

1 FEDERAL SUBSISTENCE BOARD  
2  
3 PUBLIC REGULATORY MEETING  
4

5  
6 GORDON WATSON CONFERENCE ROOM  
7 US Fish and Wildlife Service  
8 Anchorage, ALASKA  
9

10 January 12, 2016  
11 8:30 o'clock a.m.  
12

13 MEMBERS PRESENT:

14  
15 Tim Towarak, Chairman  
16 Charles Brower  
17 Anthony Christianson  
18 Dan Sharp, Bureau of Land Management  
19 Geoff Haskett, U.S. Fish and Wildlife Service  
20 Bert Frost, National Park Service  
21 Bruce Loudermilk, Bureau of Indian Affairs  
22 Wayne Owen, U.S. Forest Service

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25  
26 Ken Lord, Solicitor's Office

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P R O C E E D I N G S

(Anchorage, Alaska - 1/12/2016)

(On record)

CHAIRMAN TOWARAK: Good morning. I'm going to call this Federal Subsistence Board meeting to order. We were waiting for a few minutes for one of the Board members that's on the road. It sounds like he's taking a little bit longer than we thought it would, so we're going to go ahead and get started at this point.

The first item is review and adopt the agenda for today's meeting or tomorrow if we need tomorrow. Are there any changes that anyone would like to make on the agenda.

(No comments)

CHAIRMAN TOWARAK: If not, then a motion is open to approve the agenda.

MR. BROWER: So moved, Mr. Chair.

MR. HASKETT: Second.

CHAIRMAN TOWARAK: You heard the motion and a second to adopt the agenda. Any discussion on the motion.

(No discussion)

CHAIRMAN TOWARAK: Not hearing any. All those in favor of the motion say aye.

IN UNISON: Aye.

CHAIRMAN TOWARAK: Any opposed same sign, say nay.

(No opposing votes)

CHAIRMAN TOWARAK: Motion passes. We will go on to information exchange from the Board members, starting with Charlie and going around the table.

MR. BROWER: Good morning. Happy new

1 year. My name is Charlie Brower. I'm from Barrow, a  
2 public member. Good to see everyone.

3

4 MR. CHRISTIANSON: Good morning,  
5 everybody. I'm Anthony Christianson. I'm from  
6 Hydaburg and I represent the rural members.

7

8 MR. OWEN: Wayne Owen with U.S. Forest  
9 Service. I'm here representing the Regional Forest for  
10 Beth Pendleton today. I don't have anything to share.

11

12 MR. SHARP: Good morning. I'm Dan  
13 Sharp. I'm with the Interagency Staff Committee. This  
14 morning I'm sitting in for Bud Cribley, who is doing  
15 the opening comments at an Aquatic Inventory Monitoring  
16 Workshop. He should be here later in the morning.

17

18 MS. KLEIN: Good morning. My name is  
19 Jill Klein. I'm a special assistant for Commissioner  
20 Cotten at the Alaska Department of Fish and Game. It's  
21 nice to be here and see everyone.

22

23 MR. DAVIS: Thank you. Good morning.  
24 I'm Brian Davis. I'm the Regional Program Manager for  
25 the Division of Subsistence at the Department of Fish  
26 and Game.

27

28 MR. COGSWELL: Good morning. My name  
29 is Stewart Cogswell. I'm the Fisheries Division Chief  
30 for the Office of Subsistence Management.

31

32 MS. HARDIN: Good morning. My name is  
33 Jennifer Hardin and I am the Anthropology Division  
34 Chief at OSM.

35

36 MR. LOUDERMILK: Good morning,  
37 everyone. My name is Bruce Loudermilk. I'm the  
38 Regional Director for the Bureau of Indian Affairs,  
39 Board member.

40

41 MS. MCBURNEY: Good morning and happy  
42 new year to everyone. My name is Mary McBurney. I am  
43 the Interagency Staff Committee member for the National  
44 Park Service sitting in for Bert Frost until he arrives  
45 later on. He's delayed in traffic.

46

47 MR. HASKETT: Good morning and happy  
48 new year from me too. I'm Geoff Haskett, U.S. Fish and  
49 Wildlife Service. So information sharing, this is my  
50 last meeting of the Federal Subsistence Board because

1 I'm retiring as of April 1st. So it's been nice. I'll  
2 miss you all.

3

4 MR. LOUDERMILK: I don't know if we  
5 should clap or what.

6

7 (Laughter)

8

9 MR. HASKETT: You probably should clap,  
10 Bruce.

11

12 (Applause)

13

14 MR. PELTOLA: Thank you, Mr. Chair.  
15 Good morning. My name is Gene Peltola, Jr. I'm the  
16 Assistant Regional Director for the Office of  
17 Subsistence Management. We have one other notable  
18 departure from the Federal Subsistence Program. Chuck  
19 Ardizzone, our Deputy Assistant Regional Director, has  
20 accepted a position in Houston with the Fisheries and  
21 Ecological Services in one of their field offices in  
22 Texas. He'll be departing Alaska and the program on  
23 January 21st.

24

25 How many years have you been with the  
26 program, Chuck?

27

28 MR. ARDIZZONE: 13 or 14 years.

29

30 MR. PELTOLA: It will be a big loss to  
31 the program, but we're very happy to see Chuck move on  
32 to a different position in the sense that he deserves  
33 the advancement in the position very much so.

34

35 Thank you much.

36

37 CHAIRMAN TOWARAK: Thank you. I'm Tim  
38 Towarak. I'm the Chairman of the Federal Subsistence  
39 Board. I'm from Unalakleet representing rural  
40 subsistence users from the whole state. I don't have  
41 anything new to present, but I'd like to thank Geoff  
42 for his many years of service on the Subsistence Board.

43

44 When I first came on, I kept on calling  
45 him Jeff Staser. If anybody remembers who Jeff Staser  
46 is, he was the right-hand man for Senator Stevens in  
47 Washington, D.C., so I had you up there.

48

49 (Laughter)

50

1 MR. HASKETT: And I thank you for that.

2

3 CHAIRMAN TOWARAK: If there is no other  
4 information exchange -- oh, I'm sorry. Ken, do you  
5 want to introduce yourself.

6

7 MR. LORD: Good morning. My name is  
8 Ken Lord. I'm with the Solicitor's Office, which means  
9 I'm a legal advisor to the program here.

10

11 CHAIRMAN TOWARAK: Thank you. We will  
12 then continue on with the agenda. The next item on the  
13 agenda is recommendations on Fisheries Resource  
14 Monitoring Program. It's going to be introduced and  
15 explained primarily in the process, I assume, and ask  
16 the Board to follow up on their recommendations.

17

18 We'll turn the floor over to Mr.  
19 Cogswell.

20

21 MR. COGSWELL: Good morning, Mr. Chair.  
22 For the record, my name is Stewart Cogswell. I'm the  
23 Fisheries Division Chief for OSM. Jennifer Hardin and  
24 I will be doing this presentation. She's going to be  
25 handing out this PowerPoint to you if you want to take  
26 notes.

27

28 I'm very excited about this day. I was  
29 waiting for this day for a while. I've been on the job  
30 for a little over a year. One of my first assignments  
31 was to work with the FRMP program. So you've probably  
32 heard about some changes that were made and I'm very  
33 excited to tell you about those changes. It's an honor  
34 because this program directly affects people's lives.  
35 It is the Service's Subsistence Program and I'm really  
36 excited to be a part of that. Manage a program that  
37 affects people's lives in such a deep and critical way.

38

39 Thank you, Ameer, for handing this out.  
40 We're going to jump right into Fisheries Resource  
41 Monitoring Program if I can operate this correctly.  
42 I'm supposed to aim at the window. There we go.  
43 I was hitting the wrong button. So what we're going to  
44 do today, I don't have a lot of time planned. I have  
45 about 20, 25 minutes planned for an explanation.

46

47 This first slide, we're going to talk a  
48 little bit about the program. We're going to go  
49 through a historical overview, do a programmatic  
50 review. That's what I was assigned to do is kind of

1 look at the program where we could make some tweaks.  
2 Talk to you about the revised process, the new things  
3 we added, and then present you with a Draft Monitoring  
4 Plan for your endorsement.

5  
6 I'm not going to go into deep detail  
7 right off the bat. I'm going to present you with just  
8 an overview and the projects too. We're fully prepared  
9 to go as deep as you guys want to. I have all the  
10 analysts here in the crowd, so we're ready to talk.  
11 I'm going to be on the surface, but if you guys want to  
12 go deeper, I'm fully prepared to do that. We have  
13 everyone here to talk as in depth on these projects as  
14 you want.

15  
16 I'll try to answer all your questions  
17 today. If I can't, hopefully Gene will bail me out.  
18 And if we can't answer today, we'll definitely get back  
19 with you.

20  
21 So next slide. I just want to read the  
22 mission and this is pretty important. The mission of  
23 the FRMP program. The mission of the Monitoring  
24 Program is to identify and provide information needed  
25 to sustain subsistence fisheries on Federal public  
26 lands for rural Alaskans through a multidisciplinary  
27 collaborative approach.

28  
29 What that sort of means is the projects  
30 must be related or have a nexus to subsistence fishing  
31 on Federal public lands. That's sort of the main  
32 filter. That's what a project has to have to be  
33 considered.

34  
35 I want to stop for a second. Before  
36 this mission takes place, there's a lot of folks that  
37 are involved in making this happen. The FRMP is not  
38 just me, okay, or Jennifer. It's a whole group of  
39 folks and they put a lot of time into this. I  
40 apologize to the folks on the phone, but I'm going to  
41 ask all the analysts in the back of the room to please  
42 stand so you guys can actually see the folks who worked  
43 on these projects. So would all the analysts please  
44 stand.

45  
46 (Applause)

47  
48 These are members of the Fisheries  
49 Division and Anthropology Division, including Ken  
50 Gates, if you want to raise your hand. Ken Gates did a

1 detail with us. He helped out. We were a little low  
2 staffed in fisheries. He's from the Kenai Fisheries  
3 Office and did an amazing job. I was really happy with  
4 the analysis he did. He had specific expertise in some  
5 of the projects he analyzed and I appreciate that  
6 effort.

7

8 I also want to thank Kay Larson-Blair,  
9 who is no longer employed with the Fish and Wildlife  
10 Service. The materials you have in front of you are  
11 mainly the result of her work. She did a ton of work  
12 with this program before she left and I just want to  
13 publicly thank her for her efforts with OSM over the  
14 years and with this particular cycle. So she did a  
15 great job.

16

17 One last person to thank. I love the  
18 look of this cover and the graphics, so there's one  
19 person responsible for that and that's Deborah Coble.  
20 Will you please stand or wave.

21

(Applause)

22

23

24 I'll get to it a little later, but  
25 Debra and I have big plans for outreach and outreach  
26 for this program. I can't say enough about the staff  
27 and the work they did. Being the new guy and trying to  
28 implement changes or new ideas and meshing those with  
29 existing processes, everyone was on board and extremely  
30 helpful. So I want to thank the analysts myself. They  
31 did a great job.

32

33 Onto the next page. These are just  
34 some general background information on the program.  
35 The program is administered through OSM. The goal is  
36 to advance projects that are strategically important to  
37 the Federal Subsistence Management Program. Number  
38 three, coordinate and enhance subsistence research and  
39 communicate that information. I think that last  
40 sentence is very key and going to be one of our  
41 priorities, to make sure the information that is  
42 gleaned from this projects is communicated forward.

43

44 So, with that, I'm going to turn it  
45 over to Jennifer Hardin.

46

47 MS. HARDIN: Good morning, everyone.  
48 As you can see on the slide, from its inception the  
49 FRMP has been organized into six regions that roughly  
50 correspond to Federal subsistence fisheries. When the

1 regions were originally organized, they shared certain  
2 characteristics in common. They're listed up here on  
3 the -- the regions are outlined on the slide.

4

5 I would like to mention that while we  
6 arrange the proposals that we receive, we organize them  
7 according to region. We also encourage -- we accept  
8 and really encourage proposals that span multiple  
9 regions and address issues that span multiple regions  
10 in the state.

11

12 This slide gives you a little bit of a  
13 historical overview about funding in the FRMP. Since  
14 the program was implemented in 2000, we have funded a  
15 total of 431 projects. The project had an initial  
16 allocation of \$5 million. Between 2000 and 2014 a  
17 total of \$103.6 million has been allocated for the  
18 Monitoring Program. Of the 431 projects that have been  
19 funded include both stock status and trends projects  
20 and harvest monitoring and traditional ecological  
21 knowledge projects.

22

23 This slide shows you how the money has  
24 been allocated according to agency and organizations,  
25 but it doesn't tell the whole picture because many of  
26 the agencies and organizations that have received  
27 funding over the years have taken some of that funding,  
28 used it to subcontract with tribes, communities and  
29 other research partners.

30

31 The program does have general budget  
32 guidelines that have been established by geographic  
33 region and you'll see them on the slide. Geographic  
34 region and data type. These budget guidelines provide  
35 an initial target for planning purposes only. They're  
36 not the final allocations. The final funding  
37 allocations are adjusted annually as needed to ensure  
38 that we are funding high quality projects and also  
39 really timely projects. Projects that address  
40 subsistence issues that are happening in the moment.

41

42 So for the last 15 years the FRMP has  
43 been an outstanding program and it's funded many  
44 critical subsistence projects throughout Alaska and we  
45 are really committed to ensuring that the high quality  
46 of the program continues well into the future. So,  
47 under Stewart's leadership, we initiated a programmatic  
48 review of the program beginning with the 2016 FRMP  
49 cycle. The purpose of this review is to assess what's  
50 working well in the program and also to identify some

1 possible tweaks to the program that could strengthen  
2 it.

3

4                   We have identified and implemented  
5 several small tweaks that we believe will help solidify  
6 the program into the future and we're going to talk  
7 more about those today. This slide lists some of the  
8 areas that we've been taking a really close look at  
9 through the programmatic review. We'll talk more about  
10 a lot of the issues that are listed on this slide  
11 throughout the presentation, but for right now I just  
12 want to underscore that one of our main objectives in  
13 the programmatic review has been to ensure that we  
14 maximize transparency in the program and objectivity.

15

16                   All the revisions that have been  
17 implemented have been directed towards that end. We  
18 really want to ensure that people know exactly how  
19 their proposals are going to be evaluated. We believe  
20 that this builds trust in the process and it benefits  
21 the program overall.

22

23                   We also have instituted a few tweaks  
24 that emphasize consistency about programmatic  
25 decisions, so we want to make sure that all of the  
26 programmatic decisions that are made are applied  
27 consistently across all proposals. Again, the intent  
28 of this is to increase credibility and trust in the  
29 process. We're also really committed to helping our  
30 potential research partners develop really strong  
31 proposals.

32

33                   So as we move forward, we'll be working  
34 more closely with potential research partners through  
35 enhanced outreach efforts, which Stewart will talk a  
36 little bit more about. Some of these outreach efforts  
37 include increased communications and notifications as  
38 well as providing trainings that help people develop  
39 even stronger proposals than they already have been  
40 submitting.

41

42                   The FRMP Technical Review Committee or  
43 TRC is foundational to the program by ensuring the  
44 scientific integrity of the proposal evaluation  
45 process. As you can see on this slide, the Technical  
46 Review Committee is a standing interagency committee  
47 composed of senior technical experts from both Federal  
48 agencies and the State of Alaska. The OSM Assistant  
49 Regional Director makes appointments to the TRC and the  
50 current members of the committee represent all the

1 agencies on the Board as well as the Alaska Department  
2 of Fish and Game and staff from the Office of  
3 Subsistence management.

4  
5           The TRC has a very big job. They  
6 review and rank every proposal that's submitted and the  
7 Committee meets at least annually to not only review  
8 and rank proposals, but to address issues and concerns  
9 that have come up in the program or related to the  
10 process. The TRC is also really committed to an  
11 interdisciplinary approach. This is extremely  
12 important to the program. We feel like it really  
13 benefits the program and makes the program stronger  
14 overall, so we aim for a 50/50 split between biologists  
15 and anthropologists on the Committee.

16  
17           Right now Stewart and I would really  
18 just like to take this opportunity to thank all of you  
19 and your agencies for providing representatives to  
20 serve on the Technical Review Committee. We are truly  
21 indebted to you and to the TRC members. They have done  
22 amazing work and they put in a tremendous amount of  
23 time and effort in this process. They've provided  
24 extremely helpful feedback and guidance as we make  
25 these tweaks and these revisions.

26  
27           We wouldn't be where we are without all  
28 of them and all of your agencies. So we really were  
29 extremely impressed by their professionalism and the  
30 breadth of knowledge that they brought to the table.  
31 So thank you very much and thank you to all the TRC  
32 members that are here with us today. We really  
33 appreciate your efforts.

34  
35           This slide just lists some of the major  
36 policy and funding guidelines that undergird the FRMP.  
37 So, as you can see, we'll consider projects of up to  
38 four years duration for any year's monitoring plan.  
39 Studies that are submitted shouldn't duplicate existing  
40 projects. Also, whenever possible, Monitoring Program  
41 funding is to be dedicated to non-Federal agencies  
42 whenever possible.

43  
44           We also will consider long-term  
45 projects on a case-by-case basis. We're in the process  
46 of developing a strategy for how to deal with long-term  
47 projects because as Federal budgets have declined, we  
48 have a balancing act where we need to balance the need  
49 for the information that we receive from these  
50 long-term projects with our ability to commit to

1 funding them so that we can see them through to the  
2 end. So at this point we are considering them on a  
3 case-by-case basis, but we hope to have an official  
4 strategy in place very soon dealing with long-term  
5 projects.

6  
7 There are some activities that are not  
8 eligible for funding and these include habitat  
9 restoration and enhancement, hatchery propagation and  
10 stocking, contaminant sampling and projects that are  
11 primary outreach or education activities.

12  
13 At this point I'm going to turn it back  
14 over to Stewart who is going to talk a bit more about  
15 the funding process and the 2016 Fisheries Monitoring  
16 Plan.

