



Federal Subsistence Board

1011 East Tudor Road, MS 121
Anchorage, Alaska 99503 - 6199



FISH and WILDLIFE SERVICE
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FOREST SERVICE

OSM 20066.KW

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Donald Hernandez, Chair
Southeast Alaska Subsistence
Regional Advisory Council
1011 East Tudor Road, MS 121
Anchorage, Alaska 99503-6199

Dear Chairman Hernandez:

This letter responds to the Southeast Alaska Subsistence Regional Advisory Council's (Council) fiscal year 2019 Annual Report. The Secretaries of the Interior and Agriculture have delegated to the Federal Subsistence Board (Board) the responsibility to respond to these reports. The Board appreciates your effort in developing the Annual Report. Annual Reports allow the Board to become aware of the issues outside of the regulatory process that affect subsistence users in your region. We value this opportunity to review the issues concerning your region.

1. Youth Engagement

The Council would like to bring this 2018 Annual Report item back to the Board's attention. The Council feels fortunate to have received public testimony from young people at its recent meetings. Currently, there is a group of high school students in Sitka that take part in a Procedures and Practicum Class, which introduces the Federal Subsistence Management Program (Program) to students. This class teaches students to navigate and participate in the public decision-making process effectively. This class has brought students to this Council's meetings and to the Board meetings for the last five years.

The contributions of young people are valued by the Council, and this type of interaction furnishes the next generation with the tools and experience necessary to be actively involved in the Program. The students practice public testimony, develop analytical skills, thoughts and questions, as well as improve their networking. Opportunities such as this class's interaction with the Program provide youth with a realistic and tangible way of making an impact in preserving the subsistence lifestyle. Below are just a few comments that the Council heard recently from youth that provide a variety of reasons for the Council to seek avenues and funding to encourage young people to be involved:

“My hope is that all of the amazing benefits of subsistence that I have enjoyed as a youth will still be there after me. We must cherish the source of Alaska’s wealth, taking care of it for our future generations.” (Tava Guillory)

“It feels like we’re too young to be able to create new laws and policies, but what we’re not too young to do is just project our voices and make sure that the people who are making these rules understand that this is something that we care about and our futures are something that we want to be protected.” (Darby Osbourne)

“So far this experience, for me, has been pretty amazing. I’ve learned far more than I thought I ever could in a day. It’s also incredibly rewarding to learn so much from people who care so much about these issues. Seeing this process and witnessing people standing up and trying to change things is so inspiring.” (Cora Dow)

At this past meeting, the U.S. Forest Service and the Alaska Conservation Foundation assisted with funding; however, the Council would like the Board to explore options for the Program to provide consistent funding to this group to ensure its continued existence. The group’s adjunct professor informed the Council of the numerous challenges for obtaining funding and it seems funding is an issue each and every year.

In addition to the Sitka students, a student who attends the Tribal scholars school in Ketchikan, run by the Ketchikan Indian Community, was also able to participate in the last meeting. In addition to providing public testimony on a wildlife proposal, climate change and the proposed Roadless Rule, she shared her personal experience with a persistent bear problem in the area involving bears unable to digest the plastics ingested from unsecured garbage. “As a youth subsistence user, this is my future, bears eating plastic. Deer not doing well. The salmon not doing well. This is going to be the majority of my life . . . I’m going to have to deal with this for a long time because I’m only 15 . . .” (Shania Murphy)

The Council expressed its appreciation and voiced their support and encouragement to students that spoke at the last meeting:

“Listening to you guys, you young ladies speak, made me feel good because you’re doing something that elders aren’t doing, or older people, adults aren’t doing, we’re here because of taking care of this world, subsistence.”

“Your thoughts are very well put together, very directed and I encourage you to keep your eyes open and be there for when we’re not in these seats anymore and you’ll do well. We really appreciate your interest and your dedication and you inspire us . . .”

The Council hopes that the Program can provide some financial assistance to ensure that these opportunities for youth to be engaged in the Federal Subsistence Management Program continue. These future generations have an interest in protecting subsistence resources and should have the opportunity to participate in the Program.

The Council would like a commitment from the Program to make funds available for interested students to participate in these types of worthwhile educational experiences. Providing youth with an opportunity to speak and share their perspectives on current issues is important for considering solutions to problems. This is an investment in developing the leaders of tomorrow and to equip the upcoming generation with the tools and knowledge to protect and secure the subsistence way of life for future generations.

Response:

The Board is eager to support youth in becoming more involved in the Federal Subsistence Management Program process and continues to support Office of Subsistence Management's (OSM) engagement with youth in several ways. Prior to conversion of the April 2020 Board meeting to a teleconference required by COVID-19 pandemic public health and safety mandates, OSM and the US Forest Service (USFS) were actively working with the Sitka Conservation Society to fund travel, housing, and food for several students to attend the Board meeting in Gakona. The Board was disappointed when travel was restricted, and we were not able to meet with students personally. The Board intends to continue supporting student involvement in future meetings.

