



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

Federal Subsistence Board

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



FOREST SERVICE

OSM 20071.KW

AUGUST 5 2020

Della Trumble, Chair
Kodiak/Aleutians Subsistence
Regional Advisory Council
1011 East Tudor Road, MS 121
Anchorage, Alaska 99503-6199

Dear Chairwoman Trumble:

This letter responds to the Kodiak/Aleutians Subsistence Regional Advisory Council's (Council) fiscal year 2019 Annual Report. The Secretaries of the Interior and Agriculture have delegated to the Federal Subsistence Board (Board) the responsibility to respond to these reports. The Board appreciates your effort in developing the Annual Report. Annual Reports allow the Board to become aware of the issues outside of the regulatory process that affect subsistence users in your region. We value this opportunity to review the issues concerning your region.

1. Request for Annual Surveys of Adak Island Caribou
(Topic #3 in the FY-18 annual report)

The Council requests that the Board support annual surveys of Adak Island caribou and salmon. The last caribou survey for Adak Island was conducted in 2010. Adak Island caribou are an important subsistence resource for Federally qualified subsistence users in the Kodiak/Aleutians Region. Hunting pressure for caribou on Adak Island is high. Updated annual surveys are needed to determine how many caribou remain on Adak Island. The Council also recommends the Board explore the use of drones for conducting these surveys as a possible means to reduce survey costs.

In order to manage the Adak Caribou Herd in a sustainable manner, a management plan is required. The US Fish and Wildlife Service (USFWS), the Alaska Department of Fish and Game (ADF&G), and stakeholders should form a task force that will develop an approach to initiating a management plan for the Adak Caribou Herd, some of which has migrated to Kagalaska Island. The Alaska Maritime National Wildlife Refuge manager suggested that it would be more expeditious if ADF&G were to take the lead on developing a joint plan. To move forward, the Council requests the Board

initiate the development process of a management plan for caribou on Adak Island through outreach efforts and correspondence with interested parties.

Response:

In the summer of 2019, thanks to helicopter support from the Alaska Volcano Observatory, the Alaska Maritime National Wildlife Refuge (NWR) conducted an aerial count of caribou on Adak and Kagalaska Islands. A detailed report of the 2019 survey was provided to the Council in their March 2020 meeting materials. Roughly 1,200 caribou were observed on Adak in 2019, a substantial decline over the peak estimates of roughly 2,800 animals observed in 2005 and 2012, though still much higher than the typical counts of 400 to 600 observed in the 1980s and 1990s. A rapid die-off of an insular ungulate population of this magnitude has been predicted since the early 1990s. Population crashes on island populations have been documented at other sites in Alaska. In each instance, these die-offs have generally been explained by the number of animals exceeding carrying capacity of the range, which damages slow-growing lichens and results in starvation—especially in harsh winters (Williams, J.C. and L. Spitler. 2019. *Aerial survey of barren-ground caribou at Adak and Kagalaska islands, Alaska in 2019*. USFWS. Rep., ANMWR 2019/17. Homer, Alaska). Despite a liberal allowance for harvest under State game regulations (no limit on female harvest, two males August - December), hunting pressure on this confined island has been insufficient to control herd growth.

In 2019, Alaska Maritime NWR employees observed 17 animals on Kagalaska, indicating the beginning of what is likely to be an increasing population. Sport hunting for caribou is legal under State regulations on both islands. Subsistence hunting on Federal land is managed through the Board with local input from the Council. The Kagalaska caribou are inaccessible to all but the most enthusiastic hunters, and their preferred food of lichen is still abundant there. It is important to remember that not only are the caribou valued by local hunters and fly-in hunters alike, they are also non-native and without elimination of this emerging population or other active management over the coming years, the native plant communities on Adak and Kagalaska is likely to be damaged by caribou. The caribou will probably have a population explosion followed by a population bust as they deplete their preferred winter forage of lichens. Federal law currently prohibits the US Fish & Wildlife Service (USFWS) from shooting, removing, or harming caribou on Kagalaska Island, even to prevent the habitat damage and animal welfare concerns, related to a boom and bust event.

The Alaska Maritime NWR does not consider conducting regular surveys of Adak caribou feasible given the logistics, cost, staffing, and lack of a comprehensive caribou management plan. Perhaps, given the circumstances, future surveys may best be conducted by the Alaska Department of Fish and Game (ADF&G) or cooperatively arranged with the USFWS. Drones, as mentioned in the 2018 annual report, are currently not a feasible tool for conducting population estimates given the logistics and large landscape that would need to be surveyed. The USFWS will continue to work with the ADF&G to monitor the population opportunistically, similar to the survey conducted in 2019.