17  
18 MR. COGSWELL: Thank you, Jennifer.  
19 Through the Chair, this is Stewart Cogswell again. I'm  
20 going to go through how the process works. This is the  
21 same presentation I presented at the RACs. OSM was out  
22 doing this presentation at the RACs, so this is  
23 basically the same presentation. I want everyone to be  
24 aware of how it works and how we're going to move  
25 forward and I'll talk about some of the changes we made  
26 as we go through this.

27  
28 So, having said that with these  
29 changes, I want to just acknowledge that this is a work  
30 in progress. We're still making changes. Some things  
31 we could do better and we'll get better at them. We  
32 have more changes to make, not huge ones, but little  
33 tweaks to make this as transparent and functional as a  
34 kind of elite funding program. We want this to be one  
35 of the best programs there is.

36  
37 Okay. I'm going to present to you six  
38 steps. This is the process, okay, these six steps I'm  
39 going to go through and then I'll basically be done  
40 with my presentation. So step one -- and this is very  
41 critical. This is one of the most critical steps.  
42 This is proposal development. This is kind of a change  
43 from in the past.

44  
45 Number one, the Office of Subsistence  
46 Management assists the Regional Advisory Councils with  
47 priority needs development. That's something that's  
48 happened in the past. That will happen again at the  
49 all-RAC meeting. Were going to update the -- work with  
50 the RACs to update the priority needs list. So that's

1 where it starts. That's a key component.

2

3                   Number two, we want the RACs to work  
4 with the principal investigators. In the past, what  
5 may have happened, you know, you have a due date and  
6 the investigators, they read the priority needs and  
7 they may scramble to get a project in. There may have  
8 been no communication with the RACs. We want to change  
9 that. We want the investigators and the RACs to talk  
10 throughout the year. You have the priority needs? We  
11 should be talking and finding investigators to -- you  
12 know, you have a need. Find them throughout the year,  
13 work through that project, vet it, develop it so it's  
14 ready to go when it's due, you know. Don't wait until  
15 the last minute.

16

17                   A lot of projects, you know, they said  
18 we'd do this and do that and they didn't ask yet if  
19 they could even do that in the community or village.  
20 So the goal is to have folks talking about this before  
21 the due date. The due date is going to start November  
22 through February of next year. That will be the open  
23 period. We'd like you folks to start doing it now, you  
24 know, working on these projects so the projects are as  
25 best as they can be.

26

27                   We'll provide technical assistance as  
28 needed. We don't write projects, but we'll try to  
29 match you up with investigators. We'll do as much as we  
30 can to help folks get the best projects they can.

31

32                   Number three, the a) postcard/letter,  
33 in a couple weeks -- you know, our whole mailing list  
34 is 600 and some people. It goes out to all the  
35 villages, the RACs corporations, researchers. We're  
36 going to send them an update just basically stating  
37 what I just said, you know, letting people know. And  
38 we'll probably send out another one after the all-RAC  
39 meeting to let people know that this is a new paradigm  
40 where we want you to work on these projects.

41

42                   Jennifer alluded to declined funding,  
43 budgets are declining, so we've got to be prepared to  
44 address that, so I think this is a good way to get good  
45 projects.

46

47                   So that's step one. It's a very  
48 critical step for the RACs. There's two steps in here  
49 I want to really talk about for the RACs or communities  
50 that is very critical for project development or this

1 process.

2

3

4 Step two. This is the actual  
5 submission. A complete project package must be  
6 submitted on time. We will no longer be accepting, you  
7 know, half projects submitted on the due date, pieces  
8 of information coming in over time. We need the whole  
9 project. If your project is not submitted on time, it  
10 won't be accepted.

11

12 The notice of funding availability or  
13 opportunity outlines that. Again, that's probably going  
14 to come out November and run through February this  
15 year, the open period -- through next year will be the  
16 open period. The deadlines are important because the  
17 person submitting the project is going to have  
18 deadlines within the project for reporting. That's a  
19 good thing. If the project can be submitted on time,  
20 the paperwork and the reporting is probably going to be  
21 on time too.

22

23 Number two. A proposal must align with  
24 the overall FRMP mission. That means having a nexus to  
25 the Federal Subsistence Program and address these five  
26 criteria. I want to read these because these are  
27 really important. Strategic priority/priority needs.  
28 It has to address one of those.

29

30 Technical-scientific merit. It has to  
31 be technically and scientifically sounds.

32

33 Investigator ability and resources.  
34 The investigator has to have a good track record and we  
35 do accept new investigators, but if you have a poor  
36 track record of managing a project, your project  
37 probably won't score as high.

38

39 Partnership and capacity. This is a  
40 big one for me. I really, really want to stress  
41 partnership and capacity while I'm here. I think it's  
42 important. It's a difficult one because if you think  
43 about it, a dollar spent on capacity building doesn't  
44 always equate to a dollar capacity built, but it  
45 doesn't mean we shouldn't do it. I think it's very  
46 important to try to build capacity. It's one of the  
47 criteria and we will hold people accountable for  
48 building capacity.

49

50 And then cost benefit. Again, we're in  
a declining funding climate. We have to be cost aware

1 because budgets are declining and we want to make sure  
2 we're funding the best projects.

3

4                   If you follow those five criteria right  
5 there, your project will probably be competitive. If  
6 you have a really high cost, if you pad that a lot, it  
7 won't be as competitive. If you don't do partnership  
8 or capacity, your project won't be as competitive. So  
9 even if your project addresses -- let's say the  
10 priority need is, I'm just going to use this as an  
11 example, Yukon chinook and you have a project that says  
12 Yukon chinook, that doesn't mean that project addressed  
13 all those other criteria. It just addressed the  
14 priority need in title only. So that's what the  
15 analyst did.

16

17                   A lot of these projects you'll see on  
18 our list today that aren't being recommended are --  
19 they're good ideas. They just need to be worked out a  
20 little bit better. I think that's a good place to be.  
21 I think for projects -- for a little bit of tweaking to  
22 have a better project in two years I think is a good  
23 thing rather than put in a project that may not answer  
24 the direct question and the methodology could be  
25 tweaked a little bit or the cost could come down.

26

27                   We received this year, I think, \$4.3  
28 million worth of projects and we only have \$2 million,  
29 so that tells you right there that we have a bigger  
30 need than we have, but it's imperative that we only  
31 fund those projects that are ready to go, that are  
32 going to have a direct impact, the highest impact.

33

34                   In the past, it has seemed like that  
35 those that have been the most effective are the ones  
36 that have successfully lobbied for their projects. As  
37 a program, we really want to fund those projects that  
38 have the closest tie to the Federal program, the  
39 closest tie to subsistence needs. We're going to  
40 address that in future cycles.

41

42                   I'll move on to step three. This is  
43 evaluation. This is where some of the changes are  
44 coming from or the area that we -- you know, our  
45 changes. So number one is we want to enhance the  
46 program. Like Jennifer talked to, we want the program  
47 to be the best it can be.

48

49                   Number two. We really want to strive  
50 for program transparency. We want everyone to know and

1 my door is always open to anybody that wants to come in  
2 and talk about this, the process or how we did it and  
3 the rationale behind why we did what we did. So we  
4 want the program to be transparent.

5  
6                   Number three. As I said earlier, we  
7 want to identify those high-quality projects.

8  
9                   Number four. We want to maximize  
10 funding opportunities. What that means to me, in the  
11 future paradigm we're going to have to look for  
12 partnerships. Partnerships are going to be key to  
13 doing some of these projects, especially those long-  
14 term expensive projects.

15  
16                   This slide is proposal evaluations.  
17 These are some suggestions that arrived on my desk when  
18 I walked in the door from different programs and  
19 different folks. So some key modifications from what  
20 has been in the past. Number one, specific guidelines  
21 for assessing how and whether a proposed project has  
22 addressed each of the five criteria.

23  
24                   In the past, we had a high, medium and  
25 low scoring system. To me that's pretty subjective.  
26 All the folks on the Board here, you know, our highs  
27 may be different. Is your high a high high or a medium  
28 high or a low high. How do you get at that. I didn't  
29 care for that. I thought that wasn't the best. So  
30 what I interjected was the criteria are the same, but  
31 internally we score them with objective ranking  
32 criteria within each of those five criteria. So that  
33 got rid of some of the subjectivity, which I thought  
34 was a good thing. That's pretty standard in most  
35 funding programs.

36  
37                   Number two, receive a single  
38 consolidated review from each participating agency. In  
39 the past, there was some thoughts that some agencies  
40 had three members or two members and other agencies had  
41 one member that was biased or wasn't fair. I  
42 eliminated that. All agencies get one vote no matter  
43 how many people you have on the TRC. So there's no --  
44 somebody can't say that there's bias interjected there.  
45 So everyone gets one vote.

46  
47                   The last one is agencies cannot rank  
48 their own proposals. We encourage agencies to put in  
49 proposals, but then if your agency -- let's say OSM put  
50 in a proposal, Jennifer and I, we're both on the

1 Technical Review Committee, we've got one vote. We  
2 didn't get two votes, we got one vote, so just like  
3 everyone else. We manage the program, we get one vote.  
4 But if our agency put in a project, Jennifer and I  
5 didn't get to vote on it.

6  
7 Again, it's eliminating any bias to the  
8 program. ADF&G, if they submitted a proposal, they  
9 didn't vote on any of their proposals. This list, no  
10 one that submitted a proposal got to vote on their  
11 proposal, so I thought that was a good thing and that's  
12 pretty standard in most funding programs.

13  
14 Step four, proposal ranking. I'll talk  
15 about that. In the book, you know, there's summaries.  
16 In the past, the RACs have ranked their proposals.  
17 Even ISC has ranked proposals. For me, the only people  
18 that have all the information is the Technical Review  
19 Committee. They have to sign a confidentiality  
20 agreement. They can't share anything with anybody.  
21 They see all the numbers, everything. So no one else  
22 has all that information, so it's very hard for someone  
23 else to rank those proposals with limited information.

24  
25  
26 So I tried to encourage folks that that  
27 wasn't a good thing to do or it wasn't a true indicator  
28 of what those projects were because -- one thing I can  
29 assure you is all 44 of these projects were all ranked  
30 the same way. They were all put through the same  
31 filter. They were all ranked the same way. There was  
32 no bias. They were all ranked exactly the same on the  
33 same criteria. So that's one thing I'm very happy  
34 about. There's no bias interjected there.

35  
36 Some of these changes I just want to --  
37 there was a member on the TRC that's been here since  
38 the start of the program and he made a comment that  
39 these changes were a long time coming and it's a great  
40 way forward. We've got to fix a few things. We'll get  
41 those shored up. But I thought that was a good  
42 statement of support, letting us know that he thought  
43 they were good having seen it from its inception. So  
44 that's some of the changes you may have heard about. I  
45 think they are helpful in shoring up the program.

46  
47 Proposal ranking. This is the product  
48 of TRC. If you want to open your books to Page 52. We  
49 affectionately call it the green/red/yellow page. This  
50 is a product of the Technical Review Committee and the

1 start of the Draft Monitoring Plan. Each of these  
2 projects, as I said, was evaluated on the same -- I'm  
3 not going to spend a lot of time on this. That's the  
4 product that we came up with. We evaluated each one of  
5 the 44 projects on the same criteria, so I'm very  
6 confident that they were all ranked the same. The  
7 final score of each project determines the rank of each  
8 proposal. I'll get back to that sheet in a minute.

9  
10 This is step five. We've got two more  
11 steps. So the TRC rank the proposals and then that  
12 goes back out to the Regional Advisory Councils. This  
13 is a very important step for the RACs to really have an  
14 in-depth knowledge of these projects and to provide  
15 meaningful comments back to the Federal Subsistence  
16 Board. I really want to emphasize this. It's very  
17 important to have input at this time.

18  
19 We're not asking for a rank list  
20 anymore. What we are asking for are comments on the  
21 proposals. If this is a great proposal, you want it  
22 funded, that's great to say. If you don't want a  
23 project funded for whatever reason, that's a good  
24 comment to forward too. You can have comments on the  
25 process. Those are all things that will ultimately  
26 help the Board and then ultimately the ARD of OSM  
27 decides on which projects are to be funded.

28  
29 The rankings are one part. The TRC is  
30 one part that goes to the ISC. The comments from the  
31 Councils are the other part. So they are held in sort  
32 of the same weight when they go to the ISC. They're  
33 both needed. I want to say this is a crucial step, so  
34 it's imperative that folks have an intimate knowledge  
35 of these projects as they come forward to the RACs to  
36 have their comments heard. All your comments from the  
37 RACs are in this book and they're available for the  
38 Board to review.

39  
40 Like I said earlier, and this may  
41 apply, most funding processes you don't get to rank  
42 your own proposals. Just like the TRC didn't get to  
43 rank their own. We want comments, not a ranking, so  
44 that's a good point to remember. I can't say how  
45 important this step is. It's very important to get  
46 good comments back so the Board can make informed  
47 decisions on what the RACs think about the projects and  
48 any suggestions or comments. That's the second big  
49 step.

50

1                   The last step is where we're at today.  
2 I'm almost done with my presentation. So after the RAC  
3 meetings, the ranked list and the comments went to the  
4 ISC. The ISC reviewed both of those and came up with  
5 draft recommendations to the Board. The last thing I'm  
6 going to show you is the page after, the multicolored  
7 page. So that's the product we're here today.

8  
9                   Number two. The Federal Subsistence  
10 Board reviews process and the products. We're doing  
11 that right now. Our goal is for you to endorse a final  
12 monitoring plan to take this last sheet I'm going to  
13 show you and then to endorse it. Ultimately, the OSM  
14 ARD, Gene Peltola, Jr., reviews all the comments from  
15 the whole process that comes to the Board and Gene will  
16 finalize the plan at the end. So that's the last step.

17  
18                   So that's sort of the new process that  
19 we'll be following. I just want to spend -- you know,  
20 where we're going, a vision. I always like to think  
21 about where we're going. This is very exciting to me.  
22 Just so you know what's in store for the FRMP program.

23  
24  
25                   I want to develop an ongoing  
26 conversation. There's a lot of people in this room,  
27 maybe on the phone, that have some ideas or maybe some  
28 consternation with the new process. I want to talk  
29 about that. Like I said earlier, my door is always  
30 open. I'll always listen to ideas. If you have a  
31 better idea, one that will make the process better, I  
32 will listen to it and I'll probably implement it.

33  
34                   We're trying to keep this program --  
35 you know, finding those best projects, being all that  
36 it can be in this declining funding climate. So I just  
37 want to acknowledge that we're going to keep working on  
38 it. This is a big goal of mine too, is to integrate  
39 people, knowledge and science. That's important to  
40 integrate  
41 all of that into this program, to capture all the  
42 people's passions, people's needs, the knowledge they  
43 have and the current science. I think that's  
44 important.

45  
46                   Transparency. We're always going to  
47 strive for transparency. I want everyone to know that  
48 they can trust this program. I'm responsible for the  
49 process. I want the process to be pure and not full of  
50 bias. The product I present you today I feel is like

1 that. It hasn't been influenced by someone. It's the  
2 process that worked.

3

4 I really want to make sure -- and this  
5 is something I've got to get my arms around yet, is the  
6 FRMP data, the results of this  
7 program. You know, we have 15 years. Gene and I have  
8 talked about a programmatic review. You know, what  
9 have we accomplished in 15 years of this program.  
10 Where are we heading. What are we doing. I'd like to  
11 somehow capture that and make sure that's available and  
12 it's actually being used for subsistence uses.

13

14 The last thing is I'm big on outreach.  
15 I like visuals. I've talked about Deborah. Deborah  
16 and I, for all our projects, we're going to have fact  
17 sheets. So we want to have something to hand out from  
18 each of the projects we do and we're working on it.  
19 Deborah has a great design so we can tell you this is  
20 what your project is and let people know.

21

22 There's some other things we're going  
23 to be changing. Those are going to be a secret for  
24 now, but as staffing comes up I have some big outreach  
25 plans. Please, do not be surprised if you see OSM  
26 staff in the field. Everyone knows that -- and I think  
27 it's one of the first things I told Gene is I want  
28 folks to be in the field to build those relationships  
29 and know what's going on in the villages. So don't be  
30 surprised if you see me wandering around, hopefully not  
31 aimlessly, but wandering around out in Alaska  
32 someplace.

33

34 So I'm really excited and Gene has  
35 really made a commitment to that, to get folks out in  
36 the field to work with our principal investigators and  
37 the RACs and communities. So that's sort of my visual  
38 overhead. That's not all of it, but that's kind of it  
39 in a nutshell.

40

41 A brief summary. We received 45  
42 projects this year. One project was determined not  
43 eligible. It was a habitat restoration project. We  
44 don't fund habitat restoration. So we  
45 analyzed 44 projects. Went through the system from  
46 start to finish. Thirty-one of them was stock status  
47 and trends. That's fisheries related, fisheries  
48 management. Thirteen of them are harvest monitoring,  
49 TEK. That's social science or anthropology projects.

50

1                   With that I want to -- Ameer, can I  
2 switch the -- or someone, Deborah, could I switch the  
3 PowerPoint to the file. If you go to  
4 Page 52 in your book. I'll get this up on the screen  
5 in a second.

6  
7                   CHAIRMAN TOWARAK: I'm going to stop  
8 you here before we get into that. I'd like to ask the  
9 Board if there are any questions on the process since  
10 it's a new process. Are there any comments that anyone  
11 would like to make regarding the process. Go ahead.

12  
13                   MR. CHRISTIANSON: I really like the  
14 secret transparency.

15  
16                   (Laughter)

17  
18                   MR. CHRISTIANSON: Just a joke there.  
19 I think Stewart and them did a good job. You know, of  
20 being a part of this program as an investigator for  
21 years, there wasn't a real clear process on how you got  
22 to A to B to C to the Board level. So just hearing a  
23 definitive process put in place helps. So thank you  
24 guys for your diligence in that.

