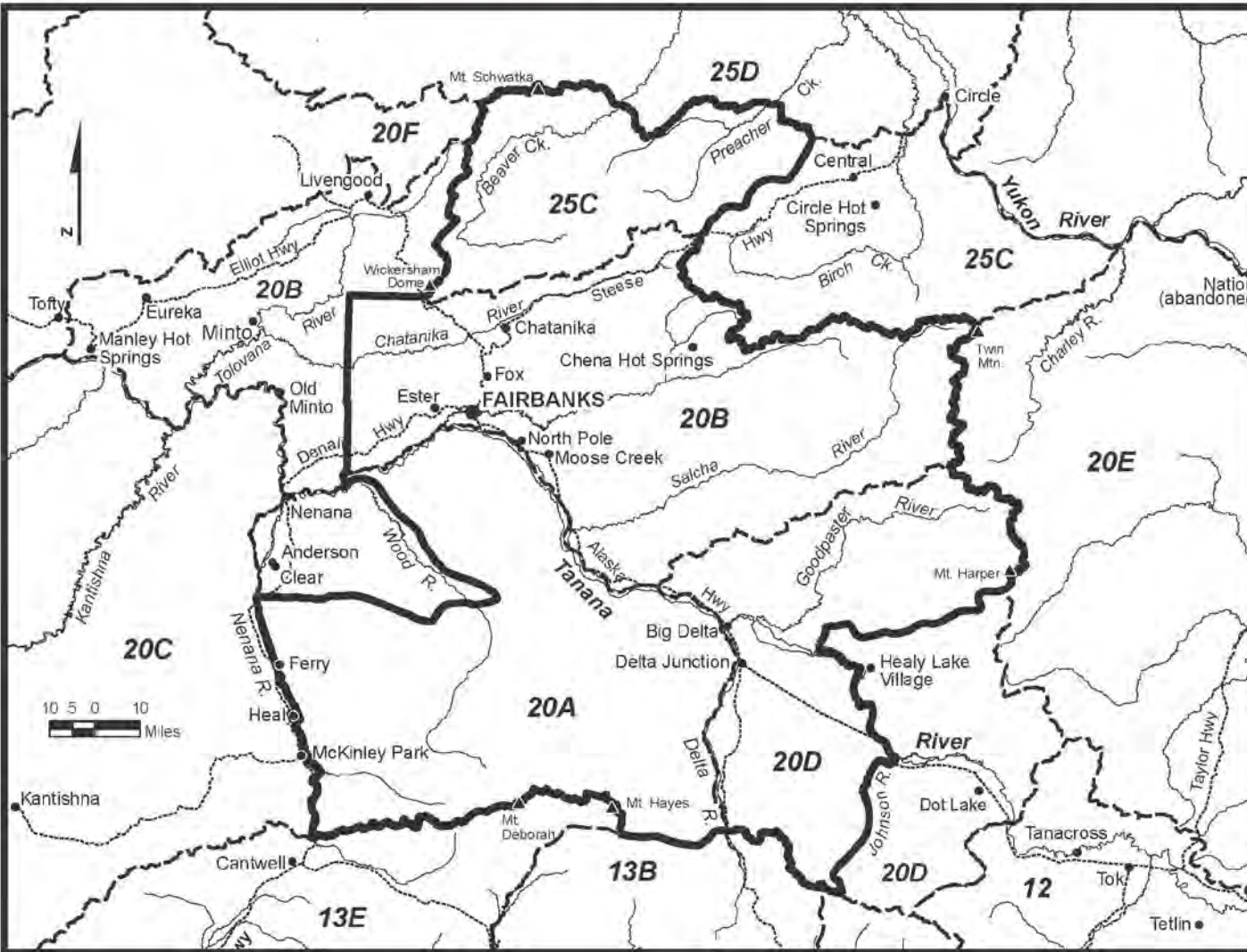
Fairbanks Nonsubsistence Area

The Fairbanks Nonsubsistence Area is comprised of the following: within Unit 20(A), as defined by 5 AAC 92.450(20) (A), east of the Wood River drainage and south of the Rex Trail but including the upper Wood River drainage south of its confluence with Chicken Creek; within Unit 20(B), as defined by 5 AAC 92.450(20) (B), the North Star Borough and that portion of the Washington Creek drainage east of the Elliot Highway; within Unit 20(D) as defined by 5 AAC 92.450(20) (D), west of the Tanana River between its confluence with the Johnson and Delta Rivers, west of the east bank of the Johnson River, and north and west of the Volkmar drainage, including the Goodpaster River drainage; and within Unit 25(C), as defined by 5 AAC 92.450(25) (C), the Preacher and Beaver Creek drainages.



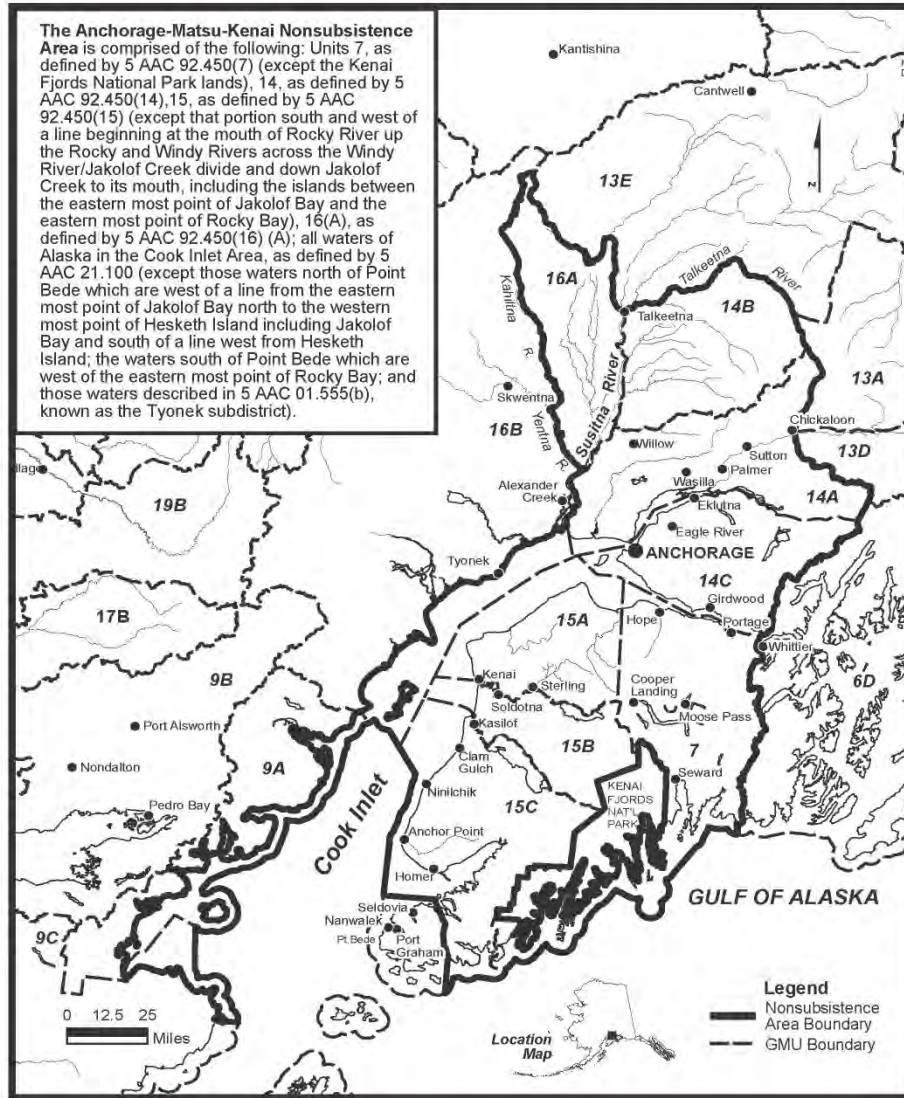
Legend

- Nonsubsistence Area Boundary
- GMU Boundary
- Roads



Anchorage Nonsubsistence Area

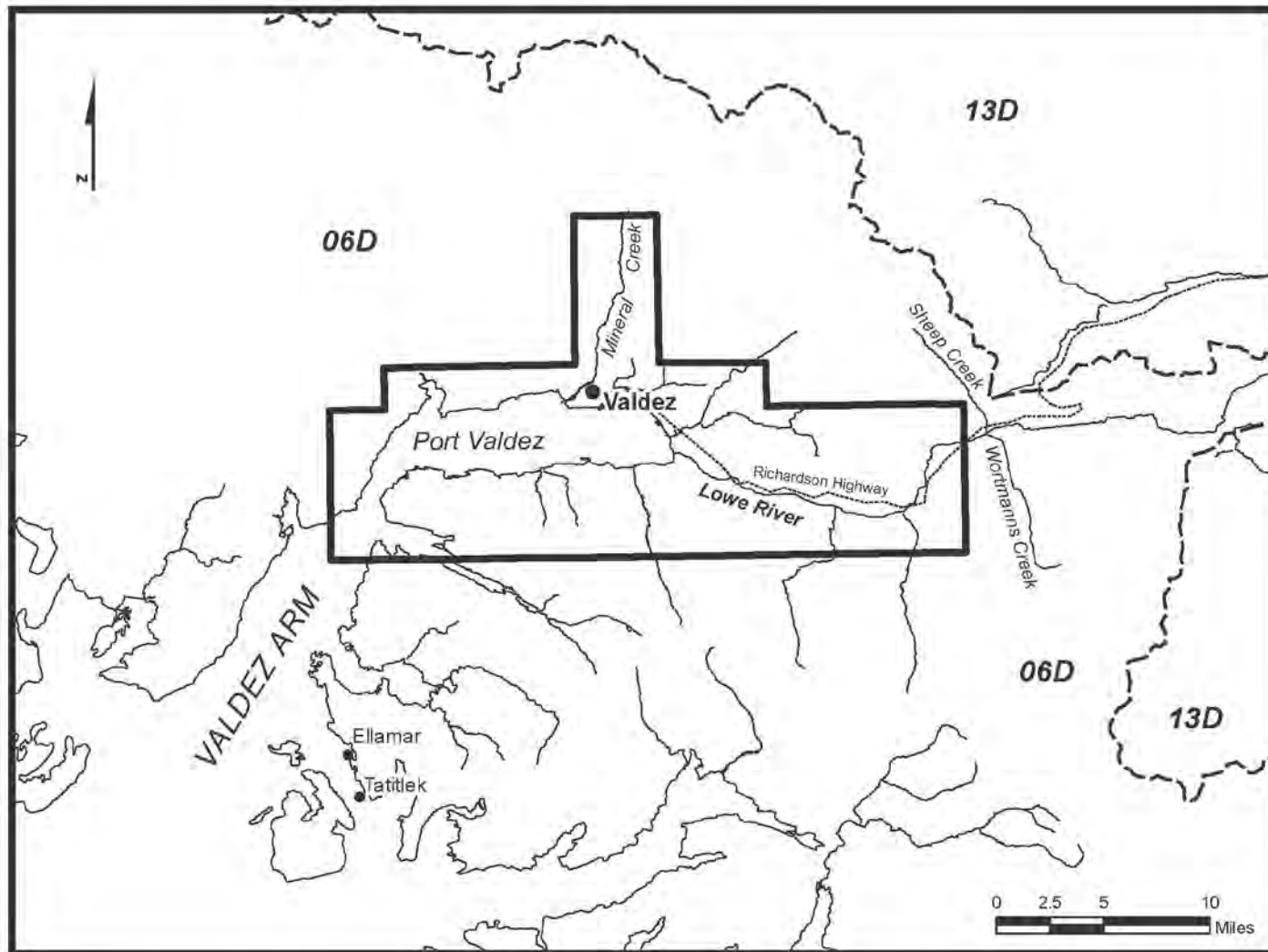
The Anchorage-Matsu-Kenai Nonsubsistence Area is comprised of the following: Units 7, as defined by 5 AAC 92.450(7) (except the Kenai Fjords National Park lands), 14, as defined by 5 AAC 92.450(14), 15, as defined by 5 AAC 92.450(15) (except that portion south and west of a line beginning at the mouth of Rocky River up the Rocky and Windy Rivers across the Windy River/Jakolof Creek divide and down Jakolof Creek to its mouth, including the islands between the eastern most point of Jakolof Bay and the eastern most point of Rocky Bay), 16(A), as defined by 5 AAC 92.450(16) (A); all waters of Alaska in the Cook Inlet Area, as defined by 5 AAC 21.100 (except those waters north of Point Bede which are west of a line from the eastern most point of Jakolof Bay north to the western most point of Hesketh Island including Jakolof Bay and south of a line west from Hesketh Island; the waters south of Point Bede which are west of the eastern most point of Rocky Bay; and those waters described in 5 AAC 01.555(b), known as the Tyonek subdistrict).



Alaska Department of Fish and Game
Division of Subsistence and Boards

September 2007

Valdez Nonsubsistence Area



The Valdez Nonsubsistence Area is comprised of the following: within Unit 6(D), as defined by 5 AAC 92.450(6) (D), and all waters of Alaska in the Prince William Sound Area as defined by 5 AAC 24.100, within the March 1993 Valdez City limits.



Legend

- Nonsubsistence Area Boundary
- GMU Boundary
- Roads

Figure 2.2-1. Population of Nonsubsistence Areas and Other Alaska Areas, 1960 - 2010

◆ Nonsubsistence Areas ■ Other Areas

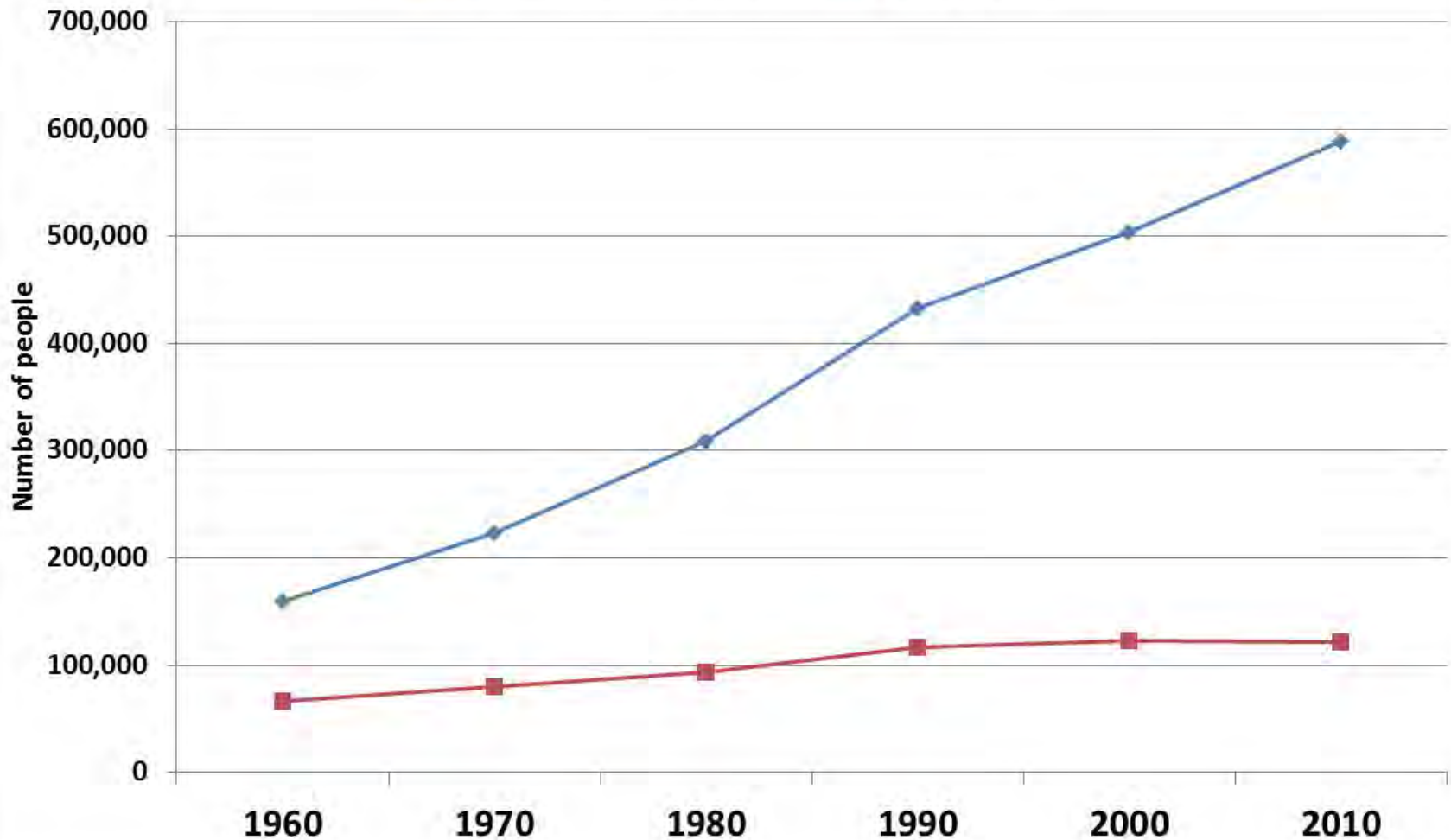


Figure 2.2-3. Change in Population, 2010 Compared to 1990

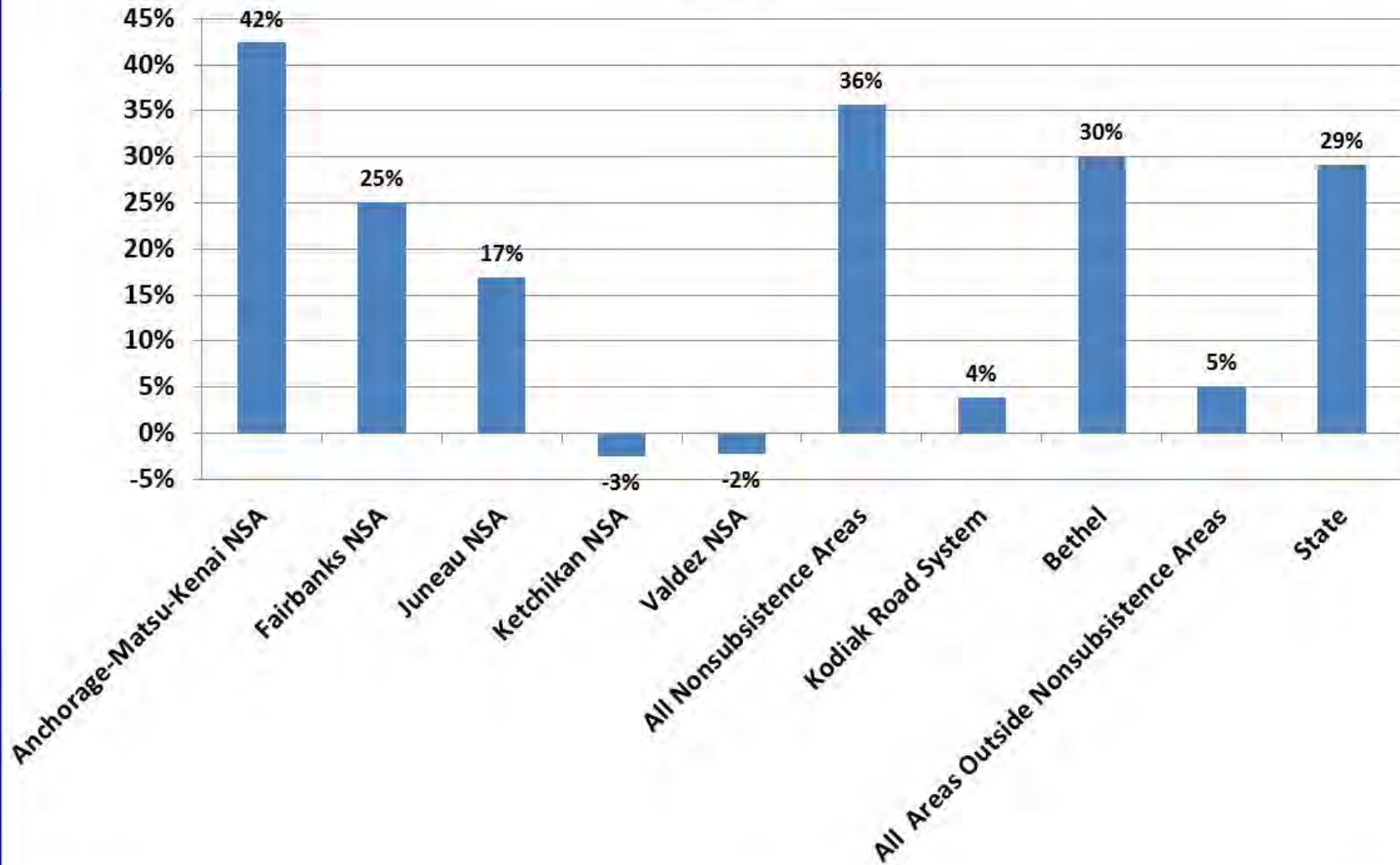


Figure 2.3-1. Per capita income by census area, 2007-2011 annual average

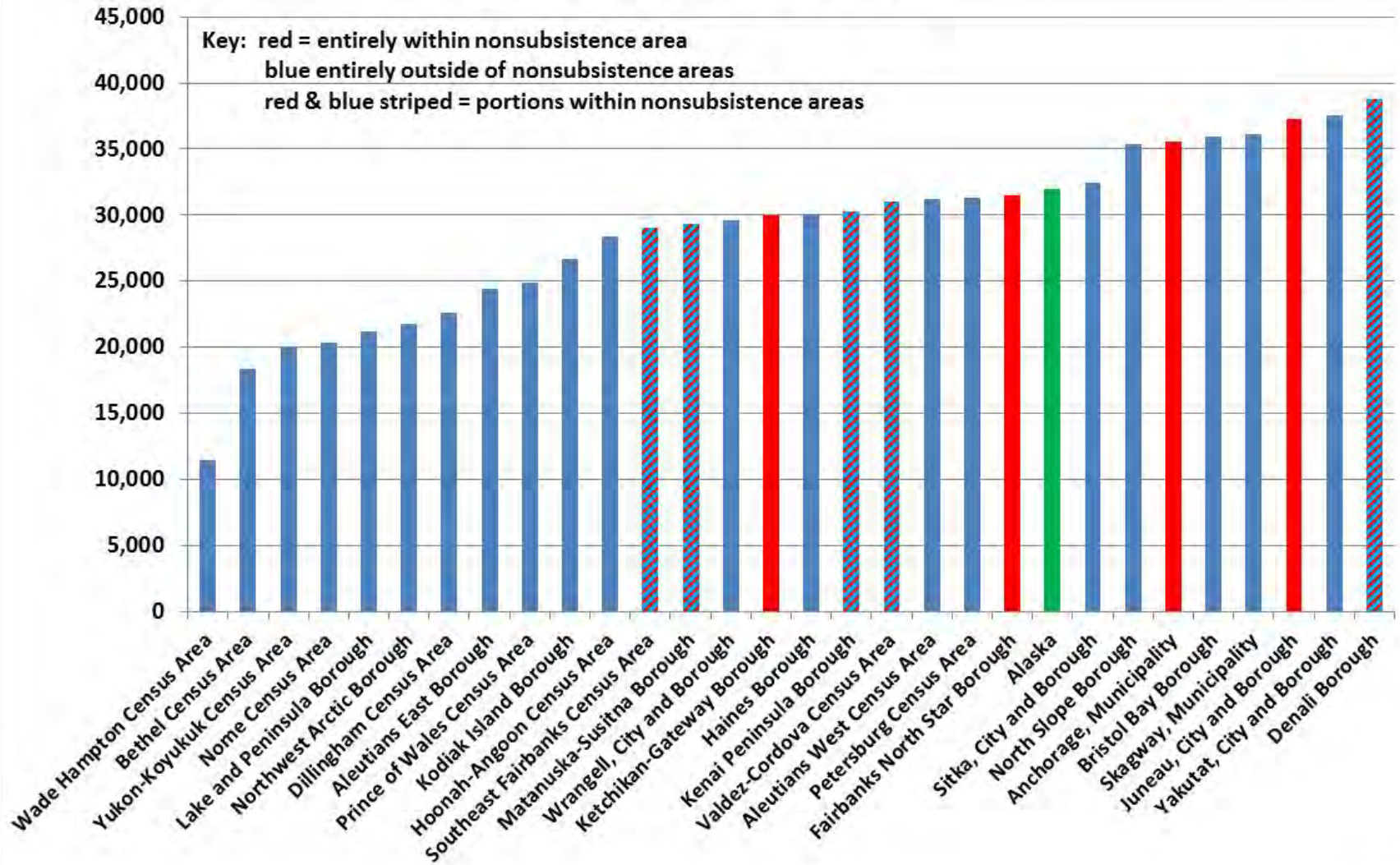


Figure 2.3-3. Percentage of population living below poverty threshold, 1989 and annual average 2007-2011

