

1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE  
2 REGIONAL ADVISORY COUNCIL MEETING

3  
4 PUBLIC MEETING

5  
6  
7  
8  
9 VOLUME I

10  
11 Ted Ferry Civic Center  
12 Ketchikan, Alaska

13  
14 March 12, 2013  
15 9:00 a.m.

16  
17 COUNCIL MEMBERS PRESENT:

18  
19 Bertrand Adams, Chairman  
20 Michael Bangs  
21 Michael Douville  
22 Donald Hernandez  
23 Aaron Isaacs  
24 Harvey Kitka  
25 Floyd Kookesh  
26 Cathy Needham  
27 Patricia Phillips  
28 Frank Wright  
29 John Yeager

30  
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34  
35 Regional Council Coordinator - Robert Larson

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P R O C E E D I N G S

(Ketchikan, Alaska - 3/12/2013)

(On record)

CHAIRMAN ADAMS: We'll call this meeting to order.

We want to welcome you all here.

And I'd just like to say a couple of words in Tlingit that really is important to our culture. (In Tlingit), which means self-respecting or honorable people. This is a way in big gatherings that leaders, you know, address people by saying (In Tlingit). Gunalcheesh. (In Tlingit), which means thank you for being here.

And then the other important phrase that we like to use is, oh, I forgot the name of it already, but it means respect. And I'll think of it a little bit later on and I'll share it with you. But that's really important in our culture, because addressing honorable people, you know, leads to respect.

And I teach a Tlingit class in the school for grades four through five, and this is one of the -- these are some of the things that we teach, you know, is that. You know, those kind of kids, you know, they get pretty rowdy once in a while, hard to control. So we teach them, you know, that they are honorable, that they are self-respecting, and that they should show respect toward one another. And it applies to everyone. And (In Tlingit) is the phrase. And so the past three years, you know, we talked on this, and they do show respect to us as teachers, and I see that they are demonstrating that all throughout the community, too.

So if we are going to be (In Tlingit) people, then we need to respect one another. We need to demonstrate, you know, that that respect spreads out not only toward one another, but Tlingit people believe that there is respect that needs to be shown toward everything. We believe that there is life in everything. We believe there is life in this; we believe there's life in that paper there, in this desk, on that floor, and in the trees and the water. And

1 when we show respect to those resources, then nature  
2 will provide to us, you know, the things that we need  
3 to sustain our lives. And this is something that we  
4 teach our youngsters so that when they grow up they'll  
5 be able to learn how to -- when they are learning how  
6 to hunt and fish, that they will show respect to those  
7 resources. And the more respect that you show towards  
8 them, the more you will get back.

9

10 And so I wanted to share that with us  
11 all today.

12 And I might, you know, demonstrate that a little bit  
13 later on when we get more people coming and they begin  
14 to testify, because one of the things that we have been  
15 having a problem with, why don't you turn over to I  
16 think it's Page 94 in the booklet. And, I'm sorry,  
17 it's 74. And down in the bottom of that page there, in  
18 our annual report, we brought out this issue about how  
19 difficult it was for us, and it might be so with other  
20 Council members as well, or Council regions as well, to  
21 control the meeting by people coming and talking and  
22 taking up a lot of our time, but let me just read that  
23 to you, and hopefully this will set the stage, and then  
24 I will also emphasize that, you know, when we receive  
25 testimony.

26

27 It says, the Council is concerned that  
28 a lack of policy describing conduct during the public  
29 comment portion of the Council meetings is resulting in  
30 situations affecting the ability of the Council to  
31 allocate adequate time for deliberations. For  
32 instance, testimony that is not directed at the issue  
33 under consideration, repeated testimony by an  
34 individual or excessive time, story telling, by an  
35 individual on a topic, can be disruptive to the  
36 deliberation process and does not promote efficient use  
37 of the Council's time.

38 The Council recommends the Board provide a meeting  
39 protocol to assist the Chair in providing rules for  
40 conduct by the public, yet be flexible enough to not  
41 restrict the flow of information from the public to the  
42 Council.

43

44 You know, it's the Chair's position, or  
45 his duty, his responsibility, to keep control of the  
46 meeting. And in the past, you know, I have had Council  
47 members come to me and say that we need to speed up the  
48 meeting, we need to cut down a lot of the showcasing  
49 and so forth. And, you know, Robert's Rules of Order  
50 is what we use, and I promise you that during, you

1 know, the process of this meeting, if I'm elected Chair  
2 again, that we will have better control of -- or we'll  
3 use better time wisely as we go through the meeting  
4 process. And I wanted to, you know, demonstrate that  
5 to you and show you that it is the Chairman's position  
6 to be able to keep control of the meetings.

7  
8 So with that, you know, I just want to,  
9 you know, let you know that this is really important to  
10 us as well as to me.

11  
12 So the meeting has been called to  
13 order. Let's call for an establishment of the quorum.

14  
15 Mr. Kitka, please.

16  
17 MR. KITKA: Thank you, Mr. Chair. Tim  
18 Ackerman.

19  
20 (No comments)

21  
22 CHAIRMAN ADAMS: I think -- is he on  
23 his way, Mr. Larson?

24  
25 MR. LARSON: Mr. Chairman. Tim was  
26 delayed yesterday because of weather. There was no  
27 flights into Haines yesterday. And he should be just  
28 now landing in Juneau. He's scheduled to come down on  
29 Flight 62, so he'll be here this afternoon.

30  
31 CHAIRMAN ADAMS: Thank you, Mr. Larson.  
32 Proceed.

33  
34 MR. KITKA: Frank Wright.

35  
36 MR. WRIGHT: Here.

37  
38 MR. KITKA: Patricia Phillips.

39  
40 MS. PHILLIPS: Here.

41  
42 MR. KITKA: Michael Douville.

43  
44 MR. DOUVILLE: Here.

45  
46 MR. KITKA: Harvey Kitka's here.  
47 Bertrand Adams.

48  
49 CHAIRMAN ADAMS: Here.

50

1 MR. KITKA: Floyd Kookesh.  
2  
3 MR. KOOKESH: Here.  
4  
5 MR. KITKA: Donald Hernandez.  
6  
7 MR. HERNANDEZ: Here.  
8  
9 MR. KITKA: Aaron Isaacs.  
10  
11 MR. ISAACS: Here.  
12  
13 MR. KITKA: John Yeager.  
14  
15 MR. YEAGER: Here.  
16  
17 MR. KITKA: Michael Bangs.  
18  
19 MR. BANGS: Here.  
20  
21 MR. KITKA: And Cathy Needham.  
22  
23 MS. NEEDHAM: Here.  
24  
25 CHAIRMAN ADAMS: Okay. We do have a  
26 quorum.  
27  
28 MR. LARSON: Mr. Chair. There's Ken  
29 Jackson, Jr. -- or Ken Jackson, Sr. And I spoke him  
30 just a few minutes ago. And he was -- there was also  
31 -- he lives in Kake. And there was no flights into  
32 Kake yesterday either. He should be on an airplane.  
33 He's scheduled to take off right after 9:00 o'clock.  
34 And he will be here sometimes this afternoon, probably  
35 not in time for this meeting, but in time for the  
36 meeting tomorrow.  
37  
38 CHAIRMAN ADAMS: He won't be making  
39 that Flight 62 this afternoon either, or is that.....  
40  
41 MR. LARSON: Mr. Chair. I think he  
42 will miss Flight 62, but he'll be on 64 which arrives  
43 in Ketchikan at 5:05.  
44  
45 CHAIRMAN ADAMS: Thank you, Mr. Larson.  
46  
47  
48 So now we will go through welcome and  
49 introductions. I personally want to welcome the new  
50 Council members, Mr. Aaron Isaacs, an old Mt. Edgecumbe

1 classmate of mine. It's good to see you.

2

3 But just so that you will get the flow  
4 and, you know, protocol of this part of the agenda,  
5 we'll start with the introductions from this end of  
6 this table, please. Mr. Yeager, please.

7

8 MR. YEAGER: I'm John Yeager from  
9 Wrangell.

10

11 MS. PHILLIPS: Good morning. I'm  
12 Patricia Phillips from Pelican.

13

14 MR. DOUVILLE: Good morning. I'm Mike  
15 Douville from Craig.

16

17 MR. KITKA: Good morning. My name is  
18 Harvey Kitka, and I'm from Sitka, Alaska.

19

20 MR. BANGS: Good morning. I'm Mike  
21 Bangs from Petersburg.

22

23 CHAIRMAN ADAMS: And I'm Bert Adams,  
24 Sr. from Yakutat.

25

26 MR. LARSON: And I'm Robert Larson.  
27 I'm the Council's coordinator. And I apologize that  
28 somehow between Petersburg and Ketchikan we've lost the  
29 name tags for Mr. Douville and Mr. Kookesh, but I'll  
30 fix that in a few minutes.

31

32 Thank you.

33

34 MR. KOOKESH: Floyd Kookesh, Angoon.

35

36 MR. HERNANDEZ: Don Hernandez from  
37 Point Baker.

38

39 MR. WRIGHT: Frank Wright from Hoonah.

40

41 MS. NEEDHAM: Cathy Needham from  
42 Juneau.

43

44 MR. ISAACS: Aaron Isaacs, Klawock.

45

46 CHAIRMAN ADAMS: Okay. Thank you. We  
47 will start with the Staff. We don't have very much of  
48 an audience here today, do we.

49

50 Why don't we go ahead and have

1 introductions from the Staff of the Federal Government.  
2 We'll start with Robert.

3

4 MR. LARSON: Thank you, Mr. Chair. My  
5 name is Robert Larson. I live in Petersburg. I work  
6 for the Forest Service.

7

8 One of my primary duties is the  
9 Council's coordinator. I do that through the Office of  
10 Subsistence Management. They coordinate activities for  
11 all 10 Advisory Councils.

12

13 CHAIRMAN ADAMS: Okay. Jack, would  
14 you, please.

15

16 MR. LORRIGAN: Good morning, Mr.  
17 Chairman. My name is Jack Lorrigan. I'm the Native  
18 liaison for Office of Subsistence Management. I'm the  
19 leadership team lead here today.

20

21 CHAIRMAN ADAMS: Thank you.

22

23 MR. KRON: Tom Kron from OSM. It's  
24 good to see you again.

25

26 CHAIRMAN ADAMS: Thank you, Tom.

27

28 MS. PETRIVELLI: I'm Pat Petrivelli,  
29 and I'm the BIA anthropologist. And I work out of  
30 Anchorage.

31

32 MR. KESSLER: Steve Kessler. I'm with  
33 U.S. Forest Service. I represent the Forest Service on  
34 the InterAgency Staff Committee.

35

36 DR. CHEN: Hello, Council members. My  
37 name's Glenn Chen. I'm the Subsistence Branch chief  
38 with Bureau of Indian Affairs.

39

40 MR. KOEHLER: Good morning to the  
41 Council. My name's Justin Koehler. I'm a subsistence  
42 biologist and an RFMP project leader in Sitka, Alaska.

43

44 MR. SUMINSKI: Good morning, Council.  
45 I'm Terry Suminski with the Forest Service in Sitka and  
46 the subsistence program leader for the Tongass National  
47 Forest.

48

49 MR. CASIPIT: Cal Casipit. I'm the  
50 subsistence staff biologist for the Forest Service in

1 Juneau.

2

3 MR. REEVES: Good morning. I'm Jeff  
4 Reeves, biologist for the Ketchikan Ranger District,  
5 Forest Service.

6

7 CHAIRMAN ADAMS: Okay. Then we have a  
8 couple former Council members. Would you please  
9 introduce yourselves, please.

10

11 MS. HAWKINS: Merle Hawkins, Ketchikan,  
12 Alaska. Welcome.

13

14 CHAIRMAN ADAMS: Thank you, Merle.

15

16 MR. WALLACE: Lee Wallace from Saxman.  
17 Thank you.

18

19 CHAIRMAN ADAMS: Thank you, Lee. Mr.  
20 Montieth.

21

22 DR. MONTIETH: Yeah. Daniel Montieth,  
23 University of Alaska.

24

25 CHAIRMAN ADAMS: Thank you. Okay.  
26 Hopefully we'll get a bigger crowd here as the day goes  
27 on. But now we will continue on with the agenda.

28

29 The next thing is Item No. 4, to review  
30 and adopt the agenda. Is there anything that you need  
31 to, you know, add, subtract or adjust on the agenda.

32

33 We need -- as always, we adopt the  
34 agenda as a guide, Aaron, just so that in case, you  
35 know, we need to move things around, we don't get  
36 bogged down, you know, through the agenda. So we adopt  
37 it as a guide, and we would like to continue that  
38 process now.

39

40 Harvey.

41

42 MR. KITKA: Mr. Chair. I move to adopt  
43 the agenda as a guide.

44

45 CHAIRMAN ADAMS: Thank you. Do I hear  
46 a second.

47

48 MR. BANGS: Second.

49

50 CHAIRMAN ADAMS: Seconded by Mr. Bangs.

1 Thank you.  
2  
3 All right.  
4  
5 MS. PHILLIPS: Mr. Chair.  
6  
7 CHAIRMAN ADAMS: Patty. Go ahead,  
8 Patty.  
9  
10 MS. PHILLIPS: Is the Tongass five-year  
11 review on the agenda.  
12  
13 CHAIRMAN ADAMS: I didn't see it on  
14 there. Is it on there? I sent through it and I didn't  
15 see it.  
16  
17 MS. PHILLIPS: I think there was a  
18 request to have it on the agenda.  
19  
20 CHAIRMAN ADAMS: Yes, there was. Go  
21 ahead.  
22  
23 MR. LARSON: Mr. Chair. It would be  
24 appropriate to have the Tongass five-year review under  
25 Item.....  
26  
27 CHAIRMAN ADAMS: 12.B.  
28  
29 MR. LARSON: Is it 12.B, with the  
30 Forest Service agency report.  
31  
32 CHAIRMAN ADAMS: Yeah, there it is.  
33  
34 MR. LARSON: Yeah. So the Forest  
35 Service agency report is now scheduled to be given by a  
36 fellow named Ted Shank. He is the staff officer for  
37 planning on the Tongass National Forest. He will talk  
38 about the schedule and proposed actions, and he is also  
39 the one that's in charge of the Tongass National Forest  
40 five-year review and can speak to that during that  
41 time.  
42  
43 CHAIRMAN ADAMS: Thank you.  
44  
45 MS. PHILLIPS: Mr. Chair.  
46  
47 CHAIRMAN ADAMS: Yes, Patty, go ahead.  
48  
49 MS. PHILLIPS: Might it be appropriate  
50 to form a committee to put together comments from the

1 RAC.

2

3 CHAIRMAN ADAMS: Sure. Uh-huh. You  
4 want to head the committee?

5

6 (Laughter)

7

8 CHAIRMAN ADAMS: It's your idea.

9

10 MR. LARSON: Mr. Chair. There is one  
11 other item I think requires some action by the Council  
12 is that the environmental group that's going to talk  
13 about the extended jurisdiction petition, they would  
14 like to do that time certain tomorrow morning at 9:00.  
15 So I would suggest that we adjust the agenda  
16 accordingly to have a time certain presentation on the  
17 extended jurisdiction petition at 9:00 o'clock  
18 tomorrow.

19

20 CHAIRMAN ADAMS: Okay. I was made  
21 aware of that earlier by Mr. Kessler I believe. So  
22 that's what will happen. I have this noted up here,  
23 too, the territorial jurisdiction will be taken up at  
24 9:00 a.m. tomorrow, so put that on your behind-the-  
25 burners thoughts here. 9:00 a.m.

26

27 Anything else. Do you want a committee  
28 to go over the five-year review, Patty. And would you  
29 like to head it.

30

31 MS. PHILLIPS: I'm curious to know how  
32 the rest of the Council would feel about a committee.

33

34 CHAIRMAN ADAMS: How does the Council  
35 feel about a committee. Maybe just two or three people  
36 to do that. Don.

37

38 MR. HERNANDEZ: Yes, Mr. Chairman. I  
39 guess I was thinking the same thing. It would be a  
40 good idea to put together some kind of a small  
41 committee to come up with some topics I guess that we  
42 might want to discuss as far as that goes. And I guess  
43 my question would be if it would be a good idea to form  
44 the committee before the presentation so we can kind of  
45 get some ideas together, or should we wait until after  
46 the presentation. That would be my only question.

47

48 CHAIRMAN ADAMS: What's your reason for  
49 having it after the presentation?

50

1 MR. HERNANDEZ: I guess, you know,  
2 whether we want to hear the presentation and then, you  
3 know, discuss it as a committee, or, you know,  
4 formulate some topics I guess to ask during the  
5 presentation. I guess that would be the two questions.

6  
7 CHAIRMAN ADAMS: I hear you. Mr.  
8 Kookesh.

9  
10 MR. HERNANDEZ: I would also volunteer  
11 to be on the subcommittee.

12  
13 CHAIRMAN ADAMS: Okay.

14  
15 MR. KOOKESH: It would seem appropriate  
16 that the Chairman would ask what is the wish of the  
17 Council. That is what the role of the Chairman is.

18  
19 Thank you.

20  
21 CHAIRMAN ADAMS: And we're going  
22 through that right now.

23  
24 So you would be willing to serve on the  
25 committee.

26  
27 MR. HERNANDEZ: (Nods affirmatively)

28  
29 CHAIRMAN ADAMS: Anyone else. You?  
30 Would you like to be on it?

31  
32 MR. BANGS: Thank you, Mr. Chairman.  
33 Yes, I would volunteer to be on it. And maybe it would  
34 be maybe more appropriate to come up with topics to ask  
35 at the presentation, and then follow up with comments  
36 after. The committee could meet before and after.

37  
38 CHAIRMAN ADAMS: Okay. Patty.

39  
40 MS. PHILLIPS: Mr. Chair. I would  
41 like to serve on the committee, and at your request I  
42 will serve as the Chair.

43  
44 CHAIRMAN ADAMS: Thank you. So done.  
45 Okay. That's enough for now. Okay. Just a small  
46 committee. All right. Okay. Enough on that.

47  
48 The agenda, we've got it adjusted and  
49 committees formed and so forth. Do you want to move  
50 on? Ready to move on.

1 (Nods affirmatively)  
2  
3 CHAIRMAN ADAMS: Okay. The next is the  
4 election of the officers, so we'll turn this over to  
5 Mr. Larson for that.  
6  
7 MS. PHILLIPS: Mr. Chair.  
8  
9 CHAIRMAN ADAMS: Yes, ma'am.  
10  
11 MS. PHILLIPS: Did we vote on the  
12 agenda.  
13  
14 CHAIRMAN ADAMS: No, we didn't. I'm  
15 sorry. Could I have a call for the question.  
16  
17 MS. PHILLIPS: Call for the question.  
18  
19 CHAIRMAN ADAMS: All right. All in  
20 favor of this motion please signify by saying aye.  
21  
22 IN UNISON: Aye.  
23  
24 CHAIRMAN ADAMS: Opposed nay.  
25  
26 (No opposing votes)  
27  
28 CHAIRMAN ADAMS: Motion is carried.  
29 Thank you.  
30  
31 Now then we'll turn the time over to  
32 Mr. Larson for the election of the Chair.  
33  
34 MR. LARSON: Thank you, Mr. Chair. One  
35 little question before we move on. So I want to be  
36 clear who the members of the work group are.  
37  
38 CHAIRMAN ADAMS: We've got Patty as the  
39 chairman, Mr. Hernandez as a member, and Mr. Bangs.  
40  
41 MR. LARSON: Thank you. At this time  
42 we have our annual election of officers. And the first  
43 item of business is the Chair. Once we have the Chair  
44 elected, then the Chair will preside over election of  
45 the vice chair and the secretary.  
46  
47 I would open the floor now for  
48 nominations to be Chair. Mr. Banks.  
49  
50 MR. BANGS: Thank you, Mr. Larson. I

1 nominate Mr. Bertrand Adams for Chairman.  
2  
3 MR. LARSON: Is there a second.  
4  
5 MR. DOUVILLE: Second.  
6  
7 MR. LARSON: We have Bert who's been  
8 nominated. Are there any other nominations.  
9  
10 MS. PHILLIPS: Move to close  
11 nominations.  
12  
13 MR. BANGS: Second.  
14  
15 MR. LARSON: Is there anybody that  
16 would want to have further discussion.  
17  
18 (No comments)  
19  
20 MR. LARSON: Well, close nominations.  
21 And since there's only one nominee, then I think it  
22 would be -- is there any objection to having Bert serve  
23 as our -- I don't think we need a roll call vote for  
24 this. Is there any objection to having Bert serve.  
25  
26 (No objections)  
27  
28 MR. LARSON: Hearing none,  
29 congratulations, Bert.  
30  
31 CHAIRMAN ADAMS: Thank you. Let me go  
32 back to the process -- or the appropriate way to have  
33 handled the nominations is to take nominations and then  
34 once all the nominations are completed then you close  
35 it and then there goes a vote.  
36  
37 But thank you for the chance to serve  
38 as your chairman once again. And it's been a pleasure  
39 doing that. And I hope to continue to serve you well.  
40 You have been great leaders in this effort to further  
41 subsistence issues in Southeast Alaska. And the work  
42 that you do here helps me to become a better person  
43 when I go to places like the Federal Subsistence Board  
44 and represent Southeast Alaska, you know, on these  
45 issues. And it all comes from the members of this  
46 Council. And I really appreciate that.  
47  
48 Okay. Let's open the nominations for a  
49 vice chair at this time. Mr. Douville.  
50

1 MR. DOUVILLE: Chairman Adams. I  
2 nominate Mike Bangs.  
3  
4 CHAIRMAN ADAMS: Thank you, sir.  
5  
6 MR. HERNANDEZ: Second.  
7  
8 CHAIRMAN ADAMS: We don't need a  
9 second. We take more nominations. Okay. Any other  
10 nominations.  
11  
12 (No comments)  
13  
14 MS. PHILLIPS: Mr. Chair.  
15  
16 CHAIRMAN ADAMS: Okay. Mr. Phillips.  
17  
18 (Laughter)  
19  
20 CHAIRMAN ADAMS: Ms. Phillips.  
21  
22 MS. PHILLIPS: I move to close  
23 nominations. Mr. Chair. And according to our little  
24 booklet here, it says that the motion to close, if it's  
25 seconded, requires a two-third's vote.  
26  
27 CHAIRMAN ADAMS: Yeah.  
28  
29 MS. PHILLIPS: And we didn't have a  
30 two-thirds vote when we closed nominations for the  
31 Chair.  
32  
33 CHAIRMAN ADAMS: Okay. You moved to  
34 close nominations.  
35 We do need a second. Mr. Bangs.  
36  
37 MR. YEAGER: I'll second it.  
38  
39 CHAIRMAN ADAMS: Okay. All right. And  
40 then we go and vote. All in favor of the motion please  
41 signify by saying -- should it be on a roll call vote?  
42 Okay. If it looks like we're going to have to vote  
43 again, we'll go ahead and do roll call. But all in  
44 favor please say aye.  
45  
46 IN UNISON: Aye.  
47  
48 CHAIRMAN ADAMS: Opposed nay.  
49  
50 (No opposing votes)

1 CHAIRMAN ADAMS: It looks like it's  
2 unanimous.  
3  
4 Thank you, Mr. Bangs, for accepting the  
5 position as vice chair. And I have to say you've done  
6 a great job.  
7  
8 MR. BANGS: Thank you, Mr. Chairman.  
9  
10 CHAIRMAN ADAMS: Uh-huh. Okay. The  
11 next one is to nominate the secretary. Any nominations  
12 for the secretary. Mr. Bangs.  
13  
14 MR. BANGS: Thank you, Mr. Chairman. I  
15 nominate Harvey Kitka as secretary.  
16  
17 CHAIRMAN ADAMS: Thank you. Any more  
18 nominations.  
19  
20 (No comments)  
21  
22 MS. PHILLIPS: Mr. Chair.  
23  
24 CHAIRMAN ADAMS: Patty.  
25  
26 MS. PHILLIPS: Thank you, Mr. Chair. I  
27 move to close nominations for the secretary.  
28  
29 CHAIRMAN ADAMS: Thank you. That  
30 requires a second.  
31  
32 MR. BANGS: Second.  
33  
34 CHAIRMAN ADAMS: It's moved and  
35 seconded to close nominations. All in favor please say  
36 aye.  
37  
38 IN UNISON: Aye.  
39  
40 CHAIRMAN ADAMS: Opposed same sign.  
41  
42 (No opposing votes)  
43  
44 CHAIRMAN ADAMS: Motion carries.  
45 Congratulations, Harvey.  
46  
47 The next thing is to review and approve  
48 the previous meeting minutes. So that's found on Page  
49 4.  
50

1                   Does the Council feel that they need a  
2 few minutes to go through the minutes, and just taking  
3 an at ease for now, and then we'll come back to order  
4 in about five minutes. Okay. So we'll do that. Just  
5 a five-minute recess here.

6  
7                   (Pause)

8  
9                   CHAIRMAN ADAMS: Everyone please take  
10 their seat and get started again.

11  
12                   Thank you. We're still on the  
13 minutes. It took almost nine minutes of break here  
14 when I said five.

15  
16                   But anyhow I noticed some new people  
17 come in the room. We'll give you an opportunity to  
18 introduce yourselves, but I also want to know if  
19 there's anyone on line at this time to recognize. So  
20 if there is, would you please let us know who you are  
21 and where you're from.

22  
23                   MR. SHARP: Dan Sharp with Bureau of  
24 Land Management in Anchorage.

25  
26                   CHAIRMAN ADAMS: Okay. Thank you.  
27 Anyone else.

28  
29                   MR. EVANS: This Tom Evans with OSM.

30  
31                   CHAIRMAN ADAMS: Say it again.

32  
33                   MR. EVANS: This is Tom Evans with OSM.

34  
35                   CHAIRMAN ADAMS: Okay. Thank, you.

36  
37                   MS. KENNER: This is Pippa Kenner,  
38 anthropologist at OSM in Anchorage,

39  
40                   CHAIRMAN ADAMS: Okay.

41  
42                   MS. DEMMERT: This is Victoria Demmert  
43 with Yakutat Tlingit Tribe in Yakutat.

44  
45                   CHAIRMAN ADAMS: Welcome, Victoria.

46  
47                   MS. DEMMERT: Thank you.

48  
49                   CHAIRMAN ADAMS: Anyone else.

50

1 (No comments)

2

3 CHAIRMAN ADAMS: Okay. Thank you. And  
4 then we saw some new people come in. I'd like to  
5 recognize you at this time. The young lady in the  
6 middle of the seat there, would you like to let us know  
7 who you are?

8

9 MS. DUNDAS: Irene Dundas, KIC Tribal  
10 President.

11

12 CHAIRMAN ADAMS: Welcome, Irene. Thank  
13 you. And then anyone else out there.

14

15 MR. DEFRIEST: I'm Jeff Defriest, the  
16 district ranger for Ketchikan District Office.

17

18 CHAIRMAN ADAMS: Welcome. And the  
19 young man right behind you.

20

21 (Laughter)

22

23 MR. LEIGHTON: Ron Leighton with the  
24 Organized Village of Kasaan.

25

26 CHAIRMAN ADAMS: Welcome, Ron. It's  
27 good to see you again. Who's the guy beside you.

28

29 MR. LAGER: I'm Biller Lager (ph). I'm  
30 a local.

31

32 CHAIRMAN ADAMS: Well, good. Welcome.  
33 Anyone else. Gunalcheesh. Gunalcheesh.

34

35 Okay. We're back to the minutes. If  
36 there's anything in the minutes that you would like to  
37 address, we can do that at this time.

38

39 MR. LARSON: Mr. Chair.

40

41 CHAIRMAN ADAMS: Mr. Larson.

42

43 MR. LARSON: Mr. Chair. Since the time  
44 the book came out and now I've been aware of a few  
45 misspellings and some minor edits. I'm prepared to  
46 make those minor corrections on the official minutes.  
47 If there's any -- I welcome any other of those kind of  
48 corrections. I am not planning on making any major  
49 corrections, but if there's any Council members that  
50 see something, then we should talk about it. But there

1 is going to be just some minor corrections that I'm  
2 aware of that are going to be made, but they're not of  
3 any significance or substance.

4  
5 Thank you.

6  
7 CHAIRMAN ADAMS: Thank you, Robert.  
8 You run it through a spell check though, don't you?

9  
10 (Laughter)

11  
12 MR. LARSON: Yeah. It's not foolproof.

13  
14  
15 CHAIRMAN ADAMS: I know it. Okay.  
16 What's the wish of the Council on the minutes.

17  
18 MR. KITKA: Mr. Chair.

19  
20 CHAIRMAN ADAMS: Mr. Kitka, please.

21  
22 MR. KITKA: I move to adopt the  
23 minutes.

24  
25 CHAIRMAN ADAMS: Thank you. Do I hear  
26 a second.

27  
28 MR. BANGS: Second.

29  
30 CHAIRMAN ADAMS: Mr. Bangs seconded it.  
31 All in favor say yeah.

32  
33 IN UNISON: Aye.

34  
35 CHAIRMAN ADAMS: I said yeah.

36  
37 (Laughter)

38  
39 CHAIRMAN ADAMS: Opposed say nay.

40  
41 (No opposing votes)

42  
43 CHAIRMAN ADAMS: Motion carries. Thank  
44 you. Let's move on.

45  
46 Reports. This gives, you know, for  
47 your benefit.....

48  
49 MR. LARSON: Mr. Chair. The  
50 representatives from the Ketchikan Indian Association

1 and the Saxman Tribal Association and the U.S. Forest  
2 Service are here to provide us with welcoming  
3 statements.

4  
5 CHAIRMAN ADAMS: Okay. Let's take that  
6 now. Irene, right?

7  
8 MS. DUNDAS: That's correct. Do we  
9 turn this on or.....

10  
11 CHAIRMAN ADAMS: (In Tlingit)

12  
13 MS. DUNDAS: Okay. Good morning.  
14 Well, welcome to Ketchikan, and, well, welcome to  
15 Saxman. My name is Irene Dundas. I am the tribal  
16 council president for Ketchikan Indian Community, and  
17 welcome you here.

18  
19 It's been a privilege to have Merle  
20 Hawkins serve all these years, and I'm very saddened  
21 about her departure. And just to part -- you know,  
22 she's listed me as a reference, and I just want, you  
23 know, the due diligence that goes into serving on this  
24 Board, I was actually very impressed. They do follow  
25 up with phone calls. I did get a 15-minute interview  
26 about her credentials. And I'm saddened that she's  
27 gone, but I'm pretty sure Mr. Baines (ph) will pick up  
28 where she's left off.

29  
30 And Gunalcheesh. Thank you for coming  
31 to Ketchikan.

32  
33 CHAIRMAN ADAMS: Gunalcheesh. Anyone  
34 else. Lee, welcome.