25  
26                   CHAIRMAN TOWARAK: Go ahead.

27  
28                   MR. HASKETT: I'd like to repeat what  
29 Anthony said. For years we haven't had anything that  
30 we can really understand very well just what the  
31 criteria was or how we got there. Actually the Fish  
32 and Wildlife Service didn't fair very well in this  
33 process this go around, but that's not going to keep me  
34 from being in favor of what they've done. In fact,  
35 what I'll do is make sure our folks are aware that we  
36 should be striving to go ahead and meet the criteria to  
37 do better in next year's proposals. So I thank you all  
38 for putting this together. I think it's a really good  
39 start.

40  
41                   CHAIRMAN TOWARAK: Go ahead.

42                   MR. FROST: First, apologize for being  
43 late. I miscalculated the traffic on the Glenn this  
44 morning with the snow. I would echo both Anthony and  
45 Geoff's comments, but I do have a couple of questions  
46 that I think would be good to talk about a little bit.  
47 You talk about how the programmatic review was done.  
48 Was that done by OSM staff? Did you bring in external  
49 people? How was that review accomplished?

50

1 MR. COGSWELL: Through the Chair.  
2 That's a great question. The review was just kind of an  
3 internal review at this point. Basically what could we  
4 do. I arrived here just a month or so before this  
5 process started. So I looked at it really quickly and  
6 said this is what we could do to kind of get this  
7 program to the next level to shore it up a little bit.

8  
9

10 As far as an entire programmatic  
11 review, what I'm talking about, that's a bigger issue.  
12 We have not done that yet. Gene and I have talked  
13 about doing that in the future and that may involve  
14 outside folks to look at it. Gene is very interested  
15 in what the program has done over the course of it, the  
16 15 years it's been in place. So the big programmatic  
17 review has not happened to date.

18

19 CHAIRMAN TOWARAK: Go ahead.

20

21 MR. PELTOLA: Yeah, Bert. As Stewart  
22 mentioned, the majority of the review per se came from  
23 management of OSM between myself, our deputy ARD and  
24 our leadership team receiving input over the years and  
25 closer to when we got to this process from comments  
26 from individuals, whether it be private non-principal  
27 investigators, agencies or organizations about what  
28 they felt could be done with regard to the program.

29

30 I'll address it a little bit later on,  
31 but OSM was given direction by the Board two years ago  
32 to do a strategic plan for the program itself, of which  
33 one of those options was to look at the programs that  
34 we administer funding through. We also have about a  
35 one-year-old commitment to the ISC when Mr. Kessler was  
36 with us and asked us to do the same thing. We haven't  
37 followed through on that yet, but part of that is that  
38 we utilized internally, albeit experiences and comments  
39 provided to us to take the first cut in trying to  
40 improve the program via areas within the process that  
41 have been identified which may need or require  
42 tweaking.

43

44 MR. FROST: That's great. I'm not  
45 trying to criticize. I'm just trying to understand,  
46 being -- again, I feel like I'm the new guy here. This  
47 is my first round of dealing with this program, so I'm  
48 just trying to understand. So how long -- so you said  
49 the open period for next year is from November through  
50 February, is that right, November of '16 through

1 February '17, would that be correct?

2

3 MR. COGSWELL: Through the Chair. Yes,  
4 that's approximate. We're going to move it up a little.  
5 It used to be in December through March. I believe  
6 it's open for 90 days. I'm not exactly sure. But  
7 we're going to move it up just a little bit to coincide  
8 with some other.....

9

10 MR. FROST: So is it open every year?  
11 Do proposals come in every year?

12

13 MR. COGSWELL: It's every other year.

14

15 MR. FROST: So this next proposal round  
16 will be sitting here in '18, is that right?

17

18 MR. COGSWELL: Correct.

19

20 MR. FROST: Okay. Just trying to,  
21 again, figure out how the -- as I was getting briefed  
22 on this, one thing what would have helped me was that  
23 -- it would have been nice to maybe see a spreadsheet  
24 of sort of the continuing projects. You said you had  
25 44 projects submitted. Well, you had \$4.3 million  
26 worth of projects submitted, but you only had \$2  
27 million. It sounds like  
28 there's about a \$4.7 million budget, right?

29

30 MR. COGSWELL: That's correct. There's  
31 \$2.7 million of projects from the 2014 cycle that we  
32 have an agreement to fund.

33

34 MR. FROST: I guess it would sort of  
35 help me to understand what's ongoing, what we've  
36 already committed in the past, to show if those are  
37 one, two, three or four-year projects, how that money  
38 is distributed over those four years and then how that  
39 funding goes out into the out years. Again, I'm sort  
40 of a numbers guy, so I like to see stuff like that. I  
41 don't know if the other Board members wants to -- I'm  
42 just throwing this stuff out.

43

44 MR. COGSWELL: That's a great question  
45 and we did include that with all the RAC books, all the  
46 older projects. In the ISC meeting, we wanted to make  
47 this -- we didn't want to inundate you with a ton of  
48 information.

49

50 MR. FROST: Right.

1 MR. COGSWELL: But all the RAC books --  
2 in fact, all the projects throughout the history of the  
3 program were put in all the RAC books, in the current  
4 one, but we did not include that here because it was  
5 the consent of the ISC that we wanted to just keep it,  
6 you know, as simple as possible. That's definitely  
7 something that if it's a recommendation to put the  
8 prior cycle in there, we could definitely do that.  
9 That is not a problem.

10

11 MR. FROST: A couple more.

12

13 CHAIRMAN TOWARAK: Go ahead.

14

15 MR. FROST: Sorry. I don't want to  
16 dominate, but, again, my first round. So one of the  
17 questions I had when I was getting briefed is it seems  
18 -- so the projects come in, they get ranked and then  
19 they go back out to the RACs. It seems like if the  
20 RACs are -- you know, if we work with the RACs and the  
21 local communities to develop the projects, and I  
22 understand the RACs do set sort of what the things are  
23 they -- the issues they want to deal with, but don't  
24 really prioritize those, but it seems a  
25 little bit backwards if the RACs don't have some way to  
26 influence  
27 the priority of the projects.

28

29 Again, I'm just throwing stuff out.  
30 One of your criteria might be to add another criteria,  
31 which would actually send the projects out to the RACs  
32 and let them prioritize what they feel are important  
33 and use that as saying, well, this is important to the  
34 RACs, so that should be important to the Technical  
35 Committee. And then if there are issues with some  
36 projects that may not be up to snuff in sort of the  
37 technical feasibility or the scientific feasibility, to  
38 go back and work with the RACs or work with the things  
39 to try and make sure that we're funding the projects  
40 the RACs think are the most important.

41

42 I guess I've sat on a lot of boards. I  
43 used to run a big program like this before I came here  
44 and one of the discussions we had over and over again  
45 was are we funding proposals because they're well-  
46 written proposals or are we actually funding the  
47 highest priority needs of what's out there. If we're  
48 knocking off projects just because they weren't well  
49 written because maybe that group didn't have the  
50 expertise it needed for some reason, that seems a

1 little bit counter-productive.

2

3

So anyway, just throw that out there.

4 I think that we need to focus on what the high priority

5 needs are and make sure if different entities need some

6 assistance, that somehow we ought to provide that

7 assistance so that we do get the high-priority needs,

8 that it's just not who's the best project writer.

9

10 MR. COGSWELL: Through the Chair. Do

11 you mind if I respond to that?

12

13

MR. FROST: Oh, absolutely.

14

15

MR. COGSWELL: Those are good comments.

16 I really feel like the job of the TRC and to be a fair

17 process -- I've been involved with funding programs for

18 over 20 years. Submission is that's it. If you're

19 late, you don't get another chance to submit it. What

20 you submit -- to be fair to the TRC and all their time,

21 it's not the job of the TRC to write the proposal.

22

23 If they have to go back -- in the past,

24 they'd say fund with modifications. I eliminated that

25 because it's not the job of the TRC to look at 44

26 projects and say this one could be better if you

27 tweaked that. It's up to the PIs that are submitting

28 the process to have that as succinct and as well-

29 written as it can be. So that's my take on that.

30

31

It's not who do you give help to and

32 who you don't. Everyone gets the same fair start at

33 the beginning and that's why that step one is so

34 critical for the RACs and the PIs to talk beforehand.

35 That's where that work is done and that's what we want

36 to encourage in the first, not during the process. So

37 if you follow that through, let's say someone calls in

38 and says my project isn't up to snuff, how do you give

39 the same help to everyone.

40

41

MR. FROST: Well, I think that's part

42 of the RAC's process. If the RAC doesn't rate

43 something very high and it's not a very well-written

44 project, then you don't have to spend a lot of time on

45 it. But if it's a really important project to the RAC

46 -- and, again, I think we sometimes get -- I like the

47 process, so I'm not trying to be too critical of the

48 process, but I think sometimes we forget the forest for

49 the trees and the issue -- I think what we're trying to

50 do and you can correct me if I'm wrong is that we want

1 to be able to get the most important information that  
2 the RACs feel we need. If we let the process drive  
3 that instead of the RACs driving it, I think we sort of  
4 miss the boat a little bit.

5  
6 Now as I went through this and I was  
7 reading the material, you know, for most of these it  
8 seems like the RAC and the TRC were pretty darn close  
9 in terms of priorities and things like that. There was  
10 one region that wasn't that way. I guess if we get  
11 into the devil of the details we can talk about it at  
12 some point in time. I don't want to bring that up now,  
13 but it just seems like the RACs should play a larger  
14 role somehow in helping the priorities. I mean we  
15 still need scientifically credible and technically  
16 feasible projects. There's no doubt about it. Because  
17 if we don't have that, then the information data is  
18 going to be crap and it's going to be worthless.

19  
20 So I just think that we should think  
21 about how the RACs -- engage with the RACs and how we  
22 can better engage them maybe earlier in the process  
23 instead of sort of after the TRC has done all their  
24 work.

25  
26 MR. COGSWELL: Well that.....

27  
28 MR. CHRISTIANSON: Mr. Chair.

29  
30 CHAIRMAN TOWARAK: Go ahead.

31  
32 MR. CHRISTIANSON: Anthony  
33 Christianson. Mr. Chair. I hear what Bert is saying  
34 and I think where Stewart addresses that is having the  
35 Regional Advisory Councils create a good project and do  
36 it before they submit that project so that the  
37 technical stuff, the partnerships, the capacity, the  
38 funding, the scientific methodology is kind of washed  
39 out before somebody drops a proposal into the system  
40 that starts to get ranked.

41  
42 I think, like any other grant you  
43 submit, it's a competitive process in a declining  
44 funding arena, so we have to figure out criteria to vet  
45 these things sooner than later so that they can get  
46 down to funding projects that look like they got good  
47 merit.

48  
49 So I think the RAC's involvement is  
50 these next meetings. Hey, who's at the RAC, who has

1 these projects that are important, here's the list they  
2 didn't fund, what's the feedback on it and how do we  
3 get it resubmitted for November so we can get them  
4 funded next year. So I can see where Stewart and the  
5 TRC where the direction is coming from. Being an  
6 investigator for several years, it always seemed a  
7 little backwards to me.

8

9  
10 Two years running CDBG grants for the  
11 City of Hydaburg. I didn't submit an inked signature.  
12 I got my application back and denied because I didn't  
13 put ink on the line. That's the climate we find  
14 ourselves in, so I can see the RACs playing a role in,  
15 one, they set their priority needs for the region, two,  
16 who's at  
17 the meetings and who do they identify as key players in  
18 that region to develop good proposals and help put  
19 those things forward rather than what has happened in  
20 the past.

21

22 RACs rank them and find out -- how that  
23 happened, I was questioning that, you know, as I submit  
24 proposals to my RAC, how those got ranked and who was  
25 in there because it was ISC up to the TRC to the FSB  
26 and everybody cut to chop it up six times. By the time  
27 it got here, you had four lists and funding  
28 recommendations and modifications. I don't think  
29 modifications are fair to people who put in fair  
30 proposals because then, like he says, how do you pick  
31 and choose what person is the right person to help and  
32 which one isn't. Is it by the criteria set by the RAC,  
33 the TRC, the ISC or who. I mean what's important.

34

35 I think some of the stuff he's trying  
36 to incorporate here could take a lot of that out of it.  
37 I didn't fare well either, but here nor there. I  
38 support the process I think in looking at how do we  
39 include it earlier. I think earlier is now in the next  
40 RAC meetings and finding those people and putting the  
41 call out like you say and trying to get some good  
42 projects submitted. I mean just having a little talk  
43 with him earlier.

44

CHAIRMAN TOWARAK: Go ahead, Mr. Sharp.

45

46 MR. SHARP: I guess I'll change the  
47 topic here a little bit. We've discussed this in the  
48 ISC. One of the policy and funding guidelines that are  
49 on number C is contaminant sampling. I guess I'd like  
50 to maybe have the program reconsider that as

1 potentially being eligible for FRMP funding.

2

3                   The case in point, the example I'll  
4 bring up is the Red Devil mercury mine on the  
5 Kuskokwim, which BLM now owns by default and cleaning  
6 up the tailings deposits and such. It was the largest  
7 mercury mine in the country for many years. It closed  
8 in the '70s. They walked away from it. I believe it  
9 was a few years ago a 10-year-old kid showed folks  
10 where the dynamite was still in the ground in the side  
11 of the hill. They left a mess. Some studies then to  
12 figure out the contaminant pathways through the food  
13 chain there and studying aquatic insects and fish and  
14 such.

15

16                   I'll grossly summarize. What we're  
17 finding is, of course, in the Cinnabar Mountains  
18 mercury contamination is endemic. It's not -- I'm sure  
19 the mine didn't help anything, but upstream from the  
20 mine and downstream from the mine mercury and older age  
21 fish is a serious problem in some of these waters.  
22 Right now it's sort of an agency responsibility when  
23 contaminant sampling and stuff is at issue.

24

25                   What we're finding, I guess, with  
26 respect to mercury, between methyl mercury and coal-  
27 fired plants in China and such, I don't think it's an  
28 agency-specific responsibility necessarily. We're  
29 getting from many of the RACs questions about food  
30 security and food safety. You know, there's a history  
31 of industrial exploration and people have contaminated  
32 lands all over the place, but there's also natural  
33 contaminants that are present and would likely, when  
34 fleshed out, result in altering food safety guidelines  
35 and consumption guidelines.

36

37                   So I guess I'd like to put in a pitch  
38 that maybe this  
39 contaminant sampling be worthy of some FRMP funding  
40 because I think it's something of a statewide issue.  
41 Certainly there are point source pollutions from bad  
42 actors and bad practices, but I think we're finding  
43 it's probably broader than that. Again, we're  
44 repeatedly hearing is it safe to eat this and I guess  
45 I'd like to maybe have contaminant sampling or some  
46 facet of that be eligible for some of this funding. I  
47 don't know the mechanism for that and I don't know how  
48 these policy and funding guidelines were first  
49 established. They've just been in existence.

50

1 I guess maybe have the Board consider  
2 that as time goes.

3  
4 Thank you.

5  
6 CHAIRMAN TOWARAK: Go ahead, Mr.  
7 Cogswell.

8  
9 MR. COGSWELL: Through the Chair. Dan,  
10 thanks for your comments. I want to read kind of the  
11 rationale for that. The rationale behind this approach  
12 is to ensure that existing responsibilities and effort  
13 by government agencies are not duplicated through the  
14 FRMP. So I think when the program was first started  
15 there must have been a contaminant program that people  
16 could apply to and they didn't want to double dip. You  
17 know, they wanted this program to be just for fisheries  
18 and fisheries management. So that was the rationale.

19  
20 I think that's a perfect topic for  
21 discussion and one of the things we can revisit. I  
22 think that, you know, in declining budgets to then open  
23 it up to additional project, that may or may not be a  
24 good thing, but that's definitely a topic we can  
25 discuss. I haven't discussed it with Gene yet, but I  
26 think that's a good comment. Thanks.

27  
28 CHAIRMAN TOWARAK: Any further  
29 questions on the process.

30  
31 (No comments)

32  
33 CHAIRMAN TOWARAK: I had a couple of  
34 RAC members ask me if they could make comments and I'd  
35 like to maybe open the floor just for those RAC members  
36 that are here that would like to make comments about  
37 the process.

38  
39 MS. CAMINER: Mr. Chair.

40  
41 CHAIRMAN TOWARAK: Go ahead.

42  
43 MS. CAMINER: Thank you, Mr. Chair and  
44 Board members, Staff and State of Alaska and public.  
45 Thank you for the chance to speak a few words here.  
46 Congratulations to Member Haskett on your retirement.

47  
48 Thank you for your service over these  
49 years.

50

1                   Process comments. The Southcentral  
2 Regional Advisory Council met last October and we had  
3 --in our previous meeting in February before that, we  
4 had developed priorities. So in our  
5 October meeting, first of all, there was a new priority  
6 that had been added and we did get an explanation of  
7 how that had been inserted there, and we went through a  
8 very tortuous process of ranking the proposals. But  
9 seeing the TRC comments it was fairly obvious to most  
10 of us that some of the projects really hadn't made the  
11 cut.

12  
13                   Because of confidentiality we were told  
14 we could not be informed as to which projects really  
15 were not for us to rank, so that was a difficult  
16 process to follow through on. We made the rankings,  
17 but I think everybody would have been absolutely  
18 appalled to know that none of the projects had made the  
19 cut if you will.

20  
21                   Previously in the process of the  
22 Fisheries Resource Management Program there was this  
23 feedback to proposers so that proposals could be  
24 improved upon, whether it was the cost estimates -- and  
25 some of our projects that came in for the region were  
26 evidently too high, some were too low and some didn't  
27 have maybe enough partnership activities going on.

28  
29                   So I would ask, since the purpose of  
30 this program is for you to have good information, for  
31 you to have information in making decisions, to  
32 perhaps, in this case, ask that the program go back to  
33 some of these proposers who have had many projects in  
34 the region before, and make some of these slight  
35 modifications to hopefully be acceptable.

