

# MEMORANDUM

# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

Boards Support Section

TO: Joint Board Committee of the Alaska Boards of Game and Fisheries      DATE: January 15, 2021

THRU:      PHONE: 907-465-6095

FROM: Glenn Haight, Executive Director      SUBJECT: Situational Analysis for Alaska Board of Fisheries      2020/2021 Meeting Planning

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The Boards of Game and Fisheries will determine how to pursue their 2020/2021 meeting schedule at meetings on January 21 (Board of Game) and January 25 (Board of Fisheries). How Alaska fares in its battle against COVID-19 in the coming months is uncertain, but the essential questions for the boards to consider when holding in-person meetings appear to be -

1. whether or not case counts will be at very low levels with minimal chances of COVID-19 at a meeting,
2. that case counts are low enough to allow for thorough contact tracing, effectively reducing widespread community spread, if meeting attendees contract COVID-19,
3. the extent to which Alaska is vaccinating the general population,
4. fish and game management impacts of delayed meeting schedules,
5. potential for conducting meetings via web conferencing, and
6. linkages between the two boards for future meeting scheduling.

### Current Meeting Schedule

#### Board of Game

Meeting Dates	Topics	Location
To be determined	Central/Southwest Region	Wasilla
To be determined	Statewide Regulations	Fairbanks

#### Board of Fisheries

Meeting Dates	Topics	Location
March 4, 2021	Hatchery Committee	Anchorage
March 5-10, 2021	Statewide All Shellfish	Anchorage
March 30-April 5, 2021	Prince William Sound Finfish and Shellfish	Cordova
April 17-29, 2021	Southeast and Yakutat Finfish and Shellfish	Ketchikan

