

# Local Knowledge, Traditional Knowledge, and Subsistence Taskforce REPORT

December 5, 2022: 8:30am-5pm AKDT

Hilton – Denali room

500 W. 3<sup>rd</sup> Ave, Anchorage, AK 99501

## **Taskforce members in attendance:**

Kate Haapala (co-Chair, NPFMC), Sarah Wise (co-Chair, AFSC), Toby Anungazuk Jr. (Golovin), Rachel Donkersloot (Coastal Cultures Research), Robert Murphy (APU), Julie Raymond-Yakoubian (Kawerak, Inc.), Richard Slats (Chevak)

**Members absent:** Bridget Mansfield (NMFS), Darcy Peter (Beaver), Alida Trainor (ADFG), and Simeon Swetzof (St. Paul)

## **Others in attendance:**

Molly Watson (NMFS), Caitlin Stern (ADFG), Ernie Weiss, Megan Alvana Stimpfle, Raychelle Daniel, Terese Schomogyi, Steve Marx, Brenden Raymond-Yakoubian, Chris Tran, Leigh Honig, Megan Williams, Bill Tweit

## **Introductions**

The co-Chairs of the Local Knowledge, Traditional Knowledge, and Subsistence (LKTKS) Taskforce opened the meeting with introductions and provided an overview of the agenda. The co-Chairs explained the purpose of this meeting was for the Taskforce to review the revised draft LKTKS protocol, discuss the protocol's guidelines and associated content, and review each draft onramp recommendation. During introductions, **the co-Chairs discussed the timeline for future work to remind Taskforce members and the public that the Taskforce intends to present the final LKTKS protocol and onramp recommendations to the North Pacific Fishery Management Council (Council) at its April 2023 meeting.**

## **Materials overview**

Under this section of the agenda, the co-Chairs provided an overview of the work that has been completed to-date on the draft LKTKS protocol, as well as a high-level summary of the feedback received from the Council, Council advisory bodies, and Taskforce members since the Taskforce last reviewed the draft LKTKS protocol in January 2022. The overarching substantive feedback included in the revisions for the draft LKTKS protocol reviewed in December 2022 includes the following points.

1. Provide greater guidance addressing the Council and its decision-making process as opposed to researchers and/or research processes. The Taskforce discussed this can be a fine line, as some research may inform the Council's decision-making process, and therefore additional thought was given when in the process guidance could be most effective.
2. Revise the draft LKTKS protocol to ensure it consistently conveys considerations for the Council, staff, and Council advisory bodies.

3. Clarify where the Taskforce is at in its work as well as the potential practical next steps for the Council.
4. Provide more specificity on the ideas for carrying forward each guideline.

The Taskforce had extensive discussion under the Materials Overview section of its agenda. One point of consideration for the Taskforce was to reach agreement on identifying the primary audience for the LKTKS protocol. All members agreed the Council and its staff are the bodies for which the LKTKS protocol is being developed; however, there was agreement that the materials could be used much more broadly (i.e., State and Federal agency staff, fishery stakeholders, etc.). Some members were concerned the first draft of the LKTKS protocol reviewed in January 2022 focused too heavily on scientific or research processes. Taskforce members agreed that the draft LKTKS protocol reviewed in December 2022 is better tailored to Council, advisory bodies, and staff and their decision-making processes.

The Taskforce also discussed the scope of LK, TK, and subsistence information in the Council's process and noted the best scientific information available informs every step of the Council's decision-making process in a holistic way (meaning across all issues and all actions). Taskforce members therefore see LK, TK, subsistence information, and the LKTKS protocol in a similarly broad and inclusive fashion and intend the protocol to inform the Council's decision-making process in a holistic way. Additionally, Taskforce members noted the role of LK and TK as central to the statutorily required "best available science" standard of the Magnuson-Stevens Fishery Conservation and Management Act. LK and TK could provide valuable information to inform action-specific Council analyses as well as its decision-making process more generally to help the Council improve ecosystem-based fisheries management and better address the MSA's National Standards.

