

1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME II

7
8
9 Crowne Plaza Hotel
10 Anchorage, Alaska
11 March 12, 2014
12 8:00 a.m.

13
14
15 COUNCIL MEMBERS PRESENT:

16
17 Bertrand Adams, Chairman
18 Michael Bangs
19 Arthur Bloom
20 Michael Douville
21 Donald Hernandez
22 Aaron Isaacs
23 Kenneth Jackson
24 Harvey Kitka
25 Cathy Needham
26 Patricia Phillips
27 Robert Schroeder
28 Frank Wright
29 John Yeager
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35 Regional Council Coordinator, Robert Larson

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1 P R O C E E D I N G S

2
3 (Anchorage, Alaska - 3/12/2014)

4
5 (On record)

6
7 ACTING CHAIR BANGS: Well, we've got a
8 lot to do before 1:00 o'clock, I think that's when
9 we're going to adjourn or recess for the rest of the
10 day.

11
12 So we're going to start with new
13 business, call for Federal Subsistence Fisheries
14 Regulatory Proposals.

15
16 I know Patty had some ideas but we
17 weren't sure whether we should submit the proposals to
18 the State Board of Fish or whether we would use the
19 Federal Program to try to get some help for Angoon.

20
21 Patty.

22
23 MS. PHILLIPS: Thank you, Mr. Chair.

24
25 We've had discussion, not at this RAC
26 table but, you know, informal conversations about how
27 can there be more opportunity for the people of Angoon
28 to meet their subsistence needs and, you know, one
29 possible opportunity might be to set up a gillnet
30 fishery in front of Angoon for the people of Angoon,
31 and we're wondering would that be a Federal proposal or
32 would that be a State proposal.

33
34 ACTING CHAIR BANGS: Thank you, Patty.

35
36 Robert.

37
38 MR. LARSON: Yeah, if it's in waters
39 under State jurisdiction it's a State Board of Fish
40 proposal so if the -- and remember when we met in
41 Juneau we talked about having a gear description for
42 subsistence fishing in Chatham Straits, and at the time
43 it didn't seem like neither the State or the residents
44 of Angoon really wanted the Council to speak for them
45 at that time but that's one of the things that the
46 Council thought was obviously a, you know, possible
47 solution was just allow more gear out in Chatham
48 Straits. I don't think that the State would have any
49 issue with that, it's just the process.

50

1 Thank you.

2

3 ACTING CHAIR BANGS: Thank you, Robert.

4

5 I recall one of the biologists, I think
6 for the State, that mentioned to us that he thought it
7 might already be legal but I think the formality of
8 introducing a proposal might be a good thing, if it's
9 the wish of the RAC. I don't know, does anybody have
10 any ideas or thoughts.

11

12 MS. PHILLIPS: Yes.

13

14 ACTING CHAIR BANGS: Patty.

15

16 MS. PHILLIPS: Thank you. I think it's
17 for us to hear that it wasn't something that Angoon
18 supported is inappropriate because we don't know, you
19 know, one person from the community may have said that
20 and, you know, certainly they have deep ties to that
21 community but, you know, we're just trying to help them
22 meet their subsistence needs. And if that's
23 opportunity is there then they may take it so -- but I
24 do look for guidance on how we can make this happen.

25

26 Thank you.

27

28 ACTING CHAIR BANGS: Cathy.

29

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

31

32 I think that it's a really good idea
33 that we try to put something forward and I don't know
34 if anybody knows whether or not the State or anybody
35 within the Federal government is helping Angoon try to
36 come up with new proposals, or not, that we could help
37 them -- that we could also support. But given, you
38 know, the fact that we've heard a lot of testimony from
39 Angoon and we're working with this ETJ proposal, now is
40 the time. The reason why we gave them three years was
41 because we wanted the regulatory cycle to be included
42 in a chance for them to find ways to provide more of a
43 subsistence opportunity and that regulatory cycle is
44 now. And so if there is an opportunity to put a
45 proposal forward I would highly support us doing so.

46

47 Unfortunately we don't have the benefit
48 of sitting in a community meeting to find out what they
49 want but if we can get something in there to show that
50 good faith effort to move something forward would be

1 great.

2

3 I don't know if there's anybody here
4 that knows whether or not Angoon is working on
5 proposals for either the Federal Subsistence Board or
6 the Board of Fish that could speak towards whether or
7 not they're moving forward with things themselves; that
8 would be helpful to know, I think.

9

10 ACTING CHAIR BANGS: Thank you, Cathy.

11

12 Mike.

13

14 MR. DOUVILLE: No, go ahead.

15

16 ACTING CHAIR BANGS: All right. Well,
17 I think we're on the Federal Subsistence Program --
18 Robert.

19

20 MR. LARSON: Thank you, Mr. Chair.
21 That is what I was going to suggest is that I think the
22 Council would benefit from hearing what efforts have
23 been made and what proposals have been submitted
24 already and to the best of my knowledge we'll have that
25 information at noon time. So if we were going to -- my
26 suggestion is that if we were going to submit a
27 proposal, that it might make more sense to submit it or
28 have that discussion after we hear the ETJ presentation
29 and see where everybody's at.

30

31 ACTING CHAIR BANGS: Thank you. Anyone
32 else, thoughts on that.

33

34

35 (No comments)

36

37 ACTING CHAIR BANGS: Okay, well, I
38 guess we'll -- oh, Patty.

39

40 MS. PHILLIPS: Also, I know this is
41 probably another State issue but a proposal to change
42 the amounts necessary for subsistence to a community
43 level rather than a Juneau Management Areawide
44 designation. And the reason we're bringing these two
45 proposals forward is that we don't want anything
46 slipping through the cracks. We don't want to be
47 assuming that Angoon's going to be submitting proposals
48 or the State's going to be submitting proposals when we
49 know these are issues that we addressed ourselves as a
50 RAC.

1 So I'm just bringing it forward so if
2 we've got to wait until after lunch until we hear the
3 ETJ presentation then I'll wait.

4
5 Thank you, Mr. Chair.

6
7 ACTING CHAIR BANGS: Thank you, Patty.

8
9 Well, if we have any proposals that we
10 could deal with right now that people have interest in
11 for the Federal Subsistence Program, is there -- Mike.

12
13 MR. DOUVILLE: Thank you, Chairman.

14
15 There is one that concerns steelhead in
16 Unit 2, the steelhead permit. I mentioned it in my
17 report. It's you're to mark your permit before leaving
18 the stream. I would entertain a regulation change that
19 says; upon taking your steelhead you must mark your
20 permit.

21
22 It's just a small minor change, it
23 shouldn't be harmful to anybody.

24
25 That's all.

26
27 ACTING CHAIR BANGS: Thank you, Mike.

28
29 Donald.

30
31 MR. HERNANDEZ: Yeah, I just have a
32 question for Mike.

33
34 Would this proposal be specific to like
35 one stream, I think you were talking about Klawock
36 River as being a place where that might be a problem,
37 or would it apply to the whole unit?

38
39 MR. DOUVILLE: The permit would be for
40 the steelhead trout permits. There didn't seem to be a
41 problem with cohos although I guess it could read the
42 same. Because there's small numbers of steelhead, I
43 personally don't feel that there's room for error but,
44 you know, it's carefully controlled and it just makes
45 everybody more accountable. But what I'm hearing from
46 enforcement is that their concern was only with
47 steelhead and I would go along with that.

48
49 ACTING CHAIR BANGS: Donald.

50

1 MR. HERNANDEZ: So Steelhead but for
2 the entire island then or just Klawock River?
3
4 MR. DOUVILLE: Unit 2 steelhead
5 permits.
6
7 ACTING CHAIR BANGS: So do you want to,
8 during a break or something, draw up some language with
9 Robert so we could look at it to move forward with --
10 like put it before the Council to vote on it, would
11 that be appropriate. Robert.
12
13 MR. LARSON: We could do that, yes.
14
15 ACTING CHAIR BANGS: Does that sound
16 good, Mr. Douville?
17
18 MR. DOUVILLE: That'll work for me.
19
20 ACTING CHAIR BANGS: Okay, thanks,
21 Mike.
22
23 Is there any other fisheries regulatory
24 changes that the Council feels we should address at
25 this point.
26
27
28 (No comments)
29
30 ACTING CHAIR BANGS: Okay. I guess we
31 move on to the State regulatory proposals for the Board
32 of Fish.
33
34 Patty, did you have any others that you
35 were thinking about.
36
37 MS. PHILLIPS: Thank you, Mr. Chair.
38
39 So I already mentioned the two, the
40 amounts necessary for subsistence to a community level
41 rather than a Juneau Management Area for Angoon and the
42 establishment of a drift gillnet fishery near Angoon.
43
44 And then resubmit a previous proposal
45 submitted by this RAC putting a cap on the number of
46 fish, salmon, caught by charter boat operators.
47
48 Mr. Bangs, could you remind us what
49 that proposal was?
50

1 ACTING CHAIR BANGS: Thank you, Patty.

2

3 That proposal was, I believe the way we
4 worded it was a yearly bag limit for non-residents and
5 I think it was a possession limit of each of the
6 species. So you're allowed so many king salmon in
7 possession, a daily bag limit and then a possession
8 limit. And cohos, I think it was six and 12. And on
9 down the line. And then that amount of fish, we added
10 it up and it was a tremendous amount of fish, but that
11 would be their annual limit. I think that's the way it
12 was worded.

13

14 Cathy.

15

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

17

18 I thought maybe one of the reasons why
19 the proposal didn't go very far was because we didn't
20 actually have -- we didn't actually put a limit number
21 on it but I could be mistaken. I just remember that it
22 wasn't as defined as that. But it did seem like our
23 intention was to not make it limiting but the reason
24 why we wanted to have it was more for accountability by
25 having this limit then those numbers had to be reported
26 and then we could actually start looking at -- or
27 account for fish that were being taken by non-residents
28 in the charter industry.

29

30 ACTING CHAIR BANGS: Thank you, Cathy.

31 I think I recall that as well.

32

33 So if you guys are interested I'll work
34 on that at a break and bring back some wording that I
35 can look through back paperwork and see if I can find
36 that and then we can adjust it to maybe fit the needs
37 better and submit it.

38

39 Patty.

40

41 MS. PHILLIPS: Mr. Chair.

42

43 The other proposal is to close the
44 commercial seine fishery areas near Basket Bay and
45 Kootznoowoo Inlet which have been closed by emergency
46 order to be closed by regulation. That's another
47 proposal in response to the ETJ.

48

49 ACTING CHAIR BANGS: So do we have
50 language already in place for that because it was done

1 under emergency order so there should be the lines
2 drawn, everything should be in place. What you're
3 suggesting is we put it into regulation instead of
4 emergency order.

5
6 MS. PHILLIPS: Yes, sir.

7
8 ACTING CHAIR BANGS: Okay, thanks,
9 Patty.

10
11 How does the Council feel on that.

12
13 Yes.

14
15 MR. JACKSON: Mr. Chairman. Is that
16 closure for the entire season or is it just
17 periodically in between the seine openings?

18
19 MS. PHILLIPS: Mr. Chair. It's my
20 understanding that Fish and Game -- it's a closed area,
21 it's just closed by emergency order and what we're
22 saying is put that closure in place in regulation
23 rather than by emergency order.

24
25 ACTING CHAIR BANGS: Anyone else have
26 any discussion.

27
28
29 (No comments)

30
31 ACTING CHAIR BANGS: So what's the will
32 of the Council, should we have that document drawn up
33 and submit it or have it reviewed by the Council and
34 then possibly submit it to the Board of Fish; is that
35 what we want to do.

36
37 (Council nods affirmatively)

38
39 ACTING CHAIR BANGS: Okay. We could do
40 that, too, and maybe when we get to the ETJ we'll have
41 all those draft documents we can look at.

42
43 Was there -- I hate to back up here,
44 but I thought that there was some will to maybe look at
45 the Stikine subsistence fishery for a proposal.
46 Because there is going to be some proposals come out of
47 the RACs of Petersburg and Wrangell and I know we're
48 going to address those at this next meeting. So I know
49 Don was interested in possibly having the Council put
50 the fire out before it gets out of control.

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

2

3 Is that fishery currently closed by
4 emergency order or it sounds like it's still being
5 completely fished and it hasn't been considered for --
6 I mean I get where you're coming from, I know there's a
7 huge conservation concern with sockeye salmon there but
8 I'm just wondering if there has been any in-season
9 emergency order actions taken on it previously.

10

11 MR. DOUVILLE: Thank you, Mr. Chairman.

12

13 As far as I know it's business as
14 usual. There's been no conservation measures taken by
15 the Department that I know of, either bag limits or
16 restrictions of any kind.

17

18 ACTING CHAIR BANGS: Is that fishery
19 controlled by the State or is it a Federal subsistence
20 fishery and it's in Federal waters?

21

22 MR. DOUVILLE: It is controlled by the
23 State but some of the -- I guess a permit from the
24 State works as far up to the mouth of the creek, I mean
25 there's no boundary in there. I've seen one in past
26 years drawn in there by Jim Capras (ph) or somebody who
27 signed one off and put marks in there and I've seen
28 that map, but some of the State fishery goes up past
29 that boundary that I remember and goes up into the
30 mouth of the creek at high tide. The fish have a
31 tendency to go up there and school waiting to go up the
32 river and you go up there to beach seine and it's
33 smaller up there and you can get them and I think it's
34 a dangerous situation being that we have such a low
35 return. But, yes, I think that that permit seems to be
36 okay up there, issued by the State. I don't know,
37 maybe Jeff could tell us if there's any Federal permits
38 that have been issued for Federal water there. But
39 there is, in my mind, because I've seen the maps,
40 Federal waters there that you can beach seine in.

41

42 ACTING CHAIR BANGS: Thank you, Mr.

43 Douville.

44

45 My question would be whether a proposal
46 like that would go to the State or would it go to the
47 Federal part of it to close Federal waters. Does the
48 State have authority, Robert, do you know which way we
49 would go?

50

1 MR. LARSON: Well, I think that there's
2 -- and I don't mean to speak for Jeff but in Klawock
3 there are Federal fisheries and the Federal subsistence
4 permit is valid there and we do take sockeyes under
5 Federal regulations. There's also a State subsistence
6 fishery and they have jurisdiction, of course, in
7 marine waters as well as freshwaters. There are
8 restrictions on the State side regarding how you can
9 harvest sockeyes within the stream, the freshwater
10 streams of Klawock. But the answer is, yes, there's --
11 you can use either a Federal or a State permit in the
12 freshwaters of Klawock.

13

14 ACTING CHAIR BANGS: So in other words,
15 we should probably submit a proposal to both the
16 Federal Subsistence Board and the State.

17

18 Just Jeff have any light to shed on it
19 for us or.....

20

21 MR. REEVES: Thank you, Mr. Chairman.
22 Jeff Reeves, Forest Service.

23

24 To shed some light on it, and I guess
25 try to answer a handful of the questions that are here.
26 The Federal fishery has developed over the years where
27 people are starting to use Federal permits within what
28 would be considered Federal waters, especially about
29 the last four or five years. I don't know if there's
30 any response from like the State season not meeting
31 their needs or anything like that but it's slowly
32 growing and so we are having some harvest that is also
33 added, you can say, to what's happening in the State
34 fishery.

35

36 The State fishery, with my
37 understanding, the permit is valid through the entire
38 drainage. Most of the fishermen do fish marine waters
39 but several factors seem to happen is that if the run
40 seems to be lower or they're having a harder time
41 getting sockeye, that's when fishermen will actually
42 push up into the waters that Mr. Douville was
43 describing or they get up in there to try to get away
44 from pink salmon. That could be another reason. But
45 it's a good indication that when you drive across the
46 highway bridge and you look up and you see people
47 fishing up in the area that Mike is describing, that
48 there's usually going on with the return, that
49 fishing's usually harder. I did talk to the local area
50 management biologist about a week and a half ago and

1 the reported State harvest right now is -- I believe it
2 was only 600-some fish for the 2013 season. So there
3 was indication that definitely the return last year was
4 really low. Now, in looking at Federal harvest, I've
5 seen a downward trend in what the harvest has been the
6 last few years and I'm wanting to assume that it was
7 also based on the low returns from last year.

8

9 And as for gear restrictions, I believe
10 the State permit doesn't allow gillnets but it does
11 allow like seine nets and some of the other typical
12 gears like spear and stuff like that. I just don't
13 have a permit in front of me.

14

15 I hope that sheds some light.

16

17 ACTING CHAIR BANGS: Yeah, thank you.

18

19 Don.

20

21 MR. HERNANDEZ: Yeah, thank you, Mr.

22 Chairman.

23

24 Jeff, just for a little perspective, do
25 you have a Federal harvest number for last year
26 compared to the State?

27

28 MR. REEVES: Mr. Chairman. Mr.....

29

30 MR. HERNANDEZ: Hernandez.

31

32 MR. REEVES:Hernandez -- thank

33 you.

34

35 (Laughter)

36

37 MR. REEVES: Last year you're looking
38 at about 53 sockeye from the Federal permits.

39

40 MR. HERNANDEZ: Okay.

41

42 ACTING CHAIR BANGS: Any other

43 questions.

44

45

46 (No comments)

47

48 ACTING CHAIR BANGS: Thank you.

49

50 Well, if we're going to submit a

1 proposal to both State and Federal my thoughts would be
2 to wait on the Federal to find out if the State changes
3 because if they didn't and the Federal regulations
4 change then you have a State permit you'd be able to
5 fish anyway.

6

7 Mike.

8

9 MR. DOUVILLE: Thank you, Mr. Chairman.

10

11 Let me just offer one little other
12 piece of information. There was some discussion by the
13 Advisory Committee, we're going to have a meeting here
14 coming up, but there was some discussion about
15 submitting a permit [sic] to the State to close it from
16 the bridge up to the mouth of the river. That may or
17 may not happen but it certainly was discussed. There's
18 a lot of concern for -- not only by Klawock, but other
19 users, Craig and so on.

20

21 ACTING CHAIR BANGS: Donald.

22

23 MR. HERNANDEZ: Thank you, Mr.

24 Chairman.

25

26 I don't think what you last said is
27 necessarily correct, that we would need to have a State
28 permit to close that fishery up in the Federal waters.
29 If Federal waters are closed, I don't think it would
30 matter which permit you were fishing under, the waters
31 are closed. If you have a State permit, it would be
32 closed; if you had a Federal permit it would be closed.
33 So I think if we do want to close that particular spot
34 you're talking about I think we only need a Federal
35 closure. And I guess one of the things I wanted to
36 hear here is, you know, how much of an affect that
37 would have and Jeff had the numbers there, 600 in
38 marine waters compared to 50 fish in Federal waters, it
39 doesn't sound like it would be a big imposition on the
40 Federally-qualified fishers but it may help to
41 alleviate some of the problem.

42

43 But if anybody thinks I'm wrong about
44 that closure policy, if we close Federal waters even if
45 you have a State permit it would still be closed,
46 correct.

47

48 ACTING CHAIR BANGS: Robert.

49

50 MR. LARSON: I don't think so. And the

1 reason I'm saying that and maybe Steve can correct me,
2 is that, you know, these are two independent management
3 agencies. If you wanted to close -- restrict the gear
4 in a Federal fishery you can do that, if you wanted to
5 -- it's up to the State to restrict the gear in the
6 State fishery. Now, if you wanted to close the area to
7 non-Federally qualified use, well, then all of a sudden
8 that's a higher bar than restricting the gear in the
9 Federal fishery.

10

11 So I think that's correct, maybe we
12 could have some -- yeah, we're getting some head shakes
13 there but that's the way it works.

14

15 ACTING CHAIR BANGS: Don.

16

17 MR. HERNANDEZ: Then perhaps what we're
18 talking about is eliminating beach seine gear in those
19 Federal waters, would that -- do you think that might
20 work?

21

22 ACTING CHAIR BANGS: Mike.

23

24 MR. DOUVILLE: That is correct. I was
25 wanting to close it to beach seine, not -- it would be
26 a gear restriction. That's the most efficient way, I
27 mean it's closed anyway to gillnets. In years back we
28 could use a gillnet but they eliminated, you know, only
29 in a few places, maybe in Red Bay or something you
30 could use a gillnet, but here it would be restricting
31 beach seine from that particular area.

32

33 MR. HERNANDEZ: Okay, one more
34 question.

35

36 And then I'm also assuming that the
37 participants in that fishery are virtually all
38 Federally-qualified or probably -- I don't know -- and
39 if there's much participation from non-Federally-
40 qualified, you know, users in that particular fishery
41 so we're probably not talking about a closure to non-
42 Federally-qualified, it'd probably have to be for the
43 subsistence users, I mean that's who's utilizing the
44 fishery, right?

45

46 MR. DOUVILLE: I would venture to say
47 that most of the people there are rurally qualified
48 but, you know, I couldn't say that at 100 percent but
49 for the most part nobody comes from anywhere else, it's
50 just plain and simple too expensive to do that.

