



KODIAK/ALEUTIANS SUBSISTENCE
REGIONAL ADVISORY COUNCIL
Meeting Materials

September 26 - 27, 2017

Cold Bay



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On the cover...

Emperor Geese in flight at Izembek National
Wildlife Refuge.



Photo by Kristine Sowl, USEFWS

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KODIAK/ALEUTIANS SUBSISTENCE REGIONAL ADVISORY COUNCIL

Cold Bay Community Center
Cold Bay

September 26-27, 2017
9:00 a.m. daily

TELECONFERENCE: call the toll free number: 1-866-820-9854 , then when prompted enter the passcode: 4801802

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. Contact staff for the current schedule. Evening sessions are at the call of the chair.

AGENDA

*Asterisk identifies action item.

- 1. Invocation**
- 2. Call to Order** (*Chair*)
- 3. Roll Call and Establish Quorum** (*Secretary*)..... 3
- 4. Welcome and Introductions** (*Chair*)
- 5. Review and Adopt Agenda*** (*Chair*) 1
- 6. Review and Approve Previous Meeting Minutes*** (*Chair*) 4
- 7. Reports**
 - Council Member Reports
 - Chair’s Report
- 8. Service Awards**
- 9. Public and Tribal Comment on Non-Agenda Items** (available each morning)
- 10. Old Business** (*Chair*)
- 11. New Business** (*Chair*)
 - a. Wildlife Proposals* (*OSM Wildlife/Anthropology*)

Regional Proposals

WP18-20: Modify Federal Fall Season Caribou Hunting Regulations in Unit 9D to Align with State *Supplemental*

Statewide Proposals

WP18-51: Modify Bear Baiting Restrictions for All Units to Align with State Regulations *Supplemental*

b. 2018 Fisheries Resource Monitoring Program (*OSM Fisheries/Anthropology*) 20

c. Identify Issues for FY2017 Annual Report* (*Council Coordinator*) 81

12. Agency Reports

(Time limit of 15 minutes unless approved in advance)

Tribal Governments

Native Organizations

Special Actions

USFWS

NOAA

ADF&G

OSM

13. Future Meeting Dates*

Confirm Winter 2018 meeting dates and location..... 83

Select Fall 2018 meeting dates and location 84

14. Closing Comments

15. Adjourn (*Chair*)

To teleconference into the meeting, call the toll free number: 1-866-820-9854, then when prompted enter the passcode: 4801802

Reasonable Accommodations

The Federal Subsistence Board is committed to providing access to this meeting for all participants. Please direct all requests for sign language interpreting services, closed captioning, or other accommodation needs to Karen Deatherage, 907-786-3564, karen_deatherage@fws.gov, or 800-877-8339 (TTY), by close of business on September 15, 2017.

REGION 3
Kodiak/Aleutians Subsistence Regional Advisory Council

Seat	Year Apptd Term Expires	Member Name and Community
1	2010 2019	Antone Shelikoff Akutan
2	2001 2019	Patrick Holmes Kodiak
3	2005 2019	Richard Koso Adak
4	2004 2019	Samuel Rohrer Kodiak
5	2011 2017	Thomas Schwantes Kodiak
6	2014 2017	Coral Chernoff Kodiak
7	2014 2017	Rebecca Skinner Kodiak
8	1997 2018	Della Trumble King Cove
9	2000 2018	Mitch Simeonoff, Sr. Akhiok
10	2012 2018	Melissa Berns Old Harbor

KODIAK/ALEUTIANS SUBSISTENCE REGIONAL ADVISORY COUNCIL

February 22-23, 2017

Kodiak, Alaska

Meeting called to order at 9:14 a.m.

Roll call

A quorum was established with the following council members present or teleconferencing: Melissa Berns, Coral Chernoff, Patrick Holmes, Rick Koso, Tom Schwantes, Mitch Simeonoff, Samuel Rohrer. Antone Shelikoff (telephonic), Della Trumble (telephonic). Absent: Rebecca Skinner (excused).

Agency Staff in Attendance

Karen Deatherage, Office of Subsistence Management, Anchorage
Orville Lind, Office of Subsistence Management, Anchorage
Tom Evans, Office of Subsistence Management, Anchorage
Joshua Ream, Office of Subsistence Management, Anchorage
Pat Petrivelli, Bureau of Indian Affairs
Tevis Underwood, Kodiak National Wildlife Refuge
Bill Pyle, Kodiak National Wildlife Refuge
Lisa Hupp, Kodiak National Wildlife Refuge
Jeff Hicks, Kodiak National Wildlife Refuge Law Enforcement
Greg Risdahl, Izembek National Wildlife Refuge
Chris Kane, Izembek National Wildlife Refuge
Leticia Melendez, Izembek National Wildlife Refuge (telephonic)
Mary Furness, National Marine Fisheries Service (telephonic)
Trent Leibech, U.S Fish and Wildlife Service, Anchorage (telephonic)
Dan Sharp, BLM, Anchorage (telephonic)
Lisa Fox, Alaska Department of Fish and Game, Kodiak
Mark Witteveen, Alaska Department of Fish and Game, Kodiak
Darin Ruhl, Alaska Department of Fish and Game, Kodiak
Tyler Polum, Alaska Department of Fish and Game, Kodiak
Nate Svoboda, Alaska Department of Fish and Game, Kodiak
John Crye, Alaska Department of Fish and Game, Kodiak
Jill Klein, Alaska Department of Fish and Game, Anchorage (via telephone)
Lisa Hutchinson-Scarborough, Alaska Department of Fish and Game (via telephone)
Heather Finkle, Alaska Department of Fish and Game (via telephone)

Tribal/Public Members in Attendance.

Tonya Lee, Sun'aq Tribe of Kodiak
Kelly Krueger, Sun'aq Tribe of Kodiak
Tom Lance, Sun'aq Tribe of Kodiak
John Reft, Sun'aq Tribe of Kodiak
Paul Tatsik, Public Member
Dick Rohrer, Public Member

Approval of Agenda

Berns moved to approve the agenda. Seconded by Koso. Deatherage read the following proposed amendments: 1) Under old business remove MOU between State of Alaska & OSM. 2) Under old business add USFWS Non Subsistence Take of Wildlife on National Wildlife Refuges sign-on letter, 3) under Agency reports add Izembek and Kodiak National Wildlife Refuge reports, a report on the Buskin River Habitat Restoration Project, a briefing on the USFWS Native American/draft Alaska Native policies and the proposed Emperor Goose hunt. Add the Gulf of Alaska to the NOAA in-season management report. For ADFG, add the Kodiak region salmon report, the Buskin River report, the Afognak Lake Sockeye Salmon monitoring project and a report on the Alaska Peninsula/Unalaska salmon. Berns moved to approve the agenda with amendments, seconded by Koso and carried unanimously.

Approval of Fall, 2017 Draft Minutes

Schwantes moved to approve the minutes. Seconded by Koso. Holmes asked that Lisa Fox's reference show she is with the commercial fisheries division. Holmes also asked to add the word "subsistence" to harvest surveys on page 12, 6th para under the Fisheries Resource Monitoring Program discussion. Motion carried unanimously.

Council Elections

Deatherage opened floor nominations for Chair. Schwantes nominated Simeonoff. Berns seconded. Simeonoff elected Council Chair; Simeonoff opened floor nominations for Vice Chair. Koso nominated Trumble. Seconded by Rohrer. Trumble elected Council Vice-Chair; Simeonoff opened floor nominations for Secretary. Schwantes nominated Berns. Seconded by Koso. Berns elected Council Secretary.

Council Member Reports:

Trumble: Winter is slow right now. People have been harvesting caribou and are happy to hear about the upcoming Emperor goose hunt. Trumble apologized for not making the meeting in person due to weather. Simeonoff noted that no caribou were taken from the 15 per village allotment. Trumble explained it was too hard to go hunting because in mild weather caribou stay up high. When the caribou came down people hunted them. She also believes the permitting process is too difficult which could deter some hunters.

Rohrer. There have been great deer survival rates due to past two mild winters. There is also a lot of excitement about the upcoming Emperor goose hunt, including the hunt approved by the Board of Game.

Berns. Lots of travel this year so has been unable to get to Old Harbor for subsistence harvests. It has been a really good year for deer, with more harvesting even throughout January. Subsistence users have been using the goat hunts more than in previous years. There is a lot of fear surrounding PSP poisoning. There is concern over testing the whole clam, which shows high levels of PSP. Subsistence users don't consume the entire clam, and remove areas like the

stomach and filter that hold higher levels of PSP. People are also very excited about the Emperor goose hunt. Berns has been working on a dance event in Old Harbor, and invited others from Alaska Pribilof Islands Association and dancers from Prince William Sound. Up to 150 people are coming from schools, Port Lyons, Oozinkie, Larsen Bay, Kodiak and representatives from the Eyak Tribe. It's a first ever dance festival and the end of a series of cultural activities in Old Harbor. Chernoff has taught ivory carving, we made headdresses, drums, and masks. We worked with the schools to offer art activities so students could get an art credit. Berns is also working on summer traditional camps.

Koso. Adak has been doing well with subsistence. There are lots of caribou hunters, anywhere from 10-30 people per plane, which is great for the local economy. Caribou, however, are getting harder to hunt on the north end of the island because of competition. Adak has been working with the NPC to get a cod fishery running again. There is currently a crab fishery.

Holmes. People are providing him deer because of his age. The trip to Unalaska was probably one of the most exciting things he has done on the Council. Their concern with salmon on Front Beach heading to Iliuliuk Lake was quite a major issue. They have asked him to help and to interact with Lisa Fox with ADFG's commercial fisheries division to look for solutions such as a community harvest at McLees Lake. Tyler Pollum from ADFG was out there teaching local ADFG folks how to do foot surveys. Holmes stressed how critical it was to have funding for USFWS surveys for caribou on Unimak Island, planes and pilots for surveys, and a subsistence biologist and Refuge Information Technician at Kodiak NWR.

Chernoff. Chernoff became a member of the Kodiak Regional Management board of the Alaska Migratory Bird Co-Management Council. They worked with John Reft on a new proposal to mitigate the road closure. The proposal asks to rescind the closure except for Emperor geese and Arctic terns. She has also been working with artists and doing handicrafts. She opened her own public classroom to teach native handicrafts to the public and revive the old skills. Simeonoff asked if the ivory ban was affecting her and she replied that they have requested that walrus ivory be removed from the ban because it will hurt a lot of people who eat walrus or find ivory on the beach for artwork.

Schwantes. It was a different kind of winter this year. Schwantes has heard that most subsistence users were successful with salmon and deer but did not get a lot of information on goat harvests.

Shelikoff. Subsistence has been pretty good, including seabird harvests. There are a few horses on different islands. There is a negative opinion on the proposed Emperor goose hunt in his area because there is no enforcement. They do not want to go back to a closed hunt so the birds need protection.

Simeonoff. There have been more clam harvests due to cold weather. The goat season is going into mid-March. There is one hunter harvesting sea otters, fox and seals, and is self-tanning.

The deer population has been good with deer coming down in a few places. He got a couple of sea lions but it is difficult to tan the hides.

Old Business

Deatherage presented the Non Subsistence Take of Wildlife on Alaska's National Wildlife Refuges regulation sign-on letter requested by the Council at their meeting in Unalaska. Koso moved to approve and sign on to the letter. Seconded by Berns. Recommendations were made to highlight the intent of the letter under the reference subject line and to make the sentence in the last paragraph regarding withdrawing the rule its own separate paragraph. Schwantes moved to approve these changes. Seconded by Koso. The motion carried unanimously.

Agency Reports

Alaska Department of Fish and Game (ADFG)

Kodiak Regional Salmon Report (ADFG)

James Jackson, Kodiak commercial salmon area management biologist presented a general overview of the Kodiak Management plan, average salmon run timing by species and catch and escapement by species. The report showed an increase in relative abundance over the past few years, mostly from the Karluk late run. Simeonoff inquired about genetic studies in Karluk or Ayakulik. Jackson confirmed they were occurring. The study shows that the Upper Station is very weak but the reasons are unknown. Jackson stated that ADFG has an open door policy if there are any concerns regarding subsistence. Berns remarked that she attended the Board of Fisheries meetings in Kodiak and was pleased that the Board agreed to protect the Ouzinkie subsistence fisheries from the commercial fleet.

USFWS

Kodiak National Wildlife Refuge

Tevis Underwood, acting refuge manager announced the replacement, Michael Brady, for retired refuge manager Ann Marie LaRosa. Brady is expected to arrive in Kodiak the first week of April. Jeff Hicks was hired as a refuge enforcement officer. Lisa Huff, the refuge point of contact for Emperor geese is here and working closely with the Sun'aq Tribe.

Bill Pyle, refuge biologist reported on permits and population status for multiple species. While subsistence hunting permits have remained remain consistent, there is an increased interest in subsistence fishing permits, particularly as locals learn that they can fish after 9:00 p.m. Pyle referred Council members to the Kodiak NWR report. Bear surveys have been difficult due to early green up but this spring should provide better conditions. A multi-year study looking at bear composition at streams and berry consumption is ongoing. Hoofed animals are doing really well as a result of past mild winters, and harvest has increased. The Refuge continues to conduct waterfowl and sea bird populations. Water temperature monitoring with our public and private partners has also continued. Canarygrass has proven to be a persistent invasive plant, including in the Buskin watershed. In response to Simeonoff's inquiry regarding an invasives listing, Pyle

responded that the Kodiak Soil and Water Conservation District has a master map and information and does outreach to the communities. Pyle also responded that he could acquire subsistence deer hunting permit numbers from ADFG, believed that the older goat population target of 1,000 animals was outdated, to his knowledge there are no surveys on ptarmigan and that the Sun'aq Tribe was actively involved the Buskin drainage crayfish issue.

Deatherage invited everyone to the Sun'aq Tribe's potluck this evening. There will be a shuttle from the hotel to the facility for those who need transportation.

New Business

Call for Wildlife Proposals

Tom Evans, wildlife biologist for OSM, reported that due to the change in the Administration, OSM has not received approval for a call for wildlife proposals. Evans encouraged the Council to use this meeting to take action on preparing proposals so that they are ready when the call occurs. Evans outlined the proposal process to change Federal hunting and trapping seasons, harvest limits, methods of harvest and customary and traditional use determinations on Federal public lands.

Tribal Governments.

Sun'aq Tribe.

Kelly Krueger reported on behalf of the Tribe. Sun'aq welcomed Tonya Lee as the new Community Liaison providing outreach to tribes, youth and subsistence users. Krueger also outlined a current tribal project funded by the Bureau of Indian Affairs looking at dynamics of crayfish in the Buskin watershed. Krueger also shared the Tribe's excitement and activity over the upcoming Emperor goose hunt. The local AMBCC meeting will be held on Friday, February 24th at noon. Sun'aq is also gathering butter clams for PSP testing and based on results, the Tribe is not recommending winter consumption of clams due to elevated PSP levels. Simeonoff inquired about rescinding the 500 foot road buffer for waterfowl hunting. Krueger responded that proposals were submitted to rescind the road closure for all species but Emperor geese. There is concern for overharvest of Emperor's geese along the road system, particularly at Women's Bay. The road closure only pertains to Kodiak city. Kodiak and Aleutians will each receive 175 birds for the Fall hunt, with 1 permit per person. There are no limits for the Spring hunt but hunters are being encouraged to take only 1 bird per person or just what they need. Krueger reiterated the invite to this evening's potluck.

Tom Lance shared a presentation on the Missile Defense Agency Kodiak Government to Government consultation. Sun'aq, the Native Village of Afognak, Native Village of Port Lions and Tangirnaq Native Village (Woody Island) participated. The title of the subject is the Pacific Space Port Complex Alaska Ballistic Missile Defense Flight Test Support Environmental Assessment. Tribes have concerns over subsistence resource impacts from rocket launches, Navy exercises and other activities, particularly in essential fish habitat. Lance invited

everyone to take part in the environmental assessment process and support protecting Gulf of Alaska resources. Lance will email Deatherage a copy of the presentation for distribution to the Council.

Agency Reports Continued ...

USFWS

Izembek National Wildlife Refuge

Greg Risdahl, refuge manager informed the council that Stacy Lowe, biologist for Izembek had taken a new position in Hawaii. The new biologist, Chris Kane was introduced. Risdahl reported that 75 permits were allocated for Southern Alaska Peninsula caribou (15 each for False Pass, Cold Bay, King Cove, Nelson Lagoon and Sand Point). No harvests have been reported. People are using state harvest tags for the hunt, which unlike the Federal hunt allows for cow harvests. SAP herd is up to 1,600 animals; the Unimak herd grew from 230 to 330 animals. Brandts were surveyed differently this year using large teams of biologists to count birds all at one time, reducing duplicates. Migratory Bird staff did aerial surveys and the results will be compared with ground surveys. The Refuge is also working with USGS on Black Brandt origins. The preliminary results indicate the birds have changed nesting from the Yukon Kuskokwim Delta to the Arctic. Over 1000 birds were tested for Avian Influenza. No positive results were found from Izembek Refuge. Tundra swan density is increasing. Brown bear populations have increased in Izembek and on Unimak Island, but the number of single bears has decreased. Plans are underway to hire a temporary SCA interpretive ranger for the summer as well as a biological technician.

Trumble expressed concern that only 26 of the 75 allotted permits were issued, and believes that subsistence users are having trouble completing the process. Deputy Refuge Manager Melandez responded that some applicants can't get permits because they don't have an Alaska hunting license. She also said that interest in permits has been very low, perhaps because the state permit allows for a hunt on either State or Federal lands. Trumble believes the process is problematic and requested that the Refuge Manager meet with her and Tribal presidents to make the process easier. Additional discussion ensued about the differences between the State (any caribou) and Federal (bull only) hunts. Some Council members expressed concerns over a cow hunt if the objective is to have the herd grow.

Schwantes moved the Council put forth a proposal to match the State regulation for caribou in Unit 9D for both seasons and sexes. Rohrer seconded. Motioned carried 6 ayes, 2 nays.

Schwantes motioned to create a Special Action Request to align seasons and sexes for caribou in Unit 9D with the State. Seconded by Rohrer. Motion carries 7 yay, 1 nay.

Alaska Department of Fish and Game

2016 Buskin Weir Report

Mark Witteveen, assistant area biologist for ADFG presented a summary of the 2016 season for the Buskin River weir. Escapement exceeded the goal again this year. The Lake Louise system was lower than last year but there is no goal for that area. A proposal was submitted to OSM to fund the project for an additional four years from 2018 -2021 under the Fisheries Resource Monitoring Program. ADFG continues community outreach with a Sun'aq Tribe intern, tribal youth from the Kodiak Area Native Association and employment of two high school interns for the summer season. Eighteen of the last 24 interns have come back to ADFG for full employment.

2016 Afognak Lake Report

Darin Ruhl, area fisheries biologist for ADFG gave an update on the Afognak Lake smolt trap. Early migration of one year-old salmon in good condition reflect a very productive lake environment. ADFG anticipates good production for the next three years. Outreach and capacity building continues with youth through the Afognak Native Corporation and Afognak summer camps. The weir is funded from 2017 through 2020.

McLees Lake Weir

Lisa Fox, area biologist for south Alaska Peninsula and Aleutian Islands reported on the McLees Lake weir. 40k sockeye escapement was good. This summer will be the last year of funding. A funding proposal has been submitted under the Fisheries Resource Monitoring Program. Colton Lipka is a new biologist for the area and will be putting in the weir this summer. He will be out in Dutch Harbor installing the weir this summer and stationed in Cold Bay. There will also be foot surveys. The Unalaska Fish and Game Advisory Committee submitted Proposal 280 to the Board of Fish to reduce subsistence harvest on Front Beach in Unalaska. There is talk of a community harvest permit for McLees Lake which currently has a lot of fish. Fox is stationed in Sand Point, and there will also be an assistant, Mary Beth Lawn, to help with permits. Lipka will be issuing permits in Cold Bay.

Wildlife Report

Nate Svoboda and John Crye, area biologists, presented information on Kodiak wildlife populations. Brown bears are stable to increasing, though they are working with the University to do a more robust estimate. There were 15 bears killed in Defense of Life and Property, with 14 cubs or yearlings, equaling about 30 bears which is higher than normal. Deer numbers are excellent with good recruitment and body condition. Elk are estimated at approximately 1050 animals on Afognak and Raspberry islands, the most seen in a long time. There is no evidence suggesting that elk are migrating onto the mainland in numbers sufficient to establish a breeding population. Interest in goat hunting continues to increase as Kodiak is becoming a goat hunting destination hotspot. Estimates show about 2700 goats on Kodiak, which is consistent with

previous estimates. Caribou populations are slightly increased. Berns recognized Crye for receiving the State of Alaska's hunter education rural instructor of the year award.

National Marine Fishery Service

Mary Furness with the Juneau in-season management branch of NMFS presented the 2016 Bering Sea Aleutian Island (BSAI) and Gulf of Alaska (GOA) reports, focusing on salmon bycatch. In 2016 bycatch limits were revised with caps based on high/low abundance salmon. Chinook bycatch is capped at 60k. Current Pollock fisheries are at about 10k of this cap. For GOA, Chinook salmon bycatch limits are 7500. The fishery reached those limits in May, but an additional 1600 were added to allow the fishery to reopen in August. No additional bycatch was taken during that time. The bycatch numbers for all species, including halibut, crab, salmon and herring start on page 44 of the BSAI report and 35 for the GOA report. Deatherage will provide electronic links to that specific information to the Council

USFWS

Buskin River Watershed Restoration Project

Trent Liebech with USFWS Habitat Restoration Program presented the upcoming Buskin River watershed work in partnership with the State of Alaska, Kodiak Soil and Water Conservation District, ADFG, Natives of Kodiak, Alaska Department of Transportation, the U.S. Coast Guard and the National Marine Fishery Service. The project will focus on restoring fish passages under road crossings and culverts. Many passage areas were poorly designed and are currently hindering fish passage, particularly juveniles. Holmes recommended working with local high schools to engage students on the project.

Office of Subsistence Management

Orville Lind, OSM Native Liaison presented the OSM update, highlighting new staff, the FRMP program and the non-rural determination policy. Berns mentioned that ADFG submitted an FRMP proposal for subsistence harvest trends of fish in Olga and Akalura Lakes. Old Harbor provided letters of support.

Fall 2017 Meeting Confirmation.

Schwantes moved to confirm the 2017 Fall meeting in Cold Bay for the new dates of September 26-27. Trumble and Koso recommended contacting both the Bearfoot Inn (Connie Newton) and the Cold Bay Lodge early to ensure accommodations. Motion carries unanimously.

Winter 2018 Meeting

Schwantes moved to hold meeting February 21-22 in Kodiak. Seconded by Berns and passed unanimously.

Agency Reports continued ...

USFWS

Native American and Alaska Native Relations Policies/Emperor Geese

Pete Probasco, Assistant Regional Director for Migratory Birds and State Programs for USFWS presented the Native American Policy and draft Alaska Native Relations Policy. Probasco explained that the need for a “companion” Alaska Native policy is because of the uniqueness of subsistence in Alaska and the mandate that agencies not only work with tribes but also with native groups and corporations. Comments should be submitted by the end of April. Council members requested Deatherage forward electronic copies for distribution to communities. An inquiry was made regarding Alaska walrus ivory and Probasco responded that Alaska Native communities have been testifying in Washington, D.C.

Probasco then provided historic information on Emperor geese, highlighting that new surveys show a population index above 79k, which indicates a very healthy population. The objective of any hunt is to insure that the index stays above 34k. A spring/summer season will run from 4/2-April 2 to August 31. There are no harvest limits or reporting requirements, though 1 bird per person is being encouraged to prevent overhunting. A state hunt has been approved by the Alaska Board of Game. The hunt will be administered through a registration permit with a quota of 1,000 birds. The Kodiak season (175 birds) will open from October 2 to January 22. The Alaska Peninsula/Togiak season (125 Alaska Peninsula) opens September 1 to December 16th. The Aleutians open October 8 to January 22. Probasco explained Emperors are slow growing and take longer to reproduce, and therefore are very vulnerable to over harvest. Unlike other birds, they don’t re-nest or re-lay eggs. The road closure of 500 feet for Emperors will remain in place due to potential overharvest. There is a 1 goose per person limit for the Fall hunt.

Alaska Board of Fish Proposal 247.

Deatherage read Proposal 247 submitted by ADFG to the Board of Fish requesting a repeal of the regulations that prohibit sport fishing for king or tanner crab in the Kodiak area 14 days before and after a commercial king or tanner crab fisheries. Deatherage explained the Council had previously voted against a similar proposal three years ago. Berns explained that the local Advisory Committee voted to adopt Proposal 247 10/0. Chernoff moved to Take No Action on Proposal 247, seconded by Schwantes. Motion carries unanimously.

Schwantes requested that previous regulations for caribou be added as agenda item for review at future meetings.

ANNUAL REPORT

Deatherage presented the Council’s draft 2016 Annual Report. She answered questions on the non-rural determination policy and recommended that the Council retain its concerns in the Annual Report so the Board could respond. Holmes asked about including information under the Emperor goose section on accommodating Kodiak subsistence hunters. Emperor geese are not in the area during the spring/summer hunt, so no opportunity is provided. The Council would like to hear from the Board or other experts on how to change the season to accommodate Kodiak

hunters when the birds are present. A portion of the Fall hunt could also be dedicated to subsistence. The Council would like to explore options for achieving a proposed season change.

Schwantes motioned to approve the Annual Report as amended. Seconded by Berns and carried unanimously.

Council Comments:

Simeonoff – Thanked Council members for their confidence in electing him Chair. Also thanked everyone that came and looks forward to seeing them in Cold Bay.

Rohrer – Thanked Simeonoff for being willing to serve as Chair again.

Berns – Extended a thank you to Sun’aq Tribe (Krueger/Lee/Lance) for hosting the potluck. In the future it would be nice to have more local subsistence users attend. Sea otters continue to be an issue at Oozinkie, Port Lions and Kodiak. There is a lot of concern about shellfish impacts. Berns requested a report at the next meeting on sea otters from Brad Benter at USFWS in Anchorage. She thanked everyone for a good meeting.

Koso – A representative from the Alaska Maritime Refuge was missed.

Holmes - Concurred with everything that was said. Thanked Mitch for serving as Chair. Holmes recognized Risdahl with a fair-winning jar of red salmon. Holmes remarked that Risdahl had great potential, listened and provided good suggestions.

Koso moved to adjourn the meeting. Seconded by Schwantes and carried unanimously

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

February 23, 2017

/s/
Karen Deatherage, DFO
Office of Subsistence Management, USFWS

/s/
Speridon Simeonoff Sr., Chair
Kodiak/Aleutians Subsistence Regional Advisory Council

These minutes will be formally considered by the Kodiak/Aleutians Subsistence Regional Advisory Council at its next meeting, and any corrections or notations will be incorporated in the minutes of that meeting.



(h) Group 1 Airplanes: Inspection and Corrective Action

For airplanes identified as Group 1 in Boeing Alert Service Bulletin 737–57A1332, dated January 3, 2017: Within 120 days after the effective date of this AD, inspect for cracking of the upper aft skin of the wings, and do all applicable corrective actions, using a method approved in accordance with the procedures specified in paragraph (j) of this AD.

