



## Federal Subsistence Board

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



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

FOREST SERVICE

OSM 20069.KW

**AUGUST 6 2020**

Sue Entsminger, Chair  
Eastern Interior Alaska Subsistence  
Regional Advisory Council  
1101 East Tudor Road, MS 121  
Anchorage, Alaska 99503-6119

Dear Chairwoman Entsminger:

This letter responds to the Eastern Interior 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. Documentation of and more information on climate change and historical comparison of climate change trends**

*The Council requests more information on climate change to help inform land management decisions affecting Federally qualified subsistence users in the Eastern Interior Region. During the Council's public meeting in Fairbanks on October 15-16, 2019, several Council members reported that significant changes in weather and climate have had a noticeable effect on fish, wildlife, and their habitat. Such things as high water temperatures visibly affected salmon runs and salmon die offs were reported. People are concerned how this is going to affect the fry in the river and what the long-term effects on the runs will be in the future. In some cases, the runs came in late, so fish wheels started to ice over before users were able to harvest enough of fish to satisfy their needs. Due to the high air temperatures, moose did not go into rut until the end of hunting season and many users were not able to harvest their meat until the season was over. The warm weather conditions made moose hunting and meat processing difficult. Declining winter ice, early, heavy, and wet snowfalls, and low water levels on some rivers during the summer season affected users' ability to use established transportation routes to the subsistence grounds. For example, you cannot go trapping until December near Tanana because the rivers*

*are still open, or you cannot beaver trap or bird hunt in the spring because it is too warm. There are changes in the abundance and distribution of fish and wildlife important to meet the food security needs of Federally qualified subsistence users.*

*The Council requests that it would like to see OSM social scientists conduct outreach, document issues, and make historical comparisons. The Council suggests that the Board direct OSM to collaborate with other agencies and nonprofit organizations to collect information and provide it to the Councils. The Council believes that more information will help manage resources better. Climate has a dramatic effect on resources in the future, and it is important to consider it in order to adapt.*

*More and up-to-date consistent information on climate change will assist the Council in being more adaptive to change, particularly when participating in the Federal subsistence regulatory process pursuant to Title VIII of ANILCA. The Council requests the Board figure out the ways to provide this information to the Council on a continuous basis.*

**Response:**

The Board acknowledges this Council's need for more information on climate change to help inform management decisions affecting Federally qualified subsistence users.

Several other Councils have also previously requested that OSM facilitate better access to research findings for their members through synthesis of existing literature. As your Council notes, compilation and communication of climate change research will support and facilitate the Council's ability to make both proposals and recommendations on proposals in response to dynamic conditions being faced by Federally qualified subsistence users.

The role of Office of Subsistence Management (OSM) as a regulatory agency is synthesis of climate change research only as it applies to analyses of specific regulatory proposals. Your Council can invite representatives from State, Federal, non-governmental, and other research organizations to give presentations on climate change effects and mitigation at its regular meetings. A particular topic of interest to the Council may be measures taken in other Arctic and Subarctic contexts, with a focus on how governance of subsistence hunting and fishing can support continued food security in the context of climate change. Some organizations to consider include:

- Alaska Center for Climate Assessment and Policy
- Alaska Climate Adaptation Science Center
- Alaska Department of Environmental Conservation: Climate Change in Alaska
- Experts identified through the U.S. Climate Resilience Toolkit
- Scenarios Network for Alaska + Arctic Planning
- The Alaska Native Tribal Health Consortium
- The Inuit Circumpolar Council
- The Alaska Native Tribal Health Consortium

- Conservation of Arctic Flora and Fauna (CAFF)
- Exchange for Local Observations and Knowledge in the Arctic (ELOKA)

The Council members are a source of traditional ecological knowledge and local observations of climate change. Therefore, the Council should continue to document its own observations of changes through annual report replies and testimony at meetings of the Council and the Board.

