



SEWARD PENINSULA SUBSISTENCE
REGIONAL ADVISORY COUNCIL

*February 18-19, 2015
Nome, Alaska*



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On the cover...

Musk ox graze peacefully on the Seward Peninsula.



Carl Johnson, USFWS

SEWARD PENINSULA SUBSISTENCE REGIONAL ADVISORY COUNCIL

February 18-19, 2015
11:00 a.m. on Feb. 18, 9:00 a.m. on Feb. 19
Old St. Joe’s Hall
Nome, Alaska

TELECONFERENCE: call the toll free number: 1-866-560-5984, then when prompted enter the passcode: 12960066

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

PLEASE NOTE: These are estimated times and the agenda is subject to change. Contact staff for the current schedule. Evening sessions are at the call of the chair.

AGENDA

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

Reasonable Accommodations

The Federal Subsistence Board is committed to providing access to this meeting for all participants. Please direct all requests for sign language interpreting services, closed captioning, or other accommodation needs to Carl Johnson, 907-786-3676, carl_johnson@fws.gov or 800-877-8339 (TTY), by close of business on Friday, February 6, 2015.

DRAFT

REGION 7

Seward Peninsula Subsistence Regional Advisory Council

Seat	Year Apptd <i>Term Expires</i>	Member Name and Community
1	2014 2015	Theodore Katcheak Stebbins
2	1995 2016	Peter Buck White Mountain
3	2010 2016	Louis H. Green, Jr. Nome Chair
4	2010 2016	Tom L. Gray Nome
5	2014 2017	Joseph A. Garnie Teller
6	2014 2017	Amos F. Oxereok Wales
7	2008 2017	Fred D. Eningowuk Shishmaref
8	1994 2015	Elmer K. Seetot, Jr. Brevig Mission
9	2012 2015	Charles F. Saccheus Elim
10	2010 2015	Timothy E. Smith Nome Vice Chair

SEWARD PENINSULA SUBSISTENCE REGIONAL ADVISORY COUNCIL
Meeting Minutes

October 7-8, 2014
Aurora Inn, Nome AK

The meeting was called to order at 11:00 a.m., Tuesday, October 7, 2014.

Roll call

The following council members were present:

Scott Lockwood

Reggie Barr

Peter Buck

Tom Gray

Ted Katcheak

Charles Saccheus

Elmer Seetot

Tim Smith

Louis Green and Fred Eningowuk were not present with excused absences.

Quorum established.

Welcome and introductions

Present:

Dan Sharp, BLM (telephonic)

Drew Crawford, ADF&G (telephonic)

Clarence Summers, NPS (telephonic)

Chuck Ardizzone, OSM

Bruce Seppi, BLM

Pat Petrivelli, BIA

Palma Ingles, OSM

Don Rivard, OSM

Ken Adkisson, NPS

Alex Nick, Bethel (telephonic)

John Handeland, Nome

Dianne Adams, Nome

Approval of Agenda

The agenda was amended by adding three items: NPS proposed regulations allowing subsistence use of shed horns, animal parts and plants, consideration of a proposal to prevent taking brown bears with bait within Parks and Preserves and a report on a petition for extraterritorial jurisdiction in the Southeast Alaska Region. The agenda, as amended, was approved unanimously.

Approval of Minutes from the Winter 2014 meeting

Minor misspellings were corrected. It was noted that a letter regarding the commercial red king crab fishery in Norton Sound was not completed. The letter was drafted, approved by the Council and forwarded to the Office of Subsistence Management for surnaming. There was a question regarding final action on a request for ADF&G to resume operations of a fish counting facility on the Pilgrim River. With the expectation that the Pilgrim River discussion would be reviewed, the minutes were approved unanimously.

Council Reports

Tom Gray: There was very little snow last winter. Hunting for moose is becoming much more competitive and caribou have not been present in the local area yet this fall. There has been more Chinook salmon in his area this year than there has been in the past 20 years. There are good numbers of beluga whales available for local people to harvest this year.

Elmer Seetot: It was a cold spring this year. The summer and fall has been drier and warmer than usual with the first snow observed only three days ago.