(i) Exception to the Service Information

Where Boeing Alert Service Bulletin 737–57A1332, dated January 3, 2017, specifies a compliance time “after the original issue date of this Service Bulletin,” this AD requires compliance within the specified compliance time after the effective date of this AD.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Los Angeles Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in paragraph (k)(1) of this AD. Information may be emailed to: 9–ANM–LAACO–AMOC–Requests@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Los Angeles ACO, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(4) Except as required by paragraph (g) of this AD: For service information that contains steps that are labeled as Required for Compliance (RC), the provisions of paragraphs (j)(4)(i) and (j)(4)(ii) of this AD apply.

(i) The steps labeled as RC, including substeps under an RC step and any figures identified in an RC step, must be done to comply with the AD. If a step or substep is labeled “RC Exempt,” then the RC requirement is removed from that step or substep. An AMOC is required for any deviations to RC steps, including substeps and identified figures.

(ii) Steps not labeled as RC may be deviated from using accepted methods in accordance with the operator’s maintenance or inspection program without obtaining approval of an AMOC, provided the RC steps, including substeps and identified figures, can still be done as specified, and the airplane can be put back in an airworthy condition.

(k) Related Information

(1) For more information about this AD, contact Payman Soltani, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office (ACO), 3960 Paramount Boulevard, Lakewood, CA 90712–4137; phone: 562–627–5313; fax: 562–627–5210; email: payman.soltani@faa.gov.

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110–SK57, Seal Beach, CA 90740; telephone 562–797–1717; Internet <https://www.myboeingfleet.com>. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on May 8, 2017.

Michael Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017–09848 Filed 5–16–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 242

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 100

[Docket No. FWS–R7–SM–2016–0049; FXFR13350700640–167–FF07J00000; FBMS#4500096691]

RIN 1018–BB38

Subsistence Management Regulations for Public Lands in Alaska—2018–19 and 2019–20 Subsistence Taking of Wildlife Regulations

AGENCY: Forest Service, Agriculture; Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: This proposed rule would establish regulations for hunting and trapping seasons, harvest limits, and methods and means related to taking of wildlife for subsistence uses during the 2018–19 and 2019–20 regulatory years. The Federal Subsistence Board is on a schedule of completing the process of revising subsistence taking of wildlife regulations in even-numbered years and subsistence taking of fish and shellfish regulations in odd-numbered years; public proposal and review processes take place during the preceding year. The Board also addresses customary and traditional use determinations during

the applicable cycle. When final, the resulting rulemaking will replace the existing subsistence wildlife taking regulations. This rule would also amend the general regulations on subsistence taking of fish and wildlife.

DATES: *Public comments:* Comments and proposals to change this proposed rule must be received or postmarked June 16, 2017.

Public meetings: The Federal Subsistence Regional Advisory Councils held public meetings to receive comments and make proposals to change this proposed rule on several dates between February 8 and March 15, 2017, and then will hold another round of public meetings to discuss and receive comments on the proposals, and make recommendations on the proposals to the Federal Subsistence Board, on several dates between August 24 and November 9, 2017. The Board will discuss and evaluate proposed regulatory changes during a public meeting in Anchorage, AK, in April 2018. See **SUPPLEMENTARY INFORMATION** for specific information on dates and locations of the public meetings.

ADDRESSES: *Public meetings:* The Federal Subsistence Board and the Federal Subsistence Regional Advisory Councils’ public meetings will be held at various locations in Alaska. See **SUPPLEMENTARY INFORMATION** for specific information on dates and locations of the public meetings.

Public comments: You may submit comments by one of the following methods:

- *Electronically:* Go to the Federal eRulemaking Portal: <http://www.regulations.gov> and search for FWS–R7–SM–2016–0049, which is the docket number for this rulemaking.

- *By hard copy:* U.S. mail or hand-delivery to: USFWS, Office of Subsistence Management, 1011 East Tudor Road, MS 121, Attn: Theo Matuskowitz, Anchorage, AK 99503–6199, or hand delivery to the Designated Federal Official attending any of the Federal Subsistence Regional Advisory Council public meetings. See **SUPPLEMENTARY INFORMATION** for additional information on locations of the public meetings.

We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the Public Review Process section below for more information).

FOR FURTHER INFORMATION CONTACT: Chair, Federal Subsistence Board, c/o U.S. Fish and Wildlife Service, Attention: Eugene R. Peltola, Jr., Office of Subsistence Management; (907) 786–

3888 or *subsistence@fws.gov*. For questions specific to National Forest System lands, contact Thomas Whitford, Regional Subsistence Program Leader, USDA, Forest Service, Alaska Region; (907) 743-9461 or *twhitford@fs.fed.us*.

SUPPLEMENTARY INFORMATION:

Background

Under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 3111–3126), the Secretary of the Interior and the Secretary of Agriculture (Secretaries) jointly implement the Federal Subsistence Management Program. This program provides a rural preference for take of fish and wildlife resources for subsistence uses on Federal public lands and waters in Alaska. The Secretaries published temporary regulations to carry out this program in the **Federal Register** on June 29, 1990 (55 FR 27114), and final regulations were published in the **Federal Register** on May 29, 1992 (57 FR 22940). The Program has subsequently amended these regulations a number of times. Because this program is a joint effort between Interior and Agriculture, these regulations are located in two titles of the Code of Federal Regulations (CFR):

Title 36, “Parks, Forests, and Public Property,” and Title 50, “Wildlife and Fisheries,” at 36 CFR 242.1–28 and 50 CFR 100.1–28, respectively. The regulations contain subparts as follows: Subpart A, General Provisions; Subpart B, Program Structure; Subpart C, Board Determinations; and Subpart D, Subsistence Taking of Fish and Wildlife.

Consistent with subpart B of these regulations, the Secretaries established a Federal Subsistence Board to administer the Federal Subsistence Management Program. The Board comprises:

- A Chair appointed by the Secretary of the Interior with concurrence of the Secretary of Agriculture;
- The Alaska Regional Director, U.S. Fish and Wildlife Service;
- The Alaska Regional Director, National Park Service;
- The Alaska State Director, Bureau of Land Management;
- The Alaska Regional Director, Bureau of Indian Affairs;
- The Alaska Regional Forester, USDA Forest Service; and
- Two public members appointed by the Secretary of the Interior with concurrence of the Secretary of Agriculture.

Through the Board, these agencies and public members participate in the

development of regulations for subparts C and D, which, among other things, set forth program eligibility and specific harvest seasons and limits.

In administering the program, the Secretaries divided Alaska into 10 subsistence resource regions, each of which is represented by a Regional Advisory Council. The Regional Advisory Councils provide a forum for rural residents with personal knowledge of local conditions and resource requirements to have a meaningful role in the subsistence management of fish and wildlife on Federal public lands in Alaska. The Regional Advisory Council members represent varied geographical, cultural, and user interests within each region.

Public Review Process—Comments, Proposals, and Public Meetings

The Federal Subsistence Regional Advisory Councils have a substantial role in reviewing this proposed rule and making recommendations for the final rule. The Federal Subsistence Board, through the Federal Subsistence Regional Advisory Councils, has held public meetings on this proposed rule at the following locations in Alaska, on the following dates:

Region 1—Southeast Regional Council	Saxman	March 14, 2017
Region 2—Southcentral Regional Council	Anchorage	February 13, 2017
Region 3—Kodiak/Aleutians Regional Council	Old Harbor	February 22, 2017
Region 4—Bristol Bay Regional Council	Naknek	February 28, 2017
Region 5—Yukon-Kuskokwim Delta Regional Council	Bethel	February 15, 2017
Region 6—Western Interior Regional Council	Fairbanks	February 21, 2017
Region 7—Seward Peninsula Regional Council	Nome	March 6, 2017
Region 8—Northwest Arctic Regional Council	Kotzebue	March 1, 2017
Region 9—Eastern Interior Regional Council	Fairbanks	February 7, 2017
Region 10—North Slope Regional Council	Barrow	February 8, 2017

During June 2017, the written proposals to change the subpart D, take of wildlife regulations, and subpart C, customary and traditional use determinations, will be compiled and distributed for public review. During a

subsequent public comment period, written public comments will be accepted on the distributed proposals.

The Board, through the Regional Advisory Councils, will hold a second series of public meetings in August

through November 2017, to receive comments on specific proposals and to develop recommendations to the Board at the following locations in Alaska, on the following dates:

Region 1—Southeast Regional Council	Juneau	October 31, 2017
Region 2—Southcentral Regional Council	Seldovia	November 6, 2017
Region 3—Kodiak/Aleutians Regional Council	Cold Bay	September 26, 2017
Region 4—Bristol Bay Regional Council	Dillingham	November 1, 2017
Region 5—Yukon-Kuskokwim Delta Regional Council	Bethel	October 12, 2017
Region 6—Western Interior Regional Council	Galena	October 10, 2017
Region 7—Seward Peninsula Regional Council	Nome	October 24, 2017
Region 8—Northwest Arctic Regional Council	Shungnak	October 25, 2017
Region 9—Eastern Interior Regional Council	Tanana	November 8, 2017
Region 10—North Slope Regional Council	Wainwright	August 24, 2017

A notice will be published of specific dates, times, and meeting locations in local and statewide newspapers prior to both series of meetings. Locations and dates may change based on weather or local circumstances. The amount of

work on each Regional Advisory Council’s agenda determines the length of each Regional Advisory Council meeting.

The Board will discuss and evaluate proposed changes to the subsistence

management regulations during a public meeting scheduled to be held in Anchorage, Alaska, in April 2018. The Federal Subsistence Regional Advisory Council Chairs, or their designated representatives, will present their

respective Councils' recommendations at the Board meeting. Additional oral testimony may be provided on specific proposals before the Board at that time. At that public meeting, the Board will deliberate and take final action on proposals received that request changes to this proposed rule.

Proposals to the Board to modify the general fish and wildlife regulations, wildlife harvest regulations, and customary and traditional use determinations must include the following information:

- a. Name, address, and telephone number of the requestor;
- b. Each section and/or paragraph designation in this proposed rule for which changes are suggested, if applicable;
- c. A description of the regulatory change(s) desired;
- d. A statement explaining why each change is necessary;
- e. Proposed wording changes; and
- f. Any additional information that you believe will help the Board in evaluating the proposed change.

The Board immediately rejects proposals that fail to include the above information, or proposals that are beyond the scope of authorities in § ___.24, subpart C (the regulations governing customary and traditional use determinations), and §§ ___.25 and ___.26, subpart D (the general and specific regulations governing the subsistence take of wildlife). If a proposal needs clarification, prior to being distributed for public review, the proponent may be contacted, and the proposal could be revised based on their input. Once distributed for public review, no additional changes may be made as part of the original submission. During the April 2018 meeting, the Board may defer review and action on some proposals to allow time for cooperative planning efforts, or to acquire additional needed information. The Board may elect to defer taking action on any given proposal if the workload of staff, Regional Advisory Councils, or the Board becomes excessive. These deferrals may be based on recommendations by the affected Regional Advisory Council(s) or staff members, or on the basis of the Board's intention to do least harm to the subsistence user and the resource involved. A proponent of a proposal may withdraw the proposal provided it has not been considered, and a recommendation has not been made, by a Regional Advisory Council. The Board may consider and act on alternatives that address the intent of a proposal while differing in approach.

You may submit written comments and materials concerning this proposed rule by one of the methods listed in **ADDRESSES**. If you submit a comment via <http://www.regulations.gov>, your entire comment, including any personal identifying information, will be posted on the Web site. If you submit a hardcopy comment that includes personal identifying information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. We will post all hardcopy comments on <http://www.regulations.gov>.

Comments and materials we receive, as well as supporting documentation we used in preparing this proposed rule, will be available for public inspection on <http://www.regulations.gov>, or by appointment, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays, at: USFWS, Office of Subsistence Management, 1011 East Tudor Road, Anchorage, AK 99503.

Reasonable Accommodations

The Federal Subsistence Board is committed to providing access to these meetings for all participants. Please direct all requests for sign language interpreting services, closed captioning, or other accommodation needs to the Office of Subsistence Management, 907–786–3888, subsistence@fws.gov, or 800–877–8339 (TTY), seven business days prior to the meeting you would like to attend.

Tribal Consultation and Comment

As expressed in Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments," the Federal officials that have been delegated authority by the Secretaries are committed to honoring the unique government-to-government political relationship that exists between the Federal Government and Federally Recognized Indian Tribes (Tribes) as listed in 79 FR 4748 (January 29, 2014). Consultation with Alaska Native corporations is based on Public Law 108–199, div. H, Sec. 161, Jan. 23, 2004, 118 Stat. 452, as amended by Public Law 108–447, div. H, title V, Sec. 518, Dec. 8, 2004, 118 Stat. 3267, which provides 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 No. 13175."

The Alaska National Interest Lands Conservation Act does not provide specific rights to Tribes for the subsistence taking of wildlife, fish, and shellfish. However, because tribal

members are affected by subsistence fishing, hunting, and trapping regulations, the Secretaries, through the Board, will provide Federally recognized Tribes and Alaska Native corporations an opportunity to consult on this rule.

The Board will engage in outreach efforts for this proposed rule, including a notification letter, to ensure that Tribes and Alaska Native corporations are advised of the mechanisms by which they can participate. The Board provides a variety of opportunities for consultation: Proposing changes to the existing rule; commenting on proposed changes to the existing rule; engaging in dialogue at the Regional Council meetings; engaging in dialogue at the Board's meetings; and providing input in person, by mail, email, or phone at any time during the rulemaking process. The Board commits to efficiently and adequately providing an opportunity to Tribes and Alaska Native corporations for consultation in regard to subsistence rulemaking.

The Board will consider Tribes' and Alaska Native corporations' information, input, and recommendations, and address their concerns as much as practicable.

Developing the 2018–19 and 2019–20 Wildlife Seasons and Harvest Limit Regulations

Subpart C and D regulations are subject to periodic review and revision. The Federal Subsistence Board currently completes the process of revising subsistence take of wildlife regulations in even-numbered years and fish and shellfish regulations in odd-numbered years; public proposal and review processes take place during the preceding year. The Board also addresses customary and traditional use determinations during the applicable cycle.

The current subsistence program regulations form the starting point for consideration during each new rulemaking cycle. The regulations at § ___.24 pertain to customary and traditional use determinations; the regulations at § ___.25 pertain to general provisions governing the subsistence take of wildlife, fish, and shellfish; and the regulations at § ___.26 pertain to specific provisions governing the subsistence take of wildlife.

The text of two final rules form the text of this proposed rule for the 2018–20 subparts C and D regulations:

The text of the proposed amendments to 36 CFR 242.24 and 242.26 and 50 CFR 100.24 and 100.26 is the final rule for the 2016–2018 regulations for

subsistence take of wildlife (81 FR 52528; August 8, 2016).

The text of the proposed amendments to 36 CFR 242.25 and 50 CFR 100.25 is the final rule for the 2015–17 regulations for the subsistence take of fish (80 FR 28187; May 18, 2015). (Because the most recent final rule pertaining to wildlife noted above (*i.e.*, 81 FR 52528; August 8, 2016) did not include any revisions to the general regulations pertaining to the subsistence take of wildlife, fish, and shellfish at § 242.25, the 2015 final rule pertaining to the subsistence take of fish includes the most recent revisions to 36 CFR 242.25 and 50 CFR 100.25).

These regulations will remain in effect until subsequent Board action changes elements as a result of the public review process outlined above in this document.

Compliance With Statutory and Regulatory Authorities

National Environmental Policy Act

A Draft Environmental Impact Statement that described four alternatives for developing a Federal Subsistence Management Program was distributed for public comment on October 7, 1991. The Final Environmental Impact Statement (FEIS) was published on February 28, 1992. The Record of Decision (ROD) on Subsistence Management for Federal Public Lands in Alaska was signed April 6, 1992. The selected alternative in the FEIS (Alternative IV) defined the administrative framework of an annual regulatory cycle for subsistence regulations.

A 1997 environmental assessment dealt with the expansion of Federal jurisdiction over fisheries and is available at the office listed under **FOR FURTHER INFORMATION CONTACT**. The Secretary of the Interior, with concurrence of the Secretary of Agriculture, determined that expansion of Federal jurisdiction does not constitute a major Federal action significantly affecting the human environment and, therefore, signed a Finding of No Significant Impact.

Section 810 of ANILCA

An ANILCA § 810 analysis was completed as part of the FEIS process on the Federal Subsistence Management Program. The intent of all Federal subsistence regulations is to accord subsistence uses of fish and wildlife on public lands a priority over the taking of fish and wildlife on such lands for other purposes, unless restriction is necessary to conserve healthy fish and wildlife populations. The final § 810

analysis determination appeared in the April 6, 1992, ROD and concluded that the Federal Subsistence Management Program, under Alternative IV with an annual process for setting subsistence regulations, may have some local impacts on subsistence uses, but will not likely restrict subsistence uses significantly.

During the subsequent environmental assessment process for extending fisheries jurisdiction, an evaluation of the effects of this rule was conducted in accordance with § 810. That evaluation also supported the Secretaries' determination that the rule will not reach the "may significantly restrict" threshold that would require notice and hearings under ANILCA § 810(a).

Paperwork Reduction Act (PRA)

This proposed rule does not contain any new collections of information that require OMB approval under the PRA (44 U.S.C. 3501 *et seq.*) OMB has reviewed and approved the collections of information associated with the subsistence regulations at 36 CFR 242 and 50 CFR 100, and assigned OMB Control Number 1018–0075, with an expiration date of June 30, 2019. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number.

Regulatory Planning and Review (Executive Order 12866)

Executive Order 12866 provides that the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget will review all significant rules. OIRA has determined that this proposed rule is not significant.

Executive Order 13563 reaffirms the principles of E.O. 12866 while calling for improvements in the nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. The executive order directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. E.O. 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. We have developed this rule in a manner consistent with these requirements.

Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*) requires preparation of flexibility analyses for rules that will have a significant effect on a substantial number of small entities, which include small businesses, organizations, or governmental jurisdictions. In general, the resources to be harvested under this proposed rule are already being harvested and consumed by the local harvester and do not result in an additional dollar benefit to the economy. However, we estimate that two million pounds of meat are harvested by subsistence users annually and, if given an estimated dollar value of \$3.00 per pound, this amount would equate to about \$6 million in food value statewide. Based upon the amounts and values cited above, the Departments certify that this rulemaking will not have a significant economic effect on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

Small Business Regulatory Enforcement Fairness Act

Under the Small Business Regulatory Enforcement Fairness Act (5 U.S.C. 801 *et seq.*), this proposed rule is not a major rule. It will not have an effect on the economy of \$100 million or more, will not cause a major increase in costs or prices for consumers, and will not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Executive Order 12630

Title VIII of ANILCA requires the Secretaries to administer a subsistence priority on public lands. The scope of this program is limited by definition to certain public lands. Likewise, these proposed regulations have no potential takings of private property implications as defined by Executive Order 12630.

Unfunded Mandates Reform Act

The Secretaries have determined and certify pursuant to the Unfunded Mandates Reform Act, 2 U.S.C. 1502 *et seq.*, that this rulemaking will not impose a cost of \$100 million or more in any given year on local or State governments or private entities. The implementation of this rule is by Federal agencies and there is no cost imposed on any State or local entities or tribal governments.

Executive Order 12988

The Secretaries have determined that these regulations meet the applicable

standards provided in §§ 3(a) and 3(b)(2) of Executive Order 12988, regarding civil justice reform.

Executive Order 13132

In accordance with Executive Order 13132, the proposed rule does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment. Title VIII of ANILCA precludes the State from exercising subsistence management authority over fish and wildlife resources on Federal lands unless it meets certain requirements.

Executive Order 13175

The Alaska National Interest Lands Conservation Act, Title VIII, does not provide specific rights to tribes for the subsistence taking of wildlife, fish, and shellfish. However, the Secretaries, through the Board, will provide Federally recognized Tribes and Alaska Native corporations an opportunity to consult on this proposed rule. Consultation with Alaska Native corporations are based on Public Law 108–199, div. H, Sec. 161, Jan. 23, 2004, 118 Stat. 452, as amended by Public Law 108–447, div. H, title V, Sec. 518, Dec. 8, 2004, 118 Stat. 3267, which provides 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 No. 13175.”

The Secretaries, through the Board, will provide a variety of opportunities for consultation: Commenting on proposed changes to the existing rule; engaging in dialogue at the Regional Council meetings; engaging in dialogue at the Board’s meetings; and providing input in person, by mail, email, or phone at any time during the rulemaking process.

Executive Order 13211

This Executive Order requires agencies to prepare Statements of Energy Effects when undertaking certain actions. However, this proposed rule is not a significant regulatory action under E.O. 13211, affecting energy supply, distribution, or use, and no Statement of Energy Effects is required.

Drafting Information

Theo Matuskowitz drafted these regulations under the guidance of Eugene R. Peltola, Jr. of the Office of Subsistence Management, Alaska Regional Office, U.S. Fish and Wildlife Service, Anchorage, Alaska. Additional assistance was provided by:

- Daniel Sharp, Alaska State Office, Bureau of Land Management;

- Mary McBurney, Alaska Regional Office, National Park Service;
- Dr. Glenn Chen, Alaska Regional Office, Bureau of Indian Affairs;
- Trevor T. Fox, Alaska Regional Office, U.S. Fish and Wildlife Service; and
- Thomas Whitford, Alaska Regional Office, U.S. Forest Service.

List of Subjects

36 CFR Part 242

Administrative practice and procedure, Alaska, Fish, National forests, Public lands, Reporting and recordkeeping requirements, Wildlife.

50 CFR Part 100

Administrative practice and procedure, Alaska, Fish, National forests, Public lands, Reporting and recordkeeping requirements, Wildlife.

Proposed Regulation Promulgation

For the reasons set out in the preamble, the Federal Subsistence Board proposes to amend 36 CFR part 242 and 50 CFR part 100 for the 2018–19 and 2019–20 regulatory years.

The text of the proposed amendments to 36 CFR 242.24 and 242.26 and 50 CFR 100.24 and 100.26 is the final rule for the 2016–2018 regulatory period for wildlife (81 FR 52528; August 8, 2016).

The text of the proposed amendments to 36 CFR 242.25 and 50 CFR 100.25 is the final rule for the 2015–17 regulatory period for fish (80 FR 28187; May 18, 2015).

Dated: March 22, 2017.

Eugene R. Peltola, Jr.,

Assistant Regional Director, U.S. Fish and Wildlife Service, Acting Chair, Federal Subsistence Board.

Dated: March 27, 2017.

Thomas Whitford,

Subsistence Program Leader, USDA–Forest Service.

[FR Doc. 2017–09967 Filed 5–16–17; 8:45 am]

BILLING CODE 3410–11; 4333–15–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CG Docket No. 17–59; FCC 17–24]

Advanced Methods To Target and Eliminate Unlawful Robocalls

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document, the Commission invites comment on proposed changes to its rules

implementing the Telephone Consumer Protection Act and to its call completion rules. The Commission proposes rules to codify the clarification contained in the 2016 Guidance PN that providers may block calls when the subscriber to a particular telephone number requests that calls originating from that number be blocked; permit providers to block calls originating from invalid numbers; permit providers to block calls originating from valid numbers that are not allocated to a voice service provider; and permit providers to block calls originating from valid numbers that are allocated but not assigned to a subscriber. In addition, the Commission seeks comment on the possibility of permitting providers to block calls in other situations where the calls to be blocked are reasonably likely to be illegal based upon objective criteria.

DATES: Comments are due on or before July 3, 2017, and reply comments are due on or before July 31, 2017.

ADDRESSES: You may submit comments, identified by CG Docket 17–59 by any of the following methods:

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the Commission’s Electronic Comment Filing System (ECFS), through the Commission’s Web site: <http://apps.fcc.gov/ecfs/>. Filers should follow the instructions provided on the Web site for submitting comments. For ECFS filers, in completing the transmittal screen, filers should include their full name, U.S. Postal service mailing address, and CG Docket No. 17–59.

- **Mail:** Parties who choose to file by paper must file an original and one copy of each filing. Filers must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT:

Jerusha Burnett, Consumer Policy Division, Consumer and Governmental Affairs Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554 by email at jerusha.burnett@fcc.gov or by phone at (202) 418–0526.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s Notice of Proposed Rulemaking and Notice of

Presentation Procedure for Proposals

- 1. Introduction and presentation of analysis**
- 2. Report on Board Consultations:**
 - a. Tribes;
 - b. ANCSA Corporations
- 3. Agency Comments:**
 - a. ADF&G;
 - b. Federal;
 - c. Tribal
- 4. Advisory Group Comments:**
 - a. Other Regional Council(s);
 - b. Fish and Game Advisory Committees;
 - c. Subsistence Resource Commissions
- 5. Summary of written public comments**
- 6. Public testimony**
- 7. Regional Council recommendation (motion to adopt)**
- 8. Discussion/Justification**
 - Is there a conservation concern? How will the recommendation address the concern
 - Is the recommendation supported by substantial evidence such as biological and traditional ecological knowledge?
 - Will the recommendation be beneficial or detrimental to subsistence needs and users?
 - Will the recommendation unnecessarily restrict other uses?
- 9. Restate final motion for the record, vote**

FISHERIES RESOURCE MONITORING PROGRAM

BACKGROUND

Beginning in 1999, the Federal government assumed expanded management responsibility for subsistence fisheries on Federal public lands in Alaska under the authority of Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA). Expanded subsistence fisheries management introduced substantial new informational needs for the Federal system. Section 812 of ANILCA directs the Departments of the Interior and Agriculture, cooperating with the State of Alaska and other Federal agencies, to undertake research on fish and wildlife and subsistence uses on Federal public lands. To increase the quantity and quality of information available for management of subsistence fisheries, the Fisheries Resource Monitoring Program (Monitoring Program) was established within the Office of Subsistence Management (OSM). The Monitoring Program was envisioned as a collaborative interagency, interdisciplinary approach to enhance existing fisheries research, and effectively communicate information needed for subsistence fisheries management on Federal public lands.

Biennially, OSM announces a funding opportunity for investigation plans addressing subsistence fisheries on Federal public lands. The 2018 Notice of Funding Opportunity focused on priority information needs developed by the Subsistence Regional Advisory Councils with input from strategic plans and subject matter specialists. The Monitoring Program is administered through regions to align with stock, harvest, and community issues common to a geographic area. The six Monitoring Program regions are shown in **Figure 1**.

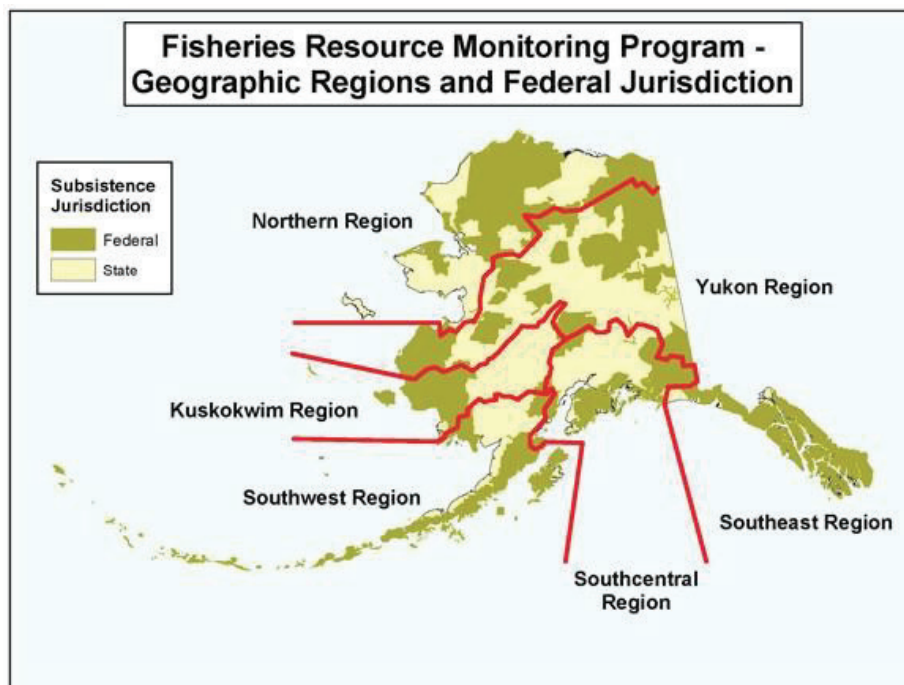


Figure 1. Geographic Regions for the Fisheries Resource Monitoring Program.