## Review of Current COVID-19 Situation

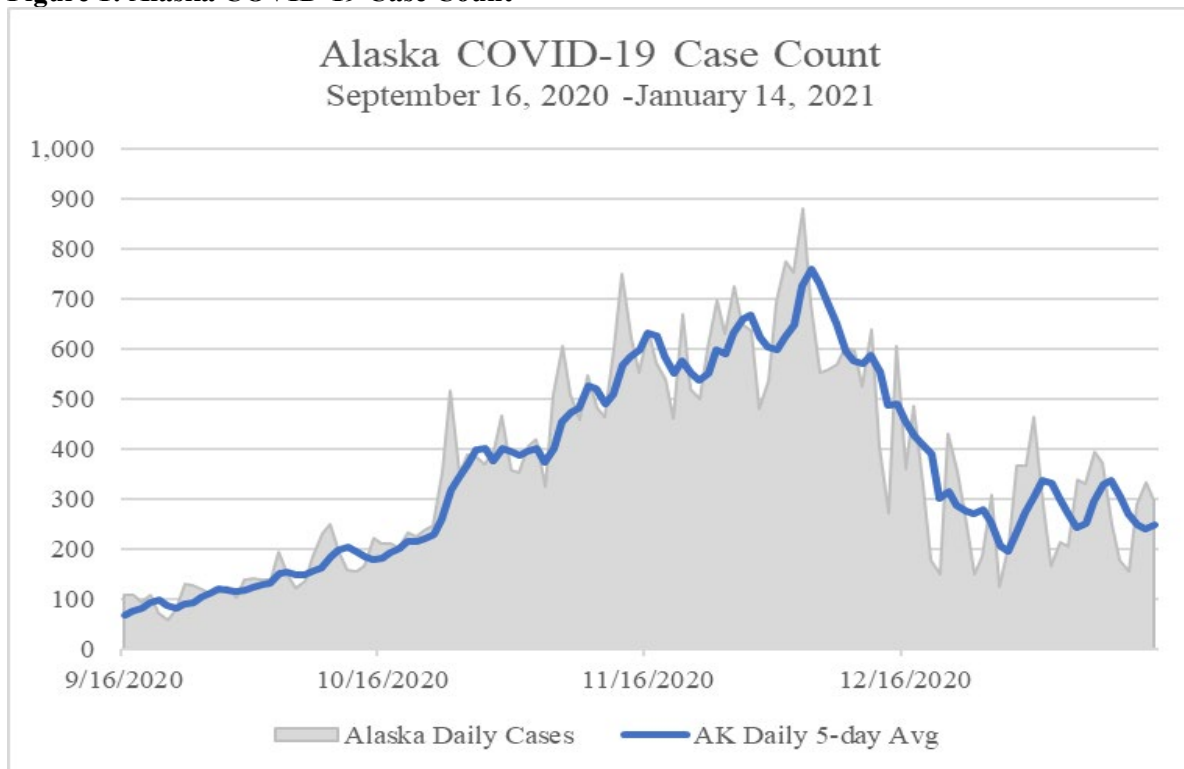
### COVID-19 Case and Death Counts

On September 16, 2020, when the Board of Fisheries held its first planning meeting on COVID-19 and agreed to postpone its December and January meetings, the 5-day rolling average of daily case counts in Alaska was 67.2. Just nine days later the average exceeded 100, rising steadily to 759.2 on December 5 before descending to a low of 194.2 on December 28.<sup>1</sup>

Since the daily COVID-19 case count reached its peak eight days after Thanksgiving, Alaska is sustaining a significant decline in counts likely related to broad efforts to reduce the spread of COVID-19. The 5-day rolling average as of January 13, 2021 was 249.2. (Figure 1)<sup>2</sup> This is a relatively good sign coming two weeks after the Christmas and New Year holidays, a time when cases elsewhere in the nation are surging.

Alaska's case count is strongly linked to Anchorage. With half of the state's population, Anchorage is a leading indicator on the overall health of the state. In July 2020, Anchorage accounted for 61% of all cases in Alaska. With stricter measures put in place December 1, Anchorage drove that percentage to 43% and 36% in December 2020 and January 2021 (as of January 12), respectively.

**Figure 1: Alaska COVID-19 Case Count**



Alaska's general decline in COVID-19 case counts is in contrast with the United States as a whole. Across the country case counts rose steadily as the winter months set in. With slight dips just days after the Thanksgiving and Christmas holidays, case counts surged thereafter. As health experts indicated,

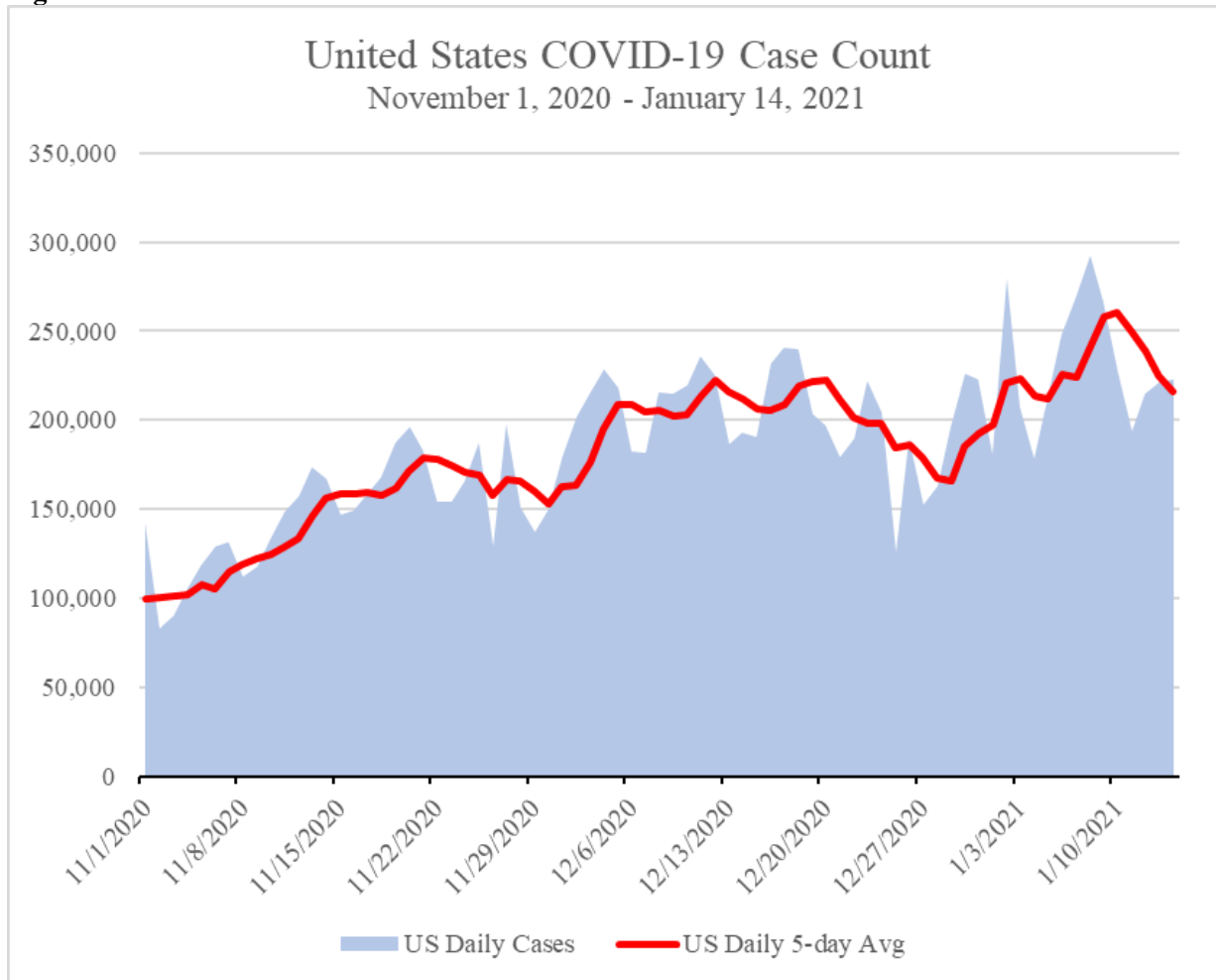
<sup>1</sup> All Alaska-related COVID-19 statistics were obtained from the Alaska Department of Health & Social Services, Alaska Coronavirus Response Hub, Data Summary Tables, as of January 15, 2021, 1:00pm, <https://coronavirus-response-alaska-dhss.hub.arcgis.com/>.

