

BRISTOL BAY Subsistence Regional Advisory Council



Carl Johnson

A resident of Nondalton harvests whitefish on the frozen surface of Sixmile Lake.

Meeting Materials
February 25-26, 2014
Naknek

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BRISTOL BAY SUBSISTENCE REGIONAL ADVISORY COUNCIL

Naknek Native Village Council Hall

Naknek, Alaska

February 25 - 26, 2014 – 8:30 a.m. daily

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

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

AGENDA

*Asterisk identifies action item.

Roll Call and Establish Quorum (*Secretary*)

Call to Order (*Chair*)

Welcome and Introductions (*Chair*)

Review and Adopt Agenda* (*Chair*) 1

Election of Officers*

Chair (*DFO*)

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Old Business (*Chair*)

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Closing Comments	
Adjourn (Chair)	

To teleconference into the meeting, call the toll free number: 1-866-916-7020, then when prompted enter the passcode: 37311548

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

If you have any questions regarding this agenda or need additional information, please contact Donald Mike, Council Coordinator at (907) 786-3629, donald_mike@fws.gov, or contact the Office of Subsistence Management at 1 (800) 478-1456 for general inquiries.

BRISTOL BAY SUBSISTENCE REGIONAL ADVISORY COUNCIL

Meeting Minutes

Oct 29-30, 2013

Dillingham City Hall

Dillingham, Alaska

Call to Order

Meeting called to order by Madame Chair Molly Chythlook. Chair Chythlook requested moment of prayer/silence, led by Mr. Pete Abraham.

Roll Call and Establish Quorum

Roll called conducted by Coordinator Mike as requested by Chair Chythlook. Council members present: Molly Chythlook, Dan Dunaway, Richard Wilson, Dan O'Hara, Pete Abraham, Lary Hill. On teleconference: Nanci Morris Lyon, John Jones, Sr

Absent: Thomas Hedlund, Alvin Boskofsky

Welcome and Introductions

Chair Chythlook welcomed guests and staff members.

Government Agency Employees

Donald Mike	FWS OSM
Kathy O'Reilly-Doyle	FWS OSM DARD
Tom Kron	FWS OSM
Trevor Fox	FWS OSM
Charles Brower	FSB Member
Tevis Underwood	FWS Togiak NWR Acting Refuge Mgr
Andy Aderman	FWS Togiak NWR Wildlife Biologist
Orville Lind	FWS AP/Becharof NWR
Jon Dyasuk	FWS Togiak NWR
Susan Alexander	FWS AP/Becharof NWR
Dom Watts	FWS AP/Becharof NWR
Sherri Anderson	NPS wildlife biologist Katmai
Troy Hamon	NPS Katmai Natural Resource Manager
Diane Chung	NPS Katmai Superintendent
Glenn Chen	BIA anthropologist
Susie Jenkins Brito	ADFG SW Regional Coordinator
Ted Kreig	ADFG Subsistence Division
Craig Schwanke	ADFG Sport Fish
Tim Sands	ADFG

Sara Evans ADFG
Davin Hollen ADFG

NGOs/Public

Gayla Hoseth BBNA Subsistence Research Specialist
Danielle Stickman BBNA Subsistence Fisheries
Courtenay Gomez BBNA Nat Res Dir
Joe Klutsh King Salmon, AK
Bryce Edgmon Alaska Legislator
Frank Woods BBNA Subsistence
Joe Chythlook BBNC Board
Letiza Nardi Ehess, Paris
Mike Mason KDLG radio

On Teleconference

Karen Hyer FWS OSM Anchorage
Palma Ingles FWS OSM Anchorage
George Pappas FWS OSM Anchorage
Trent Liebich FWS OSM Anchorage
Dan Sharp BLM Anchorage
Mary McBurney NPS
Dave Mills NPS Anchorage

Review and Adopt Meeting Agenda

Mr. O’Hara moved to adopt the meeting agenda as revised. Move the 20 year RAC service awards after agenda item 6. Include the State BOF proposals under OSM reports, BOF number 40. Delete item E. 1; under Agency reports, no recent updates. Include report from BBNA on enforcement issues. Move 2013 Annual Report topic, under Agency reports as item H. Seconded by Mr. R. Wilson. Meeting agenda adopted.

Review and Adoption of minutes: February 12-13, 2013

Mr. R. Wilson moved to adopt and approve the minutes. Second called by Mr. Dunaway. Discussion. Question called, minutes of Feb 12-13, 2013 meeting adopted.

RAC Service Awards

The Office of Subsistence Management and the Federal Subsistence Board recognized two members of the Bristol Bay RAC for 20 years of service on the Council. Members are Mr. Dan O’Hara, Naknek; and Mr. Pete Abraham, Togiak. For their volunteer service, they were presented with a framed print

submitted by local student art contest winners depicting life in rural Alaska. Mr. Charlie Brower, FSB member presented the service recognition awards.

Reports

Council members reported on subsistence activities and issues from their respective communities.

2012 Annual Report Reply

Council Coordinator summarized the FSB reply on the 2012 Bristol Bay RAC Annual Report. The issues brought forward were Chignik fishery information, fishery stocks of concern, Bering Sea by-catch of salmon, and the Unit 17 Moose Management Plan.

Public Testimony

The Council announced it will take public testimony/comment on issues related to subsistence management and other subsistence related issues.

Old Business

C/T Use Determination

Mr. Glen Chen, BIA, provided a briefing on the customary and traditional use determination document provided by OSM. The FSB and the Southeast RAC is seeking comments on the current C&T Use Determination process. The Southeast RAC requests the other RACs to comment on its C&T use determination process by applying ANILCA Section 804 rather than the current C&T use determination process.

The BBRAC, after discussion, deferred action on the document and will address it in its winter 2014 public meeting. The Council would like to hear comments from the Bristol Bay State Advisory Committees, the NPS Subsistence Resource Commission, Tribal and local government leaders, and the Bristol Bay Native Association on their comments in applying C&T use determination. The Council will take their comments prior to submitting its position and comments to the Federal Subsistence Board.

Public testimony was heard requesting to defer.

New Business: Wildlife Regulatory Proposals

The following are the actions taken by the Bristol Bay RAC for the Federal Subsistence Board's consideration on each proposed regulatory wildlife proposals. The Councils recommendations are based on written public comments, Federal and State agency; NPS SRC and State AC comments, Native organizations and other public testimony heard during the public meeting.

WP14 -01, submitted by Kevin Bopp, requests the establishment of new statewide provisions for Federal trapping regulations that require identification tags on all traps and snares, establish a maximum allowable time limit for checking traps, and establish a harvest/trapping report form to collect data on non-target species captured in traps and snares.

