

# Central Yukon Resource Management Plan Public Scoping Summary Meeting Notes Nulato \* November 5, 2013

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## Planning Team

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## Questions and Comments during the Presentation:

### **Invasive Species**

We do have invasive plants in the Nulato area. They did a study last year down in Galena and found that seeds were brought in on the barges and trucks. Seeds were washed off the tires of trucks and some of the plants grew really fast so we dig them up and bring them to the dump.

### **Land Ownership and Land Use**

Years ago a guy from Huslia had an old CAT that he refurbished in Galena and he wanted to drive it up over the snow machine trails from Galena to Husila, but he was not allowed to. Is that because of BLM land management rules? *BLM: If it was across BLM lands, some things you can do under the category "casual use" such as snow machine and four wheelers where you can go anywhere you want without a permit when the vehicles are below a certain weigh. But, if it is heavy, like a D-9 Cat for example, you either have to stay*

*on existing roads or trails or wait until the trail is frozen. Under the right conditions, there should be a way to authorize it but, in certain seasons, BLM would probably have to say no.*

You were talking about easements and stuff like that. For example the trail that goes up from Nulato to Last Chance to the (Piko?) overland trail. Is that what you're talking about for easements? *BLM: It might be. Some of the trails are State trails or if they go over someone else's trails like US Fish and Wildlife lands or private lands, they might not be BLM lands. BLM manages 17b easements. Sometimes there might not be an actual trail on the ground where the easement is located. There has to be a reserved easement of some kind so that the public may have legal access to the public lands beyond the [native] corporation lands. Sometimes the trails really aren't there in fact on the ground, other times they are there. There is a list that says what the allowable uses are for the reserved easements, such as seasonal or certain weight and size limits. Easements are what we reserve in the conveyance process, but we also authorize rights-of-way, roads and trails to communities, or mines and things like that.*

Do you work with the government as far as building roads? Do they have to go through you guys too? *BLM: If any part of a proposed road crosses BLM lands, we have to issue the right-of-way for it. We usually partner with all of the land owners along the way. The Resource Management Plan might identify areas where we could issue right-of-way as well as identify areas where we should not issue right-of-way. Then we wait and if an application comes in, we consider it and there is more environmental work to do.*

The trail going from here (Nulato) to Koyukuk, it's a trail right now, but if we wanted to make a road out of it, besides going to Alaska Department of Transportation and so forth, we'd have to get permission from the Native Allotment owners right? And also get permission from the BLM if the trail crosses their property to widen it and make it better? *BLM: Yes.*

Right now, the [inaudible] River is flowing so nobody can go into the river. But people like Brother Bob need to get to Koyukuk because that's another place that he takes care of. There is a trail there and we as people, we can maintain the trail and keep willows out of the way so people don't get hurt right? As soon as it snows the willows fall over making it impossible to drive on the trail. As long as the snow level stays below a certain level, we can drive on it. But after a heavy snow fall, all the willows fall over. *BLM: Yes, general maintenance particularly for safety is allowed. When general maintenance starts to look like construction, you may need additional authorization.*

In order to use the trail, if we could get permission from BLM to at least fix it up a little clearer, could we? Not just the willows but dead trees and so forth? *BLM: Yes. We have worked on projects like out in the Kotzebue area and actually between Tanana and Allakaket where a fire burned over one of their trails and all the trees fell into the trail and we worked with the communities there to cut and clear the trees from the trail and they put up some nice tripod markers to help mark the trail. Please show us the location of the trail or other ones that you are aware of that need maintenance.*

The trail is from here [Nulato] to Koyukuk and its only 18 miles but for safety, it should be maintained and Koyukuk would ask the same. Did you have the meeting in Koyukuk yet? I saw that it was scheduled for October 29. *BLM: We had to postpone and reschedule the meeting in Koyukuk due to a death in the community.*

We talked about that road that is going to the Ambler mining district; we should have input on that road because that road is connected to us by river. The John River, the Alatna River, all those rivers go into the Koyukuk River which goes into the Yukon. So, it's going to affect our lifestyle around here. Because right now we have trouble with fish populations and it's been proven that some of the residual mining chemicals have an effect on the fish. That the fish are getting lost, not spawning and there is a reduction in their eggs. Every single person in this village eats fish at least once or twice a week, maybe sometimes four or five times a week. So, it's a big concern for us because it's our lifestyle. Right now we are getting lush [burbot], grayling and trout and a little bit of whitefish. In the summertime we get sheefish, summer chums, and fall chums. Blackfish come out of the lakes which are off the river system. They are not traditionally eaten- they are used as bait for lush.

