

# KODIAK/ALEUTIANS SUBSISTENCE REGIONAL ADVISORY COUNCIL

## Meeting Minutes

Teleconference

February 22-23, 2022

### Invocation

Pat Holmes gave an invocation.

### Call to Order, Roll Call and Quorum Establishment

The meeting was called to order Tuesday, February 22, 2022, at 8:41 a.m. Council members Pat Holmes, Rick Koso, Sam Rohrer, Coral Chernoff, and Natasha Hayden were present via phone. Della Trumble was not present at the time of roll call, but was present shortly after. The Council has two vacant seats. A quorum was established with seven of eight seated Council members participating by phone.

### Attendees:

#### *Via teleconference*

- Amy Peterson, Community Affairs Liaison for Koniag
- Fish and Wildlife Service (USFWS): Mike Brady and Bill Pyle (Kodiak National Wildlife Refuge NWR), Allison Williamson and Leticia Melendez (Izembek NWR), Frank Harris (Kenai Fish and Wildlife Conservation Office), and John Gerken and Jill Klein (Anchorage)
- Alaska Department of Fish and Game (ADF&G): Kelly Krueger, Mark Witteveen, Tyler Lawson, and Lisa Fox (Kodiak), and Mark Burch (Palmer)
- Office of Subsistence Management (OSM): Katya Wessels, Leigh Honig, Orville Lind, Jarred Stone, Dr. Jason Roberts, Robbin La Vine, Kendra Holman, George Pappas, and Dr. Brent Vickers (Anchorage)
- Bureau of Indian Affairs (BIA): Pat Petrivelli (Anchorage)

### Review and Adopt Agenda

Motion by Mr. Rohrer, seconded by Mr. Koso, to adopt the agenda as read with the following changes:

- Old Business add:
  - 10B. Council Application and Nomination Open Season Update.
- New Business add:
  - 11C. Fishery Closure Review Discussion.
  - 11D. Call for Nonrural Determination Proposals.
- Agency Reports add:
  - 12. Qawalangin Tribe update on McLees Lake Project.
  - C3. Kodiak National Wildlife Refuge Proposed Administrative and Regulatory Changes to the Kodiak Fishing Regulations for 2023-2025.
  - 12D. Update on the Alaska Peninsula/Aleutian Islands Salmon Fisheries.

The motion passed on a unanimous vote.

### **Election of Officers**

Ms. Della Trumble was elected the Council's Chair.

Ms. Rebecca Skinner was elected the Council's Vice Chair.

Mr. Chris Price was elected the Council's Secretary.

### **Review and Approve Previous Meeting Minutes**

Motion by Ms. Skinner, seconded by Mr. Koso, to approve the fall 2021 meeting minutes with the following modifications and comments the Council would like documented. Mr. Holmes expressed a need for more information to be included in the Meeting Minutes. He felt there were many important discussions the Council had that were not documented in the Meeting Minutes. He requested in the future, more attention be made to the meeting details and the review of the document as there were grammatical errors, specifically in the Fisheries Resource Monitoring Program update.

The motion passed on a unanimous vote.

### **Council Member and Chair Reports**

*Mr. Patrick Holmes of Kodiak* (representing subsistence user group) reported that he was unable to get out for silver (Coho) Salmon this past season and a former commercial fisherman and former schoolteacher Nate and his wife shared 20 silver Salmon. He was able to share two-thirds of that with other elders. He also wanted to express appreciation to the Sun'aq Tribe for implementing a subsistence home pack program from their fish processing plant for elders in the community. Only a few folks harvested deer, and it appears that the deer population still needs time to recover. The deer he did see were in good body condition. Mr. Holmes is hopeful that the Council will be able to replace Council member Melissa Berns with a representative from Old Harbor, False Pass, or the Pribilofs.

*Mr. Richard Koso of Adak* (representing subsistence user group) reported that the fish plant has not been operational the past couple of years. The Adak Community Corporation, of which he is a member, has been working on getting the fish plant reopened, at least on the commercial side. The halibut and salmon subsistence fishery were doing well, and folks were able to harvest if they were able to navigate the logistics and cost of getting to those fishing areas. The ptarmigan population at Adak has severely declined according to Lisa Spittle from Adak. Little is known about why they have declined so rapidly. Local guides had reduced their daily bag limits in half on their own to conserve the population. The call for proposals to address the issue won't be until 2023. In March, he will be meeting with Maritime NWR Manager Steve Delehanty, the Aleut Corporation Board, and other entities to discuss caribou on Adak. Caribou is an important food source in Adak as the cost of getting food to Adak is cost prohibitive.