1 ACTING CHAIR BANGS: So do you want to
2 draft some language for a proposal that we could
3 submit, work with Robert like the rest of the
4 proposals, during a break or something, and then we
5 could look at it again as a Council to see if that's
6 what we want to do.

7

8 MR. LARSON: Yes. And the intent would
9 be to have two proposals, one for changes to Federal
10 regulations, one to change State regulations, both to
11 restrict gear in that upper area of the lagoon.

12

13 ACTING CHAIR BANGS: If that would be
14 appropriate I think we should probably cover both
15 bases. What do you think, Mike, is that what your
16 intention is?

17

18 MR. DOUVILLE: That would be a help.
19 The concern here is for the species themselves, you
20 know, I mean we got to preserve what's left and try to
21 rebuild it somehow. I mean it's down from -- you know
22 in the 1800s they were taking 30 to 40 sockeyes -- 30
23 to 40,000 sockeyes a year and some years higher than
24 that from that system. And that isn't what escaped,
25 that's what the cannery -- that's what went into the
26 can, there was still escapement, so you know there was
27 a pretty good run of sockeye in there for many years,
28 now we're down to 1,100 that went through the weir last
29 year, I know that for a fact. So it's in bad shape.

30

31 ACTING CHAIR BANGS: Thank you, Mike.

32

33 Jennifer.

34

35 MS. YUHAS: Thank you, Mr. Chairman and
36 members of the Council. I just wanted to speak to the
37 mechanics of dual proposals for the State and the
38 Federal cycle. I watch this frequently around the
39 state, where all the meetings are happening at
40 different times and we're not sure when we should put
41 one proposal in and when it's going to affect the other
42 program.

43

44 Recently Interior Wildlife has gone
45 through a similar cycle, it's rare that between the
46 Federal two year cycle and the State three year cycle
47 that you're actually having these proposals on the same
48 year and so I would encourage the Council to submit any
49 proposals to both boards that you think are necessary,
50 especially because of the way things will pan out this

1 year for the Federal Program, you'll know what the
2 State did in October but the deadline for proposals
3 will be in April for both of them. So you'll have
4 about four or five months before the Federal Board will
5 vote on the same fisheries proposals that the State
6 Board voted on in October and so your Council usually
7 meets in the fall after when the State Board is
8 proposed to meet so you should have another chance to
9 discuss things if you need to pull the proposal off one
10 of the tables.

11
12 I've seen where the State has
13 introduced proposals and we've actually missed out on
14 the cycle and the State Board has taken action but we
15 can't do anything about the Federal Program for another
16 two years because we've missed it simply by a month or
17 two.

18
19 ACTING CHAIR BANGS: Thank you.

20
21 So I guess we should go ahead and draw
22 that up and move forward with that after we have a
23 document to look at and we can vote in it.

24
25 So is there any other discussion about
26 that proposal.

27
28 (No comments)

29
30
31 ACTING CHAIR BANGS: Okay. Patty, did
32 you have another proposal that you were considering?

33
34 MS. PHILLIPS: Thank you, Chairman
35 Bangs.

36
37 This is difficult for me to discuss
38 because it's going to create a waterfall, I guess, this
39 typhoon or whatever of controversy and I would say,
40 this, that if you want new members on your Council you
41 bring forward a controversial issue because they'll
42 want you off the Council.

43
44 (Laughter)

45
46 MS. PHILLIPS: That has happened with
47 me in the past so I know it really works.

48
49 (Laughter)

50

1 MS. PHILLIPS: So through probably a
2 decade or more of Angoon saying that their subsistence
3 needs are not being met and then going to the Board of
4 Fish proposal process to try to get some remedy to
5 getting their needs met and their proposals being shot
6 down, so one thing that I think we should at least have
7 a discussion about is putting a restriction on the
8 depth of seine nets on commercial seine fleet.

9
10 There's been significant technological
11 innovations and advancements in the seine fleet and as
12 Mr. Douville has stated more than once, is that,
13 management has not kept up with those technological
14 advances and there needs to be a conversation about
15 that and if a proposal at least generates a
16 conversation, though it will be a very nasty
17 conversation at times, I think those conversations need
18 to occur. But is this, you know, the Federal RAC, you
19 know, the appropriate entity to be submitting a
20 proposal since we are a subsistence RAC. I would say,
21 yes, because we have a community who's needs aren't
22 being met and we have a fleet, a commercial fleet that
23 is intercepting, you know, because of the depth of
24 their nets they're just being more and more efficient
25 on their catch. So, you know, I don't know what a
26 proposal would look like or even if one should come
27 from this body but, you know, we need to shed some
28 light on some darkness, pretty dark water down there
29 and we don't know the column of water that those fish
30 are swimming in. We don't know if the sockeye swim
31 deeper or they swim, you know, shallower or what, you
32 know, and we can't answer those questions but we do
33 need to have -- I mean, you know you see some of those
34 new seining boats coming out of Seattle, I mean they're
35 -- they're a restriction of 58 feet, but there's no
36 restriction on how big their belly is or how deep they
37 go and that's the same thing with those seine nets, I
38 mean they're stronger and they're deeper.

39
40 And one thing that Angoon did do is
41 they shed light on the fact that those nets are out
42 there blockading and even in Lisianski Inlet where we
43 have a lot of pink salmon, I know that, but we have the
44 seine fleet come in there and they're almost corking
45 off the inlet so nothing can get by because they're so
46 efficient in what they do. So it kind of gives you a
47 concern about maybe, you know, Angoon is justified in
48 their ETJ.

49
50 But, you know, I'm not wanting to shut

1 down a fishery that, you know, people rely on for, you
2 know, living here in Southeast Alaska but we do need to
3 have some of these difficult conversations to address,
4 you know, real concerns for a community who's needs
5 aren't being met.

6

7 So, thank you very much, Mr. Chair.

8

9 ACTING CHAIR BANGS: Thank you, Patty.
10 It makes a lot of sense but I'm sure it will stir up
11 some conversation.

12

13 Does anybody have any comments towards
14 that.

15

16 Don.

17

18 MR. HERNANDEZ: Well, I just, you know,
19 want to comment that I don't think it's just a
20 situation that Angoon's dealing with, I mean we see
21 some, you know, plummeting fish stocks throughout the
22 region and, you know, particularly our sockeye streams
23 and then we have these monitoring projects up and
24 running and I mean we've got some pretty scary
25 escapements happening out there and maybe we don't know
26 what all the causes are but I guess, you know, it's
27 worth the discussion. And this technological advance
28 keeping up with management, you know, I think is an
29 issue, it's worth discussing, bringing to the table.

30

31 ACTING CHAIR BANGS: Thank you, Don.

32

33 MR. JACKSON: Mr. Chairman.

34

35 CHAIRMAN ADAMS: Yes, Ken.

36

37 MR. JACKSON: I agree with Patty.
38 Listening to -- even around Kake, when they seine they
39 block off our sockeye streams, we have to go to Gut Bay
40 and Falls Lake on Admiralty Island, I mean not
41 Admiralty but Baranof. And we are down to 10 fish a
42 day and that's a 40 mile run just to get out there and
43 a lot of guys go out on small boats but there's seiners
44 further down and our runs haven't been that good but
45 last year it was sort of exceptional and we heard that
46 in Sitka they went from a limit of 25 to 100 a day, you
47 know, I think it was in Redoubt or someplace. But we
48 would have liked them to have up'd ours because going
49 out for 10 fish a day is pretty hard and they said 20
50 annually. And, I, too, would support, you know, the

1 seine closures. That's one of the things that I've
2 seen, is the fish goes both ways towards Angoon. It
3 comes -- we used to fish Point Gardner seining and the
4 fish would come down Frederick Sound and go up toward
5 Angoon also, it wasn't just coming from Icy Straits.

6

7 So I would support that I hope we do
8 have a good dialogue over it.

9

10 Thank you.

11

12 ACTING CHAIR BANGS: Thank you, Ken.

13

14 My experience with salmon in the
15 gillnet fishery is the sockeye swim shallower so the
16 depth of the seine probably wouldn't help that
17 situation. I think a better tool maybe would be to
18 change management, less days a week, or less hours a
19 day or something like that to leave the window open
20 because you could make the seine a lot shallower and I
21 think you'd still catch a lot of sockeye if that was
22 what was passing by. So, you know, I understand the
23 reasoning behind wanting to change a gear but I don't
24 know if that would remedy the problem, I think
25 management would be the better tool to allow better
26 escapement.

27

28 That was just my thought.

29

30 Frank.

31

32 MR. WRIGHT: One of the things with
33 Lisianski is that it's the management because sometimes
34 there's a certain time when they just have it opened
35 continuously, you know, when I fish they open on inside
36 waters and I fish inside by Augusta or Hawk Inlet
37 shore, so management -- so when my area closes down
38 then I usually run out to Lisianski and fish that area
39 because then I can continually fish. On the seine our
40 limit is 250 fathoms and then I think it's four and a
41 half strips is the limit on how deep we can go so that
42 means that's 450 meshes down, that is our limit. We
43 cannot go continuously deeper and deeper because of the
44 way the law is. So, you know, I thought of making my
45 seine deeper but it doesn't benefit me because I don't
46 go to some place like Noise Island where, I guess
47 deeper seine are better but the management of Lisianski
48 is, you know, sometimes I've gone out there and never
49 caught a fish but.....

50

1 (Telephone interference)
2
3 MR. WRIGHT:but now that, you
4 know, the fleet from.....
5
6 (Telephone interference)
7
8 (Laughter)
9
10 MR. LARSON: Whoever's on the phone,
11 you need to mute your microphone. Please mute your
12 phone, you're having some disruptions here in the
13 meeting room.
14
15 Thank you.
16
17 (Laughter)
18
19 MR. WRIGHT: But I understand the
20 difficulty of, you know, the past few years it used to
21 be just about three of us that used to go out there but
22 this last year I went out there, was out there, oh,
23 about 3:00 o'clock in the morning and I was looking and
24 I says, where in the heck did all these boats come
25 from, it's because the opening is almost continuous.
26 So it's pretty much a management thing.
27
28 That's my experience with seine.
29
30 Thank you.
31
32 ACTING CHAIR BANGS: Thank you, Frank.
33
34 Harvey.
35
36 MR. KITKA: Thank you, Mr. Chair.
37
38 I listen to a lot of the conservation
39 over the seining. I know Angoon asked for bigger
40 closures but I really feel the majority of the
41 sockeyes, and I've been seining for a lot of years with
42 my dad and we found when the salmon come in through the
43 Straits they're not really so much out in the middle,
44 they're basically within probably 100 yards of the
45 beach, the majority of the salmon that are traveling
46 and that's where the seine fleet goes. Now, if you're
47 talking about closing an area, if you closed even just
48 up to 100 yards off the beach that would allow for
49 enough escapement, I believe.
50

1 ACTING CHAIR BANGS: Thank you, Harvey.

2

3 Any other thoughts.

4

5

6 (No comments)

7

8 ACTING CHAIR BANGS: What's the will of
9 the Council, just to bring up the discussion and maybe
10 participate in the Board process and bring it to light
11 or as an individual, I guess, we could put in a
12 proposal, is that what you're thinking Patty.....

13

14 MS. PHILLIPS: (Nods affirmatively)

15

16 ACTING CHAIR BANGS: Okay. Is there
17 any other proposals that the Council might wish to
18 submit to the Board of Fish.

19

20

21 (No comments)

22

23 ACTING CHAIR BANGS: Okay. What we'll
24 do is move on to the next item and keep that in mind
25 and we'll take a break and we'll bring some documents,
26 make some draft documents to bring to the Council later
27 in the morning and then we can decide how we want to
28 word them to submit.

29

30 Okay.

31

32 The next item is priority information
33 needs development.

34

35 Terry.

36

37

38 MR. SUMINSKI: Good morning, Mr.
39 Chairman. Council members. Terry Suminski with the
40 Forest Service.

41

42 The Fisheries Resource Monitoring
43 Program is designed to provide information needed for
44 management of Federal subsistence fisheries. Every two
45 years we have a call for proposals for fisheries
46 information projects. The upcoming call in November
47 will be for the 2016 Fisheries Resource Monitoring
48 Program. These are projects which will begin in 2016.
49 We just completed the process for projects that will
50 start this year, in 2014. Those projects have been

1 approved by the Federal Subsistence Board for four
2 years, or through 2017. I'm throwing a lot of years at
3 you here.

4
5 So at your meeting in September this
6 year we'll be asking you for a final recommendation on
7 a list of priority information needs which will be
8 included in the call for fisheries monitoring
9 proposals.

10
11 The Federal Subsistence Board will then
12 review the draft plan in January of 2016 and projects
13 funded can begin in approximately April of 2016.

14
15 At this meeting we're asking you to
16 start thinking about fisheries information needs that
17 exist in Southeast Alaska and Yakutat.

18
19 It should be noted that current
20 Department of Agriculture funding levels for the
21 monitoring program in Southeast Alaska will be fully
22 committed to continuation projects initiated in 2014,
23 however, we will ask for proposals in 2016 as to
24 maintain options should additional funding become
25 available.

26
27 I did hand out a table to help kind of
28 guide you through this as more of a worksheet. Does
29 everybody see that, it's titled Council Discussion
30 Worksheet, Fisheries Information Needs.

31
32 (Council nods affirmatively)

33
34
35 MR. SUMINSKI: The first column are all
36 the projects that you identified for the call for
37 proposals in 2014. And of those projects that we asked
38 for, the second table shows the projects that we
39 received and that the Board approved in this last go
40 around in January. So what I did just to get the
41 discussion going is started with the call for proposals
42 in 2014 and just brought those projects that we didn't
43 get any proposals for over to the call for 2016
44 proposals. So that's kind of a list you could start
45 looking at, if you want to keep all those on there, add
46 some, take some off, that's kind of what we're asking
47 you to start thinking about. And then you'll get
48 another shot at this at your fall meeting to really
49 nail down what we want to ask proponents to submit
50 proposals for.

1 So, thank you.
2
3 ACTING CHAIR BANGS: Thank you, Terry.
4
5 Cathy.
6
7 MS. NEEDHAM: Thank you, Mr. Chair.
8
9 Are there any systems in the middle
10 column that were not approved for funding for the 2014-
11 17 cycle, do we know that yet?
12
13
14 MR. SUMINSKI: Through the Chair. Ms.
15 Needham.
16
17 Those were all recently approved for
18 funding by the Board in their January meeting. Every
19 one of those that's listed in the second column. Now,
20 the funding is a different question, but they are
21 approved to be funded.
22
23 ACTING CHAIR BANGS: Yeah, Cathy.
24
25 MS. NEEDHAM: So if funding doesn't
26 come through for all of these projects to go forward,
27 would it make sense to move them over as needs for the
28 next two year cycle in case some of these projects
29 don't happen so that we can still identify them as
30 systems that are high priority information needs and
31 people would have a chance to resubmit proposals or
32 rework proposals for a better chance of getting funding
33 on the off cycle?
34
35
36 MR. SUMINSKI: Through the Chair. Ms.
37 Needham. They're approved for four years as well. So
38 they wouldn't need to be reapproved in two years unless
39 you, for some reason wanted to try to get them approved
40 until 201 -- you know, a couple more years. So they
41 are approved, and let's say they don't get funded this
42 coming year, but we get more money the following year,
43 then we could pick those up and fund them. Is that
44 what you're asking?
45
46 MS. NEEDHAM: (Nods affirmatively)
47
48
49 MR. SUMINSKI: Okay, thank you.
50

1 ACTING CHAIR BANGS: Yes, Don.
2
3 MR. HERNANDEZ: Sorry, I'm a little bit
4 confused.
5
6 When you say they're funded but we're
7 still waiting to see what the funding level is, so what
8 are they -- are they fully funded for how much we
9 envision them costing or only approved for funding
10 depending on how much money is available?
11
12
13 MR. SUMINSKI: Mr. Chair. Mr.
14 Hernandez.
15
16 It's kind of semantics. We have --
17 funding is different than approval for funding. What
18 we have here are projects that are approved by the
19 Federal Subsistence Board to be funded and then it's up
20 to the Forest Service to actually fund them and we're
21 still waiting on our final budget to see how far down
22 this list we can fund these projects. So once we
23 determine that then we'll know, you know, which
24 projects weren't funded this year.
25
26 Does that help? I know it gets
27 confusing between -- the difference between funding and
28 approval.
29
30 MR. HERNANDEZ: No, okay, yeah, that's
31 very helpful.
32
33 So I guess my main question is knowing
34 that, the way you have them listed in that second
35 column is that prioritized from top to bottom for full
36 funding?
37
38
39 MR. SUMINSKI: Mr. Chairman. Mr.
40 Hernandez.
41
42 At this point we're not prioritizing
43 anything. This is just a list, it's a wish list. The
44 prioritization will happen -- there's no use
45 prioritizing these now because a lot of these we
46 probably won't even get proposals for. So when we --
47 we do the prioritization exercise once we get the
48 proposals in. Does that make sense?
49
50 MR. HERNANDEZ: (Nods affirmatively)

1
2 MR. SUMINSKI: At this point we're just
3 asking for a list of, you know, what we want people to
4 think about submitting proposals, you know, what
5 information needs.
6
7 MR. HERNANDEZ: I was referring to the
8 ones that are approved for 2014 to 2017; is there any
9 prioritizing in that list?
10
11
12 MR. SUMINSKI: Oh, yes, those are
13 prioritized, sorry, yeah.
14
15 Sorry, if I totally -- I thought you
16 were talking about column three.
17
18 ACTING CHAIR BANGS: Yeah, I think we
19 prioritized them at our last meeting.
20
21
22 MR. SUMINSKI: Yeah.
23
24 ACTING CHAIR BANGS: Okay, Cathy.
25
26 MS. NEEDHAM: Thank you, Mr. Chair.
27
28 So for adding to the list for 2016, I
29 know that Hydaburg Cooperative Association and
30 Organized Village of Kasaan have both been working on
31 identifying systems where other needs have been --
32 where they've been fishing for sockeye when the
33 priority systems -- places like Hetta and Karta aren't
34 providing, and off the top of my head I know Kujuk Lake
35 is one of those systems. I'm not going to be able to
36 think of all of them off the top of my head. But I
37 know that like there are some FRMP projects out there
38 that are taking information right now that -- where
39 they're doing harvest surveys, asking people where are
40 they getting their sockeye besides the priority systems,
41 and I think it would be good to include those systems,
42 start trying to include some of those systems for
43 priority needs. Because we know these communities are
44 starting to shift their harvest patterns and going to
45 places where sockeye are but we know very little about
46 those sockeye populations, and so it would be good to
47 see those needs starting to be listed as well, I think.
48
49 ACTING CHAIR BANGS: Thank you, Cathy.
50

1 MS. NEEDHAM: And unfortunately Kusuk's
2 the only one I can think of right now but maybe if we
3 can pull some of those systems off of projects that we
4 know are being done where the systems are being
5 documented, that would be helpful.

6
7

8 MR. SUMINSKI: Mr. Chairman. Ms.
9 Needham. We can do that. We'll check and just add
10 those, I think I know what you're talking about.

11

12 Okay, thanks.

13

14 ACTING CHAIR BANGS: Thank you, Terry.
15 Any other questions for Terry.

16

17 Patty.

18

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

20

21 Terry, are genetic stock identification
22 type of proposals eligible for Fisheries Resource
23 Monitoring Program funds?

24
25

26 MR. SUMINSKI: Through the Chair. Ms.
27 Phillips. The State is actually working on that
28 project.

29

30 What these -- almost all of these
31 projects we've either, have collected or are collecting
32 genetic samples to inform that overall project. We
33 have, in the past, had, you know, call for genetic
34 sampling. We've kind of dropped it the last couple of
35 times because the State has taken over that work but we
36 do help with that work by collecting samples at our
37 FRMP projects.

38

39 MS. PHILLIPS: Mr. Chair.

40

41 ACTING CHAIR BANGS: Patty.

42

43 MS. PHILLIPS: If the RAC wanted, I
44 mean could it put a greater emphasis on that to, you
45 know, to shift money towards what the State's doing,
46 you know, to get that, you know, to get that closer to
47 having a bank of stock identification?

48

49

50 MR. SUMINSKI: Through the Chair. Ms.

1 Phillips.

2

3 We can't -- and maybe just the way you
4 said it, but we can't direct the State how to spend
5 their money but we.....

6

7 MS. PHILLIPS: I'm not saying that.

8

9 (Laughter)

10

11

12 MR. SUMINSKI: Okay. I didn't think I
13 heard that.

14

15 (Laughter)

16

17

18 MR. SUMINSKI: But, anyways, we can put
19 it as a priority if there's some -- there may be some
20 part of that that, you know, we could help with and we
21 could put that out in the call. I can't think of
22 anything right off the top of my head but the way that
23 works is, you know, you'd establish a baseline by
24 gathering, you know, genetic samples from all the
25 different stocks and that's getting pretty close to
26 being complete. The part that's an issue is the
27 sampling side of it, you know, actually doing a
28 statistically valid sampling of the catch in a -- you
29 know using genetics to determine where those fish came
30 from. That's the hold up right now. So, you know, I
31 don't know -- I'm not sure if -- I don't know if
32 Jennifer has any more information or updates on that
33 but that's to the best of my knowledge is where the
34 genetic sampling program is at.