## **2. Funding for small projects in the Fisheries Resource Monitoring Program**

*The Council is concerned that there seems to be a preference for funding large Fisheries Resource Monitoring Program (FRMP) projects, which may limit the ability to fund equally important smaller projects. The Council wants the Board to ensure that both large and small FRMP projects in the region receive equal consideration when funding decisions are made. The Council suggests that investigators applying for FRMP project funding for larger projects should look for funding from other sources as well.*

### **Response:**

FRMP proposals are evaluated based on five numerically scored criteria. The goal of the FRMP is to fund highest priority scientifically sound projects for each region that will inform subsistence fishery management. A cost/benefit criterion is one of the five criteria evaluated by the Technical Review Committee (TRC). The importance of this criterion is to ensure the cost of a project is reasonable relative to the product it produces and is using the most efficient operations to be cost effective. The other criteria used to assess proposals are strategic priority, technical-scientific merit, investigator ability and resources, and partnership-capacity building. Each criteria that is scored has the same weight when assessing the overall quality of a proposal. Proposals requesting the highest levels of funding have raised concerns from other Councils too. In 2016, because of the increasing costs of high-end proposals, the FRMP instituted a funding limit per project of \$215,000 per year, which is still in place. Also, OSM strongly suggests that higher cost proposals, requesting funding that is within the \$215,000 cap, share costs with another funding source or provide in-kind or matching funds to reduce the request to the FRMP.

To help put the varying costs of funded projects into perspective, eight funding requests for the Yukon River Region submitted during the 2020 funding cycle ranged from a low of \$20,000 per year to a high of \$183,000 per year. Four proposals requested up to \$80,000 per year and four proposals requested \$103,000 or more per year from the FRMP. All were funded except for one lower cost proposal because it was the lowest ranked proposal for the region, based on the TRC's evaluation using the five criteria mentioned above.

In summary, the cost and benefit associated with a FRMP proposal is considered when ranking proposals, but is one of five criteria assessed. There is not a preference to fund more or less expensive projects. The highest quality FRMP projects, as determined by assessing five criteria, are funded. Depending on available funding and ranking of proposals, this may result in projects

of varying costs being funded. The Board and OSM share the Council's desire to fund the highest quality projects that will best help to manage the region's fishery resources.

### **3. Request to include environmental monitoring component into FRMP**

*The Council suggests that in the future, the Board might want to consider expanding FRMP to include an environmental monitoring component because changes in the environment strongly impacts both fish and wildlife. The Council proposes that the FRMP be structured to support environmental monitoring and that partnerships with other agencies and nonprofit organizations be encouraged. The Council noted several examples where environmental monitoring could be helpful to land managers and Councils alike, including the impacts of fire on habitat and how changes affect moose and caribou. The Council emphasized that there have been severe fires over the past decade.*

#### **Response:**

The Board appreciates the Council's concerns and recognizes the importance of a healthy and stable environment to local resources on which the rural Alaskan people depend. The intent of the Fisheries Resource Monitoring Program is to provide the data and information needed to make responsive management decisions about fisheries. The FRMP does support monitoring of environmental parameters like water temperature, river flows, etc. already (many of the sonar and weir projects provide this information). In addition, these projects already partner with other agencies and nonprofit organizations. The need for environmental monitoring to understand how habitats are changing for fish and wildlife is ongoing by many agencies and research institutions already as it relates directly to climate change.

The FRMP may fund environmental monitoring to determine how changes to the environment affect subsistence fisheries or fishery resources. The FRMP may fund assessments of key subsistence fishery stocks in decline or that may decline due to climatological, environmental, habitat displacement, or other drivers; however, the proposal must show how this knowledge would contribute to Federal subsistence fisheries management. The Council might consider identifying environmental monitoring activities related to fisheries management as a Priority Information Need, which might generate more project proposals that includes this component.

Additionally, the Council could consider inviting fire program specialists from the various government agencies to present regarding the impacts of fire on habitat and how changes affect moose and caribou as well as post fire monitoring.