36  
37                   Thank you very much for the  
38 opportunity.

39  
40                   CHAIRMAN TOWARAK: Thank you. Are  
41 there any comments for you.

42  
43                   (No comments)

44  
45                   CHAIRMAN TOWARAK: I assume at some  
46 time in the future we're going to have an opportunity  
47 to review the process before the next round. I think  
48 at that time we can probably work with this Board and  
49 take into consideration the suggestions that we've had  
50 before that meeting.

1                   You had another comment, one of the  
2 Regional RAC members.

3  
4                   MS. STICKWAN: My name is Gloria  
5 Stickwan. I serve on the Southcentral Regional  
6 Advisory Council. I think this process is a good  
7 process, but I would like to see a ranking by the RACs  
8 as well as comments included in the policies because,  
9 to me, it makes more sense from us as RAC members to be  
10 able to say we like this project because it's number  
11 one and the reasons why. We talk about those reasons  
12 and then we go back to the people and we tell them.

13  
14                   Tribes do not have the -- Fish and Game  
15 and U.S. Fish and Wildlife Service, they all have the  
16 sources to help them write professional good projects.  
17 Tribes don't have that. We live in rural areas. We  
18 cannot have -- we don't have the source to go there and  
19 say write a good project and get it submitted,  
20 completed on time. We don't have that -- I don't know  
21 the word for the source or to put in a project on time,  
22 whereas Fish and Game they have professional people  
23 working there. They can submit a project that's  
24 professional, completed on time.

25  
26                   So in that process you're going to --  
27 my own opinion is we're going to see less tribes being  
28 approved a project because we don't have a complete,  
29 well-written project to submit as well as Fish and Game  
30 or U.S. Fish and Wildlife. We need to have a  
31 combination from both and a process where we can go  
32 back and improve it, to add that one as well as the  
33 criteria we have in place right now that has been  
34 proposed so that think about the tribes and the RACs.

35  
36                   The RACs should be able to have a  
37 ranking process as well as discuss the projects they  
38 want. That step should be kept in place, I think. I  
39 agree with Bert Frost on that. I think that's the  
40 point he was trying to make is that, you know, tribes  
41 won't have that and that I think is important.

42  
43                   CHAIRMAN TOWARAK: Thank you for your  
44 comments. I, too, support -- we've received a very  
45 strong directive from the Secretary of the Interior to  
46 defer as much as possible to RACs and this seems like  
47 it's one case where we probably need to put more weight  
48 on what the RACs are determining.

49  
50                   Stewart, you had mentioned that you

1 wanted to make available to all the RACs any help that  
2 the office here can provide. Could you comment on  
3 that.

4  
5 MR. COGSWELL: Right. Thanks, Gloria,  
6 for your comments and concerns. I want to kind of  
7 address Bert's comments too. I think that if I look at  
8 the list some of the top scoring projects in this list  
9 are tribal projects. It doesn't take a lot. You don't  
10 have to be an amazing grant writer. You just have to  
11 address those five criteria and have it scientifically  
12 sound. There's partnerships, there's ways to do that.

13  
14  
15 Because of the NOFA, there is a  
16 confidential process. The agreements, the budgets and  
17 all that, that can't go out to everybody. It's the  
18 rules that I've been told I'm under through our budget  
19 office. So the folks outside of that group that signs  
20 a confidentiality, we can't send out all that  
21 information to everyone.

22  
23 Again, I think it's a matter of  
24 opinion. As Tony said eloquently, the process -- to be  
25 fair and consistent within the process, if all that's  
26 done beforehand, I think, to develop those projects,  
27 then the process can proceed. To interject that in the  
28 middle, that's a lot more work. Then how do you re-  
29 rank the projects then when you adjust a project  
30 compared to all the other projects.

31  
32 Most funding programs you submit it.  
33 If you don't have it right, you get rejected. So to  
34 have that right up front, one, that shows that you're  
35 able to do that project. You're able to administer  
36 that project. So it's a difference of philosophy and I  
37 just think that's the philosophy I think is the better  
38 one, is to have it done up front, to work together.

39  
40 We're going to strive, OSM, to work  
41 with the RACs to provide as much support as we can.  
42 Again, we can't write the projects, but if you address  
43 those five criteria, you will have a good project.  
44 I've seen when we fund projects that aren't ready to  
45 go. Sometimes it's counter-productive. You mess  
46 things up more than you help them. So funding a  
47 project that's not ready to go, I think it would be  
48 better for the communities and for the program to wait  
49 until that project is ready to go and then fund it.

50

1 My recommendation is not to fund  
2 projects that aren't ready to go. Those ones in the  
3 red, there's issues with those that can be solved.  
4 Again, it's either up front or in the middle. I'm  
5 saying let's do it all up front so then the process we  
6 don't waste the TRC's time. You know, they rank a  
7 project and it will change halfway through. They don't  
8 have the time. It takes enough time to rank those once  
9 let alone to keep that process going. If it's all done  
10 on the front end, it's clean and simple and it goes  
11 through. So that's just a philosophy of managing it.  
12 There's not a right or wrong answer.

13

14 Thanks.

15

16 CHAIRMAN TOWARAK: Go ahead. And then  
17 you're next.

18

19 MR. CHRISTIANSON: Yeah, well I kind of  
20 support what Gloria's saying and I hear what Bert is  
21 saying too, keeping the RACs involved. I know we did  
22 get comment that it's for taking of fish and wildlife  
23 and not so much for the allocation of funding to  
24 projects that we mind the RAC recommendations, but I  
25 think it's important that we keep them involved somehow  
26 in the process of developing the projects.

27

28 I don't know how the timeline shakes  
29 out once they submit them if they're like 80 percent  
30 and passing, at least some level of criteria if there  
31 isn't some feedback to the RAC. Not so much on ranking  
32 the project because it's going to go to the TRC for  
33 ranking anyway and that could save some of the RAC time  
34 because I've seen it is a grueling process to rank it  
35 and vet it.

36

37 It sometimes puts RACs at odds to begin  
38 with too. I mean because some communities are pitting  
39 and people have projects and I've seen that happen, but  
40 to keep them involved. If projects are submitted that  
41 are technically in merit but might need some tweaking  
42 to be TRC ready, that there's opportunity provided so a  
43 good project doesn't get kicked off the table because  
44 it got a 69 percent. I mean just to keep them -- I'm  
45 trying to think on how we can keep the RACs involved,  
46 still be diligent but not do that.

47

48 CHAIRMAN TOWARAK: Let's hear from  
49 Gloria first and then Stewart.

50

1 MS. STICKWAN: I just want to say  
2 Southcentral's projects -- none of our projects, like  
3 Judy said, were approved because they were considered  
4 incomplete. As she said, these organizations have  
5 applied but for some reason they weren't approved  
6 because they were considered incomplete or didn't meet  
7 the criteria. This was a new process that just  
8 started. So I think for the first time go around maybe  
9 we should reconsider the projects that were submitted  
10 because this is new criteria that has been submitted.

11  
12 So, I don't know. I just think, you  
13 know, I still like the process of ranking as well as  
14 comments from the RACs to be included in this process  
15 so we will let the Board know this is what we consider  
16 to be the priority based on our criteria that we came  
17 up with as well as a lot of comments made and we did  
18 make comments on our proposals.

19  
20 CHAIRMAN TOWARAK: Go ahead, Stewart.

21  
22 MR. COGSWELL: Through the Chair. I  
23 think that's one thing Gene and I had many  
24 conversations with about implementing kind of a new  
25 structure. The criteria were the same. It's the same  
26 -- you were judged on the same criteria as the past I  
27 don't know how many years. The criteria did not  
28 change. Just internally how we process those. We held  
29 people accountable.

30  
31 As Geoff said, our own projects, the  
32 Fish and Wildlife Service's projects did not fare so  
33 well. So we held everyone accountable to the same  
34 standard. All 44 projects were held to the same  
35 standard. That consistency, I think, is something that  
36 is invaluable. I think that everyone can rest assured  
37 someone from Southcentral, someone from Northern, that  
38 their projects were all equally assessed. So it's not  
39 like we discriminated against any one person. Some  
40 projects are going to be better than others. Someone  
41 has to make that decision and I think that this process  
42 does a good job of making that decision.

43  
44 Like I said, over half the projects we  
45 received aren't going to get funded. \$4.3 million of  
46 projects received. We can only fund up to \$2 million.  
47 Again, just because we have the money I don't think we  
48 should fund projects that aren't ready to go because  
49 it's sort of a disservice. I think the project and the  
50 people and the program will be better served if we wait

1 until that project is ready to go and get all that we  
2 can out of it.

3

4 So that's what I was thinking. I know  
5 Bruce had a comment.

6

7 CHAIRMAN TOWARAK: Bruce, did you have  
8 a comment?

9

10 MR. LOUDERMILK: I did. I just wanted  
11 to bring up the thing too and I agree with what Bert  
12 and folks are saying. I don't want to see the baby  
13 thrown out with the bath water because of a lack of  
14 capacity in a community or a region that may not  
15 necessarily get their proposals together in the fashion  
16 that needs to be looked at.

17

18 Thinking about this, I also wonder if  
19 there could be a secondary built-in process to look at  
20 some of those things that fall off the table that might  
21 have some merit to them that we need to take a look at  
22 and we might have to re-evaluate, if we could build  
23 that into the process. I commend the process. I think  
24 it's a good way to go forward, but I just somehow kind  
25 of think that some areas out there may be disadvantaged  
26 just because of the capacity within the communities or  
27 the regions in preparing their proposals and I don't  
28 want to see it be a writing exercise that somebody  
29 falls short of.

30

31 Thank you.

32

33 CHAIRMAN TOWARAK: Go ahead, Stewart.

34

35 MR. COGSWELL: Thanks, Bruce. Thanks  
36 for the comment. I want to sort of address what Tony  
37 said too. One thing that -- and we will -- at the end  
38 of this process, when Gene signs off on it, we will  
39 send out letters to everyone knowing that. Some of  
40 these projects are very close. I mean just a few  
41 things. We want to work with them. We want them to be  
42 all they can be.

43

44 One thing to get at -- you were saying  
45 80 percent level or something like that. One thing  
46 that was done in the past was a pre-proposal where  
47 people submitted a short version and that kind of  
48 weeded things out too and they got responses back, so  
49 people didn't spend a lot of time. That sort of gets  
50 at what you're saying and that was a suggestion that

1 was made to me when I got here. I didn't implement it  
2 this year. I thought that was too much to do, but  
3 stuff like that we can consider all that. So thanks.

4

5 MR. SHARP: I guess I, having sat on  
6 the TRC and the ISC, I appreciate how the process  
7 worked this year. I understand folks want greater RAC  
8 input. As Stewart said, the TRC is the only entity  
9 that has full access to all the proposals. A number of  
10 these proposals, although they're on there, shouldn't  
11 be funded even with help. They don't address the  
12 priority information needs that were set forth and  
13 such. Folks want to champion them for capacity  
14 building, for any number of things, but they don't  
15 quite fit the bill all the way around.

16

17 I guess my overall feeling with respect  
18 to RAC rankings, it was somewhat divisive last time it  
19 happened. I think the best input we can get from the  
20 RACs is when they establish the priority information  
21 needs as specifically as possible. That then focuses  
22 the proposals and gets good proposals. When it's sort  
23 of chinook salmon in the Kuskokwim, you know,  
24 escapement, sort of generic, then it becomes this weir  
25 is more popular than this weir and such.

26

27 The RACs best input is focusing on  
28 their priority information needs. Then trying to  
29 infuse the deference into ranking the proposals when  
30 they don't have the full slate of information, whether  
31 it's a good proposal, whether it fits the bill, whether  
32 the statistics are good inside it, there's a number of  
33 things where the RACs are at something of a loss. I  
34 think their best opportunity for input is establishing  
35 priority information needs and then for Stewart and the  
36 program to keep that in front of the RACs.

37

38 Because of this two-year window, I  
39 heard at a number of RAC meetings folks say, well, who  
40 set these priority needs and Stewart would have to say  
41 you did about two years ago. So there's a disconnect  
42 there simply because of the delay, but I think keeping  
43 the RACs engaged is important. I don't know that RAC  
44 rankings -- that was just a divisive imbroglio last  
45 time that it happened. It didn't go smoothly. We  
46 ended up with three or four different ranking lists and  
47 then trying to make whose and what reasons and who's  
48 working with what information to rank that proposal.

49

50 Again, some of these proposals on here

1 shouldn't be funded even in the long term and with work  
2 because they don't get to where we're going or they  
3 don't address a priority information need. So I think  
4 a RAC effort to focus on those priority information  
5 needs and the RAC staying in front of those because  
6 those can be changing, as we're seeing quite rapidly,  
7 because RACs want to change direction after two years,  
8 something else has cropped up. So I think an ongoing  
9 dialogue as opposed to this every two years would  
10 certainly help the program stay focused.

11  
12 I'm not necessarily comfortable with  
13 giving deference to RAC rankings when they don't have  
14 all of the information available to them. They have  
15 their preferences in projects and it's sort of hard to  
16 get the information out there equally. I don't think  
17 there is bias in this particular process at all. I  
18 think this worked out fairly well, especially  
19 considering the previous go around. Everyone wants to  
20 get feedback from the RACs. We want meaningful and  
21 useful feedback and this program, because of the two-  
22 year delay, makes that somewhat difficult.

23  
24 MR. FROST: One last comment and then  
25 I'll shut up. Oh, sorry.

26  
27 CHAIRMAN TOWARAK: Go ahead.

28  
29 MR. HASKETT: So my comments are  
30 similar to Dan's. We're looking at a two-year process,  
31 we're looking at \$4 million worth of requests that come  
32 in and \$2 million that can be dispersed. There needs  
33 to be some kind of priority process. I think the RACs  
34 need to be involved, but even if they're prioritizing  
35 you have RACs against RACs. So you're still going to  
36 have to have this priority process where some people  
37 are not going to get funded and some people are.

38  
39 As I said earlier, Fish and Wildlife  
40 Service didn't do great this go around and my plan is  
41 to go back and make sure people understand what they  
42 need to do to actually address what the criteria is and  
43 make sure that the things that we say are the important  
44 thing and the allowed things what we're going for.  
45 Also the point about there are a number of projects  
46 that get proposed that just are going to get eliminated  
47 period because they don't meet any of the criteria. So  
48 there's never a perfect process.

49  
50 I think this is a really good step in

1 the right direction. I think that all the comments  
2 we're getting about how to work better with the RACs  
3 over the next two years are really important and we  
4 should plug them in, but again we have the culmination  
5 of two years at this point and there's winners and  
6 losers. I think what's been presented to us is pretty  
7 logical and a really good job of giving us something to  
8 look at in terms of what we should approve or not  
9 approve.

10

11 MR. FROST: So I would disagree with  
12 what Geoff said. I guess maybe go back to the point I  
13 was trying to make, is just try to bring the RACs into  
14 the process somehow. I don't think the RACs should be  
15 doing the scientific merit sort of part of the  
16 discussion and maybe not even the budget stuff.

17

18 It seems like if you put -- so you've  
19 got five criteria now. If you added a sixth criteria  
20 that says what's the priority -- not a rank, but what  
21 is a priority of the applicable RAC and it could be a  
22 high, medium and low. I assume we give them points to  
23 all these little things so you count up the points at  
24 the end of the day, right. So you give a high priority  
25 a three, a medium priority a two and a low priority a  
26 one. If the RACs give all the projects a three, then  
27 their influence has gone out the window and they've  
28 chosen to do that, right, but if they have one or two  
29 projects that say this is really important, this should  
30 be a three and then you just factor that into the rest  
31 of the criteria.

32

33 So it's not a different process, but  
34 it's integrated into the process that you already have.  
35 It gives the RACs that additional bit of influence and  
36 you don't have to send out the whole proposal. You can  
37 send out like an abstract because I mean they're not  
38 interested in the details. They're not interested in  
39 what kind of technology you're going to use. This is  
40 really sort of the essence of the project and the type  
41 of information. It's not really -- I would assume the  
42 RACs are not interested in sort of the scientific  
43 credibility, although I'm sure they want a good science  
44 project. But if you just did something simple like  
45 that, you allow the RACs to have that little bit of  
46 influence as part of the process during the process  
47 instead of after the process once the projects have  
48 already been ranked.

49

50 CHAIRMAN TOWARAK: Go ahead.

1 MR. PELTOLA: Mr. Chair, thank you.  
2 I'd just like to make a general comment. We've made  
3 some significant strides to change the program from the  
4 last cycle. An observation I'd like to bring to the  
5 attention of the Board is when we went through this  
6 effort two years ago OSM was tasked with working with  
7 four significantly different lists. One from the TRC,  
8 one from the ISC, one from the Board, one from the  
9 RACs. They were significantly different in regard to  
10 prioritization in each individual entity. Within that,  
11 under the old system, then we had highs, mediums and  
12 lows.

13  
14 The byproduct was how do you address  
15 funding in that type of scenario. That and other  
16 things drove us to try to make some changes initially  
17 to get the better quality projects in the sense that --  
18 in my observation, by participating in Regional  
19 Advisory Councils, I think during that cycle I attended  
20 8 of the 10 in the fall and the winter cycle and  
21 individually observed where the discussion lobbying  
22 came from myself and other staff. I saw a number 1 at  
23 a particular RAC go down to a number 8 or 9, a number  
24 10 bump up to a number 1. When it came down to  
25 funding, when you're given four significantly different  
26 lists with each and every entity's priorities, how do  
27 you fund that.

28  
29 So we took the approach where we had  
30 concurrence between the four, that was what we made the  
31 first cut towards funding, then we had a threshold  
32 where everybody agreed we funded, then after that then  
33 we went down depending on how much funding we had and  
34 continued to go down that list. You know, right now we  
35 have a general idea about how much funding we're going  
36 to have available for this program this year. We set  
37 that up as the statement upped it \$2 million, but we  
38 really won't know what that's going to be until later  
39 on this year when we get our finalized budget. We have  
40 a good idea. That's where we kind of set the  
41 threshold.

