

NORTH SLOPE Subsistence Regional Advisory Council



Mt. Stuver in the Brooks Range near the village of Anaktuvuk Pass.

Carl Johnson

Meeting Materials
February 19-20, 2014
Barrow

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NORTH SLOPE SUBSISTENCE REGIONAL ADVISORY COUNCIL

Barrow, Inupiat Heritage Center
February 19 - 20, 9:00 am – 5:30 pm

PUBLIC COMMENTS: Public comments are welcome for each agenda item and for regional concerns not included on the agenda. The Council appreciates hearing your concerns and knowledge. Please fill out a comment form to be recognized by the Council chair. Time limits may be set to provide opportunity for all to testify and keep the meeting on schedule.

PLEASE NOTE: These are estimated times and the agenda is subject to change.

AGENDA

*Asterisk identifies action item.

Roll Call and Establish Quorum (*Secretary*)

Call to Order (*Chair*)

Welcome and Introductions (*Chair*)

Review and Adopt Agenda* (*Chair*) 1

Election of Officers

Chair (*DFO*)

Vice Chair (*Chair*)

Secretary (*Chair*)

Review and Approve Previous Meeting Minutes* (*Chair*) 4

Reports

Council member reports

Chair’s report

Public and Tribal Comment on Non-Agenda Items (available each morning)

Old Business (*Chair*)

“Road to Umiat” status and update

Wildlife Regulatory Proposals* (Follow up discussion by Council if desired)

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Closing Comments	
Adjourn (Chair)	

To teleconference into the meeting, call the toll free number: 1-866-560-5984, then when prompted enter the passcode: 12960066 ****Please press *6 to mute your telephone to minimize background noise. To unmute and speak, press *6 again. Thank you! ****

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

If you have any questions regarding this agenda or need additional information, please contact Eva Patton, Council Coordinator at 907-786-3358, eva_patton@fws.gov, or contact the Office of Subsistence Management at 1-800-478-1456 for general inquiries.

DRAFT

NORTH SLOPE FEDERAL SUBSISTENCE REGIONAL

ADVISORY COUNCIL MEETING
PUBLIC MEETING

North Slope Borough Savaat Center
Barrow, Alaska

August 20 - 21, 2013
9:00 a.m.

COUNCIL MEMBERS PRESENT:

Harry K. Brower, Jr. Chair
Rosemary Ahtuanguak
Gordon Brower
Theodore Frankson
Lee Kayotuk
Roy Nageak
Robert Shears

Meeting Attendees:

Agency staff:

Charles Brower, Federal Subsistence Board Member
David Jenkins, Policy Coordinator, Office of Subsistence Management
Tom Evans, Wildlife Biologist, Office of Subsistence Management
Jack Lorrigan, Native Liaison, Office of Subsistence Management
Pat Petrivelli, Anthropologist, Interagency Staff Committee, Bureau of Indian Affairs
Dave Yokel, Biologist, Bureau of Land Management
Vince Mathews, Subsistence Coordinator for Arctic, Kanuti and Yukon Flats
Brian Glaspell, Refuge Manager, Arctic National Wildlife Refuge
Brittany Retherford, Alaska Department of Fish and Game, Division of Subsistence
Geoff Carroll, Wildlife Biologist, Alaska Department of Fish and Game, Barrow
Lincoln Perrett, Wildlife Biologist, Alaska Department of Fish and Game, Barrow
Mike Pederson, North Slope Borough Division of Wildlife Management
Brian Person, North Slope Borough Division of Wildlife Management
Dawn Winalski, North Slope Borough, Law Division

Via teleconference:

Kay Larson-Blair, Fisheries Biologist/SCEP student, Office of Subsistence Management
Jeff Brooks, Social Scientist, Office of Subsistence Management
Marcy Okada, Subsistence Coordinator, National Park Service.
Dan Sharp, Interagency Staff Committee, Bureau of Land Management
Jennifer Yuhas, State liaison, Alaska Department of Fish and Game
Beth Lenart, Wildlife Biologist, Alaska Department of Fish and Game

Tribal Organizations:

Qinugan Roddy, Inupiat Community of the Arctic Slope
Representative (check name spelling?), Native Village of Barrow
Terry Tagarook, Wainwright Traditional Council

Public/NGO's:

Carolina Behe, Inuit Circumpolar Council
Robert A. Edwardsen, Barrow
Charlie Edwardsen, Barrow

Roll call and introductions:

Quorum was established on both days. One absence for Council member to attend family funeral services and another absence on day 2 of meeting for Council member on required work travel.

Adoption of agenda:

Adopted with some modification by unanimous consent. ***Asterisk identifies action item.**

Awards:

Harry K. Brower – Recognized by the Federal Subsistence Board for 20 years of Service on the North Slope Subsistence Regional Advisory Council and dedication to subsistence communities in the region.

Harry Brower was awarded a plaque with subsistence student art work and a certificate signed by Federal Subsistence Board Chairmen, Tim Towarak and Board member Charles Brower presented the awards in person at the meeting.

Approval of meeting minutes:

*Motion on the floor to adopt the minutes of February 26-27, 2013 and April 16, 2013 NSRAC meetings. Council unanimously approved both meeting minutes as written with two edits as follows: Federal Subsistence Board Member Charles Brower middle initials corrected to Charles D. “*Nasuk*” Brower and the spelling of the Barrow Inupiat whaling festival was corrected to: K-I-V-G-I-Q (Kivgiq).

Council Member Reports:

Teddy Frankson: Expressed concern about seismic testing by Shell Oil Company in the waters near Point Hope. He noted that they have been seismic testing over the last 10 years near the community in key traditional year-round fishing areas for cod and in important walrus feeding areas. Mr. Frankson noted he felt the clam beds had been impacted by the oil surveys and the walrus had subsequently left the area and were now feeding elsewhere. He expressed concern for the loss of the subsistence way of life and food source of both walrus and fish that used be available for the community year-round.

Teddy reported that the community of Point Hope got a few caribou but it was enough to share around. He also expressed concern about the local charter airline out of Kotzebue scaring caribou away when they had tourist and hunting flights in the area. He further explained that the community is bounded by water on 3 sides and they have to travel 20-30 miles to hunt caribou

and it was important food the little they do get and it causes hardship when the caribou are pushed away by flight activity. (*He asks for help with this airplane disturbance situation)

Lee Kayotuk: Described an early spring and fast melt for the village of Kaktovik. He noted that there is no sea ice in the summer and people were out boating in ice-free waters by July 4th which is unusual and that there was a lot of rain this year. He noted not many people got much fish this summer with just a few people getting arctic char and cisco this year. Kaktovik did get a few beluga in the area but no Bowhead whale yet – the bowhead whale hunt starts around August 30th for Kaktovik.

Mr. Kayotuk expressed concern that the Porcupine Caribou Herd don't stay around in the area near the village anymore – they just come by and go now. He noted that they don't even stay for 4 or 5 days and don't hang around like they used to and now they are not even seeing the caribou on their calving area. He also discussed encounters with 5 private planes in the area and some flying low under 200 feet. Work on the new runway construction still continues. He also noted tourists rafting the Huluhula River and coming out in Kaktovik.

Robert Shears: Provided the Council with an update on his employment having recently shifted after 4 years of service in Wainwright on their planning commission to now working for the North Slope Borough planning department. He noted his new work as a capital improvement program specialist for the community development division gave him an opportunity to work closely with city councils and tribal councils in villages across the North Slope. He felt this work gave him a broader perspective of what affecting communities and felt that of particular concern is Nuiqsut. Mr. Shears expressed concern that Nuiqsut is not represented on the North Slope RAC especially because they are being severely impacted by development today. Mr. Shears went on to elaborate that Conoco Phillips was developing the "Greater Moose's Tooth Unit this winter which is 15 miles to the west of Nuiqsut. He further described an arc of oil and development infrastructure with Alpine 5 miles to the north and Brooks Range Petroleum Mustang Development Unit 15 miles to the east, stressing this arc of mining and development activity would affect the migration for the Teshekpuk Herd caribou as they come through that area. Mr. Shears expressed that Nuiqsut would be severely affected by this and it would compromise the community's ability to exercise their subsistence and traditional uses in the future. He encouraged the Council to reach out to Nuiqsut to have a representative on the RAC.

Mr. Shears reported attending the Point Hope City Council meeting in July and reiterated Teddy comments about flight disturbance to caribou was a great concern for the community.

Mr. Shears gave an update on the traditional history and people of the Utukok River, an area rich in caribou, wild game and fish and noted that the recent NPR-A EIS recently identified the area as a conservation district. He noted it was important area for subsistence and furbearing animals and was particularly important to Point Lay and Wainwright for fall fishing, especially grayling.

Mr. Shears described a new boat he had built over many years and that he was able to travel up into the upper wainwright tributaries this year and saw many caribou. He described a good bull population and many female caribou with calves and noted that the calves were very large for

late July/early August and thought this would have been due to an early rut last year. He asked if there was a change in the pattern of the Western Arctic Caribou Herd and asked if the science and current understanding of the caribou need to be adjusted.

James Nageak: Discussed the Councils deliberations at the winter and spring teleconference meetings on the Anaktuvuk Pass Controlled Use Area proposal and Councils work on drafting language and a proposal that would be more clear and comprehensive: however, he noted in further discussion with the Council and his work within the community it was decided to not submit this proposal (keeping the current CUA language adopted by the Board of Game several years ago) without any changes and wait until a time when the Board might be more receptive to the proposed changes.

Expressed concern from Anaktuvuk Pass about the Foothills West Transportation Access Road and status of that project EIS from Army Corps of Engineers. Requested that if the Army Corps was unable to attend or present at the RAC meeting that they draft an update for the Council on any developments. Mr. Nageak noted that the community had heard of some activity such as gravel gathering for the proposed road that may have some impacts to the community and subsistence. Specifically he noted that the oil company, Link, which works in the Umiat area, had already been working on getting heavy equipment into Umiat via the Dalton Highway by using a snow road. Mr. Nageak stressed that they had packed snow from the highway strait across to Umiat and was concerned what environmental impact that could have. He stressed he felt uneasy about not having an update from the Corps when all this activity was going on. (*Army Corp was on the agenda to present but were unable to due to unexpected medical leave.) Handouts printed from the Army Corp website on the current EIS updates were provided to the Council. Council coordinator will follow up to request a presentation and further written updates for the Winter 2014 meeting).

Rosemary Ahtuanguaruak: Also noted the “Road to Umiat” has been a very important issue for the community of Anaktuvuk Pass and shared a trip she made to Juneau in which the villages put forth resolution in opposition to this road with details about the communities concerns for impacts to their traditional way of life. Mrs. Ahtuanguaruak stressed these were very important issues to subsistence and timely information updates for the Council were very important to keeping abreast of communities’ needs and concerns.

Mrs. Ahtuanguaruak also followed up on Robert Shear’s comments about the headwaters area of the Western Arctic Caribou Herd and she noted she had travelled to four communities this year and all expressed that they travel through the foothills of this area and were describing landmarks and traditional knowledge about this area. They may not travel there frequently but all the villages knew it well.

Mrs. Ahtuanguaruak said her family had a good early spring caribou hunt and neighbors had shared in their summer caribou hunt with reports that the caribou were getting nice and fat. She noted it was also a good bearded seal season and that there was much sharing of subsistence foods in the community this year. She described reports of less impacts of plane and helicopter noise this year that people felt they were able to get out and do subsistence without so much impacts of flight activity and noise.

Shared with the Council that she was nominated to participate with the White House Commission on Climate Change through the National Tribal Environmental Health Think Tank.

Gordon Brower: Spoke about his work as a land manager for the North Slope Borough and discussed concerns that were raised by subsistence hunters with NPR-A. He described complaints received by public about finding conex boxes placed on the tundra around by Teshekpuk and Ikpikpuk without permission and people on the Chipp River were also concerned that the conex were place in the middle of caribou migration areas were they always expect caribou to come through. He noted they talked to USGS and USFWS about this activity and were informed they had gotten permits through BLM; however Gordon Brower stressed it was important to get local permits through the Borough authority to make sure subsistence concerns and policies were heard as well.

Gordon Brower described that for most the whaling season was very difficult. They were now looking forward to the fall season hunt. He expressed concern about the rivers running really high again which is really troublesome for fishing. He noted that last year was a bust for fishing because it isn't possible to put nets in that kind of high water.

Chairman Harry Brower: Expressed concern about the "Road to Umiat" and requested to be kept apprised of further developments and activities. He stressed that given the reports from the communities of Anaktuvuk Pass and Nuiqsut that there was clearly a lot of anxiety caused by not knowing what was going on with the road development plans and that it was critical to the health of the communities to stay informed by direct communications with the Army Corp and Department of Transportation. Chairman Brower also expressed frustration that Army Corp only had one person available to present information to the Council on the proposed road and EIS process. He requested to be kept apprised by others such as at DOT on the road development activities, noting that not having the opportunity to receive these updates at the Council meetings was the equivalent of being denied information to raise meaningful concerns. Chairman Brower requested better communications that would help inform the most impacted communities and suggested working through the North Slope Borough and community of Anaktuvuk Pass.

Chairman Brower also encouraged outreach to the community of Nuiqsut, noted that they are overwhelmed with development and subsequent committees and commissions that were formed but that it would be to there benefit to be engaged in the communications.

Chairman Brower encouraged the sharing of observations with caribou rut and calving timing and migration patterns and suggested sharing of information with the biologists attending the RAC meeting to compare with their monitoring efforts.

Harry reported hunting caribou near Admiralty Bay. They saw a lot of caribou there on the coast moving east when normally they would be moving west at that time of year. He also noted changes in observation of caribou hanging out at Cape Simpson and Sinclair lakes area which have not had caribou for a couple years in that area. When boating past Cape Simpson earlier in

the summer Harry reported observing the Teshekpuk Herd moving west to the Ikpikuk delta area, which he thought was unusual.

Personal subsistence observations include shallow waters on the on the river in July prior to the rainy season (which Harry noted normally comes mid-September not the early rainy summer this year in August as Gordon had just experienced) with slow fishing but they were lucky to get some fish at the end of their travels. Harry reported the berry picking was also only good for about the first two weeks of July but then the salmonberries started to fade and turn white and soft. He expressed that this was unusually early for the salmonberries to fade and fall off and where soft. He went on to express concern about changing weather and subsequent changing patterns of the availability of resources. He expressed changing timing and movement and lack of availability of resources at times they would normally overlap. He too observed even the caribou calving was happening a little bit differently than it used to.

*Asked for additional updates on the Arctic Landscape Conservation Cooperative, recalled lengthy discussion about North Slope community involvement with the LCC and asks along with other Council members how the LCC fits into all the other many layers of research and management in the region.

Council discussion on caribou observations:

- It was noted that caribou passed right through Nuiqsut this year – the Council was interested in hearing from Nuiqsut about this occurrence.
- Rosemary Ahtuanguaruak noted that when she live in Nuiqsut the caribou normally would pass right through town, down to the river and out to the Coast for insect relief but observed that since the development around Alpine and Meltwater the animals no longer migrated through the village until this year. She noted that her son was 11 at the last time the caribou passed through town and now he is 28 and it is the first time since the development changes in the area the caribou have come back through.
- Gordon Brower spoke about that traditional knowledge also documents changes in pathways and moving when an area had been grazed out and that caribou had been monitored around Alpine with satellite tags and that data had yet to be analyzed over a long time frame.
- Harry Brower also notes similar concerns for the Western Arctic Caribou Herd movements and what makes changes to their movements when they used normally pass by villages but now rarely do and wondering about expanding oil field development.
- Gordon Brower reports on observations from elders that ice roads may deter caribou since it is shiny and smooth and looks like fresh river ice on the tundra, which the caribou avoid to keep from falling through. He noted some instances of caribou holding for a long time behind and ice road outside of Barrow, east of Teshekpuk where this may have been the case. Some elders had suggested that if ice road are perceived as rivers, snow road may be preferable to avoid deflecting caribou or at a minimum to scrape grooves in the ice roads to make them rough and less shiny.

