

# **KODIAK/ALEUTIANS Subsistence Regional Advisory Council**



USFWS photo

*A Sitka black-tailed deer browses on fireweed in the Kodiak National Wildlife Refuge.*

## **Meeting Materials**

March 20-21, 2014

Kodiak

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**KODIAK/ALEUTIANS SUBSISTENCE REGIONAL ADVISORY COUNCIL**

Kodiak, Best Western Kodiak Inn

March 20-21, 2014

9:00 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*)..... 4

**Call to Order** (*Chair*)

**Welcome and Introductions** (*Chair*)

**Review and Adopt Agenda\*** (*Chair*) ..... 1

**Election of Officers**

    Chair (*DFO*)

    Vice Chair (*Chair*)

    Secretary (*Chair*)

**Review and Approve Previous Meeting Minutes\*** (*Chair*) ..... 5

**Reports**

    Council member reports

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

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<b>Adjourn (Chair)</b>	

**To teleconference** into the meeting, call the toll free number: 1 (866) 560-5984, then when prompted enter the passcode: 12960066

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If you have any questions regarding this agenda or need additional information, please contact Carl Johnson, Council Coordinator at (907) 786-3676, [carl\\_johnson@fws.gov](mailto:carl_johnson@fws.gov), or contact the Office of Subsistence Management at 1-800-478-1456 for general inquiries.

DRAFT

### REGION 3—Kodiak/Aleutians Regional Advisory Council

Seat	Yr Apptd <i>Term Expires</i>	Member Name & Address
1	2010 <b>2016</b>	<b>Antone A. Shelikoff</b> Akutan
2	2001 <b>2016</b>	<b>Patrick B. Holmes</b> Kodiak
3	2008 <b>2016</b>	<b>Richard R. Koso</b> Adak
4	2004 <b>2016</b>	<b>Samuel I. Rohrer</b> Kodiak
5	2011 <b>2014</b>	<b>Thomas L. Schwantes</b> Kodiak
6	2011 <b>2014</b>	<b>Peter M. Squartsoff</b> Port Lions
7	2011 <b>2014</b>	<b>Vincent M. Tutiakoff Sr.</b> Unalaska
8	2009 <b>2015</b>	<b>Della A. Trumble</b> King Cove
9	2000 <b>2015</b>	<b>Speridon M. Simeonoff Sr.</b> <b>Chair</b> Akhiok
10	2012 <b>2015</b>	<b>Melissa M. Berns</b> Old Harbor

KODIAK/ALEUTIANS SUBSISTENCE REGIONAL ADVISORY COUNCIL  
Meeting Minutes

September 24-25, 2013  
Kodiak  
Best Western Kodiak Inn

The meeting was called to order at 1:17 p.m., Tuesday, September 24, 2013.

The Chair invited the audience to take advantage of the forms to address the Council on agenda and non-agenda items.

The Secretary conducted roll call. Members present included: Melissa Berns, Patrick Holmes, Vincent Tutiakoff, Speridon Simeonoff, Richard Koso, Peter Squartsoff, and Antone Shelikoff (telephonic). With seven of ten seated Council members in attendance, a quorum was established.

Motion was made to excuse the absent members. Motion was seconded. The motion carried.

The Chair asked Council members to introduce themselves, followed by members of the audience. The following were present at the commencement of the meeting:

Agency Staff

Meredith Marchioni	Division of Subsistence, ADF&G
Tonya Lee	Kodiak NWR, USFWS
Bud Cribley	State Director, BLM
Tamara McCandless	USFWS
Glenn Chen	Subsistence Branch, BIA
Kent Sundreth	Kodiak NWR, USFWS
Tom Kron	OSM
Bill Pyle	Kodiak NWR, USFWS
Tom Evans	OSM
John Crye	ADF&G
Nate Svoboda	ADF&G
Tyler Polum	AD&G
Carl Johnson	OSM ( <i>DFO</i> )

Public

Brenda Schwantes	
Rebecca Skinner	Kodiak Chamber of Commerce
Iver Malutin	
Coral Chernoff	
Vicki Jo Kennedy	
Natasha Hayden	



Tribes and Native Organizations

Matt Van Daele	Koniag
John Reft	Vice Chair, Sun'aq Tribe
Pam Bumsted	Sun'aq Tribe

**Invocation.**

**Adoption of Agenda.** Two items were added to New Business. Item “E” would be a report from Matt Van Daele with Koniag regarding a Karluk River AC resolution. Item “F” would be a discussion of the Joint Board Proposal 40.

**Review and Approve Previous Meeting Minutes.** The minutes were approved on an unopposed motion with no additions or corrections.

**Council Member Reports.**

Melissa Berns – Salmon are caught and put up, been out bear hunting, seeing continued declines of the deer population.

Patrick Holmes – Did some tidepooling with kids this year. Unfortunately, wife had surgery so he couldn't go to the Afognak Camp. Lots of bears this year. Later added that other people have reported smaller size of halibut in their subsistence harvests. Discussed reports of increased sightings of wolves, and how they are moving north and going after moose.

Vincent Tutiakoff – We have had several meetings this year regarding development of the Arctic. Looking at an 8-fold increase in shipping traffic through the Unimak Pass in the next 10 years. Silver salmon have been really bad this year, understand other areas have been bad, too. Only caught 4 subsistence halibut all summer, average weight of 20-25 pounds, went out 12-15 times.

Richard Koso. Been dealing with trying to get a fish plant going in Adak. Halibut and cod have not been a problem, but there have been fewer sockeye salmon. A lot of people did not get the supply they normally get in the season.

Peter Squartsoff. Concerned about deer populations being down around Old Harbor and Aikhiok. Halibut on the north end or Kejulik Bay are way down.

Antone Shelikoff. Salmon were intercepted by sea lions in July, far fewer sockeye salmon. Doesn't really do halibut fishing anymore because of commercial fishing. Western stocks of sea lion seem to be coming back slowly, interfering with sockeye. Silver salmon have not been low, but it's been hard to go out after them due to high winds.

**Chair's Report.** Reviewed correspondence discussed and authorized at the last Council meeting.

**Annual Report Reply.** No discussion.

**Public and Tribal Comment on Non-Agenda Items.**

John Reft, Sun'aq Tribe. Discussed the importance of subsistence to the way of life, especially losing the Buskin River area for subsistence.

Iver Malutin. Expressed concerns about representation of more western villages on the Council, making sure that the voices of those communities are represented here. Need to make sure the Federal Subsistence Board is educated on the way of life out here.

**Old Business.** Discussion on the customary and traditional use determination briefing. Mr. Holmes 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. Dr. Glenn Chen (BIA) offered a quick overview of what action or input was sought by the Council. 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.

Tutiakoff made a motion 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. Seconded by Squartsoff. Motion carried.

The Council took a twenty-minute break, starting at 2:28 p.m.

**New Business**

*Wildlife Regulatory Proposals*

WP14-01. Tom Evans, OSM, provided the analysis on the proposal to the Council. Drew Crawford (ADF&G) indicated that the State is opposed to the proposal, consistent with OSM conclusion. No other comments by agencies or public, other than written comments previously provided. Motion made by Koso to support the proposal, seconded by Squartsoff. Holmes indicated that the AC would be opposed to this and that it would likely be unenforceable. Tutiakoff called the question. Motion failed (6 nays, 1 abstention)

WP14-20. Tom Evans, OSM, provided the analysis on the proposal to the Council. Drew Crawford (ADF&G) indicated that the State supports the proposal, consistent with OSM conclusion. No other comments by agencies or public. Tom Kron provided summary of Aleut Corporation statements made during Tribal consultation. Squartsoff asked a question about hunting under the proposed permit. Motion carried unanimously.

*Draft 2014 Fisheries Resource Monitoring Plan*

Don Rivard (OSM) provided a briefing on the Southwest regional FRMP projects up for funding. Tutiakoff moved to support 14-401 and 14-402 for funding. Seconded by Koso. Holmes asked a

question of Meredith Merchioni from ADF&G Subsistence. With no objections to the motion, the motion carried.

### *Partners Program*

Don Rivard (OSM) provided an overview of the Partners program. Council members asked questions about the scope of the program, timing for the next round of proposals, relationship with FRMP.

### *Matt Van Daele – Koniag, Inc.*

Mr. Van Daele provided an overview of the program and the Karluk River AC resolution supporting additional funding to increase student involvement. Carl Johnson identified Hatch Act limitations on how the Council can express support of any additional funding. Several Council members spoke in support of the program and the importance of increased youth involvement. Tutiakoff expressed interest in a letter of support from the Council about the program, and for Carl to work with Mitch on the language.

### *Joint Proposal 40*

Council member Holmes led the discussion on concerns over Kodiak being eliminated as a subsistence area. Seeks a statement in the form of a letter expressing opposition to this proposal. The Council indicated they wanted to submit a letter for hand delivery to the Joint Board meeting. Bob Polaski spoke in opposition to the proposal, noted that it is insulting to Kodiak, it has no data supporting its reasoning. The proponent did not even bother to complete the proposal form. Tutiakoff moved to draft a letter to the Joint Board expressing opposition to Proposal 40-5. Seconded by Squartsoff. Language would reflect bullet points from public roundtable and include some language from the Sun'aq Tribe of Kodiak letter. Motion carried with no objection.

### *Board of Fisheries Proposal 337*

George Pappas (OSM) provided a briefing on this proposal. Holmes provided historical information about past efforts to prospect for commercial fishing under the guise of subsistence fishing. He indicated that he was “very suspicious” of the proposal. Squartsoff indicated that people who did subsistence prior used to have an advantage, but believes things have changed now. Holmes moved to support the proposal, Tutiakoff seconded. George Pappas answered a question about where people could fish during the commercial season. Holmes asked a question about depth of waters, Pappas answered it was 25 fathoms. Simeonoff commented how crab fishing in a nursery area does not make sense. Motion failed (6 nays, 1 abstention). Council authorized a letter be sent to the Board of Fisheries indicating opposition.

### *Rural Determination Process Review*

Following a presentation by Carl Johnson (OSM), the Council accepted public testimony.

Pam Bumstead, Sun'aq Tribe

- Geographical remoteness and isolation are distinct qualities that have been recognized and studied as indicators of rural. Look to other geographic definitions of rural.

- “Frontier and remote, geographic taxonomies.” Recently adopted by HHS following 15-year review.
- In addition, a “frontier” quality or aspect should be considered.
- “Census,” “decade” “determination” “ten-year” do not appear in Title VIII, but the word “resident” does 28 times.
- Title VIII does not require that people use their resources, but it does require that they have access to those resources.
- There should be a review of rural status if there is a change of more than 25% in population. Kodiak has only changed 4% since the Federal Subsistence Management Program went into effect.
- Need criteria that are consistent and not subject to subjective bias

Brenda Schwantes, Subsistence User

- Encourage the RAC to remove population as a primary consideration
- Geographical component of islands and archipelagos should be a primary indicator of rural

Iver Malutin

- Discussed the importance of maintaining access to subsistence foods for those people who traditionally fish, hunt in an area. Access to traditional foods should not be determined by where someone lives.

Melissa Vortin, Native Village of Afognak

- Subsistence is important to our way of life and our family
- Population threshold is way too low
- Geographic remoteness should be the primary factor
- Sharing is important to our family
- Look to the 12 State criteria for determining rural – looks at more than demographics, considers characteristics
- Ten years is too short of a timeframe to put a community through the turmoil of a review. Once it is rural, it should stay rural.

Nancy Nelson

- Listened to testimony last night and agree with everything
- People have moved away from their villages to seek work, but still own homes in village and return there to do subsistence. People need to return to their own villages to subsist.

Council member **Tutiakoff** recounted the number of times that specific topics were mentioned during the public hearing testimony and this morning. In addition to that, he noted that no one mentioned the use of population data by the Tribe in making determinations. The Board should utilize Tribal population numbers as an information resource for determining population. He noted he was intrigued by having all island population areas deemed rural. He noted the ten-year review should be thrown out. It’s just too hard on the communities and is an arbitrary process created by bureaucrats. The population thresholds are arbitrary. Transient workers should not be counted as part of the population.

Council member **Holmes** noted that the rural roundtable bullet points should be incorporated into the Council's comments. He was intrigued by the idea of using Tribal population data. He also agreed the ten-year review period was arbitrary. The review should only occur if there is a statistically significant change, namely 25%. He concurs with most of the folks who testified, what is rural remains rural. He recognized the problems with transient workers (fishermen and USCG). One place he suggests to look is the PFD database; at least that tells you who has been here a year. Noted it was objectionable for bureaucrats who don't know our lifestyle to make judgments about our lifestyle. They need to know that living on an island is unlike living anywhere else.

Council member **Squartsoff** thanked the comments of several members of the public. He grew up living a subsistence lifestyle and shared his catch with others. We chose to live where we live. Maybe it would be easier if it was all State or Federal, and now there is controversy, turning our own people against our own people. We need to spend more time getting to the bottom of why our resources are diminishing.

The Council went on break at 9:55 for ten minutes.

Following the break, Council member Holmes noted that any review should be conducted by the community being affected. There was a discussion as to whether Tribal representatives should contribute to the draft. Carl noted the Council to stick to talking points and public testimony and to draft and approve a letter by November 1. The Council directed Carl to work with Council member Holmes to draft the Council's comments based on public testimony and the rural roundtable talking points.

Chair Simeonoff spoke of the importance of the traditional way of life and rural status to that way of life in Kodiak, and that he expects the public and Council to be engaged in the process to come.

Council member Holmes moved to have the Council strongly support the position of the greater Kodiak community as expressed last night in public testimony. Motion withdrawn. Motion made to accept and incorporate all testimony at the public hearing as testimony to the Council. Seconded by two Council members. Council member Shelikoff indicated he could not hear all of the testimony, but he does support the motion. Motion carried without objection.

## **Agency Reports**

Tom Kron of the *Office of Subsistence Management* reported on staffing updates, budget, status of MOU, and status of the Tribal consultation implementation guidelines.

*Izembek NWR*, Stacy Long and Doug Danberg (new manager), introduced themselves to the Council. Ms. Long provided highlights of the fall 2013 report included at page 101 of the meeting book. The Council asked questions of the Refuge about wolf predator management. Council member Holmes talked about a Council meeting in the past that was used to provide information for the EA on the Unimak wolf predator control decision. He expressed

dissatisfaction that the agency did not spend more time talking to the local people in the area. He then asked by Izembek NWR conducts its counts in the winter, rather than the spring when herds are aggregated like other refuges. He then encouraged the new manager to get out and hike the Refuge. Stacy Long noted that they do attempt both an early winter (January) and early spring (April). Council member Squartsoff asked about the cow/calf ratio for caribou on Unimak Island, and wondered if that has something to do with predators.

*Kodiak NWR*, Bill Pile (Supervisory Biologist) and Ken Sunseth (Acting Refuge Manger), introduced themselves and identified where their report was found in the materials. Sunseth touched on the State/Federal confusion and highlighted the Federal waters in the area – Buskin, Afognak Island, and a one mile band of water near the village of Karluk on either side of the Karluk River. There were strong sockeye returns at various waterways in the Kodiak NWR. Council member Holmes asked clarification about escapement summaries, and Sunseth confirmed they were provided by ADF&G, but are funded by USFWS. Chair Simeonoff asked if USFWS does any research in river systems on Kodiak Island, or if there are any plans for research in some river systems that are depleted. Sunseth noted that the weirs are run by the State and there are no current plans for USFWS to do any research in those systems. Pile provided an update on several wildlife species. Brown bear – two primary surveys, one in May that focuses on abundance, the other one focuses on streams in southwest Kodiak Island. May 2013 abundance survey in Karluk Lake basin. Other studies planned include sockeye salmon runs, bear use of salmon, preferred sites of stream foraging by bears. Pile discussed status of Sitka Blacktail Deer populations and efforts underway to better understand the population and what is impacting it. Pile next discussed Mountain Goat and recent changes in State sport harvest regulations, as well as cooperation between USFWS and ADF&G on mountain goat population assessments. He also discussed recent research projects focusing on the food and habitats of female mountain goats in nursery bands. Pile then discussed recent grant award to study sea otters and recent abundance surveys (and the need for an update). Other reports and studies were relayed regarding various species.

Council member Holmes congratulated the Refuge on completing their surveys and for the incredible things they do for the community. He then asked some questions about information or approaches in various studies. He closed with a comment on the outreach program, noting that it was excellent and that Tonya Lee does a “splendid job.” He then added additional suggestions and comments on various studies and research programs. Council member Squartsoff commented on the Karluk River Chinook project, asked why there are no numbers on escapement. Sunseth responded that they didn’t provide the numbers because they usually provide sockeye numbers. ADF&G offered that escapement was 2,800. Squartsoff also asked if the deer hunts were proxy hunts. Pile responded that it is a designated deer hunt, that it has been in place for years and is quite popular. Squartsoff asked a few questions about reporting data related to that hunt. Chair Simeonoff commented on sea otters and asked some questions related to sealing and tagging of skull and hides. Council member Berns offered information about tagging and asked a question about information use. Council member Squartsoff commented on the abundance of otters on the north end, that they are eating themselves out of habitat. Council member Holmes went back to discuss Harlequin ducks, and asked ADF&G Subsistence about sea ducks in Larsen Bay. Tom Evans (OSM) asked about harvest of mountain goat, John Cry

(ADF&G) indicated there were 160 last year, and that harvest has been stable, between 150-180 per year.

The Council recessed for lunch at 11:35 a.m.

The Council resumed the meeting at 1:05 p.m.

Vicki Jo Kennedy offered testimony on the rural determination process.

- Didn't understand why we were using 2000 census data in presentation.
- Kodiak is unique due to its location and status as an island.
- If you are going to take rural away, take the rocket launcher with it.
- Split up population, City of Kodiak separate from villages, separate from what is on the road system within Kodiak Island Borough.

Natasha Hayden provided testimony on the rural determination process.

- I have always lived a subsistence life, I have not known any other way. I provide for my family and other relatives who are unable to subsist.
- It seems that the current rural determination process has some arbitrary criteria.
  - Should not be a population threshold, should be based on accessibility and geographic location.
- Testimony from those in the region should guide the rural determination review; it should not be based on proposals from outside the region.

### **Agency Reports (cont.)**

*No reports from NPS or BLM.*

#### *ADF&G*

Tyler Polum provided an update on the Buskin River Sockeye Project. OSM has funded the Buskin Weir since 2000. They operate two salmon weirs in the Buskin drainage, but in areas with separate spawning populations. Buskin makes up about 40-50% of sockeye salmon population in Kodiak. No current numbers for size/gender for 2013 as the data is still being collated, weir still in operation for coho salmon. Good year for sockeye harvest in 2013. Discussed various aspects of data reflected in report found on page 125 in the meeting book. Interviewed 32 people as part of the report, hired two new interns (have done two per year since 2002). Overall, good Buskin run, it's been creeping up since 2008, 2009. Reapplied this spring for continued funding from OSM.

Council member Squartsoff asked question about surveys, why Afognak Remainder is separated from Afognak. Polum indicated they wanted to separate the Litnik drainage harvest from the other harvest. Council member Holmes asked about outlook for Sagchak next year. Polum indicated that they don't do a formal forecast for Buskin or any road system drainages. But, he expects next year will have a similar return. Council member Holmes commented on cause of declines for a particular year, possibly related to commercial harvest. Polum responded by discussing varying returns. Holmes inquired about budget for funding small projects. Council member Holmes thanked Polum for all the work that they do for sockeye. Council member

Squartsoff expressed confusion about the concept of overescapement. Vicki Jo Kennedy asked a question about funding for Sport Fish Division research and offered varied commentary. Holmes asked about gillnetting in the lake; Polum responded that it is not a potential at this time absent regulatory change with the Alaska Board of Fisheries and with the U.S. Coast Guard.

Bill Pile (USFWS) commented regarding the Buskin fishery and the extension of the runway safety area at the airport. The proposed development extends the runway to the south, but no extension is proposed that would affect the immediate Buskin River estuary. He also discussed the recent Record of Decision prepared by the FAA and mitigation measures.

Steve Thomsen presented a progress report on the stock assessment of the Afognak Lake sockeye salmon run. A written report dated September 2013 was submitted to the Council and preserved in the administrative record. Council member Holmes asked a question about outmigration data and how that may indicate future returns on the Litnik. Thomsen indicated that the future returns will be dependent upon age classes in the data. Council member Squartsoff brought up Dolly Varden predation on salmon in Afognak Lake. Chair Simeonoff asked a question about how lake rearing conditions were determined. Squartsoff added that the Dollies on the salmon were a lot like the wolves on the caribou.

Vicki Jo Kennedy jumped in to comment on the Northern Edge military exercise.

Nate Svoboda, new area wildlife biologist, and John Cry stepped up to the table to provide information about recent developments with wildlife. Svobodna discussed elk on Afognak Island, noting estimated population of 750, an increase in 10%, with a 22% calf crop. Harvest was 43 elk. Discussed goat surveys and cooperation with Kodiak NWR staff to conduct goat estimates and conduct population surveys. Population estimated at about 2,500 goats on the island, a slight increase from last year. Kid population estimated at 21%. Bear harvest in 2012 was 224 bears, 146 of which were males. Spring bear hunt this year 125 bears. Council member Holmes indicated he was “tickled” about the cooperation with the Service and the growth of the goat population. Council member Squartsoff asked about elk harvest numbers, and the breakdown between drawing and registration hunts.

Chris Peterson, King Salmon (246-3340), offered a report about Unit 9 for regulatory year 12. Total of 29 brown bears harvested in the unit. There were 4 DLP takes in King Cove, Cold Bay area. For Unit 10, there were 10 bears harvested. The Southern Alaska Peninsula (SAP) Caribou herd is considered to be increasing, but they were not able to get a population count done this year. Implemented a calf-cow study for the herd, measuring an 84% pregnancy rate for the spring 2013. Monitoring the survival of 57 collared calves; 43 of those calves were still alive after the neonatal period (up to two weeks of age). Of the 13 fatalities, 54% by wolves and 46% by bears. She then discussed the Unimak Island caribou population. Calf/cow ratio is 3/100, bull/cow ratio is 10/100, down below goal of 35/100. For the moose hunt in regulatory year 12, 93 moose were reported harvest in all of Unit 9. She also reported on harvest of wolves, beaver, lynx, river otters, wolverines, and marten. Council member Koso asked about Adak caribou herd surveys. She indicated that USFWS had conducted a survey, that the numbers were quite high. Council member Holmes complimented her on the report and made comments on the calf survivability study for the SAP herd, and complimented the State on its efforts to increase



numbers and how it conducts its research. He also took the opportunity to object about restrictions on predator control efforts in areas that are not designated as wilderness. Council member Squartsoff also thanked her for the report, and requested a copy of the report that she gave to the Council.