Finally, Taskforce members discussed the descriptive definitions of LK and TK in the draft LKTKS protocol, noting additional clarifications, points of similarity, and differences that should be clarified in the document. For example, both LK and TK encompass biological and ecological observations, *as well as* intimate knowledge about fishing behavior, decision-making, social linkages, the effects of historical events, and on-the-ground impacts of management actions (e.g., LK may track species abundance observations, as well as where skippers run into prohibited species, and how to avoid them. Similarly, TK could include empirical data on seasonal shifts for crab fisheries, as well as knowledge about cultural significance, nutritional value, ties to community health, and the role of particular species within a broader cosmology). Thus, both TK and LK are more broadly informative than simply "ecological knowledge".

TK differs from LK in that it is held by Indigenous Peoples and has different means of being identified and vetted (peer reviewed) by a Tribe or community as mentioned above. Furthermore, TK is embedded in cultural understanding, values, and beliefs, and cannot be taken out of that context or transferred into another knowledge system such as western science. TK is maintained and transferred across knowledge holders through generations by Indigenous Peoples; but importantly, but not all people who are Indigenous hold TK. This point in particular is relevant to Alaska Native Elders and Tribes across the Northern Bering Sea region and highlights why the Taskforce chose 'Traditional Knowledge' as opposed to 'Indigenous Knowledge.'

## Protocol guidelines

The Council's [motion](#) from the February 2020 meeting created two goals for the LKTKS Taskforce, directing the Taskforce to develop processes and protocols to provide guidance for identifying, analyzing, and incorporating LK, TK, the social science of LK and TK, and subsistence information in the Council's

decision-making process to support the use of the best scientific information available. Through the Council's public decision-making process, the LKTKS Taskforce has received input from the Council and multiple advisory bodies (i.e., Bering Sea Fishery Ecosystem 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.

To this end, the Taskforce has developed the draft LKTKS protocol to include important background and reference information as well as high-level guidelines that identify best practices and approaches for identifying, analyzing, and incorporating LK, TK, and subsistence information. Each guideline is accompanied by some ideas for carrying them out which should not be read as onramp recommendations. These ideas are included to help the Council consider what it might look like to put the LKTKS protocol into practice, to facilitate the Council should they choose to adopt it at a future meeting. Under this section of the agenda, the Taskforce had an opportunity to discuss each guideline and put forward revisions which are summarized directly below.

The Taskforce agreed to reorder the guidelines so the content can be more easily understood to the reader. The Taskforce also agreed to add a new guideline (for a total of eight) on how to navigate the nuances when western science and LK or TK yield different insights. Taskforce members discuss this issue at length. It was agreed that there is a suite of methods that could assist in navigating the complexities of variations and uncertainty across multiple ways of knowing. Council actions and analyses require analytical staff to decide the parameters for including the best information available to analyze impacts and how to describe any caveats in the analysis. Unfamiliarity with particular knowledge systems may further complicate this task. To help address this challenge, Taskforce members decided to include additional language, examples, and references to offer practical support in the case of differing insights between western science and LK or TK.

Comments provided by Taskforce members, as well as members of the public during public comments, indicated a need for greater consideration of subsistence information throughout the protocol materials. The discussion highlighted the environmental and climatological changes Alaska fishing communities are experiencing and the effects on subsistence, as well as the recent multi-species salmon crashes across the Arctic-Yukon-Kuskokwim region. Some Taskforce members noted these ecosystem changes are known and experienced by people living in villages today and that western scientific approaches to understanding and predicting these changes cannot keep pace given limitations in budget, geography, and time spent observing. The Taskforce identified one pathway for moving this work forward: identify and describe sources of subsistence information.

Taskforce members suggested the co-Chairs add language to clarify how or why Council staff may reach out to LK and TK holders (e.g., Alaska Native Tribes, communities, skippers, or fishermen). Co-chair Haapala explained there is not a uniform approach or reason for why staff may reach out to knowledge holders. Examples discussed included reaching out to Alaska Native Tribes, Consortia, and other stakeholders for information about a fishery (e.g., on-water behavior, how products move across docks, etc.), to understand potential impacts of a management action, to schedule workshops, outreach trips, and more. Some taskforce members found the explanation helpful and felt similar language could be added to the protocol for clarity.