Mr. Trevor Fox presented the OSM staff analysis. OSM preliminary conclusion is to oppose.

Action: The Council unanimously opposed the proposal.

Justification: The proposed regulation if adopted would unnecessarily hamper management and law enforcement efforts. The Lake Clark Subsistence Resource Commission voted in opposition of the proposal. It is an unnecessary burden to subsistence users in the region. Additionally, fluctuations in winter weather will make it difficult to enforce the proposed regulation.

WSA13-01, submitted by the BBRAC, requests an extension of the to-be-announced winter season and an increase in the harvest limit for moose under Federal hunting regulations in Unit 17A.

Mr. Trevor Fox presented the OSM staff analysis. OSM preliminary conclusion is to support.

Action: The Council unanimously supports the special action.

Justification: Moose population is increasing and rural residents of the area using the resource are in support of maintaining a healthy moose population.

WP14 -21, submitted by the BBRAC, requests an extension of the to-be-announced winter season and an increase in the harvest limit for moose under Federal hunting regulations in Unit 17A.

Mr. Trevor Fox presented the OSM staff analysis. OSM preliminary conclusion is to support with modification.

Action: The Council supported the proposal as modified by the Office of Subsistence Management.

Delete the regulatory language found in the Unit 17A may-be-announced season, and delegate authority to the Togiak NWR Manager to open and close the season and set the harvest limit, including any sex restrictions (e.g. bulls only), for moose via a delegation of authority letter only.

Unit 17A—Moose

Unit 17A—1 bull by State registration permit

Aug. 25–Sept. 20.

*Unit 17A—~~1 antlered bull~~ **up to 2 moose** by State registration permit. ~~Up to a 14 day season during the period Dec. 1–Jan. 31 may be opened or closed by the Togiak National Wildlife Refuge Manager after consultation with ADF&G and the Chair of the Bristol Bay Regional Advisory Council.~~*

~~Winter~~ **Up to a 31-day season to may be announced between Dec. 1–Jan. 31.**

Justification: Moose population is increasing and rural residents of the area using the resource are in support of maintaining a healthy moose population.

WP14 –22, submitted by the BBRAC, requests changes to the Federal subsistence caribou hunting regulations in Units 9A, 9B, 9C, 17A, 17B, 17C, 18, 19A and 19B. The proposal requests the establishment of permit requirements for all of the units and the to-be-announced season in the units 17A and 17C remainder be shortened from Aug 1-Mar 31 to Aug 1-Mar 15.

Mr. Trevor Fox presented the OSM staff analysis. OSM preliminary conclusion is to support with modification.

Action: The Council supported the proposal as modified by the Office of Subsistence Management.

Delete regulatory language found in portions of Units 17A and 17C, and issue a delegation of authority letter to the Togiak NWR Manager for specific in-season management authorities. In Unit 17A within all drainages west of Right Hand Point, delegate the authority to open and close the season and set the harvest limit, including any sex restrictions (e.g., bulls only). In Unit 17A remainder and Unit 17C remainder, delegate the authority to open and close the season, set the harvest limit, and identify the hunt area for the may-be-announced season.

The modified regulation should read:

Units 9A, 9B, 9C—Caribou

*Unit 9A—2 caribou by **State registration permit**; no more than 1 caribou may be a bull, and no more than 1 caribou may be taken Aug.*

Aug. 1–Mar. 15

1–Jan. 31.

Unit 9B—2 caribou **by State registration permit**; no more than 1 caribou may be a bull, and no more than 1 caribou may be taken Aug. 1–Jan. 31. Aug. 1–Mar. 15

Unit 9C, that portion within the Alagnak River drainage—2 caribou **by State registration permit**; no more than 1 caribou may be a bull, and no more than 1 caribou may be taken Aug. 1–Jan. 31. Aug. 1–Mar. 15

Units 17A, 17B, 17C—Caribou

Unit 17A—all drainages west of Right Hand Point—2 caribou **by State registration permit**; no more than 1 caribou may be a bull, and no more than 1 caribou may be taken Aug. 1–Jan. 31. ~~The season may be closed and harvest limit reduced for the drainages between the Togiak River and Right Hand Point by announcement of the Togiak National Wildlife Refuge Manager.~~ Aug. 1–Mar. 15

Units 17A remainder and 17C remainder—selected drainages; a harvest limit of up to 2 caribou **by State registration permit** will be determined at the time the season is announced. ~~Season, harvest limit, and hunt area to be announced by the Togiak National Wildlife Refuge Manager.~~ ~~Season to occur sometime may be announced~~ within Aug. 1–Mar. 31. ~~15.~~

Units 17B and 17C—that portion of 17C east of the Wood River and Wood River Lakes—2 caribou **by State registration permit**; no more than 1 caribou may be a bull, and no more than 1 caribou from Aug. 1–Jan. 31. Aug. 1–Mar. 15

Unit 18—Caribou

Unit 18—that portion to the east and south of the Kuskokwim River—2 caribou **by State registration permit**; no more than 1 caribou may be a bull; no more than 1 caribou may be taken Aug. 1–Sept. 30 and Dec. 20–Jan. 31. Aug. 1–Sept. 30 Dec. 20–the last day of Feb.

Unit 18 remainder—2 caribou **by State registration permit**; no more than 1 caribou may be a bull; no more than 1 caribou may be taken Aug. 1–Mar. 15

Aug. 1–Jan. 31.

Units 19A, 19B—Caribou

Unit 19A—north of the Kuskokwim River—2 caribou by State registration permit, no more than 1 caribou may be a bull; no more than 1 caribou may be taken from Aug. 1–Jan. 31. Aug. 1–Mar. 15

Unit 19A—south of the Kuskokwim River and Unit 19B (excluding rural Alaska residents of Lime Village)—2 caribou by State registration permit; no more than 1 caribou may be a bull; no more than 1 caribou may be taken Aug. 1–Jan. 31. Aug. 1–Mar. 15

Justification: The Council stressed the importance of rebuilding the herd and the registration requirement will enable managers to track the harvest of the herd. The herd count is still low, conservation concerns of the population necessitates a registration hunt to monitor the caribou population.

WP14–26, submitted by the Yukon Delta NWR, requests that for Unit 18 – that portion to the east and south of the Kuskokwim River, the caribou hunt be changed to require a joint State/Federal registration permit; the 1 bull harvest restriction be eliminated, and the split season be eliminated, and a continuous season from Aug 1-Mar 15 be established. Additionally, the proponent asks that the Yukon Delta NWR manager be given delegated authority to close or re-open Federal public lands to all users for this hunt if needed for conservation concerns after consultation with the ADF&G, the Togiak NWR manager, and the chair of the YK RAC.