Strategic plans sponsored by the Monitoring Program have been developed by workgroups of fisheries managers, researchers, Subsistence Regional Advisory Councils, and by other stakeholders for three of the six regions: Southeast, Southcentral (excluding Cook Inlet Area), and Southwest Alaska. These plans identify prioritized information needs for each major subsistence fishery and are available for viewing on the Federal Subsistence Management Program website (<https://www.doi.gov/subsistence/frmp/funding>). Individual copies of plans are available by placing a request to OSM. Independent strategic plans were completed for the Yukon and Kuskokwim regions for salmon in 2005. For the Northern Region and the Cook Inlet Area, assessments of priority information needs were developed from regional working groups and experts on the Subsistence Regional Advisory Councils, the Technical Review Committee (a committee comprised of representatives from each of the five Federal agencies involved with subsistence management, and relevant experts from the Alaska Department of Fish and Game), and Federal and State managers, with technical assistance from OSM staff. Finally, a strategic plan specifically for research on whitefish species in the Yukon and Kuskokwim River drainages was completed in spring 2011 as a result of efforts supported through Monitoring Program project 08-206 (Yukon and Kuskokwim Coregonid Strategic Plan).

Investigation plans are reviewed and evaluated by Office of Subsistence Management and Forest Service staff, and then by the Technical Review Committee. The Technical Review Committee's function is to provide evaluation, technical oversight, and strategic direction to the Monitoring Program. Each investigation plan will be rated based on these five criteria: strategic priority; technical and scientific merit; investigator ability and resources; partnership and capacity building; and cost benefit.

Project abstracts and associated Technical Review Committee proposal ratings are assembled into a draft 2018 Fisheries Resources Monitoring Plan. The draft plan is distributed for public review and comment through Subsistence Regional Advisory Council meetings, beginning in August 2017. The Federal Subsistence Board will review the draft plan and will accept written and oral comments at its January 2018 meeting. The Federal Subsistence Board takes into consideration recommendations and comments from the process, and forwards their comments to the Assistant Regional Director of OSM. Final funding approval lies with the Assistant Regional Director of OSM. Investigators will subsequently be notified in writing of the status of their proposals.

HISTORICAL OVERVIEW

The Monitoring Program was first implemented in 2000, with an initial allocation of \$5 million. Since 2001, a total of \$117.2 million has been allocated for the Monitoring Program to fund a total of 452 projects (**Figure 2; Figure 3**).

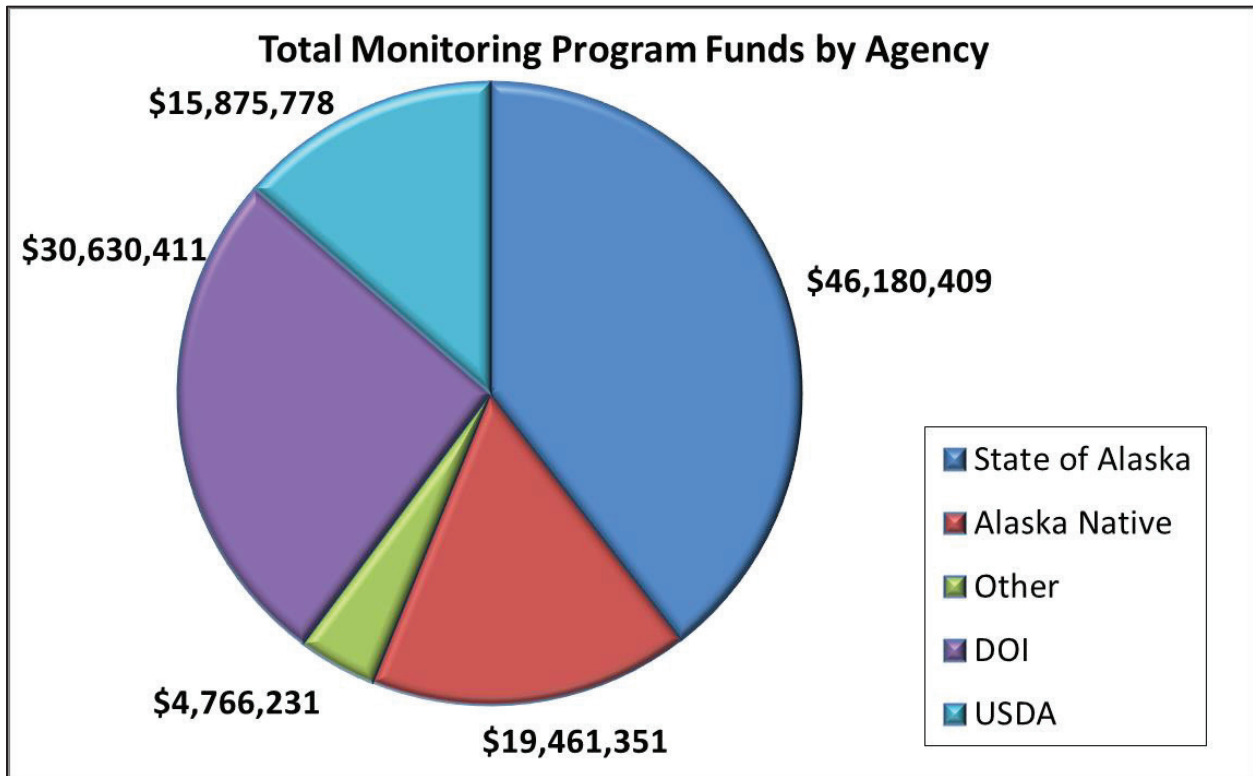


Figure 2. Total Project funds through the Monitoring Program from 2000 through 2016 listed by the organization of the Principal Investigator for projects funded. The funds listed are the total approved funds from 2000 to 2016. DOI = Department of Interior and DOA = Department of Agriculture.

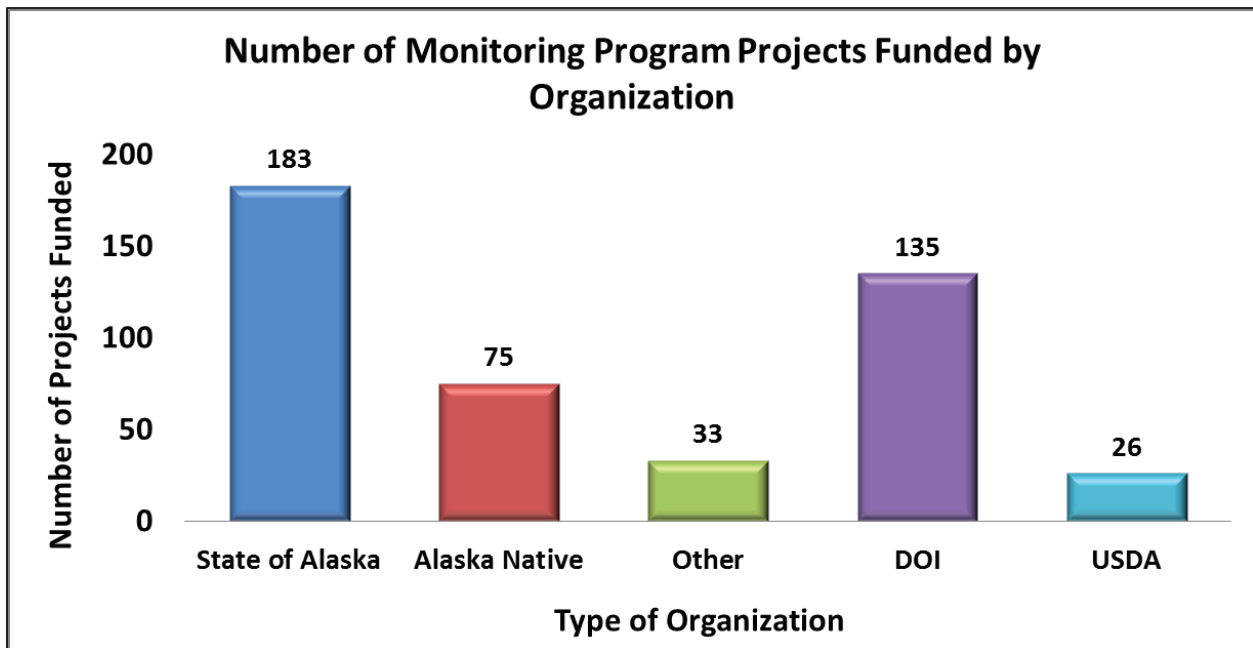


Figure 3. The total number of projects funded through the Monitoring Program from 2000 through 2016 listed by the organization of Principal Investigator. DOI = Department of Interior and DOA = Department of Agriculture.

During each biennial funding cycle, the Monitoring Program budget funds ongoing multi-year projects (2, 3 or 4 years) as well as new projects. Budget guidelines are established by geographic region (**Table 1**) and data type. The regional guidelines were developed using six criteria that included level of risk to species, level of threat to conservation units, amount of subsistence needs not being met, amount of information available to support subsistence management, importance of a species to subsistence harvest and level of user concerns with subsistence harvest. Budget guidelines provide an initial target for planning; however they are not final allocations and will be adjusted annually as needed (**Figure 4**; **Figure 5**).

Table 1. Regional allocation guideline for Fisheries Resource Monitoring Funds.

Region	Department of Interior Funds	Department of Agriculture Funds
Northern	17%	0%
Yukon	29%	0%
Kuskokwim	29%	0%
Southwest	15%	0%
Southcentral	5%	33%
Southeast	0%	67%
Multi-Regional	5%	0%

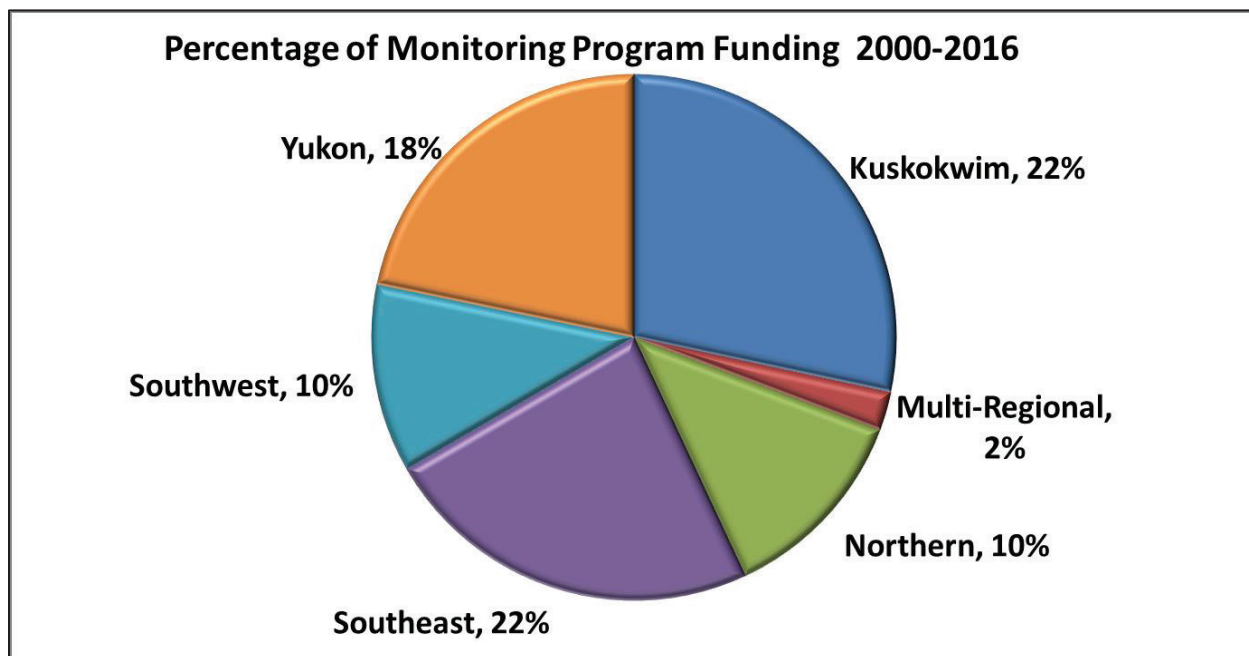


Figure 4. Total Project Funding by Geographic Region from 2000 through 2016.

Two primary types of research projects are solicited for the Monitoring Program including Harvest Monitoring/Traditional Ecological Knowledge (HMTEK) and Stock, Status and Trends (SST), although projects that combine these approaches are also encouraged. Project funding by type is shown in **Figure 5**.

Definitions of the two project types are listed below:

Stock Status and Trends Studies (SST) - These projects address abundance, composition, timing, behavior, or status of fish populations that sustain subsistence fisheries with linkage to Federal public lands.

Harvest Monitoring and Traditional Ecological Knowledge (HMTEK) - These projects address assessment of subsistence fisheries including quantification of harvest and effort, and description and assessment of fishing and use patterns.

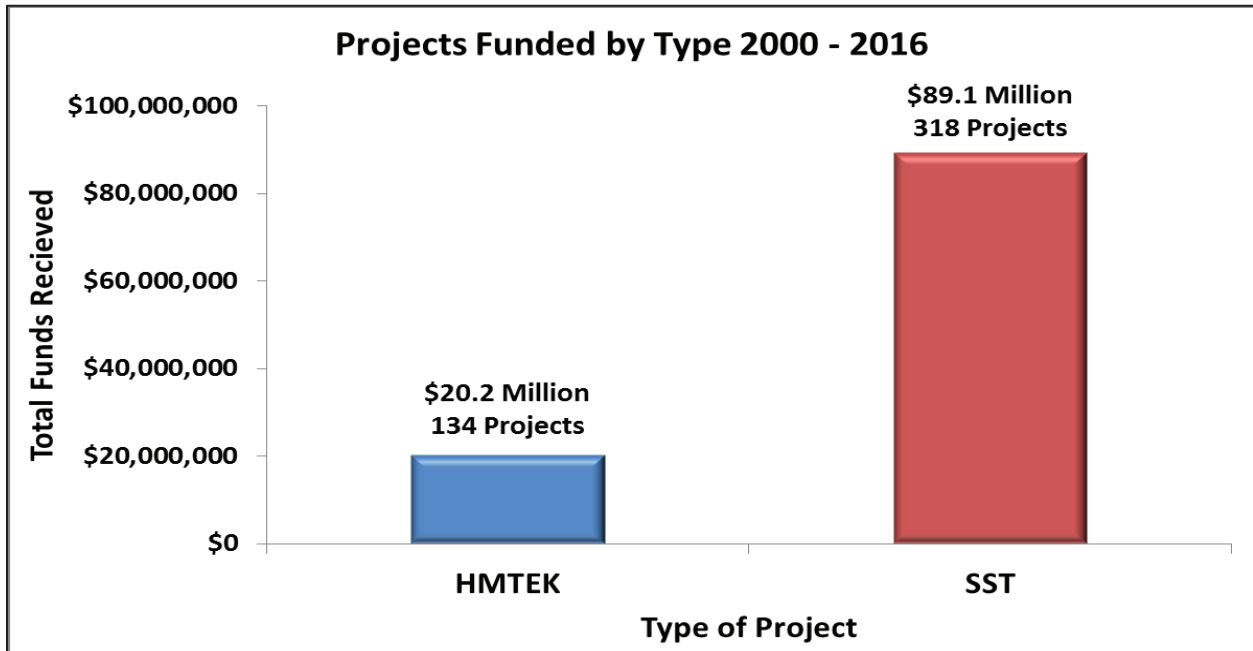


Figure 5. Total Project funding by type from 2000 through 2016. HMTEK = Harvest Monitoring/ Traditional Ecological Knowledge and SST = Stock, Status and Trends.

PROJECT EVALUATION PROCESS

In the current climate of increasing conservation concerns and subsistence needs, it is imperative that the Monitoring Program prioritizes high quality projects that address critical subsistence questions. Projects are selected for funding through an evaluation and review process that is designed to advance projects that are strategically important for the Federal Subsistence Program, technically sound, administratively competent, promote partnerships and capacity building, and are cost effective. Projects are evaluated by a panel called the Technical Review Committee. This committee is a standing interagency committee of senior technical experts that is foundational to the credibility and scientific integrity of the evaluation process for projects funded by the Monitoring Program. The TRC reviews, evaluates, and make recommendations about proposed projects, consistent with the mission of the Monitoring Program. Fisheries and Anthropology staff from the OSM provide support for the TRC. Recommendations from the TRC provide the basis for further comments from Subsistence Regional Advisory Councils, the

public, the Interagency Staff Committee (ISC), and the Federal Subsistence Board, with final approval of the Monitoring Plan by the Assistant Regional Director of OSM.

To be considered for funding under the Monitoring Program, a proposed project must have a nexus to Federal subsistence fishery management. Proposed projects must have a direct association to a Federal subsistence fishery, and the subsistence fishery or fish stocks in question must occur in or pass through waters within or adjacent to Federal public lands. Complete project packages need to be submitted on time and must address five specific criteria (see below) to be considered a high quality project. Five criteria are used to evaluate project proposals:

1. **Strategic Priorities** – Studies should be responsive to information needs identified in the *2018 Priority Information Needs* <https://www.doi.gov/subsistence/frmp/funding>. All projects must have a direct linkage to Federal public lands and/or waters to be eligible for funding under the Monitoring Program. To assist in evaluation of submittals for projects previously funded under the Monitoring Program, investigators must summarize project findings in their investigation plans. This summary should clearly and concisely document project performance, key findings, and uses of collected information for Federal subsistence management. Projects should address the following topics to demonstrate links to strategic priorities:
 - **Federal jurisdiction,**
 - **Conservation mandate,**
 - **Potential impacts on the subsistence priority,**
 - **Role of the resource, and**
 - **Local concern.**
2. **Technical-Scientific Merit** – Technical quality of the study design must meet accepted standards for information collection, compilation, analysis, and reporting. Studies must have clear objectives, appropriate sampling design, correct analytical procedures, and specified progress, annual, and final reports.
3. **Investigator Ability and Resources** – Investigators must show they are capable of successfully completing the proposed study by providing information on the ability (training, education, and experience) and resources (technical and administrative) they possess to conduct the work. Applicants that have received funding in the past will be evaluated and ranked on their past performance, including fulfillment of meeting deliverable deadlines. A record of failure to submit reports or delinquent submittal of reports will be taken into account when rating investigator ability and resources.
4. **Partnership and Capacity Building** – Collaborative partnerships and capacity building are priorities of the Monitoring Program. ANILCA Title VIII mandates that rural residents be afforded a meaningful role in the management of subsistence fisheries, and the Monitoring Program offers opportunities for partnerships and participation of local residents in monitoring and research. Investigators must not only inform communities and regional organizations in the area where work is to be conducted about their project plans, but must also consult and communicate with local communities to ensure that local knowledge is utilized and concerns are addressed. Letters of support from local communities or organizations that will collaborate on the proposed project add to the strength of a proposal. Investigators and their organizations must demonstrate their ability to maintain effective local relationships and commitment to capacity building. This includes a plan to facilitate and develop partnerships so that investigators,

communities, and regional organizations can pursue and achieve the most meaningful level of involvement.

Investigators are encouraged to develop the highest level of community and regional collaboration that is practical. Investigators must demonstrate that capacity building has already reached the communication or partnership development stage during proposal development, and ideally, include a strategy to develop capacity building to higher levels, recognizing, however, that in some situations higher level involvement may not be desired or feasible by local organizations. Successful capacity building requires developing trust and dialogue among investigators, local communities, and regional organizations. Investigators need to be flexible in modifying their work plan in response to local knowledge, issues, and concerns, and must also understand that capacity building is a reciprocal process in which all participants share and gain valuable knowledge. The reciprocal nature of the capacity building component(s) must be clearly demonstrated in proposals.

5. *Cost Benefit*

Cost/Price Factors – An applicant’s cost/price proposal will be evaluated for reasonableness. For a price to be reasonable, it must represent a price to the government that a prudent person would pay when consideration is given to prices in the market. Normally, price reasonableness is established through adequate price competition, but may also be determined through cost and price analysis techniques.

Selection for Award – Applicant should be aware that the Government shall perform a “best value analysis” and the selection for award shall be made to the Applicant whose proposal is most advantageous to the Government, taking into consideration the technical factors listed above and the total proposed price across all agreement periods.

POLICY AND FUNDING GUIDELINES

Several policies have been developed to aid in implementing funding. These policies include:

1. Projects of up to four years duration may be considered in any year’s monitoring plan.
2. Studies must not duplicate existing projects.
3. A majority of Monitoring Program funding will be dedicated to non-Federal agencies.
4. Long term projects will be considered on a case by case basis.
5. Capacity building is considered a critical component of all projects, and all investigators are expected to incorporate capacity building and partnerships within their projects.
6. Activities that are not eligible for funding include:
 - a) habitat protection, mitigation, restoration, and enhancement;
 - b) hatchery propagation, restoration, enhancement, and supplementation;
 - c) contaminant assessment, evaluation, and monitoring; and
 - d) projects where the primary or only objective is outreach and education (for example, science camps, technician training, and intern programs), rather than information collection.

The rationale behind these policy and funding guidelines is to ensure that existing responsibilities and efforts by government agencies are not duplicated under the Monitoring Program. Land management or

regulatory agencies already have direct responsibility, as well as specific programs, to address these activities. However, the Monitoring Program may fund research to determine how these activities affect Federal subsistence fisheries or fishery resources.

The Monitoring Program may fund assessments of key Federal subsistence fishery stocks in decline or that may decline due to climatological, environmental, habitat displacement, or other drivers; however applicants must show how this knowledge would contribute to Federal subsistence fisheries management. Similarly, the Monitoring Program may legitimately fund projects that assess whether migratory barriers (e.g. falls, beaver dams) significantly affect spawning success or distribution; however, it would be inappropriate to fund projects to build fish passes, remove beaver dams, or otherwise alter or enhance habitat.

2018 FISHERIES RESOURCE MONITORING PLAN

For 2018, a total of 53 investigation plans were received and 53 are considered eligible for funding. Of the projects that are considered for funding, 40 are SST projects and 13 are HMTEK projects.

For 2018, the Department of the Interior, through the U.S. Fish and Wildlife Service, will provide an anticipated \$1.0 to \$1.5 million in funding for new projects and up to \$1.6 million for ongoing projects that were initially funded in 2016. The Department of Agriculture, through the U.S. Forest Service, has historically provided \$1.8 million annually. The amount of USDA funding available for 2018 projects is uncertain.

FISHERIES RESOURCE MONITORING PROGRAM SOUTHWEST ALASKA REGION OVERVIEW

Since the inception of the Monitoring Program in 2000, a total of 55 projects have been undertaken in the Southwest Alaska Region for \$11.1 million (**Figure 1**). Of these, the State of Alaska was the lead agency for 27 projects, the Department of the Interior for 25 projects, an Alaska Native organization for one project, and Idaho State University took the lead for two projects (**Figure 2**). Of the 55 projects funded to date in the Southwest Region, 38 were Stock, Status, and Trends (SST) projects, and 17 were Harvest Monitoring and/or Traditional Ecological Knowledge (HM/TEK) projects. For more information on Southwest Alaska Region projects completed from 2000 to 2016, see **Appendix A**.

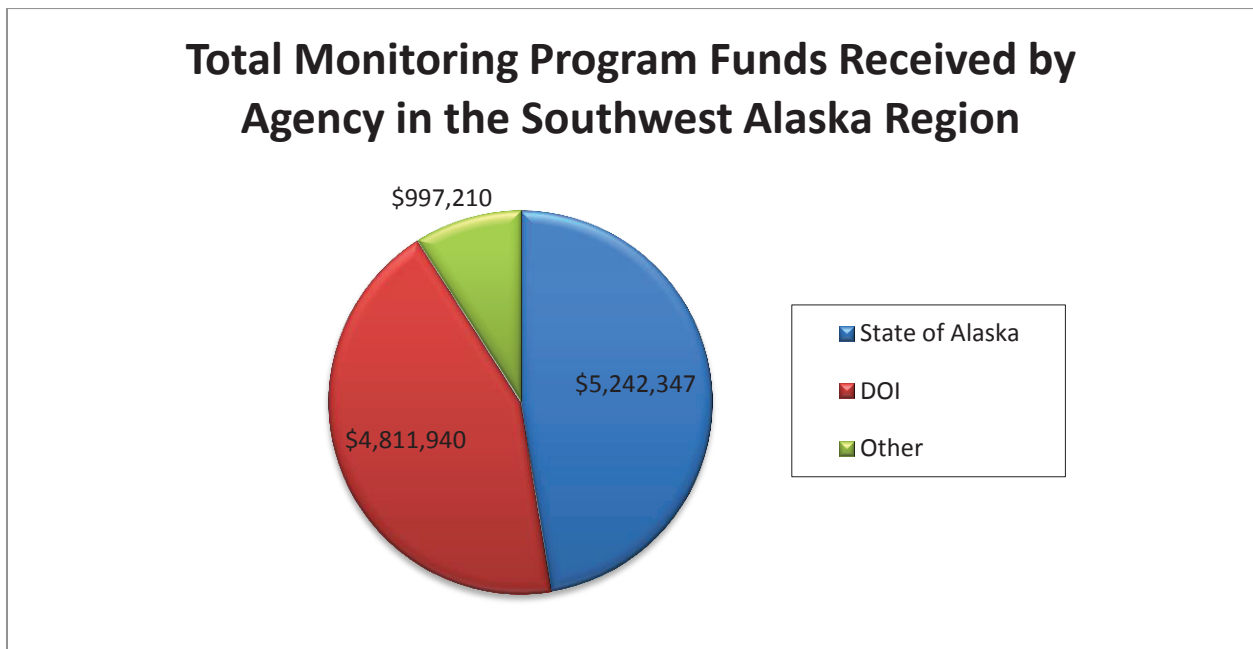


Figure 1. Monitoring Program funds received by agencies for projects in the Southwest Region. The funds listed are the total approved funds from 2000 to 2016. DOI = Department of Interior.