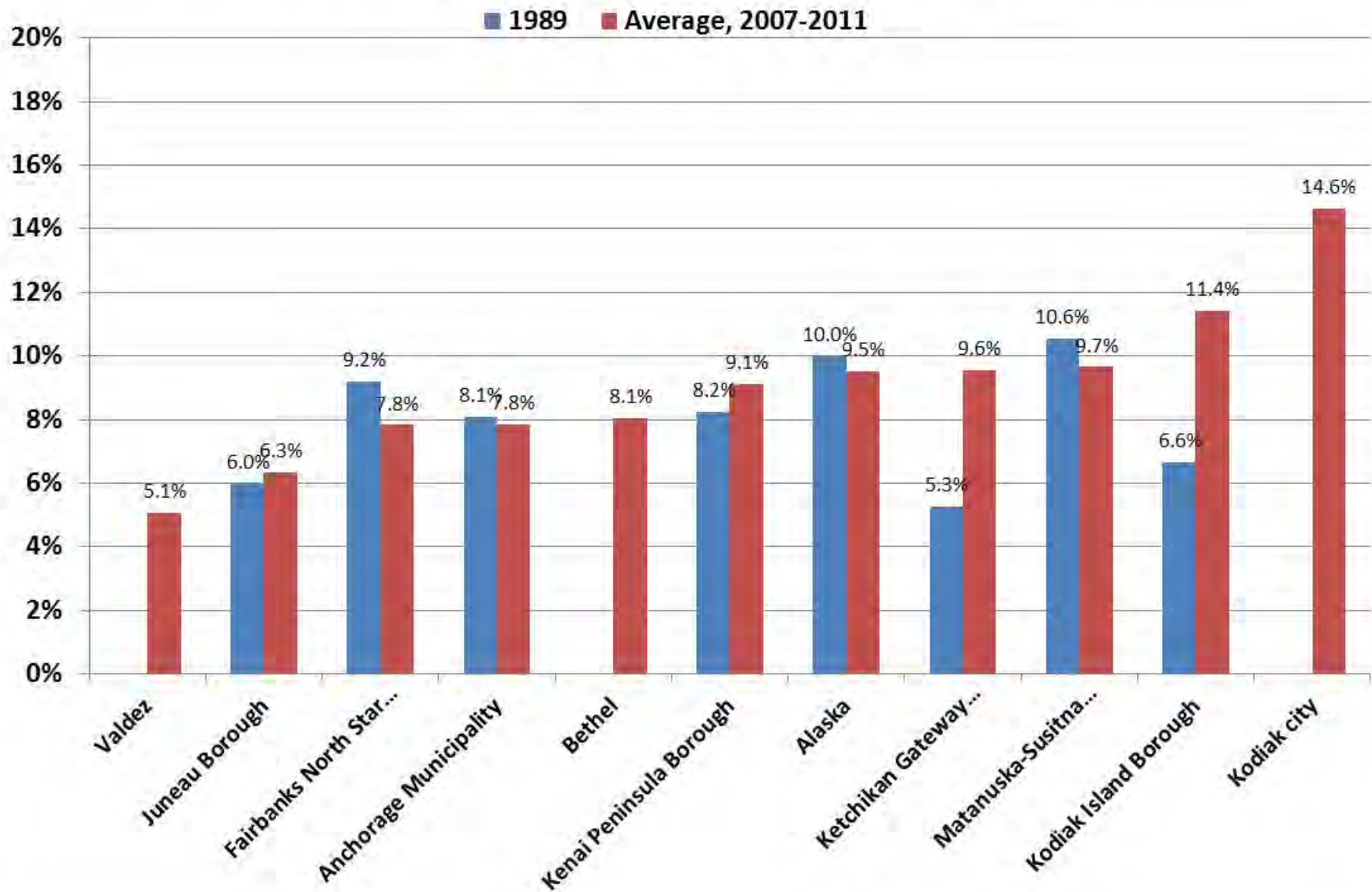


Figure 2.5-1. Geographic cost differentials in 2008

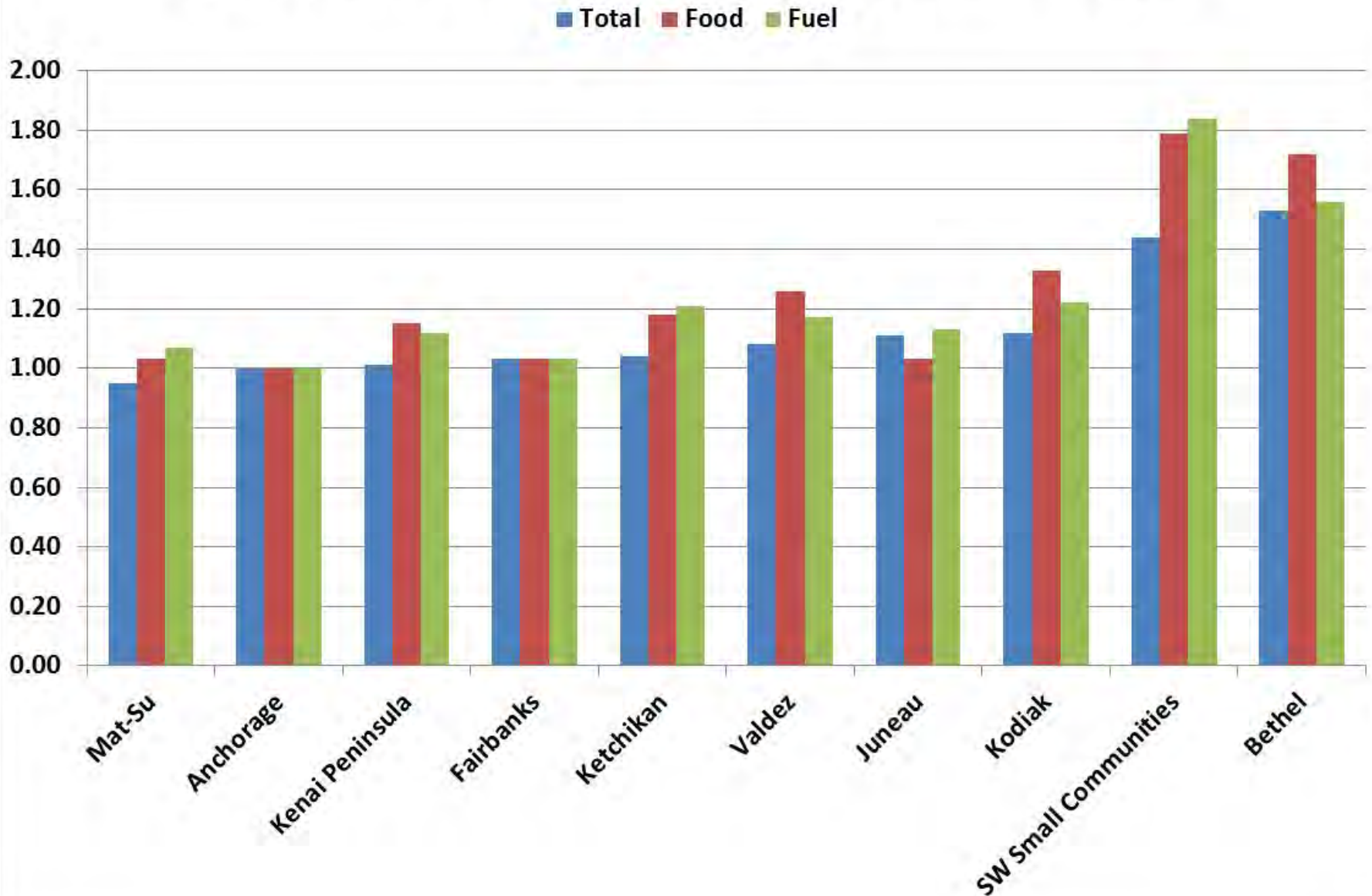
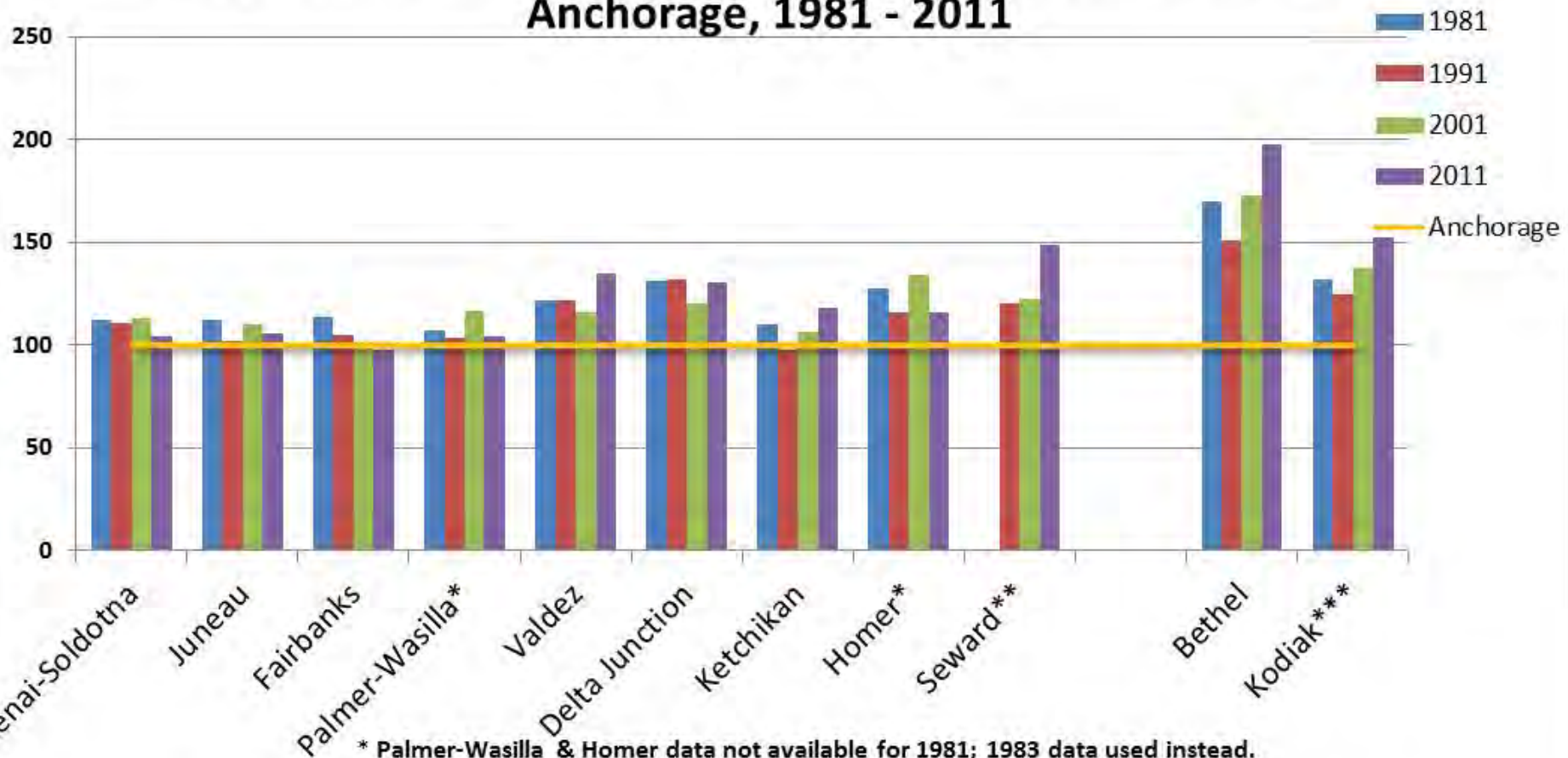
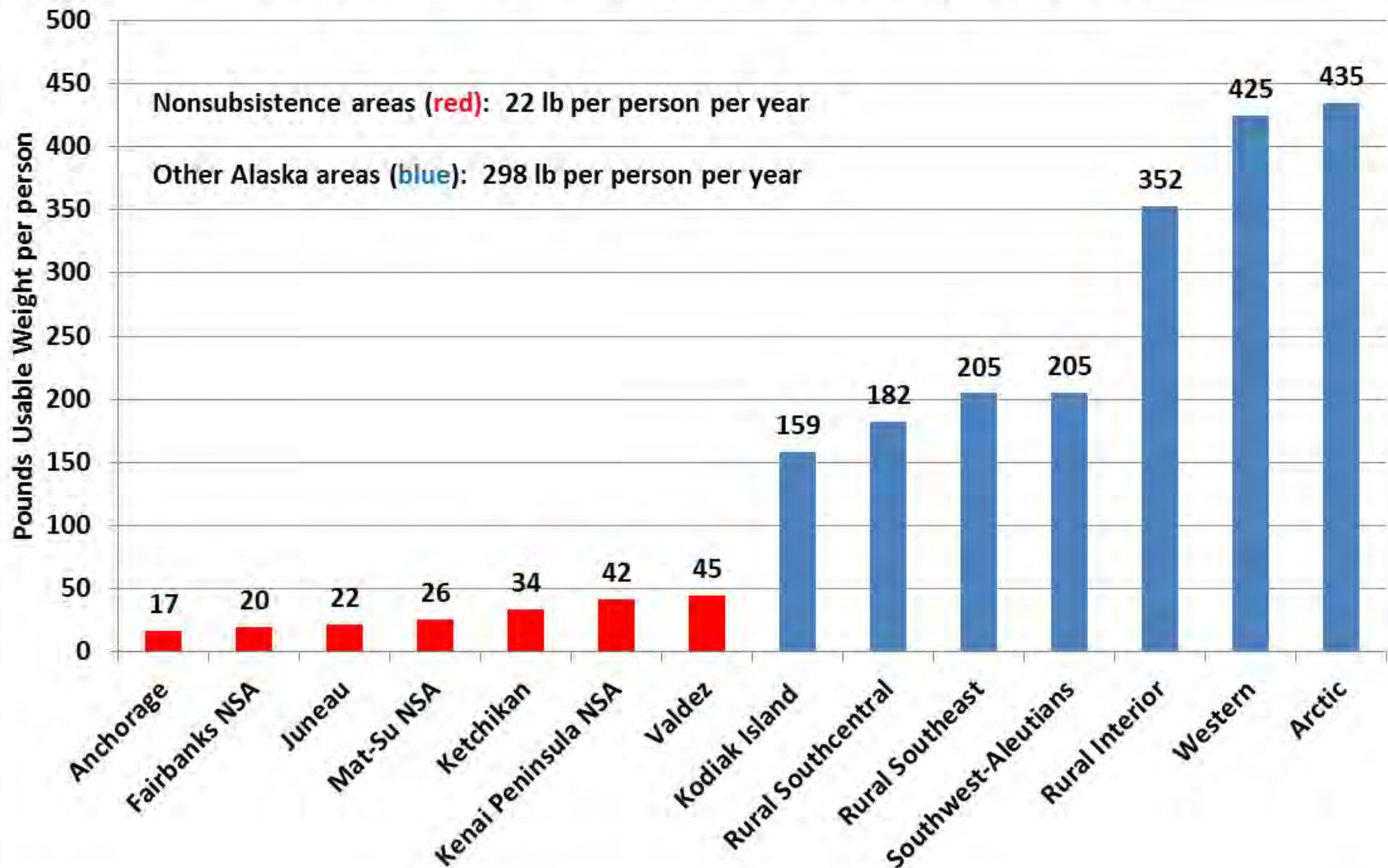


Figure 2.5-2. Cost of food index for non-subsistence areas and proposed non-subsistence area places, referenced from Anchorage, 1981 - 2011



* Palmer-Wasilla & Homer data not available for 1981; 1983 data used instead.
 ** Data unavailable for Seward until 1991; no substitute available.
 *** Data for Kodiak not available in 1981 or 2011; 1983 and 2010 data were used instead.

Figure 2.6-1. Wild food harvests in Alaska by area - 2011: lb usable weight per person per year



Estimated harvests of fish and wildlife resources, pounds usable weight per person, Alaska nonsubsistence areas, 1992 and 2007-2011

■ 1992 ■ 2007-2011

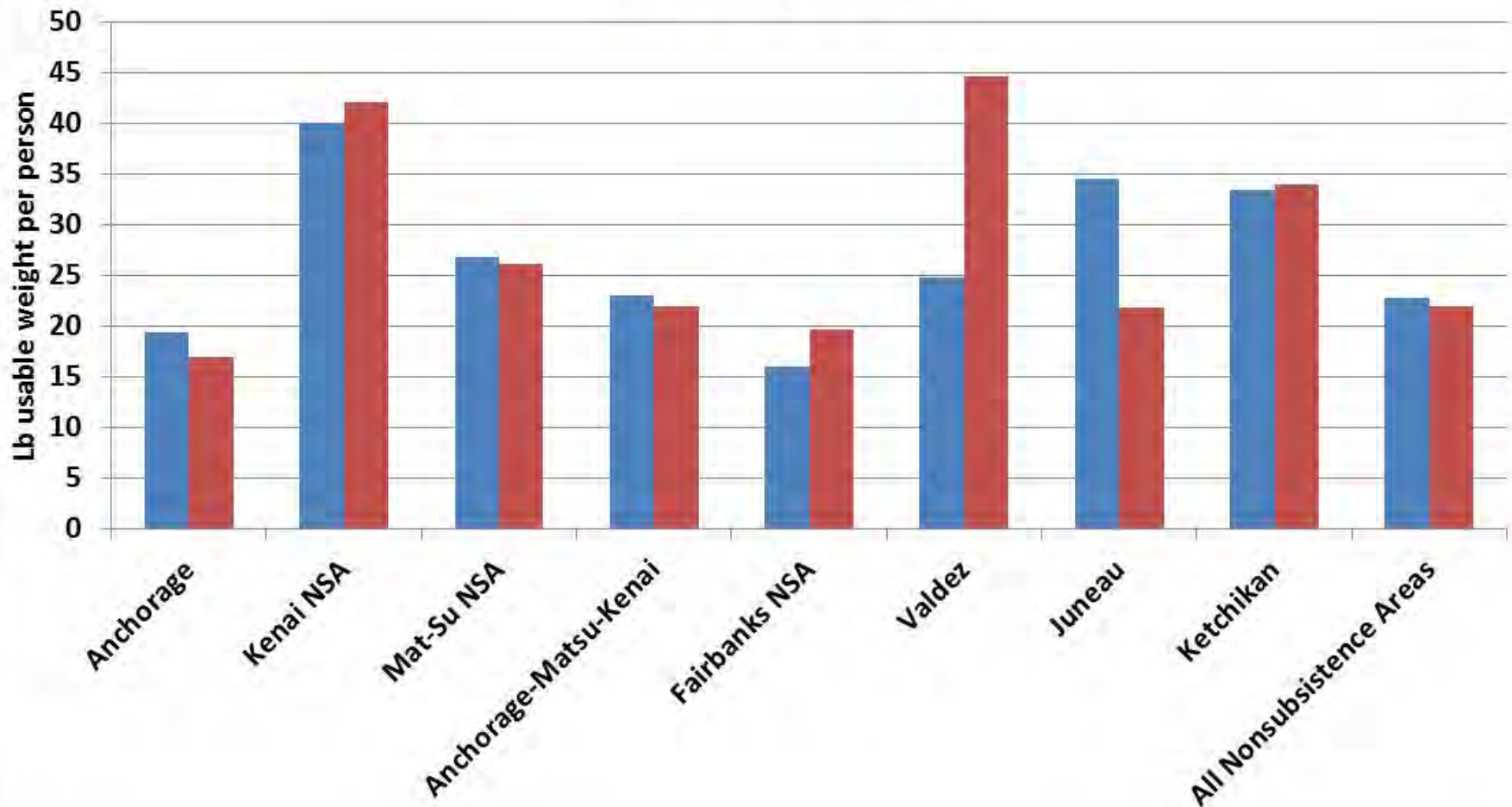


Figure 2.6-2. Percentage of average American consumption of meat, fish, and poultry produced by fish and wildlife harvests

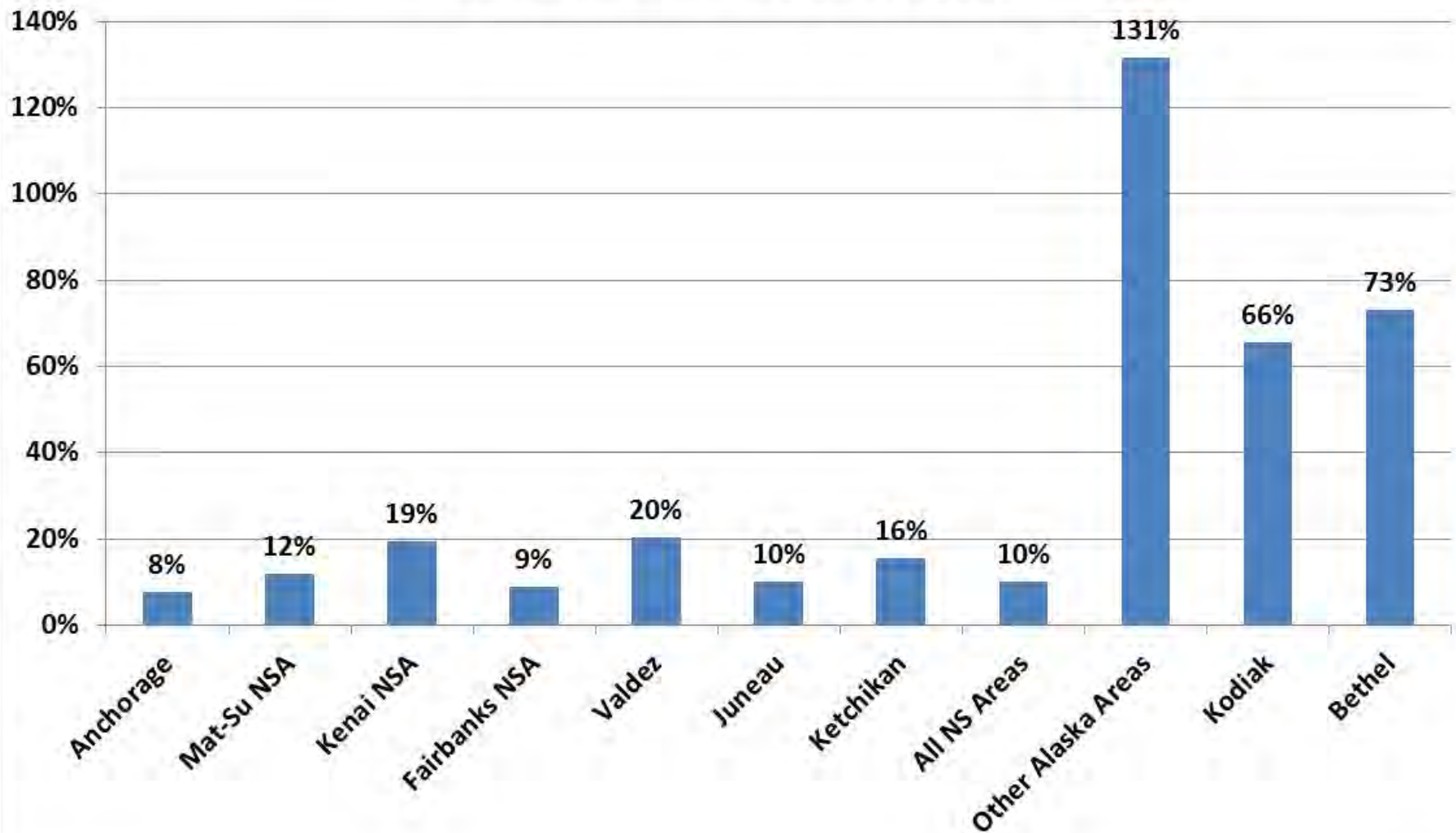


Figure 2.6-3. Percentage of protein requirements produced by fish and wildlife harvests

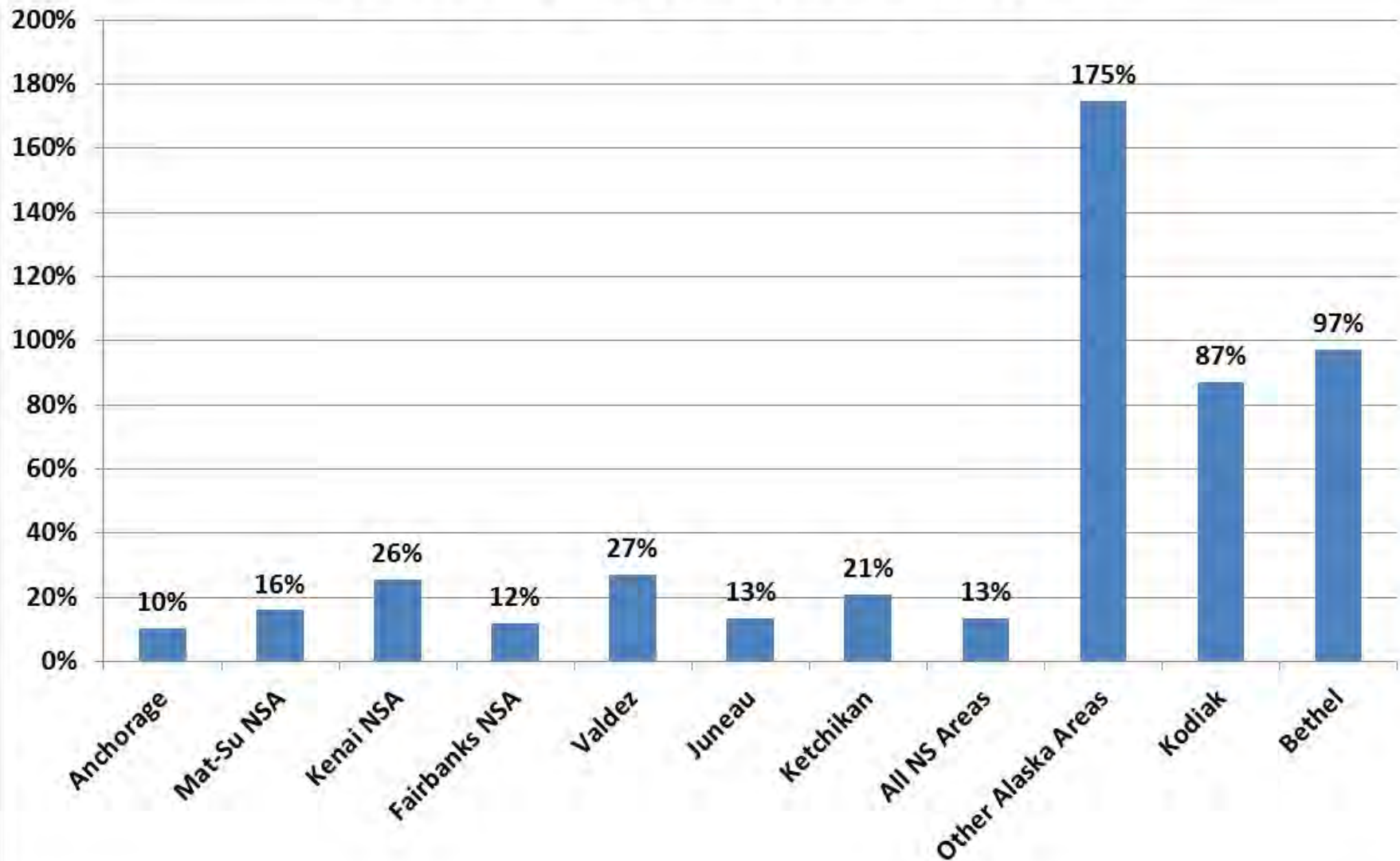


Figure 2.5-7. Salmon harvest for home use by type of fishery, residents of nonsubsistence areas, 5-year average 2007-2011, pounds usable weight

■ Sport fisheries ■ Personal use fisheries ■ Subsistence fisheries

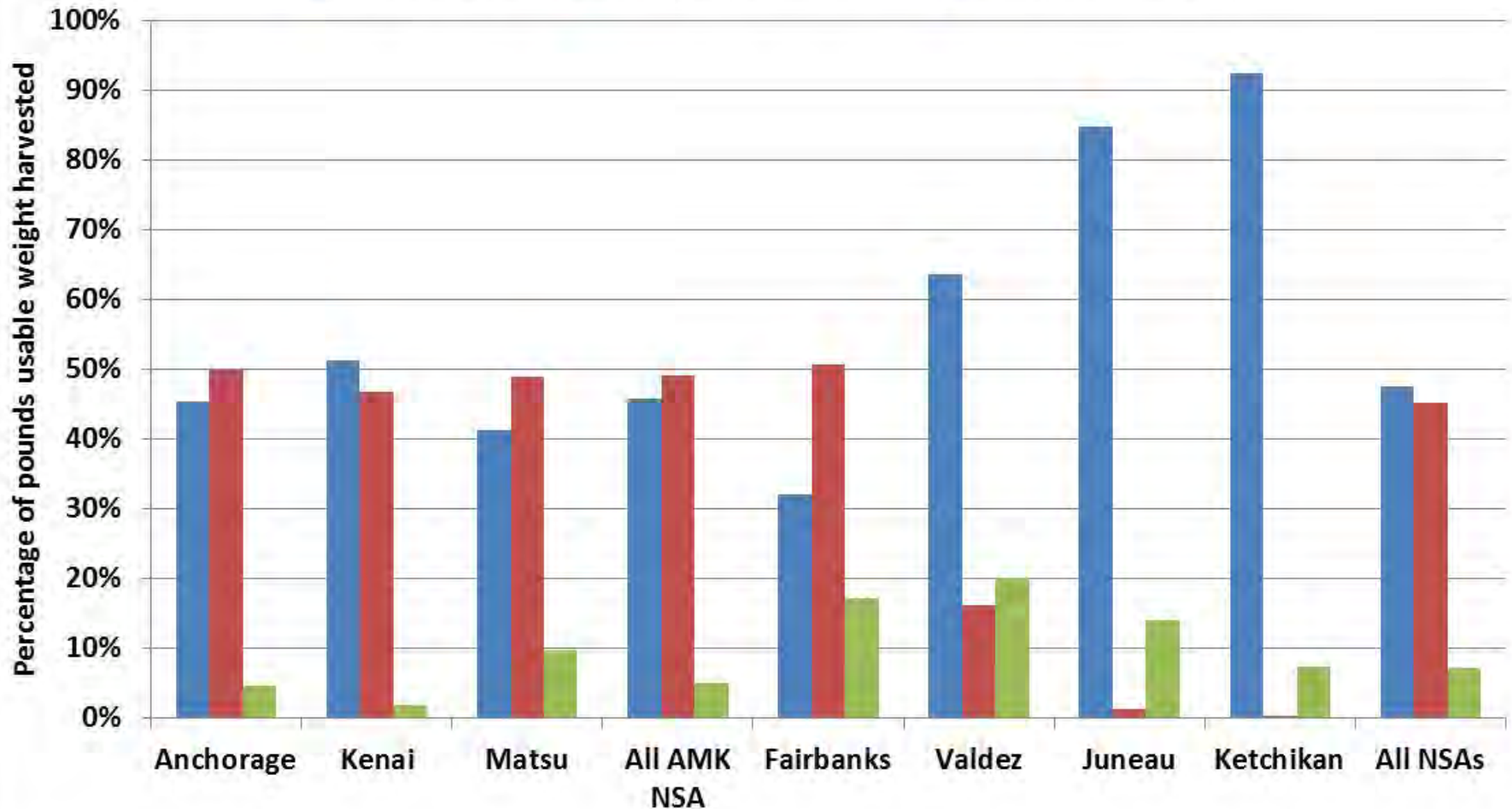
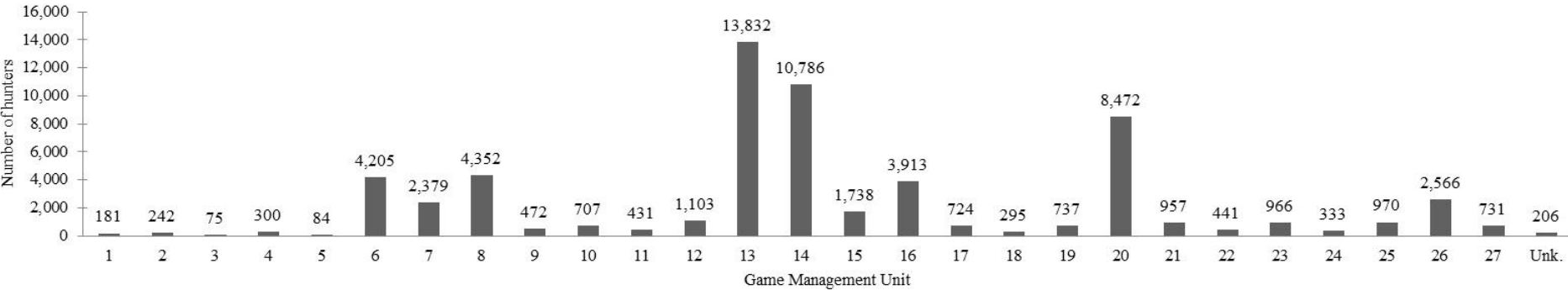


Figure 3.1-16. Total hunters by GMU, Anchorage Municipality residents, 2007–2011

Hunting locations of Anchorage Municipality residents, number of hunters, 2007 - 2011

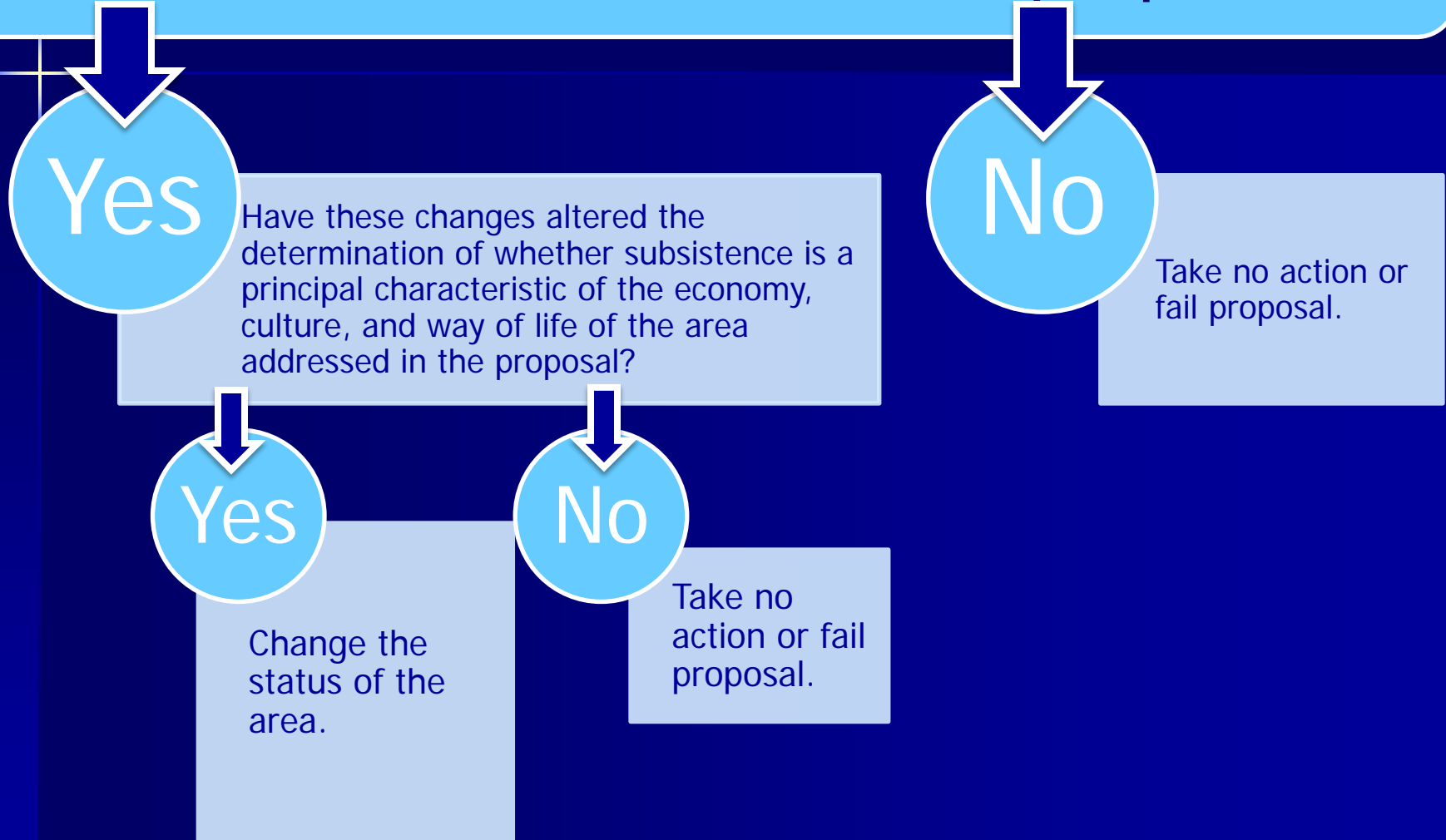


Proposal 38 Summary

- Proposal 38: eliminate all current nonsubsistence areas.