35  
36 MR. WALLACE: Mr. Chair and Council.  
37 Yes, I'd like to definitely welcome you to our area of  
38 Ketchikan and Saxman.

39  
40 I just want to make note that Irene is  
41 originally from Saxman, so she's infiltrated KIC.  
42 Maybe KIC members may not enjoy that statement, but  
43 she's there, and we're very proud of that young woman.  
44 Up and coming. And she does a great job. This is her  
45 second term as tribal president for Ketchikan Indian  
46 Community.

47  
48 And I myself, I'm in my tenth term as  
49 tribal president. And what I want to say is that for  
50 the majority of that 10 years I've been dealing with

1 this issue of rural status for Saxman for more than  
2 half of that time. Now that kind of tells you  
3 something. Definitely I would much rather be in some  
4 other area with our tribal government right now, but  
5 definitely it's on our agenda every month, on our  
6 monthly council meeting.

7  
8 And I do want to thank the liaison for  
9 coming out to Saxman and making some phone calls. I  
10 think he reached Cape Fox Corporation first and talked  
11 to Dave Landis, their Ketchikan person. And then Dave  
12 called our office, and I wasn't in, but he talked to  
13 Winona, and said, hey, do you guys know about this  
14 meeting tomorrow? Definitely we knew about it. Like I  
15 say, it's on our agenda every month. And we're keeping  
16 on top of the different agenda items and definitely  
17 rural/ non-rural status definitely is top of our list  
18 always. And so hopefully when we go through this  
19 process, we'll definitely pray for justice and  
20 definitely a good change in how the FSB picks rural  
21 status.

22  
23 And definitely I want to thank this  
24 Council. You know, I had the opportunity to serve on  
25 your Council for a brief time, and definitely I know  
26 you're friends of rural, and definitely you've been  
27 behind Saxman throughout the years, you know, doing  
28 your annual letters. There was a couple of them that  
29 you guys supported us.

30  
31 And I think with the change in the  
32 makeup of the FSB, I've been encouraged the last two  
33 years. And so hopefully when we go through the process  
34 of rural determination I would hope that the change  
35 would be just and right.

36  
37 So I just want to welcome you guys to  
38 our area again. And again I know you guys have some  
39 productive meetings here. Gunalcheesh. (In Tlingit)  
40 Thank you for coming.

41  
42 CHAIRMAN ADAMS: Gunalcheesh. And,  
43 Lee, just continue to be diligent in your effort, you  
44 know, to talk on behalf of Saxman and, of course,  
45 Ketchikan as well, for your quest to be recognized as a  
46 rural community. And I think there's a great chance  
47 that that can happen.

48  
49 My feeling is this. If you can  
50 separate Saxman from Ketchikan, you know, Saxman will

1 automatically become rural. I think even Ketchikan has  
2 a pretty good chance of achieving that status, too,  
3 but, you know, just don't give up.

4

5                   And I think, you know, the time that  
6 you served on this Council has been really rewarding;  
7 however, I think you were most effective when you got  
8 on teleconference and to the Federal Subsistence Board.  
9 I was there at the time. And it really had a  
10 tremendous affect on them, and so their eyes are being  
11 opened. So keep on going and good luck. Gunalcheesh.

12

13                   MR. WALLACE: Thank you, Bert.

14

15                   CHAIRMAN ADAMS: We've got someone from  
16 the Forest Service.

17

18                   MR. DEFRIEST: (Indiscernible -  
19 microphone off)

20

21                   CHAIRMAN ADAMS: Would you turn on that  
22 mic for us, please. Yeah.

23

24                   MR. DEFRIEST: I'm sorry. I didn't  
25 realize it was turned off.

26

27                   Anyway, I'm Jeff Defriest. I'm the  
28 district ranger for Ketchikan and Misty Fjords National  
29 Monument.

30

31                   And I want to welcome you to Ketchikan,  
32 and I appreciate your guys' efforts for what you're  
33 doing on the Council as well as when you're serving to  
34 -- you know, the travel and the personal time you're  
35 having to commit to it.

36

37                   Ketchikan District is, you know, I  
38 think it's the second largest district in the United  
39 States in the ranger district system, or in the Forest  
40 Service system. And it's comprised of a national  
41 monument, it's about 2.2 million acres of wilderness  
42 and national monument. And then the rest of the  
43 district, about a million acres is a multiple use  
44 district that, you know, is composed of everything  
45 from, you know, activities of recreation to hunting,  
46 fishing, logging, mining operations, exploration. And  
47 like I said, I'll reemphasize recreation. But with all  
48 that in mind, it's got a multiple use that we don't see  
49 in a lot of ranger districts down south.

50

1                   You know, having a subsistence use here  
2 and subsistence communities, it's rally an interesting  
3 challenge for me. And as the in-season manager, it's  
4 an additional thing I've had to learn and work with.

5  
6                   The interesting learning experience for  
7 me has been, you know, coming to Alaska region about  
8 10, 12 years ago, in 2001, and then, you know, being  
9 here in Ketchikan for the last three years. And I've  
10 also had the chance to serve in other communities like  
11 Thorne Bay, and I worked on Admiralty Island for a  
12 while as well.

13  
14                   So I appreciate the opportunity to be  
15 here and hear you guys and what's on your plate.

16  
17                   And with that, I'll say gunalcheesh.

18  
19                   CHAIRMAN ADAMS: Gunalcheesh, Jeff.

20  
21                   Okay. We can move on now. Any other.  
22 Okay. No tribal leaders or other government people.

23  
24                   (No comments)

25  
26                   CHAIRMAN ADAMS: Okay. Let's move on.  
27 Let's go on to Item No. 7, reports. And again, Aaron,  
28 I'm going to start on this end for the reports to take  
29 place so you'll get an idea of, you know, what you  
30 might say when it comes your turn. What it is, it's  
31 just, you know, issues that might come out of your area  
32 where you live and so forth. And, you know, you can  
33 share those with us.

34  
35                   So, John, we'll get you started again  
36 to help Aaron understand what we're doing. Okay.

37  
38                   MR. YEAGER: Thank you, Mr. Chair.  
39 Good morning.

40  
41                   I think like other places, certainly  
42 Wrangell, spring has sprung. Everybody's moving  
43 around. Lots of boat preparations are taking place.  
44 We had enjoyed our somewhat mild winter.

45  
46                   And right now the Stikine's falling at  
47 a pretty good rate, and we're basically waiting for the  
48 eulachon to show up. We've got plenty of eagles and  
49 sea lions around right now. But there's a lot of  
50 activity going on.

1                   One area of concern that's becoming  
2 more prevalent amongst the Community of Wrangell is  
3 the concern for mining that's taking place on the  
4 Stikine, on the Upper Stikine there. So something that  
5 I'd like to see maybe addressed at some point later.  
6 I'm doing my best to collect information from those in  
7 Wrangell, and I'll bring it to the Council members'  
8 attention as I get that.

9  
10                   Thank you.

11  
12                   CHAIRMAN ADAMS: Thank you, Mr. Yeager.  
13 Patty.

14  
15                   MS. PHILLIPS: Thank you, Mr. Chair.

16  
17                   Pelican's report is we've had a fairly  
18 mild winter. It started out cold with a lot of snow.  
19 And so that brought the deer down. And our local  
20 hunters were able to get deer in the beach fringe  
21 fairly early, or in November, you know, end of October,  
22 November. But what we've had is snow, rain, freeze,  
23 snow, rain, freeze, and a lot of times the snow goes  
24 away down at the sea level area within the beach  
25 fringe.

26  
27                   And I think we're going to have a good  
28 rebuilding of the deer populations. In the past  
29 several years we've had such heavy snows that when you  
30 go out and you count deer, you can count actually how  
31 many deer there are. And when we've gone out in our  
32 skiff recently, you know, I've counted 20 deer where in  
33 the past I might have seen 80 or 130, you know, but I'm  
34 not seeing deer, because they're in the woods. They're  
35 not struggling to feed themselves down on the beach.

36  
37                   We have had freezes that put skim ice  
38 on the Inlet and if you go further up the Inlet to  
39 where the river is, then you'll meet the ice. And you  
40 get the sea otters that are living on the ice further  
41 up, and they stay up there pretty much. And then when  
42 the ice goes out, then all of a sudden we have this  
43 population of sea otters that are eating all the  
44 shellfish.

45  
46                   But also we have a really great  
47 overwintering population of birds on the Inlet.  
48 Seabirds. And, you know, we're seeing the herring in  
49 the Inlet.

50

1                   As far as meeting our subsistence  
2 salmon needs, you know, there's competition out there  
3 with the sport and then with the commercial guys as  
4 well. Not so much in the streams themselves, but the  
5 numbers that we've gotten traditionally aren't there.

6  
7                   So that's my report. Thank you.

8  
9                   CHAIRMAN ADAMS: Thank you, Patty. Mr.  
10 Douville.

11  
12                  MR. DOUVILLE: Thank you, Chairman  
13 Adams.

14  
15                  We have the usual problems I mentioned  
16 last year of otter. We still have a lot of otter.  
17 It's unclear whether the Fish and Wildlife Service's  
18 new explanation of their rules is going to help us. I  
19 don't think so.

20  
21                  The tribe is concerned about fish eggs.  
22 We haven't seen very good fish eggs the last few years.  
23 It doesn't spawn on fish egg any more, which it never  
24 failed in anybody's memory before.

25  
26                  But we have a different biologist that  
27 looks at our eggs as opposed to one in Hoonah Sound.  
28 And they actually do a survey there. And I don't  
29 believe they do that in Craig.

30  
31                  But anyway, everybody's Gearing up for  
32 the pound fishery, and I think the stock is getting  
33 smaller and many other people do, too.

34  
35                  There is one thing that the tribe is  
36 concerned about here, is that there's been a lot of  
37 road closures and it has the effect of compressing deer  
38 hunters, because it's such easy access to the elms (ph)  
39 through IFA. We have during the rutting times a lot of  
40 competition. And the tribes are concerned about it.  
41 They're not saying they're getting their deer. What  
42 they're saying is they're facing heavy competition.  
43 And it's an issue, and they were trying to figure out  
44 how they could deal with it. My suggestion to them was  
45 to submit a proposal.

46  
47                  That's my report.

48  
49                  CHAIRMAN ADAMS: Thank you, Mike.

50

1 Mr. Kitka.

2

3 MR. KITKA: Thank you, Mr. Chair.

4

5 In Sitka we have some things that are  
6 kind of troubling.

7

8 But first of all, I'd like to thank the  
9 Council and all that attended my Dad's (In Tlingit)  
10 this last year. It made it kind of fun, and I hope you  
11 guys enjoyed it.

12

13 We do have some problems with the sea  
14 otter, and the things that are written in it. And I  
15 mentioned to them that the enforcement in the different  
16 enforcement agencies have their own interpretations of  
17 it. We have the same problem on the other side.  
18 You've got hunters that are not artists, but they hunt  
19 and be able to get these sea otter. And you've artists  
20 that are not hunters that have to get somebody to hunt  
21 for them.

22

23 Now, you run into different  
24 interpretations of a significantly altered at that  
25 point of view. From a hunter's perspective once you  
26 kill it, it's significantly altered. From an artist's  
27 point of view, it's a little different.

28

29 So this is just one of the concerns  
30 with the sea otter, as well as being able to move it  
31 along to make it easier for us to hunt and transport  
32 it, because once they put the regulations out there, it  
33 makes it really difficult for the people to go out and  
34 get it, because it is very expensive. Very expensive  
35 to go do, to get them tanned, and do all this other  
36 stuff that comes with it. And running in to all these  
37 regulations, that kind of puts stops to it all. And  
38 then there's an awful lot of hunters that won't do it,  
39 because of that. It's just too expensive and too much  
40 heartache and headache for, and especially when Fish  
41 and Game is coming down on their backs all the time.

42

43 The other part was, other than sea  
44 otter, is the herring issue. Last year the Fish and  
45 Game over-estimated the amount of herring that was out  
46 there. It's really a sad thing, because they start  
47 counting the herring that had already spawned out, and  
48 moved out, and they had no way of knowing that these  
49 herring had already spawned. I was quite concerned  
50 that -- the spawned out herring looked different than

1 the ones that are going to spawn, but they don't -- I  
2 don't think they get out there in time to see the  
3 difference in how it looks.

4  
5 Our concern is that they over-harvested  
6 last year, and when I was out there a couple weeks ago,  
7 it looked the body, the main body of herring that  
8 usually come in to spawn is not there any more. It  
9 used to be from a rock about six miles out all the way  
10 into town used to be a big solid mass of herring. And  
11 this year there's just a little spot and a little spot  
12 there. And most of them are two-year-old herring,  
13 which are not going to spawn. We feel that there's a  
14 tremendous conservation concern here.

15  
16 I'm really sorry I didn't make the  
17 meeting last year for during this time, because I went  
18 to the Board of Fish -- or the Federal Board and made a  
19 testimony. And I told them that from Ketchikan to the  
20 west end of Chichigof Island, the herring used to spawn  
21 in a two-week time period. And it would start kind of  
22 in the Ketchikan area, and by the end of the two weeks,  
23 they'd be all the way up to the west coast of Chichigof  
24 Island. And we're talking thousands of miles of beach  
25 front where the herring spawned. And now you're  
26 talking in small areas of less than 50 miles in some  
27 places. In some places not even that much. When you  
28 start looking it at that context, you're starting to  
29 look at what is of tremendous conservation concern.

30  
31 The whale population is increasing.  
32 The sea lions are increasing. And management for the  
33 herring is done all in hindsight. They don't have any  
34 idea how many herring are left out there. They're  
35 going from the year before's reports on the density of  
36 the eggs, but they have no idea what the survival rate  
37 is. You know, they guess. And they guessed -- last  
38 year they figured it was going to be 70 some percent,  
39 and it actually amounted to probably less than that,  
40 probably less than 30 percent survival rate. So we  
41 know they're guessing. We know that it's all hindsight  
42 that they're working from. But this is of grave  
43 concern to our community.

44  
45 We found in the reports that in the  
46 Sitka area one of the documentary reports said that  
47 pretty near 40 percent of our food is herring and  
48 related to it. So this is a concern. It's a very big  
49 concern.

50

1 I went to the Board of Game meeting  
2 last year at the State. And I went there basically to  
3 see what's going on. And they had a proposal in there  
4 to just off the hunters from shooting goat if they  
5 shoot a nanny goat one year. If they shot a nanny  
6 goat, then they wouldn't be able to hunt for five  
7 years. So I got up and testified against that. And  
8 they didn't shoot it down.

9  
10 We have to be so alert to what's going  
11 on within our communities.

12  
13 Another concern which might affect all  
14 of Southeast is the House bill that the Governor put in  
15 which had to do with tourist ships and their sewage and  
16 the brown water and gray water thing. Our concern in  
17 the Sitka area is that we've got seas all the way up  
18 and down the coast, besides the shelters and other  
19 stuff. It's scary when they start talking about  
20 allowing them to dump their waters and things in some  
21 of these places. I would really like to see the people  
22 get out and start looking into some of this stuff,  
23 because I know all the communities, the Native  
24 communities especially, do subsist off the tides and  
25 the waters and things.

26  
27 And then we had one other little  
28 concern, and that was, it might come up later and we'll  
29 probably talk about it and that, consultation. So I'll  
30 leave that until later on.

31  
32 Thank you.

33  
34 CHAIRMAN ADAMS: Thank you, Mr. Kitka.

35  
36 I'm wondering since the microphones,  
37 you know, are kind of far away from us, can you hear  
38 okay in the back?

39  
40 REPORTER: (Nods affirmatively)

41  
42 CHAIRMAN ADAMS: How about the people  
43 on line, are you hearing us well enough?

44  
45 (No audible answer)

46  
47 CHAIRMAN ADAMS: Okay. I just wanted  
48 to check on that. Sometimes, you know, they ask us to  
49 bring the microphone a lot closer, but I think we're  
50 okay.

1 Mr. Bangs.

2

3 MR. BANGS: Thank you, Mr. Chairman.

4

5 Since we met last fall in Sitka, it was  
6 the beginning of the deer season, and those that could  
7 afford to travel as most of the hunters normally  
8 travelled over to Admiralty to hunt. They were very  
9 successful. It was a mild winter, but we did have some  
10 early snows, and the deer hunting was exceptional. The  
11 population over there has really rebounded from those  
12 heavy snows of a few years ago.

13

14 But the concerns around town, the  
15 people that couldn't afford to, were trying to hunt  
16 closure to the adjacent areas around Petersburg. And  
17 the concern now is there's some Forest Service sales  
18 that have been going on for timber on Lindenberg  
19 Peninsula and on Mitkof, and there's some of the  
20 critical winter habitat that's being cut or proposed to  
21 be cut. And what's happened as a result of some  
22 changes in the dynamics of the forest, the wolf  
23 population has escalated to a point where the State is  
24 trying to implement a wolf control test area in that  
25 area right across from the community. Because everyone  
26 was really having a tough time finding any deer. You  
27 know, spend three days and run across a couple sets of  
28 tracks.

29

30 So that's a real big concern as to what  
31 we're going to do about trying to control the predator,  
32 but yet that's kind of a bandaid of what the problem  
33 is, is when you remove the winter habitat, we all know  
34 it kind of condenses and makes it easier for the  
35 wolves. And so that's kind of a concern. We're not  
36 sure what's going to happen with this wolf control  
37 projects that are going. I think there's going to be  
38 one right over here on Green Island. And I think Mr.  
39 Douville one on Cleveland Peninsula. But we're meeting  
40 a lot of opposition from Defenders of Wildlife and  
41 different organizations around the country as they, you  
42 know, want their say in what we do with trying to  
43 manage for our mess-ups I guess.

44

45 Anyway, that's kind of a big concern as  
46 to what's going to happen with the deer population.

47

48 And there is a concern about the  
49 subsistence fishery of sockeye on the Stikine, and that  
50 is a result of the -- well, we sent -- I think Mr.

1 Yeager went to the meeting, and there's a could other  
2 people from Staff that went there to the Trans-Boundary  
3 Commission, and they ran into opposition from both  
4 sides of increasing the catch limit that we had put in  
5 place that we've been going over every year in our  
6 subsistence fishery. So that's a concern that a lot of  
7 the nets from what I hear, and I haven't participated  
8 in the fishery, but the concern is there's a lot of  
9 subsistence nets that are left unattended. And I don't  
10 know if it's a widespread thing, but when the nets are  
11 hauled, there's a lot of heads left from seal take.  
12 They're just trying to figure out how we can better  
13 manage that fishery. And I don't know what the  
14 situation is as far as being able to leave your net  
15 and actually stay there and tend it, whether that's  
16 even feasible or not, but anyway that's a concern from  
17 a lot of the fishermen that are active in that  
18 negotiations with the Canadians.

19

20                   And another thing that was brought up  
21 in the community was what Mr. Yeager was talking about,  
22 the Canadian mining proposals up at the Stikine  
23 headwaters. That's a real big concern for everyone  
24 involved. I know they've tried to tap into our  
25 electrical grid just so that they could power these  
26 mines. And so I know that it's in the works. So  
27 everybody's trying to keep their ear open. I don't  
28 know if this Council could address that as far as what  
29 we can put in in the way of comments, but I think when  
30 that period comes of comments to the proposed  
31 development, we should weigh in on it anyway. That's  
32 just my opinion.

33

34                   And then there's the sea otter bill,  
35 Senate Bill 60, that Bert Stedman has introduced. And  
36 I don't know where that's going, but I would like to  
37 see the Council maybe provide comments to that effect.  
38 I know they're getting a lot of opposition from  
39 wildlife groups, and mixed feelings from the Native  
40 community on whether it's a good thing or a bad thing,  
41 but it might be worth discussing.

42

43                   Anyway, that's all I have. Thank you.

44

45                   CHAIRMAN ADAMS: Thank you, Mr. Bangs.

46

47

48                   I'm going to save my report and do it  
49 during the Chair's report. We'll move on.

50

1                   Aaron, do you think you have an idea of  
2 what to talk about now about this? So we'll to with  
3 you and then we're going down this way. Okay.

4

5                   MR. ISAACS: Thank you, Mr. Chairman.

6

7                   At the moment I don't have a lot of  
8 material to report on, because of being brand new as an  
9 appointee. But some of the things that I've been aware  
10 of as a local Advisory Committee with the Alaska Native  
11 Brotherhood, and Mike mentioned one of them, two of  
12 them, is the sea otter. Any time you can get out on a  
13 boat around Craig/Klawock area, I don't care what  
14 direction you look, you're going to see dozens of sea  
15 otter. They're everywhere. And they're not there just  
16 playing around, they're cleaning up the bottom.

17

18                   The other thing that I'm very concerned  
19 about, and this comes come from several years of  
20 hunting on Prince of Wales, in fact we came down by  
21 Kasaan one day and we saw hundreds of buoy markers,  
22 crab fishermen. My gosh, I couldn't believe how many  
23 traps they allow in Kasaan Bay. Those are commercial  
24 fishermen. Now, they're cleaning up the crab from the  
25 local.

26

27                   The other thing was the sea cucumber.  
28 Again flying over Kasaan Bay area, you see these divers  
29 everywhere, almost right through the night we've seen  
30 them diving. I think there needs to be -- it seems to  
31 me there needs to be a little bit more control of how  
32 long they can harvest, where they can harvest, but  
33 they're cleaning up those sea cucumber before they even  
34 come up in spring months.

35

36                   Another thing that I'm hearing more and  
37 more about now is the pressure on the sockeye fishery  
38 in Klawock. There's only one, two, three major areas  
39 of sockeye fishery on Prince of Wales, around Hydaberg,  
40 Klawock and over on Kasaan side again.

41

42                   Klawock in itself is literally -- you  
43 can count anywhere up to a dozen fishermen, seiners, in  
44 Klawock. And that's not a very big bay, but there's a  
45 lot of pressure on Klawock sockeye. Of course, Klawock  
46 sockeye for some odd reason is a higher quality of fish  
47 than most, but there is a lot of pressure on Klawock  
48 River sockeye. And again I hope that you pay attention  
49 to it.

50

1                   The other thing that bothered me when I  
2 read about it was that change in the horsepower motors.  
3 It went back up to 50 horsepower motors. And there's  
4 seines out there that are over 100 fathoms long. And  
5 matter of fact, one of my nephews, I know he's seined  
6 over 1,000 sockeye and his family could not eat that  
7 much fish in one winter. But there's some of our  
8 people that are selling this fish, and it bothers me  
9 because that's something I'm very careful of.

10

11                   And I understand -- maybe somebody can  
12 help me with this question, but as long as it's  
13 processed in some fashion, you can you sell it, is that  
14 correct? Someone? Anybody? Fish and Game? But you  
15 cannot sell it in the raw, but you can after it's been  
16 processed in some fashion; is that correct, Robert?

17

18                   MR. LARSON: Mr. Chair. I don't really  
19 find myself comfortable speaking for the State  
20 especially on enforcement issues, but I can tell you  
21 that under State rules, you cannot sell subsistence-  
22 taken salmon.

23

24                   MR. ISAACS: That's how I read it.

25

26                   MR. LARSON: That's very clear. You  
27 cannot sell subsistence-taken salmon. Thank you.

28

29                   MR. ISAACS: Yeah, and again I'm aware  
30 of more than one of the fishermen in Klawock that does  
31 sell their subsistence-caught salmon. And I really  
32 believe that there should be some stricter enforcement  
33 on it.

34

35                   MR. LARSON: Then, you are correct,  
36 that would be a violate of State regulations, and it  
37 would be a violation, yes.

38

39                   MR. ISAACS: And it's right on the  
40 permit that we receive from Fish and Game.

41

42                   Thank you, Mr. Chairman.

43

44                   CHAIRMAN ADAMS: Yeah. We had a  
45 situation in Yakutat, in fact, he was my next door  
46 neighbor, who was, you know, putting up a lot of  
47 salmon, drying it and then selling them. And he got  
48 caught. He got caught over and over and over again,  
49 and cited over and over and over again, so that his  
50 privileges for subsistence fishing has been taken away

1 now. So it is a serious offense.

2

3 Okay. Cathy, next.

4

5 MS. NEEDHAM: Thank you, Mr. Chairman.

6 So this winter, I'd like to say I enjoyed a warm  
7 winter, 'cause I don't necessarily like the cold, but  
8 it was a warm winter in Juneau for sure.

9

10 I spent a little time working with and  
11 speaking with people who came to Juneau about a month  
12 and a half ago for the sea otter symposium, and have  
13 been kind of trying to find out more about like updated  
14 science that they have shared with the local community  
15 there. And, you know, it's still a really big issue,  
16 and it was a very well attended symposium from that  
17 local level with legislators right there. And the  
18 symposium actually corresponded with the time that the  
19 legislator put in Senate Bill, was it 60 or 30, the one  
20 for the sea otter bounty. So that actually created  
21 quite some interesting politics.

22

23 After the symposium and thinking about  
24 it, you know, the first thing is that they updated the  
25 number for sea otter, the estimate for the region, and  
26 it's higher than they originally -- the last time when  
27 the reported back to our Council. They were able to  
28 refine the science that they did for that. And those  
29 counts are still going to be continued.

30

31 And one of the questions that I tried  
32 to bring forward to the group was they have the study  
33 that they did on the impact of sea otters to commercial  
34 fisheries, but whether or not anybody is starting to  
35 work on looking at estimating a cost associated with  
36 the impacts of sea otters to subsistence fisheries.  
37 And the answer to that is that the University of Alaska  
38 Fairbanks and U.S. Fish and Wildlife Service are  
39 actually putting in a joint proposal to potentially  
40 look at that. But they're going to work with just the  
41 communities that gave support to that proposal, which  
42 were Hydaburg and Kake. And especially hearing today  
43 some of the comments around the table, I think that all  
44 communities in Southeast should be involved in that  
45 study. And so maybe by being aware of the fact that  
46 that may be funded soon, you can get in touch with U.S.  
47 Fish and Wildlife Service. It's Varina (ph) Gill who  
48 we've heard from numerous times at this Council meeting  
49 who's going to be working in conjunction with Jenny  
50 Ecker on that particular project.

1                   The other thing I learned while  
2 attending the symposium is that there's a very large  
3 contingent of people throughout the United States that  
4 look at the benefit of sea otters on the ecosystem to  
5 the point that they've attached a dollar amount of the  
6 amount of carbon benefit that sea otters bring back  
7 into the ecosystem. And they're really taking that  
8 message back to Congress at the national level and  
9 fighting sort of Alaska's issues with that piece of  
10 information. And it was in the billions, the amount of  
11 money that you could save, or carbon bank, by having  
12 kelp forests. The benefits of having kelp forests,  
13 that sea otters directly, you know, impact that part of  
14 it by keeping the herbivores down on it.

15  
16                   So I'm glad to see that Council members  
17 are still talking about that issue here. I think it  
18 would be good for us again to try to continue to try to  
19 continue to stay informed and have reports brought back  
20 to us about the different things that are going on, so  
21 that we can share that information with the  
22 communities.

23  
24                   And then the other topic that I've been  
25 involved in over the past six months has been working  
26 on the C&T work group that we had, and I think we're  
27 probably going to share a little more information with  
28 that later, so I'll leave it at that.

29  
30                   CHAIRMAN ADAMS: Thank you, Cathy.

31  
32                   Mr. Wright.

33  
34                   MR. WRIGHT: Thank you, Mr. Chair.

35  
36                   This year it seemed like a pretty mild  
37 winter, so the deer -- the last time I went trolling, I  
38 didn't even see a deer on the beach, and you would  
39 think this time of year that you would see, you know,  
40 hundreds of them on a beach, trying to struggle to feed  
41 themselves. But the last deer I got was nice and fat,  
42 and the stew taste pretty good, so I really enjoyed  
43 that. Last year when I got a deer, it was so skinny,  
44 not one ounce of fat on it, so it was pretty eshon  
45 (ph). Gut the hunters really enjoyed the season, so  
46 right now there's no snow in Hoonah. So you know that  
47 the deer population is having a good time chowing down.  
48 So I think the deer population is going to be going up  
49 again. I'm hoping that this kind of winter is again  
50 next year, so it will be even stronger.

1                   Another issue is that we always come up  
2 with this sea otter thing. You know, in Homeshore, we  
3 used to go over there and be able to get buckets and  
4 buckets of cockles. This year I was running to  
5 Excursion Inlet, and I passed Porpoise Island and you  
6 could see sea otters all over the place. And my cousin  
7 went over to Homeshore this year, and between eight of  
8 them, they got half a bucket. I mean, that's how bad  
9 it's getting over there.

10  
11                   And my nephew, he said he saw one just  
12 inside, just getting to go inside Port Frederick, and  
13 so he basted it, you know. To keep them out of Port  
14 Frederick, because, you know, we have crab, you know,  
15 up there, Dungeness crab, and we have cockles up there,  
16 and we certainly don't want those scouts to be on their  
17 way up there getting their buddies to come in.

18  
19                   So I think it's always going to be an  
20 issue until, you know, we confront it some way to make  
21 it -- you know, they say they're nice and furry little  
22 things, but they sure can be destructive, so there's  
23 got to be a way.

24  
25                   And another thing with sea lions, every  
26 time I take my walk in the morning, it's down towards  
27 the cannery, there's always sea lions there. I see  
28 about 10, 15 every time I walk down, you know. So  
29 there's a lot of sea lions around.

30  
31                   You know, I was fishing, seining on  
32 that side, and there was a sea lion in my seine. He  
33 wouldn't even get out of the seine until it came to the  
34 fish bun. And then after he got out, he tried to get  
35 back in. I mean, he was just chowing down inside  
36 there, and, I mean, didn't even care. You know, you  
37 can't do anything with them. So, you know, if he got  
38 tangled up, he would have tore up my net.

39  
40                   Yeah, we're just worried about a lot of  
41 the crab, you know. One of the things is that right  
42 around Hoonah that have dungeness, we have dungeness  
43 right on the other side of the island, but then when  
44 the commercial crabbers come in, they just plug the  
45 area with crab pots, you know, and it's just a small  
46 area that I wish we could protect. And you see a  
47 hundred pots in there after, and then you can't even  
48 put your pots there, because they're gone, too, after  
49 they get pulled. So I don't put my crab pots out there  
50 when commercial fishing is going, because I lost two

1 already.

2

3 Well, one of the major issues that have  
4 a problem with is that as a Tlingit from Hoonah, I  
5 cannot go into Glacier Bay to go commercial, can't drag  
6 a hook, can't do anything that is commercial. You  
7 know, when you do that, you know -- when that is told  
8 something that traditionally our people have done for  
9 centuries, and it's kind of like the same issue as  
10 Saxman. When you take away something from a people  
11 then you diminish their existence, and that's exactly  
12 what's happening with the people of Hoonah. You know,  
13 my nephew doesn't even care, even consider going up  
14 there any more, because what's the purpose, you know,  
15 you can't do anything up there unless you get -- you  
16 know, it costs money to get gas to up, and that's a  
17 long stretch.