As noted by the Council, development of a management plan may allow for more thoughtful management of the species. The Alaska Maritime NWR supports the development of a caribou management plan for Adak that reflects the wishes of various interest groups. Roughly 2/3 of Adak Island is Alaska Maritime NWR and 1/3 is Aleut Corporation land. Development of a plan should

involve at a minimum ADF&G, the Aleut Corporation, the City of Adak, and the USFWS. Other interest groups may want to be involved, as well. The Alaska Maritime NWR would be more interested to support opportunistic monitoring of caribou, if a well-designed caribou management plan for Adak Island is developed. The plan should include population objectives that consider the needs of Federally qualified subsistence users, non-local hunters, local community, native wildlife, and natural biodiversity, and a way to manage the herd towards that population objective.

The Board will contact ADF&G through OSM and encourage coordination and initiation of a planning process with the Alaska Maritime NWR, Aleut Corporation, the Council, Adak residents, and other interested parties.

The Alaska Maritime NWR would welcome any thoughtful salmon monitoring of Adak streams and suggests the Council develop a Priority Information Need for the Federal Fisheries Resource Monitoring Program to address this issue.

2. Request to Maintain Fisheries Resource Monitoring Program (FRMP) Full Funding
(Topic #6 in the FY-18 annual report)

The Council requests the continuation of full funding for FRMP. The Council emphasizes the importance of FRMP in providing timely information to Federal land managers regarding the population status of subsistence fisheries resources. This data is essential to the management of fisheries and to meet the nutritional needs of Federally qualified subsistence users.

Response:

The Board appreciates the Council's persistence in bringing this issue to our attention in two consecutive annual reports as well as talking about it in great extent during the September 2019 meeting. The Board agrees with the Council that continued FRMP funding is an important goal; however, the Board does not have direct influence over the funds for this program. Program funds come from the budget that the Office of Subsistence Management (OSM) receives on an annual basis from Congress through the Department of the Interior and the USFWS. The Council may choose to inquire further with the Assistant Regional Director of OSM or representative of the USFWS about budget allocations for a more in-depth discussion of the process.

3. Educational Opportunities for Council Members
(Topic #1 in the FY-18 annual report)

Under the current training system, the only training provided to the Council is a 2 hour session for newly-appointed Council members prior to the winter meeting. The rare opportunity to attend extensive training at the 2016 All-Council meeting was very welcome. There is a need for continuing education for Council members including, but not limited to:

- *Producing a summary description of the role of the Regional Advisory Councils in making recommendations to the Board;*
- *Providing an updated Regional Advisory Council Operations Manual for Council Members;*

- *Convening a more in-depth orientation for new members than what is currently provided (the two-day training session provided in Anchorage in 2017 is a great example), and;*
- *Having the Council Coordinators provide formal training classes for the Council.*

Training materials should be appropriate for a variety of learning styles and include the use of web-based (online) and video-based instruction materials.

Response:

The Board recognizes that the Federal regulatory process is complex and that the Council members wish to have diverse educational opportunities and additional outreach materials. The Board also appreciates the Council's persistence in raising this topic for the last two years in its annual report. Moreover, the Board agrees that additional education will help appointed Council members to be better contributors to the regulatory process.

OSM tentatively planned to organize a new Council member training in Anchorage in January 2020, funding permitting; however, it was not able to do so because the Council appointments were not received until the end of February 2020 and only two new Council members were appointed during the 2019 appointment cycle. If more new Council members are appointed during the 2020 appointment cycle, OSM will organize the two-day training session in Anchorage; however, it will depend on the travel restrictions related to the pandemic, funding, and staff availability.

In accordance with the Council's previous request and Board directions, OSM plans to create a one-page summary of the role of Subsistence Regional Advisory Councils in making recommendations to the Board and update the Regional Advisory Council Operations Manual, subject to OSM staff availability.

OSM will review existing training documents and will post them on-line for new and current Council members. Again, due to the staff shortages, creating new video-based instruction materials and creating formal training classes for the Council taught by a Council Coordinator is not possible at this time. OSM does have several existing informational videos geared towards the public, which may also be of interest to new Council members. The videos cover four different topics and can be found online:

- Becoming involved in a Regional Advisory Council (<https://youtu.be/KwGIafjsf0I>)
- Submitting a proposal (<https://youtu.be/dtiHnuR29Go>)
- Submitting a Special Action Request: (<https://youtu.be/FjmHA6Hp1C0>)
- Submitting a Cultural/Educational Permit (<https://youtu.be/sC3x6hp6Kqo>)

OSM also has a brochure about the Federal Subsistence Management Program, which provides an overview that would be educational to new Council members. The brochure can be found online at <https://www.doi.gov/subsistence/library/history>, or one can request printed copies by contacting OSM at subsistence@fws.gov or (800) 478-1456 or (907) 786-3888.

