Local Knowledge, Traditional Knowledge, and Subsistence Taskforce

December 5, 2022

Co-chairs: Kate Haapala (NPFMC) and Sarah Wise (AFSC)

Agenda

Expected outcomes from this meeting:

At this meeting, the Local Knowledge (LK), Traditional Knowledge (TK), and Subsistence Taskforce will review the draft protocol and discuss draft recommendations for onramps for LKTKS information and expertise in the Council's process.

DAY 1

1. Introductions, welcome, and review agenda   *(Taskforce)*

2. Materials overview   *(Co-Chairs)*

3. Discuss LKTKS protocol and onramps   *(Taskforce)*

4. Timeline and future scheduling   *(Taskforce)*

5. Public comment   *(Public)*

6. Reflections and final recommendations   *(Taskforce)*

If you would like to more information, please email kate.haapala@noaa.gov

If you want to give public comment...

https://meetings.npfmc.org/Meeting/Details/2954

Local Knowledge, Traditional Knowledge, and Subsistence Taskforce Meeting

December 5, 2022 from 8:30 a.m. - 5 p.m. AKT

Join Zoom Meeting: https://us06web.zoom.us/j/86885305977
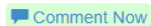
Meeting ID: 868 8530 5977

Passcode: NPFMC

Dial by your location +1 719 359 4580 US, +1 253 215 8782 US (Tacoma)

The Co-Chairs will anounce opportunities for public comment at the beginning of the meeting. Written comments may be submitted below in advance of the meeting.

All information provided through the eAgenda is part of the public record.

Comments and Meeting information

💬 Comment Now   **Please leave comments for all agenda items here**

Introductions, welcome, and review agenda

Attachments: Agenda -Uploaded: 11/16/2022 11:34 AM AKST

Materials overview

Discuss draft protocol and onramps

Attachments: Draft Protocol _Dec2022 -Uploaded: 11/21/2022 03:29 PM AKST

Future scheduling and other issues

Additional materials

Attachments: Council Motion - January 2020 -Uploaded: 11/16/2022 11:40 AM AKST
Meeting Report - January 2020 -Uploaded: 11/16/2022 11:40 AM AKST
Meeting Report - April 2020 -Uploaded: 11/16/2022 11:40 AM AKST
Meeting Report - November 2020 -Uploaded: 11/16/2022 11:40 AM AKST
Meeting Report - March 2021 -Uploaded: 11/16/2022 11:40 AM AKST
Meeting Report - January 2022 -Uploaded: 11/16/2022 11:40 AM AKST
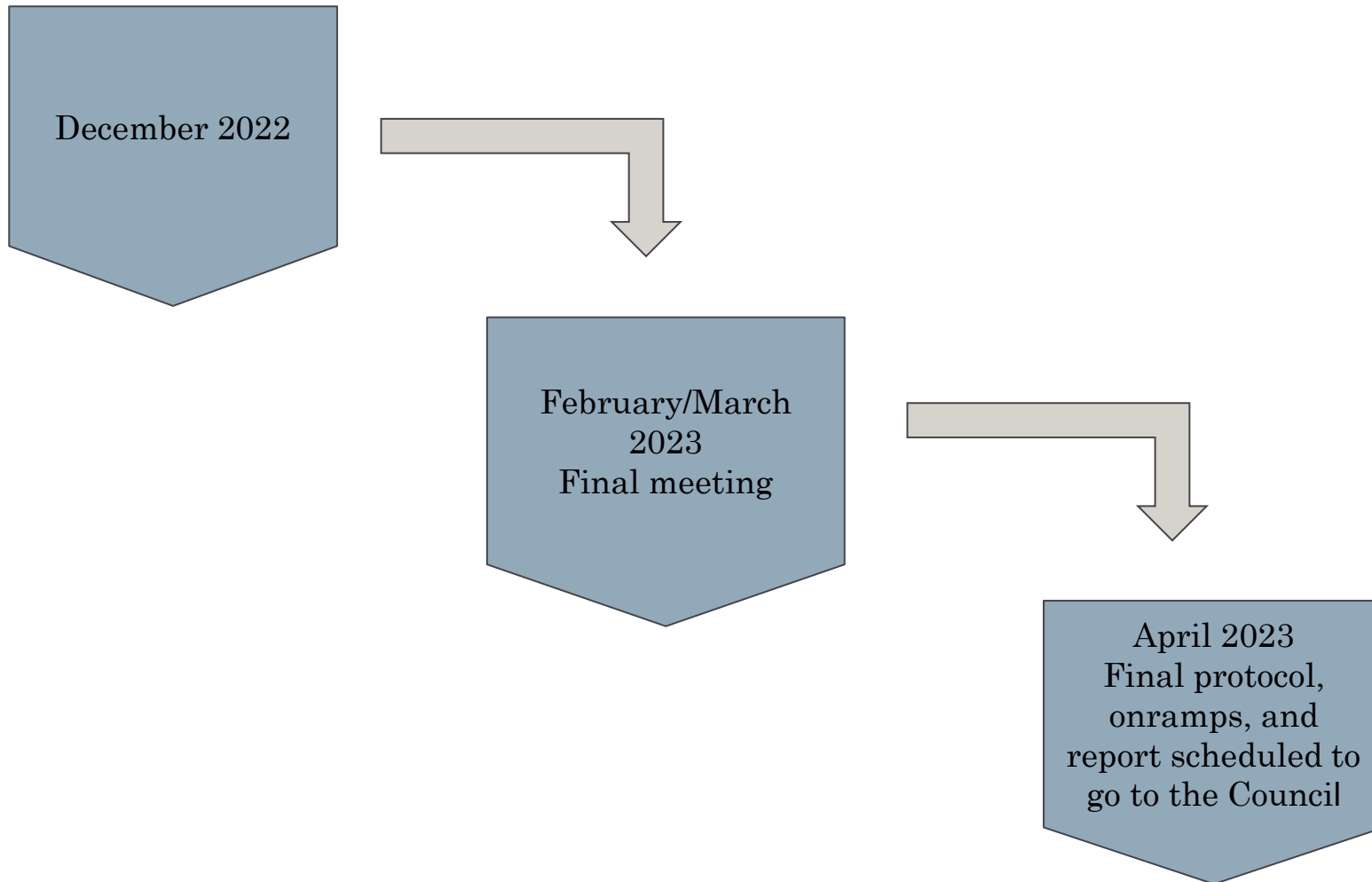
Taskforce progress