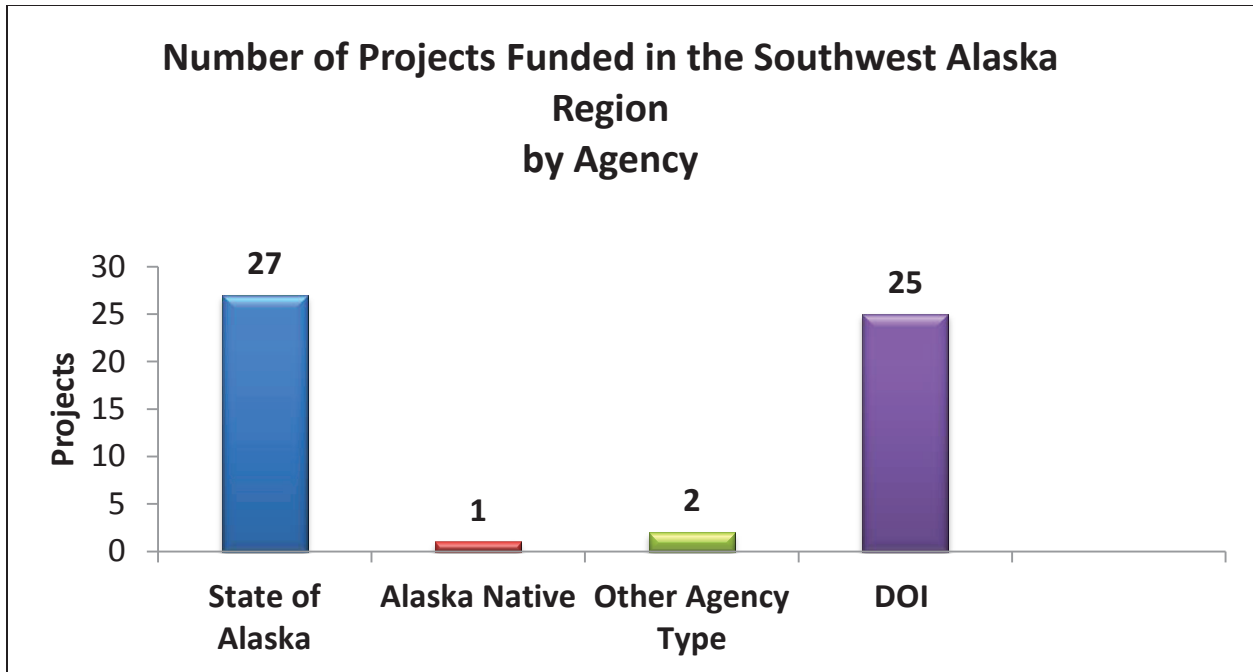


Figure 2. Total number of Monitoring Program projects funded, by Lead Agency, in the Southwest Region from 2000 to 2016. DOI = Department of Interior.

2018 DRAFT SOUTHWEST ALASKA REGION FISHERIES RESOURCE MONITORING PLAN

Priority Information Needs

For the Southwest Alaska Region, the 2018 Notice of Funding Opportunity focused on the following priority information needs:

- Reliable estimates of salmon in the southwest region to determine health and abundance and address region-wide declines in populations and/or loss of funding for existing research.
- Obtain subsistence harvest survey data for salmon and non-salmon fish by residents of southwest communities, particularly those with outdated information and/or not currently surveyed by the Alaska Department of Fish and Game Division of Subsistence. Emphasis was given to address harvest trends in Unalaska Bay, Togiak and Southwest Kodiak Villages.
- Comparative ecological evaluation of lake rearing habitats of subsistence Sockeye Salmon stocks in southwest Kodiak Island, Alaska including Olga Lakes and Akalura Lake watersheds; assessment of 1) the decline of salmon stocks and associated subsistence harvest opportunities and (2) the potential effects of climate change on salmon production in these lake systems.
- Abundance and assessment of critical subsistence salmon stocks in priority areas such as the Buskin River.
- Abundance and assessment of critical subsistence salmon stocks in priority areas such as McLees Lake.
- Investigate crab populations in Women's Bay.
- Reliable estimates of Sockeye Salmon escapements in the Lake Clark watershed.
- Reliable estimates of salmon escapement and evaluation of "quality of escapement" measures (for example, potential egg deposition, sex and size composition of spawners, spawning habitat quality and utilization) for determining the reproductive potential of spawning stocks in Big Creek, Naknek River, Alagnak River, Nushagak River Chignik River, Meshik River and Togiak River.
- Harvest survey of Dolly Varden in the Togiak River drainage.

Available Funds

Federal Subsistence Board guidelines direct initial distribution of funds among regions and data types. Regional budget guidelines provide an initial target for planning. For 2018, the Department of the Interior, through the U.S. Fish and Wildlife Service, will provide an anticipated \$1.0 to \$1.5 million in funding for new projects and up to \$1.6 million for ongoing projects that were initially funded in 2016. The U.S. Department of Agriculture (USDA), through the U.S. Forest Service, has historically provided up to \$1.8 million annually. The amount of USDA funding available for 2018 projects is uncertain.

Technical Review Committee Proposal Ranking

The mission of the Monitoring Program is to identify and provide information needed to sustain subsistence fisheries on Federal public lands for rural Alaskans through a multidisciplinary and collaborative program. It is the responsibility of the Technical Review Committee to develop the strongest possible Monitoring Plan for each region and across the entire state.

For the 2018 Monitoring Program, five project proposals were submitted for the Southwest Region. The Technical Review Committee evaluated and scored each proposal for Strategic Priority, Technical and Scientific Merit, Investigator Ability and Resources, Partnership and Capacity Building, and Cost/Benefit. The final score determined the ranking of each proposal within the region (**Table 1**). Projects that are ranked higher comprise a strong Monitoring Plan for the region by addressing strategically important information needs based on sound science and promote cooperative partnerships and capacity building. All five projects are currently being considered for funding in the 2018 Fisheries Resource Monitoring Program. For more information on the projects, please see the Abstracts in **Appendix B**.

Table 1. Monitoring Program Technical Review Committee ranking for projects in the Southwest Alaska Region. Projects are listed by ranking and include the total and average funds requested.

TRC Score	Project Number	Title	Total Project Request	Average Annual Request
1 (tied)*	18-400	Buskin River Sockeye Salmon Stock Assessment and Monitoring (4 years)	\$529,976	\$132,494
1 (tied)*	18-451	Subsistence harvest trends of salmon and nonsalmon fish in 4 southern Kodiak Island communities (3 years)	\$242,319	\$80,773
3	18-450	Unalaska Fish Harvest Practices (4 years)	\$296,701	\$74,175
4	18-402	Estimation of Sockeye Salmon escapement into McLees Lake (4 years)	\$207,192	\$51,798
5	18-401	Southwest Kodiak Ecological Assessment (4 years)	\$402,681	\$100,670
Total			\$1,678,869	\$439,910

* Proposals with identical scores during the rating process may be further assessed by comparing the average annual cost. Proposals with a lower average annual cost may be ranked above a similar rated proposal that has a higher annual average cost.

2018 TRC PROJECT RANKING AND JUSTIFICATION

TRC Score: (1 tied)

Project Number: 18-400

Project Title: Buskin River Sockeye Salmon Stock Assessment and Monitoring

TRC Justification: This project addresses one of the Priority Information Needs listed in the 2018 Notice of Funding Opportunity for the Southwest Alaska Region and is a continuation of work funded through the Fisheries Resource Monitoring Program since 2000 (projects 00-032, 04-414, 07-402, 10-403 and 14-401). The project would continue to provide estimates of Sockeye Salmon spawning escapement into the Buskin river system through operation of two weirs for four years, and obtain information on residency and traditional fishing sites from subsistence fishery participants. The Sockeye Salmon run to Buskin River supports what is usually the largest subsistence fishery in terms of both harvest and permits issued in the Kodiak Management Area. The ADF&G Kodiak office has a proven record of successfully conducting and completing these past projects. The project is well designed with objectives that are clearly written, quantifiable, and achievable. Data collected at this weir since 2000 has been used by the State to assess and modify spawning escapement goals and improve run forecasts. This has allowed State and Federal managers to better manage subsistence harvests and avoid unnecessary restrictions.

Past investigators have made strong efforts to improve capacity building, with impressive results from the high school student intern program. At present, this project has resulted in 18 of 24 former interns returning to work for the ADF&G.

While the requested funding for the proposed work appears reasonable to accomplish project objectives, this project, given its long history and being located near the ADF&G Kodiak office and on a road system, should be more efficient and cost effective as time goes by. The budget does not show the 150-hour contribution from the Kodiak Area Native Association.

TRC Score: (1 tied)

Project Number: 16-451

Project Title: Subsistence harvest trends of salmon and nonsalmon fish in 4 southern Kodiak Island communities

TRC Justification: The project directly addresses one priority information need for reliable harvest and use estimates of salmon and nonsalmon fish, but only minimally addresses the information need for comparative ecological evaluation of Sockeye Salmon rearing habitats in the Olga and Akalura lakes watersheds. The research methods are standard for the Division of Subsistence, the budget is reasonable for the work proposed, and the timeline is realistic giving ample opportunity for investigators to address each stage of research, data analysis, community review, and reporting requirements. However, the project is broad in scope and does not effectively address both priority information needs as one research effort. The investigation plan did not convincingly explain how two very different information objectives would come together as a cohesive end product.

TRC Score: (3)
Project Number: 18-450
Project Title: Unalaska Fish Harvest Practices

TRC Justification: This project directly addresses the 2018 priority information need for reliable harvest and use estimates of salmon and nonsalmon fish in Unalaska. The research methods are standard for the Division of Subsistence, the budget is reasonable for the work proposed, and the timeline is realistic giving ample opportunity for investigators to address each stage of research, data analysis, community review, and reporting requirements. The study plan is well designed with only minor concerns, easily addressed by the researchers before implementation of the first field season. Specifically, the investigation plan should describe a sampling effort that directly addresses that portion of the Unalaska population that is seasonal and not permanent residents of Alaska.

The investigator capacity for the work proposed is strong, demonstrating past successful experience leading similar studies for the Monitoring Program and conducting research in the community proposed. There are no rural or Alaska Native organizations listed as co-investigators for this project, however, a cooperative agreement will be signed with the Qawalangin Tribe to identify and hire local research assistants. There are six letters of support from local organizations and agencies.

TRC Score: (4)
Project Number: 18-402
Project Title: Estimation of Sockeye Salmon escapement into McLees Lake

TRC Justification: This project addresses one of the Priority Information Needs listed in the 2018 Notice of Funding Opportunity for the Southwest Alaska Region and is a continuation of work funded through the Fisheries Resource Monitoring Program from 2001 to 2011 (projects 01-059, 04-403, 07-405 and 10-406), and funded by the AKSSF from 2012 through 2017. This project is of high strategic importance for the Aleutian Islands Management Area, is technically sound, is a continuation of work successfully conducted since 2001, and has both a reasonable schedule and budget for the proposed work. The ADF&G, through its principal investigators, has a proven, 16-year record of successfully conducting, administering, and completing other Fisheries Resource Monitoring Program-funded salmon weir projects.

TRC Score: (5)
Project Number: 18-401
Project Title: Southwest Kodiak Ecological Assessment

TRC Justification: This project directly addresses one of the Priority Information Needs identified in the 2018 Notice of Funding Availability for the Southwest Alaska Region, “*Comparative ecological evaluation of lake rearing habitats of subsistence sockeye salmon stocks in southwest Kodiak Island, Alaska, including Olga Lakes and Akalura Lake watersheds; assessment of (1) the decline in salmon*

stocks and associated subsistence harvest opportunities, and (2) the potential effects of climate change on salmon production in these lake systems”. The proposed project is technically sound and the objectives are clear, measureable and, achievable. However, the investigation plan does not tie together what the real issue is that is being addressed, e.g. nutrient deficiency vs. ocean conditions, and does not address how the results of the project would help in the management of the salmon stocks. Sample sizes for each lake system are listed and a confidence interval has been identified for estimates of weight and length of Sockeye Salmon. All investigators appear to have the knowledge and resources available to accomplish their designated tasks and the project objectives.

The proposed cost of the project is reasonable and justified averaging \$100,670 annually for a total request of \$402,681. None of the investigators is an Alaskan Native or tribal organization. The investigators missed an opportunity to involve local residents in this project.

APPENDIX A

Table A.1. Fisheries Resource Monitoring Program projects funded in the Southwest Region from 2000 to 2016.

Project Number	Project Title	Investigators (Lead listed first)
<i>Bristol Bay Salmon</i>		
00-010	Togiak River Salmon Weir	USFWS
00-031	Alagnak River Sockeye Salmon Escapement	ADF&G, NPS, BBNA
00-033	Alagnak River Angler Effort Index	ADF&G, NPS, BBNA
00-042	Lake Clark Sockeye Salmon Assessment	USGS
01-047	Togiak River Subsistence Harvest Monitoring	BBNA, ADF&G, USFWS
01-075	Nondalton Sockeye Salmon and Freshwater Fish TEK	NPS, NTC, USGS
01-095	Lake Clark Sockeye Salmon Escapement	USGS, NTC
01-109	Traditional Ecological Knowledge of Alaska Peninsula/Becharolf NWR	ADF&G, BBNA
01-173	Alagnak River Harvest Salmon Assessment of Recreational Fishery	ADF&G
01-204	Ugashik Lakes Coho Salmon Escapement Estimation	USFWS
03-046	Fisheries Biotechnician Training Program	NPS
04-411	Lake Clark Sockeye Salmon Run Timing	USFWS, BBNA
04-454	Bristol Bay Sharing, Bartering, and Trade of Subsistence Resources	ADF&G, BBNA
05-402	Lake Clark Sockeye Salmon Escapement	NPS, USGS
08-402	Togiak River Chinook Salmon Radio Telemetry	USFWS, BBNA
08-405	Lake Clark Sockeye Salmon Assessment	NPS, USS&E, BBNA
10-402	Togiak River Chinook Salmon Adult Assessment	USFWS, BBNA, ADF&G,
16-451 ^b	Bristol Bay Subsistence Salmon Networks	ADF&G, BBNA, OSU
16-453 ^b	Togiak River Chinook Salmon Sub. Harvest Assessment	ADF&G, BBNA
<i>Chignik Salmon</i>		
02-098	Kametlook River Coho Salmon Escapement & Carrying Capacity	USFWS, BBNA
02-099	Clark River Estimation of Sockeye and Coho Salmon Escapement	USFWS, BBNA
03-043	Perryville Coho Salmon Escapement	USFWS
05-405	Perryville-Chignik Coho and Sockeye Salmon Aerial Surveys	USFWS
07-404	Perryville-Clark River Coho and Sockeye Salmon Aerial Surveys	USFWS
<i>Bristol Bay-Chignik Freshwater Species</i>		
00-011	Togiak River Dolly Varden Genetic Baseline Development	USFWS
00-012	Bristol Bay Traditional Knowledge of Fish	ADF&G
02-034	Kvichak River Resident Species Subsistence Fisheries Assessment	ADF&G, BBNA
04-401	Ungalikthlik and Negukthlik Rivers Rainbow Trout Assessment	USFWS

Table A.1 continued

Project Number	Project Title	Investigators (Lead listed first)
<i>Bristol Bay-Chignik Freshwater Species</i>		
04-415	Tazimina Rainbow Trout Assessment	ADF&G
05-403	Lake Clark Whitefish Assessment	ADF&G
07-408	Togiak River Rainbow Smelt Assessment	USFWS, BBNA
07-452	Kvichak Watershed Subsistence Fishing Ethnography	ADF&G, BBNA, NPS
12-452	Whitefish trends in Lake Clark and Iliamna Lake	ADF&G, BBNA, NPS, NTC
<i>Kodiak-Aleutians</i>		
00-032	Buskin River Sockeye Salmon Stock Assessment	ADF&G
01-059	McLees Lake Sockeye Salmon Escapement	USFWS
01-206	Mortenson Creek Sockeye and Coho Salmon Escapement	USFWS
02-032	Lower Alaska Peninsula/Aleutians Subsistence Fish Harvest Assessment	ADF&G, APIA, ISU
03-047	Afognak Lake Sockeye Smolt Enumeration Feasibility	ADF&G
04-402	Mortenson Creek Sockeye and Coho Escapement	USFWS
04-403	McLees Lake Sockeye Salmon Escapement	USFWS
04-412	Afognak Lake Sockeye Salmon Stock Assessment	ADF&G
04-414	Buskin River Sockeye Salmon Stock Assessment	ADF&G
04-457	Kodiak Subsistence Fisheries Harvest and TEK	ADF&G, KANA
07-401	Afognak Lake Sockeye Salmon Smolt Assessment	ADF&G
07-402	Buskin River Sockeye Salmon Weir	ADF&G
07-405	McLees Lake Sockeye Salmon Weir	USFWS, ADF&G, QT
10-401	Afognak Lake Sockeye Salmon Smolt and Adult Assessment	ADF&G
10-403	Buskin River Sockeye Salmon Adult Assessment	ADF&G
10-404	Buskin River Sockeye Salmon Smolt Assessment Feasibility	ADF&G
10-406	McLees Lake Sockeye Salmon Weir	USFWS, ADF&G, QT
12-450	Aleutian Islands Salmon and other Subsistence Harvests	ISU
12-453	Kodiak Salmon Fishery Changing Patterns	ADF&G
14-401 ^b	Buskin River Sockeye Salmon Stock Assessment	ADF&G
14-402	Afognak Lake Sockeye Salmon Stock Assessment	ADF&G
16-452 ^b	Western Gulf of Alaska Salmon and Other Harvests	ISU

^a = Final Report in Preparation.

^b = On-going project during 2017.

Abbreviations used for investigators are: **ADF&G** = Alaska Department of Fish and Game, **APIA** = Aleutian-Pribilof Islands Association, **BBNA** = Bristol Bay Native Association, **ISU** = Idaho State University, **KANA** = Kodiak Area Native Association, **NTC** = Nondalton Tribal Council, **NPS** = National Park Service, **OSU** = Oregon State University, **QT** = Qawalangin Tribe, **USFWS** = U.S. Fish and Wildlife Service, **USGS** = U.S. Geological Survey, **USS&E** = US Science and Education, and **UW** = University of Washington.

APPENDIX B

The following Abstracts were written by the Principle Investigators and submitted to the Office of Subsistence Management as part of the proposal package. The statements and information contained in the Abstracts were not altered and may not reflect the opinions of the Office of Subsistence Management and/or the Technical Review Committee.

Project Number: 18-400
Title: Buskin River Sockeye Salmon Stock Assessment and Monitoring
Geographic Region: Kodiak Island, Kodiak/Aleutians Region
Data Type: Stock Status and Trends
Principal Investigator: Mark Witteveen, Alaska Department of Fish and Game.

Project Cost:	2018: \$179,813	2019: \$131,858	2020: \$134,959	2021: \$83,346
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Total Cost: \$529,976

Issue: This proposal seeks funding to operate fish enumeration weirs on the Buskin River in Kodiak, Alaska. The Buskin River supports a federal subsistence fishery occurring within the Alaska Maritime National Wildlife Refuge which annually harvests relatively large numbers of sockeye salmon during June and July. Salmon from the Buskin River drainage have been identified by the Federal Subsistence Board as a resource important for customary and traditional use by the residents of Kodiak. Annual operation of a salmon escapement weir at the Buskin Lake outlet and a key tributary stream will ensure that maximum harvest opportunities for federal subsistence users are sustained.

Objectives:

1. Census the sockeye salmon escapement into Buskin Lake approximately from June 1 to August 1, and Louise/Catherine lakes tributary approximately from June 1 through August 31.
2. Estimate the age composition of the sockeye salmon run (combined subsistence harvest in the Chiniak Bay section and escapement) to Buskin Lake such that the estimates are within 7.5 percentage points of the true value 95% of the time and to Louise/Catherine Lakes such that the estimates are within 15 percentage points of the true value 90% of the time.
3. Summarize residency of Buskin drainage federal subsistence users, document traditional areas of subsistence harvest and duration of harvest in those areas.
4. Update and refine the Buskin River brood table to evaluate the sockeye salmon BEG.
5. Provide education and career development opportunity for Alaska Natives and federally qualified subsistence users.

Methods: Sockeye salmon escapement will be enumerated annually through weirs at the outlet of Buskin Lake and the Louise/Catherine lakes tributary at least from June 1 through August 31. Fishery management actions taken inseason affecting subsistence, sport, and commercial fisheries will be based on comparison of cumulative weir counts to historical time of entry in order to project run strength and total escapement. Additionally, sockeye salmon will be sampled at both weirs and from the federal subsistence harvest for age, sex and length (ASL), providing estimates of return by age for the Buskin and

Louise/Catherine lakes components. Analyses of the return and age data collected since 1993 have allowed development of a brood table with estimates of total return having a relative precision of about 10%. Continued collection of age data at this level of sampling will allow for continuation of the brood table and future re-evaluation of the BEG.

Partnerships/Capacity Building: The Kodiak Area Native Association (KANA) will provide an Alaska Native intern to work with the weir crew for 150 hours per season. ADF&G will also continue a high school student internship program established in 2003 to provide education and career development opportunity for federally qualified subsistence users. Both the KANA and high school interns will learn a variety of field data collection methods, learn principles of fisheries management, and be exposed to the fundamentals of the scientific process. These positions provide great experience and serve as a stepping stone to a career in the biological sciences. Further, the Sun’aq Tribe of Kodiak is seeking funding for a Tribal Youth Intern program. If funded, a Tribal Youth Natural Resources Intern will spend two weeks per summer working with the Buskin River Weir crew, learning about natural resources management and research. The ADF&G and Kodiak National Wildlife Refuge office of the U.S. Fish and Wildlife Service (USFWS) have established a cooperative agreement to utilize the Buskin River weir as an educational tool for the service’s ‘Summer Science and Salmon Camp’ program, which provides a science-based venue for local youths to learn the importance of salmon for subsistence and other uses comprising an integral part of the Kodiak lifestyle.

Project Number: 18-451
Title: Subsistence harvest trends of salmon and nonsalmon fish in 4 southern Kodiak Island communities
Geographic Region: Southwest
Data Type: Harvest Monitoring/Traditional Ecological Knowledge
Principal Investigator: Lauren Still, ADF&G Division of Subsistence
Co-Investigator: Amy Wiita, ADF&G Division of Subsistence

Project Cost:	2018: \$0	2019: \$101,230	2020: \$101,395	2021: \$39,694
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Total Cost: \$242,319

Issue: Residents of Larsen Bay, Old Harbor, Akhiok, and Karluk reside within or adjacent to the Kodiak National Wildlife Refuge and rely on fish and game resources throughout the refuge as well as offshore in marine waters for their nutritional and cultural needs. Current salmon harvest assessments through subsistence fishing permits do not accurately report salmon harvests due to low response rates and undeliverable permit addresses. Comprehensive harvest assessments in these communities have not been conducted in over 10 years, or 25 years for the community of Karluk. This project would document use and harvesting activities of wild resources, including locations for the 2018 study year and compare results to previous studies. Sockeye salmon returns to Olga and Akalura lakes have been on a downward trend and concerns for the productivity of these salmon stocks for subsistence have been aired during Kodiak RAC meetings. While some limnological and habitat assessments have been made, the freshwater portions of these systems are not completely understood. This project will document local and

traditional knowledge (LTK) of local residents in Akhiok and Larsen Bay about these lakes, in particular their observations of salmon during various lifecycle stages and at different locations, during different times of the year, as well as observations about the occurrence of other species of fish, vegetation changes, algal blooms, or unusual ice/hard winter events.

Objectives:

- 1) Estimate the harvest of wild resources, including salmon and nonsalmon fish, during the study year (2018) by residents of Akhiok, Karluk, Old Harbor, and Larsen Bay.
- 2) Record the spatial extent of search and harvest areas for salmon and nonsalmon fish by residents of Akhiok, Karluk, Old Harbor, and Larsen Bay.
- 3) Document patterns associated with subsistence salmon and nonsalmon harvests, historically and in the recent past.
- 4) Collect local, traditional knowledge (LTK) of habitat important to salmon lifecycles held by residents of Akhiok and Larsen Bay, with a specific focus on Olga and Akalura lakes.

Methods: Systematic comprehensive household surveys will document the harvest and use of wild resources by residents of the study communities. Researchers will attempt to administer the surveys to all households in the communities. Semi-structured key respondent interviews will be used with approximately 5 knowledgeable individuals in the communities of Larsen Bay and Akhiok to document LTK of salmon populations, other fish populations, vegetation, and environmental changes observed in Olga and Akalura lakes.

Partnerships/Capacity Building: Information collected through this project can be used by local and regional councils to advocate for subsistence practices before the Alaska state Board of Fisheries or Board of Game, or the Federal Subsistence Board. Researchers will consult with communities during all phases of the project and will hire and train local research assistants for survey administration and key respondent interviewing.

Project Number: 18-450
Title: Unalaska Fish Harvest Practices
Geographic Region: Southwest Alaska
Data Type: Harvest Monitoring/Traditional Ecological Knowledge
Principal Investigator: Brian Davis, ADF&G Division of Subsistence
Co-Investigator: Amy Wiita, ADF&G Division of Subsistence

Project Cost:	2018: \$61,266	2019: \$177,456	2020: \$39,842	2021: \$18,137
Total Cost: \$296,701				

Issue: Residents of Unalaska reside within or adjacent to the Alaska Maritime Wildlife Refuge and rely on locally available resources for their nutritional and cultural needs. Comprehensive harvest assessment surveys with a representative sample of Unalaska households have not been conducted in over 22 years, and harvest reporting on annual subsistence salmon permits is inconsistent. This project would document

wild resource harvest quantities and locations for the 2019 study year and compare results to previous studies. In 2016, the Alaska Board of Fisheries heard Unalaska residents testify they have been unable to meet their subsistence salmon needs, and the board approved the Unalaska-sponsored proposal to exclude commercial fishing boats from Unalaska Bay as a means to protect local access to salmon, nonsalmon fish, and other marine resources. Results of the study will provide up-to-date community harvest data for all wild food species, and determine the extent to which four years without commercial trawl fishing in Unalaska Bay has impacted the local fisheries.

Objectives

- 1) Estimate the harvest quantities and harvest locations of wild resources, including salmon and nonsalmon fish, during the study year (2019) by residents of Unalaska.
- 2) Document local knowledge and patterns of subsistence salmon and nonsalmon harvests historically and in the recent past.
- 3) Participate in subsistence salmon fishing with Unalaska residents, record local traditional knowledge of the fishery and record observations on salmon run timing, social and cultural practices, and possible changes associated with the recent exclusion of commercial trawl fishers from Unalaska Bay.

Methods: Systematic comprehensive household surveys will document the harvest and use of wild resources by residents of the study community. Researchers will administer surveys with a statistically significant sample number of households. Participant observation and semi-structured key respondent interviews will be used with approximately 12 knowledgeable individuals in Unalaska.

Partnerships/Capacity Building: Study results can be used by the local and regional council to advocate for subsistence practices before the Alaska state Boards of Fisheries or Game or the Federal Subsistence Board. Researchers will consult with communities during all phases of the project and will hire and train local research assistants for survey administration and key respondent interviewing.