### *The Wildlife Society*

Nate Svobodny introduced the work that the Wildlife Society does and prior work he has done with that organization. Hearing yesterday's discussion about youth involvement, he wanted to present information on opportunities for professional development for students and up-and-coming wildlife professionals. Within the Wildlife Society, there is the Native Student Professional Development Program. Svobody provided a handout on the program which has been included in the administrative record. He noted the outline of the program, which started in Anchorage in 2006, and discussed recent funding for the program. He also identified a page in the handout that indicates what students have received funding. He noted a significant number of Alaska students who have participated in the program. He wants to target students in smaller villages and help them be aware of the opportunities through the program, so he asked the Council to take the packet of information back to villages to help spread the word about the program.

Council member Tutiakoff moved to accept all agency reports. Seconded by Squartsoff. Motion carried with no objections.

### *Koniag, Inc.*

Matt Van Daele provided the Council information on the Karluk River Chinook project.

Vicki Jo Kennedy again provided commentary on the rural determination process.

## **Annual Report Topics**

The Council discussed various topics for inclusion in the FY 2013 annual report pursuant to ANILCA Section 805.

- Holmes – See that the dynamic process of the rural determination review can develop into something where rural folks can have a more active role in defining what is rural and what is subsistence.
- Holmes – Would like to respond to some bureaucratic responses in the FY2012 Board Reply.
- Tutiakoff – Decline in budget and staffing in the last five years, RAC funding and ability to get information. Personnel are retiring with positions not being filled.
- Tutiakoff – Include letter on rural determination as part of the annual report.
- Squartsoff – Agrees with rural determination as being a priority.
- Squartsoff – Changing meeting locations. Does OSM get mileage for all of the travel? Maybe we could travel on mileage.
- Holmes – Been asking for years to hold meetings in remote locations. How is it that the Federal Subsistence Board can accept housing in people's homes but the Council members cannot? Perhaps we don't have to have everyone go, with some people teleconferencing and others attending (even Council members). Doesn't like the idea of

being told what we can't do; we need to hear what CAN be done to have remote meetings.

- Squartsoff – Unimak, Unit 10 caribou. Cow/calf ratio, what is going to be done to improve it?
- Koso – Recognize good work by ADF&G on SAP caribou, emperor goose subsistence hunt. Never brought threshold up to 80,000 in order to get a subsistence hunt.
- Holmes – review previous letters regarding emperor geese and send another letter to the AMBCC. Wants to know how the 80,000 number was developed. Wants to know what it will take to get a subsistence harvest. State to the Board that these points are being addressed to the AMBCC.
- Holmes – Mention to Board that we sent comment on Proposition 40 to the State and tie it in with the rural determination discussion.
- Squartsoff – We've been asking for subsistence on the Emperor Geese for a long time. We have been able to get a subsistence hunt on Canadian honker geese and that population has been increasing. I don't understand why they need such a high number to conduct a subsistence hunt.

The Council asked Carl to follow up on proposal submitted to AMBCC regarding Emperor Geese.

### **Future Meeting Dates**

The Council confirmed the winter 2014 meeting date and location of March 20-21, 2014 in Old Harbor, cost comparison permitting. For the fall 2014 meeting, the Council selected September 9-10, 2014 in King Cove, backup location at Cold Bay.

Council moved to accept this meeting calendar, seconded and approved.

The Council reviewed prior correspondence approved at the winter 2013 meeting. Council approved language in those letters as well as the letter approved earlier this meeting regarding Joint Board Proposal 40.

### **Closing Comments**

Chair Simeonoff thanked Federal Subsistence Board member Bud Cribley for attending and for the public participation. Council member Squartsoff expressed he wished the public would stay for the whole meeting. Council member Tutiakoff appreciated the public input and Board member Cribley in attendance. Council member Holmes wanted to add that USFWS and ADF&G should be praised for the work that they do on Kodiak. Also noted that he was happy to see Bud Cribley in attendance. Holmes added that he was proud to serve on the Council. Board member Cribley thanked the Council for the opportunity to attend the meeting, noting this is one of the more important meetings for the rural determination issue.

Council adjourned at 3:40 p.m.

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

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*Carl Johnson*, DFO  
USFWS Office of Subsistence Management

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*Speridon Simeonoff*, Chair  
Kodiak/Aleutians Subsistence Regional Advisory Council

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

DRAFT

## **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.

## INFORMATION/ BRIEFING MEMORANDUM ON ANILCA SECTION 804

### **Federal Subsistence Priority**

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

### **Limiting the Pool of Federally Qualified Subsistence Users**

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

#### **1. ANILCA Section 804**

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

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

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

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

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

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

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

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

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

## **Discussion**

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

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

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

**General comparison of the Section 804 and customary and traditional use approaches used in the Federal Subsistence Management Program.**

Element	804 analysis	C&T use determination analysis
<b>Function</b>	Used to identify the pool of qualified subsistence users when a population of fish or wildlife in a particular area is not sufficient to allow for all qualified subsistence users to harvest from it	Used to recognize a community or area whose residents generally exhibit characteristics of customary and traditional use of specific fish stocks and wildlife populations for subsistence
<b>Authority</b>	ANILCA Section 804 and 50 CFR 100.17	36 CFR 242.16 and 50 CFR 100.16
<b>Legal language</b>	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:	(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:
<b>Criteria/factors</b>	(1) Customary and direct dependence upon the populations as the mainstay of livelihood; (2) Local residency; and (3) The availability of alternative resources.	(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.
<b>Frequency</b>	Since 1990, the Board has taken action on about twenty 804 analyses	Since 1990, the Board has made about 300 C&T determinations

## **SUBSISTENCE REGIONAL COUNCIL CUSTOMARY AND TRADITIONAL USE DETERMINATIONS – ACTION SUMMARIES**

### **Southeast**

At their fall meeting the SERAC 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.

## **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.

**Kodiak/Aleutians Subsistence Regional Advisory Council**

c/o U.S. Fish and Wildlife Service  
Office of Subsistence Management  
1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503-6199

Mr. Tim Towarak, Chair  
Federal Subsistence Board  
1011 E. Tudor Rd., MS121  
Anchorage, Alaska 99503

Dear Chairman Towarak:

The Kodiak/Aleutians Subsistence Regional Advisory Council (Council) met in Kodiak on September 25-26, 2013, to, among other things, receive a presentation on the Federal Subsistence Board's Rural Determination review process and provide feedback on that review. Additionally, members of the Council attended a public hearing on the review, where over 80 people attended and nearly 20 individuals from the greater Kodiak community testified. The Council submits this letter to the Board as a comment on the Rural Determination review process.

Before discussing the different components on which the Board sought input, it is worth noting a few things about what the Alaska National Interest Lands Conservation Act (ANILCA) says, and does not say, about this rural determination process. Title VIII of ANILCA does not contain any of the following terms: census, decade, urban, non-rural, determination, or community. Rather, it stresses the rural status of *individuals* and *residents*. It mandates the "continuation of opportunity for a subsistence way of life by residents of rural Alaska" and the "utilization of public lands in Alaska" in a manner that causes "the least adverse impact possible on rural residents."

At its September 2013 meeting, the Council voted to incorporate all public comments received at the Council meeting and the Rural Determination public hearing as its own comments. The following is a summary of those comments, which includes issues identified by the Kodiak Rural Roundtable. The Council also incorporates by reference any summary of public comments made at the Kodiak hearing that may be prepared by the Office of Subsistence Management.

**Aggregation**

Aggregating communities together for the purpose of counting population is not appropriate, and should only apply in relation to urban areas. The current criteria come from efforts to subclassify rural communities into types based on administrative units, not geography and land use. These criteria are not used to identify urbanized areas. 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 for areas that have previously been deemed rural.



## **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 or transient fishermen 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 no less than 25,000 (if including transients).

## **Rural Characteristics**

The rural characteristic factors should be given more weight than population. The criteria need to be consistent and not subject to staff interpretive bias. Dictionary definitions are imprecise and vary with edition. Geographic remoteness should be a primary factor in determining the rural characteristics of a community. Island and archipelago communities (as well as most bush communities) are incredibly remote by their very nature and should be deemed automatically rural because of difficulties of access to urban centers, transportation, and centuries of reliance on subsistence resources. The five criteria currently utilized by the Board in identifying the rural nature of a community are not adequate in that they are demographic only in nature and do not fully incorporate the culture and unique characteristics of a community. They do not adequately capture what constitutes a "rural" community.

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) The term "frontier" is used to describe a territory that is characterized by low population size and density and high geographic remoteness. No area determined to be "frontier" or "remote" for purposes of receiving Federal services should be determined "urban" or "nonrural" by the Board.

It is also worth noting that the U.S. Census Bureau, which provides the primary data relied upon by the Board in making its rural determinations, employs a land use concept that defines urban areas based on population density. Under this approach, the Census Bureau "urbanized areas" are defined as populations of 50,000 or more people, with a core population of at least 2,500 people and a density of 1,000 persons per square mile. At least 1,500 core residents must reside outside institutional group quarters (like a military barracks or university dormitory). With this approach, all populations outside of urban areas thus defined are deemed rural.

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

- Impact of weather on transportation to and from the community
- Length of time the community has existed; i.e., thousands of years versus only a few decades
- 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 transient personnel into the community
- Proximity to fish and wildlife resources
- Use of subsistence resources (fish, wildlife, intertidal species), as well as access to those resources
- Percentage of sharing of subsistence resources 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. These criteria not only incorporate demographic data in decision making, but also include examinations of the percentage of users and extent of sharing. One example can be found in criteria number 6, which 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 sustained the residents of Kodiak for over 7,000 years. This factor is far more important in identifying the rural nature of a community than the number of people who live there.

### **Timing of Review**

Title VIII of ANILCA does not require the Board to conduct a *decennial* review, it only requires that there should be a “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% increase in population 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 could be utilized in counting residents of communities, as it would provide a more accurate picture of the number of long term residents. Additionally, the Board could utilize Tribal and Native association population databases where available. It was also suggested that because this is a Federal action, only Federal data sources should be utilized, such as the U.S. Census Bureau, U.S.D.A. and U.S. Department of Health & Human Services, where rural definitions are already provided.

### **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.

In conclusion, the Council thanks the Board for the opportunity to provide this comment on the review of the Rural Determination process. This is a matter of utmost importance to the Council and is crucial in ensuring that residents of this region continue to enjoy the rural subsistence priority promised in Title VIII of ANILCA. If you have any questions, please contact me through Carl Johnson, Council Coordination Division Chief, Office of Subsistence Management, at (907) 786-3676.

Sincerely,

Speridon Mitchell Simeonoff, Chair  
Kodiak/Aleutians Subsistence  
Regional Advisory Council

cc: Federal Subsistence Board  
Kodiak/Aleutians Subsistence Regional Advisory Council  
Eugene R. Peltola, Jr., Assistant Regional Director, OSM  
Karen Hyer, Acting Deputy Assistant Regional Director, OSM  
Carl Johnson, Council Coordination Division Chief, OSM  
Interagency Staff Committee  
Administrative Record

## 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 and fall 2014 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 fall of 2014 and funding decisions (Monitoring Plan) announced in early 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.

**OFFICE OF SUBSISTENCE MANAGEMENT  
FISHERIES RESOURCE MONITORING PROGRAM**

**SOUTHWEST ALASKA REGION**



## 2014 Funded Projects – Southwest Region

The two projects recommended for funding by the Technical Review Committee and the Kodiak/Aleutians Regional Advisory Council, and approved by the Federal Subsistence Board.

14-401 Buskin River Sockeye Salmon Stock Assessment and Monitoring	\$ 108,044
14-402 Afognak Lake Sockeye Salmon Stock Monitoring	\$ <u>77,153</u>
Total	\$ 185,197

**14-401 Buskin River Sockeye Salmon Stock Assessment and Monitoring.** This four-year project will continue to provide estimates of sockeye salmon spawning escapement into the Buskin river system through operation of two weirs, and obtain information on residency and traditional fishing sites from subsistence fishery participants. The sockeye salmon run to Buskin River supports what is usually the largest subsistence fishery in terms of both harvest and permits issued in the Kodiak Management Area. This project is essentially a continuation, with slight modification, of work funded through the Fisheries Resource Monitoring Program since 2000. This project addresses a priority information need identified in the 2014 Notice of Funding Opportunity.

**14-402 Afognak Lake Sockeye Salmon Stock Monitoring.** This four-year project will continue the current sockeye salmon smolt enumeration and limnology data collection project at Afognak Lake. Continuation of this project, combined with the sockeye salmon adult enumeration project funded through the Alaska Sustainable Salmon Fund (AKSSF), will enable researchers to better identify factors affecting sockeye salmon production, and consequently, the availability of this subsistence resource for harvest opportunities, relative to current climatic conditions. This project will also help identify how past management actions have affected sockeye salmon production vital to the Afognak Bay subsistence fishery, providing management biologists a frame of reference to better assess current conditions and future actions. This project addresses a priority information need identified in the 2014 Notice of Funding Opportunity.



**Preliminary Development of  
Priority Information Needs  
2016 Notice of Funding Opportunity  
Southwest Alaska Region**

The 2014 Notice of Funding Opportunity for the Southwest Alaska Region identified two priority information needs:

- Obtain reliable estimates of Chinook salmon escapements (for example, projects using weir, sonar, mark-recapture methods).
- Description and analysis of social network(s) underlying the allocation and management of subsistence salmon fisheries in villages in the Bristol Bay-Chignik Area.

Priority Information needs for the 2016 Notice of Funding Opportunity:

- 
- 
- 
- 
-

**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: [PalmaIngles@fws.gov](mailto:PalmaIngles@fws.gov)



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

## Federal Subsistence Board News Release



Forest Service

### **For Immediate Release:**

January 13, 2014

### **Contact:**

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

### **Call for Proposals to Change Federal Subsistence Fish and Shellfish Regulations**

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

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

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

### **Submit proposals:**

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

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

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

You may call the Office of Subsistence Management at 1-800-478-1456 or email [subsistence@fws.gov](mailto: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"/> <b>Harvest season</b> | <input type="checkbox"/> <b>Method and means of harvest</b>                 |
| <input type="checkbox"/> <b>Harvest limit</b>  | <input type="checkbox"/> <b>Customary and traditional use determination</b> |

- 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 13052.CJ

## Federal Subsistence Board

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



U.S. FOREST SERVICE

**AUG 28 2013**

Speridon Mitch Simeonoff, Sr., Chair  
Kodiak/Aleutians Subsistence  
Regional Advisory Council  
c/o U.S. Fish and Wildlife Service  
1011 E. Tudor Road, Mail Stop 121  
Anchorage, Alaska 99503

Dear Chairman Simeonoff:

This letter responds to the Kodiak/Aleutians 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: Pacific Cod Subsistence Harvest**

*Our Council is exploring an enforcement disparity in interpretation of regulations for the retention of grey cod while using a National Marine Fisheries Service issued Subsistence Halibut Registration Certificate (SHARC) authorized long line. We are discussing this issue with State and Federal staff to determine whether this is a problem. If it is a problem, we will seek to address it with the appropriate agency and advise the Board of our findings.*

### **Response:**

The Board appreciates the Council's concern regarding a possible enforcement disparity in regulations interpretation for the retention of grey cod while using a halibut long line under a Federal Subsistence Halibut Registration Certificate (SHARC). The methods and means for subsistence halibut fishing using a SHARC card are regulated by National Marine Fisheries Service. Regulations regarding by-catch (other than halibut) encountered while subsistence

fishing for halibut are typically handled by the Alaska Department of Fish and Game. This issue is outside of Federal Subsistence Board jurisdiction; however, if more assistance on this issue is needed, staff with the Office of Subsistence Management (OSM) would be available to help with interagency coordination. If the Council wishes to investigate directly, the appropriate contacts for law enforcement or regulatory questions are provided below.

National Marine Fisheries Service	
Kodiak	(907) 486-4762
Anchorage	(907) 532-2440

Alaska Department of Fish and Game	
Kodiak	(907) 486-4762
Cold Bay	(907) 532-2440
Dillingham	(907) 842-5351
Dutch Harbor	(907) 581-1432
King Salmon	(907) 246-3307

**Issue 2: McLees Lake Sockeye Salmon**

*The wide fluctuations in abundance of sockeye salmon in McLees Lake on Unalaska Island has been discussed and noted as a Council concern. This system is the most important salmon resource and the only significant sockeye salmon resource accessible to Unalaska subsistence users. The Council requests Board support for research on forecasting the lake’s sockeye salmon run as it is an important subsistence food resource to the Unalaska residents.*

**Response:**

From 2001 to 2009, a McLees Lake escapement project was funded through the Fisheries Resource Monitoring Program. Through that project, escapement data was collected that includes age, sex, and length. To produce a forecast, additional data must be collected over several salmon life cycles. OSM staff will work with the Council to incorporate a McLees Lake sockeye salmon forecast as a priority information need at the next opportunity during the 2016 Fisheries Resource Monitoring Program funding cycle.

**Issue 3: Effective Board Support of the RAC Process**

*The Council believes that the Regional Advisory Councils are essential to providing meaningful input to the Board regarding implementation of ANILCA Title VIII. The Council urges that each Board member please give full support to the operational capacity of the Councils. The commitment of the Board to influence adequate Council member travel opportunities will enhance more effective representation by the Councils to meet with rural subsistence users. The Council is concerned that the downward budget trend will constrain its goal to meet in rural communities and thereby limit meaningful interaction with rural subsistence users. The Council asks the Board, if it is possible, to develop a protocol for us to seek and receive support from other government (Tribal, Municipal, or Native Corporation) sources in order to help offset the significant reductions to the Federal travel budget administered by the Office of Subsistence Management.*

**Response:**

The Board recognizes the central role of the Regional Advisory Council in the implementation of ANILCA Title VIII. Stark budget cuts are affecting all Federal agencies, including OSM. The downward budget trend is expected to continue and will constrain the OSM's ability to support the Council's goal to have its meeting in rural communities. Councils will continue to meet in rural hub communities. It is not appropriate for other entities (Tribal, Municipal, or Native Corporation) to cover Council meeting costs such as member lodging costs, Council meeting room costs or Council member travel costs. The government cannot accept such gifts. In addition, there is no mechanism in place for the U.S. Fish and Wildlife Service to accept funds from third parties for such expenses.

**Issue 4: Deer on Kodiak Island**

*The Sitka Black-tailed Deer population on Kodiak Island has faced recent severe winter conditions and reported numbers of deer have fallen significantly. The Council urges the Board and Kodiak National Wildlife Refuge, in cooperation with the Alaska Department of Fish and Game, to monitor and assess the deer population, and if possible, develop potential strategies for rapid rebuilding of the population.*

**Response:**

The Kodiak National Wildlife Refuge, Alaska Department of Fish and Game (ADF&G), and the Kodiak Fish and Game Advisory Committee have worked closely with the Council to review management of deer on both State and Federal lands on Kodiak Island. Although biologists from both the Kodiak National Wildlife Refuge and ADF&G have studied various methods of assessing and monitoring deer population trends, these methods are difficult and expensive.

Population estimates are not available for Kodiak Island. The primary method used to assess the deer population has been hunter questionnaire surveys. However, the Refuge conducted a pilot aerial survey in 2012, in the open (non-forested) areas of the Refuge. The preliminary results were positive so they expanded the effort for 2013. They hope to combine non-forested survey results with a pellet analysis using a DNA mark-recapture effort in the forested areas to develop a method to census the deer population for the entire island.

Based on existing studies, clearcutting of old growth Sitka spruce on Kodiak and Afognak has created deeper snow depths and limited access to food, thus impairing winter survival. Winter mortality continues to be the most significant factor limiting the Kodiak Island deer population, which has gone through dramatic population fluctuations in the past. Thus there are few practical options for active population management practices to enhance the deer population on Kodiak Island, other than reducing harvest.

**Issue 5: Rural Determination Process**

*The Council is pleased that the Board is undertaking the process to ask subsistence users and the public about appropriate ways to determine which communities are considered to be rural under the Federal Subsistence Program. This is a very important issue within our region, particularly for the City of Kodiak residents. The Council urges the Board to conduct hearings or listening sessions in Kodiak during this comment gathering period. Please carefully consider the effects of the rural determinations process on Kodiak and others communities such as Sitka, Saxman, Bethel and Dillingham.*

**Response:**

The Federal Subsistence Board, based on direction from the Secretaries of Interior and Agriculture, has begun a review of the rural determination process to ask the public about the appropriate ways to determine which communities are considered to be rural under the Federal Subsistence Management Program. The Board recognizes the importance of this issue for City of Kodiak residents and for residents of other communities throughout the state, including Sitka, Saxman, Bethel and Dillingham, among others.

OSM has limited funding to gather input on the rural determination process during the fall cycle of Regional Advisory Council meetings. That is why, with the Council's agreement, the fall 2013 meeting was moved from King Cove to Kodiak. This should maximize the opportunity for residents of the region to provide input into the rural determination process. In addition, there will be at least 2-3 more opportunities for the Council and the public to comment on rural determination at later stages in the process.

**Issue 6: Selective Wolf Removal to Improve the Southern Alaska Peninsula Caribou Population**

*In 2008-10 selective removal of 31 wolves from the calving grounds in Unit 9 for the Southern Alaska Peninsula caribou herd resulted in a slight improvement to the caribou population. This experimental adjustment on State lands increased both the calf-to-cow and bull-to-cow ratios, allowing hunters to have the first subsistence harvest of caribou in many years. Four bulls were permitted for each of the small villages in the area. Since the experimental wolf removals ceased, the caribou population trends are reversing; there are increasing numbers of wolves foraging into our villages, which they have rarely done before. We are not asking for across the board killing of all the wolves, but endorse selective removal of those few wolves that reduce calf survival to near zero. Our elders recognize the need for a balanced ecosystem, but worry about the disparity that has occurred. The Council requests the Board to revisit their predator control policy and recognize the beneficial result of reestablishing an environmental equilibrium to slowly increase the population of caribou and opportunities for subsistence harvest that is so vital to our rural community's sustenance and cultural well-being.*

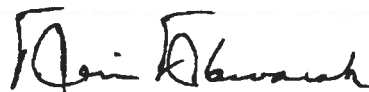
**Response:**

The Board acknowledges that the Councils have raised the issue of revisiting predator control on several prior occasions. At the urging of the State of Alaska, the Board revisited the Predator Management Policy during its June 18, 2013 work session in Anchorage. During that meeting, the Board reaffirmed its historic position that predator management is not within the scope of the Federal Subsistence Management Program but a matter for individual land managers to address. (see enclosed briefing)

The population size of the Southern Alaska Peninsula Caribou Herd (SAPCH) has fluctuated from approximately 500 to 10,000 caribou. While wolf and brown bear predation may be limiting factors for the population, habitat could also be a key limiting factor for the SAPCH. Post and Klein (1999) discussed how the herd continued to decline in the late 1940s and 1950s despite wolf control activities, and suggested the quantity and quality of summer range forage and plant phenology may be important factors influencing productivity of the herd. Additionally, the large decline of the SAPCH in the 1980s and early 1990s may have been associated with poor nutrition (Riley 2011). The recent experimental removal of wolves on the calving grounds of the SAPCH likely increased the size of the SAPCH. At the low population level, predation by wolves was likely resulting in high calf mortality, which resulted in low recruitment. By selectively removing wolves from the calving grounds, predation was reduced and recruitment improved.