Under guideline 3, the Taskforce discussed the different methods and approaches for identifying LK and TK holders. One member noted that LK experts may have long- or short-term experiences that inform their expertise. Additionally, LK holders may self-identify their expertise when speaking on behalf of themselves (i.e., public comment), though they may need to be identified and designated as expert knowledge holders by their peers when speaking for a broader group. The Taskforce suggested these

points be clarified in the next iteration of the protocol to better understand the gradations within local knowledge. In contrast, TK holders are recognized by their communities and peers as someone with the expertise and authority to share knowledge; and one Taskforce member cautioned against assuming elected Tribal or community leaders are also TK holders. TK holders are often Alaska Native Elders who are chosen to hold the shared knowledge from across generations, and are in service to their community sharing knowledge, history, language, and culture.

Under Guideline 4, the Taskforce appreciates the idea that Council staff could prioritize identifying impacted communities by working with the Alaska Fisheries Information Network (AKFIN) earlier in the decision-making process and share that information with National Marine Fisheries Service (NMFS) which is the Federal agency responsible for carrying out Tribal Consultations. However, Taskforce members would like to see an additional bullet identifying Alaska Native Organizations and Tribal Consortia as meaningful partners for identifying impacted Tribes and Tribal communities; this is because AKFIN data may only assist in identifying communities engaged Federal fisheries, despite the impacts of Council actions potentially being much broader.

Under Guideline 7, the Taskforce discussed the importance of building capacity across the Council's decision-making process, including a need for high-quality social science. Taskforce members would like to add clarifying language on both the value of having the appropriate disciplinary capacity, as well as the pitfalls of not having this expertise. Like any other scientific discipline, social science requires training in the theoretical foundations, concepts, and methodologies that form the foundation of the fields. Because the subject involves people, communities, and social systems, unintended consequences can have enduring and substantial effects on people's lives and relationships. Without adequate and appropriate social science capacity, the Taskforce noted there could be increased risk for insufficient information to support the Council's decision-making, deterioration in trust, or other possible effects.

## **Onramps for LK, TK, and subsistence information**

The Taskforce last reviewed and discussed draft onramp recommendations in March 2021. At that time, the Taskforce had considered four interdependent onramps: hiring or training a Tribal Liaison on Council staff, establishing a process for Tribes to engage 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. At its December 2022 meeting, the Taskforce reviewed nine draft onramp recommendations for incorporating LK, TK, the social science of LK and TK, and subsistence information into the Council's decision-making process.

The draft onramp recommendations were written as recommendations to illustrate their anticipated final form though they are still being developed and refined by the Taskforce. **The Taskforce envisions the Council would have an opportunity to consider each onramp recommendation and determine whether it would want to initiate process changes at a future meeting.** The Taskforce supported all nine draft recommendations presented at this meeting, though there was consensus on making some changes in the language and rationale for several. The draft recommendations and are summarized at a high-level below.

1. **The Taskforce supports the Council and Executive Director's decision to add Rural Fishing Community and Tribal Liaison responsibilities to staff.** Under this onramp, Taskforce members reiterated their support for the Liaison responsibilities added to staff and decided to keep this point as an onramp recommendation, so it had a clear spot of inclusion for the reader.