Reggie Barr: There were very few Chinook salmon in the streams near his community this summer, the fewest since 2006. The residents are not used to relying on harvesting chum salmon for their subsistence needs. There are few moose in his area but lots of brown bear.

Ted Katcheak: There appeared to be more Chinook salmon in the local streams this year. The weather this summer was very nice.

Scott Lockwood: Subsistence resources were plentiful in the St. Michael area this year. Salmon were more abundant, reindeer herds are larger, and geese were plentiful in both the spring and fall.

Charles Saccheus: Residents of his community harvested 20 beluga whales this spring and another 30 this fall. The hunters are now using special beluga nets supplied by a business in Homer that have 21 inch mesh. These nets are very long and are much more efficient than shooting or spearing beluga whales. The commercial fishery was the best in 40 years, there was lots of moose this fall but a very poor berry crop.

Peter Buck: The weather this summer was very satisfactory and good for drying fish. The beluga harvest was good but there were few berries.

Tim Smith: Mr. Smith reviewed the 805 (c) letter from the Board and explained the reasoning why the Board did not support the changes to the musk ox season as recommended by the Council.

The council discussed the Board's annual report reply and determined the answers to the three issues identified by the council were not satisfactory. These are recurring issues for this region and there has been little progress in finding appropriate solutions.

In the chair's report, Mr. Smith reminded the Council how important it is that council members document and explain the reasons for the council's recommendations. The Board must understand the rationale if the council wants to have its recommended action supported by the

Board. Subsistence resources in the Region are continuing to decrease with no evidence that this trend will stop anytime soon. The number of seals is down, there are only half the walrus and Chinook salmon populations are only a remnant of previous abundance. Predators were removed by minors and Federal control programs and moose and caribou populations were high. Bears and wolves are now abundant and prey populations are being diminished. The collapse of the Kuskokwim River Chinook salmon is the most important and difficult issue the Board will address and it is important for the councils to be engaged in this process.

Council Member Recognition

Elmer Seetot Jr. was presented with a certificate and small gift in recognition for 20 years of service on the Seward Peninsula Council.

Public Testimony

John Handeland, resident of Nome, informed the council of his concerns with the presence of musk ox near the residential areas of Nome. Musk ox have been near the community of Nome all summer, attacking dogs, destroying markers at the cemetery, and threatening people. They are in town to escape predation by increasing numbers of bears and wolves in the outlying areas. The total number of musk ox in the Region is decreasing due to predation and something must be done to protect people and their property from musk ox while stabilizing the musk ox population.

Dianne Adams, resident of Nome, is very concerned about the safety of people and dogs in Nome because of the presence of musk ox in the community. She has had two dogs killed by musk ox and had to kill a musk ox that was threatening her dog this summer. She was not pleased that she needed to kill the musk ox. There have been a dozen dogs killed by musk ox and people are at risk. Herding the musk ox away from town is only a short term solution because bears quickly move the musk ox back into town. There are no musk ox, moose or caribou calves that survive into fall because of predation by bears. The council should work with ADF&G to find an appropriate solution that protects both musk ox and the residents of Nome.

Old Business

Customary and Traditional Use Determination

Palma Ingles, Office of Subsistence Management, provided a summary of the issue. Written materials were included in the council book on page 30. There will be a staff analysis of the Southeast Alaska Council's proposal prepared for consideration by the Council at their winter meeting.

Rural Determination Process Review

Chuck Ardizzone, Office of Subsistence Management, provided a summary of the issue. Written materials were included in the council book on page 38. The Board has until 2017 to finalize determinations and has submitted a recommendation to the Secretaries on the process.

Priority Information Needs for the Fisheries Resource Monitoring Program

Don Rivard, Office of Subsistence Management, provided a summary of the issue. Written materials were included on page 62 of the council book. There are no FRMP projects or information needs identified for this region, primarily because of the lack of waters under Federal jurisdiction. Dan Sharp, Bureau of Land Management, explained that on BLM lands,

outside of the Wild and Scenic section of the Unalakleet River, Federal jurisdiction is restricted to non-navigable waters. The Council identified a number of information needs for areas under State jurisdictions and discussed mechanisms for addressing those needs. The Council took no action to prioritize the information needs provided in the Council book.