Mr. Trevor Fox presented the OSM staff analysis. OSM preliminary conclusion is to support with modification.

Action: The Council supported the proposal with modification. The Council’s recommendation was a modification of the Office of Subsistence Management recommendation, and supported the use of a State registration permit and retaining the harvest limit restriction; however, the Council did not recommend delegating the authority to open or close the season to the Yukon Delta National Wildlife Refuge manager.

Administer the hunt via a State registration permit only and retain the harvest limit restrictions. The modified regulation would read:

Unit 18—Caribou

Unit 18- that portion to the east and south of the Kuskokwim River-2 caribou by State ~~a joint ADF&G and Federal registration permit.~~ ; no more than 1 caribou may be a bull; no more than 1 caribou may be taken Aug. 1-Jan. 31 ~~and Dec. 20-Jan. 31.~~ Aug. 1-~~Sept. 30~~Mar. 15

~~Through a letter of delegation: The Yukon Delta National Wildlife manager has the authority to close or re-open Federal public lands to all users for this hunt if necessary for conservation concerns, after consultation with ADF&G, the Togiak National Wildlife Refuge manager, and the chair of the Yukon-Kuskowkwim Delta Regional Advisory Council.~~ Dec. 20 the last day of Feb.

Justification: Conservation concerns exist for the Mulchatna Caribou Herd. One bull only will protect the breeding population of the herd. The proposed regulation was for two caribou, the management of the herd must be managed equally across the herd's range.

Fisheries Resource Monitoring Program

Ms Karen Hyer, presented the Draft Resource Monitoring Program. Five projects were submitted for the region. Three of the five projects were recommended for funding by the Technical Review Committee. The Council took action on several FRMP projects.

Draft 2014 Fisheries Resource Monitoring Plan* -- The council voted to **support** the TRC recommended projects (14-401 & 14-402) and to recommend 14-451 for funding.

Rural Determination

The Office of Subsistence Management held a public hearing on October 29 in Dillingham and received public testimony on the rural determination process.

The Council took the rural determination process agenda item on Oct 30 presented by Mr. Trevor Fox and Mr. Tom Kron.

The Council, after hearing public testimony and briefing by OSM staff, offers the following comments/recommendation for FSB's consideration on the Rural Determination Process.

Overall Comments:

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

Timelines:

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

Population Thresholds:

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

Information Sources:

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

Agency Reports

Ms. O'Reilly-Doyle, DARD OSM, briefed the Council the Office of Subsistence Management's budget, staffing, and the MOU. Mr. Kron provided the Draft Consultation implementation guidelines and regulatory cycle update.

Mr. George Pappas, OSM Fisheries, provided update on fisheries issues. Mr. Pappas also informed the Council on the Alaska Board of Fisheries Proposal No. 40; a proposal from the ADFG proposes

to correct a change that was made to the regulation 5 AAC 15.357(b)(1) governing the start of the commercial fisheries in the Chignik area. The proposal proposes to insert “may” and strike out “shall” to allow the area to hold off any commercial fishery for 1-2 days in the event the salmon run is weak. The Chignik AC voted in support of the BOF proposal and the Federal Subsistence Management Program is in support of Proposal No. 40.

The Council discussed the Alaska BOF Proposal No. 40 and **moved to support** Proposal 40; local knowledge was consulted by staff.

The Council heard agency reports from the National Wildlife Refuge office from King Salmon and Dillingham. Agency reports was also given by the National Park Service from Katmai, Aniakchak, and Lake Clark and reported on the SRC activities.

Bristol Bay Native Association, BLM, and the ADFG provided reports to the Council.

2013 Annual Report

The Council discussed annual report items and provided two items to include in the 2013 Annual Report.

Wolf and Bear Population Management

The Council maintains its concern on the low levels of moose and caribou populations within the Bristol Bay region. The Council continues to urge the Federal Subsistence Board and the U.S. Fish & Wildlife Service to review and develop management options to maintain the wolf and bear population which contributes to the low density and recruitment of the moose and caribou populations in the Bristol Bay region.

Fisheries Resource Monitoring Program

Subsistence information needs addressed by the Council and other organizations to fill information gaps on subsistence harvest and use are an important data source; for which the Council depend on for technical information for developing informed recommendations for the Federal Subsistence Board to consider on subsistence related proposals. The FRMP is a tool to address information gaps and provide recent harvest and use practices in the Bristol Bay and other regions.

Time and Location

of Next meeting

The next meeting will be Feb 11-12, 2014 in Naknek.
Fall meeting Oct 14-15, 2014 in Dillingham

Adjournment Meeting adjourned.

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

\s\ Donald Mike

Donald Mike, DFO
Regional Advisory Council Coordinator

Molly Chythlook, Chair
Bristol Bay Subsistence Regional Advisory Council

These minutes will be formally considered by the Bristol Bay Alaska Subsistence Regional Advisory Council at its next meeting on October 29, 2013, and any corrections or notations will be incorporated in the minutes of that meeting.

CUSTOMARY AND TRADITIONAL USE DETERMINATION BRIEFING

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

populations),

(3) make some other change, or

(4) make no change.

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

APPENDIX A

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

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

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

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

APPENDIX B

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Subsistence Regional Council Customary and Traditional Use Determinations – Action Summaries

Southeast

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

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

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

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

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

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

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

Southcentral

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

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

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

Kodiak-Aleutians

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

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

Bristol Bay

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

Yukon-Kuskokwim Delta

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

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

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

Western Interior

The Western Interior Council deferred providing formal comment to their winter 2014 meeting where correspondence to the Federal Subsistence Board will be approved.

Seward Peninsula

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

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

Northwest Arctic

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

Eastern Interior

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

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

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

North Slope

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

Federal Subsistence Priority

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

Limiting the Pool of Federally Qualified Subsistence Users

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

1. ANILCA Section 804

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

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

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

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

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

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

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

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

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

Discussion

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

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

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

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

Southeast

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

Southcentral

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

Overall Comments:

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

Timelines:

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

Population Thresholds:

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

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

Information Sources:

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

Kodiak-Aleutians

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

Aggregation

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

Population Thresholds

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

Rural Characteristics

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

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

- Impact of weather on transportation to and from the community

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

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

Timing of Review

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

Information Resources

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

Other Issues

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

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

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

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

Population Threshold with three categories of population:

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

Our suggested thoughts:

Population Threshold:

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

Rural characteristics:

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

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

Aggregation of communities:

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

Timelines:

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

Information sources:

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

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

Bristol Bay

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

Timelines:

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

Population Thresholds:

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

Information Sources:

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

Yukon-Kuskokwim Delta

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

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

Aggregation:

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

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

Information sources:

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

Western Interior

The Western Interior Council deferred providing formal comment to their winter 2014 meeting where correspondence to the Federal Subsistence Board will be approved.