Department Recommendation: Neutral.

Have relevant changes relative to 12 factors occurred in area addressed in proposal?



Proposal 39

- Reduce size of Fairbanks Nonsubsistence Area based on Fortymile caribou herd range.




Department Recommendation:
Neutral.

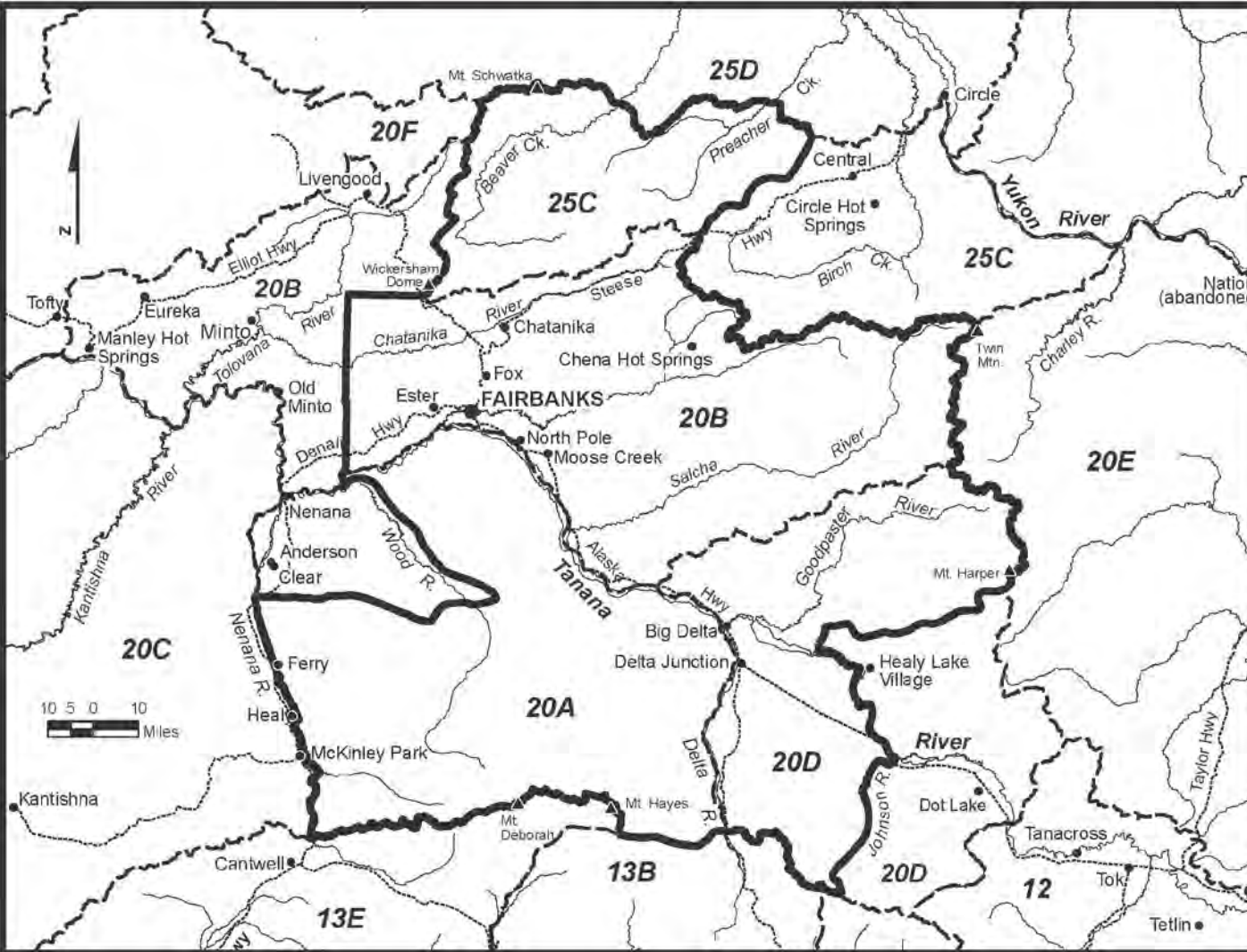
Fairbanks Nonsubsistence Area

The Fairbanks Nonsubsistence Area is comprised of the following: within Unit 20(A), as defined by 5 AAC 92.450(20) (A), east of the Wood River drainage and south of the Rex Trail but including the upper Wood River drainage south of its confluence with Chicken Creek; within Unit 20(B), as defined by 5 AAC 92.450(20) (B), the North Star Borough and that portion of the Washington Creek drainage east of the Elliot Highway; within Unit 20(D) as defined by 5 AAC 92.450(20) (D), west of the Tanana River between its confluence with the Johnson and Delta Rivers, west of the east bank of the Johnson River, and north and west of the Volkmar drainage, including the Goodpaster River drainage; and within Unit 25(C), as defined by 5 AAC 92.450(25) (C), the Preacher and Beaver Creek drainages.



Legend

-  Nonsubsistence Area Boundary
-  GMU Boundary
-  Roads



Considerations

Details in department written report "Report on Proposed Changes to Nonsubsistence Areas" (RC 3).

- Provides background on Fortymile caribou herd population and ranges.
- Notes that range of wildlife populations and fish stocks with C&T uses is not one of the 12 factors.
- Notes that size and range of the herd are dynamic.
- Notes there is a positive C&T finding for this herd and ANS of 350–400 caribou.

Considerations, Continued

- Management goal = 50,000–100,000 caribou.
- Current (2010) minimum size = 51,675; population is growing.
- Goal = reoccupy historical range without compromising herd health.
- Hunting opportunities guided by collaboratively-developed harvest plan.
- Single registration permit program that includes both state and federal opportunities.

Figure 4.1-1. Cumulative multi-year Fortymile caribou herd distribution delineated during five study periods

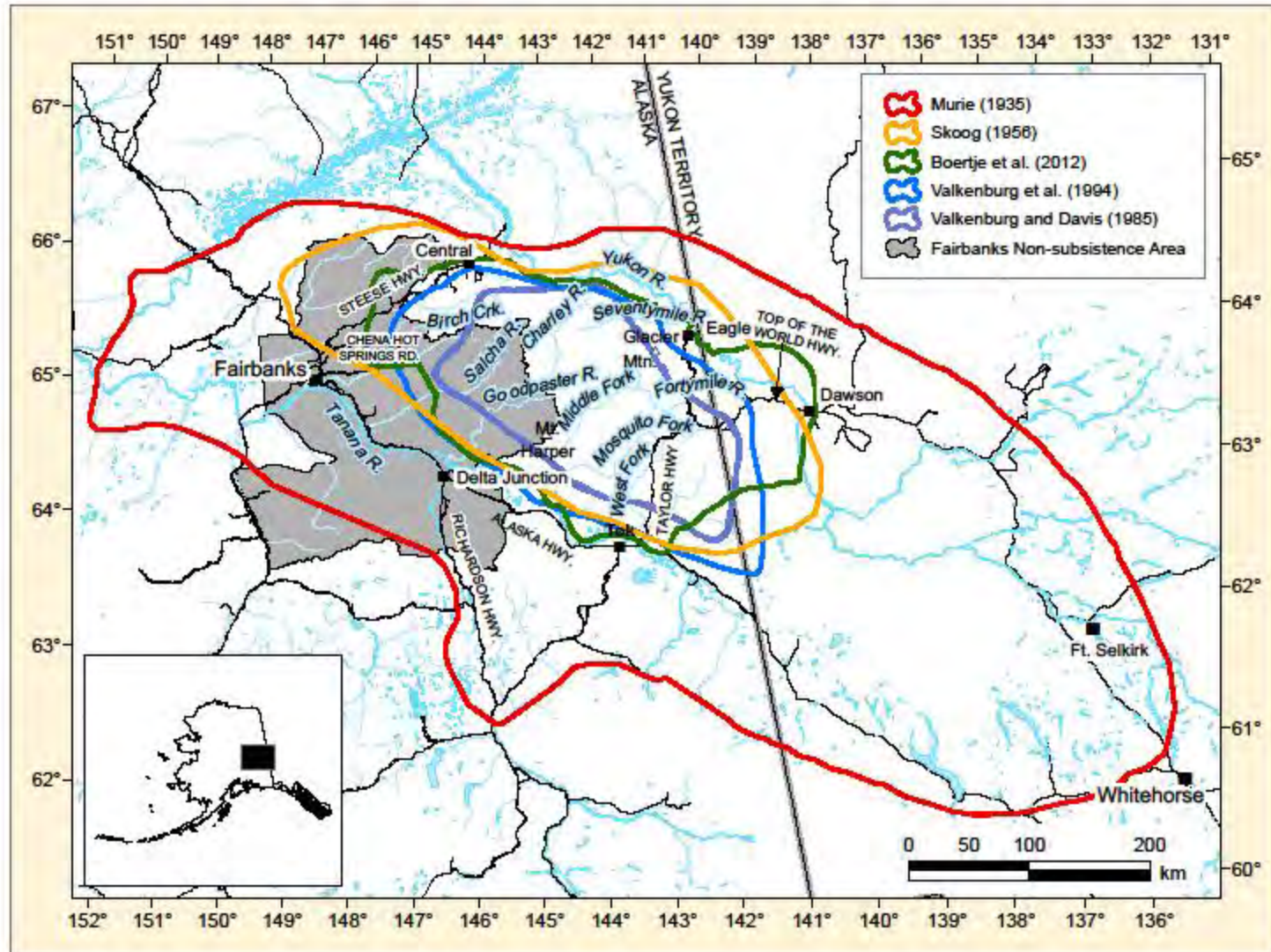


Figure 4.1-2. Fortymile caribou herd distribution based on percentages of 99 independent seasonal boundaries, 1991–2008

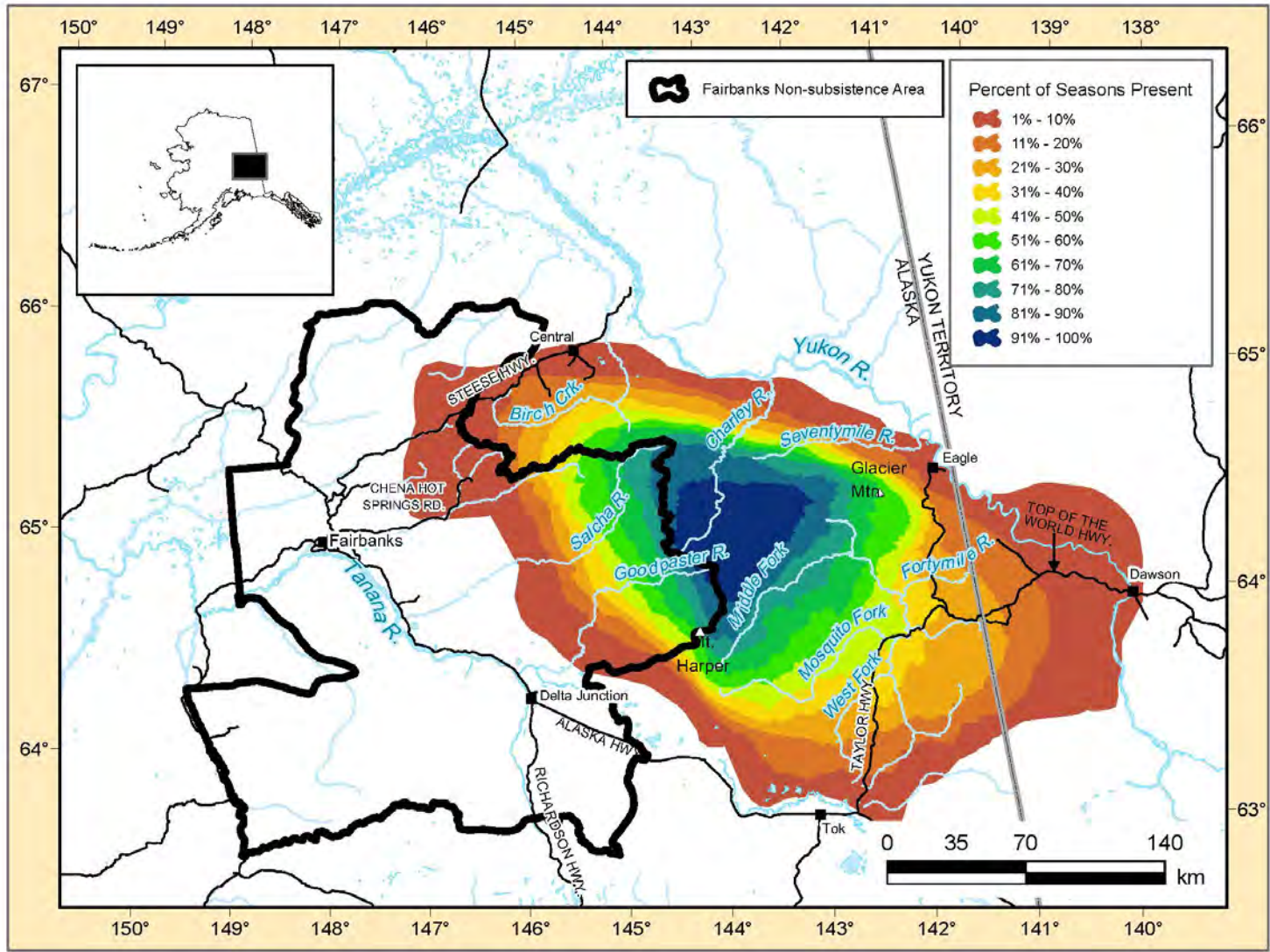


Figure 4.1-3. Average number of caribou harvested annually from 2006–2012 in UCUs within Fairbanks NSA

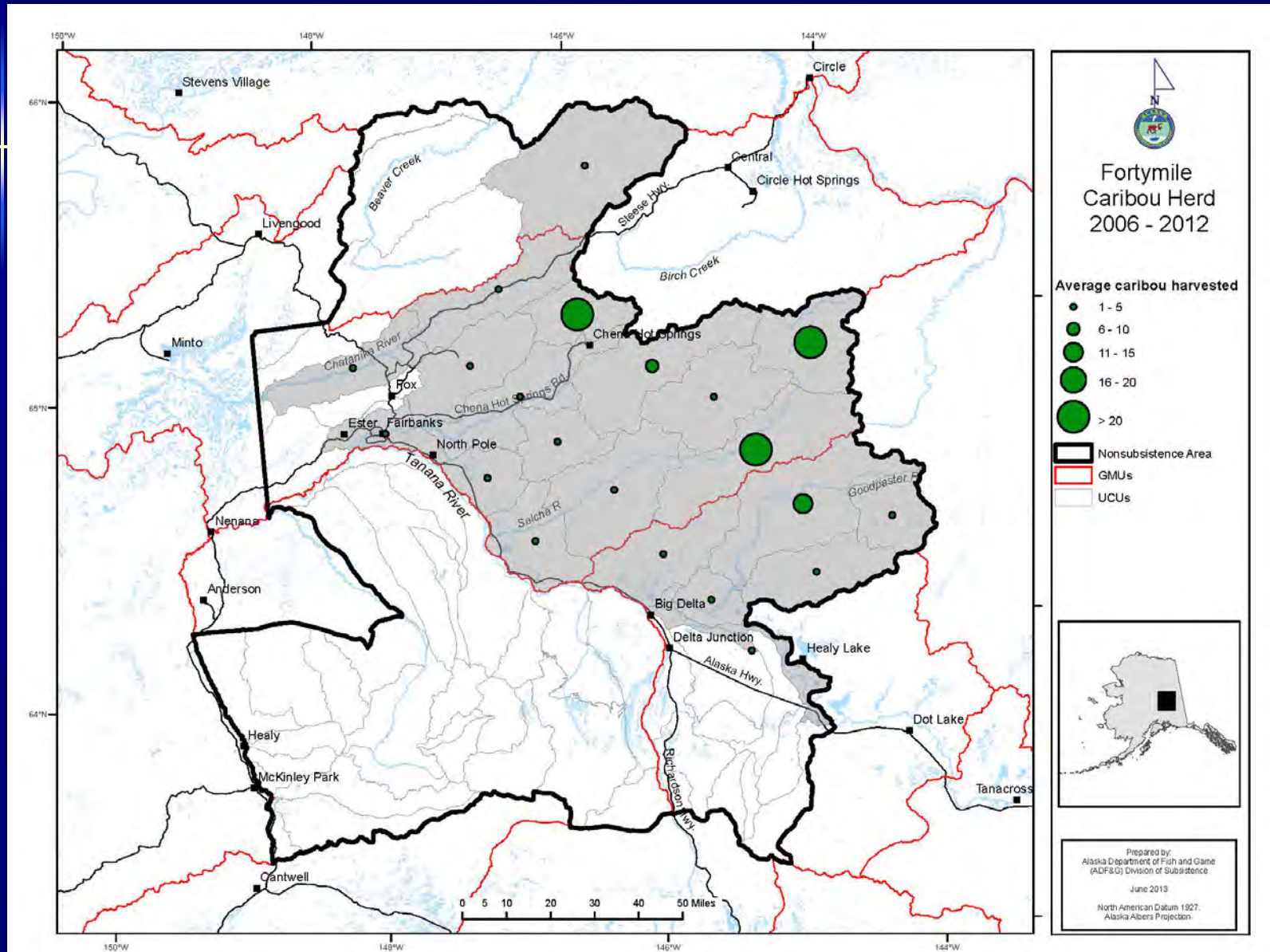


Figure 4.1-4. Number of Fortymile herd caribou harvested within and outside of Fairbanks Nonsubsistence Area, 2006 - 2012

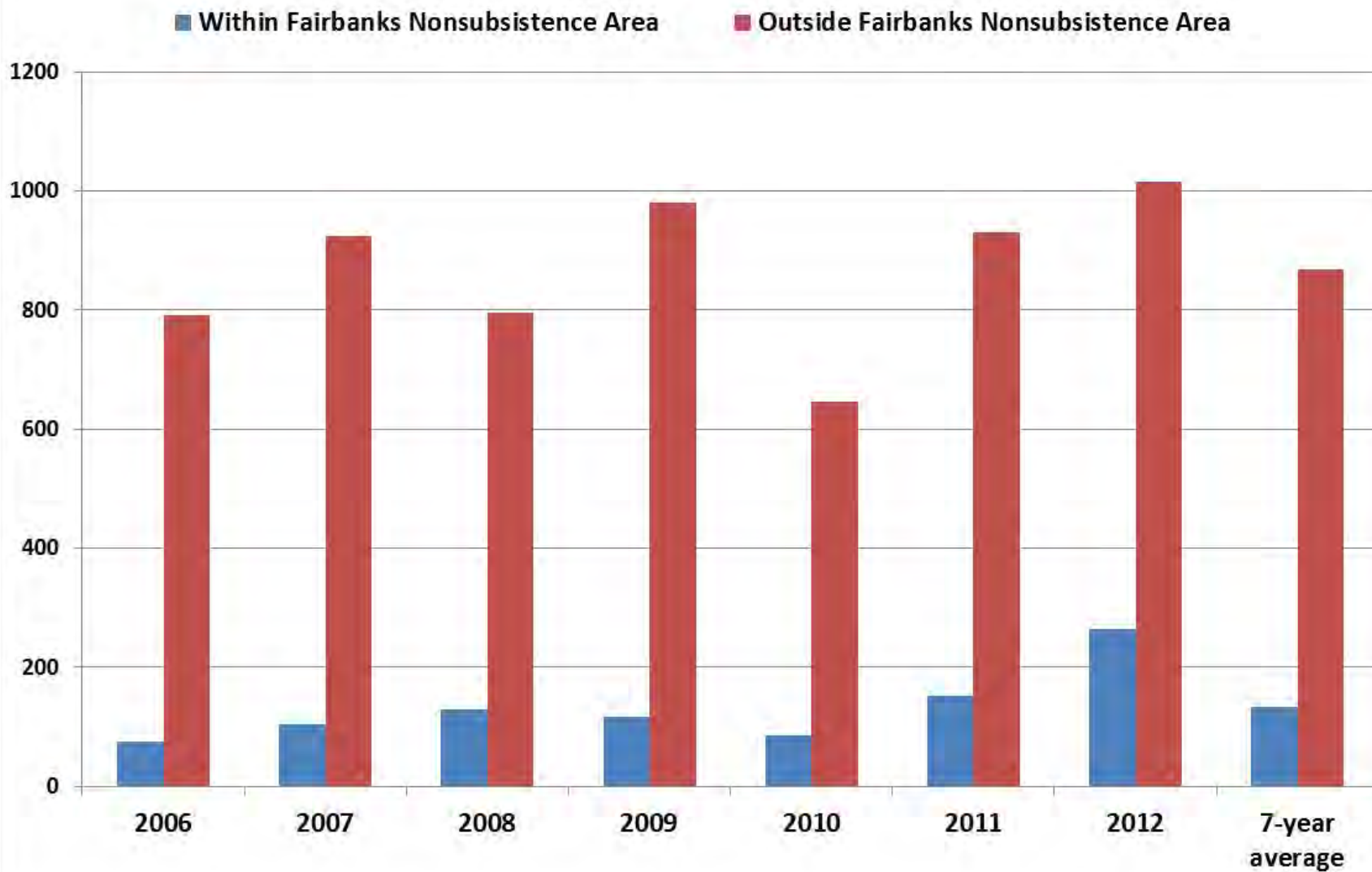
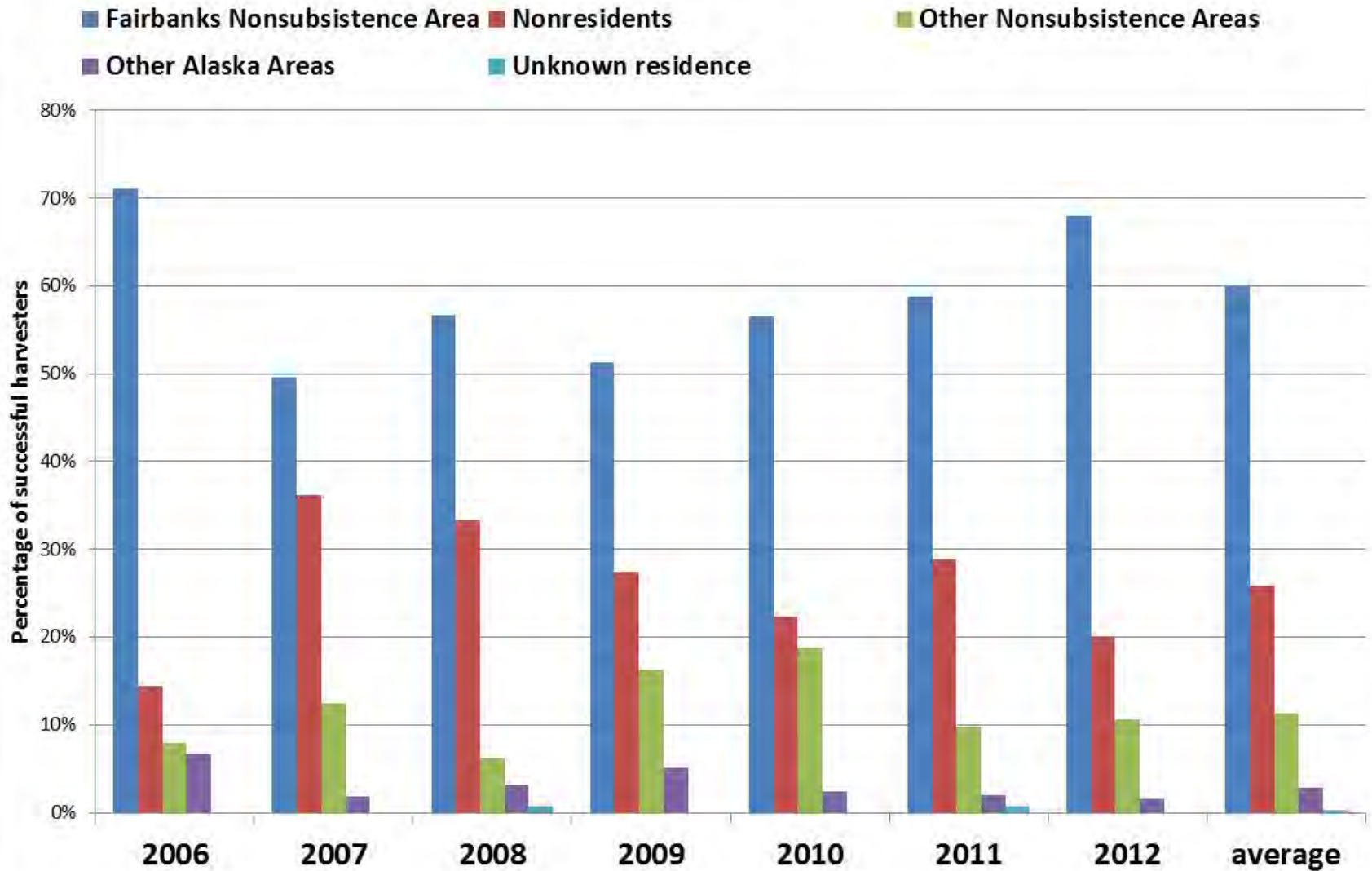
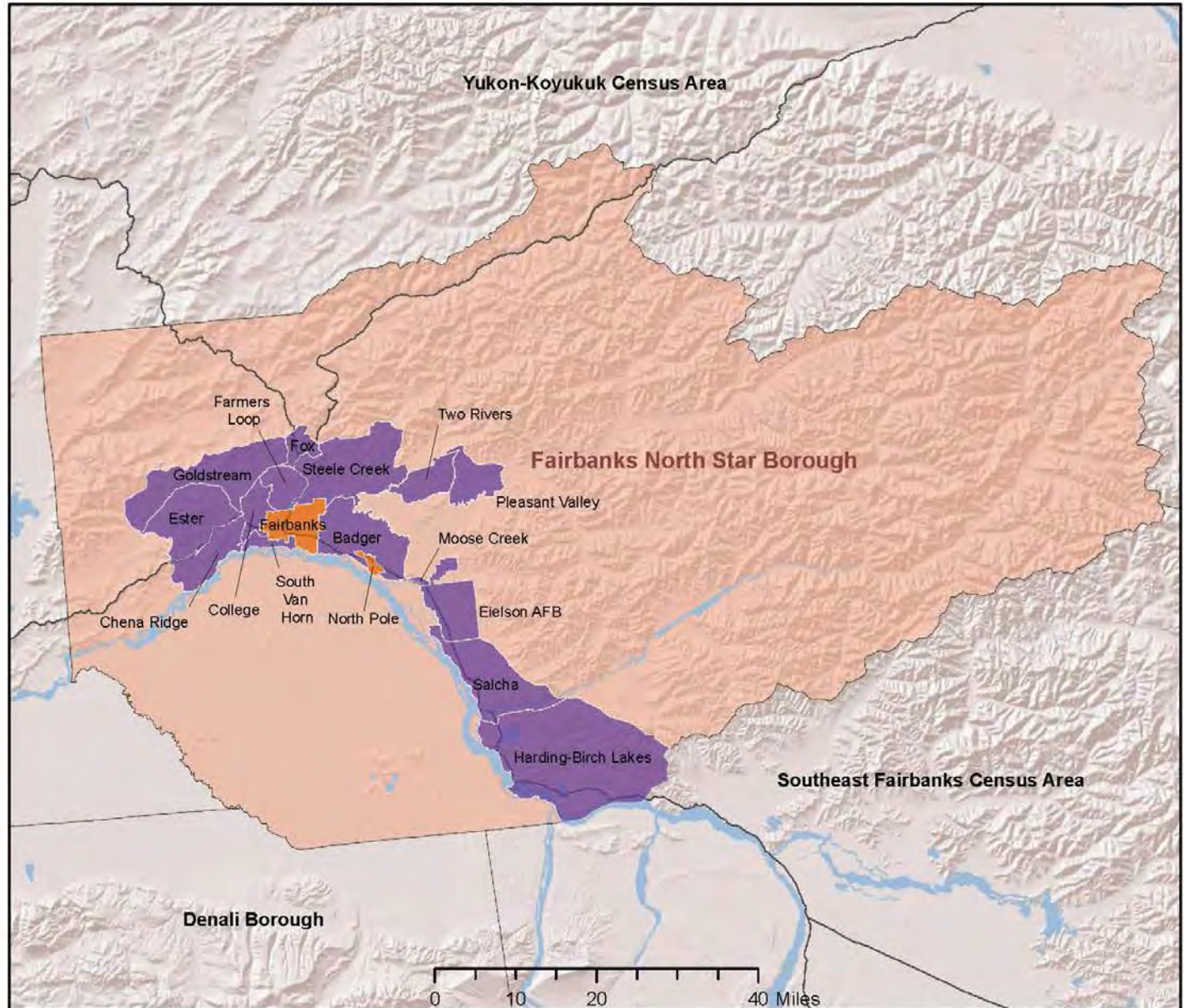
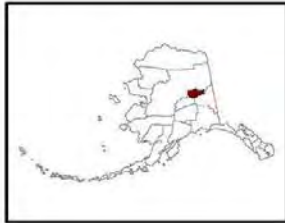


Figure 4.1-5. Area of residence of harvesters of Fortymile Caribou within the Fairbanks Nonsubsistence Area, 2006-2012