Council members, both current and new, may want to consider signing up for OSM's email listserve (*an electronic email list that allows for widespread distribution of information to many subsistence*

users), which they can do by emailing fws-fsb-subsistence-request@lists.fws.gov. Members of this listserv receive all OSM news releases about upcoming meetings and other news, such as opportunities to submit proposals, provide comments, etc.

4. Request for Evaluation of the Fisheries Resource Monitoring Program (FRMP) Project Selection Process

(Topic #2 in the FY-18 annual report)

There needs to be a meaningful way for the Council to have its comments and input taken into consideration during the FRMP project selection process. This Council's prior communications with the Board on the topic of McLees Lake do not appear to have been considered by the FRMP technical committee. The Council believes it has a unique role to establish priorities for its region, as it is not a State or Federal agency representative. The Council understands the present FRMP process is designed to protect the integrity of project selection; however, it ignores the region's needs identified by the Council. The present Technical Review Committee project selection process should not override the Regional Advisory Council's defined research needs for subsistence users in the region. The Council requests that the Board examine this policy or provide some other means to achieve this goal. The Council recommends having a Council member participate in the FRMP project evaluation process as was the practice during the first decade of the FRMP process. The Council requests an evaluation of the FRMP process and presentation of findings to the Council and Board.

The Council at its September 2019 meeting, discussed that Council members be involved in the Technical Review Process when evaluating priority information needs. The Council feels that having Council members involved in the FRMP has not been adequately addressed.

Response:

Board Reply to the Topic #2 in the FY-18 annual report:

*At the Board's request, the Technical Review Committee (TRC) conducted an after-action review of the 2018 Monitoring Program funding cycle (enclosed). Among other items, the Board discussed during their February 2018 work session the role of Regional Advisory Councils in the project selection process. The Board defers to Councils' recommendations on issues concerning the take of fish. Under most circumstances, Council deference does not apply to funding decisions. **All members of the TRC sign a Confidentiality Agreement and a Non-Disclosure Certification as a requirement of Federal cooperative agreement and contracting rules (2 CFR Part 200, Sections 200.112 and 200.113).** The TRC reviews all information in proposal packages. **Council members only receive information from proposal packages that are not considered confidential or proprietary.** Comments provided by Councils are considered in the award selection process. When there is a tie between proposals, the Assistant Regional Director for the Office of Subsistence Management considers Council comments when making final funding decisions. McLees Lake Sockeye Salmon are an important resource in the Kodiak-Aleutians Region; however, three other proposals ranked higher in the proposal evaluation process. Each of these also addressed priority information needs defined by the Council. **(emphasis added)***

Above is the Board reply to similar questions from the Council in its 2018 Annual Report. The Board acknowledges that the Council seeks a meaningful way to have input into the FRMP project selection process and suggests having a Council member participant; but as noted in the 2018 reply (where the emphasis was added) this is not possible due to requirements under contracting regulations. In the early days of the FRMP, when the program funding review occurred on a yearly basis, there may have been a few cycles where Council members were included during the TRC review stage of the funding process. Considerations of conflicting requirements from the Federal Advisory Committee Act and contracting rules ended non-agency participation in the TRC review process.

In the 2018 FRMP review document (attached to the 2018 reply, a copy can be provided again by a request to your coordinator), noted that budget Department of Interior budget declines beginning in 2014 led to increased competition for funding. As a result in 2016, changes were made to FRMP proposal evaluation to focus on funding projects with the best chance for success. The most significant modification was in how projects were scored and ranked by the TRC (in the 2018 reply above, only the TRC can review the complete proposal). To increase consistency and objectivity in the proposal evaluation process, each of the five equally weighted criteria (strategic priority/priority information need; technical and scientific merit; investigator ability and resources; partnership and capacity building; and cost/benefit) were given a numeric score. Final scores are a summation of all five criteria, which determines a project's overall ranking. The FRMP is a scientifically sound program that balances strategic priorities with partnerships that include capacity building with rural and tribal organizations.

Another change in the 2016 funding cycle emphasized the primary role of the Councils have in developing priority information needs for their regions. Priority information needs set the parameters for the topics of proposals sought for the current funding cycle. Beginning in 2018, volunteers from each of the ten Councils participated in teleconferences with representation from one or more Councils to gather information about priority information needs in their regions' fishery. The results from these meetings were reviewed by the full Councils for their deliberation and final action at public meetings held in the fall.

It is unfortunate that there is the perception that the Board did not consider your prior recommendation about the McLees project, but in 2018 the TRC ranked three other proposals higher than the McLees Lake Sockeye Salmon Project in your region, and because of limited funding, the McLees Lake project was not funded. However, a new and improved proposal was submitted during the 2020 funding cycle for McLees Lake Sockeye and was approved for funding.