In closing, I want to thank you and your Council for their continued involvement and diligence in matters regarding the Federal Subsistence Management Program. I speak for the entire Board in expressing our appreciation for your efforts and our confidence that the subsistence users of the Kodiak/Aleutians Region are well represented through your work.

Sincerely,



Tim Towarak  
Chair

**Enclosures**

- cc. Kodiak/Aleutians 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
- David Jenkins, Policy Coordinator, OSM
- Carl Johnson, Council Coordination Division Chief, OSM
- Administrative Record

## Federal Subsistence Board

### Work Session

June 18, 2013

#### **Briefing Paper Regarding Alaska Board of Game Letter (Chairman Spraker) to Federal Subsistence Board (Chairman Towarak): Dated: April 26, 2013**

Chairman Spraker's letter encourages the Board to begin the process of modifying the application of the Federal Subsistence Board's predator management policy. He also suggests that each federal agency apply the policy consistently.

The Federal subsistence program was established in a final rule effective on July 1, 1992 with regulations 36 CFR 242 and 50 CFR 100 published in the Federal Register 57 FR 22940; May 29, 1992. The Secretaries of the Interior and Agriculture established the Board and these regulations assigned it specific responsibilities. These authorities are fully listed in Subpart B \_\_.10, which read in part:

*The Secretary of the Interior and Secretary of Agriculture hereby establish a Federal Subsistence Board and assign it responsibility for administering the subsistence taking and uses of fish and wildlife on public lands, and the related promulgation and signature authority for regulations in subparts C and D of this part.*

Preceding publication of these regulations the Departments of the Interior and Agriculture completed an Environmental Impact Statement (EIS) which considered numerous topics. Some topics were not analyzed and thus not included within the program. The Final EIS, Volume I, Chapter I, Section G *Issues Not Addressed In This EIS* says:

*Issue: Should predators be controlled and vegetation manipulated to increase wildlife populations? Concerns were expressed about the role and habitat manipulations projects and predator control program in the FSMP and the impacts of those actions on subsistence species. Habitat manipulation projects and predator control programs are the responsibility of each land management agency and are beyond the scope of this document. Each such project or program is subject to both NEPA documentation and ANILCA Section 810 Compliance.*

After much public discussion in the early 2000s the Board adopted a concise policy statement in accordance with the aforementioned regulations and programmatic EIS. See *Predator Management Policy Federal Subsistence Board*. Among other things the policy reiterates that,

*Predator control and habitat management are the responsibly of and remain within the authority of the individual management agencies.*

In summary, The Secretaries' programmatic EIS and the Board's regulations did not include this aspect of wildlife management in the program. The EIS specifically left this task to the individual agencies and stated that they remained subject to both National Environmental Policy Act (NEPA) documentation and ANILCA §810 evaluation. Any agency undertaking either of these activities need to complete both NEPA compliance (either and EA or EIS) and an ANILCA §810 evaluation. The powers and duties of the Board, listed in §\_\_.10 (d) do not include predator management nor habitat manipulation and the Board is not delegated the authority to modify this section (Subpart B) of these regulations. The Secretaries have retained authority to approve changes to Subpart A and B regulations.

As to each agency's application of law, regulation and policy agencies are required to act in a manner consistent with their agency's mandates and other federal law. Agency mandates often differ as described in a letter from the Secretary of the Interior to the Eastern Interior Subsistence Regional Advisory Council in December 2006.

Attachments:

- Letter; Chairman Spraker to Chairman Towarak; April 26, 2013
- *Predator Management Policy Federal Subsistence Board*, Adopted May 20, 2004
- Letter: Acting Assistant Secretary of the Interior for Fish and Wildlife and Parks to Chairman Eastern Interior Alaska Subsistence Regional Advisory Council Gerald Nicholia, December 19, 2006



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

## Alaska Board of Game

1255 West 8th Street  
P O Box 115526  
Juneau, Alaska 99811-5526  
Main: 907.465.4110  
Fax: 907.465.6094

RECEIVED

APR 30 2013

April 26, 2013

Tim Towarak, Chairman  
Federal Subsistence Board  
1011 E. Tudor Road  
Anchorage, Alaska 99503

Dear Chairman Towarak:

It has recently come to the attention of the Alaska Board of Game (Board) that there was a discussion at the July 18, 2012 meeting of the Federal Subsistence Board (FSB) regarding possible revision of the FSB's Predator Management Policy. We understand this discussion was prompted by input from Regional Advisory Councils as well as individual rural subsistence users.

The Board of Game has received an increasing number of statements and complaints over the years from Alaska's subsistence users, many of whom live in rural areas, asserting that federal policies (including the FSB's Predator Management Policy) and interpretations of congressional mandates have severely restricted harvest opportunities due to ungulate scarcity, and have prohibited subsistence traditions thereby weakening Alaskans' ability to pass on harvest heritage to future generations.

The Alaska Department of Fish and Game has undertaken the task of rebuilding depressed wildlife populations important for human consumptive use by applying the state intensive management statute and the Board's intensive management regulations. In so doing, we have provided reasonable and increasing opportunities for subsistence harvest. However, even as we begin to realize meaningful returns from these active management programs, our efforts remain limited or prohibited due to subjective interpretation of individual federal agency mandates. The insertion of intangible ideologies into federal policy serves to reject predator management proposals in the federal arena, and redirects many of the pleas into the state regulatory process. The Board has brought this struggle to the attention of the appropriate federal managers at every opportunity, but has seen no change whatsoever in policy direction or regulatory action.

While the Board recognizes and provides for sustained yield management of predator populations and shares the federal goal of predator conservation, we consider it inappropriate for extreme and subjective sentiments regarding these goals to subvert the subsistence mandates and responsibilities set forth in ANILCA. Such a misguided approach also serves to erode some of the very foundational purposes of the National Conservation System Units.



The desire to subsist from the land is not limited to being a noble historic practice. Subsistence is a present and continuing reality of utmost importance to a great many Alaskans. Reasonable opportunity cannot be provided unless animals are available for harvest. We believe you take this responsibility seriously and are as aggrieved as we are when subsistence harvest declines. We thank you for your recent comments regarding these topics, and encourage you to show the necessary fortitude to address this issue by beginning the process of modifying application of the FSB predator management policy, which, up to this point, has only frustrated the efforts of both our boards to provide harvest opportunities for Alaskans who live off the land and rely significantly on its seasonal bounties.

The policy's current language endorses predator reductions to recover ungulate populations provided the procedure is consistent with each respective agency's policies and management objectives. The current application of this policy equates to rejecting predator control proposals that are construed to favor one population or species over another, commonly referred to by the federal managers as altering wildlife populations in their natural diversity. We respectfully suggest that each federal agency apply the policy consistently by taking affirmative action on each predator control proposal where reductions can be achieved and would result in additional subsistence harvest opportunity. This approach would fulfill ANILCA mandates, meet federal public trust obligations to Alaskans, and continue to provide for natural diversity while avoiding extreme swings in wildlife populations that threaten other important values for which federal lands are to be managed.

It is the view of this Board that the congressionally mandated responsibility to provide for subsistence harvest on federal lands in Alaska has been improperly relegated to the lowest level of management priority in recent decades. Proper application of the policy will benefit all resource users and the resource itself.

We note that Alaska's current program of intensive management has been commended by the national Association of Fish and Wildlife Agencies through presentation of the Ernest Thompson Seton Award, which recognizes leadership in scientific wildlife management. It is a very prestigious award, and Alaska is honored to receive recognition for our efforts to build management programs upon solid scientific foundations.

We look forward to providing further input on this issue as you move forward to address a very real need for active management on federal public lands in Alaska.

Sincerely,



Ted Spraker, Chairman  
Alaska Board of Game

cc: Cora Campbell, Commissioner, ADF&G  
Craig Fleener, Deputy Commissioner, ADF&G  
Doug Vincent-Lang, Director, Division of Wildlife Conservation, ADF&G  
Jennifer Yuhas, Federal Subsistence Team Liaison, ADF&G



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240



DEC 19 2006

Mr. Gerald Nicholia, Chair  
Eastern Interior Alaska Subsistence  
Regional Advisory Council  
101 12<sup>th</sup> Avenue, Room 110  
Fairbanks, Alaska 99701

Dear Mr. Nicholia:

Thank you for your letter of September 22, 2006, to Secretary Dirk Kempthorne requesting that the process to implement an intensive management program with the State of Alaska, Department of Fish and Game on Federal public lands within the Eastern Interior Region of Alaska, be started immediately. I have been asked to respond to you directly.

I take the responsibility, as mandated in the Alaska National Interests Lands Conservation Act (ANILCA), of protecting the opportunity for continued subsistence uses in Alaska seriously; as well as that of conserving the nation's fish and wildlife and other natural resources on Alaska's Federal public lands, as directed by ANILCA and other Federal statutes. Each of the Department of the Interior (DOI) land management agencies within your region manage the resources entrusted to them according to these statutory mandates and the implementing regulations and policies. Consistent with these mandates, the DOI agencies will address your concerns.

I understand that staff from the Bureau of Land Management, National Park Service, and U.S. Fish and Wildlife Service (Service) gave presentations to your council at its October 2006 meeting in Delta Junction. They explained the legal requirements and policy guidelines each agency follows when considering requests for intensive management, including predator control. In addition, your council was provided written responses from the Refuge Managers of the Arctic, Yukon Flats, and Tetlin National Wildlife Refuges to your request to the Service Regional Director to initiate studies leading to control of predators of moose and caribou on these refuges.

Each DOI land management agency has differing legal requirements and policy guidelines regarding intensive management, including predator control, which are summarized below:

**Bureau of Land Management (BLM)**

The BLM manages its Alaska lands primarily under the Federal Land Policy and Management Act of 1976 and ANILCA. While the agency manages land uses and habitat on its lands, management of fish and wildlife on BLM lands is conducted by the State of Alaska, consistent with the traditional role of the State in managing resident species of fish and wildlife. Essentially, predator control activities by the State of Alaska may take place on BLM lands, as long as they do not conflict with on-going or anticipated BLM authorized actions. The BLM views predator control as a State function and the agency neither supports nor condemns the predator control methods approved by the Alaska Board of Game.

**U.S. Fish and Wildlife Service (Service)**

The Service manages the national wildlife refuges in Alaska under the mandates of ANILCA and the Refuge Administration Act. There is nothing in ANILCA, or other applicable federal laws, regulations and policies, nor in the refuge comprehensive conservation plans, which specifically precludes predator control on national wildlife refuges in Alaska. However, these laws, regulations and policies do require comprehensive analyses prior to considering a predator control program to ensure that the action is both appropriate and biologically justified. The following are some of the general prerequisites for considering predator control on Alaska refuges.

Foremost, management actions must be biologically justified and used in a prudent and ecologically sound manner to conform to the agency's Policy on Maintaining the Biological Integrity, Diversity, and Environmental Health of the National Wildlife Refuge System (System). This policy requires that the agency 1) *identify the refuge purpose(s), legislative responsibilities, refuge role within the ecosystem, and System mission; 2) assess the current status of biological integrity, diversity, and environmental health through baseline... surveys and studies...; 3) assess historic conditions and compare them to the current condition ... This will provide a benchmark... for the relative intactness of ecosystem functions and processes; and 4) consider the refuge's importance to refuge, ecosystem, national and international landscape scales of biological integrity, diversity, and environmental health....* A thorough evaluation must be given to substantiate intended benefits of the control efforts, and alternatives to direct control must be evaluated, attempted, and exhausted as a practical means of achieving management objectives.

Because predator control of wolves and/or bears on national wildlife refuges is highly controversial, it would be considered a major Federal action subject to National Environmental Policy Act (NEPA) requirements which would include preparation of an environmental impact statement (EIS) or, at a minimum, an environmental assessment

(EA). As part of an EIS or EA, the Service would evaluate predator control in the context of the purposes of the refuge and in consideration of the biological integrity policy. Additionally, the agency would evaluate the effects of the proposed predator control on subsistence uses and needs, as required by Section 810 of ANILCA. Section 810 requirements would be incorporated into the NEPA process and documents.

In addition, if predator control is proposed to be carried out on a refuge by an agency or others not acting as agents of the Service, the refuge manager must find the proposed control program to be consistent with the Service compatibility regulations implementing the Refuge Administration Act. These regulations require that permitted uses of the refuge be compatible with the purposes of the refuge, the mission of the national wildlife refuge system, and the resource management objectives identified in the refuge comprehensive conservation plans.

Be assured that the Service is giving serious consideration to the concerns you have raised relating to the effects of predation on subsistence uses. By copy of this letter I am requesting that the Service's staff in Alaska to explore available options to conduct the studies necessary to fully evaluate the need for and potential benefits of predator reductions to refuge resources and subsistence users, as well as alternatives to direct agency-conducted reduction of predators. In this evaluation, the Service will closely coordinate and, where possible, cooperate with the State of Alaska in its efforts to provide sustainable, harvestable surpluses for subsistence use.

#### **National Park Service (NPS)**

The NPS lands in Alaska are managed according to ANILCA and the underlying 1916 Organic Act, which established and continues to guide NPS management. The ANILCA, per sections 802(1), 808(6) and 815(1)(3), established a standard of "conservation of healthy populations" for wildlife management in Alaska's parks, monuments, and preserves. The legislative history to ANILCA clearly expresses congressional intent in regards to intensive management, including predator control. On page 171 of Senate Report 96-413, November 1979, it states:

*In authorizing subsistence uses within National Parks, Monuments, Preserves, and National recreation Areas, it is the intent of the Committee that certain traditional National Park Service management values be maintained. It is contrary to the National Park Service concept to manipulate habitat or populations to achieve maximum utility of natural resources. Rather, the National Park System concept requires implementation of management policies which strive to maintain the natural abundance, behavior, diversity, and ecological integrity of native animals as part of their ecosystem, and the Committee intends that that concept be maintained... Accordingly, the Committee does not expect the National Park Service to engage in habitat manipulation or control of other species for the purpose of maintaining subsistence uses within the National Park System units.*

The same report goes on to state (pages 232-233):

*The Committee recognizes that the management policies and legal authorities of the National Park System and the National Wildlife Refuge System may require different interpretations and application of the "healthy population" concept consistent with management objectives of each system. Accordingly, the Committee recognizes that the policies and legal authorities of the managing agencies will determine the nature and degree of management program affecting ecological relationships, population dynamics, and manipulations of the components of the ecosystem.*

As you can see, the Congress understood and expected that the policies of the NPS were to play a significant role in interpreting how the mandate for "conservation of healthy populations" is carried out.

One of the first major actions the Secretary completed was a long and thorough review of draft NPS management policies. On August 31, 2006, the Secretary was satisfied that the policies were appropriate and struck the correct balance for NPS guidance. Those policies contain several sections (in Chapter 4) that relate to your request. In all, those sections direct the NPS to, in a manner consistent with ANILCA and its Senate history, maintain the natural population fluctuations and processes that influence the dynamics of individual plant and animal populations within their ecosystems. Section 4.4.3, *Harvest of Plants and Animals by the Public*, directly deals with the issues you have raised. Among other things, that section states: *The (National Park) Service does not engage in activities to reduce the number of native species for the purpose of increasing the number of harvest species (i.e. predator control), nor does the (National Park) Service permit others to do so on land managed by the National Park Service.*

To summarize, undertaking intensive management practices, including predator control activities as conducted by the State of Alaska, is not allowed on NPS lands.

I hope this brief summary of the DOI agencies' legal frameworks for considering predator control on their respective lands is helpful to your council's understanding of the constraints they must conform to in addressing your concerns. I would encourage your council to continue to work closely with the Federal agencies and the State in developing management options to ameliorate, to the extent possible, the adverse effects of predation on wildlife resources utilized by subsistence users. In addition to seeking predator reduction programs on Federal lands which are consistent with the legal and policy mandates of the land managing agencies, opportunities for predator management on lands under State jurisdiction should be explored, as appropriate. Additionally, the council may be able to encourage increased harvests of predators by local residents under current State hunting and trapping regulations where applicable.

Mr. Gerald Nicholia

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In closing, I support and applaud your efforts to ensure that subsistence uses and way of life in Alaska are protected. I appreciate your council's continuing contribution to the Federal Subsistence Program and your diligence in representing the interests of subsistence users in your region. If you have any further questions, please feel free to contact me at (202) 208-5347.

Sincerely,

*Danny*  
**Acting** Assistant Secretary for Fish  
and Wildlife and Parks

## **PREDATOR MANAGEMENT POLICY FEDERAL SUBSISTENCE BOARD**

Adopted by the Federal Subsistence Board on  
May 20, 2004

The Federal Subsistence Board recognizes that predators are an important component of Alaska's dynamic ecosystems, beneficial to maintaining balance, health, and diversity within associated wildlife populations and habitats. Furthermore, the Board recognizes the traditional Alaska Native cultural beliefs and values associated with wolves, bears and other predatory species, and the impact that predators can have on ungulate populations valued by subsistence users. In addition, the Board recognizes that predator control may be an appropriate management tool on some Federal public lands for restoring prey populations to provide for subsistence needs where predation has reduced or held prey populations at levels significantly below historical levels of abundance.

As authorized by the Secretaries of Interior and Agriculture [50 CFR Part 100.10 (USDI) and 36 CFR Part 242.10 (USDA)], the Board administers the subsistence taking and uses of fish and wildlife on Federal public lands through regulations that provide for the non-wasteful harvest of fish and wildlife by Federally qualified rural residents, consistent with the maintenance of healthy populations of harvested resources. Such subsistence taking and uses are "... *for direct personal or family consumption ...*" (Section 803 of ANILCA). Wildlife management activities on Federal public lands other than the subsistence take and use of fish and wildlife, such as predator control and habitat management, are the responsibility of and remain within the authority of the individual land management agencies.

Accordingly, the Board will:

- A** Consider all Federal proposals to regulate seasons and dates, methods and means, harvest limits, and customary & traditional use determinations for the subsistence take of fish and wildlife. The Board will ensure that the effect of its decisions is to provide for subsistence take and use of the subject species. The Board will also take into account approved population objectives, management plans, customary and traditional uses, and recognized principles of fish and wildlife management.
  
- B** Direct the Office of Subsistence Management to provide proponents of predator control proposals (all Federal proposals that specifically indicate that the reason for the proposed regulation(s) is to reduce the predator population to benefit prey populations), with procedures for submitting the proposal to the appropriate agency. Where predators have been determined to be a major contributing factor in the significant reduction of ungulate populations important for subsistence use, or in the chronic suppression of such populations at low densities, the Board will endorse timely, affirmative and effective action consistent with each respective agency's policies and management objectives, to reduce predator populations and

allow affected ungulate populations to recover. The Board will monitor actions taken by the agency to address such concerns, and will provide appropriate support where necessary to ensure the continuation of subsistence harvest opportunities.

- C** Ensure that the appropriate Regional Council(s) is informed of predator control proposals by having them printed in the Proposal Booklet and presented to the Council at the next appropriate Council meeting, along with other rejected proposals that address concerns which are outside the authorities of the Federal Subsistence Board.



## **Kodiak/Aleutians Subsistence Regional Advisory Council**

c/o U.S. Fish and Wildlife Service  
Office of Subsistence Management  
1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503-6199  
Phone: 907-786-3888, Fax: 907-786-3898  
Toll Free: 800-478-1456

Mr. Tim Towarak, Chair  
Federal Subsistence Board  
1101 East Tudor Road, MS 121  
Anchorage, Alaska 99503

Dear Mr. Towarak:

The Kodiak/Aleutians Subsistence Regional Advisory Council (Council) appreciates the opportunity to submit this annual report to the Federal Subsistence Board (Board) under the provisions of Section 805(a)(3)(D) and Section 805(c) of the Alaska National Interest Lands Conservation Act (ANILCA). At its public meeting held in Kodiak, Alaska on September 24-25, 2013, the Council brought forward the following concerns and recommendations for its FY 2013 Annual Report, finally approving that report at its March 20-21, 2013 meeting held in Kodiak. The items brought forward herein are issues of concern.

### **1. Bureaucratic Responses to Annual Report**

As its first item of concern, the Council would like to express its displeasure at the rather boilerplate, bureaucratic responses provided by the Board to the Council's FY 2012 annual report. In order for this annual report process to be meaningful to the Councils, they must feel that their recommendations or concerns are given weight and carefully considered by the Board. However, when the Board responds with boilerplate, bureaucratic replies that offer no meaningful solutions, it is frustrating to this Council. The Council also takes exception to responses when the Board defers and deflects back to this Council to take action. When the Council makes recommendations to the Board, or asks for assistance, it asking either the Board to take action, or the regional agency director who sits on the Board to take the issue back to his or her agency for action.

### **2. Impacts of Declining Budget**

The Council is very alarmed at how declining budgets are impacting staff support by the Office of Subsistence Management. During a briefing at our fall 2013 meeting, we were informed that in the last eight years, the staffing at OSM has been reduced approximately 40%. Additionally, we have been told that during that same time, the OSM budget has been cut

dramatically, with steep declines in recent years. The Secretary of the Interior is under a legal mandate to provide for rural subsistence opportunities and to ensure that adequate staffing support is provided to the Councils. Cutting budgets and staff, with no intention to replace key staff like the Anthropology Division Chief, does not satisfy these mandates. Cutting budgets and staffing only places at risk the ability of the Councils to make informed decisions and the ability of managers to provide for subsistence opportunity, as required by Title VIII of ANILCA. This trend must be reversed and needs to be brought to the attention of the Secretary of the Interior. If subsistence truly is “broken,” it cannot be “fixed” without adequate budget and staffing support.

### **3. Meetings in Remote Locations**

This Council, as part of performing its advisory duties to the Board, needs to hear from residents of the region when making recommendations. It is hard to do that unless the Council is given the opportunity to go out into the various communities of the region to conduct meetings. This Council has repeatedly requested that it be provided the opportunity to conduct its meetings at more remote locations within its region. And each time, the response from OSM and the Board has been that such meetings cannot be conducted for various reasons: budget, availability of lodging, etc. This goes back to our concern about bureaucratic responses from the Board to our annual reports. Being told that the Federal government cannot accept gifts is an inadequate response to this Council’s suggestion that OSM work with Tribal governments or other entities to find solutions to the problem of conducting meetings in remote locations.