<sup>2</sup> Alaska Department of Health and Social Services, Alaska Coronavirus Response Hub, last updated January 14, 2021.

holiday gatherings led to increases in case counts with new highs coming roughly two weeks after. While Alaska reached its highest case count following the Thanksgiving holiday and reduced that count to less than half following Christmas, the US case count continues to grow. (Figure 2)<sup>3</sup>

Using data from the COVID Tracking Project, exactly 14-days after Thanksgiving, December 8, the country's death toll peaked above 3,000 a day for the first time. Thirteen days after Christmas (January 7) it exceeded 4,000 a day. Health experts indicate the winter months will continue to bring additional challenges to the country with forecasts indicating daily US death tolls may continue to rise slightly.<sup>4</sup>

**Figure 2 United States COVID-19 Case Count**



Alaska has not seen the same high death toll rate and is not forecasted by the Centers for Disease Control to see an increase through the next few months.<sup>5</sup> By January 14, Alaska recorded 228 deaths linked to COVID-19. This is roughly 0.031% of its population. This compares to 0.11% the nation sustained as a whole. In Alaska as of January 14, there were 65 patients diagnosed and hospitalized with COVID-19 and

<sup>3</sup> All United States-related COVID-19 data is sourced from The COVID Tracking Project, <https://covidtracking.com/>.

<sup>4</sup> COVID-19 Forecasts: Deaths, Interpretation of Forecasts of New and Total Deaths Center for Disease Control, National Center for Immunization and Respiratory Diseases (NCIRD), Division of Viral Diseases, January 7, 2021.

<sup>5</sup> COVID-19 Forecasts: State Forecasts, National Center for Immunization and Respiratory Diseases (NCIRD), Division of Viral Diseases, January 7, 2021.

10 additional patients under investigation for COVID-19 for a total of 75 current COVID-related hospitalizations. Ten of these patients were on ventilators.

### Status of Vaccinations

The US Center for Disease Control provided to the states recommended vaccine allocation plans through its Advisory Committee on Immunization Practices. The Alaska Department of Health and Social Services working in collaboration with the Alaska Native Tribal Health Consortium as the COVID-19 Task Force, works with its advisory board, the Alaska Vaccine Allocation Advisory Committee<sup>6</sup>, to determine a vaccine allocation plan that meets Alaska's unique needs. The Governor maintains final authority in the allocation plan.