Project Number: 18-402
Title: Estimation of sockeye salmon escapement into McLees Lake, Unalaska Island.
Geographic Region: Southwest Alaska
Data Type: Stock status and Trends
Principal Investigator: Colton Lipka, Alaska Department of Fish and Game
Co-Investigator: Lisa Fox, Alaska Department of Fish and Game

Project Cost:	2018: \$79,589	2019: \$52,491	2020: \$52,491	2021: \$22,621
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Total Cost: \$207,192

Issue: This project will continue operation of the McLees Lake weir to collect timely escapement information in order to optimize subsistence fishing opportunity and maintain the sustainability of the sockeye salmon resource at McLees Lake. Improving the accuracy of escapement estimates into McLees Lake will directly improve the ability of biologists to make informed management decisions, thereby

improving management of the subsistence fishery. If escapements continue to decline, further restrictions of the subsistence fishery may be needed to protect the population of sockeye salmon

Objectives:

1. Enumerate the daily passage of sockeye salmon through the weir;
2. Describe the run-timing, or proportional daily passage, of sockeye salmon through the weir;
3. Estimate the weekly sex and age composition of sockeye salmon such that simultaneous 90% confidence intervals have a maximum width of 0.20;
4. Estimate the mean length of sockeye salmon by sex and age; and
5. Estimate the capacity for rearing juvenile sockeye salmon

Methods: ADF&G will operate this project consistent with the methods used by the USFWS from 2001-2011 and outlined in Hildreth 2010. A rigid picket weir will be constructed at the outlet of McLees Lake, approximately 100m upstream from Reese Bay. The weir will be operated from approximately June 1 to August 1 during each year of the project. A trap and holding area will be installed on the upstream side of the weir to facilitate sampling fish and passing adult salmon through the weir. The weir and sampling trap will be inspected daily and maintained as needed to insure integrity. Fish will be passed and counted intermittently as needed depending on the magnitude of the migration. All fish passing upstream will be identified to species and enumerated. Daily escapement counts will be relayed to ADF&G office in Cold Bay via satellite phone, allowing project data to be used in making in-season management decisions for the Reese Bay subsistence fishery. Daily sockeye salmon escapement estimates will be available for in-season management. Results will be published in ADF&G Fisheries Management Report Series, and the information will be available to the public. Data will be archived per ADF&G standards. Project findings will be reported to the Office of Subsistence Management Fisheries Monitoring Program annually.

Partnerships/Capacity Building: This project will continue the development of partnerships between the U.S. Fish and Wildlife Service, the Qawalangin Tribe of Unalaska, and ADF&G. Capacity building will occur with the Qawalangin Tribe by their direct participation in the hiring of the field technicians and ongoing consultation to develop educational opportunity. For this proposal period ADF&G will hire the two field technicians with recommendation and consultation from the Qawalangin Tribe to provide emphasis on a local applicant pool. The objective is to have a timely, formal interview process, educating and giving valuable experience to the applicants for futures in the fisheries professions. Throughout the summer ADF&G will consult with a Qawalangin liaison to arrange an educational excursion to the weir site for interested youth from Unalaska to provide an educational experience in basic fisheries science field work.

Project Number: 18-401
Title: Southwest Kodiak Ecological Assessment
Geographic Region: Southwest Alaska
Data Type: Stock status and Trends
Principal Investigator: Heather Finkle, Alaska Department of Fish and Game
Co-Investigators: Nathan Weber, Kodiak Regional Aquaculture Assoc., Bill Pyle, USFWS

Project Cost:	2018: \$68,260	2019: \$118,257	2020: \$120,909	2021: \$95,255
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Total Cost: \$402,681

Issue: Over the last 15 years, sockeye salmon returns to Akalura and South Olga lakes have declined, negatively impacting Alitak and Olga Bay subsistence fishery opportunities supported by those stocks. This ecological assessment will identify linkages between climate, juvenile sockeye salmon health, and lake rearing conditions for Akalura and Upper Olga lakes and compare them to nearby systems (Red and Horse Marine lakes) that have had relatively stable sockeye salmon production. This holistic project will provide biologists to new information to better manage for optimum sustained yield, improving subsistence harvest opportunities. This project will also help identify how past management actions have affected sockeye salmon production vital to Akhiok residents and the Alitak and Olga Bay subsistence fisheries, providing management biologists a frame of reference to better assess past practices and future actions.

Goals and Objectives:

1. Estimate the age composition, average size, and isotopic signature of juvenile sockeye salmon from Akalura, Horse Marine, Red and the South Olga lakes annually from 2018 through 2021.
2. Evaluate the effects of the water chemistry, nutrient status, and plankton (phytoplankton and zooplankton) production of each lake on the smolt production and future adult returns from 2018 through 2021.
3. Re-evaluate Akalura, Upper Olga, Red, and Horse Marine lake bathymetry and water quality data using an Ecomapper AUV, once in each lake over the course of the study.
4. Build the smolt age composition and condition dataset for comparison to available historical fisheries and limnological data in relation to climate change and anthropogenic (i.e. oil spill, management, etc) effects upon completion of objective 1.
5. Assess available historical fisheries and limnological data in relation to climate change effects, upon completion of objectives 1–4.

Methods: Juvenile sockeye salmon and limnological sampling from Akalura, Horse Marine, Red, and Upper Olga lakes will occur once a month from May through September in each field season of the project (2018-2020). Age, weight, length and stable isotope data will be collected from smolt. Nutrient, physical, and bathymetric data will be collected and analyzed from each lake. Adjacent to limnological sampling stations, temperature arrays will be launched each April and retrieved each October of the project.

Partnerships/Capacity Building: The collaboration among ADF&G, USFWS, and KRAA will directly foster partnerships and capacity building. The dissemination of project results and deliverables by each investigator will enable and establish dialogues with the Alitak subsistence users, which include rural Akhiok residents. In turn, Alitak subsistence users will have access to current robust information for understanding the changes to the local subsistence fishery and have created partnerships and the capacity for interacting with the agencies that manage subsistence fisheries.

FISHERIES RESOURCE MONITORING PROGRAM MULTI-REGIONAL OVERVIEW

Since the inception of the Monitoring Program in 2000, 16 projects have been undertaken in the Multi-regional category for a total of \$2.5 million (**Figure 1**). Of these, the State of Alaska was principal investigator on 11 projects, the Department of Interior conducted 3 projects, and other organizations conducted 2 projects (**Figure 2**). 12 projects were Stock, Status, and Trends (SST), and 4 projects were Harvest Monitoring and Traditional Ecological Knowledge (HMTEK). For more information on Multi-Regional projects completed from 2000 to 2016, please see **Appendix A**.

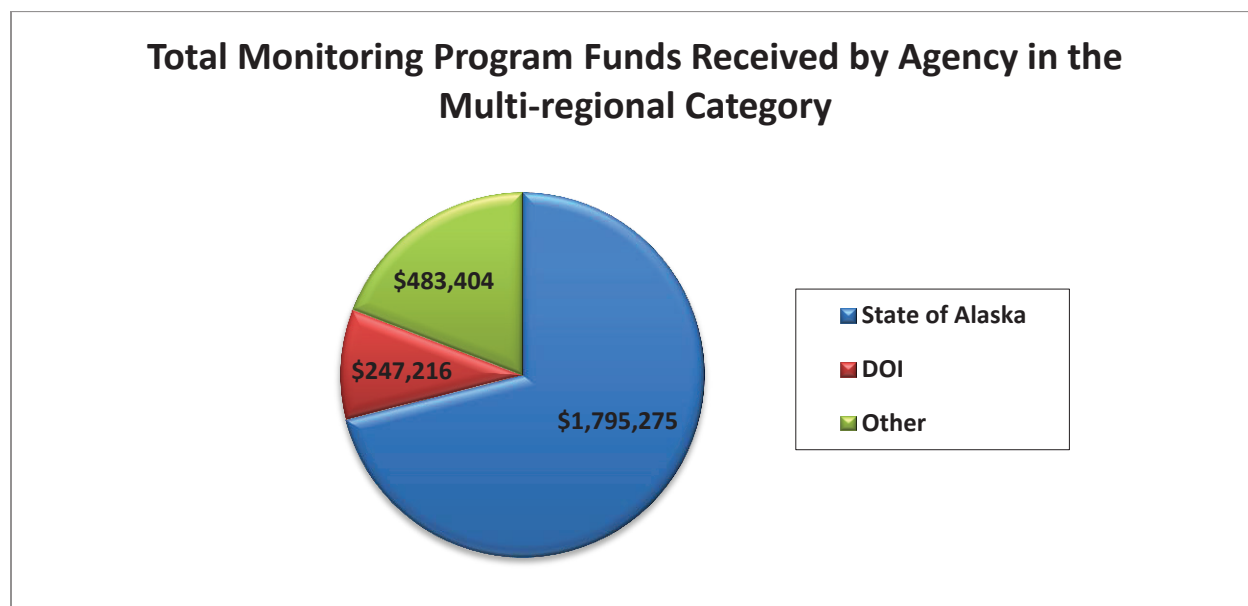


Figure 1. Monitoring Program funds received by agencies for projects in the Multi-regional category. The funds listed are the total approved funds from 2000 to 2016. DOI = Department of Interior.

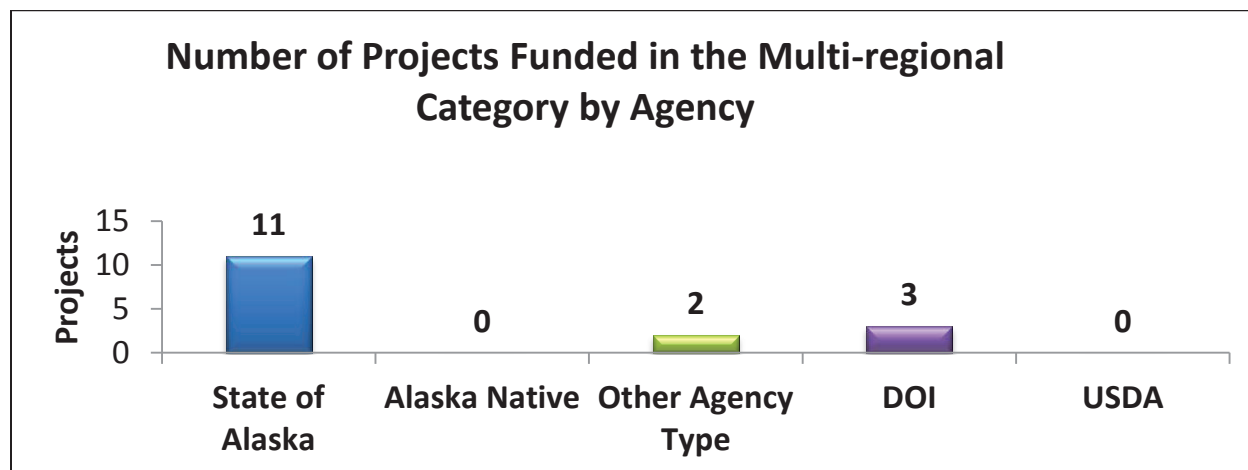


Figure 2. Total number of Monitoring Program projects funded, by agency, in the Multi-regional category from 2000 to 2016. DOI = Department of Interior and USDA = Department of Agriculture.

2018 DRAFT MULTI-REGIONAL FISHERIES RESOURCE MONITORING PLAN

OVERVIEW

Priority Information Needs

The Multi-regional category is for projects that are applicable in more than one region. No priority information needs for the Multi-regional category were identified for the 2018 Notice of Funding Opportunity. However, proponents submit proposals which have research components in more than one Monitoring Program region.

Available Funds

Federal Subsistence Board guidelines direct initial distribution of funds among regions and data types. Regional budget guidelines provide an initial target for planning. For 2018, the Department of the Interior, through the U.S. Fish and Wildlife Service, will provide an anticipated \$1.0 to \$1.5 million in funding for new projects and up to \$1.6 million for ongoing projects that were initially funded in 2016. The U.S. Department of Agriculture (USDA), through the U.S. Forest Service, has historically provided up to \$1.8 million annually. The amount of USDA funding available for 2018 projects is uncertain.

Technical Review Committee Proposal Ranking

The mission of the Monitoring Program is to identify and provide information needed to sustain subsistence fisheries on Federal public lands for rural Alaskans through a multidisciplinary, collaborative program. It is the responsibility of the Technical Review Committee to develop the strongest possible Monitoring Plan for each region and across the entire state.

For the 2018 Monitoring Program, two proposals were submitted in the Multi-regional category. The Technical Review Committee evaluated and scored each proposal for Strategic Priority, Technical and Scientific Merit, Investigator Ability and Resources, Partnership and Capacity Building, and Cost/Benefit. The final score determined the ranking of each proposal within the region (**Table 1**). Projects that rank higher comprise a strong Monitoring Plan for the region by addressing strategically important information needs based on sound science and promote cooperative partnerships and capacity building. For more information on projects submitted to the 2018 Fisheries Resource Monitoring Program please see the abstracts in **Appendix B**.

Table 1. 2018 Monitoring Program Technical Review Committee ranking for projects in Multi-regional. Projects are listed by ranking and include the total funds requested and the average annual requested.

TRC Score	Project Number	Title	Total Project Request	Average Annual Request
1	18-751	Togiak River Harvest Assessment of Dolly Varden	\$120,236	\$40,079
2	18-750	Kuskokwim, Southcentral and Southeast Wild Food Sharing Events	\$34,686	\$11,562
Total			\$154,922	\$51,641

2018 TRC PROJECT RANKING AND JUSTIFICATION

TRC Score: (1)
Project Number: 18-751
Project Title: Subsistence Harvest Assessment and Stock Composition of Dolly Varden and Nonsalmon fish stocks in the Togiak National Wildlife Refuge

TRC Justification: This 3-year interdisciplinary project will collect subsistence harvest data of nonsalmon fish in the communities of Togiak and Twin Hills, and collect Traditional Knowledge and estimate the stock composition of subsistence caught Dolly Varden from the Togiak and Kanektok Rivers in the Togiak National Wildlife Refuge. This project directly addresses priority information needs from the 2018 Notice of Funding Opportunity and builds upon current 2016 Monitoring Program projects. Advantages include infrastructure, logistics, data and cost sharing with the foundational projects, good interagency partnership and capacity building opportunities, and a reasonable budget. Investigator ability is strong and there is general community support for the work with local hire and participation opportunities.

This is an interdisciplinary project and the implications for knowledge sharing and integration of datasets and results are intriguing. Greater intentionality in developing the interview protocol, the Yup'ik taxonomy used in species identification for each sampling event, and more staff time allotted for collaborative report writing and review are recommended.

TRC Score: (2)
Project Number: 18-750
Project Title: A descriptive investigation of rural community-wide wild food sharing events at upper Copper River, lower Kuskokwim River, and Southeast areas of Alaska

TRC Justification: This three-year, multi-region ethnographic study proposes to use semi-directed interviews and participant observation to document community-wide wild food sharing events in three regions of rural Alaska – the upper Copper River, the lower Kuskokwim River, and Southeast Alaska (community of Wrangell). The project has a clear connection with the Federal Subsistence Management Program in that fish harvested from federal waters play an important role in the subsistence economy and way of life in each of these regions. Each member of the research team would be responsible for the work a specific region, and each has previous fieldwork experience in that region. The team members also each have prior experience with projects documenting the harvest and use of subsistence resources in rural Alaskan communities. The project employs well recognized ethnographic methods – key informant interviews and participant observation; however, time in the field is limited – no more than 16 days per person over the length of the project. Partnerships and capacity building appear to be limited to consulting with local organizations on the selection of study communities or a local research assistant along with hiring local assistants to help with organizing the interviews. The end result of the project will be a technical report along with educational materials describing the food sharing events, with an intended audience of both the villages and Federal fishery management staff. From the standpoint of federal

management, the goal of the educational materials is to help managers incorporate the local cultural values represented by the food sharing events in their decision making. Because the research team is comprised of federal employees, funding is requested only for travel expenses, honoraria, local research assistants, interview transcription/translation, and supplies. Project costs seem generally reasonable in relation to the work being proposed, although a few discrepancies between planned work and anticipated expenses in a given year should be clarified.

APPENDIX A

Table A.1. Fisheries Resource Monitoring Program projects funded in the Multi-regional category from 2000 to 2016.

Project Number	Project Title	Investigators
00-016	Information Access of AYK Fish Data	ADF&G
00-017	Statewide Subsistence Harvest Strategy	ADF&G, AIT
01-010	Regulatory History of Alaska Salmon Regulations	ADF&G, EA
01-106	Validity and Reliability of Fisheries Harvest	ADF&G, AITC, NPS
01-107	Implementation of Statewide Fisheries Harvest Strategy	ADF&G, AITC
01-154	Project Information and Access System	ADF&G
02-043	Alaska Subsistence Fisheries Database GIS Integration	ADF&G
02-069	Shared Fishery Database	ADF&G
04-701	Develop Shared Fishery Database	ADF&G
04-751	Subsistence Harvest Database Update and Report	ADF&G
05-702	Whitefish Genetic Species Markers	USFWS
06-701	Dolly Varden Stock Composition	USFWS
08-701	Stream Temperature Monitoring	ARRI
12-700	Genetic Baseline for Inconnu from the Yukon and Kuskokwim Rivers	USFWS
14-701	Stream Temperature Monitoring	ARRI
16-752	Subsistence Harvest and Use Patterns of Nonsalmon by Yukon-Kuskokwim Delta Coastal Communities	ADF&G

Abbreviations used: ADF&G=Alaska Department of Fish and Game, AITC=Alaska Inter-Tribal Council, ARRI=Aquatic Restoration and Research Institute, EA=Elizabeth Andrews, NPS=National Park Service, USFWS=U.S. Fish and Wildlife Service.

APPENDIX B

The following abstracts were written by the Principle Investigators and submitted to the Office of Subsistence Management as part of the proposal package. The statements and information contained in the abstracts were not altered and they may not reflect the opinions of the Office of Subsistence Management or the Technical Review Committee. The abstracts listed are for projects that are currently being considered for Funding the 2018 Fisheries Resource Monitoring Program.

Project Number: 18-751

Title: Subsistence Harvest Assessment and Stock Composition of Dolly Varden and Nonsalmon fish stocks in the Togiak National Wildlife Refuge

Geographic Region: Multi-Regional: Kuskokwim River and Yukon River Drainages

Data Type: Harvest Monitoring and Traditional Ecological Knowledge

Principal Investigator: Bronwyn Jones, Division of Subsistence, Alaska Department of Fish and Game

Co-Investigators: Cody Larson, Department of Natural Resources, Bristol Bay Native Association; Penelope Crane, Conservation Genetics Laboratory, U. S. Fish and Wildlife Service

Amanda Cochran, Togiak National Wildlife Refuge, U. S. Fish and Wildlife Service

Project Cost:	2018: \$23,176	2019: \$49,054	2020: \$48,006
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Total Cost: \$120,236

Addressed: This project addresses two priority information needs of the 2018 FRMP, 1) obtaining harvest estimates and use of salmon and nonsalmon fish in Togiak and 2) Dolly Varden char harvest and use by residents of Togiak and Twin Hills. Though residents of communities within the TNWR use a wide variety of resources, salmon and nonsalmon fish, including Dolly Varden char, provide the most reliable annual source of subsistence foods. Dolly Varden in TNWR rivers home to natal streams to spawn, but can migrate to nonnatal rivers for overwintering, therefore subsistence harvests are likely mixed. This project will estimate subsistence harvests for salmon, Dolly Varden, and other nonsalmon fish in Togiak and Twin Hills, conduct participant observation in-season and gather Traditional Ecological Knowledge in Togiak, Twin Hills, and Quinhagak to better understand how subsistence stakeholders use, share, and report nonsalmon fish harvests. Dolly Varden will be sampled from subsistence fisheries in the Togiak and Kanektok rivers. Genetic data will be used to estimate the proportions of major stocks of Dolly Varden contributing to subsistence catches and using these rivers for overwintering habitat and how Yup'ik terms for char harvested correspond to different life history strategies and species of char to improve harvest estimates for char.

Objectives:

1. Collect fin clips for genetic analysis from Dolly Varden harvested in the subsistence fishery in the Togiak and Kanektok rivers and estimate the stock composition of fishery samples (CGL, TNWR).
2. Conduct participant observation in fall in winter in Togiak, Twin Hills, and Quinhagak to document how residents harvest, use and report Dolly Varden and nonsalmon fish harvests (BBNA, ADFG).

3. Conduct interviews with local subsistence users to document their historical and contemporary knowledge of nonsalmon fish abundance and use in the Togiak River watershed (BBNA, ADFG).
4. Conduct post-season harvest surveys to obtain amount and locations of household harvests to estimate the subsistence harvests of salmon and nonsalmon fish in Togiak and Twin Hills (ADFG).

Methods: (Objective 1) Fin clips (N=800 total) will be collected from fish harvested in fall and winter fisheries in the Togiak and Kanektok rivers. Length and Yup'ik name (“annerluaq”, “yugyaq”) will be recorded for sampled fish. Stock composition estimates will be made using genetic methods to determine proportions of major stocks contributing to subsistence catches and overwintering aggregates within these rivers and if Yup'ik describing fish correspond to different species or gene pools. (Objectives 2,3) Participant observation and Key Respondent Interviews will be conducted in Togiak, Twin Hills, and Quinhagak. Data will be summarized to evaluate the harvest and use of Dolly Varden (uses, sharing, competition, trends) and patterns between communities. (Objective 4) Household surveys of fish harvests will be conducted in Togiak and Twin Hills.

Partnerships/Capacity Building: Refuge information technicians (RITs) and local research assistants (LRAs) from Togiak and Quinhagak will participate in data collection, analysis, and reporting. Principal investigators will visit with communities at the beginning of the project and at the end to disseminate final results. Principal investigators will provide technical training for the RITs and LRAs; RITs will participate in genetic analysis of Dolly Varden at the CGL. TNWR will provide logistic support.

Project Number: 18-750

Title: A Descriptive Investigation of Rural Community-wide Wild Food Sharing Events at Upper Copper River, Lower Kuskokwim River, and Southeast areas of Alaska.

Geographic Region: Multi-Regional: Kuskokwim, Southcentral and Southeast

Data Type: Traditional Ecological Knowledge

Principal Investigator: Pippa Kenner; Office of Subsistence Management, U.S. Fish and Wildlife Service

Co-Investigators: Robbin La Vine; Office of Subsistence Management, U.S. Fish and Wildlife Service, Dr. Joshua Ream; Office of Subsistence Management, U.S. Fish and Wildlife Service

Project Cost:	2018: \$9,618	2019: \$17,090	2020: \$7,918
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Total Cost: \$34,686

Issue: This study will demonstrate a primary aspect of subsistence needs and harvest goals regarding fish taken in Federal subsistence fisheries. Subsistence needs and harvest goals are regularly discussed by Federal fisheries management staff. Details of people’s motivations for harvesting are little understood. Meeting nutritional needs is one aspect informing subsistence needs and harvest goals. Another aspect is common occurrences of community-wide wild foods sharing events in rural Alaska that are the focus of this study. Detailed contemporary descriptions of what this looks like are rare.

This descriptive ethnographic study is structured to give Federal fishery management staff tools that will provide a bridge between cultures of Federal fishery management staff and local residents of three study areas. Findings will be organized in educational materials describing these events. Residents of regions in the study will respond positively when managers incorporate local cultural values represented by these sharing events in their management decision-making processes.

Objectives:

1. Detailed descriptions of one or more contemporary community-wide wild food sharing events at upper Copper River, lower Kuskokwim River, and Southeast Alaska areas of Alaska. The study will answer questions of who participates, what happens, where and when they occur, and what role wild-caught fish plays in supporting these events.
2. Education packages for each of three regions in the study describing the findings of the study, including tools to incorporate Alaska Native cultural values demonstrated by these events into Federal fisheries management decision-making.
3. Bridges between cultures of Federal fishery management staff, villages, and the public.

Methods: Semi-directed interviews with communities in each region of the study and participant observation of community-wide sharing events.

Partnerships/Capacity Building: The study follows a collaborative research methodology. Participants in the study will be asked to help determine the best appropriate approaches to the research within the study design. Researchers will assist study participants to document their activities so that findings will be meaningful to them and appropriate for representing community events to outsiders. Each researcher will hire a local research assistant to help with the study. Every interview respondent will receive an honorarium payment. Findings will be organized in educational materials for villages and Federal fishery management staff describing community sharing events. The study is designed to give Federal fishery management staff important information and tools that will provide a bridge between cultures of Federal fishery management staff and local residents. Residents of regions in the study will respond positively when managers incorporate local cultural values represented by these sharing events in their management decision-making processes.



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

OSM 17047.KD

Federal Subsistence Board

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



FOREST SERVICE

AUG 03 2017

Speridon Simeonoff, Chair
Kodiak/Aleutians Subsistence Regional Advisory Council
c/o Office of Subsistence Management
1011 East Tudor Road, MS 121
Anchorage, Alaska 99503-6199

Dear Chairman Simeonoff:

This letter responds to the Kodiak/Aleutians Subsistence Regional Advisory Council's (Council) fiscal year 2016 Annual Report. The Secretaries of the Interior and Agriculture have delegated to the Federal Subsistence Board (Board) the responsibility to respond to these reports. The Board appreciates your effort in developing the Annual Report. Annual Reports allow the Board to become aware of the issues outside of the regulatory process that affect subsistence users in your region. We value this opportunity to review the issues concerning your region.

Issue 1. Council Meeting in Unalaska and Aleutian Life Forum

The Council wishes to express its sincere appreciation for the opportunity to hold the fall 2016 meeting in Unalaska, as well as attend the Aleutian Life Forum (ALF). This was an extraordinary opportunity to meet for the first time in the Aleutian Chain, hear from local tribes, Native associations and corporations, and learn about important subsistence challenges for users in the region. In particular, the Council would like to recognize Aaron Poe and Douglas Burns who helped secure the funding needed to assist with Council travel.

Recommendation: The Council recommends that the Board support meeting venues outside of designated hubs at least once during a two-year meeting cycle.

Response:

The Board is pleased that the Council found its meeting in Unalaska to be productive. Everyone can agree that meetings in rural communities have considerable potential to benefit both the

Chairman Simeonoff

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public and the Council. In recent years, it has been the practice of the Office of Subsistence Management (OSM) to authorize meetings in non-hub communities approximately every two years, so long as the Council could provide a justification for meeting in that particular location and the costs were not too prohibitive. Several Councils have enjoyed the opportunity to meet outside of their hub communities, and the benefits of those meetings have been shown. However, in the face of anticipated steepening budget cuts, it may likely be the case that meetings in non-hub communities will be authorized under increasingly rare circumstances.

Issue 2. Council Coordination

The Council would like to formally recognize its Coordinator, Karen Deatherage, for her work on behalf of the membership. Karen has done a tremendous amount of research for our Council which has contributed greatly to the Council's ability to effectively complete its work. She has provided important clarification, expanded participation with local groups and increased the public's opportunities to share their concerns. The Council also wishes to extend a very special thank you for her diligent work to secure funding, and arrange for Council attendance and participation at the Aleutian Life Forum in Unalaska.

Recommendation: The Council recommends that Karen Deatherage receive an appropriate award in recognition for her outstanding service.

Response:

The Board and OSM appreciate your feedback regarding Ms. Deatherage's performance. Even after the initial denial of the request by OSM for the Council to meet in Unalaska, Ms. Deatherage worked diligently to secure additional funding from another program within the U.S. Fish and Wildlife Service that closed the budget gap. This additional funding is what made the difference in ultimately authorizing the meeting at Unalaska. Her hard work and diligence in this effort is definitely commendable, and she has been recognized for her extraordinary performance on this matter.

Issue 3. NWRS Resource Information Technicians (RIT's)

Earlier this year, the Council received news that Tonya Lee had left her position as the RIT for the Kodiak National Wildlife Refuge. As noted in our FY2015 report, Tonya Lee has been an exceptional asset to the Council and to our community, and will be sorely missed. The Council was told the Refuge will fill the position in 2017; however, the Council remains concerned this may not occur due to decreasing budgets and administration changes.

Recommendation: The Council urges the U.S. Fish and Wildlife Service to continue their support for the RIT program as it has proven critical to fostering relationships between Refuges and local communities.

Chairman Simeonoff

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Response: The Board understands that the Refuge is currently pursuing options to fill the position through a local hire, however, that will be subject to funding availability. The Board also forwarded your concern to the U.S. Fish and Wildlife Service Refuges program, which provides this response:

The U.S. Fish and Wildlife Service (USFWS) agrees that the Refuge Information Technicians (RIT) are valuable members of our Refuge team. As a liaison, the RIT's help build a stronger connection between local communities and the Refuge. The USFWS looks forward to continuing to promote the RIT program.