The Council is no longer interested in hearing what *cannot* be done; it wants to hear what *can* be done. First, if there are budgetary restrictions hindering the conduct of meetings at more remote locations, they should not apply. Providing for public Council meetings to provide a forum on subsistence issues for the region is not a discretionary function, but required by law, and should therefore not be subject to any travel budget caps. Second, in the absence of any formal lodging facilities, efforts should be made to reach out to the community and find alternate lodging, such as schools or host homes. Finally, it is not always necessary that everyone be physically present at the meeting – some staff or even Council members could participate telephonically in order to cut costs and conduct more remote meetings.

### **4. Importance of Rural Status**

Given the significant amount of Federal public lands in this region, the Council wishes to stress the importance of maintaining the rural priority provided for under Title VIII of ANILCA. The Council appreciates the efforts made by the Board to provide a forum for residents of the region to provide testimony at the public hearing held on Kodiak on September 25, 2013. The Council voted to incorporate all public testimony as its own comments, as noted in the Council’s letter dated [insert date]. The Council incorporates that letter as part of its annual report.

The rural status of Kodiak in particular has been an issue of concern, and is a status that the Council will continue to be vigilant about and fight to protect. This is why, in addition to providing comments on the Board’s Rural Determination review, the Council voted to send a letter to the Alaska Board of Fisheries and Board of Game to oppose Joint Board Proposal 40, which sought to rescind the rural status of Kodiak under State subsistence regulations. The State Boards saw the wisdom of maintaining that rural status, and we hope that the same can be said for the Federal Subsistence Board as the Rural Determination review process moves forward.

## **5. Emperor Geese**

As you may recall, this Council included an item about Emperor Geese in its FY2011 Annual Report and, as a result of the Board's reply, submitted a proposal to the Alaska Migratory Bird Co-Management Council (AMBCC) to initiate a subsistence harvest. The Council would like to express its disappointment that the AMBCC sought to reject the request for a subsistence hunt on Emperor Geese. The Council is perplexed as to how a harvest level of 80,000 was established and is curious as to what it takes in order to establish a subsistence hunt on Emperor Geese. The Council does not request any action by the Board on this issue, but wanted to apprise you and inform you of our intention to keep pressing this issue with the AMBCC.

## **6. Caribou Population Management**

The Council wishes to recognize the productive work being done by the Alaska Department of Fish & Game with the Southern Alaska Peninsula Caribou Herd in Unit 9D. It appears that the Department's efforts, including the predator control measures identified in our FY 2012 Annual Report, have made progress in improving the herd's numbers. However, the Council remains concerned about the status of the caribou in Unit 10, particularly on Unimak Island, which are under Federal control. The Council would like a status update as to what measures are being taken to improve that herd's numbers which, at last report, were down to around 200. Specifically, the Council would like to be briefed on what is being done to improve the cow/calf ratio for the herd.

The Kodiak/Aleutians Subsistence Regional Advisory Council appreciates the Board's attention to these matters.

Sincerely,

Speridon Mitchell Simeonoff, Chair  
Kodiak/Aleutians Subsistence  
Regional Advisory Council

cc: Federal Subsistence Board  
Kodiak/Aleutians Subsistence Regional Advisory Council  
Eugene R. Peltola, Jr., Assistant Regional Director, Office of Subsistence Management  
Carl Johnson, Council Coordination Division Chief, Office of Subsistence Management  
Interagency Staff Committee  
Administrative Record

# **Report to Federal Subsistence Regional Advisory Councils on**

## **1. Tribal Consultation Draft Implementation Guidelines**

## **2. Draft ANCSA Consultation Policy**

**January 24, 2014**

From the Federal Subsistence Board's Consultation Workgroup

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

### ***Draft Implementation Guidelines Summary***

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

### ***Draft ANCSA Corporation Consultation Policy Summary***

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

## **Workgroup members**

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

# IMPLEMENTATION GUIDELINES

*for the*

## *Federal Subsistence Board Government-to-Government Tribal Consultation Policy*

### INTRODUCTION

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

Tribal consultation will be regularly scheduled twice each year:

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

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

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### MEETING PROTOCOLS

#### **1. Timing:**

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

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

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

**9. Consultation Meetings Requested by Tribes:**

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

## REGULATORY CYCLE TIMELINE AND ROLES AND RESPONSIBILITIES

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

Tribes must be given the opportunity to consult throughout the Federal Subsistence Management process when a “departmental action with tribal implications<sup>1</sup>” 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.

<sup>1</sup> 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.

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*“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*

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

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

RAC WI14003.MH

**FEB 12 2014**

Honorable Sally Jewell  
Secretary of the Interior  
U.S. Department of the Interior  
Office of the Secretary  
1849 C Street, N.W.  
Washington, D.C. 20240

Dear Secretary Jewell:

The Western Interior Alaska Subsistence Regional Advisory Council (Council) is one of the ten Federal Subsistence Regional Advisory Councils formed under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and chartered under the Federal Advisory Committee Act (FACA). Section 805 of ANILCA and the Council's charter establish its authority to initiate, review, and evaluate regulations, policies, management plans, and other matters related to subsistence on Federal public lands and waters within the Western Interior Alaska region. The Council provides a regional forum for discussion and recommendations for subsistence related issues on public lands.

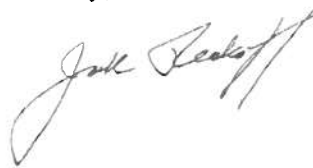
All of the Councils are dealing with an extremely late completion of the annual Secretarial Appointment process to fill Council seats. The delay also happened last year, and this Council sent a letter to you expressing concerns about the problem (see enclosure). This year's delay is even worse than last year, making each year progressively later in completing official appointments. Terms expired on December 2, 2013 for three seats on our Council. It is now February 11, less than 3 weeks before our winter meeting—we only just received word on February 6, 2014 on appointments for two seats and the question remains as to who will be appointed to fill the third seat.

The delay in appointments has had a negative effect on the planning and execution of important and extensive work which must be completed in a timely manner prior to our meetings. Further, these delays have discouraged applicants and future applicants from serving on the Council. This is a disastrous consequence given the steady decrease in the number of applications in recent years. Our Council wishes to re-emphasize that steps must be taken to ensure delays in

appointments do not continue. We suggest our Council charters be amended to allow for a member to continue serving until official Secretarial Appointments are made.

It is an important role for this Council, and others, to assist the Federal Subsistence Program in meeting its charge of protecting subsistence resources and uses of these resources on public lands and waters in Alaska. We cannot fulfill our role when timely appointments to fill vacant seats are not given a priority. If you have questions about this letter, please contact me via Melinda Burke, Subsistence Council Coordinator, with the Office of Subsistence Management at 1-800-478-1456 or (907) 786-3885.

Sincerely,



Jack Reakoff, Chair

Enclosure

cc: Tom Vilsack, Secretary of Agriculture, USDA  
Laura Marquez, White House Liaison  
Pat Pourchot, Special Assistant for Alaska Affairs, DOI  
Geoff Haskett, Regional Director, USFWS Region 7  
Eugene R. Peltola Jr., Assistant Regional Director, OSM  
Karen Hyer, Acting Deputy Assistant Regional Director, OSM  
David Jenkins, Policy Coordinator, OSM  
Carl Johnson, Council Coordination Division Chief, OSM  
Federal Subsistence Board  
Interagency Staff Committee  
Western Interior Alaska Subsistence Regional Advisory Council  
Administrative Record

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

RAC WII3014.MH

**MAY 06 2013**

Honorable Sally Jewel  
Secretary of Interior  
U.S. Department of the Interior  
Office of the Secretary  
1849 C Street, N.W.  
Washington, D.C. 20240

Dear Secretary Jewel:

The Western Interior Alaska Subsistence Advisory Council (Council) is one of the ten regional councils formed under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and chartered under the Federal Advisory Committee Act (FACA). Section 805 of ANILCA and the Council's charter establish its authority to initiate, review, and evaluate regulations, policies, management plans, and other matters related to subsistence on Federal public lands and waters within the Western Interior Alaska region. The Council provides a forum for discussion and recommendations for subsistence fish and wildlife management in the region.

The Council met in Galena, Alaska, on March 5-6, 2013, and conducted a public meeting regarding subsistence issues. Among the topics discussed at this meeting were the very late Secretarial appointments to the Regional Subsistence Advisory Councils as well as the currently vacant Assistant Regional Director position since the departure of Peter J. Probasco at the Office of Subsistence Management (OSM).

Our way of life and the extreme weather common to our region are just two of the factors that make it necessary for the Council to plan well in advance for travel (personal and Council) as well as seasonal food gathering activities. The extremely late appointments create tremendous difficulties for individuals to plan in advance for travel and Council commitments. Further, our support staff needs sufficient time to plan for the very complicated logistical arrangements necessary for travel to and from rural Alaska communities. This year's delay was significantly longer than we have experienced in the past. Two of our incumbent council members did not hear about their appointment status until less than two weeks before our most recent scheduled gathering. Shockingly, it is my understanding that there remains at least one Council that has not

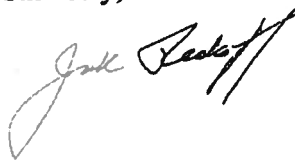
received word of a member's reappointment, amounting to a nearly four-month delay. Such delays are unacceptable to our statutory "meaningful role" in Federal subsistence management of fish and wildlife. Steps need to be taken as soon as possible so that delays in these very important and critical appointments do not happen again.

In the future, this Council would appreciate correspondence from the Office of Subsistence Management if these delays persist. Incumbent applicants must be informed of the status of appointments if they are expected to prepare for coming meetings and allow time in their schedules for travel. Old appointments expire in early December, which is when the announcement for appointments to those vacant seats is anticipated. New applicants may assume they have not been appointed if no official notice is sent about the delay. This could affect their ability to travel to their meetings, as lead time is necessary for the proper authorizations as well as clearing their personal calendars for Council duties.

The recent high number of retirements, budget issues, sequestration, and hiring freeze has caused great concern among the Council regarding the leadership and workload of OSM. The permanent hiring of a new Assistant Regional Director is a critical action which this Council feels needs to happen as soon as possible. This Council would be willing to correspond and provide any supporting language to make this happen soon, despite the current hiring freeze.

Thank you for the opportunity for this Council to assist the Federal Subsistence Management Program to meet its charge of protecting subsistence resources and uses of our resources on Federal public lands and waters. We look forward to continuing discussions about the issues and concerns of subsistence users of the Western Interior Region. If you have questions about this correspondence, please contact me via Melinda Hernandez, Subsistence Council Coordinator with OSM, at (907) 786-3885.

Sincerely,



Jack Reakoff, Chair  
Western Interior Alaska Subsistence  
Regional Advisory Council

cc: Kathleen M. O'Reilly-Doyle, Acting Assistant Regional Director, OSM  
David Jenkins, Acting Deputy Assistant Regional Director, OSM  
Carl Johnson, Council Coordination Division Chief, OSM  
Melinda Hernandez, Council Coordinator, OSM  
Pat Pourchot, Special Assistant for Alaska Affairs, DOI  
Federal Subsistence Board  
Western Interior Regional Advisory Council  
Administrative Record



**North Slope Subsistence Regional Advisory Council**  
**c/o U.S. Fish and Wildlife Service**  
**1011 East Tudor Road, MS 121**  
**Anchorage, Alaska 99503**  
**Phone: (907) 786- 3888, Fax: (907) 786-3898**

18 1 DEC 2013

RAC NS13048.EP

Tim Towarak, Chairman  
Federal Subsistence Board  
U.S. Fish and Wildlife Service  
1011 E. Tudor Road, MS 121  
Anchorage, Alaska 99503

Dear Chairman Towarak:

The North Slope Subsistence Regional Advisory Council (Council) submits this letter to the Federal Subsistence Board and the U.S. Fish and Wildlife Service (USFWS) under the provisions of the Council's authority to make recommendations on policy and facilitate a meaningful role in Federal subsistence management. At its August 20-21, 2013 public meeting in Barrow, the Council identified an important concern it would like to bring to your attention. The Council is also directing this concern to the USFWS Regional Director, and would like it elevated to the attention of the Secretary of the Interior.

In August, the Council received a staffing update from the Office of Subsistence Management (OSM). The Council learned that a decision had been made not to fill the Chief of the Anthropology Division, a position made vacant with the recent retirement of Helen Armstrong, will remain vacant. The Council is concerned that this decision, which marginalizes the importance of social science and the Anthropology Division for Council business, was made without any consultation with the Regional Advisory Councils. The Council emphasizes that the Anthropology Division provides essential services to and support for the Council, communities, and Tribes of the North Slope Region. The Anthropology Division assists the Council in drafting and reviewing fish and wildlife regulatory proposals. It helps the Council make informed recommendations to the Federal Subsistence Board. It also works with the Council to represent the subsistence needs and concerns of the North Slope Region.

Having served on this Council for 20 years since the inception of the Federal Subsistence Management program, as Chair of the Council, I am in the position to attest to the importance and service of OSM staff anthropologists. Anthropologists, with a specific set of professional skills, are essential to supporting the work of the Regional Advisory Councils; in fact,

anthropologists are as essential as biologists in supporting the Council's work. I recognize Federal budget constraints and challenges exist to administer programs across the USFWS. However, the Council and I would like to point out that the Anthropology Division, as currently staffed, cannot provide an adequate level of service to the Federal Subsistence Management Program or the 10 Regional Advisory Councils. The Federal Subsistence Management Program and the work of the Regional Advisory Councils are guided by Federal law under the Alaska National Interest Lands Conservation Act (ANILCA).

ANILCA §805(b) directs the Secretary to provide adequate staff to support the work of Regional Advisory Councils:

**(b) Assignment of staff and distribution of data**

The Secretary shall assign adequate qualified staff to the regional advisory councils and make timely distribution of all available relevant technical and scientific support data to the regional advisory councils...

Section 801 of ANILCA, through the careful language chosen by Congress, emphasizes the important of social science in general and Anthropology in particular:

- (1) The continuation of the opportunity for subsistence uses by rural residents of Alaska, including both Natives and non-Natives, on the public lands and by Alaska Natives on Native lands is essential to Native physical, economic, traditional, and cultural existence and to non-Native physical, economic, traditional, and social existence

The Council notes it is quite clear that ANILCA encompasses traditional, cultural and social elements of a subsistence way of life. These elements of subsistence require professional anthropology or social science staff to assist in comprehensive administration of the law by working with communities to document and analyze social and cultural information in the subsistence management process. Federal Subsistence Management Program policies cover cultural and social components of fish and wildlife management for rural Alaskans, including customary and traditional use determinations, customary trade and barter, harvest methods and means, subsistence seasonal rounds, special use permits, community harvest quota, allocation in times of shortage (§804 analysis under ANILCA), and other information that helps inform sound management of fish and wildlife populations while best supporting subsistence opportunity under ANILCA.

Overall, the Council feels that without a replacement hired to fill the vacant Anthropology Division Chief position, the Council and the North Slope Region will not receive the support needed to be fully effective in its role of advising the Federal Subsistence Board. In these times of severe shortages of many subsistence fish and wildlife resources and increasing uncertainty due to climate change, anthropology support to the Councils is needed more than ever. We strongly encourage the USFWS to re-consider the decision regarding filling the OSM Chief of Anthropology position and take the necessary steps to ensure a high probability of this position being filled.

Chairman Towarak

3

If you have any questions regarding this correspondence, or to direct a response to the North Slope Regional Advisory Council, please contact Eva Patton, Subsistence Council Coordinator, Office of Subsistence Management at 1-800-478-1456 or (907) 786-3358.

Thank you for your consideration.

Sincerely,

  
Harry K. Brower, Chairman

cc: North Slope Subsistence Regional Advisory Council  
Federal Subsistence Board  
Pat Pourchot, Special Assistant to the Secretary of the Interior for Alaska Affairs  
Eugene R. Peltola, Jr., Assistant Regional Director, OSM  
Kathleen M. O'Reilly-Doyle, Deputy Assistant Regional Director, OSM  
Thomas Evans, Acting Policy Coordinator, OSM  
Carl Johnson, Council Coordination Division Chief, OSM  
Alaska Subsistence Regional Advisory Council Chairs  
Interagency Staff Committee  
Administrative Record

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December 5, 2013

**Contact:** Andrea Medeiros, 907-786-3695,  
andrea\_medeiros@fws.gov

### **Wildlife Refuge Plans to Address Cattle Damage to Islands**

Alaska Maritime National Wildlife Refuge manager, Steve Delehanty, today announced the start of a public scoping process to identify issues and alternatives to address damage from unauthorized cattle on Wosnesenski and Chirikof Islands. Scoping will include meetings with interested federal, state, and local agencies, Federally recognized Tribes, stakeholders and the general public.

After the close of scoping, in accordance with the National Environmental Policy Act (NEPA), an Environmental Assessment or Environmental Impact Statement will be prepared for each island. These documents will lay out the issues, alternatives, analysis of impacts, and the preferred alternative.

Wosnesenski and Chirikof are remote, uninhabited islands located in southwest Alaska. Both islands have deteriorated wildlife habitat caused by cattle left behind when ranchers left the islands years ago. Chirikof Island was first stocked with cattle in the late 1880s when the island was leased by a large fox ranching enterprise. Cattle were introduced on Wosnesenski Island in 1938 for personal use by a resident family. Without management or predators, the cattle have multiplied. Today, there are roughly 800 cattle on Chirikof Island and 200 on Wosnesenski Island. "I have been to both islands" said Delehanty. "It's a sad sight. The vegetation is short, some areas have been turned into bare sand dunes, there are cattle carcasses scattered around, and cattle are trampling wildlife habitat, archaeological sites, and sensitive wetlands." Island salmon streams, lakes, and wetlands are particularly hard hit.

"We want to hear from people who have constructive ideas and a willingness to help us solve this problem," said Delehanty. "It's time to restore these islands and finally help them fulfill their congressionally mandated destiny as a wildlife refuge."

**The deadline to submit ideas** on issues and alternatives to be considered in the NEPA documents is **January 31, 2014**. Submissions will be accepted by any of the following methods:

**E-mail:** fw7\_akmaritime@fws.gov

**Letter:** Alaska Maritime National Wildlife Refuge; 95 Sterling Hwy, Suite 1, Homer, AK 99603

**Phone:** 907-235-7835, or **Fax:** 907-235-7783

**Or at open houses:**

**Homer - December 16, 2013, 4 to 6 p.m.,** at the Islands and Ocean Visitor Center, 95 Sterling Hwy.

**Kodiak - January 7, 2014**, 4 to 6 p.m., at the Kodiak National Wildlife Refuge Visitor Center, 402 Center St.

Opportunities to comment on the draft Environmental Assessment or Environmental Impact Statement documents will also be provided.

The U.S. Fish and Wildlife Service (Alaska Region) is committed to ensuring access to this open house for all participants. If you need an accommodation (i.e. sign language interpreting, large print materials, etc.), please contact Steve Delehanty (907-226-4627 or [Steve\\_Delehanty@fws.gov](mailto:Steve_Delehanty@fws.gov)) with your request by close of business December 9 (for the Homer open house) or December 31 (for the Kodiak open house), or as soon as practicable.

All comments received, including those from individuals, become part of the public record, and are available to the public upon request in accordance with the Freedom of Information Act, NEPA, and Departmental policies and procedures. Name, address, phone number, e-mail address, or other personal identifying information, if attached to a comment, may be made available to the public upon request. Withholding personal identifying information from public review can be requested but cannot be guaranteed.

To get on the mailing list for the unauthorized cattle issue, please contact the refuge by any of the methods listed above.

For more information and project updates visit: <http://www.fws.gov/alaska/nwr/akmar/grazing.htm>

All of the over 500 National Wildlife Refuges in the U.S. are set aside for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats. Alaska Maritime National Wildlife Refuge has additional purposes, including conserving marine mammals, seabirds and other migratory birds, and the marine resources upon which they rely.

*The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. We are both a leader and trusted partner in fish and wildlife conservation, known for our scientific excellence, stewardship of lands and natural resources, dedicated professionals, and commitment to public service. For more information on our work in Alaska and the people who make it happen, visit <http://www.fws.gov/alaska/>.*

will occur no more than 4 out of 15 years (with no more than 3 consecutive years of basin-wide drying). An adaptive resource management approach will be applied that may modify these wet and dry cycles to ensure progress towards achieving habitat objectives. Wetland basin infrastructure may be modified to enhance water conservation and efficient delivery. The Pumphouse and all water rights will be regularly exercised and maintained. Managing grasslands and other wildlife dependent public uses (wildlife observation and photography, environmental education and interpretation, and upland game bird hunting) on the refuge will occur as resources allow. A detailed description of objectives and actions included in this selected alternative is found in chapter 4 of the final CCP.

Dated: December 3, 2013.

**Matt Hogan,**

*Acting Regional Director, Mountain-Prairie Region, U.S. Fish and Wildlife Service, Mountain-Prairie Region.*

[FR Doc. 2014-01013 Filed 1-17-14; 8:45 am]

BILLING CODE 4310-55-P

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[FWS-R7-R-2013-N276; FF07RAM000 FXRS12610700000 145 MNGR]

**Alaska Maritime National Wildlife Refuge, Alaska; Preparation of Environmental Assessments or Environmental Impact Statements Concerning Cattle Grazing on Wosnesenski and Chirikof Islands**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of intent.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), are in the process of identifying issues, and developing alternatives, to address the unauthorized grazing by cattle on two islands in the Alaska Maritime National Wildlife Refuge, Wosnesenski and Chirikof. This effort is known as "scoping" and is an early step in a process to develop either Environmental Assessments or Environmental Impact Statements in compliance with the National Environmental Policy Act (NEPA).

The purpose of this notice is (1) to advise other Federal and State agencies, Tribes, and the public of our intention to address grazing issues on Wosnesenski and Chirikof Islands and (2) to advise the public on how to provide suggestions and information

regarding livestock grazing on these two islands.

**DATES:** Comments on the issues and possible alternatives to be addressed in the documents must be received no later than February 20, 2014.

**ADDRESSES:** Information about the Refuge and grazing on these two islands is available on the internet at: <http://www.fws.gov/alaska/nwr/akmar/grazing.htm>. Comments, questions, and requests for further information can be sent via electronic mail to [fw7akmaritime@fws.gov](mailto:fw7akmaritime@fws.gov), faxed to (907) 235-7783, or mailed to Refuge Manager, Alaska Maritime National Wildlife Refuge, 95 Sterling Highway #1, Homer, AK 99603.