- Much discussion about development and helicopter noise and observations that if simple snow machine activity can disturb and move caribou it is likely that helicopter activity would too.
- Additional discussion about seismic testing, possible impacts to caribou and fish, new technologies, and impacts of noise disturbance on caribou – that it wears them down from stress since they normally need to listen for predators and are unable to rest.
- Gordon Brower noted that all agencies – even government agencies doing research must remain cognizant of caribou movement and areas they normally travel or inhabit. He requested the Borough be notified of these activities so that they can help mitigate any disturbance that would displace caribou or prevent locally residents from being able to hunt them where they are normally found.
- James Nageak notes that Anaktuvuk Pass had there 50th anniversary as a village 10 years ago and reminds everyone that the Nunamiut are a nomadic people and they follow the resources especially caribou. Nunamiut are inland Inupiaq of the Brooks Range. But while they used to follow the caribou they now live in the village for school and other resources and need a permit from the National Park to go where the caribou are if they don't pass through the community. He stressed the traditional and cultural way of subsistence were very important to be able to follow the animals and get traditional food the body is used to. Now the caribou may be moving for better feed elsewhere and it is important for people to follow the resources to get that “soul food”.

Public and Tribal Comment on Non-Agenda Items:

Robert Edwardsen, Sr. relayed an experience he had last summer waiting on caribou for a half a day and a helicopter come around and landed and took off and causing the caribou to leave. He expressed that “the traditional times is over because the industry has taken over our time because they're doing activities right now.” He described all the busy road, research, and flight activity disturbing the caribou migration. Mr. Edwardsen stressed the need to consult with local people to be aware of critical timing of helicopter and development activities so it doesn't disturb caribou and subsistence. He further expressed that ultimately it is the industry work that ends up regulating subsistence due to disturbance not subsistence management.

Council member **Teddy Frankson** shared concerns from the community of Point Hope that after seismic activity in the area they lost their clams and cod fish stock and that they have experience great hardship because before they could harvest walrus every year but now they were lucky to get one or two since the walrus had moved away to seek food elsewhere. Now the Kukpuk River and caribou hunting were even more important for food – the community was going hungry without their walrus and they have to eat something. Expressed great frustration and stressed it is irrelevant what agency has “authority” over what resource ultimately for the community they need to eat and subsistence is all encompassing whether it be on land, river, near shore, or ocean environment. (The community wants assistance with subsistence concerns – including all migratory resources and challenges faced by changes to the environment and industrial activity.)

Council member **James Nageak** shared from the community and tribe of Anaktuvuk Pass that when they are confronted with a big issue that a community leadership group gets together to work through it including the City Council members, Nunamiut Corporation, and Tribal Council members. Also because many issues and subsistence affect the health of the community the clinic and school also participate in working through big issues that affect the community so that they can come to consensus have unity and speak with one voice, such as around the Road to Umiat concerns.

Council members **Rosemary Ahtuanguaruak and Teddy Frankson** also shared their experiences working with youth in their communities who are concerned and engaged in reviewing proposed development projects around the communities and note that these things not only affect and involve the elders and leadership but also the youth.

Chair Harry Brower concurs that there is a lot of interest and concern from whole communities about the development activities and changes occurring on the North Slope and encouraged further communications and collaboration not only with the representatives and elders but also with the students.

Old Business:

Update on the Special Action Request to extend moose harvest season for Kaktovik:

OSM Wildlife biologist Tom Evans provided a brief update on the special Action request submitted by the community of Kaktovik with support from the North Slope Regional Advisory Council to extend the moose hunt season by 2 weeks due to challenging weather conditions. The request was reviewed and on April 3, 2013, the Board adopted Emergency Special Action WSA12-12 with modification to allow Kaktovik residents to harvest one additional moose in Unit 26B remainder and to extend the season through April 14, 2013.

Hunting effort did occur during the two-week extension but no more moose were harvested during the two weeks. Mr. Kayotuk stressed that a year round or longer season extension as submitted through their recent wildlife proposal would be very helpful to be able to hunt up to the harvest quota since weather conditions often prevented hunting during the current season timeframe.

Annual Report Reply:

*The Council received their Annual Report reply from the Federal Subsistence Board the day of the meeting and did not have time to review it. They wish to follow up on this and discuss the reply letter from the Board with Council and staff at the next meeting.

Customary and Traditional Use Determination review:

* David Jenkins, Policy Coordinator for OSM provided the Council with a brief overview of C&T and the Southeast RAC request for all Councils to review the process, noting that the Board last asked the Councils to review C&T in 2011 following the Secretarial review of the Federal Subsistence Management Program in 2009. At that time all Councils except SERAC indicated the C&T process was working fine for them. Dr. Jenkins highlighted that this is a review of *why* the C&T determinations are made but not *how* they are made. ANILCA does not require C&T determination, it is adopted from the State when the Federal Subsistence Management Program was established in 1990 and the Board adopted a modified set of 8 criteria from the State in order to maintain consistency if the federal program was temporary. The federal program now appears to be permanent. The Federal Subsistence Board does not use C&T determinations to restrict amounts of harvest but rather makes determinations to recognize a community or area whose residents generally exhibits the 8 factors. ANILCA does define section .804 analyses to be used in time of scarcity when allocation of subsistence resources to users is needed.

*The Council had extensive discussion and elected to take no action at this time, pending further information on the process, pitfalls, advantages, and alternatives to the current Customary and Traditional Use determinations process. The Council also wants time to consult with their communities on the information that was just provided at their fall 2013 meeting. The Council requested an analysis from OSM staff on how C&T has been used in the North Slope region and examples comparing C&T and ANILCA Section .804 analyses in place for the North Slope region. The Council wants to have continuing discussion and would like the requested analysis and further information presented at the winter 2014 meeting.

Rural Determination Process Review:

OSM Staff David Jenkins provided a briefing on the Rural Determination Process, criteria currently used for evaluating Rural status, and the timeline and opportunity for public and Council recommendations on any changes to the criteria used. Title VIII of ANILCA, which provides a rural subsistence priority and only residents of rural communities or areas are accorded that subsistence priority. So the question is what is a rural area, what is a rural community.

The Council also attended public evening session providing information and opportunity for comment on the rural determination process. One member of the public attended, and read a prepared critique of the process into the record and provided a copy to the Council.

*The Council decided to take no action at this time. The Council expressed concern that more information was needed before making a recommendation to the Federal Subsistence Board, stressing that the public only received a briefing the night before and the Council had no opportunity to consult with their communities and tribes prior to their meeting. The Council stated they would go back to their communities and consult with them on the Rural information and encourage public comments be submitted by the November 1st deadline but were concerned they were not given sufficient opportunity to deliberate and comment as a Council. The Council wishes to continue the discussion at the winter 2014 meeting and deferred formal comment until then.

***North Slope and Statewide Wildlife proposals:**

Statewide Proposal: WP14-01

DESCRIPTION: WP14-01—Require trap marking, establish a time limit for trap/snare checks, and require harvest report

COUNCIL RECOMMENDATION: **Oppose**

JUSTIFICATION: The Council feels this proposal requiring time restrictions on checking traps would put subsistence users at risk in poor weather and would be a burden for the extra checking and reporting time required. The Council stressed that provisions currently in place for trapping regulations are good as they are. The Council also discussed that they felt the proposal would cause extra burden when trying to teach younger hunters and noted that traditional laws govern how to trap properly. Trappers are also opportunistic and will trap when the time is right.

Crossover Proposal with EIRAC: WP14-51

DESCRIPTION: WP14-51—Rescind closure in portions of Arctic Village Sheep Management Area Unit 25A Proposal WP14-51 requests that the Red Sheep and Cane Creek drainages be opened to non-Federally qualified users Aug. 10 – Sept. 20 in the Arctic Village Sheep Management Area (AVSMA) of Unit 25A, and that a person hunting within the Red Sheep Creek/Cane Creek portion of the AVSMA of Unit 25A possess proof of completion of a department-approved hunter ethics and orientation course (to include land status and trespass information) upon hunting in this area. *Submitted by the State of Alaska.*

COUNCIL RECOMMENDATION: **Oppose**

JUSTIFICATION: The Council discussed concern for this regions needs and noted that other activities do impact access to important resources for subsistence. Deflection or disturbance of sheep by sport hunters and aircraft flights make it difficult for the community to reach the sheep for subsistence hunting. The council noted that cultural concerns regarding this hunt have been expressed at previous public meetings (Kaktovik has C&T for sheep in this area so these proposals come before the NSRAC). The Council noted that their previous Chair, Fenton Rexford of Kaktovik has specifically been very engaged in testimony on Red Sheep Creek area in the past. Council members with connection to this hunt area noted that these sheep are a very important subsistence food shared in the community – even if local harvest numbers are not high effort to reach the animals is considerable and the sharing of the meat and organs is widespread and important. They also stressed that these sheep and location have special cultural and medicinal value due to the history and relationship of the community as well the mineral licks that the sheep frequent in this area which makes their meat contain unique qualities.

Regional Proposals: 14-52

DESCRIPTION: Proposal WP14-52 requests that the requirement for a State registration permit to harvest brown bears in Unit 26A be eliminated. *Submitted by the North Slope Subsistence Regional Advisory Council*

COUNCIL RECOMMENDATION: **SUPPORT OSM preliminary conclusion with modification to insert the word “subsistence” and clarify permit requirements.**

JUSTIFICATION: After receiving the OSM briefing on this proposal (submitted by the NSRAC) and further discussion at the meeting with other State and Federal biologists the Council noted they better understood the confusing overlap of regulation requirements. Subsequently the Council voted to support the OSM conclusion to maintain both the State and Federal brown bear permits but requested the modification of specifying “subsistence” and clarify the permit requirements so that the communities and federal subsistence hunters understand they can to choose to hunt under either permit – whichever one works best in their situation. The Council requested that outreach effort help make clear what the permitting requirements are so that it actually does offer flexibility and not confusion.

Proposal: 14-53

DESCRIPTION: Proposal WP14-53 requests that the boundary for Unit 26A – that portion west of 156o00’ W longitude and excluding the Colville River drainage, be changed. The proponent requests changing the longitude from 156o00’W to 155o00’W longitude to allow for moose hunting in the Alaktak and Chipp river drainages. *Submitted by North Slope Subsistence Regional Advisory Council,*

COUNCIL RECOMMENDATION: **SUPPORT (contrary to OSM preliminary recommendation to oppose)** The Council discussed that hunting moose is opportunistic when they happen to wander in the area and reaching these areas on the Chipp River are limited to times when the water conditions are just right to be accessible by boat. The Council thus felt the actual harvest impact to the moose population would be minimal in that area.

JUSTIFICATION: The Council discussed that hunting moose is opportunistic when they happen to wander in the area and reaching these areas on the Chipp River are limited to times when the water conditions are just right to be accessible by boat. The Council thus felt the actual harvest impact to the moose population would be minimal in that area.

Proposal: WP14-54

DESCRIPTION: Proposal WP14-54 requests that the moose season in Unit 26B remainder and Unit 26C be extended from July 1 to March 31 to July 1 to June 30, the harvest restrictions for Unit 26C (number, sex) be removed, and the harvest limit be increased from 3 moose to 5 moose. *Submitted by North Slope Regional Advisory Council.*

COUNCIL RECOMMENDATION: **SUPPORT (contrary to OSM preliminary recommendation to oppose)**

JUSTIFICATION: The Council stressed that it was very important for the community to

harvest a couple more moose for food when available. Kaktovik Council member and others stressed that year round hunt season allows safer travel and extended opportunity when weather and conditions are good and opportunity to hunt moose when they are in the area. They noted that encountering a moose is opportunistic and flexibility to take an extra on or two if the opportunity arose would be very helpful to the community, especially in times when the caribou numbers are low or caribou pass through too quickly to be hunted. The Council noted that the location of the alternative hunt area suggested by OSM was likely “mission impossible” due to the distance and mountainous terrain

Proposal: WP14-55

DESCRIPTION Proposal WP14-55, requests the closure be lifted for non-Federally qualified users in the Firth, Mancha, and Upper Kongakut river drainages (upstream and including Drain Creek) for the harvest of moose in Unit 26C. The remaining Federal public lands in Unit 26C and Unit 26B remainder would remain closed to the harvest of moose, except by residents of Kaktovik. *Submitted by the Alaska Department of Fish and Game*

COUNCIL RECOMMENDATION: **OPPOSE**

JUSTIFICATION: The Council noted the migratory nature of the moose population that is important to the community of Kaktovik and that subsistence users in the Firth Mancha region should have continued priority. The Council discussed the concern for the recovery of this migratory moose population and stressed caution to allow the population to better recover before opening it to harvest by non-federally qualified users. The Council discussed that current quota for Kaktovik is currently only 3 moose – hardly much of a subsistence priority right now due to conservation concerns for this population – ensure this subsistence opportunity remains.

Draft 2014 Fisheries Resource Monitoring Program:

OSM Fisheries staff Kay Larson-Blair provided an overview of the Draft 2014 Fisheries Resource Monitoring Program. A motion to adopt the Northern Region FRMP proposals recommend for funding failed for lack of a second. The Council was concerned that regional priorities were not adequately represented, and asked that the process for research call outreach and selection be better explained. The Council requested to have their knowledge and concerns better represented in the process and also requested directed outreach to local and regional organizations to facilitate and collaborate on North Slope subsistence fisheries research.

Agency Reports:

Alaska Department of Fish and Game:

ADF&G wildlife biologists Geoff Carroll and Lincoln Parrett provided an extensive overview and population status for all the North Slope region caribou herds and addressed specific topics requested by the Council. The Council had requested to be kept apprised of the status and

management of all herds including Western Arctic, Central Arctic, Teshekpuk, and Porcupine herds. Area biologist Lincoln Parrett provided a comprehensive power point presentation covering the population trends, radio collar migratory movements of each herd, and specific research projects including a calf survival and predation study and studying caribou growth rate by sampling jaw bones submitted by hunters. Slides showing caribou migration movement in relation to existing and proposed roads and caribou harvest ticket information for the Anaktuvuk Pass area 24B and 24A was also provided at the request of the Council.

Beth Lenart, ADF&G wildlife biologist, provide the council with an update on Unit 26C muskox, noting that when the population had declined too low to sustain a harvest approximately 10 years ago the muskox work group had discontinued. Currently the population is still around 200 muskox and would need to reach approximately 300 animals before a hunt could be re-opened. A workgroup could be reformed to discuss harvest strategies if the population did get closer to 300 strong.

Brittany Retherford, ADF&G Subsistence Division, provided the Council with an update on several North Slope community bases subsistence projects she has been working on. Wainwright and Point Lay are participating in a fish harvest survey and TEK interviews. A new project has been recently initiated with Kaktovik with approval of the Tribal Council to conduct traditional knowledge interviews to better understand the moose population in the area and other subsistence hunting concerns. A community meeting and 6 interviews had been conducted. Information for both projects is preliminary and in progress it was anticipated a more details report could be provided to the Council next year.

North Slope Borough Department of Wildlife Management:

Mike Pederson, NSB Subsistence Research Coordinator and State Advisory Committee, explained the origins and role of the NSB Fish and Game Management Committee serving as the Arctic area state AC for approximately the past 20 years. He noted they will comment on Federal Subsistence proposals if it is an issue of concern but don't usually comment or engage with the RAC if the proposals don't impact subsistence hunters. He noted much of their work involves migratory birds, marine mammals, and polar bears which are not covered under the Federal Subsistence Program.

Mr. Pederson provided an overview of the work of the Department of Wildlife Management highlighting collaborative projects and the facilitating role of community consultation to ensure subsistence concerns are considered. The department serves the role of reviewing research projects in the North Slope region and collaborative work on terrestrial wildlife research and monitoring as well as marine mammals work such as tagging beluga and bowhead.

Brian Person, NSB wildlife biologist provided the Council with a presentation on a collaborative research project with BLM to examine the Teshekpuk caribou health and body condition status. The project is based on the CircumArctic Rangifer Monitoring (CARMA) program made of up of indigenous hunters and scientists collaborating on projects together across Alaska and Canada. The Teshekpuk herd was selected because it is important to nearly all North Slope communities especially in times when the Western Arctic herd was low or didn't come as far east. Local

hunters collect the specimens and blood samples from harvested caribou and are provided a sampling kit and gas voucher. Age and body fat/condition, reproductive history, parasites, and any abnormalities are assessed from the tissue or organ samples, teeth, bones, and photographs.