18

19 But anyway, that's about my report.

20 Gunalcheesh.

21

22 CHAIRMAN ADAMS: Gunalcheesh. Mr.  
23 Hernandez, you're next.

24

25 MR. HERNANDEZ: Thank you, Mr.

26 Chairman.

27

28 Like a lot of the rest of the Council,  
29 after our fall meeting, we all went deer hunting on my  
30 two communities, the north end of Prince of Wales, not  
31 a lot of satisfaction with the way the hunt's been  
32 going on the north end of the island. People from my  
33 community, we also use Unit 3 which the Kupreanof side  
34 of Sumner Straits. And we know the situation there has  
35 been pretty grim. The Lindberg Peninsula where  
36 Petersburg people hunt, it's a real dire situation.  
37 And even the rest of the island. The south end where  
38 we hunt, the season and bag limits haven't been changed  
39 yet. They still stand at two bucks, but the population  
40 is definitely suffering there as well. It's way down.  
41 Probably a lot of the same factors happening on the  
42 Cleveland Peninsula. So it's kind of a regionwide  
43 situation. I'd say it even extends to the north end of  
44 Prince of Wales Island. Hunting has not been very good  
45 there either. I think we were affected by the harsh  
46 winters. And contrary to places like Chichagof and  
47 Admiralty and Baranof that had the hard winters, they  
48 seem to be recovering well, but the areas where there  
49 are wolf predation, it's not going to happen as fast.  
50 I think we'll have a longer term problem there to deal

1 with.

2

3 Prince of Wales, of course, has a whole  
4 range of factors. The hunting pressure is intense, as  
5 Mr. Douville pointed out. You know, there's wolf  
6 predation, there's hunting competition. It's just --  
7 it's getting to be kind of a struggle. Most people are  
8 meeting their needs, some are not and are suffering,  
9 but everybody would say the same thing. It just takes  
10 more effort, more expense. You know, we're paying over  
11 \$5 a gallon for gas, and anywhere you go, it's making  
12 life very difficult. And it's a very important part of  
13 our life up there is putting the deer in the freezer  
14 and the jars in the fall.

15

16 So I don't know what proposals might  
17 come forward. Mr. Douville mentioned some  
18 possibilities. I don't know if there would be anything  
19 coming from our area or not, but we'll probably be  
20 addressing it. I know we'll be addressing the Unit 3  
21 situation for sure. So that's for the Council.

22

23 The other big issue for our communities  
24 is the latest version of the Sealaska Lands Bill has  
25 been introduced in the Senate. It's going to affect us  
26 directly. We have Calder Bay, which is a major  
27 subsistence use area for us is one of the selections.  
28 Pretty much the entire watershed. The type of logging  
29 that Sealaska would do there would definitely be  
30 harmful to our subsistence use. Their efforts to  
31 provide for us by putting language in the bill saying  
32 that our access will be assured is virtually  
33 meaningless, because their use of the land will not be  
34 conducive to how we need to use it. The type of  
35 logging they do is just not going to be beneficial  
36 regardless of whether we have access or not. It's kind  
37 of meaningless. So we're going to continue to oppose  
38 that.

39

40 And the other bigger picture concern we  
41 have with the Sealaska lands legislation is what affect  
42 it might have on the whole TLMP planning process. I  
43 know the Forest Service on the last version of the bill  
44 commented in their official comments that they didn't  
45 think the TLMP could be implemented the way it's  
46 written now if that bill were to pass. There have been  
47 some changes to the bill. I don't know all the  
48 ramifications of how that could affect the TLMP now. I  
49 don't even know if anybody's analyzing the situation,  
50 because it's kind of a difficult thing to do. If the

1 Forest Service tries to take into account what's  
2 happening with one bill, you know, six months later  
3 there's a different bill, and has anybody analyzed, you  
4 know, the changes and how that's going to affect. I  
5 don't even think they're doing it any more. So it's  
6 just kind of a bad situation all the way around. So  
7 we're going to keep monitoring that, and hopefully the  
8 rest of the Council will keep it in mind as well.

9

10 Thank you.

11

12 CHAIRMAN ADAMS: Thank you, Donald.

13

14 Mr. Kookesh.

15

16 MR. KOOKESH: Yes, Mr. Chairman.

17

18 A couple of things is normally when I  
19 do my presentations, I speak for the community, but I  
20 also kind of, which I believe all of us should do, is  
21 take a regional approach to the issues in addressing  
22 them to making sure that we represent our region. I'd  
23 like to believe that's important for all of us.

24

25 Kind of to add to Frank's comment about  
26 coming back with half a bucket of clams between eight  
27 guys, if you kind of follow what Cathy's logic is on  
28 the sea otter, the value of the sea otters with kelp,  
29 you can always pick kelp. That's what it's coming down  
30 to, but it shouldn't have to come down to that. That's  
31 the wrong kind of mind set we need to have for us. I  
32 think it's a bunch of bulls that there's billions of  
33 dollars involved in sea otter. They're going to wreck  
34 our world, and it's based on the management that we've  
35 allowed to occur all around us with the sea lions, with  
36 the salmon, with the whales, the sea otter. We're not  
37 doing our job. We're sitting here talking too much.  
38 We're not doing what we're supposed to be doing.

39

40 And the Sealaska thing, the right to  
41 harvest timber has been going on forever. So you can't  
42 stop it.

43

44 But it's like for our community, the  
45 one thing that we did as a community, to speak to the  
46 community, is we created a national monument. So we  
47 have the wonderful resources of clams, cockles,  
48 gumboots, deer, and if you like bear, bear. We have  
49 that wilderness environment around Angoon. The only  
50 thing we don't have is employment opportunities, and

1 that's what the mine offers us. And we're going to  
2 take advantage of that opportunity, because when we  
3 created the national monument, we did not put that into  
4 place for our community. That was one of the downsides  
5 of creating the national monument.

6  
7 There is a map out there done by Rivers  
8 Without Borders. If you look at it, as much as we want  
9 to oppose mining, if you look at the Rivers Without  
10 Borders map that shows mining in Canada and the mining  
11 in Alaska, we're like a little pimple compared to  
12 what's going on in Canada. For all we know, the  
13 Canadian mining system might wreck all of Southeast  
14 Alaska, but that's speculation. But it's out there.  
15 I'm sure some of you besides myself have seen the  
16 mining -- all the dots all over the Canadian side of  
17 the border there showing the mining that's occurring  
18 out there. So it is happening.

19  
20 A couple of things for Angoon. A  
21 couple of things that we did have is that we definitely  
22 saw the lack of salmon. We don't know where it's going  
23 to take us for this coming year. I had an opportunity  
24 along with the Chairman -- not the Chairman, my general  
25 manager of Kootznoowoo, the City of Angoon, the mayor  
26 and a representative of the tribe to go to Southeast  
27 Seiners Task Force meeting on December 5th and meet  
28 with the seiners. And the one thing I took away from  
29 the meeting, and I'm very good at listening to what  
30 people say. I'd like to believe that I can capture  
31 your words, and if you don't be careful, they can come  
32 back and haunt you. But the one thing I came away with  
33 from that meeting was that they said that we hope, we  
34 think, and we guess. That was their prediction for the  
35 upcoming season. The only thing I didn't hear them say  
36 was pray. That was the only thing I didn't hear them  
37 say. But they think, they hope, and they guess that  
38 we're going to have a good fishery this year.

39  
40 It's unfortunate that no one can see  
41 below six feet of water, or it depends on where you're  
42 at in terms of the water, but we don't have that  
43 ability, and the management, like I said, goes back to  
44 we're doing something wrong, and we'd better start  
45 getting our house in order, or something is going to  
46 seriously happen. Like this Federal process that we're  
47 involved in, this is the last Federal process that the  
48 Native people have. I believe it's called rural. And  
49 this is the last Federal process we have to protect our  
50 lifestyle.

1                   And for someone who's read -- I've read  
2 their transcripts for the Federal Subsistence Board,  
3 and I'm on my second run through it. And I was really  
4 disappointed to see the -- to hear all of the comments  
5 made by people from all over the region and Alaska,  
6 talking about what's -- it sounded like a very, very  
7 haughty comment. It sounds like their world is ending.  
8 It's like their lifestyle is going away. It's like  
9 there's no more deer. I mean, there's no more moose,  
10 there's no more fish, and they're getting -- talking  
11 about to the point where even humpies seem appealing.

12  
13                   But when you look at this whole  
14 process, and I read Tim Towarak's comments, and I wrote  
15 them down. I even wrote the page down on it, but  
16 that's irrelevant. And what he said was, when  
17 everybody had made their comments at the Federal  
18 Subsistence Board level, he said that a lot of the  
19 issues are over our heads. And I was wondering, what  
20 does he mean by that? Over our heads. I mean, it's in  
21 his ballpark. It's within his league. He's the one  
22 that's supposed to be -- the whole Federal Subsistence  
23 Board is supposed to be aware of what's going on, and  
24 they should be reacting to the comments being made.  
25 But when it came to public -- when the public made  
26 their long statements and comments, when it asked for  
27 Federal Subsistence Board comments, the writing was, no  
28 comments from Federal Subsistence Board members. No  
29 comment. No comment. That's how they responded to  
30 your concerns, to all of our concerns, was no comments.

31  
32  
33                   But Tim Towarak did go on, and he said  
34 that a lot of the issues that are over our heads, he  
35 did go on to say that this has taken us over an hour  
36 and a half, and we need to think about putting -- or we  
37 need to -- as I recall it, he said, putting a two-  
38 minute restriction on public comments. And we  
39 shouldn't do that either.

40  
41                   I was talking to my good friend here  
42 and telling him, I value -- I know that the State of  
43 Alaska puts two minutes out there, but I value when  
44 someone comes up, when our elders come up here, I'm not  
45 going to tell them, you have two minutes. We should  
46 take the time -- that's what we've been put here. Take  
47 the time to sit and listen and hear what they have to  
48 say. I know that when we were going to school they  
49 said, if you can't get it out in two minutes, then  
50 you're -- i forgot what the language is, but you should

1 be able to get your message out in two minutes was the  
2 point.

3

4                   But for what we're going through, we  
5 need to listen, because there's a lot of history behind  
6 all of their comments. These people aren't just coming  
7 here and wasting their time just to -- for the cameras  
8 that are all over the room taking pictures right now.  
9 And people are coming here to make a point about their  
10 lifestyle and protecting it. And this process, the  
11 Federal Subsistence Board process, should be protecting  
12 them.

13

14                   To go back to Angoon, like Patty said,  
15 we had -- Mr. Wright, we had a good deer hunting  
16 season. There's no doubt everybody knows that, that we  
17 had a very mild winter. In fact, right now a lot of  
18 halibut are being caught around Angoon, which makes up  
19 for the salmon shortfall.

20

21                   And the other thing is speaking for our  
22 communities, I'm very glad to see that we have a  
23 representative from Kake and now from Klawock. And I  
24 know Merle, you know, Merle was a representative for  
25 this area also, but I'm very glad to have Aaron sitting  
26 here and Mr. Jackson, who I don't really know. And I'm  
27 hoping that as we go through this process, I've noticed  
28 that when reading the transcripts, we were losing  
29 people in this process, because people probably have  
30 lost confidence in us. Not just this Southeast RAC,  
31 but maybe the whole Federal process in general. When  
32 you're struggling and you have to put extensions on  
33 putting people -- asking people to apply for the RAC  
34 positions, we're doing something wrong. People have  
35 either lost confidence in us or don't care where this  
36 thing goes any more. Maybe it's like, you know, you  
37 turn one head, it's the State and turn the other head  
38 and it's the State -- or is it supposed to be the Feds.  
39 It's like Animal Farm to them. I don't know.

40

41                   Thank you, Mr. Chairman.

42

43                   CHAIRMAN ADAMS: Thank you, Mr.  
44 Kookesh. Appreciate your comments.

45

46                   I'm happy to say though that we do have  
47 a full Council now. And I know that, you know, there  
48 were people waiting in line to get appointed. I know  
49 there was a couple from Yakutat, and, of course, they  
50 didn't get appointed, but I'm happy that we have, you

1 know, representatives from almost every community. And  
2 so there is interest, you know, in our RAC  
3 particularly. Other RACs, you know, they have a hard  
4 time filling their seats and recruiting people. So I  
5 think we're doing pretty well.

6  
7 My report, you know, I've got a lot of  
8 stuff here, and I'm going to try not to take too much  
9 of your time. But after this we'll take a break, and  
10 then we'll go into the C&T letter which I think  
11 probably will take some time, you know. And so we'll  
12 take a break after my comments.

13  
14 We had a real rough winter last year.  
15 You know, in my house, just to give you an example,  
16 when I got out to shovel my roof, I was shoveling snow  
17 up like that. You know, it was that deep. And so it  
18 affected, you know, the animals I'm sure, the moose and  
19 the deer. There is a moose report that is, you know,  
20 included in your emails. I believe it's in our emails  
21 that I had Robert forward to all of the Council  
22 members.

23  
24 I talked to Susan Olyer before I left  
25 Yakutat, and that as one of the questions I asked, how  
26 are the deer doing. And she said it's really too early  
27 to tell. They haven't done any surveys yet, but they  
28 will, you know, I suppose here pretty soon. But it's  
29 just really too early to tell.

30  
31 I know that last year when the snowfall  
32 was so deep even in November, that the deer hunters  
33 didn't go out, because they knew that it was going to  
34 affect the deer, and they wanted to make sure that they  
35 didn't have an impact on the populations by taking  
36 deer. We only have a one-month opening in November and  
37 you're allowed only one.

38  
39 Sea lions are becoming a big issue in  
40 Yakutat. Not just the sea lions, but, you know, the  
41 California sea lions were infiltrating our area. And,  
42 man, they howl early in the morning, you know, wake  
43 people up. And it's becoming quite a concern for us as  
44 well.

45  
46 I caught a couple of sea lions in my  
47 setnet last year, and believe me, trying to take one of  
48 those buggers out of your net is quite a chore. They  
49 are very powerful. And I tried to do it myself, but I  
50 had to go home and get some help from my sons and

1 grandchildren. One time I had my net set out right by  
2 where the fuel dock is, and there was a Coast Guard  
3 cutter in there, and they saw that sea lion in my net.  
4 When I came down there, they helped me. They hoisted  
5 it up and let it go, you know, and that was a great  
6 help.

7  
8                   The Hubbard Glacier, you know, is still  
9 a concern for our community. And the thing is, is that  
10 that -- here's Gilbert point, here's the glacier. It's  
11 advancing closer and closer to it. And in the past it  
12 would hit, bump against it, the point, Gilbert Point,  
13 and then it would wash out from the bottom and break.  
14 This time it's surrounding it like a horseshoe. And  
15 scientists are saying that there's a possibility that  
16 it will be a permanent closure. If it happens, you  
17 know, this year or whenever. So we're concerned about  
18 that.

19  
20                   And, you know, I forgot to do something  
21 here at the beginning, and thanks for reminding me,  
22 Floyd. And that is to have a prayer. After our break  
23 is over, I'm going to ask Lee if he'll give a prayer  
24 for us when we reconvene the next time.

25  
26                   Continuing on with my report. In your  
27 packet, or in your email, you have a report about the  
28 eulachon surveys that have been taken over the past  
29 couple years. And you can see on the map, you know,  
30 the rivers and spots that were surveyed. I had I had  
31 opportunities to fly down five or six times for these  
32 surveys, and it extended all the way from Offer Creek  
33 -- I'm sorry, Tawah Creek all the way down to some  
34 creeks down in the Dry Bay area, or East Alsek River.  
35 That's about 60 miles of coastline there.

36  
37                   So, you know, that there is for your  
38 review. I need to tell you that a week ago I believe  
39 it was, I flew down to -- oh, yeah, before that, we  
40 found out that last year with the heavy snowfall, the  
41 road to the Situk River was impassable, impossible to  
42 pass. Goofed up on that one there.

43  
44                   (Laughter)

45  
46                   CHAIRMAN ADAMS: But anyhow, it was so  
47 deep that it took up until May for the road to be open.  
48 This year we've hardly had any snow, so the State has  
49 been keeping the road open. And one day I got a call  
50 from the Forest Service who does these surveys, and

1 they told me that all of the eagles had left Canon  
2 Beach, and they moved down to the Ahrnklin River, as  
3 well as the seagulls, so that's a real good indication  
4 of eulachons coming in. So my wife and I, we went down  
5 to the river, you know, the next day, and lo and  
6 behold, there was a good bunch of eulachons in the  
7 Situk River. As you know, I've been concerned about  
8 the Situk River over the past few years, and we got a  
9 real good bunch in there this year, and we're really  
10 happy about that.

11  
12                   And then a day later I happened to go  
13 with the Forest Service, and the Yakutat Salmon Board  
14 representative, we flew all the way down to the East  
15 Alsek River, and it was kind of early yet, you know,  
16 for those rivers to receive the eulachon runs. We saw  
17 sea lions, which are a real good indication, you know,  
18 that they're waiting there for the eulachons, and they  
19 were sitting or hauled out on the sand bars at the  
20 mouth of the river. So hopefully there's -- you know,  
21 I haven't had a report from them since I left, but  
22 hopefully, you know, the eulachons are showing up there  
23 pretty well.

24  
25                   In the book under Item 9.E. there is a  
26 review of the closure of moose in the Yakutat  
27 forelands, and so there is also some information that I  
28 forwarded to you all through Robert that addresses the  
29 State's management of the moose populations in Yakutat.

30  
31                   And then there's also another document,  
32 ladies and gentlemen, about the sea otters. Okay. So  
33 you can look at those at your leisure.

34  
35                   I don't know what that bill, you know,  
36 that is being introduced by Bert Stedman in regards to  
37 a bounty on sea otters, but we'll see what happens with  
38 that,.

39  
40                   Also, ladies and gentlemen, I've  
41 included, and I don't know whether I forwarded this to  
42 you or not, you must have it, but they are the minutes  
43 of the previous meeting of the Wrangell-St. Elias  
44 Subsistence Resource Commission meeting. And I thought  
45 maybe it would be a good idea for you all to look at  
46 what's happening, you know, in Wrangell-St. Elias area.  
47 And instead of giving you a long lengthy report, it  
48 will be easier for you to read it, and if you have any  
49 questions, please feel free to call, or, you know, call  
50 me on it.

1 I didn't go to the meeting this year  
2 because I was in Juneau. I had to take my wife down  
3 for some medical and dental work during that time;  
4 however, that meeting was held last week. And I  
5 haven't gotten a report on them yet.

6  
7 And then, again, I have a copy on the  
8 bill on the bounty for sea otters, and then tomorrow  
9 we're going to be talking about the territorial  
10 jurisdictional issue.

11  
12 That's about the extent of my report,  
13 ladies and gentlemen, and unless there's any questions,  
14 you know, at this point, we'll take a break.

15  
16 (No comments)

17  
18 CHAIRMAN ADAMS: Let's take a break.

19  
20 (Off record)

21  
22 (On record)

23  
24 CHAIRMAN ADAMS: Get back to our seats.  
25 Is Lee Wallace still here.

26  
27 MR. LORRIGAN: Yeah, he's still here.  
28 At least he was.

29  
30 CHAIRMAN ADAMS: Okay. We'll call this  
31 meeting back into session. People on line, are you  
32 still with us.

33  
34 REPORTER: (Nods affirmatively)

35  
36 CHAIRMAN ADAMS: Okay. Lee, would you  
37 please do the honor of giving a blessing to this  
38 meeting. Everybody rise.

39  
40 MR. WALLACE: (Gives prayer and  
41 blessing)

42  
43 CHAIRMAN ADAMS: Gunalcheesh.

44  
45 MR. LARSON: Is it a good time to make  
46 an announcement, if I could.

47  
48 CHAIRMAN ADAMS: Go ahead

49  
50 MR. LARSON: Mr. Chair. I would like

1 to take this opportunity for a quick announcement. Two  
2 things. That if there's anybody who would like to  
3 address the Council, there's blue slips in the back.  
4 We'd appreciate it if you just filled one of these out.  
5 And then you'll have your chance to get heard.

6

7 The other is that there's sign-up  
8 sheets in the back. If everybody would please sign in  
9 and give us a record of attendance, that would be much  
10 appreciated.

11

12 Thank you.

13

14 CHAIRMAN ADAMS: Thank you, Robert.

15

16 At this time we'll take testimony from  
17 Merle. Merle, are you prepared to do your testimony  
18 now.

19

20 MS. HAWKINS: Yes.

21

22 CHAIRMAN ADAMS: All right. Come to  
23 the microphone, please. You know the procedure.

24

25 MS. HAWKINS: Good morning. Happy to  
26 be here today. I was a little sad that I didn't get  
27 reappointed, but I'm thrilled this morning to  
28 congratulate Mr. Isaacs on his appointment, and Mr.  
29 Jackson from Kake, and that they're village people. So  
30 took some of the hurt away, but that's what the  
31 program's about, is the villages.

32

33 So I just want to give a brief report  
34 on my last few months that I was on the RAC. I've been  
35 doing a lot of trading again, and through all the fine  
36 people that were willing to trade me deer meat for some  
37 of my beach asparagus and jam.

38

39 And just got to watch that bizarre  
40 foods on TV last night, and they did it in Kake, and it  
41 was pretty interesting, but then I get concerned, oh,  
42 my God, now the whole world knows about all this  
43 wonderful food that we have. And so I always wonder  
44 about that balance between that exposure and what  
45 they're going to threaten next in our food chain.

46

47 I got to teach the kids. KIC, our  
48 local tribe has a local has a local high school  
49 scholars program, and they invited me in, and I taught  
50 the kids about traditional fishing methods, about the

1 use of the rock fish traps and the basket traps. So  
2 that was a lot of fun. Wish I'd had more notice. I  
3 just went on the posters that I had and the visits to a  
4 lot of those sites and a lot of the books that I had.  
5 So they seemed to enjoy it.

6  
7 I've been teaching a lot of women  
8 harvesting and processing methods, about some of our  
9 traditional foods.

10  
11 And I've been working with elders and  
12 helping them with transportation.

13  
14 And I've been working with the homeless  
15 a lot, like 60 homeless people in this community every  
16 night. And I'm on two different committees. So we're  
17 doing fundraising and we're looking for a site for a  
18 centralized location for a homeless day shelter and a  
19 night shelter that will accommodate all the people that  
20 need that help.

21  
22 And I'm looking forward to our Easter  
23 eggs, our herring eggs coming in. Of course, they'll  
24 come from Sitka, because we don't have a local fishery.  
25 And they don't usually get enough in the Craig/Klawock  
26 area to share with too many folks.

27  
28 So I'll just continue to be an advocate  
29 and definitely want to continue to work on rural status  
30 for the Ketchikan area and certainly for Saxman. I  
31 know they're calling for comments right now, so I'm  
32 definitely going to work on that and certainly  
33 encourage our local tribe to participate in that.

34  
35 So other than that, it's been an honor  
36 to serve on the Southeast RAC for six years. And I did  
37 had an opportunity to talk to Dr. Dolly Garza. Had  
38 lunch with her a couple of times. And so she sends her  
39 regards. She was the one that nominated me and got me  
40 involved. And so I'm grateful for all the knowledge  
41 that I've attained and it's been a pleasure.

42  
43 Thank you.

44  
45 CHAIRMAN ADAMS: Thank you, Merle.  
46 Appreciate it.

47  
48 We'll take a couple more comments at  
49 this time. Lee Wallace and then Dan Montieth will  
50 follow you.

1 MR. WALLACE: Thank you, Mr. Chair and  
2 Council.

3  
4 Definitely Saxman here is for one thing  
5 basically, and that's rural status, rural  
6 determination. Definitely an announcement did come  
7 out, and there was a posing nine questions definitely  
8 of how maybe the rural status determination will be  
9 determined this next go around.

10  
11 And like I said earlier in my welcome  
12 to you folks, I've spent far too much time on this  
13 whole issue of rural status for Saxman. And, you know,  
14 I'd rather be doing other things right now actually.

15  
16 And first I want to thank you for  
17 staying in the village corporation hotel, Cape Fox  
18 Lodge. That Council of Clan, the carving there in  
19 front of the lodge, it welcomes you. And that's what  
20 I'd rather be doing right now is carving, and I've got  
21 a project underway.

22  
23 But this is a paramount issue for  
24 Saxman, and it always has been and it will be until,  
25 you know, the determination is rural.

26  
27 So that's one of the questions on the  
28 on the nine questions that they're posing, is that  
29 should we be going through this process every 10 years.  
30 And my simple question is no, all for the fact that,  
31 you know, the communities throughout Alaska -- you  
32 know, in the initial determinations Saxman was  
33 determined to be a village.

34  
35 Back some years ago, at that time Mayor  
36 Joe Williams spoke and he said, really nothing has  
37 changed. And really nothing has really changed. You  
38 know, the population threshold is, what, 7,000, and  
39 we're at a population of about 400 individuals. And  
40 what has changed most recently with the economy of  
41 Alaska was -- what has changed is your urban centers  
42 have grown somewhat. You're talking about Ketchikan,  
43 Juneau, Fairbanks, Anchorage. With the economy rate  
44 and high fuel costs for villages, a lot of them, as you  
45 know, moved into the larger cities.

46  
47 And Saxman's really no different.  
48 We've actually declined from our last census. We  
49 declined. So individuals from Saxman probably moved  
50 into the Ketchikan area. Maybe they moved up to Juneau

1 or perhaps maybe they moved into the Lower 48 like  
2 Seattle. So that's the major change.

3  
4 And so this whole process, there's been  
5 so much time and energy of taxpayers' money on agency  
6 Staff members to go through this process every 10  
7 years, and hiring individuals to look at criteria and  
8 works, and so there's really no need I don't think for  
9 a 10-year review period. Ultimately, when you really  
10 look at it, nothing has really changed in the rural  
11 areas in Alaska since inception of the Act. So here we  
12 are spending all this time and energy every 10 years,  
13 and then it's really beyond that, because the last  
14 rural determination was some years ago, and we're still  
15 talking about it. And we're thankful that there was a  
16 stay on the decision that was made, you know, some  
17 years ago, but again it really leans on -- there is  
18 really no need for that 10-year review period.

19  
20 Some may argue, yeah, well, we need it  
21 every 10 years. Some may say, well, let's do it every  
22 20 years, or some may say let's do it 50 years, but  
23 ultimately I think we've all lived here for pretty much  
24 our lifetimes, and I guess if you look around the  
25 Council members, I could almost guess that all of you  
26 would say, yeah, really nothing has changed out in  
27 Hoonah and Hydaberg and Klawock and Craig and Wrangell.  
28 And I think most of us would say, yeah, there's been a  
29 decline because of decline of the timber harvest  
30 throughout the Southeast Region. You know, different  
31 villages had sawmill operations, and you've seen  
32 declines here, and definitely Ketchikan did see a  
33 decline when there were some major changes. The  
34 closure of the Ketchikan sawmill and the closure of the  
35 Ketchikan pulp mill. So really, again, to sum it up,  
36 nothing has really changed.

37  
38 And I think the announcement has been  
39 out. What I understand that Dr. Jenkins had posed  
40 questions to the FSB, and I understand they took about  
41 an hour and a half or two just wrangling with the  
42 questions. And it's very important that they took that  
43 time, and it's very important that this Regional  
44 Council takes that time also.

45  
46 You know, I wasn't really aware, when I  
47 looked at the agenda the other day, I seen it was on  
48 the agenda, but I said, well, what's going to become of  
49 that agenda item, 11.C., rural determination. Is it  
50 going to be simply, yeah, we pose the questions and

1 we're looking for public comment throughout Alaska,  
2 and, yes, that definitely this is kind of the first  
3 opportunity -- actually it's the second opportunity  
4 I've had to speak on it. I was on a teleconference at  
5 the last FSB meeting and I made some general comments  
6 on that, but actually there's more specific ones about  
7 that.

8  
9                   And in answering one of the questions,  
10 is the 10-year period, of a decennial review period  
11 important, or is it not important, to me it's let's  
12 eliminate that.

13  
14                   Other questions that I think are very  
15 important is all the criteria that was posed at the  
16 last determination. I believe some were invalid to  
17 even look at. Definitely again I was in support of the  
18 ISER, Robert Wolf, work that he conducted, and all for  
19 that. But definitely the last FSB when they made that  
20 determination, they didn't really give the ISER report  
21 or the Wolf report very much substance and weight.

22  
23                   But, yes, less criteria. I think the  
24 initial thing you look at, is when I read through the  
25 criteria is that the threshold, again here we are,  
26 Saxman, a population of 401 I believe it is at that  
27 last census. Very similar to a lot of villages  
28 throughout the region. And then again if you look at  
29 the reports that came in on the last studies, you know,  
30 the fish and wildlife that we took in Saxman was very  
31 similar to any other rural village throughout  
32 Southeast, and probably even Alaska. And so you look  
33 at some of that criteria that they're asking for is  
34 less.

35  
36                   And I completely agree with Floyd.  
37 Floyd's always very thoughtful on items like this. And  
38 he said, you know -- you just said, we all need to look  
39 at it as a regional approach. And I do that. And I  
40 receive items from especially maybe Sitka and their  
41 issues they're having up there, and it's definitely a  
42 regional, and actually more than regional. It's  
43 statewide. You know, the herring issue at Maknauti  
44 Island. Also important for all of us.

45  
46                   And so when I also see the issue that's  
47 coming out of Angoon, and their thoughts of, hey, let's  
48 try to eliminate -- not eliminate, but have less  
49 commercial fishing. And you actually heard it from  
50 Hoonah, also. Frank mentioned about the heavy

1 commercial crabbers.

2

3                   And so the whole Act is protect.  
4 Protect our rural users. And what I seen from the last  
5 go around with the rural determination was, let's  
6 really not protect then, let's put on more added  
7 criteria to maybe take it away from us.

8

9                   And I'll just close with that. But I  
10 thank you for the opportunity for coming to the area.  
11 And I didn't have to get on the teleconference as  
12 sometimes that technology isn't the greatest.  
13 Sometimes you can't hear very well. And, first of all,  
14 I didn't have to fly anywhere to attend the meeting.

15

16                   And so thank you for coming to our  
17 area, even though you didn't come to Saxman. Howa.  
18 Gunalcheesh.

19

20                   CHAIRMAN ADAMS: Gunalcheesh, Lee.  
21 Appreciate your comments.

22

23                   Mr. Montieth.

24

25                   Oh, Lee. Got a question here for you.

26

27                   MR. HERNANDEZ: Yeah. Thank you, Mr.  
28 Chairman. If it's okay to ask Lee a question.

29

30                   CHAIRMAN ADAMS: Yeah.

31

32                   MR. HERNANDEZ: Well, first of all I  
33 know I was on the Council, and a good number of the  
34 members at this meeting were at that meeting in Saxman  
35 where you presented public testimony before the first  
36 determination was made. And I know for myself that was  
37 probably one of the most moving meetings I've ever  
38 attended of this Council where people from Saxman  
39 testified until after 11:00 o'clock at night, and we  
40 never took a break, because Mr. Littlefield knew that  
41 if we took a break, people would start, you know,  
42 trickling off and losing interest. So we paid  
43 attention for over five hours, and it was very powerful  
44 testimony. And I don't think -- well, I know everybody  
45 on the Council is, you know, four square for Saxman  
46 retaining its rural status.