Vaccine allocations are made according to tiers within three phases. Currently and for the foreseeable future, Alaska remains in Phase 1. Phase 1 expects limited inventory targeted to specific prioritized populations. Phase 2 continues with increased inventory, vaccinating the remaining critical populations and portions of the general public. Phase 3 contemplates ample vaccine inventory and open vaccinations for anyone interested.

There are additional aspects of the COVID-19 vaccinations relevant to meeting planning. There are two current vaccinations available in the United States, both requiring two doses. One vaccine requires the second dose 21 days after the initial dose. The second vaccine requires 28 days between the doses. Both indicate four days leeway in either direction for the second dose. Full efficacy is estimated at two weeks after the second dose although some unknown level of protection is believed to occur after the first dose. With these guidelines, a vaccinated individual might expect full efficacy 35-42 days after the first dose.

As of January 14, the state recorded 10,954 completed vaccinations along with 43,992 initial doses.<sup>7</sup> These reports are filed by the clinics and pharmacies performing the vaccinations which leads to a lag in report timing. Recent actions by the state opened vaccinations to individuals 65 years or older. It is uncertain when Alaska will enter Phase 3. It is a function of a number of variables including vaccine supply availability, new vaccines available to the public, and the speed with which it is distributed and used.

It is unknown what impact vaccinations have on the ability of an individual to remain a carrier of the virus. It may well be that vaccinated persons may still carry the virus; therefore, even people who have received both doses of a COVID-19 vaccine must still adhere to all mitigation measures, including following travel orders, wearing masks, and social distancing. Current travel orders are covered in detail in the following section.

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<sup>6</sup> The Alaska Vaccine Allocation Advisory Committee is a further partnership with the Alaska State Hospital and Nursing Home Association. The committee includes representatives from emergency medicine, family medicine, infectious disease, EMS, long-term care, the American Association of Retired Persons, pharmacy, and medical ethics.

<sup>7</sup> Alaska Department of Health and Social Services, Alaska Coronavirus Vaccine webpage, <http://dhss.alaska.gov/dph/Epi/id/Pages/COVID-19/Vaccine.aspx>, January 14, 2021

## Update on Conditions for In-Person Meetings

### Meeting Community Status

In Boards Support’s previous reports on mitigation measures needed to conduct in-person meetings, it included measures such as face coverings, hand sanitizer, temperature readings at the door, pre-event testing, social distancing, use of electronic documents over hard copies, and more. The biggest impact to in-person participation at the meetings from these measures is the limitation on attendance based on social distancing requirements, local gathering restrictions, and room size.

All of the communities where meetings are planned adopt to a large degree the State of Alaska’s COVID-19 alert levels. (Table 1) Alert levels provide some standardization for local emergency orders and gathering requirements. The state’s alert levels use the metric of 14-day rolling average of cases rates per 100,000 residents.<sup>8</sup>

**Table 1: State of Alaska COVID-19 Alert Level Matrix**

ALERT LEVEL	Average daily incidence over the past 14 days	Interpretation
<b>HIGH</b>	>10 cases per 100,000 population	<b>Widespread community transmission with many undetected cases and frequent discrete outbreaks</b>
<b>INTERMEDIATE</b>	5-10 cases per 100,000 population	<b>Moderate community transmission with some undetected cases and infrequent discrete outbreaks</b>
<b>LOW</b>	<5 cases per 100,000 population	<b>Minimal community transmission</b>

Communities where board meetings are to be held generally follow the state’s alert levels including the use of a 14-day rolling average to set levels. Some of the communities’ title alert levels differently, but they are effectively similar. However, that does not translate into local restrictions on gathering size, which vary significantly among communities. (Table 2).

The Matanuska-Susitna Region is set at a “High Alert” status. The Mat-Su Borough does not have limitations in place for in-door meetings and gatherings. Public turnout for the Board of Game Central/Southwest Region meeting may be 75-100 people, which is based on the number of testifiers at previous Central/Southwest Region meetings and does not include board members and agency staff. In 2015 there were 81 testifiers and 46 in 2018. To allow for six feet social distancing in the public seating section of the room, Boards Support estimates no more than 35 people will be allowed.