### **4. Analysis of biological impacts of hatchery production on Alaska's fisheries**

*Hatchery production is having tremendous biological impacts on all of Alaska's fisheries. The Council emphasized that fish hatcheries coupled with climate change have the potential to affect the region in profound and unknown ways. The Council appreciates the Board's response to the*

*issue (topic #3) of the effects of releasing 1.6 billion hatchery salmon into the marine environment brought forward in Council's FY18 annual report; however, the Council feels that this reply did not provide an adequate answer to its concern.*

*The Council requests an evaluation of the effects of the Alaska salmon hatchery program on Bering Sea salmon production and Alaska's fisheries. The Council requests that the Board direct OSM staff to compile the information from the available research and present it to the Council, similar to what was done with "Domino" effect issue. For example, the Council would like to have an overview presentation of the research conducted by the University of Washington; University of Hokkaido; University of Alaska Fairbanks; Oregon State University; National Oceanic and Atmospheric Administration; U.S. Fish and Wildlife Service; State of Alaska, and others on this issue. This Council believes that other Councils will be interested in this presentation since there are similar concerns statewide. If there is a possibility of inviting a research specialist from one of these universities or organizations to present, the Council would welcome this opportunity.*

*The Council stressed that the information they are requesting is important to understand the current biological impacts. The Council also pointed out that this information will help to hold the hatcheries to commitments that they made in 2001 and 2002. In January 2001, at the Alaska Board of Fisheries (BOF) meeting hatcheries' managers promised to reduce hatchery production volume by 25 percent. Then, on June 28, 2002, hatcheries' managers entered into a Joint Protocol on Salmon Enhancement (#2002-FB-215) with the BOF. The Council believes that understanding biological impacts is the key to restoring some of the fisheries.*

**Response:**

This topic has been the focus of much discussion for twenty plus years; however, the hatchery system in Alaska and the vast majority of Alaska's marine waters are outside the purview of the Board. Our authority is limited to providing a subsistence priority for the use of fish and wildlife taken from Federal public lands under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA). The Board can only authorize research through the FRMP. Activities not eligible for funding under the FRMP include: (1) habitat protection, mitigation, restoration, and enhancement; (2) hatchery propagation, restoration, enhancement, and supplementation; and (3) contaminant assessment, evaluation, and monitoring. The rationale behind this approach ensures that existing responsibilities and effort by government agencies are not duplicated by the FRMP. Land management agencies already have direct responsibility, as well as specific programs to address these activities. Additionally, the Board has jurisdiction over few marine waters. The Board will instruct OSM to extend invitations to subject matter experts from management agencies and universities on the topic of impacts from hatchery production on wild Alaska fisheries to present at upcoming Council meetings.

## **5. Continuation of the hunter ethics and education initiative and dialog with rural communities**

*The Council is aware of the current staff shortages at OSM; however, the Council would like to emphasize to the Board that it wishes to continue work on developing the hunter ethics and education initiative in the year ahead. There is a need for increased cultural awareness and respect for people that live in rural Alaska. The Council would like to engage in a direct dialogue with the communities like Arctic Village. For example, the Council wants to create a subcommittee to find mutually beneficial solutions to the situation in the Arctic Village Sheep Management Area. The Council voted on the record during its fall 2019 meeting to send a letter to the Board requesting permission to create a subcommittee that will engage all stakeholders. The letter was sent on October 28, 2019 (see enclosure), but the Council had not received a reply yet. The Council asks the Board to provide direction on appropriate ways to engage in a two-way dialogue with rural communities about subsistence issues at stake.*

### **Response:**

Over the past three and a half years the Council's hunter ethics and education initiative has made significant progress. The Board believes that this initiative is an important undertaking in building cultural awareness and respect between different groups of hunters and continues to support the work on its development. However, it is important to note that OSM is currently experiencing significant staff shortages and it might be very difficult to make any progress in continuation of the initiative development, at least in the near future.