47

48                   And the big obstacle I know is this  
49 connectedness to Ketchikan. And it's obvious that  
50 Saxman meets all the criteria for, you know, being a

1 subsistence community if it's considered on its own,  
2 but this issue of being tied to Ketchikan and having  
3 to, you know, be a part of their non-rural status.

4  
5                   So my question is, you mentioned some  
6 reports that I'm probably -- I know I'm not as familiar  
7 with as you are, and criteria, and some of the criteria  
8 you mentioned is inaccurate or maybe unfair. I don't  
9 know if you have, you know, more specifics, but if you  
10 do have specifics, I mean, at some point in this  
11 process, you know, we definitely want to hear some  
12 specific things that you think were misrepresented or  
13 unfair, you know, hopefully you have those available to  
14 us, because I think it will be very important. I don't  
15 know if you have anything you'd want to bring forward  
16 now, or at least at some point here.

17  
18                   MR. WALLACE: Thank you, Don. And  
19 definitely, yes, Saxman's definitely grateful for this  
20 Southeast RAC for their support.

21  
22                   One thing you bring up is the  
23 aggregation. And that's a very important part of this  
24 whole process. And they were all really determined at  
25 the last review period to add this aggregation and  
26 group us with Ketchikan, even though, you know, like  
27 we're two and a half miles down the road. And, yes, if  
28 we're able to again eliminate the aggregation portion  
29 of the review period, that would be advantageous to  
30 only Saxman, but any other community in the future. If  
31 you really look at it that way, there's other areas in  
32 parts of Alaska where they could maybe use that  
33 aggregation and then you could -- small communities can  
34 maybe be grouped into another larger area, and then  
35 they lose their rural status. And so, yes, that's  
36 definitely one point.

37  
38                   And, yes, these are our preliminary  
39 comments on the questions.

40  
41                   What I really feel what happened at the  
42 last one, it was more political in nature, the  
43 decisionmaking. And it was brought out in the RFR that  
44 was submitted. You know, when I was up there sitting  
45 with the attorney there, he noticed things and he says,  
46 oh, very interesting with this one phone call. And it  
47 was in the RFR, it was submitted as written comments on  
48 the process.

49  
50                   And so I hope this go around it will be

1 less or no political actions in their whole thing, and  
2 then just look at, you know, the data from Robert Wolf.  
3 Sealaska, Rosita Wirlshee (ph) definitely made comment  
4 back last January 6th at the FSB meeting up in  
5 Anchorage, and she said she fully supports what the  
6 ISER report came out with, and Robert Wolf's work, and  
7 there's another doctor that had some work, but they had  
8 different criteria to choose from, and what the Board  
9 went on was using more criteria versus less. And so it  
10 really made it an issue of let's not protect Saxman,  
11 let's try to eliminate them.

12

13                   And it really goes back to what I  
14 believe is kind of a State issue. You know, the State  
15 issue wants us to be all equal, whereas on the Federal  
16 viewpoint we're really not that, There's that rural,  
17 and that's what this whole Act is all about is  
18 protection of our rural rights. And really it's when  
19 the numbers are down out there for fish and game, the  
20 rural individuals have the priority. And that's what  
21 we're really fighting for.

22

23                   And, yes, you did hear about numbers  
24 going down. As I sat here listening to the community  
25 reports, you heard about issues of reduced fish and  
26 game, especially you, Don, in your northern area on  
27 POW. You know, it's declining with the deer  
28 population.

29

30                   And when I sat on the Council, that's  
31 when we first I think -- maybe you guys were even  
32 talking about sea otters before I got on the Council,  
33 but here we are years later and we're still hearing  
34 about the whole issue. And I always said, if this was  
35 done in my grandfather's time, they'd take care of the  
36 problem. They'd probably be doing what Bert Stedman  
37 did, but his recommendation to the State, it those were  
38 my grandfather's day, as well as your grandfathers or  
39 great grandfathers. They would have tackled the issue  
40 in an upright way and let's protect our food sources.

41

42                   Anyway, I'm getting off on a tangent  
43 here, so I guess I'd best stop, but yes, we're in our  
44 preliminary stages, and definitely I think -- I hope it  
45 will be again less political in this whole go-around  
46 next time.

47

48                   Thank you.

49

50                   CHAIRMAN ADAMS: Thank you, Lee. I

1 remember when the Board, you know, combined Saxman and  
2 Ketchikan together and determined them non-rural. You  
3 were there and completely taken by surprise with no  
4 clue whatsoever that this was going to happen to you.  
5 And it was a very sad day for me to witness.

6  
7                   You know, when you take Kodiak, for  
8 instance, you know, the same situation. They had the  
9 Coast Guard and then the community of Kodiak. And they  
10 made them non-rural. The Coast Guard said they did not  
11 want to be included in the population, because they're  
12 transient people, you know, they're coming and going.  
13 Even though they do hunt and fish in that area, they  
14 didn't feel, you know, that they should be made a part  
15 of Kodiak, and the Board, you know, accepted that.

16  
17                   And it's too bad that we didn't have as  
18 many people there to testify on behalf of Ketchikan.  
19 But like I said, you know, you didn't know this was  
20 coming, and so they did their thing, and we're still  
21 dealing with it today, but I wish you luck, Lee. We're  
22 completely behind you.

23  
24                   You have a question, Patty.

25  
26                   MS. PHILLIPS: Yes. Thank you, Mr.  
27 Chair. Thank you for your comments.

28  
29                   We're more effective when you present  
30 your, you know, positions, your tribal positions to us,  
31 and thank you for all the public testimony that you've  
32 brought before us.

33  
34                   But you've referenced the ISER report,  
35 and I do remember that, you know, sort of that  
36 discussion circulating around the Council, but I don't  
37 know if we've ever really been given that report for  
38 review.

39  
40                   And, you know, we did lose some  
41 institutional knowledge when Ms. Hawkins wasn't  
42 reappointed, but at the time when we were doing our  
43 rural determination discussions, we also had Dr. Dolly  
44 Garza on board, and then she retired and we lost a huge  
45 enormous amount of institutional knowledge when she  
46 retired.

47  
48                   And so I think we got kind of hung up  
49 on the RFR process, like Saxman and Ketchikan submitted  
50 an RFR and we were wondering, can we the RAC submit an

1 RFR on this rural determination. And in the end it was  
2 determined, no, we couldn't. But rather than, okay,  
3 let's go to this street instead of that street. We  
4 couldn't go down the RFR process, so what process do we  
5 go down now. And so that's where we're going to have  
6 to move to. And, you know, we're beginning this  
7 discussion again.

8

9 But as far as, you know, what kind of  
10 recommendations or comments can you give us that we can  
11 work with to try to resolve or bring some sort of  
12 resolution to this.

13

14 Thank you.

15

16 CHAIRMAN ADAMS: Thank you, Patty.

17

18 And, you know, I was at the Federal  
19 Subsistence Board meeting, and I really adamant, you  
20 know, that they give deference to the RACs on RFRs and  
21 then they took us -- they said that we weren't allowed  
22 to do any RFRs. It was in the handbook and they took  
23 it out. And I don't know how that happened or what --  
24 well, I think we know why. It might have been  
25 political.

26

27 (Laughter)

28

29 CHAIRMAN ADAMS: But that took the  
30 ability for RACs to submit RFRs. However, I did talk  
31 to one of the attorneys for the Board and he said that  
32 we were not allowed to do this before, but he said now  
33 we can use our resources to help a community do RFRs.  
34 So that's something that, you know, you need to keep in  
35 mind if you want to go that route again. We would be  
36 able to assist you in that way.

37

38 MR. WALLACE: Thank you. And that's  
39 good news.

40

41 Yeah, the ISER Wolf report, definitely  
42 the FSB received it. It's on the website. It  
43 references Saxman and according to the way they looked  
44 at it is, yeah, definitely Saxman was rural based on  
45 the criteria that they used. But, you know, everybody  
46 puts their own little spin on things. But, you know,  
47 if you guys want me to forward you the Wolf ISER  
48 report, definitely I could. It's definitely something  
49 that again I would say that the past FSB Board that  
50 made that ruling, they just kind of, uhm, let's kind of

1 not really go with them, and let's go with our own  
2 idea, maybe, you know, whoever's idea. But, yeah, it  
3 was very interesting.

4  
5 My first Board training was up in  
6 Haines. And that's where you looked at the workbook  
7 for the Council. Definitely it said, the RAC can do an  
8 RFR. And then the next training we went to in Kake, we  
9 got the new booklet and whoever took it out, they took  
10 it out in a hurry, because they didn't renumber.  
11 Because I've got copies of it on my computer back at  
12 the office saying, oh, yeah, look it, they took out  
13 number 8, but then they didn't renumber the whole  
14 thing. So who made that decision, you know, who knows.  
15 Somebody higher up said, yeah, let's not have the RAC  
16 involved with RFR.

17  
18 And I remember the Chairman getting  
19 numerous calls from D.C. as he reported out. And I  
20 said, wow, some phone calls from the D.C. office, you  
21 know, it's getting kind of political there.

22  
23 CHAIRMAN ADAMS: Yeah. I'm sure it was  
24 the solicitor, you know, general or, you know, the  
25 lawyers that represent the Board that took that out.  
26 So, you know, it's something that we have to try to  
27 deal with now these days to take care of issues like  
28 yours. But, again, we have the ability to assist  
29 communities that want to submit RFRs, to use, you know,  
30 our expertise to help you complete your work. Thanks.

31  
32 Go ahead, Floyd.

33  
34 MR. KOOKESH: Bert. I had an  
35 opportunity to read that. You know, you talk about a  
36 request for reconsideration, an opportunity to go back  
37 and look at the transcript of the Federal Subsistence  
38 Board. And on Page 211 Tim Towarak comes out and says  
39 that we have a mandate from the Secretary of the  
40 Interior to vote according to how the RAC recommends.  
41 So I'm going to ask you, what do you think of that  
42 comments? And if the comment is being made like that,  
43 why do we need a Federal Subsistence Board. So  
44 apparently they're mentioning the time might be ripe,  
45 but this is what I've read there.

46  
47 MR. WALLACE: All I could say, Floyd,  
48 is very interesting. That's about it right now. But,  
49 yeah.

50

1                   Just remember, guys, the whole process  
2 from this level of the Regional is protection. And  
3 they should up at the next level in Anchorage, it  
4 should be protection, bottom line.

5  
6                   CHAIRMAN ADAMS: Thank you, Lee. We  
7 appreciate it.

8  
9                   MR. WALLACE: Thank you.

10  
11                  CHAIRMAN ADAMS: Yeah.

12  
13                  MR. LARSON: Mr. Chair. Related to the  
14 report referenced by Mr. Wallace, on our website under  
15 issues and details, there is a report by Robert Wolf,  
16 Ph.D., and it's Methods For Rural/Non-Rural  
17 Determinations For Federal Subsistence Management in  
18 Alaska. It's the final report containing his analysis  
19 and recommended methodology. And so that's available.  
20 It's a 2003 report. The Board considered that during  
21 their last rural determination process. So I'd  
22 encourage you to look at that, and if you'd like, I  
23 could send you the link, or it's just right there under  
24 OSM's website under issues and details.

25  
26                  CHAIRMAN ADAMS: Okay. Thanks. That's  
27 what you're looking for, Patty?

28  
29                  MS. PHILLIPS: (Nods affirmatively)

30  
31                  CHAIRMAN ADAMS: Yeah. Thank you  
32 again, Lee. We appreciate it. You've got another  
33 comment.

34  
35                  MR. WALLACE: One more comment again.  
36 Again I would encourage this Council to be active in  
37 this whole issue, and I'm sure you will be. And  
38 there's definitely opportunity for conversation and  
39 ideas and ways of movement on this whole issue.

40  
41                  Again, I thank Floyd for his regional  
42 viewpoint, and, yes, we are definitely want -- to go  
43 hand in hand to the FSB. And I know recent changes is  
44 that they seem to be listening to the Regional Advisory  
45 Councils more so than they did in the past. And I know  
46 that Southeast Region is one of the stronger Councils  
47 in Alaska. And I'm always of a mindset if you have  
48 more minds working on an issue, more better off you  
49 are. And definitely as I look around the room, there's  
50 definitely some very powerful minds in this Council, in

1 this room. So definitely with you stating that, yes,  
2 we can assist in some ways, and, yes, that's where  
3 hopefully I'm going to see some partnerships with the  
4 rural determination for Saxman and other communities as  
5 a good conversation around this Council table. And  
6 it's on the agenda, 11.C., later on, and maybe it's this  
7 afternoon, or maybe it's tomorrow depending on how fast  
8 you guys move on your agenda.

9

10 Thank you.

11

12 CHAIRMAN ADAMS: Thank you. You know,  
13 I think the lawyers for the Board got tired of me  
14 listening -- bringing up the RFR issue over and over  
15 and over again. So one day he pulled me aside and he  
16 says, okay, this is what will allow you to do. So it  
17 still didn't, you know, put the issue aside. I still  
18 think that we should be able to do RFRs, but with the  
19 ability to be able to help, you know, communities with  
20 theirs, you know, is a step in the right direction.

21

22 Thank you very much, Lee.

23

24 We'll take one more testimony and then  
25 we're going to break for lunch. Mr. Dan Montieth,  
26 please come forward.

27

28 DR. MONTIETH: Hello. My name's Daniel  
29 Montieth, and I'd like to thank the Council for this  
30 opportunity to talk to you this morning.

31

32 And I'd also like to take this  
33 opportunity to thank you for all your support over the  
34 years for Saxman. The Regional Advisory Council has  
35 been a key role in supporting the Community of Saxman.

36

37 (In Tlingit)

38

39 I'd like to thank you. And I've  
40 learned so much from the Tlingit elders over the years,  
41 and out of respect to them, they always encourage me to  
42 use the language, and that's what I do today. I'm a  
43 professor of anthropology at the University of Alaska  
44 Southeast where I've had the opportunity to teach many  
45 of the young people here.

46

47 I started off being familiar with the  
48 sac (ph) back about 1989/90. We were all a little  
49 younger then. And Robert Willard was the first  
50 president of the Southeast Native Subsistence

1 Commission. And he was the one that kind of encouraged  
2 me to come down here a very rainy December when Saxman  
3 and Sitka were fighting for their subsistence rights.

4

5

6 I'd just like to make a few comments.  
7 And a little bit more about my background. I've been  
8 involved with fishing in Alaska for 30 years, and in  
9 Southeast for about 23 years now. So I'm a Johnny Come  
10 Lately.

11

12 I did go away for my schooling. Saxman  
13 and Ketchikan I consider my Alaskan home towns. I have  
14 a bachelor's, two masters, and a Ph.D. That and a  
15 dollar will get me a cup of coffee some places these  
16 days.

17

18 (Laughter)

19

20 DR. MONTIETH: But I'm ready to go head  
21 to head with some scientists. There's been a lot of  
22 good work, but there's also been a lot of questionable  
23 work, and particularly with regard to the regard to the  
24 aggregation data for communities in Southeast Alaska.  
25 Their selection of the different criteria even I would  
26 say is arbitrary data and even bad science. In fact,  
27 in some days in my college classes, I used it as an  
28 example of kind of bad science and data management.

29

30 The whole idea of looking at Saxman and  
31 aggregating it with Ketchikan, and I in no means mean  
32 to take away from Ketchikan or any other community in  
33 Southeast or throughout Alaska, but common high  
34 schools, the questions about commuting or job works and  
35 roads, a lot of those things are things that are beyond  
36 their control. What's obvious is that they're a  
37 Federally-recognized -- they have a Federally-  
38 recognized IRA. That's part of Federal legislation.  
39 They have a -- they're a municipality, separate  
40 municipality that's recognized by State governments.  
41 They have their own chapter -- camp, excuse me, of the  
42 Alaska Native Sisterhood and Brotherhood. So on and so  
43 forth. A chapter of Tlingit and Haida.

44

45 In so many ways they've historically  
46 maintained their own distinct, and continue to. And  
47 the Federal Subsistence Board's aggregating them with  
48 Ketchikan, as I would see it, and others, particularly  
49 elders who have called it an act of what I would call  
50 ethnicide. Some of them have genocide.

1 Plain and simple, when you look at  
2 their high consumption of subsistence resources, the  
3 sharing of those subsistence resources, the  
4 significance. I started in 1990 starting to document  
5 the importance of subsistence, not just from an  
6 economic standpoint, but from a social standpoint. And  
7 I would say that's true in all of your communities.  
8 You can't put a value on the positive social aspects of  
9 young people sharing their resources with their elders,  
10 taking it to their houses, getting out and physically  
11 gathering these materials. I could go on and on, but  
12 you guys know that as well as I do and better.

13  
14 When you look at Saxman, plain and  
15 simple, their unemployment data, their income levels,  
16 so many levels, it just doesn't make sense. And so  
17 I'll be working with Lee and hopefully the Council here  
18 to try to rectify it, and change this. And hopefully  
19 the political climate has changed enough that we can  
20 reverse this decision that was made a few years ago.

21  
22 That's about it, and I hope to be back  
23 maybe in the fall as we prepare more for this next  
24 round.

25  
26 CHAIRMAN ADAMS: Thank you, Dr.  
27 Montieth.

28  
29 Any questions of Dan.

30  
31 (No comments)

32  
33 CHAIRMAN ADAMS: Gunalcheesh.  
34 Appreciate it.

35  
36 We'll go ahead and break for lunch and  
37 come back here at 1:30. Before you all go though, I  
38 want you to know that in your operations manual there  
39 is Title VIII of ANILCA at the back in case we have to  
40 use it for any reason.

41  
42 (Off record)

43  
44 (On record)

45  
46 CHAIRMAN ADAMS: Please take your  
47 seats, we need to begin.

48  
49 Okay. The next issue that we have  
50 before us, ladies and gentlemen is Item No. 7.C., the

1 C&T letter. Mr. Jack Lorrigan will start the  
2 discussion here.

3

4 I want to congratulate Jack for being  
5 appointed as the Native liaison to -- is it between the  
6 Federal Subsistence Board and Tribes? So  
7 congratulations for that appointment. I think they  
8 made the right decision, too.

9

10 MR. LORRIGAN: Thank you, Mr. Chairman.

11

12 Mr. Chairman. Could we double check  
13 and see who's on line?

14

15 CHAIRMAN ADAMS: Yes. Could we get a  
16 count on who's on line.

17

18 MR. SHARP: Yes. Dan Sharp with BLM.  
19 Good afternoon.

20

21 CHAIRMAN ADAMS: Thank you.

22

23 MS. SINAIKO: Olivia Sinaiko with the  
24 Southeast Alaska Conservation Council.

25

26 CHAIRMAN ADAMS: Okay. Anyone else.

27

28 DR. JENKINS: David Jenkins with OSM.

29

30 MR. EVANS: This is Tom Evans with OSM.

31

32 CHAIRMAN ADAMS: Is that about it?

33

34 (No comments)

35

36 CHAIRMAN ADAMS: Go ahead, Mr.

37 Lorrigan.

38

39 MR. LORRIGAN: Thank you, Mr. Chairman.

40 Council. For the record, my name is Jack Lorrigan.

41 I'm the Native Liaison with the Office of Subsistence

42 Management, and I've been asked to present the C&T

43 issue which originated with this Council.

44

45 I have some talking points, and I've  
46 been asked to read the briefing into the record for the  
47 purposes of making sure all the Councils are getting  
48 the same information, and that you hear what the other  
49 Councils are hearing, and for education purposes of the  
50 new Council members and members of the audience that

1 may not be familiar with the situation.

2

3                   So the talking points I've been given  
4 are in 2009 the Secretary of Interior directed the  
5 Federal Subsistence Board to do two tasks. They were to  
6 review with RAC input Federal subsistence procedural  
7 and structural regulations adopted from the State in  
8 order to ensure Federal authorities are.....

9

10                   CHAIRMAN ADAMS: Excuse me, Jack. Is  
11 there something that we have before us that we can.....

12

13                   MR. LORRIGAN: Oh, I'm sorry, Mr.  
14 Chairman. It's on Page 16.

15

16                   CHAIRMAN ADAMS: Thank you. Page 16  
17 everyone.

18

19                   MR. KOOKESH: You knew that, right?  
20 You were just testing him.

21

22                   CHAIRMAN ADAMS: Just testing you.  
23 Yeah. Yeah, just testing you. I've got mine all  
24 marked up in here, too. So I know that. Go ahead.

25

26                   MR. LORRIGAN: I've just been anxious  
27 to get this done, Mr. Chairman.

28

29                   (Laughter)

30

31                   CHAIRMAN ADAMS: You'll do fine, Jack.  
32 Thank you.

33

34                   MR. LORRIGAN: Everybody there? All  
35 right.

36

37                   Again, the first task was to review  
38 with RAC input Federal subsistence procedural and  
39 structural regulations adopted from the State in order  
40 to ensure Federal authorities are fully reflected and  
41 comply with Title VIII of ANILCA.

42

43                   The second task was to review customary  
44 and traditional determination process to provide clear,  
45 fair, and effective determinations in accordance with  
46 Title VIII goals and provisions.

47

48                   The Southeast Alaska Subsistence  
49 Regional Advisory Council does not believe that this  
50 directive has been met and believes that the current

1 customary and traditional use determination process  
2 does not fulfill the goals and directives of ANILCA.

3

4 I'm speaking from a separate sheet that  
5 I have.

6

7 The Southeast RAC formed a work group  
8 that extensively studied Council meeting transcripts  
9 for meetings where the issue of revising the C&T  
10 process was discussed. The work group found that the  
11 issue had not been presented consistently, and that  
12 Councils were not given a meaningful opportunity to  
13 comment on the C&T process.

14

15 In January 2013 the Southeast RAC sent  
16 a letter to all the Council Chairs summarizing this  
17 history and inviting the Councils to review at their  
18 fall 2013 meetings whether the current C&T process is  
19 serving the needs of residents in their region. The  
20 Southeast Council urges all Councils to engage in a  
21 thorough review of the C&T process at their fall 2013  
22 meetings and ask OSM to prepare an adequate briefing  
23 for that review.

24

25 And so, Mr. Chairman, for the purposes  
26 I stated earlier, there's a two and a half, three-page  
27 briefing that I'll try to get through.

28

29 There's still one more RAC that needs  
30 to have this information presented, and that's the  
31 Kodiak, it would be in Kodiak. I guess that's the  
32 Aleutian RAC.

33

34 CHAIRMAN ADAMS: Does that mean that  
35 they haven't.....

36

37 MR. LORRIGAN: I couldn't hear you.

38

39 REPORTER: And Seward Pen.

40

41 MR. LORRIGAN: And Seward Pen?

42

43 REPORTER: Uh-huh.

44

45 MR. LORRIGAN: And Seward Pen. I'm  
46 sorry.

47

48 CHAIRMAN ADAMS: Does that mean that  
49 they haven't received any information on this yet?

50

1 MR. LORRIGAN: They have, not in the  
2 format of a council meeting, but I'm sure the letters  
3 have been sent to them.

4  
5 CHAIRMAN ADAMS: Okay.

6  
7 MR. LORRIGAN: Customary and  
8 traditional use determination recommendation briefing.  
9 Issue. The Southeast Alaska Subsistence Regional  
10 Advisory Council does not agree that the current method  
11 restricting access to fish and wildlife resources  
12 through a customary and traditional use determination  
13 process was intended in ANILCA.

14  
15 Although Southeast Council recognizes  
16 there are a number of possible solutions, its preferred  
17 solution is to eliminate the customary and traditional  
18 use determination regulations, 36 CFR 242.16 and 50 CFR  
19 100.16, and allocate resources as directed in Section  
20 .804 of ANILCA.

21  
22 The Background. The current  
23 regulations on the Federal customary and traditional  
24 use determination process, including the eight factors,  
25 were based on pre-existing State regulations. The  
26 Federal program adopted this framework, with some  
27 differences, when it was thought that Federal  
28 subsistence management would be a temporary issue.

29  
30 The primary purpose of customary and  
31 traditional use determinations by the State is to limit  
32 the subsistence priority by adopting negative  
33 determinations for specific fish and wildlife species  
34 in specific areas. The customary and traditional use  
35 determination process was also used to establish  
36 non-subsistence use areas where no species are eligible  
37 for subsistence use.

38  
39 A positive customary and traditional  
40 use determination in State regulations recognizes  
41 subsistence use and provides residents with a legal  
42 protection to engage in priority subsistence  
43 activities.

44  
45 Unlike the State process, in which some  
46 lands are excluded from subsistence use, most Federal  
47 public lands are available for subsistence use by rural  
48 residents with some exceptions.

49  
50 The Federal program uses the customary

1 and traditional use determination process to restrict  
2 which rural residents can participate in subsistence.  
3 The abundance of fish or wildlife is not a factor in  
4 deciding which rural residents can participate in  
5 subsistence and some residents may be restricted in  
6 times of  
7 abundance.

8  
9                   The Federal customary and traditional  
10 use determination process is actually a means of  
11 closing an area to some rural residents, but there are  
12 no provisions for periodic review of this action  
13 similar to the review policy on other closures.

14  
15                   A draft policy on customary and  
16 traditional use determinations was subject to public  
17 comment during the fall 2007 Regional Advisory Council  
18 meeting window. The Federal Subsistence Board decided  
19 not to take action on the policy in March of 2008.

20  
21  
22                   In October of 2009, Secretary of the  
23 Interior Ken Salazar announced that there would be a  
24 review of the Federal subsistence program to ensure  
25 that the program is best serving rural Alaskans and  
26 that the letter and spirit of Title VIII are being met.

27  
28                   In a detailed report from the U.S.  
29 Department of the Interior in September 2009, the  
30 Secretary of the Interior, with concurrence of the  
31 Secretary of Agriculture, directed the Federal  
32 Subsistence Board to do several tasks -- two tasks --  
33 several. I've already read those.

34  
35                   Jumping down, in a letter to Mr. Tim  
36 Towarak in December 2010, Secretary of the Interior Ken  
37 Salazar requested that the Federal Subsistence Board  
38 review, with RAC input, the customary and traditional  
39 use determination process and present recommendations  
40 for regulatory changes.

41  
42                   In their 2011 Annual Report, the SE  
43 Council suggested that the Board consider modifying  
44 current regulations to be more representative of the  
45 way people use subsistence resources. The SE Council  
46 suggested the following specific regulatory change:

47  
48                   Modify 50 CFR 100.16 (a). The  
49 regulation should read: The Board shall determine which  
50 fish and wildlife have been customarily and

1 traditionally used for subsistence. These  
2 determinations shall identify the specific community's  
3 or area's use of, in bold, all species of fish and  
4 wildlife that have been traditionally used, in their  
5 past and present geographic areas, striking specific  
6 fish stocks and wildlife populations.

7  
8 In the Annual Report reply, the Board  
9 encouraged the SE Council to develop recommendations in  
10 a proposal format for additional review. The Office of  
11 Subsistence Management pledged Staff assistance if the  
12 Council wished to pursue the matter further.

13  
14 During the March 2012 meeting in  
15 Juneau, an update on the Secretarial Review stated that  
16 nine Councils felt the customary and traditional use  
17 determination process was adequate and only the SE  
18 Council had comments for changes to the process.

19  
20 The SE Council formed a work group to  
21 review materials and provide a report on the issue  
22 during the March 2012 SE Council meeting and develop a  
23 recommendation for consideration by the SE Council at  
24 the September 2012 meeting.

25  
26 Findings of the Southeast Council. An  
27 eight factor framework for Federal customary and  
28 traditional use determination analysis was first  
29 adopted by the Alaska Board of Fisheries and is not  
30 found in ANILCA. Although there are clearly some  
31 instances where it is appropriate to provide a  
32 preference to local residents, for instance, an early  
33 start to the moose season in Yakutat, the SE Council  
34 has a history of recommending the customary and  
35 traditional use determinations for a large geographic  
36 area.

37  
38 When necessary, the Federal Subsistence  
39 Board can restrict who can harvest a resource by  
40 applying ANILCA Section .804 criteria:

- 41  
42 1. Customary and direct dependence upon  
43 the populations as the mainstay of livelihood;  
44  
45 2. Local residency; and  
46  
47 3. The availability of alternative  
48 resources.

49  
50 The ANILCA Section .804 process is a

1 management tool that allows seasons on Federal public  
2 lands and waters to remain open to all rural residents  
3 until there is a need to reduce the pool of eligible  
4 harvesters.

5  
6 Replacing the Federal customary and  
7 traditional use determination eight factors with ANILCA  
8 Section .804 three criteria may be a preferred method  
9 of restricting who can harvest a resource.

10  
11 Action. In January 2013, the SE  
12 Council sent a letter to the other Federal Regional  
13 Advisory Councils regarding the deficiencies in the  
14 current customary and traditional use determination  
15 process. This letter asks the other councils to review,  
16 during their fall 2013 meetings, whether the process is  
17 serving the needs of the residents of their region and  
18 report their findings to the SE Council. If it is the  
19 desire of the other councils, a proposal for amending  
20 or eliminating current regulations could be developed  
21 for consideration by all the Councils.

22  
23 Mr. Chairman.

24  
25 CHAIRMAN ADAMS: Any questions.....

26  
27 REPORTER: Bert.

28  
29 CHAIRMAN ADAMS: Questions from the  
30 Council to Jack.

31  
32 Thank you for that report, Jack.

33  
34 Cathy.

35  
36 MS. NEEDHAM: Thank you, Mr. Chair.

37  
38 Jack, will there be at some point of  
39 somebody to present what the other RACs have been  
40 saying so far in response to the letter that was sent  
41 to them at this meeting, or some summary of review. I  
42 know those are just happening.

43  
44 MR. LORRIGAN: I believe that is the  
45 intent. We still have two RACs to present to. And I'm  
46 glad for the help if Pat wants to.

47  
48 (Laughter)

49  
50 MR. LORRIGAN: Mr. David Jenkins is on

1 line, too, and he's very familiar with this topic, so  
2 questions can be directed to him also.

3

4 MS. PETRIVELLI: I also want to say  
5 what you see in your books on Pages 16 through 69 are  
6 all the materials that were given to all the other  
7 RACs, and they were just told that they could review  
8 all these materials, and then their comments would be  
9 in the fall. That's when would be giving input. So  
10 this was just to let -- and they have made some  
11 comments, and I don't know who's going to summarize  
12 them. But they were just given this as a task to do in  
13 the fall. So this go around was just to give them the  
14 background materials to go and talk with their  
15 communities and then come back in the fall with any  
16 recommendations. And I think that would be their  
17 official comments at that time.