Don't you guys do your Environmental Impact Statement? [For the Amber Road right-of-way] Do you guys look at everything? *BLM: No, specific projects. That road to Ambler would have its own environmental impact statement that would talk just about that road.*

The State did not have a meeting in Nulato [about the Ambler Road project] and it's going to have an impact here [in Nulato]. *BLM: The State of Alaska is no longer the applicant for the road to Ambler. They turned in over to Alaska Industrial Development and Export Authority (AIDEA) group.*

They did not have a meeting in Koyukuk and it's [the Amber Road project] going to have an impact in Koyukuk. *BLM: They are starting their meetings and are in what we call the pre-application phase so they have not submitted any official paperwork to the agencies. They have just been talking in general about that mine road. But it's using one of the main routes that ADOT [the Alaska Department of Transportation] was looking at when ADOT was the applicant.*

So how do we go about saying that we don't want no road to Ambler district because it will affect our fishing? *BLM explained putting comments on record.*

Are there are certain places that we could designate as recreational area? Is that what you were saying earlier too? *BLM explained types of recreational areas and trail and the "signing" program where they indicate the easements through private lands to reach BLM lands without trespassing.*

What about easements before statehood? *BLM explained the State of Alaska has a type of road that they want recognized by the federal government, called RS2477 rights-of-way. And like the easements, some of them are actual routes that everybody already knows about and can see it because it was obvious that it was a road or trail of some kind. Others are not as obvious and BLM often disagrees with the State over those.*

### **Special Areas**

What do we need to do to get the Nulato River designated as a wild and scenic river area for more protection? That's what the wild and scenic thing does, is protect it. The Nulato River is a spawning creek for sheefish as well as summer chum and fall chum, trout, lush (burbot) and everything that people depend upon in this area. We don't want to see any sport fishing or commercial fishing happening in an area that is so critical to us [in Nulato]. It happens and it's out of our control but if we make it a Wild and Scenic River, then those kinds of things will stop. *BLM explained they simply need public comment to pursue a designation. The BLM needs to learn more about the river including whether it is navigable. If BLM finds it is*

*eligible and suitable to be designated as a Wild and Scenic River, BLM nominates it to Congress and then, it's up to congress to actually designate it. The RMP does not designate rivers.*

[This comment is in regards to the State cooperating with Tribes in working with BLM and Congress to designate a river Wild and Scenic.] Traditionally, tribes like us the Nulato Tribe or any tribe in Alaska doesn't have a working relationship with the State because the State does not recognize tribes. They [the State] don't recognize our rural priority; they don't recognize a lot of stuff we depend on out here. So, we have a stressed relationship with the State. *BLM: The Wild and Scenic Rivers designation is not an easy process and it does not happen often. But then again, we [the BLM] don't do land use plans all that often and maybe that is part of the reason. There has to be a strong constituency supportive for the river, including the current Administration and Alaska's Congressional delegation. Other protections like an Area of Critical Environmental Concern might be a more appropriate designation to pursue that might help alleviate some of your concerns.*

Right now is the time for us to say that [Nulato wants the Nulato River designated as Wild and Scenic] so that we can actually try to get it in there. Right now is the comment time. What's the starting point to get the Nulato River designated as "Wild and Scenic"? What's the first thing that needs to be done? *BLM: Just that comment is enough to get a start on it. Also, tell us what you think about it [the Nulato River] what is remarkably outstanding, because it has sheefish spawning areas [for example]. We [the BLM] would have to look at the land ownership to see if the area you are talking about it is on BLM lands. So, tell us [the BLM] what's outstandingly remarkable about this. Does it have particular fish value that is really important? Or a wildlife or scenic value? That could also go for an Area of Critical Environmental Concern. You could say or draw a circle on the map around the area that you're talking about and say "this area needs to be protected be it's a sheefish spawning area and it's an important subsistence use area". Whatever you guys [the community of Nulato] know about it. The Nulato River is a fishing river and also along the river are berry picking areas. It's also where we get our drinking water. When you go to one of our faucets and turn it on, that's the best water you'll ever taste and it comes from the Nulato River. Just for the waters sake, it [the Nulato River] should be protected.*

How about if you just stop giving land back to the state? *BLM: Well, they [the state] still have five million acres left of their entitlement. They have five million acres selected just in the planning area. Of course they have selected lands all over the state so they won't take all of it, but hopefully over the next 20 years they will get all of their lands.*

## **Fire Management**

How does the BLM land pertain to BLM firefighting crews? *BLM explained how the Alaska Fire Service hires village crews. BLM explained Fire Management Plans and protection zones around communities. Fire management requires a lot of interagency work because agencies have to agree on management zones irrespective of lands status.*

People in Galena are using wood for boilers and such. I am a Gana-A'Yoo [Native Village Corporation] resource committee member and Galena wants to cut trees on our land, which is ok, but could they use some of the BLM lands near Galena? *BLM: Yes. Contact Tim Hammond in our office who issues the timber permits and knows how to do the use authorizations for commercial use. [Discussion of unauthorized use of*

*native corporation lands by the public when people do not want to get all the way into BLM lands. BLM will contact Gana-A'Yoo resource committee directly for future projects like a forestry project for the tech school organized by TCC.]*