**FOR FURTHER INFORMATION CONTACT:** Steve Delehanty, Refuge Manager, phone (907) 235-6546.

**SUPPLEMENTARY INFORMATION:**

**Project**

These documents will examine the history of livestock grazing on the islands, the impact of grazing on the environment and natural biodiversity, identify the need for action and authority to act, summarize potential issues, evaluate a reasonable range of alternatives, and describe the affected environment and environmental consequences of alternatives. Cattle ownership and compatibility of grazing with purposes of the refuge will also be addressed.

Both Wosnesenski and Chirikof islands, located in remote Southwest Alaska, are uninhabited and part of the Alaska Maritime National Wildlife Refuge. The Refuge was established in 1980 to conserve marine mammals, seabirds and other migratory birds, and the marine resources upon which they rely. Wosnesenski and Chirikof islands have sustained severe impacts to wildlife habitat, native vegetation, and archaeological sites from grazing by unauthorized cattle left behind when they were left on the islands years ago.

**Refuge Background**

Stretching from the Arctic Ocean to the southeast panhandle, the Alaska Maritime National Wildlife Refuge protects breeding habitat for seabirds, marine mammals, and other wildlife on more than 2,500 islands, spires, rocks, and coastal headlands. Some of these isolated islands host unique species not found elsewhere. In 1980, the Alaska National Interest Lands Conservation Act (ANILCA) created the Alaska Maritime Refuge by combining and adding to 11 existing coastal refuges.

**Public Involvement**

The public's ideas and comments are an important part of the planning process, and we invite public participation. We will meet with the public in communities within and near the Refuge and in Homer and Kodiak. Meetings will be announced locally and posted on our Web site. We encourage the public to provide comments, which will help us determine the issues and formulate alternatives. We will be accepting comments at meetings, via email, U.S. mail, and telephone during this open comment period (see **DATES**), as well as through personal contacts throughout the planning process.

**Public Availability of Comments**

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Authorities**

NEPA (42 U.S.C. 4321 et seq.) and its implementing regulations; Alaska National Interest Lands Conservation Act (ANILCA; 16 U.S.C. 3111-3126); and the National Wildlife Refuge System Administration Act of 1966 (Refuge Administration Act), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Refuge Improvement Act).

Dated: January 13, 2014.

**Geoffrey L. Haskett,**

*Regional Director, U.S. Fish and Wildlife Service, Anchorage, Alaska.*

[FR Doc. 2014-01024 Filed 1-17-14; 8:45 am]

BILLING CODE 4310-55-P

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[LLNVS00560.L58530000 ES0000.241A; N-90846; 14-08807; MO#4500059940; TAS: 14X5232]

**Notice of Realty Action: Classification for Lease and/or Subsequent Conveyance for Recreation and Public Purposes of Public Land for a Park and Ride Facility (N-90846) in Clark County, NV**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of realty action.



# United States Department of the Interior



U.S. FISH AND WILDLIFE SERVICE  
Kodiak National Wildlife Refuge  
1390 Buskin River Road  
Kodiak, Alaska 99615-0323  
(907) 487-2600

## Federal Subsistence Activity Report Kodiak National Wildlife Refuge September 2013 – February 2014

### Subsistence Permit Summary

Federal Subsistence regulations allow for customary and traditional harvest of Roosevelt elk, Sitka black-tailed deer, and brown bear on Kodiak Refuge lands. Rural residents qualify for federal elk and deer hunts, and a small number of brown bear permits are issued to village residents (Table 1). Federal designated deer hunter and subsistence elk permits can be obtained at the Kodiak Refuge headquarters. Permittees are required to carry their Federal subsistence permits, and current state licenses and tags while hunting.

**Table 1.** Federal subsistence permits issued and estimated number of animals harvested based on harvest reports, Unit 8, 2007-2014.

Species	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
Deer*	83(29)	81(74)	56(38)	67(42)	70(52)	20(11)	46(21)
Bear	5(0)	6(1)	6(1)	7(1)	5(2)	2(0)	4(0)**
Elk	6(0)	3(0)	5(0)	8(1)	6(0)	2(0)	5(2)

\*Multiple deer eligible to be harvested per permit

\*\*Incomplete reporting. Spring 2014 bear season pending.

### Brown Bears

#### Population Assessment

The Refuge, in cooperation with Alaska Department of Fish and & Game (ADF&G), attempts to conduct annual Intensive Aerial Surveys to monitor trends in bear population size and composition in important areas across Kodiak Island. In May 2014, we will attempt to survey a region that encompasses Fraser Lake, Red Lake, and Sturgeon River drainages.

The Refuge will conduct aerial surveys of 11 anadromous streams in southwestern Kodiak during July and August 2014 to quantify bear stream use group composition (e.g., single, family group, number of first year and older cubs).

## Research

In cooperation with the USGS and the University of Montana-Flathead Lake Biological Station, a graduate student in Systems Ecology (Will Deacy) and the Refuge will continue a research project initiated in 2012. The goals of the project are to investigate and quantify (1) brown bear responses to variations in salmon abundance and stream morphology; (2) the responsiveness of bears to variability in salmon run timing; (3) variations in salmon run timing and abundance and their influence on Kodiak brown bear movement, foraging strategies, and salmon consumption; and (4) the impact of human presence on brown bear foraging of salmon.

### **Sitka Black-tailed Deer**

Sitka black-tailed deer harvest results on the Kodiak Archipelago, including subsistence and recreational sport hunter efforts, had traditionally been assessed annually by the ADF&G via a hunter questionnaire. Since 2006, the Refuge had cooperated with ADF&G on harvest assessments, and added a question regarding harvest on federal land. In 2011, ADF&G migrated from a paper-based to an online deer harvest reporting system. Since then, the Refuge has been working with ADF&G to insure that harvest data specific to federal lands continues to be available and used for more informed management of deer.

A quantitative estimate of the 2013-14 deer harvest is pending review of ADF&G's harvest reporting system. Preliminary information suggested that hunters reported increased harvest success with decreased effort. This outcome is expected given that 2012-13 overwinter survival rate was probably high because snowpack in lowland winter range was minimal. Kodiak's deer population is likely primarily regulated by winter conditions, as evidenced by numerous historical declines during winters of extensive and prolonged snowpack in lowland winter range.

In May 2013, Refuge biologists expanded upon a new approach to aerially survey deer in non-forested habitats on Kodiak. Using a distance sampling method, we determined that the estimated deer population size within the Aliulik Peninsula experimental survey area was stable to increasing between 2012 and 2013 (115 deer, SE = 15.82) using a statistical correction factor that accounts for deer present in a survey area, but not sighted during the survey. We plan to further refine the survey method this May. The long-term goal is to provide wildlife managers with an index of annual changes in deer abundances, which will allow for improved harvest management.

### **Elk**

Radio-collared elk provide a basis for ADF&G's efforts to track herd locations and estimate herd composition, population size, and harvest quotas. ADF&G's fall 2013 elk survey indicated that the population size was approximately 765 elk, which was higher than the estimated population of 685 elk in 2012. A total of 43 elk were harvested under state regulations during the 2013 season, of which 16 were bulls. The Waterfall herd, which summers in the vicinity of Refuge lands on Afognak Island, was estimated to have increased to 60 elk in 2013, from 40 elk in 2012.



Three elk (two bulls and one cow) were harvested from Waterfall herd. These include two bull elk harvested under federal subsistence regulations.

## Sea Otters

### Population Monitoring

In the Kodiak region, monitoring results provide information on the general health, size, and distribution of a substantial portion of a federally threatened sea otter stock. Results from the last survey indicate that sea otter abundances in the Kodiak Archipelago declined slightly from 13,526 (SE = 2,350) in 1989 to 11,005 (SE = 2,138) in 2004. However, anecdotal evidence suggests that the sea otter population size may have increased and population range may have expanded southward since the 2004 survey. To obtain an updated estimate of sea otter abundance and distributions, the Refuge, in collaboration with FWS's Marine Mammals Management (MMM) office, plans to conduct re-survey the archipelago's population in July 2014. The Refuge and MMM are also collaborating with a FWS biometrician to determine the survey frequency and extent needed to identify notable changes in the sea otter population size and distribution over time. Results from these efforts will be available in fall 2014.

### Diets

Biologists from MMM have been quantifying sea otter diets in the Kodiak and Homer areas by analyzing stable isotopes of prey items and archived sea otter whiskers collected from beach cast, hunter-harvested, and live-captured animals. Kodiak Refuge has assisted this study by collecting samples of otter prey species. Samples are being used to establish reference data for isotope levels found in different food prey species. Although sea otter consume a diversity of marine foods, a few usually compose the bulk of the diet. Monitoring changes in diet can facilitate management by providing a means of explaining change in reproductive fitness, survival, abundance, and distribution.

### Causes of Mortality

Dead sea otters reported by the public, and collected by Kodiak Refuge subsistence staff, are sent to MMM for detailed necropsies to determine their causes of death. No dead sea otters were reported to Refuge staff during this reporting period. A recent publication authored by a MMM biologist in the *Journal of Wildlife Diseases* documents a dead sea otter found by a Kodiak Island local in 2005 that was determined to have died of *Histoplasmosis capsulatum*, a fungal infection of the lungs commonly found in soil associated with decaying bat guano or bird droppings. This was the first documented case of *Histoplasmosis* in Alaska. The authors suggest that bats or migratory colonial nesting seabirds may have served as sources of pathogen transmission.

### Marine Mammal Marking and Tagging Update (MMMTP)

Under the 1972 Marine Mammal Protection Act, qualified Alaskan coastal natives may harvest sea otters and use the pelts for handicrafts. Legally harvested sea otter hides and skulls must be officially tagged by a USFWS-approved representative ("tagger"). Currently, there are 15 taggers distributed in the villages of Kodiak Island. During this reporting period, Refuge headquarters staff tagged 14 sea otters.

## Migratory Birds

### Coastal Waterbird Surveys

In summer 2013, the Refuge continued a survey initiated in 2011 focusing on marine nearshore birds in the intertidal zone and shallow inshore waters. We conducted surveys in June and August, when the majority of resident breeding birds had established nests and populations were relatively stable. August surveys allowed us to estimate productivity of species with distinctive juvenile plumages, including marbled murrelets and pigeon guillemots. Surveys were conducted from small skiffs using the Refuge research boat, the M/V Ursa Major II, as a mobile home base. In summer 2013, Refuge staff surveyed the west side of Kodiak Island from Viekoda Bay southwest to Halibut Bay, completing 85 transects along approximately 1,000 km of shoreline. The most commonly encountered species included: black-legged kittiwakes, glaucous-winged and mew gulls, tufted and horned puffins, marbled murrelets, pigeon guillemots, and harlequin ducks (Table 2). Previously, only marine waters adjacent to Refuge lands were surveyed, which limited our ability to detect increasing, decreasing, or stable populations over the larger region.

**Table 2.** Preliminary population estimates for select marine bird and mammal species surveyed in June and August, 2013 by Kodiak Refuge on the western side of Kodiak Island from Viekoda Bay southwest to Halibut Bay.

Species	June 2013 Population Estimate (95% Confidence Interval)	August 2013 Population Estimate (95% Confidence Interval)
<b>Nearshore Transects</b>		
Harlequin Duck	146 (62-230)	1970 (818-3121)
Barrow's Goldeneye	23 (4-41)	660 (0-1448)
Black Oystercatcher	74 (26-122)	179 (50-309)
<b>Nearshore &amp; Offshore Transects</b>		
Pelagic Cormorant	210 (0-506)	397 (0-849)
Red-faced Cormorant	16 (0-47)	0
Glaucous-winged Gull	2941 (1931-3952)	21,084 (11,211-30,957)
Black-legged Kittiwake	9334 (7200-11,468)	57,553 (37,634-77,471)
Mew Gull	438 (74-803)	23,547 (12,550, 34,543)
Pigeon Guillemot	3281 (2448-4115)	5627 (3662-7591)
Kittlitz's Murrelet	6 (0-18)	134 (4-219)
Marbled Murrelet	5366 (3999-6732)	14,221 (8957-19,486)
Tufted Puffin	825 (505-1145)	4049 (1993-6105)
Horned Puffin	258 (11-505)	2720 (0-6437)
<b>Marine Mammals</b>		
Harbor Seal	551 (330-773)	5537 (1443-9632)
Sea Otter	3845 (2636-5053)	5723 (3875-7571)
Steller Sea Lion	56 (2-114)	0

### Sea Duck Banding and Contaminants Sampling

Refuge biologists have been banding sea ducks on a near annual basis with a focus on harlequin ducks. Approximately 1,400 ducks have been banded since 1996. From recapturing banded birds, the Refuge acquires information on annual survival rates and local movements. Hunter-killed band returns also provide information on harvest patterns and hunter demographics.

Hunters from over 20 states outside Alaska have taken harlequins banded by the Refuge, evidence of the popularity of hunting of this species in the Kodiak area.

In August 2013, Refuge biologists banded 71 harlequin ducks and recaptured two previously banded birds. Banding locations included Chiniak Bay, Terror Bay, and Uganik Passage. In Terror Bay, we captured and banded 22 Barrow's goldeneye. This is only the second location where we have successfully banded a relatively large number of molting goldeneye. At the first location, Blue Fox Bay on Afognak Island, we banded goldeneye in 2006, 2010, and 2012.

In 2012, the Refuge received funding from the FWS's Avian Health and Disease Program to take blood samples from a subset of the ducks banded for contaminants analysis. We are specifically interested in quantifying polychlorinated biphenyl (PCB) and trace metal (lead, selenium, mercury, cadmium, and copper) levels to establish baseline information for both species and to compare ducks banded at remote locations to those close to the town of Kodiak where exposure to contaminants may be higher. With funding from the Wildlife Management Institute the contaminants study continued in summer 2013, and we collected an additional 49 blood samples from harlequin ducks. The 2013 samples are currently being analyzed. When results are available, they will be added to 2012 data, and a final report will be issued.

## **Fisheries**

### Salmon Harvest Forecast

The 2014 sockeye salmon forecast for Kodiak Management Area is preliminary and should be treated as such until the statewide document is released later this spring. Forecasts of harvest success on seven systems directly linked to either the Kodiak or Maritime National Wildlife Refuge and monitored by ADF&G Commercial Fisheries division are projected to be fair. It is anticipated that success rates will be similar in 2014 compared to 2013 for subsistence user groups targeting sockeye salmon.

The Kodiak National Wildlife Refuge anticipates collaborating with ADF&G's Sport Fish Division and Commercial Fish Division on three research projects during the 2014 field season. Research goals include:

1. Quantify the spatial distribution of out-migrating Chinook salmon smolts reared in the Ayakulik River.
2. Estimate sockeye salmon escapement in the Akalura drainage. This study was initiated in response to public concern over low salmon returns to Olga Bay area as presented during the spring Alaska Department of Fish and Game Board meeting. Study results will be shared ADF&G to support management of Olga Bay salmon fisheries.
3. Estimate the steelhead population size on the Ayakulik with mark/resight protocol.

### Salmon Habitat Monitoring

Streams, rivers, and lakes of the Kodiak Archipelago, Alaska, provide essential spawning and rearing habitat for millions of Pacific salmon collectively regarded as a foundation of the regional ecosystem and economy including traditional uses of Kodiak-based residents. Climate model projections for the archipelago forecast increases in annual and seasonal air temperature over the next 85 years. Corresponding increases in the temperature of freshwater also are expected, which may adversely influence the biology of salmon, the quality of salmon habitat,

and the availability of salmon to support the ecosystem and economy including traditional uses of Kodiak-based residents. In light of these potential interactions, the Refuge developed a project geared to facilitate cooperation and networked data-sharing among organizations that monitor water temperature. Joint implementation of the strategies developed by Kodiak and other temperature monitoring networks will improve understanding and prediction of salmon-habitat interactions at a regional scale. In December 2013, the Western Alaska Landscape Conservation Cooperative (LCC) approved the Refuge's proposal to develop the strategic plan, in collaboration with locally-based organizations. The plan will be delivered to the LCC in November 2014. If the LCC approves the plan, then it may provide additional funding to support initial years of plan implementation.

## **Education and Outreach**

### Hunter Outreach

Refuge Information Technician (RIT) Tonya Lee and biologist McCrea Cobb traveled to Old Harbor and Larsen Bay in January to increase awareness of new and existing hunt opportunities on Refuge lands. Staff met with community members to discuss changes in the ADF&G's mountain goat harvest regulations in hunt area 480 (season extension to 20 March and bag limit increase to two goats) and Refuge-based hunt opportunities, including the Federal subsistence designated deer program. We contacted representatives of remaining villages by phone, fax and mail.

### Community Outreach and Education

We have continued efforts to improve government to government relationships with the archipelago's native tribes and to cultivate rural student appreciation and ecological knowledge of highly-valued subsistence resources. Examples include involving local youth in Refuge biological research projects such as water temperature monitoring and invasive plant management, facilitating tribal wildlife grants, and leading and hosting youth educational programs. Refuge staff have participated in local tribal councils, the rural roundtable, high school Envirothon; and partnered with organizations such as the Girls Scouts, Kodiak Area Native Association, and KIBSD Rural Schools.

### Tribal Consultation

The Federal Emergency Management Agency (FEMA) has proposed a Tribal Consultation Policy. If approved, the policy would establish a process to guide FEMA-tribal consultation actions. FEMA is currently seeking feedback from tribes on this proposed consultation. To review the policy, access to the following website link: <http://www.fema.gov/media-library/assets/documents/85143>. The deadline for public comment is March 31, 2014.

### Handicrafts

The Refuge has received numerous questions regarding marine mammal and subsistence handicraft regulations. Factsheets for sea otter, walrus, migratory birds are available at Refuge headquarters and legal terms, including "significantly altered" to name a few.

### R/V Ursa Major II Tour

The Refuge will host an open “boat” tour of the Refuge’s M/V Ursa Major II at Larsen Bay in May. The event will include educational displays about wildlife on the Refuge, descriptions of current biological research and monitoring projects, and activities for children.

### Subsistence Salmon Project

ADF&G’s Division of Subsistence, the Refuge, and local researchers will continue documenting Kodiak subsistence salmon fishing in Old Harbor, Larsen Bay, and the vicinity of Kodiak. Through interviews and observations, this will update technical knowledge of local subsistence salmon harvest levels and processing methods. Project fieldwork will conclude in 2014 and a final report will be delivered in 2015.



# United States Department of the Interior



U.S. Fish and Wildlife Service  
Izembek National Wildlife Refuge  
P.O. Box 127  
Cold Bay, Alaska 99571

Izembek National Wildlife Refuge Report for the  
Kodiak/Aleutians Federal Subsistence Regional Advisory Council  
Spring Meeting – March 2014  
(Compiled in February 2014)



## INVENTORY AND MONITORING STUDIES

### Caribou Unit 9D (Southern Alaska Peninsula)

In late October 2013, Izembek National Wildlife Refuge (NWR) staff conducted an aerial telemetry flight and located large groups of caribou in the Southern Alaska Peninsula (SAP) herd to assist the Alaska Department of Fish and Game (ADFG) in conducting the fall composition survey. An estimated total of 877 caribou were located during the Izembek NWR flights. The ADFG conducted the fall composition survey several days later and observed a total of 1,720 caribou. A total of 600 of those caribou were classified by age (adult or calf) and sex (bull or cow; Table 1). The bull and calf ratios both increased from last year (Figure 1). A winter minimum population count of the SAP caribou herd on Unit 9D has not been conducted as of the time this report was submitted due to inadequate survey conditions.

Table 1.

Year	Winter minimum population count	Fall Bulls : 100 Cows	Fall Calves : 100 Cows	Fall composition sample size
2004-2005	1,872	36	7	966
2005-2006	1,651	30	6	1,040
2006-2007	770	16	1	713
2007-2008	NA	15	1	431
2008-2009	NA	10	39	570
2009-2010	NA	21	43	679
2010-2011	NA	28	47	532
2011-2012	1,061	40	20	920
2012-2013	NA	45	20	500
2013-2014	NA*	50	40	600

"NA" indicates no data was collected.

"NA\*" indicates no data was collected as of the time of submission of this report.

"Year" covers the period October-April. USFWS winter minimum population counts are normally conducted December through April; ADF&G fall composition ratios are calculated from an October survey.

Table 1. Summary of Southern Alaska Peninsula caribou herd minimum population counts and fall composition surveys (2004 to 2014) conducted by U.S. Fish and Wildlife Service and Alaska Department of Fish and Game (ADFG).

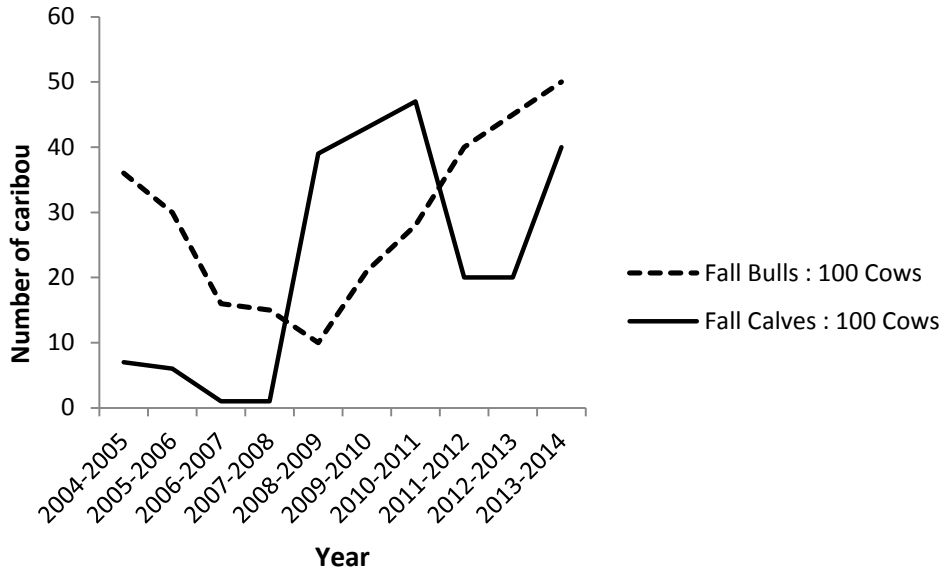


Figure 1. Southern Alaska Peninsula (SAP) caribou herd fall composition surveys conducted by Alaska Department of Fish and Game from 2004 to 2013. Number of fall calves and bulls per 100 cow caribou in the SAP herd located in Unit 9D.

This year, both the State and Federal subsistence hunts were opened for Unit 9D with a total harvest goal of 40 caribou. For the Federal subsistence hunt, 20 permits were allocated to five communities (Cold Bay, King Cove, Sand Point, False Pass, and Nelson Lagoon). The Federal hunt is a split season open from August 10, 2013 to September 20, 2013 and November 15, 2013 to March 31, 2014.