Bureau of Land Management and NPR-A:

Dr. Dave Yokel presented an update on the NPR-A plan and recent record of decision finalized for the EIS in February. A map and review of lease sales in the area was provided and it was noted there had not been a lease sale since the EIS was completed 6 months ago and at this point it was unclear if the EIS would change oil development plans at all. Dr. Yokel showed an area just west of Nuiqsut that was the mostly likely area of further oil development and planning was underway by ConocoPhillips in GMT1 known as “Greater Moose’s Tooth” which is on BLM managed lands.

Dr. Yokel provided a brief overview of a new planning process initiated for the Central Yukon region which includes areas relevant to the North Region that covers the Dalton Highway and some land near Anaktuvuk Pass.

Council member Roy Nageak was announced as a new employee for the BLM Barrow office. The Council requested information on hydrates research in the NPR-A North Slope region.

Arctic National Wildlife Refuge:

Informational handouts and meeting book summaries were provided to the Council. The new ANWR Refuge Director, Brian Glaspell, introduced himself to the Council and noted the meeting was a good opportunity to listen, learn, and get to know people in the region.

Vince Mathews provided a written summary for the Refuge and requested feedback on what information and format was most useful to the Council.

Gates of the Arctic National Park:

Marcy Okada attended the meeting via teleconference and provided written summaries for the Council meeting book and handouts. Time was limited for a full presentation, Marcy highlighted the Ambler Road access through Gates of the Arctic as a key issue the Council would want to be aware of.

Inuit Circumpolar Council:

Carolina Behe, ICC Traditional Knowledge/Science Advisor provided an overview of the organization and work of the ICC highlighting the international engagement with the Arctic Council and incorporating traditional knowledge in arctic decision making. A handout and presentation on ICC current project was provided to the Council and covered the structural framework for assessing food security and incorporating traditional knowledge and cultural values in defining food security. So far ICC has worked with 14 communities covering the region from the YK Delta to the North Slope on this project including Pt. Lay and Kaktovik.

Office of Subsistence Management:

David Jenkins, OSM Policy Coordinator provided the Council with staffing and budget updates. Since 2001 there has been a 40 reduction in staff and 2.7 million reduction in budget with anticipated further budget declines which has impacts on Council travel and staff support. Many positions remain vacant at this time.

Gene Peltola, Jr. was recently hired as the new OSM Assistant Regional Director. He is long time FWS employee and refuge director from Bethel Alaska. ▲

Council Concerns:

The Council is concerned that the vacant Anthropology Division Chief position at OSM was not granted a waiver to hire a replacement. The Council stressed that the anthropology staff are an essential part of the support they seek on wildlife analyses, fisheries proposals and many other aspects of federal subsistence management. The Council seeks to ensure that cultural and social aspects of subsistence are fully considered in the regulatory process. They stressed that receiving assistance from anthropology staff is key to ensuring that local knowledge and Council and community feedback is included in the Federal Subsistence Management program.

*The Council requested to write a letter to USFWS, the Federal Subsistence Board and Secretary of the Interior on this issue.

*The Council is concerned that the Army Corp of Engineers had to reschedule and was not able to be present an update on the “Road to Umiat” EIS process. The Council was frustrated at holding only two brief meetings a year with so many critical subsistence issues that require tracking and requested to have an information meeting before the winter cycle to ensure they were fully apprised of the “Road to Umiat” developments and potential impacts to subsistence fish and caribou.

*The Council is concerned that Nuiqsut and Atqasuk are not represented on the Council and noted Nuiqsut is experiencing impacts to their subsistence from industrial development surrounding the village. ▼

Future Meeting Dates:

Winter meeting: February 12 and 13, 2014 in Barrow. Dates may be changed to accommodate Chair Harry Brower schedule.

Fall meeting: August 19 – 21, 2014 Nuiqsut was selected as a first choice for meeting location due to lack of representation on the Council and many subsistence concerns for that community. Anaktuvuk Pass as a second Choice due to concerns about the Road to Umiat. The Council stressed it would greatly facilitate addressing those communities subsistence concerns

directly by meeting there. Barrow was noted as a backup. The Council would like OSM to strongly consider support for meeting in one of the less represented villages on the North Slope for community opportunity to participate.

Closing comments: Council thanked meeting participants and discussed additional agenda topics that would need to still be addressed at a subsequent meeting and adjourned at approximately 5:30 p.m. on August 21.

I certify to the best of my knowledge the forgoing minutes are accurate and complete.

Eva Patton, Designated Federal Officer
USFWS Office of Subsistence Management

Harry K. Brower, Chair
North Slope Subsistence Regional Advisory Council

These minutes will be formally considered by the North Slope Subsistence Regional Advisory Council at its February 2014 public meeting. Any corrections or notations will be incorporated at that meeting.

CUSTOMARY AND TRADITIONAL USE DETERMINATION BRIEFING

The Federal Subsistence Board, and the Southeast Alaska Subsistence Regional Advisory Council, would like your recommendations on the current customary and traditional use determination process. The Board last asked the Councils a similar question in 2011 as directed by the Secretary of the Interior and the Secretary of Agriculture. All Councils, with the exception of the Southeast Council, indicated that the existing customary and traditional use determination process was working. At the request of the Southeast Council, this additional review is being conducted for your input.

We will briefly describe the history of customary and traditional use determinations, and illustrate the differences between those determinations and an ANILCA Section 804 analysis. We will then ask for Council discussion and recommendations. Our focus is not on *how* customary and traditional use determinations are made, but on *why* they are made. The Southeast Council would like you to recommend, as a Council, to eliminate, amend, or make no changes to the current customary and traditional use determination process.

The Alaska National Interest Lands Conservation Act (ANILCA) does not require customary and traditional use determinations. Customary and traditional use regulations were adopted from the State when the Federal Subsistence Management Program was established in 1990. In the 1992 Record of Decision, the Federal Subsistence Board considered four customary and traditional use options and recommended to the Secretaries of the Interior and Agriculture that State customary and traditional use determinations continue to be used. The State's eight criteria for determining customary and traditional use were subsequently slightly modified for use in Federal regulations. Since the establishment of the Federal Subsistence Management Program, the Board has made some 300 customary and traditional use determinations.

The Board initially adopted the State's customary and traditional use criteria (renaming them "factors"), anticipating the resumption of State management of subsistence on Federal public lands, and intending to "minimize disruption to traditional State regulation and management of fish and wildlife" (55 FR 27188 June, 29, 1990). The State has not resumed subsistence management on Federal public lands, and it appears the Federal Subsistence Management Program will be permanent. (See **Appendix A** for a listing of the eight factors.)

Note that the Board does not use customary and traditional use determinations to restrict amounts of harvest. The Board makes customary and traditional use determinations, relative to particular fish stocks and wildlife populations, in order to recognize a community or area whose residents generally exhibit eight factors of customary and traditional use. The Southeast Council is concerned that the effect is to exclude those Federally qualified rural residents who do not generally exhibit these factors from participating in subsistence harvests in particular areas.

In 2009, Secretary of the Interior Ken Salazar announced a review of the Federal subsistence program. Part of that review focused on customary and traditional use determinations. Specifically, in 2010, the Secretary of the Interior, with the concurrence of the Secretary of Agriculture, asked the Board to "Review, with RAC input, the customary and traditional use determination process and present recommendations for regulatory changes."

All ten Regional Advisory Councils were asked for their perspectives on customary and traditional use determinations during the 2011 winter meeting cycle. Nine Councils did not suggest changes to the

process (see **Appendix B**). The Southeast Council, however, suggested one modification, which was included in its annual report. The modified regulation reads as follows:

§100.16 (a) The Board shall determine which fish stocks and wildlife populations have been customarily and traditionally used for subsistence. These determinations shall identify the specific community's or area's use of ~~specific fish stocks and wildlife populations~~ **all species of fish and wildlife that have been traditionally used, in their (past and present) geographic areas**. For areas managed by the National Park Service, where subsistence uses are allowed, the determinations may be made on an individual basis.

In other words, once a customary and traditional use determination is made for an area, residents in that area would have customary and traditional use for *all* species. There would be no need for customary and traditional use determinations for specific fish stocks and wildlife populations, or on a species-by-species basis.

Subsequently, the Southeast Council formed a workgroup to analyze the customary and traditional use determination process. The Southeast Council workgroup, after conducting an extensive review of Regional Advisory Council transcripts, determined that Councils were not adequately briefed on the Secretaries' request for Council recommendations on the process. The Southeast Council drafted a letter and a briefing document, which were provided to the other Regional Advisory Councils during the 2013 winter meeting cycle; these are included in your meeting materials.

Pursuant to the workgroup findings, the Southeast Council emphasized the following:

The current customary and traditional use determination process is being used to allocate resources between rural residents, often in times of abundance. This is an inappropriate method of deciding which residents can harvest fish or wildlife in an area and may result in unnecessarily restricting subsistence users. The SE Council has a history of generally recommending a broad geographic scale when reviewing proposals for customary and traditional use determinations. Subsistence users primarily harvest resources near their community of residence and there is normally no management reason to restrict use by rural residents from distant communities. If there is a shortage of resources, Section 804 of ANILCA provides direction in the correct method of allocating resources.

The Southeast Council does not support retaining the current customary and traditional use determination process. Instead, the Southeast Council suggests that, when necessary, the Board restrict harvests by applying ANILCA Section 804 criteria:

- Customary and direct dependence upon the populations as the mainstay of livelihood;
- Local residency; and
- The availability of alternative resources.

The Federal Subsistence Board, and also the Southeast Council, would like your recommendations on the current customary and traditional use determination process. Specifically, the Southeast Council would like you to consider whether to

- (1) eliminate customary and traditional use determinations and instead use, when necessary, ANILCA Section 804 criteria,
- (2) change the way such determinations are made, by making area-wide customary and traditional use determinations for all species (not species-by-species or by particular fish stocks and wildlife

populations),

(3) make some other change, or

(4) make no change.

Council input will provide the basis for a briefing to the Federal Subsistence Board in response to the Secretaries' directive to review the customary and traditional use determination process and present recommendations for regulatory change, if needed. The Board could then recommend that the Secretaries eliminate, amend, or make no change to the current customary and traditional use determination process.

APPENDIX A

For reference, here are the eight factors currently used in Federal regulations for making customary and traditional use determinations (36 CFR 242.16 and 50 CFR100.16):

(a) The Board shall determine which fish stocks and wildlife populations have been customarily and traditionally used for subsistence. These determinations shall identify the specific community's or area's use of specific fish stocks and wildlife populations. For areas managed by the National Park Service, where subsistence uses are allowed, the determinations may be made on an individual basis.

(b) A community or area shall generally exhibit the following factors, which exemplify customary and traditional use. The Board shall make customary and traditional use determinations based on application of the following factors:

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

APPENDIX B

Summary of Winter 2011 Council Comments on the Customary and Traditional Use Determination Process

(Note that summaries were drafted by OSM LT members or the Council Coordinator that attended the meetings; see the Council transcripts for details.)

The **Seward Peninsula Council** is satisfied with the current Federal subsistence customary and traditional use determination process. The Council noted that C&T determinations are important and that the Federal Subsistence Management Program provides ways to modify C&T determinations if needed.

The **Western Interior Council** is satisfied with the process used by the Federal Subsistence Board to make C&T determinations and thinks it works well. The Council felt that the Board is sensitive to local concerns, and there is room for the public to be involved. The Council felt that getting rid of the existing process would be problematic (i.e., what to do with the roughly 300 C&T determinations that have already been made), and inventing a new system could be counterproductive. The Council felt that maintaining the Councils' and AC's involvement in C&T determinations public process is key and the current process does just that.

The **Eastern Interior Council** is comfortable with the existing process and believes that it works well. In most cases there is no need to change the process. One member expressed the thought that the only time the process doesn't work well is when it is used to pit user against user.

The **North Slope Council** was fine with the current C&T process and had no suggestions for changes.

The **Yukon Kuskokwim Delta Council** was fine with the current C&T process, even though one member noted not always agreeing with the determinations.

The **Bristol Bay Council** observed that the C&T process works wonderfully in their region and noted that there is no burning need for change. There was discussion about the closure to hunting and subsistence uses in Katmai National Park.

The **Southcentral Council** is generally satisfied with the process used by the Federal Subsistence Board to make C&T determinations, stating that it is not perfect but it has worked. The Council liked the process because it puts the information on customary and traditional use in front of the Councils and the Board, and that is valuable. The process gives a good understanding of how the rural subsistence process works. The Council felt that it could be tweaked a bit, for example, if you have C&T for a variety of species, you shouldn't have to do a separate C&T finding for every other species – there should be a way to streamline the process. The Council also discussed the disparity of information needed in some parts of the state versus in other parts of the state (i.e., Ninilchik). The Council sees C&T as being inclusive, not exclusive. The Board needs to defer to Councils on their recommendations on C&T. The Council also reminded itself that it could do a better job by building a solid record in support of its decisions.

The **Northwest Arctic Council** discussed this topic at length. In the end, the Council stated that the current process is working and it did not have any recommended changes at this time.

The **Kodiak/Aleutians Subsistence Council** discussed this subject at length. It generally supported the overall process, though had a lot of comments. One Council member stated that he thinks that the process

is good. Sometimes the process is too liberal and other times it is too literal, but it has been improving and overall it is good. Another Council member noted that the method used for making customary and traditional use determinations isn't perfect, but he couldn't think of another way to do it. He added that it would be nice if more concrete words were used, for example, what do "long term use" and "seasonal use" really mean? Another Council member asked about the process with regard to how introduced species fit in, especially with regard to the factor including "long term use". Finally, a Council member noted that we need to ensure that the process works, and that the subsistence priority remains.

The **Southeast Council** is drafting a letter to the Board concerning this issue. The Council noted that the eight factor analysis is a carryover from State of Alaska regulations and recommends that the Federal Subsistence Management Program draft new more suitable Federal regulations which adhere to provisions contained within Section 804 of ANILCA. The Council recommends that:

- The Board give deference to the Council recommendation for customary and traditional use determinations.
- 50 CFR100.16(a) read: "The Board shall determine which fish stocks and wildlife populations have been customarily and traditionally used for subsistence. These determinations shall identify the specific community's or area's use of [specific fish stock and wildlife population] **all species of fish and wildlife that they have traditionally used, in their (past and present) geographical areas**".
- If an eight factor approach is continued, then the regulations should be modified to include specific language for a holistic approach.

Subsistence Regional Council Customary and Traditional Use Determinations – Action Summaries

Southeast

At their fall meeting the SESRAC tasked the coordinator to work with the ad hoc C&T workgroup to develop a Draft proposal for consideration at the joint Southeast-Southcentral Council meeting in Anchorage on March 11, 2014. The Council also requested the OSM address several questions:

- What are the effects of the draft proposal to eliminate or change current regulations (see SC recommendation below)
- Can there be Region specific regulations
- Are there examples where the C&T process has not been favorable to continuation of subsistence uses e.g. unnecessary allocations through exclusive use in times of plenty
- Is it possible to maintain exclusive uses (Customary and Traditional use determinations) if the regulations are significantly changed or eliminated

During their 2014 fall meeting, the Southcentral Council adopted the following recommendation for amending the current C&T determination regulation.

The Board shall determine which fish and wildlife have been customarily and traditionally used for subsistence. These determinations shall identify the specific community or area's use of a geographic area for the harvest of fish and wildlife.

In recognition of the differences between regions, each region should have the autonomy to write customary and traditional use determinations in the way that it wishes. (Not exact words but close enough to capture the intent)

The joint council agenda steering committee agreed on the following agenda item:

- Customary Use Determinations, deference to Councils, regional regulations.
 - (a) Briefing from OSM regarding positions of other councils
 - (b) Action: draft regulation to Board based on SE and SC Council previous actions

Southcentral

The council had extensive discussion on Customary and Traditional use. Council members had a number of suggestions on ways to modify C&T use determinations. Bert Adams and Kathy Needham from the Southeast RAC presented their Councils' recommendations on the C&T determination process and requested that the Southcentral RAC have a Joint meeting with the SERAC during the winter meeting cycle to have further discussions about this issue. The SCRAC thought it was a good idea and recommended a joint winter meeting 11-13 March 2014 in Anchorage.

The Council voted to suggest the following language for C&T:

Modify 50 CFR 100.16 (a). The regulation should read: "The Board shall determine which fish and wildlife have been customarily and traditionally used for subsistence. These determinations shall identify the specific community's or area's use of a geographic area for the harvest of fish and wildlife.