Meetings through 2022

2020	• January • April • November

2021	• March • ~~November~~ (postponed due to Covid)

2022	• January • **December**

Work Products Completed

✓ Workplan

✓ Glossary of terms

✓ First draft of the protocol

Timeline for remaining work

December 2022

February/March 2023
Final meeting

April 2023
Final protocol, onramps, and report scheduled to go to the Council

Objectives for the December meeting

1. **Reach consensus on the draft protocol** (in terms of where we are headed with the guidelines and ideas for moving them forward).
    - Because of our limited time remaining, it would be ideal to add, substantially revise, or remove guidelines at this meeting.

2. **Reach consensus on the draft onramp recommendations**. What should be removed? What is missing? What needs to be revised?

3. **Solidify process for completing our work**.

Welcome and Introductions!

Mr. Toby Anungazuk Jr. (Golovin)

Dr. Rachel Donkersloot (Coastal Cultures Research)

Dr. Kate Haapala (NPFMC staff)

Ms. Bridget Mansfield (NMFS, AKRO)

Dr. Robert Murphy Jr. (Alaska Pacific University)

Ms. Darcy Peter (Woodell Climate Research Center; Beaver)

Dr. Julie Raymond-Yakoubian (Kawerak)

Mr. Richard Slats (Chevak)

Mr. Simeon Swetzof (St. Paul)

Ms. Alida Trainor (ADFG Subsistence Division)

Dr. Sarah Wise (AFSC)

Materials overview

LKTKS Taskforce Goals:

1. To create processes and protocols through which the Council can identify, analyze, and consistently incorporate TK and LK, and the social science of TK and LK, into Council decision-making processes to support the use of best available scientific information in Ecosystem-based Fishery Management.

1. To create a protocol and develop recommendations through which the Council can define and incorporate subsistence information into analyses and decision-making.

Protocol work to-date

- Since the start of its work, the Taskforce has discussed the protocol as a document that contains overarching guidelines accompanied by practical, concrete ideas to carry out the guidelines that are tailored to the Council's process.
  - This approach is to help the Council consider what it might look like to put the guidelines into practice.

- At the November 2020 meeting, the Taskforce reached consensus on 12 high-level guidelines.

- In March 2021, the Taskforce revised the guidelines and pared them down to 7.

- In January 2022, the Taskforce reviewed the first draft of the full protocol.

- In April 2022, the Taskforce co-chairs presented the draft protocol to the Council and its advisory bodies.

