



***Southeast Alaska
Subsistence Regional
Advisory Council***

**Don Hernandez, Chairman
1011 E. Tudor Road, MS121
Anchorage, Alaska 99503**

**In Reply Refer To:
OSM.O24023**

APRIL 17 2024

Federal eRulemaking Portal
Docket No: FWS-R7-SM-2024-0017
Submitted electronically via www.regulations.gov

I am writing to you on behalf of the Southeast Alaska Subsistence Regional Advisory Council (Council). The Council requests that you consider its comments on the Proposed Rule by the Fish and Wildlife Service and Forest Service: Subsistence Management Regulations for Public Lands in Alaska – Subpart B; Federal Subsistence Board Membership (FWS-R7-SM-2024-0017-0001), hereafter referred to as ‘Proposed Rule.’

The Council represents subsistence harvesters of fish and wildlife resources on Federal public lands and waters in Southeast Alaska. It was established by the authority in Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and is chartered under the Federal Advisory Committee Act. Section 805 of ANILCA and the Council’s charter established its authority to initiate, review and evaluate regulations, policies, management plans, and other matters related to subsistence uses of fish and wildlife within the southeast Alaska region. The Council also reviews resource management actions occurring outside their regions that may impact subsistence resources critical to communities served by the Council. The Council also provides a forum for the expression of opinions and recommendations regarding any matter related to the subsistence uses of fish and wildlife within the region.

This Council is one of ten regional advisory councils, which provide recommendations and information to the Federal Subsistence Board (Board). The Board is the body that makes decisions on the management of fish and wildlife resources for subsistence uses on Federal public lands and waters in Alaska. On March 5, 2024, during the joint session at the All-Council Meeting, all councils received a briefing on the Proposed Rule from Raina Thiele, Senior Advisor for Alaska Affairs and Strategic Priorities with the Department of the Interior, and Bob Anderson, Solicitor with the Department. After this presentation and upon review of the Proposed Rule, this Council voted to submit comments for your consideration:

- 1) The Council supports the proposed increase in the number of public members in an effort to improve representation of Alaska Native villages.
- 2) The Council supports the nomination process described in the Proposed Rule, specifically:
 - a. **Board members should be nominated/recommended by federally recognized Tribes.** The Council feels strongly that the three additional public members should be nominated or recommended by federally recognized Tribal governments. The Council trusts that they will use their best judgment in making these nominations and recommendations. This process ensures that Alaska Native perspectives are incorporated into the Board's decision making.
 - b. **Member selection should be similar to the Regional Advisory Council member selection process.** This process should include nominee interviews, nominee's references interviews, panel discussions and ratings/ranking, and finally, a thorough vetting of the nominees, similarly to the current Regional Advisory Councils' appointment process. The Secretaries of the Interior and Agriculture may wish to ask for a list of more than three nominees to allow for any situations where a nominee does not pass vetting. This rigorous process would help confirm that the best candidates would be appointed to serve on the Board.
 - c. **Alaska residency needs to be a requirement for any nominee.** The Council recognizes the need for representation from Alaska rural communities. The current Proposed Rule does not specifically require that the nominee be a resident of Alaska. One could be familiar with rural Alaska and even Alaska Native subsistence uses and not be a resident of the State. It could be assumed that the federally recognized Tribes would nominate someone from an Alaska Native village or federally qualified rural community; however, the Council would like to see Alaska residency specifically listed as a formal requirement and/or qualification.
 - d. **The Council supports the Proposed Rule knowledge/experience criteria.** The Council was pleased to see that the new Board members would "possess personal knowledge of and direct experience with subsistence uses in rural Alaska, including Alaska Native subsistence uses." The Council feels this key experience and understanding of subsistence uses of fish and wildlife provides a strong foundation to serve as a Board member where he or she will help make decisions about the management of these resources. With this language, nominees are required to have knowledge of harvesting and preserving of subsistence resources; however, it is also likely that they would bring along with them their traditional wisdom and respect for the cultural significance of each species. This will assist

the Board in taking a more holistic view (western science meets traditional ecological knowledge) for resource management.

- e. **Three additional Board members will give subsistence representatives the majority on the Board.** The Council feels that this is an important step in assuring the subsistence users' interests are protected, especially in situations where measures are required that may be in conflict with a particular Federal agency's mission or goal.

In closing, the Council appreciates this opportunity to comment on such an important proposed change in the decision-making entity that regulates the food resources that many Alaska residents rely upon. The Council thanks you in advance for your time and attention in reviewing and considering the comments presented.

If you have any questions regarding this letter, please contact me via DeAnna Perry, Subsistence Council Coordinator, USDA – Forest Service, at deanna.perry@usda.gov, or 1-800-478-1456 or 907-209-7817.

Sincerely,

A handwritten signature in cursive script, appearing to read "Donald Hernandez".

Don Hernandez, Chair

cc: Southeast Alaska Subsistence Regional Advisory Council
Administrative Record