2. **The Taskforce recommends the Council initiate a process whereby Tribes could engage directly with the Council.** Kate Haapala shared recent guidance from NOAA General Counsel on options for the Council to participate in Tribal engagement sessions. One pathway is for a non-quorum of voting Council members (i.e., five) to participate in NMFS hosted Consultation sessions. The second pathway is for the Council to hold public engagement sessions where a quorum of Council members could engage with Tribes. The Taskforce discussed the pros and cons of each approach and members agreed that both approaches are valuable.
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.** Taskforce members discussed the difference in Tribal engagement and Consultation. Members agreed that communication was important and coordination among Council, staff, and NMFS could support improved engagement. Members agreed to update the language of this onramp to reflect NOAA General Counsel input that up to five voting Council members could participate in NMFS hosted Tribal Consultations. The Taskforce also reiterated the importance of Consultations occurring early in the Council's decision-making process, as well as the need for pathways to communicating the outcomes of these Consultations to the full Council and the public.
4. **The Taskforce recommends the Council modify the TOR and/or Council SOPPs for existing advisory bodies to include specific language to add one designated Alaska Native Tribal member seat.** Taskforce members agreed expanding Alaska Native Tribal representation across the Council's advisory bodies to better inform its decision-making process would be a meaningful onramp for LK, TK, and subsistence information. However, members also agreed to modify the draft onramp language by removing the count of one seat and striking 'existing' from the language. These changes were suggested so as to not overly restrict the draft recommendation, should the Council want to solicit more than one nomination or add Tribal representation to new bodies in the future. The Taskforce also discussed whether the recommendation should indicate an Alaska Native Tribal representative or an LK/TK holder who is Alaska Native. Common understanding was reached that Tribal representatives have the authority to speak on behalf of Tribes and the need not be TK holders to share TK; Tribes can decide and authorize their representative to share knowledge on their behalf.
5. **The Taskforce recommends the Council solicit nominations for expanded non-economic social science expertise on the SSC.** The SSC plays an important role in the Council's decision-making process through its review of all assessments, analyses, and reports for the scientific/analytical approaches, validity, and utility to inform the Council's decision-making. At the time of writing there is one non-economic social scientist on the SSC, and the Taskforce agreed this onramp recommendation could be a meaningful opportunity to better incorporate LKTKS information. Specifically, the Taskforce sees a strong linkage between this onramp recommendation and the new guideline 8; should the Council solicit and receive qualified nominees with expertise working with LK or TK, that SSC member could provide guidance for navigating instances where western scientific information and LK or TK yield different insights. Additionally, expanding non-economic social science expertise (particularly with a focus on LK or TK), could help to implement the current draft onramp recommendations 6 and 9 should the Council choose to implement them.
6. **The Taskforce recommends the Council host a workshop or summit on a triennial basis in concert with its research priorities process to solicit broad public input on selecting core research questions to assist the Council in managing the nation's resources.** Taskforce

members agreed this draft onramp recommendation could provide a meaningful opportunity to better incorporate LKTKS information into the Council's decision-making process by augmenting the current research priorities process. The draft recommendation's triennial timeline reflects the Council's choice in February 2019 to move from annual to a triennial review of research priorities because the Magnuson-Stevens Act does not require an annual review. Overall, Taskforce members agreed this draft recommendation could provide a meaningful opportunity for the SSC and Council to solicit broad input on the key research questions and needs for future management. This approach could also provide a streamlined and inclusive opportunity for Alaska Native Tribes and Consortia, industry, community representatives and more to bring forward their proposals and ideas on these important questions or topics.

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.** Taskforce members agreed this draft recommendation is a meaningful opportunity for the Council's decision-making process to better incorporate LKTKS information as it could help to fill a current knowledge and process gap. Some Taskforce members felt developing this analytical template would fall under the Taskforce's work directed by the Council and agreed to developing a draft of this template for Council review in April 2023.
8. **The LKTKS 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 comments.** Taskforce members agreed this draft onramp recommendation as written would be an important signal for demonstrating respect and in turn could encourage Alaska Natives and Elders to participate in the Council's decision-making process. However, after Taskforce discussion, members agreed to widen the scope of this onramp to apply to any member of the public engaging the Council. Taskforce members envisioned there could be an option to select the public comment timer to start after introductions on the meeting's eAgenda as there currently is for waiving questions.
9. **The Taskforce recommends the Council develop a plan to increase capacity in non-economic social sciences, and LKTKS expertise more specifically.** Taskforce members agreed this draft onramp recommendation is foundational for better incorporating LKTKS information into the Council's decision-making process. In order to include LK, TK, the social science of LK and TK, or subsistence information into the Council's decision-making process, Council staff must be able to access the social science of LK and TK.

## Timeline for future meetings

Under this section of the agenda, the Taskforce discussed the timeline and vision for future work. The Taskforce intends to have two additional meetings in 2023, pending Taskforce member's availability. In early January the Taskforce may convene for a half-day teleconference. The co-Chairs are interested in providing an opportunity to revisit the major outcomes this meeting and discuss the prioritization of onramps because some members were unable to attend part or all the December meeting. The Taskforce is also planning to meet in late February or early March 2023 to finalize its work before it is presented by the co-Chairs to the Council in April 2023.