35

36 But you could, you know, certainly add
37 it to this, I'm not saying anything different.

38

39 ACTING CHAIR BANGS: Go ahead, Patty.

40

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

42

43 Well, what you said, the key words that
44 you said was they're almost -- they almost got all they
45 need and what I'd like to see is that, so you can say
46 they got all they need, you know, it would help knowing
47 all that.

48

49 ACTING CHAIR BANGS: Thank you, Patty.

50

1 Did you have anything to add, Terry.
2
3
4 MR. SUMINSKI: You know, just to repeat
5 what I said before, we have genetic samples from all
6 our projects so I think, you know, we've done what we
7 can with, you know, the projects that we have. To do
8 something above and beyond that we, you know, probably
9 would have to end up working with the State anyways,
10 you know, for -- you know we don't have a genetics lab
11 or things like that.
12
13 Thank you.
14
15 ACTING CHAIR BANGS: Thank you, Terry.
16
17 Any other questions for Terry.
18
19
20 (No comments)
21
22 ACTING CHAIR BANGS: Okay, thanks,
23 Terry.
24
25 So this isn't an action item. I think
26 we just need to start thinking about other systems that
27 we want to add to the list, is that what you're asking
28 for?
29
30
31 MR. SUMINSKI: That's correct. And if
32 you have any you want to mention now I can keep track
33 of those so when we come back to you in the fall, you
34 know, we'll have them on the list for you.
35
36 ACTING CHAIR BANGS: Yeah, it sounds
37 like Cathy has a couple that she might think of.
38
39 (Laughter)
40
41 ACTING CHAIR BANGS: Okay. Okay, if
42 there's no more questions, I guess we can move on.
43
44
45 (No comments)
46
47 ACTING CHAIR BANGS: Thanks, Terry.
48
49
50 MR. SUMINSKI: Thank you.

1 ACTING CHAIR BANGS: Okay. The next
2 item is review and approve our annual report for 2013.
3 It's on Page 84, if the book's right -- no, it's 82 --
4 we seem to be off a little bit on the table of
5 contents. Reviewing the annual report.
6
7 This is -- this isn't it.
8
9 (Pause)
10
11 MS. PHILLIPS: Isn't it in our minutes.
12
13 ACTING CHAIR BANGS: It's in our
14 minutes?
15
16 (Pause)
17
18 ACTING CHAIR BANGS: What page is it on
19 Patty, have you found it, it says 84 and then 82 has --
20 well, it's.....
21
22 MR. LARSON: Mr. Chair.
23
24 ACTING CHAIR BANGS: Thank you, Robert.
25
26 MR. LARSON: It's on Page 92 in my
27 book.
28
29 (Laughter)
30
31 (Pause)
32
33 ACTING CHAIR BANGS: Thank you, Robert.
34 Do you want to take a minute or two to look it over.
35
36 (Pause)
37
38 ACTING CHAIR BANGS: Does anyone have
39 anything that they would question on this or would want
40 to add to it.
41
42 Cathy.
43
44 MS. NEEDHAM: Thank you, Mr. Chair.
45
46 I don't know if we want to add this to
47 annual report or if we want to write a separate letter
48 but we hear yesterday that essentially for our concerns
49 to be heard by the Board we have to put it either in a
50 letter or our annual report because they don't read our

1 transcripts and there have been a number of issues that
2 have kind of come up over the past couple of meetings
3 in terms of being able to do our jobs that have kind of
4 inhibited or slowed down or had a problem with that and
5 so I'd like to propose or recommend that we add an
6 issue on here communicating to the Board that we'd like
7 to receive our meeting materials a little bit earlier
8 than what we received them this meeting. I understand
9 that there was a particular Staffing issue this time
10 but it's not just this meeting that that's happened at,
11 it seems like the last couple of meetings we've been
12 getting our meeting materials late.

13

14 I also think that the Western
15 Interior's letter to the Board regarding late Council
16 seat appointments was very valid in terms of trying to
17 get business done and not even having a full Council to
18 meet and that could be also included.

19

20 So it would be probably issue number 4,
21 things that are happening at a planning and logistical
22 level that are making our jobs as Council members more
23 and more difficult with that lack of -- or that lesser
24 organization than what we've seen in the past.

25

26 So that would include Council books on
27 time, Council appointments and then I think some people
28 had -- yesterday had brought up issues with per diem as
29 well so that could be another one that would be
30 included in that topic item.

31

32 ACTING CHAIR BANGS: Thank you, Cathy.
33 That's a very good point.

34

35 We've struggled with this at quite a
36 few meetings and I think it's probably something that
37 should be in our minutes. And then we find out that
38 the Board doesn't listen to our transcripts, so a
39 letter seems to be a more effective way of getting our
40 point directly to the Board.

41

42 Another thing we discussed, too, and I
43 don't know if it would be appropriate to put here in
44 the annual report, but I think it would be a good
45 policy if we were allowed to review annual reports from
46 all the other Councils. I think that would be helpful
47 for us to understand in other parts of the state. I
48 don't know how we would go about getting that.

49

50 Robert.

1 MR. LARSON: Well, I happen to know how
2 you can do that.

3
4 (Laughter)

5
6 MR. LARSON: And that's an easy thing.
7 I have all those and I can share any and all of those
8 with you if that's your wish. So that's not an item to
9 put in your annual report, that's an item to ask your
10 coordinator to just do it.

11
12 CHAIRMAN ADAMS: Maybe that could be
13 included in our book, you know, a copy of all the
14 annual reports, there's only, you know, nine more pages
15 or whatever, but I think it would be a good addition to
16 our book.

17
18 Any other ideas for the annual report.

19
20 Mike.

21
22 MR. DOUVILLE: Thank you, Chairman.

23
24 I agree with Cathy on the information
25 needs. We need to have these things a couple weeks
26 before the meeting starts so we can go through them,
27 mark them up, make notes or whatever. It's harder to
28 do it for me on a computer, and I appreciate our
29 coordinator's effort to get -- he does get our
30 information out but it's just a whole lot easier for me
31 when I have this in front of me and I can do whatever
32 with it.

33
34 The other thing I want to mention is I
35 did bring up the Chair's meeting prior to the Federal
36 Subsistence Board, that they're here anyway, so why not
37 let them get together and share information and they
38 can bring it back to us and it's just another vehicle
39 to know what's going on with the other RACs and stuff.
40 I think it was productive in the past and it's not
41 clear why it went away but I would like to see that
42 again.

43
44 ACTING CHAIR BANGS: Thank you, Mike.
45 That's a very good point.

46
47 I think what we found out looking into
48 that it was a matter of making it a public notice, so
49 many days ahead of time and then that was a totally
50 acceptable practice to have the Board Chairs meet prior

1 to the Federal Board meeting. So hopefully the
2 coordinator can see that that happens so that they can
3 continue to do that again.

4
5 Any other annual report items.

6
7 Patty.

8
9 MS. PHILLIPS: Thank you, Mr. Chair.

10
11 I have two questions.

12
13 One question is, you know, from our
14 minutes we said that water quality testing of water
15 flowing into Alaska from mines in Canada and wastewater
16 from tour ships, and while those two items are
17 mentioned in the annual letter but they're not listed
18 as a report topic and I'm wondering why it's written
19 like that, why it isn't -- I mean it says, the
20 Council's also concerned with the lack of water
21 quality, testing of waters flowing into Alaska from
22 mines in Canada and the wastewater from tour ships, I
23 mean it says we remain concerned about it, but it's not
24 included in our list of issues.

25
26 ACTING CHAIR BANGS: Mr. Larson.

27
28 MR. LARSON: The way that these --
29 normally the letters are constructed is that there's a
30 section regarding what -- that addresses the
31 authorities that the Board has, then there's a section
32 -- and those often times come with a recommendation for
33 the -- asking the Board to do something, there's also a
34 section where we inform the Board of public testimony
35 that the Council's heard, most of the time those kind
36 of issues are outside of our jurisdiction and they
37 don't come with a recommendation for action someplace
38 but they are important enough that the Board should be
39 aware that these issues are being discussed. And I was
40 just trying to think of in previous annual reports, how
41 those have been divvied up, I think if we look you can
42 see that there's a similar kind of breakdowns, but we
43 could -- we could structure these letters, you know, a
44 way you want to but clearly those kind of things are
45 outside of the Board's, you know, authority as well as
46 yours.

47
48 ACTING CHAIR BANGS: Thank you, Robert.

49
50 Patty.

1 MS. PHILLIPS: Thank you, Mr. Chairman,
2 and thank you Mr. Coordinator for that explanation.

3
4 Yesterday it was brought up, the
5 subsistence seat on the North Pacific Fisheries
6 Management Council and brought to my attention that, I
7 think it was Western Region, included in their annual
8 report or sent a letter, I'm not sure which, to the
9 Secretary in support of a subsistence seat on the North
10 Pacific Fisheries Management Council structure, so, you
11 know, I don't know if we should include that in an
12 annual report or continue to research that out or what.

13
14 Thank you.

15
16 ACTING CHAIR BANGS: Thank you, Patty.

17
18 I thought on that exact thing yesterday
19 and I looked at who makes the appointment and it's the
20 Secretary of Commerce and I was wondering if it
21 wouldn't be effective for us to send a letter to the
22 Department of Commerce and the Department of Interior
23 and Agriculture expressing our concerns to whether
24 maybe the Secretaries that we address, the Agriculture
25 and Interior, so that they could maybe help us.
26 Because when you look at the Department of Commerce
27 they don't really have anything to do with us. I don't
28 know what you guys think about that but maybe a letter
29 would be more effective.

30
31 That's just my thoughts.

32
33 Anybody else.

34
35 MR. LARSON: I'm trying to recollect
36 the presentation from yesterday but when that topic
37 came up I believe it was Jane said that the Magnuson-
38 Stevens Act needed to be reauthorized and now those
39 seats, there is some assigned seats for different user
40 groups but there is no assigned seat for subsistence
41 users. Right now there could be a subsistence user
42 within one of the candidates that is forwarded by the
43 Governor but it doesn't go into an assigned seat. If
44 you wanted to have an assigned seat by regulation is
45 one thing, but if you wanted it in a mandated seat then
46 you would need to put it in the law, so it would need
47 to be included in this reauthorization of the Magnuson-
48 Stevens Act. So that's what I got out of that
49 conversation yesterday.

50

1 ACTING CHAIR BANGS: Yes, I agree, I
2 did the same. But what's the avenue, that's the
3 question, is what avenue do we take.

4
5 Cathy.

6
7 MS. NEEDHAM: Thank you, Mr. Chair.

8
9 I had written in my notes to bring this
10 back up under Item No. G to write a letter -- based on
11 what I heard from them was to actually -- for us to
12 write a letter requesting a designated subsistence
13 seat. Now, whether or not that is a letter to the
14 Board asking them to request that subsistence
15 representation be on it, you know, us recommending to
16 the Board that maybe the Board should pursue to get
17 that representation on the North Pacific Management
18 Council, that might be one avenue, rather than us going
19 to -- writing a letter directly to the Secretaries to
20 forward to the Secretary of Commerce.

21
22 ACTING CHAIR BANGS: Okay, good point.

23
24 Frank, and then Bert.

25
26 MR. WRIGHT: Thank you, Mr. Chair.

27
28 I believe that just the discussion that
29 we're having here would be enough to move something
30 forward to the correct avenue of making sure that the
31 Federal Subsistence Board or whatever, appropriate, to
32 let the people know that we need somebody that believes
33 in subsistence. As a Council, just our discussion
34 should be noted to the appropriate people to make a
35 decision that -- listen to us.

36
37 Thank you.

38
39 ACTING CHAIR BANGS: Thank you, Frank.

40
41 Bert.

42
43 CHAIRMAN ADAMS: Thank you, Mr.
44 Chairman. I agree with Cathy.

45
46 I think maybe for our interest in this
47 particular issue can be most efficiently and
48 effectively represented by the Federal Subsistence
49 Board so we can send our request to them that we would
50 like to see some representation on that Board, then

1 they can carry it on from there.

2

3 Thank you.

4

5 ACTING CHAIR BANGS: Thank you, Bert.

6

7 Cathy.

8

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

10

11 I think it needs to be clear, too, that
12 the request state that we actually want a designated
13 subsistence seat rather than going through the avenue
14 of forwarding names to the Governor to have people that
15 are subsistence on the other three seats, we don't want
16 that, we want it to be a Federally-designated seat, or
17 just a designated subsistence seat.

18

19 ACTING CHAIR BANGS: Patty.

20

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

22

23 Is this going to be of further
24 discussion at the joint meeting?

25

26 ACTING CHAIR BANGS: Yeah, that's a
27 real good idea, Patty. I think that would be
28 appropriate and get their feeling on it and move from
29 there.

30

31 Patty.

32

33 MS. PHILLIPS: Mr. Chair. What I heard
34 yesterday is that if we put things in letter we're more
35 effective and I don't want to leave it in the hands of
36 the Federal Subsistence Board. We already sent a
37 letter to the Secretary of State, you know, about this,
38 you know, our concern about the mining going on across
39 the international border, so I think this is an
40 important enough topic, at least to me that, you know,
41 we, the RAC, should be submitting our own letter to the
42 Secretary of Interior requesting that we be able to
43 send -- that our concerns be shared with the Secretary
44 of Commerce.

45

46 Thank you.

47

48 And whoever it is we have to send a
49 letter to that's reauthorizing the Magnuson-Stevens
50 Act, I mean what -- where should we be getting our word

1 out, to, I mean I don't want to just leave it in the
2 hands of the Federal Subsistence Board because if it's
3 anything like our informational needs it might be too
4 little too late.

5
6 Thank you.

7
8 ACTING CHAIR BANGS: Thank you, Patty.
9 I definitely think that's a valid point. And maybe
10 everyone should get the letter, including the Federal
11 Board and points beyond.

12
13 Harvey.

14
15 MR. KITKA: Thank you, Mr. Chair.

16
17 It was somewhere around 12 years ago
18 when a working group in Southeast Alaska started a
19 halibut subsistence and at that time we asked for a
20 seat on the North Pacific for subsistence. I know this
21 because I was part of this working group and we worked
22 with the North Pacific on the subsistence halibut. And
23 I'm glad it's finally making it to this point I just
24 hope it gets further.

25
26 ACTING CHAIR BANGS: Thank you, Harvey.

27
28 Bert.

29
30 CHAIRMAN ADAMS: Thank you, Mr.
31 Chairman. I think if we really want to go the
32 appropriate route, you know, that the Board is in a
33 position to represent it, even though we might not at
34 this point, you know, put any trust in them. There is
35 some changes on the Board that I have noticed, you
36 know, it being more reflective to giving Councils, you
37 know, deference, and another thing, too, if we can put
38 this into our annual report, they would also receive
39 this on a constant basis so I think that would be a
40 good issue for our annual report.

41
42 ACTING CHAIR BANGS: Thank you, Bert.

43
44 Mr. Larson.

45
46 MR. LARSON: Mr. Chair. Steve Kessler
47 has some knowledge of this process and I think he could
48 help, you know, guide the Council here, so if.....

49
50 ACTING CHAIR BANGS: Thank you. Steve.

1 MR. KESSLER: Thank you, Mr. Chairman.

2

3 Let me just go back to the letter about
4 mining in Southeast Alaska, there was the request to
5 send information to the Secretary of State and so what
6 the Council did in that situation was sent a letter to
7 the Federal Subsistence Board, the Federal Subsistence
8 Board then sent a letter to the Secretary of
9 Agriculture, I believe it was in that case, asking the
10 Secretary of Agriculture to contact the Secretary of
11 State and I can tell you from my perspective it's been
12 very frustrating because the letter went from this
13 Council to the Board, and the letter went from the
14 Board then to the Secretary and I have been trying like
15 heck -- remember that was a year ago that you all
16 agreed that that letter should go to the Secretary of
17 Agriculture through the Federal Subsistence Board, so
18 all that happened, but the Secretary of Agriculture has
19 not, to my knowledge, forwarded that letter to the
20 Secretary of State. I mean we've had a lot of
21 communications back and forth, I was working with the
22 Secretary of Agriculture's office and it did not go
23 that way, yet. I mean it still can. I'm not sure --
24 it's not completely dead.

25

26 But I think that what you, as a Council
27 ought to do, if you want this to move forward, is to
28 send a letter to the Board and say we want this as
29 expeditiously as possible move forward to the Secretary
30 of Commerce, I believe it is, that they, that in any
31 ways that the Federal Subsistence Board can make it
32 happen, you know, expeditiously, because I'm not sure
33 what the timing is on that reauthorization of the
34 Magnuson-Stevens Act, and exactly what, you know, your
35 interests are.

36

37 But you should, at this meeting, take a
38 vote on that, to move that along and we'll do whatever
39 we can to push that through the system. And I think
40 that the Board is going to need to consider whether
41 they should use a different process to communicate with
42 the other Secretaries. This is something that the
43 Board is just going to have to struggle with to figure
44 out how to make sure that these interests of the
45 Councils move forward.

46

47 In the Secretaries review, if you
48 review, the Secretaries said we want to know about
49 these issues that affect other Secretaries and then,
50 you know, we'll do something about it but that doesn't

1 seem to be working very efficiently.

2

3 So the most important part is get a
4 vote from your Council on what you want. I believe it
5 does have to go to the Federal Subsistence Board, ask
6 for their expeditious treatment of this item.

7

8 ACTING CHAIR BANGS: Thank you, Steve.

9

10 Bob.

11

12 MR. SCHROEDER: Thanks, Steve, for the
13 information.

14

15 I think the Council, just from hearing
16 the discussion, that there would be unanimity on the
17 idea that we would like representation of a subsistence
18 member on the North Pacific Fisheries Management
19 Council, but since, apart from Harvey, we don't have a
20 great deal of interaction with how this process takes
21 place, I think maybe we can move this along by getting
22 some Staff work that would provide some background on,
23 one, what's going on with the Magnuson-Stevens Act
24 reauthorization, what stage it's in; and, to identify
25 -- give us some options on where we could enter this
26 process because I'm a little leery of sending a letter
27 on a topic that we may not be particularly well
28 informed on. Diane DiCosimo or her partner told us
29 that the Act was under reauthorization and my
30 recollection is the same as Mr. Larson's, that the idea
31 of designated seats is in the Act. So even if we
32 negotiated the mine field of the Federal Subsistence
33 Board, the Secretaries of Interior and Agriculture, the
34 Secretary of Commerce, what if Diane was correct, what
35 they'd have to write back and say, we appreciate your
36 concern but the idea of designated seats is a matter of
37 the Magnuson-Stevens Act, so my request would be that
38 -- or my suggestion would be that the Council put
39 something on the record saying what our intention is,
40 that we'd like a seat on this, but that we need Staff
41 background work to let us know how this Act works and
42 which may give us some avenues to approach that.

43

44 It really sounds like a political issue
45 with our delegation but I'd want to know who the
46 decisionmakers are and what the timings are for this
47 Act. If we spend a lot of time in the process we may
48 find out that you have to wait another 10 years for the
49 Magnuson Act to be reauthorized again.

50

1 Thank you.

2

3 ACTING CHAIR BANGS: Thank you, Bob.

4

5 Yes, Patty.

6

7 MS. PHILLIPS: I believe that the
8 Administration, you know, the Presidential
9 Administration and his cabinet members, you know, can
10 represent issues that are brought before them in
11 reauthorization or in legislation, so, you know, I
12 don't want to wait. And so I am ready to make a motion
13 and then have discussion on it and let me know when
14 that would be appropriate.

15

16 ACTING CHAIR BANGS: Thank you, Patty.

17

18 I'm thinking that maybe our
19 Congressional delegation might be a quicker avenue.
20 They may be even participating in the Act itself as far
21 as reauthorizing it so maybe that would be an avenue to
22 go down, find out who, in Congress, is working on it
23 and just go forward with letters to -- I agree, Patty,
24 I think we should move forward but I'm just not sure
25 which way to go.

26

27 Any other ideas.

28

29

30 (No comments)

31

32 ACTING CHAIR BANGS: So do you want to
33 make a motion to write a letter that we can vote on.

34

35 Patty.

36

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

38

39 I move to send a letter to the Federal
40 Subsistence Board for them to write a letter to
41 expeditiously as possible move forward designating a
42 subsistence seat on the North Pacific Fisheries
43 Management Council to be included in the
44 reauthorization in the Magnuson-Stevens Act.

