

Rural Community Outreach Committee Meeting Report

September 13, 2011

9 am – 4 pm

Conference room, Anchorage (Old) Federal Building – Council office

605 W. 4th Avenue, Suite 205, Anchorage, AK

Teleconference line: (907)271-2896

Committee: Eric Olson (Chair), Tim Andrew, Paula Cullenberg, Duncan Fields (on phone), Ole Olsen, Tom Okleasik, Don Rivard (for Pete Probasco). **Staff:** Chris Oliver, Nicole Kimball.

Other Participants: Jason Anderson (BUC), Art Nelson (Bering Sea Fishermen's Association), Art Ivanoff, Sarah Melton (NPFMC), Jane DiCosimo (NPFMC), Steve MacLean (NPFMC), Gabrielle Aberle (NMFS AKR), Sally Bibb (NMFS AKR), Henry Mitchell, Glenn Reed (PSPA), Neil Rodriguez (CVRF), Dorothy Childers (AMCC), Kevin O'Sullivan (DCCED), Becca Robbins-Gisclair (YRDFA).

Participants by phone: Sarah Ellgan (NMFS AKR), Julie Raymond-Yakoubian (Kawerak, Inc.), Laurie McNicholas (Nome Nugget), Mary McDowell (PSPA), KJ Mushovic (USFWS), Chuck McCallum, Richard Tuluk (CVRF).

I. Review and approve agenda

Introductions were made, and the agenda was approved without changes. Tim Andrew, Natural Resources Director for the Association of Village Council Presidents (AVCP), replaced Jennifer Hooper (AVCP) on the committee.

II. Updates from staff

Review of June 2011 Council motion on outreach

Nicole Kimball (NPFMC) reviewed the committee's tasking from the Council, per the chum salmon bycatch motion in June 2011. While the committee's purview is to develop ways to improve outreach and communication with rural communities overall, the Council specifically asked the committee to determine whether and what type of further outreach is recommended on the chum salmon bycatch action.

Outreach budget update

Chris Oliver (NPFMC) reported on the outreach budget. The Council earmarked \$80k per year to apply to various Council outreach activities. In 2011, about half of that funding was spent, primarily on travel and expenses associated with the chum salmon bycatch meetings in rural Alaska. Due to the five-year budget cycle, the Council can carry over the remaining funds to the following year (2012). In sum, the Council is in a good financial position to consider future regional meetings and additional outreach activities in the coming year. Staff time/salaries are not funded by the outreach budget, and the Council cannot afford to hire a full-time staff person dedicated to outreach at this time. Staff are subsuming outreach efforts in addition to their analytical duties.

One member reminded the committee of a previous idea to evaluate whether the Council could contract with individuals in several regions as rural community liaisons, such that they would assist in distributing Council information; act as a point person for people in the region; help organize any Council outreach meetings occurring in the region; and host teleconferences (act as a hub) that the Council organizes. The Chair agreed to add this idea to the host of outreach activities for consideration under agenda item IV.

Update from NMFS on tribal consultations; letter from Council to NMFS

Sally Bibb (NMFS AKR) reported on tribal consultation issues. Sally provided background on when and how NMFS started getting involved in tribal consultation through the halibut subsistence issue, and the development of the halibut subsistence working group. In 2009, NMFS received several requests and concerns from tribes on the process for tribal consultation, which spurred a November 2009 meeting in which tribal representatives met with NMFS to discuss how to make improvements. At the same time, President Obama released a policy that requires each Department to develop a plan to meet the tribal consultation requirements of E.O. 13175.

NMFS AKR reviewed and commented on a draft tribal consultation policy in June from the Department of Commerce (DOC), but this policy has not yet been finalized or released. However, the draft did not provide specific guidelines for each agency and region on how to fulfill the consultation responsibilities, and no additional funding is anticipated to meet the mandate. At this time, there is no plan for NMFS AKR to hire a tribal liaison; NMFS AKR staff has subsumed these tasks.