Prior to the Taskforce's December 2022 meeting, the co-Chairs received input from some members that there could be value in the Taskforce recommending to the Council that the protocol presented in April 2023 be released for an extended public review period (e.g., three months). The co-Chairs noted the Taskforce's work would be considered complete when the final protocol and onramp recommendations are delivered to the Council. However, this approach could provide opportunities for broader, and intentional, public engagement with the protocol. The Taskforce discussed three options.

**Option 1:** The co-Chairs would present the final LKTKS protocol and onramp recommendations to the Council in April 2023. The Taskforce would not recommend an extended public review period. Following the April 2023 meeting, the Taskforce would disband.

**Option 2:** The co-Chairs would present the final LKTKS protocol and onramp recommendations in April 2023, and the Taskforce would recommend the Council release the document for an extended public review period (e.g., April – July 2023) with opportunities for comments to be submitted on an eAgenda on the Council's meeting page. If the Council were to release the LKTKS protocol for an extended public review period, the Council could expect to receive a revised protocol and a summary public comment report in October 2023. Under option 2, the protocol would be revised by the co-Chairs, pending substantive input from the public suggesting changes that are consistent with the Council's goals for this Taskforce. The Taskforce would disband in April 2023.

**Option 3:** The co-Chairs would present the final LKTKS protocol and onramp recommendations in April 2023 and recommend the Council release the document for an extended public review period with the same intent and approach as option 2. Option 3 differs from the others in that the Taskforce would also recommend the Council extend the Taskforce's work for one meeting held in July or August 2023 to collectively react to the comments received during the extended public review period.

**The Taskforce's preferred approach is to move forward with option 3 but intends to revisit this conversation at a future meeting.** Taskforce members are aware there could be a significant number of public comments received requiring members to commit time over the summer, and that there is relatively little flexibility in the timing of a meeting to review comments. However, at this time the Taskforce sees the potential benefits of allowing an extended public review period, such as greater public input to cross-check or affirm the protocol's content could create greater buy-in for this work, as outweighing these cons.

## **Protocol guidelines as a policy statement**

At this meeting, the Taskforce discussed what could happen after its work is completed. As mentioned previously, the co-Chairs intend to present the final LKTKS protocol and onramp recommendations to the Council in April 2023. At that time, the Council could choose to take no action, adopt the protocol, release the protocol for public review, and/or move forward some onramps to modify its decision-making process to incorporate LK, TK, the social science of LK and TK, and subsistence information.

**If the Council chooses to adopt the LKTKS protocol to inform its decision-making process, the Taskforce supported the idea that the guidelines would be pulled out from the full document and be adopted as an LKTKS Policy Statement.** The LKTKS Policy Statement could be found on the Council's [webpage](#), and it could help to guide and define its approach for working with LK, TK, and subsistence information. The Taskforce is aware the Council is required to meet various legal requirements and balance other priorities and objectives, and the Taskforce is suggesting the LKTKS Policy Statement would be incorporated into the Council's decision-making process as another priority to

be balanced among the others. Should the Council choose to adopt the protocol, and embedded within it, the LKTKS Policy Statement, the entire document would become an overarching reference tool that would remain available to the Council, staff, and the public.

The Taskforce reviewed draft language to illustrate what it could look like for the guidelines to be revised as a policy statement. Two examples of how the draft guideline language could change are shown below ([see slide 48 for all guidelines](#)). **To move this work forward, the co-Chairs have asked each Taskforce member to provide their input which can be reviewed by the full body and the public at a future meeting. The Taskforce intends to have a draft LKTKS Policy Statement included as an Appendix in the LKTKS protocol for the Council to review and consider at the April 2023 meeting.** This approach ensures the policy statement has had time for public review and input.

Current draft guideline language	Draft guideline language revised as a policy statement
Guideline 1. 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.
Guideline 2. 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

## Public testimony

The LKTKS Taskforce received two written comments from Bering Sea Elders Group and the Kuskokwim River Inter-Tribal Fish Commission. Oral comments were provided by Megan Onders, Rose Fosdick, Steve Marx, and Brenden Raymond-Yakoubian.