The Fairbanks North Star Borough is in a “High Alert” status. The borough does not have limitations in place for in-door meetings and gatherings. Public attendance for the Board of Game Statewide Regulations meeting varies depending on the agenda topics. At the 2018 Statewide Regulations meeting in Fairbanks, 115 people signed up to provide public testimony; in 2017 in Anchorage, 95 people signed

<sup>8</sup> This is the average of: daily cases in a community / (community population / 100,000) over the last 14 days.

up to testify. Public attendance at this meeting could be between 150-200 people. Like the Wasilla meeting venue, to allow for six feet social distancing in the public seating section of the room, Boards Support estimates no more than 35 people will be allowed.

**Table 2: Community Alert Status and Gathering Size**

Meeting Location (Meeting)	Alert Status <sup>9</sup>	14-day Average Daily cases/100K <sup>10</sup>	Max Gathering Size
Wasilla (Game: Central/Southwest)	High	41.3	None
Fairbanks (Game: Statewide Regulations)	High	43.3	None
Anchorage (Fisheries: Statewide Shellfish)	High	33.1	=< 6 people
Cordova (Fisheries: Prince William Sound Finfish and Shellfish)	Level 3 – Watch	46.2	Limits apply
Ketchikan (Fisheries: Southeast/Yakutat Finfish and Shellfish)	Level 2 - Moderate	12.0	< 50 people

Anchorage is set at “High Alert” and through its emergency order, indoor gatherings of no more than 6 people are allowed. There are exceptions to this rule, but none that apply to board meetings. With this limitation, even in a large room at the Egan Center, a board meeting may not occur. Normally, the statewide shellfish meetings typically attract 75-100 people, but perhaps more may join with the combining of the two shellfish meetings.

Cordova currently has a Level 3 – Watch alert status which puts social distancing and mitigation measures on gatherings. The community was recently on a Level 4 – Warning which led to the Cordova Center closure. The City indicates it is confident it can safely host meetings in the spring, but also recognizes a fall meeting schedule after vaccines have been widely administered may be more prudent. The Prince William Sound Finfish meeting will have upwards of 100 attendees at the onset of the meeting. With six-feet social distancing Boards Support estimated fewer than 40 people may be in the Cordova Center meeting room at any one time.

The Ketchikan Gateway Borough website currently shows a Level 2 – Moderate alert status. In Ketchikan the Level 2 status limits gatherings to 50 people or less. Input from the facility manager at the Ted Ferry Civic Center indicates that at Level 1 – Low, social distancing requirements remain in place, effectively limiting attendance in the facility to 64 people, including Center staff. There were 191 people who testified at the 2018 Southeast Finfish and Shellfish meeting in Sitka. This is a very large meeting.

### Travel Considerations

Intra-state travel is currently governed under Outbreak Health Order 08, effective as of January 14, 2021. The purpose of the order is to direct travel requirements for someone who lives or has been in a community for a period of time on the road system<sup>11</sup> or serviced by the Alaska Marine Highway System

<sup>9</sup> Alert status obtained from local community websites as of January 15, 2021.

<sup>10</sup> Average case rate data obtained from the Alaska Department of Health & Social Services, Alaska Coronavirus Response Hub, Data Summary Tables, as of January 15, 2021, 1:00pm, <https://coronavirus-response-alaska-dhss.hub.arcgis.com/>. Cordova data was not presented in the data and calculated with daily case counts.

<sup>11</sup> “Road System” is defined as any community connected by a road to the Seward, Parks, Klondike, Richardson, Sterling, Glenn, Haines, or Top of the World Highways.