Kodiak-Aleutians

There are several issues that the Council discussed regarding the current status of C&T determinations. Members indicated that the problem may be of unique concern to the Southeast region, and wondered if the Board could do things differently for that region compared to others. Chair Simeonoff encouraged Tribes to take a more active role in developing and distributing their own wildlife management plans. Several Council members discussed the problems with establishing priorities between communities.

A motion was made to support the C&T process in place as it is, while recognizing the issues and concerns raised by the Southeast Council but not supporting that Council's position. The motion carried.

Bristol Bay

The Council recommended to address this issue again at its winter 2014 public meeting in Naknek. The Council stated that they wish to hear additional testimony or comments from the local native organizations, State Advisory Committees, SRC's and other public entities to bring their comments before the Council. The Council will develop its recommendation to the Federal Subsistence Board after receiving public comments at its winter 2014 public meeting in Naknek.

Yukon-Kuskokwim Delta

Mr. Robert Aloysius made a motion to support Alternative No. 1 that would allow elimination of customary and traditional use determinations and instead use ANILCA Section 804 when it

becomes necessary to conserve fish and wildlife resources. Mr. Greg Roczicka seconded the motion.

The Council is in support of anything that would support local people who crave for taste of their subsistence resources and not label local people criminals. Customary and Traditional use determinations should be based on community's eligibility and needs for the subsistence resources. Subsistence hunters and fisherman travel long distance to harvest what is needed for their family subsistence food supply. Some parts of the area is considered by some people as a third world, only because of their environment and local cultures and traditions.

Western Interior

The Western Interior Council deferred providing formal comment to their winter 2013 meeting where correspondence to the Federal Subsistence Board will be approved.

Seward Peninsula

The intent of Customary and Traditional use determinations is not understood well enough by the users.

Alternative number 1 (proposed by the SERAC) would be a good choice. The patterns of uses of the resources need to be considered when ANILCA Section .804 situation kicks in. Some of the Council members have patterns of use in certain areas including around specific communities.

Northwest Arctic

The Council did not take formal action or make any recommendation on the Customary and Traditional Use Determinations during their fall 2013 meeting cycle. The Council would like the opportunity to disseminate more information and share the newly prepared briefing to their communities, villages, and tribes. The Council plans to make a formal recommendation as a body during the winter 2014 meeting.

Eastern Interior

The Council had extensive discussion about how Customary and Traditional Use is applied and what it would mean to eliminate C&T to use only ANILCA Section .804 analyses. Specifically the Council noted concerns about the species by species approach of the current C&T process when so many subsistence resources are used. Some suggested a general C&T for an area and

need for recognition of the shifting importance of subsistence resources when one species is in decline another becomes more important or shifting species ranges due to environmental change.

Ultimately, the Council voted in favor of maintaining the current system as it is with no changes. The supporting discussion was to keep things simple and if that process was working to some degree now it would be best not to make any big changes that might have unforeseen challenges.

North Slope

The Council had extensive discussion and elected to take no action at this time, pending further information on the process, pitfalls, advantages, and alternatives to the current Customary and Traditional Use determinations process. The Council also wants time to consult with their communities on the information that was just provided at their fall 2013 meeting. The Council requested an analysis from OSM staff on how C&T has been used in the North Slope region and examples comparing C&T and ANILCA Section .804 analyses in place for the North Slope region. The Council wants to have continuing discussion and would like the requested analysis and further information presented at the winter 2014 meeting.

INFORMATION/ BRIEFING MEMORANDUM ON ANILCA SECTION 804

Federal Subsistence Priority

In order to qualify for the Federal subsistence priority, subsistence users in Alaska must cross two thresholds: the statutory threshold of “rural” residency, as articulated in the Alaska National Interest Lands Conservation Act (ANILCA), and the regulatory threshold of a “customary and traditional use” determination, as articulated in regulations implementing ANILCA. If the Board has made no customary and traditional use determination for a species in a particular area, then all rural residents are eligible to harvest under Federal regulations.

Limiting the Pool of Federally Qualified Subsistence Users

The purpose of this briefing is to describe what happens when a fish and wildlife population in a particular area is not sufficient to allow for all subsistence users to harvest it. When that happens, the Board and the Secretaries of the Interior and Agriculture are forced by circumstances to choose among qualified rural residents who are eligible to fish or hunt from that depressed population. In such a case, Congress laid out a specific scheme to be followed. That scheme is found in Section 804 of ANILCA, and it requires the Board to make a determination based on three criteria. Note that an ANILCA Section 804 determination assumes that Federal public lands or waters have been or will be closed to non-Federally qualified users before restrictions are imposed on Federally qualified subsistence users.

1. ANILCA Section 804

Except as otherwise provided in this Act and other Federal laws, the taking on public lands of fish and wildlife for nonwasteful subsistence uses shall be accorded priority over the taking on such lands of fish and wildlife for other purposes. Whenever it is necessary to restrict the taking of populations of fish and wildlife on such lands for subsistence uses in order to protect the continued viability of such populations, or to continue such uses, such priority shall be implemented through appropriate limitations based on the application of the following criteria:

- (1) customary and direct dependence upon the populations as the mainstay of livelihood;*
- (2) local residency; and*
- (3) the availability of alternative resources.*

2. Code of Federal Regulations [50 C.F.R. §100.17] Determining priorities for subsistence uses among rural Alaska residents.

- (a) Whenever it is necessary to restrict the subsistence taking of fish and wildlife on public lands in order to protect the continued viability of such populations, or to continue subsistence uses, the Board shall establish a priority among the rural Alaska*

residents after considering any recommendation submitted by an appropriate Regional Council.

(b) The priority shall be implemented through appropriate limitations based on the application of the following criteria to each area, community, or individual determined to have customary and traditional use, as necessary:

- (1) Customary and direct dependence upon the populations as the mainstay of livelihood;*
- (2) Local residency; and*
- (3) The availability of alternative resources.*

(c) If allocation on an area or community basis is not achievable, then the Board shall allocate subsistence opportunity on an individual basis through application of the criteria in paragraphs (b)(1) through (3) of this section.

(d) In addressing a situation where prioritized allocation becomes necessary, the Board shall solicit recommendations from the Regional Council in the area affected.

Discussion

Once a limited pool of qualified users is identified, based on an analysis of the above three criteria and informed by recommendations from the relevant Regional Advisory Council, other management actions are taken to ensure subsistence opportunities are available within the confines of specific conservation concerns. In other words, an analysis based on Section 804 does not allocate resources among those within the limited pool of users; it simply identifies that pool of users.

The Federal system has not developed regulatory definitions of “customary and direct dependence,” “local residency,” or “alternative resources.” The lack of specific definitions allows Section 804 analyses to remain flexible and responsive to particular environmental and cultural circumstances. In recent years, however, the program has treated the “availability of alternative resources” to mean alternative *subsistence* resources rather than resources such as cash or store-bought products.

Since 2000, the Federal Subsistence Board has heard one request for a Section 804 determination triggered by a limited deer population, two requests triggered by a limited caribou population, and eleven requests triggered by limited moose populations. The Board is scheduled to hear seven Section 804 determination requests at its April 2014 public meeting, six focused on a limited musk ox population and one on a limited moose population.

Rural Determination Review **Regional Advisory Council Action Summaries**

Southeast

- Regional councils should have deference in deciding which communities are rural. The Councils are the most appropriate groups to determine the characteristics of a rural community in their own region then evaluate the rural status criteria for all communities for their region.
- Saxman is a rural community. The intent of ANILCA, Title VIII was to continue a way of life that existed before ANILCA was written. The community of Saxman existed before ANILCA was written. The residents of Saxman maintain a subsistence way-of-life that existed before ANILCA was written and their rights under the law must be recognized and retained.
- Reliance on subsistence resources, history of use and cultural ties to resources are critical to fulfilling the traditional values of a rural subsistence lifestyle. The criteria must include consideration of social and cultural characteristics that allow the Board to determine that communities like Saxman remain rural.
- A presumed rural determination population threshold is not necessary or appropriate for the Southeast Alaska region.
- Aggregation or grouping of communities is arbitrary and does not lend itself to an objective or rational rural determination process. Communities can be in close geographic proximity yet still retain separate and distinct characteristics.
- There should be no review or changes to a community's rural status unless there is a significant change to the characteristics of a community. The review process can result in unnecessary financial hardships to a community.

Southcentral

The Council offers the following comments/recommendation for your consideration on the Rural Determination Process.

Overall Comments:

- The recent shutdown of the Federal government has caused a delay in the public comment period. The Council strongly urges the Board to extend deadline on the comment period.
- The Council suggests that the Federal Subsistence Board consider criteria for determining why a subsistence priority can be taken away, rather than criteria of who can have a subsistence priority.
- Why should rural users defend themselves from the Federal government? The Regional Advisory Councils and the public should be in control (management actions i.e., be decision maker).

Timelines:

Why is it necessary to conduct the rural review every 10-years? Decisions should be left in place unless there are significant changes in a community's status that warrants reconsideration by the Council and the Board.

Population Thresholds:

The 2,500 population threshold should still be used – communities under the criteria should remain rural.

The 2,500 – 7,000 population threshold is a grey area, (and should be analyzed to clearly define rural/non-rural for the purposes of subsistence uses)

Information Sources:

The current U.S. Census is not working for the Bristol Bay region for determining rural/non-rural. Information is coming from outside influences, but (information) should be coming from grass roots sources, such as Native Tribes, Alaska Native Organizations etc.

Kodiak-Aleutians

The Council voted to incorporate all public comments received at the fall 2013 Council meeting and the Rural Determination public hearing as its own comments. The following is a summary of those comments. In addition, the Council also incorporated as its own a set of talking points prepared by the Kodiak Rural Roundtable in preparation for the hearing, a copy of which is included after this summary.

Aggregation

Aggregating communities together for the purpose of counting population is not appropriate. Social and communal integration among communities is part of the subsistence way of life; to use that to count population and thus deem an area “non-rural” punishes communities for living a traditional way of life. Aggregation of communities should be completely eliminated.

Population Thresholds

Population should not be a primary factor in the Board's consideration. Transient workers should not be included in the community population count, but are considered if included in the population data source (i.e., counting military personnel during a census). The current population thresholds are arbitrary and too low in many instances. The presumed non-rural population threshold should be set at 25,000.

Rural Characteristics

It was noted that the rural characteristic factors should be given more weight than population. The criteria need to be consistent and not subject to bias. Geographic remoteness should be a primary factor in determining the rural characteristics of a community. Island and archipelago communities are incredibly remote by their very nature and should be deemed automatically rural. For specific guidance on this issue, the Board should examine the “frontier” standards recently adopted by U.S. Department of Health & Human Services. (*See 77 FR 214*)

Other characteristics the Board should consider in identifying rural communities should include:

- Impact of weather on transportation to and from the community

- How supplies are delivered to the community (barge versus road system, for example)
- Cost of living
- Median income of the community
- The reason why people choose to live there
- External development forces that bring extra infrastructure and personnel into the community
- Proximity to fish and wildlife resources
- Use of fish and wildlife should not be considered, but access to those resources should be.
- Percentage of sharing among community members

It was also noted that the Board should examine the 12 criteria currently used by the State of Alaska in determining rural status.

Timing of Review

There is no basis in Title VIII of ANILCA to conduct a decennial review. Once a community is determined rural, it should remain rural unless a significant change in population warrants review. A “significant change” should be defined as a 25% change from the last rural determination. The population of Kodiak has increased only 4% since the inception of the Federal Subsistence Management Program. Reviewing the rural status of a community every ten years causes a lot of frustration, pain, confusion, turmoil and anxiety for the communities undergoing review.

Information Resources

The Permanent Fund Dividend database should be utilized in counting residents of communities, as it will provide a more accurate picture of the number of long term residents. Additionally, the Board could and should rely on Tribal population databases where available.

Other Issues

Outside of these criteria currently used by the Board, there were other issues raised in the public meetings that warrant consideration. In many instances, people have moved away from their villages in order to seek work, but still own homes in their villages and return there to engage in subsistence activities. People should not be punished with losing their status as federally qualified subsistence users simply because they had to make this difficult choice to earn more income for their families.

In closing, the Council and the public could not express enough how importance subsistence is to the way of life for the Kodiak community. People have grown up living a subsistence way of life; it is part of their culture. They chose to live there because it provides them access to the resources that allow them to maintain that way of life. The Kodiak Archipelago has been and always will be rural because of its remote, isolated location.

Kodiak Rural Subsistence Roundtable
Suggested Talking Points for federal subsistence board rural determination
Criteria public comment period:

On 9/24, @ 7pm at the KI, the Federal Subsistence Board will receive comment on these “**criteria for rural determination**”:

Population Threshold with three categories of population:

- Population **under 2,500** is considered **rural**
- Population **between 2,500 & 7,000** is considered **rural** or **non rural** depending on **community characteristics**
- Population **over 7,000** is considered **non-rural**, unless there are significant characteristics of a rural nature
- **Rural characteristics** – considering the following:
 - **Use of fish & wildlife**
 - **Development & diversity of economy**
 - **Community infrastructure**
 - **Transportation**
 - **Educational institutions**
- **Aggregation of communities** – focusing on how communities & areas are connected to each other using the following:
 - If communities are **economically, socially & communally integrated**, they will be **considered** in the **aggregate** to determine rural or non-rural status with this criteria:
 - **30% or more working people commute** from one community to another;
 - People **share a common high school attendance area**; and
 - Are communities in **proximity & road-accessible** to one another?
- **Timelines** – Board review rural or non-rural status **every 10 years**, or **out of cycle** in **special circumstances**. Should the Board change this time of review?
- **Information sources** – most recent census conducted by the **U.S. Census Bureau** as **updated** by the **Alaska Department of Labor**. Should the board use the census data or something else?

Our suggested thoughts:

Population Threshold:

Regardless of any suggested population threshold, **this criterion shouldn't be the primary factor in determining a community rural!**

Rural characteristics:

A rural island subsistence hub definition should be a primary criterion that would preempt population threshold; under this criterion, population wouldn't be a consideration, but **geographic remoteness would be the primary factor**.

The current 5 characteristics that are used to determine a community rural are not adequate. The Board should be looking to use characteristics that are consistent with the State of Alaska so there is no conflict and inconsistency in determining rural/non-rural. If the Board adopts the 12 criteria that the State of Alaska currently uses, this process would be consistent and those criteria are more applicable to Alaskan communities. One example would be; the State of Alaska criterion #6 discusses the variety of fish and game used by people in the community. Kodiak has a substantial availability of resources and is within imminent proximity to those who use those resources. These resources have been able to sustain our residents for more than 7000 years. This factor is more important in defining our rural community's culture than the number of people residing here.

Aggregation of communities:

Aggregation of communities should only apply to communities that are physically connected to urban centers. Aggregation should not be used to combine rural communities in an effort to increase their population and determine them non-rural.

Timelines:

The board should not review community's rural determination every ten years. Once a community is determined rural it should remain rural unless there is a significant increase in population; such as a 25% increase in full-time residents.

Information sources:

In determining which data sources to use, the Board should consider being consistent in the use and definition of rural vs. non-rural. USDA and the Department of Health and Human Services who regularly provide services to rural communities and have extensively reviewed and determined communities to be rural, frontier, Island and non-rural.

*These talking points have been provided by:
"Kodiak Rural Subsistence Roundtable"
Including participation from Tribal Organizations, Fish and Game Advisory Committee,
Pacific Islanders, Kodiak Island Borough, KRAC, Guides, Outfitters,
Hunters and Fisherman.
Providing information for an ethnically diverse community*

Bristol Bay

The Bristol Bay Subsistence Regional Advisory Council provided formal comments/recommendations at its fall 2013 meeting.

Timelines:

Why is it necessary to conduct the rural review every 10-years? Decisions should be left in place unless there are significant changes in a community's status that warrants reconsideration by the Council and the Board.

Population Thresholds:

The 2,500 population threshold should still be used – communities under the criteria should remain rural. The 2,500 – 7,000 population threshold is a grey area, (and should be analyzed to clearly define rural/non-rural for the purposes of subsistence uses)

Information Sources:

The current U.S. Census is not working for the Bristol Bay region for determining rural/non-rural. Information is coming from outside influences, but (information) should be coming from grass roots sources, such as Native Tribes, Alaska Native Organizations etc.