New Business

Fisheries Regulatory Proposals

The Council supported FP15-01 (defining fishing hook as with or without barb) stating barbed hooks prevent fish loss and using barbless hooks could be an unnecessary restriction on subsistence users. The council felt the use of barbed hooks did not present a conservation concern and subsistence users should not be forced to adopt the same rules as sport fishers by default.

The Council opposed FP15-02 (providing two 48-hour fishing periods in Yukon River Subdistrict 5C), stating that providing these two 48 hour periods of fishing opportunity without regard to the abundance of salmon, could cause conservation concerns for salmon during years of low salmon returns.

The Council opposed FP15-03 (eliminating drift gillnet for Chinook salmon in Yukon River Districts 1– 4), stating that eliminating drift gillnets would be detrimental to some subsistence users. Drift gillnets are a tool that some subsistence users need to have an opportunity to fish. If needed, the in-season manager can make adjustments to open fishing periods to provide for conservation.

opposed FP15-04 (allowing Federal subsistence users to use set-gillnets to harvest salmon in the Yukon River drainage when drift-gillnet salmon fisheries are closed), stating that there is not a conservation concern cause by using drift gillnets. Set gillnets also harvest Chinook salmon. If there are problems with the conservation of Chinook salmon, the in-season manager already has the authority to make changes to harvest methods and means.

National Park Service Request for Comments on Rulemaking

Ken Adkisson and Clarence Summers explained proposed regulations for some national parks and preserves. The intent of the rulemaking process is to allow subsistence uses of shed antlers, animal parts and plant products; activities that are currently prohibited. The National Park Service was also interested in the Council's position on harvesting brown bears over bait in parks and preserves. Tom Gray commented that local residents should have a priority use of animal parts and plants in the Preserve. Tim Smith noted that the NPS should not adopt regulations they are not prepared to enforce. The Council wrote a letter to the superintendent of the Bering Land Bridge Preserve asking that all communities in the Seward Peninsula and Northwest Arctic subsistence management Regions be able to harvest shed antlers, animal parts and plants for subsistence.

The NPS has a number of proposals for a permanent prohibition on some hunting practices such as taking wolves late in the season when they may be denning, using bait to take brown bears, use of artificial light, the harvest of sows with cubs and the process for announcing closures. There is a public meeting scheduled for October 27, 2014 to explain these proposals in detail. The council noted there is almost no harvest of bears for subsistence and allowing the use of bait may accidentally result in a dangerous situation by attracting bears to areas used by other people. No one has asked the Federal program for permission to hunt brown bears with bait and the Council withheld comment on that proposal.

Status of the Petition to Extend Federal Jurisdiction into Waters near Angoon

Robert Larson, U.S. Forest Service, summarized the status of the petition for Federal jurisdiction into the marine waters near the community of Angoon. The petition was filed by Kootznoowoo Inc. and contended that the residents of Angoon were not able to satisfy their subsistence needs because sockeye salmon were being intercepted by the State managed commercial fishery. The Secretaries asked all the parties to develop a local solution with a three year timeline. The Alaska Board of Fisheries will consider changes to State regulations that address this issue during their February 23-March 3 meeting in Sitka.

2014 Annual Report

The council discussed redrafting the 2013 Annual Report issues after consideration of the replies provided by the Board. The OSM will work with the Council to restate responses to the same issues as included in the 2013 Annual Report to more accurately explain the council's concerns. A draft Annual Report will be available for final approval at the winter meeting

Partners Program

Palma Ingles, Office of Subsistence Management, provided the council with an overview of the Partners for Fisheries Program strategic plan. Information concerning the partners program was not included in the council book but was available to the council as a supplemental distribution. The partners program is a way to involve youth, communities and other partners in management of subsistence fisheries. These activities must be associated with Fisheries Resource Monitoring Projects. Since there are few opportunities for FRMP projects in this Region, there are no active partnership programs. The Council did not provide comment on the Partners Program itself but adopted a motion (unanimous) to recommend a change in the Partners Program to separate the program from the FRMP so the partners program can fund activities not associated with a FRMP project.