Fairbanks North Star Borough



Prepared by:
Alaska Department of Labor
& Workforce Development

September 2011

Source: US Census
2010 TIGERline

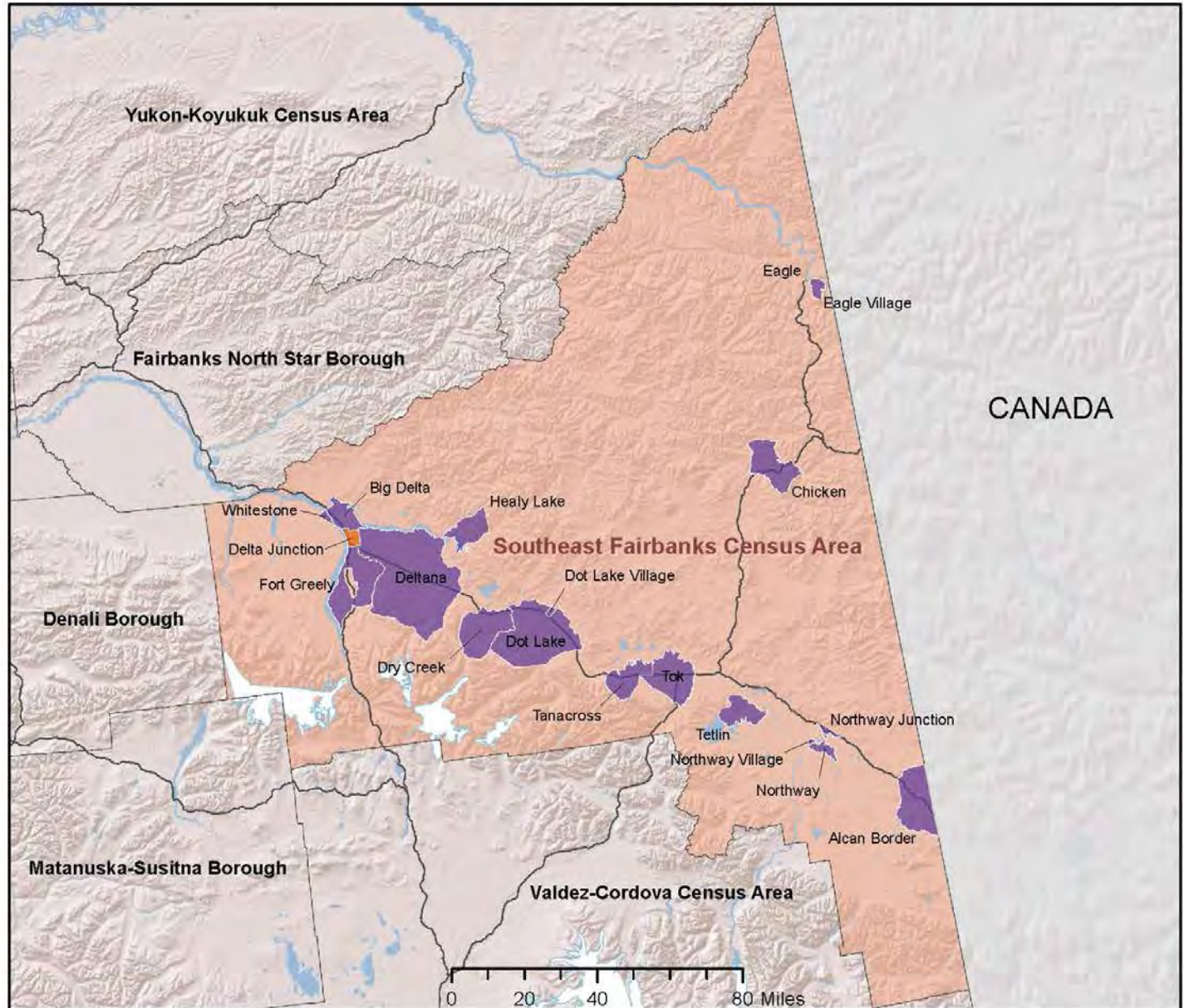
Southeast Fairbanks Census Area



Prepared by:
Alaska Department of Labor
& Workforce Development

September 2011

Source: US Census
2010 TIGERline



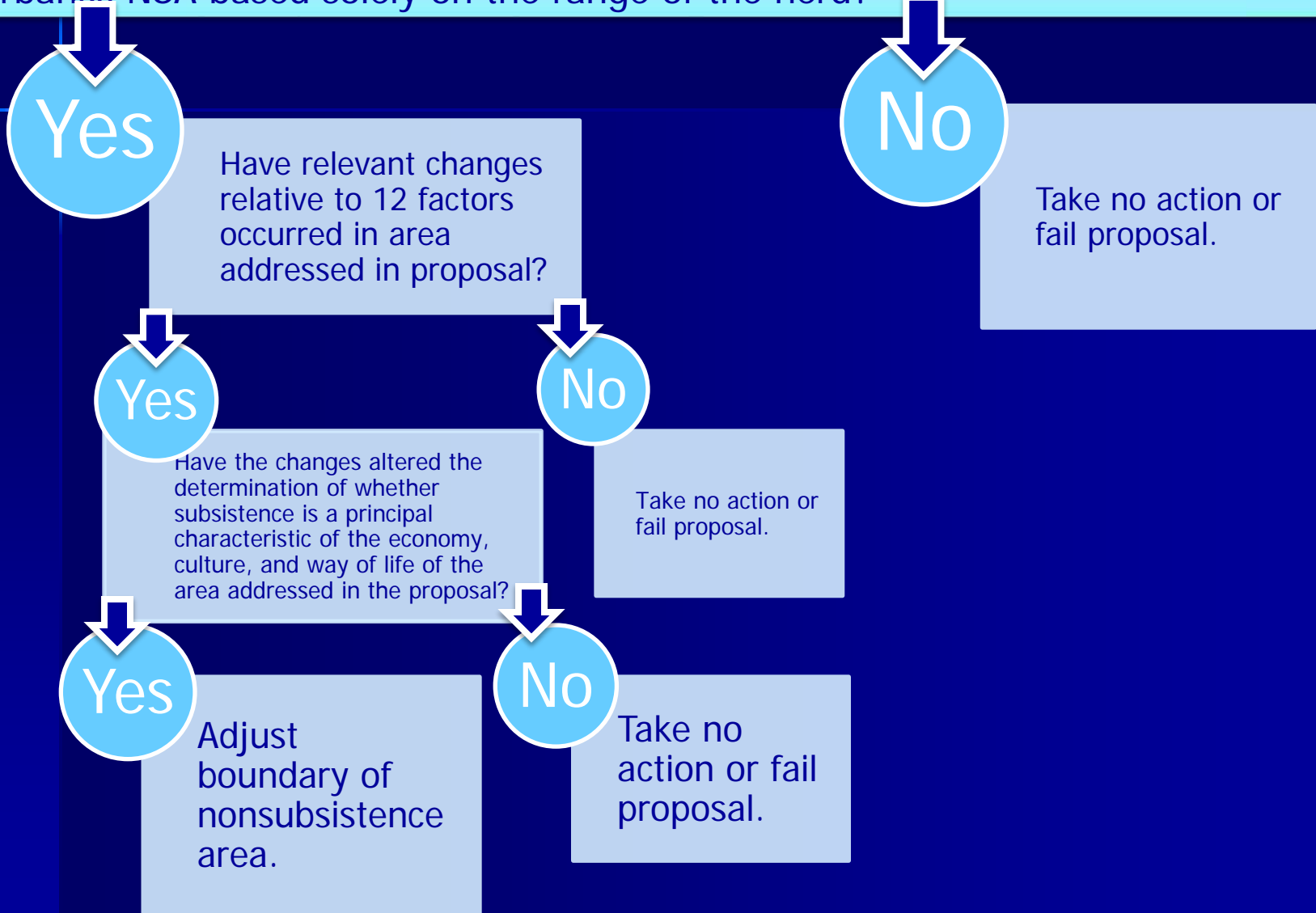
Proposal 39 Summary

- Proposal 39: reduce size of Fairbanks Nonsubsistence Area based on Fortymile caribou herd range.

Department Recommendation: Neutral.

What is the range of the Fortymile caribou herd?

Are there sufficient data to support consideration of changing the boundary of the Fairbanks NSA based solely on the range of the herd?

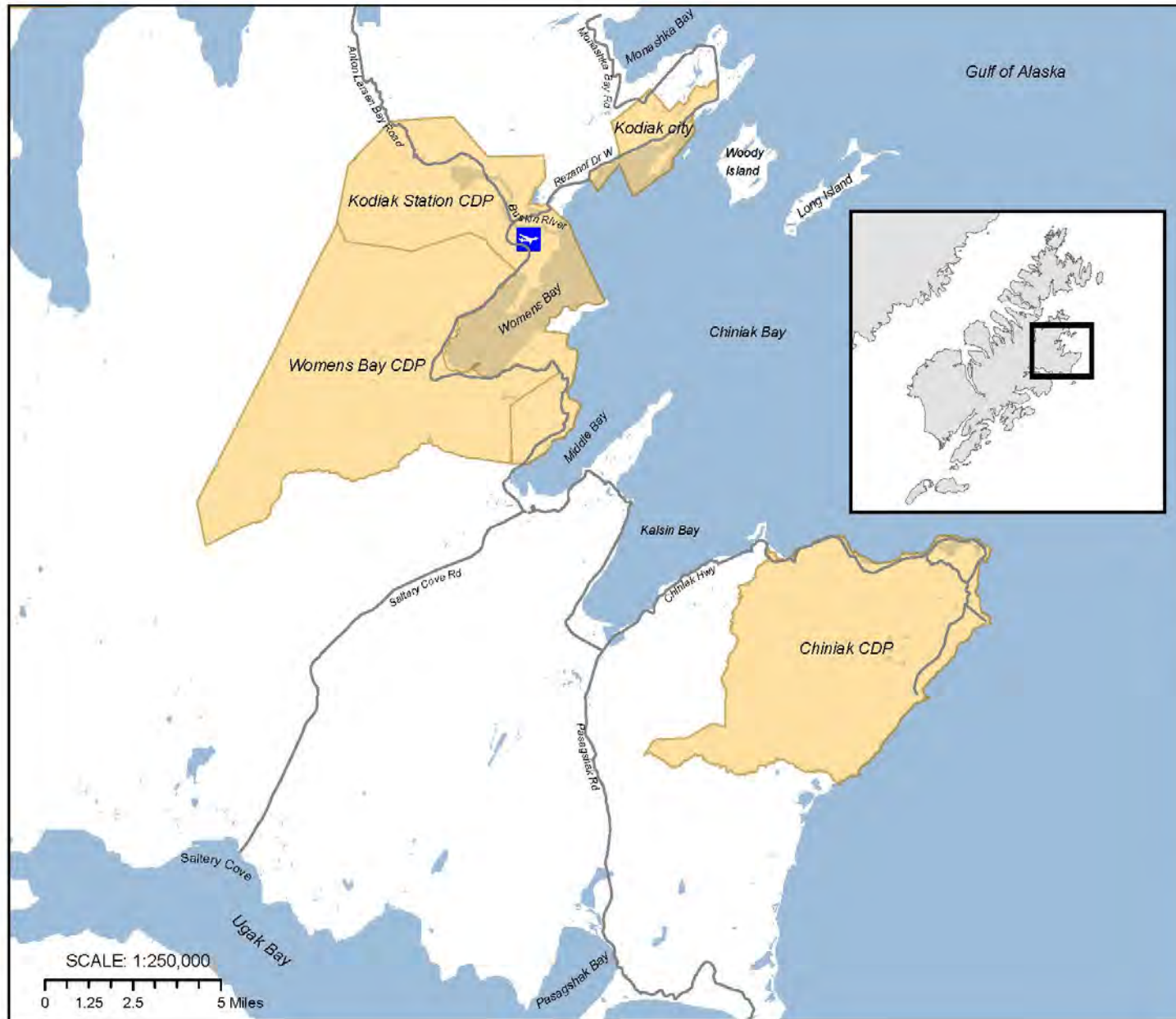


Proposal 40





- Create a Kodiak Nonsubsistence Area.

Department Recommendation:
Neutral.

Kodiak vicinity



Legend

-  2010 CDPs
-  Airport
-  Roads
-  Rivers



Prepared by:
Alaska Department of Fish and
Game (ADF&G) Division of
Subsistence

July 2013

North American Datum 1927.
Alaska Albers Projection.

Kodiak Island Borough



Prepared by:
Alaska Department of Labor
& Workforce Development

September 2011

Source: US Census
2010 TIGERline

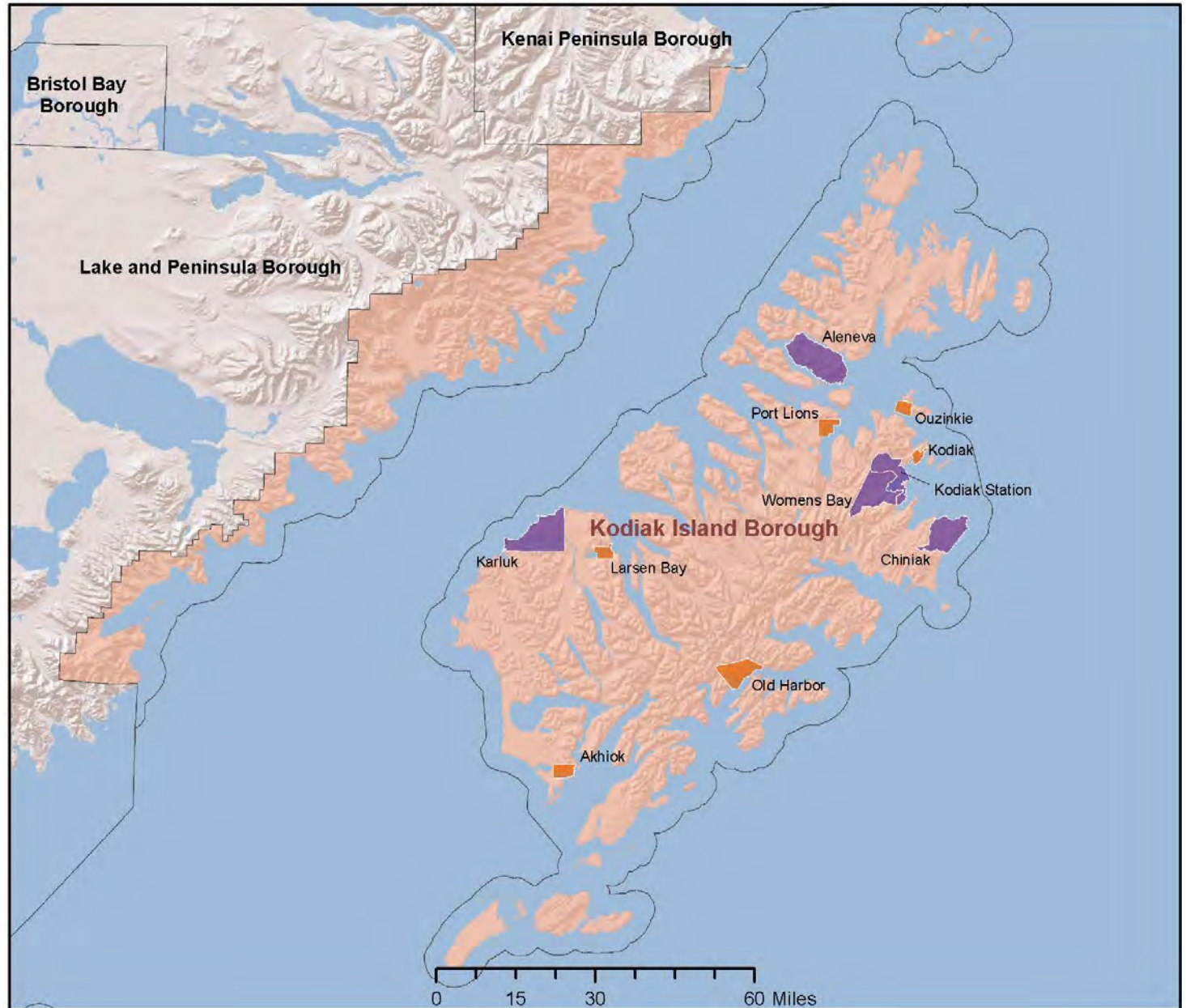
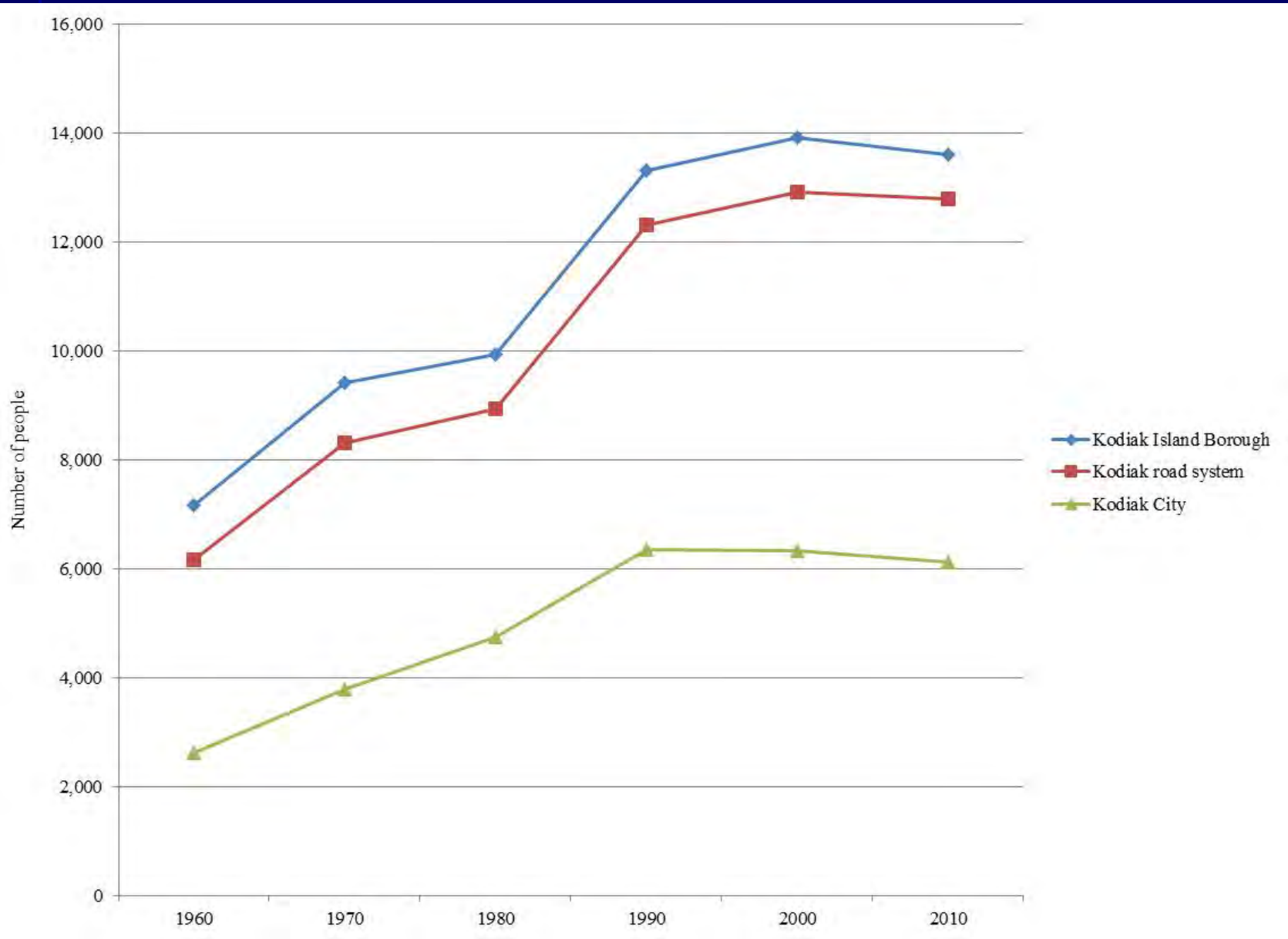


Figure 5.4-1. Kodiak Population, 1960–2010



Factor 1: Social and Economic Structure

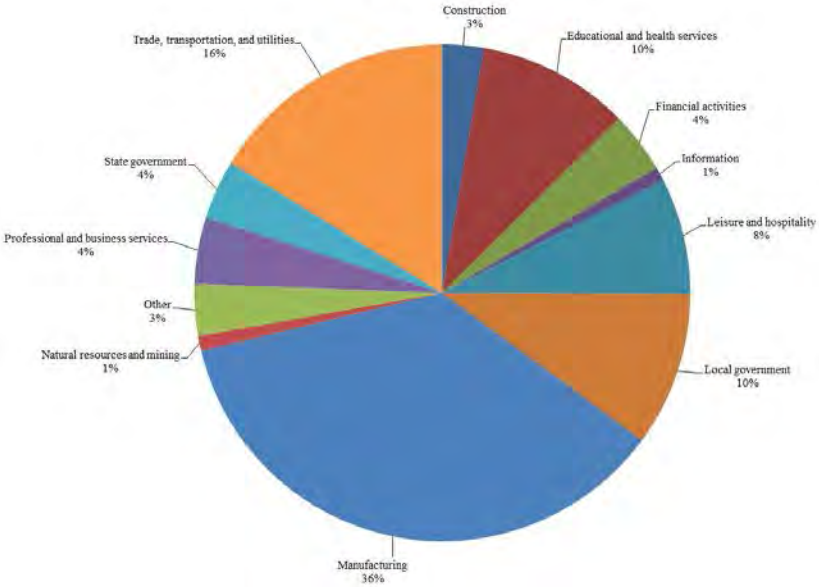
- "Commercial fishing and seafood processing are the primary drivers of the Borough's economy, including support services."
- "The United States Coast Guard station also spurs important economic activity."
- Other notable sectors: retail services, government, tourism, health care.
- Hub community role.
- Subsistence sector: high harvests and participation rates.

Factor 2: Stability of Economy

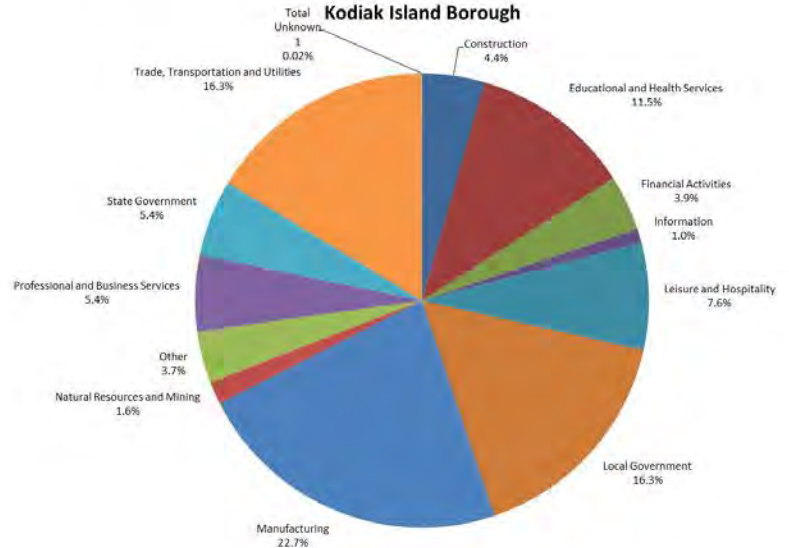
- Heavily dependent on commercial fishing and processing.
- Lack of economic diversification.
- Vulnerable to changes to stock statuses, markets, and management policies.
- Subsistence sector provides some stability.

Factor 3: Employment for Wages

Kodiak City



Kodiak Island Borough



Factor 3, Continued

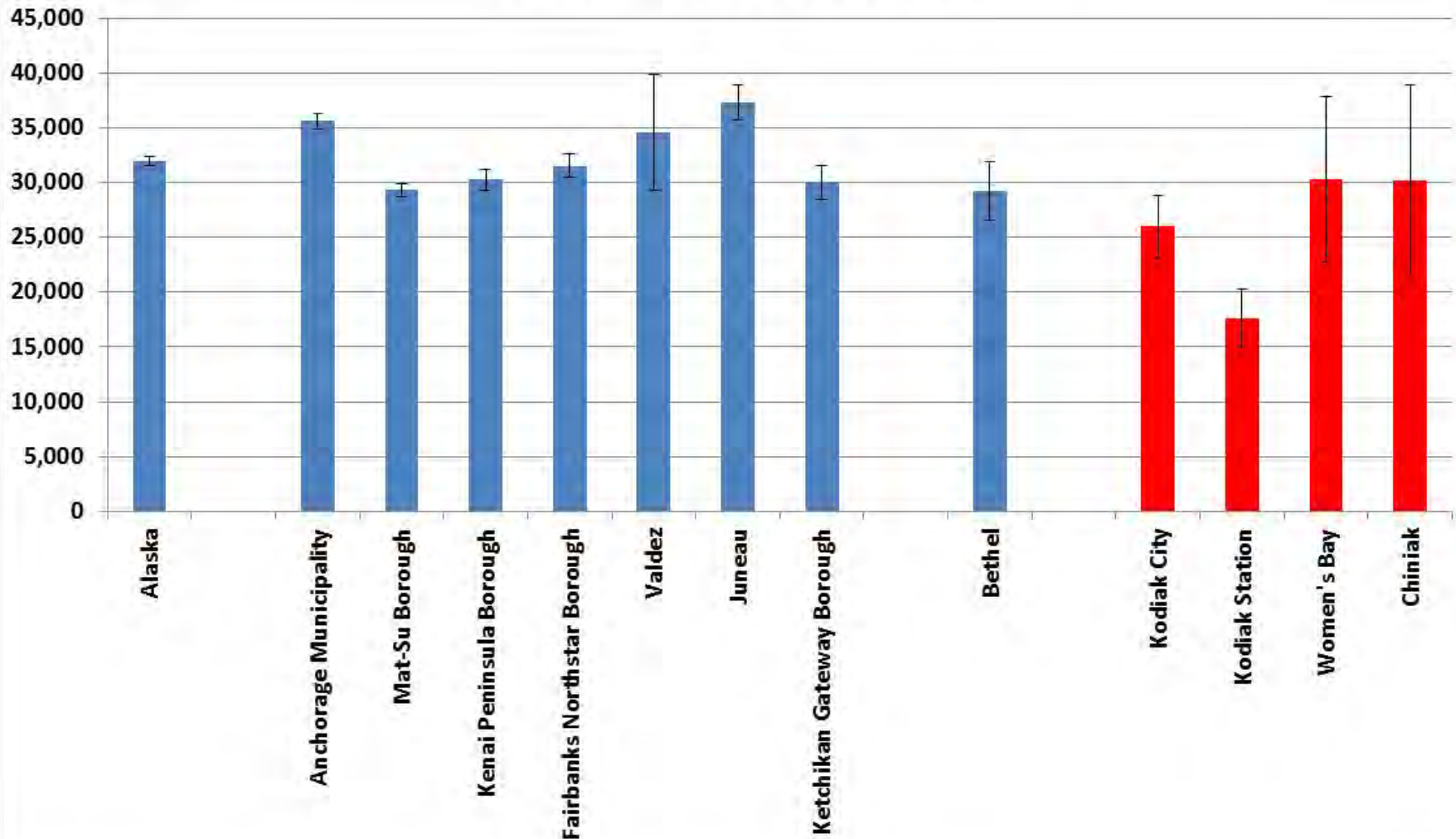
- Commercial fishing permits.
- Crewmember licenses.
- US Coast Guard Support Center.
- Guiding and outfitting services.

Factor 4: Cash Income of Those Domiciled in Area

- Cash incomes are below state averages.
- Percentage of population living in poverty is above state average, and has increased.

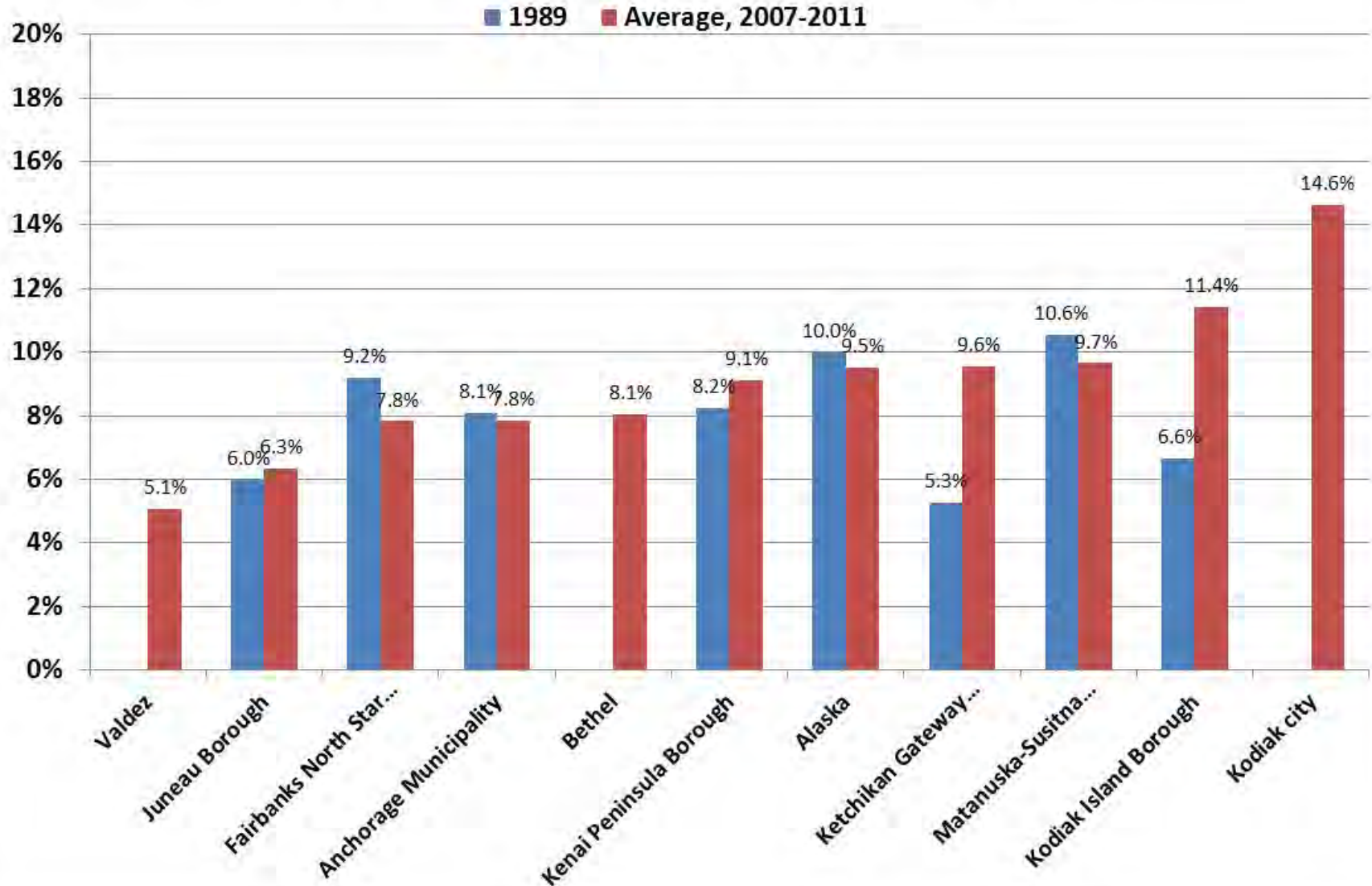
Factor 4, Continued

Figure 2.3-2. Average annual per capita income, 2007-2011: Alaska, nonsubsistence areas, and proposed nonsubsistence areas



Factor 4, Continued

Figure 2.3-3. Percentage of population living below poverty threshold, 1989 and annual average 2007-2011

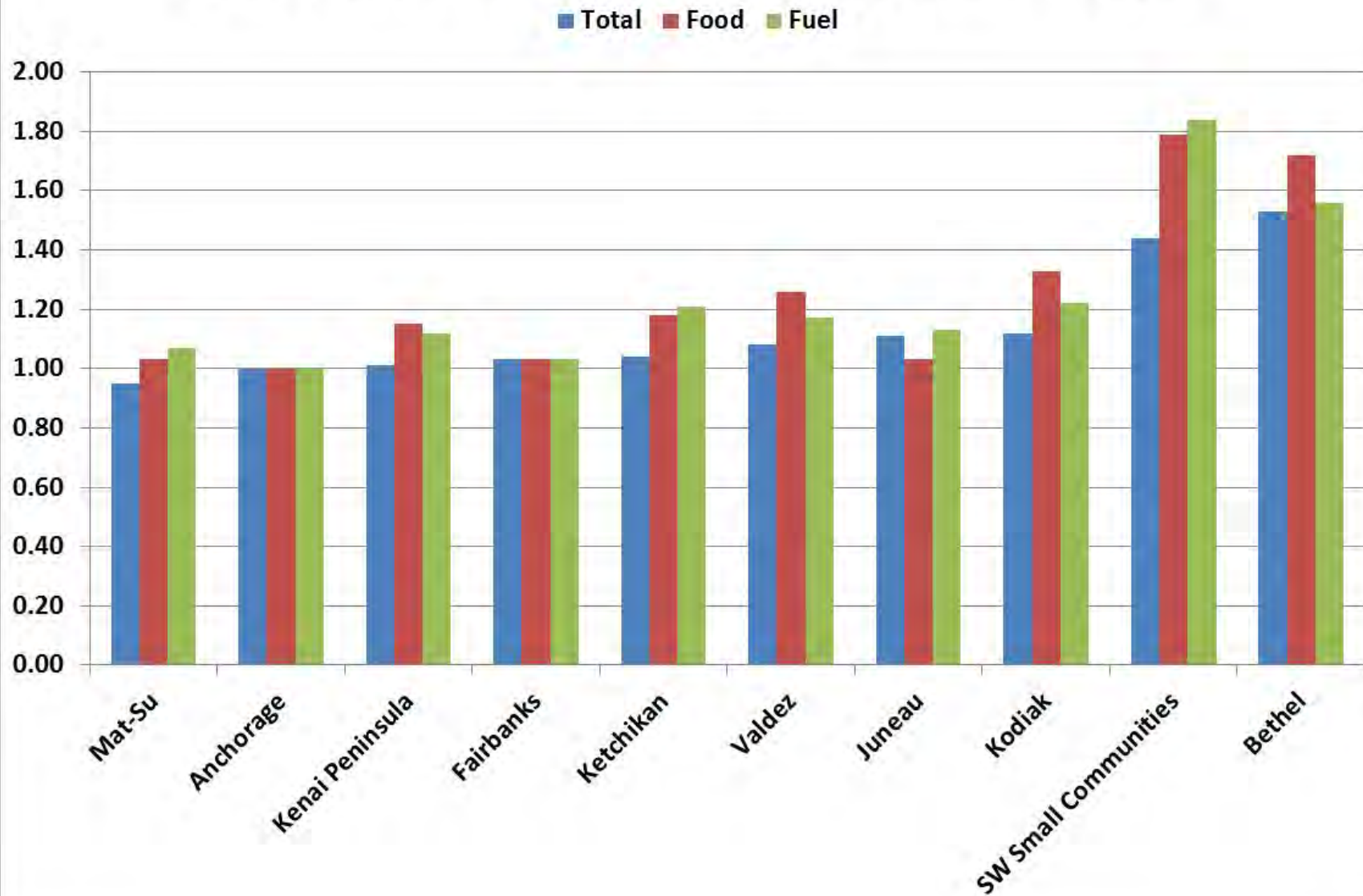


Factor 5: Cost and Availability of Goods and Services to Those Domiciled in Area

- Overall, costs of living are higher than road-connected communities.
- Costs of food are higher than road-connected communities, and have increased relative to Anchorage.