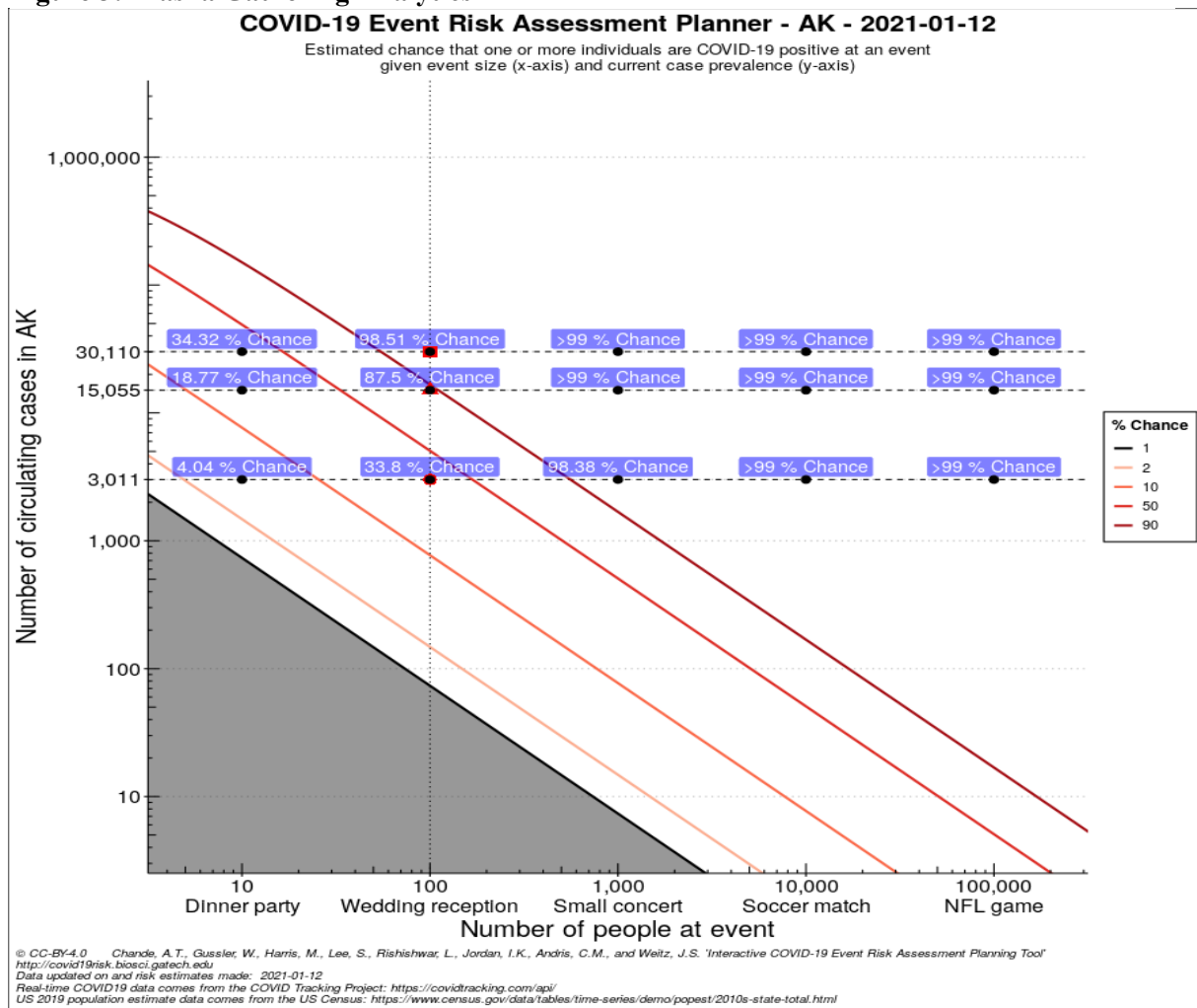
when they travel to a community that is not on the road or ferry system. All of the communities where board meetings are held are on the road system or in a community serviced by the ferry system. Intrastate travel will not require testing or quarantining.

Individuals coming from out-of-state, whether residents or non-residents, need to have taken a COVID test within 72 hours of travel. A negative test result is to be followed up by another test within 2 to 5 days. Non-residents who have not taken a test will be required to pay \$250 for one provided at the airport.

### Gathering Analytics

Georgia Tech University's School of Biological Sciences and School of City and Regional Planning, along with the Applied Bioinformatics Laboratory and Stanford University, developed the Covid-19 Event Risk Assessment Planning Tool. This analytical tool demonstrates the odds, at a state or county

**Figure 3: Alaska Gathering Analytics**



level, that an individual with COVID-19 might be at a gathering based on the gathering size and an

estimate of the number of cases in the community versus what is known. For instance, for every 1 active known case there may be 5 other active unreported cases; or 10 other active unreported cases.

Figure 3 offers Alaska in aggregate as of January 12, 2021. Essentially it indicates that in Alaska if there are no active cases other than those currently identified (a highly unlikely scenario) at a gathering of 100 people, there is a 33.8% chance someone in the room has COVID-19. As one increases the assumption of unknown active cases per known active cases to 5, the chance someone has COVID-19 at a gathering of 100 people increases to 87.5%. With a 10:1 ratio the chance is 98.5%.