*Samuel Rohrer of Kodiak* (representing commercial and sport user group) reported that there were still reduced deer numbers in Kodiak, especially on the west side after a series of bad winters. This winter he saw a few more deer than he had seen in previous years. He also heard from another resident on the west side of Kodiak that the snow had started melting and was finding some winter kill, but not a lot, so he's

hopeful the population is rebounding. He has heard concerns and frustrations from the community that there had been an increase in charter fleets that target deer on beaches late in the season on the south, east, and west sides of the island.

*Christopher Price of Unalaska* (representing subsistence user group) reported the Unalaska Fish and Game Advisory Council had not been able to hold its meetings, and this has had a negative effect on community input. Although the virtual meetings have been difficult, he appreciates that the Council had been able to maintain their meeting schedule. The Unalaska Native Fishermen's Association (UNFA), which represents commercial, subsistence, and sportfishing interests recently elected a new president, Nick Tutiakoff. Nick's father was on the Council in the past. Nick is the next generation moving into the leadership position with UNFA. Mr. Price expressed his gratitude and appreciation for the Council's work on the McLees Lake Project. He was excited to announce that the Qawalangin Tribe was moving into year three of the grant. The Tribe was starting to transition into the leadership role and was doing their own staffing, procurement, and management of weir installation. There were still logistical hurdles to navigate that include working with charter boat captains that have larger vessels to assist in the transportation of materials needed to set up and remove the fish camp and weir. The use of larger vessels was an asset and was a safer alternative than using small skiffs. There was also an inquiry with charter boat captains to see if they could accommodate the subsistence fishing practice of using smaller skiffs to set nets. However, under the current regulatory framework this was not an allowable activity. The sea otter population in Unalaska was still high and they had been working with local subsistence users to address the situation. The local economy had been negatively affected due to the season closure for Red King Crab and harvest reductions in the commercial Opilio Crab fishery. The subsistence halibut season last summer was successful, which was a positive indicator for one of their most important food source. Management techniques that had been put into place seem to be working well, which allowed subsistence fishermen to harvest halibut in their local bay rather than having to travel out in the Bering Sea in small boats.

*Coral Chernoff of Kodiak* (representing subsistence user group) reported an increase in waterfowl sightings including emperor geese, scoter, scaup, and goldeneyes, which was refreshing as they had not been seen in a while. The eagle population was also healthy. The salmon arrived late: salmon could be found even in December. There were quite a few salmon in the Buskin River, which provided good bear viewing opportunities. According to reports from the south side of the island, the goat population appeared to be healthy, deer kills had not been found, and the crab fishing had also been good. She reported that everything appeared to be stable and hopes that the winter season remained mild.

*Rebecca Skinner of Kodiak* (representing commercial and sport user group) reported what trends she observed throughout the state in regard to changing ocean conditions and the effects on the marine resources. She reported that there were significant reductions in commercial fishing opportunities for Red King and Opilio Crab fishery in the Bering Sea. Reductions were mostly likely due to ocean conditions, although it was still unclear what exactly caused the crash. Chinook and Chum salmon runs were also greatly reduced in Northwest Alaska, mostly likely due to ocean conditions as well. The Buskin River also had unexpectedly low subsistence runs for Sockeye Salmon. However, Pacific Cod in the Gulf of

Alaska seemed to be rebounding from the population decline that occurred in 2018. The International Pacific Halibut Commission set the halibut limits slightly higher indicating that some strong year classes had been recruited into the population.

