



May 30, 2024

Agenda B-2: NMFS Tribal Engagement Report

Tribal Consultation Invitations

On April 30, 2024, NMFS Alaska Region (AKR) provided an invitation for Tribal Consultation on upcoming action items at the June 2024 North Pacific Fishery Management Council (NPFMC) Meeting.

1. Also on April 30, 2024, NMFS Tribal Relations Coordinator forwarded the tribal consultation invitation to several Alaska Native Tribes, Corporations and Organizations via the NMFS tribal directory to maintain inclusive coverage to tribal partners.
2. NMFS did not receive tribal interest and response for Tribal Consultation on June Council actions.

Tribal Newsletter

On May 7, 2024, NMFS released the [May Edition of our Tribal Newsletter](#). The newsletter is an information source for upcoming Council meetings as well as NMFS' contacts, job postings, grants and educational opportunities. The May Tribal Newsletter also included an invitation for tribal consultation on action items scheduled for the upcoming June Council meeting. NMFS highlighted two additions to the newsletter including, 1) an online form for responding to NMFS invitations for Government-to-Government Tribal Consultation on Council action items and 2) NMFS May and June event calendars with links to various tribal engagement sessions, events, and review deadlines that may be of interest to Alaska Native Tribes, Corporations, and organizations.

Tribal Engagement

Programmatic Environmental Impact Statement (PEIS) Planning

NMFS held two tribal engagement sessions as part of pre-scoping for the Council's Programmatic EIS on April 17 and May 6, 2024. The same information was provided at each tribal engagement session. Based on tribal feedback during the April 17th session, NMFS extended the May 6 tribal engagement session to two hours in order to accommodate further discussions. During the sessions, NMFS and Council staff received questions and feedback regarding timing, scope and goals of the PEIS, and how this evaluation will affect future Council actions. Tribal input was also received on the timing of PEIS planning as it relates to Council action on the chum salmon bycatch EIS with a recommendation to postpone any further NMFS tribal engagement sessions on PEIS planning until fall or winter of 2024.

Constructive feedback was also given regarding creating a safe space for tribal concerns to be shared and how best to encourage NMFS leadership staff to address issues that are broader in scope during engagement sessions. On May 23, 2024, NMFS Tribal Relations Coordinator met with staff from Kawerak, Inc., Aleut Community of St. Paul Island, and Nenana Native Council who expressed their perception that NMFS is not substantively engaging on topics raised by Tribes and brainstormed ideas on how to move forward for better engagement between federal-tribal partners for future sessions.



Cook Inlet Federal Salmon Fishery

NOAA and NMFS headquarters and regional offices received six letters from the following Cook Inlet Tribes requesting a tribal salmon fishery set-aside in the Cook Inlet EEZ: Ninilchik Traditional Council, Kenaitze Indian Tribe, Native Village of Eklutna, Knik Tribe, Chickaloon Village Traditional Council and Seldovia Village Tribe. NMFS is currently focused on implementing Cook Inlet commercial and sport salmon fishery as required by court order. We intend to honor these tribal consultation requests in the coming months and host conversations with Cook Inlet Tribes regarding the topic of a tribal salmon fishery in the Cook Inlet EEZ Area.

Upcoming June Council Action Items

On Friday, May 24, NMFS hosted a tribal engagement session on upcoming June Council actions that may be of interest to the Tribes: 1) observer annual report; 2) acceptable biological catch and overfishing level specifications for Bering Sea and Aleutian Islands (BSAI) crab stocks, annual process; 3) Area 4 Vessel Caps, initial review; 4) small sablefish release, initial review; and 5) the BSAI Pot cod limited access privilege program, discussion paper. NMFS received tribal feedback on research priority recommendations that the Advisory Panel will discuss including: 1) how, when, and why goals are met over time to help inform PEIS discussions in a timely manner; and 2) recommendations for an analysis that looks at implementation issues. NMFS also received input on the upcoming Climate Scenarios Workshop including: 1) interest in concrete tools and recommendations that can come out of the workshop discussion and 2) General Counsel Alaska Section (GC AK) staff participation in the workshop to discuss adaptive management solutions and groundtruth what “tools” may be available under Federal statutes for implementation. GC AK staff confirmed their desire to attend at least one day of the session or partial attendance and willingness to explore options under the MSA or other federal relevant statutes as future recommendations are made.