**Unit 10 (Unimak Island)**

In late October 2013, Izembek National Wildlife Refuge (NWR) staff conducted an aerial telemetry flight and located groups of caribou in Unit 10 on Unimak Island to assist the Alaska Department of Fish and Game (ADFG) in conducting the fall composition survey. We observed a total of 192 caribou and at least 24 (13%) were identified as calves. The ADFG conducted a fall composition survey a few days after and found a total of 183 caribou. A total of 67 caribou were classified for the herd composition and resulted in 8% bulls, 78% cows, and 15% calves. The bull and calf to cow ratios both increased from 2012 (Table 2). The bull to cow ratio observed (10 bulls per 100 cows) was slightly higher than the previous five years, but remains below the management objective of 35 bulls per 100 cows. The number of calves per 100 cows (19 calves : 100 cows) increased significantly when compared to the last decade where fewer than 10 calves : 100 cows were observed.



Table 2.

Year	Winter minimum population count	Fall Bulls : 100 Cows	Fall Calves : 100 Cows	Fall composition sample size
2004-2005	1,006	NA	NA	NA
2005-2006	1,009	45	7	730
2006-2007	806	NA	NA	NA
2007-2008	NA	31	6	433
2008-2009	NA	9	6	260
2009-2010	400	5	3	221
2010-2011	224	8	8	284
2011-2012	94	6	7	117
2012-2013	NA	9.5	3	83
2013-2014	NA*	10	19	67

"NA" indicates no data was collected.

"NA\*" indicates no data was collected as of the time of submission of this report.

"Year" covers the period October-April. USFWS winter minimum population counts are normally conducted December through April; ADF&G fall composition ratios are calculated from an October survey.

Table 2. Summary of Unimak Island caribou herd minimum population counts and fall composition surveys (2004 to 2013) conducted by U.S. Fish and Wildlife Service and Alaska Department of Fish and Game.

### **Brown bear**

An index of brown bear population size and productivity is estimated annually in the fall from aerial surveys flown along salmon streams on Izembek Refuge and Unimak Island. The survey was conducted over three days on the 12th, 15th, and 18th of September 2013. A total of 149 brown bears were observed during the survey. We observed 58 bears in the Joshua Green watershed, Frosty Creek watershed, and Thinpoint Lake area (Izembek Refuge; Figure 2). In these areas combined we observed 40 single bears, 6 sows accompanied by cubs, and a total of 12 cubs. On Unimak Island we observed a total of 91 bears: 68 single bears, 7 sows with cubs, and 16 cubs (Figure 3). In both the Izembek study area and Unimak Island the surveys yielded some of the lowest index numbers for total number of bears and the number of litters (sows with cubs). The 2013 survey was conducted approximately two weeks later than previous years and may indicate that the bears had already moved away from the primary fishing areas.

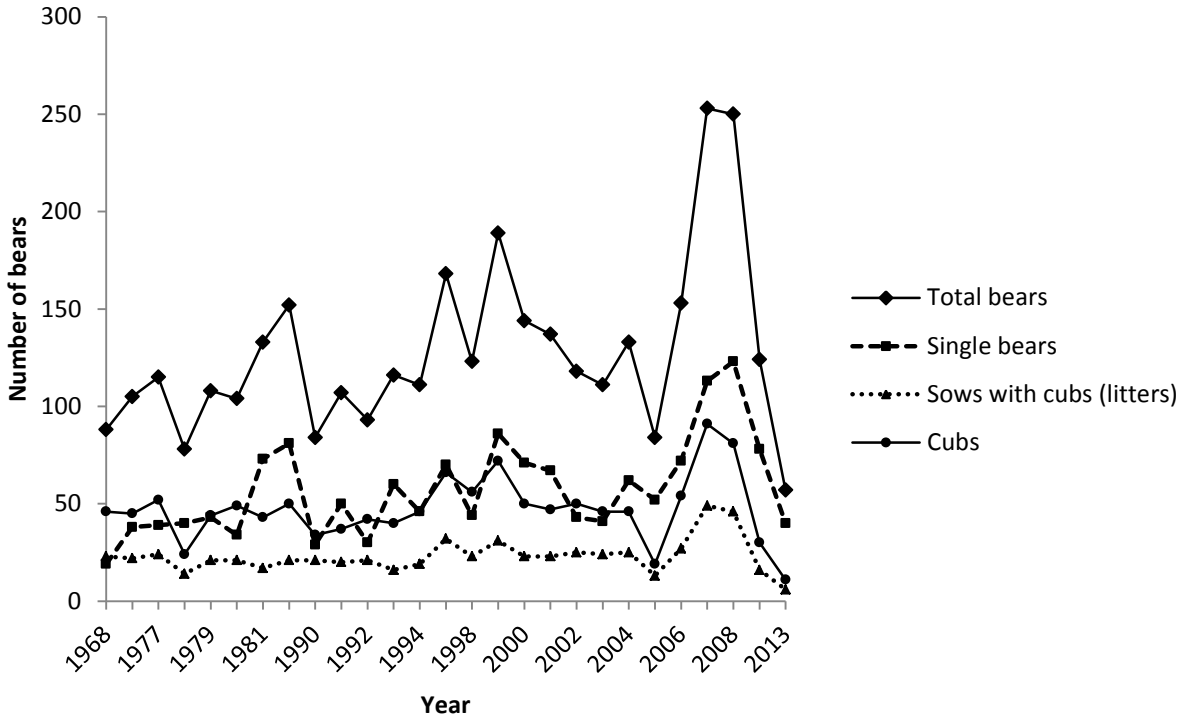


Figure 2. Results of population and productivity index surveys of brown bears conducted on Izembek National Wildlife Refuge from 1968 to 2013. Only years where the entire unit was surveyed are included.

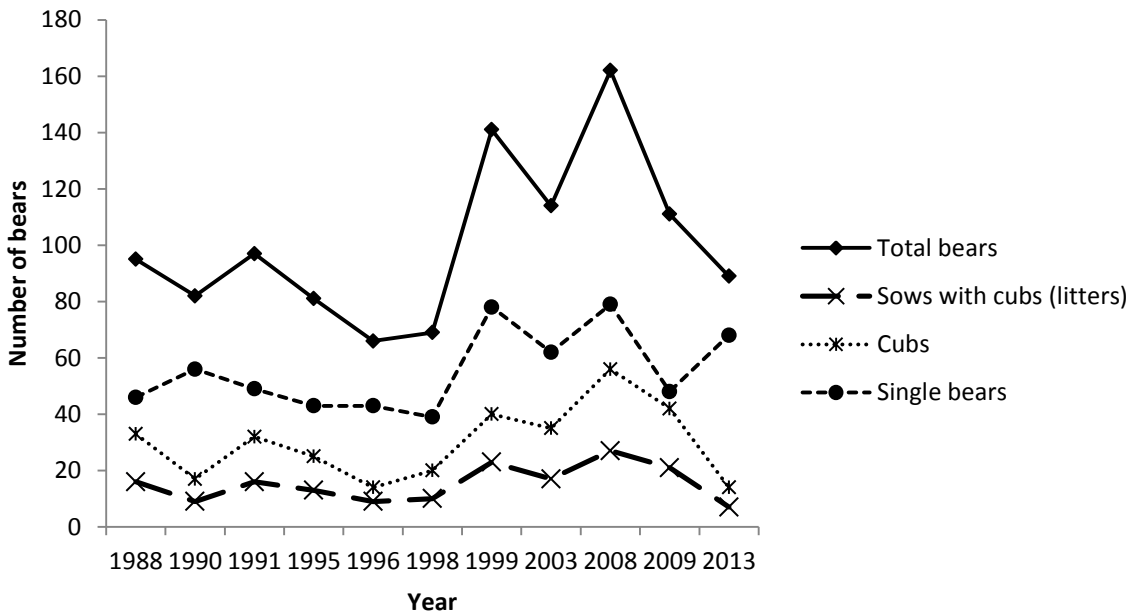


Figure 3. Results of population and productivity index surveys of brown bears conducted on Unimak Island from 1988 to 2013. Only survey years where the entire island (both north and south side) was surveyed are included.

## WATERFOWL

### Pacific brant

The fall aerial Pacific brant survey was conducted in Izembek Lagoon and adjacent estuaries (conducted by Migratory Bird Management Office) as part of the entire Pacific flyway fall survey. Two replicate surveys were conducted in late October 2013 and the average count was 157,781 brant (Figure 4). This estimate is a 2.1% increase from the 2012 estimate of 154,481 brant and 17.8% above the 38-year average fall count of 133,990 brant (1975-2012, Migratory Bird Management R7 files).

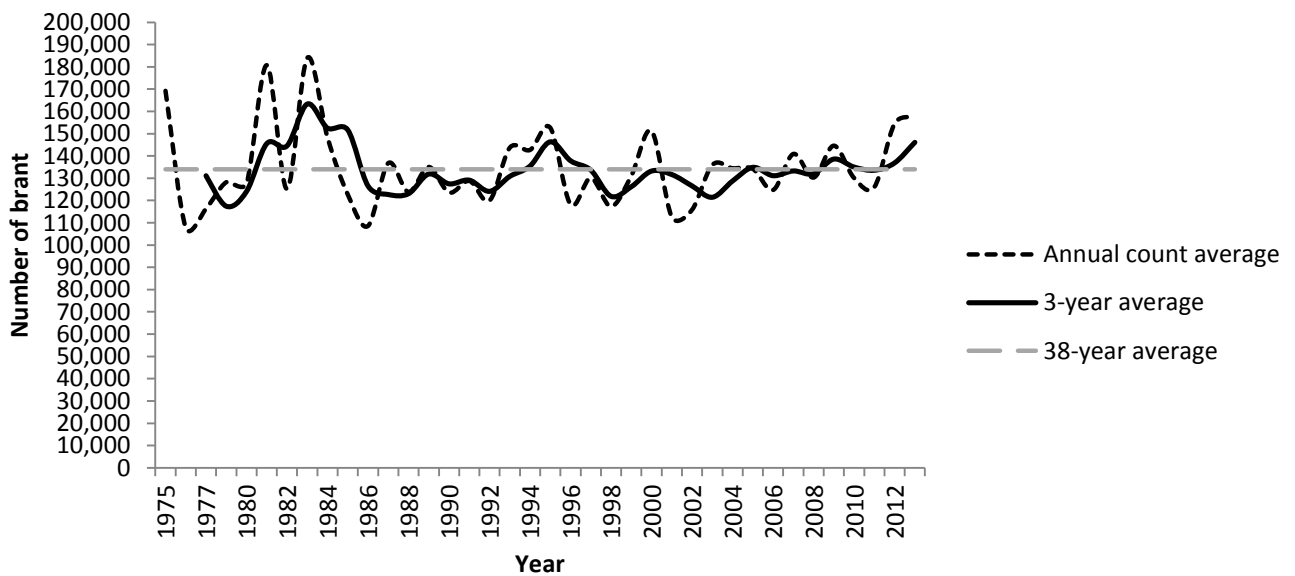


Figure 4. Pacific brant annual and 3-year running average fall population counts based on aerial brant survey data (1975 to 2013) collected in Izembek Lagoon and nearby estuaries located in southwest Alaska.

An index of productivity for the entire Pacific population of brant is generated from ground-based counts conducted in Izembek Lagoon and adjacent areas each fall when the birds are staging for migration. Brant productivity data have been collected at Izembek National Wildlife Refuge for 50 consecutive years. Brant production counts (Figure 5) were conducted between 10 September and 5 November 2013 at observation points throughout Izembek Lagoon including: Grant's Point, Round Island/Outer Marker, Operl Island mud flats, and the areas between Neuman Island and Blaine Point. Counts were also conducted in southwestern areas of Izembek Lagoon inside Norma Bay, from the south shoreline of Norma Bay, and from the shoreline in the south central area of the lagoon between Norma Bay and Applegate Cove.

In 2013, a total of 47,713 brant were classified by age (adult or juvenile). Juveniles comprised 17.9% of the brant population classified. This proportion is higher than the 2012 estimate of 13.8% juveniles. The 50 year long-term average (1963-2013) is 22.2% juvenile brant.

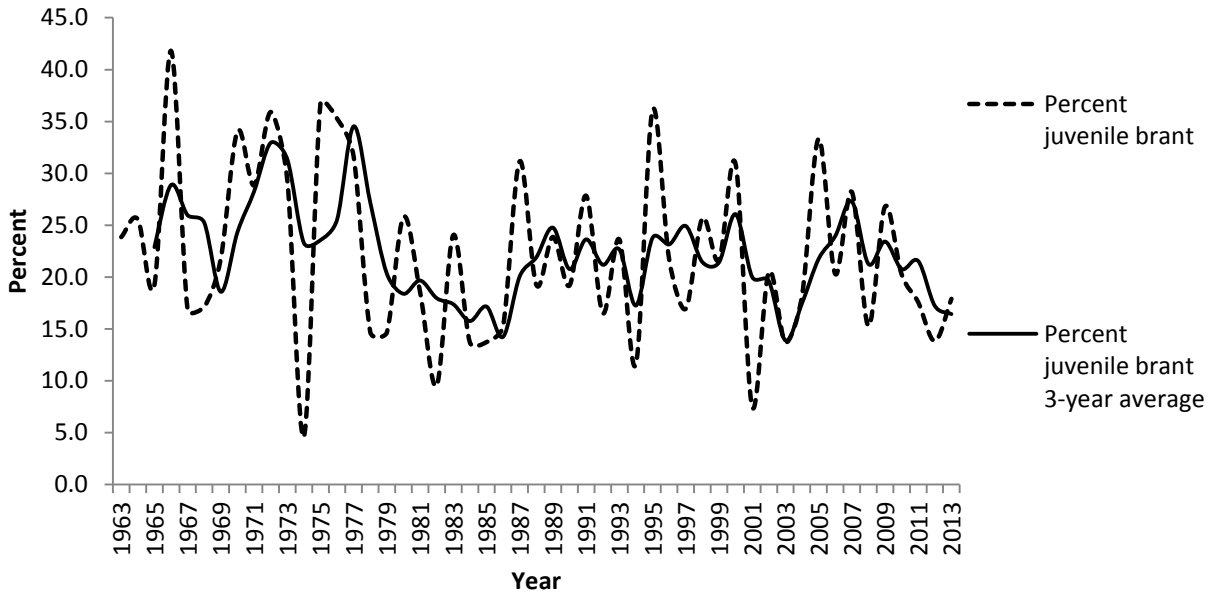


Figure 5. Pacific brant fall productivity index (percent juvenile brant in the population) 1963-2013, Izembek National Wildlife Refuge, southwest Alaska.

### Emperor goose

The 2013 fall population index of emperor geese was conducted by the Migratory Bird Management Office and resulted in 78,100 geese observed. The south side Alaska Peninsula estimate includes primary staging areas and coastlines between those sites. North side Alaska Peninsula estuaries contained 71,034 (91.0%) of the fall population index. The 2013 total emperor goose population index is 33.1% above the 2012 index of 58,683 (Figure 6) and 5.4% above the reported 34-year average of 74,132 for this survey (1979-2012, Migratory Bird Management files; Dau and Wilson 2013). The spring 2014 aerial Emperor goose survey has not been conducted at the time of this report. This is the population number used for regulating management seasons. Currently a 3-year spring average of 80,000 geese is needed to consider opening any hunting season. The current spring 3-year average is 68,772 geese.

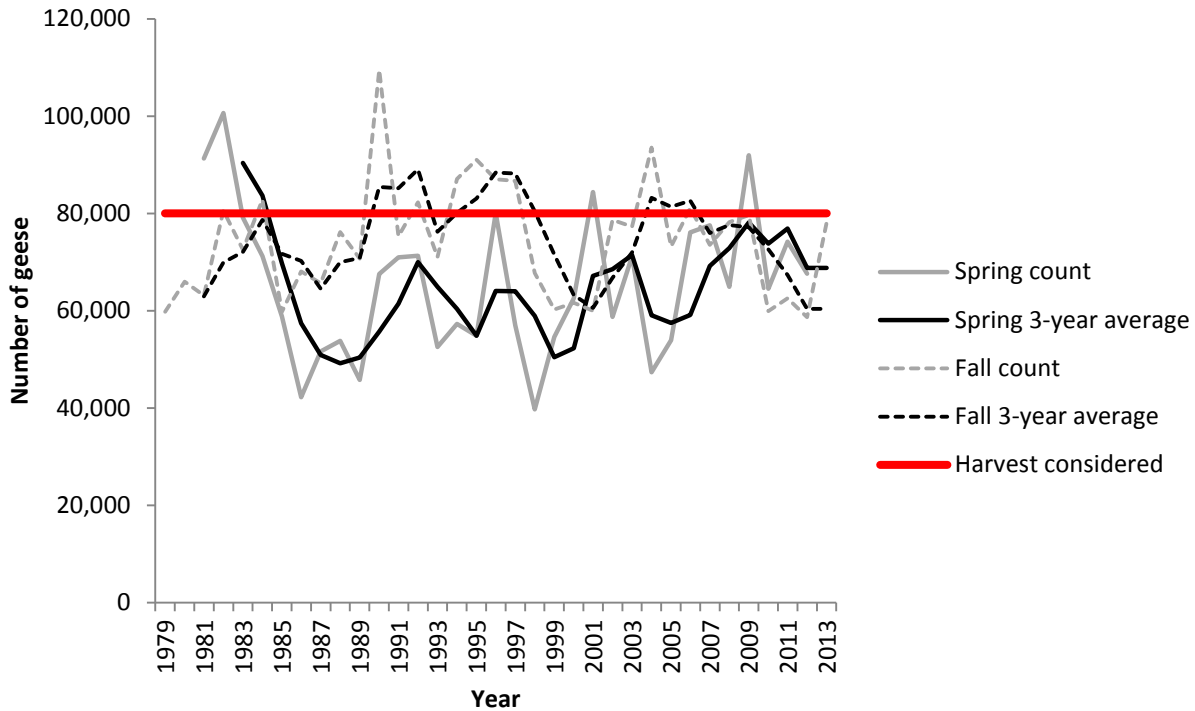


Figure 6. Spring and fall Emperor goose population counts and 3-year running averages from 1979-2013, in southwest Alaska.

### Avian Influenza and Avian Blood Parasites

Due to human health risk and potential for increased waterfowl mortality, sampling for the highly-pathogenic strain of Avian Influenza (AI) known as H5N1 is conducted in Alaska. To date, H5N1 has not been identified in samples collected in Alaska. However, blood parasites have been identified in Northern Pintails throughout North America and have been correlated with increased mortality in waterfowl. None of the samples (n=995) collected in 2011 or 2012 (n=983) tested positive for H5N1. Low pathogenic avian influenza viruses were isolated which will be further analyzed by Alaska USGS scientists to better understand viral dynamics in waterfowl at Izembek NWR. In 2013, a total of 632 samples were collected and are currently being tested. Izembek NWR will continue working in cooperation with the U.S. Geological Survey (USGS) to collect AI and blood parasite samples from hunter-harvested waterfowl in the fall of 2014.

### Eelgrass monitoring

In collaboration with USGS scientists, we are continuing to conduct surveys on the eelgrass located in Izembek Lagoon. The Izembek Lagoon has one of the largest eelgrass beds in the world and is a critical resource for many species. Monthly surveys are conducted from April through October at Grant's Point in Izembek Lagoon to provide information on seasonal changes in eelgrass productivity and abundance, and information on trends relative to environmental factors such as sea level rise, water temperature, light levels, salinity, and turbidity. In addition, this information will be utilized to examine regional trends and develop a monitoring plan for eelgrass in four refuges within southwest Alaska.

### **Steller's sea lion population monitoring**

During summer 2013 we initiated a population monitoring effort for the Steller's sea lions that utilize haulout areas on Unimak Island. The Steller's sea lion populations in Alaska are listed under a threatened status. We constructed and deployed 4 remote digital cameras to monitor some of the areas where sea lions have historically hauled out on exposed rocks and beaches. One photo will be taken every hour during the day on each camera. The photos will be retrieved in summer 2014. We will use the photos to document important haul out areas, conduct minimum population counts annually, and determine timing of the haul out sites on Unimak Island.

## **RESEARCH**

### **Habitat and nutritional ecology of Unimak Island Caribou:**

#### **Does habitat play a role in caribou population dynamics and health?**

In an effort to understand a recent decline of the caribou population located on Unimak Island, a habitat suitability study was initiated by Izembek NWR, ADF&G, University of Alaska Anchorage (UAA), and University of Alaska Fairbanks (UAF) in 2011. Satellite-vhf collars were deployed on seven female caribou on Unimak Island in April 2011. Caribou are monitored weekly to determine seasonal habitat use, distribution, and annual survival rates. The plant communities (specifically caribou forage species) and caribou movements are being mapped simultaneously using GIS and remote sensing techniques to determine habitat quality and quantity for caribou on Unimak Island. Additionally, a nutritional analysis of caribou forage was conducted. These factors will be modeled to determine the overall carrying capacity of Unimak Island for use in future caribou management strategies. Initial aerial photography and plant/forage sample collection took place from June to September 2011 and was continued during 2012. Laboratory and spatial analyses are expected to be completed by fall of 2014.

### **Inventory and monitoring plan for Izembek NWR**

Izembek NWR and Pennsylvania State University are collaborating to develop a long-term biodiversity monitoring plan for Izembek Refuge. This study focuses on assessing potential impacts to species as an outcome of environmental changes resulting from climate change. We examined relationships between pond size and temporal components of bird community dynamics, including phenology of bird occupancy, species diversity, and species abundance, in an attempt to foresee climate change impacts on pond size.

This project also focused on the development of an inventory and monitoring framework with the goal of informing long-term research and monitoring on the refuge. The results will assist the Refuge to objectively prioritize its future inventory and monitoring efforts by focusing collection of long and continuous data sets on the physical and biological resources of the refuge in terms of the functionality of the ecosystem services.

### **Characteristics of lakes and streams in Izembek National Wildlife Refuge**

This research project, conducted by Izembek NWR and the University of Notre Dame, improved

our understanding of how salmon and migratory waterfowl alter freshwater ecosystems in Izembek Refuge. Specifically, this research has improved our understanding of the ecological importance of salmon-derived nutrients on productivity in freshwater ecosystems. These preliminary results suggest that nutrient subsidies from salmon and waterfowl increase primary productivity in lakes at Izembek NWR. These data will serve as a baseline for future research conducted in the freshwater ecosystems on the refuge.