The tool provides this same measure by census area. For those areas where board meetings are planned, the rates are provided in Table 3.

**Table 3: Chance of COVID-19 Infection at a Meeting, Gathering Size 100**

Meeting Location (Meeting)	Unknown Active to Active Cases	
	5:1	10:1
Wasilla (Game: Central/Southwest)	91%	99%
Fairbanks (Game: Statewide Regulations)	87%	98%
Anchorage (Fisheries: Statewide Shellfish)	87%	98%
Cordova (Fisheries: Prince William Sound Finfish and Shellfish)	87%	98%
Ketchikan (Fisheries: Southeast/Yakutat Finfish and Shellfish)	49%	74%

One limitation to this tool is its inability to accommodate for individuals traveling from one area to another which is a common occurrence at board meetings. For instance, Ketchikan may have a low incident rate, but if at the time of the meeting Juneau is sustaining a surge and a number of people travel from Juneau to attend a meeting in Ketchikan, that would change the risk of infection at the meeting.

## Review of Board Meetings Over Web Conferencing

### Legal Requirements of the Administrative Procedures Act

When an agency adopts regulations, it must be done in compliance with the Administrative Procedures Act (APA – Alaska Statute 44.62). The essentials of the APA require the agency provide 30-day notice to the public to allow for written comments and the agency must consider the comments. The APA does not require a hearing or oral public testimony. However, if a hearing is held, the Open Meetings Act requires the public must be allowed to be present and hear the discussion, and have access to meeting materials. Being present does not require being physically present in the room; it may be by phone or video.

### Technical Process and Other Considerations

If the meetings, or portions of them, occur over web conferencing, the technical aspects will be handled as envisioned in the Mitigation Scenarios report reviewed at the Board of Fisheries Special Meeting, September 16, 2020. The meetings would be held on Zoom. Participation through Zoom may occur via the Internet with video/audio, but also through traditional phone service. Boards Support is attempting to establish a toll-free number for stakeholders to use during public testimony and committee work.

Staff reports and deliberations are relatively simple. Participants must sign-up in advance for public testimony and for the Board of Fisheries committee work. This allows Boards Support to establish predictable timing for public testimony, and for committee chairs to select a group of stakeholders for committee work. Substitute language development is more difficult, but could be accomplished with Zoom-based breakout meeting rooms to applicable staff and stakeholders. Boards Support could accommodate 2 to 3 substitute language efforts at a time. To accommodate staff, board members, and



stakeholders who may need to attend to more than one breakout room, it may be necessary to set aside half or full days for substitute language development.

In assessing the suitability for meetings to work on web conference, there are a few caveats. Regardless of what is noted in this analysis, web-based meetings are no substitute for in-person meetings. They will not simulate the same rich exchange of information that occurs at a typical board meeting. There are categories of proposals that may be more suitable for web conference. If the boards intend to determine which proposals are more suitable to take up on web conference, they may wish to consider the –

- historical number of participants at in-person meetings,
- complexity/technical aspects of an issue,
- Internet accessibility for stakeholders,
- diversity of stakeholders,

If the board decides to conduct any of its work via web conference, it is recommended the board allow for flexibility in its review and deliberation of proposals. If during this process the board determines a proposal or issue has inadequate public participation needed to make an informed decision, it can always table the proposal for later review.

There are some advantages to holding meetings through web conferencing aside from a reduction in travel costs. Because participants do not need to travel there is greater flexibility in scheduling. The board would not need to feel compelled to conduct the meeting in consecutive days. Rather, it could stop for the weekend, or perhaps open testimony on a Saturday when more individuals are available. Staffing might also increase given they only need to log-on to the web conference versus flying between towns.

## Options for Postponing Meetings

Any decision to postpone meetings will be impacted by the number of proposals either board chooses to address beforehand via web conferencing. To the extent web conference is minimally used, postponed meetings will not change measurably in length. If a significant number of proposals are addressed via web conferencing, postponed meetings could be shortened in following years.