42  
43 A byproduct was that there was some  
44 projects we felt were very applicable to the program,  
45 directly addressed the data need, may not have been as  
46 scientifically sound as it could or should have been,  
47 they ended up getting funded. Then we had some that  
48 had met all the criteria and didn't get funded because  
49 of the ranking. It's not that we at OSM, when we make  
50 the determination to fund or not fund, do not minimize

1 anyone's particular opinion on a project or not, but we  
2 try to make something fair an equitable going  
3 throughout.

4

5                   One byproduct of the way we did things  
6 the last round -- I said we had aligned. We funded  
7 everything from here and above, then we started going  
8 down based on available funding and I said we're making  
9 projections. This year we said we have up to  
10 \$2 million available. I think if you look at the list,  
11 if the Board and everybody determines to maintain the  
12 integrity of that list, then I think that's \$1.8  
13 million.

14

15                   The last time around we were to look  
16 for projects and then continue to fund them, but, like  
17 I said, a byproduct of that effort is that we funded a  
18 lot of high-dollar, long-term projects to the point  
19 where we're projecting, if our budgets remain the same,  
20 we may not have \$2 million available for the next  
21 round. We're looking at more along the lines of maybe  
22 \$1.3, 4, to \$1.5, 6 million because of those  
23 commitments made to those long-term projects and the  
24 State of Alaska declining budgetary environment.

25

26                   The Fish and Wildlife Service has  
27 recently experienced a decreasing environment and it's  
28 very difficult to keep everybody happy. I know that.  
29 A lot of these projects are very significant to some  
30 organizations and entities. We're just trying to  
31 ensure that they have the best fit with the available  
32 funding we have for the Federal Subsistence Program.

33

34                   CHAIRMAN TOWARAK: Bruce Loudermilk.

35

36                   MR. LOUDERMILK: I only have one  
37 comment. Well, a couple things here. You have a tough  
38 job in front of you and I commend you for getting this  
39 process together and the process that you've put  
40 together looks pretty good. I guess the only thing  
41 that kind of concerns me is that as we start going  
42 forward, you know, this process is going to get further  
43 refined as people go on. Right now I see the Northern  
44 RAC -- it looks like a lot of their projects are  
45 sitting pretty good to where you come down to  
46 Southcentral and you see maybe not so good.

47

48                   Sooner or later people are going to be  
49 able to define how these projects are being written,  
50 how their grants and how their proposals are coming

1 forward, but I think the one thing that we need to  
2 somehow think about or be a little bit wary is that if  
3 we start seeing -- you know, it may be one thing if  
4 Southcentral is falling a little short this time, but  
5 if they fall a little short the next time, you are  
6 going to have that competition between the RACs and if  
7 there's not some kind of mechanism to help spread this  
8 around, in declining budgets and resources that we have  
9 right now, I think that's going to be something that's  
10 going to become a bigger issue later on. And I don't  
11 know the answer to it. I get to make these comments  
12 and kind of throw them on your shoulders, but it is  
13 something that we're going to have to be somewhat  
14 cognizant of.

15

16 Thank you.

17

18 CHAIRMAN TOWARAK: Go ahead, Roy.

19

20 MR. ASHENFELTER: Thank you. My name  
21 is Roy Ashenfelter. I live in Nome. One of the things  
22 that I experienced in Nome was the chum crash that  
23 occurred over 30 years ago. At that time we had Ted  
24 Stevens and he was able to fund some of our projects  
25 specifically for Nome. One of the things that we  
26 received from Ted was \$2 million, somewhere around  
27 there, for our chum crash.

28

29 What I found out when I was part of the  
30 participation in trying to figure out what it is that  
31 is occurring with the chum salmon that it can be  
32 scientifically improved. It is one thing to say we  
33 want more salmon and then you start diving down into  
34 how are you going to achieve more salmon, how are you  
35 going to get more chum, what are some of the parameters  
36 that you need to figure out to pick out which projects  
37 will yield you the best idea of why chum crashed in  
38 Norton Sound. Is it fresh water, is it ocean, is it a  
39 combination of both, is it Mother Nature, is it, as we  
40 thought and still do, is it interception in the ocean.

41

42 So as you look at these different  
43 projects that come about and start scoring them like we  
44 did, it is very difficult to try to score a short-term  
45 project and also look at a long-term project. What I  
46 found out is that to get an answer some of these  
47 projects take a long time. You have to dive out the  
48 goal of -- for example, egg take. If you're going to  
49 try and do an egg take in a river system, at a minimum  
50 you need to have two or three cycles of those chum

1 coming back so that you can get results of how your  
2 project was achieved or not. This is a Mother Nature  
3 thing. This is not a timing thing that you're dealing  
4 with here. It's a process that you need to understand  
5 how you're going to achieve what you want to do.

6  
7           So these long-term commitments, what I  
8 saw on some of those that we funded, were very well  
9 intended. We wanted those because that was one of the  
10 things we wanted to find out is in fresh water which  
11 river systems were okay on chum, which river systems  
12 were bad or low and which systems were going down or  
13 going up. So these projects, to find these answers is  
14 not an easy thing.

15  
16           So I hear what you're getting at, the  
17 ranking system that I see you just implemented. I've  
18 been trying to listen and I think it's a very good  
19 system. Every time you make a move you have to redo it  
20 again. So the point I'm trying to make is this. What  
21 I learned is that the biologists, if you're going to do  
22 a fishery project, the best biologists have come from  
23 the State or people who are fishery biologists. What  
24 we ended up doing was doing individual ranking system  
25 and we based it on a lot of the criteria that I've  
26 heard.

27  
28           The ones that are reded out, I hope  
29 that those people that submitted those get a report  
30 back as to why they were reded out; incomplete, not  
31 enough data. You really can't spend any time on those  
32 in my opinion. You can send a message back to them as  
33 to what they can do to improve their project that they  
34 feel is going to benefit them.

35  
36           The other thing I'd like to say are  
37 these fishery projects. You know, we've been doing  
38 this -- it's been 30 years since our chum crash in  
39 Norton Sound. We've been struggling to get funding for  
40 additional projects. As just mentioned, we don't have  
41 a lot of Federal lands in our region, so some of the  
42 projects that we had long-term funding fortunately were  
43 able to finish. Some that were even short term as  
44 funding started coming to a close that we funded out  
45 didn't quite turn out so well, but we took the risk  
46 anyway in trying to get those funds spent.

47  
48           So my thinking on this is that RACs  
49 should be able to hear what's going on, RACs should be  
50 able to submit -- and any project, whether it's a RAC

1 project or any project, that doesn't get funded should  
2 at least receive a report as to reasons why.

3

4 One last thing on biology fishery  
5 projects that are long term. So if you get rejected  
6 today, that doesn't mean tomorrow that you can resubmit  
7 a better one.

8

9 CHAIRMAN TOWARAK: Thank you, Roy. My  
10 understanding is that there will be communications with  
11 those projects that were not funded and the reasons  
12 given why they were not funded. If we don't have any  
13 other comments from this Board, I'd like to ask those  
14 on long distance if they have any comments out there on  
15 teleconference.

16

17 Do we have anybody on?

18

19 MS. MONCRIEFF: This is Catherine  
20 Moncrieff for YRDFA. I'm on, but I have no comments.  
21 Interesting discussion.

22

23 CHAIRMAN TOWARAK: Thank you. Any  
24 other further discussion on the process.

25

26 (No comments)

27

28 CHAIRMAN TOWARAK: Now we could go to  
29 the next phase of your presentation, Stewart.

30

31 MR. COGSWELL: Okay. This is the last  
32 phase. I appreciate all the comments. This has been a  
33 great discussion. It's a new process. We will  
34 definitely take the Board's comments about interjecting  
35 a new criteria. We will consider that. I mean we'll  
36 consider everything. We want this program to address  
37 people's concerns, to be transparent. I'm not  
38 promising anything, but we'll definitely take a look at  
39 it and see how we can increase RAC involvement and make  
40 sure it's being addressed. So we'll definitely look at  
41 that. This has been a great discussion. Thanks to the  
42 public members too. I mean I think this has been a  
43 good discussion.

44

45 The last thing is I'm just going to  
46 present the draft recommendations for your endorsement.  
47 It's the next slide. It's on Page 53. It's the white  
48 list here. That is the draft list. That's the end of  
49 my presentation, so thank you.

50

1 MR. CHRISTIANSON: Mr. Chair.  
2  
3 CHAIRMAN TOWARAK: Go ahead.  
4  
5 MR. CHRISTIANSON: Are we going to walk  
6 through this list or are we going to make a motion to  
7 accept it as presented by the TRC. I'm making a motion  
8 to accept the recommendations of the TRC 2016 draft for  
9 the FRMP process based upon their ranking, the RAC  
10 comment and the ISC comment.  
11  
12 MR. OWEN: I defer to my retiring  
13 colleague.  
14  
15 MR. HASKETT: I'm just going to second,  
16 so thank you.  
17  
18 CHAIRMAN TOWARAK: You heard the motion  
19 and the second. Is there any discussion on the motion.  
20 Go ahead.  
21  
22 MR. FROST: I just have one question.  
23 So this funds, I think somebody said, \$1.8 million, is  
24 that right?  
25  
26 MR. COGSWELL: That's correct.  
27  
28 MR. FROST: So what happens to the  
29 200,000 that doesn't get funded -- that doesn't get  
30 used for these projects?  
31  
32 CHAIRMAN TOWARAK: Go ahead.  
33  
34 MR. PELTOLA: We've had the internal  
35 discussion and discussion with some agencies and that  
36 difference between the 1.8 and 2 million at times have  
37 been referred to as extra money. I wouldn't call it  
38 necessarily extra money. What we've done in the past  
39 is we've potentially taken those funds and contributed  
40 towards additional projects on the particular list.  
41  
42 Here's what the program has facing this  
43 time around. As I mentioned previously before, the  
44 Board directed OSM to do a strategic plan two years  
45 ago. We haven't followed through on that. That's  
46 going to have some significant cost. In addition, the  
47 ISC requested the same thing to occur. It's tied in.  
48 It's not an independent request, but it's also a part  
49 of the request to do a strategic plan of which you're  
50 looking at the two potential funding sources which we

1 have through the program, FRMP, in addition to a  
2 Partners Program. There's a cost associated there.

3  
4 As I mentioned earlier, the budgetary  
5 scenario where we kind of project what we may have  
6 available for this round and also what we'll have in  
7 the future. If OSM's funding remains flatlined, we're  
8 projecting we could have anywhere from \$1.2 to 1.6  
9 million for a similar effort two years from now due to  
10 commitments made by the Board through the last cycle.

11  
12 One thing that has occurred in the  
13 past, the program has forward-funded some if there's  
14 been excess funds available, not obligated through this  
15 process. In addition to, in the Southeast, we have  
16 potential FRMP projects where we may not have available  
17 funding for continuation projects, let alone new start  
18 projects throughout this process. So I wouldn't  
19 necessarily refer to them as extra funding. There are  
20 multiple opportunities where that potential \$200,000,  
21 if it is realized when we get our final budget, could  
22 be utilized.

23  
24 MR. CHRISTIANSON: Question.

25  
26 CHAIRMAN TOWARAK: The question has  
27 been called for. We have one Board member that.....

28  
29 MR. PELTOLA: Catherine, this is Gene.  
30 We had the request if you're on your phone if you can  
31 mute it. I think we're getting a little background.

32  
33 Thank you.

34  
35 CHAIRMAN TOWARAK: We just found out  
36 that our missing Board member had a medical appointment  
37 that he had to make, so we will proceed with the vote.  
38 The question has been called for. All those in favor  
39 of the motion say aye.

40  
41 IN UNISON: Aye.

42  
43 CHAIRMAN TOWARAK: Any opposed say nay.

44  
45 (No opposing votes)

46  
47 CHAIRMAN TOWARAK: Motion passes  
48 unanimously. Let's take a 10-minute break and then we  
49 will continue with the rest of the agenda.

50

1 (Off record)

2

3 (On record)

4

5 CHAIRMAN TOWARAK: I'd like to call our  
6 meeting back to order if we could.

7

8 (Pause)

9

10 CHAIRMAN TOWARAK: I think now that  
11 we've got all of our Board members back I'm going to  
12 ask to call the meeting back to order.

13

14 (Pause)

15

16 CHAIRMAN TOWARAK: We concluded the  
17 Fisheries Resource Monitoring Program agenda No. 3,  
18 we're ready to move to No. 4, close out on deferred  
19 special actions from April 2015 work session, FSA15-02,  
20 03, 05, 07 and 08.

21

22 Gene.

23

24 MR. PELTOLA: Thank you, Mr. Chair.  
25 Board members, if you'll recall during our April work  
26 session of last spring we had a total of five requests  
27 from the Middle and Upper Kuskokwim to address  
28 management of that particular drainage. And I  
29 summarize in a sense that 15-02, 03, 05, 07 and 08 all  
30 stipulated pretty much the exact same thing.

31

32 The first item requested was a  
33 management scheme, a Federal management scheme on the  
34 Kuskokwim. Two, they asked to address chinook  
35 management on the Kusko. Three, it asked for an  
36 allocation strategy on the Kusko. And, four, it asked  
37 Federal management to address all salmon on the Kusko.

38

39 And I summarized, paraphrase, so to  
40 speak, the Board actions took were that you voted down  
41 all but one of those special action requests and left  
42 one of those requests, if I recall correctly, it was  
43 FSA15-08, but I'm not positive on that, and left it  
44 outstanding in the sense that it would determine that  
45 in-season management could address those four  
46 particular topics requested by the proponents.

47

48 This past summer's effort, there was a  
49 period where we had a Federal management scheme in  
50 place, the in-season management delegation authority

1 addressed chinook management, OSM made a recommendation  
2 on allocation, which is implemented by the in-season  
3 manager on the Kuskokwim, but the all other salmon  
4 aspect was left open so we have a special action that  
5 remained open that needs to be closed out.

6

7 CHAIRMAN TOWARAK: Go ahead, Tony.

8

9 MR. CHRISTIANSON: So that's just a  
10 request to make a motion to close that action out?

11

12 MR. PELTOLA: And, Ken, you could chime  
13 in, yes, but also in the sense that the Federal Program  
14 did not take a specific action to that special action  
15 request and we should probably provide a summary of  
16 what occurred.

17

18 Okay, go ahead.

19

20 MR. HASKETT: Okay. So my  
21 understanding, this is kind of a legal thing we needed  
22 to take care of to correct the record, and if I  
23 understand it correctly -- what I'd like to do is go  
24 ahead and provide again what the justification was for  
25 doing the deferral in the first place and then briefly  
26 talk about how things worked out really well and why we  
27 should close it out.

28

29 Is that, so Ken Lord's saying yes.

30

31 So, Mr. Chair, with your permission  
32 I'll go ahead and provide that for the record.

33

34 CHAIRMAN TOWARAK: You have the floor.

35

36 MR. HASKETT: Okay. So, let me go  
37 ahead and cover the justification for the deferral to  
38 make sure we have that clearly on the record.

39

40 The justification to defer was based  
41 upon the following points:

42

43 The Federal Subsistence Board was  
44 impressed with the level of involvement from the State  
45 and subsistence users.

46

47 The Board appreciated concerns raised  
48 by the proponents but believe the  
49 Federal in-season manager could work  
50 closely with the State to provide

1 subsistence opportunity for salmon.  
2  
3 Any closure would have only affected  
4 Federal public waters and not the  
5 entire drainage.  
6  
7 The Federal in-season manager already  
8 had the authority to close and reopen  
9 Federal public waters to non-Federally-  
10 qualified users.  
11  
12 There was agreement about conservation  
13 concerns for chinook salmon, however,  
14 chum, sockeye and coho salmon  
15 populations were reasonably healthy so  
16 the closure to species besides chinook  
17 did not seem justified at the time.  
18  
19 The in-season managers have the  
20 authority to restrict the harvest of  
21 salmon and non-salmon species when  
22 chinook salmon were likely to be  
23 incidentally caught.  
24  
25 In deferring, the Board reserved the  
26 right to take action, if needed, to  
27 take subsequent actions.  
28  
29 If a harvestable surplus was to be  
30 identified it would not have been  
31 identified until some time during the  
32 fishing season so deferring gave the  
33 Board and managers time to assess the  
34 run.  
35  
36 It was stated the collaborative  
37 management between the Federal and  
38 State managers was preferred to provide  
39 harvest opportunity for communities  
40 throughout the drainage, not just on  
41 Federal public waters.  
42  
43 And all the actions that followed the  
44 Board, is we had a really close  
45 relationship with the newly formed  
46 Kuskokwim InterTribal Commission, and  
47 we did work very closely with the State  
48 and I think we were far more successful  
49 than we ever thought we were going to  
50 be by the end of the year and there

1 never ended up being a reason for the  
2 Board to take further action on this.  
3  
4 So that's it.  
5  
6 CHAIRMAN TOWARAK: Any further  
7 discussion on the motion.  
8  
9 Go ahead, Gene.  
10  
11 MR. PELTOLA: Mr. Chair. I just wanted  
12 to make clarification on the notes provided by Staff,  
13 said that the Board deferred action on all the  
14 Kuskokwim River special action requests which were 02,  
15 03, 05, 07, 08 respectively.  
16  
17 CHAIRMAN TOWARAK: Okay. Are there any  
18 other questions.  
19  
20 Tony.  
21  
22 MR. CHRISTIANSON: No. I'm just still  
23 trying to see, do we do this by motion, or is it  
24 just.....  
25  
26 CHAIRMAN TOWARAK: Our attorney.  
27  
28 MR. LORD: Yeah, Mr. Chair, my main  
29 concern was having a clarification on the record so  
30 that we could close it up but if you're more  
31 comfortable with a motion, that works as well.  
32  
33 MR. CHRISTIANSON: Yeah, Mr. Chair.  
34  
35 CHAIRMAN TOWARAK: Tony.  
36  
37 MR. CHRISTIANSON: So I would just make  
38 a motion that we do close out the special actions  
39 listed under Geoff's discussion.  
40  
41 MR. HASKETT: I'll second that.  
42  
43 CHAIRMAN TOWARAK: You hear the motion  
44 and a second, any further discussion.  
45  
46 (No comments)  
47  
48 CHAIRMAN TOWARAK: not hearing any, all  
49 those in favor of the motion say aye.  
50

1                   IN UNISON:  Aye.  
2  
3                   CHAIRMAN TOWARAK:  Any opposed, say  
4 nay.  
5  
6                   (No opposing votes)  
7  
8                   CHAIRMAN TOWARAK:  Motion passes  
9 unanimously.  
10  
11                  That takes care of Item No. 4, we'll  
12 move on to Item No. 5.  
13  
14                  Gene.  
15  
16                  MR. PELTOLA:  Okay, thank you, Mr.  
17 Chair.  Subsequent to the previously mentioned special  
18 action requests, the Federal Program did receive  
19 special action requests FSA15-17 regarding specifically  
20 coho salmon on the Kuskokwim River, where the  
21 proponents from middle and up river -- middle river, I  
22 should say, of the Kuskokwim, asked for, you know,  
23 Federal management of the drainage regarding that  
24 particular salmon species.  The proponents stipulated  
25 that -- or paraphrase -- reasonable subsistence  
26 opportunity had not been provided for coho and there  
27 was exploitation of the species within the drainage.  
28  
29                  When OSM was in the process of  
30 preparing the draft analysis of the special action  
31 request, the State of Alaska did take a management  
32 action which precluded any further commercial  
33 exploitation which seemed to be the point of contention  
34 with the proponents at that time.  OSM, we did an  
35 administrative deferral for the action because the main  
36 causation, so to speak, or the special action request  
37 had been removed or addressed.  
38  
39                  And this is something also that needs  
40 administrative closure by the Board.  
41  
42                  CHAIRMAN TOWARAK:  Is this the same  
43 action as the previous one in closing?  
44  
45                  MR. LORD:  Yes, Mr. Chair.  Thank you.  
46  
47                  MR. CHRISTIANSON:  So I'll make a  
48 motion to close.  
49  
50                  MR. HASKETT:  Second.