### **Recreation Management**

One of the problems we have around here is fly-in hunters. They stay on the south side of the river, but they never used to do that before [fly into the Nulato area for hunting]. *BLM explained that this sounds like a transporter issue rather than guides. The BLM does not typically require permits of transport businesses to land on BLM lands for short-term use. However, in instances where hunting is too crowded, the BLM can regulate transporters. The example provided was Squirrel River by Kiana.*

There are some commercial and local guides. We live in the Koyukuk Controlled Use Area for moose and it has an intensive moose management plan so transporters are locked-out of the area [it is a no fly zone for moose hunting] but private hunters are not locked-out. I would not say that moose population is doing better. We don't want people landing in our lakes and hunting- not anybody. It's not a matter of congestion, it's a matter of...it's a non-guide area. Sometimes it's not just transporters but people in private planes who fly in, they camp-out for a couple of days, kill a moose, and then fly back to Fairbanks. *[BLM discussed wildlife management techniques and status of a program (currently, unfunded) with the State to set the number of guides in different units. The BLM can only deal with BLM lands with better management of the transporter community, but they need to be aware of what is going on state lands too. Other villages have been successful in instituting no-fly zones around villages or delayed fly-in zones. So that might be something that you could bring in your local Advisory Committee/Alaska Department of Fish and Game meeting.*

### **Subsistence and Traditional Way of Life**

People around here are really against mines because we go up the Koyukuk River and those are our relatives too. But we go up there and they had mining around them, above them for hundreds of years and they have a huge amount of cancer compared to us. And that's what we see, we see how much cancer they have up there and it's eventually going to come here because we all live on the same river. Fortunately, residual mining chemicals get diluted on the way down, but people in Nulato are starting to get cancer more than ever before. When I was 10 years old, we never talked about cancer, but now, I am only 54 years old and 40 years later, they talk about cancer every day. Every year, we have somebody brand new with cancer, two or three and before, we never had anything like that. So we are more and more for natural living out here than anything else. As far as mining as far as development, that's all good but as long as they do it in their own neighborhood and not our neighborhood. People still eat fish all the time here. People still pick berries and still live a traditional lifestyle. All the people that come from out of Nulato, that move here they assimilate into our lifestyle rather than us assimilating into theirs and they live longer.

People work seasonably and then harvest food as much as possible.

Another thing that the BLM has to consider is the traditional land use area. My father's traditional land use area was a lot different than mine but it's still mine. You talk about the Gisasa and Kateel rivers. The old people used to have a trail that goes from the Nulato River to the Gisasa to the Kateel and that was their traditional use area. Then you talk about going over to the Koyukuk Flats, well they used to go across the

hills and go into the Little Mud River and they used to go into the Kuskokwim country and that was our traditional use area. So our traditional use area is much bigger than the BLM thinks.

At one time there was even like five families from Nulato that just moved over to the Mud River and lived over there the whole winter. I mean, nobody from Nulato goes there anymore but at one time we were living over there. Eddie was one of them, he's still alive, he's 96 or 97 [years old] something like that. But he used to live over there.

Not very many people have a seasonal camp lifestyle anymore where they move out of town for months at a time. They all got too old, but they were in their 70s when they stopped for health reasons. Nobody younger has stepped up to the plate yet.

People do not go to their native allotment fish camps like we used to. The thing about fish camps is everybody who used to have a fish camp; it actually belongs to them because it's part of the native allotment. When we were at fish camp, we used to harvest our fish, our wood, our berries, ducks and geese all at one time.

The fish wheels on the river are not shared; those all belong to individuals. The only time we share is when there is no commercial or if we are going to do specifically [like] white fish. But we share everything.

If we fish out of my boat there might be four families fishing out of my boat, but there's just only me and my nephew Erick really doing the fishing, but we share the fish with like four families. Moose hunting is a little bit different this fall, usually it's just me and Erick that go get moose but this time we split it with my cousin because her and her son were with us and our tradition is to share with everybody who is in the camp so that's what we did. This year, three of us got one third of a moose because my cousin was along for the trip and we gave her one third.

We don't get many caribou around here. It's been a long time, 21 years. There is the Western Arctic herd and there is also this little herd up there called the Galena mountain herd.

We disagree with new access roads because a lot of times they are encroaching on our subsistence areas. What they are talking about is something that was developed before the year of the Constitution. For instance, what I am talking about is the telegraph line, the only line that goes from here to Koyukuk to maybe Kaltag. If you look for it, you can find it. The thing I worry about with easements is, it gives people permission to do something on this land and that's what I worry about. An easement says "I give you permission to do this" and that's what I worry about. I worry about people having permission to come anywhere in my area. *BLM: I think there needs to be kind of a partnership in some places like Glennallen and in other places where there is a lot of [inappropriate] use of easements. Ahtna and other people are concerned that BLM should do more to help the public stay on the trails because you're right; BLM is not the owner, it's just an easement and people want them to move through but not stay there, drop off all their gear and camp for a few days and leave trash.* That was the biggest part of the AFN convention this year, was the Ahtna peoples concern over their land use.