Options for postponing meetings are straightforward. The simplest measure for meeting planning is to push the meeting cycles back 1 year so that the current meeting cycle is handled in 2021/2022, 2021/2022 is handled in 2022/2023, and so forth. There are impacts from such a shift. Effectively all the regions are put in a four-year cycle for the next three years. It can be expected that a larger number of agenda change requests will be submitted for review in years to follow. Conservation issues will likely rise to the fore.

The boards could also attempt to keep meeting cycles set as they currently are and fold the 2020/2021 meetings into 2021/2022. This measure challenges resources, both in budget and workforce. For instance, if the Board of Fisheries decided to add all its postponed 2020/2021 meetings to its 2021/2022 meeting schedule, it would increase costs to the Board appropriation by approximately \$140,000. This does not include costs associated with advisory committee travel or costs to the participating public. Department budget information indicates actual expenditures from the Board Appropriation in FY18 (the last cycle that had the 2020/2021 meetings) was approximately \$1,218,000. While costs can vary dramatically based on workload, board member duty station, meeting locations, and other, the Governor's FY22 budget submission is \$1,206,100. Extreme cost cutting measures would be required to add additional meetings into the current 2021/2022 meeting cycle.

### Treatment of the Call for Proposal Process

If the 2020/2021 meetings are postponed, the boards must determine how they will treat existing proposals, including whether or not to reopen the call for more proposals. Regarding the existing proposals, without a detailed review it can be assumed –

- some proposers may wish to withdraw or update their proposals,
- some of the proposals may address an issue that is no longer relevant or may need an amendment, and
- new issues may arise.

The risk of re-opening the Call for Proposals has the potential to significantly increase the number of proposals for each meeting, and the boards might expect the submission of new proposals countering those already submitted.

### Delegation of Authority to the Department

Both boards may delegate regulatory authority to the department. This authority is used infrequently and not for allocative purposes. Delegations may have limited application in this current environment, but it is a tool for non-allocative issues.

### Linkages between the two boards

The Boards of Game and Fisheries set their own meeting schedules and may change those independent of each other. In the event decisions are made that lead to reshuffling of meeting schedules, there are two issues to keep in mind. Board schedules are synched in such a way that regions around Alaska are not addressing fish and game proposals in the same year. For instance, when the Board of Game is handling its Southcentral region, the Board of Fisheries is not taking up Lower and Upper Cook Inlet. This synching of schedules was made possible when the Board of Game moved from a two-year cycle to a three-year cycle in 2017.

Table 4 and Table 5 attempt to highlight what would occur if the current meeting schedule (Table 4) is altered. Conflicting regions depends on what changes are made, but Table 5 offers some indication of how regions could be impacted. This increase in workload for a given year impacts advisory committees, staff with the Subsistence Section, local government and tribal entities, resource organizations, and stakeholders who engage with both boards.

**Table 4: Current Meeting Schedule**

Meeting Cycle	BOF	BOG
2020/2021	Prince William Sound / Southeast / Statewide Shellfish	Central, Southwest / Statewide
2021/2022	Bristol Bay / Arctic, Yukon, Kuskokwim / Alaska Peninsula, Chignik / Statewide Finfish	Southcentral / Southeast
2022/2023	Cook Inlet / Kodiak	Interior / Arctic, Western

**Table 5: If Meeting Schedules Change**

<b>Meeting Cycle</b>	<b>BOF</b>	<b>BOG</b>	<b>Conflicting Regions</b>
2020/2021	<i>Conduct portion of meetings via web conference</i>  Prince William Sound / Southeast / Statewide Shellfish	<i>Shift 2020/2021 to 2021/2022</i>	
2021/2022	<i>Finish meetings from 2020/2021 in person</i>  Bristol Bay / Arctic, Yukon, Kuskokwim / Alaska Peninsula, Chignik / Statewide Finfish	Central, Southwest / Statewide	Bristol Bay and Alaska Peninsula
2022/2023	Cook Inlet / Kodiak	Southcentral / Southeast	Cook Inlet
2023/2024	Prince William Sound / Southeast / Statewide Shellfish	Interior / Arctic, Western	none

The other issue is budget. If one board chose to expedite its schedule it would require additional meetings in the same year. The previous section provided information on budgets. Increasing the number of meetings in a year would likely require additional budget which is difficult to see occurring in the current fiscal climate.