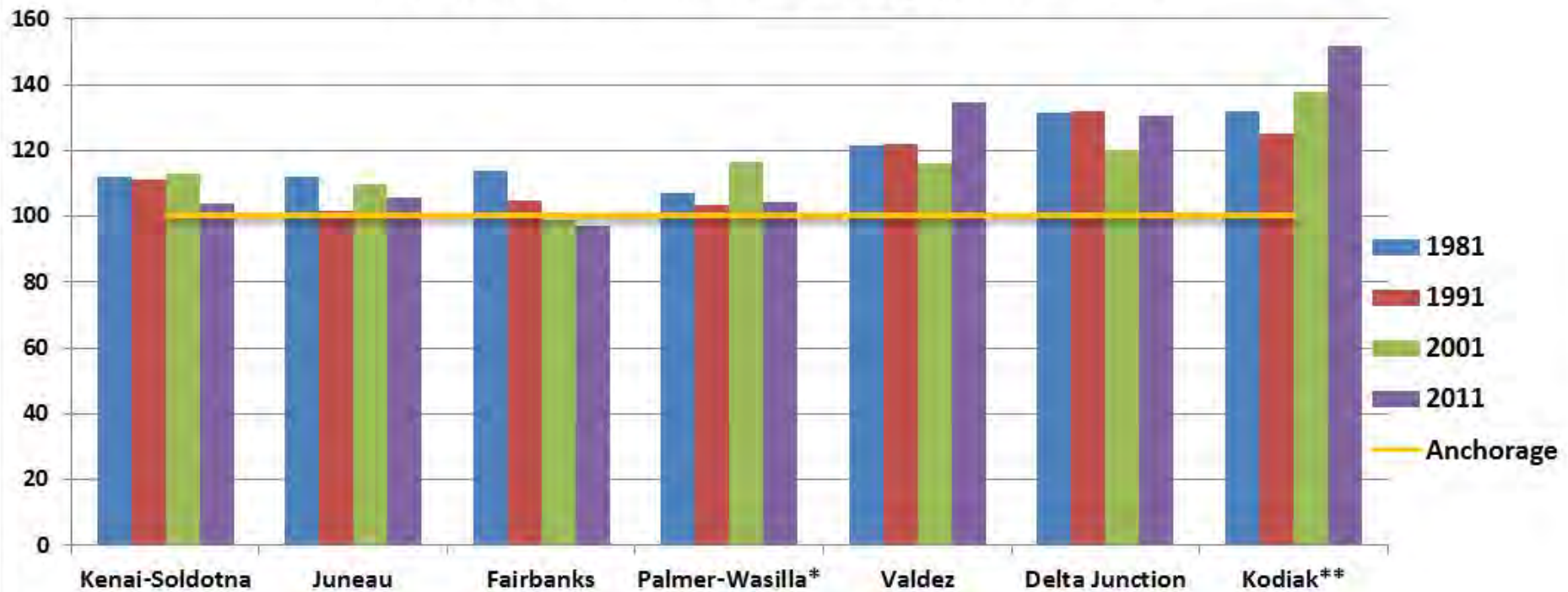
Factor 5, Continued

Figure 2.5-1. Geographic cost differentials in 2008



Factor 5, Continued

Figure 5.5-4. Cost of food index for selected communities, referenced from Anchorage, 1981 - 2011

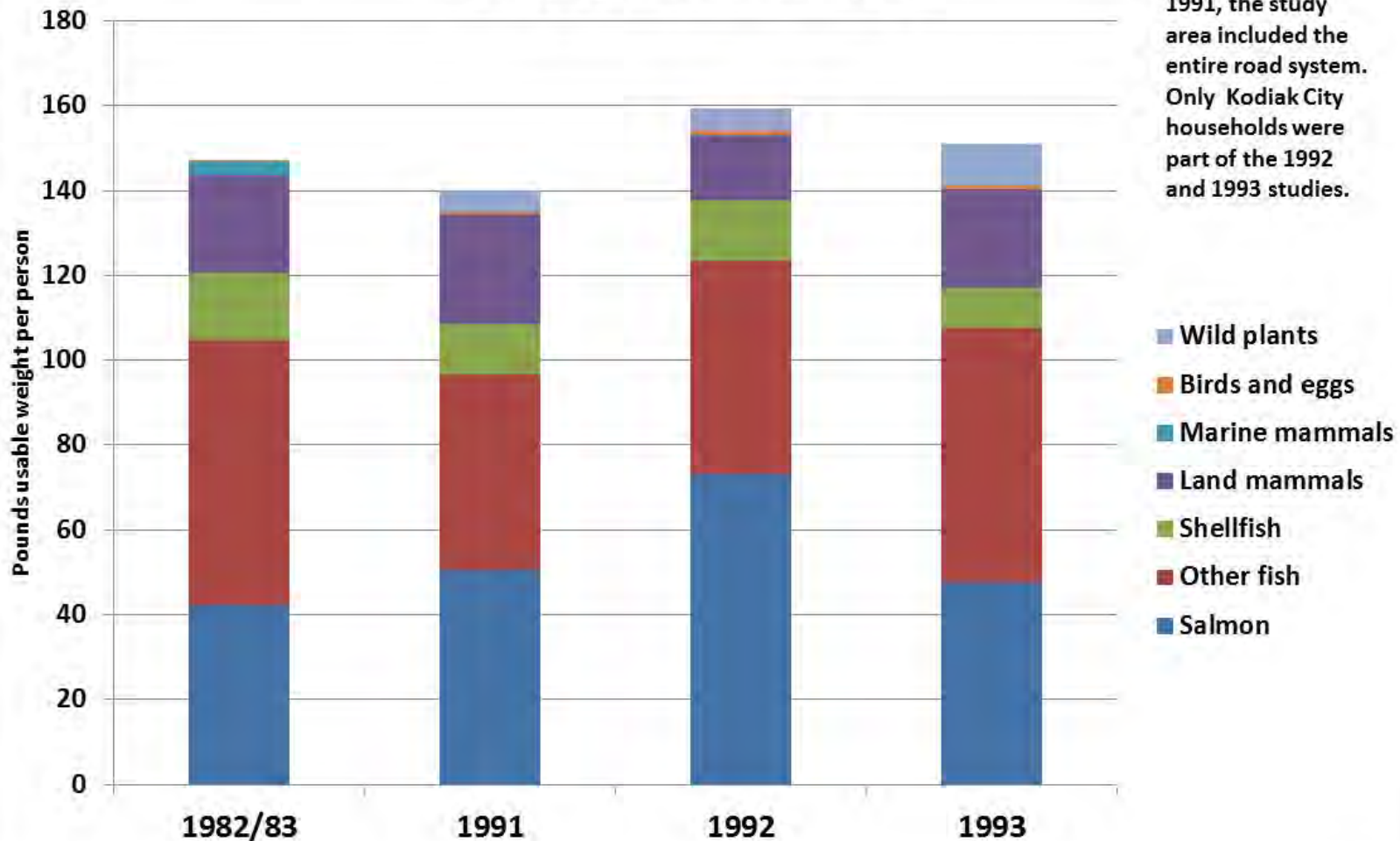


* Palmer-Wasilla data not available for 1981; 1983 data used instead.

** Data for Kodiak not available in 1981 or 2011; 1983 and 2010 data were used instead.

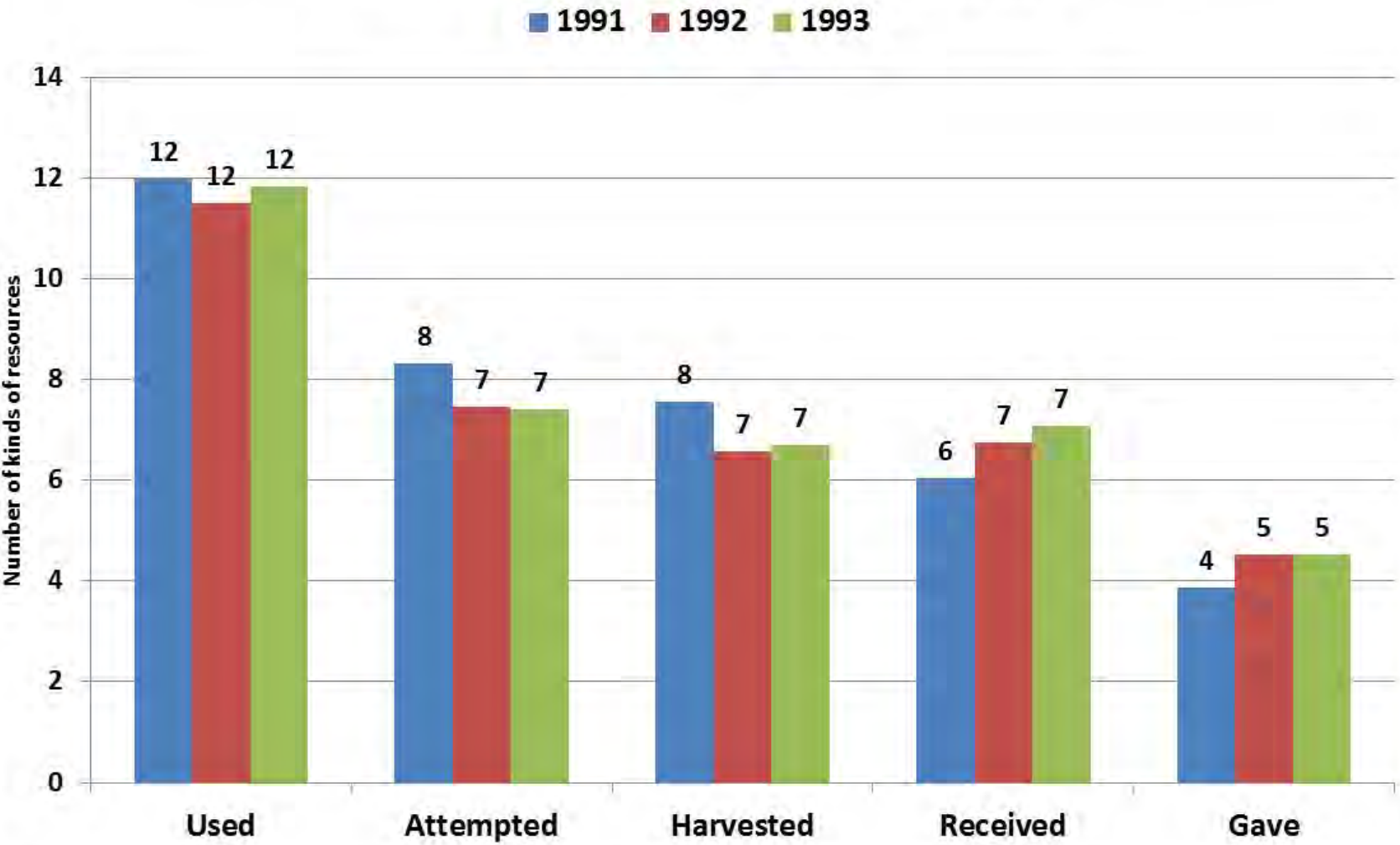
Factor 6: Variety of Species Used by Those Domiciled in Area

Figure 5.5-6. Estimated harvests of wild resources, pounds usable weight per person, Kodiak, 1982/83, 1991, 1992, and 1993, by resource category



Factor 6, Continued

Figure 5.5-5. Average Number of Kinds of Resources Used, Attempted to Harvest, Harvested, Received, and Gave Away per Household, Kodiak, 1991, 1992, & 1993

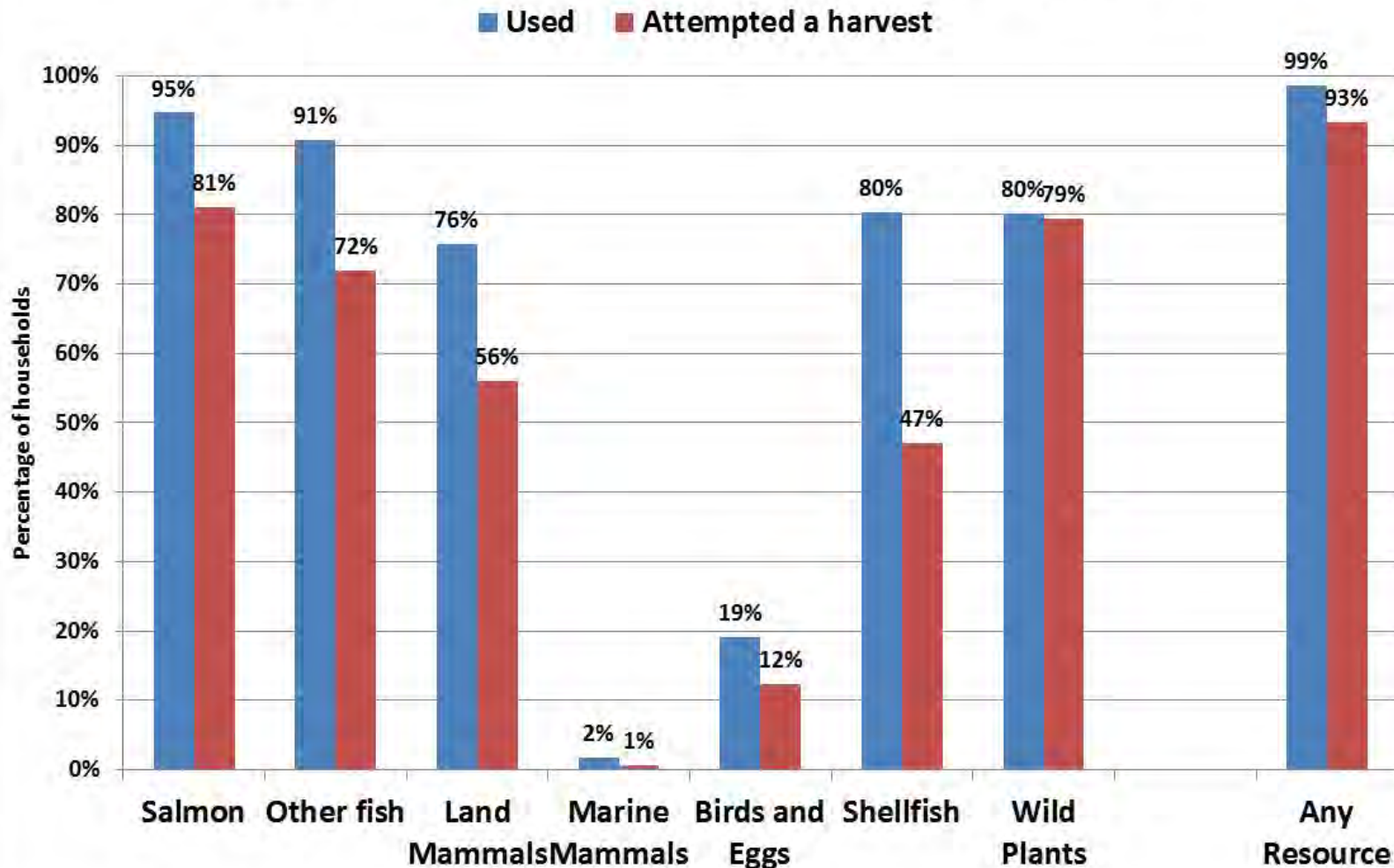


Factor 7: Seasonal Cycle of Economic Activity

- Marked seasonality to cash sector.
- "The unemployment rate for the Kodiak Island Borough fluctuates significantly . . . largely due to commercial and fish processing and other seasonal employment such as construction and tourism jobs."
- 51%–56% worked year round (1991–93).
- Subsistence sector seasonal based on availability of fish and wildlife.

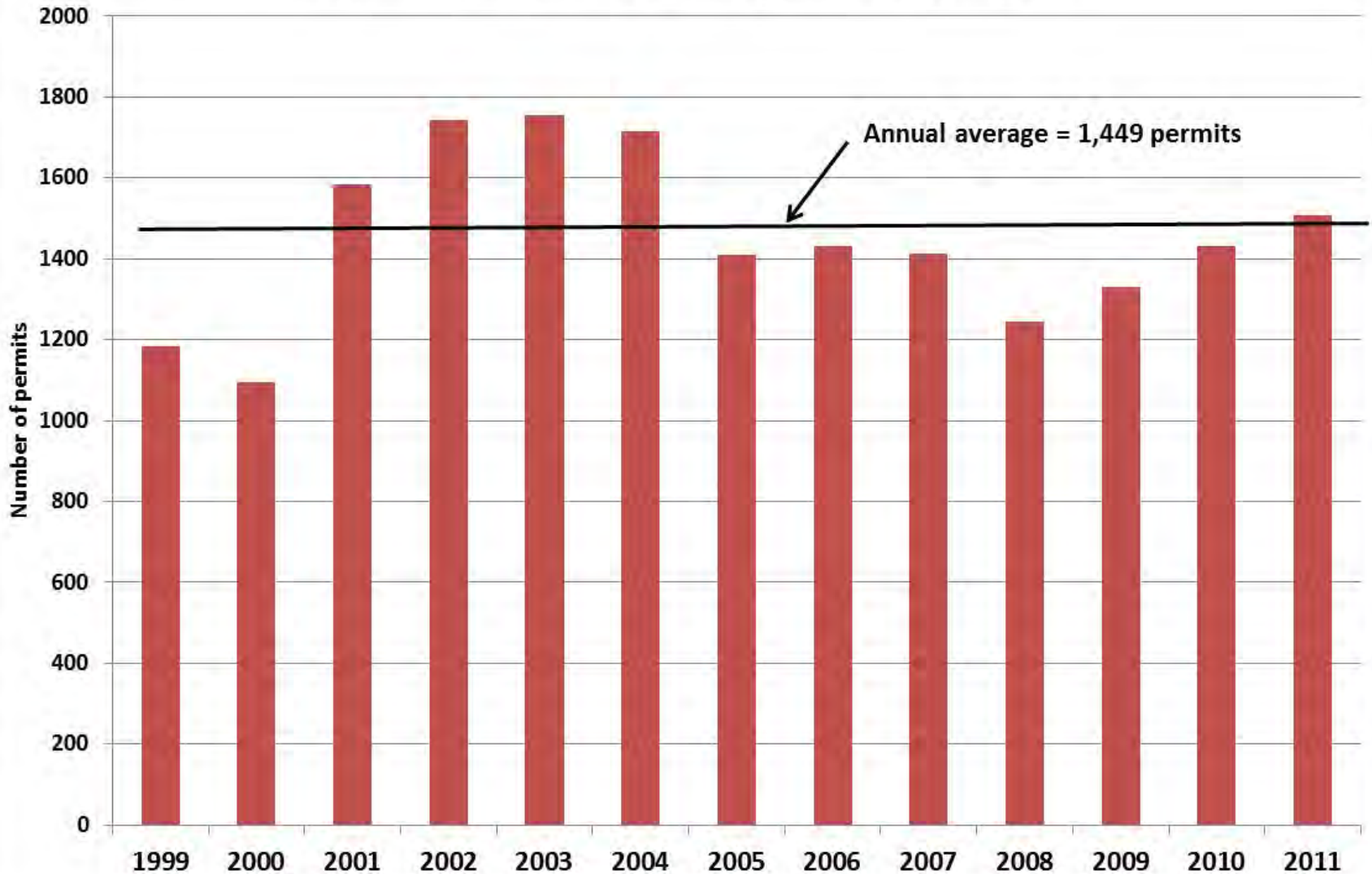
Factor 8: Percentage of Those Domiciled in Area Participating in Hunting and Fishing or Using Wild Fish and Game

Figure 5.5-7. Using and attempting a harvest of wild resources, Kodiak road system area, 1991



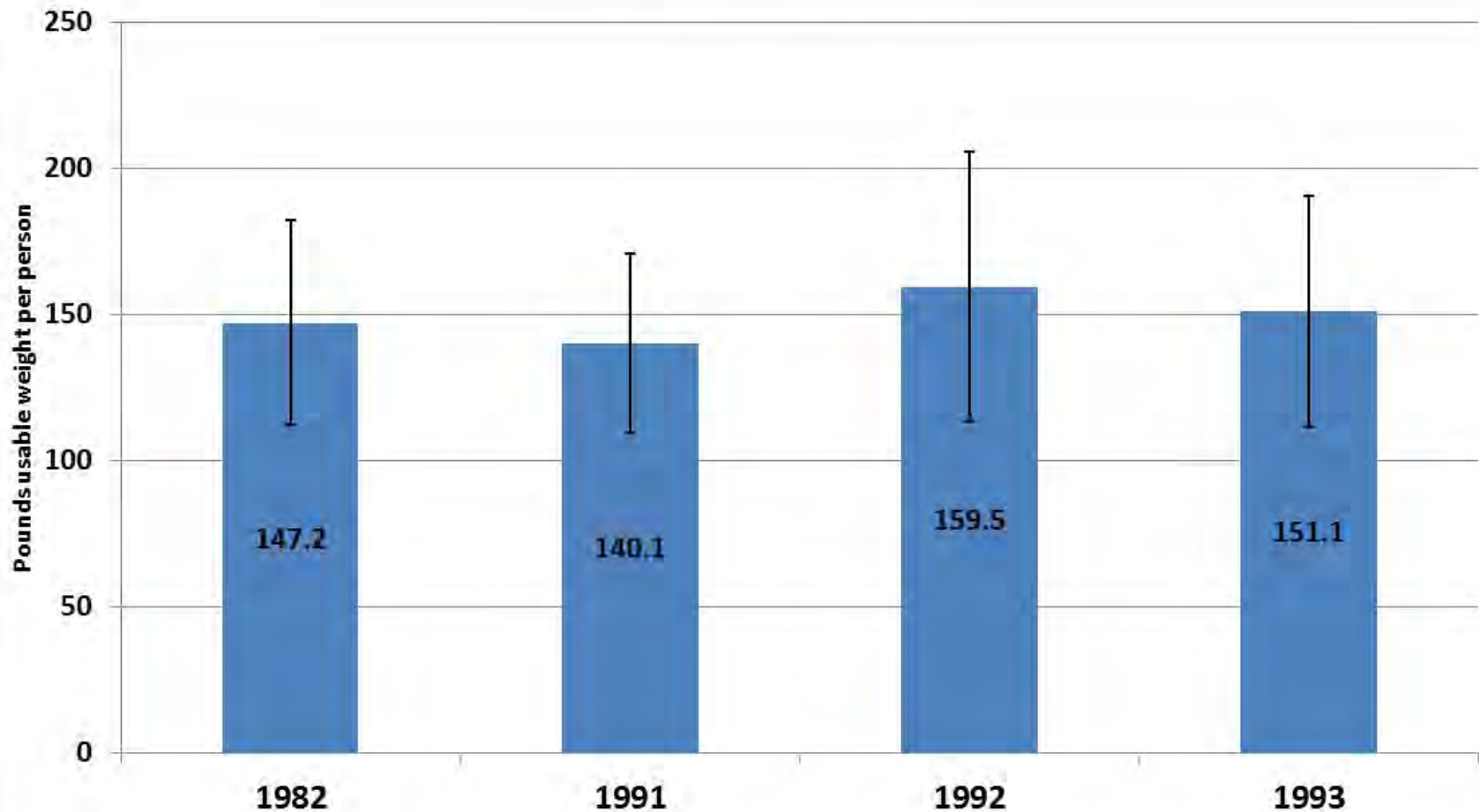
Factor 8, Continued

Figure 5.5.9. Number of subsistence salmon permits returned, Residents of Kodiak Road System, 1999 - 2011



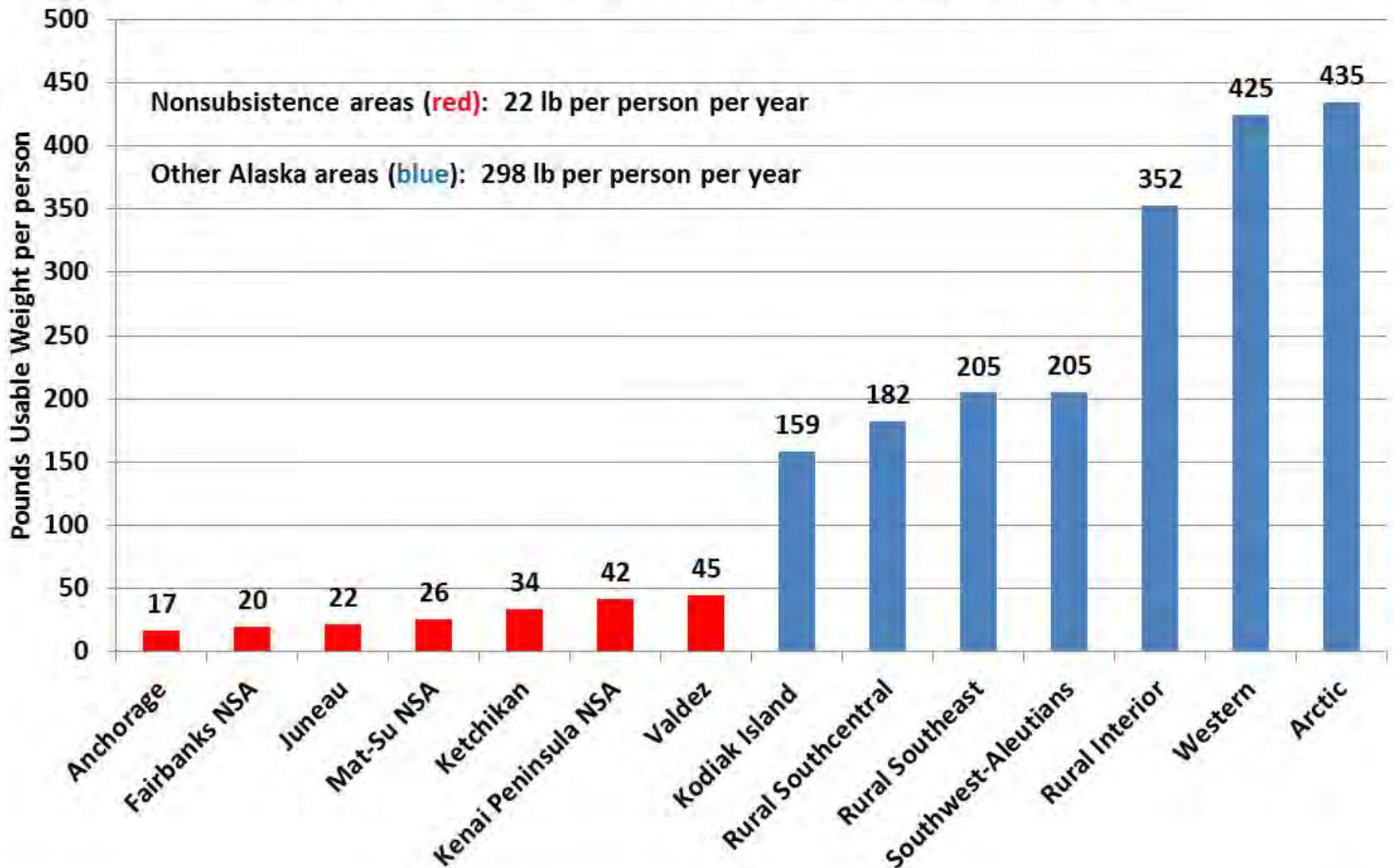
Factor 9: Harvest Levels by Those Domiciled in Area