Seward Peninsula

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

Northwest Arctic

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

Eastern Interior

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

Population threshold:

The Council decided by consensus to maintain the current population thresholds

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

Rural characteristics:

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

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

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

Aggregation:

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

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

Timeline:

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

Information sources:

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

North Slope

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

Fisheries Resource Monitoring Program

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

Overview

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

Funding Regions

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

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

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

Subsistence Resource Concerns

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

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

Funding Cycles

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

Funding Recommendations

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

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

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

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

The Partners for Fisheries Monitoring
Call for Funding 2016-2019

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

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

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

Timeline:

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

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



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



Federal Subsistence Board News Release

For Immediate Release:

January 13, 2014

Contact:

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

Call for Proposals to Change Federal Subsistence Fish and Shellfish Regulations

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

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

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

Submit proposals:

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

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

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

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

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

-###-



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

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

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

.....

Submit proposals:

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

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

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

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



2015–2017 Federal Subsistence Fish and Shellfish Proposal

(Attach additional pages as needed).

Name: _____

Organization: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

**Submit proposals by
March 28, 2014**

Questions?

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

E-mail: subsistence@fws.gov

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

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

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

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

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

ANNUAL REPORTS

Background

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

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

Report Content

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

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

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

Report Clarity

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

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

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

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

Report Format

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

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



U.S. FISH and WILDLIFE SERVICE
BUREAU of LAND MANAGEMENT
NATIONAL PARK SERVICE
BUREAU of INDIAN AFFAIRS
FWS/OSM 13053.CJ

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



U.S. FOREST SERVICE

SEP 11 2013

Molly Chythlook, Chair
Bristol Bay Subsistence
Regional Advisory Council
c/o U.S. Fish and Wildlife Service
Office of Subsistence Management
1011 East Tudor Road, MS 121
Anchorage, Alaska 99503

Dear Chairwoman Chythlook:

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

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

Issue 1: Chignik Fishery Information

The Council, at its fall 2012 meeting, addressed Federal fishery proposals in the Chignik Fishery Management Area. When developing its recommendations on regulatory proposals in that area for the Board's consideration, information on commercial harvest was readily available, but the Council found the data lacking for sport and subsistence harvests. These data inadequacies impair the Council's ability to develop sound recommendations on Federal subsistence proposals.

The Council requests that a summary report be provided at each fall meeting on the total number of salmon harvested by subsistence and sport fish user groups during the fishing season, and that the Board coordinate with the State to ensure such a report is provided. Such information will enable the Council, with complete and current data, to develop sound recommendations to the Board in the future.

Response:

Due to budget constraints Alaska Department of Fish and Game (ADF&G) was not able to conduct post-season survey efforts in 2010 and 2011 so harvest estimates for those years are based only on returned permits. The most recent published subsistence harvest information contains data through 2010. Alaska Department of Fish and Game is currently working on updating the estimates for 2011 and 2012. OSM staff will work with ADF&G to provide the Council with an updated report when it is available.

Sport fish harvest is monitored through sport fish guide logs and sport fish statewide harvest surveys collected by ADF&G. The sport fish harvest information is made available each year following the season. Office of Subsistence Management (OSM) staff will work with ADF&G to provide the Council with an update on sport fish harvest at its fall 2013 meeting.

Issue 2: Stocks of Concern

The Council is deeply concerned about interception of sockeye salmon in the Area M fishery bound for the terminal fisheries in Bristol Bay and Western Alaska. Initial reports on genetic information suggest that 50 percent of the commercial catch in the Area M fishery are sockeye bound for Bristol Bay. The sockeye return to the Bristol Bay Region is an important fishery for the residents of the Bristol Bay region, which in some cases fall under Federal fishery management jurisdiction. The Council requests a full briefing on genetic information regarding the catch and interception occurring in the Area M fishery to determine the extent of the interception of sockeye bound for Bristol Bay and Western Alaska.

Response:

The Western Alaska Salmon Stock Identification Program (WASSIP) is a comprehensive program to sample commercial and subsistence chum and sockeye salmon fisheries for genetic information in coastal marine areas of western Alaska. This program is unprecedented in its magnitude and scope, including salmon fisheries from Chignik Bay to Kotzebue Sound, stretching over 3,000 km of shoreline. They have produced a series of reports discussing the findings of their work. OSM staff will work with the State subsistence liaison to arrange for a member of the WASSIP to brief the RAC at its fall 2013 meeting.

Issue 3: Bering Sea Bycatch

The Council requests that it be provided continued briefings on the Bering Sea Pollock Fishery, which has a significant bycatch of salmon bound for Bristol Bay and Western Alaska. Salmon species for Bristol Bay and Western Alaska are an important resource for the livelihood and subsistence needs of our region's residents.

Response:

Office of Subsistence Management staff will continue to provide written briefs in the Council's meeting booklets, as requested, when there are new developments. If the Council would like this

as an agenda item for each Council meeting, inform your Council Coordinator so that arrangements can be made. Council members can also find a variety of Bering Sea and Aleutian Islands salmon bycatch reports and information on the North Pacific Fishery Management Council website: <http://www.fakr.noaa.gov/npfmc/>

For specific, up-to-date salmon bycatch mortality totals, Council members can view these websites:

Chinook salmon

http://alaskafisheries.noaa.gov/sustainablefisheries/inseason/chinook_salmon_mortality.pdf

Chum salmon

http://alaskafisheries.noaa.gov/sustainablefisheries/inseason/chum_salmon_mortality.pdf

Issue 4: Unit 17A Moose Management Plan

The Council was briefed on the Unit 17A Moose Management Plan developed by the Unit 17A Moose Working Group (Working Group). The Working Group members, or their designees, developing the plan were the Togiak and Nushagak Advisory Committees, Bristol Bay Alaska Subsistence Regional Advisory Council, Togiak National Wildlife Refuge, and the Alaska Department of Fish and Game. The Working Group endorsed the plan on January 8, 2013, with the exception of the Bristol Bay Council representative. The final plan was presented to the Alaska Board of Game (BOG) at its meeting held in Wasilla on February 8, 2013.

The plan and actions taken by the BOG, were presented to the Council during its February 11, 2013 meeting held in Naknek by the Togiak National Wildlife Refuge wildlife biologist. Details of the plan were presented, outlining the plan for harvest in Unit 17A to the Council.