45

46 MS. NEEDHAM: Second.

47

48 ACTING CHAIR BANGS: It's been moved
49 and seconded to send a letter to the Federal Board in
50 regards to the Magnuson-Stevens Act and a designated

1 Federal subsistence seat.

2

3 Any discussion.

4

5 Donald.

6

7 MR. HERNANDEZ: I think that's the
8 avenue we should pursue at this time. I think we know
9 that, you know, there could be some result there. A
10 Congressional Delegation, I think it's pretty clear
11 that that would kind of cross the line into lobbying,
12 dealing directly with Congress, I don't think we can go
13 that route. You know, from my limited experience, I
14 think Patty's correct, that, yes, the Secretaries do
15 have their role in influencing legislation right along
16 with all the other interest groups, you know, they
17 advocate for what they want to see and I think if we
18 make our wishes known to them, that that would be a
19 positive effort in this issue.

20

21 ACTING CHAIR BANGS: Thank you, Don.

22

23 Harvey.

24

25 MR. KITKA: I really like the idea of
26 the letter but I have a little question and I don't
27 know whether Bob can answer me or not on this.

28

29 I know as private citizens, when we
30 leave this Council meeting, we can write our letters to
31 our Congressmen and things, because I know the
32 TransBoundary mines and stuff, our Congressman from
33 Southeast didn't have any idea about it until I sent
34 him notes on it this past summer and he's starting to
35 look into it and maybe it'll make it there, but I
36 realize that some of these Secretaries got so much
37 paperwork on their desk, sometimes writing letters
38 right to them is not really going to get to them
39 because they'll pile stuff on top of that and their
40 priorities are a lot different than our priorities.
41 And probably the only way to do it is probably finding
42 a way to get their helpers that screen the letters and
43 somehow get them to listen to us.

44

45 ACTING CHAIR BANGS: Good point,
46 Harvey, thank you.

47

48 Mr. Douville.

49

50 MR. DOUVILLE: Thank you, Chairman

1 Bangs.

2

3 I guess I would assume that this would
4 be a voting seat that we are asking for, somebody make
5 that clear.

6

7 ACTING CHAIR BANGS: Yes, Patty.

8

9 MS. PHILLIPS: Yes, Mr. Chair, it would
10 be a voting seat.

11

12 ACTING CHAIR BANGS: Yes, I think that
13 would be appropriate.

14

15 Any other discussion.

16

17 Frank.

18

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

20

21 I was just wondering, you know, if we
22 had gotten all the other RACs in the State of Alaska to
23 jump on board on being the discussion of this letter
24 because, you know, the Southeast RAC is one RAC, but I
25 think if we had the support of most of the RACs in the
26 state of Alaska, I think that would be a lot stronger
27 letter than just one RAC. So I agree that we need a
28 person on there that thinks like us, that, you know, we
29 need subsistence, so the whole state -- all the RACs in
30 the state would be a stronger letter -- thank you -- I
31 think this afternoon we're going to have discussion on
32 this, too, aren't we -- tomorrow.

33

34 Okay, thank you, Mr. Chair.

35

36 ACTING CHAIR BANGS: Thank you, Frank.

37

38 Bert.

39

40 CHAIRMAN ADAMS: I think Mr. Wright has
41 got a good idea there. Like the example that we
42 started, you know, the C&T issue right here from this
43 body and look where it has gone, you know, we wrote a
44 letter to all of the RACs, you know, and they were
45 pretty passive about it and then all of a sudden
46 they've started to look at it and they've all got their
47 own ideas and so forth and I think we can do the same
48 thing with this particular issue and get their support
49 and I don't think that there is going to be very much
50 resistance from them because they would all, in my

1 opinion, would think it's a great idea.

2

3 ACTING CHAIR BANGS: Thank you, Bert.

4

5 My only question would be is there time
6 to make that happen, I know there's a timeframe.

7

8 Robert.

9

10 MR. LARSON: Thank you, Mr. Chair.

11

12 I believe the only Regional Council
13 left to meet this winter is the Southcentral Council
14 and one other.....

15

16 MR. KESSLER: Seward Penn and Northwest
17 Arctic, and Kodiak.

18

19 MR. LARSON: And Kodiak. So there is
20 room -- so there's four more Advisory Councils that
21 could meet and have access to the information from the
22 Southeast Council if Ralph -- or if Bert wanted to talk
23 to Ralph about putting that on their agenda this
24 afternoon, we could -- depending upon what the
25 Council's ultimate action is here in the next few
26 minutes, we could provide them with a draft document,
27 not very well polished but at least a draft letter that
28 they could consider, you know, as well today, but not
29 right away but sometime today.

30

31 ACTING CHAIR BANGS: Okay, thank you,
32 Robert.

33

34 Does that sound acceptable to everyone
35 that we go ahead and have a draft. Maybe we should
36 hold off on the vote until this afternoon when the
37 draft document is made and then -- or this morning.

38

39 Okay, the question's been called for.

40

41 (Laughter)

42

43 ACTING CHAIR BANGS: Okay. So the
44 motion is to.....

45

46 MS. PHILLIPS: Mr. Chair.

47

48 ACTING CHAIR BANGS: Yes.

49

50 MS. PHILLIPS: May I read the motion?

1 ACTING CHAIR BANGS: Yes, you may.
2
3 MS. PHILLIPS: Move to send a letter to
4 the Federal Subsistence Board to expeditiously as
5 possible move forward designating a voting subsistence
6 seat on the North Pacific Fisheries Management Council,
7 to include in the reauthorization of the Magnuson-
8 Stevens Act.
9
10 ACTING CHAIR BANGS: Thank you.
11
12 Art.
13
14 MR. BLOOM: Yeah, can I request a short
15 break, just a two minute break, I'd like to talk to Mr.
16 Larson for a minute.
17
18 ACTING CHAIR BANGS: Can we finish this
19 vote first -- there's been a question called for, we
20 need to move on.....
21
22 MR. BLOOM: Which motion would take
23 precedence.
24
25 MR. DOUVILLE: An at ease.
26
27 CHAIRMAN ADAMS: We can do it after we
28 come back.
29
30 ACTING CHAIR BANGS: Okay, that's good,
31 if everybody agrees to that, we can just stand down for
32 five minutes and take a recess, short.
33
34 (Off record)
35
36 (On record)
37
38 ACTING CHAIR BANGS: Okay, let's take
39 our seats so we can get started and move along here.
40 We've got quite a bit more to do and not that much
41 time.
42
43 (Pause)
44
45 ACTING CHAIR BANGS: Okay, let's get
46 started here. Mr. Adams, we're going to get started
47 again.
48
49 Okay, there has been some little
50 changes that have gone on here so I'll turn it over to

1 Patty for clarification.
2
3 MS. PHILLIPS: Thank you, Mr. Chair.
4
5 I'd like to restate the motion with
6 amended language with concurrence of the second.
7
8 ACTING CHAIR BANGS: Cathy, did you
9 second it.....
10
11 MS. NEEDHAM: Yes.
12
13 ACTING CHAIR BANGS:you'll
14 withdraw your second until she rereads the motion.
15
16 MS. NEEDHAM: Yes.
17
18 ACTING CHAIR BANGS: Thank you.
19
20 MS. PHILLIPS: Mr. Chairman. I'm
21 restating the motion with amended language with
22 concurrence of the second.
23
24 MS. NEEDHAM: I concur.
25
26 MS. PHILLIPS: Thank you.
27
28 (Laughter)
29
30 MS. PHILLIPS: Move to send a letter to
31 the Federal Subsistence Board requesting the Board to
32 communicate with the appropriate Secretaries requesting
33 as expeditiously as possible that the Secretaries move
34 forward designating a voting subsistence seat on the
35 North Pacific Fisheries Management Council be included
36 in the reauthorization of the Magnuson-Stevens Act, and
37 to send this motion with a letter to all the other RACs
38 requesting their input.
39
40 MS. NEEDHAM: I second.
41
42 ACTING CHAIR BANGS: Thank you, Patty
43 and Cathy.
44
45 Okay, is there any discussion.
46
47 MS. PHILLIPS: Mr. Chairman.
48
49 ACTING CHAIR BANGS: Yes, Patty.
50

1 MS. PHILLIPS: We want this information
2 to get to the appropriate Secretaries as quickly as
3 possible.

4
5 ACTING CHAIR BANGS: Very good. Any
6 more discussion.

7
8 CHAIRMAN ADAMS: Yes.

9
10 ACTING CHAIR BANGS: Bert.

11
12 CHAIRMAN ADAMS: I call for the
13 question, Mr. Chairman.

14
15 ACTING CHAIR BANGS: Okay. The
16 question's been called for.

17
18 All those in favor of sending a letter
19 through the correct avenues to make this happen say
20 aye.

21
22 IN UNISON: Aye.

23
24 ACTING CHAIR BANGS: All those opposed,
25 nay.

26
27 (No opposing votes)

28
29 ACTING CHAIR BANGS: Thank you. It
30 passes.

31
32 Okay, let's get back to the annual
33 report. There will be a letter drafted, I guess, we'll
34 probably be able to look at it here in a rough draft
35 before we leave tomorrow.

36
37 So anyway we're back to the annual
38 report. Is there anything that needs to be added to
39 that other than the one item.

40
41 Bert.

42
43 CHAIRMAN ADAMS: Well, I just wanted to
44 reemphasize that I think this issue should be on our
45 annual report as well.

46
47 ACTING CHAIR BANGS: Okay. So that
48 will be added to the annual report. And will that
49 rough draft that we can -- a new draft be made up
50 before tomorrow when we adjourn or how can we approve

1 it?
2
3 Mr. Larson.
4
5 MR. LARSON: I say yes.
6
7 (Laughter)
8
9 MR. LARSON: And I'm looking in the
10 audience when I'm saying that.
11
12 (Laughter)
13
14 MR. LARSON: So we have people here
15 that can make that happen.
16
17 Thank you.
18
19 ACTING CHAIR BANGS: Okay, thank you.
20
21 CHAIRMAN ADAMS: We also have a lot of
22 witnesses.
23
24 (Laughter)
25
26 ACTING CHAIR BANGS: Okay. If there's
27 nothing else on the annual report to be added to we'll
28 wait to see the final draft that we can vote on before
29 we adjourn this meeting.
30
31 The next item.
32
33 Where is the next item.
34
35 (Pause)
36
37 ACTING CHAIR BANGS: Okay, this one,
38 this is the customary and traditional use determination
39 process recommendation. And there's a handout, several
40 different handouts and I think I'd like Cathy to, if
41 she's willing to, go over the high points of this and a
42 little bit of background and what happened.
43
44 Thank you.
45
46 I don't think we need to make a motion,
47 go ahead, Cathy.
48
49 MS. NEEDHAM: Mr. Chair. I don't think
50 a motion at this point in time is appropriate because

1 we still have to determine whether or not you're going
2 to take the workgroup's recommendation or if you want
3 to tweak it at all based on other information that you
4 hear.

5
6 ACTING CHAIR BANGS: I think that's
7 correct.

8
9 Robert.

10
11 MR. LARSON: Mr. Chair. Just a
12 reminder of the process. There is a workgroup. The
13 workgroup has completed its assigned task. You'll see
14 that work in the distribution that was stapled, I
15 believe it's four or five pages in length. The process
16 would be that the workgroup would report to the
17 Council, and Cathy's prepared to do that, the
18 information that is in front of the Council then
19 becomes the Council's property. The Council can do
20 with it as it will. As the discussion goes on, you'll
21 hear that the Staff has had an opportunity to do
22 further evaluation of the workgroup's work and that is
23 displayed to you in the one page attachment -- or the
24 one page distribution. And we can discuss that, you
25 know, at the will of the Council.

26
27 Thank you.

28
29 ACTING CHAIR BANGS: Thank you, Robert.

30
31 Bert.

32
33 CHAIRMAN ADAMS: So after the
34 discussion and everything between us all, I think a
35 motion would be in order to accept their report, you
36 know, with whatever way that we want to tweak it, then
37 it becomes, you know, our property at that point.

38
39 ACTING CHAIR BANGS: That is the way I
40 understand it, too.

41
42 CHAIRMAN ADAMS: Yeah, okay. Okay.

43
44 ACTING CHAIR BANGS: We'll let Cathy
45 present the workgroup's proposal or outline and then we
46 can discuss it, decide on what we want to change or
47 leave or alone or whatever and then we can -- a motion
48 then.

49
50 Cathy.

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

2

3 I want to point out that you were just
4 handed two handouts. The first one is a three page
5 stapled handout, this is the product of the workgroup
6 and our recommendation, which I'm going to go through
7 and read into the record. The second one is some
8 possible modification to the work that we did, which,
9 after I'm done presenting the workgroup stuff, I'm
10 going to ask that we have Steve Kessler come up and
11 talk about some of the proposed modification.

12

13 In the first handout, the three pager,
14 the first page is introduction.

15

16 During the fall 2013 regular Council
17 meeting the Southeast Regional Advisory Council tasked
18 the C&T workgroup with developing a region specific
19 proposal for amending the current C&T determination
20 regulation to be submitted at this Council meeting to
21 the Southeast Regional Advisory Council.

22

23 The workgroup members, just, I'd like
24 to mention that we had a number of teleconferences and
25 that included Patty Phillips, Don Hernandez, Mike Bangs
26 joined in on part of it, Bert Adams also joined in on
27 some of our conferences. We also had a number of Staff
28 people that worked with us to help us on this,
29 including Pat Petrivelli, Pippa Kenner, of course
30 Robert Larson was there and Steve Kessler.

31

32 The workgroup members consider it
33 vitally important that the intent of the proposal be
34 clearly communicated to the Councils. We had a lot of
35 discussion on making sure that regardless of what we
36 came up with in terms of the wording of a regulation
37 change, we wanted to make sure that this regulation
38 change included what our intent is and hopefully that
39 is covered appropriately in the rest of this under our
40 recommended solution on this handout.

41

42 So just a brief history of the problem.

43

44 The current Federal C&T determination
45 regulations including the eight factor analysis were
46 adopted from preexisting State regulations. The
47 Federal Program adopted this framework with some
48 differences when it was thought that the Federal
49 Subsistence Management would be temporary. As a result
50 of the 2009 through 2010 comprehensive Federal

1 Subsistence Program Review, the Secretary of Interior
2 issued a letter of direction with the concurrence with
3 the Secretary of Agriculture requesting that the
4 Federal Subsistence Board review the customary and
5 traditional determination process to provide clear,
6 fair and effective determinations in accordance with
7 Title VIII goals and provisions. Changes would require
8 new regulations. It stated that this be conducted with
9 the Regional Advisory Councils input.

10

11 So essentially that's how we kind of
12 got into all of this, that we've been working on over
13 the course of the last three years. It was the
14 Southeast Council that actually looked at this three
15 years ago and had concerns about the way the current
16 C&T process was working for our region and it's been
17 sort of a long journey since but we've been working
18 hard to address this particular thing that came out of
19 the Secretarial Review to the best of our due
20 diligence.

21

22 Our recommended solution.

23

24 It is the intent of the proposed
25 regulation change -- is to provide a statewide
26 framework -- okay, and this is going to be -- actually
27 I should back up a minute. This recommended solution
28 is the recommended solution of the workgroup and on the
29 second page, not the duplex side but on the second page
30 where it says workgroup proposed language, that is
31 going to be our proposed regulation change, just so you
32 know, because this next piece refers to subparts within
33 that proposed regulation change.

34

35 The intent of this proposed regulation
36 change is to provide a statewide framework for making
37 C&T determinations, see subpart A of our regulation
38 proposed language, while providing an option for region
39 specific regulations that match particular
40 characteristics for each region, which is covered in
41 subpart B of our proposed language. The proposal will
42 also provide deference to Regional Councils, which is
43 in subpart C of our proposed language.

44

45 This is a summary of actually -- so
46 this is not the workgroup's piece, this is a summary
47 from Southeast Regional Advisory Council. The
48 Southeast Regional Advisory Council wanted to be able
49 to develop a region specific regulation that suit their
50 own region and, therefore, the workgroup took the

1 approach to change the umbrella statewide regulation in
2 order to do so.

3

4 Subpart B of our proposed regulation
5 provides an opportunity for that region specific
6 process to be incorporated. Also the Southeast
7 Regional Advisory Council's intent for the Southeast
8 region would be to make a very broad customary and
9 traditional determination so that seasons on Federal
10 public lands and waters would remain open to all
11 Federally-qualified rural residents until there is a
12 need to reduce the pool of eligible harvesters using
13 the process described in ANILCA .804. In effect,
14 ANILCA .804 would replace the current Federal C&T
15 determination eight factor analysis with a three
16 criteria method of instruction of who can harvest a
17 resource and those three criteria are directly from
18 ANILCA.

19

20 By way of further explanation of what's
21 in this handout for you guys. The first page, I wanted
22 to make sure that we read into the record, that's our
23 workgroup's work that we're presenting back to the
24 Southeast Council that you had tasked us with. On Page
25 2, that's actually the current regul -- that's what's
26 currently in regulation now for both Section .16 and
27 .17. You'll notice on the third page that's the
28 workgroup's proposed language. It covers just
29 modifications to regulation .16. So you can kind of do
30 them a little bit side by side, or if you'd like to
31 look at it the view, we have this handy next page that
32 has the strike-through form of the regulation that we
33 would actually be proposing to change. So that has the
34 current regulation overlaid with the specific pieces of
35 what we're doing. So it has strike-through of where we
36 want language omitted and it has bold text where we
37 want language added. The last section is just an
38 appendix, it's just for informational purposes, and it
39 includes information that was included -- it includes
40 information that was included in our previous annual
41 reports as a Council, not as a workgroup. That's just
42 for your information to remind us that what this
43 Council has taken action on before.

44

45 So, with that, I'm going to take a
46 drink of water and then I'm going to read our proposed
47 language so that we get it into the record.

48

49 So the following is the proposed
50 language that this workgroup came up with for this

1 Council to consider.

2

3

36 CFR Section 242.16 and 50 CFR
Section 100.16. Customary and
traditional use determination process.

6

7

Subpart A.

8

9

10

The Board shall determine which fish
and wildlife have been customarily and
traditionally used for subsistence
within a geographic area. When it is
necessary to restrict the taking of
fish and wildlife and other renewable
resources to assure continued viability
of a fish and wildlife population a
priority for the taking of such
population for non-wasteful subsistence
uses shall be implemented based on the
application of the following criteria.

21

22

Customary and direct dependence upon
the populations as the mainstay of a
livelihood.

23

24

25

26

Local residency.

27

28

And the availability of alternative
resources.

29

30

31

For areas managed by the National Park
Service where subsistence uses are
allowed, the determinations may be made
on an individual basis.

32

33

34

35

36

Subpart B.

37

38

Each region shall have the autonomy to
recommend customary and traditional use
determinations specific to that region.

39

40

41

42

Subpart C.

43

44

The Board shall give deference to
recommendations of the appropriate
Regional Councils. Councils shall make
determinations regarding customary and
traditional uses of subsistence
resources based on its review and
evaluation of all available

45

46

47

48

49

50

1 information, including relevant
2 technical, and scientific support data
3 and the traditional knowledge of local
4 residents in that region.

5
6 Subpart D.

7
8 Current determinations are listed in
9 Section 100.24.

10
11 As I mentioned there have been,
12 subsequent to us coming up with this language to
13 present to you, there have been some possible
14 modifications to that wording based on some additional
15 experience of what it should do. This workgroup's
16 recommendation to the Council is to recommend that the
17 Council move forward with proposed regulation change to
18 the Federal Subsistence Board with a letter asking for
19 further analysis to be presented back at our Fall 2014
20 meeting. Essentially this workgroup feels that we can
21 put forward the regulation change to the Board and then
22 we want to be able to hear what that analysis, of what
23 the affects of that actual regulation change will be on
24 our region or a statewide basis, since it would be
25 currently modifying something that impacts subsistence
26 at a state level.

27
28 So there are different avenues that the
29 Council can take with this information but our
30 recommendation would be that we forward it to the
31 Federal Subsistence Board as a proposed regulation
32 change and ask for an analysis that can come back to us
33 at our next fall meeting to see if that's actually the
34 route that we feel is the best that's going to go
35 forward.

36
37 With that, I'd like also to recommend
38 that we invite Steve Kessler to the table to represent
39 some information that he's put together after his
40 careful review of our proposed language, some potential
41 modifications. This workgroup did not necessarily --
42 we didn't decide one way or another whether we
43 supported this, but we felt that it was important that
44 the Council, as a whole, hear that there are -- and
45 he'll give the justification, but we felt it was
46 important to allow him to be able to speak on some of
47 these suggested changes because they might make more
48 sense in terms of the Council intent, and with that
49 I'll turn it back over to you guys.