Yukon-Kuskokwim Delta

The Council sees room for variance in the current population threshold. In areas which demonstrate strong rural characteristics, population should not be considered.

The Council also feels that the rural characteristics, use of fish and wildlife and economic development, diversity, infrastructure, transportation, and educational institutions, are all good criteria to consider.

Aggregation:

The Yukon-Kuskokwim Delta Regional Advisory Council feels that grouping of communities is not practical in this region because of the population size of a community such as Bethel.

Timeline: The 10 year review timeline should be changed to consideration when needed under special circumstances that trigger a review of population size or evaluation of other rural criteria.

Information sources:

The U.S. Census could be used but it is important to also consider other rural characteristics and data such as percentage of the population that is dependent on the subsistence resources that are in the area and use of fish and wildlife resources for subsistence.

Western Interior

The Western Interior Council deferred providing formal comment to their winter 2013 meeting where correspondence to the Federal Subsistence Board will be approved.

Seward Peninsula

The population threshold should be raised from 7,000 to 20,000 when communities are being considered to become non-rural.

Northwest Arctic

The Council requested more time to gather feedback from the region and submit formal comments. Formal comments will be crafted at its winter 2014 meeting.

Eastern Interior

The Council made recommendations on each of the rural criteria as follows:

Population threshold:

The Council decided by consensus to maintain the current population thresholds

The Council then concurred with the Wrangell St- Elias Subsistence Resource Commission (SRC) to change the population assessment process from every 10 years to just an initial assessment and then any needed further assessment if triggered by an unusual event or extenuating circumstances, such as a long term population trend up or down or spike in population. Further the Council concurred that the population assessment should be measured using a five-year running average to avoid evaluating a community on a temporary population flux such as during pipeline or road development. This would avoid a determination being made on temporary extreme high or low of boom/bust cycle.

Rural characteristics:

The Council agreed by consensus to remove education institutions from the list currently considered under rural characteristics noting that whether it be a local school, boarding school or university satellite campus that the staffing of those educational institutions is usually made up of a largely transient population. The council also agrees that some infrastructure is for temporary use – such as mining development or the example of the DEW line site and should be evaluated carefully as to what it actually brought for long term services to the community.

The Council agreed by consensus to add subsistence related activities such as gardening, gathering and canning of foods to put away for family and community for the year was indicative of a rural characteristic.

The Council concurred with the SRC that National Park Service resident zone communities should also be added as a rural characteristic, noting that there are 7 National Parks in Alaska that have recognized “resident zone” communities that have access to subsistence activities in the parks and are also evaluated based on long-term patterns of subsistence activity in the area.

Aggregation:

The Council agreed by consensus to eliminate aggregation of communities as a criteria for rural status and discussed that each community has its own unique rural characteristics and subsistence patterns and should not be arbitrarily lumped with others simply due to proximity or being located on a road system. The Council heard public testimony and stressed that being

located on or near a road should not be a criteria for rural determination in since the road itself does not define the rural nature and subsistence activities of a community.

Timeline:

The Council agreed by consensus to eliminate the 10 year review cycle and move to a baseline population census and then as needed if triggered by extenuating circumstances as discussed for population thresholds above.

Information sources:

The Council agreed by consensus to include other information sources such as local government data, school attendance numbers, property ownership taxes, permanent fund data, harvest data may all be useful sources of information to determine population and residence.

North Slope

The Council took no action at this time. The Council was concerned that more information was needed before making a recommendation to the Federal Subsistence Board, stressing that the public only received a briefing the night before and the Council had no opportunity to consult with their communities and tribes prior to their meeting. The Council stated they would go back to their communities and consult with them on the Rural information and encourage public comments be submitted by the November 1 deadline but were concerned they were not given sufficient opportunity to deliberate and comment as a Council. The Council wishes to continue the discussion at the winter 2014 meeting and deferred formal comment until then.

Fisheries Resource Monitoring Program

The mission of the Monitoring Program is to identify and provide information needed to sustain subsistence fisheries on Federal public lands, for rural Alaskans...

Overview

The Fisheries Resource Monitoring Program (Monitoring Program) is unique to Alaska. It was established in 1999 under Title VIII of ANILCA and is run by the Office of Subsistence Management. The Monitoring Program is a competitive funding source for studies on subsistence fisheries that are intended to expand the understanding of subsistence harvest (Harvest Monitoring), traditional knowledge of subsistence resources (Traditional Ecological Knowledge), and the populations of subsistence fish resources (Stock Status and Trends). Gathering this information improves the ability to manage subsistence fisheries in a way that will ensure the continued opportunity for sustainable subsistence use by rural Alaskans on Federal public lands.

Funding Regions

Funding for the Monitoring Program is separated into six regions: the *Northern Region*, which includes the North Slope, Northwest Arctic, and Seward Peninsula Regional Advisory Councils; the *Yukon Region* includes the Yukon-Kuskokwim Delta, Western Interior, and Eastern Interior Regional Councils; the *Kuskokwim Region* includes the Western Interior and Yukon-Kuskokwim Delta Regional Advisory Councils; the *Southwest Region* includes the Bristol Bay and Kodiak/Aleutians Regional Advisory Councils; the *Southcentral Region* includes the Southcentral Regional Advisory Council; and, the *Southeast Region* includes the Southeast Regional Advisory Council.

Table 1. Regional Advisory Councils represented within each of the six Funding Regions for the Fisheries Resource Monitoring Program.

Funding Region	Regional Advisory Councils
1. Northern	North Slope, Northwest Arctic, and Seward Peninsula
2. Yukon	Yukon-Kuskokwim Delta, Western Interior, and Eastern Interior
3. Kuskokwim	Western Interior and Yukon-Kuskokwim Delta
4. Southwest	Bristol Bay and Kodiak/Aleutians
5. Southcentral	Southcentral
6. Southeast	Southeast

Subsistence Resource Concerns

For each of the six funding regions Federal Subsistence Regional Advisory Councils and other stakeholders have identified subsistence fishery resource concerns (Priority Information Needs). These are used by the Monitoring Program to request project proposals that will provide managers with the information needed to address those resource concerns.

In the coming year there will be at least two opportunities for Regional Advisory Councils and other stakeholders to discuss subsistence fishery resource concerns for their Monitoring Program funding regions. These discussions will occur at each of the winter 2014 and fall 2015 Regional Advisory Councils meetings. Resource concerns identified during these discussions will be used to direct the request for proposals for studies on subsistence fisheries during the 2016 funding cycle.

Funding Cycles

Every two years the Monitoring Program requests proposals for studies on subsistence issues such as subsistence harvest (Harvest Monitoring), traditional knowledge of subsistence resources (Traditional Ecological Knowledge), and the populations of subsistence fish resources (Stock Status and Trends). The most recent funding cycle for the Monitoring Program occurred in 2014. The request for proposals was announced in spring of 2013 and funding decisions were made in winter of 2014. Projects selected to receive funding in 2014 will last from one to four years depending on the duration of the proposed study. The next funding cycle will begin with a request for proposals in spring of 2015 and funding decisions (Monitoring Plan) announced in 2016.

Funding Recommendations

Project proposals received by the Office of Subsistence Management are summarized by staff biologists and social scientists in preparation for a Technical Review Committee. The Technical Review Committee made up of members of five Federal Agencies and three representatives from Alaska Department of Fish and Game. This committee reviews and then makes recommendations on whether the project is appropriate to receive funding (Fund), needs some modifications in order to be recommended for funding (Fund with Modification), or is not an appropriate proposal to receive funding from the Monitoring Program (Do Not Fund). Funding recommendations made by the Technical Review Committee are based on how well the project would meet Strategic Priorities for the region, whether the project has sound Technical-Scientific Merit, the Ability and Resources of the researchers, and, how well the project would support Partnership-Capacity building for future projects in the region. The Technical Review Committee's funding recommendation is called the Draft Monitoring Plan.

During the fall Federal Subsistence Regional Advisory Council Meetings the Draft Monitoring Plan is reviewed by Regional Advisory Council members and a ranking of projects within the funding region is made for projects proposed within each of the six funding regions.

Following the fall Regional Advisory Council meetings and prior to the Federal Board Meeting, a second ranking of projects for the Draft Monitoring Plan is made by an Interagency Staff Committee consisting of members of each of the five federal agencies involved in subsistence management in Alaska.

The final funding recommendation is made during the Federal Subsistence Board Meeting when the Board reviews the draft Monitoring Plan and subsequent ranking recommendations made by the Regional Advisory Councils, and Interagency Staff Committee. The funding recommendation made by the Federal Subsistence Board is considered to be the final Monitoring Plan for the funding cycle. This Monitoring Plan is then approved by the Assistant Regional Director of the Office of Subsistence Management and funds are awarded to each of the projects recommended for funding in the final Monitoring Plan.

The Partners for Fisheries Monitoring
Call for Funding 2016-2019

The Office of Subsistence Management (OSM), Partners for Fisheries Monitoring Program invites proposals from eligible applicants for funding to support fishery biologist, anthropologist, and educator positions in their organization. Proposals from all geographic areas throughout Alaska will be considered; however, direct involvement in OSM's funded Fisheries Resource Monitoring Program projects is mandatory. Organizations that have the necessary technical and administrative abilities and resources to ensure successful completion of programs may submit proposals. Eligible applicants include: Regional Native Non-Profit Organizations, Federally recognized Tribal Governments and Native Corporations, and other non-profit organizations.

OSM will develop cooperative agreements to support these positions. Proposals may focus exclusively on supporting fishery biologist, anthropologists, or educator positions as principal and/ or co-investigators, or a combination of all or any of them, as long as they are coordinated with project(s) within the Fisheries Resource Monitoring Program. Positions may be full or part-time within a calendar year. Requests for funding for fishery biologist, anthropologists, or educator positions may be up to four years, but must not exceed the duration of projects approved under the Monitoring Program. \$150,000 was the maximum yearly award for the last call for proposals.

The Partner hired will live in the community where the funded organization has their base. Partners work to ensure that the highest priority Federal subsistence information needs are addressed by developing and implementing projects in the Fisheries Resource Monitoring Program (Monitoring Program) and/ or implementing rural student education and internship programs for these projects. They work directly with constituent communities to disseminate information regarding fisheries research and to answer questions regarding subsistence fisheries resources. They communicate project results to various audiences such as regional organizations and their members, the Federal Subsistence Board, Regional Advisory Councils, and government agencies.

Timeline:

The next call for proposals: November 2014 (exact date to be announced).
Proposal due date to OSM: May 2015 (exact date to be announced).

For more information contact Dr. Palma Ingles, Partners Program Coordinator, 907-786-3870. Email: palma_ingles@fws.gov



U.S. Fish and Wildlife Service
Bureau of Land Management
National Park Service
Bureau of Indian Affairs

Federal Subsistence Board News Release



Forest Service

For Immediate Release:

January 13, 2014

Contact:

George Pappas
(907) 786-3822 or (800) 478-1456
George_Pappas@fws.gov

Call for Proposals to Change Federal Subsistence Fish and Shellfish Regulations

The Federal Subsistence Board is accepting proposals through March 28, 2014, to change Federal regulations for the subsistence harvest of fish and shellfish for the 2015-2017 regulatory years (April 1, 2015-March 31, 2017).

The Board will consider proposals to change Federal fishing seasons, harvest limits, methods of harvest, and customary and traditional use determinations. The Board will also accept proposals for individual customary and traditional use determinations from residents of national park and national monument resident zone communities, or those who already hold a Section 13.440 subsistence use permit.

Federal public lands include national wildlife refuges; national parks, monuments and preserves; national forests; national wild and scenic rivers; and national conservation and recreation areas. Federal public lands also include Bureau of Land Management areas that are not part of the national conservation system. Federal subsistence regulations do not apply on State of Alaska lands, private lands, military lands, Native allotments, or Federal lands selected by the State of Alaska or Native corporations.

Submit proposals:

- **By mail or hand delivery**
Federal Subsistence Board
Office of Subsistence Management -- Attn: Theo Matuskowitz
1011 East Tudor Road, MS-121
Anchorage, AK 99503
- **At any Federal Subsistence Regional Advisory Council meeting**
See the Meetings and Deadlines page of the Federal Subsistence Management Program's website for dates and locations of Council meetings.
<http://www.doi.gov/subsistence/index.cfm>

- **On the Web at <http://www.regulations.gov>**

Search for FWS-R7-SM-2013-0065, which is the docket number for this proposed rule.

You may call the Office of Subsistence Management at 1-800-478-1456 or email subsistence@fws.gov with your questions.

Additional information on the Federal Subsistence Management Program can be found at <http://www.doi.gov/subsistence/index.cfm>

-###-



Call for 2015-2017 Federal Subsistence Fish and Shellfish Regulatory Proposals

The Office of Subsistence Management is accepting proposals through March 28, 2014 to change Federal regulations for the subsistence harvest of fish and shellfish on Federal public lands. Proposed changes are for April 1, 2015 through March 31, 2017.

Please submit the information on the back side of this page to propose changes to harvest limits, season dates, methods and means of harvest, or customary and traditional use determinations. Submit a separate proposal for each change you propose. If you live in a resident zone community of a national park or national monument, or if you already hold a Section 13.440 subsistence use permit issued by a National Park Service superintendent, you may apply for an individual customary and traditional use determination.

.....

Submit proposals:

- ▶ **By mail or hand delivery**
Federal Subsistence Board
Office of Subsistence Management
Attn: Theo Matuskowitz
1011 E. Tudor Rd., MS-121
Anchorage, AK 99503
- ▶ **At any Federal Subsistence Regional Advisory Council meeting**
- ▶ **On the Web at <http://www.regulations.gov>**
Search for FWS-R7-SM-2013-0065

Questions? Call (800) 478-1456 or (907) 786-3888

All proposals and comments, including personal information provided, are posted on the Web at <http://www.regulations.gov>

Federal Subsistence Board
Office of Subsistence Management
1011 E. Tudor Rd., MS-121
Anchorage, AK 99503



2015–2017 Federal Subsistence Fish and Shellfish Proposal

(Attach additional pages as needed).

Name: _____

Organization: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

**Submit proposals by
March 28, 2014**

Questions?

Call: (800) 478-1456 or (907) 786-3888

E-mail: subsistence@fws.gov

Information on submitting proposals is also available on the Office of Subsistence Management website: <http://www.doi.gov/subsistence/index.cfm>

This proposal suggests a change to (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Harvest season | <input type="checkbox"/> Method and means of harvest |
| <input type="checkbox"/> Harvest limit | <input type="checkbox"/> Customary and traditional use determination |

- 1 What regulation do you wish to change?** Include management unit number and species. Quote the current regulation if known. If you are proposing a new regulation, please state “new regulation.”
- 2 How should the new regulation read?** Write the regulation the way you would like to see it written.
- 3 Why should this regulation change be made?**
- 4 What impact will this change have on fish or shellfish populations?**
- 5 How will this change affect subsistence uses?**
- 6 How will this change affect other uses, i.e., sport/recreational and commercial?**

— Please attach any additional information that would support your proposal. —

ANNUAL REPORTS

Background

ANILCA established the Annual Reports as the way to bring regional subsistence uses and needs to the Secretaries' attention. The Secretaries delegated this responsibility to the Board. Section 805(c) deference includes matters brought forward in the Annual Report.

The Annual Report provides the Councils an opportunity to address the directors of each of the four Department of Interior agencies and the Department of Agriculture Forest Service in their capacity as members of the Federal Subsistence Board. The Board is required to discuss and reply to each issue in every Annual Report and to take action when within the Board's authority. In many cases, if the issue is outside of the Board's authority, the Board will provide information to the Council on how to contact personnel at the correct agency. As agency directors, the Board members have authority to implement most of the actions which would effect the changes recommended by the Councils, even those not covered in Section 805(c). The Councils are strongly encouraged to take advantage of this opportunity.

Report Content

Both Title VIII Section 805 and 50 CFR §100.11 (Subpart B of the regulations) describe what may be contained in an Annual Report from the councils to the Board. This description includes issues that are not generally addressed by the normal regulatory process:

- an identification of current and anticipated subsistence uses of fish and wildlife populations within the region;
- an evaluation of current and anticipated subsistence needs for fish and wildlife populations from the public lands within the region;
- a recommended strategy for the management of fish and wildlife populations within the region to accommodate such subsistence uses and needs related to the public lands; and
- recommendations concerning policies, standards, guidelines, and regulations to implement the strategy.