The Council unanimously endorsed the Unit 17A Moose Management Plan presented by Refuge staff. The Moose Management Plan is a product of cooperation among State and Federal agencies as well as the local advisory committees, and is a living document that provides future opportunity to revisit the plan and address issues related to moose management. The Working Group, through the Moose Management Plan, is committed to local consultation, which is crucial in developing a resource management plan that all users can support. The Council urges the Board to continue to support such cooperative efforts between Federal and State agencies to provide subsistence opportunities for rural residents.

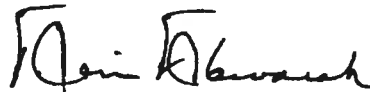
Response:

The Board appreciates the Council's participation in the Unit 17 Moose Management Working Group, and acknowledges the benefits of cooperative resource management. Management plans, such as the Unit 17A Moose Management Plan (Management Plan), play an important role in setting Federal harvest regulations. Guidelines and objectives from the management plans are typically included in wildlife proposal analyses and are often part of the Board's deliberations for

regulatory decisions. Later this year, the Board will be considering regulatory changes requested by emergency special action (WSA13-01) and proposal (WP14-21) to mirror State harvest regulations in Unit 17A. The State regulations were changed in February 2013 to enable implementation of the recently modified Management Plan. Finally, the Board will have an opportunity to review the Management Plan at its April 2014 meeting.

In closing, I want to thank you and your Council for their continued involvement and diligence in matters regarding the Federal Subsistence Management Program. I would like to specifically thank Peter Abraham and Daniel O'Hara for their 20 years of service, and Nanci Morris Lyon and Dan Dunaway for their 10 years of service to the Federal Subsistence Management program as members of this Council. I speak for the entire Board in expressing our appreciation for your efforts and our confidence that the subsistence users of the Bristol Bay Region are well represented through your work.

Sincerely,



Tim Towarak
Chair

- cc. Bristol Bay Subsistence Regional Advisory Council
- Federal Subsistence Board
- Interagency Staff Committee
- Gene Peltola, Jr., Assistant Regional Director, OSM
- Kathleen M. O'Reilly-Doyle, Deputy Assistant Regional Director, OSM
- Carl Johnson, Council Coordination Division Chief, OSM
- Donald Mike, Subsistence Council Coordinator, OSM
- Administrative Record

Bristol Bay Alaska Subsistence Regional Advisory Council
c/o U.S. Fish & Wildlife Service
1011 East Tudor Road MS 121
Anchorage, Alaska 99503
Phone: (907) 786-3888, Fax: (907) 786-3898
Toll Free: 1-800-478-1456

Tim Towarak, Chair
Federal Subsistence Board
c/o U.S. Fish and Wildlife Service
Office of Subsistence Management
1011 East Tudor Road, MS 121
Anchorage, Alaska 99503

Dear Mr. Towarak:

This letter is the 2013 annual report of the Bristol Bay Subsistence Regional Advisory Council. The Council has permissive authority to submit the report under Title VIII of the Alaska National Interest Lands Conservation Act, Section 805(a)(3)(D). At its public meeting held in Dillingham, Alaska on October 29-30, 2013, the Council brought forward the following concerns for its 2013 report and approved the annual report at its February 25-26, 2014 public meeting in Naknek, Alaska.

1. Wolf and Bear Population Management

The Council maintains its concern on the low levels of moose and caribou populations within the Bristol Bay region. The Council continues to urge the Federal Subsistence Board and the U.S. Fish & Wildlife Service to review and develop management options to maintain the wolf and bear population which contribute to the low density and recruitment of the moose and caribou populations in the Bristol Bay region.

2. Fisheries Resource Monitoring Program

Subsistence information needs addressed by the Council and other organizations to fill information gaps on subsistence harvest and use are an important data source; for which the Council depend on for technical information for developing informed recommendations for the Federal Subsistence Board to consider on subsistence related proposals. The FRMP is a tool to address information gaps and provide recent harvest and use practices in the Bristol Bay and other regions.

The Council understands the vetting process is conducted by an interagency, multidisciplinary process to fund proposed projects submitted by principle investigators, known as the Technical Review Committee (TRC). The Council is requesting the

Federal Subsistence Board to explain to the Council the TRC process, and how decisions are made to fund or not to fund a proposed project. Finally, the Council wants to be briefed on the staff make-up of the TRC and how FRMP projects are evaluated to forward for funding for approval by the Board.

Thank you for the opportunity for this Council to assist the Federal Subsistence Program to meet its charge of protecting subsistence resources and uses of these resources on Federal public lands and waters. The Council looks forward to continuing discussions about the issues and concerns of subsistence users of the Bristol Bay Region. If you have questions about this report, please contact me via Donald Mike, Regional Council Coordinator, with the Office of Subsistence Management at 1-800-478-1456 or (907) 786-3629.

Sincerely,

Molly Chythlook
Chair, Bristol Bay RAC

cc: Federal Subsistence Board
Interagency Staff Committee
Bristol Bay Subsistence Regional Advisory Council

DRAFT

Report to Federal Subsistence Regional Advisory Councils on

1. Tribal Consultation Draft Implementation Guidelines

2. Draft ANCSA Consultation Policy

January 24, 2014

From the Federal Subsistence Board's Consultation Workgroup

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

Draft Implementation Guidelines Summary

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

Draft ANCSA Corporation Consultation Policy Summary

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

Workgroup members

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

IMPLEMENTATION GUIDELINES

for the

Federal Subsistence Board Government-to-Government Tribal Consultation Policy

INTRODUCTION

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

Tribal consultation will be regularly scheduled twice each year:

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

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

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Accountability, Reporting, and Information Management	Page 8

MEETING PROTOCOLS

1. Timing:

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

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

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

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

9. Consultation Meetings Requested by Tribes:

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

REGULATORY CYCLE TIMELINE AND ROLES AND RESPONSIBILITIES

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

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

WHO SHOULD PARTICIPATE IN GOVERNMENT-TO-GOVERNMENT CONSULTATION

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

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

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

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

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

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

RESPONSIBLE LEAD ACTION

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

OSM

Sends a return receipt letter to Tribes:

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

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

OSM

Sends public notice to all Tribes announcing all RAC meetings.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

OTHER REGULATORY ACTIONS NOT COVERED UNDER REGULATORY PROCESS

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

IN-SEASON MANAGEMENT AND SPECIAL ACTIONS

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

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

NON-REGULATORY ISSUES

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

TRAINING

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

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

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

ACCOUNTABILITY, REPORTING, AND INFORMATION MANAGEMENT

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

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

DRAFT

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

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

I. Preamble

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

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

II. Guiding Principles

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

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

III. Policy

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

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

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

DRAFT

Federal Subsistence Regional Advisory Council

MEMBERSHIP INFORMATION

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

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

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

Council Membership

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

Council Responsibilities:

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

Membership Criteria Who Qualifies?