In addition to student travel, the Board encourages youth engagement through OSM's many partnerships. For over five years, OSM has worked to fund internships and scholarships for Alaska Native Science and Engineering Program (ANSEP) students working on Fisheries Resource Monitoring Program (FRMP) projects. These students engage in Federal research and management projects during the summer and present their work to the appropriate Councils during the fall and winter meeting cycles. Recently, OSM joined forces with the USFS to establish internships on FRMP projects in the Chugach National Forest. OSM has also supported the Orutsararmiut Native Council's summer youth program since 2017. Staff traveled to Bethel to engage with youth from the Yukon-Kuskokwim Delta Region, introducing them to the Program through a mock Regional Advisory Council. The students developed and presented several regulatory proposals to a youth Regional Advisory Council. Because of the COVID-19 travel restrictions in the summer of 2020, OSM focused on programs that would continue to involve the youth in the Federal Subsistence Management Program through ANSEP and the U.S. Fish and Wildlife Service (USFWS) Directorate Fellows Program (DPF). The DPF is an 11-week fellowship working on projects that support USFWS conservation priorities. Eligible students are pursuing degrees in biological science and/or natural resources management (for more information see <https://fws.gov/odiwm/pdf/2020DFPFLYER.pdf>). Staff developed curricula and mentored students from their home villages. Students mentored by OSM staff engaged with community elders, Federal and State land managers, and local subsistence users to develop fisheries research priorities for submission to their Regional Advisory Councils as recommendations for 2022 Priority Information Needs.

The Board appreciates the Council's continued interest in involving the youth in their meetings and we encourage Council members to seek opportunities to engage and educate youth. Anytime your members have a chance to teach youth about subsistence, everyone benefits. It will take the Board, the Councils, and the Federal agencies to prepare youth for future roles as Council members.

2. Funding for Wildlife Research Management Projects

The Council is unsure whether funding or a funding mechanism currently exists for wildlife research management projects for Southeast Alaska. The Council would like to receive more information on the Wildlife Resource Monitoring Program and a status on funding availability. The Council would appreciate information on current funding and any other funding options so that it may share it with organizations who are interested in engaging in wildlife research for the purposes of collecting data for management of subsistence resources in this region.

Response:

The Board's respective agencies appreciate the Council's advice and guidance in prioritizing wildlife monitoring projects to be undertaken. Currently there is no wildlife monitoring program equivalent to the FRMP. "When [in 1999] the Secretaries of the Interior and Agriculture were given responsibility for federal subsistence fisheries management in Alaska under Title VIII of ANILCA, they established a Fisheries Resource Monitoring Program (FRMP) to increase the range of information available for effective fisheries management" (Oversight Hearing on the U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration, and the National Marine Fisheries Service Budget Request for FY'03).

The good news is that the Alaska Department of Fish and Game has done a commendable job funding and conducting wildlife monitoring in your Council's region, though there continues to be unmet research needs. The Board and agencies are firmly committed to funding wildlife surveys and inventory, subject to funding priorities and yearly agency appropriations. For example, wildlife monitoring projects have been funded in the past by the USDA Forest Service, such as surveys for wolf, deer, and moose populations.

Additionally, we would like to relay the information about the Tribal Wildlife Grants Program administered by the USFWS Wildlife and Sport Fish Restoration Program. This grant opportunity provides funding to federally recognized Tribes for development and implementation of programs that benefit wildlife and their habitat, including species of tribal culture or traditional importance and species that are not hunted or fished. Activities may include, but are not limited to, planning for wildlife and habitat conservation, ongoing and/or new fish and wildlife management actions, fish and wildlife related laboratory and field research, natural history studies, habitat mapping, field surveys and population monitoring, habitat preservation, land acquisition, conservation easements, and outreach efforts (<https://fws.gov/nativeamerican/grants.html>).

Paragraph 809 of ANILCA specifies cooperative agreements with other agencies and organizations as a mechanism to carry out the purposes of Title VIII, including wildlife surveys and research. When appropriate grant opportunities are identified, they will be shared with the Council and other cooperating entities.

3. Staff Representation

In its Annual Reports, since 2017, this Council has shared its concern regarding the lack of consistent technical staff support present at its Council meetings. Although the Board previously

assured the Council that “while there have been reductions in Federal travel budgets, the Council can expect continuing biological support at its meetings,” the Council is still distressed by the decline in the physical presence of Federal staff at its meetings.

The Council has provided examples of the challenges created by having less technical staff present at the meetings. During regulatory meetings, the Council feels it is vital to have the staff person who performed the analysis for the proposal present in the room to relay that information and to answer questions. Presentations and responses lose value when relayed over the telephone line. This makes it very difficult for the Council and the public to hear the information and thoroughly engage in the proposal process.