*Natasha Hayden of Kodiak* (representing subsistence user group) reported that she also noticed an increase in waterfowl, especially in Shuyak, Afognak, and on the southern coast of Afognak. She was able to go deer hunting in November. Not many deer were spotted, but the ones that were found looked healthy. Unusually cold weather occurred in October and November. She was hopeful they are through the worst of the cold weather. Ms. Hayden reported there was a huge increase in hunting traffic from the mainland traveling via the marine highway system into Port Lions and Ouzinkie. Folks were able to ride ATVs and side-by-sides onto the ferry and into Port Lions and Ouzinkie. The revolving door of traffic and the resulting increase in deer harvest is of major concern for residents in these communities that greatly rely on local harvest of food for their food security as there are no grocery stores available. Ms. Hayden echoed Ms. Skinner's concern on the collapse of fisheries in Western Alaska and changing ocean conditions. She also spoke about bycatch affecting marine resources. She reported that the Governor had recently established a task force on bycatch. The task force will make recommendations to the Governor on potential actions or strategies related to bycatch. She noted that there are no existing limits on Chum Salmon bycatch in the Bering Sea, and this was concerning considering the Chum Salmon collapse that occurred on the Yukon River. Ms. Hayden was able to participate in a panel at the Yukon River Drainage Fisheries Association that address the salmon collapse along the Yukon River. Residents from the Bering Sea all the way to British Columbia called in. There was a lot of anxiety surrounding the summer forecast. She was hopeful that the Buskin River will see improvements in the Sockeye Salmon return, which would help to alleviate pressure on Afognak, Port Lions, and Ouzinkie. Ms. Hayden also reported New Haven, in California, closed permanently. The company was a prominent and reliable furrier that specialized in sea mammal hide processing and tanning. The region did not have any local tanners and the prospect of other tanneries is unknown. Mr. Holmes asked if the Tlingit Tribe in Sitka could process hides. Ms. Hayden said that could be an option; however, it was more cost-effective to ship to California than to Southeast.

*Della Trumble of King Cove* (representing subsistence user group) expressed appreciation of former Council member Melissa Berns' involvement with the Council. Ms. Berns contributed immensely to the Council and was involved in many amazing projects; she will be greatly missed. Ms. Trumble also wanted to acknowledge and express appreciation to previous Council member Al Cratty who had passed away. He cared greatly for his community and made impactful contributions to the community of Old Harbor and Kodiak. It was a big loss for the community, and he will be missed. Mr. Holmes and Ms. Trumble provided anecdotes about Mr. Cratty, expressing that his sense of humor and passion will be remembered. Ms. Trumble reported that the winter had started out cold and with a lot of rain. There were some crab fishing opportunities. The cod season was cut short, and she was getting ready for the next season. There had been a lot of ptarmigan harvested. She noted that silver salmon were reported late into December. Bear activity was still occurring late into the winter, which she attributed to hunger more than anything else. Folks were harvesting clams, and she noted that sea otter population were not

over abundance. A few people earlier in the year were able to harvest some caribou, but due to many storms many haven't been able to get out.

## **Old Business**

### ***Council Charter Update***

Ms. Katya Wessels presented the Council with the renewed charter, which gets updated every two years and was last renewed in 2021. Nine out of ten Councils requested to add a carryover term clause to all Council charters in Section 12, Membership and Designation, to avoid temporary vacancies on the Councils that occur between the expiration of the current member term and the annual set of Secretarial appointments. This allows a member to continue to serve on the Council following the expiration of their term until an appointment has been made. Unless reappointed, the member's service ends on the date of the announcement, even if that member's specific seat remains unfilled. Additionally, subsections 4(h) and 4(i) of section 4, Description of Duties, had been removed from the Council charters. The language was found to be irrelevant to the Councils mission and ANILCA mandates; the Federal Subsistence Board (Board) and Secretaries of the Interior and Agriculture agreed.

### ***Council Application/Nomination Open Season***

Ms. Wessels presented the Council with an update on the Council Application/Nomination season. The application period will close on February 28<sup>th</sup>. In December of 2021, the Council had four vacant or expiring terms. Currently only one application had been received. Also, three incumbent seats expire (Mr. Holmes, Mr. Koso, and Mr. Rohrer), and incumbent applications must be submitted before February 28<sup>th</sup>. Ms. Trumble and Ms. Hayden was reappointed to serve on the Council and their term expires in 2024. Ms. Wessels requested that the Council reach out to folks in the communities and encourage them to apply or nominate them. Ms. Skinner was concerned about the low numbers of Council members on both their Council and the Bristol Bay Council. She expressed that she wants to keep the two Councils separate and asked if the Board could combine the two Councils because of their low numbers. Ms. Wessels confirmed that there is no plan to combine the Councils and attributed the low application rates due to the pandemic. OSM had been working on more outreach to these regions and requested the Council to help spread the word in their communities. Ms. Skinner posed the question to the Council: is having a geographic balance more important than having 10 Council members? The Council would ideally like to see five from Kodiak and five from the Aleutians; however, the seats should be filled regardless of where the applicants came from.