50

1 ACTING CHAIR BANGS: Thank you, Cathy.
2
3 I'd just like to let the Council know,
4 listening in on a couple of the teleconferences, the
5 job that Cathy, Don and Patty did was outstanding.
6 They worked really hard on this and I really appreciate
7 it. I think that the Council owes you a lot of thanks
8 for the work.
9
10 So, anyway, with that said, I've been
11 given some guidance on how to carry this through and I
12 think what the Council needs to do is we can do it just
13 by consensus, if you guys agree, that we will take this
14 document, accept it as a working platform and then we
15 can take the other modification possibilities and the
16 information that Steve has and then incorporate what
17 parts we want but we need an outline to start with so
18 if it's okay with the Council we'll just start with the
19 workgroup document and then modify it as we feel
20 necessary.
21
22 Is that okay with everybody.
23
24 (Council nods affirmatively)
25
26 ACTING CHAIR BANGS: Okay, good. So
27 we'll do that and then at this point would you like to
28 address the Council, Steve.
29
30 MR. KESSLER: Thank you, Mr. Chairman
31 and Council. I brought my glass of water along because
32 I thought I might need one too.
33
34 (Laughter)
35
36 MR. KESSLER: So I'm going to take it
37 that the action, the consensus action here is that now
38 that this product is the Council's product now rather
39 than just the workgroup and I think that's the process
40 you were trying to follow.
41
42 ACTING CHAIR BANGS: That's correct.
43
44 MR. KESSLER: So at the invitation of
45 the workgroup, and I believe now the invitation of the
46 Council, I'm presenting some possible modifications to
47 the C&T proposal, customary and traditional use
48 proposal for the Council's consideration.
49
50 Now, these changes have maintained the

1 intent of the recommendation. Some reorganization and
2 modifications are made for clarity and in further
3 consideration of workable regulations. Suggested
4 modifications include and you could probably just
5 follow along with the handout that you have in front of
6 you, so potential modifications include reordering the
7 subparts so that there's a logical sequence and only
8 one major thought per subpart.

9

10 For instance the provision of autonomy
11 to regions was brought near the beginning of the draft
12 regulation since it is a key aspect of what follows.

13

14 I suggest removing the reference to
15 other renewable resources since 36 CFR 242 and 50 CFR
16 100 regulations only apply to fish and wildlife.

17

18 I suggest removing the reference to
19 non-wasteful subsistence uses since there are no
20 wasteful subsistence uses.

21

22 Also the regulations already include in
23 another location reference to non-wasteful subsistence
24 uses.

25

26 Recognizing that customary and
27 traditional use determinations may tend to be broad or
28 specific or anywhere in between as determined by each
29 Regional Advisory Council and that refers then to the
30 autonomy of each Council in developing regulations
31 that fit their area.

32

33 Referring to Part .17 of the
34 regulations for the three criteria based on ANILCA
35 .804, and on Page 2 of the workgroup's language that
36 was provided to you there's a list of the current
37 language of .16 and .17, and the language that the
38 workgroup had been interested in as far as tying the
39 priority to Section .804 is actually covered in .17 of
40 the regulations. So, therefore, the proposed changes
41 refer to the existing criteria in Part .17 and that
42 language is removed from Part .16.

43

44 There's also an expansion here of how
45 determinations would be made when an area is of
46 interest to two or more regions and that is the case
47 with a number of border areas between regions. In some
48 cases we have these crossover proposals that actually
49 go to three different Councils so if something has to
50 be done when Councils have different opinions on

1 customary and traditional use determinations or the way
2 to develop them.

3

4 And then finally using the wording
5 provided in ANILCA .805(c) to describe what factors
6 could be used by the Board in not accepting the Council
7 recommendation and that has to do with the deference
8 issue.

9

10 So let me just go ahead and read
11 through what these changes would look like.

12

13 It's, again, to Part .16 of the
14 regulations, customary and traditional
15 use determination process.

16

17

A.

18

19 The Board shall determine which fish
20 and wildlife species have been
21 customarily and traditionally used for
22 subsistence within a geographic area.

23

24

B.

25

26 Each Regional Advisory Council
27 associated with each subsistence
28 resource region shall have the autonomy
29 to determine a process to make
30 customary and traditional use
31 determinations specific to that region.
32 Determinations may tend to be broad.
33 For example, all wildlife for all
34 residents of the region or the state;
35 or specific, for one specific
36 population or for one community. With
37 broader determinations more likely to
38 invoke the need to manage based on the
39 direction specified in Part .17.

40

41 For areas managed by the National Park
42 Service where subsistence uses are
43 allowed the determinations may be made
44 on an individual basis.

45

46

C.

47

48 Regional Advisory Councils will make
49 recommendations regarding customary and
50 traditional uses of subsistence

1 resources to the Federal Subsistence
2 Board based on its review and
3 evaluation of all information,
4 including relevant technical and
5 scientific support data and the
6 traditional knowledge of local
7 residents in the region.
8

9 D.

10
11 For geographic areas of interest to
12 more than one Regional Advisory
13 Council, Councils should seek to make a
14 consensus recommendation to the Federal
15 Subsistence Board for customary and
16 traditional use determinations
17 affecting that geographic area.
18

19 E.

20
21 Once customary and traditional use
22 determination recommendations are made
23 by the Regional Advisory Councils using
24 the processes established in .16(b) and
25 consistent with .16(c) and .16(d), the
26 Federal Subsistence Board shall give
27 deference to the Regional Advisory
28 Council's determinations. The Board
29 may choose not to follow any
30 recommendation which it determines is
31 not supported by substantial evidence,
32 violates recognized principles of fish
33 and wildlife conservation or would be
34 detrimental to the satisfaction of
35 subsistence needs. When different
36 customary and traditional use
37 determinations are recommended by two
38 or more Regional Advisory Councils for
39 a geographic area, the Federal
40 Subsistence Board shall consider the
41 rationale provided by each Council and
42 make its determination after its review
43 and evaluation of all available
44 information, including relevant
45 technical and scientific support data
46 and the traditional knowledge of local
47 residents in the region or regions.
48

49
50 F.

1 Current determinations are listed in
2 Part .24.

3
4 So much of the same language is
5 included as in the proposal that's now in front of you
6 from -- that was provided to you by the workgroup.
7 There have been some modifications, I think, for
8 clarity but tried very hard to keep the exact intent of
9 the workgroup, which is now your proposal.

10
11 If there are any questions I can answer
12 those.

13
14 ACTING CHAIR BANGS: Yes, Art.

15
16 MR. BLOOM: Thank you. Down near the
17 bottom of that front page in C, the Regional Advisory
18 Councils, in the second sentence it says based on its
19 review, and shouldn't that say on their review, if that
20 should refer back to the Regional Advisory Councils.

21
22 MR. KESSLER: Normally there would be
23 one Regional Advisory Council making a recommendation
24 but we have 10 Regional Advisory Councils across the
25 state so I guess from the grammatical perspective, I
26 guess it could be its or their, I mean what I was
27 trying to do is say that -- you know, probably a better
28 word would be -- a better way to say it would be a
29 Regional Advisory Council will make recommendations and
30 then for the discussion of areas of interest to more
31 than one Regional Advisory Council that would be found
32 in Section D.

33
34 MR. BLOOM: Okay. Just it was
35 confusing.....

36
37 MR. KESSLER: I think it can be
38 clarified.

39
40 MR. BLOOM: It was confusing whether
41 its referred to Federal Subsistence Board or Regional
42 Advisory Councils.

43
44 MR. KESSLER: Oh.

45
46 (Laughter)

47
48 MR. KESSLER: Okay, based on the
49 Councils -- based on the Council's review, how's that.
50 A Regional Advisory Council will make recommendations

1 regarding customary and traditional uses of subsistence
2 uses -- resources to the Federal Subsistence Board
3 based on the Council's review and evaluation.

4
5 Good change.

6
7 ACTING CHAIR BANGS: Any more
8 questions.

9
10 Robert.

11
12 MR. SCHROEDER: Just I think this is a
13 really good reorganization, Steve.

14
15 I think under -- in that same section
16 you may be -- I think we're anticipating that a
17 Regional Advisory Council will be making
18 recommendations only for its region, is this correct?

19
20 MR. KESSLER: That's my understanding
21 of what the workgroup had advised to this Council, that
22 each region would have the autonomy within their region
23 to make recommendations.

24
25 MR. SCHROEDER: So perhaps that could
26 be reflected in C, A Regional Advisory Council will
27 make recommendations concerning the customary and
28 traditional uses of subsistence resource within its
29 region to the Federal Subsistence Board.

30
31 Just a minor change.

32
33 MR. KESSLER: That seems like a good
34 change.

35
36 ACTING CHAIR BANGS: Cathy, did you
37 have something.

38
39 MS. NEEDHAM: I did and then I think it
40 was answered but now I have something else.

41
42 (Laughter)

43
44 MS. NEEDHAM: Because we're talking
45 about changing some -- right now we're talking about
46 Steve's proposed regulation but I think at some point
47 this Council now needs to make a motion on what
48 regulation its going to put forward and then make
49 modifications -- if they're going to make modifications
50 it needs to be one or the other because if they're not

1 going to propose -- if we're not going to move forward
2 with Steve's proposed language then we don't need to be
3 necessarily picking it apart at this time.

4

5 ACTING CHAIR BANGS: Yeah, I agree,
6 Cathy. Robert, did you have something.

7

8 MR. LARSON: That's exactly what I was
9 going to mention, is that, during the question and
10 answer period we don't need a motion but if the Council
11 is going to consider or make amendments or changes,
12 actually deliberate this issue then a motion would be
13 appropriate.

14

15 ACTING CHAIR BANGS: Okay. Would
16 someone like to entertain a motion to accept this new
17 language or -- I'd like to hear what the workgroup, how
18 they feel about this new language that Steve brought
19 forth. Does anybody have any comments.

20

21 Cathy.

22

23 MS. NEEDHAM: Mr. Chair. I think the
24 workgroup's impression was that we had worked very hard
25 and diligently to come up with some proposed language.
26 And, unfortunately, given timing some possible changes
27 to that language came forward with not a lot of time
28 for considerations on how -- for us to evaluate how
29 that really impacted the language that we first came up
30 with. And, so, overall, I believe our workgroup's
31 impression was we don't want to diminish the value of
32 the way that Mr. Kessler has put a proposal together
33 but we felt at this time it's just better to have that
34 decided by the Council rather than the workgroup making
35 that decision of which proposal to move forward with.

36

37 That's kind of where the workgroup is
38 coming from, that's why you've sort of got two
39 presentations today because we really didn't have
40 enough time to take all of Mr. Kessler's wise words and
41 incorporate them into what we had done and then think
42 to ourselves whether or not we were still fulfilling
43 our intent. And I think we wholly believe that this
44 regulation writing is going to be a very nitpicky
45 process, and in the end it probably may or maybe not
46 even look like this in the end and that's why our very
47 first paragraph said that we felt it was vitally
48 important that our intent is communicated and whether
49 or not the regulation, in its current form, covers
50 that, we're not in the business of writing regulations

1 and hopefully that Staff analysis that comes out of us
2 forwarding it to the Federal Subsistence Board will
3 give us a product that will really fulfil that intent.

4
5 So the workgroup's recommendation,
6 again, was to recommend that the Council forward a
7 proposed regulation change to the Federal Subsistence
8 Board with a letter asking for a further analysis to be
9 presented back to us at the Fall 2014 meeting, and I
10 don't think the workgroup would be disappointed, or
11 really anybody would be disappointed if you chose ours.

12
13 (Laughter)

14
15 ACTING CHAIR BANGS: Okay, thank you,
16 Cathy.

17
18 Bert.

19
20 CHAIRMAN ADAMS: Thank you, Mr.
21 Chairman.

22
23 Yeah, I fully agree with, you know,
24 Cathy. If you remember I sent one of my last emails to
25 the working group after I had seen all of these emails
26 coming in from Staff, and they were offering, you know,
27 their input, which I thought was good and suggestions
28 and so forth, and a lot of these were coming in kind of
29 late so I'm going to just kind of paraphrase to you
30 what my email said.

31
32 This was the working group's work in
33 progress and I thought you were doing a great job and
34 it looked like the final, you know, draft was coming
35 together as we see it before us now. And my
36 recommendation was, is that, go ahead and finish it up
37 and bring it to the Council and we would look at it
38 and, you know, accept it or, you know, otherwise make
39 amendments to it and so forth and then it would become,
40 you know, our product that we can forward to the
41 Federal Subsistence Board. I also mentioned that as it
42 goes up the ladder to the OSM for analysis that -- and
43 I think you alluded to that already, that, you know,
44 that's where a lot of the input, you know, from Staff
45 would come and I think that's kind of the way that I
46 would like to go, Mr. Chair.

47
48 ACTING CHAIR BANGS: Thank you, Bert.

49
50 Bob.

1 MR. SCHROEDER: I move that we adopt
2 the workgroup's proposed language for customary and
3 traditional use determinations as presented by Cathy.

4
5 Is there a second.
6

7 ACTING CHAIR BANGS: Okay. It's been
8 moved and seconded to accept the workgroup's language,
9 all those in favor -- or, no, we need discussion.

10
11 (Laughter)
12

13 ACTING CHAIR BANGS: Okay, it's been
14 moved and seconded, so let's discuss it -- second?

15
16 MR. DOUVILLE: I was going to second it
17 but Harvey is I think.

18
19 MR. KITKA: Second.
20

21 ACTING CHAIR BANGS: Bob.
22

23 MR. SCHROEDER: Just a bit of history
24 here, since I've been around on some of these things,
25 someone asked me where the eight criteria came from and
26 where they came from was when the State was starting to
27 implement the subsistence law in the early '80s,
28 possibly in 1982, a couple of Staff people had lunch
29 and they had an envelope and they wrote eight things
30 down on the back of the envelope as being really an ad
31 hoc way of proceeding so that the State could actually
32 proceed to implement the State subsistence law and over
33 time this envelope became enshrined in State regulation
34 and was used for making the C&T determinations
35 throughout the state through a very laborious and
36 involved process by the Board of Game and Board of
37 Fisheries.

38
39 Thank you.
40

41 ACTING CHAIR BANGS: Thank you, Bob.
42

43 So, Mike.
44

45 MR. DOUVILLE: Thank you, Chairman.
46

47 I support the motion. This group
48 worked hard on it and I don't believe they were
49 expected to come up with the final language in great
50 detail. What we were looking for was to capture the

1 intent of our thoughts and move those forward and I
2 think it does that.

3

4 ACTING CHAIR BANGS: Thank you, Mike.

5

6 Art.

7

8 MR. BLOOM: Yeah, as the newest member
9 of the Council here I'm going to ask for your patience
10 because you've all been dealing with this for a long
11 time and I was only notified about a month ago that I
12 was going to be on the Council and while I've tried to
13 do some homework there's a lot of material here. So
14 could someone give me an example of where the current
15 regulations have failed for an on the ground situation
16 and how the new proposal would remedy that.

17

18 ACTING CHAIR BANGS: Yes, Cathy.

19

20 MS. NEEDHAM: We've asked for those
21 examples from Staff and it hasn't been reported back to
22 us so I can't personally, even though I've been working
23 on this workgroup for three years, I don't specifically
24 have an example but there might be people in the
25 audience, such as Pat Petrivelli, or actually maybe
26 other members of this Council have examples as well but
27 it's a very good question.

28

29 ACTING CHAIR BANGS: Harvey. And then
30 Don.

31

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

33

34 One example, I believe our Kake
35 representative here alluded to it earlier, which is
36 having to go 40 miles across a big open water to get 10
37 fish and 10 fish to go 40 miles in a small skiff
38 doesn't make a whole lot of sense. It's costing a lot
39 of money in fuel and safety. And this is one of the
40 things where a C&T should take into consideration it
41 might be feeding more than one family, but 10 fish may
42 be a very small yearly annual limit is not really
43 suited for C&T for a family that lives on the fish in
44 that situation.

45

46 Thank you.

47

48 ACTING CHAIR BANGS: Thank you, Harvey.

49

50 Don.

3

4 You know through the course of a long
5 period of time, you know, myself and members of my
6 community were using a fish stream and during the
7 course of this whole process of creating customary and
8 traditional use determinations the determination was
9 made essentially a line on a map saying that, you know,
10 people who live in my community had use up to this line
11 and not beyond and it kind of excluded that fish stream
12 and it is kind of a miss on my part, because I was
13 actually part of the process when it was all happening,
14 but, you know, it was a half mile over the line is a
15 different area and I didn't catch it. And I had
16 actually been going in and getting permits to fish this
17 stream for steelhead and then I realized that
18 technically I didn't have a customary and traditional
19 use for that particular stream and Staff missed it, I
20 got several permits issued for that stream that I
21 wasn't really eligible for. I didn't get any more
22 permits because I didn't want to get in.....

23

24 (Laughter)

25

26 MR. HERNANDEZ: But, you know, it just
27 kind of speaks to the confusion of trying to designate
28 specific areas for specific communities and not miss
29 something. And it ended up putting a restriction on me
30 that wasn't intended, it's confusing. I don't know it
31 just kind of made me realize it was just a bad process
32 and we needed to do something simpler and would work
33 better for everybody and getting rid of, you know, all
34 this criteria. And especially that part about, you
35 know, making determinations for a specific stock for a
36 specific community is very difficult for people in
37 Southeast who do a lot of traveling around so, yeah,
38 that's a good example.

39

40 ACTING CHAIR BANGS: Thank you.

41

42 I think Steve was first, he'd been
43 waiting there -- or I mean Cal, and then Robert. Cal
44 did you have something.

45

46 MR. CASIPIT: I'm prepared to review
47 the bidding on somewhat of the customary and
48 traditional use determinations over the past 10 or so
49 years, over 10 years now that we've been involved in
50 fisheries management, however, I would like to defer to

1 the Chair -- or Mr. Adams, and I can go after the
2 Council is finished.

3

4 ACTING CHAIR BANGS: Okay, thank you,
5 Cal. Bert did you have something.

6

7 CHAIRMAN ADAMS: Yes. I just wanted to
8 maybe educate -- can we just call you Art.

9

10 MR. BLOOM: Sure.

11

12 CHAIRMAN ADAMS: Okay.

13

14 A little bit, you know, about where it
15 came from. I think, you know, Cal was going to do that
16 as well.

17

18 But, you know, the present C&T is a
19 carryover from State regulations and it was only
20 supposed to be temporary because the State had gone out
21 of compliance with ANILCA and they kind of expected
22 maybe that they were going to, you know, come back in
23 compliance in a short while and, you know, ANILCA says
24 that the State will manage the subsistence resources in
25 the state of Alaska. Well, because they had gone out
26 of compliance and, you know, coming back into
27 compliance, you know, is taking longer than expected,
28 the Federal Subsistence Board then adopted the State
29 regulations, you know, and the eight factors, you know,
30 as Mr. Hernandez spelled out to us a little earlier was
31 pretty laborious to have, you know, communities one by
32 one, you know, try to meet the eight factor criteria.
33 And so we felt, our Council felt that, you know, maybe
34 that is no longer is needed and that if we went back to
35 Section .801, that would reduce it down to three
36 criteria, eliminate the eight and reduce it down to
37 three and would give the regions the opportunity to be
38 able to determine their own C&T, you know, regulations
39 and so forth within their regions.

40

41 We knew that all of the regions were
42 not going to agree with us when we first started
43 talking about it but the wisdom of the working group,
44 you know, they decided, you know, let the regions
45 decide for themselves, you know, whether they want to
46 do away with the State regulations and refer back to
47 .804 in ANILCA.

48

49 .804 in ANILCA is the law of the land,
50 you know, and so I think, you know, we have good reason

1 to go back to that simple thing and then let the
2 regions themselves determine how subsistence should be
3 managed in their areas.

4
5 So I kind of repeated myself a couple
6 times here but I just wanted to, you know, share with
7 you where it came from, how it got here and why we are
8 addressing it.

9
10 MR. BLOOM: Thank you.

11
12 ACTING CHAIR BANGS: Okay.

13
14 CHAIRMAN ADAMS: So I'm ready to defer
15 to Mr. Cal if he wants to say something.

16
17 ACTING CHAIR BANGS: Thank you, Bert.

18
19 Was there something that Robert had.

20
21 CHAIRMAN ADAMS: He might, he always
22 has something.

23
24 (Laughter)

25
26 MR. LARSON: Well, thank you, Mr.
27 Chair.

28
29 There is -- well, Art was asking for
30 examples of where the current method of making C&T
31 determinations really didn't seem to work very well and
32 there is unintended consequences to making C&T
33 determinations.

34
35 The determinations by themselves is an
36 acknowledgement of the use of a species or a population
37 at a place by residents of a community. So you have
38 those -- and that in itself seems perfectly reasonable
39 but what you see is that the consequences of that
40 within Southeast, most of the area is wrapped up within
41 a C&T determination, which makes sense, however the
42 result of that is that residents of Haines and Skagway,
43 they can't fish under Federal regulations but if they
44 get a State permit then they can fish everywhere but
45 under a Federal permit they can't fish anywhere. So
46 it's -- I mean that's what you end up with, it just
47 doesn't make any sense because they're not tied to
48 abundance.

49
50 Anyway, there we go.

1 ACTING CHAIR BANGS: Thank you, Robert.

2

3 Did you have something, Mike.

4

5 MR. DOUVILLE: Thank you, Mr. Chair, I

6 do.