Council Nomination/Appointment Process

Carl Johnson, Office of Subsistence Management, reviewed current issues and concerns with the process being used to nominate and appoint new members to the regional councils. The current process is very time consuming and confusing to the nominees. The Seward Peninsula Council unanimously supported a motion to allow current council members to retain their seats until a new appointment is made. The Council determined that the other options presented regarding changing the terms to four years or selecting alternates were unnecessary if the appointments could be carried over.

All Council Meeting in Winter 2016

Robert Larson, U.S. Forest Service, informed the council that there has been interest from several councils in having a joint meeting with all councils during the winter of 2016. There have been joint council meetings in the past few year that have been successful in addressing interests common to adjacent councils. The Seward Peninsula Council unanimously supported a motion to pursue a joint all council meeting to discuss topics common to all the councils.

All Chairs Meeting, January 2015

Robert Larson, U.S. Forest Service, informed the council that there has been interest from several councils in having a meeting of the council chairs prior to but separate from the regulatory Board meeting. The Seward Peninsula Council unanimously supported a motion to ask OSM to fund a meeting of the Chairs. The council considered the opportunity for information sharing highly valuable and worthwhile.

Agency Reports

OSM

Chuck Ardizzone, Office of Subsistence Management, provided an update on personnel changes at the Office of Subsistence Management. Chuck is the new Deputy Director of OSM, Chris McKee is the new wildlife chief, Alex Nick the previous council coordinator for the Seward Peninsula Region has retired; Stewart Cogswell is the new chief of fisheries; David Jenkins has left OSM and positions within the Anthropology and Council Coordination Divisions are being filled.

BLM

Bruce Seppe, Bureau of Land Management, reported that the permanent subsistence coordinator may be hired next year. The BLM is preparing a Bering Sea Western Interior Land Use Plan. The agency will partner with the ADF&G to conduct cooperative moose assessment surveys next spring. There is a graphite mine that has exploration permits. This mine will require a new road to Teller for access.

NPS

Ken Adkisson reported there was no musk ox assessments conducted this year due to poor weather conditions and plans are being made to conduct those surveys this coming spring. There were 23 applicants for the two musk ox permits available within the preserve. Sheep populations have been reduced by 70% in Unit 23 and the area has been closed to hunting. The Western Arctic caribou herd has also declined dramatically and management actions are anticipated.

ADF&G

Drew Crawford, Alaska Department of Fish and Game, reported that nuisance musk ox in Nome are a concern and the Department is radio collaring animals to evaluate the effectiveness of moving groups away from Nome. The Department is working with the Nome Police Department and local residents to find solutions, including the use of electric fencing to protect special areas.

Future Meeting Dates

Winter – February 18-19, 2015 in Nome with recommendation that Old St. Joes or the convention center be considered as a venue.

Fall – October 14-15, 2015 in Nome

Closing Comments

The following items were provided as closing comments:

This was a productive meeting

It is good to see we are still paying attention to some old issues

The program needs to involve young people; they will have to live with the decisions
This was an enjoyable and informative meeting
People are interested in being informed of new issues
It is important to spent time with each other to better understand the issues
The orientation was informative and a good idea
Musk ox are a huge success story but not without some problems
People must learn to live with musk ox

Meeting adjourned 5:15 p.m. October 8, 2014.

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

October 17, 2014

/s/ Robert Larson
Robert Larson, DFO
U.S. Forest Service

/s/ Tim Smith
Tim Smith, vice-Chair
Seward Peninsula Subsistence Regional Advisory Council

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

To: Federal Subsistence Regional Advisory Councils
Date: December 2014
Subject: Scoping for Regulations to Allow *Subsistence Collections and Uses of Shed or Discarded Animal Parts & Plants from National Park System Areas in Alaska*

Issue:

The National Park Service (NPS) selected a modified Alternative D to implement its April 2014 decision regarding the environmental assessment (EA) on *Subsistence Collections and Uses of Shed or Discarded Animal Parts and Plants from Park Areas in Alaska*. The selected alternative will allow subsistence collections and uses of shed or discarded animal parts and plants to make into handicrafts for personal or family purposes, to barter, or to sell as customary trade. NPS-qualified subsistence users are residents of communities and areas with federally-recognized customary and traditional (C&T) use determinations for each species in each game management unit within the affected park areas. Subsistence users who have C&T eligibility for animal species will also be allowed to collect plant materials from those areas to make and use or sell handicrafts. The decision clears the way for the NPS to promulgate regulations to authorize such subsistence collections and resource uses on park areas in Alaska. The NPS has attempted to address concerns expressed by several Subsistence Resource Commissions (SRC) and federal Subsistence Regional Advisory Councils.