The two primary issues on which NMFS has received recent requests for tribal consultation are salmon bycatch (Chinook and chum) and the Northern Bering Sea Research Area research plan. On June 1, NMFS conducted a consultation with 6 tribes from the Norton Sound area on the chum salmon bycatch proposed action. As requested by the Council, the summary report of the June 1 consultation will be presented to the Council at the next meeting at which chum salmon bycatch is on the agenda (initial review of the analysis is scheduled for April 2012). The next step is for NMFS to conduct a follow-up teleconference, likely in early October, for all tribes in the region that wish to participate.

Sally and Nicole also reported on the letter sent from the Council to NMFS in June, per a Council motion, asking for clarification as to the Council's responsibilities with regard to tribal consultation. Often tribes write to both the Council and NMFS requesting consultations. NMFS responded in a letter (August 17, 2011) that it is has been their understanding that NMFS is the Federal agency responsible for tribal consultations, but that a legal opinion from NOAA GC has been requested. This issue may be elevated to the national level (DOC GC), which would have implications for Councils in other regions. Sally also noted that the Council's outreach activities to-date, and information provided by Council staff, have helped facilitate tribal consultations, and that it is important to have the analysts of a project involved in the consultations. One member noted that in reviewing the questions asked at the June 1 tribal consultation on chum salmon bycatch, most appeared to be clarifying, as opposed to technical, questions.

One member asked whether any future funding may be attached to the DOC policy for the Alaska region, since the Alaska region has significantly more tribes than any other region. Sally noted that thus far, that request has not been successful, but that the issue was highlighted in the NMFS AKR comments on the draft DOC policy, in recognition that a new policy inherently creates new expectations.

One member noted that the requirement is for consultation, which can spur frustration if it is not well understood how tribal comments and input are used or addressed after the consultation, recognizing that there is not a requirement for a change in action as a result of the consultation. Members questioned how the information received at a consultation is fed back into the agency's review of a Council recommendation for the SOC to approve a particular action. Sally related that it is very difficult to affect the outcome if the consultation occurs after the Council has taken action; thus, it is more valuable to start the consultation process early in the development of an action that the Council is considering. NMFS also attempts to highlight issues for the Council that are brought up in the tribal consultation process, and provide a tribal summary impact statement to the Council prior to its making a recommendation to the Secretary of Commerce.

One member highlighted that the comments and input received in a tribal consultation are addressed differently through NMFS than the normal public comment process during rulemaking. It is a unique opportunity for tribes to have their concerns and comments considered. One of the reasons the Council has focused on rural outreach is to promote two-way communication with tribes and receive direct input well prior to Council action. The committee agreed that providing information about the proposed action and the Council and regulatory processes, and helping individuals and communities understand how an issue may potentially affect them, is a way to facilitate tribal consultations and to receive meaningful input into the Council process prior to decision-making. It was also noted that the Alaska Sea Grant educational workshops on NEPA and fisheries management have also been successful outreach tools.

Committee members supported formalizing the reporting of tribal consultation issues and reports from NMFS to the Council as part of the staff presentations or agency reports, which NMFS intends to do. At least two members also supported additional seats on the Council for tribal representatives, but the committee did not make a recommendation to this effect.

III. Project specific outreach – ongoing

Review of Bering Sea chum salmon bycatch outreach to-date and schedule; discussion of need for further outreach

Nicole provided a review of the outreach efforts to the date on the chum salmon bycatch action and the June 2011 outreach report on that action. Committee members recognized the successes of those efforts, and supported future such efforts, in particular the opportunity for rural residents and Council members to have direct, two-way communication. The committee also recognized the efficiency and efficacy of the statewide teleconference held in May 2010, in which the public could call in, listen to the presentation, ask questions directly of analysts, and have their comments documented as a part of the outreach report to the Council on chum salmon bycatch.