The Board received the Council's letter, dated October 28, 2019, with a request to create a subcommittee to work on Arctic Village Sheep Management Area (AVSMA) issues. OSM presented the Council's request to the Board at its November 5, 2019 meeting. The Board felt that the request did not contain enough information to make an informed decision and directed OSM to conduct a scoping meeting with interested parties/stakeholders to see if there is any interest to form a subcommittee. A scoping meeting would help identify specifics of the Council's request and assist the Board in making its decision regarding a formation of subcommittee, and to make assignments and set expectations. The Board also requested that OSM work with your Council to develop proposed subcommittee goals, timelines, frequency of meetings, and cost estimates. The Board deferred to act on the Council's request until the framework for establishing a subcommittee has been accomplished.

As the Council pointed out, OSM is currently experiencing significant staff shortages and has not yet been able to conduct a scoping meeting or develop the specific information requested by the Board. The Board believes that would be very important to reach out to the AVSMA stakeholders to gauge their interest and potential level of commitment prior to considering forming a subcommittee. OSM intends to fulfill the Board's directive after additional staff are hired. The timeline for this remains uncertain.

The Board recognizes that the Councils must interact with the rural communities as a part of their official duties and recommends that your Council engage with communities through: (1) correspondence according to the guidelines in the enclosed Board's *Subsistence Regional Advisory Council Correspondence Policy* (June 15, 2004); (2) inviting rural communities representatives to attend the Council's public meetings and present public testimony on subsistence issues; and (3) holding public meetings in rural non-hub communities. The requests to hold public meetings in rural non-hub communities should be sent by the Council to the Assistant Regional Director of OSM for review and decision. Requests should include a cost-benefit analysis.

#### **6. Greater geographical and wide range of age representation on the Council**

*The Eastern Interior Alaska Subsistence Regional Advisory Council alerts the Board to the need for greater geographical and wide age representation on the Council. Specifically, the Council wants to see representation from Arctic Village, or Chalkyitsik.*

#### **Response:**

The 1992 Record of Decision for *Subsistence Management for Federal Public Lands in Alaska* states, "the Regional Advisory Council system required by ANILCA Section 805 was created to provide subsistence users the opportunity to participate effectively in the management and regulation of subsistence resources on Federal public lands." Further, the Record of Decision mandates "to the extent possible, the size of the Council and distribution of the membership within the region will be designed to ensure the maximum participation in the Federal Program by local subsistence users."

In accordance with ANILCA and the Record of Decision mandates, the Board encourages your Council to conduct both wide and targeted outreach to a diverse range of age groups and communities to locate potential representatives to join the Council. The Board will submit the names of qualified applicants to the Secretaries of the Interior and Agriculture for their approval and, depending on the number of applicants, will try to fill all of the vacancies. However, the Board does not have final decision authority over which recommended applicants are appointed to the Councils. After the Board submits its recommendations to the Secretaries, all recommended applicants undergo a vetting process administered by the Department of Interior. The Board and OSM are not privy to the vetting information and do not participate in this process. Once the Department of Interior completes the vetting and review process, the Secretaries finalize appointments to the Councils.

Additionally, the Board recommends that your Council submit a request to add geographic membership balance language to the Council's charter during the next biennial charter review, which comes up in 2021. The Board recommended and the Secretaries approved similar requests from two other Councils, the Kodiak/Aleutians and Western Interior, in 2015 and 2019

respectively. The Board will review your request and submit our recommendations to the Secretaries for the final decision.

#### **7. Training needs and request for another All-Council Meeting**

*The Council notes that useful training and knowledge was gained at the All-Council meeting in 2016. The Council also expressed the desire for another All-Council meeting. The Council emphasized that the leadership training and instruction provided on Indian law during the 2016 All-Council meeting were particularly meaningful. Meeting other Council members across the State brings more understanding to each region.*

#### **Response:**

The Federal regulatory process is complex, and the Board recognizes that Council members wish to have diverse educational opportunities and additional outreach materials. Moreover, the Board agrees that additional education will help Council members contribute more effectively to the regulatory process.