18

19 CHAIRMAN ADAMS: Okay. Mr. Jenkins,  
20 you're on line there. Do you have anything to offer at  
21 this point.

22

23 DR. JENKINS: Mr. Chair. I think Jack  
24 covered it pretty well, but if there's specific  
25 questions that you have, I can try to answer them.

26

27 CHAIRMAN ADAMS: Okay. Any more  
28 questions of the Council.

29

30 (No comments)

31

32 CHAIRMAN ADAMS: Comments, Robert.

33

34 MR. LARSON: When we're done with  
35 Jack's presentation, I have a comment.

36

37 CHAIRMAN ADAMS: Okay. Mr. Kookesh.

38

39 MR. KOOKESH: Yeah, Mr. Chairman.

40

41 In looking on Page 18 those three  
42 bullets, can you elaborate on every one of them. Like  
43 define them or be specific.

44

45 MR. LORRIGAN: I would defer to Mr.  
46 Jenkins if that's okay.

47

48 DR. JENKINS: Are you referring to the  
49 .804 criteria?

50

1 CHAIRMAN ADAMS: There's the three  
2 bullets, you know, on Page 18. It says that when  
3 necessary, the Federal Board can restrict and so forth  
4 and so forth, and then it has those three bullets under  
5 that. What Mr. Kookesh is asking is a little bit more  
6 clarification on those three bullets.

7  
8 DR. JENKINS: I don't have Page 18 in  
9 front of me. Could you just tell me what those three  
10 bullets say, and I can respond to it.

11  
12 CHAIRMAN ADAMS: Okay. Bullet No. 1 is  
13 customary and direct dependence upon the populations as  
14 the mainstay of livelihood. If you want to take that  
15 one right now, then we'll go on to the next one.

16  
17 DR. JENKINS: Well, these three  
18 categories that we have in an .804 analysis, customary  
19 and direct dependence as the mainstay of livelihood,  
20 and proximity to a resource, and then availability of  
21 alternative resources, all of those have definitions on  
22 the State side of things, but they actually don't have  
23 definitions on the Federal side of things.

24  
25 So what we've done when we've done .804  
26 analyses is try to understand each of these three  
27 criteria relative to the particular resource that's at  
28 issue. So customary and direct dependence is pretty  
29 straight forward. I mean, have people depended on a  
30 particular resource in order to get by as what we say  
31 here is the mainstay of their livelihood.

32  
33 And proximity is a more difficult one,  
34 because proximity, of course, is relative to the means  
35 to get from place to place. So it's a difficult  
36 question to pursue. Does proximity mean a mile away?  
37 Two miles away? 10 miles away? Does it mean that you  
38 get up and down somewhere in a boat or on a  
39 snowmachine. Does that change what proximity means?  
40 Well, all of these are questions that have to be asked  
41 and answered relative to a particular resource issue.

42  
43 And then finally alternative resources  
44 doesn't mean going to a grocery store. It means  
45 something that's culturally relevant that can be  
46 substituted with the resource that's being restricted.  
47 So it doesn't mean that you can simply, you know,  
48 substitute say brown bear for Chinook salmon. It means  
49 that there needs to be a local culturally relevant  
50 substitution or alternative involved, which doesn't

1 include just simply going to a grocery store.

2

3 Is that helpful?

4

5 CHAIRMAN ADAMS: Okay. I think so.

6

7 Floyd, do you have comment on that.

8

9 MR. KOOKESH: Because maybe you could  
10 look at -- maybe I'm looking for more definition than  
11 that on, like for example, local residency Does it  
12 mean you live in the community or you're a resident of  
13 the state, because my understanding is that if you're a  
14 resident in the state, you're considered local; is that  
15 correct or not?

16

17 DR. JENKINS: Well, local residency  
18 here has to be read in the context of Federally-  
19 qualified subsistence user. So that's the context in  
20 which we're working. So you will have to be a resident  
21 of the state to be Federally-qualified subsistence  
22 user, yes, but the context is the Federally-qualified  
23 subsistence user. And so the locale then in that  
24 context is what, as I just suggested to you, is not  
25 defined very precisely, what local residency refers to.

26

27 CHAIRMAN ADAMS: Okay. Thank you. Any  
28 more questions or comments from the Council in regard  
29 to those three bullets.

30

31 (No comments)

32

33 CHAIRMAN ADAMS: Thank you, Mr.  
34 Jenkins. Appreciate it.

35

36 Jack, do you have any more to add to  
37 this?

38

39 MR. LORRIGAN: Mr. Chairman. As I said  
40 before, there's still two RACs that have to hear this  
41 information.

42

43 And the two meetings that I've been to,  
44 it has generated some discussion from the Council, so  
45 they're definitely thinking about it now and how it  
46 might pertain to them. So we'll see what they come up  
47 with over the summer.

48

49 CHAIRMAN ADAMS: Okay. So all of the  
50 other RACs you've had some kind of response from them

1 so far or no.

2

3 MR. LORRIGAN: I was at the  
4 Southcentral RAC in Anchorage, and the discussion that  
5 I heard, I think they would like somebody from this  
6 Council to interact with them in some way, either come  
7 up or teleconference with a group of you or something.  
8 Something to help them work through what your intent  
9 was.

10

11 And then the Kotzebue RAC, one of the  
12 members asked to see an analysis of what would their  
13 area look like if it had been done through the .804  
14 process and not through the C&T process.

15

16 CHAIRMAN ADAMS: Okay. Thank you.

17

18 Donald, go ahead.

19

20 MR. HERNANDEZ: Thank you, Mr.

21 Chairman.

22

23 I was just wondering, Jack, if you can  
24 give us any kind of a sense of what's different between  
25 our situation here in Southeast and, you know, the rest  
26 of the RACs. I guess I have a hard time understanding  
27 why they wouldn't see the situation the same way we do,  
28 or have they just not had enough time to really, you  
29 know, go through it as much as we have. Have you got  
30 any thoughts on that.

31

32 MR. LORRIGAN: I can't give a definite  
33 answer of what they're seeing differently. One  
34 discussion I did hear was that they're on the road  
35 system, that they have a lot of highway access from  
36 Fairbanks and Anchorage, and I think they feel  
37 protected with this process versus -- I don't know if  
38 that's true, but that was a concern that we don't have  
39 highways down here, we have shipping lanes or aircraft,  
40 and we're more.....

41

42 MS. KENNER: Mr. Chair. This is Pippa  
43 Kenner.

44

45 MR. LORRIGAN: Yeah. So if anybody  
46 else can answer that, too, that would be great.

47

48 MS. KENNER: Mr. Chair. This is Pippa  
49 Kenner.

50

1 CHAIRMAN ADAMS: Welcome aboard, Pippa.  
2 Go ahead.

3  
4 MS. KENNER: Thank you, Mr. Chair.  
5 This is Pippa Kenner, and I'm the anthropologist at  
6 OSM, sitting here in  
7 Anchorage.

8  
9 Having worked on Southeast customary  
10 and traditional use determinations, I am familiar with  
11 them, excuse me, and the way that customary and  
12 traditional use determinations are used around the  
13 state is very, very -- there's a lot of differences in  
14 approaches and attitudes towards it. And I'm glad this  
15 question came up, and I think you might be better  
16 served if we collect these types of observations that  
17 your Council is making and be prepared to answer them  
18 in the fall. Unless you'd like some specifics. If you  
19 would, please, I can give them to you.

20  
21 CHAIRMAN ADAMS: No, I think maybe  
22 we'll be talking about that a little bit later on, so  
23 stay on board, Pippa, until we get to that process.

24  
25 MS. KENNER: Okay.

26  
27 CHAIRMAN ADAMS: But we thank you for  
28 your comments.

29  
30 Are you done pretty much?

31  
32 (Laughter)

33  
34 MR. LORRIGAN: Sure.

35  
36 CHAIRMAN ADAMS: Unless we've got --  
37 oh, of course, the questions are just beginning, so  
38 just be prepared to stay there for the rest of the day.

39  
40 (Laughter)

41  
42 CHAIRMAN ADAMS: Go ahead, Cathy.

43  
44 MS. NEEDHAM: Thank you, Mr. Chair.

45  
46 People are starting to think about  
47 this, right, that's why the questions. And I'm like,  
48 wait a minute. j

49  
50 I do have a question on the information

1 that was presented. It said in 2007 and 2008 there was  
2 the dropped policy in our packets. It was comments  
3 back on that dropped policy were given by a number of  
4 different entities. And my question is, do you know if  
5 there's been any thought or consideration of  
6 resurrecting that policy or bringing that back to the  
7 table, or is that off? Because the Board didn't take  
8 action in 2008, or they chose, yeah, to take no action.  
9 And so does that mean it's gone?

10

11 MR. LORRIGAN: I would need to defer to  
12 somebody who was there. I was not privy to any of  
13 this. So anybody on line who knows that answer, please  
14 speak up.

15

16 MS. KENNER: Well, this is Pippa. I'm  
17 on line.

18

19 CHAIRMAN ADAMS: Go ahead, Pippa.

20

21 MS. KENNER: This is Pippa Kenner  
22 again. At the time that that policy was being  
23 reviewed, the Councils did weigh in and gave a lot of  
24 comments that were pulled together and reviewed. And I  
25 think that the Council would be familiar with the  
26 Chistochina decision that occurred at the end of that  
27 review process in 2007 and 2008 while the Councils were  
28 reviewing our C&T process. At the end of that we did  
29 receive the Federal Court's decision on the Chistochina  
30 case, which validated our approach to customary and  
31 traditional use determinations, and at that point the  
32 process didn't go forward. It was deemed that at that  
33 point nobody was asking us to write a policy, and it  
34 was deemed that we didn't need to. And since then,  
35 until the Secretarial review, that particular question  
36 hadn't come up again by the Councils.

37

38 CHAIRMAN ADAMS: Okay. Help you,  
39 Cathy?

40

41 (No comments)

42

43 CHAIRMAN ADAMS: Okay. Anyone else.  
44 Go ahead, Floyd.

45

46 MR. KOOKESH: Yeah. My question is for  
47 the 13 years I've been on here, we made some decisions  
48 a while back creating customary and traditional use  
49 determinations for Meyers Chuck and I believe Gustavus  
50 got it. What happens in this process? Do you just

1 roll them over?

2

3 MR. LORRIGAN: Again, I'll defer to  
4 Pippa.

5

6 CHAIRMAN ADAMS: Pippa, did you hear  
7 the question.

8

9 MS. KENNER: Yeah. I heard the  
10 question. This is Pippa at OSM again.

11

12 I would -- the question wasn't very  
13 specific, and I'm not sure exactly what Member Kookesh  
14 was referring to. Could he be more specific.

15

16 MR. KOOKESH: No.

17

18 (Laughter)

19

20 CHAIRMAN ADAMS: Pat, do you have a  
21 comment to make on that.

22

23 MS. PETRIVELLI: Yes. This is Pat  
24 Petrivelli with BIA.

25

26 I think your question is if there were  
27 no customary and traditional use determinations, what  
28 would happen to Meyers Chuck and them, because they  
29 were given C&T determinations?

30

31 MR. KOOKESH: Uh-huh.

32

33 MS. PETRIVELLI: If there were none,  
34 the default situation now when there isn't a customary  
35 and traditional use determination, all rural residents  
36 are eligible to harvest -- all Federally-qualified  
37 subsistence users are eligible to harvest subsistence  
38 under our regulations. And the default would be all  
39 rural residents would be eligible, and then when  
40 there's a shortage, then we'd use those .804 criteria.  
41 So that's what would happen if there were no C&T  
42 determinations.

43

44 The way it is now, the C&T  
45 determinations mean that the people identified in the  
46 determinations are the Federally-qualified users that  
47 are eligible to harvest, and no other Federally-  
48 qualified subsistence users are eligible to harvest  
49 under our regulations.

50

1 CHAIRMAN ADAMS: Did that help, Floyd.

2

3 MR. KOOKESH: Yes.

4

5 CHAIRMAN ADAMS: Okay. Cathy, go  
6 ahead.

7

8 MS. NEEDHAM: I have a follow up if Pat  
9 can stay.

10

11 So if the C&T process was eliminated,  
12 that was the recommendation from the Southeast Council,  
13 and if eventually all of the other Regional Advisory  
14 Councils decided that might be an option or preferred  
15 method and it goes back to that, is there a potential  
16 for the C&T determinations that have been made  
17 previously in other regions, for those to be  
18 grandfathered. Because my understanding is that maybe  
19 other regions have had C&T determinations made that is  
20 beneficial for them and that might be one of the  
21 reasons why they would not necessarily support removing  
22 the C&T determination process as it stands now.

23

24 MS. PETRIVELLI: Oh, do you think it  
25 might be possible to have regional variations on  
26 whether to make customary and traditional use  
27 determinations or not? I guess you could propose that  
28 so that -- I mean, like if -- well, because some of the  
29 C&T determinations, like in Northwest Arctic, their  
30 region is Unit 23. So in Unit 23, all residents of  
31 Unit 23 have C&T use of moose and caribou and all the  
32 species in their area. That's just how it goes. So  
33 their region, if it was on a regional basis, maybe they  
34 would want to keep it that way. But I don't know if  
35 you would ask that you just want to get rid of them in  
36 the Southeast Region, you know, I'm not sure. But I  
37 guess you could think about that, if you wanted to just  
38 get rid of them for the Southeast Region only.

39

40 CHAIRMAN ADAMS: Floyd, go ahead.

41

42 MR. KOOKESH: So we're going to be the  
43 deciders on whether or not C&T goes away or rolls over?

44

45 MS. PETRIVELLI: Well, wasn't it the  
46 fall meeting that the subcommittee had made -- this is  
47 what I tell the other Councils.

48

49 (Laughter)

50

1 MS. PETRIVELLI: So you guys had a  
2 subcommittee. You had a recommendation to get rid of  
3 C&T determinations. Or the alternative, which was all  
4 the residents would use all the resources in their  
5 area. That was, you know, an alterative. And then  
6 your whole Council said, well, we're not quite sure,  
7 because no one really agreed upon that exactly. And  
8 then they said, well, if we recommended to do that, how  
9 would it affect the rest of the state, and what would  
10 the other regions go. So it was decided to contact the  
11 other regions and see what they thought about it and  
12 whether you would make a recommendation to petition to  
13 change, make such a drastic change in the regulations  
14 if the other regions didn't care. So you wanted to hear  
15 from the other regions first. And I think you even  
16 wanted to mull it over yourselves, you know, and go  
17 back to your communities and think about it, because  
18 there wasn't a unified support of getting rid of the  
19 whole thing.

20

21 So it's kind of like -- remember a  
22 couple of years ago when your Council proposed getting  
23 rid of the fees for hunting licenses, because there was  
24 no requirement -- or not fees, but requirements for  
25 hunting licenses, because there was a requirement for a  
26 sportfish license I think. And we stopped and we don't  
27 require that. And so you said, well, why do we have to  
28 get a hunting license. And so the Southeast RAC went  
29 to all the other Councils, and then they heard back,  
30 and it was divided. People said, yes; people said, no,  
31 and then it wasn't pursued any further.

32

33 So now you did another request for more  
34 information, and you'll hear back I suppose not next  
35 fall, but next spring, and I'm not sure what they'll  
36 say, but you would -- and then you would decide whether  
37 you want to pursue it. And once you have a better idea  
38 of what you will pursue, then OSM would do a detailed  
39 analysis of the impacts of what you would pursue.

40

41 CHAIRMAN ADAMS: Okay. Mr. Bangs.

42

43 MR. BANGS: Thank you, Mr. Chairman.

44

45 I have kind of a thought and a question  
46 at the same time. I'm wondering. The question would  
47 be if we were to do away with customary and traditional  
48 use findings, would any protection to those resource  
49 users, Federally-qualified, would any protection be  
50 lost that couldn't be addressed in Title VIII, .804 of

1 ANILCA?

2

3 MS. PETRIVELLI: I guess -- I'm just  
4 trying to think of when we -- the intent of the  
5 regulations. The .804 situation technically is  
6 protecting the subsistence use when there's a shortage.  
7 Now, when we make a customary and traditional use  
8 determination, I mean, I don't know what we'd lose by  
9 -- I think if there's a resource shortage then  
10 technically there would be a protection for the users,  
11 that the people who have the customary direct  
12 dependence who are local to the area and who have no  
13 availability of alternative resources, their uses would  
14 be protected.

15

16 So like if there's plenty of fish,  
17 plenty of deer, plenty of moose, you know, then you  
18 wouldn't need an .804, and there could just be  
19 regulations.

20

21 I guess like in the State system, you  
22 know, there's the general hunt. And then non-residents  
23 can harvest. Then they go down to Tier I, and then just  
24 State residents can harvest. And then they get to Tier  
25 II, and then that's when they have that funnel  
26 approach. So the .804 is the equivalent of a Tier II.  
27 It's just the State does it by individuals and the  
28 Federal program does it by communities, if you need a  
29 parallel.

30

31 CHAIRMAN ADAMS: Let me, if I might,  
32 you know, read Section .804, and I think this might  
33 answer your question, if you all want to turn to it.  
34 It's on Page 62 of your handbook.

35

36 It says here that except as otherwise  
37 provided in this Act and other Federal laws, the taking  
38 of public lands of fish and wildlife for non-wasteful  
39 subsistence uses shall be accorded priority over the  
40 taking on such lands of fish and wildlife for other  
41 purposes. Whenever it is necessary to restrict the  
42 taking of populations of fish and wildlife on such  
43 lands for subsistence uses to protect the continued  
44 liability of such populations, or to continue such  
45 uses, such priority shall be implemented through  
46 appropriate limitations based on the application of the  
47 following criteria. And then it gives you three  
48 criteria.

49

50 And I think that might answer your

1 question, Mr. Bangs. Go ahead.

2

3 MR. BANGS: Thank you, Mr. Chairman.

4

5 The reason that I asked that question  
6 is because what we're doing in my, you know, dealing  
7 with this over the last several years is we're trying  
8 to make C&T fit into ANILCA when ANILCA already has the  
9 answer. And C&T is just something that we grabbed from  
10 the State originally. And so maybe in my mind that  
11 other Councils that are afraid of getting the C&T taken  
12 away, that they don't understand how ANILCA already has  
13 it in law. And I'm wondering, we just kind of created  
14 this big huge mess of misunderstanding by incorporating  
15 C&T into this process when it's already there, and we  
16 don't really need it. So I'm just wondering of maybe  
17 education is part of the problem throughout the State.

18

19 Thank you.

20

21 MS. KENNER: Mr. Chair. This is Pippa  
22 Kenner.

23

24 CHAIRMAN ADAMS: Go ahead, Pippa.

25

26 MS. KENNER: Thank you, Mr. Chairman.  
27 This is Pippa Kenner in Anchorage with OSM.

28

29 There are many category of opinions  
30 about C&T in the rural communities in the state, but  
31 one category opinion has to do with where C&T came  
32 from. During the first review in 2007 and 2008, there  
33 were a number of responses from around the state where  
34 individuals and Council members said that they liked  
35 having their community, their people in a C&T, because  
36 then it made it clear that their priority existed for  
37 that species in that area. And some went on further to  
38 say that if the State ever came in compliance and  
39 regained management authority over subsistence on  
40 Federal public lands, that those C&Ts would then be  
41 integrated into the State system.

42

43 Thank you.

44

45 CHAIRMAN ADAMS: Okay. Thank you,  
46 Pippa.

47

48 Tim, go ahead. Tim Ackerman.

49

50 MR. ACKERMAN: Yes. I would just like

1 to make kind of a comment/observation. We up at Haines  
2 are under a totally different public lands. It's all  
3 State. Always tell them we're fishing for a Federal  
4 fish, that's the halibut under the water in State  
5 waters, but anyway.

6  
7 Subsistence as far as some of the  
8 people talk about the Haines area there, there's really  
9 nothing that compares to subsistence up there. I  
10 wouldn't even say there's subsistence is what they talk  
11 about. We up there have to compete with a gentleman  
12 that has \$400,000 in equipment to go on a moose hunt,  
13 and all we have is what you would call a '73 Ford and  
14 our Chevro-legs.

15  
16 But, yeah, it's not being under the  
17 Federal, you know, it's kind of interesting to see  
18 both, what they would really call subsistence is not  
19 subsistence. When we have to just go with the State  
20 regs and stuff like that, when you have to compete with  
21 somebody in a State so-called subsistence harvest of  
22 moose, and the guy's got a plane, a jet boat, a \$50,000  
23 Ford pickup truck, and fourwheelers, you know, it's an  
24 economic hunt I guess you could say, you know, and it's  
25 pretty hard to compete with somebody that has an  
26 airplane and stuff in a state-managed subsistence hunt  
27 here.

28  
29 Yeah. It's just an observation.

30  
31 Thanks.

32  
33 CHAIRMAN ADAMS: Thank you, Tim.

34  
35 Cathy, go ahead.

36  
37 MS. NEEDHAM: Thank you, Mr. Chair.

38  
39 I worked with the work group on this  
40 particular issue, and my question might be where we're  
41 going to go from here because it seems like there's a  
42 little bit of a lag time. Our work group and this  
43 Council has been pretty involved in the issues, and the  
44 other Councils are just now getting the information and  
45 deciding whether or not they want to adjust it, and see  
46 how it impacts them. And then they I'm assuming are  
47 going to be working through to the next meeting, and so  
48 we might hear -- like this information has just been  
49 presented to them, and we might hear a report soon  
50 after they've all met, if they're going to move forward

1 with it. But we won't know their thoughts and ideas  
2 until after the fall meeting. So I'm not sure, are we  
3 needing to be doing anything else from this point  
4 forward?

5  
6 CHAIRMAN ADAMS: Yeah. I think at the  
7 end of the meeting, Cathy, we'll probably talk about  
8 this and see where we want to go to from here, and it  
9 would involve, of course, maybe the same committee or  
10 we might form a new one to address that. But what I  
11 would like to do right now if I might, you know, Patty,  
12 and Cathy, and Tim, you know, were -- was there anyone  
13 else that were on that committee.

14  
15 MS. NEEDHAM: You.

16  
17 CHAIRMAN ADAMS: Just the three of you?  
18 Yeah. I want to compliment you on a job well done,  
19 okay. And I sat in on some of your discussions,  
20 teleconferences, and I was really impressed. So what I  
21 would like for maybe one of you to do, you can  
22 volunteer if you want, Cathy or Patty, you know, to and  
23 give a report on what you did, and then go back to the  
24 letter that was drafted and has my signature on it, and  
25 maybe we can go from there. If you don't mind, Cathy.  
26 Go ahead.

27  
28 MS. NEEDHAM: Thank you, Mr. Chair.

29  
30 I don't have dates or the numbers of  
31 meetings and stuff that we did, but from recollection,  
32 the work group was formed after the spring meeting in  
33 2012 when we met in Juneau. And we spent some time  
34 over the summer reviewing the documentation and the  
35 issue, and at the last meeting in fall in Sitka we  
36 brought a report back to this Council based on the  
37 information that we had read, and where we thought our  
38 recommendations would come from and why. And this  
39 Council had a discussion during that meeting and our  
40 biggest recommendation was that we wanted our Council  
41 to engage the other Councils in the issue again,  
42 because we didn't feel that the subject matter was  
43 given the due diligence that the Secretarial Review was  
44 asking for.

45  
46 And this Council decided to task us  
47 with drafting that letter so that it could be presented  
48 back to the other Councils. We did a bulk of that work  
49 in probably the last part of December, first part of  
50 January before the Federal Subsistence Board meeting

1 with the help of our Council coordinator drafted the  
2 letter that's on Page 19 of our Council books. And  
3 then that letter along with a briefing paper was given  
4 to you as the Council Chair to attend the Federal  
5 Subsistence Board meeting to inform them that we were  
6 going to be giving this correspondence to the other  
7 Regional Advisory Councils, and also that gave the  
8 opportunity for the Chairs of the other Regional  
9 Advisory Councils, they were at that Board meeting as  
10 well. And so there could be some discussion about how  
11 we got to that point.

12  
13                   And since the letter has been  
14 delivered, that was the last action item of the work  
15 group.

16  
17                   And if Patty or Tim have anything to  
18 add that I might have missed, please do so.

19  
20                   CHAIRMAN ADAMS: Patty or Tim. Go  
21 ahead Patty.

22  
23                   MS. PHILLIPS: Thank you, Mr. Chair.  
24 And thank you, Cathy, for, you know, summarizing that  
25 so eloquently.

26  
27                   I would like to say that I really  
28 appreciate OSM's summarizing our key points in these  
29 three pages of the briefing. And I really appreciate  
30 -- have you been to all the -- are you the one who's  
31 been to all the meetings and made the presentations?  
32 But it's been a consistent message to each and every  
33 Council.

34  
35                   MR. LORRIGAN: (Nods affirmatively)

36  
37                   MS. PHILLIPS: So I'd like to recognize  
38 that consistency in presentation and reporting to the  
39 other RACs. That was one of our concerns is that, you  
40 know, it wasn't presented equally to each RAC, so there  
41 was some confusion as to what exactly the Federal  
42 Subsistence Board was inquiring about these C&T use and  
43 .804 process.

44  
45                   I think that -- well, I shouldn't say I  
46 think. We are trying to recognize what's already in  
47 practice and have that mesh with the policies and  
48 regulations that come out of this Section .80800 or  
49 whatever, you know, ANILCA provisions. And so the --  
50 and I really like how well it says that our RAC, the

1 Southeast RAC has been broad in its areas and in its  
2 C&T use determinations, except in certain -- like in  
3 the Yakutat area. And that -- I mean, this process has  
4 only been in place for 20 years, but we've been  
5 consistent. And I like that it says that, we've been  
6 consistent.

7

8                   And so as far as, you know, we do know  
9 that there are other C&T use determinations going on in  
10 other areas of the State, but those have been with RAC  
11 input. And, you know, I'm curious to know, is that RAC  
12 input -- is the Federal Subsistence Board giving  
13 deference to that RAC when they make those C&T use  
14 determinations? Because, you know, I think we all  
15 support ANILCA, and we all support the .804, because  
16 that's what ANILCA says.

17

18                   So if we want to further narrow it down  
19 to a C&T use determination, it would have to go before  
20 a RAC. And so, you know, perhaps to ally more of a  
21 statewide support for our regional request is that,  
22 well, C&T use determinations should be given deference  
23 in your RACs. You know, you represent your region. I  
24 mean, we're supposed to. Like Floyd said, we're  
25 supposed to represent our region. So those RACs are  
26 supposed their regions, too. If they have a C&T use  
27 determination coming before them, they should be given  
28 deference before the Board. And that might be -- the  
29 Board also said, well, then come to us with proposals.  
30 So we're not lagging behind, we're the head horse, or  
31 whatever you want to call us, the head dog. So they're  
32 coming along, you know, but if we have a proposal that  
33 we think we should move forward, then I think that's  
34 the direction that we should go in, because the other  
35 RACs are looking to us now, now that we've asked for --  
36 we've set them the letter, and that was a very good  
37 letter. Thank you very much, Cathy and Robert, for the  
38 work that you put into that. I mean, it was the  
39 committee really, too, you know, so thank you, Tim,  
40 also, and Bert. You know, it was a group process that  
41 put that letter together with the support of the RAC.  
42 We couldn't have done that without you guys, you know,  
43 being on board.

44

45                   So detailed analysis of RAC actions  
46 related to C&Ts, because the RACs are uniquely suited  
47 to sort through the analysis from our regional local  
48 perspectives. And so where C&Ts came from in the 2007  
49 review, you know, where -- I don't know how to say  
50 that. I think we're learning how to say things as we

1 move along, so I guess that's where I'll leave it a.

2

3 CHAIRMAN ADAMS: Thank you. I  
4 appreciate that, Patty.

5

6 Tim, do you have anything that you want  
7 to add to the committee report.

8

9 MR. ACKERMAN: (Shakes head negatively)

10

11 CHAIRMAN ADAMS: No. Okay. Steve.  
12 You've got something to say, Steve.

13

14 MR. KESSLER: Thank you, Mr. Chairman.  
15 Steve Kessler with the U.S. Forest Service and  
16 InterAgency Staff Committee.

17

18 I thought it might be appropriate just  
19 to respond a little bit to Patty, and that is on the  
20 deference issue to the different Regional Advisory  
21 Councils.

22

23 I have been in the program a relatively  
24 short period of time, just 11 years now, but what I've  
25 seen is that the situations that are the most difficult  
26 are the ones where the Regional Advisory Councils don't  
27 agree with each other. And that's something that you  
28 don't have here in Southeast, because you really don't  
29 border anybody. You know, you border Southcentral a  
30 little bit, but you don't really border Southcentral.  
31 I mean, the divide is pretty simple.

32

33 But in other areas of the State, there  
34 is no obvious divide between the regions. And there  
35 are different opinions, you know, between the regions,  
36 and it has to do with, you know, long-term  
37 relationships between areas of the state. And so the  
38 Board tries to get the different Councils to agree.  
39 You know, you say that, no, there shouldn't be  
40 customary and traditional use determination for this  
41 community, and this other one says that there should  
42 be. And, you know, the Board's got to do something.  
43 You can't defer to both of them. But what I've seen  
44 is that those are a lot of the situations that have  
45 occurred in other areas of the state. And I think that  
46 a number of the Councils say, well, we've been through  
47 a lot of those battles to figure this out among us, and  
48 using sort of the Federal Subsistence Board as I guess  
49 the arbiter. And We've worked those things out and,  
50 you know, they are what they are. I mean, there's

1 still some difficulties in places, but I think most of  
2 them are fairly well worked out.

3

4                   The other situation is that it's not,  
5 and you brought this up, is that species by species  
6 starts getting a little strange where you have -- for  
7 one species you might have a customary and traditional  
8 use determination that's in one geographic area, and  
9 for another species it's in a different area, and these  
10 areas overlap between the different subsistence  
11 regions. And that gets complicated, too.

12

13                   So I think that one thing that maybe  
14 you're hearing from a number of the Regional Advisory  
15 Council is, you know, we've had these discussions,  
16 we've worked out these difficulties. Is it in our  
17 interest then to get rid of that process and just go to  
18 .804. So under just a straight .804 process, you know,  
19 rural residents in Southeast would just have as much  
20 right to a muskox on the Seward Peninsula as a person  
21 who's on the Seward Peninsula would have to moose in  
22 the Stikine River. And the people ask, well, does that  
23 make sense. And the only way to, under .804, is to  
24 sort of figure out sort of the finer distribution of  
25 those animals is if there's a shortage, and then you to  
26 through that analysis. And who knows what that  
27 analysis would turn out.

28

29                   So I mean, at least what I've been  
30 hearing from a lot of the Councils is we've worked a  
31 lot of this out. It's not that big an issue. But they  
32 also seem to be wanting to hear more from this Council  
33 and wanting to work with this Council and see if  
34 there's a better way.