The committee recommended holding a second statewide teleconference in either late winter or spring 2012, in order to update the public as to the revised alternatives and options and discuss preliminary results of the revised draft analysis, which is scheduled for review at the April 2012 Council meeting. The committee discussed how it is a relatively inexpensive outreach tool that reaches a broad base of stakeholders that might not be able to attend a Council meeting. The committee did not think a second round of outreach meetings in rural communities is warranted at this stage, although several noted that the Council should consider attending a few large regional meetings in the coming year (e.g., AVCP, TCC, Bering Straits conference), and/or holding a public hearing in an evening session of one of those meetings, in order to receive further feedback. The AVCP annual meeting is in Bethel, October 11 – 13, but they are also holding a special convention on salmon in March 2012. Don Rivard (USFWS) also noted that he will be providing updates on this issue to the Federal Subsistence Regional Advisory Councils (RACs) that are meeting in Bethel, Aniak, and Fairbanks this winter.

Review of Gulf of AK Chinook salmon bycatch outreach and schedule

Diana Evans (NPFMC) reported on the Council's final action on GOA Chinook salmon bycatch in June 2011. She reported that Council staff provided presentations on this issue at two RAC meetings (Southeast and Southcentral) prior to June, and included summaries of the questions and comments received at those meetings in the final action analysis. NMFS will also be sending out information on this action, and a reminder of the opportunity for tribal consultation, to all Alaska tribes and Native corporations as part of their regular process in developing the proposed rule (early 2012). One member noted that this issue needs to be part of the committee's outreach planning in the next 9 to 12 months, as it will substantially impact the pollock trawl fleets in rural communities of the western GOA. Outreach for

this issue was added to the list of outreach activities to be prioritized by the committee at the end of the meeting. A meeting with the Federal Subsistence RAC in this region, as well as industry meetings with the Sand Point, King Cove, and Kodiak trawl fleets, was suggested.

Staff also noted that a discussion paper on a second amendment related to GOA Chinook salmon bycatch is scheduled for review at the December 2011 Council meeting. Council action at that meeting will help determine the schedule for this new analysis.

Review of Northern Bering Sea Research Plan outreach and project status

Steve MacLean (NPFMC) reported on the Council's action regarding the NBSRA research plan at the June 2011 Council meeting. In June, based on substantial public testimony, the Council moved to stop working on the research plan and instead initiated a discussion paper (from the AFSC) summarizing past research on the area, providing information on areas most sensitive for subsistence resources, and categorizing areas within the research area that may be the most feasible for or attractive to commercial bottom trawl fisheries. The paper is also expected to determine whether some of the interest in commercial fisheries could occur in the existing Modified Gear Trawl Zone. A draft discussion paper is scheduled for Council review in February. As a result of this change in direction and public testimony, a subsistence and community workshop, planned for September 2011 in Nome, has been postponed.

One member, who attended the first subsistence and community workshop on the NBSRA in early 2010, suggested that the outreach plans developed for the salmon bycatch actions would be a good model for the NBSRA action, which include having Council members and staff attend regional meetings in rural areas. Another member suggested that we should utilize a workgroup concept as much as possible, with a broad cross-section of constituent, to guide the development of the plan.

The committee discussed whether staff should be developing an outreach plan for the action at this time, given the Council's delayed timeline and the uncertainty surrounding the future development of a research plan. Some members thought the outreach should be developed now, in conjunction with the discussion paper; others noted that rural stakeholders' input will be considered during the development of the discussion paper, and thought it more prudent to wait for Council direction in February.

In sum, staff agreed to start developing an outreach plan such that it is ready to be implemented, should the Council decide to move forward with the development of the research plan. The committee also agreed that this issue should be scheduled during Council meetings located in Alaska. The discussion paper is currently scheduled for review in February 2012, in Seattle.