Input received since the last meeting of the Taskforce

- Overall, the draft protocol received a positive response from the Council and its advisory bodies at the April 2022 meeting.

- The co-chairs have received feedback from multiple sources that we tried to keep in mind when revising the draft protocol including…
  - Revising the draft protocol to focus less on research activities/processes and more on the Council's decision-making process
  - Revising the draft protocol to ensure it conveys considerations for the Council and others rather than directives
  - Clarifying where the Taskforce is at in its work as well as the next steps for the Council
  - Providing more specificity on ideas to move forward under each guideline

Additional substantive changes to the protocol

- In addition to the feedback on the previously slide, the revised draft protocol includes the following substantive changes...

- Streamlined Sections 2-4 from the January 2022 draft so the discussion of key concepts and themes are largely together.

- Modified challenges (Section 3 of this draft) to reflect Taskforce dialogue.
    - Communication and buy-in
    - Engagement and equity
    - Time
    - Intellectual property rights and confidentiality
    - Data availability

- Onramps are further flushed out and included in the draft protocol in Section 5.

Discussion questions

The following questions have been asked of the co-chairs at different points and need the collective thoughts and input of Taskforce members.

- **Who is the main audience for this protocol?**

  - *New language in the draft protocol clarifies the protocol is written for **the Council** to consider its work in the Bering Sea though its usage could be much broader. What do people think?*

  - *Social science is not TK or LK, but can help bridge knowledge systems. How do we balance capacity and the role of social science in making this work?*

- What **aspects of the Council's decision-making process** do Taskforce members see this protocol addressing?

- Are there **other issues or points** for feedback Taskforce members would like to raise about the document as a whole?

Draft protocol guidelines

Purpose of this discussion

- This is the Taskforce's time to review, reflect, and revise each guideline and associated content.

- Because Taskforce members are familiar with the guidelines at this point in our work, this time is to workshop their content together.

- In the discussion that follows, please raise your questions, comments, and/or revisions.

- The Taskforce will also briefly brainstorm 'who, how, when, why' the guidelines apply.

Background

- The draft protocol is a response to the Council's January 2020 motion directing the work of this Taskforce.

- Through the Council's public decision-making process, the Taskforce has received input from the Council and multiple advisory bodies (i.e., Bering Sea FEP Plan Team, Ecosystem Committee, Social Science Planning Team, Science and Statistical Committee, and Advisory Panel to develop a protocol that achieves the Council's goals in an approachable and useful way.

- The draft protocol currently contains 7 high-level guidelines developed by the Taskforce that outline best practices for working with LK, TK, the social science of LK and TK, and subsistence information.

  - Inform the Council's decision-making process.

- As noted previously, it is envisioned the Council would consider whether to adopt the draft protocol to inform its decision-making process and work in the Bering Sea at a future meeting.

Guideline 1

Understand and use the appropriate concepts for LK, TK and subsistence

W*ho*:

How:

When:

Why:

each guideline would be engaged or carried out.

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Guideline 2

Demonstrate respect for LK and TK systems

W*ho:*

How:

When:

Why:

each guideline would be engaged or carried out.

Guideline 3

Appropriately and accurately identify LK and TK holders, the social science of LK and TK, and subsistence information

Who:

How:

When:

Why:

each guideline would be engaged or carried out.

Guideline 4

Engage in early and frequent communication with relevant entities

W*ho:*

How:

When:

Why:

each guideline would be engaged or carried out.

Guideline 5

Acknowledge and account for differences in capacity among relevant entities

W*ho:*

How:

When:

Why:

each guideline would be engaged or carried out.

Guideline 6

Adhere to local and cultural protocols that entities have established for sharing and communicating LK, TK, or subsistence information

W*ho:*

How:

When:

Why:

each guideline would be engaged or carried out.

Guideline 7

Build appropriate capacity for working with LK and TK systems and subsistence information

W*ho:*

How:

When:

Why:

each guideline would be engaged or carried out.

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Discussion question

- What guidance would the Taskforce provide if or when different forms of information (e.g., LK/TK and western science) contradict one another?

Draft onramps

Purpose of the section

- During this section of our meeting, the Taskforce will review, reflect, and revise each onramp and associated content.

- Some onramps have specific questions prepared by the co-chairs.

- Conclude with some overarching questions reflecting questions often asked of the co-chairs.

Background on the onramps

- The Council's motion from January 2020 directs the Taskforce to identify potential onramps or points of entry for including LK, TK, the social science of LK and TK, and subsistence information in its decision-making process.