1 CHAIRMAN TOWARAK: You heard the motion  
2 and the second, any discussion.

3  
4 (No comments)

5  
6 CHAIRMAN TOWARAK: Not hearing any, all  
7 those in favor of the motion say aye.

8  
9 IN UNISON: Aye.

10  
11 CHAIRMAN TOWARAK: any opposed, say  
12 nay.

13  
14 (No opposing votes)

15  
16 CHAIRMAN TOWARAK: Motion passes  
17 unanimously.

18  
19 Item No. 6, discussion and action on  
20 options for future non-rural determination policy  
21 versus rulemaking, versus blending.

22  
23 Anee Howard, and Mr. Matuskowitz.

24  
25 MR. PELTOLA: Matuskowitz.

26  
27 (Laughter)

28  
29 CHAIRMAN TOWARAK: Almost as bad as  
30 Towarak.

31  
32 MR. ARDIZZONE: Mr. T.

33  
34 (Laughter)

35  
36 MS. HOWARD: Good morning, Mr. Chair.  
37 My name is Anee Howard. I'm the policy coordinator for  
38 the Office of Subsistence Management. Good morning  
39 members of the Board.

40  
41 So this will be my first time  
42 presenting to you so I'm a rookie.

43  
44 (Laughter)

45  
46 MS. HOWARD: It'll be my rookie  
47 manoeuver.

48  
49 With me I have Theo Matuskowitz. He  
50 is our regulations specialist with the Office of

1 Subsistence Management.

2

3                   So if I can get you to do two things  
4 for me, Page 54 in your materials you'll see the  
5 options table, and then I also put together a  
6 PowerPoint presentation so if you can turn to look at  
7 that, this lays out the information in the options  
8 table a little bit better for presentation.

9

10                   So at the July work session the Board  
11 tasked Staff with reviewing and identifying options to  
12 move forward with non-rural determinations. So this is  
13 what we came up with, were three options that were  
14 discussed at the last work session.

15

16                   The first option was Federal regulation  
17 only. And that was to direct Staff to initiate formal  
18 rulemaking to address future non-rural determinations.

19

20

21                   Some of the pros for this option is  
22 what folks have been calling force of law or teeth, has  
23 our teeth covered, set criteria, predictability, and  
24 transparency through public process. Some cons to  
25 going with a regulation only option were during the  
26 rule public process, on our way making it to the final  
27 rule and the direct final rule that were published on  
28 November 4th, thank you very much, Mr. Matuskowitz,  
29 there was an extensive public process. And many of the  
30 public comments that we reviewed spoke very negatively  
31 of it being a very stringent regulation only as we move  
32 forward with non-rural determinations. So Staff and  
33 the rural subcommittee, and the ISC all took those into  
34 consideration and definitely put it on the con list.  
35 Also folks seemed to think that regulation contains a  
36 lot of arbitrary content, regulation tends to lack  
37 flexibility, rigid criteria which are also a pro  
38 because they're set criteria can be hard to change and  
39 update. Any further revisions would require formal  
40 rulemaking process, and with that comes the lengthy  
41 public process. There's also an inability to adjust  
42 for regional changes.

43

44                   The second option was policy only.  
45 This was to direct Staff to draft policy on non-rural  
46 determinations, and this means Federal Subsistence  
47 Board policy. Pros for this were, allows greater  
48 flexibility or great test flexibility for Board  
49 determinations. It's a streamlined process. It allows  
50 for agility when considering unique regional

1 characteristics. It would allow for more timely  
2 changes in the process. And it addresses, or could  
3 potentially address the existing void in how the public  
4 can request changes to the current non-rural  
5 determinations. And that is for communities that may  
6 still take issue with being aggregated with some of the  
7 larger communities, things that were taken out of the  
8 rule. Some cons to this is that a policy only stance  
9 can be perceived as lacking the teeth or the force of  
10 law that a regulation has. And there were some concern  
11 that policy could change with administration or  
12 management.

13

14                   The third option that was discussed at  
15 the July work session was a blend of regulation and  
16 policy. That was to direct Staff to initiate formal  
17 rulemaking and draft policy on non-rural  
18 determinations. So we discussed this as well. This  
19 had many of the same pros that policy has and it had  
20 the same pros as regulation. There's some flexibility  
21 through the policy portion, there's force of law  
22 through the regulatory portion, there's transparency  
23 through the public process, as there is with each of  
24 the options but it's still something we felt important  
25 to be on the pro side. And there's also the ability to  
26 address regional variations through the public policy  
27 portion. Some cons are that with the regulatory  
28 portion we would lose some of the flexibility that we  
29 would have with policy only. There would be a lengthy  
30 public process associated still with the regulatory  
31 portion. And that it would be a longer timeframe  
32 before the Board would be able to address issues with  
33 current non-rural determinations.

34

35                   So the timelines for each of the  
36 options fall as -- for option one we estimated it would  
37 take two to three years. We put the plus on there  
38 because with formal rulemaking we all know things  
39 happen and it can go longer.

40

41                   For option No. 2 the estimation was one  
42 to two years, depending on the Board's direction for  
43 public process and how to best get Regional Advisory  
44 Council input. How it's going to be the most  
45 meaningful and most beneficial.

46

47                   And then option No. 3, because of that  
48 regulatory aspect would again be two to three plus  
49 years.

50

1                   So the rural subcommittee  
2 recommendations came down for option one, the rural  
3 subcommittee considered and dismissed a strictly  
4 regulatory option mostly because it could take an  
5 extremely long time and it likely would be met with  
6 resistance from the Secretaries and the public.

7  
8                   Option No. 2 was the option recommended  
9 by a majority of the rural subcommittee as the policy  
10 option being the best course of action.

11  
12                   Option No. 3, the rural subcommittee  
13 considered and dismissed the development of a  
14 regulation directing the Board to follow an established  
15 policy simply because they thought that adding that  
16 somewhat simple regulatory aspect might be too lengthy  
17 of a process, it may not really give us the teeth that  
18 we're looking for or the agility to adjust unique  
19 regional characteristics.

20  
21                   These are what I call the rural  
22 subcommittee notables.

23  
24                   One thought was the Secretaries just  
25 signed and publish two new rules, the direct final  
26 rule, and the final rule on this topic and may resist  
27 consideration of a third, especially if it appears that  
28 the process is shifting back towards the previous  
29 rules.

30  
31                   The other notable, as I called it, is  
32 most of the positives for options one and three are  
33 contingent on Secretarial support. Without that  
34 support we would need to go with option No. 2 anyway to  
35 be responsive to the rural users.

36  
37                   So to talk about a plan for -- well, I  
38 guess right now, are there any questions at this point  
39 before we talk about some feasible next steps that  
40 we've started to investigate or look at.

41  
42                   CHAIRMAN TOWARAK: Go ahead, Mr. Frost.

43  
44                   MR. FROST: How do we go about figuring  
45 out if we have Secretarial support or not for whatever  
46 we do?

47  
48                   MR. MATUSKOWITZ: Through the Board.  
49 Basically I've worked with the Office of the Secretary  
50 and they've expressed their view that, for example, the

1 Secretary has much higher priorities and is this the  
2 end, basically, is what I was asked and I said, well, I  
3 don't know, it depends on the Board action. But just  
4 the fact that that was brought up to me was kind of a  
5 red flag. In addition, just to get up to the Office of  
6 the Secretary we have to jump quite a few hurdles and a  
7 couple things that I would be concerned about is,  
8 trying to explain if you decide that you want to do  
9 additional regulatory changes, how am I going to  
10 explain that to the various steps just to get up to the  
11 Secretary's office. Because I already know they're  
12 going to throw right back to me, you know, wait a  
13 minute, you just done this, why are you doing this? so  
14 that's their -- from my experience in working with the  
15 Secretary's office and the people working up there, I  
16 would be very concerned attempting to address -- we  
17 would have to have real good reasons to do this.

18

19 CHAIRMAN TOWARAK: Go ahead, Mr.  
20 Haskett.

21

22 MR. HASKETT: So I remember this  
23 discussion from last time, the question about whether  
24 we'd really be able to move fast enough, and could we  
25 get the Secretaries to actually act on this, and  
26 actually I know there were discussions -- and I'm not  
27 sure if they happened between, Tim, you, I had sent a  
28 message up, I know, and we got a lot of support from  
29 the Secretary's office on this, this is one that I  
30 think we can short-circuit a lot of those steps in  
31 terms of just having a discussion with the Secretary's  
32 office, if we need to, to make sure. I don't know if  
33 we'd work through Michael Johnson, or, Tim, if you have  
34 a way to do that, I think there's a way for us to  
35 actually get that signal from them.

36

37 MR. FROST: So we could -- so my  
38 question is, is do we have to go through the whole  
39 bureaucratic process, through the Assistant Secretaries  
40 and all that nonsense since we have -- well, and then  
41 my other question is, what about the other Secretary,  
42 is AG in the same -- is the AG Secretary, Secretarial  
43 Staff have the same opinions as Interior, because I  
44 think that needs to be weighed into the -- because both  
45 Secretaries have to sign off on this, right?

46

47 MR. MATUSKOWITZ: That is correct, yes.

48

49 I know that the Department of  
50 Agriculture Staff was involved in the process and they

1 were actively engaged with the Secretary -- Department  
2 of Interior's Secretary's office. Some of the  
3 background and dealings, I don't have that because I  
4 don't have as many contacts with Agriculture as I do  
5 Interior. But I will point out that even if we use  
6 the, as we have in the past, the Special Assistant to  
7 the Secretary for Department of Interior, he can help  
8 things once it gets to the Secretary's office, but I  
9 can't bypass all those steps up there because it will  
10 get kicked back until it passes all those steps, and  
11 those steps are not always the same. Sometimes, for  
12 example, when I get surnames from the Solicitor's  
13 office here, that has sufficed, but in this case it had  
14 to go through a couple different offices in the  
15 Solicitor's office in Washington. So, you know, we  
16 still have to cross those hurdles, but, you know, yes,  
17 we can use the Special Assistant and he has assisted us  
18 in the past.

19

20 MR. FROST: So, I guess -- so, we don't  
21 have to go through the bureau per se, we can go through  
22 Michael Johnson, do you think, Geoff?

23

24 MR. HASKETT: So I can't speak for  
25 Michael Johnson, and I'm not sure actually who had the  
26 discussions this last go around with the Secretary's  
27 office but I know they occurred and we got some kind of  
28 go ahead. So I'm certainly not going to suggest that  
29 we.....

30

31 MR. FROST: We can try that.

32

33 MR. HASKETT: .....that we can ignore  
34 all of our bosses, I think we need to go ahead and send  
35 things up the regular way too but I think there's a lot  
36 of attention on this so.....

37

38 MR. FROST: Yeah, at least brief them  
39 up.

40

41 MR. HASKETT: So I -- and, Tim, do you  
42 know, I'm not sure actually who had those  
43 conversations. I sent a message but someone else  
44 actually had the discussions I think.

45

46 CHAIRMAN TOWARAK: Yeah, I don't recall  
47 it either, specifically.

48

49 MR. HASKETT: So my suggestion is,  
50 because I mean, correct, the process is long and if we

1 go through Directors and Secretaries, Solicitor's  
2 office, I mean I think we need to kind of start it that  
3 way but I just think that there needs to be a call to  
4 the Secretary's office -- I don't want to talk too much  
5 more about this and get a bunch of stuff on the record,  
6 but I think we got their attention on this and I think  
7 we just need to take advantage of whoever can actually  
8 make those calls and I think there's a number of us who  
9 might be able to do that.

10

11 CHAIRMAN TOWARAK: Theo.

12

13 MR. MATUSKOWITZ: One thing I'll make  
14 the Board aware of. Prior to the holiday break, I  
15 received an email through Fish and Wildlife  
16 Headquarters, the regulatory branch, and they addressed  
17 the fact with this being an upcoming election year  
18 there's going to be much more scrutiny as to any  
19 rulemaking that goes through. So, again, that was just  
20 something to make you aware of.

21

22 CHAIRMAN TOWARAK: Go ahead, Mr.  
23 Haskett.

24

25 MR. HASKETT: Well, we're not  
26 necessarily suggesting a rulemaking here still, we  
27 haven't actually.....

28

29 MR. FROST: No, I was just asking a  
30 question.....

31

32 MR. HASKETT: Okay. All right.

33

34 MR. FROST: .....about.....

35

36 MR. HASKETT: Okay.

37

38 MR. FROST: So my original question  
39 was, I think was maybe it's back one slide, no that  
40 wasn't it.....

41

42 MS. HOWARD: Was it on the notables  
43 part?

44

45 MR. FROST: This one here -- well, no,  
46 not -- well, it was just the notion that being that the  
47 Secretary has already sort of just signed one, there  
48 may be some resistance -- some resistance for another  
49 one to come up and my question was, how did we -- who  
50 was working with the Secretary's office, so that's you,

1 and -- and there was another question there but I  
2 forget what it was.

3

4                   But it was, basically how, we, as a  
5 Board, get to the Secretary's office and sort of have  
6 those discussions.

7

8                   CHAIRMAN TOWARAK: Go ahead, Mr.  
9 Haskett.

10

11                   MR. HASKETT: So I don't think we can  
12 answer that question but I just want to make sure we're  
13 still going to be looking at option two, which is the  
14 one actually I think that makes this the easiest and I  
15 know we had a lot of discussion last go around about  
16 whether we needed to do a regulatory thing, whether,  
17 you know, the teeth, that kind of thing, but option two  
18 is something we can do without all those steps other  
19 than notifying.

20

21                   MR. LORD: Just a note of caution, if  
22 we go with option two, which is policy making only, an  
23 agency is more restricted in what it can do in policy  
24 than it is in rulemaking because of the APA  
25 requirements. So we might want to dig into this a  
26 little bit farther to make sure that we are going to  
27 avoid any potential landmines if we decide to go the  
28 policy route.

29

30                   CHAIRMAN TOWARAK: Go ahead, Tony.

31

32                   MR. CHRISTIANSON: Well, it sounds like  
33 there's a little bit of room here to figure out a few  
34 things, of who's talking to who and what we need to  
35 figure out, and we have an April meeting, maybe we  
36 answer a couple of questions by April so we can pick  
37 the best option for the Board to -- because three  
38 months or three years, I mean that's what we're looking  
39 at.

40

41                   CHAIRMAN TOWARAK: Theo first and then  
42 Geoff.

43

44                   MR. MATUSKOWITZ: Through the Board.  
45 What Staff has looked at as far as a policy that the  
46 Board could develop, would be on the process itself.  
47 Okay. It would not be regulatory in nature. So we  
48 could define the process to go through, if somebody,  
49 you know, requests a, you know, change in their status,  
50 how -- the steps that we go through, but to put that

1 into regulation we would naturally have to go through  
2 the regulatory process just like we do with any other  
3 proposal. All right. So we're not talking about a  
4 policy that would be regulatory in nature, we're  
5 talking about a policy that would define your process  
6 and it would answer questions from the public, how do I  
7 do this, this is how you do it. And then it would, you  
8 know, be presented to you as a proposal, same as we do  
9 with wildlife or fish, you would go through the full  
10 regulatory process and this would address the APA  
11 issues and obviously have public input, RAC input,  
12 tribal consultation and in the end you would make your  
13 decision as you normally do, and then, you know, we  
14 would go through the publication in the Federal  
15 Register.

16  
17 CHAIRMAN TOWARAK: Go ahead, Bert and  
18 then Geoff.