The Board acknowledges the Council's support for another All-Council Meeting in Anchorage and notes that other Councils have endorsed this meeting as well. The Board agrees with the Council that having another All-Council meeting would be beneficial to all members, because it would provide an opportunity to learn about other regional concerns, participate in Federal Subsistence Management Program specific training, and collaborate with other Councils to find joint solutions to fish and wildlife management problems.

It may be possible to hold the next All-Council Meeting during the winter 2022 meeting cycle, but the final decision is subject to OSM staffing and funding availability. The 2016 All-Council Meeting cost was approximately 30 percent higher than the combined costs of all individual Council meetings in one winter cycle. Moreover, planning such a large event would require a year to prepare and a final decision would need to be made by early winter 2021.

The Board encourages your Council to work with the other Councils to develop ideas for training and educational opportunities at the All-Council meeting. When the next All-Council meeting is scheduled, OSM will consult with Council chairs to develop an agenda to share with each Council.

#### **8. The Alaska Department of Fish and Game Advisory Committees (ACs) information sharing and participation**

*The Council requests that the Board relay to the Alaska Department of Fish and Game (ADF&G) the Council's need for better information sharing and participation from the ADF&G's ACs. There has been a big void in receiving AC materials from the State in time for the Council meetings. The current protocol is not working. Minutes and letters from the ACs*



*should be able to go directly to the Councils to receive timely input. The ACs spend a great deal of time on Federal proposals, as well as the State proposals. Many Council members are on ACs, but the minutes are not always provided at Council meetings, causing a missing link. The Council requests timely response not only from the ACs, but also from Councils to the ACs.*

**Response:**


The purpose and function of both Councils and the State of Alaska Local Advisory Committees (Committees) share much common ground. Both bodies advise resource managers about regulation changes and promulgation. The information provided by the Councils and Committees is invaluable and often the most complete and up to date, if not the only, source of accurate resource and population information available.

The Board will have OSM send ADF&G an invitation to develop ideas and options to enhance efficient and effective communication between the Councils and Committees. Emphasis will be placed on the importance of improved communication, as well as improving the timeliness of making information available for distribution and sharing.

Ideas in the area of information sharing and participation will be included in the draft communication protocol currently in preparation, which will serve as a “best practices” guide for interagency communication. The document will be expanded to include information sharing and participation goals and to aid in the future management of Alaska’s natural and renewable resources.

In closing, I want to thank you and your Council for your continued involvement and diligence 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 subsistence users of the Eastern Interior Region are well represented through your work.

Sincerely,



Anthony Christianson  
Chair

Enclosure

cc: Eastern Interior 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  
Katerina Wessels, Council Coordinator, Office of Subsistence Management  
Zachary Stevenson, 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

## **Subsistence Regional Advisory Council Correspondence Policy**

The Federal Subsistence Board (Board) recognizes the value of the Regional Advisory Councils' role in the Federal Subsistence Management Program. The Board realizes that the Councils must interact with fish and wildlife resource agencies, organizations, and the public as part of their official duties, and that this interaction may include correspondence. Since the beginning of the Federal Subsistence Program, Regional Advisory Councils have prepared correspondence to entities other than the Board. Informally, Councils were asked to provide drafts of correspondence to the Office of Subsistence Management (OSM) for review prior to mailing. Recently, the Board was asked to clarify its position regarding Council correspondence. This policy is intended to formalize guidance from the Board to the Regional Advisory Councils in preparing correspondence.