## **EDUCATION AND OUTREACH ACTIVITIES**

### **Cold Bay School Field Trip**

In late September 2013, the Cold Bay School visited Izembek Refuge for a presentation on the biological studies that take place on the refuge and to learn about the career of a wildlife biologist. After the presentation, students assisted Stacey Lowe, Izembek National Wildlife Refuge Wildlife Biologist, with a field study designed to determine the amount of waterfowl utilizing a small lake where a water quality study was being conducted. Students assisted with programming and deploying a remote camera used to capture photos of the lake every 15 minutes to record the number and types of birds visiting the lake during the fall migration.



Figure 7. Photo of Cold Bay School students on a field trip at Izembek National Wildlife Refuge assisting with a field study to monitor the waterfowl usage on a small lake.

### **False Pass School Field Trip**

In January 2014, Izembek Refuge Pilot Ken Richardson and Wildlife Biologist Stacey Lowe visited the False Pass School and presented a program on the biological studies that take place on the refuge and to teach the students about the career of a wildlife biologist. After the presentation, students assisted with deploying a remote camera near the end of the runway to try to determine what animals use the area and how frequently they visit this location. The camera will take pictures until May and the students will get to analyze the photos during their visit to Cold Bay for a Science Camp.



Figure 8. Photos of False Pass School students and teacher with Izembek Refuge Wildlife Biologist Stacey Lowe near the end of the False Pass runway where a remote camera was deployed to determine what species visit the area.

### **Refuge open house**

An open house event is scheduled for March 7, 2014 at the Izembek Refuge office. The refuge office and hangar will be open for tours from 11-3pm. All refuge staff will be available to answer questions about refuge events and operations. Food and refreshments will be provided and at 3pm the winner of the waterfowl making decoy contest will be announced. Everyone is welcome to attend this event.

### **Christmas Bird Count**

On 2 January 2014, the Izembek staff was accompanied by 7 local volunteers who ventured out on the refuge and in areas near Cold Bay to observe and document the number and species of birds they encountered throughout the day along designated routes. The Christmas Bird Count is managed by the Audubon Society and this year marked the 114<sup>th</sup> annual nationwide Christmas Bird Count. Communities across North America collect and compile data from their area and submit it to a centralized database that is analyzed for long term population trends and species distributions. Izembek Refuge staff and Cold Bay residents have contributed data for 26 consecutive years. Although conditions were windy, participants observed 33 species of birds and an estimated total of 2,005 birds.

### **Construction of new kiosks**

In the summer of 2014, three new kiosks will be constructed and on display throughout the refuge. Each kiosk will feature an educational display about the history and origins of Izembek and information about the species found on the refuge. The locations of the new kiosks will include the entrance of the refuge nearest to the airport, at the end of Outermarker Road overlooking Izembek Lagoon, and on Frosty Creek Road near First Bridge.

## **SEALINGS**

### **Brown Bear**

During fall 2013, two brown bears were sealed at Izembek NWR.



**Gray Wolf**

Only one female gray wolf was sealed at Izembek NWR in the fall of 2013 and winter of 2014. The gray female was harvested on Unimak Island.

**River Otter**

No river otters have been sealed at Izembek NWR in the fall/winter of 2013-2014.

**Sea Otter**

One sea otter was sealed at Izembek NWR in the fall of 2013.

**Walrus**

In the fall of 2013, eleven tusks were sealed at Izembek NWR.

**REFERENCES**

C.P. Dau and H.M. Wilson. 2013. Aerial survey of Emperor geese and other waterbirds in southwestern Alaska, Fall 2013. Annual report. Migratory Bird Management Office, Anchorage, Alaska.

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**Alaska Department of Fish and Game Report to the Kodiak-  
Aleutian Islands Region Subsistence Advisory Council: Update  
through December 31, 2013 on the Buskin River Sockeye Salmon  
Fishery and Stock Assessment Project**

**By  
Tyler Polum**

**February 2014**

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**Alaska Department of Fish and Game**

**Division of Sport Fish**



## PROGRESS REPORT

### INTRODUCTION

The Buskin River drainage, located on Kodiak Island approximately 2 miles southwest from the city of Kodiak, traditionally supports the single largest subsistence salmon fishery within the Kodiak/Aleutian Islands Region. The fishery occurs in nearshore marine waters adjacent to the river mouth and targets several species of salmon, although sockeye salmon typically comprise about 75% of the total subsistence harvest (Table 2). Between 2008 and 2012 federally qualified subsistence users annually harvested an average of 2,661 Buskin River sockeye salmon, which accounted for 25% of the total sockeye salmon harvest reported for the Kodiak/Aleutians federal subsistence region (Table 1). In addition, about half of all Kodiak area subsistence users reporting activity during this period harvested salmon from the Buskin River fishery (Table 3). During 2008 and 2009, low sockeye escapement on the Buskin and closure of the subsistence fishery prompted subsistence users to fish elsewhere. However, participation and harvests increased significantly in recent years with rebounding sockeye returns to the Buskin Drainage. Historically, 40-50% of the sockeye harvest in the Kodiak/Aleutians region has come from the Buskin fishery and half of all permit holders in the region report fishing Buskin.

**Table 1.- Kodiak Area reported federal subsistence harvest of sockeye salmon by location, 2008-2012<sup>a</sup>.**

Location	2008	2009	2010	2011	2012	2008-2012 avg.
Buskin River	2,664	1,883	1,476	4,674	2,606	2,661
Old Harbor/Sitkalidak	546	591	501	391	455	497
Alitak Bay	827	669	767	643	987	779
Karluk Village	768	223	127	276	150	309
Larsen Bay/Uyak Bay	812	894	705	737	616	753
Uganik Bay	966	1,568	1,077	1,123	1,051	1,157
Afognak Bay	594	2,085	2,146	1,978	1,711	1,703
Remainder Afognak Island	1,375	1,969	1,502	2,186	2,906	1,988
Total	8,552	9,882	8,301	12,008	10,482	9,845

<sup>a</sup> Source: ADF&G Division of Commercial Fisheries, Kodiak.

**Table 2.- Buskin River drainage reported subsistence salmon harvest by species, 2008-2012<sup>a</sup>.**

Year	Permits	Reported Subsistence Harvest									
		Chinook		Sockeye		Coho		Pink		Chum	
		No. Fish	% of Total	No. Fish	% of Total	No. Fish	% of Total	No. Fish	% of Total	No. Fish	% of Total
2008	246	33	1%	2,664	67%	1,165	29%	75	2%	13	0%
2009	179	0	0%	1,883	66%	874	31%	77	3%	9	0%
2010	164	16	1%	1,476	63%	679	29%	146	6%	38	2%
2011	255	11	<1%	4,674	92%	287	6%	67	1%	15	0%
2012	280	1	<1%	2,606	69%	978	26%	154	4%	12	<1%
5 Year Avg.	225	12	<1%	2,661	72%	797	24%	104	3%	17	1%
10-yr ave	323	35	1%	6,034	77%	1,192	19%	152	3%	21	0%

<sup>a</sup> Source: ADF&G Division of Commercial Fisheries, Kodiak.

**Table 3.- Federal subsistence harvest locations in the Kodiak Area by number of permits fished, 2008-2012<sup>a</sup>.**

Location	2008-2012						avg.
	2008	2009	2010	2011	2012		
Buskin River	246	180	164	255	224		214
Old Harbor/Sitkalidak	25	28	25	21	29		26
Alitak Bay	28	23	29	31	34		29
Karluk Village	8	5	6	6	4		6
Larsen Bay/Uyak Bay	27	31	31	31	26		29
Uganik Bay	48	56	45	40	40		46
Afognak Bay	40	95	90	81	70		75
Remainder Afognak Island	48	73	52	49	61		57
Number issued	470	491	442	514	488		481

<sup>a</sup> Source: ADF&G Division of Commercial Fisheries, Kodiak.

In 2000, in order to ensure sustained sockeye salmon production over a long time period, a stock assessment study was initiated by Alaska Department Fish and Game (ADF&G) on the Buskin River. It was funded by the Office of Subsistence Management with the goal to establish a Biological Escapement Goal (BEG) for the sockeye salmon run on the Buskin. The BEG is based on a population model which incorporates brood-year tables constructed from annual escapement and harvest figures with the age composition of annual returns. Samples of male to female ratios, average length and age classes are collected each year over the course of the run from both escapement and the subsistence harvest. Because development of the brood table requires age composition data collected over at least 3 generations, annual data collection for completion of the study is necessary over a 12-15 year period. The current escapement goal range is set at 5,000 - 8,000 sockeye salmon and is used for management of the subsistence, sport and commercial fisheries to ensure a sustained yield from the population. An annual sockeye salmon escapement objective for Catherine and Louise lakes (reported as Lake Louise) has not yet been established.

Sockeye salmon escapements are annually accounted for through in-season counts of adult fish migrating into the drainage. A salmon counting weir located on Buskin River for this purpose has been operated by ADF&G since 1985. In 2002, a second weir was installed on a major tributary stream flowing into the Buskin River from Catherine and Louise lakes.

## **2013 PROJECT RESULTS**

### *Escapement*

For 2013 the final Buskin River weir count of 16,189 sockeye is more than the recent 5-year average of 8,801 (Figure 1). The Buskin River weir, located at the outflow of Buskin Lake, was operational on May 20th and was removed on September 30th. Timing of the 2013 run was similar to historic run timing with 25% of the run counted by June 10<sup>th</sup>, 50% by June 17<sup>th</sup>, and 75% by June 24<sup>th</sup> (Figure 2). Typically, the Buskin River sockeye run is virtually over by the end of July and 2013 is no exception.

The Lake Louise tributary weir was located approximately one-eighth mile upstream of the Buskin River confluence, below the Chiniak Highway. The weir was installed on 29 May and removed on August 30th. The final Lake Louise weir count was 903 sockeye salmon, which is well above the recent ten year average of 581 (Figure 1).

Timing of the 2013 Lake Louise run is similar to other years in that the majority of the escapement coincided with high water events. Nearly all of the fish were counted during four separate periods of rainfall and high-water. This year, timing was earlier than the previous three years with most of the escapement counted in August rather than September. This was most likely due to more rain falling in August this year than in previous years, as in recent years it is common to count sockeye in this system into late September. Sockeye movement into the Lake Louise tributary continues to be directly related to rain fall and the level of water in the stream (Figure 3).

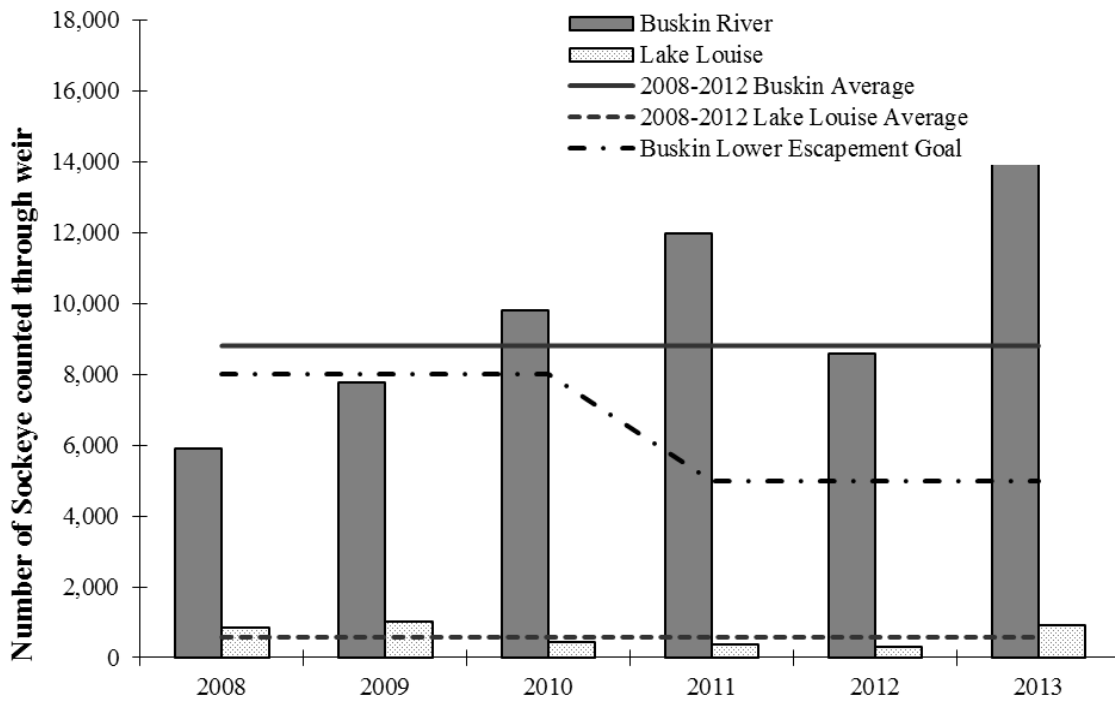


Figure 1.- Buskin River and Lake Louise sockeye salmon escapement, 2008-2013.

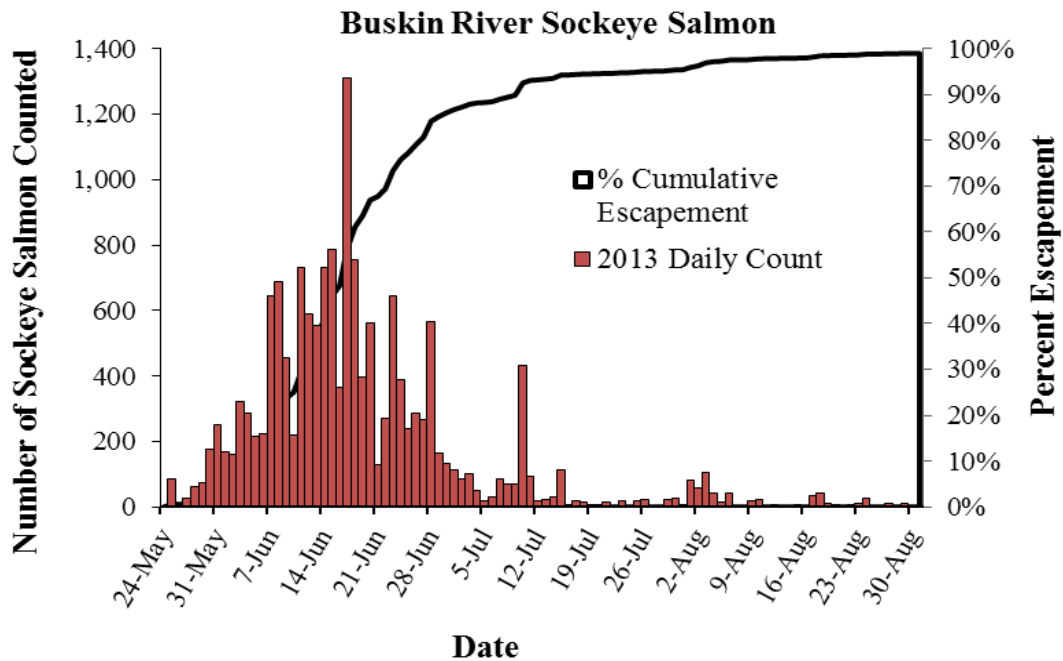
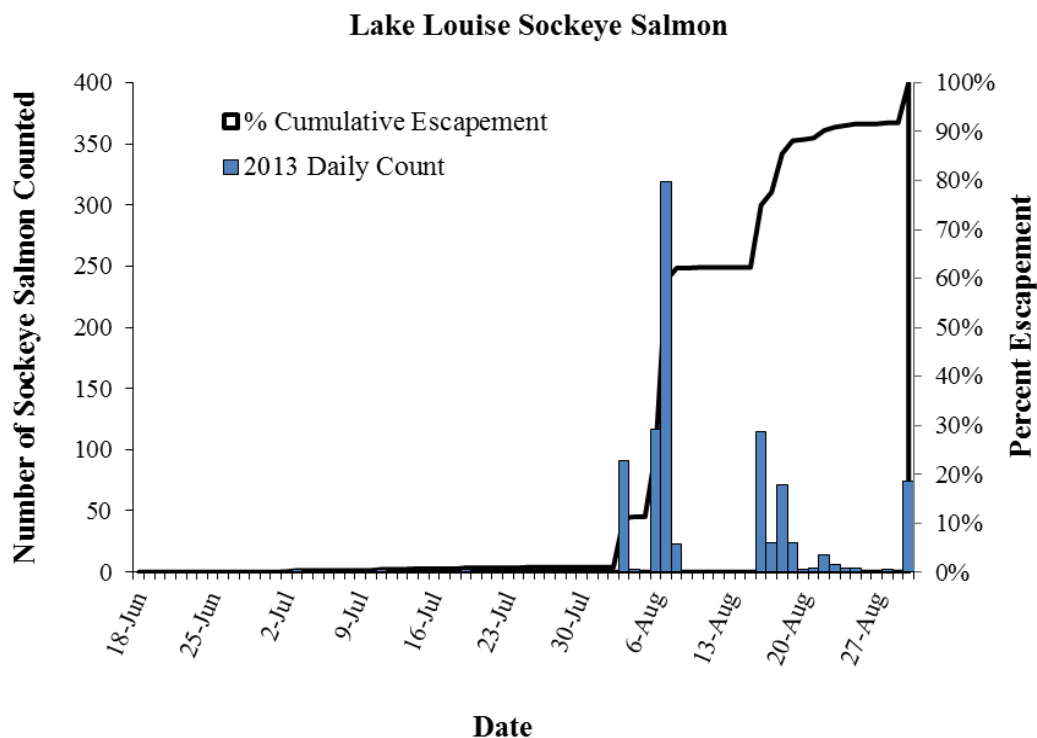


Figure 2.- 2013 daily sockeye salmon weir counts into Buskin Lake.



**Figure 3.- 2013 daily sockeye salmon weir counts into Lake Louise.**

An emergency order was issued in 2013 liberalizing the Buskin River subsistence fishery. On June 18<sup>th</sup>, the closed waters markers for the subsistence fishery on the Buskin River were reduced to the stream mouth when weir counts exceeded the upper escapement goal of 8,000 sockeye. An emergency order was also issued liberalizing the harvest of Buskin River sockeye salmon in the sport fishery when sockeye escapement on the Buskin projected to exceed 8,000 fish. On June 12<sup>th</sup>, the bag limit for Buskin River sockeye was increased to 5 per day for the remainder of the season.

#### *Stock Assessment*

In 2013, at the Buskin Lake weir, 390 sockeye salmon captured from the escapement were sampled for age, sex and length between 1 June and 31 July. Between 28 May and 26 June, a total of 302 sockeye salmon were sampled from the subsistence harvest. At Lake Louise weir, 62 sockeye salmon were sampled between 2 July and 17 August.

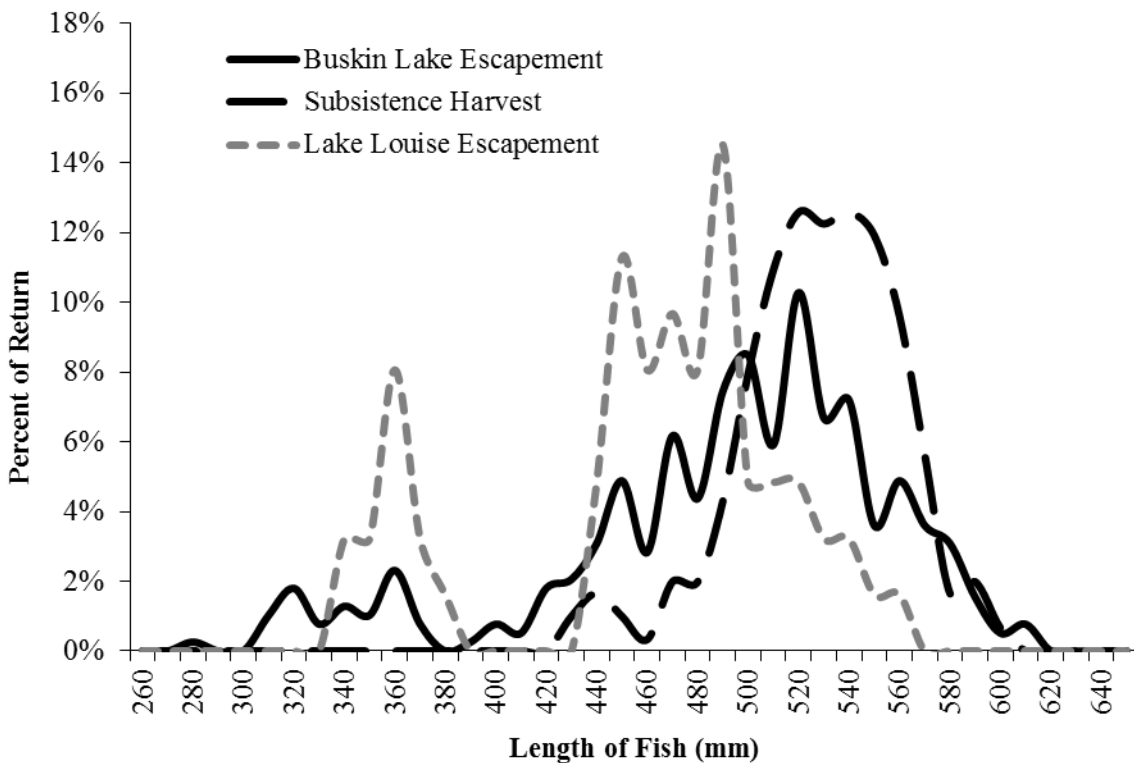
Age composition of sockeye sampled from the Buskin River escapement in 2013 was mostly age 2.3 fish at 34% of the sample, while age 2.2 fish were the next most frequent at 25%. Age 1.3 fish made up about 12% and age 1.2 about 19%. At Lake Louise the most frequent age class was age 1.2 fish at 58% with age 1.3 making up 8% and age 2.1 at 15%. From the subsistence harvest, the most frequent age classes were age 2.3 at 56%, age 2.2 at about 10% and age 1.3 at about 25%.

Typically sex and age samples from the escapement and subsistence harvest indicate that during most years the Buskin Lake run component is primarily comprised of age 1.3 and 2.3 fish. Sample age and length data collected from the Lake Louise escapement typically are different than those from Buskin Lake, containing a substantially larger proportion of age 1.2 fish. Age

and length of the sockeye salmon subsistence harvest typically differs markedly from that of escapements, consisting almost exclusively of larger 1.3 and 2.3 fish (most likely a result of size selectivity by gillnets used in the fishery).

Mean length of females in the Buskin Lake escapement was 501 mm (SE = 2.6), while mean length of males was 490 mm (SE = 6.1) (Figure 4). Mean length of females sampled in the subsistence harvest was 521 mm (SE = 2.1), and 543 mm (SE = 2.7) for males. Mean length of Lake Louise females was 481 mm (SE = 5.4) and mean length of males was 451 mm (SE = 11.8).