35

36                   MS. PHILLIPS: Follow-up comment.

37

38                   CHAIRMAN ADAMS: Go ahead, Patty.

39

40                   MS. PHILLIPS: Thank you, Mr. Chair.

41

42                   Mr. Kessler. You know, I hear what  
43 you're saying, that the other RACs have had these, you  
44 know, C&T use discussions and they've worked out some  
45 of these issues. And getting back to, you know,  
46 Cathy's question is, could some of those C&T use  
47 determinations be carried over into an .804 regulations  
48 that have yet to be drafted. Because we're not asking  
49 for cookie-cutter regulations. We're recognizing there  
50 are differences across the region and across the state,

1 and, you know, how can we best fold those in and to  
2 more reflect what's actually going on.

3

4 CHAIRMAN ADAMS: Do you want to  
5 respond, Steve.

6

7 MR. KESSLER: I can try, Mr. Chairman.

8

9 Ms. Phillips. You know, there's all  
10 sorts of way there's all sorts of ways that one could  
11 figure out solutions to this. And I think best  
12 thinking caps haven't been activated yet, because there  
13 could be region by region solutions. There could be  
14 ways to incorporate current customary and traditional  
15 use determinations. I think that the idea that this  
16 Regional Advisory Council had previously might be one  
17 that could be considered, where you just have customary  
18 and traditional use all species in an area rather than  
19 having to go through I'm going to call it a fight, but  
20 sort of this species by species on every area, stock by  
21 sock.

22

23 So there may be some really good  
24 solutions out there. I don't know yet, but we need  
25 good people thinking about it.

26

27 CHAIRMAN ADAMS: Thank you, Steve, and,  
28 you know, I think the best thinking caps are right here  
29 and we'll be talking a little bit about that toward the  
30 end of our meeting, so we can sew this all up and  
31 figure out where we want to go to from there.

32

33 So any more comments or questions for  
34 either Jack or Steve while Steve is still there, or  
35 Pippa.

36

37 MS. KENNER: Yes, Mr. Chair, I just  
38 have one comment that might be helpful. And this is  
39 Pippa Kenner in Anchorage.

40

41 Pat was asked by one of the members  
42 about statewide proposals, and I'm reminded that the  
43 current regulations that describe customary and  
44 traditional use determinations are in what we call  
45 Sections A and B having to do with program structure in  
46 the regulations. And generally those regulations apply  
47 statewide. When we break things out with exceptions in  
48 regions it's usually done in a different section of the  
49 regulation. And so I think that's one of the things  
50 we'll need to look at to bring into you in the fall

1 about if there's any exceptions to that. I mean a  
2 Council, a particular region could certainly discuss  
3 their customary and traditional use policies being  
4 different from that in other regions, but as far as it  
5 actually going into the section in A and B regulations,  
6 generally those regulations do apply statewide.

7

8 CHAIRMAN ADAMS: Okay. Thank you,  
9 Pippa.

10

11 Any more comments from anyone from the  
12 Council.

13

14 (No comments)

15

16 CHAIRMAN ADAMS: Okay. I think it may  
17 be a good idea for us to kind of review the letter that  
18 was drafted, and then maybe we can, you know, go from  
19 there, but I'm just going to highlight it a little bit.  
20 And this is what came as a result of the working group  
21 on this issue, most that, you know, worked on it during  
22 the summer and really diligently just before the  
23 Federal Subsistence Board meeting so I could be  
24 prepared to take this letter to the Board.

25

26 Do you have something to say.

27

28 MR. LARSON: Thank you, Bert.

29

30 Before we leave this issue, and I don't  
31 know that we're quite ready to leave this issue, but  
32 one of the things that when we first started putting  
33 the agenda together, we did not consider it an action  
34 item, but subsequent to the Southcentral meeting,  
35 they've asked that a representative of the Southeast  
36 Council to attend the Southcentral Council meeting in  
37 the fall, and have a face-to-face discussion of this  
38 issue. So it would -- and I was hoping that I would  
39 have this formal invitation to share with you at this  
40 meeting. I have not seen it yet, but I've been told  
41 that it's in the process of being drafted and sent.  
42 But I think it appropriate that at the end of this  
43 discussion that the Council select either yourself as  
44 the Chairman or a member of their choosing to attend  
45 the Southcentral Council, anticipating that we would  
46 get this request. And that's all.

47

48 I do have one other kind of an  
49 administrative item as long as I'm talking, that we've  
50 had several requests for internet wifi access in this

1 room. And so I've arranged for that. If you wanted to  
2 get on line and use your wifi devices, the user name is  
3 renter and your password, it's kind of a long one, it's  
4 kpvisawesome. And I have that written down here, so if  
5 those people that were concerned about wifi access, we  
6 have that now, and that's the user name and password.

7

8 Thank you.

9

10 CHAIRMAN ADAMS: Thank you, Robert, for  
11 that.

12

13 And just let me just skim through this.  
14 And we can turn to Page 19 in your book. I won't read  
15 the whole letter, but just kind of briefly go over it.

16

17 We became concerned, you know, with C&T  
18 issues, you know, and as already reported, you know, we  
19 kind of sent out an outreach to all of the other  
20 Councils, the 10 other Councils, in the region, and  
21 their response was that, you know, we don't have any  
22 problem with C&T issues right now -- or C&T right now.  
23 Nine out of 10 Councils thought that the process is  
24 working, and we were the only ones that, you know, had  
25 some issues with it, and that's what resulted in where  
26 we are right now.

27

28 So the Southeast Council, you know, in  
29 their working group settings preferred a solution to  
30 this issue by addressing deficiencies in the current  
31 regulations, and so we did that. The Southeast  
32 Council's solution is to eliminate the customary and  
33 traditional use determination regulations and allocate  
34 resources as directed in .804 of ANILCA. Some of us  
35 really feel that .804 of ANILCA answers all of the  
36 questions that we might have, you know, in regards to  
37 C&T issues.

38

39 And as a result of, you know, hearing  
40 from other Councils, you know, that working group came  
41 out with this letter, and that's you know, where we're  
42 at right now.

43

44 I want to compliment the working group,  
45 you know, on a job well done as I did earlier.

46

47 Down on the last paragraph it says,  
48 Southeast Council working group noted that there were  
49 inconsistent briefings in the 2011 regarding input  
50 sought from the Councils. Different Staff presented

1 different levels of information and in some instances  
2 Councils were let to believe that their Councils  
3 thought the process was working.

4  
5                   And then, you know, over to the next  
6 page, and the second sentence, it says, there is no  
7 mention or discussion of the strength and deficiencies  
8 of the current customary and traditional use  
9 determinations. And so this is, you know, things that  
10 were discussed and everything.

11  
12                   But what I want to share with you right  
13 now, and this is the whole crux of where we're at, it's  
14 the Southeast Council made the following recommendation  
15 to the Board, and it reads as thus. given that ANILCA  
16 does not require the Board to make customary and  
17 traditional use determinations, and I think we really  
18 need to take note of that, you know, the Board is not  
19 authorized to make customary and traditional use  
20 determinations. This is something that was carried  
21 over from State. And I think the problems that many  
22 people are wondering about this is, of course, the  
23 eight factor requirement. So, again, given that ANILCA  
24 does not require the Board to make use determinations,  
25 the Council recommends the Federal Subsistence Board  
26 eliminate the current regulations for customary and  
27 traditional use determinations, and task the Office of  
28 Subsistence Management with drafting regulating which  
29 adhere to provisions contained within Section .804 of  
30 ANILCA.

31  
32                   So that kind of is -- you know, I won't  
33 bother about the other part of it. You guys have it  
34 and you can use it, you know, as you see fit, but I  
35 just wanted to share, you know, what our recommendation  
36 was as a result of the working group. Okay.

37  
38                   And where we go to from here, you know,  
39 remains to be seen as to what we want to do or where we  
40 want to go, And like Mr. Kessler said, you know, the  
41 best minds and the best people need to be in the  
42 forefront of this, and we have started it. And I think  
43 that we need to move forward and determine what we want  
44 to do. We can talk about that right now if you want,  
45 you know, but at the end of the meeting we're going to  
46 go ahead and form a committee or we can keep the same  
47 one, you guys did really well, and move from there.

48  
49                   So what's the wish of the Council at  
50 this point.

1 MS. PHILLIPS: Mr. Chair.  
2  
3 CHAIRMAN ADAMS: Patty, go ahead.  
4  
5 MS. PHILLIPS: Mr. Chair, we've been  
6 looking for a common issue to meet, you know, jointly  
7 with Southcentral, and this sounds like one that would  
8 fit the bill.  
9  
10 CHAIRMAN ADAMS: Are you saying that we  
11 should meet together as two councils?  
12  
13 MS. PHILLIPS: It's a suggestion that,  
14 you know, the Southeast RAC should meet with the  
15 Southcentral RAC.  
16  
17 CHAIRMAN ADAMS: Yeah, I think that's a  
18 great idea. Maybe we could invite them, or they can  
19 invite us. I think we ought to take the lead in that,  
20 though.  
21  
22 Floyd.  
23  
24 MR. KOOKESH: Weren't we sequestered.  
25  
26 (Laughter)  
27  
28 CHAIRMAN ADAMS: Good point, Floyd.  
29  
30 MS. PHILLIPS: Not us.  
31  
32 CHAIRMAN ADAMS: But, you know, if we  
33 want to move in that direction, I would support it,  
34 because we have been over the past how many years now,  
35 Mr. Larson, talking about having a joint meeting with  
36 Southcentral.  
37  
38 MR. LARSON: Mr. Chair, as you recall,  
39 at our fall meeting, when we had the -- well, it was  
40 Pete Probasco who happened to be the assistant director  
41 and in charge of the OSM program, he said that the  
42 Office of Subsistence Management would entertain a  
43 suggestion for a joint meeting if there was sufficient  
44 justification. So he did not dismiss it out of hand.  
45 He said, provide me with justification and we would  
46 make a decision at that point. He, of course, is no  
47 longer in that position, but I would guess that if the  
48 Council wanted to meet, and they thought that this was  
49 an adequate justification, we could put a letter  
50 together and do that. But I think that it's really up

1 to this Council to take the initiative and make that  
2 suggestion, rather than waiting for somebody else to.

3

4 Thank you.

5

6 CHAIRMAN ADAMS: What's the wish of the  
7 Council. Okay. Cathy.

8

9 MS. NEEDHAM: Thank you.

10

11 CHAIRMAN ADAMS: You're blended right  
12 in there with Aaron, so I can't see you very well.

13

14 (Laughter)

15

16 MS. NEEDHAM: I'm in your blind spot.  
17 Thank you, Mr. Chair.

18

19 It seems like if we were going to do a  
20 joint meeting with the Southcentral Council, which I  
21 think is an excellent idea, because I think just  
22 besides C&T, we have other common things and can put  
23 together a good justification for jointly meeting with  
24 them.

25

26 But on the schedule that this current  
27 process is on that we've initiated with this letter to  
28 the other Councils, it seems like it would need to  
29 happen at their fall meeting, which is coming up. And  
30 I don't know if you're talking about putting together a  
31 letter of request and getting approval, I don't know if  
32 it can happen and turn around in that type of time  
33 given that we've already tentatively scheduled our fall  
34 meetings for a different timeframe.

35

36 CHAIRMAN ADAMS: Mr. Larson, would you  
37 be able to answer that.

38

39 MR. LARSON: Mr. Chair. There's  
40 considerable logistical hurdles to having a joint  
41 meeting. And I think Cathy is very perceptive that  
42 scheduling something for this fall, although it would  
43 be probably a very productive meeting, we both have  
44 some unknown number of wildlife regulations to  
45 consider, and those fall meetings are often times very  
46 taken up with those kind of deliberations for  
47 proposals.

48

49 We do not have proposals scheduled for  
50 a year from now, but we do know that a year from now we

1 will take action on C&T determinations depending upon  
2 what the other Councils wanted to do in the fall. We  
3 will have both rural determinations and C&T  
4 determinations in the spring.

5  
6 Thank you.

7  
8 CHAIRMAN ADAMS: Perhaps we need to  
9 give the other Councils time, you know, to respond to  
10 our letter and stuff, so maybe that's more logical, you  
11 know, to have it during the period that Mr. Larson is  
12 suggesting, even though it's a couple years away.

13  
14 What do you think. What do you want to  
15 do. Cathy.

16  
17 MS. NEEDHAM: Thank you, Mr. Chair.

18  
19 I guess the recommendation that Patty  
20 came up with for having a joint meeting came out of  
21 that statement that Robert had made that the  
22 Southcentral Council requested that a person be sent to  
23 their meeting in the fall to have that direct  
24 interaction. And it seems like we should address that  
25 request, even if it doesn't mean joint meeting. If  
26 that's something that the Council thinks would be good,  
27 then I would nominate the Chair.

28  
29 MS. PHILLIPS: I would second that.

30  
31 CHAIRMAN ADAMS: Do you guys make that  
32 motion seriously.

33  
34 (Laughter)

35  
36 MS. PHILLIPS: Mr. Chair.

37  
38 CHAIRMAN ADAMS: Yes, ma'am.

39  
40 MS. PHILLIPS: I would like to make a  
41 motion that the chair of the C&T committee and the  
42 Chair of our RAC attend the Southcentral meeting to  
43 represent our C&T use determinations actions.

44  
45 CHAIRMAN ADAMS: That's an excellent  
46 idea.

47  
48 MR. BANGS: Second.

49  
50 CHAIRMAN ADAMS: Okay. It's moved and

1 seconded. Any discussion on that.  
2  
3 (No comments)  
4  
5 MR. WRIGHT: Question.  
6  
7 CHAIRMAN ADAMS: The question's been  
8 called. All in favor please signify by saying yea.  
9  
10 IN UNISON: Yea.  
11  
12 CHAIRMAN ADAMS: Opposed nay.  
13  
14 (No opposing votes)  
15  
16 CHAIRMAN ADAMS: Motion carried. Thank  
17 you.  
18  
19 So were you the Chairman, Cathy, or who  
20 was the Chairman of that committee?  
21  
22 MS. NEEDHAM: I think I'm just catching  
23 up. I said when I would nominate the Chair, I meant  
24 the Council Chair. Did that happen.  
25  
26 CHAIRMAN ADAMS: Uh-huh. And the.....  
27  
28 MS. NEEDHAM: Am I the chair of the  
29 work group, yes.  
30  
31 CHAIRMAN ADAMS: Okay, so then it would  
32 be you and me. Okay. That's taken care of.  
33  
34 MR. LARSON: Mr. Chair.  
35  
36 CHAIRMAN ADAMS: Mr. Larson, go ahead.  
37  
38 MR. LARSON: For the information of  
39 yourself and Cathy, the Southcentral Council will meet  
40 some place in the Copper River communities. They have  
41 not decided exactly which one it is. Very likely it  
42 will be -- I don't know which one it will be. But it  
43 will be October 2nd and 3rd.  
44  
45 CHAIRMAN ADAMS: October 2nd and 3rd.  
46  
47 MR. LARSON: Yeah. So you might want  
48 to put that on your calendars.  
49  
50 (Off record comments regarding Grand

1 Camp)  
2  
3 CHAIRMAN ADAMS: (Indiscernible mic  
4 off)  
5  
6 REPORTER: Bert. Bert.  
7  
8 CHAIRMAN ADAMS: They don't know where  
9 yet, but, you know, Cordova is just a hop, skip and a  
10 jump from Yakutat.  
11  
12 And let me just share with you. I  
13 don't know many of you -- I don't think I've told you  
14 this, but Ralph Lohse is the Chairman of the  
15 Southcentral. And when we go to Federal Subsistence  
16 Board meetings, they sit us together. And we can give  
17 the Board some real bad times sometimes, him and I.  
18  
19 MS. PHILLIPS: Double Trouble.  
20  
21 (Laughter)  
22  
23 CHAIRMAN ADAMS: Thank you for your  
24 confidence in that.  
25  
26 Any more on the C&T letter.  
27  
28 (No comments)  
29  
30 CHAIRMAN ADAMS: That's it then until  
31 the end of the session, then we'll talk about it some  
32 more. Okay.  
33  
34 Wildlife harvest summary and in-season  
35 fish and wildlife action. Mr. Reeves.  
36  
37 MR. LORRIGAN: Mr. Chairman. If I may,  
38 I'd like to thank everybody who was on line or in the  
39 audience that helped with their expertise on this  
40 issue.  
41  
42 CHAIRMAN ADAMS: Thank you, Jack and  
43 Pippa and -- who's the other guy? Thank you for  
44 helping us out in this issue.  
45  
46 Mr. Reeves.  
47  
48 MR. REEVES: Thank you, Mr. Chairman.  
49  
50 CHAIRMAN ADAMS: (In Tlingit) Do you

1 know what that means?

2

3 MR. REEVES: I do not.

4

5 CHAIRMAN ADAMS: It means, it's your  
6 turn.

7

8 MR. REEVES: Well, thank you.

9

10 Mr. Chair, Council. Initially there  
11 was supposed to be a wildlife harvest summary; however,  
12 I just didn't quite have a whole lot of time from the  
13 time I saw it as an agenda item to put something  
14 together.

15

16 CHAIRMAN ADAMS: it's not in here

17

18 MR. REEVES: So what I will try to do  
19 is have at least a harvest summary hopefully for the  
20 fall meeting if there's time.

21

22 But what I do have is you do have a  
23 one-page document that looks like this, and this is a  
24 summary of in-season actions that have occurred since  
25 your past meeting in Sitka in the fall.

26

27 What you'll notice on there.....

28

29 CHAIRMAN ADAMS: So where can we find  
30 that?

31

32 MR. REEVES: It's a handout, it should  
33 be in front of you.

34

35 CHAIRMAN ADAMS: Oh, it's a hand out?

36

37 MR. REEVES: Yeah. It's one page.

38

39 CHAIRMAN ADAMS: I don't have it yet.

40

41 MR. REEVES: They were passed out this  
42 morning.

43

44 CHAIRMAN ADAMS: Okay. He's going to  
45 share it with me. Go ahead.

46

47 (Laughter)

48

49 MR. REEVES: Anyway, what you'll notice  
50 on here is this is a summary. It's mostly wildlife

1 actions. There is two fisheries actions on here. In  
2 the special action number column, the first glance  
3 there is if you see a series of numbers and letters  
4 together, like a 13-MO-05-12, that is a typical special  
5 action that an in-season manager would take. The other  
6 two items that have like a WSA or an FSA in front of  
7 them, those are actually actions that have to be  
8 submitted through the Federal Subsistence Board for  
9 their approval.

10

11 The first one on here was the  
12 determination of the harvest quota in Unit 5A for that  
13 portion of 5A excluding the Nunatak Bench, and this is  
14 a harvest quota for Federal land. This one was done  
15 actually while you folks were meeting in Sitka.

16

17 The next one that you have on there was  
18 a Unit 4 mountain goat closure. It affected the  
19 Nakwasina watershed. And that became effective on  
20 October 4th, and it closed down goat hunting by all  
21 users in that drainage.

22

23 The next one that went into play was on  
24 October 24th, and that actually shut down the moose  
25 hunt in that portion of Unit 5A because that quota that  
26 had been previously established had been met.

27

28 The next one was actually submitted to  
29 the Federal Subsistence Board in order to get the -- to  
30 close the Federal public lands to marten trapping in  
31 Unit 3 on Kuiu Island; followed in December there was  
32 the Nekua (ph) deer, the antlerless closure that took  
33 effect on December 13th. That was actually initiated  
34 by two in-season managers since they do share a  
35 customary use determination for that area.

36

37 Then this spring or earlier this  
38 season, we had our first fisheries special action which  
39 was a closure to District 1 to eulachon harvest to all  
40 users.

41

42 And then finally right now there's one  
43 more that's actually a special action request to the  
44 Federal Board that's ending. It has been submitted,  
45 and it's to close the Chinook salmon fishery on the  
46 Stikine River pre-season. So I'm assuming -- I'll make  
47 the assumption that Mr. Larson may be elaborating on  
48 that later, but I do not know.

49

50 If you have any questions about these,

1 we an do our best to answer. And if I can't answer it,  
2 I'll sure try to find the person in the room that can.

3

4 Thank you.

5

6 CHAIRMAN ADAMS: Thank you, Jeff.

7

8 Any questions anyone. Donald and then  
9 Aaron.

10

11 MR. HERNANDEZ: Yeah. Thank you, Mr.  
12 Chairman.

13

14 Yeah, Jeff, my questions on the  
15 eulachon fishery in District 1. Do we have monitoring  
16 going on up there at the Unuk? Well, particularly the  
17 Unuk. I know it deals with all District 1, but do you  
18 have people up there monitoring the Unuk this spring  
19 and do you know what's going on after your closure  
20 announcement.

21

22 MR. REEVES: Yeah. Mr. Chairman. Mr.  
23 Hernandez. Yes, the Forest Service is actually will be  
24 trying to monitor. Currently right now two of the  
25 Ketchikan Ranger District folks are actually checking  
26 out kind of lower Behm, the Wilson Blossom area right  
27 now. But there has already been one aerial survey  
28 done. No activity's been seen. But we do also have a  
29 number of wildlife cameras that are actively kind of  
30 monitoring some of these areas to try to get indication  
31 of like the predator activity and that, too. There is  
32 a group of us that we are ready to go at a moment's  
33 notice. And right now we're anticipating maybe this  
34 week. We don't know. There's a big series of tides  
35 right now. In fact, I could be out the door at any  
36 moment during this week, too. So we are doing our best  
37 to monitor.

38

39 CHAIRMAN ADAMS: What do you mean by  
40 being out of the door this week?

41

42 (Laughter)

43

44 MR. REEVES: Mr. Chairman. I have  
45 field gear ready to go that if for some reason that we  
46 did find out that eulachon were in the Unuk right now,  
47 that I would be on the grounds.

48

49 CHAIRMAN ADAMS: Oh, I see. I thought  
50 you meant for good, you know.

1 (Laughter)

2

3 CHAIRMAN ADAMS: You're going to be  
4 around for a while, right?

5

6 MR. REEVES: Yeah, yeah.

7

8 CHAIRMAN ADAMS: Yeah. Okay. That's  
9 all I want to know.

10

11 Donald, go ahead.

12

13 MR. HERNANDEZ: So my follow-up  
14 question is last year we were, you know, somewhat  
15 surprised that eulachon didn't show up again in some  
16 numbers at least. The area was not opened.

17

18 But I guess my question at that time,  
19 and we didn't have a real good answer, and I'm still  
20 wondering, is there some kind of criteria that you as  
21 managers have in mind that would determine when that  
22 fishery might be able to re-open? You know, what would  
23 you be looking for? Do you have any kind of, you know,  
24 threshold level? It just seems like it was a fishery  
25 that was open for years, and, you know, we never really  
26 saw any kind of a management of what kind of biomass  
27 was necessary to conduct a fishery. And then all of a  
28 sudden it was gone. So what do we do to re-open it?  
29 What are you going to be looking at? Have you decided  
30 on any kind of management tools that will determine if  
31 that fishery is capable of opening again?

32

33 MR. REEVES: Mr. Chairman. Mr.  
34 Hernandez. That is a very magic question there. The  
35 prior monitoring really -- it really didn't allow us to  
36 figure out that huge biomass, because they just weren't  
37 seeing any fish. Well, of course, now the two past  
38 seasons we've been seeing fish. And so right now the  
39 best management scheme that we can try to do is, even  
40 though they're showing up, is let's get through a life  
41 cycle of these fish, and see how well they re-establish  
42 themselves before we do it.

43

44 What we have done is already twice this  
45 year I have been to Metlakatla and met with the council  
46 there for the pre-season action stuff. And I'm going  
47 to strongly urge them to work together as a joint group  
48 in how to properly proceed when that time comes.

49

50 I think we do have to assume that we

1 could probably never dive in at the same level that we  
2 had in the past, you know, in initiating the fishery.  
3 However, we do have to work together, because of how  
4 culturally important this fishery is.

5

6 CHAIRMAN ADAMS: Follow up.

7

8 MR. HERNANDEZ: Yes, thank you, Mr.  
9 Chairman.

10

11 I do recognize I think it is probably  
12 important that, you know, we at least go through a life  
13 cycle and monitor through that period before we do  
14 anything that might be damaging. Thank you.

15

16 CHAIRMAN ADAMS: Okay. Mr. Isaacs.

17

18 MR. ISAACS: Yes, Mr. Chairman.

19

20 I have a two-part question. The first  
21 part might sound a little silly, but it says, establish  
22 the moose harvest quota for Unit 5A, except Nunatak  
23 Bench at 55 bulls. That's total for everybody that's  
24 hunting; is that correct?

25

26 MR. REEVES: Mr. Chairman. Mr. Isaacs.  
27 I actually may have to hand this one over to probably  
28 Mr. Adams.

29

30 My understanding is a quota is set for  
31 the management area, and this one here, it's for the  
32 Federal land portion which, if my understanding is  
33 correct, this is a hunt that is only Yakutat residents  
34 I believe under subsistence rules. So Mr. Suminski  
35 will help here.

36

37 MR. SUMINSKI: Mr. Chairman. Mr.  
38 Isaacs. This is Terry Suminski with the Forest  
39 Service.

40

41 The quota, it's a joint quota, both  
42 State and Federal. It's a total harvest of moose in  
43 5A. And if you'll notice, it's also divided between  
44 east and west of the Dangerous. So only 25 of those 55  
45 bulls can come from west of the Dangerous River. Does  
46 that answer your question?

47

48 MR. ISAACS: So it's for the full  
49 season?

50

1 MR. SUMINSKI: The quota, the 55 bulls  
2 is for all of Unit 5A for the whole season, both  
3 Federal and.....

4  
5 MR. ISAACS: Good. That answers my  
6 question.

7  
8 MR. SUMINSKI: Right.

9  
10 MR. ISAACS: And the other part of my  
11 question is that I'm wondering, are these regulations  
12 in effect presently? I'm referring to the 113BD8-12,  
13 the taking of female deer.

14  
15 MR. SUMINSKI: Mr. Chairman. Mr.  
16 Isaacs. That was a temporary special action. It was  
17 only for the remainder of that season. So it's no  
18 longer in effect, because that season is over.

19  
20 MR. ISAACS: No longer in effect.

21  
22 MR. SUMINSKI: That's correct.

23  
24 MR. ISAACS: Yeah. Because we -- a  
25 number of us on Prince of Wales feel that there's a lot  
26 of, what's the word, people that take advantage of  
27 that. They buy a deer license for every one of their  
28 kids, go out and shoot all the does. With that  
29 practice, there won't be any more deer on Prince of  
30 Wales Island. I'm just flat against shooting female  
31 deer.

32  
33 Thank you, Mr. Chairman.

34  
35 CHAIRMAN ADAMS: Thank you, Aaron. Let  
36 me add something to, you know, the Unit 5 moose issue  
37 if I might. You know, there was a time when they first  
38 started migrating into the Yakutat area in the 20s,  
39 30s, and in the 40s and 50s the population just kind of  
40 exploded. And there was about 2,000 moose in there in  
41 just a very short order of time. And then, you know,  
42 the hunting and the take was very liberal, and so those  
43 populations started to go down, you know, in I think  
44 late 70s and 80s. And then it started causing a  
45 concern to the people of the village, or of Yakutat,  
46 and the managers as well. And so they started, you  
47 know, doing a little bit more closer regulations.

48  
49 Today they're trying to maintain at  
50 least 1,000, you know, in the area. That's the whole

1 of Unit 5, all the way from Yakutat to the East Alsek  
2 River. And it's way down below that now. It's more  
3 like, you know, 6 or 700, sometimes up to 800.

4  
5                   And the real issue is, you know, the  
6 bull/cow ratio. And to maintain a healthy moose  
7 population, you need to have at least 25 cows to every  
8 100 moose -- 100 cow. 25 bulls to every 100 cows. And  
9 those have been down. You know, if you read the  
10 information in your packet, you will see, you know, the  
11 statistics that say that that ratio has been way down  
12 over the past few years. And that's one of the reasons  
13 why they're, you know, managing it as they are right  
14 now.

15  
16                   So I just thought maybe that might be  
17 helpful to the question that you asked a little while  
18 ago.

19  
20                   Thank you. Gentlemen. Any questions  
21 for -- oh, Patty, go ahead.

22  
23                   MS. PHILLIPS: Thank you, Chairman  
24 Adams.

25  
26                   On the eulachon, is there -- you know,  
27 we know they've come back the last two year's but we  
28 had reports from local rural subsistence users saying,  
29 we don't really know if they're -- how much is there,  
30 because if they go under the ice and we don't see them,  
31 you know, they very well could be there.

32  
33                   But my question is, do we know the size  
34 of that biomass that's come back the last two years,  
35 and do you know the age composition of that biomass.

36  
37                   MR. REEVES: Mr. Chairman. Ms.  
38 Phillips. The actual size of the biomass we do not  
39 know. The Unuks are unique in the fact that it's a  
40 fairly clear water river during the spring, and we've  
41 been fortunate that in 2011 and 2012 that there was no  
42 ice on the river when they showed up. The drawback is  
43 as to the accessibility of the location. The last two  
44 years when we have gotten on the grounds, the fish that  
45 we did sample were post-spawn fish.

46  
47                   So as for, you know, what portion of  
48 those fish that were just waiting there to die, you  
49 know, that was to the total biomass, we don't know.  
50

1                   And they're not the easiest one to just  
2 say, okay, there's 5,000 pounds in this hole right  
3 here. So, you know, to physically get accountability  
4 for each of those fish is kind of tough.

5  
6                   But last year was real promising in the  
7 fact that we saw them distributed more throughout the  
8 river than we did the year before. And at the same  
9 time we also saw them returning like to Carol Inlet for  
10 a second year. So, you know, as to if that's a new run  
11 or just a portion of the run that just decided to go  
12 there, you know, we don't know.

13  
14                   But unfortunately on the genetic side  
15 of things, we can't just look at them and say, okay,  
16 this for sure is a Unuk fish. They have a pretty --  
17 how do I want to explain it? The genetics doesn't  
18 identify them to a particular drainage. It's more a  
19 regional type gene I guess that shows up, or is what  
20 they can see. And that's what the Carol Inlet fish  
21 exhibited was that they're genetically similar to the  
22 Unuk fish that we had.

23  
24                   The age, we haven't aged any in a  
25 while, but I do believe predominately most of them  
26 were three-year-olds from the past studies, but there  
27 was an age range of three to five. So that's why when  
28 we've been saying to get through a life cycle, we're  
29 looking at about a five-year period.

30  
31                   CHAIRMAN ADAMS: Thank you, Patty.

32  
33                   Anyone else. Mr. Kitka.

34  
35                   MR. KITKA: More on the eulachon in the  
36 Unuki. Has there been any studies as far as the mining  
37 that might have caused some of the problems? I  
38 understand that there was some mining up on the  
39 Canadian side that might have caused the crash of not  
40 only the eulachon, but also all the salmon that were in  
41 the stream.