Figure 5.5-11. Kodiak: Estimated Harvests of Wild Resources, Pounds Usable Weight per Person, 1982, 1991, 1992, and 1993



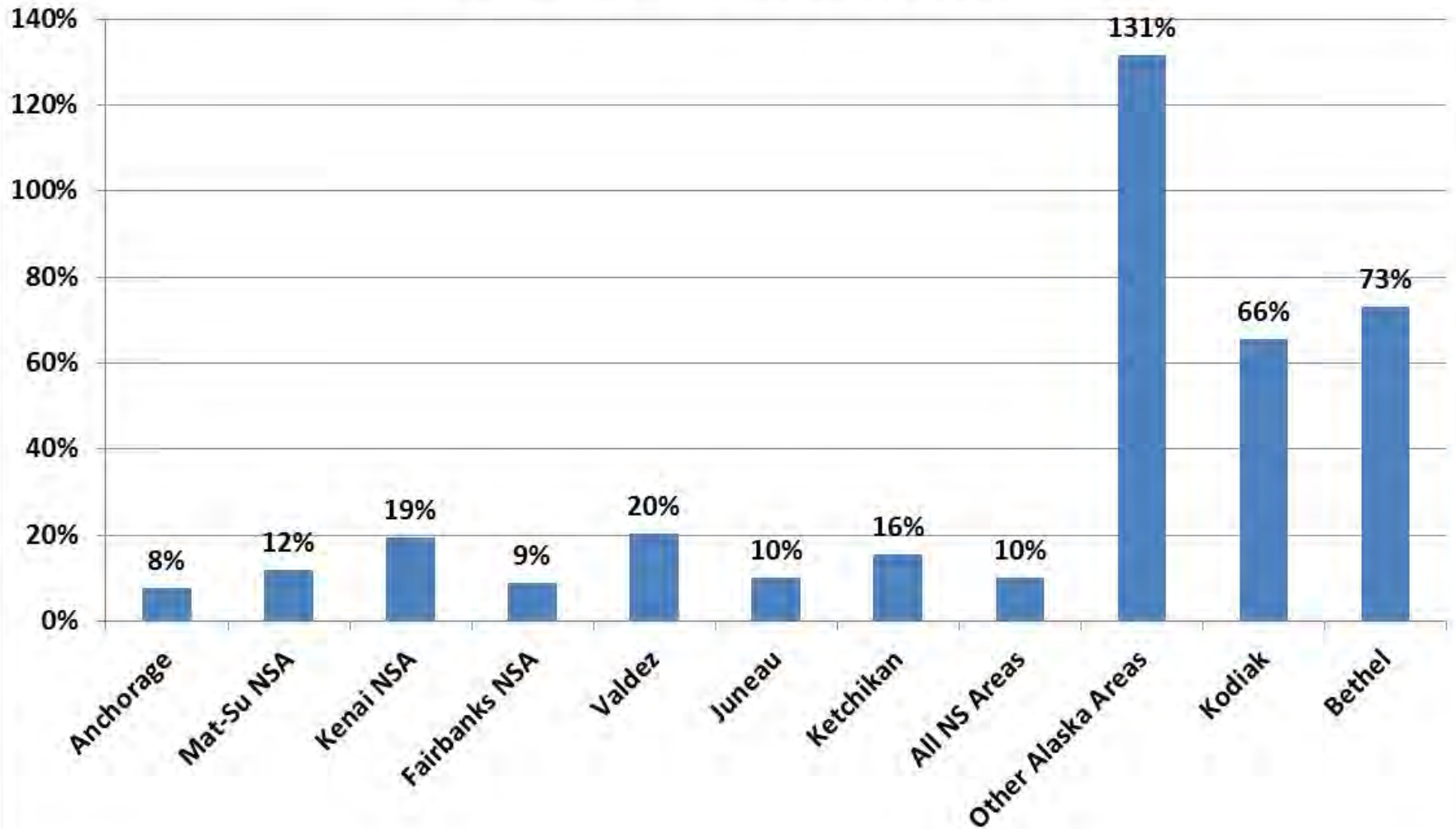
Factor 9, Continued

Figure 2.6-1. Wild food harvests in Alaska by area - 2011: lb usable weight per person per year



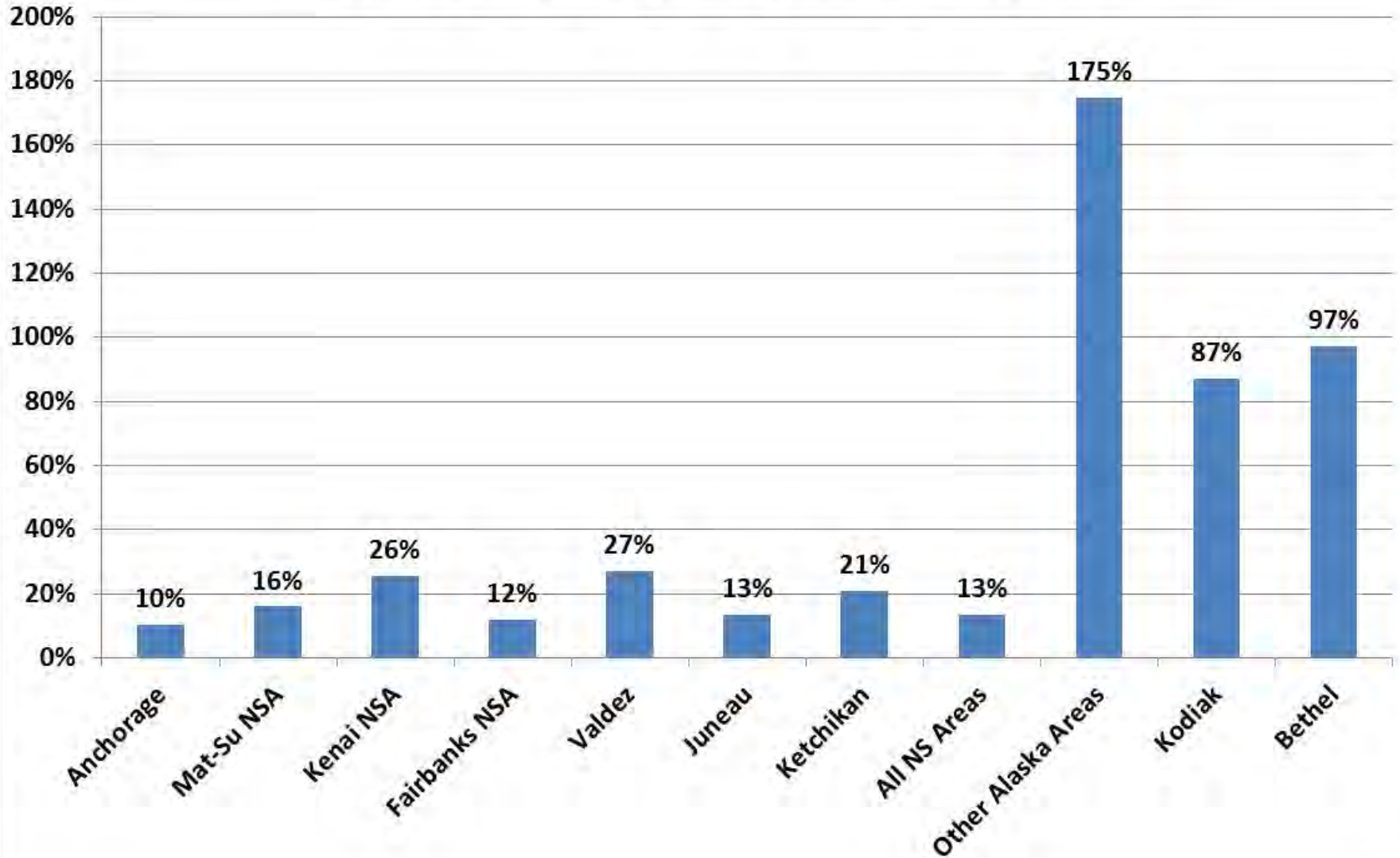
Factor 9, Continued

Figure 2.6-2. Percentage of average American consumption of meat, fish, and poultry produced by fish and wildlife harvests



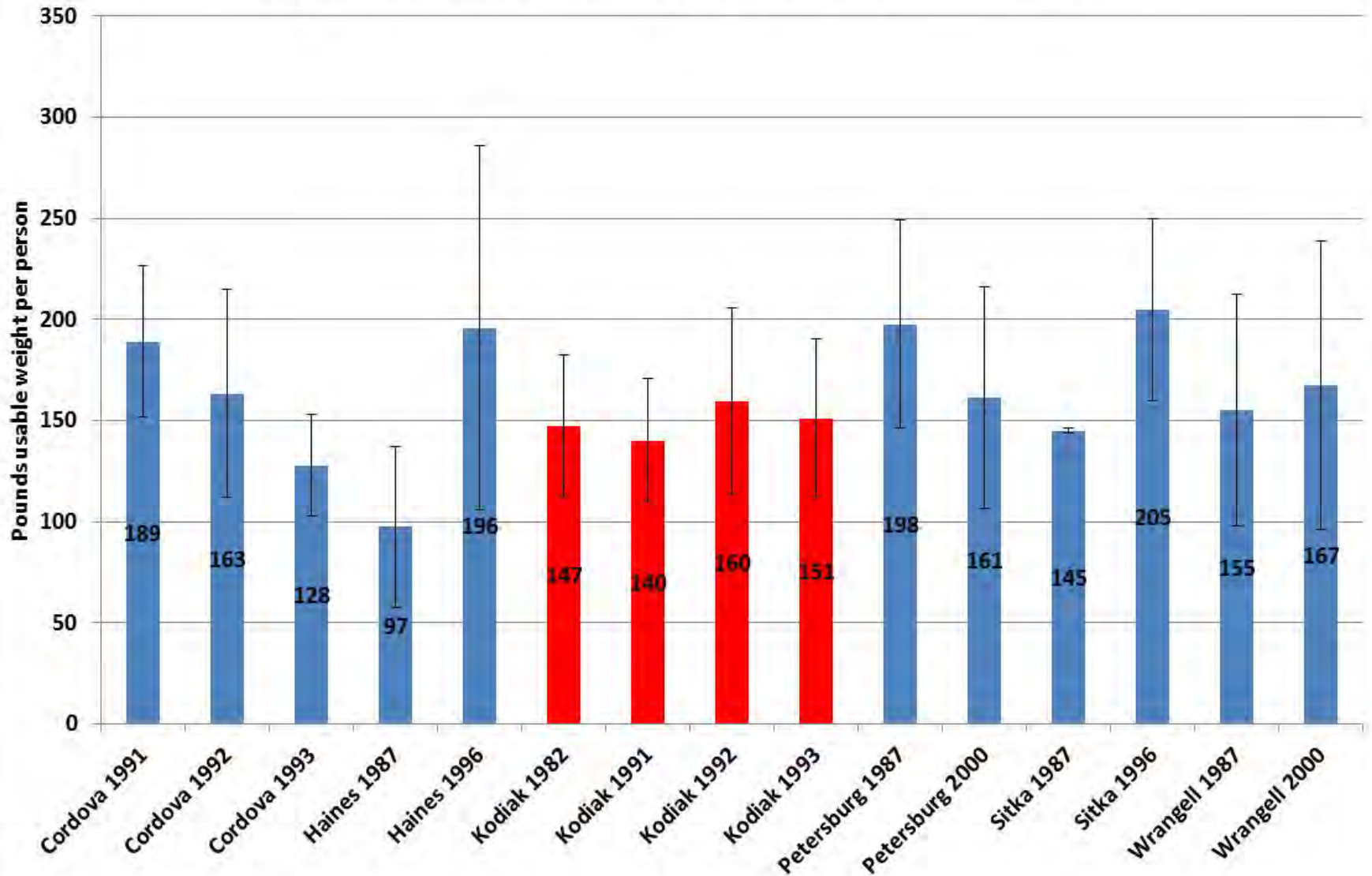
Factor 9, Continued

Figure 2.6-3. Percentage of protein requirements produced by fish and wildlife harvests



Factor 9, Continued

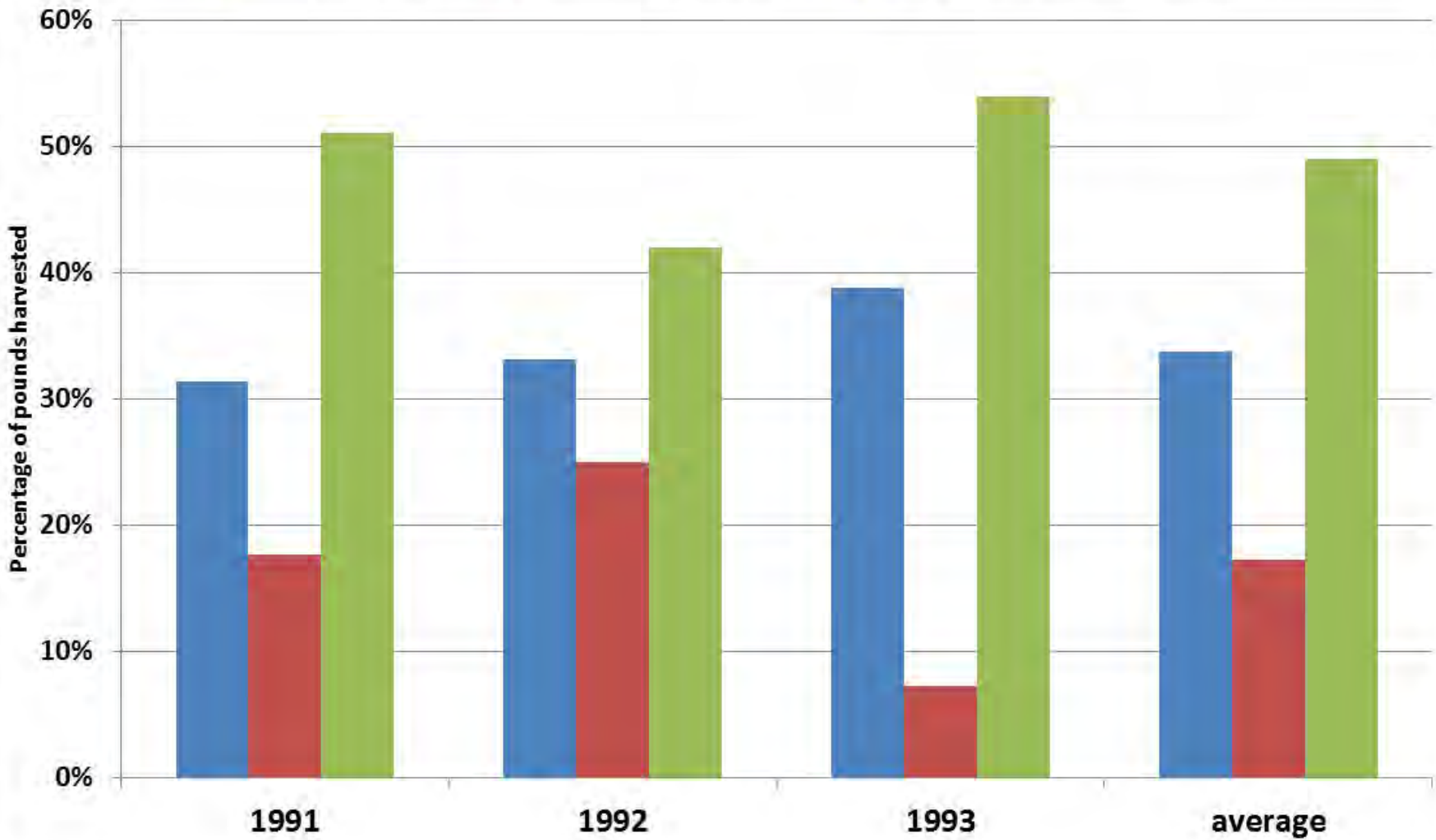
Figure 5.5-16. Estimated harvests of wild resources, lb usable weight per person, selected Alaska communities



Factor 9, Continued

Figure 5.5-12. Percentage of salmon harvest (in pounds) for home use by gear type, Kodiak

■ Subsistence nets ■ Commercial removal ■ Rod & reel (sport regulations)

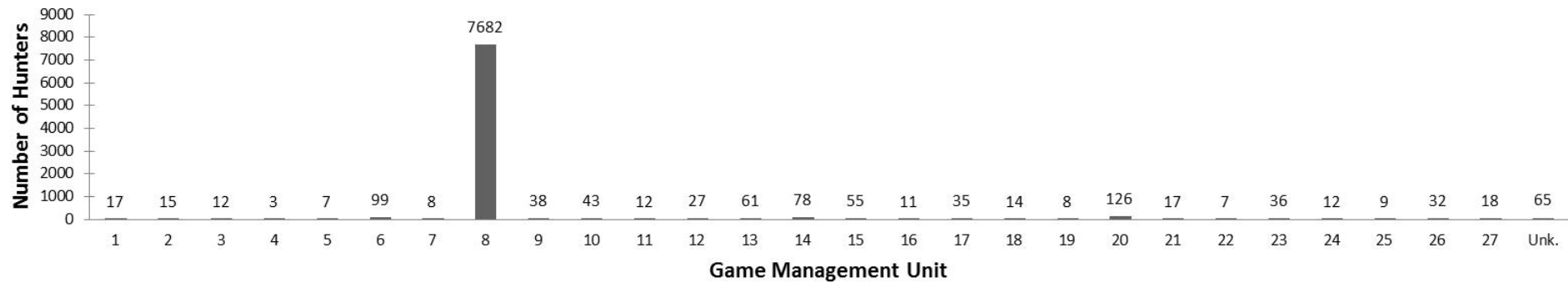


Factor 10: Cultural, Social, and Economic Values Associated with Taking and Use of Fish and Game

- Sun'aq Tribe's statement on "who we are": "Some Sun'aq practice subsistence for spiritual and cultural reasons; other tribal members rely on our island's resources for material well-being."
- Borough plan's goal and policy related to subsistence: "Support KIB residents' use of fish, game, and plant resources to meet nutritional, traditional, cultural, and spiritual needs."

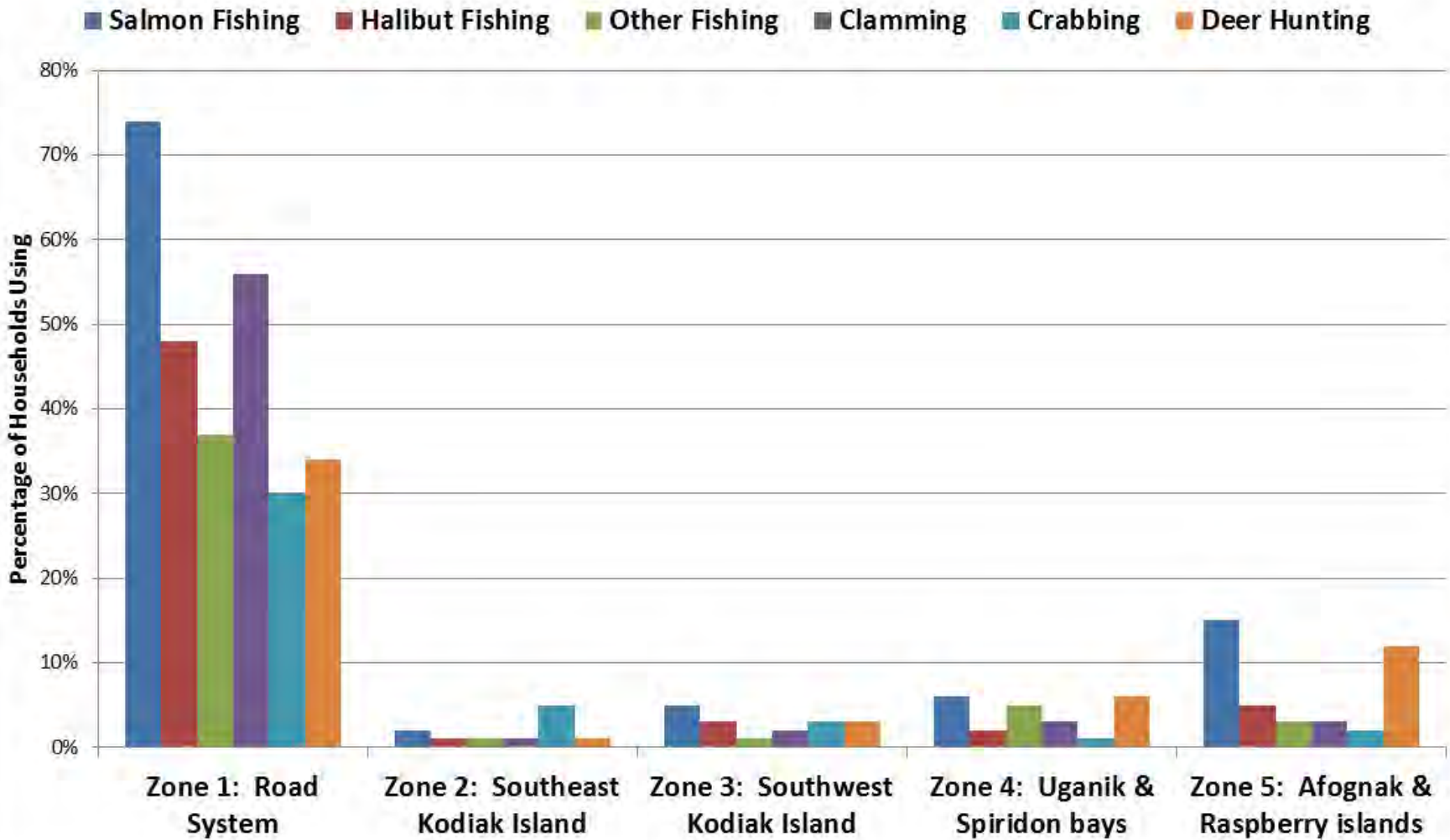
Factor 11: Geographic Locations Where Those Domiciled in Area Hunt and Fish

Hunting Locations of Kodiak Island Road Area Residents, Number of Hunters, 2007-2011



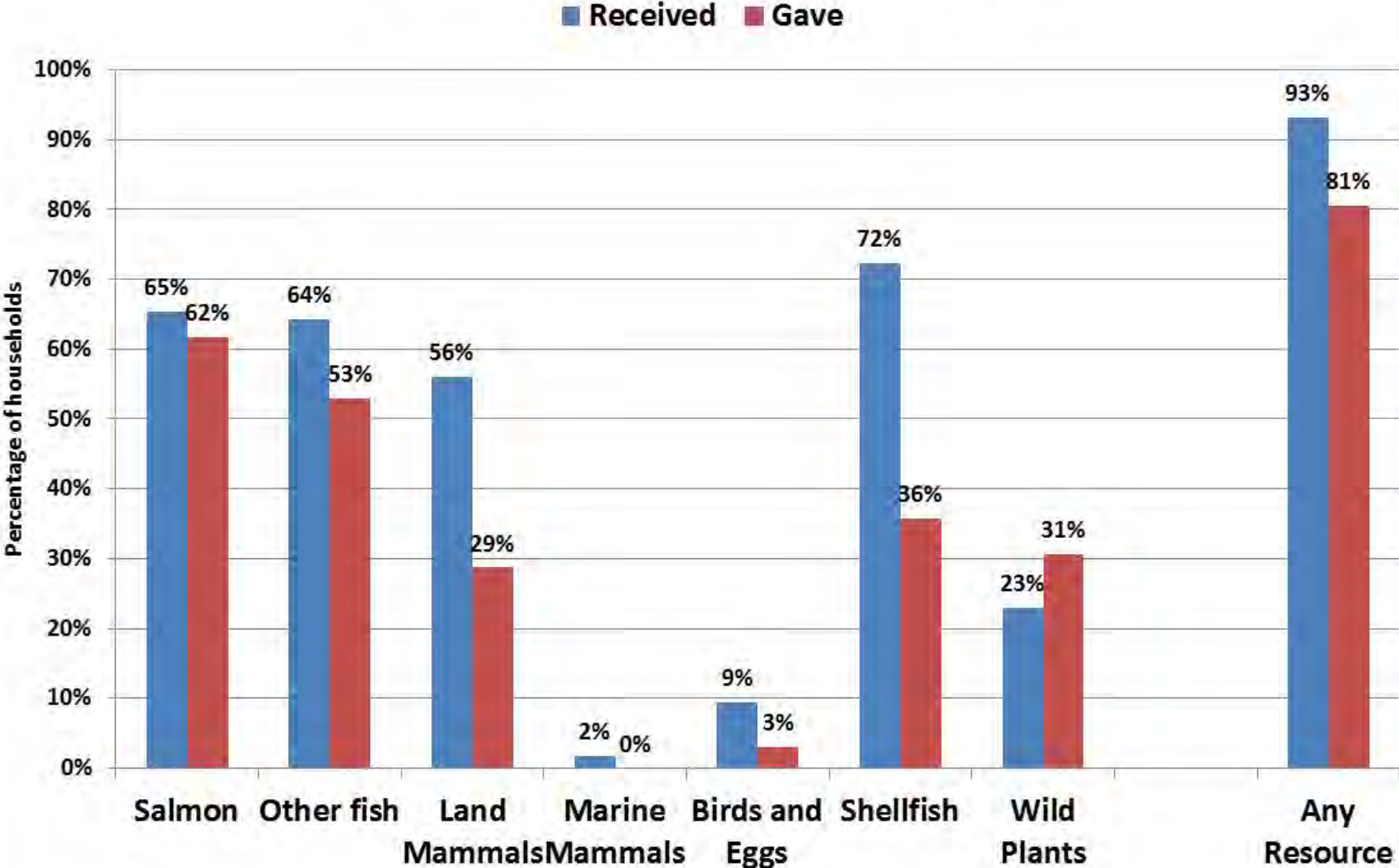
Factor 11, Continued

Figure 5.5-17. Areas Used for Resource Harvest Activities, Residents of Kodiak Island Road System Area, 1982-1983



Factor 12: Extent of Sharing and Exchange by Those Domiciled in Area

Figure 5.5-19. Receiving and giving of wild resources, Kodiak road system area, 1991



Proposal 40 Summary

- Proposal 40: create a Kodiak Nonsubsistence Area.

Department Recommendation: Neutral.

Have relevant changes relative to 12 factors occurred in area addressed in proposal?

Yes

Have these changes altered the determination of whether subsistence is a principal characteristic of the economy, culture, and way of life of the area addressed in the proposal?

Yes

Create nonsubsistence area.

No

Take no action or fail proposal.

No

Take no action or fail proposal.

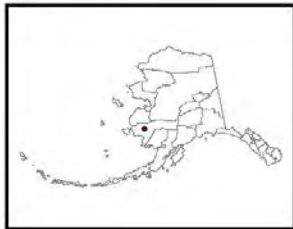
Proposal 41

- Create a Bethel Nonsubsistence Area.

Department Recommendation:
Neutral.