7

8 This eight criteria is not written into
9 ANILCA. You have three there that cover everything and
10 it protects rural users from rural [sic] users, it's
11 quite clear and it's very well done. The eight
12 criteria was adopted from State regulations and plain
13 and simple this is ANILCA. We don't need it.

14

15 ACTING CHAIR BANGS: Thank you, Mike.

16

17 That's what I was -- yeah, that's right

18 on.

19

20 Bob.

21

22 MR. SCHROEDER: Mr. Chairman. I
23 strongly support this proposal and commend the work of
24 the working group in framing this proposal and this
25 wording. Just so we have a good record, I would note
26 following on Mr. Douville, that I think this is really
27 much closer to the intent of ANILCA, which clearly
28 doesn't require the managing agency, regulatory agency
29 to make C&T determinations, it's simply not there.

30

31 I believe that even though this isn't a
32 regulatory proposal, as such, to allocate fish and
33 wildlife or resulting in harvest, I think we should put
34 on the record that this proposal is supported by
35 substantial data. By the data in this case are Staff
36 problems of wrangling over who has C&T usage and much
37 more specifically the experience of this Council over
38 21 years of trying to administer the subsistence law
39 and spending a lot of unproductive time on C&T
40 determinations.

41

42 I believe that this proposal, as
43 written, if adopted, would be good for subsistence
44 users and that it would remove an unnecessary layer of
45 permitting and bureaucratic interference with their
46 cultural ways of life and allow subsistence uses to
47 proceed. And I don't believe that this proposed
48 wording raises any conservation concerns. ANILCA,
49 which is the law of the land, does cover those as Mr.
50 Douville pointed out in Section .804.

1 Thank you.
2
3 So I'll be voting in favor of this
4 wording.
5
6 ACTING CHAIR BANGS: Thank you, Bob.
7 Thank you for going over the criteria that we need to
8 cover to justify our decision.
9
10 So does anybody on the Council have
11 anything to add -- Don.
12
13 MR. HERNANDEZ: Yeah, thank you, Mr.
14 Chairman.
15
16 I think, you know, Steve's analysis, it
17 was pretty helpful and his organization is -- is good,
18 but I think all those kinds of things can be, you know,
19 maybe incorporated into a final product after all the
20 analysis but he did make a couple of catches there that
21 might be worthwhile addressing now before we send it
22 on, minor changes in language.
23
24 When we, in our proposed language say
25 in the third sentence down, other renewable resources
26 and Steve pointed out about this would only deal with
27 fish and wildlife because we don't have the
28 authorization to deal with other renewable resources,
29 that was a catch from legal counsel and I think if we
30 just eliminated that term; other renewable resources
31 from this product might help to make it a better
32 product.
33
34 And two sentences down where we said
35 included taking of such population for non-wasteful
36 subsistence uses, when you say non-wasteful it's kind
37 of a redundant term because it's already covered in
38 definitions in ANILCA. We could remove that.
39
40 So.....
41
42 MS. PHILLIPS: Where are we removing.
43
44 MR. HERNANDEZ: Two references to other
45 renewable resources and non-wasteful subsistence uses.
46
47 So I would propose that as amended
48 language with the concurrence of the second.
49
50 ACTING CHAIR BANGS: Okay. So we have

1 an amendment.

2

3 Cathy.

4

5 MS. NEEDHAM: I'm sorry, Don, can you
6 clarify for me exactly what words we're taking out
7 regarding the non-wasteful subsistence uses, just so I
8 know how this is reworded.

9

10 MR. HERNANDEZ: Second sentence.

11

12 When it is necessary to restrict the
13 taking of fish and wildlife and other
14 renewable resources;

15

16 We would just take out the phrase; and
17 other renewable resources.

18

19 MS. NEEDHAM: My apologizes. I'm at
20 the second piece.

21

22 MR. HERNANDEZ: Okay.

23

24 Going down, same sentence;

25

26 A priority for the taking of such
27 population for non-wasteful subsistence
28 uses;

29

30 We would eliminate, non-wasteful; as
31 pointed out it's redundant.

32

33 And that would be it, those two
34 phrases. So like I say I'll propose that as amended
35 language with the permission of the second.

36

37 ACTING CHAIR BANGS: Is there a second
38 to the amendment.

39

40 MR. KITKA: Yes.

41

42 ACTING CHAIR BANGS: Yes.

43

44 CHAIRMAN ADAMS: Just a point of order
45 here.

46

47 ACTING CHAIR BANGS: Yes.

48

49 CHAIRMAN ADAMS: If he wants to amend
50 this proposal, he just needs to make a motion to amend

1 it.
2
3 ACTING CHAIR BANGS: That's what he
4 just did I think.
5
6 CHAIRMAN ADAMS: But he was asking for
7 concurrence of the second, we don't need the
8 concurrence of the second.
9
10 MR. KITKA: I seconded it.
11
12 CHAIRMAN ADAMS: So somebody needs to
13 second his motion.....
14
15 *MR. BLOOM: I'll second the motion.
16
17 CHAIRMAN ADAMS:and then we work
18 on that, from there.
19
20 ACTING CHAIR BANGS: Okay. So we have
21 a motion and a second. So any other discussion on that
22 amendment.
23
24 Bert.
25
26 CHAIRMAN ADAMS: Mr. Chairman. You
27 mentioned two issues here, do you want to take them one
28 by one or together.
29
30 MR. HERNANDEZ: No, we can deal with
31 them together.
32
33 CHAIRMAN ADAMS: Okay.
34
35 MS. PHILLIPS: Chairman Bangs.
36
37 ACTING CHAIR BANGS: Yes, Patty.
38
39 MS. PHILLIPS: So the sentence would
40 read:
41
42
43
44 ACTING CHAIR BANGS: I don't think
45 that's what he intended, I was.....
46
47 MS. PHILLIPS: Oh.
48
49 MS. NEEDHAM: That's why I had asked
50 because we still wanted it to be the population for

1 subsistence uses, he only asked for us to strike non-
2 wasteful, so now the sentence would read:

3
4 When it is necessary to restrict the
5 taking of fish and wildlife to assure
6 continued viability of a fish or a
7 wildlife population a priority for the
8 taking of such population for
9 subsistence uses shall be implemented
10 based on the application of the
11 following criteria.

12
13 MS. PHILLIPS: Oh, okay, got it.

14
15 ACTING CHAIR BANGS: Okay, so we're all
16 clear on that.

17
18 Don.

19
20 MR. HERNANDEZ: That is correct, the
21 way Cathy read it, that would be the wording.

22
23 ACTING CHAIR BANGS: Okay.

24
25 Any other discussion.

26
27 MR. SCHROEDER: Call for the question
28 on the amendment.

29
30 ACTING CHAIR BANGS: Okay. The
31 question's been called for on the amendment that Don
32 proposed to the language.

33
34 All those in favor say aye.

35
36 IN UNISON: Aye.

37
38 CHAIRMAN ADAMS: Opposed, nay.

39
40 (No opposing votes)

41
42 ACTING CHAIR BANGS: Thank you. It
43 passes.

44
45 Okay.

46
47 Back to the main motion. Is there any
48 other discussion.

49
50 I like the analogy that Don gave of the

1 overall, the modifications that Steve brought forth is
2 probably going to happen during the analysis before
3 this comes back to us so it -- but I like the
4 simplicity of our language and I think it's what we
5 intended so I'm going to vote in favor of this
6 proposal.

7

8 Any other discussion.

9

10 MR. JACKSON: Call for the question.

11

12 ACTING CHAIR BANGS: The question's
13 been called for on the workgroup's proposed language as
14 amended.

15

16 All those in favor, aye.

17

18 IN UNISON: Aye.

19

20 CHAIRMAN ADAMS: Opposed, nay.

21

22 (No opposing votes)

23

24 ACTING CHAIR BANGS: Okay, it passes.

25

26 So we'll -- Cathy.

27

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

29

30 I guess I wasn't exactly sure when we
31 made the motion that I had meant to make sure that we
32 forward this whole thing on to the Federal Subsistence
33 Board for their analysis, so that they have all the
34 parts and pieces , specifically, so that we can make
35 sure our intent is included in the proposed language so
36 we don't want to just submit the regulation change.

37

38 Is that what we just voted -- did we
39 actually vote on specifically doing that.

40

41 MS. PHILLIPS: Yes.

42

43 MS. NEEDHAM: Okay, just making sure.

44

45 ACTING CHAIR BANGS: Robert.

46

47 MR. LARSON: Mr. Chair. I think that
48 the process of doing that would be to have a short
49 cover letter that explains what this document is and
50 then attach it as an appendix or an attachment so it

1 would remain whole and separate from the letter but the
2 letter would explain what it is so that's how it would
3 be prosecuted and transferred to the Board.

4
5 ACTING CHAIR BANGS: Thank you. I
6 think.....

7
8 MR. LARSON: And in that same regard
9 then what we'll have for -- and I don't know that we'll
10 have it by 1:00 but we'll try, a letter that, you know,
11 somebody could sign and have some approval on to do
12 that exact thing. So we'll have that done.

13
14 ACTING CHAIR BANGS: Thank you, Robert.

15
16 Okay, could we take a real quick break
17 here because then we're going to have a few other
18 things to take care of before 1:00 o'clock if we're
19 going to march through.

20
21 (Off record)

22
23 (On record)

24
25 ACTING CHAIR BANGS: Okay. Could
26 everybody please take their seats so we can get going
27 here. We've got a little bit left to do before lunch.

28
29 (Pause)

30
31 ACTING CHAIR BANGS: Okay, let's get
32 going here. We're on Item F, tribal consultation,
33 implementation and ANCSA consultation policy. I think
34 Jack Lorrigan's going to give us a presentation.

35
36 Jack.

37
38 MR. LORRIGAN: Thank you, Mr. Chair.
39 Good morning, Council. My name is Jack Lorrigan. I'm
40 the Native Liaison for the Office of Subsistence
41 Management. And my presentation to you starts on Page
42 97 of your workbook.

43
44 This is an action item for the Councils
45 across the state and this is a draft tribal
46 consultation implementation guideline document and a
47 draft Alaska Native Claims Settlement Act Corporation
48 consultation policy, too.

49
50 This is from the Federal Subsistence

1 Board's consultation workgroup. The workgroup members
2 are on Page 96 of your packet.

3
4 It's requesting Regional Advisory
5 Council feedback on these two documents, while
6 simultaneously asking feedback from Federally
7 recognized tribes and Alaska Native Claims Settlement
8 Act Corporations.

9
10 The implementation guidelines summary.

11
12 These guidelines are intended to
13 provide Federal Staff additional guidance on the
14 Federal Subsistence Board's tribal consultation policy.
15 It includes when consultation should be regularly
16 offered, meeting protocols, including meeting flow,
17 room set up suggestions, topics for consultation,
18 preparation and followup for the meetings,
19 communication and collaboration with the tribes
20 throughout the regulatory cycle, training guidance and
21 topics for Federal Staff and the Board, reporting on
22 consultation and how to make changes to the policy or
23 guidance as needed or requested.

24
25 The Draft ANCSA Corporation
26 consultation policy summary.

27
28 This policy is adopted from the DOI
29 policy on consultation with ANCSA Corporations. It
30 includes a preamble, guiding principles in the policy.
31 For your awareness please read the policy section.
32 This draft policy has been improved upon by the
33 workgroup, which now has representatives from the
34 village and regional ANCSA Corporations, thereby adding
35 to the meaning of this policy for the Board. It was
36 originally drafted in December 2011.

37
38 ACTING CHAIR BANGS: Thank you, Jack.

39
40 Questions.

41
42
43 (No comments)

44
45 ACTING CHAIR BANGS: So does everybody
46 want to take a few minutes to look at it, look it over,
47 we need to vote on this?

48
49 MR. LORRIGAN: That was a request from
50 the workgroup is to have feedback or comment from the

1 people who are reviewing it. It's still being reviewed
2 by the Federal Staff also. So it's a work in progress.

3

4 ACTING CHAIR BANGS: So you're looking
5 for confirmation from us to go forward with it?

6

7 MR. LORRIGAN: The workgroup was hoping
8 to have Council advice on the content of the document.
9 We were originally trying to have this before the
10 Board's April meeting but it's not going to be possible
11 with the schedule and we're looking at a summer meeting
12 to have this before the Board so there's still time for
13 tribes, corporations and Councils for comments from
14 everybody who's going to be reviewing it. We have not
15 set a date for having it ready for the summer meeting
16 yet because it just -- we just became aware that it
17 wasn't going to be possible to have it at this Board
18 meeting so we can let the Councils know at which time
19 we'd like to have comments due to us.

20

21 The Council could act on it now or if
22 they'd prefer to read it and send in comments at a
23 later time but before the summer Board meeting, but
24 that Board meeting has not been determined yet, for a
25 date.

26

27 ACTING CHAIR BANGS: Thank you, Jack.

28

29 Cathy.

30

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

32

33 It's a -- I'm assuming -- we've seen
34 this before, this document before, correct.

35

36 MR. LORRIGAN: Yes.

37

38 MS. NEEDHAM: For the most part.

39

40 (Laughter)

41

42 MS. NEEDHAM: With small minor changes.

43

44 (Laughter)

45

46 MS. NEEDHAM: It's just a lot of
47 information to try to process right now in terms of
48 making a decision and I haven't, personally, haven't
49 had a chance to thoroughly review it but our Council, I
50 think, you know, we've been talking about the

1 consultation and we wanted to make sure -- one of our
2 comments was to make sure that the consultation process
3 doesn't necessarily supersede RAC proceedings and so
4 this -- you guys have been interimly implementing this
5 and I wanted to know if you feel that that process --
6 or feel -- if you've run into problems where that has
7 actually happened, where the consultation with tribes
8 has not been presented back to the RACs in a timely
9 fashion where we can take that into consideration in
10 our decisionmaking piece of the process.

11
12 MR. LORRIGAN: Through the Chair. Ms.
13 Needham. Thank you.

14
15 We are trying to avoid that. We're
16 trying to make sure that the Councils hear what the
17 tribes have to say about whatever, before the Council,
18 so we're trying to work that into the schedule. It's
19 going to be tricky the way that things are set up but
20 that is the desire to make sure the Councils hear what
21 the tribes have to say.

22
23 MS. NEEDHAM: So for the most part,
24 since you've been implementing this, has it been
25 working that way or has it -- like the consultations
26 that you've had so far have been able to come back,
27 timing-wise, to the RAC, because, you know, you have a
28 time schedule in here of when consultations will happen
29 and I want to make sure that that -- is it working?

30
31 MR. LORRIGAN: In theory it's working,
32 and we are so undermanned right now it's hard to get a
33 lot of Staff involvement. We have been able to have
34 consultations prior to RAC meetings and try to get
35 reporting out. Since I've come into this position one
36 of my tasks has been trying to get the consultations to
37 occur on regulatory proposals that go before the
38 Councils and try to make them germane to the area where
39 those proposals would have effect. A lot of times we
40 don't get a lot of feedback from the tribes yet so it's
41 been a light participation from the tribes.

42
43 ACTING CHAIR BANGS: Mr. Douville.

44
45 MR. DOUVILLE: Thank you, Chairman.

46
47 It's been one of my concerns, you know,
48 this consultation I think is a great thing, but, their
49 testimony, thoughts, concerns or whatever should come
50 before the RAC on any things that we are making

1 recommendations on before or during our meeting so we
2 can make good judgment and not after that process is
3 completed or let's say before a Board meeting, I think
4 that would severely undermine what we're trying to do
5 and, of course, we would want to hear what their
6 concerns are. And that's always been one of my
7 concerns, is things have happened, or information that
8 is brought forth after we have made our
9 recommendations.

10

11 ACTING CHAIR BANGS: Thank you, Mr.
12 Douville.

13

14 Any other questions for Jack.

15

16

17 (No comments)

18

19 ACTING CHAIR BANGS: So it's not really
20 clear to me exactly what we need to do as far as -- I
21 don't know if anybody has any -- I think you got the
22 gist of his -- we talked about it the last time we
23 discussed this, was that it was important that it
24 happen before we make our decisions and that we're made
25 aware of it, that was basically from the very
26 beginning, I think, that was part of our concern.

27

28 So what's the wish of the Council.

29

30

31 (No comments)

32

33 ACTING CHAIR BANGS: So do we need a
34 motion to approve this consultation document.

35

36 Mr. Larson.

37

38 MS. PHILLIPS: Mr. Chair.

39

40 MR. LARSON: Mr. Chair. Intent of the
41 Council is sufficient here. The other Councils haven't
42 necessarily written a letter. What they've put on the
43 record is an affirmation that they agree with this
44 policy so that's sufficient for an action item.

45

46 ACTING CHAIR BANGS: Thank you.

47

48 Patty.

49

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

1 Just having gone through a whole
2 workgroup process and I really appreciate the efforts
3 of this workgroup members to, you know, bring together
4 this draft tribal and ANCSA consultation guidelines and
5 policies, and I know we didn't get out booklet until we
6 got here, but I support the work that they've brought
7 before us. It does talk about, you know, trying to --
8 you know, or sending out materials to the tribes about,
9 you know, what the RACs are discussing, you know, it
10 says specifically, send out proposal books and make
11 known that there's meetings and, you know, so I think
12 they've taken those into consideration and personally I
13 support it. I'd be willing to support it with a motion
14 but if the Council -- you know, I heard from Cathy that
15 she really hadn't been able to give it a thorough
16 review so I understand that also but can we wait until
17 our fall meeting, or what?

18
19 MR. LORRIGAN: We'd prefer not the fall
20 meeting, we were hoping for comment prior to the Board
21 convening in the summertime, they haven't set a date
22 yet but that would be too late.

23
24 ACTING CHAIR BANGS: Thank you, Patty.

25
26 Would it be appropriate to vote on
27 support for this intent of this so that we send a
28 message that we do support the concept of this and then
29 before this -- this is just a draft so we can't really
30 say that this is a vote on the final product but we
31 could make a motion to that effect. What does the
32 Council want to do.

33
34 MR. DOUVILLE: So move.

35
36 MS. PHILLIPS: Mr. Chair, sorry.

37
38 (Laughter)

39
40 MS. PHILLIPS: I move to accept or
41 approve or what do you -- support, move to support the
42 tribal consultation draft implementation guidelines and
43 draft ANCSA consultation policy intent.

44
45 ACTING CHAIR BANGS: Do we have a
46 second.

47
48 MR. JACKSON: Second.

49
50 ACTING CHAIR BANGS: Okay, it's been

1 moved and seconded to support the implementation
2 guidelines set forth for tribal consultation.

3

4 Any more discussion.

5

6 Mike.

7

8 MR. DOUVILLE: Thank you, Chairman.

9

10 Yeah, I know that the tribes have
11 government to government capability but my request is
12 that all the information just go through us when we are
13 making our recommendations, not after, that's one of my
14 concerns, and I've already said that.

15

16 ACTING CHAIR BANGS: Thank you. Any
17 other discussion.

18

19 Frank.

20

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

22

23 I agree with what this is about, you
24 know, consultation with the tribes but, you know, my
25 question is, you know, we just got this book when we
26 got here and the tribe is going to be looking over this
27 stuff and talked to, make recommendation or anything
28 like that, things like this need to be done early, you
29 know, if I'm on the right subject, right, because, you
30 know, I didn't even look at this thing until we got
31 here so if the tribes going to comment on anything then
32 they need to come through us.

33

34 Thank you.

35

36 ACTING CHAIR BANGS: Thank you, Frank.

37

38 Any other discussion.

39

40 MR. JACKSON: Yeah, I, too, support the
41 intent and I think what the people need to do is, you
42 know, just get it to us a little sooner. I notice
43 that, even in OVK they do get information before we do,
44 you do send that stuff out a week before so I support
45 the intent of the draft.