Alaska-specific regulations are needed to overcome the general nationwide NPS regulation at 36 Code of Federal Regulations (CFR) 2.1, which prohibits: “Possessing, destroying, injuring, defacing, removing, digging, or disturbing from its natural state: Living or dead wildlife and fish, or their parts or products thereof, such as antlers or nests; Plants or the parts or products thereof.” ANILCA Titles II and VIII authorize in park areas subsistence uses “of wild, renewable resources for direct or family consumption ...; for making and selling handicraft articles out of nonedible byproducts of wildlife resources taken ...; for barter ...; and for customary trade.”

The NPS indicated in a press release it would begin the process of drafting new regulations within a year of the decision. That process is underway, and we have a preliminary draft rule to available for review during the winter/spring 2015 SRC and RAC meetings. Once proposed regulations are published in the Federal Register, they are available for a 60-day public comment period. The final rule would be published after consideration of the public comments.

These regulations will provide a general framework for authorizing federally-qualified subsistence collections with provisions allowing Superintendents to customize the implementation as needed for local conditions through unit-specific regulations or compendia. NPS will continue consulting with SRCs, RACs, and tribes as the regulations and associated provisions to implement them are developed. Two-way discussions are needed to identify key concerns for the regulations and their implementing provisions such as appropriate types of written authorizations, specific local resource concerns that may need to be addressed in each

park area, and flexibility to address changing conditions in park areas regarding subsistence collections.

Discussion Points:

The EA decision specified the following:

- NPS-qualified subsistence users must have written authorization from the area Superintendent. Such authorization can take many forms. For example, individual permits could be issued to qualified subsistence users or written authorizations could be provided for specific resident zone communities or for areas with customary and traditional use findings for various resources.

Which type of written authorization would be best for your area and why?

- The decision adopted mitigating measures to minimize potential adverse effects on resources and values of affected NPS areas, including visitor use and enjoyment. Mitigating measures may include conditions and limits for collection activities, such as allowable quantities, locations, timing restrictions, or other restrictions to reduce resource impacts or user conflicts. Examples of areas that may be subject to restrictions of subsistence collections include archeological and historic sites; public facilities and travel corridors such as roads, airports and landing strips; and commonly used trails, rivers, and shores of ocean coasts and large lakes. Education programs and materials could be developed to inform the public and qualified subsistence users about the authorized collections.

Which areas and resources should be opened or not opened to subsistence collections and why?

What should be included in a public education program?

Contacts:

Bud Rice, Subsistence Manager, Alaska Regional Office, bud_rice@nps.gov, 907-644-3597

PRELIMINARY DRAFT

Section 13.420 is amended as follows:

By adding the following definitions:

Handicraft article is a finished product in which the shape and appearance of the natural material has been substantially changed by the skillful use of hands, such as sewing, carving, etching, scrimshawing, painting, or other means, which has substantially greater monetary and aesthetic value than the unaltered natural material(s). This term does not include a trophy or European mount of horns or antlers.

Wild renewable byproducts of wildlife means the nonedible antlers, horns, bones, teeth, claws, hooves, hides, fur, hair, feathers and quills, that have been:

- (1) Naturally shed,
- (2) Discarded from a lawfully hunted or trapped animal, or
- (3) Occur through natural mortality.

By revising the definition of *Subsistence uses*, subparagraphs (2) and (3) as follows:

(2) “Barter” shall mean the exchange of handicraft articles or fish or wildlife or their parts taken for subsistence uses—

- (i) For other fish or game or their parts; or
- (ii) For other food or for nonedible items other than money if the exchange is of a limited and noncommercial nature; and

(3) “Customary trade” shall be limited to the exchange of handicraft articles or furs for cash (and such other activities as may be designated for a specific park area in the applicable special regulations of this part).