Issue 4. Final Rule on Non-Subsistence Take of Wildlife on Alaska National Wildlife Refuges

The Council is extremely disappointed in the Final Rule recently adopted by the U.S. Fish and Wildlife Service (USFWS). The Council believes that the final rule reduces opportunities to harvest predators in Alaska's wildlife refuges. Many of the Councils opposed this Rule prior to adoption and believe this opposition was ignored by the USFWS, as further expressed in the letter cited below.

Recommendation: The Council has prepared a letter to be sent to the Board requesting they contact the Secretary's office regarding our concerns with the Final Rule. This letter will be circulated to all councils during the winter 2017 meeting cycle for adoption. It is the Council's hope that the Secretary's office will work to overturn this Rule and allow for effective hunting practices to continue on all national wildlife refuges in Alaska. The Council also believes that communities had few opportunities to substantially comment on this Rule before it was finalized. In response to this and other predator management issues, the Council established a working group to review proposed policies and/or proposals regarding predators would help to ensure that the Council and communities have adequate time to respond to potential changes. Members Della Trumble, Pat Holmes, Melissa Berns, Coral Chernoff, and Tom Schwantes have volunteered to serve on this working group.

Response: The Refuges Final Rule was nullified when the President of the United States signed House Joint Resolution 69 into law on April 3, 2017. The Resolution invoked the Congressional Review Act, a law that permits regulations passed during the last six months of a previous administration to be overturned.

Issue 5. Emperor Geese Update

The Council is very pleased that the USFWS and others are moving forward with a planned Emperor Geese hunt in spring 2017. It has been decades since many subsistence users have hunted Emperors, and elders and youth alike are thrilled with this new opportunity. The Council will continue to work with the USFWS, the Alaska Department of Fish and Game (ADF&G),

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Pacific Flyway Council and the Alaska Migratory Bird Co-Management Council (AMBCC) to bring this hunt to fruition. The Council has remaining concerns, however, that the Western Gulf of Alaska area will have few if any opportunities to hunt birds during the season established for the spring because the birds are not present in our area at that time.

Recommendation: The Council would appreciate guidance from the USFWS Migratory Bird division on the possibility of opening the Spring hunt earlier so that subsistence users in the Kodiak area and the Aleutians will have the opportunity to hunt Emperor geese when they are present. Alternatively, the Council could also consider a subsistence hunt in the Fall when the birds are present.

The Council would like to recognize the USFWS, ADF&G, and the AMBCC for their hard work and continued communication regarding an Emperor Geese hunt in the region. The Council would especially like to recognize Dan Rosenberg from ADF&G for effectively listening to Council concerns, recognizing local needs and keeping the Council updated on the process at regular intervals.

Response: The Board forwarded your concern to the USFWS Migratory Birds program, which provides this response:

In general, the available dates for spring-summer subsistence hunting are March 11 through August 31. Season length is limited to 124 days per the Mexico Migratory Bird Treaty and hunting seasons must be closed during the principal nesting periods interpreted as a minimum of 30 days per the Japan Migratory Bird Treaty. In order to provide a 124-day season within the available March 11 through August 31 period, and with the required minimum 30-day nesting period closure period, the season must be closed for an additional 20 days. The Alaska Migratory Bird Co-Management Council recommended that the 22 days be taken off at the beginning of the available dates, which resulted in a season running from April 2 through August 31 plus any closures necessary during the principal nesting periods (maximum of 122 day season).

The Kodiak/Aleutians Subsistence Regional Advisory Council could develop and submit a proposal to open their specific region as early as March 11; however, because the total season length is limited to 124 days, the Council must also recommend when the season would be closed as well as any shifts to the minimum 30-day closure for the principal nesting period.

If the Kodiak/Aleutians Subsistence Regional Advisory Council were to recommend an earlier spring-summer subsistence season for their region, the U.S. Fish and Wildlife Service will review potential implications to the current regulatory cycle. Currently, the Service is required to conduct a Service

Regulations Committee Meeting in October whereby spring-summer regulations are reviewed and voted upon. The proposed regulations are then published in the Federal Register for a 60-day public review and comment period. Further, the Service must complete a Biological Opinion for potential impacts of the spring summer subsistence hunt on protected species including Spectacled and Steller's eiders. In 2017, despite significant efforts by both the U.S. Fish and Wildlife Service Alaska Region and Headquarters, subsistence hunt regulations were not published prior to the opening (2 April 2017) of the spring-summer subsistence season. Thus, if the Kodiak/Aleutians Subsistence Regional Advisory Council were to recommend an earlier spring-summer subsistence season opening date, the Service will determine how this will impact our current regulations and publication schedule.

The U.S. Fish and Wildlife Service, in collaboration with the State of Alaska, offers a fall-winter waterfowl season. These regulations including state-specific selections, are published in the federal register. The fall-winter waterfowl season is not a subsistence season as the season includes specific requirements (e.g., daily bag and possession limits; plugged shotguns), but rather a general season. The Migratory Bird Treaties and Migratory Bird Treaty Act place specific sideboards on the subsistence season (see above) and the general season (107 days for any species and between September 1 and March 10).

Issue 6. Nonrural Determination

At its public meeting held on August 15-16, 2016 in Unalaska, the Council heard a brief presentation from Orville Lind, Office of Subsistence Management Native Liaison, on the proposed Nonrural Determination Policy which outlines the administrative process for future nonrural determinations. The Council appreciates the Board's efforts to include flexibility in this policy. However, there now appears to be no guidance on proposing a status change. There are no limits on who may propose a status change, or how often. This lack of criteria could allow for numerous frivolous or arbitrary proposals, which for obvious reasons would make communities nervous.

Recommendation: The Council would like for the Board to stipulate that any proposal to change the status of a community come from either a member of the community or the Council itself. The Council is also asking that the Board give deference to the Councils on nonrural determinations. The Council believes it is best suited to determine the status for the community it serves. The Council would also like to know what baseline information will be used to substantiate a "demonstrated change" in the community under Limitation on Submission of Proposals to Change from Rural to Nonrural. Will the conditions of the community be based on 2007 when nonrural communities were identified, or on the current conditions of the community?

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Response:

The Board appreciates the Council's thoughtful articulation of concerns related to the Federal Subsistence Management Program's Nonrural Determination Policy, adopted in January 2017. The intent of the policy is to clarify an administrative process for identifying rural residents of Alaska who may harvest fish and wildlife for subsistence uses on Federal public lands in Alaska. While we understand that the Council's preference that proposal submission be limited to either a member of the community or the affected Subsistence Regional Advisory Council, Federal rulemaking undertaken by the Federal Subsistence Management Program requires that any individual, organization, or community be given the opportunity to submit proposals to change Federal regulations, in accordance with the Administrative Procedures Act (APA).

The Board recognizes that Council members possess specialized knowledge and expertise about the unique community characteristics within each region. The Board will look to affected Councils for confirmation that any relevant information brought forth during the nonrural determination process accurately describes the unique characteristics of the affected community or region. The Board will also rely heavily on recommendations received from affected Councils when making decisions about whether a submitted proposal to change a community or area's status meets minimum threshold requirements and final decisions about status changes. However, as noted in the policy, Regional Advisory Council recommendations *will not* be subject to deference as are recommendations regarding the take of fish and wildlife under Section 805 of ANILCA.

Finally, the Council's questions about the baseline information that will be used to substantiate a "demonstrated change" in a community are addressed in the final version of the Nonrural Determination Policy under *Limitation on Submission of Proposals to Change from Rural to Nonrural*. The Policy clarifies that the Board's most recent decision on the nonrural status of a community or area will be the "baseline" for any future proposals for that community or area. Therefore, a "demonstrated change," as referred to in this portion of the process, is defined as a change that was not previously considered by the Board and must have occurred after the Board's most recent decision on the community/area's nonrural status. The final Policy also stipulates that it is the burden of the proponent to illustrate whether or not there has been a "demonstrated change" to the rural identity of a community or area. The final Nonrural Determination Policy is enclosed for your reference.

Issue 7. Funding for cattle and caribou removal on Alaska Maritime National Wildlife Refuge

As indicated in our FY2015 report to the Board, the Council opposes the removal of cattle from Chirikof and Wosnesenski Islands, and caribou from Kagalaska Island near Adak. While the

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Council appreciates the donation of meat to Adak from the removal of caribou in 2016, the Council does not believe this activity is necessary or feasible, particularly given the reduction of funding availability across State and Federal agencies in Alaska.

Recommendation: The Council would like to inform the Board that it supports Congress's decision to withhold funding for the removal of caribou and cattle from lands in the Alaska Maritime National Wildlife Refuge. The Council would like to see a withdrawal of funding continued.

Response:

The Board is not a part of the process that led to the Refuge's actions with regard to the Kagalaska Caribou or cattle on Chirikoff and Wosnesenski Islands. However, the Federal Subsistence Board, like the U.S. Fish and Wildlife Service, has laws that govern its activities and must follow a public process with regard to actions taken pursuant to those laws, and therefore understands the process the USFWS undertook with respect to its legal obligations. The Council is correct that the fiscal year 2016 federal budget prohibited USFWS from using any funds toward those two issues. The Board will not, however, endorse either a reduction or increase in funding to the activities of other agencies.

The Board also forwarded your concern to the USFWS Refuges program, which provides this response:

The Alaska Maritime National Wildlife Refuge is currently not working on any efforts towards the removal of caribou on Kagalaska or cattle on Chirikof Island. The Refuge will continue to work with local communities, if and when, future work and or decisions are made regarding how to handle this sensitive issue.

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 speak for the entire Board in expressing our appreciation for your efforts and our confidence that the subsistence users of the Kodiak/Aleutians Region are well represented through your work.

Sincerely,



Anthony Christianson
Chair

Chairman Simoneoff

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cc: Federal Subsistence Board
Kodiak/Aleutians Subsistence Regional Advisory Council
Eugene R. Peltola, Jr., Assistant Regional Director, Office of Subsistence Management
Thomas Doolittle, Deputy Assistant Regional Director, Office of Subsistence Management
Carl Johnson, Council Coordination Supervisor, Office of Subsistence Management
Karen Deatherage, Subsistence Council Coordinator, Office of Subsistence Management
Jill Klein, Special Assistant to the Commissioner, Alaska Department of Fish and Game
Interagency Staff Committee
Administrative Record

POLICY ON NONRURAL DETERMINATIONS

FEDERAL SUBSISTENCE BOARD

Adopted January 2017

PURPOSE

This policy clarifies the internal management of the Federal Subsistence Board (Board) and provides transparency to the public regarding the process of making or rescinding nonrural determinations of communities or areas for the purpose of identifying rural residents who may harvest fish and wildlife for subsistence uses on Federal public lands in Alaska. This policy is intended to clarify existing practices under the current statute and regulations. It does not create any right or benefit enforceable at law or in equity, against the United States, its agencies, officers, or employees, or any other person.

INTRODUCTION

Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) declares that,

the continuation of the opportunity for subsistence uses by rural residents of Alaska, including both Natives and non-Natives, on the public lands and by Alaska Natives on Native lands is essential to Native physical, economic, traditional, and cultural existence and to non-Native physical, economic, traditional, and social existence; the situation in Alaska is unique in that, in most cases, no practical alternative means are available to replace the food supplies and other items gathered from fish and wildlife which supply rural residents dependent on subsistence uses” (ANILCA Section 801).

Rural status provides the foundation for the subsistence priority on Federal public lands to help ensure the continuation of the subsistence way of life in Alaska. Prior to 2015, implementation of ANILCA Section 801 and rural determinations were based on criteria set forth in Subpart B of the Federal subsistence regulations.

In October 2009, the Secretary of the Interior, with the concurrence of the Secretary of Agriculture, directed the Board to review the process for rural determinations. On December 31, 2012, the Board initiated a public review of the rural determination process. That public process lasted nearly a year, producing 278 comments from individuals, 137 comments from members of Regional Advisory Councils (Councils), 37 comments from Alaska Native entities, and 25 comments from other entities (e.g., city and borough governments). Additionally, the Board engaged in government-to-government consultation with tribes and consultation with Alaska Native Claims Settlement Act (ANCSA) corporations. In general, the comments received indicated a broad dissatisfaction with the rural determination process. Among other comments, respondents indicated the aggregation criteria were perceived as arbitrary, the population thresholds were seen as inadequate to capture the reality of rural Alaska, and the decennial review was widely viewed to be unnecessary.

Based on this information, the Board held a public meeting on April 17, 2014 and decided to recommend a simplification of the process to the Secretaries of the Interior and Agriculture (Secretaries) to address rural status in the Federal Subsistence Management Program. The Board's recommended simplified process would eliminate the rural determination criteria from regulation and allows the Board to determine which areas or communities are nonrural in Alaska. All other communities or areas would, therefore, be considered "rural" in relation to the Federal subsistence priority in Alaska.

The Secretaries accepted the Board recommendation and published a Final Rule on November 4, 2015, revising the regulations governing the rural determination process for the Federal Subsistence Management Program in Alaska. The Secretaries removed specific rural determination guidelines and criteria, including requirements regarding population data, the aggregation of communities, and a decennial review. The final rule allowed the Board to make nonrural determinations using a comprehensive approach that may consider such factors as population size and density, economic indicators, military presence, industrial facilities, use of fish and wildlife, degree of remoteness and isolation, and any other relevant material, including information provided by the public.

By using a comprehensive approach and not relying on set guidelines and criteria, this new process will enable the Board to be more flexible in making decisions that take into account regional differences found throughout the State. This will also allow for greater input from the Councils, Federally recognized tribes of Alaska, Alaska Native Corporations, and the public in making nonrural determinations by incorporating the nonrural determination process into the subsistence regulatory schedule which has established comment periods and will allow for multiple opportunities for input. Simultaneously with the Final Rule, the Board published a Direct Final Rule (80 FR 68245; Nov. 4, 2015) (**Appendix B**) establishing the list of nonrural communities, those communities not subject to the Federal subsistence priority on Federal public lands, based on the list that predated the 2007 Final Rule (72 FR 25688; May 7, 2007).

As of November 4, 2015, the Board determined in accordance with 36 CFR 242.15 and 50 CFR 100.15 that the following communities or Census-designated Places (CDPs)¹ are nonrural: Fairbanks North Star Borough; Homer area – including Homer, Anchor Point, Kachemak City, and Fritz Creek; Juneau area – including Juneau, West Juneau, and Douglas; Kenai area – including Kenai, Soldotna, Sterling, Nikiski, Salamatof, Kalifornsky, Kasilof, and Clam Gulch; Ketchikan area – including Ketchikan City, Clover Pass, North Tongass Highway, Ketchikan East, Mountain Point, Herring Cove, Saxman East, Pennock Island, and parts of Gravina Island; Municipality of Anchorage; Seward area – including Seward and Moose Pass; Valdez; and Wasilla/Palmer area – including Wasilla, Palmer, Sutton, Big Lake, Houston, and Bodenber

¹ Census Designated Place (CDP) is defined by the Federal Census Bureau as the statistical counterpart of incorporated places, delineated to provide data for settled concentrations of populations identifiable by name but not legally incorporated under the laws of the state in which they are located. CDPs are delineated cooperatively by state and local officials and the Census Bureau, following Census Bureau guidelines.

Butte (36 CFR 242.23 and 50 CFR 100.23). All other communities and areas in Alaska are, therefore, rural.

BOARD AUTHORITIES

- ANILCA 16 U.S.C. 3101, 3126.
- Administrative Procedures Act (APA), 5 U.S.C. 551-559
- 36 CFR 242.15; 50 CFR 100.15
- 36 CFR 242.18(a); 50 CFR 100.18(a)
- 36 CFR 242.23; 50 CFR 100.23

POLICY

In accordance with the Administrative Procedures Act (APA), Federal rulemaking undertaken by the Federal Subsistence Management Program requires that any individual, organization, or community be given the opportunity to submit proposals to change Federal regulations. The Board will only address changes to the nonrural status of communities or areas when requested in a proposal. This policy describes the Board's administrative process for addressing proposals to change the nonrural status of a community or area by outlining proposal requirements and submission, identifying a process schedule and general process timeline, and outlining Board decision making when acting on such proposals.

SECTION A: Submitting a Proposal

Proponents must submit a written proposal in accordance with the guidance provided in the same Federal Register notice that includes a call for proposals to revise subsistence taking of fish and shellfish regulations and nonrural determinations. This notice is published in even-numbered years. Proposals to revise nonrural determinations will be accepted every other fish and shellfish regulatory cycle, starting in 2018.

SECTION B: Requirements for Proposals

Making a Nonrural Determination

Proposals can be submitted to the Board to make a nonrural determination for a community or area. It is the proponent's responsibility to provide the Board with substantive narrative evidence to support their rationale of why the proposed nonrural determination should be considered. Proposals seeking a nonrural determination must also include the basic requirements and meet the threshold requirements outlined below.

Basic Requirements

All proposals must contain the following information:

- Full name and mailing address of the proponent;
- A statement describing the proposed nonrural determination action requested;
- A detailed description of the community or area under consideration, including any current boundaries, borders, or distinguishing landmarks, so as to identify which Alaska residents would be affected by the change in nonrural status;

- Rationale and supporting evidence (law, policy, factors, or guidance) for the Board to consider in determining the nonrural status of a community or area;
- A detailed statement of the facts that illustrate that the community or area is nonrural or rural using the rationale and supporting evidence stated above; and
- Any additional information supporting the proposed change.

Threshold Requirements

In addition to the basic requirements outlined above, the following threshold requirements apply. The Board shall only accept a proposal to designate a community or area as nonrural, if the Board determines the proposal meets the following threshold requirements:

- The proposal is based upon information not previously considered by the Board;
- The proposal provides substantive rationale and supporting evidence for determining the nonrural status of a community or area that takes into consideration the unique qualities of the region; and
- The proposal provides substantive information that supports the proponent’s rationale that a community or area is nonrural.

The Board shall carefully weigh the initial recommendation from the affected Regional Advisory Council(s) when determining whether the proposal satisfies the threshold requirements outlined above. If the Board determines the proposal does not satisfy the threshold requirements, the proponent will be notified in writing. If it is determined the proposal does meet the threshold, it shall be considered in accordance with the process schedule and timeline set forth below.

Limitation on Submission of Proposals Seeking Nonrural Determinations

The Board is aware of the burden placed on rural communities and areas in defending their rural status. If the rural status of a community or area is maintained after a proposal to change its status to nonrural is rejected, then no proposals to change the rural status of that community or area shall be accepted until the next proposal cycle. If a new proposal is submitted during the next proposal cycle, then it must address a demonstrated change that was not previously considered by the Board. Additionally, the following considerations apply to resubmitting proposals to change a community’s status from rural to nonrural:

- Whether or not there has been a “demonstrated change” to the rural identity of a community or area is the burden of the proponent to illustrate by a preponderance of the evidence;
- Many characteristics, individually or in combination, may constitute a “demonstrated change” including, but not limited to, changes in population size and density, economic indicators, military presence, industrial facilities, use of fish and wildlife, or degree of remoteness and isolation; and

- The Board’s most recent decision on the nonrural status of a community or area will be the baseline for any future proposals for that community or area, thus, a “demonstrated change”, as referred to in this portion of the process, must occur after the Board’s most recent decision.

Rescinding a Nonrural Determination

For proposals seeking to have the Board rescind a nonrural determination, it is the proponent’s responsibility to provide the Board with substantive narrative evidence to support their rationale of why the nonrural determination should be rescinded. Proposals seeking to have the Board rescind a nonrural determination must also include the basic requirements and meet the threshold requirements outlined below.

Basic Requirements

All proposals must contain the following information:

- Full name and mailing address of the proponent;
- A statement describing the proposed nonrural determination action requested;
- A description of the community or area considered as nonrural, including any current boundaries, borders, or distinguishing landmarks, so as to identify what Alaska residents would be affected by the change in rural status;
- Rationale and supporting evidence (law, policy, factors, or guidance) for the Board to consider in determining the nonrural status of a community or area;
- A detailed statement of the facts that illustrate that the community or area is rural using the rationale stated above; and
- Any additional information supporting the proposed change.

Threshold Requirements

In addition to the baseline information outlined above, the following threshold requirements apply. The Board shall only accept a proposal to rescind a nonrural determination, if the Board determines the proposal meets the following threshold requirements:

- The proposal is based upon information not previously considered by the Board;
- The proposal demonstrates that the information used and interpreted by the Board in designating the community as nonrural has changed since the original determination was made;
- The proposal provides substantive rationale and supporting evidence for determining the nonrural status of a community or area that takes into consideration the unique qualities of the region; and
- The proposal provides substantive information that supports the provided rationale that a community or area is rural instead of nonrural.

The Board shall determine whether the proposal satisfies the threshold requirements outlined above after considering the recommendation(s) from the affected Regional Advisory Council(s). If the Board determines the proposal does not satisfy the threshold

requirements, the proponent will be notified in writing. If it is determined the proposal does meet the threshold, it shall be considered in accordance with the process schedule and timeline set forth below.

SECTION C: Decision Making

The Board will make nonrural determinations using a comprehensive approach that may consider such factors as population size and density, economic indicators, military presence, industrial facilities, use of fish and wildlife, degree of remoteness and isolation, and any other relevant material including information provided by the public. As part of its decision-making process, the Board may compare information from other, similarly-situated communities or areas if limited information exists for a certain community or area.

When acting on proposals to change the nonrural status of a community or area, the Board shall:

- Proceed on a case-by-case basis to address each proposal regarding nonrural determinations;
- Base its decision on nonrural status for a community or area on information of a reasonable and defensible nature contained within the administrative record;
- Make nonrural determinations based on a comprehensive application of evidence and considerations presented in the proposal that have been verified by the Board as accurate;
- Rely heavily on the recommendations from the affected Regional Advisory Council(s);
- Consider comments from government-to-government consultation with affected tribes;
- Consider comments from the public;
- Consider comments from the State of Alaska;
- Engage in consultation with affected ANCSA corporations;
- Have the discretion to clarify the geographical extent of the area relevant to the nonrural determination; and
- Implement a final decision on a nonrural determination in compliance with the APA.

Regional Advisory Council Recommendations

The Board intends to rely heavily on the recommendations of the Councils and recognizes that Council input will be critical in addressing regional differences in the nonrural determination process. The Board will look to the Regional Advisory Councils for confirmation that any relevant information brought forth during the nonrural determination process accurately describes the unique characteristics of the affected community or region.

SECTION D: Process Schedule

As authorized in 36 CFR 242.18(a) and 50 CFR 100.18(a), “The Board may establish a rotating schedule for accepting proposals on various sections of subpart C or D regulations over a period of years.” To ensure meaningful input from the Councils and allow opportunities for tribal and ANCSA corporation consultation and public comment, the Board will only accept nonrural determination proposals every other year in even-numbered years in conjunction with the call for proposals to revise subsistence taking of fish and shellfish regulations, and nonrural determinations. If accepted, the proposal will be deliberated during the regulatory Board meeting in the next fisheries regulatory cycle. This schedule creates a three-year period for proposal submission, review, analysis, Regional Advisory Council input, tribal and ANCSA corporation consultation, public comment, and Board deliberation and decision.

SECTION E: General Process Timeline

Outlined in Table 1 and Table 2

Table 1. General Process Timeline


<p>1. January to March (Even Year) – A proposed rule is published in the Federal Register with the call for proposals to revise subsistence taking of fish and shellfish regulations and nonrural determinations.</p>
<p>2. April to July (Even Year) – Staff will verify that proposals include the basic requirements and can be legally addressed by the Federal Subsistence Program. If the proposal is incomplete or cannot be addressed by the Federal Subsistence Program, the proponent will be notified in writing. Additionally for verified proposals, tribal consultation and ANCSA corporation consultation opportunities will be provided during this time.</p>
<p>3. August to November (Even Year) –Affected Regional Advisory Council(s) reviews the verified proposals and provides a preliminary recommendation for the Board. The Council preliminary recommendation may include: relevant regional characteristics; whether or not the Council supports the proposal; and if, in the Council’s opinion, the proposal meets the threshold requirements with justification. This action shall occur at the affected Council’s fall meeting on the record.</p>
<p>4. November to December (Even Year) – The Interagency Staff Committee (ISC) shall provide comments on each verified proposal. Staff shall organize nonrural determination proposal presentations that include the original proposal, the Council preliminary recommendation, tribal and ANCSA consultation comments, and the ISC comments.</p>
<p>5. January (Odd Year) – At the Board’s public meeting, Staff will present the proposals, and the Board will determine if the threshold requirements have been met. If the Board determines the proposal does not satisfy the threshold requirements, the proponent will be notified in writing. If it is determined the proposal does meet the threshold requirements, the Board will direct staff to prepare a full analysis according to established guidelines and address the proposal in accordance with the process schedule and timeline set forth below.</p>
<p>6. February (Odd Year) to July (Even Year) (18 months) – For proposals determined to satisfy the threshold requirements, the Board will conduct public hearings in the communities that may be affected should the proposal be adopted by the Board. During this time period, independent of the fall Council meetings, interested tribes may request formal government-to-government consultation and ANCSA corporations may also request consultation on the nonrural determination proposals.</p>
<p>7. August to November (Even Year) –The Council(s) shall provide recommendations at their fall meetings and the ISC shall provide comments on the draft nonrural determination analyses.</p>
<p>8. November to December (Even Year) – Staff incorporates Council recommendations and ISC comments into the draft nonrural determination analyses for the Board.</p>
<p>9. January (Odd Year) – At the Board’s Fisheries Regulatory meeting, staff present the nonrural determination analyses to the Board. The Board adopts, adopts with modification, or rejects the proposals regarding nonrural determinations.</p>

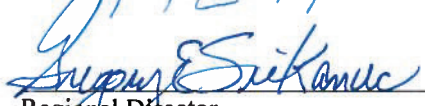
Table 2. General Process Timeline Comparison with other Cycles


Wildlife & FRMP Cycle	Fishery Cycle	Dates	Board or Activity	Proposed Nonrural Determination Cycle		
		Council Cycle			Even Years	
Wildlife & FRMP Review Cycle	Fishery Review Cycle	January	Board FRMP Work Session	1	Nonrural Proposed Rule	
		February March	Fishery Proposed Rule Jan- Mar			
		April July	Board Meeting	2	Proposal verification, Tribal and ANCSA consultation	
		August September October November	Fishery Proposal Review			
		December		4	Finalize Threshold presentations for the Board	
		January	Board Meeting	5	Odd Years - Board determines which proposals meet the threshold requirements	
	Wildlife & FRMP Review Cycle	Wildlife Review Cycle	February March	Wildlife Proposed Rule Jan - Mar	6	Odd to Even Years (18 months) - Public Hearings, government-government consultation with the tribes, ANCSA Corporation Consultation, and writing of Nonrural Determination Analyses for proposals that meet the threshold requirements as determined by the Board
			April July			
			August September October November	Wildlife Proposal & FRMP Project Review		
		December				
		January	Board FRMP Work Session			
		February March	Fishery Proposed Rule Jan- Mar			
Fishery Review Cycle	Fishery Review Cycle	April July	Board Meeting	7	Even Years Analysis Review	
		August September October November	Fishery Proposal Review			
		December		8	Finalize Nonrural Determination Analyses	
	January	Board Meeting	9	Odd Years – Final Board Decision		

SIGNATORIES

In WITNESS THEREOF, the parties hereto have executed this Policy as of the last date written below.