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

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

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

2014 Application Timeline

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

Federal Subsistence Regional Council Coordinators

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

Southeast Alaska, Region 1:

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

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

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

Kodiak/Aleutians, Region 3:

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

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

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

Yukon-Kuskokwim Delta, Region 5 /

Seward Peninsula, Region 7:

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

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

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

Federal Subsistence Board

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

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

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

Number of Regional Advisory Council Applications Received Each Year

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

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

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



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Togiak National Wildlife Refuge
P.O. Box 270
Dillingham, Alaska 99576
Phone 907-842-1063
Fax 907-842-5402



INFORMATION BULLETIN - February 2014

Reconstructing Salmon Runs for 500 Years Contact: Pat Walsh and Mark Lisac

Togiak Refuge biologists collaborated with University of Washington fisheries scientists to reconstruct prehistoric salmon runs based on an analysis of nitrogen isotopes found in lake sediments. The study took place at 25 lakes in southwestern Alaska, half of which occurred on Togiak, Kodiak, and Alaska Peninsula/Becharof Refuges. The study reconstructed salmon runs 500 years back into time, and demonstrated cycles which persisted for longer periods of time than ever before understood, some longer than 200 years. Other significant findings were that: 1) There were huge fluctuations in salmon abundance prior to the commercial harvest, 2) Salmon stocks have the capacity to rebuild naturally following prolonged periods of low abundance, 3) Salmon production is widely variable between river systems, including prior to commercial harvest. This study was published in the Proceedings of the National Academy of Sciences (see <http://www.pnas.org/content/early/2013/01/15/1212858110.abstract>).

The Roles of Alder and Salmon in Driving Aquatic Productivity Contact: Pat Walsh

In 2010, Togiak Refuge, the University of Illinois, the University of Washington, and ADF&G began a 4-year project to determine the relative role of salmon and alder in controlling productivity in lakes. Both salmon and alder contribute nutrients to lakes: salmon do so via decomposition of carcasses after spawning, and alder does so through nitrifying the soil, and by mobilizing soil nutrients which would otherwise be biologically inaccessible. This project will measure the contribution of nutrients from both sources by analyzing water samples from thirteen Refuge lakes over a four year period. The information that will come from this project will help salmon managers better understand the ecological consequences of harvest. Since 2010, we have installed water quality and quantity monitoring equipment at 13 lakes on Togiak Refuge. We monitored stream discharge in summer and fall at 26 streams entering the study lakes in order to estimate lake water budgets. We performed aerial sockeye salmon surveys at all study lakes and estimated run size in each. We completed the final round of sampling in summer 2013 and have begun analysis. A progress report is available.

Cooperative Salmon Escapement Monitoring Projects Contact: Mark Lisac

In 2013 Togiak Refuge provided support to the Native Village of Kwinhagak (NVK) and

ADF&G to operate salmon escapement monitoring projects (weirs) on the Kanektok (KRW) and Middle Fork Goodnews Rivers (MFGRW).

On the Middle Fork Goodnews River, ADF&G has monitored Chinook, chum and sockeye salmon escapement since 1980. Escapement goals and management of the commercial fishery are based on salmon escapement at the weir. Togiak Refuge has worked with ADF&G since 1992 to include the coho salmon and Dolly Varden runs in the project operation. ADF&G, Togiak Refuge and the Office of Subsistence Management (OSM) fund the project operation. Since 2006 this weir project has also used an underwater video system which allows the weir to be opened to salmon passage more hours a day. Use of motion sensors and digital recording video can improve fish counting accuracy, especially during periods of high water and poor visibility. The MFGRW was fish tight on 24 June and counted fish until September 2013 when it became flooded out.

On the Kanektok River, ADF&G, NVK and Togiak Refuge have worked cooperatively to monitor salmon and Dolly Varden runs since 2001. This project is currently funded by OSM and Coastal Villages Region Fund. Escapement goal ranges have not been established for the Kanektok River because the weir has not been operational for enough years. This weir began operation 25 June and operated until 13 August.

Escapement counts for the MFGRW and KRW 2013 are:

	Chinook	Sockeye	Chum	Coho	Pink	Dolly V.
MFGRW	1,168	23,029	27,673	NC	NC	5,163
KRW	3,569	128,761	43,040	NC	NC	41,730

NC = no count possible.

NOTE: KRW and MFGRW projects are not recommended by the Federal Subsistence Board for funding in 2014.

Arctic Char Population Inventory Contact: Mark Lisac

Togiak Refuge is developing a multi-year study to inventory Arctic char populations throughout the Refuge. This species is confirmed to occur in 27 lakes and are likely to be found in many more. We will attempt to collect size, shape and genetic information from each lake population encountered. If you have any first hand knowledge of small or unique Arctic char populations and would be willing to share that information please contact Mark Lisac at the Refuge office.

Rainbow Trout Population Identification Contact: Pat Walsh

Togiak Refuge, ADF&G Sport Fish, and the Conservation Genetics Laboratory are working together to inventory populations and determine the genetic relationships between populations of rainbow trout throughout Togiak Refuge. Archived genetic material collected from previous investigations were inventoried and assessed for suitability in the current study. A collection plan for unsampled populations was completed and new tissue collections began in the Goodnews, Kanektok, Igushik, Snake, and Wood River watersheds in summer 2009. Collections continued in Ice Creek and the Osviak River in 2012. All collections are now complete, and genetic analysis is underway. A progress report is available.

Mulchatna Caribou Contact: Andy Aderman

Togiak Refuge assisted ADF&G with telemetry monitoring flights, radiocollar deployment, satellite data acquisition, data entry and database management. A composition survey conducted by ADF&G on October 23, 2013 estimated 19 calves:100 cows and 27 bulls:100 cows for the entire herd. The calf ratio in 2013 was lower than the 2012 estimate, but similar to values observed in 2010 and 2011. The bull ratio is the highest since the fall of 2000.

Nushagak Peninsula Caribou Contact: Andy Aderman

A composition survey conducted October 22, 2013 estimated 40.3 calves and 32.2 bulls per 100 cows. Ratios over the previous ten years averaged 41.4 calves and 41.2 bulls per 100 cows. The Nushagak Peninsula Caribou Planning Committee met on January 22, 2014 and recommended 230 more permits be made available (70 permits were issued for the 2013 fall hunt and are valid for the 2014 winter hunt) to achieve a harvest of 176 caribou. Four bulls were reported taken during the fall hunt. No caribou were reported taken during December 2013 or January 2014.