### ***Sea Otter Discussion***

The sea otter discussion was placed on the agenda at the request of the Council from previous meetings to have this topic on the agenda permanently. Ms. Wessels reported that there was no update from Marine Mammal Management or from the Sea Otter Working Group for the meeting. Ms. Skinner informed the Council that the intent of the Sea Otter Working Group was to meet after the winter meeting. After the meeting, it would be more clear what kind of discussion or information should be at the fall meeting. Ms. Chernoff echoed Ms. Skinner's sentiment on the Sea Otter Working Group and said it was difficult to meet prior to the winter meeting due to pandemic difficulties. Ms. Chernoff also reported that there was a law before Congress that would seek to ban fur, and this could potentially affect sea otter harvest. She

also reported that the Burke Museum was doing a sea otter study, and was collecting sea otter skulls; it would be beneficial to receive an update from them in the future.

## **New Business**

### ***Fisheries Resource Monitoring Program Update***

Mr. Jarred Stone presented the Council with the Fisheries Resource Monitoring Program (FRMP) update. The 2022 FRMP funding cycle is in the final stages. The Board met in early February 2022 and made recommendations about the 2022 Monitoring Plan. The Assistant Regional Director of OSM will approve the plan once the budget has been finalized and applicants will be notified of the status of their submission. This summer, the Council will have the opportunity to develop Priority Information Needs (PINs) for the 2024 FRMP. The Council will have an opportunity to review and finalize the PINs at their fall 2022 meeting. Mr. Stone requested volunteers from the Council to meet with the Bristol Bay Council this summer to identify knowledge gaps and information needs for the management of the subsistence fisheries for the Southwest Region. Ms. Skinner, Ms. Trumble, and Mr. Holmes volunteered to assist with the development of PINs. Mr. Stone will notify the Council of future meeting dates so others may have an opportunity to participate too if they are able.

### ***Call for Federal Fish and Shellfish Proposals***

Mr. Stone informed the Council that the Board will be accepting proposals to change Federal regulations for the subsistence harvest of fish and shellfish on Federal public lands and waters for the 2023-2025 regulatory years for a period of at least 30 days upon the publication of the proposed rule in the Federal Register. The Board will consider proposals to change Federal subsistence fish and shellfish seasons, harvest limits, methods, and means related to taking of fish for subsistence uses, as well as customary and traditional use determinations. The Council did not develop any fish or shellfish proposals at the meeting.

### ***Fisheries Closure Review Discussion***

Mr. Stone presented to the Council the information on the 14 Fisheries Closure Reviews for the Kodiak/Aleutians Region that will come for Council's review and action during the fall 2022 meeting. The OSM closure reviews will include analysis of each closure and will provide a recommended action. Actions the Council may take are retain, modify, rescind, or defer. Mr. Stone explained that if a closure is rescinded, it will remove the closure from regulation. If a Federal subsistence season and harvest limits existed in regulation, that season and harvest limit would become effective. If no Federal season or harvest limit existed and a State regulation existed, then the State regulation would become effective. If there were neither existing Federal nor State subsistence regulations no regulations exist under both Federal and State subsistence regulations, as is the case in the freshwaters involved with a few of the closure reviews, then the State sportfishing regulation would become effective for seasons and harvest limits. If the Council chooses to rescind a closure in an area that does not have existing Federal season and harvest limits in place, a parallel proposal to add one could be submitted during the 2023-2025 call for fisheries proposals. In addition, if the Council chooses to rescind a closure in an area that did have existing Federal season and harvest limits in place, but the regulation may be too liberal or too restrictive, a parallel proposal to change it could be submitted during the 2023-2025 call for fisheries proposals.