19  
20 MR. FROST: Can I throw out a fourth  
21 alternative perhaps. This is just something that we --  
22 as we were talking yesterday about the meeting, and I'm  
23 not -- I'm not trying to put a position, this is truly  
24 just a different idea and that is to try and get a  
25 little bit more teeth but not have to go to regulation  
26 is, have we thought about something like a Secretarial  
27 Order, so you'd write a policy but then you support  
28 that policy with a Secretarial Order of some sort so  
29 that it has -- so it holds us, agencies, a little more  
30 accountable. It can't be changed quite on a whim as  
31 much as a policy can and it's just sort of that higher  
32 level of review.

33  
34 So that's just an idea that came up in  
35 our discussions.

36  
37 CHAIRMAN TOWARAK: Go ahead, Mr.  
38 Haskett.

39  
40 MR. HASKETT: So I think that's a  
41 really good idea but, again, it takes some discussion  
42 with the Secretary's office. And I agree with what  
43 Tony says, we got three months. It seems to me that we  
44 ought to get with the office of the Secretary here in  
45 town, and I'd be glad to be part of that discussion,  
46 and, Tim, we could talk to Mike and just kind of figure  
47 out the best way to get on the Secretary's radar and  
48 see if that's something that could be entertained and  
49 know the answer before we have our meeting in April --  
50 oh, right, I won't be here in April.

1 (Laughter)

2

3 MR. FROST: Don't worry about it.

4

5 MR. ARDIZZONE: A special appearance.

6

7 (Laughter)

8

9 MR. HASKETT: But I am willing to help  
10 out to get to an answer prior to the April meeting.

11

12 CHAIRMAN TOWARAK: Go ahead, Theo.

13

14 MR. MATUSKOWITZ: One thing I would  
15 like to point out to the Board, the subcommittee  
16 discussed pretty much a similar thing that you all are,  
17 as far as the teeth aspect. And Amee and I reviewed  
18 all of your policies that you've instituted throughout  
19 the history of this program, and you have an excellent  
20 track record, you've never ignored one of your  
21 policies, Staff has not ignored any of your policies.  
22 And, you know, we've gone through the process and  
23 having been involved in at least two changes in, or  
24 revisions to Board policy, it was not a willy-nilly,  
25 quick, yeah, let's change it, I mean it literally took  
26 well over a year because, once, again, you went through  
27 the RACs, you, at certain times received public  
28 comments on it and it wasn't a haphazard decision. So  
29 that's just one thing I'd like to remind you about.

30

31 As far as getting the Secretaries  
32 involved, I think an easy solution, if you would decide  
33 to go with option two, you could direct Staff to start  
34 working on this now and one of the things we could do  
35 as we were working to develop this policy is we could  
36 contact the Secretary's office, similar to what we done  
37 with the closure policy. Now, that was a little bit  
38 different because that was initiated by the Governor  
39 through a letter to the Secretary, but, again, you came  
40 up with a policy, this is what it is, you sent it  
41 through the Secretary and said, what do you think, and  
42 the Secretary sent back a letter going, yes, it's good.  
43 So we could do a very similar thing with this. I think  
44 it would save time, still get that Secretarial input,  
45 but at the same time it would allow Staff to begin  
46 working on this.

47

48 One of the issues is with time, and so  
49 many people are well why does it take so long and keep  
50 in mind what really drives the reason for it taking so

1 long for these actions to happen is the RAC Council  
2 cycle, because you always go through the RACs, you  
3 brief them, you want their input so we can't rush that  
4 process, they only meet twice a year. But at the same  
5 time I believe that this issue needs to be addressed  
6 sooner than later because we're already getting  
7 inquiries from the public, how do we do this. There's  
8 already interest out there. And as of right now, until  
9 you make a decision, we're kind of left, you know,  
10 standing here going well I don't know, we'll get back  
11 to you. So that's just an option you can look at. In  
12 addition to directing the Staff to commence on working  
13 on the policy, you can direct us to contact the  
14 Secretary's office and, you know, get a feel for them  
15 supporting this action, and then we can just, you know,  
16 we can move forward. So that's just kind of building  
17 on what you have been discussing here.

18

19 MR. HASKETT: So I think that's a good  
20 proposal. I still think that it would be good on top  
21 of that for us to try and see if we can reach closer to  
22 the Secretary's office, so she knows it's coming, or  
23 Mike Connors knows it's coming and I think that'll help  
24 clear some of that process in between, so I'm still  
25 offering to help do that, in addition to you guys  
26 embarking on that process.

27

28 CHAIRMAN TOWARAK: Go ahead, Wayne.

29

30 MR. OWEN: Thank you, Mr. Chair. You  
31 know I agree with Geoff, and, of course, the Forest  
32 Service would run the same flags up the USDA pole. And  
33 I'd just want to remind, or just say it out loud, the  
34 suggestion that led to the path we're on now was meant  
35 to keep the decision about rural or non-rural at the  
36 lowest possible level, at the hands of the RAC, and, of  
37 course, within our authority. That was the basis of  
38 what Beth and I proposed, originally, to this group,  
39 and I think that's what Theo and his committee have  
40 done.

41

42 So I'm happy, personally, with where  
43 you guys are going. I would hope that we would move to  
44 go toward the solution that keeps the decision closest  
45 to the people that are most affected, and most know the  
46 conditions in the communities.

47

48 CHAIRMAN TOWARAK: Yeah, what's the  
49 wishes of the Board.

50

1 MR. CHRISTIANSON: Well, I think we  
2 take Theo's recommendation to develop a policy by the  
3 April meeting that we can consider, as well as the work  
4 Geoff's willing to do with you in contacting the  
5 offices that need to be contacted so we have something  
6 to actually feel confident voting on in April.

7  
8 CHAIRMAN TOWARAK: Theo, does that fit  
9 our timeline requirements?

10  
11 MR. MATUSKOWITZ: I'll have Ameer go  
12 through the timeline one more time just as a quick  
13 review.

14  
15 MR. FROST: Can I ask one quick  
16 question.

17  
18 CHAIRMAN TOWARAK: Go ahead.

19  
20 MR. FROST: So just a clarifying  
21 question. So I don't disagree and thanks for the  
22 clarification, Wayne, because, again, I wasn't part of  
23 the original stuff so it makes a lot of sense to keep  
24 it local. So the clarifying question is, so we develop  
25 the policy and over time, and talking years, you know,  
26 two or three years, we find that the policy is working,  
27 there's nothing that would prohibit us, if we decided  
28 to at some point in time in the future, if we wanted to  
29 put it in regulation, we could go ahead and do that.  
30 So it's not like we're completely throwing the  
31 regulation piece out, it's just saying in the short-  
32 term we're -- or at least right now we're going to go  
33 with the policy in order to be able to move the process  
34 forward and be able to start to answer questions that  
35 you're having.

36  
37 MR. MATUSKOWITZ: Through the Board,  
38 yes, that is correct. You can obviously go the  
39 regulatory route later on, make adjustments to the  
40 policy, it's up to you.

41  
42 CHAIRMAN TOWARAK: Go ahead, Tony.

43  
44 MR. CHRISTIANSON: So moved.

45  
46 (Laughter)

47  
48 MS. HOWARD: Thank you, Member  
49 Christianson.

50

1 (Laughter)

2

3 So through the Chair. I just want to  
4 go through this, what we're calling the interim policy  
5 timeline. Now, there has been a lot of discussion  
6 between interim policy and draft policy and I think  
7 that that's something that can continue to be worked on  
8 with Staff, so if you'll just kind of give me that room  
9 here.

10

11 So this is the policy timeline, it's on  
12 Page 57 of your materials, and this kind of lays out,  
13 at least the framework that will kind of get us to the  
14 meeting in April and show you what we plan to do as  
15 Staff to try and get to a solution, whether it's  
16 interim, draft, we can hash that out later, but at this  
17 point -- so the first thing you'll see is we're going  
18 to notify the Councils of the intent to draft a policy  
19 and indicate that they will be asked to review it  
20 during the fall cycle. So what we want to do, we want  
21 to do this winter, so that at the All Council meeting  
22 in March, that's the winter cycle. So we're giving the  
23 Councils a heads up that this is what we're planning  
24 on doing, this is what the Board discussed at their  
25 work session in January. We want their input. But we  
26 also want them to be ready and give them that time, so  
27 that in the fall, it's on the agenda, they're  
28 anticipating it, they can help make sure that we're  
29 hearing the certain things that need to go, what are  
30 unique to their regions. So how that's actually going  
31 to form and what that's going to be, we don't know yet  
32 because that discussion hasn't happened and we're  
33 excited to hear from the Councils and we're excited to  
34 move forward with as much input as possible.

35

36 So then after we inform them at the All  
37 Council meeting, we're going to develop -- Staff will  
38 develop a draft policy. That means that we're going to  
39 be writing things up. This is spring and summer of  
40 2016. So then the ISC will review what is written.  
41 And then summer 2016 -- so we actually weren't planning  
42 to hit the April meeting because it's a wildlife cycle  
43 and it's a pretty heavy agenda, but that can be  
44 changed, it can be -- but we have a lot of people, our  
45 anthropology department, all of our departments will  
46 have a say in the policy for future non-rural  
47 determinations, so we're trying to accommodate a lot of  
48 different schedules and a lot of different moving  
49 parts. So please keep in mind that at the April  
50 meeting you guys will be very, very busy with wildlife

1 proposals and so we'll want to weigh that when we're  
2 doing the agenda for that and that interest, so keep  
3 that in mind.

4  
5           So right now we had it that we would  
6 present the policy that we, you know, that Staff has  
7 written up, the ISC has reviewed to you guys, to the  
8 Board, sorry, in July at the summer work session, where  
9 we can really get your review, your edits, your  
10 feedback. Then with that, we'll work with Orville  
11 Lind, our Native liaison, on tribal consultation, see  
12 what we need to do there, make sure that we are  
13 consulting with the tribes and with the ANCSA  
14 Corporations, getting their input on a regional level,  
15 what kind of characteristics, any concerns that they  
16 would have with future non-rural determinations, to  
17 have that information as well.

18  
19           Then we would present the draft policy,  
20 or the interim policy to the Regional Advisory Councils  
21 at the fall meetings, fall cycle. So remember, at the  
22 All Council meeting we would inform them we're going to  
23 do this, we're going to have something for you to  
24 review, this will be part of your agenda in the fall,  
25 we really want your input, we're really going to want  
26 your feedback so this will be the time to really roll  
27 up your sleeves and dig in. So this is what we would  
28 anticipate.

29  
30           Then we would incorporate the Board and  
31 the Council edits into the policy over -- after the  
32 fall cycle, over the winter and then hopefully have  
33 some final product that is actionable, a policy that we  
34 can use for the Board's decision by winter of 2017, so  
35 this time, the Board meeting, which would be the  
36 fisheries cycle 2017.

37  
38           MR. HASKETT: Well, just based upon  
39 that, I think everything I suggested about trying to  
40 get to the Secretary's office probably doesn't matter,  
41 we could just set the process up for going up to the  
42 Secretary, and it's going to get to her in plenty of  
43 time as we go through this process anyway.

44  
45           CHAIRMAN TOWARAK: Go ahead.

46  
47           MR. FROST: Is the goal to try and get  
48 this done with this Secretary or is that even in the  
49 calculus, or if not that's fine, I don't have an  
50 opinion, but I think it's important to realize that if

1 it's not then there could be, if we want some  
2 Secretarial buy-in, we'll be dealing with a new  
3 Administration and that could extend the process  
4 because who knows how long it's going to take to get  
5 all that staffed up back there.

6

7

CHAIRMAN TOWARAK: Go ahead.

8

9

MS. HOWARD: Through the Chair. Member  
10 Frost. I don't think we really went into that much  
11 detail on which Secretary, that didn't weigh into our  
12 timeline. What we're most concerned with is how we can  
13 best respond to the rural users. And this has been a  
14 very long process and I know a lot of people have put a  
15 lot of time, sweat, tears into. And so from what I've  
16 been hearing and I'm new to the program as well, but my  
17 take has been we need something that we can move  
18 forward, respond to the rural users and kind of finish  
19 up this process so that folks have something to move  
20 on. So whether or not it was this Administration or  
21 not, but it's a great comment and it's also very true  
22 as I'm sure what Theo had said earlier, was that, he's  
23 already heard from the Secretary's office that when  
24 there's a change rulemaking will take longer. So of  
25 course that would apply to anything that you're trying  
26 to get through.

27

28

CHAIRMAN TOWARAK: Go ahead, Chuck.

29

30

MR. ARDIZZONE: Mr. Chair. Mr. Frost.  
31 This also -- we want input from the Regional Advisory  
32 Councils and they only meet twice a year and that's a  
33 big play in this timeline and that's why it's extended  
34 so far, is just that they only meet twice a year.

35

36

MR. FROST: No, I understand that.

37

38

CHAIRMAN TOWARAK: Go ahead, Wayne.

39

40

MR. OWEN: I think the brilliance of  
41 the timeline that's been pointed out, is as Geoff  
42 mentioned, this gives us time to communicate with the  
43 Secretaries. It is theirs to disagree with. We have  
44 two rules, we don't need to seek their agreement again,  
45 you know, they've told us what to do, let's keep them  
46 informed, if they don't like it they have that  
47 opportunity over this period of time.

48

49

CHAIRMAN TOWARAK: I assume that this  
50 timeline fits with the original request that we made to

1 the Secretary to extend the decision?

2

3 MS. HOWARD: Mr. Chair. We actually  
4 have met and surpassed that original deadline of May  
5 2017 with the publication of the final rule and the  
6 direct final rule on November 4, 2015, so we are ahead  
7 of schedule. So one thing that this would do is we  
8 could say we -- not only were we able to get the rules  
9 published but we were able to get the whole process  
10 completed for the users within that timeframe so it  
11 would just, in essence, be a bonus. But technically  
12 we've already met and surpassed that original 2017  
13 deadline.

14

15 CHAIRMAN TOWARAK: Go ahead, Bert.

16

17 MR. FROST: I would just, you know,  
18 maybe hold ourselves accountable and just say, look,  
19 we're going to get this done before the Administration  
20 changes because if the Administration changes, just  
21 like Wayne said, the Secretaries -- the current  
22 Secretaries are already really familiar with this. If  
23 we don't get it done by the time the Administration  
24 changes we're kind of starting over and it seems like  
25 we can do that, I mean we've got until January 20th of  
26 next year so we've got a full year to do this but I  
27 think if we set a goal for ourselves and say we're  
28 going to get this done by January 20th of next year, I  
29 think it just -- just so that we don't carry it over  
30 into the next Administration because I think it's just  
31 going to cause more problems -- it's going to -- well,  
32 extend everything.

33

34 CHAIRMAN TOWARAK: Go ahead.

35

36 MS. HOWARD: Through the Chair. Member  
37 Frost. We would appreciate that greatly and we think  
38 that this timeline that has laid out has been something  
39 to take into consideration, again, the different groups  
40 and the different stakeholders that we need to have  
41 input from, it gives us enough time to also give Staff  
42 enough time and so that added commitment from the Board  
43 would also just be something that we would appreciate  
44 greatly and highly recommend.

45

46 CHAIRMAN TOWARAK: Now, do we need  
47 formal action on our recommendation or what's --  
48 well.....

49

50 MR. CHRISTIANSON: I make a motion to

1 just accept the interim policy timeline for non-rural  
2 determinations set forth by the Staff here, to draft a  
3 policy for the determination.

4

5 MR. HASKETT: Second.

6

7 CHAIRMAN TOWARAK: You heard the motion  
8 and the second.

9

10 Discussion.

11

12 Go ahead, Chuck.

13

14 MR. ARDIZZONE: So, Mr. Chair, that  
15 includes option two, which you mentioned earlier and  
16 then the timeline as well.

17

18 MR. CHRISTIANSON: Yes.

19

20 MR. ARDIZZONE: Okay, thank you, sir.

21

22 CHAIRMAN TOWARAK: Any further  
23 discussion.

24

25 Go ahead.

26

27 MR. FROST: I was just going to say, do  
28 we want to make a commitment that we're -- because the  
29 timeline, it just says winter 2017, do we want to say  
30 we want to be done by January 15th of 2017; just to  
31 make it perfectly clear.

32

33 (Laughter)

34

35 MR. CHRISTIANSON: Mr. Chair.

36

37 CHAIRMAN TOWARAK: Go ahead.

38

39 MR. CHRISTIANSON: Maybe it would be  
40 this meeting, right, our winter scheduled meeting.

41

42 MR. FROST: Right.

43

44 CHAIRMAN TOWARAK: Go ahead.

45

46 MS. HOWARD: So it would be the January  
47 2017 Board meeting, and it would be during the  
48 fisheries cycle, so it would be the fisheries meeting --  
49 no -- nope. Go ahead.