In-person support staff are crucial for the Council to conduct its business efficiently and with the right resources. Council members will often speak with analysts at the meeting and use these conversations to formulate questions to ask on the record regarding specific issues. Analysts participating by phone have limited time and opportunity to discuss subject matter. Limitations placed on the interactions between Council members and subject matter experts does not fulfill the intent of ANILCA.

The Council asks that this request be fully reconsidered in light of the provisions set forth in ANILCA Section 805(b). Council members would like to receive greater level of assistance from in-person staff to provide the technical support needed to conduct the Council’s business.

Response:

The Board agrees that it is important that the Secretaries of the Interior and Agriculture provide “adequate qualified staff” at Council meetings as required by Section 805(b) of ANILCA. Due to safety and health concerns and travel restrictions resulting from the COVID-19 pandemic, some of the 2020 winter Council meetings were held by teleconference. Although not an ideal situation, the Board was impressed by the professional conduct of the Council and staff as they worked through the communication challenges. It was also evident that teleconferences are not a good substitute for in-person meetings. When in-person meetings resume, the Board and Federal agencies will make every effort, as budgets allow, to support the Council with qualified staff to ensure technical expertise is available and face-to-face relationships can be maintained and fostered.

4. Correspondence Policy

The Council was extremely disappointed in the amount of time that it took for its correspondence to go through the review and finalization process at the Office of Subsistence Management (OSM) this past year. The Council requests that the Board review the current Correspondence Policy and revise it to include identifiable levels of accountability and to ensure timely processing.

The Council recognized that the number of OSM administrative staff was limited for the last several months; however, it appeared that the majority of the time spent on moving the correspondence forward was because of the numerous OSM staff required to review the correspondence. The Council submitted eight letters. One of those eight letters was processed timely. The remaining letters took months to complete. In fact, one letter submitted for processing, which was a simple

cover letter to transmit another correspondence, took FOUR months to finalize. This is unacceptable. The Council cannot conduct its business and carry out its responsibilities with this level of inadequate support from the Program.

The Council would like to see the Board direct OSM to streamline the correspondence process so that all correspondence is processed within one week. The Council would also like to see parameters regarding oversight be established so that an exorbitant amount of time is not spent re-writing letters unnecessarily. Councils and their coordinators should be given latitude to draft correspondence in a manner reflecting the Council's style and dialect, relaying information in plain language. Correspondence from the Council rarely needs to read like a perfect technical guide and the amount of time spent by OSM personnel to make numerous changes to text has resulted in unconscionable delays. Edits should be limited to spelling, grammar, and legal content only. No substantive changes should be made except to provide consistent messaging from the Program.

The Council would like to see the OSM review process of correspondence more formally outlined. This should include the steps of the process, the personnel involved, and the justifications for each step/personnel oversight. The Council would encourage the Board to then scrutinize the amount of oversight from OSM personnel and request an explanation of why most of this Council's letters took months to complete. The postponement of timely processing of correspondence resulted in a significant delay of the letter to the Secretary of Agriculture, conveying important information that the Council hoped he would have prior to making his decision on the Alaska Roadless Rulemaking Draft Environmental Impact Statement (AKKR DEIS) preferred alternative.

Lastly, the Council would like to see a revised Program Correspondence Policy, incorporating strategic and realistic steps and accountability, within the coming year.

Response:

OSM acknowledges that, at times review of Regional Advisory Council correspondences have been inconsistent with the Board's Subsistence Regional Advisory Council Correspondence Policy dated June 15, 2004. While completion of reviews in a timely fashion is intended, significant delays have occasionally occurred. Some delays resulted from OSM staff shortages. The Board expects that OSM will comply with the terms of the Correspondence Policy and provide timely review of submitted correspondence. OSM and the Board are committed to ensuring that the Councils can correspond freely within the bounds of their charter and that correspondences adhere to regulation and policy.

5. ANILCA Section 810 Hearings

The Council would like to inform the Board that it has submitted substantial comments on the Alaska Roadless Rulemaking issue. The Council has been discussing this issue for several months and it would like to formally inform the Board that it actively advocated for ANILCA Section 810 hearings during the AKKR DEIS period. The Council believed that the proposed rulemaking was a land management plan and, as such, required Section 810 hearings and an analysis related to the outcome of those hearings. This Council has a long history of weighing in on land management

plans on the Tongass National Forest and it looks forward to seeing the Section 810 analysis on this matter.