This tribal engagement session was lightly attended by 3 non-NMFS people. NMFS leadership inquired about how tribal participants learned about the session and how we can improve participation. Input received included learning about the sessions through the NMFS Tribal Relations Coordinator latest tribal newsletter mailing and other previous tribal engagements as well as a suggestion for securing standing calendar invites with tribal organization staff. NMFS may see fluctuations in tribal attendance based on topics of tribal interest and availability - there was greater attendance at the previous chum salmon bycatch session due to greater interest. In addition, this tribal engagement session happened to conflict with the Alaska Fisheries Information Network (PSMFC AKFIN) call. Finally, a participant expressed that decreased tribal participation may be related to the May 6 engagement session on the PEIS where they felt there was tension due to a perceived lack of desire by NMFS leadership to address tribal questions and concerns.

Additional Tribal-Related Events & Interactions

1. **Joint NMFS/Council Retreat Tribal Training:** NMFS and Council staff hosted a 3-hour tribal training session at the NMFS/Council staff retreat on April 15-16, 2024. This session was an opportunity for NMFS and Council staff to better understand each other’s work and their roles in tribal relations; provide time for Q&A, share challenges, determine how best to coordinate with one another; and share resources available to aid each staff office in tribal-related work. The overall goal of the tribal training was for staff to gain a base-level

understanding and increased comfort to engage with Tribal partners and participate in tribal consultation and engagement sessions.

2. **Cooperating Agency Coordination on Chum Bycatch Management in Bering Sea Pollock Fishery:** NMFS has accepted the Tanana Chiefs Conference (TCC) request to be a cooperating agency and met with both TCC and the Kuskokwim River Intertribal Fish Commission (KRITFC) to discuss roles, timelines and opportunities to contribute expertise, including local and traditional knowledge, to the development of the preliminary Draft Environmental Impact Statement. In mid-June, NMFS will host a kick-off meeting with all three cooperating agencies (i.e., TCC, KRITFC, and Alaska Department of Fish & Game) to further coordinate their work with Council staff.
3. **Skagway Ore Dock Project:** On May 10, 2024, NMFS received a request from the Skagway Village/Skagway Traditional Council for more information on the Skagway Ore Dock project and concerns regarding potential permit impacts on Pacific eulachon, an important traditional food. NMFS provided a response on May 22, 2024 and offered to set up a meeting, as appropriate, to discuss tribal concerns.
4. **Eklutna River Restoration:** On May 14, 2024, NMFS received a request from the Native Village of Eklutna to engage with the tribe regarding Eklutna River restoration. There is no federal action to be taken regarding this project and the owners are developing a mitigation program per a 1991 settlement agreement (to which NMFS is a party) that vests the decision with the Alaska Governor. NMFS will be meeting with the Native Village of Eklutna to discuss their concerns on June 13, 2024.
5. **Aquaculture Opportunity Areas:** On May 29, 2024, NMFS met with the Chugach Regional Resources Commission (CRRC) to discuss the identification of Aquaculture Opportunity Areas (AOA) in Alaska. Topics included AOA study areas in Southcentral Alaska, and how CRRC can be involved and encourage other Tribes to participate in next steps for spatial planning and future NEPA process.
6. **Humpback Whale Recovery Planning:** On May 31, 2024, NMFS hosted a tribal engagement session on humpback whale recovery planning. This was a listening session to describe the recovery planning process and hear any information Alaska Native Tribes would like to share on humpback whales, particularly the inclusion of Indigenous/Traditional Knowledge. View [Flyer](#).
7. **[NOAA Recommends \\$240 Million in Fish Passage Funding under Bipartisan Infrastructure Law and Inflation Reduction Act](#):** On May 22, 2024, NOAA announced funding for forty-six projects that will reopen migratory pathways, restore access to healthy habitat for fish, and build tribal capacity to develop and implement fish passage projects. The Tribal Priority Fish Passage Projects, including seven Alaska tribal projects selected for funding, can be viewed [here](#).