Wolf Predation on Nushagak Peninsula Caribou Contact: Pat Walsh

Using radio telemetry, Togiak Refuge and ADF&G investigated the seasonality and duration of wolf use of the Nushagak Peninsula, in order to assess whether predation is a likely factor in driving population dynamics of Nushagak Peninsula caribou. From 2007 through 2012, we used GPS radio telemetry to track the movement of wolves from two packs located within 30 km of the Nushagak Peninsula. Field work was concluded in spring 2012, at which time collars were removed from wolves. One of the two packs used the Nushagak Peninsula approximately 36% of the year, spending less than 10% of its time on the Peninsula during winter months, and up to 70% during late summer. Over the course of the study, wolf use of the Nushagak Peninsula increased steadily, although overall wolf numbers remained relatively constant. During this same time, the Nushagak Peninsula caribou population increased from an estimated 579 to over 900. We conclude that wolf predation has not been the primary population driver for this caribou herd during the years of this study, but instead that the wolf population has responded to increased caribou abundance by shifting the amount of time it spends on the Peninsula. A progress report is available, and a final report is expected in spring 2014.

Moose Contact: Andy Aderman

No population surveys have been conducted during the 2013-2014 winter due to lack of snow. The Unit 17A winter moose hunt started January 7 and hunters reported taking only 4 cows and 3 bulls by January 31 due to poor travel conditions. The ADF&G extended the Unit 17A winter moose hunt until February 14 or until the quota of 10 cows is reached, whichever comes first. A request to extend moose hunting in Unit 17C during January was denied by ADF&G and the Alaska Board of Game. A similar request was made to the Federal Subsistence Board which supported a two week season (January 22-February 4) for Togiak National Wildlife Refuge lands in Unit 17C. As of February 3, no moose were reported taken during the Unit 17C Federal hunt.

Walrus Contact: Michael Winfree

Togiak National Wildlife Refuge has monitored Pacific walrus haul-outs located on Refuge coastlines since 1985. In 2012 and 2013, cameras programmed to take a photo every hour were used to monitor haul-outs located at Cape Peirce and Hagemeister Island, while aerial surveys were conducted to monitor Cape Newenham. In 2012, there were 19 haul-outs at Cape Peirce with a peak of 1,730 walruses, and 24 haul-out events at Hagemeister Island with a peak count of

2,655 walrus. Analysis of photos collected in 2013 is not complete. No walrus were observed at Cape Newenham during aerial surveys in 2012, and 183 walrus were observed during a survey on December 2, 2013.

Seabirds Contact: Michael Swaim

The abundance and reproductive success of black-legged kittiwakes, common murre, and pelagic cormorants was monitored annually at Cape Peirce from 1990-2013, and intermittently at Cape Newenham from 1990-2009. During this period, the number of kittiwakes and murre that were counted at Cape Peirce changed in a non-linear way, while the number of pelagic cormorants remained relatively constant. From 1991-2009, the number of kittiwakes counted at Cape Newenham averaged 2,132 birds (range 1,676-2,424), the mean number of murre was 5,815 (range 4,964-6,790), and the mean number of cormorants was 15 birds (range = 5-30). The long-term productivity of kittiwakes, murre, and cormorants at Cape Peirce averaged 24%, 42%, and 53% respectively between 1990 and 2013.

Water Temperature Monitoring Contact: Michael Swaim

Stream temperature was monitored at 18 sites on 14 rivers in Togiak National Wildlife Refuge between 2001 and 2012. Temperature was recorded on an hourly basis using Onset TidbiT dataloggers and the data were successfully recovered from the field 76% of the time. Over 1.4 million hourly temperature records have been collected, quality-graded, and entered into a relational database. Maximum daily mean temperature readings varied from 11.5—19.6° C between sites, with the Kukaktlim Lake outlet site being the warmest and the Weary River the coldest. Peak temperature readings were recorded over a 24-hour period during July of 2004 at 15 of 18 sites. Trends in temperature decreased among years at one or more sites nine months out of the year, with a statistically significant cooling trend detected at 13 of 18 sites during the month of June. Annual differences in the Pacific Decadal Oscillation (PDO) index were significantly correlated with monthly mean temperature changes at Kagati Lake outlet, Kukaktlim Lake outlet, Nichols Lake outlet, Osviak River, and Pungokepuk Creek during the month of June.

Quantifying River Discharge Contact: Michael Winfree

Togiak Refuge and the USFWS Water Resources Branch have worked cooperatively since 1999 to acquire baseline hydrologic data of the flow regime (magnitude, duration, timing, frequency, and rate of change) and water quality. A network of stream discharge gages collected stream flow data from 1999-2005 at 20 locations. A subset of five of these stations continued to collect data through fall 2009, after which three of the five stations were removed. We will continue indefinitely to monitor discharge in the Togiak and Kulukak Rivers. Each gage is instrumented with pressure sensors that measure water level every 15 minutes. Six discharge measurements occurred at each site in 2013.

Salmon River Water Quality Contact: Michael Winfree

The Salmon River drainage, just south of Platinum, has been the site of a placer mine since the 1930's. Major production by the Goodnews Bay Mining Company stopped in 1976. The mine was sold to Hanson Industries in 1980, who in turn sold it to XS Platinum in 2007. In the summer of 2009, re-mining of the old tailings began. In response, Togiak Refuge initiated a water quality monitoring program on the Salmon River in fall 2009. The water quality program

benefits the Refuge in collecting baseline information on the river, and monitoring mining activity in efforts to protect important Pacific salmon spawning habitat. The mine was observed violating State of Alaska water quality standards for turbidity in July 2011. The data collected by Togiak Refuge was used to document the extent of the exceedances of water quality standards. Furthermore, the Refuge notified State of Alaska and federal regulatory agencies of the violation. As a result, the Alaska Department of Environmental Conservation and the Bureau of Land Management issued Notices of Violation to the mining company. The mining company voluntarily shut down operations in September 2011 and is now defunct.

Historical Retreat of Glaciers in the Ahklun Mountains Contact: Pat Walsh

The Ahklun Mountains support the only existing glaciers in western Alaska, approximately 1/3 of which occur on Togiak National Wildlife Refuge. The glaciers were originally mapped by the U.S. Geological Survey using photogrammetry methods based on 1972 – 1973 aerial photos. We surveyed for presence or absence of the glaciers by fixed-wing aircraft in 2006. Of 109 glaciers originally mapped, 10 (9%) had disappeared. Using aerial imagery of a subset of 76 glaciers at three time steps between 1957 – 2009, we determined the average rate of area loss was 47% over 52 years. At this rate, it is likely that all Ahklun Mountain glaciers will be extinguished by the end of the current century. A report on this study is available.