46

47 ACTING CHAIR BANGS: Thank you, Ken.

48

49 Any other discussion.

50

1 Harvey.
2
3 MR. KITKA: Call for the question.
4
5 ACTING CHAIR BANGS: Thank you. The
6 question's been called for to recommend support for
7 implementation of these guidelines for tribal
8 consultation. All those in favor say aye.
9
10 IN UNISON: Aye.
11
12 CHAIRMAN ADAMS: Oppose, nay.
13
14 (No opposing votes)
15
16 ACTING CHAIR BANGS: Okay, it passes.
17
18 Thank you, Jack.
19
20 MR. LORRIGAN: Thank you, Mr. Chairman.
21
22 ACTING CHAIR BANGS: Okay. We have
23 Steve Reifenstuhl to give us an update on ETJ, is he
24 here.
25
26 MR. REIFENSTUHL: Yes.
27
28 ACTING CHAIR BANGS: Okay.
29
30 REPORTER: Steve, your mic.
31
32 MR. REIFENSTUHL: The mic is on, thank
33 you very much.
34
35 (Laughter)
36
37 MR. REIFENSTUHL: My name is Steve
38 Reifenstuhl. I guess that I don't feel I have an
39 update, I'm hoping to provide some testimony and
40 information about the ETJ.
41
42 So, first, I'd like to thank you for
43 allowing me to testify here today and I would like to
44 let you know I'm representing Southeast Alaska
45 fishermen, seiners, trollers, gillnetters, even sport
46 charter, including in that is 30 percent of seiners are
47 Alaska Native fishermen. Some of those are from
48 Hoonah, there's four from Kake. And this is a hugely
49 important issue.
50

1 So I guess the one thing I would like
2 to say is I hope that you will make your recommendation
3 regarding the ETJ based on science and facts. I see
4 this issue somewhat analogous to global warming, the
5 science and the facts are 95, 99 percent pretty
6 certain; there is global warming, it's driven by large
7 extent by humans. The management and the science of
8 the Chatham Straits fisheries is pretty straight
9 forward. 80 percent of the subsistence harvest at
10 Kanalku is complete by the time the first seine opening
11 is conducted on the Admiralty shoreline, 80 percent is
12 already through, subsistence fishing, and that's just
13 one opening. There's another six days a week that fish
14 are getting by. By July 19th, 99 percent of
15 subsistence is done and that's when the first opening
16 occurs down closer to Angoon but still far from it, you
17 know, Parker Point.

18
19 I heard Frank Wright testify -- or
20 speak earlier about Point Augusta. Point Augusta, you
21 might know, the first opening is generally around June
22 20th. It's a very small area, it's open one day,
23 usually on a Sunday. Again, there's another six days
24 and seven hours where that shoreline is open. That's a
25 very small area, you can fit boats in there fishing at
26 one time at the most. So it's highly likely that when
27 the genetic stock identification information comes out,
28 that there will be some Kanalku fish sockeye in that
29 catch but it's going to be very small. There's already
30 lots of data that shows where sockeye are caught for
31 the entire history that the State has been managing the
32 fisheries, so from the 1960s. There are sockeye caught
33 that is known, but the extent of that is not huge and
34 when we get down to the stock identification level
35 there's going to be some but it's not going to be many.
36 Because the management, again, is what is done to make
37 sure those fish going to Kanalku are impacted as little
38 as possible.

39
40 I think there are lots of things, you
41 know, that we can agree on that is fishermen in
42 Southeast. You know, fishing is good for economics.
43 When you look at the report that the environmental
44 resource group put together last year, more than half
45 that report really talked about economics, which has
46 nothing to do with the central accusation of the ETJ
47 petition to shut down the fisheries. That petition, if
48 granted, would devastate economies and farther
49 throughout Chatham and farther because fishermen come
50 from Klawock, Craig and Ketchikan, Saxman to fish

1 Chatham fisheries so it would be tremendously
2 devastating to many of the communities.

3
4 I think we can agree on rural
5 determination, local hydro development, which is great
6 for the economy. It also reduces fuel costs, another
7 thing that Angoon is very interested and Kake and other
8 communities as well.

9
10 I think we could agree on subsistence
11 rights. So there are many things we agree on and I
12 think we can help with.

13
14 And I was tipped off earlier that maybe
15 you want to talk about enhancement. I didn't come here
16 to speak about that today but I'm happy to do so
17 because I think that things could be done to help
18 Kanalku and to understand it better and to make it more
19 productive. And, again, to do that it's going to be
20 based on science. It's not going to be based on, I
21 think this will work because I want it to work, it's
22 going to be based on what we can find out about
23 limnology, biology, biological parameters in the lake
24 and whether we can help those or not.

25
26 So with that I would just like to thank
27 you again and happy to answer your questions.

28
29 ACTING CHAIR BANGS: Thank you, Steve.
30 Any questions.

31
32 John.

33
34 MR. YEAGER: Thank you, Mr. Chairman.

35
36 Steve, have you been approached by
37 anyone yet about any analysis or anything on the lake
38 itself?

39
40 MR. REIFENSTUHL: Not other than what I
41 testified to last time. There was one inquiry but
42 there was not follow through. We considered going out
43 to Angoon and looking at it but we just thought that
44 would be a bad move, we want to be invited, we want it
45 to be amicable and agreeable so we have not done that
46 at this point.

47
48 ACTING CHAIR BANGS: Patty.

49
50 MS. PHILLIPS: Thank you, Mr. Chair.

1 And Steve.

2

3 Who would put in the request if there
4 was a request for enhancement at Kanalku?

5

6 MR. REIFENSTUHL: I'm forgetting my
7 protocol here, Patty, Through the Chair.

8

9 It could be anyone in Angoon, I guess a
10 represented segment of Angoon, the particular request I
11 got in the form of a letter was Front Street, Inc., but
12 it could be any group because we would be happy to go
13 in and look at the situation.

14

15 MS. PHILLIPS: Follow up.

16

17 ACTING CHAIR BANGS: Patty.

18

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

20

21 You came -- when you started your
22 testimony, Steve, you threw out a bunch of numbers
23 really fast so you said something about 80 percent of
24 Kanalku subsistence through first week already through,
25 first week of what.

26

27 MR. REIFENSTUHL: 80 percent of the
28 subsistence harvest is completed by July 19th, which is
29 the first same fishery up by Marth, Hawk Inlet. And
30 then if -- the other figure I stated was by July 29th,
31 99 percent of the subsistence harvest is completed at
32 Kanalku when the fishery moves down the Admiralty
33 shoreline to around Parker Point.

34

35 MS. PHILLIPS: Follow up.

36

37 ACTING CHAIR BANGS: Yes, Patty.

38

39 MS. PHILLIPS: Where are you getting
40 that data from?

41

42 MR. REIFENSTUHL: That's from Fish and
43 Game records, so it's available on the website or
44 through a report that was done on sockeye systems in
45 northern southeast.

46

47 ACTING CHAIR BANGS: Any other
48 questions.

49

50

1 (No comments)

2

3 ACTING CHAIR BANGS: I had one quick
4 question. When you mentioned the catch that does take
5 place, you said there were very low numbers of sockeye
6 that would be in those catches, what is low, could you
7 give kind of a ball park figure; is it hundreds,
8 thousands? I mean in a seine boat holds thousands and
9 thousands of fish so I'm just trying to get an idea of
10 how much is little.

11

12 MR. REIFENSTUHL: Yes, okay. So that
13 would vary by time. So in the early part Point Augusta
14 and Hidden Falls are commonly opened say around June
15 20th. At that time there would be perhaps hundreds, or
16 could be less. Later in the season, like say on July
17 19th where you've got more stocks that are going to be
18 headed to Chilkat, Chilkoot Lakes, Berners River, even
19 Dipack, and then the other sockeye that will be heading
20 south in Chatham, there's going to be thousands. And,
21 of course, there's a threshold, a maximum, the seiners
22 are allowed to take that's 15,000 and that's through
23 the whole season. And, you know, most of those fish
24 are identified as Chilkoot and Chilkat stocks down for
25 the north end because they do have stock identification
26 on those based on work that's done by a graduate
27 student 25 years ago. And so they do that analysis --
28 you know, the new work, if I may, the new genetic stock
29 identification will now be able to look at these very
30 small stocks, Kanalku, Basket Bay, Kutlaku and so forth
31 and be able to identify those in the fishery. Right
32 now I would say that the ability is to identify these
33 major stocks.

34

35 ACTING CHAIR BANGS: Thank you.

36

37 Any other questions for Steve.

38

39 Don.

40

41 MR. HERNANDEZ: Yeah, thank you. Yeah,
42 I don't know I'm a little skeptical of some of your
43 data there. I just wonder really how complete it is.

44

45 For instance you said that 80 percent
46 of the subsistence fishery has concluded by July 19th
47 but, you know, those people are not meeting their
48 needs, they're not getting enough fish so is that
49 necessarily -- you know, have they finished their
50 fishing and is there a later component of a run that

1 maybe historically has been at Kanalku that is not
2 being utilized by the locals because it's being
3 impacted by the seine fishery that occurs, you know,
4 later than when they are presently fishing. I mean
5 there's a lot of information, I think, that's missing.

6
7 Mr. Jackson talks about, you know, a
8 long history of seining in Chatham Straits where, you
9 know, he says that they were catching sockeyes that are
10 traveling from lower Chatham into that area, not
11 necessarily the assumption always being that they're
12 being caught on the Marsdon Shore and Hawk Inlet and,
13 you know, Point Adophis, you know, what records do we
14 have on seine catches that are occurring in the lower
15 Chatham at an earlier time.

16
17 It just seems like there's a lot of
18 missing data over the years, you know, some of it may
19 not ever have been compiled, you know, like what is the
20 run timing at Kanalku over, you know, a long history
21 that even maybe predates when some of this, you know,
22 intense commercial fishing has occurred.

23
24 I don't know I just see that there's a
25 lot of room for research and analysis yet, and
26 hopefully some of these questions will be answered.
27 But I'm not willing to accept, you know, all of the
28 data as being complete yet.

29
30 Thank you.

31
32 ACTING CHAIR BANGS: Thank you, Don.

33
34 Bert.

35
36 CHAIRMAN ADAMS: Thank you. I
37 appreciate you being here and, you know, you're early
38 statement, you know, admonished this Council to use
39 science in our deliberations. And, you know, we do.
40 We base a lot of our decisions, you know, on the
41 analysis that is really based on science but we also
42 put a lot of emphasis on traditional and ecological
43 knowledge. And if I had, you know, five hours or so
44 and I had the opportunity to talk about TEK, you know,
45 we would come to the conclusion that science and TEK
46 are the same. So I just wanted to impress upon you,
47 yes, we use science but we also use traditional
48 ecological knowledge.

49
50 Thank you.

1 ACTING CHAIR BANGS: Thank you, Bert.

2

3 Any other questions.

4

5 Frank.

6

7 MR. WRIGHT: I just have an
8 informational comment.

9

10 For all the years I fished at Point
11 Augusta we were only allowed one mile down the beach
12 from Point Augusta and one-third -- go a mile off the
13 beach, so when the seine is a quarter of a mile long
14 you can only have one boat setting at a time and that
15 was for one day. I mean, so when we had about 15
16 boats waiting in line we'd end up maybe making two or
17 three sets a day so -- but the past couple years is the
18 first time they've started opening it half a mile off
19 the beach so now we're able to double up and make one
20 set on the inside and one set on the outside so we had
21 a rotation going and when you're only fishing one day a
22 week, and hoping to make a living then it's -- you
23 know, I usually don't go the first opening because I
24 lose money usually. You know it's kind of like
25 experimental fishing for a guy to go out just to work
26 on their gear and stuff like that and make sure
27 everything's working okay. But I usually don't even go
28 until July, or July 5th or after that.

29

30 So this is just a little information.

31

32 And then the Hawk Inlet shore, we just
33 -- whenever, we hope it opens, you know, but we don't
34 even go from Marsdon down to Hepburn which is probably
35 about not even five miles down the beach but, you know,
36 it's not even close, you know, to -- like Cube Cove up
37 to Marsdon but -- and so there's not that much
38 fisheries going on there. You usually get one or two
39 -- two -- one day at first in Hawk Inlet shore and then
40 after that maybe two.

41

42 So that's just a little information
43 there.

44

45 So, you know, when you're fishing only
46 one day a week and, you know, making three sets a day
47 and, you know, it's kind of tough. So there's just a
48 whole lot of information out there.

49

50 Thank you.

1 ACTING CHAIR BANGS: Thank you, Frank.
2
3 Anyone else.
4
5 MR. REIFENSTUHL: Chairman Bangs, may I
6 make a comment or is my time up.
7
8 ACTING CHAIR BANGS: If you make it
9 short and we could.....
10
11 MR. REIFENSTUHL: Okay. Well, I agree
12 that traditional ecological knowledge and science have
13 very similar outcomes and that they are compatible and
14 I don't put any greater confidence in anything than
15 traditional ecological knowledge of fishermen.
16 Fishermen are on the water day after day, year after
17 year their entire lives. They depend on making good
18 decisions on what they observe. That's traditional
19 ecological knowledge.
20
21 I couldn't agree more.
22
23 Thank you very much. I appreciate your
24 comment.
25
26 ACTING CHAIR BANGS: Thank you. Okay,
27 we just have a couple more things here and we've got to
28 get through them but we're running out of time.
29
30 Anyway we have a sea otter letter of
31 concern to the Board of Secretaries of the Interior and
32 Agriculture.
33
34 Mr. Larson, can you help here.
35
36 MR. LARSON: Yes, Mr. Chair.
37
38 There was an interest in this Council
39 -- an ongoing interest regarding sea otters, there's
40 also an interest by the agenda steering committee that
41 was assigned to establish those agenda topics for the
42 joint Council, and there has been some work done by Don
43 Hernandez. If the Council wishes to pursue an
44 additional letter regarding sea otters then I think
45 that Don is ready to speak to that and he should
46 probably speak to that anyway.
47
48 (Laughter)
49
50 MR. LARSON: So that's why we have this

1 on the agenda. It is to broach the subject and allow
2 the Council to do with what they wish. But there's no
3 -- we do not have a draft letter, nor do we have
4 explicit instructions from our previous Council
5 meetings to make this letter.

6

7 So that's where we are.

8

9 ACTING CHAIR BANGS: Thank you, Mr.
10 Larson.

11

12 Did you want to address this Don.

13

14 MR. HERNANDEZ: Well, I guess I could
15 and say what I've done and what my expectation was.

16

17 The Council has previously, you know,
18 requested that we maybe followup previous letters that
19 we've submitted, I think there's been at least two. I
20 think the intent was that we would have a presentation
21 at this meeting and maybe based on that presentation,
22 we might want to have a followup letter, if there was
23 any new information that we wanted to comment on.

24

25 So we did have a presentation
26 yesterday. I guess I would have to say I don't think
27 that presentation focused on what I was anticipating so
28 I was a little unprepared for what I heard as compared
29 to what I was expecting. It was helpful but it didn't
30 address a lot of the concerns that the Council
31 initially raised and we were kind of looking for
32 responses to. But there was one thing that I should
33 remind everybody, that the Council did expressly want
34 to include in a new letter and that was this --
35 something that we've been talking about, another
36 subject, is to write a letter and request, you know,
37 what we are passing on to the Board be passed on to the
38 Secretaries at a higher level because maybe some of the
39 resolution to this can only come from a higher level
40 than who we've been dealing with in the past which is
41 mainly, you know, Fish and Wildlife Staff.

42

43 So I kind of drafted a preliminary
44 letter that kind of laid out what I thought maybe the
45 Council might want to put in a letter. I guess I was
46 kind of anticipating what Staff was going to present to
47 us yesterday and I might have missed the mark there
48 because it didn't quite address that but there is --
49 that one point for sure, about passing letters on to a
50 higher source, maybe the Secretaries, we might want to

1 address so -- and then I did draft something up and
2 give it to Robert and I don't know if he's got anything
3 printed up that can be distributed yet though.

4
5 Thank you.

6
7 ACTING CHAIR BANGS: Thank you, Don.

8
9 Mr. Larson, do we have a document to
10 look at.

11
12 MR. LARSON: It was unclear whether --
13 what the Council's intention was. If the Council
14 intends to move forward with a letter or an action then
15 we have some previous words that were put together that
16 I could provide but, no, without knowing what the
17 Council wanted to do I have not printed anything.

18
19 ACTING CHAIR BANGS: Thank you, Mr.
20 Larson.

21
22 Well, what's the will of the Council.

23
24 Cathy.

25
26 MS. NEEDHAM: Thank you, Mr. Chair.

27
28 I kind of reiterate Don's words in
29 terms of -- especially because he participated in some
30 of the preplanning meetings and we were trying to
31 determine like what kinds of actions could come out of
32 presentations that are given to us and the
33 representatives from the US Fish and Wildlife Service
34 that presented on sea otters yesterday really only
35 presented back to us essentially where the regulation
36 change has gone on significantly altered in the hopes
37 that that will increase harvest of sea otters.

38
39 I'm not exactly sure that we are
40 prepared at this point to write a letter but I
41 definitely feel like I would be more interested in a
42 Council member hearing an update from US Fish and
43 Wildlife Service on some more directed questions. And
44 I took a moment yesterday to jot down some questions
45 because when the two representatives were at the joint
46 meeting I asked if they could potentially come back for
47 our discussion today and I had handed these questions
48 off to them in the hopes that maybe they could even
49 come back today and answer these questions but I got an
50 email that said that they could not.

1 But I took a picture of my questions
2 and my phone is not putting them on there for me.

3
4 (Laughter)

5
6 MS. NEEDHAM: I think there's an --
7 well, we all know that US Fish and Wildlife Service has
8 been working to document the population of sea otters
9 in Southeast Alaska and I know since the US Fish and
10 Wildlife Service in the past presented to this Council
11 that those population numbers have been updated and
12 refined based on additional field seasons and so, you
13 know, it would be really informative, I think, to have
14 them come back and talk about like -- like have someone
15 like Verena Gill from US Fish and Wildlife Service come
16 back and update us on how -- update us on her work
17 essentially.

18
19 So to get an update on population
20 numbers.

21
22 We've also talked in the past or US
23 Fish and Wildlife Service in the past has told us that
24 they could enter into comanagement with tribal councils
25 and so I asked whether or not any tribal organizations
26 in our region have been moving forward with that. That
27 was the one question that Ms. Kohout was able to answer
28 for me and she said that essentially plans had been
29 developed previously by Sitka Tribe. There was one
30 other tribe, Sitka Tribe and a second one, and that one
31 from Organized Village of Kasaan was also in the works
32 and so I think it would be informative for us to know
33 how those efforts are moving forward in terms of those
34 organizations comanaging -- having comanagement plans
35 regarding sea otters from the US Fish and Wildlife
36 Service.

37
38 And then I also know that at some point
39 in time there was an effort to get a project funded
40 that would actually look at the cost of the impact of
41 sea otters to subsistence resources. There has been a
42 lot of work on estimating the cost of the impact of sea
43 otters to commercial fisheries but not the cost of that
44 impact to subsistence fisheries, so the impact to
45 subsistence users like developing that number. And
46 personally I'd be interested to find out whether or not
47 that study is moving forward, if it got funded and was
48 able to do it.

49
50 So instead of necessarily writing a

1 letter to take action, maybe we could invite US Fish
2 and Wildlife Service to answer some of those more
3 specific questions at our next meeting.

4
5 Thank you.

6
7 ACTING CHAIR BANGS: Thank you, Cathy.
8
9 Harvey.

10
11 MR. KITKA: I would agree with Cathy
12 but I really think we might want to invite the Sea
13 Mammal Commission, not necessarily the Fish and
14 Wildlife, but the Commission throughout the state.
15 From what I understand in talking with some of them
16 that they didn't agree with what was being presented by
17 Federal Staff from down south.

18
19 So they might have a whole different
20 view on what's happening and we might want to work with
21 them a little more closely.

22
23 Thank you.

24
25 ACTING CHAIR BANGS: Thank you, Harvey.
26
27 Any one else.

28
29 Art.

30
31 MR. BLOOM: I don't know if you're all
32 aware that there was a symposium at UAS about a year
33 ago, actually it was February, and many of the reports
34 are available on line so if you wanted some more
35 information about that. I was lucky enough to be able
36 to go to the symposium there was a lot of really good
37 information presented there.

38
39 ACTING CHAIR BANGS: Thank you, Art.

40
41 Cathy.

42
43 MS. NEEDHAM: Thank you. I'd also add
44 that the Organized Village of Kasaan is planning a sea
45 otter symposium on Prince of Wales Island as part of
46 their agreement with US Fish and Wildlife Service to
47 provide some things. Maybe we could get some of that
48 information to share for people and for those that are
49 on Prince of Wales, if they're interested in attending
50 that.

1 ACTING CHAIR BANGS: Ken.

2

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

4

5 In Kake Sealaska came down and showed
6 the people how to sew altered hides, you know, and now
7 we've got like four or five or six hunters that are
8 hunting and getting hides and making hats and, you
9 know, making money but it still costs a lot to get
10 them. They quit using the places that tan hides
11 because the turnaround was so long. I think it's each
12 individual community but they seem to have thinned out
13 some of them. And I think that, you know, if everybody
14 keeps going, like Klawock and Kasaan, I think there's a
15 viable industry there to make money but it's going to
16 take -- not only by word of mouth but, you know, for
17 other people to talk about, you know, one hat can be
18 sold for \$400 and I know a guy that says, wow, I just
19 got an order for 10 hats and this other guy wants 30
20 so, you know, it's just a matter of going out to get
21 them and tanning them yourself and learning how to do
22 that all over again. We used to be able to do that a
23 long time ago. But in 1968 when they did reintroduce
24 the sea otters to Southeast by the Fish and Wildlife
25 Service, they brought them down there, and they had
26 spread the -- pretty much cleaned out Kuiu Island now
27 for dungeness, king crab, sea urchins and abalone, that
28 was where the abalone was.