- The Taskforce last reviewed and discussed draft onramp recommendations in March 2021.

- The Taskforce's initial onramp recommendations were focused on: hiring or training a Tribal Liaison on Council staff, establishing a process for Tribal engagement with the Council, creating guidelines or processes for more rigorously including LKTKS information in Council analyses, and expanding social science and Tribal expertise across the Council's decision-making process.

  - These are interdependent and represent the Taskforce's early ideas for what could be the most significant opportunities for building relationships, improving communication, and incorporating LKTKS information across the Council's decision-making process.

Onramps in the December draft protocol

- Each onramp in this draft protocol (December 2022) is written as a recommendation to reflect their anticipated final form as recommendations to the Council, **but these are initial recommendations and are not finalized.**

- The Council would have an opportunity to consider each onramp recommendation and determine whether it would want to initiate any process changes at a future Council meeting.

- Each onramp has some rationale and some ideas for next steps if the Council would want to move them forward.

    - *Did not include different conceptual models for how each onramp would work as that effort would be more appropriate for an implementation period, should the Council take action.*

Onramp 1

The Taskforce supports the Council and Executive Director's decision to add Rural Fishing Community and Tribal Liaison responsibilities to Council staff.

- <u>Rationale:</u> Positive step towards supporting relationships, improving engagement and two-way communities.

- Does the Taskforce want to keep this onramp as the Council has already acted on it?

Onramp 2

The Taskforce recommends the Council initiate a process whereby Tribes could engage directly with the Council

- Rationale: Could provide meaningful opportunities for relationship building, inclusive dialogue, and in some cases, TK to be shared orally. If the Taskforce would like to move forward with this onramp, **here is some information to note:**

- **NMFS could host non-public consultations and engagement sessions with single or multiple Tribes without triggering the MSA's procedural requirements** (but other legal requirements like the Paperwork Reduction Act and the Federal Advisory Committee Act could be triggered).
  - *Council staff and Council members could attend but no more than a quorum of voting Council members (5 members).*

- **The Council could host engagement sessions**
  - *The Council is not a federal agency under E.O. 13175*
  - *If hosted by the Council or a Council committee as a meeting or hearing, it would have to follow MSA procedural requirements (and other legal requirements like the Paperwork Reduction Act)*
    - ***Would be noticed and open to the public***

Onramp 2 contd.

Council - Tribal engagement is a longstanding consideration of this Taskforce.

- What are members' reactions to those two options?

- Is there a preferred option or priority? Why or why not?

- Do Taskforce members still see this onramp as a meaningful way of incorporating LKTKS information into the Council's decision-making process?

Onramp 3

The Taskforce recommends the Council request NMFS engage with Tribes on issues related to the Council in a regular and ongoing fashion, and that the results would be communicated to the Council early in its decision-making process.

- Rationale: If NMFS hosts Consultations early in the Council's decision-making process, and the outcomes are communicated to the Council, that information could play a meaningful role in helping the Council understand Tribal perspectives, the impacts of Council actions, and the Consultations could (potentially) be a pathway for TK to be shared orally.

- What are Taskforce members' reactions to this onramp?

- Would the Taskforce like to revise this onramp?

- Is this onramp an approach for incorporating LK, TK or subsistence information into the Council's decision-making process?

Onramp 4

The Taskforce recommends the Council modify the TOR and/or SOPPs for existing advisory bodies to include specific language to add one designated Alaska Native Tribal member seat.

- Rationale: facilitate expanded Alaska Native Tribal representation across the Councils advisory bodies (meant collectively to include Plan Teams, Committees, and the Science and Statistical Committee (SSC)).

- Should the language be revised? Is it a Tribal seat or a would it be more appropriate for the language to be broader (e.g., LK or TK holder)?

- How do Taskforce members see expanding representation as a means for LK, TK, or subsistence information being shared with the Council?

Onramp 5

The Taskforce recommends the Council solicit nominations for expanded non-economic social science expertise on the SSC.

- <u>Rationale:</u> Strengthening expertise in non-economic social sciences could better support the use of best scientific information available across the Council's decision-making process.

- What are Taskforce members' reactions to this onramp?

- Are there revisions to be made?

- Is this onramp a pathway for incorporating LKTKS information into the Council's decision-making process?

Onramp 6

The Taskforce recommends the Council host a workshop or a summit on a triennial basis in concert with its research priorities process to solicit broad public input on core research questions to assist the Council in managing the nation's resources.