IV. Project specific outreach – potential new projects

Gulf of AK halibut PSC changes

Jane DiCosimo (NPFMC) provided an overview of the Council's proposed action to reduce the current GOA halibut PSC limits (2,000 mt for commercial trawl fisheries and 300 mt for commercial fixed gear fisheries, targeting groundfish). Reductions of 5%, 10%, or 15% are proposed, and the action is on an accelerated timeline. The Council has noticed the public of its interest in identifying a preliminary preferred alternative at the October 2011 Council meeting, with final action in December, for implementation in 2012. Unlike the BSAI, changing the GOA PSC limits is part of the annual harvest specifications process. A proposed future action could also change the process of revising the PSC limits in the GOA to a regulatory process, similar to the BSAI.

The committee was interested in the type of information provided in the initial review draft analysis, and staff reported that it includes analysis of potential impacts on all user groups (guided sport, subsistence, personal use, unguided sport, communities, and commercial halibut and groundfish fisheries). The committee questioned whether all user groups appear equally represented at Council meetings, and noted that the charge of the committee is to ensure that all groups have equal opportunity to access the Council and have their concerns considered within the process.

One member stated that the halibut bycatch reduction issue interfaces with several other ongoing GOA halibut issues at the Council (e.g., catch share plan, stock rebuilding, etc.), and he suggested the committee plan a general outreach effort for GOA halibut issues. However, the accelerated schedule for PSC reductions in 2012 precludes the ability to implement an outreach plan prior to this particular action.

One member discussed the use of the ADF&G advisory committee process, and questioned whether the Council could make use of that process to solicit input from various regions. Staff noted that the Council previously identified the ADF&G advisory committees as a way to bring information to the Board of Fisheries (BOF), and the BOF is the conduit to the Council. Another member noted that the Federal Subsistence Regional Advisory Councils are a valuable forum to coordinate with on halibut issues, as they include subsistence, personal use, sport, and commercial fishermen. One member noted that the committee should ultimately be developing an improved system for the Council to interact with stakeholders overall, as opposed to developing specific outreach plans for individual issues. The committee should be addressing systemic change, and the foremost gap identified is how to have people participate directly with the Council when they may be informed about a meeting and the issues, but they cannot travel to the meeting in person.

The committee closed the issue by suggesting that the Council target three large, regional meetings in the GOA, to provide a presentation on the slate of halibut issues being addressed by the Council. The Council may also want to include information on other related issues that affect the fixed gear fleet (e.g., GOA Pacific cod sector split, changes in the jig fishery). Outreach would be scheduled no earlier than 2012.

Other (e.g., Gulf Pacific cod season changes, revisions to halibut charter regulations)

Sarah Melton (NPFMC) provided an update on the Council action to change the A season Pacific cod dates in the GOA. The Council is scheduled to review this analysis in December 2011. The committee did not identify a need for outreach on this issue.

V. General outreach: discussion of several topics that may improve outreach and communication with rural communities in Alaska

- *Holding Council meetings in different locations in Alaska*

Chris Oliver reminded the committee that the Council's standard operating procedures require that the Council hold one meeting in Alaska annually that is outside of Anchorage. The Homer Chamber of Commerce has contacted the Council as a potential meeting location, and Juneau has been considered. Nome was reported as a very successful meeting. The Council must consider logistics, including the number of flights available and accommodations. For the Dutch Harbor meeting, for example, the Council had to add additional flight service, and due to the limited accommodations, the agenda had to be pared down because not all staff or constituencies could find a place to stay. The perverse effect, at times, is that meeting in a location other than Anchorage prevents a number of the public from participating. However, there are several locations outside of Anchorage that could likely support a Council meeting.

The committee recommended evaluating several Alaska communities not on the regular Council rotation, to either replace an Anchorage meeting or an Alaska meeting that is outside of Anchorage (typically Sitka, Kodiak, and Dutch Harbor). The communities suggested included Homer, Fairbanks, Bethel, Barrow, and Kotzebue. One member suggested smaller communities such as Dillingham, Unalakleet, or Kiana. One member noted that if villages are willing to work with you, even smaller communities can host a large meeting. The timing of the meeting is also critical; one cannot count on various alternative housing accommodations year-round (e.g., USFWS and ADF&G bunkhouses are not typically available in the summer).