Bethel City

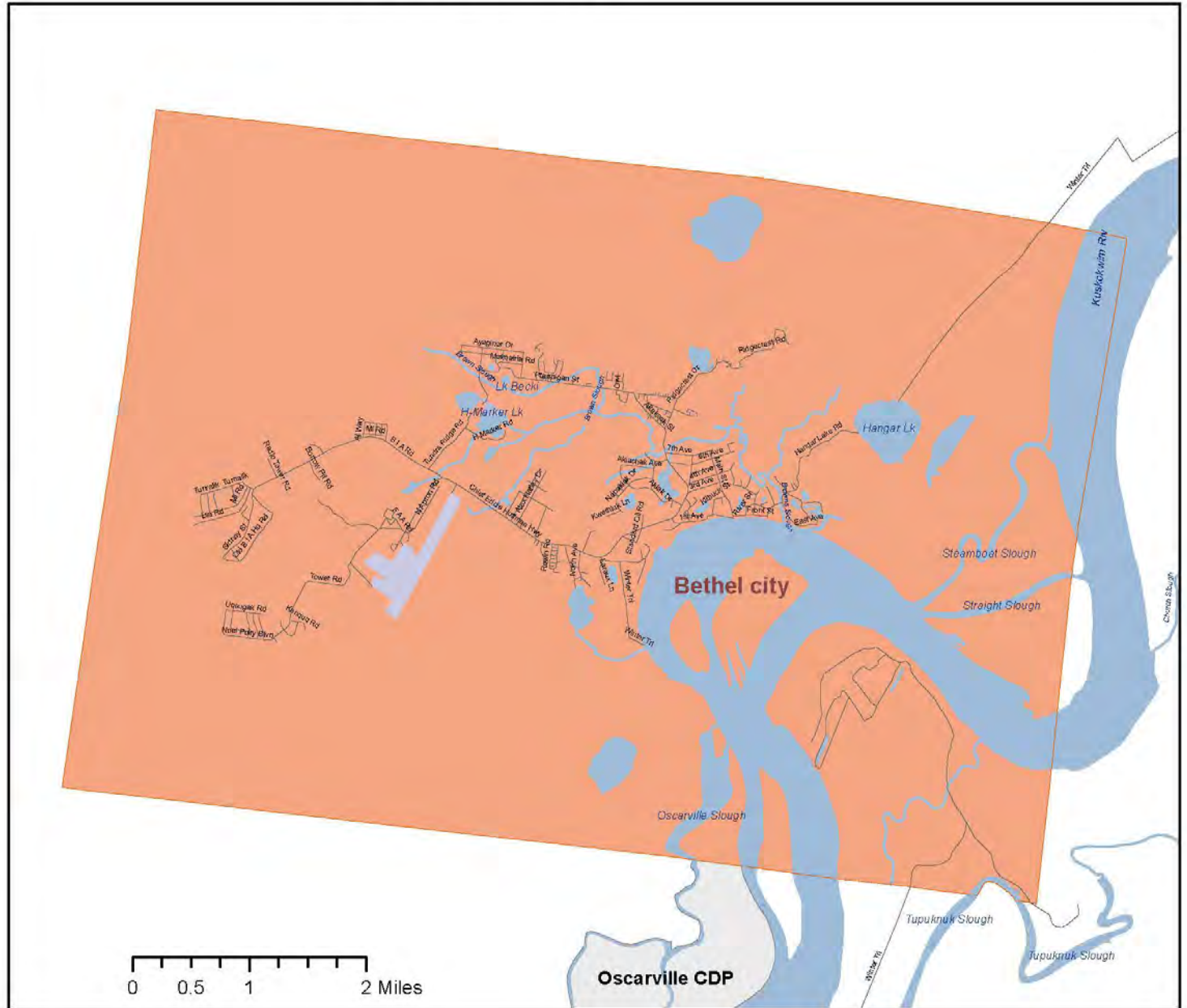
- Dock
- Highway
- Road
- Stream
- Airport
- Bethel
- Place



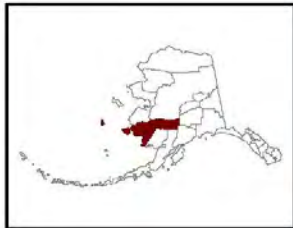
Prepared by:
Alaska Department of Labor
& Workforce Development

October 2011

Source: US Census
2010 TIGERline



Bethel Census Area



Prepared by:
Alaska Department of Labor
& Workforce Development

September 2011

Source: US Census
2010 TIGERline

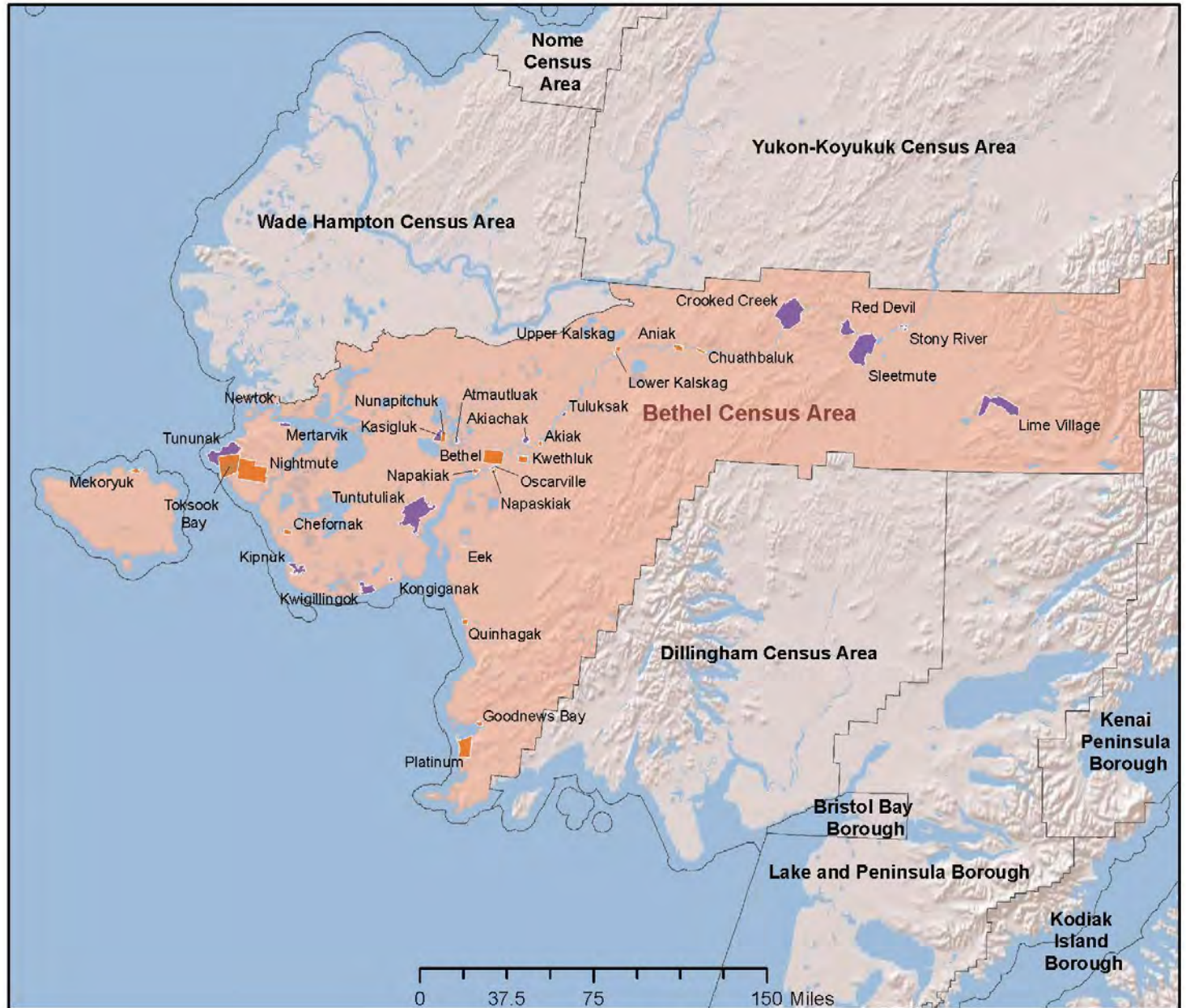
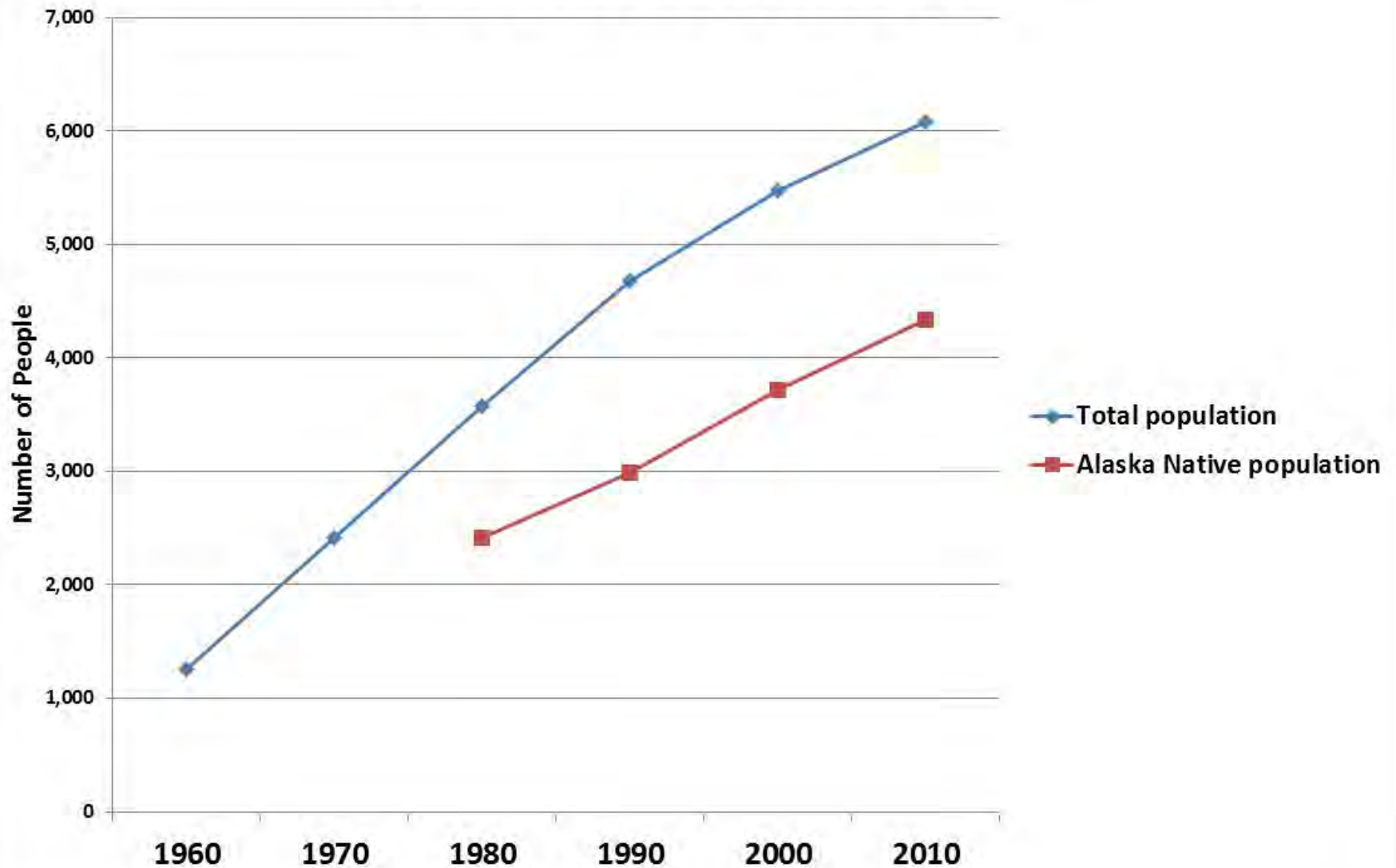


Figure 6.3-1. Total Population and Alaska Native Population, Bethel, 1960 - 2010



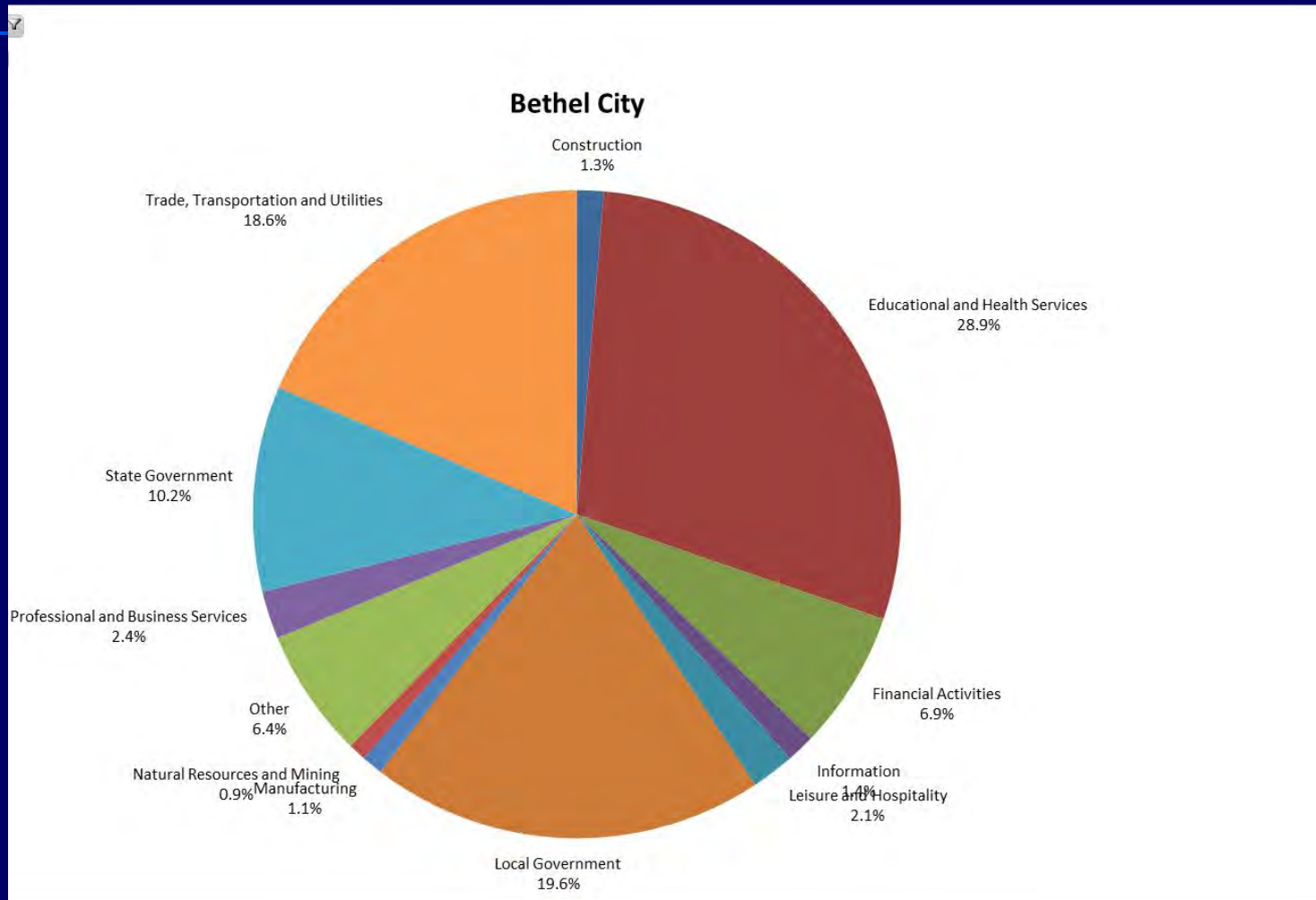
Factor 1: Social and Economic Structure

- Regional center or “hub” community.
- Moderately-sized population.
- Center for services, government, commerce, and transportation.
- Mixed economy with cash and subsistence sector.
- Diverse population with subgroups.

Factor 2: Stability of Economy

- Relatively stable cash economy due to role as a regional center.
- Less seasonal variation than in surrounding villages.
- In 2012:
 - 71% of adults employed;
 - Worked 11 months (on average);
 - 69% employed year-round.

Factor 3: Employment for Wages

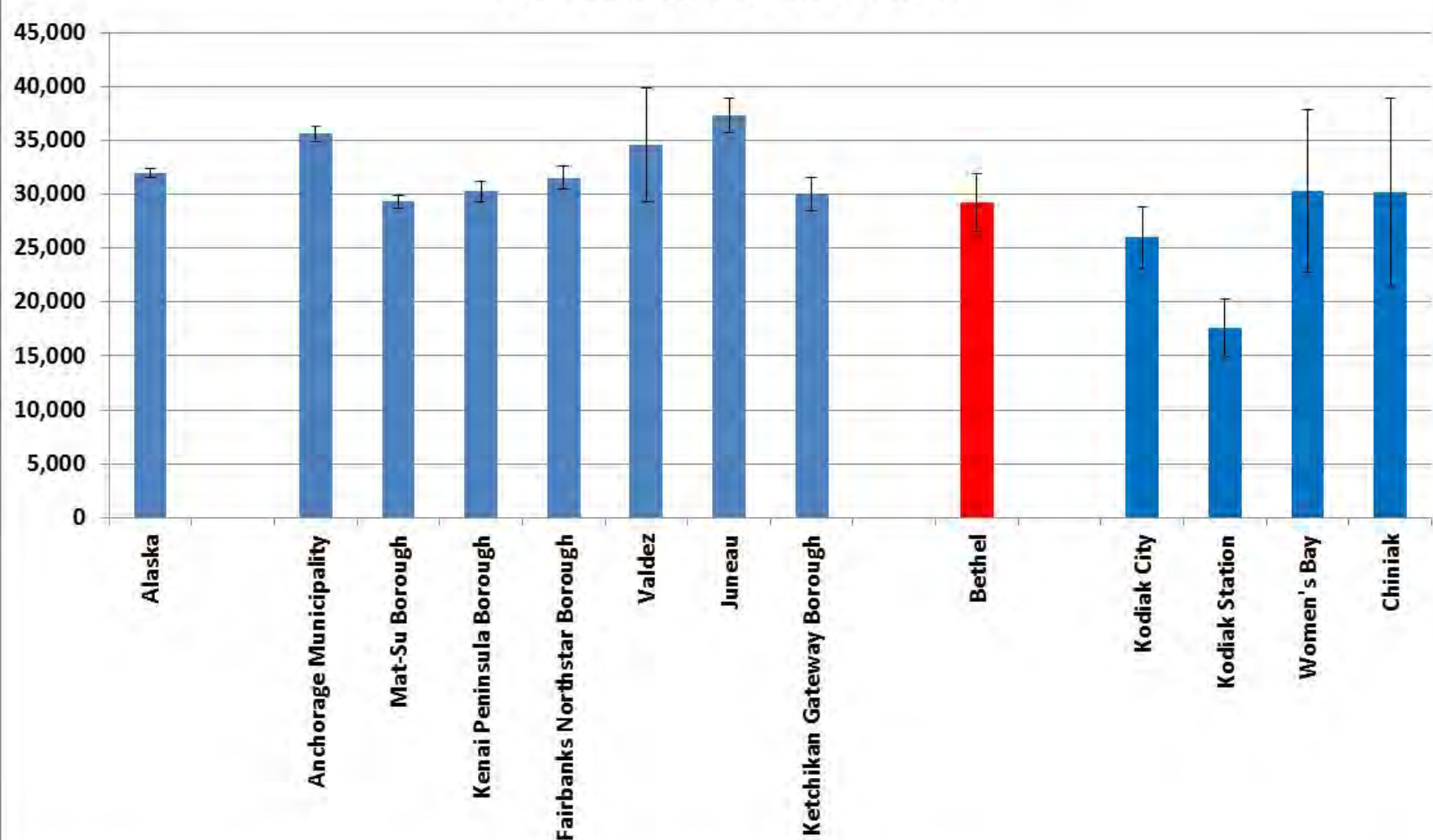


Factor 4: Cash Income of Those Domiciled in Area

- Cash incomes slightly below state average.
- Cash income of Alaska Native households (71% of population) are substantially lower.
- Percentage of population living below poverty level is lower than state average.

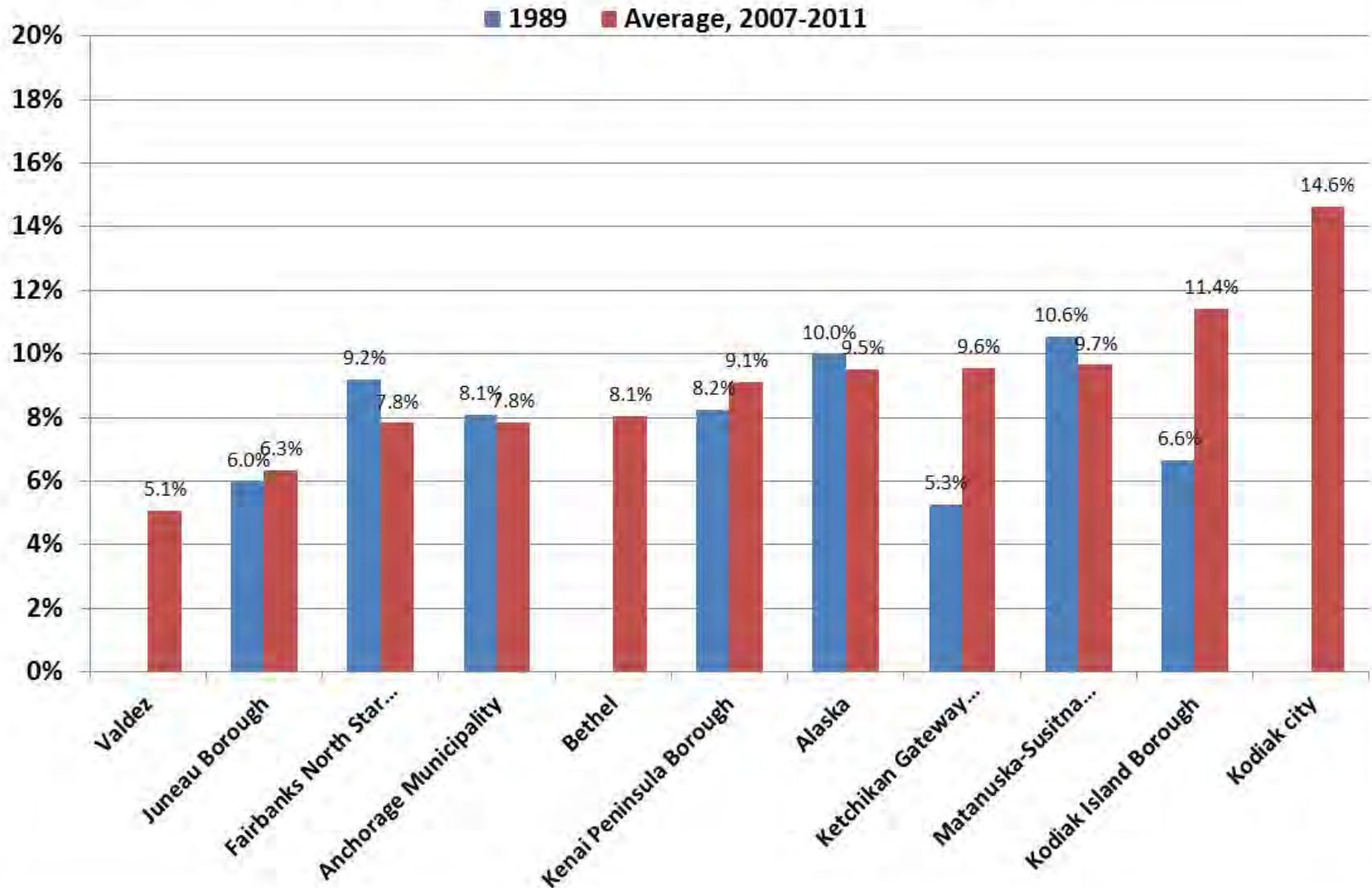
Factor 4, Continued

Figure 2.3-2. Average annual per capita income, 2007-2011: Alaska, nonsubsistence areas, and proposed nonsubsistence areas



Factor 4, Continued

Figure 2.3-3. Percentage of population living below poverty threshold, 1989 and annual average 2007-2011

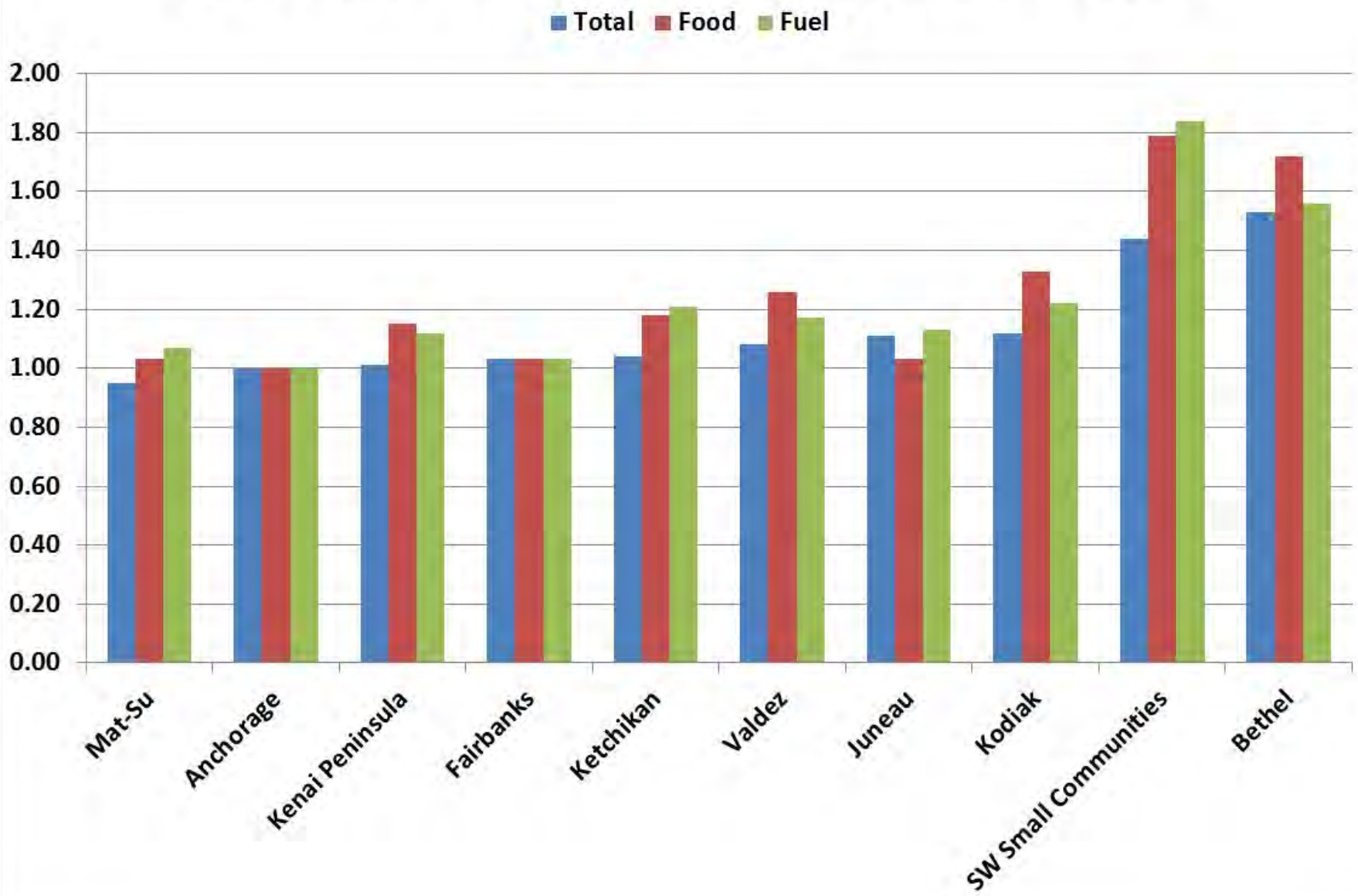


Factor 5: Cost and Availability of Goods and Services to Those Domiciled in Area

- Costs of living substantially higher than road-connected communities.
- Costs of food much higher than road connected communities.
- Cost of food relative to Anchorage has increased.

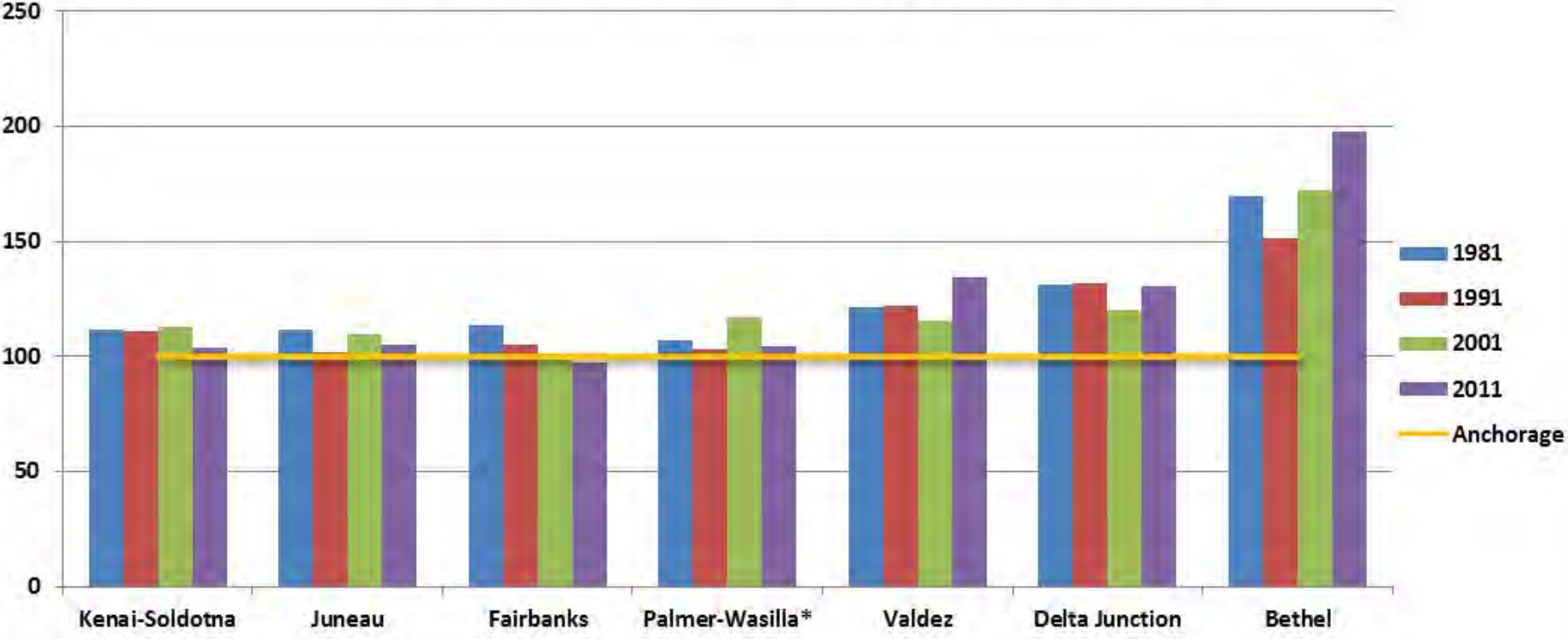
Factor 5, Continued

Figure 2.5-1. Geographic cost differentials in 2008



Factor 5, Continued

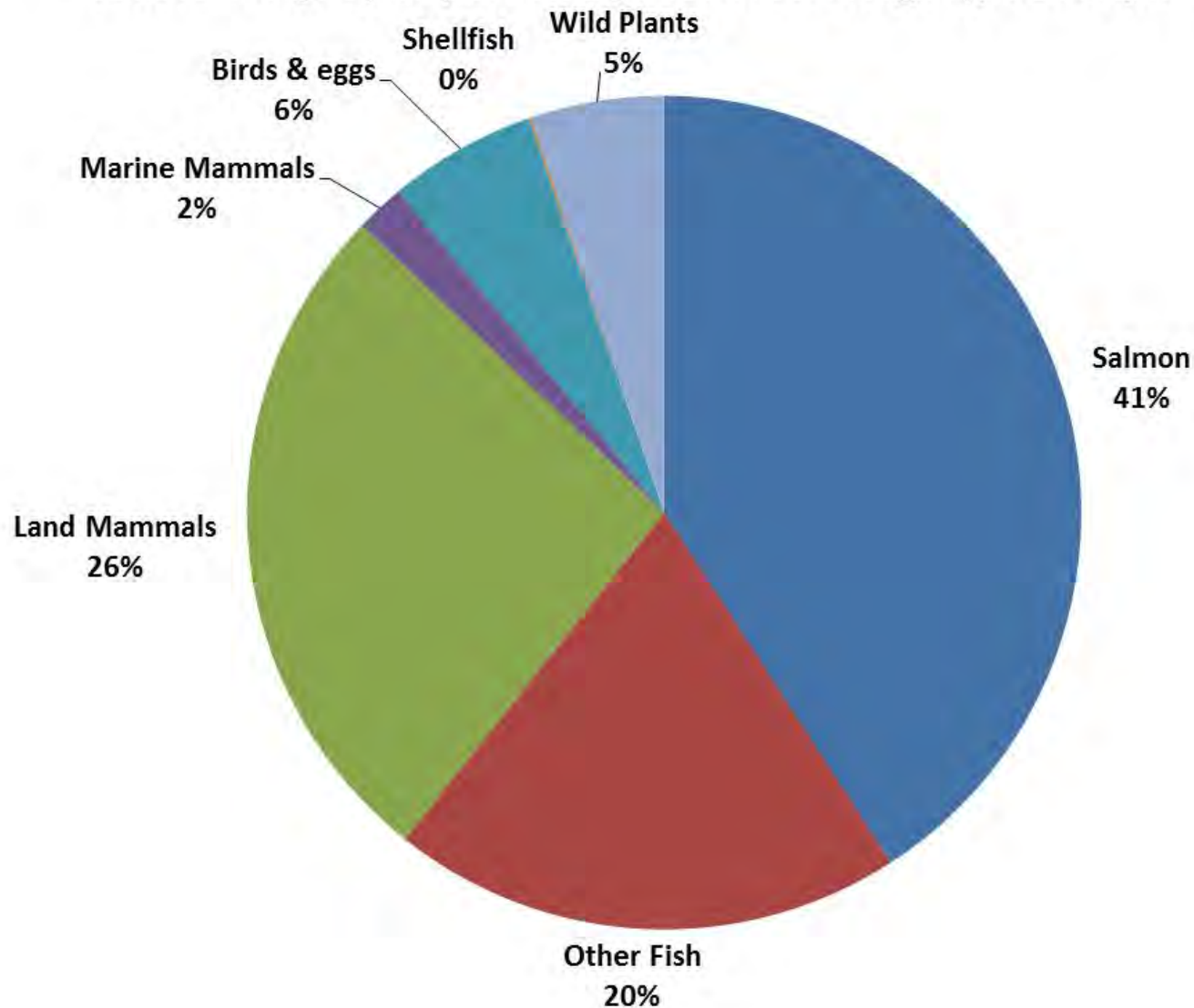
Figure 6.4-3. Cost of food index for selected communities, referenced from Anchorage, 1981 - 2011



* Palmer-Wasilla data not available for 1981; 1983 data used instead.