5. Agencies Reports

(Topic #4 in the FY-18 annual report)

The Council appreciates the written reports that agencies produce for its meetings. However, it is easier for the Council to absorb these reports if they are included in the Council meeting book. Council Coordinators begin their outreach to agencies for reports months in advance of the Council meeting. For the fall 2018 Council meeting, extensive outreach began in July 2018. The majority of agencies responded within 24-48 hours. Several agencies did not provide presentation materials until 24, 48, or 72-hours before the meeting. The Council understands that resource management

agency staff are conducting work during the field season. However, a lack of advance production of reports does not provide Council members adequate time to review materials prior to the meeting.

Response:

Again, the Board appreciates your Council's persistence in bringing the topic of Agencies Reports to the attention of the Board. Section 805(b) of ANILCA Title VIII says, "The Secretary shall... make timely distribution of all available relevant technical and scientific support data to the regional advisory councils ...". In accordance with this, OSM will continue with its standard practice of sending a request for reports to land management agencies and tribes three months prior to each Council meeting. Each Council Coordinator will then conduct outreach to the regional contacts from each agency and tribe emphasizing the importance of providing reports in advance. The Board asks the Council to recognize that circumstances for preparing reports on time varies. Sometimes field data has yet to be processed; sometimes large workloads, competing priorities, and staff shortages prevent reports from being produced on time. The Board continues to recognize the importance of Councils receiving these reports in advance of meetings to allow time to read and process the information. The Board will continue to reiterate the importance of this request to the agencies and tribes.

6. Izembek and Kodiak National Wildlife Refuges Resource Information Technicians (RITs)

RITs serve as critical interpreters of the Refuge's policies and programs to local communities. Currently, the Izembek National Wildlife Refuge does not have an RIT position, and the Council brought the issue to the Board's attention in its FY-2015 annual report. The Board provided its response to the Council dated August 10, 2016:

"The Board passed your issue on to the U.S. Fish and Wildlife Service, Alaska Region Division of Refuges, which provides this response:

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

The Kodiak National Wildlife Refuge currently does not have an RIT, the position has been vacant for several years, which is detrimental to building strong relationships between the Refuge and the public. The Council urges USFWS to continue their support for the RIT program, as it has proven critical to fostering relationships between Refuges and local communities. Having RIT positions at these refuges would help build strong relationships with the public.

Response:

The Board concurs that RITs are important members of USFWS staff and facilitate the development of strong relationships with the public. Funding for Alaska National Wildlife Refuges has decreased since 2010, ultimately reducing the ability for the USFWS to fill many vacant positions. Kodiak National Wildlife Refuge is currently approved to hire a RIT. The Council's support for RIT

positions is appreciated as the USFWS continues to evaluate all options to fill these positions in future years.

7. Izembek and Kodiak National Wildlife Refuges Staffing

The Council fully supports maintaining a full staff, including Refuge Managers in the Izembek Refuge office in Cold Bay and the Kodiak Refuge office to meet the priority goals of the refuges. The Izembek Refuge Manager's position has not been filled since last vacated. The Council noted that from 2001-2014 the Kodiak Refuge had a Wildlife/Subsistence Biologist who conducted deer and goat research. This position was never refilled either. It would enhance Refuge operations, if the biologist position was filled.

Staff is an imperative resource to the Council, particularly for caribou issues, which is an important subsistence resource for residents of Akutan, False Pass, King Cove, and Sand Point. Staff provides important biological data on the Unimak Caribou Herd. The surveys and monitoring of the herd provides the Council with important data to develop proposals to change Federal subsistence regulations. The Council encourages the USFWS Regional Director to maintain staffing in the Izembek and Kodiak Refuges. The Council also requests that the refuges continue its dialogue with communities on management and policy issues to keep communities informed of public processes of the refuge mandates.

Response:

The USFWS recently hired Maria Fosado as a Refuge Manager for Izembek National Wildlife Refuge. Maria Fosado most recently served as the Assistant Manager for Big Stone NWR and Wetland Management District in Minnesota (MN). Prior to that she worked at several other MN NWR's including Agassiz NWR, Upper Mississippi River NW&FR, Minnesota Valley NWR, and the Fergus Fall Wetland Management District. Ms. Fosado obtained a B.S. in biology from the College of Saint Benedict and an M.S. in Geographic Information Systems from Saint Mary's University, both in Minnesota. In her spare time she enjoys camping, hiking, paddling, hunting and traveling. Ms. Fosado arrived at the Refuge in June 2020 and has assumed all management responsibilities.

The Board concurs that maintaining adequate staffing levels at Alaska National Wildlife Refuges should be a priority. Funding for Refuges has decreased since 2010 and the hiring process has become more complex and time consuming, ultimately reducing the ability for the USFWS to fill many vacant positions. The Council's support for maintaining staffing levels is appreciated as the USFWS continues to evaluate all options to fill priority vacant positions in future years.