The Council had a robust discussion on the implications of rescinding a closure and its potential effects on subsistence harvest opportunities. They discussed whether they should attempt to assess which closures might warrant a parallel proposal that could be developed at the meeting. It was discussed that in some circumstances, there were State sportfishing opportunities in areas where there are no Federal subsistence harvest opportunities due to the standing Federal closures. The Council expressed that the timeline to discuss fisheries closure reviews was not ideal as the open call for submitting fisheries proposals will be open shortly - in the spring of 2022. Analysis on closures will not be available until the fall 2022 meeting for the Council to review, meaning that if the Council voted to rescind a closure, they would have to wait two years to have the opportunity to submit a Federal proposal. Ms. Trumble noted the importance of having subsistence regulations in place especially in times when there are salmon shortages and allocation decisions amongst user groups must be made. She also reminded the Council that some of these closure reviews were deferred by the Board from the last regulatory cycle to allow for more public outreach. Mr. Holmes inquired what outreach efforts had been done and if briefings had occurred with local Advisory Councils (AC). Mr. Stone informed the Council that OSM staff, along with volunteers from the Council, reached out to communities and Tribes, as well as ACs. In January of 2021, a meeting was held with Tribal representatives from Kodiak Island. In February of 2021, OSM presented the Kodiak Fish and Game AC with the closure reviews. OSM also attended Dutch Harbor/Unalaska Fish and Game ACs, which had to be canceled due to the Committee not having a quorum. Volunteers from the Council met twice during the summer of 2021 and developed outreach plans that provided shorter summaries and maps on the website to help clarify closure areas. Fliers were distributed to communities in December of 2021. Radio and newspaper advertisements have been drafted and will be released closer to the fall 2022 meeting.

- Motion by Ms. Skinner, seconded by Mr. Holmes, to table the discussion until the second day of the meeting so Council members may have a chance to review closures and draft regulatory language if needed.

The motion passed on a unanimous vote.

After the lunch recess Ms. Skinner and Ms. Chernoff requested if Mr. Stone, during the second day of the meeting, could present the Council with a summary of what the regulations would be if these closures were rescinded, and in what areas there are already Federal subsistence regulations in place. The Council asked Ms. Fox from ADF&G Kodiak questions about management authority of waters if closures are rescinded and State and/or Federal regulations already existed. Ms. La Vine informed the Council that it could make there were other possibilities, such as special actions, Council could take later if they chose to rescind a closure and did not have time to develop a parallel proposal.

During the second day of the meeting Mr. Stone presented the Council with two options: to work together through closures one by one and develop proposals at this meeting or to work with their communities and OSM Staff to submit proposals when the call is open. Regardless of who submitted a proposal, the Council would still be presented with proposals at the fall 2022 meeting for final recommendation. The

Council discussed reactivating the working group but decided that delaying the proposals another two years was not ideal.

- Motion by Mr. Rohrer, seconded by Mr. Holmes, to take no action on developing fisheries regulatory proposals at the meeting. The Council encouraged individuals from the Council to submit proposals during the open call if they found the need after talking with a community.

The motion passed on a unanimous vote.

#### ***Call for Non-rural Determination Proposals***

Dr. Roberts informed the Council that the Board will be accepting proposals to formally change in Federal regulations concerning a community's status from non-rural to rural or from rural to non-rural. Any valid non-rural determination proposal submitted this year will be acted on by the Board in 2025. Upon the publication of the proposed rule in the Federal Register, the public comment and proposal submission period will be open for at least 30 days. The call for non-rural determination proposals occurs every four years concurrent with every other fisheries regulatory cycle. The next call for proposals for non-rural determinations will be in 2026. The Council did not develop any non-rural determination proposals at the meeting.

#### ***Review and Approve FY-2021 Annual Report***

The Council reviewed the FY-2021 Annual Report and requested that a typo in topic 5 *Invasive Species* be edited. It was requested that topic 3 *Food Security* be edited to highlight the affected food security for the Kodiak/Aleutians Region. Topic 1 *Level of Staffing in Refuges Within the Region* was requested to be edited to emphasize how staff shortages had resulted in annual surveys for critical subsistence species not being completed.

- Motion by Mr. Rohrer, seconded by Ms. Skinner, to approve the suggested edits to the Annual Report.

The motion passed with unanimous support.