42  
43                   MR. REEVES: Mr. Chairman. Mr. Kitka.  
44 This has been newer testimony, newer information, and  
45 so the Forest Service monitoring has never ever looked  
46 at the water quality or, you know, has ever assessed  
47 anything to see if mining was a factor. But we have  
48 been strongly urging that with the Metlakatla Indian  
49 Community to try to seek some way of also doing that,  
50 that they may have a better hand in trying to do that

1 than we do.

2

3 But one thing in my understanding is  
4 for like water samples, is you have a limited timeframe  
5 to get them from the site back for analysis, and so  
6 that hopefully won't be a problem if they ever do, you  
7 know, try to get some water quality samples. But, you  
8 know, we're looking at about -- I believe it's like a  
9 70-mile boat ride to the site, or you have to fly in  
10 there. So unfortunately it's not a real easy site to  
11 get to.

12

13 CHAIRMAN ADAMS: Yeah. Mr. Bangs. And  
14 then Floyd. Frank. Okay. Frank. And then Mr.  
15 Kookesh.

16

17 MR. WRIGHT: Thank you, Mr. Chair.

18

19 First, you know, the deer harvest in  
20 Hoonah was really good this year. And, you know, I was  
21 a little concerned about the does being taken, because  
22 there was a lot of does being taken. You know, I was  
23 glad that they closed it down, because we didn't know  
24 what the winter was going to be like. But I think that  
25 just because it was -- you know, the population was up  
26 didn't mean we had to, you know, get all the does. So  
27 just for conservation-wise, I think that was a wise  
28 decision since we didn't know what the rest of  
29 December, January, and February was going to bring  
30 about, so the weather. And I think that was a good  
31 decision.

32

33 Thank you.

34

35 CHAIRMAN ADAMS: Thank you, Frank.

36 Floyd.

37

38 MR. KOOKESH: Yeah. Mr. Chairman.

39

40 Yeah. We take all the does we can, and  
41 it doesn't matter because they seem to rebound anyway.  
42 Kind of going against what Frank says.

43

44 But my question, kind of like leads to  
45 Patty's. he asked you a question about age. How  
46 important is age factor, because I know you expressed  
47 that it's in your opinion, and you gave us a wide  
48 range, a number. How important is age in determining  
49 the eulachon biomass and its strength for spawning,  
50 without saying you believe.

1 MR. REEVES: Mr. Chairman. Mr.  
2 Kookesh. The age could be very important. If you  
3 seeing a rebuild and you know that the predominant age  
4 class seems to be say a three-year old fish or a three-  
5 year life cycle, then ideally as managers we would hope  
6 that survivability and everything beyond our control  
7 works out fairly good, and that we could make the  
8 assumption that three years from now that the biomass  
9 would be the same or even bigger.

10  
11 You know, I think the drop off in the  
12 returns was definitely unanticipated, or it was not  
13 anticipated, and so it's just pushed managers to be on  
14 their toes with this return. You know, it went from  
15 the river having a lot of fish to, you know, less than  
16 100 being counted at any given time over a period of  
17 five years. So, you know, to have like a five to six-  
18 year period of nothing and now they show up, you know,  
19 there's a lot of unknowns to these fish. They're in  
20 and out so fast.

21  
22 When they are out in marine water, they  
23 seem to be a deep water fish, so they're not the  
24 easiest one to monitor in salt water, unless there's a  
25 way to do it with sonar or some other way.

26  
27 You know, I hope I got around without  
28 saying the word we believe, and I hope that answered  
29 your question.

30  
31 (Laughter)

32  
33 CHAIRMAN ADAMS: We'll allow it, I  
34 think.

35  
36 (Laughter)

37  
38 CHAIRMAN ADAMS: Any more comments or  
39 questions of anyone. Tim, go ahead.

40  
41 MR. ACKERMAN: Thank you, Mr. Chairman.

42  
43 This year we've had two returns of  
44 eulachons. The runs were four months apart. February  
45 the eulachon came in under the ice. The seagulls we  
46 witnessed were all across the river on the Chilkat  
47 side. They were feeding on them. They did come under  
48 the ice, so we weren't able to determine, but we did  
49 see multiple oil slicks in the Pyramid Island area  
50 there, so we knew something was coming in. The sea

1 lions got louder on the haul out rocks, too. We  
2 noticed that.

3

4                   Yeah, four months apart. The candle  
5 fish came in on the Chilkoot side, a pretty good run.  
6 And then now May 1st is the tides for the second  
7 eulachon run, which starts on the Chilkat side and then  
8 the Chilkoot side comes in.

9

10                   But interestingly enough when you talk  
11 about water quality and what not maybe having a  
12 possible affect on the return of the eulachons, my  
13 neighbors in Whitehorse, they have a lot of fish in the  
14 Yukon River, the problem being is that the pollution in  
15 the Yukon River now, selenium. Selenium I believe is  
16 the heavy. It goes down on the bottom of the water  
17 table, which contaminates all the fish that are in the  
18 very bottom of the river, so they're not allowed to eat  
19 the deep water fish in the Yukon River.

20

21                   So, like you say, there is possibly  
22 something that we don't know that could possibly be  
23 taking the eulachon out in that particular drainage,  
24 whether it be natural or man-made, it's yet to know.  
25 The eulachon are the mystery fish here, but, yeah, it  
26 will be real interesting to see what develops in our  
27 side of the river, but in our two runs that we have in  
28 the spring, the Chilkat side are very large across the  
29 backs. They're always really big across the back, the  
30 males. The Chilkoot side, we notice they're really  
31 slender. It's almost as if their range where they out  
32 into the ocean on those particular sides of the river,  
33 there's more plankton on the Chilkat side. There's  
34 less plankton on the Chilkoot side. We don't know.  
35 You know, it's just something that we're observing so  
36 far.

37

38                   Thanks.

39

40                   CHAIRMAN ADAMS: Thank you. Any more,  
41 Council.

42

43                   (No comments)

44

45                   CHAIRMAN ADAMS: Thank you, gentlemen,  
46 appreciate it.

47

48                   We're going to take a break now, but  
49 before we do that, I want to recognize Jennifer from  
50 the State. We're glad you made it, Jennifer. Our

1 favorite red-head.

2

3 (Laughter)

4

5 MS. PHILLIPS: The only red-head.

6

7 (Laughter)

8

9 CHAIRMAN ADAMS: Okay. Let's take a  
10 break. 15-minute break. Be here at about 20 after.

11

12 (Off record)

13

14 (On record)

15

16 CHAIRMAN ADAMS: Okay. I think earlier  
17 this morning, I don't know who it was, but somebody  
18 made a comment about where is the State person. And,  
19 of course, Robert and I knew that Jennifer was coming  
20 in late, because -- I don't know what the problem was,  
21 but anyhow she informed us that she was coming in late.  
22 And I think it would be appropriate, Jennifer, if you  
23 would like to come up and make a few comments before we  
24 get on with the other part of the agenda. Thank you.

25

26 MS. YUHAS: I appreciate that very  
27 much, Mr. Chairman. And to the RAC. I didn't know if I  
28 would get a chance actually to explain my tardiness and  
29 what will be my early departure, but I did email with  
30 the Chair and the coordinator. And I'm not kidding  
31 you, this is my favorite RAC. And I've already said  
32 this before. It's already in minutes and other things,  
33 but this is my favorite RAC, and then my second  
34 favorite RAC is Eastern Interior. But my preference  
35 would be to actually stay an extra couple days, take  
36 some personal leave. There's some squid from  
37 California up here that aren't supposed to be here I  
38 was supposed to go catch.

39

40 But you guys have put it on the record  
41 many times that we sometimes have these competing  
42 meetings, and that's what happened this time. You  
43 know, the last several meetings I've been able to come  
44 for the whole thing and due to the plane schedules, I  
45 got here at noon today, and I have to leave on Thursday  
46 morning. And the reason is because the Chairman of  
47 Board of Game called me to come testify on the MOU to  
48 their group, and I've not done that once yet. And they  
49 sign it along with the other signatories, so the  
50 Chairman of the Board of Game needs to make up his mind

1 on whether he's going to sign the thing before May, and  
2 this is their only meeting before that. So I'm not  
3 ditching out because we of any disrespect to the RAC,  
4 because if it was my preference, I'd stay a little bit  
5 longer. It's much warmer here than it is in Fairbanks  
6 where I recently moved, so that's a plus also.

7

8 MR. ISAACS: Is that your report?

9

10 (Laughter)

11

12 MS. YUHAS: Through the Chair. Mr.  
13 Isaacs. That is my thank you and my introduction. But  
14 I did have a few follow-up things for Mr. Hernandez who  
15 had asked some questions at the last meeting, and that  
16 was going to be part of my report. And since I'm here,  
17 if the RAC would like just a few of those answers to  
18 those fin-clipping questions.

19

20 The general question was does the State  
21 require fin clipping of sportfish, and the answer is  
22 no. And the one of the other questions was are we  
23 aware of illegal sales of sport-caught fish the same  
24 way we have testified about knowledge of attempts to  
25 illegally sell subsistence-caught fish. And we were  
26 not aware of any and neither was the Department of Law.

27

28 The interesting question that actually  
29 occupied more of my curiosity than maybe it should  
30 have, because it turned out to be interesting, was what  
31 do other states do. And I thought it would be fairly  
32 simple, but they're pretty all over the map. Hawaii  
33 and Florida will allow a sport-caught fish to be sold  
34 in the commercial market and to a restaurant, but not  
35 by the person who caught the fish. The boat captain  
36 can do that, but the individual cannot do that. And in  
37 Florida, you do need a fishing license, but in Hawaii  
38 you do not need a fishing license to go catch fish  
39 either for their version of islander subsistence or for  
40 sport on a charter. You can just go.

41

42 In Wyoming and Ohio and California,  
43 they do not allow the sale of sport-caught fish, and  
44 have had some pretty highly publicized battles with  
45 people trying to do that, even large quantities.

46

47 Mississippi does not allow the sale of  
48 game fish, but allows a restaurant to prepare it for  
49 you if you've caught it legally.

50

1                   And places like Maryland and Rhode  
2 Island will let you sell your sport-caught fish if you  
3 also possess a license to sell the fish.

4  
5                   And then like our State and this  
6 Federal regulatory process, those are always in flux  
7 depending on what Board is petitioned to do what at the  
8 time.

9  
10                   I didn't prepare a full chart, because  
11 they were pretty well all over the map, but that was  
12 what I was finding out. And I did become more curious  
13 to see, what about this state, what about this state,  
14 all along the line.

15  
16                   And I don't know if that helps at all.  
17 I know you didn't need that information to still oppose  
18 the other proposal, save Yakutat, but it was very  
19 interesting.

20  
21                   Mr. Doug Larsen will be here to provide  
22 wildlife updates. Loren Still from the Division of  
23 Subsistence will be here, and she'll be here Thursday  
24 as well and prepared to give a report. And then we  
25 also have Troy from Sportfish Division.

26  
27                   CHAIRMAN ADAMS: Oh, good. Okay.  
28 Thank you, Jennifer. And, you know, coming late and  
29 leaving early, George Pappas did that to one time when  
30 we had a meeting in Sitka, and if the Council  
31 remembers, we were raising money for the Girl Scouts,  
32 and so we would fine everyone, you know, for making a  
33 mistake, or if I didn't turn on my light, you know.  
34 You know, we always fine somebody. And George, he was  
35 getting fined for almost everything.

36  
37                   (Laughter)

38  
39                   CHAIRMAN ADAMS: So we're going to  
40 leave you off the hook this time, but don't do it  
41 again.

42  
43                   MS. YUHAS: We don't have a fundraiser?  
44 We've had them before for some of the dancers and for  
45 some of the other things.

46  
47                   CHAIRMAN ADAMS: Yeah, we're not doing  
48 anything this time, but maybe next time.

49  
50                   MS. PHILLIPS: Mr. Chairman.

1 CHAIRMAN ADAMS: Patty, go ahead.  
2  
3 MS. PHILLIPS: Thank you, Chairman  
4 Adams.  
5  
6 Ms. Yuhas, I was wondering. You  
7 mentioned Hawaii and Florida sell recreational-caught  
8 fish. Do they log the quantity? Do they keep a  
9 running tally of the pounds that is caught and sold.  
10  
11 MS. YUHAS: Through the Chair. Ms.  
12 Phillips. I'm unaware. I do not know if they log the  
13 pounds or the number of fish or how they do it, but I  
14 know that they allow the charter captain to sell the  
15 fish to restaurants. And in Hawaii it's through his  
16 charter captain's license. That's all he needs. And  
17 in Florida he needs an extra license to be able to also  
18 sell the fish.  
19  
20 MS. PHILLIPS: Thank you.  
21  
22 CHAIRMAN ADAMS: Good. Just another  
23 little comment here if I might. You know, we have a  
24 lot of California sea lions coming up to Yakutat now.  
25 And if you want to come and take those away, we'd  
26 really appreciate it.  
27  
28 (Laughter)  
29  
30 CHAIRMAN ADAMS: Southeast has a  
31 problem with the sea otters, and you're welcome to take  
32 that away from us, too.  
33  
34 MS. PHILLIPS: Mr. Chair.  
35  
36 CHAIRMAN ADAMS: Uh-huh.  
37  
38 MS. PHILLIPS: I saw quarter blood  
39 quantum Alaska Native required.  
40  
41 CHAIRMAN ADAMS: Okay.  
42  
43 (Laughter)  
44  
45 CHAIRMAN ADAMS: So she's excluded from  
46 that. Anyhow, thank you, Jennifer. And we'll see you  
47 around. Thank you.  
48  
49 The next thing is Item Number D,  
50 wildlife harvest summary and in-season fish and

1 wildlife action summary. Mr. Reeves again. Are you  
2 ready to do that.

3

4 MR. REEVES: I already did it.

5

6 MR. LARSON: We're ready for Item E.

7

8 CHAIRMAN ADAMS: Oh, I thought.....

9

10 (Laughter)

11

12 CHAIRMAN ADAMS: We're ready for Item

13 E. Who's going to do that.

14

15 MR. LARSON: I am.

16

17 CHAIRMAN ADAMS: Okay. Mr. Larson.

18

19 MR. LARSON: Mr. Chair. One of the  
20 items that is missing from your Council book is the  
21 .805(c) letter. The .805(c) letter is an accounting of  
22 the proposals, the fisheries proposals considered by  
23 the Subsistence Board in their January meeting. I've  
24 made copies of the draft letter. I've not seen a  
25 letter that's been signed yet, but we do have a draft,  
26 and I've distributed them this morning.

27

28 I think without going into too much  
29 details, that the Board did follow the recommendations  
30 of the Southeast Council regarding the fisheries  
31 proposals, with one exception. And that is that the  
32 proposal to eliminate the guideline harvest level for  
33 sockeye salmon on the Stikine River was deferred up to  
34 one year. And a little bit later on the agenda, Item  
35 9.D., Mr. Yeager and I would be pleased to provide you  
36 with some more background and an idea of where we are  
37 in that process of dealing with the U.S. Pacific Salmon  
38 Treaty.

39

40 And that -- it's normally in your book.  
41 It's been distributed, and I could answer any  
42 questions. I think it's pretty straightforward. The  
43 Board followed your recommendations.

44

45 Thank you.

46

47 CHAIRMAN ADAMS: Thank you, Mr. Larson.

48

49

50 Questions of Robert on the .805(c)

1 report.

2

3 (No comments)

4

5 CHAIRMAN ADAMS: Hearing none.

6 Gunalcheesh.

7

8 Okay. We're at Item No. 8 now, public  
9 comments, tribal comments on non-agenda items. We're  
10 welcome for -- you know, if you haven't filled out one  
11 of those blue sheets, make sure you do. We can take  
12 those comments almost any time during the process of  
13 this meeting.

14

15 I don't notice any right now. Robert,  
16 am I correct in that.

17

18 MR. LARSON: I have no tribal comments  
19 or public comments on non-agenda items.

20

21 CHAIRMAN ADAMS: Thank you. Then  
22 let's move on to the old business.

23

24 Oh, before we go any further. I've  
25 heard some conflicting reports about when the banks  
26 close here. And I'm sure that many of you will want to  
27 go, you know, take care of your per diem checks. So I  
28 think we're going to adjourn here at 4:30 so some of us  
29 can have a chance to go down there and take care of  
30 that issue. Just a matter of information. We will  
31 recess at 4:30 today.

32

33 Steve Kessler.

34

35 MR. KESSLER: Thank you, Mr. Chairman  
36 and Council. Steve Kessler with the U.S. Forest  
37 Service, and we're lucky to have two of us. Jennifer  
38 and I will both be doing this presentation together.  
39 It's going to be I think rather short.

40

41 It's concerning the memorandum of  
42 understanding for coordinating fish and wildlife  
43 management for subsistence uses on the Federal public  
44 lands. You're I'm sure very familiar with this MOU.  
45 At your last meeting you provided a fairly detailed  
46 review of the MOU, and a summarization of your  
47 comments, which there were just a few of them, are on  
48 Page 12 in the meeting minutes from that last meeting.

49

50

1                   We received comments from all the  
2 Regional Advisory Councils last fall. It was the  
3 intent also to receive comments from the State's local  
4 advisory committees, and Jennifer's going to talk a  
5 little bit about that.

6  
7                   MS. YUHAS: Thank you. As you know,  
8 Steve and I both sit on the Staff working group who's  
9 been coalescing the comments from all of the Regional  
10 Advisory Councils.

11  
12                   And I've had a few folks say this go  
13 around, are we doing that again? The MOU, we're doing  
14 that again? We're not really doing it again. We're  
15 just still doing it. So since the original Secretarial  
16 direction to look at it, because of the schedule for  
17 the meetings, the RACs only meet twice a year. And  
18 when the Federal Subsistence Board decided to send it  
19 back out to the RACs last May, the State raised an  
20 initial concern that all of our advisory committees had  
21 shut down for the winter, and they wouldn't take their  
22 meetings back up again until fall, which happened. And  
23 much like you, sometimes you have a meeting that is all  
24 about proposals, and you can't get to other business,  
25 and that's what many of our RACs experienced in  
26 September and October and November, was preparing for  
27 Board of Fish and Board of Game meetings. So many of  
28 them didn't take this up until December/January.

29  
30                   And so I gave them a deadline of the  
31 end of last month, which was last Friday, to get me  
32 their comments. I'm still waiting on one set of  
33 comments. Only four of the RACs actually sent a letter  
34 in.

35  
36                   But to summarize the bulk of their  
37 comments, it was that they generally agreed data  
38 sharing was a good thing, and thought that it should  
39 continue somehow. Some believed strongly in having  
40 that contained within the MOU; some thought that could  
41 exist outside of an actual MOU.

42  
43                   Predator control was brought up again,  
44 the same way it was with some of the RACs. We  
45 explained why the solicitors had recommended that it  
46 could not go into the document. However, since the  
47 Chairman of the Board has made it public that he  
48 intends to revisit the predator management policy for  
49 the Board, we did report to the ACs, you know, that's  
50 the place for that, is to address that in reopening the

1 predator management policy, not to try to insert it  
2 into the MOU, because the MOU just refers to the  
3 policy, which is subject to change or not, depending on  
4 the votes.

5  
6 A few of the RACS wanted.....

7  
8 MR. KESSLER: ACs or RACs?

9  
10 MS. YUHAS: Sorry. I mean ACs. A few  
11 of the ACs on the State side wanted some sort of teeth  
12 in the document, or guarantee so that when we were not  
13 adhering to the MOU, that something would happen, but  
14 they didn't know what that was, whether it would be a  
15 dissolution of the MOU, whether it would be a penalty,  
16 but there was discussion that how do we know it's being  
17 followed and who monitors whether it's being followed.

18  
19 So that's the generalization of the  
20 discussions. And I hope before the end of the week to  
21 circulate something to the Staff working group and to  
22 the signatories just outlining what the comments were  
23 and attaching the four letter that I received.

24  
25 Timeline, I can turn it back to Steve.  
26 We just got the April and May issues.

27  
28 MR. KESSLER: Thanks, Jennifer.

29  
30 Over the next few weeks the working  
31 group will be meeting to go back over those comments,  
32 take a look at the Regional Advisory Council comments  
33 again, come up with a new revision of the memorandum of  
34 understanding. That version will be then presented to  
35 the Federal Subsistence Board at their work session on  
36 April 24th and 25th. Assuming everything just keeps  
37 flowing both on the Federal side and on the State side,  
38 then we expect to have a meeting of the signatories in  
39 early summer, May or June, to then finalize that MOU.

40  
41 MS. YUHAS: I would like to wrap up  
42 with one compliment. We come to these meetings and  
43 sometimes you have to put a lot of complaints on the  
44 record. It's nice to put a compliment on the record.

45  
46 And so working through this process, I  
47 have reported before that the working group was being  
48 very respectful and getting a lot of work done, but  
49 with the new acting regional assistant director on  
50 line, Kathleen O'Reilly-Doyle, she really deserves some

1 credit for moving some things in the right direction  
2 where they had gotten a little bit bottlenecked. And I  
3 just want to put that on the record.

4

5 CHAIRMAN ADAMS: Okay. Thank you.  
6 Questions anyone? I know to some of you the MOU, you  
7 know, caused a lot of concerns, so now is a good time  
8 to bring them up if you have them.

9

10 (No comments)

11

12 CHAIRMAN ADAMS: Guess not. Thank you.

13

14

15 MR. KESSLER: Mr. Chairman.

16

17 CHAIRMAN ADAMS: Mr. Kessler, go ahead.

18

19 MR. KESSLER: The next item that's on  
20 your agenda, the review of the status of the  
21 Kootznoowoo, Incorporated extended jurisdiction  
22 petition, that's going to be brought up at 9:00 o'clock  
23 tomorrow morning, but I would like to just mention that  
24 I put two items at each of your location. A copy of  
25 the assessment that the U.S. Institute for  
26 Environmental Conflict Resolution put together, and  
27 also a briefing paper that will be talked to tomorrow  
28 at 9:00 o'clock. So each of you should have it. If  
29 anyone doesn't have it, let me know and I'll make sure  
30 you have one in case you happen to want to review it  
31 before tomorrow. A copy should have been emailed to  
32 each of you over the last few weeks also.

33

34 Thanks.

35

36 CHAIRMAN ADAMS: Thank you, Steve.

37

38 So again, you know, the Kootznoowoo  
39 territorial jurisdiction item will be brought forth  
40 before us tomorrow at 9:00 a.m.

41

42 And thank you, Steve.

43

44 Item No. C., finalize FY2012 Annual  
45 Report. Mr. Larson, please.

46

47 MR. LARSON: Mr. Chair. The draft  
48 annual report as suggested by the Council at their last  
49 meeting is included on Page 72. If we need to --  
50 before the end of this meeting, we need to finalize

1 that document.

2

3                   Regarding the way amendments are done,  
4 I would suggest that the Council approve amendments,  
5 let me incorporate them into a final document and I  
6 would provide this document as a completed annual  
7 report prior to the end of this meeting for final  
8 action.

9

10                   Thank you.

11

12                   CHAIRMAN ADAMS: Please, if you would,  
13 you referred to amendments on Page 72 or are you  
14 referring to the annual report starting on Page 72?

15

16                   MR. LARSON: Mr. Chair. The annual  
17 report as drafted by the Council at their last meeting  
18 is on Page 72. If there is amendments, then we could  
19 amend that document. And I would like to actually  
20 incorporate those into that document during this  
21 meeting and show you a final document for final  
22 approval as a completed item prior to the end of this  
23 meeting.

24

25                   CHAIRMAN ADAMS: Has Council had a  
26 chance to go over the annual report. Is there anything  
27 that you would like to address it and add to it, or  
28 take away.

29

30                   Cathy, go ahead.

31

32                   MS. NEEDHAM: Thank you, Mr. Chair.

33

34                   On Issue No. 1, customary and  
35 traditional use determinations, the summary of that  
36 particular issue excluded the original recommendation  
37 that the Council recommended that the C&T determination  
38 process be eliminated and that Section .804 -- that it  
39 was allowed for under the provisions of .804. But the  
40 way that it reads here in the annual report is that we  
41 only made the recommendation to do the regulation  
42 change.

43

44                   And so I'd like to make a motion to  
45 include both recommendations that came out of the  
46 Council in that summary.

47

48                   MR. BANGS: Second.

49

50                   CHAIRMAN ADAMS: It's been moved and

1 seconded.  
2  
3 Everyone know what those amendments  
4 are?  
5  
6 (Council nods affirmatively)  
7  
8 CHAIRMAN ADAMS: Okay. So any further  
9 discussion.  
10  
11 (No comments)  
12  
13 MR. KITKA: Question.  
14  
15 CHAIRMAN ADAMS: The question's been  
16 called. All in favor please say aye.  
17  
18 IN UNISON: Aye.  
19  
20 CHAIRMAN ADAMS: Opposed nay.  
21  
22 (No opposing votes)  
23  
24 CHAIRMAN ADAMS: Motion carried. Thank  
25 you.  
26  
27 Anything else on the annual report.  
28  
29 MS. PHILLIPS: Mr. Chair.  
30  
31 CHAIRMAN ADAMS: Patty, go ahead.  
32  
33 MS. PHILLIPS: I see on Page 73, the  
34 last bullet, it talks information on salmon timing and  
35 abundance obtained through Fisheries Resource  
36 Monitoring Program projects is timely and accurate, and  
37 therefore potentially very valuable to State fisheries  
38 managers.  
39  
40 I wonder if we should be saying  
41 something about genetic sampling. I mean that was --  
42 that came out of -- it's been a priority of the RAC for  
43 a while, and yet we don't really talk about it is  
44 genetic stock sampling.  
45  
46 CHAIRMAN ADAMS: Let's talk about it  
47 and see how you want it addressed in the annual report.  
48  
49 Cathy, go ahead.  
50

1 MS. NEEDHAM: Thank you, Mr. Chair.  
2  
3 I agree with Ms. Phillips, and I think  
4 in 2012 we did talk about it, last spring especially  
5 when we were covering the ETJ proposal, so I think it  
6 would be a good idea to include it in addition in that  
7 bullet point. Just say, information on salmon timing,  
8 abundance and genetic testing obtained.  
9  
10 MS. PHILLIPS: Second.  
11  
12 CHAIRMAN ADAMS: Is there any wording  
13 you want to incorporate in that or just maybe.....  
14  
15 MS. PHILLIPS: She just did I think.  
16  
17 CHAIRMAN ADAMS: I didn't hear the -- I  
18 mean, I didn't -- okay. We'll just let Robert then,  
19 you know, fix it up.  
20  
21 (Laughter)  
22  
23 CHAIRMAN ADAMS: I need to understand  
24 it better.  
25  
26 MS. NEEDHAM: I move to add to the last  
27 bullet on Page 73, when we're talking about information  
28 on salmon timing, I move that we add information on  
29 salmon timing, abundance and genetic testing obtained  
30 through Fisheries Resource Monitoring Program projects,  
31 et cetera.  
32  
33 CHAIRMAN ADAMS: I'm okay.....  
34  
35 REPORTER: Bert.  
36  
37 CHAIRMAN ADAMS: I'm okay with that  
38 now. Okay.  
39  
40 MS. PHILLIPS: Second.  
41  
42 CHAIRMAN ADAMS: And it's been  
43 seconded.  
44  
45 Any further discussion.  
46  
47 MR. KOOKESH: Comment.  
48  
49 CHAIRMAN ADAMS: Comment? Go ahead.  
50

1 MR. KOOKESH: Mr. Chairman.  
2  
3 Under the transcripts, Kelly Hepler  
4 goes and makes a comment that the State of Alaska has  
5 spent hundreds of thousands of dollars in genetic stock  
6 assessments. I don't know if you want to include any  
7 kind of language from the State.  
8  
9 MS. PHILLIPS: Mr. Chair.  
10  
11 CHAIRMAN ADAMS: Patty, go ahead.  
12  
13 MS. PHILLIPS: Thank you, Mr. Chair and  
14 Mr. Kookesh.  
15  
16 So I was wondering if maybe we should  
17 amend that further, obtain through Fisheries Resource  
18 Monitoring Program projects and other data collection  
19 methods. I don't know, would that -- Cathy, other data  
20 collection methods besides Fisheries Resource  
21 Monitoring.  
22  
23 MS. NEEDHAM: Mr. Chair.  
24  
25 CHAIRMAN ADAMS: Go ahead.  
26  
27 MS. NEEDHAM: And I would ask Mr.  
28 Kookesh if that was what his intent, because it seems  
29 like his comment was specifically about the State doing  
30 genetic testing.  
31  
32 MR. KOOKESH: Right  
33  
34 MS. NEEDHAM: And whether or not we  
35 want to include that as a separate bullet item, not  
36 within the Fisheries Resource Monitoring Program bullet  
37 point.  
38  
39 CHAIRMAN ADAMS: Go ahead and answer,  
40 Floyd.  
41  
42 MR. KOOKESH: Well, my comment came  
43 from the transcripts of the Federal Subsistence Board,  
44 and that was just before you spoke or something.  
45 Kessler spoke, and Kelly Hepler, and then you spoke,  
46 where they said the State's spent hundreds of thousands  
47 of dollars, was probably his exact words, on genetic  
48 stock assessments.  
49  
50 CHAIRMAN ADAMS: Go ahead, Jennifer.

1 MS. YUHAS: Mr. Chair. I think there's  
2 a question in there for me somewhere, and so I'm going  
3 to do my best to answer. I don't have the copy of the  
4 transcripts in front of me, but I recollect the same  
5 issue, and what I believe Mr. Hepler was speaking to  
6 was that the Governor had put the money in the budget,  
7 and that the State was still moving forward with that  
8 being something that was on our list of areas that we  
9 were moving forward with.

10  
11 Since you are on the agenda item of  
12 approving your annual report, it sounds like the  
13 discussion here is trying to identify how the RAC wants  
14 to see it addressed in the future. And I certainly  
15 appreciate recognition of the State from Mr. Kookesh on  
16 the record, that we put that out there at the last  
17 meeting. And I think where you're going with your  
18 agenda item is to simply acknowledge that you find the  
19 issue important, and it looked like you were going down  
20 the path of stating methods of collecting the data, or  
21 you could just say it's important and you want it  
22 collected through all methods available, and that would  
23 include the State and anyone else.

24  
25 CHAIRMAN ADAMS: Patty, go ahead.

26  
27 MS. PHILLIPS: Thank you, Mr. Chair.

28  
29 Are we doing genetic stock monitoring  
30 through -- sampling through the Fisheries Resource  
31 Monitoring Program?

32  
33 CHAIRMAN ADAMS: Can anybody answer  
34 that?

35  
36 MR. LARSON: Cal's coming up.

37  
38 CHAIRMAN ADAMS: Cal.

39  
40 MR. KOOKESH: The guru.

41  
42 MR. LARSON: Okay.

43  
44 CHAIRMAN ADAMS: Cal, welcome to the  
45 table.