Chair of the Federal Subsistence Board
Date: 11-12-17



Regional Director
U.S. Fish and Wildlife Service
Date: 11/12/17

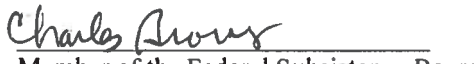

Regional Forester
USDA Forest Service
Date: 11/12/17


Regional Director
National Park Service
Date:


State Director
Bureau of Land Management
Date: 11/12/17


Regional Director
Bureau of Indian Affairs
Date: 11/12/2017


Member of the Federal Subsistence Board
Date: 01/12/2017


Member of the Federal Subsistence Board
Date: 01/12/17

Appendix A – Final Rule – Rural Determination Process

DEPARTMENT OF AGRICULTURE**Forest Service****36 CFR Part 242****DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****50 CFR Part 100**

[Docket No. FWS-R7-SM-2014-0063;
FXRS1261070000-156-FF07J00000;
FBMS# 4500086287]

RIN 1018-BA62

**Subsistence Management Regulations
for Public Lands in Alaska; Rural
Determination Process**

AGENCIES: Forest Service, Agriculture;
Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The Secretaries of Agriculture and the Interior are revising the regulations governing the rural determination process for the Federal Subsistence Management Program in Alaska. The Secretaries have removed specific guidelines, including requirements regarding population data, the aggregation of communities, and a decennial review. This change will allow the Federal Subsistence Board (Board) to define which communities or areas of Alaska are nonrural (all other communities and areas would, therefore, be rural). This new process will enable the Board to be more flexible in making decisions and to take into account regional differences found throughout the State. The new process will also allow for greater input from the Subsistence Regional Advisory Councils (Councils), Federally recognized Tribes of Alaska, Alaska Native Corporations, and the public.

DATES: This rule is effective November 4, 2015.

ADDRESSES: This rule and public comments received on the proposed rule may be found on the Internet at www.regulations.gov at Docket No. FWS-R7-SM-2014-0063. Board meeting transcripts are available for review at the Office of Subsistence Management, 1011 East Tudor Road, Mail Stop 121, Anchorage, AK 99503, or on the Office of Subsistence Management Web site (<https://www.doi.gov/subsistence>).

FOR FURTHER INFORMATION CONTACT: Chair, Federal Subsistence Board, c/o U.S. Fish and Wildlife Service, Attention: Eugene R. Peltola, Jr., Office of Subsistence Management; (907) 786-3888 or subsistence@fws.gov. For

questions specific to National Forest System lands, contact Thomas Whitford, Regional Subsistence Program Leader, USDA, Forest Service, Alaska Region; (907) 743-9461 or twhitford@fs.fed.us.

SUPPLEMENTARY INFORMATION:**Background**

Under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 3111-3126), the Secretary of the Interior and the Secretary of Agriculture (Secretaries) jointly implement the Federal Subsistence Management Program. This program provides a preference for take of fish and wildlife resources for subsistence uses on Federal public lands and waters in Alaska. The Secretaries published temporary regulations to carry out this program in the *Federal Register* on June 29, 1990 (55 FR 27114), and published final regulations in the *Federal Register* on May 29, 1992 (57 FR 22940). The program regulations have subsequently been amended a number of times. Because this program is a joint effort between Interior and Agriculture, these regulations are located in two titles of the Code of Federal Regulations (CFR): Title 36, "Parks, Forests, and Public Property," and Title 50, "Wildlife and Fisheries," at 36 CFR 242.1-242.28 and 50 CFR 100.1-100.28, respectively. The regulations contain subparts as follows: Subpart A, General Provisions; Subpart B, Program Structure; Subpart C, Board Determinations; and Subpart D, Subsistence Taking of Fish and Wildlife. Consistent with Subpart B of these regulations, the Secretaries established a Federal Subsistence Board to administer the Federal Subsistence Management Program. The Board comprises:

- A Chair appointed by the Secretary of the Interior with concurrence of the Secretary of Agriculture;
- The Alaska Regional Director, U.S. Fish and Wildlife Service;
- The Alaska Regional Director, U.S. National Park Service;
- The Alaska State Director, U.S. Bureau of Land Management;
- The Alaska Regional Director, U.S. Bureau of Indian Affairs;
- The Alaska Regional Forester, U.S. Forest Service; and
- Two public members appointed by the Secretary of the Interior with concurrence of the Secretary of Agriculture.

Through the Board, these agencies and members participate in the development of regulations for subparts C and D, which, among other things, set forth program eligibility and specific harvest seasons and limits.

In administering the program, the Secretaries divided Alaska into 10 subsistence resource regions, each of which is represented by a Regional Advisory Council. The Councils provide a forum for rural residents with personal knowledge of local conditions and resource requirements to have a meaningful role in the subsistence management of fish and wildlife on Federal public lands in Alaska. The Council members represent varied geographical, cultural, and user interests within each region.

Prior Rulemaking

On November 23, 1990 (55 FR 48877), the Board published a notice in the *Federal Register* explaining the proposed Federal process for making rural determinations, the criteria to be used, and the application of those criteria in preliminary determinations. On December 17, 1990, the Board adopted final rural and nonrural determinations, which were published on January 3, 1991 (56 FR 236). Final programmatic regulations were published on May 29, 1992, with only slight variations in the rural determination process (57 FR 22940). As a result of this rulemaking, Federal subsistence regulations at 36 CFR 242.15 and 50 CFR 100.15 require that the rural or nonrural status of communities or areas be reviewed every 10 years, beginning with the availability of the 2000 census data.

Because some data from the 2000 census was not compiled and available until 2005, the Board published a proposed rule in 2006 to revise the list of nonrural areas recognized by the Board (71 FR 46416, August 14, 2006). The final rule published in the *Federal Register* on May 7, 2007 (72 FR 25688).

Secretarial Review

On October 23, 2009, Secretary of the Interior Salazar announced the initiation of a Departmental review of the Federal Subsistence Management Program in Alaska; Secretary of Agriculture Vilsack later concurred with this course of action. The review focused on how the Program is meeting the purposes and subsistence provisions of Title VIII of ANILCA, and if the Program is serving rural subsistence users as envisioned when it began in the early 1990s.

On August 31, 2010, the Secretaries announced the findings of the review, which included several proposed administrative and regulatory reviews and/or revisions to strengthen the Program and make it more responsive to those who rely on it for their subsistence uses. One proposal called

for a review, with Council input, of the rural determination process and, if needed, recommendations for regulatory changes.

The Board met on January 20, 2012, to consider the Secretarial directive and the Councils' recommendations and review all public, Tribal, and Alaska Native Corporation comments on the initial review of the rural determination process. After discussion and deliberation, the Board voted unanimously to initiate a review of the rural determination process and the 2010 decennial review. Consequently, the Board found that it was in the public's best interest to extend the compliance date of its 2007 final rule (72 FR 25688; May 7, 2007) on rural determinations until after the review of the rural determination process and the decennial review were completed or in 5 years, whichever comes first. The Board published a final rule on March 1, 2012 (77 FR 12477), extending the compliance date.

The Board followed this action with a request for comments and announcement of public meetings (77 FR 77005; December 31, 2012) to receive public, Tribal, and Alaska Native Corporations input on the rural determination process.

Due to a lapse in appropriations on October 1, 2013, and the subsequent closure of the Federal Government, some of the preannounced public meetings and Tribal consultations to receive comments on the rural determination process during the closure were cancelled. The Board decided to extend the comment period to allow for the complete participation from the Councils, public, Tribes, and Corporations to address this issue (78 FR 66885; November 7, 2013).

The Councils were briefed on the Board's **Federal Register** documents during their winter 2013 meetings. At their fall 2013 meetings, the Councils provided a public forum to hear from residents of their regions, deliberate on the rural determination process, and provide recommendations for changes to the Board.

The Secretaries, through the Board, also held hearings in Barrow, Ketchikan, Sitka, Kodiak, Bethel, Anchorage, Fairbanks, Kotzebue, Nome, and Dillingham to solicit comments on the rural determination process. Public testimony was recorded during these hearings. Government-to-government tribal consultations on the rural determination process were held between members of the Board and Federally recognized Tribes of Alaska. Additional consultations were held

between members of the Board and Alaska Native Corporations.

Altogether, the Board received 475 substantive comments from various sources, including individuals, members of the Councils, and other entities or organizations, such as Alaska Native Corporations and borough governments. In general, this information indicated a broad dissatisfaction with the current rural determination process. The aggregation criteria were perceived as arbitrary. The current population thresholds were seen as inadequate to capture the reality of rural Alaska. Additionally, the decennial review was widely viewed to be unnecessary.

Based on this information, the Board at their public meeting held on April 17, 2014, elected to recommend a simplification of the process by determining which areas or communities are nonrural in Alaska; all other communities or areas would, therefore, be rural. The Board would make nonrural determinations using a comprehensive approach that considers population size and density, economic indicators, military presence, industrial facilities, use of fish and wildlife, degree of remoteness and isolation, and any other relevant material, including information provided by the public. The Board would rely heavily on the recommendations of the Subsistence Regional Advisory Councils.

In summary, based on Council and public comments, Tribal and Alaska Native Corporation consultations, and briefing materials from the Office of Subsistence Management, the Board developed a proposal that simplifies the process of rural determinations and submitted its recommendation to the Secretaries on August 15, 2014.

On November 24, 2014, the Secretaries requested that the Board initiate rulemaking to pursue the regulatory changes recommended by the Board. The Secretaries also requested that the Board obtain Council recommendations and public input, and conduct Tribal and Alaska Native Corporation consultation on the proposed changes. If adopted through the rulemaking process, the current regulations would be revised to remove specific guidelines, including requirements regarding population data, the aggregation of communities, and the decennial review, for making rural determinations.

Public Review and Comment

The Departments published a proposed rule on January 28, 2015 (80 FR 4521), to revise the regulations governing the rural determination

process in subpart B of 36 CFR part 242 and 50 CFR part 100. The proposed rule opened a public comment period, which closed on April 1, 2015. The Departments advertised the proposed rule by mail, radio, newspaper, and social media; comments were submitted via www.regulations.gov to Docket No. FWS-R7-SM-2014-0063. During that period, the Councils received public comments on the proposed rule and formulated recommendations to the Board for their respective regions. In addition, 10 separate public meetings were held throughout the State to receive public comments, and several government-to-government consultations addressed the proposed rule. The Councils had a substantial role in reviewing the proposed rule and making recommendations for the final rule. Moreover, a Council Chair, or a designated representative, presented each Council's recommendations at the Board's public work session of July 28, 2015.

The 10 Councils provided the following comments and recommendations to the Board on the proposed rule:

Northwest Arctic Subsistence Regional Advisory Council—unanimously supported the proposed rule.

Seward Peninsula Subsistence Regional Advisory Council—unanimously supported the proposed rule.

Yukon-Kuskokwim Delta Subsistence Regional Advisory Council—unanimously supported the proposed rule.

Western Interior Alaska Regional Advisory Council—supported the proposed rule.

North Slope Subsistence Regional Advisory Council—unanimously supported the proposed rule as written. The Council stated the proposed rule will improve the process and fully supported an expanded role and inclusion of recommendations of the Councils when the Board makes nonrural determinations. The Council wants to be closely involved with the Board when the Board sets policies and criteria for how it makes nonrural determinations under the proposed rule if the rule is approved, and the Council passed a motion to write a letter requesting that the Board involve and consult with the Councils when developing criteria to make nonrural determinations, especially in subject matter that pertains to their specific rural characteristics and personality.

Bristol Bay Subsistence Regional Advisory Council—supported switching the focus of the process from rural to

nonrural determinations. They indicated there should be criteria for establishing what is nonrural to make determinations defensible and justifiable, including determinations of the carrying capacity of the area for sustainable harvest, and governmental entities should not determine what is spiritually and culturally important for a community. They supported eliminating the mandatory decennial; however, they requested a minimum time limit between requests (at least 3 years). They discussed deference and supported the idea but felt it did not go far enough.

Southcentral Alaska Subsistence Regional Advisory Council—supported the proposed rule with modification. They recommended deference be given to the Councils on the nonrural determinations.

Southeast Alaska Subsistence Regional Advisory Council—supported the proposed rule with modification. The Council recommended a modification to the language of the proposed rule: “The Board determines, after considering the report and recommendations of the applicable regional advisory council, which areas or communities in Alaska are non-rural” The Council stated that this modification is necessary to prevent the Board from adopting proposals contrary to the recommendation(s) of a Council and that this change would increase transparency and prevent rural communities from being subject to the whims of proponents.

Kodiak/Aleutians Subsistence Regional Advisory Council—is generally appreciative that the Board has recommended changes to the rural determination process and supported elimination of the decennial review. The Council recommended that the Board implement definitive guidelines for how the Board will make nonrural determinations to avoid subjective interpretations and determinations; that the language of the proposed rule be modified to require the Board to defer to the Councils and to base its justification for not giving deference on defined criteria to avoid ambiguous decisions; that the Board provide program staff with succinct direction for conducting analyses on any proposals to change a community’s status from rural to nonrural; and that the Board develop written policies and guidelines for making nonrural determinations even if there is a lack of criteria in the regulations. The Council is concerned that proposals to change rural status in the region will be frequently submitted from people or entities from outside the region; the Council is opposed to

proposals of this nature from outside its region and recommends that the Board develop guidelines and restrictions for the proposal process that the Board uses to reassess nonrural status.

Eastern Interior Alaska Subsistence Regional Advisory Council—opposed the proposed rule due to the lack of any guiding criteria to determine what is rural or nonrural. They stated the lack of criteria could serve to weaken the rural determination process. They supported greater involvement of the Councils in the Board’s process to make rural/nonrural determinations. This Council was concerned about changes including increasing developments, access pressure on rural subsistence communities and resources, and social conflicts in the Eastern Interior region.

A total of 90 substantive comments were submitted from public meetings, letters, deliberations of the Councils, and those submitted via www.regulations.gov.

- 54 supported the proposed rule;
- 16 neither supported nor opposed the proposed rule;
- 7 supported the proposed rule with modifications;
- 7 neither supported nor opposed the proposed rule and suggested modifications; and
- 6 opposed the proposed rule.

Major comments from all sources are addressed below:

Comment: The Board should provide, in regulatory language, objective criteria, methods, or guidelines for making nonrural determinations.

Response: During the request for public comment (77 FR 77005; December 31, 2012), the overwhelming response from the public was dissatisfaction with the list of regulatory guidelines used to make rural determinations. The Board, at their April 17, 2014, public meeting, stated that if the Secretaries approved the recommended simplification of the rural determination process, the Board would make nonrural determinations using a comprehensive approach that considers, but is not limited to, population size and density, economic indicators, military presence, industrial facilities, use of fish and wildlife, degree of remoteness and isolation, and any other relevant material, including information provided by the public. The Board also indicated that they would rely heavily on the recommendations of the Subsistence Regional Advisory Councils. The Board, at their July 28, 2015, public work session, directed that a subcommittee be established to draft options (policy or rulemaking) to address future rural determinations. The subcommittee options, once reviewed

by the Board at their January 12, 2016, public meeting will be presented to the Councils for their review and recommendations.

Comment: The Board should give deference to the Regional Advisory Councils on nonrural determinations and place this provision in regulatory language.

Response: The Board expressed during its April 2014 and July 2015 meetings that it intends to rely heavily on the recommendations of the Councils and that Council input will be critical in addressing regional differences in the rural determination process. Because the Board has confirmed that Councils will have a meaningful and important role in the process, a change to the regulatory language is neither warranted nor necessary at the present time.

Comment: Establish a timeframe for how often proposed changes may be submitted.

Response: During previous public comment periods, the decennial review was widely viewed to be unnecessary, and the majority of comments expressed the opinion that there should not be a set timeframe used in this process. The Board has been supportive of eliminating a set timeframe to conduct nonrural determinations. However, this issue may be readdressed in the future if a majority of the Councils support the need to reestablish a nonrural review period.

Comment: Redefine “rural” to allow nonrural residents originally from rural areas to come home and participate in subsistence activities.

Response: ANILCA and its enacting regulations clearly state that you must be an Alaska resident of a rural area or community to take fish or wildlife on public lands. Any change to that definition is beyond the scope of this rulemaking.

Comment: Develop a policy for making nonrural determinations, including guidance on how to analyze proposed changes.

Response: The Board, at their July 28, 2015, public work session, directed that a subcommittee be established to draft options (policy or rulemaking) to address future rural determinations that, once completed, will be presented to the Councils for their review and recommendations.

Comment: Allow rural residents to harvest outside of the areas or communities of residence.

Response: All rural Alaskans may harvest fish and wildlife on public lands unless there is a customary and traditional use determination that identifies the specific community’s or area’s use of particular fish stocks or

wildlife populations or if there is a closure.

Rule Promulgation Process and Related Rulemaking

These final regulations reflect Secretarial review and consideration of Board and Council recommendations, Tribal and Alaska Native Corporations government-to-government tribal consultations, and public comments. The public received extensive opportunity to review and comment on all changes.

Because this rule concerns public lands managed by an agency or agencies in both the Departments of Agriculture and the Interior, identical text will be incorporated into 36 CFR part 242 and 50 CFR part 100.

Elsewhere in today's **Federal Register** is a direct final rule by which the Board is revising the list of rural determinations in subpart C of 36 CFR part 242 and 50 CFR part 100. See "Subsistence Management Regulations for Public Lands in Alaska; Rural Determinations, Nonrural List" in Rules and Regulations.

Conformance With Statutory and Regulatory Authorities

Administrative Procedure Act Compliance

The Board has provided extensive opportunity for public input and involvement in compliance with Administrative Procedure Act requirements, including publishing a proposed rule in the **Federal Register**, participation in multiple Council meetings, and opportunity for additional public comment during the Board meeting prior to deliberation. Additionally, an administrative mechanism exists (and has been used by the public) to request reconsideration of the Secretaries' decision on any particular proposal for regulatory change (36 CFR 242.18(b) and 50 CFR 100.18(b)). Therefore, the Secretaries believe that sufficient public notice and opportunity for involvement have been given to affected persons regarding this decision. In addition, because the direct final rule that is mentioned above and is related to this final rule relieves restrictions for many Alaskans by allowing them to participate in the subsistence program activities, we believe that we have good cause, as required by 5 U.S.C. 553(d), to make this rule effective upon publication.

National Environmental Policy Act Compliance

A Draft Environmental Impact Statement that described four

alternatives for developing a Federal Subsistence Management Program was distributed for public comment on October 7, 1991. The Final Environmental Impact Statement (FEIS) was published on February 28, 1992. The Record of Decision (ROD) on Subsistence Management for Federal Public Lands in Alaska was signed April 6, 1992. The selected alternative in the FEIS (Alternative IV) defined the administrative framework of an annual regulatory cycle for subsistence regulations.

A 1997 environmental assessment dealt with the expansion of Federal jurisdiction over fisheries. The Secretary of the Interior, with concurrence of the Secretary of Agriculture, determined that expansion of Federal jurisdiction does not constitute a major Federal action significantly affecting the human environment and, therefore, signed a Finding of No Significant Impact.

Section 810 of ANILCA

An ANILCA section 810 analysis was completed as part of the FEIS process on the Federal Subsistence Management Program. The intent of all Federal subsistence regulations is to accord subsistence uses of fish and wildlife on public lands a priority over the taking of fish and wildlife on such lands for other purposes, unless restriction is necessary to conserve healthy fish and wildlife populations. The final section 810 analysis determination appeared in the April 6, 1992, ROD and concluded that the Program, under Alternative IV with an annual process for setting subsistence regulations, may have some local impacts on subsistence uses, but will not likely restrict subsistence uses significantly.

Paperwork Reduction Act

An agency may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. This rule does not contain any new collections of information that require OMB approval. OMB has reviewed and approved the collections of information associated with the subsistence regulations at 36 CFR part 242 and 50 CFR part 100, and assigned OMB Control Number 1018-0075, which expires February 29, 2016.

Regulatory Planning and Review (Executive Orders 12866 and 13563)

Executive Order 12866 provides that the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget will review all

significant rules. OIRA has determined that this rule is not significant.

Executive Order 13563 reaffirms the principles of E.O. 12866 while calling for improvements in the nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. The executive order directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. E.O. 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. We have developed this rule in a manner consistent with these requirements.

Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*) requires preparation of flexibility analyses for rules that will have a significant effect on a substantial number of small entities, which include small businesses, organizations, or governmental jurisdictions. In general, the resources to be harvested under this rule are already being harvested and consumed by the local harvester and do not result in an additional dollar benefit to the economy. However, we estimate that two million pounds of meat are harvested by subsistence users annually and, if given an estimated dollar value of \$3.00 per pound, this amount would equate to about \$6 million in food value Statewide. Based upon the amounts and values cited above, the Departments certify that this rulemaking will not have a significant economic effect on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

Small Business Regulatory Enforcement Fairness Act

Under the Small Business Regulatory Enforcement Fairness Act (5 U.S.C. 801 *et seq.*), this rule is not a major rule. It does not have an effect on the economy of \$100 million or more, will not cause a major increase in costs or prices for consumers, and does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Executive Order 12630

Title VIII of ANILCA requires the Secretaries to administer a subsistence priority on public lands. The scope of this Program is limited by definition to certain public lands. Likewise, these regulations have no potential takings of private property implications as defined by Executive Order 12630.

Unfunded Mandates Reform Act

The Secretaries have determined and certify pursuant to the Unfunded Mandates Reform Act, 2 U.S.C. 1502 *et seq.*, that this rulemaking will not impose a cost of \$100 million or more in any given year on local or State governments or private entities. The implementation of this rule is by Federal agencies, and there is no cost imposed on any State or local entities or tribal governments.

Executive Order 12988

The Secretaries have determined that these regulations meet the applicable standards provided in sections 3(a) and 3(b)(2) of Executive Order 12988, regarding civil justice reform.

Executive Order 13132

In accordance with Executive Order 13132, the rule does not have sufficient Federalism implications to warrant the preparation of a Federalism summary impact statement. Title VIII of ANILCA precludes the State from exercising subsistence management authority over fish and wildlife resources on Federal lands unless it meets certain requirements.

Executive Order 13175

Title VIII of ANILCA does not provide specific rights to tribes for the subsistence taking of wildlife, fish, and shellfish. However, the Secretaries, through the Board, provided Federally recognized Tribes and Alaska Native corporations opportunities to consult on this rule. Consultation with Alaska Native corporations are based on Public Law 108–199, div. H, Sec. 161, Jan. 23, 2004, 118 Stat. 452, as amended by Public Law 108–447, div. H, title V, Sec. 518, Dec. 8, 2004, 118 Stat. 3267, which provides 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 No. 13175.”

The Secretaries, through the Board, provided a variety of opportunities for consultation: Commenting on proposed changes to the existing rule; engaging in dialogue at the Council meetings; engaging in dialogue at the Board’s meetings; and providing input in

person, by mail, email, or phone at any time during the rulemaking process.

On March 23 and 24, 2015, the Board provided Federally recognized Tribes and Alaska Native Corporations a specific opportunity to consult on this rule. Federally recognized Tribes and Alaska Native Corporations were notified by mail and telephone and were given the opportunity to attend in person or via teleconference.

Executive Order 13211

This Executive Order requires agencies to prepare Statements of Energy Effects when undertaking certain actions. However, this rule is not a significant regulatory action under E.O. 13211, affecting energy supply, distribution, or use, and no Statement of Energy Effects is required.

Drafting Information

Theo Matuskowitz drafted these regulations under the guidance of Eugene R. Peltola, Jr. of the Office of Subsistence Management, Alaska Regional Office, U.S. Fish and Wildlife Service, Anchorage, Alaska. Additional assistance was provided by

- Daniel Sharp, Alaska State Office, Bureau of Land Management;
- Mary McBurney, Alaska Regional Office, National Park Service;
- Dr. Glenn Chen, Alaska Regional Office, Bureau of Indian Affairs;
- Trevor T. Fox, Alaska Regional Office, U.S. Fish and Wildlife Service; and
- Thomas Whitford, Alaska Regional Office, U.S. Forest Service.

Authority

This rule is issued under the authority of Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 3111–3126).

List of Subjects**36 CFR Part 242**

Administrative practice and procedure, Alaska, Fish, National forests, Public lands, Reporting and recordkeeping requirements, Wildlife.

50 CFR Part 100

Administrative practice and procedure, Alaska, Fish, National forests, Public lands, Reporting and recordkeeping requirements, Wildlife.

Regulation Promulgation

For the reasons set out in the preamble, the Secretaries amend 36 CFR part 242 and 50 CFR part 100 as set forth below.

PART —SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA

■ 1. The authority citation for both 36 CFR part 242 and 50 CFR part 100 continues to read as follows:

Authority: 16 U.S.C. 3, 472, 551, 668dd, 3101–3126; 18 U.S.C. 3551–3586; 43 U.S.C. 1733.

Subpart B—Program Structure

■ 2. In subpart B of 36 CFR part 242 and 50 CFR part 100, § ____ .15 is revised to read as follows:

§ ____ .15 Rural determination process.

(a) The Board determines which areas or communities in Alaska are nonrural. Current determinations are listed at § ____ .23.

(b) All other communities and areas are, therefore, rural.

Dated: Oct. 28, 2015.

Sally Jewell,

Secretary of the Interior.

Dated: Sept. 30, 2015.

Beth G. Pendleton,

Regional Forester, USDA—Forest Service.

[FR Doc. 2015–27994 Filed 10–30–15; 8:45 am]

BILLING CODE 3410–11–4333–15–P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Parts 52 and 81**

[EPA–R04–OAR–2014–0904; FRL–9936–55–Region 4]

Air Plan Approval and Air Quality Designation; TN; Reasonably Available Control Measures and Redesignation for the TN Portion of the Chattanooga 1997 Annual PM_{2.5} Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving the portion of a State Implementation Plan (SIP) revision submitted by the State of Tennessee, through the Tennessee Department of Environment and Conservation (TDEC), on October 15, 2009, that addresses reasonably available control measures (RACM), including reasonably available control technology (RACT), for the Tennessee portion of the Chattanooga, TN-GA-AL nonattainment area for the 1997 fine particulate matter (PM_{2.5}) national ambient air quality standards (NAAQS) (hereinafter referred to as the “Chattanooga TN-GA-AL Area” or

Appendix B – Direct Final Rule – Nonrural List

Need for Correction

As published, the final regulations (TD 9728) contain errors that may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, the final regulations (TD 9728), that are subject to FR Doc. 2015-18816, are corrected as follows:

1. On page 45866, in the preamble, third column, last sentence of first full paragraph, the language “rules, including section 706(d)(2) and section 706(d)(3).” is corrected to read “rules, including section 704(c), § 1.704-3(a)(6) (reverse section 704(c)), section 706(d)(2), and section 706(d)(3).”

2. On page 45868, in the preamble, first column, fourth line from the bottom of the column, the language “interim closings of its books except at” is corrected to read “interim closing of its books except at”.

3. On page 45871, in the preamble, second column, third line from the bottom of the column, under paragraph heading “*v. Deemed Timing of Variations*,” the language “taxable year was deemed to close at the” is corrected to read “taxable year was deemed to occur at the”.

4. On page 45873, in the preamble, third column, eighth line from the bottom of the column, the language “taxable as of which the recipients of a” is corrected to read “taxable year as of which the recipients of a”.