As a result of predominantly younger age classes in the population, the Lake Louise run is typically comprised of fish smaller in size than those returning to Buskin Lake. Average length of sockeye salmon taken in the subsistence harvest typically differs markedly from that of escapements, resulting from a predominance of larger fish selected by gillnets used in the fishery.

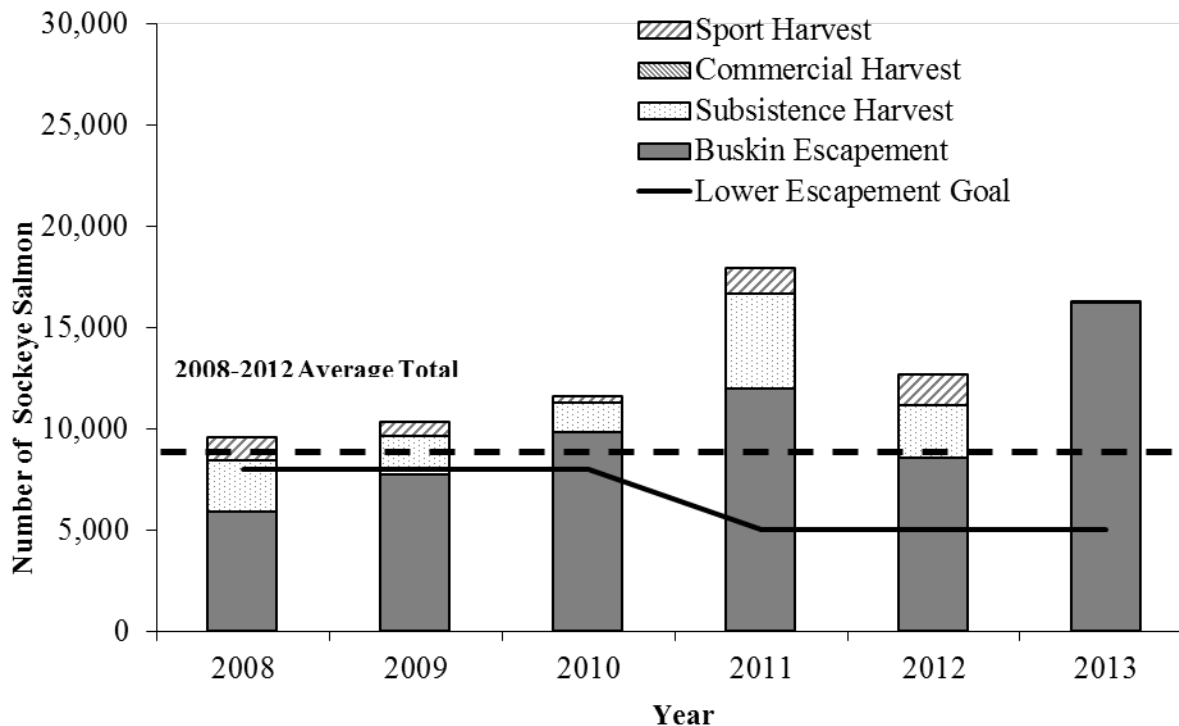


**Figure 4.- Length frequency distribution of sockeye salmon from the Buskin Lake and Lake Louise escapements and the Buskin River drainage subsistence harvest, 2013.**

Reconstruction of the Buskin Lake portion of the sockeye salmon run by its various harvest components indicate that historically the total return has remained relatively stable at around 19,000 fish, however between 2000 and 2004, the estimated total increased substantially to an average of 33,500. The recent five-year average is below the historical average at about 12,400 fish (Figure 5). During the last five years subsistence harvests have averaged 21% of the total run and, by number of fish harvested, constituted the most important user group dependent on



the Buskin River sockeye salmon resource. Subsistence and sport fish harvests for 2013 are unavailable at this time, so the 2013 total return should be considered a minimum estimate.



**Figure 5.- Composition of total sockeye salmon return to the Buskin River, 2008-2013.**

#### GENETIC TESTING

In 2008, ADF&G’s genetics laboratory conducted analyses of Buskin and Lake Louise sockeye salmon escapement samples collected in 2005. Genetic differences in the populations were distinct enough to conclude that the two runs could be identified through genetic testing alone. Between May 28<sup>th</sup> and June 26<sup>th</sup>, 2013, a total of 390 sockeye salmon were sampled from Buskin subsistence harvest in order to genetically apportion Buskin and Lake Louise harvest components for more precise run reconstruction. Analysis of the 2010-2013 subsistence samples is scheduled for the winter of 2013, at the end of the current four year funding cycle.

#### SUBSISTENCE USER INTERVIEWS

In response to a priority information need recently identified by the Kodiak/Aleutians Region Subsistence Advisory Council (RAC), verbal interviews taken on the fishing grounds with Buskin River subsistence users have been conducted annually since 2007 to determine residency of subsistence users and patterns of historic fishing effort. Interviews were conducted in 2013, where technicians opportunistically contacted subsistence users on the fishing grounds in front of the Buskin River, and at the harbors in the City of Kodiak, while sampling the harvest for age, sex and length. The 2013 survey sample was collected over the duration of the subsistence fishery, providing residency and effort data not currently available from subsistence permit returns. A total of 32 subsistence users were interviewed beginning May 28<sup>th</sup> (Table 3).

**Table 4.- Results from verbal interviews conducted with Buskin River subsistence users between May 28<sup>th</sup> and June 26<sup>th</sup>, 2013.**

<b>User Statistics:</b>			
<b>Total Users Interviewed:</b>	32		
<b>Interview dates:</b>	May 28 - June 26		
<b>User Demographics</b>			
	<b>Kodiak</b>	<b>Alaskan</b>	<b>Unknown</b>
<b>Residency</b>	32	0	0
	<b>Buskin</b>	<b>Pasagshak</b>	<b>Other</b>
<b>Location of Traditional</b>	28	2	4
	<b>Yes</b>		<b>No</b>
<b>Have Occasionally Fished Other Areas Besides Traditional Location(s)*</b>	17		14

\*Other areas occasionally fished: Pasagshak (5), Litnik (6), Port Lions (5)

**CAPACITY BUILDING**

Since 2001 ADF&G and the Kodiak National Wildlife Refuge have maintained a cooperative agreement to use the Buskin River weir as a platform for the Kodiak Summer Salmon Camp Program, which provides school-aged children a medium for activities and science-based learning. However, in 2013, Salmon Camp participants did not come to the Buskin Lake weir due to budget constraints within the US Fish and Wildlife program.

Since 2003, the Buskin River project has also been a vehicle for fisheries-based education and development of career interest for young subsistence users through establishment of a high school intern program. During this internship, students gain knowledge of the principles involved in fisheries management and research while obtaining field experience in fisheries data collection methods and techniques. The intern program annually employs two top qualified students who work on the Buskin project under supervision of ADF&G staff between June 1 and July 31. The high school intern program has been an outstanding success, to the extent that six former interns are currently employed with ADF&G as seasonal Fish and Wildlife Technicians or Fisheries Biologists, and 15 of 20 former interns have returned to work for the Department at some point.

**CONCLUSION**

With exception of the 2008 and 2009 returns, Buskin River sockeye abundance has remained relatively stable and has allowed for continued, sustained harvest by subsistence users and anglers alike. In 2013, the escapement far exceeded the upper end of the Biological Escapement Goal even though opportunity for harvest by subsistence and sport users alike was increased substantially.

Annual implementation of the Buskin River sockeye salmon weir project, made possible with funding from the Federal Subsistence Management Program, has been essential for in-season management that is necessary to sustain the health of the Buskin River sockeye salmon stock while providing maximum harvest opportunity for subsistence users. A proposal was submitted to OSM renew funding for the project for an additional four years and was approved by the Technical Review Committee and the Federal Subsistence Board. Continuation of this project will allow for additional analysis of run productivity to aid in the ongoing assessment of sockeye salmon returns to the Buskin River. It will also aid in refining the BEG during triennial Board of Fisheries meetings, as in the 2011 meeting. Refinement of the escapement goal for Buskin Sockeye was a direct result of this project.

**Kodiak/Aleutians Subsistence Regional Advisory Council**

c/o U.S. Fish and Wildlife Service  
Office of Subsistence Management  
1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503-6199  
Phone: 907-786-3888, Fax: 907-786-3898  
Toll Free: 1-800-478-1456

**NOV 06 2013**

RAC KA13044.CJ

Karl Johnstone, Chairman  
Alaska Board of Fisheries  
PO Box 115526  
Juneau, Alaska 99811

Dear Mr. Johnstone:

The Kodiak/Aleutians Subsistence Alaska Regional Advisory Council appreciates the opportunity to submit this letter of concern to the Alaska Board of Fisheries (BOF). At our March 26-27, 2013 meeting held in Kodiak, we received a report from one of our members regarding commercial trawling in Unalaska Bay and concern for availability of subsistence salmon. We also learned that in early March the BOF took action of Proposal 162 to delay the trawl start date in Unalaska Bay from August 1 to September 1.

We are encouraged that the BOF carefully considered the impacts of indiscriminate nearshore trawling as that activity negatively impacts availability and abundance of salmon that return to streams flowing into Unalaska Bay. The trawling affects subsistence salmon fisheries that are most accessible to the community of Unalaska and the delayed trawl start date is a good compromise decision.

The Kodiak/Aleutians Subsistence Regional Advisory Council appreciates the BOF's

support and urges you to please continue to consider these concerns while making future regulatory decisions.

Sincerely,

A handwritten signature in black ink, reading "Speridon M. Simeonoff". The signature is written in a cursive style with a large initial 'S' and a distinct 'M'.

Speridon Simeonoff  
Chairman

cc: Cora Campbell, Commissioner, Department of Fish & Game  
Kodiak/Aleutians Subsistence Regional Advisory Council  
Eugene R. Peltola, Jr., Assistant Regional Director, (OSM)  
Kathleen O'Reilly-Doyle, Deputy Assistant Regional Director, OSM  
David Jenkins, Acting Fisheries Division Chief, OSM  
Thomas Evans, Acting Policy Coordinator, OSM  
Jack Lorrigan, Native Liaison, OSM  
Carl Johnson, Council Coordination Division Chief, OSM  
Interagency Staff Committee  
Jennifer Yuhas, Assistant Director, ADF&G  
Kelly Hepler, Assistant Commissioner, ADF&G  
Administrative Record

**Kodiak/Aleutians Subsistence Regional Advisory Council**

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Toll Free: 1-800-478-1456

**NOV 06 2013**

RAC KA13045.CJ

Ms. Cora Campbell, Commissioner  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, Alaska 99811

Dear Ms. Campbell:

The Kodiak/Aleutians Subsistence Regional Advisory Council (Council) appreciates the opportunity to submit this letter of support to the Alaska Department of Fish and Game (ADF&G). At our March 26-27, 2013 meeting held in Kodiak, we received reports from the Department, Sun'aq Tribe and one of our members regarding the Buskin River and items of concern for subsistence salmon.

We encourage the continued support for the Buskin River Sockeye salmon monitoring and smolt research. This is the most extensively used red salmon system in the Western Gulf of Alaska. It is easily accessible to the community of Kodiak, and the villages of Chiniak and Ouzinkie. Fish harvested here are exchanged among rural residents on the Island and to relatives throughout the State.

During Federal Aviation Administration (FAA) hearings, held for the development of the airport runway extensions scheduled for Kodiak in 2015, it was acknowledged that there was a "significant" probability of negative impacts on salmon in this stream. There appears to be significant uncertainties of mitigation funds from the FAA runway expansion project ever being assigned to the Buskin River salmon research.

In recent years, the majority of the research funding for the Buskin River system has come from the Office of Subsistence Management (OSM), Fisheries Resource Monitoring Program (FRMP). The loss of supervisory personnel (due to hiring freeze) at ADF&G has prevented them from reapplying for FRMP funds to operate the smolt program. This project

Ms. Campbell

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made it possible to understand that a recent shortfall in returning sockeye was the result of over-escapement and not overfishing. It also let residents know that it would be 2 years before the river rebounded to higher returns.

We recently learned that the Buskin River has been down-graded from priority funding by the OSM Technical Review Committee (TRC) in preference for Chinook salmon projects in the region. This is not the preference of our Council. Please note that Chinook are a minor subsistence harvest species for Kodiak compared to Sockeye and most of our members would not concur with the reprioritization for more "politically opportune" research. It is critical that funding be maintained for this system.

We feel the cumulative effects of these multiple agency decisions may severely jeopardize the monitoring of probable impacts of the FAA runway extension to the vital salmon runs at the Buskin.

The Kodiak/Aleutians Subsistence Regional Advisory Council appreciates the Department's support and urges you to consider these concerns while making funding and staffing decisions.

Sincerely,



Speridon Simeonoff  
Chairman

cc: Leslie Grey, Project Manager, FAA  
Bob Polasky, CEO Sun'aq Tribe  
Kodiak/Aleutians Subsistence Regional Advisory Council  
Eugene R. Peltola, Jr., Assistant Regional Director, (OSM)  
Kathleen O'Reilly-Doyle, Deputy Assistant Regional Director, OSM  
David Jenkins, Acting Fisheries Division Chief, OSM  
Thomas Evans, Acting Policy Coordinator, OSM  
Jack Lorrigan, Native Liaison, OSM  
Carl Johnson, Council Coordination Division Chief, OSM  
Interagency Staff Committee  
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Kelly Hepler, Assistant Commissioner, ADF&G  
Administrative Record

**Kodiak/Aleutians Subsistence Regional Advisory Council**

c/o U.S. Fish and Wildlife Service  
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Toll Free: 1-800-478-1456

**NOV 06 2013**

RAC KA13046.CJ

Mr. Keith L. Mallard, Acting Commissioner  
Alaska Department of Public Safety  
P.O. Box 111200  
Juneau, Alaska 99811

Dear Mr. Mallard:

The Kodiak/Aleutians Subsistence Regional Advisory Council (Council) appreciates the opportunity to submit this letter of concern to the Alaska Department of Public Safety (DPS). At our March 26-27, 2013 meeting held in Kodiak, and in previous meetings, we discussed reports from our members regarding the illegal harvest of king crab and other species under the guise of State subsistence regulations.

We encourage the continued support from your Department to enforce the abuse of the subsistence shellfish regulations by nonresident commercial fisherman and sport fishing lodge visitors.

We feel the cumulative effects of these ongoing violations are severely jeopardizing the health of king and Tanner crab populations in the Kodiak area and limit the harvest opportunities by legitimate subsistence users.



Mr. Mallard

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The Kodiak/Aleutians Subsistence Regional Advisory Council appreciates the Department's support and urges you to consider these concerns while making funding and staffing decisions.

Sincerely,



Speridon Simeonoff  
Chairman

cc: Cora Campbell, Commissioner, Department of Fish & Game  
Kodiak/Aleutians Subsistence Regional Advisory Council  
Eugene R. Peltola, Jr., Assistant Regional Director, (OSM)  
Kathleen O'Reilly-Doyle, Deputy Assistant Regional Director, OSM  
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Interagency Staff Committee  
Jennifer Yuhas, Assistant Director, ADF&G  
Kelly Hepler, Assistant Commissioner, ADF&G  
Administrative Record



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

**Department of Public Safety**

DIVISION OF ALASKA WILDLIFE TROOPERS  
Office of the Director

5700 East Tudor Road  
Anchorage, Alaska 99507-1225  
Main: 907.269.5509  
Fax: 907.269.5616

November 27, 2013

Speridon Simeonoff  
USF&WS Subsistence Management  
1011 East Tudor Road, MS  
Anchorage, AK 99503-6199

Dear Mr. Simeonoff:

I wanted to take this opportunity to thank you for your recent letter expressing your Board's concerns of the illegal harvest of King Crab by non-subsistence users, in particular non-resident fishermen. We share your concerns and have seen an increase of this type of abuse not only in your area, but also in Southeast Alaska. We are continually looking at ways to apprehend persons engaged in this type of illegal activity. I have shared your letter with my command staff in an attempt to emphasize the importance of this issue in coastal communities throughout Alaska. I would ask that if your members hear of these types of violations occurring in their areas, that they contact the local Alaska Wildlife Troopers Office or call our Wildlife Safeguard number at 1-800-478-3377.

I applaud your group's concern for our valuable wildlife resources and we will take every effort it protects for future generations.

Sincerely,



Colonel James E. Cockrell  
Director, Alaska Wildlife Troopers / Alaska State Troopers

Cc: Keith Mallard, Commissioner  
Lieutenant Steve Hall, "A" Detachment Commander  
Lieutenant Willard Ellis, "C" Detachment Commander  
Cora Campbell, Commissioner, Department of Fish & Game  
Kodiak/Aleutians Subsistence Regional Advisory Council  
Eugene R. Peltola, Jr., Assistant Regional Director, (OSM)  
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**Kodiak/Aleutians Subsistence Regional Advisory Council**  
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**Anchorage, Alaska 99503**  
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**Toll Free: 1-800-478-1456**

**FEB 08 2014**

RAC KA13050.CJ

Mr. Karl Johnstone, Chair  
Alaska Board of Fisheries  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, Alaska 99811

Dear Chair Johnstone:

The Kodiak/Aleutians Subsistence Regional Advisory Council (Council) held a public meeting on September 24-25, 2013, in Kodiak, Alaska. The Council is one of ten regional advisory councils formed under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and represents subsistence users in the Kodiak Archipelago and among the Aleutian Islands. The Council provides a public forum for discussion and recommendations for subsistence fish and wildlife management on federal lands or others issues relating to subsistence in their region.


During its meeting, the Council received a presentation and briefing on Proposal 337, which would repeal the prohibition on subsistence Tanner crab fishing 14 days before the commercial king and Tanner crab commercial opening. Discussion at the meeting indicated the affected regulation, was put in place thirty years ago to protect subsistence users and to prevent “cheating” by commercial fishermen prior to the commencement of a commercial fishery. The Council indicated this regulation was put into place because fishermen were setting crab pots prior to a commercial fishing season under subsistence regulations; if the fishermen found concentrations of crabs, they would return to the spot during the open commercial Tanner crab fishery and harvesting the pocket crab.

The Council voiced opposition to Proposal 337, stating adoption of the proposal could allow commercial crab fishermen to engage in “prospecting” prior to a commercial Tanner crab fishery while claiming to be fishing under subsistence regulations. Council members expressed

concerns over how subsistence users were impacted prior to the adoption of this regulation when schools of Tanner crabs near their communities were over-harvested, resulting in lowered success rates for subsistence users. The Council voted to support maintaining the two week pre-commercial Tanner crab commercial fishery season closure to all users to protect subsistence users.

The Council appreciates the opportunity to provide input to the Alaska Board of Fisheries on this issue. If you have any questions regarding this correspondence, please contact me through Carl Johnson, Council Coordination Division Chief, Office of Subsistence Management (OSM) at 1-800-478-1456 or (907) 786-3676.

Sincerely,



Speridon Simeonoff, Chair

cc: Cora Campbell, Commissioner, ADF&G  
Jennifer Yuhás, Federal Subsistence Liaison Team Leader, ADF&G  
Tim Towarak, Chair, Federal Subsistence Board  
Kodiak/Aleutians Subsistence Regional Advisory Council  
Eugene R. Peltola, Jr., Assistant Regional Director, OSM  
David Jenkins, Acting Fisheries Chief, OSM  
Carl Johnson, Council Coordination Division Chief, OSM  
Interagency Staff Committee  
Administrative Record

# Fall 2014 Regional Advisory Council Meeting Calendar

August–October 2014 current as of 2/26/2014  
Meeting dates and locations are subject to change.

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

# Winter 2015 Regional Advisory Council Meeting Calendar

*February–March 2015 current as of 3/7/2014*

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> <b>HOLIDAY</b>	<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>	<b>BB — Naknek</b>		<b>YKD — Bethel</b>		<i>Feb. 28</i>
<i>Mar. 1</i>	<i>Mar. 2</i>	<b>WI — Fairbanks</b>		<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**

**Kodiak/Aleutians Subsistence Regional Advisory Council**

**Charter**

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

- (4) Recommendations concerning policies, standards, guidelines, and regulations to implement the strategy.
    - e. Make recommendations on determinations of customary and traditional use of subsistence resources.
    - f. Make recommendations on determinations of rural status.
    - g. Provide recommendations on the establishment and membership of Federal local advisory committees.
5. **Agency or Official to Whom the Council Reports.** The Council reports to the Federal Subsistence Board Chair, who is appointed by the Secretary of the Interior with the concurrence of the Secretary of Agriculture.
6. **Support.** The U.S. Fish and Wildlife Service will provide administrative support for the activities of the Council through the Office of Subsistence Management.
7. **Estimated Annual Operating Costs and Staff Years.** The annual operating costs associated with supporting the Council's functions are estimated to be \$150,000, including all direct and indirect expenses and 1.0 staff years.
8. **Designated Federal Officer.** The DFO is the Subsistence Council Coordinator for the Region or such other Federal employee as may be designated by the Assistant Regional Director – Subsistence, Region 7, U.S. Fish and Wildlife Service. The DFO is a full-time Federal employee appointed in accordance with Agency procedures. The DFO will:
  - Approve or call all of the advisory committee's and subcommittees' meetings,
  - Prepare and approve all meeting agendas,
  - Attend all committee and subcommittee meetings,
  - Adjourn any meeting when the DFO determines adjournment to be in the public interest, and
  - Chair meetings when directed to do so by the official to whom the advisory committee reports.
9. **Estimated Number and Frequency of Meetings.** The Council will meet 1-2 times per year, and at such times as designated by the Federal Subsistence Board Chair or the DFO.
10. **Duration.** Continuing.
11. **Termination.** The Council will terminate 2 years from the date the Charter is filed, unless, prior to that date, it is renewed in accordance with the provisions of Section 14 of the FACA. The Council will not meet or take any action without a valid current charter.



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

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

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

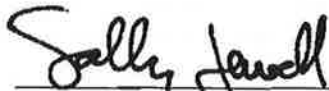
Members will be appointed for 3-year terms. A vacancy on the Council will be filled in the same manner in which the original appointment was made. Members serve at the discretion of the Secretary.

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

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

- 13. Ethics Responsibilities of Members.** No Council or subcommittee member will participate in any specific party matter in which the member has a direct financial interest in a lease, license, permit, contract, claim, agreement, or related litigation with the Department.
- 14. Subcommittees.** Subject to the DFO's approval, subcommittees may be formed for the purpose of compiling information and conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full Council for consideration. Subcommittees must not provide advice or work products directly to the Agency. The Council Chair, with the approval of the DFO, will appoint subcommittee members. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.

15. **Recordkeeping.** Records of the Council, and formally and informally established subcommittees or other subgroups of the Council, shall be handled in accordance with General Records Schedule 26, Item 2, and other approved Agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

  
Secretary of the Interior

NOV 25 2013

Date Signed

DEC 03 2013

Date Filed