Rationale: There is a need for increased work centered on LK and TK. A workshop or summit held in advance of the SSC's review of Plan Team research priorities, could provide a meaningful opportunity for the SSC and Council to solicit broad input on the key research questions and needs for future management.

- What are Taskforce members' reactions to this onramp?

- Are there revisions to be made?

- Do Taskforce members see this onramp as a way of incorporating LK, TK and subsistence information into the Council's decision-making process?

Onramp 7

The Taskforce recommends the Council initiate the development of an analytical template to formalize a pathway for including LK, TK, the social science of LK and TK, and subsistence information into the Council's decision-making process?

- Rationale: An analytical template that is specific to LK, TK, the social science of LK and TK, and subsistence could provide direction to analytical staff working with LKTKS information and an approach for incorporating that information in a standardized way to support Council decision-making.

- Are there revisions to be made?

- Are there additional example questions that should be included?

- Is this a meaningful way of incorporating LKTKS information into the Council's decision-making process?

Onramp 8

The Taskforce recommends the Council modify its public comment procedures to allow individuals who identify themselves as Indigenous or Alaska Native to provide an extended, culturally appropriate introduction without it counting against their allowed time limit for providing public comments.

- <u>Rationale:</u> Alaska Native people have a unique way of introducing themselves which is an important step for relationship building as people get to know each other better. Traditional introductions often center the person in relationship with their family and community among other things, emphasizing the importance of connectivity.

- What are Taskforce members' reactions to this onramp?

- Are there revisions to be made?

- Do Taskforce members see this as a means for LK, TK, or subsistence information being shared with the Council?

Onramp 9

The Taskforce recommends the Council develop a plan to increase capacity in non-economic social sciences and LKTKS expertise more specifically.

- <u>Rationale:</u> The Taskforce is making this recommendation because, in order to include LK, TK, the social science of LK and TK, or information about the subsistence way of life into the Council's decision-making process, the science must be there.

- What are Taskforce members' reactions to this onramp?

- Is this onramp a meaningful way for LKTKS information to be included in the Council's decision-making process?
    - If so, where in the Council's process should capacity be addressed and how?

Discussion questions

- What are the gaps? Are there specific ideas or onramps missing?

- Because TK is shared orally, what is the best/most appropriate onramp to allow TK to be shared orally with the Council?

- What are the priority onramps for the Council given capacity, resource, and other limitations? *(see table)*

Onramps

		Feasibility (high/medium/low)	Priority (High/med/low)	
Onramp 1	*Supports the Council and Executive Director's decision to add Rural Fishing Community and Tribal Liaison responsibilities to staff*			✅ **Achieved**
Onramp 2	*Initiate a process whereby Tribes could engage directly with the Council*			
Onramp 3	*Request NMFS engage with Tribes on issues related to the Council, and communicate results*			
Onramp 4	*Modify the TOR and/or SOPPs to include 1 Alaska Navtive seat on advisory bodies*			
Onramp 5	*Solicit nominations for expanded non-economic social science expertise on the SSC*			
Onramp 6	*Host a workshop/ a summit on research priorities*			
Onramp 7	*Develop an analytical template to formalize a pathway for LKTKS inclusion*			
Onramp 8	*Modify public comment procedures for extended time for culturally appropriate intro.*			
Onramp 9	*Plan to increase capacity in non-economic social sciences and LKTKS expertise*			

Next steps for timing

What is next?

LKTKS Task Force	2022		2023										PROTOCOL COMPLETE COUNCIL TO MAKE DETERMINATION
	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Jul	Aug	Sept	Oct	
Send out draft protocol	■												
Task Force Meeting		■										■	
Review and refine changes and additions to protocol		■										■	
Reach consensus among the Taskforce on the protocol		■											
Reach consensus among the Taskforce on the onramps		■											
Solidify process and timeline for completing our work		■											
Task Force Meeting						■						■	
Complete final draft of protocol						■							
Discuss implementation phase						■							
Present to Council						■							
Public comment period						■	■	■	■				
Address public comment edits										■	■		
[Possible] Task Force Meeting - see options										■			
Address public comment edits										■			
Submit final protocol to Council												■	

Options for moving forward

- The co-chairs have received input that there would be value in recommending to the Council that the protocol presented in April 2023 be released for an extended review period of 3 months.

- This approach would allow for broader public engagement with the protocol.

> *It is important to note the Taskforce's work would be considered **complete** when the final protocol is delivered to the Council in **April 2023**.*

- This section of the meeting is for the Taskforce to discuss the different options and approaches for moving the work forward, what members can commit to, and ultimately a plan for what the Taskforce would recommend to the Council.