Please avoid filler or fluff language that does not specifically raise an issue of concern or information to the Board.

Report Clarity

In order for the Board to adequately respond to each Council's annual report, it is important for the annual report itself to state issues clearly.

- If addressing an existing Board policy, Councils should please state whether there is something unclear about the policy, if there is uncertainty about the reason for the policy, or if the Council needs information on how the policy is applied.
- Council members should discuss in detail at Council meetings the issues for the annual report and assist the Council Coordinator in understanding and stating the issues clearly.

- Council Coordinators and OSM staff should assist the Council members during the meeting in ensuring that the issue is stated clearly.

Thus, if the Councils can be clear about their issues of concern and ensure that the Council Coordinator is relaying them sufficiently, then the Board and OSM staff will endeavor to provide as concise and responsive of a reply as is possible.

Report Format

While no particular format is necessary for the Annual Reports, the report must clearly state the following for each item the Council wants the Board to address:

1. Numbering of the issues,
2. A description of each issue,
3. Whether the Council seeks Board action on the matter and, if so, what action the Council recommends, and
4. As much evidence or explanation as necessary to support the Council's request or statements relating to the item of interest.



U.S. FISH and WILDLIFE SERVICE
BUREAU of LAND MANAGEMENT
NATIONAL PARK SERVICE
BUREAU of INDIAN AFFAIRS
FWS/OSM 13059.CJ

Federal Subsistence Board
1011 E. Tudor Rd., MS 121
Anchorage, Alaska 99503-6199



AUG 19 2013

Harry Brower, Jr., Chair
North Slope Alaska Subsistence
Regional Advisory Council
c/o U.S. Fish & Wildlife Service
1011 East Tudor Road, MS 121
Anchorage, Alaska 99503

Dear Chairman Brower:

This letter responds to the North Slope Subsistence Regional Advisory Council's (Council) 2012 Annual Report as approved at its winter 2013 meeting. The Secretaries of the Interior and Agriculture have delegated the responsibility to respond to these reports to the Federal Subsistence Board (Board). The Board appreciates your effort in developing the Annual Report and values the opportunity to review the issues brought forward concerning your region. Annual Reports allow the Board to become more aware of the issues that fall outside of the regulatory process and affect subsistence users in your region.

The Board has reviewed your Annual Report and offers the following responses:

Issue 1: Potential impacts to caribou and fish from the proposed "Road to Umiat"

The Council would like to see a full subsistence impacts investigation and review of the Foothills West Transportation Access Project (locally referred to as the "Road to Umiat"). While the Council recognizes that this is a project proposed by the State of Alaska (Alaska Department of Transportation and Public Facilities) and is primarily on State lands, there will likely be Federal involvement with the project in the form of permitting or other authorizations. Caribou and fish that are essential for subsistence have migratory pathways that cross the area where the road is projected to be located. The proposed road will cross the foothills north of the Brooks Range for approximately 110 miles in a northwest direction, from approximately Milepost 278 of the Dalton Highway to Umiat, Alaska. The purpose of the proposed road is to promote oil and gas exploration and development within the Western Foothills Province including the National Petroleum Reserve-Alaska (NPR-A), and will cross State, Federal and Arctic Slope Regional Corporation (ASRC) land with extensive wetland areas and four major rivers; the Itkillik, Anaktuvuk, Chandler, and Colville.

The Council views the engagement of the Federal Subsistence Management Program and the Federal Subsistence Board as essential in this review since the Western Arctic, Teshepuk, and Central Arctic Caribou herds use some portion of the proposed road development region. The Council is concerned the road will bisect and disrupt caribou migratory routes and also cross major rivers important to subsistence fisheries. The Council would also like the Board to consider the impacts of the potential for increased sport hunting pressures on subsistence harvests, if the road opens up vehicle access to the region. There is historical evidence that increased hunting pressure will likely occur, from the Dalton Highway (which was asserted would forever remain closed to the public) and the Hickel Highway (which so increased sport hunting pressure, the community of Anaktuvuk Pass joined in a lawsuit to close it).

Response:

The Federal Subsistence Board (Board) recognizes the Council's concerns on the potential effects of the proposed road from the Dalton Highway to Umiat could have on the caribou populations, which migrate throughout the area. However, this issue is outside the authority of the Board.

Several State and Federal permitting agencies are responsible for determining the impact to wildlife by the "Road to Umiat." Each Federal agency is required to conduct an analysis under Section 810 of ANILCA as to the potential impacts to subsistence uses and resources prior to authorizing certain activities on land. As part of that analysis, the Federal agency must notify the Regional Advisory Council if the activity "would significantly restrict subsistence uses." The U.S. Army Corps of Engineers (Corps) and the State of Alaska Department of Transportation and Public Facilities (DOT) are the respective lead Federal and State agencies for this project. Additional partnering agencies for this project include the Bureau of Land Management and the Alaska Department of Natural Resources.

The Corps is the lead Federal agency for conducting an Environmental Impact Statement (EIS), which will address the potential impacts to natural resources, such as, river and stream flows and the effects on fish populations, caribou migrations, and subsistence hunting. In addition, the Draft EIS will analyze the effects on: fish and wildlife including endangered species; effects on subsistence activities; hydrology and wetlands; noise, air and water quality; socioeconomics; cultural resources; secondary and cumulative impacts; climate change; and other significant issues raised by the public and agencies during the comment periods. The initial scoping/comment period has closed and the permitting agencies are in the process of drafting the EIS. The Draft EIS is scheduled to be available during the summer of 2014, and this Council will have the opportunity to comment on it. Following this will be a public comment period and the Board encourages the Council to address specific concerns during the public comment period, including at the public hearings. The Office of Subsistence Management (OSM) will

facilitate updates to the Council on the status of this proposed development. The following links provide additional information on the process:

<http://www.foothillswesteis.com/faq-eis-process>
http://foothillsroad.alaska.gov/field_studies.shtml
http://foothillsroad.alaska.gov/public_involvement.shtml
<http://foothillsroad.alaska.gov/contact.shtml>

With that said, however, consistent with the Federal Subsistence Management Program Secretarial Review, your concerns will be forwarded to the Secretaries of the Interior and Agriculture.

Issue 2: Review of Dalton Highway hunting access impacts to Caribou

The Council would like to see an evaluation of the Dalton Highway road access and increased hunting pressures on the caribou herds. The Council is concerned that migratory caribou important to subsistence that originate on Federal lands are impacted by increasing disturbance and hunting pressures along the Dalton Highway. Hunter education should be conducted to limit harassment and harm from bow hunters, citing observations of caribou wounded but not killed by arrows. The Council would also like to see education of all hunters on the local etiquette of “letting the leaders pass” referring to their own indigenous knowledge that the lead caribou at the head of the migration play a critical role in guiding the herd to good feeding, calving, and wintering grounds.

Additionally, the Council is very concerned about increasing traffic and access to waterways of the Dalton Highway since its designation as a Scenic Byway. Council members and members of the public feel they did not have adequate opportunity to provide input on the public process in the Scenic Byways designation, and stress that the program of encouraging use of the highway as an access route to remote lands and rivers in the region do have a direct impact on subsistence by increasing hunting pressure and disturbance of wildlife.

The Council is also concerned that the pipeline is exposed to open public access all along the highway and not monitored for safety. The Council would like to see a monitoring program in place to detect any potential problems or leaks and prevent any direct acts of vandalism. Any spills resulting from accidental or intentional breaches of the pipeline would be detrimental to caribou, rivers, and other important subsistence resources and should be monitored on a regular basis to prevent any such harm from occurring.

Response:

The Board recognizes the Council’s concerns about hunter conduct in the Dalton Highway corridor, but this issue is outside the authority of the Board. There are a couple of options available to the Council that could address the issue of hunter education in the Dalton Highway

corridor. Federal Scenic Highway grant funding could possibly be used to include educational signs along the highway. The Council could draft specific educational recommendations and provide suggested language for how to convey local knowledge and concerns for caribou disturbance and hunting etiquette along the Dalton Highway. A "let the leaders pass" educational initiative for hunting of Porcupine Caribou along the Dempster Highway in Canada has been in place for many years. A similar initiative utilizing strategic placement of signs at pullouts and spotting sites along the road known to be used by bow hunters would be one avenue for educational outreach. In addition, the Bureau of Land Management (BLM) Central Yukon Field Office is initiating a new Resource Management Plan for the Central Yukon Planning Area which includes the Dalton Highway. BLM will provide the Council with information and ways to participate in this planning process at the August 2013 meeting. The Council can submit recommendations on the Dalton Highway management through this planning process.

The public has been able to access the Dalton Highway to Deadhorse, Alaska since 1994. Other than reviewing registration and harvest data, it would be difficult to evaluate the specific adverse impacts the road has had on caribou herds after it has been open to the public for nearly 20 years. The Dalton Highway Corridor Management Area (DHCMA) currently has specific restrictions for individuals hunting under State regulations, specifically restrictions regarding firearms and the use of motorized vehicles off of the main road surface. These restrictions extend for 5 miles on each side of the Dalton Highway from the Yukon River to the Arctic Ocean and undoubtedly serve as a disincentive for many out-of-area hunters. Bow hunters in the corridor are required under State of Alaska regulations to obtain a certification through the International Bow hunters Educational Program (IBEP). The IBEP class teaches ethical techniques for hunting with archery equipment.

The Dalton Highway's 1998 scenic byway designation is a State designation. In 2008, a Dalton Highway Corridor Partnership Plan (CPP) planning process was initiated. The plan, completed in 2010, is a comprehensive evaluation of the byway's intrinsic qualities and serves as a guide for management, protection, and enhancement of those qualities over time. The CPP is viewed as an expression of local desires, written in cooperation with local communities, organizations, businesses and public agencies. The plan addresses many of the concerns raised by the Council: hunting, off-road-vehicles, security of the pipeline, public safety, impacts to the natural and cultural resources, and diminished subsistence hunting opportunities. Additionally, the plan also offered possible solutions to the recognized concerns. Completion of the CPP made the Dalton Highway eligible for Federal scenic highway grant funding, which could include educational signage that targets these local concerns. Due to low stakeholder participation at the time, a local Dalton Highway Scenic Byway organization was not formed to help reach the stated vision, goals, and objectives of the CPP following its publication.

The plan can be found at:

<http://dnr.alaska.gov/parks/interp/pdf/daltonhwyscenisbywaycorridor.pdf>

Issue 3: Establishment of safety cabins for subsistence activities in remote access areas

The Council would like to see consideration for the building of "safety cabins" for remote access areas in predominantly Bureau of Land Management lands typically utilized for subsistence hunting and fishing activities.

Changing weather conditions in recent years have brought about increasingly frequent and severe storms as well as changing land and water/ice conditions, making travel more hazardous during times when subsistence harvests are normally conducted. Strategic placement of such public use safety cabins could assist local hunters in conducting normal seasonal subsistence activities with some opportunity for safety during increasingly unpredictable and inclement weather. The Council also seeks suggestions for possible sources of funding to build such cabins.

Response:

This issue is beyond the authority of the Board. The Board recognizes that changing weather conditions in recent years have made travel on land, water, and ice for subsistence activities more hazardous. The establishment of a network of safety cabins could provide hunters with safe locations to wait out storms or unsafe travel conditions. The Council could contact the appropriate land owners and land management agencies (Federal, State, Native Communities, Native Corporations, and Private inholdings) where such cabins would be helpful and explore ways with that agency or owner to install such cabins. Federal public lands in the North Slope Region include the National Petroleum Preserve-Alaska (BLM), the Arctic National Wildlife Refuge (USFWS), and Gates of the Arctic National Park and Preserve (NPS).

For example, within the National Petroleum Reserve-Alaska (NPR-A), the BLM coordinates with the North Slope Borough (Borough), which maintains a list of subsistence related cabins and structures and their locations throughout the NPR-A. The Borough also coordinates with oil and gas developers and others to minimize, to the extent practicable, development activities that might interfere with local subsistence related activities and structures.

I hope this answer is responsive to the Council's questions and concerns about safety cabins. If needed, your Council Coordinator or other Office of Subsistence Management staff could assist in making the necessary contacts with these agencies in order to pursue this matter.

In closing, I want to thank you and your Council for their continued involvement and diligence in matters regarding the Federal Subsistence Management Program. I would particularly like to thank Harry Brower, Jr., for his 20 years of service to the Federal Subsistence Management Program as a member of this Council. I speak for the entire Board in expressing our appreciation

for your efforts and our confidence that the subsistence users of the North Slope Region are well represented through your work.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Towarak". The signature is stylized with a large initial "T" and a cursive "Towarak".

Tim Towarak
Chair

- cc. North Slope Alaska Subsistence Regional Advisory Council
- Federal Subsistence Board
- Interagency Staff Committee
- Gene Peltola, Assistant Regional Director, OSM
- Kathleen O'Reilly-Doyle, Deputy Assistant Regional Director, OSM
- Carl Johnson, Council Coordination Division Chief, OSM
- Eva Patton, Subsistence Council Coordinator, OSM
- Administrative Record

Report to Federal Subsistence Regional Advisory Councils on

1. Tribal Consultation Draft Implementation Guidelines

2. Draft ANCSA Consultation Policy

January 24, 2014

From the Federal Subsistence Board's Consultation Workgroup

Requesting Regional Advisory Council Feedback on these two documents; while simultaneously seeking feedback from federally recognized Tribes and Alaska Native Claims Settlement Act (ANCSA) Corporations.

Draft Implementation Guidelines Summary

- The guidelines are intended to provide federal staff additional guidance on the Federal Subsistence Board's Tribal Consultation Policy.
- It includes
 - when consultations should be regularly offered,
 - meeting protocols including
 - meeting flow,
 - room setup suggestions,
 - topics for consultation,
 - preparation and follow-up for the meetings,
 - communication and collaboration with Tribes throughout the regulatory cycle,
 - training guidance and topics for federal staff and the Board,
 - reporting on consultation,
 - and how to make changes to the policy or guidance as needed or requested.

Draft ANCSA Corporation Consultation Policy Summary

- This policy is adapted from the DOI Policy on Consultation with ANCSA Corporations
- It includes a preamble, guiding principles and policy
- For your awareness, please read the policy section
- This draft policy has been improved upon by the workgroup, which now has representatives from village and regional ANCSA corporations, thereby adding to the meaning of this policy for the Board. It was originally drafted in December 2011.

Workgroup members

- Rosemary Ahtuanguaruak, Co-Chair, Barrow/Nuiqsut
- Crystal Leonetti, Co-Chair, US Fish & Wildlife Service
- John W. Andrew, Organized Village of Kwethluk
- Lillian Petershoare, US Forest Service
- Della Trumble, Agdaagux Tribe of King Cove, King Cove Village Corporation
- Jean Gamache, National Park Service
- Richard Peterson, Organized Village of Kasaan
- Jack Lorrigan, Office of Subsistence Management
- Brenda Takeshorse, Bureau of Land Management
- Bobby Andrew, Native Village of Ekwok
- Glenn Chen, Bureau of Indian Affairs
- Charles Ekak, Olgoonik Corporation of Wainwright
- Cliff Adams, Beaver Kwit'chin Corporation
- Gloria Stickwan, Ahtna, Inc.
- Roy Ashenfelter, Bering Straits Native Corporation
- Chief Gary Harrison, Chickaloon Native Village
- Edward Rexford, Native Village of Kaktovik
- Michael Stickman, Nulato Tribal Council

IMPLEMENTATION GUIDELINES

for the

Federal Subsistence Board Government-to-Government Tribal Consultation Policy

INTRODUCTION

This document provides federal staff additional guidance on the Federal Subsistence Management Program’s Tribal Consultation Policy. Refer to the *Federal Subsistence Board Government-to-Government Tribal Consultation Policy* for a broad scope including goals of the policy; consultation communication, roles and responsibilities, topics, timing, and methods; accountability and reporting; and training.

Tribal consultation will be regularly scheduled twice each year:

- 1) before the fall Regional Advisory Council (RAC) meetings, and
- 2) before the spring Federal Subsistence Board (Board) meetings.