5. On page 45874, second column, eight lines from the bottom of the column, the following sentence is added to the end of the paragraph: “These final regulations do not override the application of section 704(c), including reverse section 704(c), and therefore the final regulations provide that the rules of section 706 do not apply in making allocations of book items upon a partnership revaluation.”

6. On page 45876, in the preamble, second column, under paragraph heading “*Effective/Applicability Dates*”, fifth line of the first paragraph, the language “of a special rule applicable to § 1.704-” is corrected to read “of a special rule applicable to § 1.706-”.

7. On page 45876, in the preamble, second column, under paragraph heading “*Effective/Applicability Dates*”, third line of the second paragraph, the language “regulations apply to the partnership” is corrected to read “regulations apply to partnership”.

8. On page 45876, in the preamble, third column, fourth line from the top of the column, the language “that was formed prior to April 19, 2009.” is corrected to read “that was formed prior to April 14, 2009.”

9. On page 45877, first column, under paragraph heading “*List of Subjects*,” the fourth line, the language “26 CFR part 2” is corrected to read “26 CFR part 602”.

10. On page 45883, third column, the first line of the signature block, the language “Karen L. Schiller,” is corrected to read “Karen M. Schiller,”.

Martin V. Franks,
Chief, Publications and Regulations Branch,
Legal Processing Division, Associate Chief
Counsel (Procedure and Administration).

[FR Doc. 2015-28014 Filed 11-3-15; 8:45 am]

BILLING CODE 4830-01-P

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 242

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 100

[Docket No. FWS-R7-SM-2015-0156;
FXRS12610700000-156-FF07J00000;
FBMS#4500086366]

RIN 1018-BA82

Subsistence Management Regulations for Public Lands in Alaska; Rural Determinations, Nonrural List

AGENCY: Forest Service, Agriculture; Fish and Wildlife Service, Interior.

ACTION: Direct final rule.

SUMMARY: This rule revises the list of nonrural areas in Alaska identified by the Federal Subsistence Board (Board). Only residents of areas that are rural are eligible to participate in the Federal Subsistence Management Program on public lands in Alaska. Based on a Secretarial review of the rural determination process, and the subsequent change in the regulations governing this process, the Board is revising the current nonrural determinations to the list that existed prior to 2007. Accordingly, the community of Saxman and the area of Prudhoe Bay will be removed from the nonrural list. The following areas continue to be nonrural, but their boundaries will return to their original borders: the Kenai Area; the Wasilla/Palmer area; the Homer area; and the Ketchikan area.

DATES: This rule is effective on December 21, 2015 unless we receive significant adverse comments on or before December 4, 2015.

ADDRESSES: You may submit comments by one of the following methods:

- **Electronically:** Go to the Federal eRulemaking Portal: <http://www.regulations.gov> and search for FWS-R7-SM-2015-0156, which is the docket number for this rulemaking.
- **By hard copy:** U.S. mail or hand-delivery to: USFWS, Office of Subsistence Management, 1011 East Tudor Road, MS 121, Attn: Theo Matuskowitz, Anchorage, AK 99503-6199

FOR FURTHER INFORMATION CONTACT: Chair, Federal Subsistence Board, c/o U.S. Fish and Wildlife Service, Attention: Eugene R. Peltola, Jr., Office of Subsistence Management; (907) 786-3888 or subsistence@fws.gov. For questions specific to National Forest System lands, contact Thomas Whitford, Regional Subsistence Program Leader, USDA, Forest Service, Alaska Region; (907) 743-9461 or twhitford@fs.fed.us.

SUPPLEMENTARY INFORMATION:

Background

Under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 3111-3126), the Secretary of the Interior and the Secretary of Agriculture (Secretaries) jointly implement the Federal Subsistence Management Program (Program). This program provides a preference for take of fish and wildlife resources for subsistence uses on Federal public lands and waters in Alaska. Only residents of areas identified as rural are eligible to participate in the Program on Federal public lands in Alaska. Because this program is a joint effort between Interior and Agriculture, these regulations are located in two titles of the Code of Federal Regulations (CFR): Title 36, “Parks, Forests, and Public Property,” and Title 50, “Wildlife and Fisheries,” at 36 CFR 242.1-242.28 and 50 CFR 100.1-100.28, respectively.

Consistent with these regulations, the Secretaries established a Federal Subsistence Board (Board) comprising Federal officials and public members to administer the Program. One of the Board’s responsibilities is to determine which communities or areas of the State are rural or nonrural. The Secretaries also divided Alaska into 10 subsistence resource regions, each of which is represented by a Regional Advisory Council (Council). The Council members represent varied geographical, cultural, and user interests within each region. The Councils provide a forum for rural residents with personal knowledge of local conditions and resource requirements to have a

meaningful role in the subsistence management of fish and wildlife on Federal public lands in Alaska.

Related Rulemaking

Elsewhere in today's **Federal Register** is a final rule that sets forth a new process by which the Board will make rural determinations ("Subsistence Management Regulations for Public Lands in Alaska; Rural Determination Process"). Please see that rule for background information on how this new process was developed and the extensive Council and public input that was considered. A summary of that information follows:

Until promulgation of the rule mentioned above, Federal subsistence regulations at 36 CFR 242.15 and 50 CFR 100.15 had required that the rural or nonrural status of communities or areas be reviewed every 10 years, beginning with the availability of the 2000 census data. Some data from the 2000 census was not compiled and available until 2005, so the Board published a proposed rule in 2006 to revise the list of nonrural areas recognized by the Board (71 FR 46416, August 14, 2006). The final rule published in the **Federal Register** on May 7, 2007 (72 FR 25688), and changed the rural determination for several communities or areas in Alaska. These communities had 5 years following the date of publication to come into compliance.

The Board met on January 20, 2012, and, among other things, decided to extend the compliance date of its 2007 final rule on rural determinations. A final rule published March 1, 2012 (77 FR 12477), that extended the compliance date until either the rural determination process and findings review were completed or 5 years, whichever came first. The 2007 regulations have remained in titles 36 and 50 of the CFR unchanged since their effective date.

The Board followed that action with a request for comments and announcement of public meetings (77 FR 77005; December 31, 2012) to receive public, Tribal, and Alaska Native Corporations input on the rural determination process. At their fall 2013 meetings, the Councils provided a public forum to hear from residents of their regions, deliberate on the rural determination process, and provide recommendations for changes to the Board. The Board also held hearings in Barrow, Ketchikan, Sitka, Kodiak, Bethel, Anchorage, Fairbanks, Kotzebue, Nome, and Dillingham to solicit comments on the rural determination process, and public testimony was

recorded. Government-to-government tribal consultations on the rural determination process were held between members of the Board and Federally recognized Tribes of Alaska. Additional consultations were held between members of the Board and Alaska Native Corporations.

Altogether, the Board received 475 substantive comments from various sources, including individuals, members of the Councils, and other entities or organizations, such as Alaska Native Corporations and borough governments. In general, this information indicated a broad dissatisfaction with the current rural determination process.

Based on this information, the Board at their public meeting held on April 17, 2014, elected to recommend a simplification of the process by determining which areas or communities are nonrural in Alaska; all other communities or areas would, therefore, be rural. The Board would make nonrural determinations using a comprehensive approach that considers population size and density, economic indicators, military presence, industrial facilities, use of fish and wildlife, degree of remoteness and isolation, and any other relevant material, including information provided by the public. The Board would rely heavily on the recommendations of the Councils. The Board developed a proposal that simplifies the process of rural determinations and submitted its recommendation to the Secretaries on August 15, 2014.

On November 24, 2014, the Secretaries requested that the Board initiate rulemaking to pursue the regulatory changes recommended by the Board. The Secretaries also requested that the Board obtain Council recommendations and public input, and conduct Tribal and Alaska Native Corporation consultation on the proposed changes.

The Departments published a proposed rule on January 28, 2015 (80 FR 4521), to revise the regulations governing the rural determination process in subpart B of 36 CFR part 242 and 50 CFR part 100. Following a process that involved substantial Council and public input, the Departments published the final rule that may be found elsewhere in today's **Federal Register**.

Direct Final Rule

During that process, the Board went on to address a starting point for nonrural communities and areas. The May 7, 2007 (72 FR 25688), final rule was justified by the Board's January 3,

1991, notice (56 FR 236) adopting final rural and nonrural determinations and the final rule of May 7, 2002 (67 FR 30559), amending 36 CFR 242.23(a) and 50 CFR 100.23(a) to add the Kenai Peninsula communities (Kenai, Soldotna, Sterling, Nikiski, Salamatof, Kalifornsky, Kasilof, Clam Gulch, Anchor Point, Homer, Kachemak City, Fritz Creek, Moose Pass, and Seward) to the list of areas determined to be nonrural. The 2007 rule added the village of Saxman and the area of Prudhoe Bay to the nonrural list and expanded the nonrural boundaries of the Kenai Area; the Wasilla/Palmer area; the Homer area; and the Ketchikan Area.

Since the 2007 final rule (72 FR 25688; May 7, 2007) was contentious, and so many comments were received objecting to the changes imposed by that rule, the Board has decided to return to the rural determinations prior to the 2007 final rule. The Board further decided that the most expedient method to enact their decisions was to publish this direct final rule adopting the pre-2007 nonrural determinations. As a result, the Board has determined the following areas to be nonrural: Fairbanks North Star Borough; Homer area—including Homer, Anchor Point, Kachemak City, and Fritz Creek; Juneau area—including Juneau, West Juneau, and Douglas; Kenai area—including Kenai, Soldotna, Sterling, Nikiski, Salamatof, Kalifornsky, Kasilof, and Clam Gulch; Ketchikan area—including Ketchikan City, Clover Pass, North Tongass Highway, Ketchikan East, Mountain Point, Herring Cove, Saxman East, Pennock Island, and parts of Gravina Island; Municipality of Anchorage; Seward area—including Seward and Moose Pass, Valdez, and Wasilla area—including Palmer, Wasilla, Sutton, Big Lake, Houston, and Bodenbergh Butte.

These final regulations reflect Board review and consideration of Council recommendations, Tribal and Alaska Native Corporations government-to-government tribal consultations, and public comments. Based on concerns expressed by some of the Councils and members of the public, the Board went on to direct staff to develop options for the Board to consider and for presentation to the Councils, to address future nonrural determinations. These options will be presented to the Board and Chairs of each Council at the January 12, 2016, public meeting.

We are publishing this rule without a prior proposal because we view this action as an administrative action by the Federal Subsistence Board. This rule will be effective, as specified above in DATES, unless we receive significant

adverse comments on or before the deadline set forth in DATES. Significant adverse comments are comments that provide strong justifications why the rule should not be adopted or for changing the rule. If we receive significant adverse comments, we will publish a notice in the **Federal Register** withdrawing this rule before the effective date. If no significant adverse comments are received, we will publish a document in the **Federal Register** confirming the effective date.

Because this rule concerns public lands managed by an agency or agencies in both the Departments of Agriculture and the Interior, identical text will be incorporated into 36 CFR part 242 and 50 CFR part 100.

Conformance With Statutory and Regulatory Authorities

Administrative Procedure Act Compliance

In compliance with Administrative Procedure Act, the Board has provided extensive opportunity for public input and involvement in its efforts to improve the rural determination process as described in the related final rule published elsewhere in today's **Federal Register**. In addition, anyone with concerns about this rulemaking action may submit comments as specified in **DATES** and **ADDRESSES**.

National Environmental Policy Act Compliance

A Draft Environmental Impact Statement that described four alternatives for developing a Federal Subsistence Management Program was distributed for public comment on October 7, 1991. The Final Environmental Impact Statement (FEIS) was published on February 28, 1992. The Record of Decision (ROD) on Subsistence Management for Federal Public Lands in Alaska was signed April 6, 1992. The selected alternative in the FEIS (Alternative IV) defined the administrative framework of an annual regulatory cycle for subsistence regulations.

A 1997 environmental assessment dealt with the expansion of Federal jurisdiction over fisheries and is available at the office listed under **FOR FURTHER INFORMATION CONTACT**. The Secretary of the Interior, with concurrence of the Secretary of Agriculture, determined that expansion of Federal jurisdiction does not constitute a major Federal action significantly affecting the human environment and, therefore, signed a Finding of No Significant Impact.

Section 810 of ANILCA

An ANILCA section 810 analysis was completed as part of the FEIS process on the Federal Subsistence Management Program. The intent of all Federal subsistence regulations is to accord subsistence uses of fish and wildlife on public lands a priority over the taking of fish and wildlife on such lands for other purposes, unless restriction is necessary to conserve healthy fish and wildlife populations. The final section 810 analysis determination appeared in the April 6, 1992, ROD and concluded that the Program, under Alternative IV with an annual process for setting subsistence regulations, may have some local impacts on subsistence uses, but will not likely restrict subsistence uses significantly.

During the subsequent environmental assessment process for extending fisheries jurisdiction, an evaluation of the effects of this rule was conducted in accordance with section 810. That evaluation also supported the Secretaries' determination that the rule will not reach the "may significantly restrict" threshold that would require notice and hearings under ANILCA section 810(a).

Paperwork Reduction Act

An agency may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. This rule does not contain any new collections of information that require OMB approval. OMB has reviewed and approved the collections of information associated with the subsistence regulations at 36 CFR part 242 and 50 CFR part 100, and assigned OMB Control Number 1018-0075, which expires February 29, 2016.

Regulatory Planning and Review (Executive Orders 12866 and 13563)

Executive Order 12866 provides that the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget will review all significant rules. OIRA has determined that this rule is not significant.

Executive Order 13563 reaffirms the principles of E.O. 12866 while calling for improvements in the nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. The executive order directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public

where these approaches are relevant, feasible, and consistent with regulatory objectives. E.O. 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. We have developed this rule in a manner consistent with these requirements.

Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*) requires preparation of flexibility analyses for rules that will have a significant effect on a substantial number of small entities, which include small businesses, organizations, or governmental jurisdictions. In general, the resources to be harvested under this rule are already being harvested and consumed by the local harvester and do not result in an additional dollar benefit to the economy. However, we estimate that two million pounds of meat are harvested by subsistence users annually and, if given an estimated dollar value of \$3.00 per pound, this amount would equate to about \$6 million in food value Statewide. Based upon the amounts and values cited above, the Departments certify that this rulemaking will not have a significant economic effect on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

Small Business Regulatory Enforcement Fairness Act

Under the Small Business Regulatory Enforcement Fairness Act (5 U.S.C. 801 *et seq.*), this rule is not a major rule. It does not have an effect on the economy of \$100 million or more, will not cause a major increase in costs or prices for consumers, and does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Executive Order 12630

Title VIII of ANILCA requires the Secretaries to administer a subsistence priority on public lands. The scope of this Program is limited by definition to certain public lands. Likewise, these regulations have no potential takings of private property implications as defined by Executive Order 12630.

Unfunded Mandates Reform Act

The Secretaries have determined and certify pursuant to the Unfunded Mandates Reform Act, 2 U.S.C. 1502 *et seq.*, that this rulemaking will not impose a cost of \$100 million or more

in any given year on local or State governments or private entities. The implementation of this rule is by Federal agencies and there is no cost imposed on any State or local entities or tribal governments.

Executive Order 12988

The Secretaries have determined that these regulations meet the applicable standards provided in sections 3(a) and 3(b)(2) of Executive Order 12988, regarding civil justice reform.

Executive Order 13132

In accordance with Executive Order 13132, the rule does not have sufficient Federalism implications to warrant the preparation of a Federalism summary impact statement. Title VIII of ANILCA precludes the State from exercising subsistence management authority over fish and wildlife resources on Federal lands unless it meets certain requirements.

Executive Order 13175

The Alaska National Interest Lands Conservation Act, Title VIII, does not provide specific rights to tribes for the subsistence taking of wildlife, fish, and shellfish. However, the Secretaries, through the Board, provided Federally recognized Tribes and Alaska Native corporations opportunities to consult on this rule. Consultation with Alaska Native corporations are based on Public Law 108–199, div. H, Sec. 161, Jan. 23, 2004, 118 Stat. 452, as amended by Public Law 108–447, div. H, title V, Sec. 518, Dec. 8, 2004, 118 Stat. 3267, which provides 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 No. 13175.”

The Secretaries, through the Board, provided a variety of opportunities for consultation on the rural determination process: commenting on changes under consideration for the existing regulations; engaging in dialogue at the Council meetings; engaging in dialogue at the Board’s meetings; and providing input in person, by mail, email, or phone at any time during the rulemaking process.

Since 2007 multiple opportunities were provided by the Board for Federally recognized Tribes and Alaska Native Corporations to consult on the subject of rural determinations. Federally recognized Tribes and Alaska Native Corporations were notified by mail and telephone and were given the opportunity to attend in person or via teleconference.

Executive Order 13211

This Executive Order requires agencies to prepare Statements of Energy Effects when undertaking certain actions. However, this rule is not a significant regulatory action under E.O. 13211, affecting energy supply, distribution, or use, and no Statement of Energy Effects is required.

Drafting Information

Theo Matuskowitz drafted these regulations under the guidance of Eugene R. Peltola, Jr. of the Office of Subsistence Management, Alaska Regional Office, U.S. Fish and Wildlife Service, Anchorage, Alaska. Additional assistance was provided by

- Daniel Sharp, Alaska State Office, Bureau of Land Management;
- Mary McBurney, Alaska Regional Office, National Park Service;
- Dr. Glenn Chen, Alaska Regional Office, Bureau of Indian Affairs;
- Trevor T. Fox, Alaska Regional Office, U.S. Fish and Wildlife Service; and
- Thomas Whitford, Alaska Regional Office, U.S. Forest Service.

Authority

This rule is issued under the authority of Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 3111–3126).

List of Subjects

36 CFR Part 242

Administrative practice and procedure, Alaska, Fish, National forests, Public lands, Reporting and recordkeeping requirements, Wildlife.

50 CFR Part 100

Administrative practice and procedure, Alaska, Fish, National forests, Public lands, Reporting and recordkeeping requirements, Wildlife.

Regulation Promulgation

For the reasons set out in the preamble, the Secretaries amend 36 CFR part 242 and 50 CFR part 100 as set forth below.

PART—SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA

- 1. The authority citation for both 36 CFR part 242 and 50 CFR part 100 continues to read as follows:

Authority: 16 U.S.C. 3, 472, 551, 668dd, 3101–3126; 18 U.S.C. 3551–3586; 43 U.S.C. 1733.

Subpart C—Board Determinations

- 2. In subpart C of 36 CFR part 242 and 50 CFR part 100, § __.23 is revised to read as follows:

§ __.23 Rural determinations.

(a) The Board has determined all communities and areas to be rural in accordance with § __.15 except the following: Fairbanks North Star Borough; Homer area—including Homer, Anchor Point, Kachemak City, and Fritz Creek; Juneau area—including Juneau, West Juneau, and Douglas; Kenai area—including Kenai, Soldotna, Sterling, Nikiski, Salamatof, Kalifornsky, Kasilof, and Clam Gulch; Ketchikan area—including Ketchikan City, Clover Pass, North Tongass Highway, Ketchikan East, Mountain Point, Herring Cove, Saxman East, Pennock Island, and parts of Gravina Island; Municipality of Anchorage; Seward area—including Seward and Moose Pass, Valdez, and Wasilla/Palmer area—including Wasilla, Palmer, Sutton, Big Lake, Houston, and Bodenber Butte.

(b) You may obtain maps delineating the boundaries of nonrural areas from the U.S. Fish and Wildlife Service at the Alaska Regional Office address provided at 50 CFR 2.2(g), or on the Web at <https://www.doi.gov/subsistence>.

Dated: September 30, 2015.

Eugene R. Peltola, Jr.,
Assistant Regional Director, U.S. Fish and Wildlife Service, Acting Chair, Federal Subsistence Board.

Dated: September 30, 2015.

Thomas Whitford,
Subsistence Program Leader, USDA—Forest Service.

[FR Doc. 2015–27996 Filed 10–30–15; 8:45 am]

BILLING CODE 3410–11–4333–15–P

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.

Winter 2018 Regional Advisory Council Meeting Calendar

February-March 2018

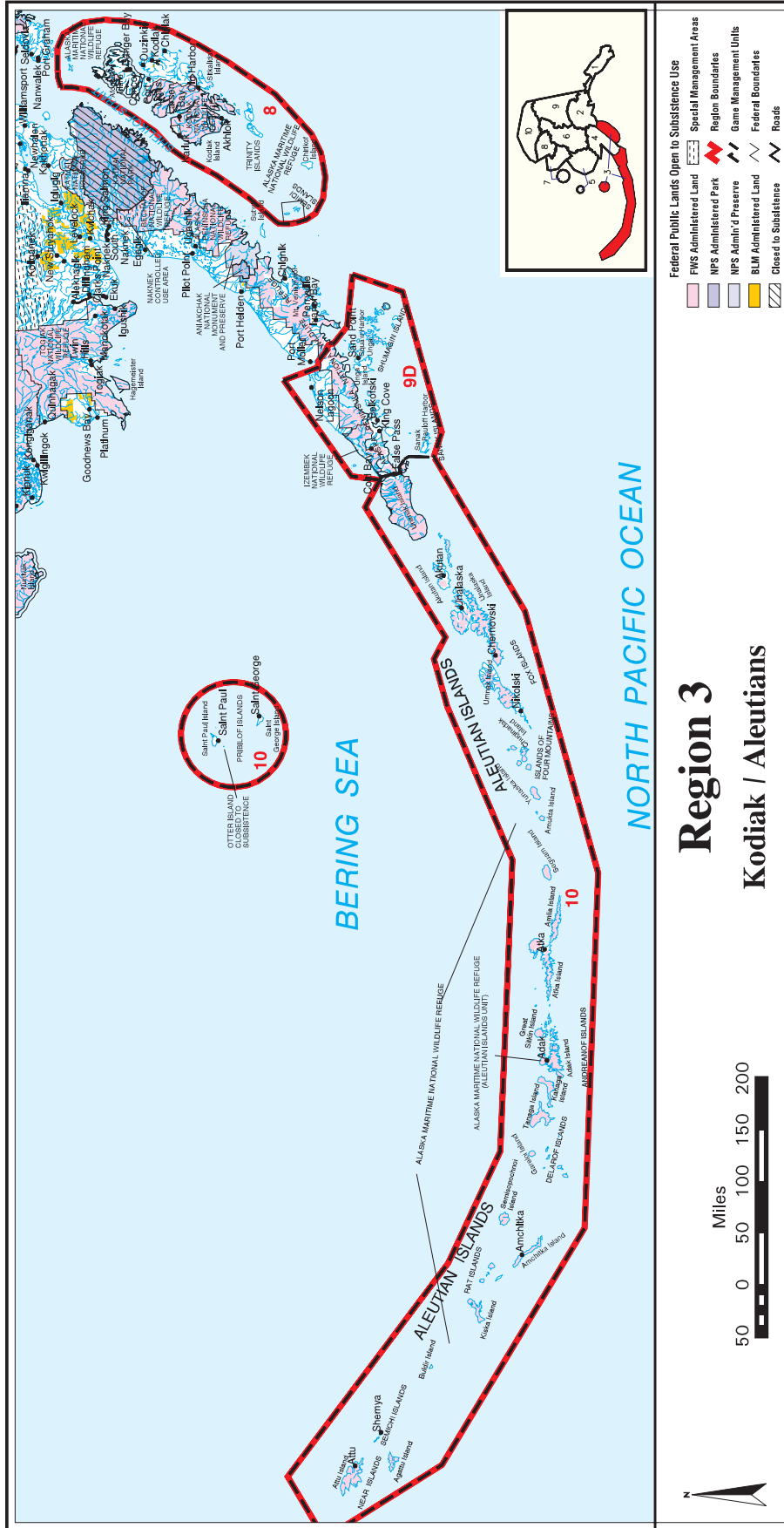
Meeting dates and locations are subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Feb. 4	Feb. 5 <i>Window Opens</i>	Feb. 6	Feb. 7 EI — Fairbanks	Feb. 8	Feb. 9	Feb. 10
		SE — Wrangell				
Feb. 11	Feb. 12	Feb. 13 NS — Utqiagvik	Feb. 14	Feb. 15	Feb. 16	Feb. 17
Feb. 18	Feb. 19 PRESIDENT'S DAY HOLIDAY	Feb. 20	Feb. 21 KA — Kodiak	Feb. 22	Feb. 23	Feb. 24
		WI — Anchorage				
Feb. 25	Feb. 26	Feb. 27 BB — Naknek (1st opt.)	Feb. 28	Mar. 1	Mar. 2	Mar. 3
			NWA — Kotzebue			
Mar. 4	Mar. 5	Mar. 6	Mar. 7	Mar. 8	Mar. 9	Mar. 10
	SC — Anchorage					
	SP — Nome					
Mar. 11	Mar. 12	Mar. 13	Mar. 14 YKD — Bethel	Mar. 15	Mar. 16 <i>Window Closes</i>	Mar. 17
		BB — Naknek (2nd opt.)				

Fall 2018 Regional Advisory Council Meeting Calendar

Meeting dates and locations are subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
<i>Aug. 19</i>	<i>Aug. 20</i>	<i>Aug. 21</i>	<i>Aug. 22</i>	<i>Aug. 23</i>	<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> LABOR DAY HOLIDAY	<i>Sept. 4</i>	<i>Sept. 5</i>	<i>Sept. 6</i>	<i>Sept. 7</i>	<i>Sept. 8</i>	
<i>Sept. 9</i>	<i>Sept. 10</i>	<i>Sept. 11</i>	<i>Sept. 12</i>	<i>Sept. 13</i>	<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>	<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>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> COLUMBUS DAY HOLIDAY	SE — TBD			<i>Oct. 11</i>	<i>Oct. 12</i>	<i>Oct. 13</i>
<i>Oct. 14</i>	<i>Oct. 15</i>	<i>Oct. 16</i>	<i>Oct. 17</i>	AFN — Anchorage			<i>Oct. 20</i>
<i>Oct. 21</i>	<i>Oct. 22</i>	<i>Oct. 23</i>	<i>Oct. 24</i>	<i>Oct. 25</i>	<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>	<i>Nov. 2</i>	<i>Nov. 3</i>	
<i>Nov. 4</i>	<i>Nov. 5</i>	<i>Nov. 6</i>	<i>Nov. 7</i>	<i>Nov. 8</i>	<i>Nov. 9</i>	<i>Nov. 10</i>	



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

Kodiak/Aleutians Subsistence Regional Advisory Council

Charter

- 1. Committee's Official Designation.** The Council's official designation is the Kodiak/Aleutians Subsistence Regional Advisory (Council).
- 2. Authority.** The Council is renewed by virtue of the authority set out in the Alaska National Interest Lands Conservation Act (16 U.S.C. 3115 (1988)), and under the authority of the Secretary of the Interior, in furtherance of 16 U.S.C. 410hh-2. The Council is regulated by 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 has 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. Make recommendations on determinations of customary and traditional use of subsistence resources
 - f. Make recommendations on determinations of rural status.
 - g. 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 \$150,000, including all direct and indirect expenses and 1.0 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 be inactive 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.

For geographic membership balance, it is a Council goal to seat four members who reside on the Kodiak Archipelago, three members who reside on the Alaska Peninsula, and three who reside on the Aleutian and Pribilof Islands.

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.

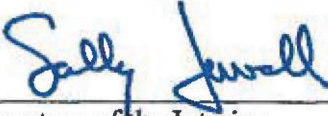
Council members will elect a Chair, Vice-Chair, and Secretary for a 1-year term.

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 6.2, 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 20 2015
Date Signed

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Date Filed

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