Response:

The Board very much appreciates the hard work and commitment shown by the Council in responding to the needs of subsistence users. The USFS reports that in total, 196 people provided oral testimony at Alaska Roadless Rule subsistence hearings throughout 18 Southeast Alaska communities. Oral testimony was recorded at subsistence hearings and later transcribed by a professional court reporter. Transcripts are available on the Alaska Roadless Rule's project website and the audio files are available upon request. Transcripts were further reviewed to identify common themes of oral testimony to inform the final environmental impact statement, record of decision, and ANILCA Title VIII Section 810 subsistence determination. The USFS will update the Council when the Secretary of Agriculture makes a final decision on the Alaska Roadless Rule.

Hearing	Location	Date	Testifiers
1	Sitka	11/12/19	42
2	Ketchikan	11/05/19	15
3	Hoonah	11/14/19	14
4	Petersburg	11/07/19	13
5	Pelican	12/12/19	13
6	Angoon	11/12/19	11
7	Tenakee Springs	11/05/19	10
8	Hydaburg	11/12/19	10
9	Point Baker	11/19/19	9
10	Gustavus	12/07/19	9
11	Kake	11/22/19	9
12	Wrangell	11/06/19	8
13	Skagway	11/26/19	8
14	Craig	11/06/19	7
15	Haines	12/07/19	6
16	Yakutat	11/05/19	5
17	Kasaan	11/12/19	4
18	Thorne Bay	11/13/19	3
Total			196

6. Board's Response on 2019 Annual Report Item: Subsistence Shrimp

The Council informed the Board, in its last Annual Report, of the testimony received on the State of Alaska's recent restrictions regarding conservation concerns of the shrimp stock in District 13C. This Board's response encouraged the Council to write a letter directly to the Alaska Board of Fisheries to express the concerns that the Council received. The Council wishes to express its appreciation to the Board for providing good constructive guidance and for giving the Council an avenue of recourse. The Council decided to write a letter directly to the Alaska Board of Fisheries conveying the information on this subject that had previously been disclosed to this Board.

Response:

The Board always appreciates the Council's dedication and diligence in addressing concerns of subsistence users and keeping the Board informed.

7. Extra-Territorial Jurisdiction

The Council heard testimony regarding the lack of herring harvests in Sitka Sound for many years. In its last Annual Report, this Council advised the Board that it may see a request for Extra-Territorial Jurisdiction (ETJ) regarding this matter in the future and that the Council would like the Board to process any such petition by following its policy on ETJ matters. The Council received information on the Federal Subsistence Management Program's ETJ procedure, along with an example of an ETJ petition, to provide to those interested in pursuing an ETJ in the Sitka Sound herring matter. The Council would like to thank the Board and Program for these guidelines and information. The Council hopes that the Board and Program will continue to provide assistance throughout this process, as appropriate, should an ETJ petition be received regarding the State's failures to manage this resource and the detrimental impact that it is having on this culturally important subsistence resource.

Response:

The Board always appreciates the Council's dedication and diligence in addressing concerns of subsistence users and keeping the Board informed. The Board stands ready to fulfil its responsibilities, if such a petition is received.

8. Status of Fish and Wildlife Resources in Southeast

Pursuant to ANILCA Title VIII Section 805, this Council recognizes the importance of providing the Board with as much information about its region as possible so that it can make informed regulatory decisions. To that end, this Council has decided to routinely report on the status of fish and wildlife populations and the harvests within the region. Enclosures to this Annual Report entitled "Subsistence Sockeye Harvest and Escapement" and "Wildlife Harvest Summary" provide recent overviews of these subsistence resources.

Response:

Thank you. All information provided by the Council is extremely important for informing Board decisions. We look forward to your reports.

In closing, I want to thank you and your Council for your continued involvement and diligence dedication in matters regarding the Federal Subsistence Management Program. I speak for the entire Board in expressing our appreciation for your efforts and am confident that the Federally qualified subsistence users of the Southeast Alaska Region are well represented through your work.

Sincerely,



Anthony Christianson
Chair

cc: Southeast Alaska Subsistence Regional Advisory Council
Federal Subsistence Board
Susan Detwiler, Assistant Regional Director, Office of Subsistence Management
Thomas Doolittle, Deputy Assistant Regional Director, Office of Subsistence Management
Lisa Maas, Acting Subsistence Policy Coordinator, Office of Subsistence Management
Tom Kron, Acting Council Coordination Division Supervisor,
Office of Subsistence Management
Acting Wildlife Division Supervisor, Office of Subsistence Management
Greg Risdahl, Fisheries Division Supervisor, Office of Subsistence Management
Acting Anthropology Division Supervisor, Office of Subsistence Management
George Pappas, State Subsistence Liaison, Office of Subsistence Management
DeAnna Perry, Council Coordinator, U.S. Forrest Service
Katerina Wessels, Council Coordinator, Office of Subsistence Management
Interagency Staff Committee
Benjamin Mulligan, Deputy Commissioner, Alaska Department of Fish and Game
Mark Burch, Special Project Coordinator, Alaska Department of Fish and Game
Administrative Record