Education and Outreach Contact: Terry Fuller

Togiak Refuge has an active education and outreach program including the Migratory Bird Calendar; National Wildlife Refuge Week; career fairs; production of Bristol Bay Field Notes (a new episode airs every Friday morning at 8:50 am on KDLG); and numerous teacher requested classroom presentations in 12 villages in the Southwest Region, Lower Kuskokwim, Dillingham City school districts and the Dillingham 7th Day Adventist School. Field trips with area students for the 2012-2013 school year included bird walks, animal tracks and ID, archery, salmon life cycles, aquatic resources and bear safety. The refuge website is also a valuable education tool and is available at <http://togiak.fws.gov>. Togiak Refuge took the plunge into social media in 2013 and now has an active Facebook page which disseminates information on a daily basis. Also, the refuge partners with others to conduct three environmental education camps described below:

****Note on Science Camps for 2013:*** *As a part of funding cuts resulting from sequestration, Region 7 eliminated all funding for Science Camps for 2013. Togiak Refuge was able to still participate in the Southwest Alaska Science Academy through providing the use of equipment (boats and motors) and instructional time. Enough funding was put together to hold one of the other two camps. The Summer Outdoors Skills and River Ecology Float Camp took place, with modifications. The Cape Peirce Marine Science and Yup'ik Culture Camp was cancelled for 2013.*

Southwest Alaska Science Academy Contact: Terry Fuller

This past July (2013), Togiak Refuge helped with the 12th year of a summer camp aimed at teaching middle and high school students about fisheries science and the importance of salmon to our ecosystem. Students were selected from the Bristol Bay region. During the camp students worked in the field alongside fisheries professionals. Cooperators with the refuge on this project included the Bristol Bay Economic Development Corporation, Bristol Bay Science and Research

Institute, University of Alaska, University of Washington School of Fisheries, the Dillingham City and Southwest Region school districts, and the Alaska Department of Fish and Game.

Summer Outdoor Skills and River Ecology Float Camp Contact: Terry Fuller

The 2013 Float Camp was originally scheduled to take place on the Ongivinuk River. Due to poor weather/travel limitations, the camp was moved to a static location at Okstukuk Lake. Certain lessons took place on the upper stretches of the Kokwok River. While rafting as an activity received less emphasis, many of the same skills were taught, including water safety, different angling methods (Catch and Release), Leave No Trace camping practices and bear safety. Students also participated in other outdoor activities such as outdoor survival skills, identification of juvenile salmonid species and archery. Discussions included stewardship and careers with the USFWS. Traditional councils and school districts from western Bristol Bay are cooperators in this camp.

River Ranger Program Contact: Allen Miller

The Refuge River Ranger Program was conceived during the public use management planning process and was first implemented in 1991. The program serves many purposes. River Rangers are the main contact source for sport fishermen and local residents. Information distributed to the public includes Service policies, regulations, resource management practices, State sport fish regulations, bear safety, wilderness ethics, Leave-No-Trace camping, and information about private lands to prevent trespass. Rangers document public use occurring on the river along with the location and timing of activities, conflicts between users, and sport fish catch/harvest per unit effort. Rangers also assist Refuge and ADF&G staff at the Kanektok River and Middle Fork Goodnews River weirs, and assist Refuge staff with biological studies. In addition, Rangers patrol campsites for litter, monitor compliance of sport fishing guides, and offer assistance as needed.

Two River Rangers were stationed in the village of Togiak during summer 2013 and patrolled the Togiak River several times each week. One of them was hired as a student intern through the Bristol Bay Native Association and the other position was filled by Pete Abraham who works for the refuge as a Refuge Information Technician during the rest of the year. Two River Rangers were stationed in the village of Quinhagak during summer 2013 and patrolled the Kanektok River several times each week. Both are long time residents of Quinhagak. One Park Ranger stationed out of Dillingham patrols several refuge rivers using motorboats and inflatable kayaks. Use of kayaks allows rangers to access the entire length of the rivers, which are inaccessible to power boats during most water levels. They are also less disruptive of refuge users and wildlife.

Fall 2014 Regional Advisory Council Meeting Calendar

August–October 2014 current as of 2/4/2014

Meeting dates and locations are subject to change.

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

Winter 2015 Regional Advisory Council Meeting Calendar

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

Meeting dates and locations are subject to change.

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

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

Bristol Bay Subsistence Regional Advisory Council

CHARTER

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

- (3) A recommended strategy for the management of fish and wildlife populations within the Region to accommodate such subsistence uses and needs; and
 - (4) Recommendations concerning policies, standards, guidelines, and regulations to implement the strategy.
 - e. Appoint three members to the Lake Clark National Park and three members to the Aniakchak National Monument Subsistence Resource Commissions, in accordance with Section 808 of the Alaska National Interest Lands Conservation Act (ANILCA).
 - f. Make recommendations on determinations of customary and traditional use of subsistence resources.
 - g. Make recommendations on determinations of rural status.
 - h. Provide recommendations on the establishment and membership of Federal local advisory committees.
5. **Agency or Official to Whom the Council Reports.** The Council reports to the Federal Subsistence Board Chair, who is appointed by the Secretary of the Interior with the concurrence of the Secretary of Agriculture.
 6. **Support.** The U.S. Fish and Wildlife Service will provide administrative support for the activities of the Council through the Office of Subsistence Management.
 7. **Estimated Annual Operating Costs and Staff Years.** The annual operating costs associated with supporting the Council's functions are estimated to be \$135,000, 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 Council and subcommittee meetings,
 - Prepare and approve all meeting agendas,
 - Attend all Council 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 is subject to biennial review and will terminate 2 years from the date the charter is filed, unless prior to that date, the Charter is renewed in accordance with the provisions of Section 14 of the FACA. The Council will not meet or take any action without a valid current charter.

12. Membership and Designation. The Council's membership is composed of representative members as follows:

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

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

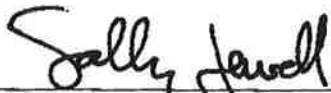
Members will be appointed for 3-year terms. A vacancy on the Council will be filled in the same manner in which the original appointment was made. Members serve at the discretion of the Secretary.

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

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

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

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



Secretary of the Interior

NOV 22 2013

Date Signed

DEC 03 2013

Date Filed