Paula Cullenberg noted that Alaska Sea Grant (Marine Advisory Program) is attempting to schedule educational workshops prior to the BOF or the Council meetings in more rural locations. One is scheduled in Dutch Harbor prior to the Council's October meeting; and others in Cordova and Petersburg for the BOF. These workshops help prepare community residents for the type of issues on the agenda, the Council and BOF processes, how to provide public testimony, etc.

The committee also recognized the necessity of planning a Council meeting several years in advance, and the difficulty in timing issues relevant to that meeting location when it comes up on the cycle. However, the committee discussed that holding meetings in alternative locations is the only way to provide an opportunity for more rural people to attend and directly participate in the Council process. While recognizing this objective, the committee also wanted to work in the future on finding additional ways to access Council meetings (provide real-time testimony) if one cannot attend in person.

- *Whether to have Council members attend various regional meetings (not issue-specific) to provide a presence, provide updates, and respond to questions*

The committee generally supported having individual Council members and staff attend regional meetings on a more regular basis, in order to provide information to the public on all Council issues, as opposed to a specific action. The committee discussed what type of meetings would best reach rural fishermen, and most agreed it is a difficult group to target. Suggestions included the Alaska Forum on the Environment (sponsor a session, hold a workshop); ADF&G advisory committee meetings; the Alaska Federation of Natives (AFN) annual meeting; the tribal providers and rural providers conferences (sponsored by BIA); the Tanana Chiefs Conference, and the Association of Village Council Presidents annual meeting.

One member noted that the public might be better able to plan if the Council scheduled all of the issues relevant to the Bering Straits in Nome every three years, and all Southeast fishery issues in Sitka every three years, etc., similar to the BOF.

- *Participation at AFN – on an annual basis? In what capacity?*

The committee discussed annual participation at AFN, for a few Council members and staff, as it is a valuable forum for Alaska Natives across the state to discuss issues and concerns and pass resolutions. It is a significant outreach opportunity, to either staff a booth or take a more aggressive approach and travel to specific communities prior to AFN. There may also be Council Advisory Panel members willing to participate, or stakeholders that have participated in the process in the past. There is no booth space available for 2011, and the Council would need to budget \$3,500 for a government-sponsored booth.

- *Young Fishermen's Summit*

Alaska Sea Grant organizes this event, with additional funding from CDQ groups, NOAA, and the Council. This event provides professional and technical training to young fishermen (e.g., marketing,

business management, safety, regulations). In the past, Council participation has been via funding and providing presentations on the Council's responsibilities, actions, and process upon request. The next summit is scheduled for February 13 – 15 in Juneau. Paula (Alaska Sea Grant) emphasized that this forum has provided very interesting discussion topics and exchanges between young halibut fishermen, Council staff, and Council members. The committee recommended maintaining the same type of Council support for the summit that has occurred in the past.

- *Council may want to seek a place on the ASMI (Alaska Seafood Marketing Institute) December agenda to talk about management measures that should enhance marketing Alaska seafood as wild and sustainable*

One member suggested that the Council be more involved with ASMI, as it appeared that many ASMI participants (and customers) do not understand Alaska fisheries management. It was suggested that the Executive Director of the Council, and/or Council members, attend the ASMI meeting in December and talk generally about recent management measures and the various mechanisms the Council uses to maintain the sustainability of the stocks. This would allow ASMI to understand the link between the Council's actions and product quality. Chris noted that the Council's involvement to date has been in the global trust certification process. The committee did not make a recommendation on this issue.

- *Outreach to the AK legislature*

One member suggested that the Council increase or improve outreach to the Alaska legislature, recognizing that this may be more of an internal issue for the Council Executive Director to consider. The committee discussed the advantages of providing information to the legislative fisheries committee and at fisheries luncheons, and in being more intentional about providing direct information throughout the year, as opposed to only being reactive to legislative requests. The committee did not have any recommendations on this issue.