Section 13.482 is added as follows:

§ 13.482 Subsistence collection and use of animal parts

(a) Local rural residents may collect wild renewable byproducts of wildlife, excluding migratory birds and marine animals, for subsistence uses in park areas where subsistence uses are allowed, provided that:

- (1) The resident has a federal customary and traditional use determination for the species collected in the game management unit where the collecting occurs (50 CFR Part 100), and
- (2) The resident has written authorization from the superintendent.

(b) The superintendent may establish conditions, limits, and other restrictions on collection activities. Areas opened to collections will be identified on a map posted on the park website and available at the park visitor center. Violating a condition, limit, or restriction is prohibited.

(c) Non-conflicting State regulations regarding the use of bear claws that are now or may later be in effect are adopted as a part of these regulations.

We are currently excepting proposals for:
Federal Subsistence Hunting and Trapping Regulations

Ending Date: March 25, 2015

How to Prepare Your Proposal

When preparing your proposal, it is important that you include the following information:

- Name
- Organization
- Contact information (Address, Phone, Fax or Email)

Your proposal must include the following information:

1. What regulations 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 in the regulations.
3. Why should this regulation change be made?

You should also provide any additional information that you believe will help the Board in evaluating the proposed change.

How to Submit a Proposal

By mail or hand delivery:

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

**In person at any Federal Subsistence
Regional Advisory Council meeting:**

www.doi.gov/subsistence/calendars/index.cfm

On the Web:

Go to the Federal eRulemaking Portal:
www.regulations.gov and search for FWS-R7-
SM-2014-0062, which is the docket number for
this rulemaking.

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

All proposals and comments, including personal information provided, are posted on the Web at
www.regulations.gov.

WILDLIFE CLOSURE REVIEW BRIEFING

As called for in the Closure Policy, the Office of Subsistence Management is reviewing existing wildlife closures to determine whether the original justifications for closure continue to apply. These reviews are being conducted in accordance with guidance found in the Federal Subsistence Board's Policy on Closures to Hunting, Trapping and Fishing on Federal Public Lands and Waters in Alaska, which was adopted in 2007. According to the policy, existing closures will be reviewed at least every three years, and are typically completed on a three-year rotational schedule. Most of the closures being reviewed this cycle were last reviewed by the Federal Subsistence Board (Board) in 2008. A summary of the current closure reviews which are applicable to your Regional Advisory Council (RAC) are provided.

Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) establishes a priority for the taking of fish and wildlife on Federal public lands and waters for non-wasteful subsistence uses over the taking of fish and wildlife for other purposes (ANILCA Section 804). The Federal Subsistence Board is authorized to restrict or close the taking of fish and wildlife by subsistence and non-subsistence users on Federal public lands and waters (ANILCA Section 804 and 815(3)) when necessary for: 1) the conservation of healthy populations of fish and wildlife; or 2) to continue subsistence users of such populations. In addition, the Board may also close Federal public lands and waters to any taking of fish and wildlife for reasons of public safety, administration, or to assure the continued viability of such population (ANILCA Section 816(b)).

Distribution and abundance of fish and wildlife populations are known to fluctuate based upon a variety of factors such as weather patterns, management actions, habitat changes, predation, harvest activities, and disease. Subsistence use patterns are also known to change over time in response to many factors including resource abundance, human population changes, among others. It is for these reasons that the Board decided in 2007 to conduct reviews every 3 years or earlier if new information becomes available that would potentially allow the closure to be lifted.

A Wildlife Closure Review contains a brief history of why a closure was implemented, along with a summary of the current resource condition and the OSM recommendation as to whether the closure should be continued or lifted.

Councils are asked to consider the OSM recommendation and share their views on the issue. Input from the Councils is critical to the development of regulatory proposals needed to address adjustments to regulations. After the Council reviews the closure review, they have three options, which should be in the form of an **action item**. They can recommend to:

- maintain the status quo
- modify
- rescind

If the Council recommends to modify or rescind, they should submit a proposal (**a separate action item**) at this time. Councils may choose to work with OSM staff to develop a proposal; however, proposals addressing these issues can be submitted by other individuals or organizations as well.