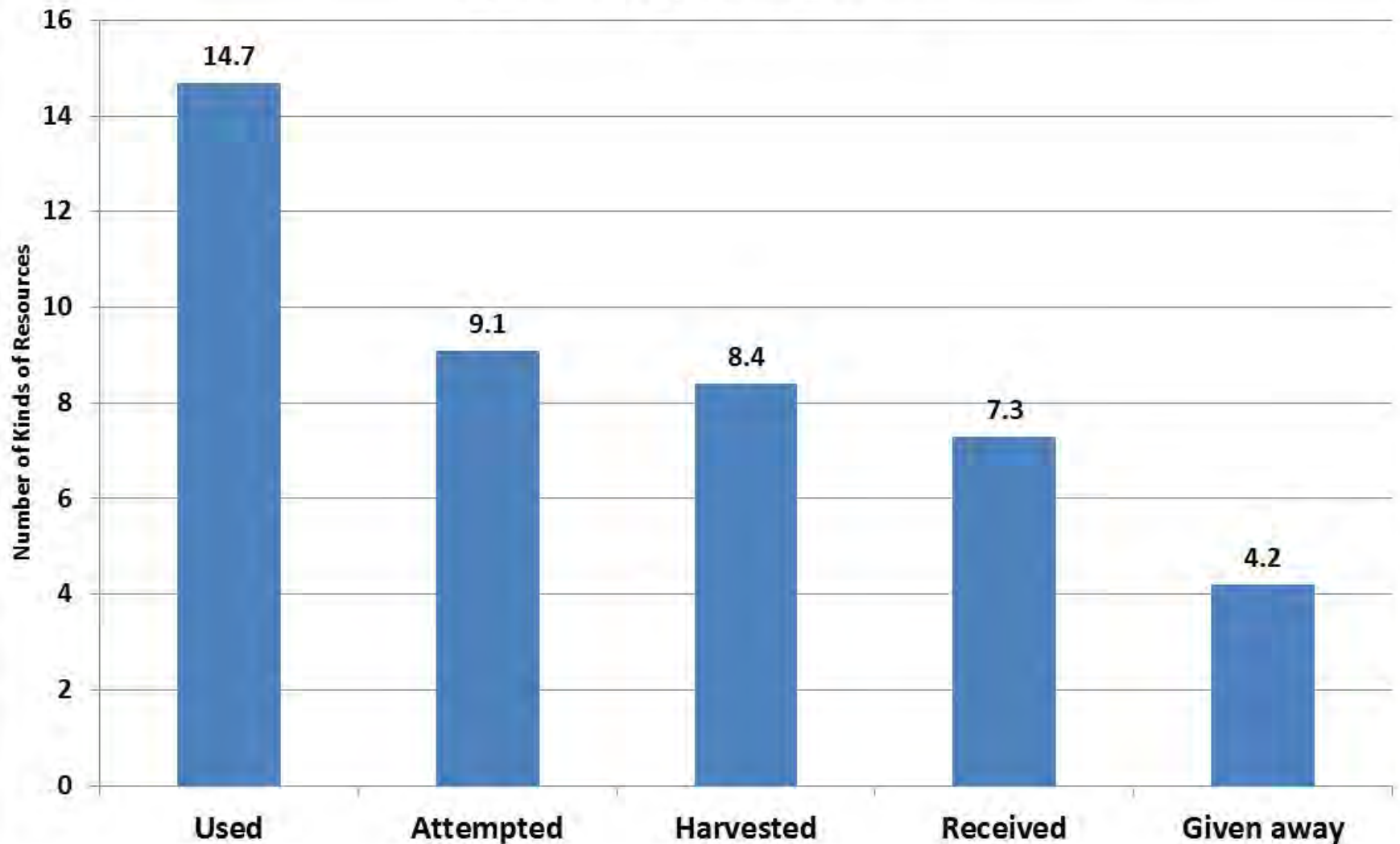
Factor 6: Variety of Species Used by Those Domiciled in Area

Figure 6.4-5. Estimated harvests of wild resources, pounds usable weight per person by resource category, Bethel, 2012



Factor 6, Continued

Figure 6.4-4. Average number of kinds of resources per household used, attempted to harvest, harvested, received, and given away, Bethel, 2012

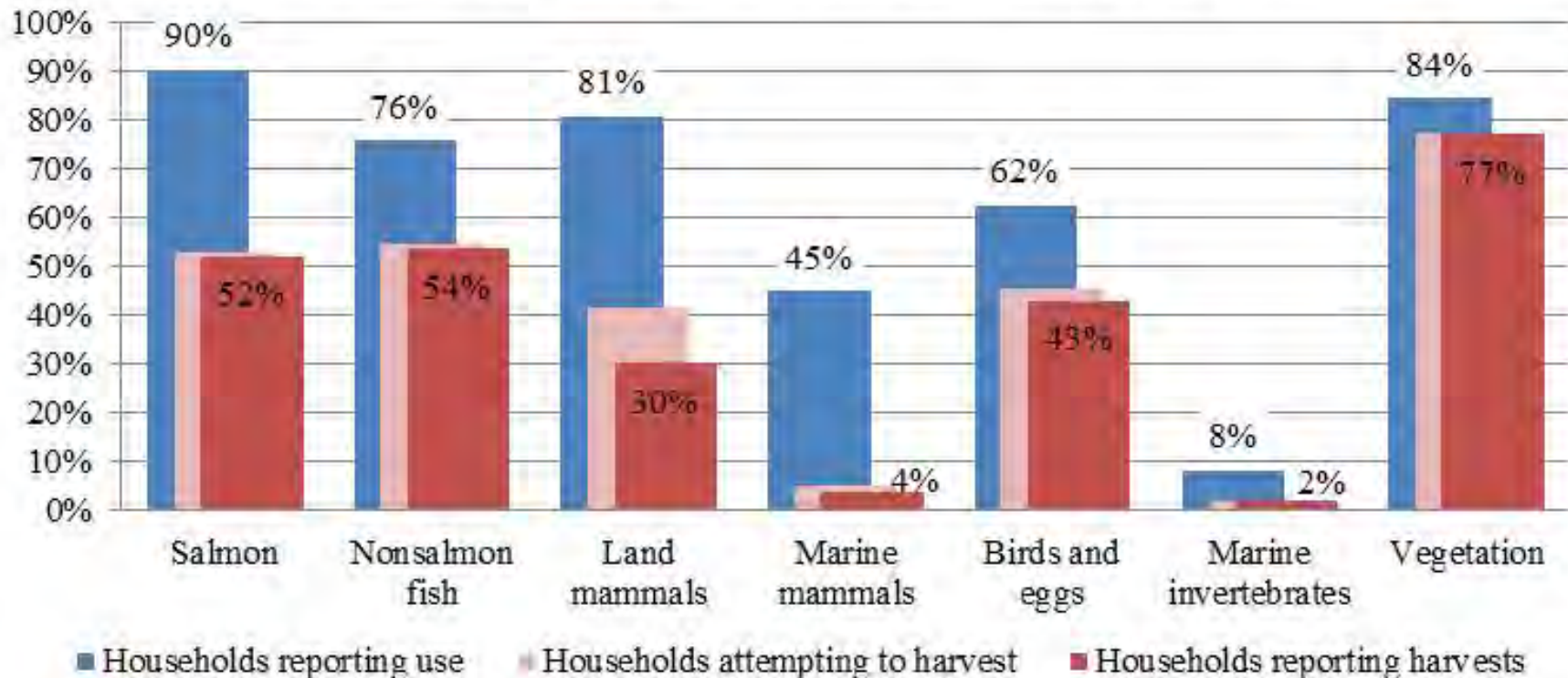


Factor 7: Seasonal Cycle of Economic Activity

- Less seasonal variation than in surrounding villages.
- In 2012:
 - 71% of adults employed;
 - Worked 11 months (on average);
 - 69% employed year-round.
- Subsistence sector shaped by seasonal availability of key resources.

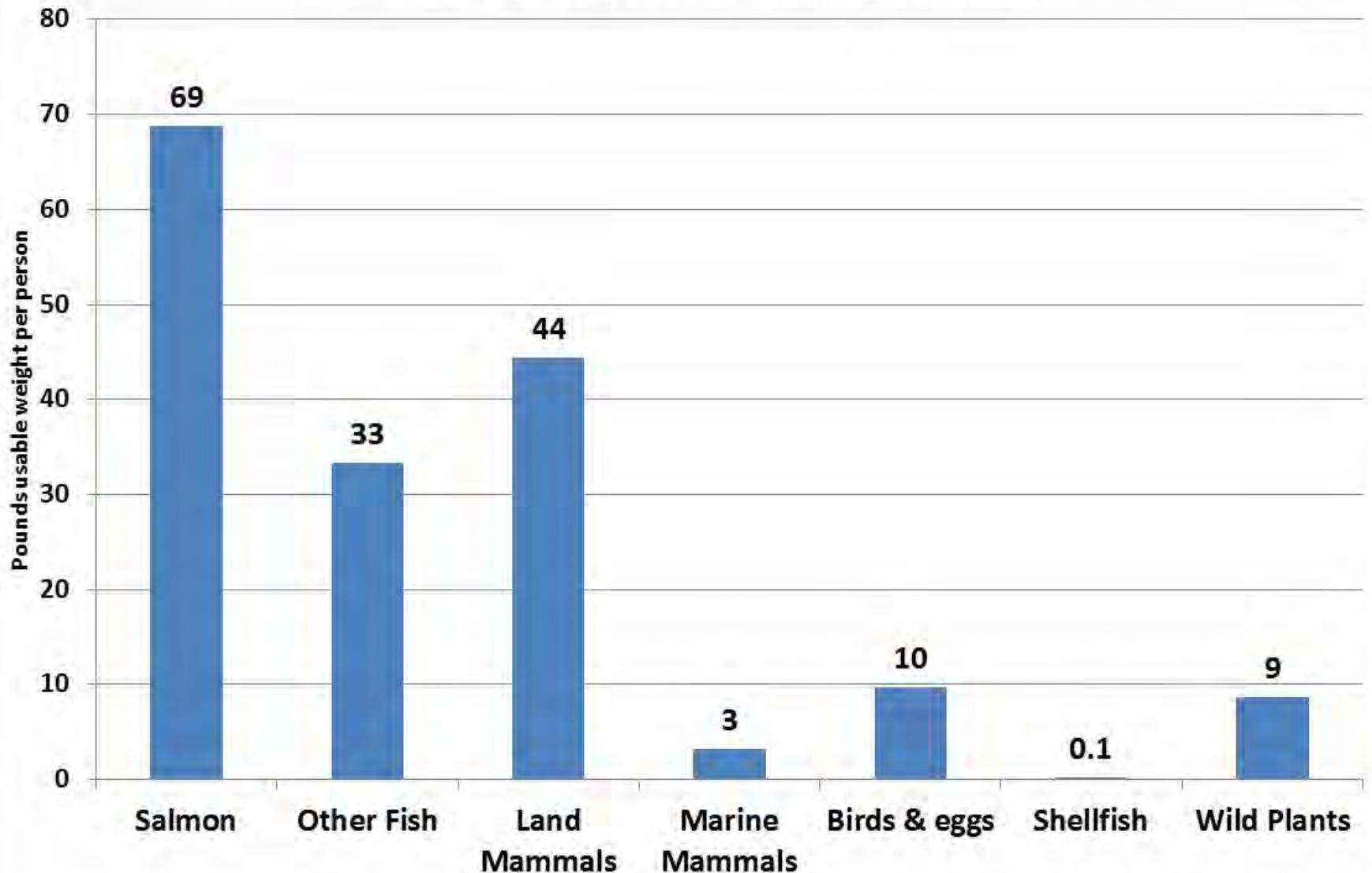
Factor 8: Percentage of Those Domiciled in Area Participating in Hunting and Fishing or Using Wild Fish and Game

Figure 6.4-6. Percentage of households using, attempting to harvest, or harvesting wild resources by category, Bethel, 2012



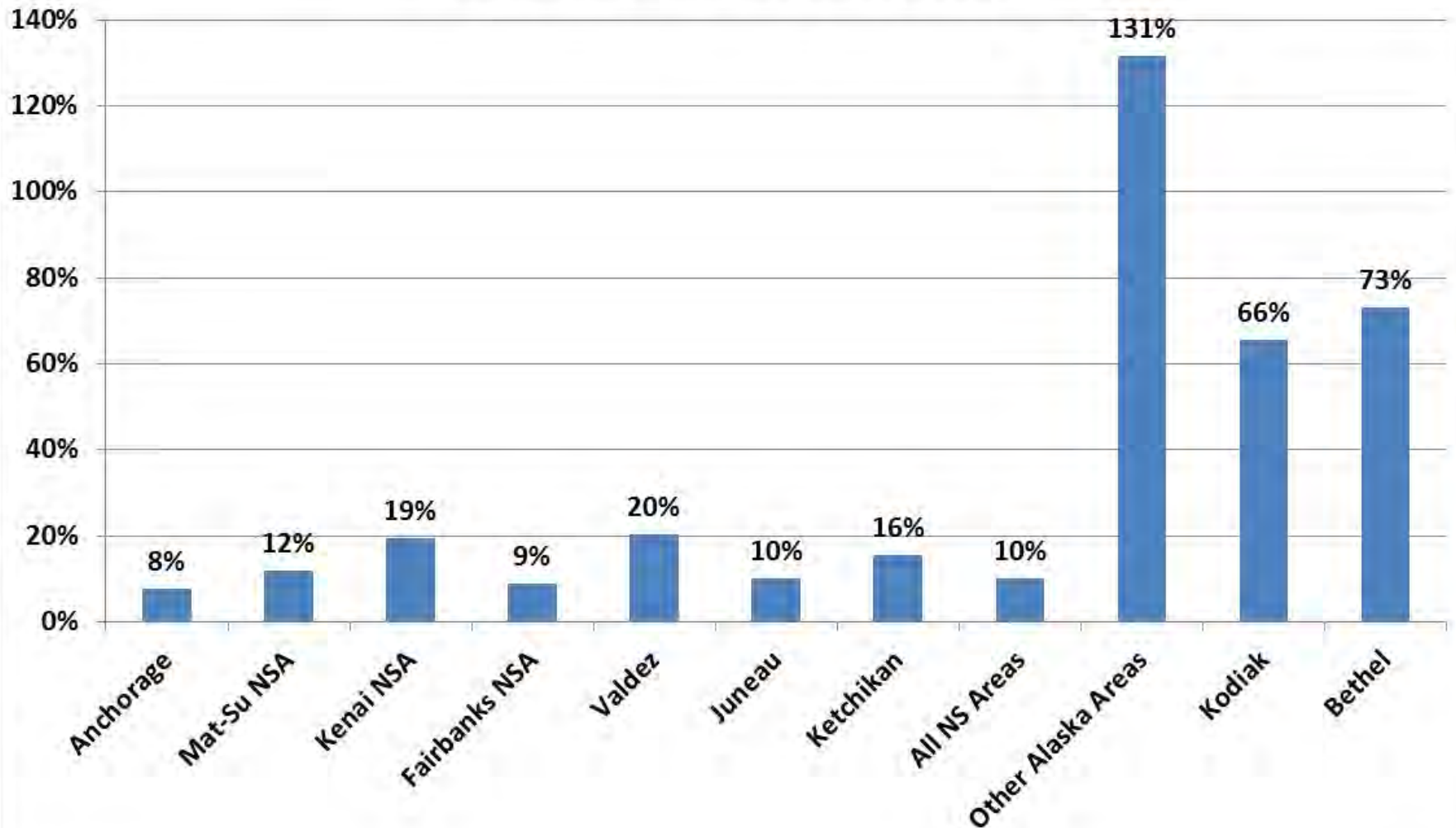
Factor 9: Harvest Levels by Those Domiciled in Area

Figure 6.4-8. Estimated Harvests of Wild Resources, Bethel, lb usable weight by resource category, 2012



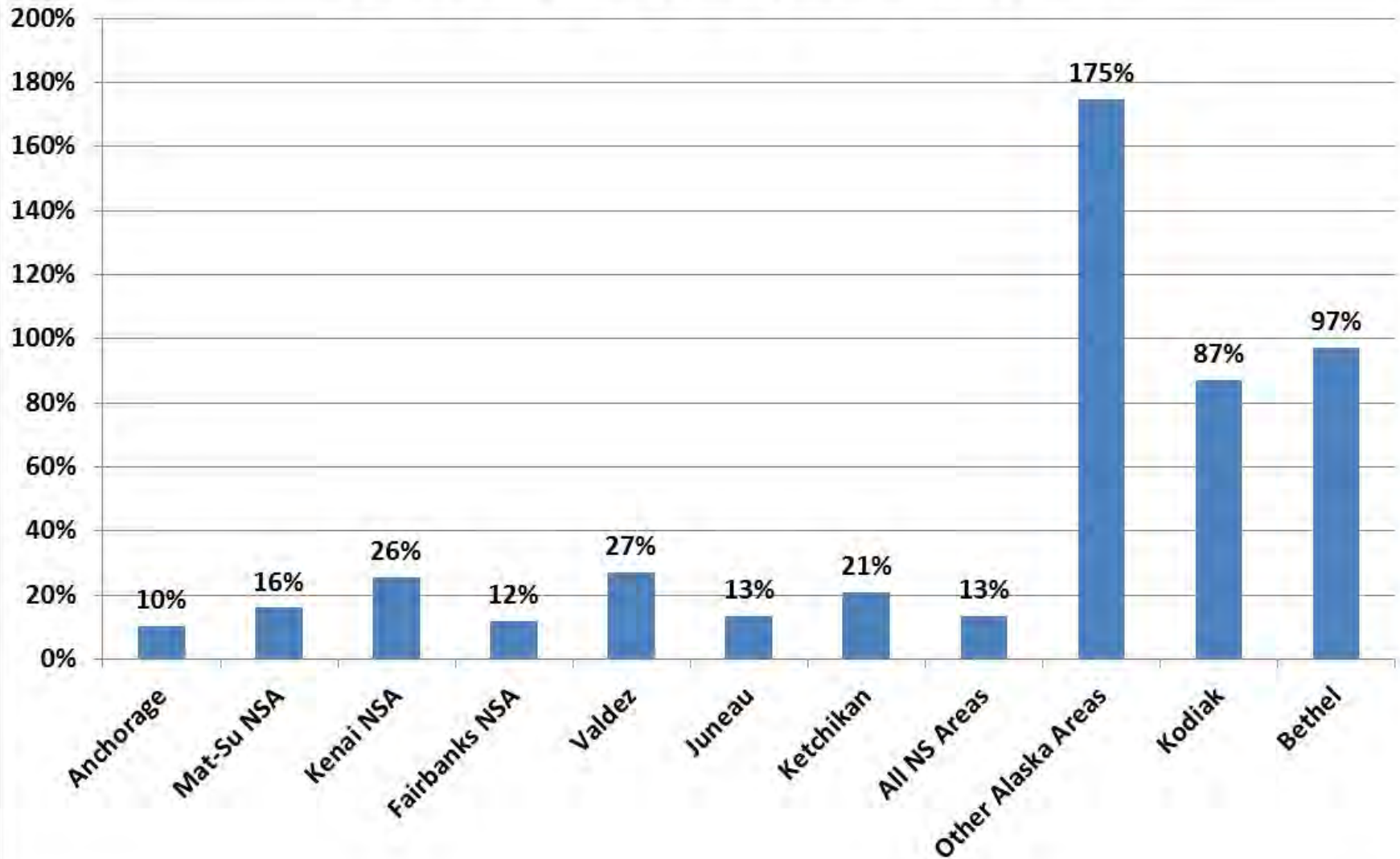
Factor 9, Continued

Figure 2.6-2. Percentage of average American consumption of meat, fish, and poultry produced by fish and wildlife harvests



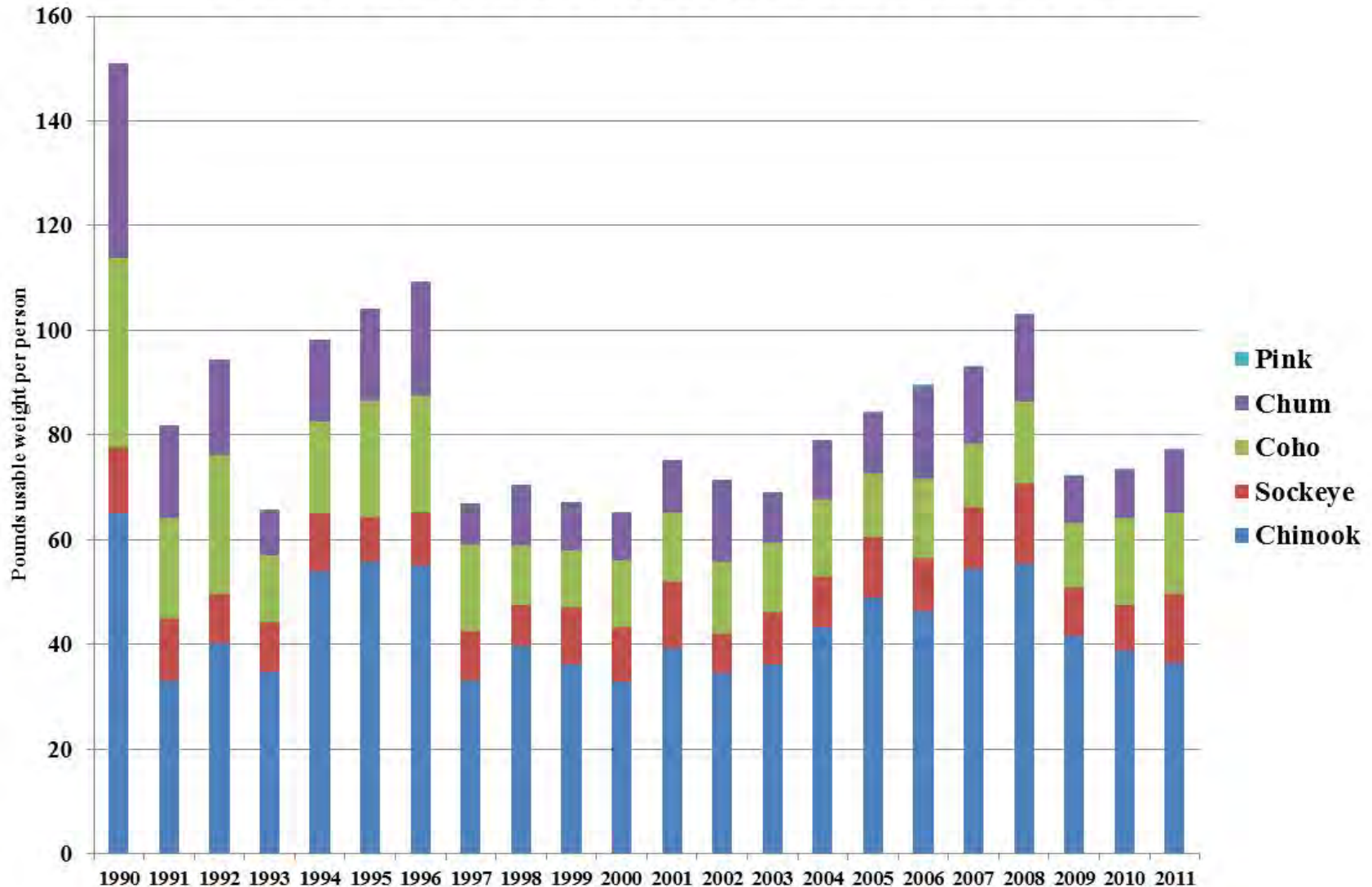
Factor 9, Continued

Figure 2.6-3. Percentage of protein requirements produced by fish and wildlife harvests



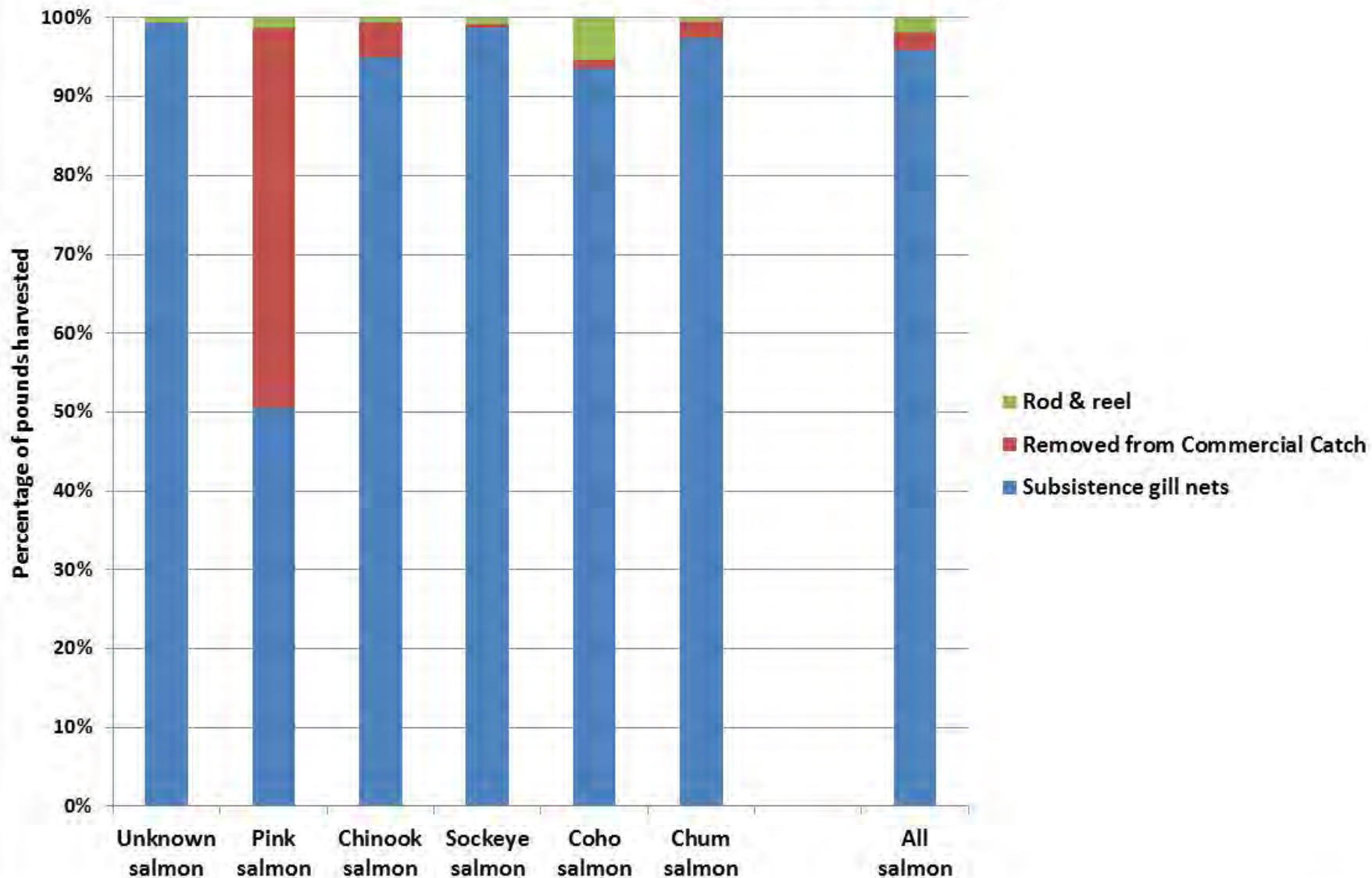
Factor 9, Continued

Figure 6.4-9. Estimated subsistence salmon harvests, pounds usable weight per person, by species, Bethel, 1990-2011



Factor 9, Continued

Figure 6.4-10. Percentage of estimated pounds of salmon harvested by gear type, Bethel, 2012

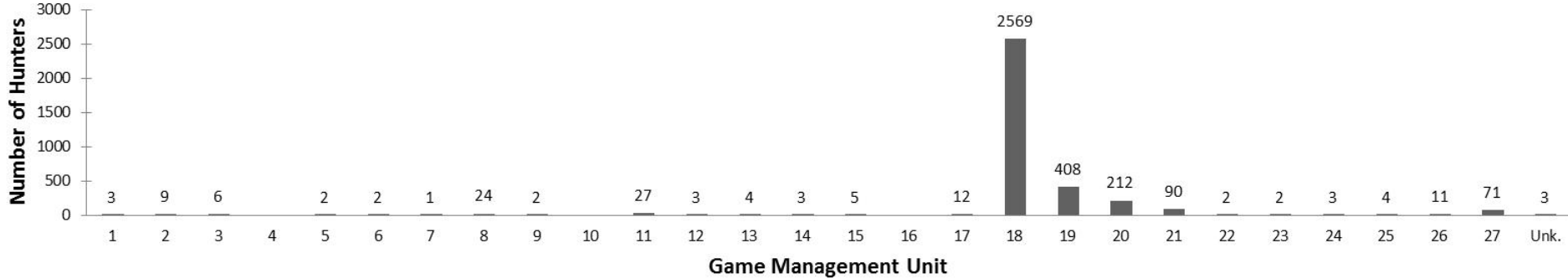


Factor 10: Cultural, Social, and Economic Values Associated with Taking and Use of Fish and Game

- Predominantly Yup'ik population, connected culturally and socially to surrounding villages.
- Bethel Comprehensive Plan: "We envision a future in which the quality of our natural environment is protected for subsistence and recreation, and the land managed for the sustained prosperity of Bethel's people."
- Statements from key respondent interviews.

Factor 11: Geographic Locations Where Those Domiciled in Area Hunt and Fish

Hunting Locations of Bethel Residents, Number of Hunters, 2007-2011



Factor 12: Extent of Sharing and Exchange by Those Domiciled in Area

- In 2012:
 - 92% of Bethel's households received gifts of wild foods.
 - 70% shared harvests with others.
 - Average household received 7 kinds of wild foods and gave away 4 kinds.
 - Linked through sharing networks with other communities in region.

Proposal 41 Summary

- Proposal 41: create a Bethel Nonsubsistence Area.

Department Recommendation: Neutral.

Have relevant changes relative to 12 factors occurred in area addressed in proposal?