Kodiak NWR recognizes the importance of subsistence resources to the local community and therefore continues to assist with monitoring subsistence resources such as mountain goat and salmon populations. Though the Refuge no longer has a dedicated subsistence biologist position, other staff now complete priority duties formerly conducted by this position.

As noted above, the Kodiak NWR is currently approved to hire a Refuge Information Technician in addition to a Wildlife Refuge Specialist. Both positions will increase Refuge capacity to be able to conduct subsistence related outreach and biological monitoring.

The USFWS is committed to working with the Council, communities, and partners and will continue to conduct outreach using various communication tools to keep constituents engaged and aware of Refuge initiatives, issues, and changes.

8. Access and Harvest Limits of Subsistence Salmon

Residents of Adak depend on salmon as part of their subsistence lifestyle. Some residents of Adak might have difficulty obtaining access to salmon fishing sites outside of the community since it requires having a skiff. A permit to harvest 25 salmon and 25 per household member is required. Access to fishing sites becomes cost prohibitive when fishers are only allowed 25 salmon and cost of fuel is six dollars a gallon. Most residents are not requesting a permit for 25 salmon, when travel to a fishing site is located four hours away.

The Council supports a household limit of 250 salmon for residents of Cold Bay. Residents of the Alaska Peninsula are permitted 250 salmon per household; similar permit stipulations should be applied to the residents of Adak.

Response:

The Adak area subsistence fishery occurs primarily in marine waters under the State of Alaska subsistence fishing regulations (5 AAC 01.380). Currently, State regulations allow the holder of a subsistence salmon fishing permit in the Adak area to take no more than 25 salmon, plus an additional 25 salmon for each member of the same household. The Board suggests that the Council should consider submitting a proposal to the Alaska Board of Fisheries to change this harvest limit. The next Board of Fisheries meeting cycle that will address finfish regulations on the Alaska Peninsula, Aleutian Islands, and Chignik areas will occur in 2021–2022. The proposal deadline is April 9, 2021. The Alaska Board of Fisheries will meet on February 18–23, 2022 to consider these proposals.

9. Bering Sea Community Conference

During the summer of 2020, the community of Unalaska is hosting the Coastal Communities Forum for all Bering Sea communities and Tribes. The host will extend invitations to all Federal partners to participate, including the Office of Subsistence Management. The invitations to attend will also be extended to the Council members. The Council is seeking funding to attend the conference and/or recommendations of any funding sources that the Council can apply for.

Response:

Thank you for letting us know about the Coastal Communities Forum in Unalaska. The Board supports your Council's request to participate in the Forum and interest in continuing education and

development. OSM's and other Federal agency partners' ability to help depends on availability of funding.

In Alaska, activities and forums this summer are all being impacted by the COVID-19 pandemic. State and community requirements are restricting travel. Overall effects of this health crisis will determine future participation in conferences such as the Coastal Community Forum and other educational opportunities, as well as possible funding assistance.

10. Sea Otters Impacts on Subsistence Resources in the Region

The Council emphasizes that the impacts of sea otters on subsistence resources in the region, particularly throughout the Kodiak Archipelago, continue to be a concern. The Council recognizes that marine mammals' management is outside of the Board's authority; however, local communities, Tribes, and the Council believe sea otters are negatively impacting shellfish resources, which do fall under the Board's jurisdiction. Locals are regularly reporting increasing numbers of sea otters, including in areas where sightings were previously rare.

The Council formed a working group to begin a dialogue with impacted communities and user groups, and to look for alternative ways to manage the growing population of sea otters. The working group will need the Board's support and funding to make the working group effective.

Response:

The USFWS Marine Mammal program remains engaged and available to help the Council to understand the current status and management of Alaska's sea otter populations. In November of 2019, a member of the recently established Council's working group was invited to attend a sea otter steering committee meeting to help expand the Council's understanding of sea otter management. The final workshop report should be completed in July 2020 and will be available to the Council.

The Board acknowledges the Council's interest in continuing the sea otter working group; however, we want you to know that according to the regulations membership in this type of working group is limited to the Council members only. If your Council desires to engage various partners and agencies in identifying potential solutions to sea otter and shellfish management concerns, the Board recommends that you reach out to these stakeholders to gauge their interest and consider forming a subcommittee. Subcommittee membership can be comprised of, for example public representatives, Council members, Tribes and/or State representatives; there are no restrictions on who can become a member. The Federal Advisory Committee Act designated Federal officer (DFO) is required to attend the meetings of the subcommittee, and the subcommittee must report their findings and suggestions to the Council for official recommendations making. To form a subcommittee, the Council with the assistance of their Coordinator, will need to develop a request for the Board's review and decision. The Council's request should contain a detailed proposal on forming a subcommittee, including its goals and objectives, timelines, frequency of meetings, potential members/stakeholders, and cost estimates. The Board would address a request at one of its meetings.