46  
47 MR. CASIPIT: Thank you, Mr. Chair.  
48 For the record my name is Cal Casipit. I'm the  
49 subsistence Staff biologist for the Forest Service.  
50

1                   Currently under the Fisheries Resource  
2 Monitoring Program, we have no projects looking at  
3 genetic stock identification. Never have. That has  
4 never been funded by FRMP.

5  
6                   CHAIRMAN ADAMS: Do you think it will  
7 ever happen?

8  
9                   MR. CASIPIT: Oh, we do collect samples  
10 for later analysis. We just don't do the analysis  
11 ourselves.

12  
13                  CHAIRMAN ADAMS: Okay. Answer your  
14 question, Patty?

15  
16                  MR. KOOKESH: Back to the motion.

17  
18                  Okay. We need to go back to the motion  
19 like Floyd said. So we got the language all clear.

20  
21                  Do you want to comment on the motion.

22  
23                  MR. HERNANDEZ: On the motion.

24  
25                  CHAIRMAN ADAMS: Uh-huh

26  
27                  MR. HERNANDEZ: Yes, comment on the  
28 motion. A possible question.

29  
30                  Is this genetic stock assessment, is  
31 that something that would fall under the sharing of  
32 information that is covered in the MOU? And, I don't  
33 know, is it in an existing MOU or does it have to be  
34 approved yet? Or is this something that can happen now  
35 or do we have to wait for the MOU to be approved before  
36 it could happen.

37  
38                  MS. YUHAS: Two things. Mr. Chairman.

39  
40  
41                  Yes, the type of data you are asking  
42 about is included in data sharing.

43  
44                  And the second is with regards to the  
45 MOU. And this has been confusing, so I would like to  
46 walk through it. The MOU stands until a five-year  
47 period goes by without the signatories meeting in the  
48 same room, or someone withdraws from the MOU. So the  
49 MOU is valid and will continue to be valid whether or  
50 not the signatories meet this year, or whether or not

1 they place new signatures on the document. If they  
2 choose to, they can sign the new one that everyone's  
3 been circulating. If they choose to, the other extreme,  
4 they could not even meet, and it would continue until  
5 2014, because it was last signed in 2009.

6

7 CHAIRMAN ADAMS: Follow up.

8

9 MR. HERNANDEZ: So I guess in summary,  
10 as of now if Fish and Game has genetic stock data, and  
11 the Federal system wanted to access it, we should be  
12 able to without any problem, true?

13

14 MS. YUHAS: Should that data be shared  
15 and part of the protocol, yes. Through the Chair. Is  
16 there never any problem, I'm not sure I'm willing to  
17 put that on the record since I've seen some of these  
18 data requests go back and forth from both ends.

19

20 (Laughter)

21

22 MS. YUHAS: You know, that's not the  
23 way we requested it. Oh, that's the only way we have  
24 it. From both directions. So I'm very cautious at  
25 these meetings.

26

27 MR. HERNANDEZ: But would you say it is  
28 possible?

29

30 (Laughter)

31

32 MS. YUHAS: Through the Chair. Yes, it  
33 is, and intended by both parties.

34

35 For your agenda item, I'm not trying to  
36 drive anything here, but I think your agenda item is  
37 greater than that, and so placing the importance on the  
38 document -- or placing the importance on the  
39 information certainly would elevate it in multiple  
40 arenas as far as priorities go. When any entity,  
41 whether it's the FRMP or other entities are looking for  
42 financing for their own priorities, knowing that a RAC  
43 believes certain types of information are important,  
44 tends to elevate those types of projects. Or initiate  
45 them.

46

47 CHAIRMAN ADAMS: Mr. Kookesh.

48

49 MR. KOOKESH: When I made the comment  
50 about the investment, the comment was in relation to

1 the petition. So I'm sure that information is going to  
2 be shared.

3

4 CHAIRMAN ADAMS: Mr. Larson, do you  
5 have anything to add to the subject.

6

7 MR. LARSON: No, I was just going to  
8 remind the Council that the original intent of this  
9 bullet item was to convey to the Board that the Council  
10 considers these fisheries monitoring projects to have  
11 more than just research value. That in fact they can  
12 be used to implement management of salmon. And that  
13 was the intent of this bullet item.

14

15 CHAIRMAN ADAMS: Okay. Thank you.

16

17 Mr. Wright.

18

19 You might want to stay there, Jennifer.  
20 I don't know, but have a seat.

21

22 Go ahead.

23

24 MR. WRIGHT: Yeah. Thank you, Mr.  
25 Chair. I think the genetic material that is being put  
26 in the motion should be in there, because whether it's  
27 cost or whatever would, you know, keep it from  
28 happening, you know, at least we'll have the genetic  
29 part in there. Because whenever you determine  
30 something about salmon, then we're -- we always want to  
31 know where it's from. So I think should be in there.

32

33 But right now can I have what the  
34 motion was.

35

36 CHAIRMAN ADAMS: Okay. Somebody want  
37 to -- Patty, you can do that.

38

39 MS. PHILLIPS: Mr. Chair. I mean, Mr.  
40 Wright. I'm wondering if perhaps Cathy should withdraw  
41 the motion and with concurrence of the second, and  
42 perhaps we should put genetic sampling and analysis  
43 into its own bullet. You know, genetic sampling and  
44 analysis through all methods of data collection and  
45 financing for that as a separate bullet.

46

47 CHAIRMAN ADAMS: Well, that was my next  
48 question there, is, you know, do we need another bullet  
49 to address, you know, Frank's concern. And do we need  
50 to do away with the other motion.

1 MS. PHILLIPS: That's what I just  
2 recommended.  
3  
4 CHAIRMAN ADAMS: Okay. But do you want  
5 to delete the other motion with the consent of the  
6 second and start all over again, and then do a separate  
7 bullet with the genetic item on it.  
8  
9 MS. NEEDHAM: Yes.  
10  
11 CHAIRMAN ADAMS: Yes.  
12  
13 MS. NEEDHAM: Do I make a motion to  
14 withdraw my motion, or do I just say I'd like to  
15 withdraw my motion.  
16  
17 CHAIRMAN ADAMS: You just say you want  
18 to withdraw it with the consent of the second, and that  
19 will work.  
20  
21 MS. PHILLIPS: And the second consents.  
22  
23 CHAIRMAN ADAMS: Okay. So we start all  
24 over again. Okay. Let's see if we can have some  
25 better language for that and then work on the other  
26 bullet.  
27  
28 (Pause)  
29  
30 MS. PHILLIPS: Mr. Chair.  
31  
32 CHAIRMAN ADAMS: Patty, go ahead.  
33  
34 MS. PHILLIPS: Well, I would like to  
35 see genetic sampling and analysis, and through all  
36 methods of data collection available, financial for and  
37 actual genetic sampling and analysis, because we  
38 already hear that genetic sampling's going on, but  
39 there's no analysis going on with it at the Federal  
40 level, and we've heard that the State's already  
41 conducted genetic analysis. Sampling and analysis.  
42 And that there needs to be some data sharing on that.  
43  
44 And so somehow if someone can write a  
45 sentence that says all that. Mr. Coordinator.  
46  
47 MR. LARSON: Mr. Chair. Yes, I can do  
48 that.  
49  
50 And for the Council's information, most

1 of, and it could be all of the genetic sampling studies  
2 that are under way, and there are several, with two  
3 main focus points. One is to complete a genetics  
4 database for king salmon and for sockeyes, primarily  
5 sockeyes that are shared between the United States and  
6 Canada. Almost all of these studies are being funded  
7 and have been funded through the Pacific Salmon  
8 Commission and the US/Canada treaty process.

9

10 And that there is a considerable amount  
11 of analysis that's been done and is currently being  
12 done, so we can certainly acknowledge that that process  
13 is useful to management of Federal fisheries and  
14 subsistence uses. And I can put some words on paper  
15 with the assistance of Cathy.

16

17 CHAIRMAN ADAMS: So we'll be able  
18 to.....

19

20 REPORTER: Bert. Bert.

21

22 CHAIRMAN ADAMS: We'll be able to see  
23 that at the end of the meeting then, towards the end.  
24 Then we can adopt the annual report then.

25

26 MS. PHILLIPS: Thank you.

27

28 CHAIRMAN ADAMS: But is there anything  
29 else in the annual report that you would like to  
30 address.

31

32 (No comments)

33

34 CHAIRMAN ADAMS: How are we doing.

35

36 (No comments)

37

38 CHAIRMAN ADAMS: Anything else in the  
39 annual report you want to address.

40

41 (No comments)

42

43 CHAIRMAN ADAMS: If not, then we'll  
44 wait until Robert, you know, gets some language  
45 inserted in there on that particular issue, and then we  
46 can adopt it.

47

48 MR. KITKA: Mr. Chair.

49

50 CHAIRMAN ADAMS: I almost said Mr.

1 Kookesh. Mr. Kitka.

2

3 MR. KITKA: Mr. Chair. I was looking  
4 at Issue No, 3, and that's the education and outreach  
5 regarding the role of the Council and how the members  
6 in the public will best participate in the Federal  
7 process. And reading down through it, and a protocol  
8 of consultation. The interpretation of consultation is  
9 something we would like as part of the Sitka group to  
10 know what the definition is for consultation from the  
11 Federal Department so we can know how to address this.

12

13 CHAIRMAN ADAMS: Robert, do you want to  
14 take care of that as well.

15

16 MR. LARSON: I can. And I could make  
17 one observation just immediately is that, you know, of  
18 course the consultation is between governments. And  
19 this Council, any Council does not represent a  
20 government. We don't speak for the government of the  
21 United States. We're an advisory body. So under  
22 tribal consultation, you know, we, meaning any of  
23 Councils, don't do that kind of consultation. We don't  
24 do tribal consultation. Only representatives that are  
25 authorized to speak for the Federal Government can do  
26 consultation. And only representatives of the tribes  
27 that are authorized to speak for the tribes can do  
28 consultation.

29

30 Thank you.

31

32 CHAIRMAN ADAMS: So, Mr. Kitka, did you  
33 mean that it should be a definition between the  
34 government and tribes?

35

36 MR. KITKA: Yeah, basically -- thank  
37 you, Mr. Chairman. We just wanted to know what the  
38 Federal government looked at, their definition of  
39 consultation, because it can take on many different  
40 meanings, and we wanted to hear what theirs was so we  
41 can address it a little better at our meetings.

42

43 CHAIRMAN ADAMS: Okay. Mr. Larson.

44

45 MR. LARSON: Mr. Chair. We do have,  
46 the Board has implemented a tribal consultation policy.  
47 Well, they have a tribal consultation policy.  
48 Implementations of the tribal consultation policy is an  
49 ongoing process. And we have people in this room that  
50 could speak to that. As a matter of fact I believe if

1 we look under Item 11.B., we will have that discussion  
2 of exactly what it is, and that might be the more  
3 appropriate time to take up that topic.

4  
5 And I would suggest after you hear the  
6 discussions under 11.B. if there was an item that you  
7 wanted to included into the annual report at that time,  
8 that would be an appropriate time to do that.

9  
10 MR. KITKA: Thank you.

11  
12 CHAIRMAN ADAMS: That sounds fine.  
13 Harvey, is that okay?

14  
15 MR. KITKA: (Nods affirmatively)

16  
17 CHAIRMAN ADAMS: Okay. Anything else  
18 in the annual report you want to bring up.

19  
20 (No comments)

21  
22 CHAIRMAN ADAMS: Are you okay?

23  
24 (No comments)

25  
26 CHAIRMAN ADAMS: So we won't act on  
27 adopting it until after we've take care of a couple of  
28 these issues, and that will probably be towards the end  
29 of the meeting. Cleaning up things. Okay.

30  
31 Okay. Let's go to Item No. D., the  
32 Stikine proposal and summary report. Mr. Larson.

33  
34 MR. LARSON: Mr. Chair. I think that  
35 maybe to make this very clean, that it would be  
36 beneficial if Counselor Yeager and I sat at the front  
37 table and we were best able to answer your questions  
38 and talk about this, the whole issue.

39  
40 CHAIRMAN ADAMS: Adjourn yourself to  
41 the table.

42  
43 MR. LARSON: So if you could just give  
44 us a second to change chairs.

45  
46 CHAIRMAN ADAMS: Sure.

47  
48 (Pause)

49  
50 MR. LARSON: Mr. Chair. If you could

1 give us a moment, there are two documents that I think  
2 you might find useful, and we'll distribute them now.  
3 One is a -- it's a letter -- thank you, John. One is a  
4 letter from Bob Dalrymple that's related to management  
5 of the Stikine River. It's a request for the Board to  
6 take action to probably close the Chinook fishery,  
7 because of in-season abundance estimates.

8  
9                   The other document is a letter that was  
10 sent to myself as the Council's coordinator with some  
11 recommendations for management of the sockeye fishery  
12 on the Stikine River. And attached to that document,  
13 the last two page, is a letter from the in-season  
14 manager, that is Bob Dalrymple, Robert Dalrymple, who's  
15 the district ranger in Wrangell, responding to the  
16 letter that was written by the Wrangell Fish and Game  
17 Advisory Committee.

18  
19                   I think the first item is that although  
20 the Board approved all of the recommendations of the  
21 Advisory Council for Federal subsistence proposals  
22 according to what the Council recommended, except for  
23 the Stikine River proposal.

24  
25                   There was two meetings that were  
26 important to this process that happened, and both of  
27 them were after the Council meeting last fall. One was  
28 that John and I, Mr. Yeager, met with the U.S. section  
29 of the Transboundary Panel in Juneau in December, and  
30 we met with the complete bilateral Transboundary Panel  
31 in Vancouver, British Columbia in January immediately  
32 prior to the Board meeting.

33  
34                   At those meetings, the Panel expressed  
35 concerns over our ability to manage the fishery, both  
36 the king salmon, the sockeyes, and coho fisheries.  
37 What we communicated to the Panel was that specific to  
38 the proposal to close or eliminate -- not close, but  
39 eliminate or change the Stikine River sockeye guideline  
40 harvest level was that we did not consider that a cap,  
41 that was not a quota. That was put in place at the  
42 time of the inception of this fishery to provide in-  
43 season managers an idea of the scope of that fishery,  
44 and subsequent to that, we have made provisions to  
45 document the harvest. We're fairly successful at  
46 giving the managers, both on the Canadian side and the  
47 State fisheries managers, an in-season estimate of  
48 harvest. That is certainly satisfactory to their needs  
49 for accounting to our harvest. And that the guideline  
50 harvest level is not necessary to have either in

1 Federal regulations or more importantly as part of a  
2 U.S./ Canada treaty.

3  
4 We brought that information back to the  
5 Board, and the Board agreed that it would be in best  
6 interests of all concerned and probably the best way to  
7 actually do what the Council recommended, was to not  
8 getting out in front of the U.S./Canada treaty process,  
9 and to defer that action and let the panels deal with  
10 it internally, make some suggestions, and approve some  
11 language, either changing or eliminating, you know,  
12 that provision.

13  
14 So that's where we are right now.

15  
16 One of the things that came up during  
17 the Panel meeting was the management of king salmon,  
18 that we have a pre-season king salmon abundance  
19 estimate that is less than the amount needed for a  
20 directed fishery. They were concerned that the U.S.  
21 subsistence program was unable to account for that  
22 according to the treaty unless we have a directed  
23 allowance that the subsistence fishery cannot move  
24 forward or cannot be opened. And whether we liked that  
25 or not, that's the terms of the treaty.

26  
27 And that's what precipitated the  
28 request by the in-season manager to the Board to close  
29 the season. Also in that request to the Board is a  
30 request to allow the in-season manager to open the  
31 season if an in-season management abundance estimate  
32 allows for a directed fishery.

33  
34 What do we expect in the future. I  
35 think the Board is clearly on record that they expect  
36 to have an action item in the January of 2014, unless  
37 there is some indications from the Transboundary River  
38 Panel or Pacific Salmon Commission that they are ready  
39 to move forward prior to that point. We will continue  
40 dialogue and interactions with the Transboundary River  
41 Panel and the U.S. section with the idea that, you  
42 know, we need to bring not only the U.S. section along,  
43 but the Canadian section along in recognizing our  
44 abilities to manage, work within the treaty process.

45  
46 The other concerns by the Panel, and  
47 both the U.S. and the Canadian portions, was net  
48 tending. If you looked at the letter that we got from  
49 the Fish and Game Advisory Committee from Wrangell,  
50 they mention net tending. Part of their suggestions

1 for in-season management of the fishery was the last  
2 item, all nets must be closely attended when they're in  
3 water. And they have a daily fishing period. We don't  
4 anticipate actually doing any of those things this  
5 year. We don't know that that's necessary, and really  
6 is only marginally connected to the in-season manager's  
7 authority to change Federal regulations. However, we  
8 have spoken to industry groups, and the public and the  
9 AC, and expressed a willingness to work with those  
10 bodies, those people to have a proposal for  
11 consideration by the Council next fall. Not this fall,  
12 but next fall. And for, you know, final action by the  
13 Board as a regulatory change during the regular  
14 fisheries cycle.

15

16 So that I think is where we're at. John  
17 might want to talk about our experience with the  
18 Transboundary Panel. John.

19

20 MR. YEAGER: Our meetings with both  
21 sides of the panel, basically I was there just as a  
22 representative of the RAC and also as a qualified  
23 subsistence user on the Stikine. And I felt that we  
24 were able to express to them what we were trying to put  
25 forth. And in return they gave us some sound advice  
26 and helped us in that manner when it came time to  
27 meeting with the Canadian side of the Panel. Otherwise  
28 I felt the visit was very constructive, and we came  
29 away from there with some good agreement that we were  
30 going to work on this issue with both the U.S. side and  
31 the Canadian Panel when they wanted to do so.

32

33 MR. LARSON: Mr. Chair. One more thing  
34 regarding the special action request. The InterAgency  
35 Staff, there has been a draft Staff analysis prepared  
36 for consideration by the InterAgency Staff. The  
37 InterAgency Staff will meet on March 19th and they will  
38 have a recommendation for how to advance, you know,  
39 this request. So I think we'll have a very clear idea  
40 after their meeting regarding where we're going to go  
41 from here regarding implementation of a king salmon  
42 closure.

43

44 CHAIRMAN ADAMS: Questions, anyone.  
45 Donald.

46

47 MR. BANGS: Yeah. Thank you, Mr.  
48 Chairman.

49

50 Bob, how does that pre-season forecast,

1 how does that affect the sportfishery on the Stikine  
2 for kings?

3

4 MR. LARSON: There is an allocation.  
5 It's not called an allocation. it's called a base  
6 level harvest for fish that are traditionally caught in  
7 the sportfishery. The abundance-based management plan  
8 that they have for the Stikine was initiated in 2005.  
9 So the sportfish harvests that were typical of that of  
10 the terminal area, District 8 is what we're talking  
11 about, are allowed and not considered a directed  
12 fishery. They're considered base-level harvests. If  
13 there is fish in addition to the amount of base level  
14 harvest, and the base level harvest is defined as fish  
15 caught incidentally, king salmon caught incidentally in  
16 the directed sockeye fishery, and fish caught -- it's an  
17 average number of salmon caught by the sportfishery  
18 prior to -- in those years prior to 2005. Those are  
19 base-level harvests.

20

21 So the action that would take place, if  
22 there was directed fisheries, meaning more than their  
23 average number of harvest, then they would be able --  
24 the sportfishery is allowed two rods. And there's  
25 additional fish allocated to the guided and non-  
26 resident fishermen. Those liberalizations of the  
27 sportfish harvest are not planned for this year,  
28 because there is no directed harvest. But there is a  
29 sport harvest that is going to be ongoing, and it is  
30 the background level that's been ongoing for, you know,  
31 as a normal occurrence.

32

33 CHAIRMAN ADAMS: Mr. Bangs.

34

35 MR. BANGS: Thank you, Mr. Chairman.

36

37 Mr. Larson, during your meetings with  
38 the Panel, did they offer any ideas as far as a number  
39 that they would kind of entertain as an increase in our  
40 harvest levels.

41

42 MR. LARSON: Mr. Bangs. They did. And  
43 it didn't appear to me that the number was all that  
44 important. They didn't want to visit this -- they  
45 wanted to have a solution where they didn't have to  
46 visit this issue again.

47

48 And they weren't altogether opposed to  
49 eliminating the guideline harvest. If they were going  
50 to -- there was some interest in maintaining a

1 guideline harvest level, then there were some concerns  
2 about, well, does that now become a cap, or is it still  
3 just a guideline. Should it be 2,000, should it be  
4 5,000. I mean, it didn't appear that the number of  
5 fish was a real critical component, but what they were  
6 very concerned about was accountability, we actually  
7 count the fish we kill, and that the Federal government  
8 shown an ability to respond to management even if it  
9 was necessary to do something.

10

11 But, yes, there was some individuals on  
12 both the U.S. and Canada that thought there was some  
13 benefit to having a number. And, you know, we had  
14 numbers, you know. Somebody said 2,000, and somebody  
15 said, well, I don't care if it's 5,000. I just want to  
16 know what this number is, you know. What is it. How  
17 do we manage for it. What do we -- what does it mean.

18

19 But I think that it's my impression  
20 that there is support for putting an end to this whole  
21 topic once and for all. And having a solution that  
22 everybody can live with and understand what it means,  
23 whether it's eliminating it or increasing it. But if  
24 they're going to increase it, they want to increase it  
25 big enough that they don't have to talk about it any  
26 more.

27

28 CHAIRMAN ADAMS: Anyone else. Patty.

29

30 MS. PHILLIPS: Thank you, Mr. Chair.  
31 This letter to Mr. Towarak on February 27th, 2013 from  
32 Robert Dalrymple. So should we be supporting this?  
33 You know, I don't -- is it just for information? And I  
34 have a follow up, Mr. Chair.

35

36 MR. LARSON: Ms. Phillips. I think  
37 that right now it's an informational item. If the  
38 Council felt that the Board needed some guidance from  
39 the Council regarding what to do about this request,  
40 whether they should act to close the fishery or not to  
41 close the fishery based on the Council preference, that  
42 this would be a good time to let them know. The  
43 process will move forward with or without a  
44 recommendation.

45

46 So it -- there was some discussion  
47 about what exactly we're going to ask the Council to do  
48 at this meeting, but if the Council would feel that  
49 they needed to do something and wanted to do something,  
50 then that would be fine, But it's our intent to inform

1 the Council that this process is moving forward and is  
2 going down the road of a normal special action request.

3

4 But there is -- because we're having  
5 this meeting now, in the process there is this  
6 opportunity to make a recommendation if you so desire.

7

8 CHAIRMAN ADAMS: So what's the wish of  
9 the Council. Aaron.

10

11 MR. ISAACS: Bob, I'm looking at this  
12 letter on Page 83, the Stikine River subsistence salmon  
13 fishery. And your name is at top with it also. On the  
14 short paragraph following the long one, introductions,  
15 it says, eligibility for participation in Federal  
16 subsistence Fishery is limited to residents of  
17 Wrangell, Petersburg. Meyers Chuck, and immediate  
18 vicinity through a positive customary, et cetera. Is  
19 there any other fishery, subsistence fishery, that has  
20 that language in it as it relates to being limited to  
21 residents of a certain area?

22

23 MR. LARSON: Mr. Isaacs, you have hit  
24 upon a topic that has occupied this Council's attention  
25 for several years.

26

27 MR. ISAACS: That's why I asked the  
28 question.

29

30 (Laughter)

31

32 MR. LARSON: And, yes, it is common  
33 that there are customary and traditional use  
34 determinations for both fish and wildlife and those  
35 customary and traditional determinations restrict rural  
36 residents from participating in either a fishery or a  
37 hunting opportunity. And that is -- previous to this  
38 discussion we had a discussion regarding whether or not  
39 the C&T regulations that are in place actually fulfill  
40 the obligations that the Council has regarding  
41 implementation of ANILCA. ANILCA says in times of  
42 shortage you need to restrict, and in this case the  
43 customary and traditional use determinations restrict  
44 regardless of whether there is an abundance or a  
45 shortage of one particular resource.

46

47 But, no, that is very common, that most  
48 fisheries have restrictions regarding who can  
49 participate. It's.....

50

1 MR. ISAACS: So when there is.....  
2  
3 MR. LARSON: .....got to do with  
4  
5 MR. ISAACS: .....a shortage, then the  
6 residency thing kicks in, correct?  
7  
8 MR. LARSON: No. No, this has -- the  
9 C&T process has nothing to do with whether there's an  
10 abundance or a shortage.  
11  
12 MR. ISAACS: Thank you.  
13  
14 CHAIRMAN ADAMS: Okay. Mr. Bangs.  
15  
16 MR. BANGS: Thank you, Mr. Chairman.  
17  
18 My thoughts are on this chance to put  
19 our two cents in to the Federal Board in regards to  
20 delegating authority to the in-season manager, I would  
21 think that it would be appropriate to either say that  
22 we agree to it or we don't agree to it. I don't know  
23 how you guys feel, but I would recommend making a  
24 statement.  
25  
26 CHAIRMAN ADAMS: Mr. Hernandez.  
27  
28 MR. HERNANDEZ: Yeah. Thank you, Mr.  
29 Chairman.  
30  
31 I mean, it seems like a pretty tricky  
32 issue to me on this, because, you know, under ANILCA  
33 regulations which, you know, we're obliged to follow,  
34 you know, a subsistence fishery would not be restricted  
35 without restricting all other users. And yet here we  
36 have a -- you know, we've restricted -- the commercial  
37 fishery is not going to happen. The sportfishery, it  
38 seems to me -- I know, it's all a matter of language as  
39 to what's a directed fishing and what's not, but the  
40 sportfishery seems to be a directed fishery, except for  
41 Treaty language apparently. And if we're operating  
42 under a different set of rules, because it's an  
43 international treaty, that gets pretty tricky to me,  
44 and I don't know how we should, you know, view that.  
45 And so I don't know. Unless somebody can, you know,  
46 definitively say what -- how we are obligated to  
47 respond given treaty limitations, I don't know, I'd  
48 hesitate I guess to take any action.  
49  
50 So that's my opinion.

1 CHAIRMAN ADAMS: Patty, go ahead.  
2  
3 MS. PHILLIPS: Thank you, Chairman  
4 Adams.  
5  
6 I'm just sort of like conflicted,  
7 because, you know, we have a conservation concern  
8 according to what we're reading, and we want to address  
9 a conservation concern. And yet we're told there's a  
10 base level harvest from fish caught in a sportfishery  
11 that will continue. But, you know, the recommendation  
12 of the district ranger is that, well, there doesn't  
13 seem to be enough fish coming, so I want the authority  
14 to -- well, it's going to be shut down, but I want the  
15 authority if enough return that I can open it. Yet,  
16 this base level harvest is going to continue.  
17  
18 So it's like -- it is. Just like Don  
19 said, I mean, it's an international treaty that we're  
20 dealing with, and how does that mesh with ANILCA. I  
21 don't know the answer to that.  
22  
23 CHAIRMAN ADAMS: Okay. I'll take Mr.  
24 Bangs and then Mr. Larson.  
25  
26 MR. BANGS: Thank you, Mr. Chairman.  
27  
28 At the same time that this baseline  
29 fishery is happening, there is a directed fishery  
30 happening right now on king salmon, nearby by the  
31 commercial troll fleet. Now, you know, whether they're  
32 spawners that are planning on going up the Stikine, or  
33 whether they're resident fish, I haven't idea. But,  
34 you know, there is a directed fishery going on at the  
35 same time.  
36  
37 I understand the conflict, but at the  
38 same time, you know, it's worded -- like Don said, it's  
39 worded different. But how do you differentiate what  
40 fish you're catching, whether they're, you know, fish  
41 that are destined to go up the river or they're just  
42 resident fish that are there all the time and they're  
43 not going to go up and spawn this year, and so the  
44 directed fishery and sportfishery, which has been going  
45 on for a long time, are catching fish that aren't going  
46 to spawn anyway. So I don't know.  
47  
48 CHAIRMAN ADAMS: Go ahead, Robert.  
49  
50 MR. LARSON: Thank you, Mr. Chair. I

1 have to items that may help you think about this issue.

2

3                   One is that both the U.S./Canada Treaty  
4 and ANILCA, primarily Title VIII of ANILCA are valid.  
5 And what we're charged with is we are charged with  
6 implementing Title VIII of ANILCA within the context of  
7 the U.S./Canada Treaty. So we need to read them both  
8 together, and implement ANILCA within these  
9 constraints. Now that's the advice of both attorneys  
10 from the Department State, the State, and Department of  
11 Interior, and the Department of Agriculture.

12

13                   The other is regarding a directed or  
14 fisheries that are targeting the same fish a the same  
15 time. The fish that are caught in the sportfishery are  
16 not caught in waters under Federal jurisdiction. The  
17 State has closed the subsistence and sportsfisheries in  
18 the Stikine River. All waters under Federal  
19 jurisdiction are closed to non-Federally-qualified  
20 users.

21

22                   If we were to discussion within ANILCA,  
23 if we were to discuss harvest by other users outside of  
24 our jurisdiction, that's, you know, a very similar  
25 discussion we've had with the extended jurisdiction  
26 kind of petition. And so those -- you know, we can  
27 have that's but that's -- we need to kind of keep in  
28 mind where we are in this process, and our little place  
29 in this process is -- it's pretty well constrained.

30

31                   Thank you.

32

33                   CHAIRMAN ADAMS: Okay.  
34 So what's the wish of the Council then. Just let the  
35 process to as is, or do you want to make a  
36 recommendation to either follow that or what.

37

38                   MR. DOUVILLE: Leave it alone, let it  
39 go.

40

41                   MS. PHILLIPS: Yeah.

42

43                   CHAIRMAN ADAMS: Pardon?

44

45                   MS. PHILLIPS: Say it.

46

47                   MR. KOOKESH: It's after 4:30, too.

48

49                   CHAIRMAN ADAMS: Okay.

50

1                   MR. KOOKESH:  And think about it.  
2  
3                   CHAIRMAN ADAMS:  You want to think  
4 about it and when we come back tomorrow, we'll just  
5 discuss it briefly.  
6  
7                   Go ahead, Mike.  
8  
9                   MR. DOUVILLE:  Than you, Mr. Chairman.  
10 I thought about it and we can just leave it as is.  
11  
12                  CHAIRMAN ADAMS:  That's a good idea.  
13 Thank you.  We'll just leave it as is.  Thank you.  
14 Let's recess until 9:00 o'clock tomorrow.  Thanks.  
15 It's been good so far.  
16  
17                  (Off record)  
18  
19                  (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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STATE OF ALASKA )

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing pages numbered 02 through 135 contain a full, true and correct Transcript of the SOUTHEAST FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME I, taken electronically by Computer Matrix Court Reporters, LLC on the 12th day of March 2013 in Ketchikan, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by under my direction and reduced to print to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 24th day of March 2013.

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Salena A. Hile  
Notary Public, State of Alaska  
My Commission Expires: 9/16/14