Regardless of the Council recommendation, closures remain in effect until changed by the Federal Subsistence Board, and any regulatory proposals that may result from this review process will be considered through the normal regulatory cycle. The current window for wildlife proposals for the 2014-2016 regulatory cycle closes on March 29, 2013.

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.

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

Seward Peninsula Subsistence Regional Advisory Council

Charter

1. **Committee's Official Designation.** The Council's official designation is the Seward Peninsula Subsistence Regional Advisory Council (Council).
2. **Authority.** The Council is reestablished by virtue of the authority set out in the Alaska National Interest Lands Conservation Act (16 U.S.C. 3115 (1988)) Title VIII, and under the authority of the Secretary of the Interior, in furtherance of 16 U.S.C. 410hh-2. The Council is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., Appendix 2.
3. **Objectives and Scope of Activities.** The objective of the Council is to provide a forum for the residents of the region with personal knowledge of local conditions and resource requirements to have a meaningful role in the subsistence management of fish and wildlife on Federal lands and waters in the region.
4. **Description of Duties.** The Council possesses the authority to perform the following duties:
 - a. Recommend the initiation of, review, and evaluate proposals for regulations, policies, management plans, and other matters relating to subsistence uses of fish and wildlife on public lands within the region.
 - b. Provide a forum for the expression of opinions and recommendations by persons interested in any matter related to the subsistence uses of fish and wildlife on public lands within the region.
 - c. Encourage local and regional participation in the decision making 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 \$120,000, 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 4-year terms. If no successor is appointed on or prior to the expiration of a member's term, then the incumbent member may continue to serve until the new appointment is made or 120 days past the expiration of term, whichever is sooner. A vacancy on the Council will be filled by an appointed alternate, if available, or 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 may 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 purposes of compiling information or 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, must be handled in accordance with General Records Schedule 26, Item 2, or 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

Date Signed

Date Filed

Fall 2015 Regional Advisory Council Meeting Calendar

August–November 2015

Meeting dates and locations are subject to change.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Aug. 16	Aug. 17 WINDOW OPENS	Aug. 18	Aug. 19	Aug. 20	Aug. 21	Aug. 22
Aug. 23	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 HOLIDAY	Sept. 8	Sept. 9	Sept. 10	Sept. 11	Sept. 12
Sept. 13	Sept. 14	Sept. 15	Sept. 16	Sept. 17	Sept. 18	Sept. 19
Sept. 20	Sept. 21	Sept. 22	Sept. 23	Sept. 24	Sept. 25 K/A—Adak	Sept. 26
Sept. 27	Sept. 28	Sept. 29	Sept. 30 <i>End of Fiscal Year</i>	Oct. 1	Oct. 2	Oct. 3
Oct. 4	Oct. 5	Oct. 6 NWA—Buckland (tent.)	Oct. 7 YKD—TBA	Oct. 8	Oct. 9	Oct. 10
Oct. 11	Oct. 12	Oct. 13 SE—Petersburg	Oct. 14 SP—Nome	Oct. 15	Oct. 16	Oct. 17
Oct. 18	Oct. 19	Oct. 20 SC - Seldovia	Oct. 21	Oct. 22	Oct. 23	Oct. 24
Oct. 25	Oct. 26	Oct. 27 BB - Dillingham	Oct. 28	Oct. 29 EI - Fairbanks	Oct. 30	Oct. 31
Nov. 1	Nov. 2	Nov. 3 WI - Kaltag	Nov. 4 NS—Kaktovik (tent.)	Nov. 5	Nov. 6 WINDOW CLOSSES	Nov. 7

Subsistence Regional Advisory Council Correspondence Policy

The Federal Subsistence Board (Board) recognizes the value of the Regional Advisory Councils' role in the Federal Subsistence Management Program. The Board realizes that the Councils must interact with fish and wildlife resource agencies, organizations, and the public as part of their official duties, and that this interaction may include correspondence. Since the beginning of the Federal Subsistence Program, Regional Advisory Councils have prepared correspondence to entities other than the Board. Informally, Councils were asked to provide drafts of correspondence to the Office of Subsistence Management (OSM) for review prior to mailing. Recently, the Board was asked to clarify its position regarding Council correspondence. This policy is intended to formalize guidance from the Board to the Regional Advisory Councils in preparing correspondence.