Alternately, the Council members may participate in the sea otter working groups formed by other agencies or entities. The following agencies and entities are all engaged with various sea otter

monitoring projects and may provide insights to help develop strategies to deal with sea otter and shellfish issues: National Oceanic Atmospheric Administration, Alaska Department of Fish and Game, University of Alaska Marine Biology Department, US Fish and Wildlife Service, National Park Service, and US Forest Service.

The following paragraphs provide updates on the status and management of sea otters in Alaska as provided by the USFWS Marine Mammals Management Branch.

Southeast Sea Otter Stakeholder Workshop

In addition to the concerns raised on Kodiak, sea otter population growth is a subject of interest to a variety of stakeholders in Southeast Alaska. In the fall of 2019, the Service worked with a steering committee consisting of Federal and State managers, sea otter researchers, commercial fisheries, and tribal representatives, to organize and host a stakeholder workshop. The purpose of the workshop was to create a forum for stakeholders to review and discuss information about sea otter biology and management issues and to share recommendations to address resource conflict issues. The USFWS appreciates that representatives from Kodiak were able to attend this workshop and provide their input. Participants were presented with information concerning the biology and ecology of sea otters; the status and trend of sea otters in Southeast Alaska; subsistence use of sea otters by Alaska Natives; and the status of impacted subsistence and commercial shellfish (presentations are available at the webpage <https://www.seaotterstakeholders.com>). Breakout sessions were held at the workshop on a number of subjects, including management options under the Marine Mammals Protection Act; the respective roles of Federal and State managers; co-management options for the subsistence use of sea otters; and the identification of information and research needs to inform management decisions. Based on recommendations generated at the workshop, the steering committee is in the process of drafting a report that identifies potential management and collaborative actions that could be taken in the future. The report should be available to the public in July 2020.

Population size and trends

In 2014, the USFWS conducted aerial surveys for sea otters around Kodiak Island, generating a population estimate of 13,274 sea otters. Densities were highest in the straits between Kodiak, Raspberry, and Afognak Islands and the bays along western coast. Very few otters were observed on the east side of the island. The population estimate from 2014 was similar to an estimate conducted in 1989 at 13,536 (SE 1,199) using a helicopter based platform (Cobb M. 2018. Northern sea otter (*Enhydra lutris*) abundance and distribution on the Kodiak Archipelago. Refuge Report 2018. Kodiak National Wildlife Refuge, U.S. Fish and Wildlife Service, Kodiak, AK). Kodiak NWR leads skiff-based bird and marine mammal surveys around Kodiak Island. For more information about these surveys contact Bill Pyle (bill_pyle@fws.gov) at Kodiak NWR.

Interactions with fisheries around Kodiak Island

In 2014, a joint study was conducted by ADF&G and the USFWS to document the presence of sea otter gear interactions and/or bycatch with crab pots around Kodiak. Although sea otters were observed in the vicinity of fishing gear, the study did not document any sea otter bycatch, interactions of sea otters with fishing gear, and interactions of sea otters with the crab gear/pots (Worton, C., Nesvacil, K., Tschersich, P., Baer, R., & Gill, V. 2014. *Dungeness pot survey and spatial monitoring of sea otter bycatch in Ugak Bay, the Trinity Islands, and Alitak Bay in the Kodiak Area*, 2014. (Issue 16)). <http://www.adfg.alaska.gov/FedAidPDFs/ROP.CF.4K.2014.25.pdf>).

Current Management Structure and Practices

Management authority and structure for sea otters in Alaska is provided by the Marine Mammal Protection Act of 1972 (MMPA). The MMPA established a general moratorium—with few exceptions—on the “taking” of all marine mammals in U.S. waters, thus limiting options for managing sea otter numbers in ways that account for their impacts on commercial and subsistence fisheries and other species. One of the exceptions the MMPA does provide for is continued Alaska Native harvest of sea otters for the purpose of subsistence and the manufacture of traditional native handicrafts. In addition to the formal management structure, some small-scale informal management has occurred where Alaska Native tribes have focused harvest efforts and thus reduced sea otter abundance in locally important shellfish areas near their communities. In addition to the MMPA, and although locally abundant, sea otters from Kodiak belong to the Southwest stock of northern sea otters, which is listed as threatened under the Endangered Species Act (ESA). The ESA also provides for Alaska Natives to harvest sea otters from the listed Southwest Alaska stock, if such taking is for subsistence purposes and is not accomplished in a wasteful manner.