Additional consultations may be initiated by the Board and consultation is also available to tribal governments at any time on regulatory or non-regulatory topics as the need arises.

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MEETING PROTOCOLS

1. Timing:

- a. During the Meeting
 - i. Intend to not rush through the consultation
- b. When to hold the meetings
 - i. Before RAC Meetings: hold one or more teleconferences (depending on number of proposals) at least two weeks before RAC meetings begin.
 - ii. At Board Meetings: consultation should begin prior to the start of the regular Board meeting. The regular Board meeting then begins after the consultation meeting is complete.

2. **Introductions:** Board member and tribal government representative introductions.
All representatives will state for the purpose of this consultation: who they officially represent, and what their role is during the consultation (e.g. “I am Geoff Haskett, a member of the Federal Subsistence Board, and for the purpose of this government-to-government consultation, I am representing the U.S. Fish and Wildlife Service. My role is to listen, ask questions, and gain an understanding of Tribal perspectives so that I can fully consider those perspectives in my actions as a decision-maker for the U.S. Fish and Wildlife Service.”).
3. **Room Setup:**
 - a. At in-person meetings, room should be configured in such a way that Board members and Tribal Government representatives are seated equally at the table. Consider chairs placed in a circle with or without tables. This will differentiate between the room configurations during the public process.
 - b. Board members and Tribal representatives should be dispersed around the table.
 - c. One or more people will be designated note-takers and notes will be made available to all participants as soon as they are typed and reviewed after the meeting.
4. **Topics:**
 - a. Topics to be consulted on can be determined by either Tribes or Board members, and do not need to be determined nor agreed upon in advance, but known topics shall be announced one week ahead of the consultation (e.g.: proposals, rural determination process, OSM budget, etc.)
 - b. The Board Chair should ask, “What other topics should we be consulting on?”
 - c. For topics not within the purview of the Board, Tribes will be referred to a federal liaison who can help them determine how that topic can be addressed.
 - d. For topics that need further consultation on any topic, the OSM Native Liaison will arrange follow-up consultation.
5. **Briefings:**
 - a. Briefing materials, such as those given to Board members should be made available to all Tribal governments one week, or earlier as they’re available, before the consultation.
 - b. Tribes who are interested are encouraged to send in briefing materials one week before the consultation to the OSM Native Liaison for their topics of interest; these will be provided to the Board.
6. **Board Member Summary:**

A lead Board member shall be selected who will conclude the consultation with a summary of the consultation discussion.
7. **Information Availability:**
 - a. Pre- and post-meeting materials and teleconference information will be displayed on the Federal Subsistence Management Program’s website.
 - b. A written summary of consultations will be provided to RACs and Tribes by email, fax, or mail as appropriate.
8. **Follow-up to Participating Tribes:**

A letter from the Chair will be sent to participating Tribes expressing appreciation for their participation and explanation of how their input was utilized and the decision that was made. These letters may be archived on the OSM website.

9. Consultation Meetings Requested by Tribes:

- a. If a consultation meeting is requested by a Tribe(s), two Board members – one representing the nearest land managing agency, and the nearest public member will participate in that meeting. Other Board members can join if they wish.
- b. Consultation meeting may take place in the Tribal community or by teleconference.
- c. Meeting notes (see 3.c.) will be provided to the entire Board upon completion.

REGULATORY CYCLE TIMELINE AND ROLES AND RESPONSIBILITIES

The Board is committed to providing Federally Recognized Tribes with opportunities to be meaningfully involved in the wildlife and fisheries regulatory process. On an annual basis, the Board accepts proposals to change wildlife or fisheries regulations on seasons, harvest limits, methods and means and customary and traditional use determinations. In some instances, regulations are modified in-season, and that is typically accomplished through in-season or special actions taken by either the Board or the relevant land manager. The Board will provide Tribes with the opportunity to consult on the regulatory process, which includes proposal development and review, proposal analysis and review, and decision making by the Board.

Tribes must be given the opportunity to consult throughout the Federal Subsistence Management process when a “departmental action with tribal implications¹” is taken. A regulatory proposal is potentially a departmental action with substantial direct effect on an Indian Tribe. As information becomes available which changes the recommendations or potential decision on a proposal, affected Tribes will be notified.

WHO SHOULD PARTICIPATE IN GOVERNMENT-TO-GOVERNMENT CONSULTATION

Tribal Officials are elected or appointed Tribal leaders or officials designated in writing by a federally recognized Tribe to participate in government-to-government consultations. Federal Officials are those individuals who are knowledgeable about the matters at hand, are authorized to speak for the agency and/or Board, and exercises delegated authority in the disposition and implementation of a federal action.

¹ Department of the Interior Policy on Tribal Consultation definition of “Departmental Action with Tribal Implications” is: Any Departmental regulation, rulemaking, policy, guidance, legislative proposal, grant funding formula changes, or operational activity that may have a substantial direct effect on an Indian Tribe on matters including, but not limited to:

1. Tribal cultural practices, lands, resources, or access to traditional areas of cultural or religious importance on federally managed lands;
2. The ability of an Indian Tribe to govern or provide services to its members;
3. An Indian Tribe’s formal relationship with the Department; or
4. The consideration of the Department’s trust responsibilities to Indian Tribes.

This, however, does not include matters that are in litigation or in settlement negotiations, or matters for which a court order limits the Department’s discretion to engage in consultation.

REGULATORY PROCESS OUTLINED BELOW CORRESPOND TO THE STEPS IN THE BOARD'S TRIBAL CONSULTATION POLICY *APPENDIX B: FEDERAL SUBSISTENCE MANAGEMENT PROGRAM ANNUAL REGULATORY PROCESS AT A GLANCE.*

Step 1.A.: Call for Proposals (January – March): This step is where changes to fish or wildlife harvesting regulations can be offered such as seasons, harvest limits, methods and means and customary and traditional use determinations. The Office of Subsistence Management (OSM) staff or land managers can assist Tribes in developing proposals.

RESPONSIBLE LEAD ACTION

Federal Agencies Contacts representatives of affected Tribes, prior to federal agency submitting regulatory proposals.

OSM

Sends a return receipt letter to Tribes:

- announcing the call for proposals and describing what this means;
- providing an overview and timeline of the annual Federal Subsistence Regulatory process;
- providing name and contact information for OSM staff who can provide assistance in reviewing and developing proposals;

Step 1.B.: Federal Subsistence Regional Advisory Council (RAC) Meetings: (Winter Meetings February-March): During these meetings, the RACs develop proposals to change subsistence regulations. The Tribes have the opportunity to work with the RACs to draft proposals.

OSM

Sends public notice to all Tribes announcing all RAC meetings.

- If available, teleconference information is included in announcements and posted to the Federal Subsistence Management Program's website.

Arranges teleconference line for RAC meeting(s) so Tribes can participate in the RAC meetings. Tribes may discuss proposals with the RACs and relevant federal staff.

Posts meeting materials on the Federal Subsistence Management Program's website so Tribes can review the materials.

Coordinates with Interagency Staff Committee (ISC) and Tribal representatives to draft summary reports on Tribal Consultations (if any have taken place since the fall RAC meetings). These written summaries are provided to the RACs. Tribal representatives are encouraged to share in the delivery of this report.

Step 2-3: Review of Regulatory Proposals (April-May) Once the Proposals are received by OSM, they are compiled into a book that includes all proposals from throughout Alaska. Tribes will have the opportunity to review the proposals. Consultation will also be made available to Tribes on deferred proposals.

OSM Sends Tribes the proposal book with a link to the Federal Subsistence Management Program website, and a description of the process schedule. Name and contact information for OSM staff will be included in the proposal book.

Coordinates with appropriate Federal staff to notify Tribes if a particular proposal might impact them.

If Tribe(s) is interested in consulting at this step, they may contact an agency official and discuss course of action through phone calls, emails, internet communication, and other methods.

Prepare draft analyses on proposals to make available to Tribes before consultations.

STEP 3: Proposal Analysis (April – August): Each of these proposals will be analyzed by agency staff to determine their effects on the resource, other resources, rural subsistence users, other users, etc.

OSM Draft analyses will be made available to Tribes one month prior to RAC meetings.

TRIBAL CONSULTATION OCCURS: One or more teleconference(s) will be scheduled to provide consultation open to all Tribes to discuss all proposals.

Step 4: Federal Subsistence Regional Advisory Council (RAC) Meetings (Fall meetings August - October): During these meetings, RACs develop recommendations on the proposal based on their review of the analysis, their knowledge of the resources and subsistence practices in the area, testimony received during the meeting, Tribal input and staff analysis.

OSM Sends public notice to all Tribes announcing all RAC meetings, including teleconference information if available.

Contacts local media (newspaper, radio, TV) to provide meeting announcement and agendas.

Arranges teleconference line for RAC meeting(s) so that Tribes can participate. Tribes may discuss proposals with the RACs, and appropriate federal staff.

Posts pre- and post-meeting materials and teleconference information on the Federal Subsistence Management Program’s website so that the Tribes can review the materials.

Coordinates reports on prior Tribal consultations during the regulatory cycle to the

RACs, and encourages Tribal representatives to share in delivery of this report.

A written summary of relevant consultations will be provided to RACs and Tribes by email, fax, or mail as appropriate.

Step 5: Federal Subsistence Board Regulatory Meeting (Winter): This is where the Board reviews the staff analyses, considers recommendations provided by the RACs, comments provided by the State, consults with Tribes, and makes a decision as to whether to adopt, reject, defer, or take no action on each proposed change to the subsistence regulations. **TRIBAL CONSULTATION OCCURS BEFORE THE BOARD MEETING.**

OSM Sends meeting announcement to Tribes, including teleconference call information.

Posts meeting materials on the Federal Subsistence Management Program’s website so that Tribes can review the materials before the meeting. During the meeting, OSM staff and/or Tribal representatives will report on the results of prior Tribal consultations.

Following the meeting, OSM will send notification on meeting results to the Tribes. Tribes who consulted on proposals will be notified of the outcome by telephone.

OTHER REGULATORY ACTIONS NOT COVERED UNDER REGULATORY PROCESS

Tribal consultation will also be offered on proposals which are deferred or not carried through the normal regulatory process.

IN-SEASON MANAGEMENT AND SPECIAL ACTIONS

Special actions include emergency and temporary special actions. Because the regulatory process occurs on a bi-annual basis (fish one year, wildlife the next), sometimes issues come up that require immediate action; these actions may be taken as needed to address harvest regulations outside of the normal regulatory process.

In-season management actions and decisions on Special Action requests usually require a quick turnaround time and consultation may not be possible; however, in-season and land managers will make every effort to consult with Tribes that are directly affected by a potential action prior to taking action. Regular public meeting requirements are followed for special actions that would be in effect for 60 days or longer. Affected Tribes will be notified of actions taken. Federal field staff are encouraged to work with Tribes in their area and distribute Tribal consultation information.

NON-REGULATORY ISSUES

For non-regulatory issues, the Board's process for consultation with Tribes will be followed when needed.

TRAINING

The Board's policy directs that the Federal Subsistence Management Program follow the Department of the Interior and Agriculture's policies for training of Federal staff.

1. OSM staff will work with the ISC to develop training modules on the subsistence regulatory process, customary & traditional use determinations, rural versus non rural criteria, proposal development, Tribal consultation, and the federal budget process. Additionally, OSM staff will work with the ISC, agency Tribal liaisons, and others such as Tribal elders to develop a training module that federal staff can deliver at regional Tribal meetings (see Appendix C of the FSB's Tribal Consultation Policy) and to interested Tribal councils.
2. These trainings will be open to other entities responsible for management of subsistence resources, such as marine mammals, migratory birds, halibut, etc.
3. Board members should make every opportunity to directly participate in or observe subsistence activities.
4. It is recommended that Board members, OSM, ISC, & Federal Land Management Staff directly involved in Tribal consultation as part of their work responsibilities attend regional cross-cultural training to learn the unique communication and cultural protocols of the Tribes with which they interact.
5. Recommended Training Topics for Federal Staff and Tribal Citizens
 - a. Alaska Native identity, language, cultures, traditions, history, and differences
 - b. Alaska Native perspectives on natural resource management
 - c. Customary and Traditional relationship to land, water, and wildlife
 - d. Effects of colonialism on Alaska Native peoples
 - e. Alaska National Interest Lands Conservation Act subsistence provisions
 - f. Natural resource law, especially pertaining to fisheries and wildlife management and conservation
 - g. Federal subsistence regulations
 - h. Federal subsistence regulatory process
 - a. Special actions

- b. In-season management
- c. Customary and traditional use determinations
- i. Rural Determination process and implications
- j. Jurisdiction (Tribal /Federal Government/ State of Alaska)
- k. Relevant information about Tribe(s), including sovereignty, history of Tribal interactions with the United States government, Tribal constitutions, and traditional knowledge
- l. Foundations of the government-to-government relationship and trust responsibility within Federal Indian law as expressed through the U.S. Constitution, U.S. Code, Supreme Court decisions, and executive actions.
- m. Tribal and Federal consultation policies
- n. Wildlife and fisheries monitoring, including the Fisheries Resource Monitoring Program
- o. Opportunities for co-management or shared stewardship
- p. Leadership transition protocols so that the tribal leaders and the agency staff are clear about 1) how authority gets transferred (who are the successors & timelines) and 2) next steps in moving a project forward (outgoing official documents project accomplishments and next steps in a letter to his supervisor and copies the relevant tribal leaders).
- q. Communication etiquette and protocols

ACCOUNTABILITY, REPORTING, AND INFORMATION MANAGEMENT

1. **Tribal Contact Information:**
 - a. Department of the Interior (DOI) employees will utilize the DOI Tribal Consultation SharePoint site contact list.
<https://connect.doi.gov/os/Portal/nat/SitePages/Home.aspx>
 - b. U.S. Department of Agriculture (USDA) employees will utilize the Forest Service contact database. [web address]
2. **Tracking Consultations:**
 - a. The Alaska Region of the Forest Service has a tribal consultation database to track Forest Service and tribal consultations.
 - b. Office of Subsistence Management and DOI employees shall utilize the DOI Tribal Consultation SharePoint site database to track and record consultations.
3. **Report on Consultations**
 - a. Report annually as required by DOI and USDA consultation policies.

- b. The OSM Native Liaison provides a summary report annually to the Board on Federal Subsistence Management Program consultations; noting any feedback received from Tribes regarding the policies and the implementation of them; and any other follow-up actions or accomplishments. The OSM report on the Board's consultations with Tribes shall be posted on the OSM web site.
- 4. **Review of the Tribal Consultation Policy:**
 - a. Annually, the Consultation Workgroup, OSM Native Liaison, land managers, and ISC should assess the effectiveness of the Tribal Consultation Policy and implementation guidelines. The Workgroup will report to the Board at its annual winter meeting.
- 5. **Follow-up to Consultations at the Federal Subsistence Board Meeting:**
 - a. OSM is responsible to follow up on action items from Tribal Consultations at Federal Subsistence Board meetings.
 - b. Post-Board meeting follow-up includes notification to Tribes of Board actions.

DRAFT

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

Federal Subsistence Board Policy on Consultation with Alaska Native Claims Settlement Act (ANCSA) Corporations

I. Preamble

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

The Department of the Interior has a Policy on Consultation with ANCSA Corporations and the U.S. Department of Agriculture has an Action Plan on Consultation and Collaboration with Tribes, which includes consultation with ANCSA corporations. The Board will follow the Department-level policies; and for the purpose of Federal Subsistence Management, this policy further clarifies the Federal Subsistence Board’s responsibilities for consultation with ANCSA Corporations.

II. Guiding Principles

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

Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) states, “except as otherwise provided by this Act or other Federal laws, Federal land managing agencies, in managing subsistence activities on the public lands and in protecting the continued viability of all wild renewable resources in Alaska, shall cooperate with adjacent landowners and land managers, including Native Corporations, appropriate State and Federal agencies and other nations.”

III. Policy

The Board will consult with ANCSA Corporations that own land within or adjacent to lands subject to the jurisdiction of the Federal subsistence program (see 36 CFR242.3 and 50 CFR 100.3) when those corporate lands or its resources may be affected by regulations enacted by the Board.