#### ***Federal Subsistence Board Annual Report Reply Process Review and Revision Discussion and Council comments and feedback***

Ms. Robbin La Vine informed the Council that the Board is seeking the Council's input on how the Board responds to issues in Annual Reports. The Interagency Staff Committee suggested that in addition to providing the Board with the Annual Report, letter writing could be a way to request the Board response to an important topic or concern. The Council agreed that writing letters would give better direction to the Board, a better way to direct the Council's immediate needs and allow for quicker communication between the Board and the Council.



### ***Receiving Public Testimony Protocol – Guided Discussion***

Dr. Brent Vickers guided the Council through the discussion on how the Council would like to receive public comments on proposals during the fall 2022 public meeting cycle, where the Council will be discussing fisheries proposals and closure reviews. There was consensus among the Council members that receiving written or oral public comments is essential and comments should be accepted throughout the duration of the meeting. The Council would like to receive public comments in their entirety from the Coordinator, not as a summary. The Council discussed the importance of having meeting materials posted online for the Council and the public's accessibility. If public comments were received prior to the meeting, the Council expressed interest in having the comments available online to reference. The Council also discussed different outreach opportunities that could be used to engage the public, such as utilizing social media and providing contact information for Council members, so the public can interact with members.

### ***Briefing and Council comments on proposed actions to automate Federal subsistence permits***

Dr. Vickers informed the Council that the Office of Management and Budget is exploring ways to collect information from the public and the use of automated permits within our Program. OSM was tasked with getting feedback from the public and Councils until November 15th, 2022. OSM provided the Council with a set of questions to address potential issues identified by OSM such as internet infrastructure, conservation concerns, and ability to limit permits and/or address quotas. The Council also expressed the importance of having a representative present so community members can ask questions and obtain permits.

### ***Briefing on the Secretarial regulations proposing the inclusion of identified submerged lands in the Tongass National Forest***

Dr. Vickers provided an information briefing on the proposed rule that would add to the list of submerged parcels in the Federal subsistence regulations that have been identified through agency review. The purpose of this proposed rule is to complete the regulatory proceedings to address submerged public lands within the Tongass National Forest. The document is to be published in the Federal Register in February 2022, and will have a 60-day comment period. The Council requested a notification be sent out to the Council to inform them when the proposed rule is published, and the information be updated on the OSM website to elicit public comments.

### **Agency Reports:**

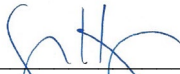
- Qawalangin Tribe, update on McLees Lake project presented by Chandra Poe, Qawalangin Tribe
- Izembek National Wildlife Refuge Activity Report presented by Maria Fosado, Izembek NWR
- Maritime National Wildlife Refuge Winter 2022 report presented by Steve Delehanty, Maritime NWR
- Kodiak National Wildlife Refuge activity report provided by Mike Brady and Bill Pile, Kodiak NWR
- Kodiak National Wildlife Refuge Proposed Administrative and/or Regulatory Changes to the Kodiak Fishing Regulations for 2023-2025 update provided by Bill Pile, Kodiak NWR
- Division of Subsistence projects update provided by Jackie Keating, ADF&G

- 2021 Buskin River Sockeye Salmon stock assessment update provided by Kelly Krueger, ADF&G
- Alaska Peninsula/Aleutian Islands Salmon fishery update provided by Tyler Lawson, ADF&G
- McLees Salmon weir in Unalaska update provided by Jenny Rene, Qawalangin Tribe
- Office of Subsistence Management updated provided by Dr. Brent Vickers, OSM

**Future Meeting Dates:**

Fall meeting will be held September 20-21, 2022, in Cold Bay.

Winter meeting will be held February 22-23, 2023, in Kodiak.

  
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Leigh Honig, Council Coordinator, on behalf of Katya Wessels, Designated Federal Officer  
USFWS Office of Subsistence Management

\_\_\_\_\_  
Della Trumble Chair  
Kodiak/Aleutians Subsistence Regional Advisory Council

These minutes will be formally considered by the Kodiak/Aleutians Subsistence Regional Advisory Council at its fall 2022 meeting, and any corrections or notations will be incorporated in the minutes at that meeting.

A more detailed report of this meeting, copies of the transcript, and meeting handouts are available upon request. Call Leigh Honig at 1-800-478-1456 or 907-891-9053, leigh\_honig@fws.gov.