Endangered Species Act—5 year Review

Under the ESA the USFWS is required to review the status of listed species at least once every five years to evaluate whether they should be delisted, reclassified, or retain current classification. The USFWS initiated a 5-year review this past fall and are on track to finish the review by the end of 2020. The USFWS posted a notice in the Federal Register in November 2019, requesting submission of any new information on the listed stock. The USFWS also reached out to tribal entities and the State of Alaska seeking their input. The USFWS is in the process of developing a Species Status Assessment (SSA) for use as an analytical framework. The SSA will summarize all new information on population status and trends, as well as any new information concerning emerging threats to sea otters. The SSA report will undergo independent peer review and will be used to help inform the decision on whether a change in status is appropriate for the listed stock.

11. Request to Share National Oceanic and Atmospheric Administration Alaska Fisheries Science Center Research Findings in the Gulf of Alaska and Bering Sea with All Ten Subsistence Regional Advisory Councils

The National Oceanic and Atmospheric Administration (NOAA) Alaska Fisheries Science Center, Ellen Yasumiishi, PhD, Research Fishery Biologist, presented to the Council reports on the agency’s completed surveys, sea temperatures, feeding conditions, salmon survival, and implications of a marine heat wave in the Gulf of Alaska, as well as the Bering Sea ecosystem. The presentation was well received by the Council. The Council suggests that the Board recommend presenting this NOAA information to all ten Subsistence Regional Advisory Councils.

Response:

Request for scientific data and research was the most frequent topic in FY-2018 Subsistence Regional Advisory Councils Annual Reports. Therefore, the Board thanks the Council for being proactive and recommending NOAA’s presentation *Gulf of Alaska Ecosystem Status Report* to all ten Councils. The report contains some valuable new research on many topics of interest to the Councils (this report is available upon request by mail or email subsistence@fws.gov). The Board will direct

OSM to poll Council chairs on each region’s level of interest in receiving such a presentation and at which meeting—the fall 2020 or winter 2021—it would be best to present. OSM reached out to NOAA and received an indication that a member of the Ecosystems Status Report team would be happy to share their work with the Councils. NOAA potentially will be able to cater their report specifically to the subsistence region they are presenting in, depending on the research issues of interest to the Council.

12. Regional Advisory Councils Appointments and Vacant Seats

The Council requests clarification on how the alternate appointment process will work to fill vacancies on the Council. The Council currently has two vacant seats; will these be able to be filled with alternates or full members during the 2020 year? Based on information received at the Council’s March 2020 meeting, the Kodiak/Aleutians Region currently has no approved/vetted alternate members. Based on the vetting process, it seems the alternates would not be available until around December 2020. The Council would like to know how many applications were received in the last nomination cycle and how many names were forwarded to the Secretaries of the Interior and Agriculture for appointment.

After reviewing the number of members serving on each of the Councils in 2019 and comparing it with the number of members serving after the latest round of appointments, it becomes evident that each Council membership was effectively reduced (the numbers are listed below for reference). If reduction in membership is being considered for all Councils, the Kodiak/Aleutians Council would like to know the reasons and discuss how this impacts the Council and the subsistence resource users in the region.

<i>Council</i>	<i>number of seats</i>	<i>2019 seated members</i>	<i>2020 seated members</i>
<i>SEARAC</i>	<i>13</i>	<i>13</i>	<i>10</i>
<i>SCRAC</i>	<i>13</i>	<i>11</i>	<i>9</i>
<i>KARAC</i>	<i>10</i>	<i>10</i>	<i>8</i>
<i>BBRAC</i>	<i>10</i>	<i>10</i>	<i>8</i>
<i>YKDRAC</i>	<i>13</i>	<i>11</i>	<i>9</i>
<i>WIRAC</i>	<i>10</i>	<i>9</i>	<i>7</i>
<i>SPRAC</i>	<i>10</i>	<i>9</i>	<i>8</i>
<i>NWARAC</i>	<i>10</i>	<i>8</i>	<i>7</i>
<i>EIRAC</i>	<i>10</i>	<i>9</i>	<i>8</i>
<i>NSRAC</i>	<i>10</i>	<i>7</i>	<i>7</i>

Response:

In 2019, the ten Subsistence Regional Advisory Councils (Councils) conducted the biennial charter reviews, and the Western Interior Alaska Subsistence Regional Advisory Council put in a charter change request to the Board recommending to add alternative members to the Council. The Board supported identifying alternates through the regular nomination process to fill interim vacated Council seats should they occur.

The Board submitted their recommendation to the Secretaries of Interior and Agriculture (Secretaries) to amend the language in all ten Councils charters to include a provision for alternate members. The Secretaries approved the Board's recommendation and the following language was added:

Alternate members may be appointed to the Council to fill vacancies if they occur out of cycle. An alternate member must be approved and appointed by the Secretary before attending the meeting as a representative. The term for an appointed alternate member will be the same as the term of the member whose vacancy is being filled.