The Board is mindful of its obligation to provide the Regional Advisory Councils with clear operating guidelines and policies, and has approved the correspondence policy set out below. The intent of the Regional Advisory Council correspondence policy is to ensure that Councils are able to correspond appropriately with other entities. In addition, the correspondence policy will assist Councils in directing their concerns to others most effectively and forestall any breach of department policy.

The Alaska National Interest Lands Conservation Act, Title VIII required the creation of Alaska's Subsistence Regional Advisory Councils to serve as advisors to the Secretary of the Interior and the Secretary of Agriculture and to provide meaningful local participation in the management of fish and wildlife resources on Federal public lands. Within the framework of Title VIII and the Federal Advisory Committee Act, Congress assigned specific powers and duties to the Regional Advisory Councils. These are also reflected in the Councils' charters. (*Reference: ANILCA Title VIII §805, §808, and §810; Implementing regulations for Title VIII, 50 CFR 100 \_\_.11 and 36 CFR 242 \_\_.11; Implementing regulations for FACA, 41 CFR Part 102-3.70 and 3.75*)

The Secretaries of Interior and Agriculture created the Federal Subsistence Board and delegated to it the responsibility for managing fish and wildlife resources on Federal public lands. The Board was also given the duty of establishing rules and procedures for the operation of the Regional Advisory Councils. The Office of Subsistence Management was established within the Federal Subsistence Management Program's lead agency, the U.S. Fish and Wildlife Service, to administer the Program. (*Reference: 36 CFR Part 242 and 50 CFR Part 100 Subparts C and D*)

### **Policy**

1. The subject matter of Council correspondence shall be limited to matters over which the Council has authority under §805(a)(3), §808, §810 of Title VIII, Subpart B §\_\_\_\_.11(c) of regulation, and as described in the Council charters.
2. Councils may, and are encouraged to, correspond directly with the Board. The Councils are advisors to the Board.
3. Councils are urged to also make use of the annual report process to bring matters to the Board's attention.

4. As a general rule, Councils discuss and agree upon proposed correspondence during a public meeting. Occasionally, a Council chair may be requested to write a letter when it is not feasible to wait until a public Council meeting. In such cases, the content of the letter shall be limited to the known position of the Council as discussed in previous Council meetings.
5. Except as noted in Items 6, 7, and 8 of this policy, Councils will transmit all correspondence to the Assistant Regional Director (ARD) of OSM for review prior to mailing. This includes, but is not limited to, letters of support, resolutions, letters offering comment or recommendations, and any other correspondence to any government agency or any tribal or private organization or individual.
  - a. Recognizing that such correspondence is the result of an official Council action and may be urgent, the ARD will respond in a timely manner.
  - b. Modifications identified as necessary by the ARD will be discussed with the Council chair. Councils will make the modifications before sending out the correspondence.
6. Councils may submit written comments requested by Federal land management agencies under ANILCA §810 or requested by regional Subsistence Resource Commissions (SRC) under §808 directly to the requesting agency. Section 808 correspondence includes comments and information solicited by the SRCs and notification of appointment by the Council to an SRC.
7. Councils may submit proposed regulatory changes or written comments regarding proposed regulatory changes affecting subsistence uses within their regions to the Alaska Board of Fisheries or the Alaska Board of Game directly. A copy of any comments or proposals will be forwarded to the ARD when the original is submitted.
8. Administrative correspondence such as letters of appreciation, requests for agency reports at Council meetings, and cover letters for meeting agendas will go through the Council's regional coordinator to the appropriate OSM division chief for review.
9. Councils will submit copies of all correspondence generated by and received by them to OSM to be filed in the administrative record system.
10. Except as noted in Items 6, 7, and 8, Councils or individual Council members acting on behalf of or as representative of the Council may not, through correspondence or any other means of communication, attempt to persuade any elected or appointed political officials, any government agency, or any tribal or private organization or individual to take a particular action on an issue. This does not prohibit Council members from acting in their capacity as private citizens or through other organizations with which they are affiliated.

Approved by the Federal Subsistence Board on June 15, 2004.