50

1 MR. ARDIZZONE: Mr. Chair. This is a --  
2 the January meeting we have on FRMP cycle, so it would  
3 be in two years, if we did a January meeting.....  
4  
5 MS. HOWARD: No.  
6  
7 MR. MATUSKOWITZ: This is wildlife.  
8  
9 MR. ARDIZZONE: No, I'm saying FRMP,  
10 not fisheries.  
11  
12 MR. MATUSKOWITZ: She was saying the  
13 regulatory.....  
14  
15 MS. HOWARD: The regulatory.....  
16  
17 MR. ARDIZZONE: Fisheries. Oh.....  
18  
19 MS. HOWARD: .....the fisheries.....  
20  
21 MR. ARDIZZONE: .....regulatory meeting  
22 in January, okay.  
23  
24 MS. HOWARD: .....regulatory meeting  
25 January 2017.  
26  
27 MR. ARDIZZONE: I stand corrected.  
28 Okay, I stand corrected.  
29  
30 MS. HOWARD: So then that gives us room  
31 to not set the meeting for January 15th because we  
32 haven't got that scheduled quite yet.  
33  
34 MR. FROST: Okay.  
35  
36 MS. HOWARD: Thank you, sir.  
37  
38 CHAIRMAN TOWARAK: Does that sound  
39 doable to everyone?  
40  
41 (Board nods affirmatively)  
42  
43 CHAIRMAN TOWARAK: Any further  
44 discussion on the motion.  
45  
46 (No comments)  
47  
48 CHAIRMAN TOWARAK: Not hearing any, all  
49 those in favor of the motion say aye.  
50

1 IN UNISON: Aye.  
2  
3 CHAIRMAN TOWARAK: Any opposed, say  
4 nay.  
5  
6 (No opposing votes)  
7  
8 CHAIRMAN TOWARAK: Motion passes  
9 unanimously.  
10  
11 MS. HOWARD: Thank you.  
12  
13 MR. MATUSKOWITZ: Thank you, very much.  
14  
15 CHAIRMAN TOWARAK: That was item No. 6.  
16 We have seven, eight and nine, or seven and eight,  
17 basically. Do we want to continue or do we want to  
18 take a break for lunch; what's the wishes of the Board.  
19  
20 MR. HASKETT: Let's continue and  
21 finish.  
22  
23 MR. FROST: Continue.  
24  
25 MR. CHRISTIANSON: Continue,  
26 absolutely.  
27  
28 CHAIRMAN TOWARAK: Okay. We will  
29 continue then until we conclude the agenda.  
30  
31 Update on State of Alaska and Federal  
32 Subsistence Management Program MOU. Mr. Ardizzone.  
33  
34 MR. ARDIZZONE: So, Mr. Chair, if you'd  
35 turn to Page 58 of your meeting book, there's a written  
36 briefing on the memorandum of understanding. So I'll  
37 just give a quick overview, I won't read the briefing.  
38  
39 As a result of the Secretarial review,  
40 a State and Federal workgroup negotiated a revision of  
41 the 2008 MOU following comment from stakeholders  
42 including the Federal Regional Advisory Councils, and  
43 State Advisory Committees, however, completion of a  
44 revised MOU was not possible as there was not agreement  
45 on the content of the revised MOU.  
46  
47 In July 2014 the Federal Subsistence  
48 Board voted that the established protocols developed  
49 under the interim memorandum of agreement for  
50 coordinated inter-agency fish and wildlife management

1 for subsistence uses on Federal public lands in Alaska  
2 will continue upon expiration of the MOU.

3

4 In November 2014, the MOU did expire.

5

6 On December 9th of last year, the  
7 Alaska Board of Fisheries met for a briefing by State  
8 Staff regarding the State and Federal subsistence  
9 committee, the Board of Fisheries felt that at that  
10 time there was a need to renegotiate or re-energize the  
11 discussions with the Federal agencies on the MOU.

12

13 So basically what we're asking for is  
14 input from the Board, does the Board want to commit to  
15 working with the State and renegotiating the MOU and if  
16 you do, we'd like to formalize that in a letter back to  
17 the State saying we do commit or we don't commit to  
18 working on the MOU.

19

20 Also in 2014 the Board did say they  
21 would form a committee to work at trying to look at the  
22 issues that were brought up by the State and we haven't  
23 -- that hasn't come to fruition yet but we could do  
24 that as well.

25

26 CHAIRMAN TOWARAK: Go ahead.

27

28 MR. HASKETT: So I think the Board  
29 should fully support this. I think we're in a  
30 different time now than we were a couple years ago when  
31 we weren't able to have much in the way of constructive  
32 discussions with the State on this, I think the  
33 timing's right for us to send a letter from the Board  
34 requesting the State to begin those discussions anew.  
35 And I think the chances for a positive outcome are  
36 pretty good right now, so I fully support the idea of  
37 doing this.

38

39 CHAIRMAN TOWARAK: And in my mind this  
40 would also give us time to -- once we get it done, or  
41 see a draft we should -- we would bring it to the RACs  
42 because they had a lot of opinions, both pro and con  
43 regarding an MOU with the State. I assume that we  
44 would still have time to go to the RACs.

45

46 MR. ARDIZZONE: Mr. Chair. We could  
47 take it out to the RACs for review and I'm sure the  
48 State would like to take it out to their ACs as well.

49

50 CHAIRMAN TOWARAK: Go ahead, Tony.

1 MR. CHRISTIANSON: Mr. Chair. Do we  
2 pick this process up where it left because I thought  
3 there was a pretty lengthy process leading up to us  
4 having a meeting about whether we signed it or not and  
5 then do we start there or do we just start from zero  
6 with it.

7  
8 CHAIRMAN TOWARAK: Go ahead, Mr.  
9 Haskett.

10  
11 MR. HASKETT: Well, just a suggestion  
12 on my part I don't think we should throw out all the  
13 work that went into this. I agree we need to go back  
14 to the RACs again. What we're really talking about is  
15 taking where we were, and we need to look at it again  
16 and see if there's things that we would do differently  
17 as well, but ask the State to engage with us. Again, I  
18 see a chance for a much more positive outcome at this  
19 point and I think it's well worth taking the time to do  
20 it. So we should not throw out all the previous work,  
21 we should start from where we were, but not be held to  
22 every part of it if we've changed our minds on some of  
23 it.

24  
25 CHAIRMAN TOWARAK: Go ahead, Mr. Sharp.

26  
27 MR. SHARP: Okay. I think when we did  
28 leave it off there were some issues on the table,  
29 intensive management was being debated, from our side  
30 of the equation, some of the RACs felt that there was  
31 too much influence by the State, we just have to  
32 address those concerns and such and find some  
33 compromise.

34  
35 I think also at the nexus for this,  
36 reinterest in the MOU is the ongoing discussions we're  
37 having and hearing with respect to co-management, and  
38 it's going to be difficult for a co-management scenario  
39 to be successful if the Feds and the State can't have  
40 an MOU to agree, we're not going to do much better to  
41 bring a third-party in when the first two parties  
42 aren't necessarily in alignment or agreement. So I  
43 think that's probably at the nexus for some of the --  
44 at the -- the justification for reinvigorating this MOU  
45 discussion is, is there's also looming co-management  
46 discussions and I think we have to have all the parties  
47 at the table if we're going to have any successful talk  
48 like that.

49  
50 CHAIRMAN TOWARAK: It seems like

1 another consideration is this -- and, Ken, maybe you  
2 can answer this, I read in the paper about a Supreme  
3 Court decision to hear a lawsuit against the Federal  
4 government managing fish and game.

5  
6 MR. LORD: Thank you, Mr. Chair. It's  
7 actually a much more narrow issue than that and it has  
8 to do with the Park Service and regulations under  
9 ANILCA on navigable waters. On its face it will not  
10 have any impact on this program.

11  
12 CHAIRMAN TOWARAK: Okay. Any further --  
13 was there -- is there a motion on the floor. Oh, no,  
14 we're only in discussion at this point.

15  
16 Go ahead, Mr. Haskett.

17  
18 MR. HASKETT: So I'd like to make a  
19 motion that we recommit to working on this with the  
20 State and assign the Office of Subsistence Management a  
21 priority task to reviewing and briefing us and getting  
22 us to the point where we can renegotiate with the State  
23 again.

24  
25 MR. OWEN: Wholeheartedly seconded.

26  
27 CHAIRMAN TOWARAK: You heard the motion  
28 and the second.

29  
30 Go ahead, Chuck.

31  
32 MR. ARDIZZONE: Mr. Chair. Mr. Haskett.  
33 I'm assuming you would like us to write a letter back  
34 to the State as well.

35  
36 MR. HASKETT: Yeah, I think that'd be  
37 part of it. I think we should send a letter to the  
38 State saying that here's what we've embarked on, we'll  
39 be talking to you and we look forward to further  
40 discussions.

41  
42 CHAIRMAN TOWARAK: Tony.

43  
44 MR. CHRISTIANSON: Second.

45  
46 CHAIRMAN TOWARAK: You heard the  
47 second. Could we put Geoff's name on that letter.

48  
49 (Laughter)

50

1 CHAIRMAN TOWARAK: You're parting shot.  
2  
3 MR. HASKETT: Parting shot, I think  
4 it's a good thing.  
5  
6 CHAIRMAN TOWARAK: You heard the --  
7 well, any further discussion.  
8  
9 (No comments)  
10  
11 CHAIRMAN TOWARAK: Not hearing any, all  
12 those in favor of the motion say aye.  
13  
14 IN UNISON: Aye.  
15  
16 CHAIRMAN TOWARAK: Any opposed, say  
17 nay.  
18  
19 (No opposing votes)  
20  
21 CHAIRMAN TOWARAK: Motion passes  
22 unanimously.  
23  
24 Go ahead.  
25  
26 MR. HASKETT: I want to make it clear  
27 for the record it's not a parting shot by me.  
28  
29 (Laughter)  
30  
31 MR. HASKETT: Because I see this as a  
32 very positive step in the right direction.  
33  
34 CHAIRMAN TOWARAK: That's what I meant.  
35  
36 MR. HASKETT: Okay, thank you, Mr.  
37 Chair.  
38  
39 CHAIRMAN TOWARAK: We have number 8,  
40 update on request for reconsideration for Kenai,  
41 Kasilof and Makhnati.  
42  
43 Jennifer.  
44  
45 MS. HARDIN: Thank you, Mr. Chair. For  
46 the record my name is Jennifer Hardin and I'm the  
47 anthropology division chief for the Office of  
48 Subsistence Management. This is just an information  
49 item for you.  
50

1 I want to give you a quick status  
2 update on where we're at in the request for  
3 reconsideration processes associated with Fisheries  
4 Proposal 15-10, which proposed that a community set  
5 gillnet salmon fishery be established on the Kenai  
6 River and that the Board delegate to the in-season  
7 manager the authority to approve an operational plan  
8 for that gillnet; and 15-11, which proposed that a  
9 community set gillnet salmon fishery be established on  
10 the Kasilof River and that the in-season manager be  
11 delegated the authority to approve an operational plan  
12 for that gillnet; and, finally Fisheries Proposal 15-  
13 17, which proposed that the Federal public waters in  
14 the Makhnati Island area near Sitka be closed to the  
15 harvest of herring and herring spawn except by  
16 Federally-qualified subsistence users.

17  
18 So the Office of Subsistence Management  
19 received a total of 740 letters requesting  
20 reconsideration of the Board's decisions on these three  
21 fisheries proposals.

22  
23 Nine of those letters were removed from  
24 our analysis because eight were duplicate letters, they  
25 were from the same author and listed the same claims  
26 and one letter was just a forwarded newspaper editorial  
27 and did not include any claims. All of the remaining  
28 731 letters requested reconsideration of the Board's  
29 decision on Fisheries Proposal 15-10, that's the Kenai  
30 River decision. 479 of those letters also requested  
31 reconsideration of the Board's decision on Fisheries  
32 Proposal 15-11 on the Kasilof River. And one letter  
33 also included a request for reconsideration of the  
34 Board's decision on Fisheries Proposal 15-17.

35  
36 Each of the 731 letters was closely  
37 reviewed by Staff to identify potential claims. A  
38 preliminary list of claims has been developed. This  
39 list includes 39 potential claims associated with  
40 Fisheries Proposal 15-10 on the Kenai River decision;  
41 22 potential claims associated with 15-11, that's the  
42 Kasilof River decision, and three potential claims  
43 associated with 15-17, again, the Makhnati Island area  
44 decision.

45  
46 The final number of claims will likely  
47 change.

48  
49 We have not -- none of the 44 potential  
50 claims have been yet -- have been assessed yet to

1 determine if they align with at least one of the three  
2 criteria for reconsidering the Board's decision, so  
3 that will be our next step is to develop a final list  
4 of claims that meet the request for reconsideration  
5 criteria as outlined in the Federal regulations. And  
6 we'll develop a final list for each of the three Board  
7 decisions. Three separate threshold analysis will be  
8 conducted for the claims pertaining to the Kenai River,  
9 the Kasilof River and the Makhnati Island area.  
10 Completed threshold analysis will be presented to the  
11 Board so it can determine which request for  
12 reconsiderations meet or don't meet the threshold  
13 criteria for reconsideration. If any of the claims are  
14 determined to meet the threshold, full analysis will  
15 then be conducted.

16

17 I'm happy to answer any questions you  
18 might have.

19

20 CHAIRMAN TOWARAK: Any questions. Mr.  
21 Frost.

22

23 MR. FROST: So when will we see these  
24 threshold analysis?

25

26 MR. ARDIZZONE: Through the Chair. I  
27 guarantee sometime after I leave.....

28

29 (Laughter)

30

31 MR. ARDIZZONE: .....but these are  
32 quite extensive. They'll be quite extensive analysis,  
33 it's going to take us awhile. We have the upcoming  
34 wildlife cycle meeting in April so it's hard for me to  
35 commit exact timelines but it's going to take several  
36 months to get these done and with wildlife coming up I  
37 would think sometime the end of summer, early fall, but  
38 don't hold me to that, since my boss is not here.

39

40 CHAIRMAN TOWARAK: Go ahead.

41

42 MR. FROST: So isn't there litigation  
43 on the Kenai, as a result of that litigation does that --  
44 how does that affect this process for reconsideration.  
45 I mean usually when we're in litigation the government  
46 sort of stops and waits for the litigation, do we  
47 continue to go through the process or how does that  
48 work.

49

50 MR. LORD: Well, the litigation

1 actually seeks the opposite of what the RFRs do, so  
2 we're treating them as two independent processes for  
3 now. The litigation is by Ninilchik seeking to  
4 enforce, or allow the gillnet fishery on the Kenai,  
5 whereas these are asking us to revoke the regulation  
6 that allows that and the others. So the two processes  
7 are moving on independent tracks.

8

9 CHAIRMAN TOWARAK: I assume that this  
10 is just for information and there's no need for Board  
11 action.

12

13 MR. ARDIZZONE: No action required, Mr.  
14 Chair.

15

16 CHAIRMAN TOWARAK: Okay. Thank you  
17 very much.

18

19 Any other business.

20

21 (No comments)

22

23 CHAIRMAN TOWARAK: I'm going to declare  
24 a five minute recess.

25

26 MR. HASKETT: Aren't we done.

27

28 (Laughter)

29

30 CHAIRMAN TOWARAK: I'm the Chair.

31

32 (Laughter)

33

34 CHAIRMAN TOWARAK: Actually what we're  
35 going to take a break for is as soon as Gene Peltola  
36 comes in we're going to reconvene, so we're just  
37 waiting for him to come back to the meeting.

38

39 (Off record)

40

41 (On record)

42

43 CHAIRMAN TOWARAK: Thank you for your  
44 patience. Our last item on the agenda is other  
45 business and I'm going to turn the rest of the meeting  
46 over to Gene.

47

48 MR. PELTOLA: Thank you, and I  
49 appreciate all your patience. As I was rushing out the  
50 door this morning I forgot two very important items on

1 my countertop and so when I realized we weren't going  
2 to take a lunch break I rushed home.

3

4                                 So first off if I could have Chuck come  
5 up.

6

7                                 (Presenting gift)

8

9                                 (Applause)

10

11                                 MR. PELTOLA: This is made by Flora  
12 Wassillie from Togiak. And so I'm a collector of grass  
13 baskets. And to all those who are concerned both of  
14 the gifts are under the monetary limit established by  
15 the policy.

16

17                                 (Laughter)

18

19                                 (Applause)

20

21                                 MR. PELTOLA: And, then, Geoff.  
22 There's a little significance to this. You'll notice  
23 that's more contemporary, this is a bit older, I bought  
24 this out of auction, also under the threshold  
25 established by policy, it came from a semi-private  
26 museum in Ohio, but the significance of this is it's  
27 the late '40s, from all places Kwig.

28

29                                 MR. HASKETT: Oh, wow.

30

31                                 MR. PELTOLA: So thank you, on behalf  
32 of the Office of Subsistence Management, thank you for  
33 giving me an opportunity to come into the program and  
34 thank you very much.

35

36                                 MR. HASKETT: Thank you very much.

37

38                                 (Applause)

39

40                                 MR. HASKETT: Could I get a picture of  
41 you with this.

42

43                                 MR. PELTOLA: Sure.

44

45                                 MR. HASKETT: Who's got a camera.

46

47                                 (Laughter)

48

49                                 MR. HASKETT: Oh, wow, from way back  
50 there.

1 (Laughter)  
2  
3 MR. HASKETT: Okay, thank you.  
4  
5 MR. PELTOLA: Thank you.  
6  
7 CHAIRMAN TOWARAK: Thank you.  
8  
9 MR. PELTOLA: The significance of Kwig,  
10 is when I was the manager of Bethel, Geoff and I did a  
11 visit out to the village out there and it's been one of  
12 the challenging villages on the Delta but when they met  
13 us at the airport they showed up with one snowmachine  
14 and a sled and we had the bounciest ride in the  
15 springtime going.....  
16  
17 MR. HASKETT: It was a wooden sled. It  
18 was like a piece of plywood that we were on.  
19  
20 MR. PELTOLA: When they hit the brakes  
21 we'd slide forward to the front of the sled, and as  
22 they accelerated we'd bounce off the back and rolling  
23 back and forth; it was a fun trip.  
24  
25 MR. HASKETT: It was. Thank you, this  
26 is really nice.  
27  
28 MR. PELTOLA: And it's small enough if  
29 you're already packed you could put it in your  
30 handcarry.  
31  
32 MR. HASKETT: Yes, I will anyway, but  
33 thank you very much. It's great. Thank you. Thank  
34 you you all, appreciate it.  
35  
36 (Applause)  
37  
38 MR. CHRISTIANSON: Motion to adjourn.  
39  
40 CHAIRMAN TOWARAK: You heard the  
41 motion, is there a second to the motion.  
42  
43 MR. HASKETT: Second.  
44  
45 CHAIRMAN TOWARAK: Geoff Haskett has  
46 seconded the motion. Any opposed.  
47  
48 (No opposing votes)  
49  
50 CHAIRMAN TOWARAK: Motion passes

1 unanimously.

2

3

(Off record)

4

5

(END OF PROCEEDINGS)