- *Community liaison concept*

The committee discussed the rural community liaison concept from agenda item II, and suggested the Council consider the viability of this approach. The primary objective would be to have several individuals work under contract with the Council, which would improve communications and information dissemination between rural community members and the Council, without hiring a full-time staff person based in Anchorage.

The committee also discussed the possibility of having Council staff host a 'coffee hour' during a Council meeting, specifically for rural stakeholders to convene, discuss issues, and ask questions of staff regarding meeting process (e.g., which room to be in for each agenda item, how to testify, questions on analyses).

- *Miscellaneous*

One member noted that while they represent subsistence users, they recognized that the Council's mission is not to manage or ensure opportunities for subsistence fisheries – that is the mission of other agencies. The Council is primarily responsible for managing commercial fisheries offshore, and while it must consider the impacts of its actions on all users, it is designed and responsible for that primary authority.

Another member noted that the fundamental issue is one of access. The Council should strive to hear from everyone in an equal manner, and provide an equal opportunity for that input. The primary question

should be whether the committee and Council are working to facilitate rural people's participation in the process.

One member suggested using social media as an outreach tool, specifically developing and maintaining a Council Facebook page. The main question is whether it would be used solely for disseminating information from the Council, or also for receiving public comment. If for input, the public could use the page to comment on a Council issue during the allotted comment period prior to a Council meeting (i.e., responses to comments would not be generated). Chris noted that the Council has asked staff to evaluate allowing public comment by email on various agenda items. One would submit comment by email to a central location that staff would need to sort by agenda category and provide to the Council.

VI. Outreach Priorities

In addition to the recommendations and suggestions throughout the meeting, the committee organized outreach efforts into short-term and long-term priorities as follows.

Short-term priorities:

1. Bering Sea chum salmon PSC reduction. Conduct a statewide teleconference in spring 2012 (after the next initial review draft analysis is completed), to explain the changes of the restructured motion from June 2011 and the timeline. No further outreach meetings to be scheduled in rural locations specifically for this action unless there are wholesale changes to the alternatives and options in April 2012. Schedule final action at a meeting located in Alaska, either Anchorage or a Bering Sea community.
2. GOA Chinook salmon PSC reduction. Include outreach in the planning process for the development of the proposed rule.
3. Northern Bering Sea Research Area. If the Council commences with developing a research plan, then outreach should be conducted in tandem with the development of the plan. The committee recommends drafting an outreach plan such that it is ready to be implemented if the Council initiates a research plan in February 2012.
4. GOA halibut issues. Develop an outreach plan on broader halibut issues for the GOA. Target two to three regional meetings for a couple of Council members and staff to attend, present, and answer questions. Examples include King Cove, Sand Point, Kodiak, and/or the Southeast Conference.
5. Participation at AFN. Develop a NOAA/Council partnership to attend annually, starting in 2012.
6. Evaluate the feasibility of holding Council meetings in Alaska locations that are outside of the normal rotation (suggestions included Homer, Fairbanks, Bethel, Barrow, Kotzebue, Dillingham, Unalakleet, and Kiana). Consider holding a 'coffee hour' meet-and-greet for rural participants (self-selecting, open to anyone), during the Council meetings. Consider holding an evening session during a Council meeting to solicit feedback on ways to improve outreach.

Longer-term priorities:

1. Rural community outreach liaison. Evaluate how it would work and be funded.
2. ASMI and legislative outreach.

3. Council members and staff attend well established regional conferences and summits on a more regular basis, to discuss general Council issues (not project-specific).
4. Develop social media outreach (e.g., Council Facebook page, Twitter account, etc, for Council issues).

VII. Timing & need for next meeting (wrap-up)

Location, timing, and agenda for next meeting

The committee recommended meeting again in the spring of 2012, and possibly in a rural location such as Kotzebue or Bethel. If in Bethel, it may be able to be scheduled in conjunction with the AVCP's state of the salmon convention in March 2012.