The Board is mindful of its obligation to provide the Regional Advisory Councils with clear operating guidelines and policies, and has approved the correspondence policy set out below. The intent of the Regional Advisory Council correspondence policy is to ensure that Councils are able to correspond appropriately with other entities. In addition, the correspondence policy will assist Councils in directing their concerns to others most effectively and forestall any breach of department policy.

The Alaska National Interest Lands Conservation Act, Title VIII required the creation of Alaska's Subsistence Regional Advisory Councils to serve as advisors to the Secretary of the Interior and the Secretary of Agriculture and to provide meaningful local participation in the management of fish and wildlife resources on Federal public lands. Within the framework of Title VIII and the Federal Advisory Committee Act, Congress assigned specific powers and duties to the Regional Advisory Councils. These are also reflected in the Councils' charters. (*Reference: ANILCA Title VIII §805, §808, and §810; Implementing regulations for Title VIII, 50 CFR 100 .11 and 36 CFR 242 .11; Implementing regulations for FACA, 41 CFR Part 102-3.70 and 3.75*)

The Secretaries of Interior and Agriculture created the Federal Subsistence Board and delegated to it the responsibility for managing fish and wildlife resources on Federal public lands. The Board was also given the duty of establishing rules and procedures for the operation of the Regional Advisory Councils. The Office of Subsistence Management was established within the Federal Subsistence Management Program's lead agency, the U.S. Fish and Wildlife Service, to administer the Program. (*Reference: 36 CFR Part 242 and 50 CFR Part 100 Subparts C and D*)

Policy

1. The subject matter of Council correspondence shall be limited to matters over which the Council has authority under §805(a)(3), §808, §810 of Title VIII, Subpart B §__.11(c) of regulation, and as described in the Council charters.
2. Councils may, and are encouraged to, correspond directly with the Board. The Councils are advisors to the Board.
3. Councils are urged to also make use of the annual report process to bring matters to the

Board's attention.

4. As a general rule, Councils discuss and agree upon proposed correspondence during a public meeting. Occasionally, a Council chair may be requested to write a letter when it is not feasible to wait until a public Council meeting. In such cases, the content of the letter shall be limited to the known position of the Council as discussed in previous Council meetings.
5. Except as noted in Items 6, 7, and 8 of this policy, Councils will transmit all correspondence to the Assistant Regional Director (ARD) of OSM for review prior to mailing. This includes, but is not limited to, letters of support, resolutions, letters offering comment or recommendations, and any other correspondence to any government agency or any tribal or private organization or individual.
 - a. Recognizing that such correspondence is the result of an official Council action and may be urgent, the ARD will respond in a timely manner.
 - b. Modifications identified as necessary by the ARD will be discussed with the Council chair. Councils will make the modifications before sending out the correspondence.
6. Councils may submit written comments requested by Federal land management agencies under ANILCA §810 or requested by regional Subsistence Resource Commissions (SRC) under §808 directly to the requesting agency. Section 808 correspondence includes comments and information solicited by the SRCs and notification of appointment by the Council to an SRC.
7. Councils may submit proposed regulatory changes or written comments regarding proposed regulatory changes affecting subsistence uses within their regions to the Alaska Board of Fisheries or the Alaska Board of Game directly. A copy of any comments or proposals will be forwarded to the ARD when the original is submitted.
8. Administrative correspondence such as letters of appreciation, requests for agency reports at Council meetings, and cover letters for meeting agendas will go through the Council's regional coordinator to the appropriate OSM division chief for review.
9. Councils will submit copies of all correspondence generated by and received by them to OSM to be filed in the administrative record system.
10. Except as noted in Items 6, 7, and 8, Councils or individual Council members acting on behalf of or as representative of the Council may not, through correspondence or any other means of communication, attempt to persuade any elected or appointed political officials, any government agency, or any tribal or private organization or individual to take a particular action on an issue. This does not prohibit Council members from acting in their capacity as private citizens or through other organizations with which they are affiliated.

Approved by the Federal Subsistence Board on June 15, 2004.



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