An interim vacated Council seat can occur due to a variety of reasons that include but are not limited to the following: an appointed applicant declines his/her appointment, moves out of the region, or passes away after the Secretaries already made their yearly appointments to the Councils. As a result, prior to the charter language change, the seat would have remained vacant throughout an entire year, leaving subsistence regions underrepresented. With the new provision in place, the Board suggests that whenever possible the Council nominations panels identify qualified alternates from the pool of applicants and present names to the Board. After review, the Board might recommend that the Secretaries appoint them as alternate member(s).

After the Secretaries appoint an alternate member(s), this member remains "in reserve" and will engage in the Council's business only if a seat becomes permanently vacant for the reasons stated above. An alternate member cannot replace a sitting Council member during a meeting if that Council member is sick or otherwise unavailable to attend the meeting. Under the new provision, alternate members do not become available until around December 2020, as noted by the Council.

During the 2019 Regional Advisory Councils appointment cycle, the Board received 63 applications from ten subsistence regions, which is below the ten-year average of 76 applications per year (Enclosure 2). Two applicants withdrew their applications prior to the beginning of the review process. The Board recommended 52 applicants to the Secretaries of the Interior and Agriculture for appointment.

The 1992 Record of Decision for *Subsistence Management for Federal Public Lands in Alaska* stipulates that "the number of members on a Council will be determined by the Board and will vary from Region to Region, depending on the number and distribution of subsistence users in the region, the variety of subsistence resources used, and the nature and extent of management issues. To the extent possible, the size of the Council and distribution of the membership within the region will be designed to ensure the maximum participation in the Federal program by local subsistence users." The 1993 Board meeting transcripts state, "The number of members on each Council varies from one council to the other. The size of the councils was developed from discussions with Regional leaders, former State Council Chairs, State coordinators and Federal personnel. The size is now established for each Council by the Charters, which have been approved in Washington as of this time."

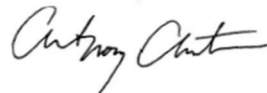
The Board currently has no intent or reason to reduce the number of seats on any of the Councils. However, it is important to note that the Board does not have a final decision over which recommended applicants are appointed on the Councils. After the Board submits its annual appointment recommendations to the Secretaries, the recommended applicants undergo a vetting

process administered by the Department of Interior. The Board and/or OSM are not privy to the vetting information and do not participate in this process. The Secretaries finalize their appointments to the Councils after the completion of the vetting process and agreement from the Department of Interior.

The Board understands and shares the Council's concerns that some Councils seats were not filled during the 2019 round of appointments, resulting in a loss of vital representation across the regions.

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

Sincerely,



Anthony Christianson
Chair

Enclosure

cc: Kodiak Aleutian Subsistence Regional Advisory Council

Federal Subsistence Board

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Donald Mike, Council Coordinator, Office of Subsistence Management

Katerina Wessels, Council Coordinator, Office of Subsistence Management

Interagency Staff Committee

Benjamin Mulligan, Deputy Commissioner, Alaska Department of Fish and Game

Mark Burch, Special Project Coordinator, Alaska Department of Fish and Game

Administrative Record

Number of Regional Advisory Council Applications Received Each Year

	<i>SE</i>	<i>SC</i>	<i>KA</i>	<i>BB</i>	<i>YK</i>	<i>WI</i>	<i>SP</i>	<i>NW</i>	<i>EI</i>	<i>NS</i>	TOTAL
1996	13	18	11	10	19	11	20	11	10	5	128
1997	18	11	11	7	8	7	7	4	11	4	88
1998	13	10	15	8	18	11	9	9	7	8	108
1999	17	15	7	12	16	7	7	5	7	6	99
2000	17	13	13	9	15	9	8	3	20	8	114
2001	20	11	9	5	16	14	3	4	11	5	98
2002	19	16	8	8	13	8	7	5	14	9	107
2003	17	17	4	10	13	9	5	7	7	5	96
2004	14	16	10	7	16	8	7	8	6	8	100
2005	7	7	5	3	7	4	9	5	6	5	58
2006	10	8	1	5	9	3	5	9	7	3	60
2007	17	16	8	9	17	6	5	2	12	3	95
2008	9	8	5	8	12	7	7	4	3	4	67
2009	12	12	4	3	11	5	2	6	7	2	64
2010	15	14	6	7	6	6	2	8	8	3	75
2011	15	9	7	7	12	6	8	4	7	5	81
2012	11	10	7	7	11	5	4	5	4	3	67
2013	13	7	5	5	12	5	6	6	11	4	74
2014	7	7	4	4	12	5	6	3	7	4	59
2015	10	6	6	7	17	11	8	3	3	5	76
2016	8	7	7	7	7	3	5	5	6	6	61
2017	4	9	5	6	7	8	4	11	10	3	68
2018	10	8	3	5	15	3	4	7	9	8	72
2019	6	12	3	5	12	4	3	5	8	5	63