There are three options for us moving forward:

OPT 1. Present the protocol in April 2023 and recommend the Council adopt the protocol and consider initiating any onramps at that time. There would be no extended public review.

 a. *Following the April 2023 meeting, the Taskforce would disband.*

OPT. 2. Present the protocol in April 2023 and recommend the protocol be released for an **extended public comment period** (April - July 2023).

 a. *The protocol may be revised if there are major substantive changes received via public comment.*

 b. *The Council could expect to receive the revised protocol and a summary report of the extended public review period in **October 2023**.*

 c. *Following the April meeting, the Taskforce would disband.*

   1. *The co-chairs would revise the protocol and communicate with Taskforce members in good faith and as needed.*

OPT. 3. Present the protocol in April 2023 and recommend the protocol be released for an **extended public comment period** (April - July 2023).

 a. *With the same intent as option 2 above*

 b. *But the Taskforce could **recommend the Council extend the Taskforce's work** for one meeting to be held in **July or August 2023** to react to the comments received during the extended public comment period. There would be little to no flexibility for the timing of that meeting in order to meet the October 2023 timeline.*

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What does the Taskforce want to recommend moving forward?

Next steps for the protocol and process

What's the vision?

The Taskforce co-chairs have been asked what happens if the Council chooses to adopt the protocol.

1. In **April 2023, the co-chairs will present the final** protocol document, onramps, and final report to the Council and its advisory bodies.

2. At that meeting, the Council could:
   a. take no action
   b. adopt the protocol
   c. release the document for public review

3. If the Council releases the protocol document for an extended public review period, it is anticipated the protocol would be on the October 2023 agenda, and the Council could choose to adopt it then.

What happens if the Council adopts the protocol?

- If the Council were to adopt the protocol (whether at the April or October 2023 meeting), the co-chairs envision the guidelines would become a **policy statement** on the Council's webpage and inform its work.
  - https://www.npfmc.org/how-we-work/management-policies/

- In addition to meeting various legal requirements, the Council has adopted several important policies to help guide and define its approach to conservation and management of fisheries.
  - Examples include: Ecosystem Policy, Essential Fish Habitat Consultation Policy, Groundfish Fisheries Management, Groundfish Management Objectives, etc.

- The language of the guidelines would change to indicate the Council's commitment to the guidelines.

- The guidelines revised as an LKTKS policy statement would not be prioritized over other policies. Rather the Council would continue to balance its priorities and objectives.

- In that event, the entire protocol document would become an **overarching reference tool** available to the public.

Example Language	
Current draft guideline language	**DRAFT guideline language revised as a potential policy statement**
Understand and use the appropriate concepts for LK, TK, and subsistence	The Council recognizes the importance of understanding and using the appropriate terms for LK, TK, and subsistence information for its work in the Bering Sea.
Demonstrate respect for LK and TK systems	The Council, staff, and advisory bodies intend to demonstrate respect for LK and TK holders, the social science of LK and TK, and subsistence experts or information.
Appropriately and accurately identify LK and TK holders, the social science of LK and TK, and subsistence information	The Council, staff, and advisory bodies are committed to taking the appropriate steps to accurately identify LK and TK holders, the social science of LK and TK, and subsistence information.
Engage in early and frequent communication with relevant entities	To the extent practicable, the Council prioritizes early and ongoing communication with relevant entities holding or representing LK and TK systems. This includes but is not limited to Tribes, Alaska Native Organizations, fishermen, Alaska Native Corporations, fishing associations or cooperatives, and more.
Acknowledge and account for differences in capacity among relevant entities	To the extent practicable, the Council will endeavor to acknowledge and account for capacity differences among the entities (i.e., Tribes, Alaska Native Organizations, Alaska Native Corporations, fishermen, fishing associations or cooperatives, and more).
Adhere to local and cultural protocols that entities have established for sharing and communicating LK, TK, or subsistence information	The Council is committed to adhering to local and other cultural protocols that entities have established for sharing and communicating LK, TK or subsistence information as needed and appropriate.
Build the appropriate capacity for working with LK and TK systems and subsistence information	The Council acknowledges the importance of having the appropriate capacity for LK and TK systems and subsistence information. To the extent practicable, the Council will endeavor to identify opportunities for capacity building in its process.

Reflections and notes

Public comment

Final reflections and recommendations to be included in the minutes

Questions?

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