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

Provisions described in the Federal Subsistence Board Tribal Consultation Policy sections entitled Consultation, Training, and Accountability and Reporting shall apply to the Federal Subsistence Board Policy on Consultation with ANCSA Corporations, with adjustments as necessary to account for the unique status, structure and interests of ANCSA Corporations as appropriate or allowable.

DRAFT

Federal Subsistence Regional Advisory Council

MEMBERSHIP INFORMATION

Membership applications or nominations for seats on the 10 Federal Subsistence Regional Advisory Councils are being accepted now through **March 21, 2014**.

The Regional Advisory Councils provide advice and recommendations to the Federal Subsistence Board about subsistence hunting, trapping, and fishing issues on Federal public lands. Membership on the Councils is one way for the public to become involved in the Federal subsistence regulatory process.

Each Council has either 10 or 13 members, and membership includes representatives of subsistence use and commercial/sport use.

Council Membership

Regional Advisory Council members are usually appointed to three-year terms. The Councils meet at least twice a year; once in the fall (August through October) and once in the winter (February or March). While Council members are not paid for their volunteer service, their transportation and lodging are pre-paid and per diem is provided for food and other expenses under Federal travel guidelines.

Council Responsibilities:

- **Review and make recommendations to the Federal Subsistence Board** on proposals for regulations, policies, management plans, and other subsistence-related issues;
- **Develop proposals that provide for the subsistence harvest of fish and wildlife;**
- **Encourage and promote local participation** in the decision-making process affecting subsistence harvests on Federal public lands;
- **Make recommendations on customary and traditional use determinations** of subsistence resources; and,
- **Appoint members** to National Park Subsistence Resource Commissions

Membership Criteria Who Qualifies?

- ✓ RESIDENT of the region member represents
- ✓ RESOURCE KNOWLEDGE – Knowledge of the region's fish and wildlife resources
- ✓ SUBSISTENCE USES – Knowledge of the region's subsistence uses, customs, and traditions
- ✓ OTHER USES – Knowledge of the region's sport, commercial, and other uses
- ✓ LEADERSHIP SKILLS – Leadership and experience with local and regional organizations
- ✓ COMMUNICATION SKILLS – Ability to communicate effectively
- ✓ AVAILABILITY – Willingness to travel to attend two or more Regional Advisory Council meetings each year (usually in October and February) and occasionally attend Federal Subsistence Board meetings.

“Sharing common values and developing solutions to resource problems helps to bridge cultures by developing trust and respect through active communication and compromise. Our meetings allow warm renewal of decades of friendships and acquaintances.... Basically, membership on a Regional Advisory Council comes down to a lot of hard work, mutual respect, willingness to compromise, and a sense of humor. As a result, one develops the ultimate satisfaction of being able to help folks you care about.”

*-Pat Holmes, Council member,
Kodiak/Aleutians Regional Advisory Council*

2014 Application Timeline

March 21	Deadline for submitting membership applications and nominations.
Mar.-May.	Regional panels conduct interviews.
Aug.	Federal Subsistence Board reviews panel reports and develops recommendations.
Sept.-Dec.	Secretaries of the Interior and Agriculture review recommendations and appoint members to the Regional Advisory Councils.

Federal Subsistence Regional Council Coordinators

Federal Subsistence Regional Advisory Council coordinators facilitate the work of the Regional Advisory Councils and serve as the primary contacts for the Councils.

Southeast Alaska, Region 1:

Robert Larson, Petersburg
(907) 772-5930; fax: (907) 772-5995
e-mail: robertlarson@fs.fed.us

Southcentral Alaska, Region 2 / Bristol Bay, Region 4:

Donald Mike, Anchorage
(800) 478-1456 or (907) 786-3629; fax: 786-3898
e-mail: donald_mike@fws.gov

Kodiak/Aleutians, Region 3:

Carl Johnson, Anchorage
(800) 478-1456 or (907) 786-3676; fax: 786-3898
e-mail: carl_johnson@fws.gov

Western Interior Alaska, Region 6 / Northwest Arctic, Region 8:

Melinda Hernandez, Anchorage
(800) 478-1456 or (907) 786-3885; fax: 786-3898
e-mail: melinda_hernandez@fws.gov

Yukon-Kuskokwim Delta, Region 5 /

Seward Peninsula, Region 7:

Alex Nick, Bethel
(800) 621-5804 or (907) 543-1037; fax: 543-4413
e-mail: alex_nick@fws.gov

Eastern Interior Alaska, Region 9 / North Slope, Region 10:

Eva Patton, Anchorage
(800) 478-1456 or (907) 786-3358; fax: 786-3898
e-mail: eva_patton@fws.gov

Federal Subsistence Board

The Federal Subsistence Board oversees the Federal Subsistence Management Program. The Board members include Alaska heads of the U.S. Fish and Wildlife Service, National Park Service, Bureau of Land Management, Bureau of Indian Affairs, and U.S. Forest Service. The Board's chair is a representative of the Secretaries of the Interior and Agriculture. In 2012, the Secretaries added two seats for representatives of rural Alaska subsistence users. Federal Subsistence Regional Advisory Councils and State of Alaska representatives play active roles in Board deliberations.

For more information on the nominations process and for a full application packet, go to:

<http://www.doi.gov/subsistence/councils/application/index.cfm>

Number of Regional Advisory Council Applications Received Each Year

	<i>SE</i>	<i>SC</i>	<i>KA</i>	<i>BB</i>	<i>YK</i>	<i>WI</i>	<i>SP</i>	<i>NW</i>	<i>EI</i>	<i>NS</i>	TOTAL
1995											104
1996	13	18	11	10	19	11	20	11	10	5	128
1997	18	11	11	7	8	7	7	4	11	4	88
1998	13	10	15	8	18	11	9	9	7	8	108
1999	17	15	7	12	16	7	7	5	7	6	99
2000	17	13	13	9	15	9	8	3	20	8	114
2001	20	11	9	5	16	14	3	4	11	5	98
2002	19	16	8	8	13	8	7	5	14	9	107
2003	17	17	4	10	13	9	5	7	7	5	96
2004	14	16	10	7	16	8	7	8	6	8	100
2005	7	7	5	3	7	4	9	5	6	5	58
2006	10	8	1	5	9	3	5	9	7	3	60
2007	17	16	8	9	17	6	5	2	12	3	95
2008	9	8	5	8	12	7	7	4	3	4	67
2009	12	12	4	3	11	5	2	6	7	2	64*
2010	15	14	6	7	6	6	2	8	8	3	75*
2011	15	9	7	7	12	6	8	4	7	5	81
2012	11	10	7	7	11	5	4	5	4	3	67
2013	13	7	5	5	12	5	6	6	11	4	74*

NOTE: No information is available for the years 1993 and 1994.

* Too few applications were received in the initial application period so a second call for applications was published. This number is the total of both application periods open that cycle.

Fall 2014 Regional Advisory Council Meeting Calendar

August–October 2014 current as of 12/11/13

Meeting dates and locations are subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<i>Aug. 17</i>	<i>Aug. 18</i> WINDOW OPENS	<i>Aug. 19</i>	<i>Aug. 20</i>	<i>Aug. 21</i>	<i>Aug. 22</i>	<i>Aug. 23</i>
		NS—TBD				
<i>Aug. 24</i>	<i>Aug. 25</i>	<i>Aug. 26</i>	<i>Aug. 27</i>	<i>Aug. 28</i>	<i>Aug. 29</i>	<i>Aug. 30</i>
<i>Aug. 31</i>	<i>Sept. 1</i>	<i>Sept. 2</i>	<i>Sept. 3</i>	<i>Sept. 4</i>	<i>Sept. 5</i>	<i>Sept. 6</i>
<i>Sept. 7</i>	<i>Sept. 8</i> HOLIDAY	<i>Sept. 9</i>	<i>Sept. 10</i>	<i>Sept. 11</i>	<i>Sept. 12</i>	<i>Sept. 13</i>
		KA—King Cove/Cold Bay				
<i>Sept. 14</i>	<i>Sept. 15</i>	<i>Sept. 16</i>	<i>Sept. 17</i>	<i>Sept. 18</i>	<i>Sept. 19</i>	<i>Sept. 20</i>
		SE—Sitka				
<i>Sept. 21</i>	<i>Sept. 22</i>	<i>Sept. 23</i>	<i>Sept. 24</i>	<i>Sept. 25</i>	<i>Sept. 26</i>	<i>Sept. 27</i>
<i>Sept. 28</i>	<i>Sept. 29</i>	<i>Sept. 30</i> <i>End of Fiscal Year</i>	<i>Oct. 1</i>	<i>Oct. 2</i>	<i>Oct. 3</i>	<i>Oct. 4</i>
<i>Oct. 5</i>	<i>Oct. 6</i>	<i>Oct. 7</i>	<i>Oct. 8</i>	<i>Oct. 9</i>	<i>Oct. 10</i>	<i>Oct. 11</i>
		SP—Nome				
			NWA—TBD			
<i>Oct. 12</i>	<i>Oct. 13</i>	<i>Oct. 14</i>	<i>Oct. 15</i>	<i>Oct. 16</i>	<i>Oct. 17</i>	<i>Oct. 18</i>
		SC - Kenai Peninsula				
		YKD—Bethel				
					<i>WINDOW CLOSES</i>	
<i>Oct. 19</i>	<i>Oct. 20</i>	<i>Oct. 21</i>	<i>Oct. 22</i>	<i>Oct. 23</i>	<i>Oct. 24</i>	<i>Oct. 25</i>
		BB - Dillingham				
			EI - TBD			
<i>Oct. 26</i>	<i>Oct. 27</i>	<i>Oct. 28</i>	<i>Oct. 29</i>	<i>Oct. 30</i>	<i>Oct. 31</i>	<i>Nov. 1</i>
		WI - McGrath				

Winter 2015 Regional Advisory Council Meeting Calendar

February–March 2015 current as of 2/18/2014

Meeting dates and locations are subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<i>Feb. 8</i>	<i>Feb. 9</i> <i>Window Opens</i>	<i>Feb. 10</i>	<i>Feb. 11</i>	<i>Feb. 12</i>	<i>Feb. 13</i>	<i>Feb. 14</i>
<i>Feb. 15</i>	<i>Feb. 16</i> HOLIDAY	<i>Feb. 17</i>	<i>Feb. 18</i>	<i>Feb. 19</i>	<i>Feb. 20</i>	<i>Feb. 21</i>
<i>Feb. 22</i>	<i>Feb. 23</i>	<i>Feb. 24</i>	<i>Feb. 25</i>	<i>Feb. 26</i>	<i>Feb. 27</i>	<i>Feb. 28</i>
<i>Mar. 1</i>	<i>Mar. 2</i>	<i>Mar. 3</i>	<i>Mar. 4</i>	<i>Mar. 5</i>	<i>Mar. 6</i>	<i>Mar. 7</i>
<i>Mar. 8</i>	<i>Mar. 9</i>	<i>Mar. 10</i>	<i>Mar. 11</i>	<i>Mar. 12</i>	<i>Mar. 13</i>	<i>Mar. 14</i>
<i>Mar. 15</i>	<i>Mar. 16</i>	<i>Mar. 17</i>	<i>Mar. 18</i>	<i>Mar. 19</i>	<i>Mar. 20</i> <i>Window Closes</i>	<i>Mar. 21</i>

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

North Slope Subsistence Regional Advisory Council

Charter

1. **Committee's Official Designation.** The Council's official designation is the North Slope Subsistence Regional Advisory (Council).
2. **Authority.** The Council is reestablished by virtue of the authority set out in the Alaska National Interest Lands Conservation Act (16 U.S.C. 3115 (1988)) Title VIII, and under the authority of the Secretary of the Interior, in furtherance of 16 U.S.C. 410hh-2. The Council is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. Appendix 2.
3. **Objectives and Scope of Activities.** The objective of the Council is to provide a forum for the residents of the Region with personal knowledge of local conditions and resource requirements to have a meaningful role in the subsistence management of fish and wildlife on Federal lands and waters in the Region.
4. **Description of Duties.** The Council possesses the authority to perform the following duties:
 - a. Recommend the initiation of, review, and evaluate proposals for regulations, policies, management plans, and other matters relating to subsistence uses of fish and wildlife on public lands within the Region.
 - b. Provide a forum for the expression of opinions and recommendations by persons interested in any matter related to the subsistence uses of fish and wildlife on public lands within the Region.
 - c. Encourage local and regional participation in the decisionmaking process affecting the taking of fish and wildlife on the public lands within the Region for subsistence uses.
 - d. Prepare an annual report to the Secretary containing the following:
 - (1) An identification of current and anticipated subsistence uses of fish and wildlife populations within the Region.
 - (2) An evaluation of current and anticipated subsistence needs for fish and wildlife populations within the Region.

- (3) A recommended strategy for the management of fish and wildlife populations within the Region to accommodate such subsistence uses and needs.
 - (4) Recommendations concerning policies, standards, guidelines, and regulations to implement the strategy.
- e. Appoint one member to the Gates of the Arctic National Park Subsistence Resource Commission in accordance with Section 808 of the Alaska National Interest Lands Conservation Act (ANILCA).
 - f. Make recommendations on determinations of customary and traditional use of subsistence resources.
 - g. Make recommendations on determinations of rural status.
 - h. Provide recommendations on the establishment and membership of Federal local advisory committees.
5. **Agency or Official to Whom the Council Reports.** The Council reports to the Federal Subsistence Board Chair, who is appointed by the Secretary of the Interior with the concurrence of the Secretary of Agriculture.
 6. **Support.** The U.S. Fish and Wildlife Service will provide administrative support for the activities of the Council through the Office of Subsistence Management.
 7. **Estimated Annual Operating Costs and Staff Years.** The annual operating costs associated with supporting the Council's functions are estimated to be \$120,000, including all direct and indirect expenses and 0.9 staff years.
 8. **Designated Federal Officer.** The DFO is the Subsistence Council Coordinator for the Region or such other Federal employee as may be designated by the Assistant Regional Director – Subsistence, Region 7, U.S. Fish and Wildlife Service. The DFO is a full-time Federal employee appointed in accordance with Agency procedures. The DFO will:
 - Approve or call all of the advisory committee's and subcommittees' meetings,
 - Prepare and approve all meeting agendas,
 - Attend all committee and subcommittee meetings,
 - Adjourn any meeting when the DFO determines adjournment to be in the public interest, and
 - Chair meetings when directed to do so by the official to whom the advisory committee reports.

9. **Estimated Number and Frequency of Meetings.** The Council will meet 1-2 times per year, and at such times as designated by the Federal Subsistence Board Chair or the DFO.
10. **Duration.** Continuing.
11. **Termination.** The Council will terminate 2 years from the date the Charter is filed, unless, prior to that date, it is renewed in accordance with the provisions of Section 14 of the FACA. The Council will not meet or take any action without a valid current charter.
12. **Membership and Designation.** The Council's membership is composed of representative members as follows:

Ten members who are knowledgeable and experienced in matters relating to subsistence uses of fish and wildlife and who are residents of the Region represented by the Council. To ensure that each Council represents a diversity of interests, the Federal Subsistence Board in their nomination recommendations to the Secretary will strive to ensure that seven of the members (70 percent) represent subsistence interests within the Region and three of the members (30 percent) represent commercial and sport interests within the Region. The portion of membership representing commercial and sport interests must include, where possible, at least one representative from the sport community and one representative from the commercial community.

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

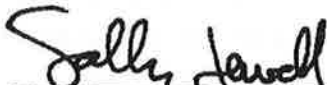
Members will be appointed for 3-year terms. A vacancy on the Council will be filled in the same manner in which the original appointment was made. Members serve at the discretion of the Secretary.

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

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

13. **Ethics Responsibilities of Members.** No Council or subcommittee member will participate in any specific party matter in which the member has a direct financial interest in a lease, license, permit, contract, claim, agreement, or related litigation with the Department.

14. **Subcommittees.** Subject to the DFO's approval, subcommittees may be formed for the purpose of compiling information and conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full Council for consideration. Subcommittees must not provide advice or work products directly to the Agency. The Council Chair, with the approval of the DFO, will appoint subcommittee members. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.
15. **Recordkeeping.** Records of the Council, and formally and informally established subcommittees or other subgroups of the Council, shall be handled in accordance with General Records Schedule 26, Item 2, and other approved Agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.


Secretary of the Interior

NOV 25 2013

Date Signed

DEC 03 2013

Date Filed