29

30 That's just a little history from
31 around Kake. They ate sea cucumbers, everything. And
32 now I don't know if they bother the sea weed, but the
33 sea weed's disappearing, too. But I attribute that to
34 the tour ship dumping stuff off -- I don't attribute
35 everything to sea otters.

36

37 So, thank you.

38

39 ACTING CHAIR BANGS: Thank you, Ken.

40

41 So what we have here -- what is the
42 will of the Council, do we want to send a letter or do
43 we want to request some reports at our next meeting,
44 some information regarding the questions that we have.
45 What do we want to do.

46

47 John.

48

49 MR. YEAGER: Thank you. I agree with
50 Cathy. I'd rather see some answers to some questions

1 and a little more data before we send a letter off.

2

3 Thanks.

4

5 ACTING CHAIR BANGS: Any other
6 thoughts.

7

8

9 (No comments)

10

11 ACTING CHAIR BANGS: Okay. Well, I
12 guess what we can do is just recommend to our
13 Coordinator that we would like somebody to show up at
14 our next meeting to answer questions that we have about
15 any things that the Federal government has done, or the
16 State has done to help alleviate some of these
17 problems.

18

19 And I got to thinking about what you
20 said that there's no documentation on the cost to
21 subsistence users and I think that's where maybe our
22 tribal organizations could help give us an idea of what
23 their communities are experiencing and the losses of
24 their food.

25

26 Okay, with that I guess we can move on
27 unless somebody else has any comments.

28

29

30 (No comments)

31

32 ACTING CHAIR BANGS: Okay. Then.....

33

34 CHAIRMAN ADAMS: Mr. Chairman.

35

36 ACTING CHAIR BANGS: Yes, Mr. Adams.

37

38 CHAIRMAN ADAMS: Yeah, thank you, Mr.
39 Chairman. I'll make a comment.

40

41 I have a grandson who has started
42 several years ago working with sea otters and he has
43 made some great strides, very diligent with it and he
44 hunts them and he processes them and makes vests and
45 hats and gloves and now, today, he is being invited to
46 go to other communities to share, you know, his
47 knowledge about it. And he's, you know, about 30 years
48 old or so, but a very young man. And so I just wanted
49 to share with you, you know, examples of what really
50 could happen when people take an interest in, you know,

1 making sea otter issues a part of their lives and
2 successful.

3

4 But it wasn't easy.

5

6 You know he would come to AFN, and come
7 back almost empty handed and he would go to, you know,
8 other conferences and now the last couple years, you
9 know, he's selling stuff down the South 48 for very
10 good prices and everything. So somebody could make
11 that work if they really want to.

12

13 I just wanted to share that with you.

14

15 Thank you, Mr. Chairman.

16

17 ACTING CHAIR BANGS: Thank you, Mr.

18 Adams.

19

20 CHAIRMAN ADAMS: Oh, yeah, he made me a
21 hat. I was going to wear it when I came up here but it
22 was too warm.

23

24 (Laughter)

25

26 ACTING CHAIR BANGS: Okay. We have one
27 last item, I think it's -- Mr. Larson.

28

29 MR. LARSON: Just a quick question.
30 We're going to invite the Fish and Wildlife Service to
31 our fall meeting or is it to our winter meeting next
32 year. Our fall meeting has got -- you know, it has a
33 number of agenda items on it that -- I was a little
34 unclear about which meeting we were talking about.

35

36 ACTING CHAIR BANGS: Well, I'm thinking
37 our next meeting in Sitka.

38

39 MR. LARSON: It's up to the Council to
40 decide that here in the next hour and 10 minutes, but
41 the proposal is for Sitka September 22nd through the
42 24th. That was what was discussed at our previous
43 meeting.

44

45 ACTING CHAIR BANGS: Thank you, Mr.

46 Larson.

47

48 What's the will of the Council, do we
49 want it at the next meeting in Sitka or do we want to
50 wait until the following spring, basically.

1 Cathy.

2

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

4

5 I hate to wait because we keep pushing
6 this off, we've been talking about it forever. If we
7 decide to go to Sitka it might be actually a very good
8 venue to have the discussion given that they were one
9 of the tribes that Ms. Kohout said that had had some
10 kind of management plan in place so maybe we could
11 actually incorporate that into it. Personally I
12 understand that our agendas are full but I also
13 expected that we would have more information at this
14 meeting regarding this and we didn't get it and so I
15 personally would hate to wait until the next winter
16 meeting.

17

18 ACTING CHAIR BANGS: Thank you, Cathy.

19

20 Harvey.

21

22 MR. KITKA: Yes, if it is in Sitka the
23 Chair of the Sea Mammal Commission, Mike Miller, he
24 lives in Sitka.

25

26 ACTING CHAIR BANGS: Thank you, Harvey.
27 And they have a tannery there, too, there's lots of sea
28 otters.

29

30 (Laughter)

31

32 ACTING CHAIR BANGS: Okay. Then I
33 think we'll direct it to be put on this next fall
34 meeting, if that's okay with everybody.

35

36 Mike.

37

38 MR. DOUVILLE: We have this proposal
39 here for Klawock and where does that fall in place and
40 are we going to do anything with that.

41

42 ACTING CHAIR BANGS: Yes. I think we
43 had a couple proposals that we were going to address if
44 we have time, and that was one and then I think we
45 wanted to touch base on the Stikine River fishery, if
46 we wanted to do something with that or -- Patty.

47

48 MS. PHILLIPS: Getting back to the
49 meeting, I mean when are we going to set the schedule
50 of when we have it because I would request that we

1 start -- have our meeting in October.

2

3 ACTING CHAIR BANGS: Okay, Patty, we're
4 going to discuss meeting dates at the end of the
5 meeting. We're just going to get rid of our action
6 items, or letters and proposals first.

7

8 MS. PHILLIPS: Okay.

9

10 ACTING CHAIR BANGS: So what's the will
11 of the Council on the Klawock proposal.

12

13 Mr. Larson.

14

15 MR. LARSON: Mr. Chair, I have a
16 suggestion. So as we're working through, there's a
17 number of letters and regulation changes that are in
18 the works and as we get those drafts completed we're
19 distributing them to the Council.

20

21 My suggestion is to allow us to give
22 this as a package of Council actions that we could
23 quickly go through close to the end of the meeting.

24

25 ACTING CHAIR BANGS: Will that happen
26 today or tomorrow?

27

28 MR. LARSON: We're shooting for today.

29

30 ACTING CHAIR BANGS: Okay, thank you.

31

32 So does that answer your question,
33 Mike, we'll probably get all these in a packet and go
34 over them all at one time.

35

36 MR. DOUVILLE: (Nods affirmatively)

37

38 ACTING CHAIR BANGS: At this point I
39 would like to ask Ms. Yuhas to come up to give a brief
40 explanation of an effective way to submit proposals
41 between the State and.....

42

43 MS. YUHAS: Thank you, Mr. Chairman.

44

45 There was discussion regarding the
46 difference between the Board of Fish process and the
47 Federal Subsistence Board process and I offered to the
48 Chairman to explain some things or provide some
49 guidance that might assist the RAC with success in the
50 Board of Fisheries process.

1 The Board of Fisheries process is much
2 more organic than the Federal Subsistence Board, and I
3 use that word because they are able to amend language
4 and take placeholder proposals in a different manner
5 than the Federal Subsistence Board is. There is much
6 more dialogue that occurs at the Board of Fish
7 meetings. When they receive a proposal -- and some of
8 you are more familiar with this process than others, so
9 this is for those who aren't. They actually break into
10 committee meetings to discuss things back and forth
11 with the proposer and those who are affected and they
12 make changes to what they receive so it may be
13 cumbersome to look at on the website but most of this
14 is contained in record copy, something could be
15 introduced with a specific amount or dates and those
16 could change along the process of the Board meeting
17 before they make their final adoption. In the Federal
18 process, the RACs are much more bound to process than
19 the Advisory Committees are on the State side. So when
20 an Advisory Committee Chairman is elected by his
21 committee to go to a Board of Fish meeting, he is able
22 to simply dialogue and express what happened at the
23 dialogue of an AC meeting. I have noticed that when
24 your Chairmen go to a Federal Subsistence Board meeting
25 you may only speak to actions that were taken at your
26 RAC meetings.

27
28 And so my recommendation to you to
29 increase your success, chances, before the Board of
30 Fish would be to put as much on the record as you can
31 and to actually take action on your intent and on items
32 that are acceptable and items that are unacceptable.
33 So that you are providing as much information as
34 possible to the decisionmaking process. This RAC, more
35 than others, has successfully utilized the subcommittee
36 or workgroup process and I'm just offering that it may
37 be expedient for you at your fall meeting -- maybe not
38 expedient for your Coordinator to have to schedule
39 extra time or an extra day but to assign a workgroup to
40 the proposals you make, which may be vague in their
41 proposal but by the time they come before the Board of
42 Fish you should have specifics on your wishes and your
43 intent. If your workgroup could produce a large enough
44 document outlining what is acceptable, what is
45 unacceptable and what the intent of the proposal was,
46 and if your RAC takes action on that, you are able to
47 submit that to the committee and/or send a Chairman or
48 a representative to the meeting to express those wishes
49 who can dialogue with the committee, and hopefully the
50 outcome of the committee process and the Board of Fish

1 action would be more acceptable to you.

2

3 The more information you're able to
4 provide the more decisions that the Board will make and
5 that they will make, and the lack of information they
6 tend to hold back and say, well, we're not really sure
7 what the proposer wanted, does anybody really care
8 about this and that's one of the times when you see
9 proposals fail, is when there's a lack of information.

10

11 The other recommendation is that this
12 RAC has had multiple discussions in attempting to
13 support actions of Angoon and we'll get to a report
14 later on what may be happening with Angoon community
15 Board of Fish proposals and/or Department Board of Fish
16 proposals but akin to many decisionmaking bodies, the
17 more avenues of support, agree with the same
18 conclusion, the easier it is for that board to take
19 action and so I would encourage you to make time at
20 your fall meeting and include in your workgroup report
21 support for or your wishes towards other proposals that
22 may come forward. So if you support a proposal that
23 may come from the city of Angoon that Mayor Matt is
24 writing or one from ACA, that you'll make that known so
25 that the Board of Fish is able to say to themselves,
26 you know, we have so many entities that want the same
27 outcome, then we'll make that decision.

28

29 I hope that's helpful.

30

31 ACTING CHAIR BANGS: Thank you,
32 Jennifer. Any questions for Ms. Yuhas.

33

34 Patty.

35

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

37

38 Jennifer, are there proposals coming
39 from Angoon that are available to view?

40

41 MS. YUHAS: Through the Chair. Not
42 available to view because those are, you know,
43 successfully coming from the community but they are in
44 development, and so that is not -- we have been privy
45 to a few ideas that Mayor Matt has given to our
46 Subsistence Division, that he's asked for a little bit
47 of feedback on, but those are not for us to provide,
48 those are for Mayor Matt to provide and so we want to
49 respect that.

50

1 But we are aware that there are ideas
2 floating in Angoon and possibilities for various
3 timing, net depth, net length similar to discussions
4 you've had here, but they have not yet emerged. And we
5 are aware that the timeframe is very close and that
6 we've had discussions at this RAC of not seeing much.
7 I had a discussion in the hallway, though, about my
8 seedlings in the window I've been watering for quite
9 awhile and I haven't seen much happen either but, you
10 know, some of those actually came up and made their
11 first set of leaves recently, and I'm still waiting on
12 another pot but, you know, just keep watering it and it
13 seems like, from a Staff perspective, there is a lot of
14 tossing out ideas waiting for a community to marinate
15 on them and then a lot of you need to help me right now
16 before the deadline and then we just jump in like a
17 public servant and do that, but this is where all the
18 activity will occur.

19

20 ACTING CHAIR BANGS: Cathy.

21

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

23

24 Jennifer, are they working, do you
25 know, I mean I know you don't know all of it but do you
26 know, during the task force, if they discussed amounts
27 necessary for subsistence?

28

29 MS. YUHAS: So I will choose my words
30 carefully. But amounts necessary for subsistence has
31 been discussed and is being evaluated by our
32 Subsistence Division and we are not sure what a final
33 proposal may look like, what areas it may apply to or
34 what numbers may be concluded.

35

36 I am aware through your Coordinator
37 that some of the numbers have contemplated -- putting
38 in a proposal from the RAC, and I was asked, is that
39 appropriate, you know, to answer that question it's
40 entirely appropriate that the RACs make proposals to
41 the Board of Fish on any of the subject matters that
42 apply to the regulations. And my guidance is that you
43 may be more vague than you are with your Federal
44 Subsistence Board proposals. And so if you wish to
45 address the issue you are able to address it in a
46 general fashion and make your specific wishes known
47 prior to deliberations by the Board of Fish once you
48 have more information, once studies are concluded, that
49 placeholders are acceptable in the State process more
50 so than the Federal process.

1 ACTING CHAIR BANGS: Yes, Patty.

2

3 MS. PHILLIPS: Thank you.

4

5 Regarding amounts necessary for
6 subsistence, we had someone from the State Subsistence
7 Division say they were doing -- conducting subsistence
8 surveys within the community so when are those
9 available for the RAC to review?

10

11 MS. YUHAS: My counterpart was here
12 from my Subsistence Division. Like a lot of things --
13 and several of you have day jobs where you collect
14 information and until you've actually assessed it it's
15 not ready. But is -- David, I need some help. The
16 specific -- I'll stall a little bit here and recap.

17

18 But the specific question was regarding
19 ANS, the Angoon area and I've stuck to generalities and
20 the specific question from Ms. Needham was, when might
21 our data be available from the known subsistence
22 surveys that you're collecting.

23

24 MR. HONAN: Thank you. And just
25 introduction, my name is David Honan, I'm the
26 subsistence program manager for Southern Alaska.

27

28 Over the last few years we've been
29 working with the community of Angoon and also some
30 other communities in Southeast. I had hoped to give
31 you a presentation on some of our work at some point
32 here. We do have a couple of ongoing projects, one is
33 called the index project, which is to update harvest
34 assessment -- comprehensive harvest assessments
35 throughout the state of Alaska and we've been focusing
36 on Southeast the last two years and we do have
37 information that we collected last year in Angoon and
38 that's being analyzed right now. We did put together a
39 presentation that we went back to the community and
40 presented that both to the city council and to the
41 tribal council so that they can review it and just
42 basically tell us, yes, that looks correct or, please
43 don't put that in your report, or those kind of things.

44

45 In addition to that we wrote another
46 project to look at harvest of salmon specifically, and
47 also participation of both the subsistence and
48 commercial fisheries by residents of Angoon and Hoonah,
49 and we have done harvest surveys, salmon surveys in
50 Hoonah but we have not received approval by the

1 community of Angoon, specifically the tribal council.
2 The city council was kind of okay with it but the
3 tribal council declined to participate. And so we
4 won't be doing those. What we really do need is a
5 couple of good years of harvest assessment data to do
6 that and if we don't have that data because they don't
7 want us to do the survey then that's going to make it a
8 little bit more difficult for us to come up with ANS
9 options.

10
11 Just as a reminder, the State doesn't
12 do ANS options by community, we have to look at it
13 within the larger stock and so for this it would
14 probably be District 12. We could do it as a
15 subdistrict like District 12A, for example, or
16 something like that. We could look at it in that
17 context.

18
19 I'm hoping this summer to spend some
20 time in the community of Angoon and maybe build a
21 little trust with the community. And then if they
22 allow us then maybe we'll ask again in the fall if we
23 can do those harvest surveys and at that time the data,
24 we would then have two years of data that we could take
25 before the Board of Fisheries in the fall, or I'm sorry
26 next winter, if that's the way we move forward but
27 we're still kind of assessing that.

28
29 Thank you.

30
31 CHAIRMAN ADAMS: Go ahead, Patty.

32
33 MS. PHILLIPS: Thank you. I didn't
34 catch your name, sorry.

35
36 MR. HONAN: It's David.

37
38 MS. PHILLIPS: Thank you, David.

39
40 So you said that we were considering --
41 or at least I had asked the RAC to consider possibly
42 what Ms. Yugas titled a placeholder for amounts
43 necessary for subsistence for the community of Angoon,
44 and so you just said that the Board doesn't do it by
45 community but it could possibly be done by a
46 subdistrict.

47
48 MR. HONAN: Yes, that's correct.

49
50 That's how -- if you were looking at

1 doing a proposal for the Board of Fisheries I would
2 encourage you to do it as a subdistrict. There are
3 some other communities that we're still looking at
4 whether that needs to be included but unfortunately a
5 lot of the data for these other smaller outlying
6 communities are much older data sets, back to the
7 1980s.

8

9 So looking specifically at the area
10 around Angoon, right now the ANS is for a very large
11 area of Southeast Alaska all salmon, and so we would
12 need to break a piece of that ANS out of the larger ANS
13 and then that would just be for that area.

14

15 ACTING CHAIR BANGS: Any other
16 questions.

17

18

19 (No comments)

20

21 ACTING CHAIR BANGS: Okay, thank you
22 both. That clears up a lot and makes it a lot easier
23 for us to understand the process a little bit more.

24

25 Okay.

26

27 We have a couple of documents that were
28 passed out. There's more coming though, there's
29 proposals that we're going to have to address later.
30 We've got another 40 minutes, or 45 minutes.

31

32 The next item was the Stikine River
33 subsistence fisheries summary, but I think we went over
34 that.

35

36 Yes, Robert.

37

38 MR. LARSON: I would like to remind the
39 Chair that Wayne Owen is -- he's planning on calling in
40 at 12:00 o'clock sharp to provide the ETJ presentation.

41

42 MR. OWEN: I am on the line now.

43

44 ACTING CHAIR BANGS: Okay, Wayne,
45 welcome, you have the floor.

46

47 MR. OWEN: Thank you. I've been on for
48 10 minutes or so and listened to some of the
49 discussion. And, you know, everything that I've heard
50 so far is consistent with what I know.

1 I think I'd just like to share, you
2 know, an update from the community of Angoon to, you
3 know, add on to what Ms. Yuhas said.

4
5 As of last Friday, as far as the Forest
6 Service knows, there are four proposals being talked
7 about seriously. One from the community, two from ACA,
8 and one from Kootznoowoo. Now, that does not mean that
9 the total number of proposals what will go forward, the
10 total number may be more or less than that but those
11 are the ones that are being worked on right now. And
12 on April 4th there will be a community meeting with all
13 three of those interests that will be facilitated by
14 the local land manager, Chad VanOrmer, the district
15 ranger, to sort of bring all the groups together and to
16 talk about the proposals and make any final changes and
17 have a discussion about which proposals should actually
18 go forward. And it is the intention then to coordinate
19 with Dave Harris, the local ADF&G area manager on
20 those, make sure he's aware of what they're talking
21 about so that everybody's on sort of the same page, or
22 everybody's not surprised by the due date of April 10th
23 for proposals.

24
25 So right now the Forest Service has
26 been providing drafting assistance to those groups. I
27 want to be explicit here that the Forest Service is not
28 making proposals. The Forest Service is not taking a
29 stand any way on the proposals that are coming forward,
30 we are simply providing technical assistance to the
31 community consistent with the direction from the
32 Secretaries that solutions be developed by the local
33 constituencies and we're happy to help them but we feel
34 strongly that, you know, the right answer can only come
35 from Angoon and the community of stakeholders. So when
36 those come forward they will come forward in the name
37 of the community, not the Forest Service.

38
39 And I think from what I heard everyone
40 else, you know, had an update on some of the things I
41 was prepared to talk about. The ANS situation, which I
42 had heard previously, had heard a report from. And so
43 without belaboring the discussion any farther I'd be
44 happy to answer questions or, you know, just fade into
45 the background and listen to the rest of the
46 conversation.

47
48 At your pleasure, Mr. Chairman.

49
50 ACTING CHAIR BANGS: Thank you, Mr.

1 Owen.
2
3 Are there any questions from the
4 Council.
5
6 Ms. Phillips.
7
8 MS. PHILLIPS: Thank you, Mr. Chairman.
9
10 Is there any consideration of amounts
11 necessary for subsistence changes by Angoon that you
12 know of, has there been discussion about that at the
13 local level?
14
15 MR. OWEN: Yes, ma'am. And through the
16 Chair.
17
18 It's my understanding right now from
19 the last time that I say the draft proposals, that the
20 proposals coming forward do not specifically address
21 ANS. That topic has been a part of the discussions and
22 there have been, you know, the thought to make those
23 proposals. As of last Friday, when I last spoke to the
24 group that was not one of the active proposals that
25 they were working on. And, again, that could change.
26 But right now they're looking at other ways to address
27 the issue.
28
29 ACTING CHAIR BANGS: Thank you.
30
31 Any other questions for Mr. Owen.
32
33
34 (No comments)
35
36 ACTING CHAIR BANGS: Any discussion.
37
38 Patty.
39
40 MS. PHILLIPS: So another one of our,
41 you know, kind of ideas was to perhaps establish a
42 subsistence gillnet fishery in front of Angoon, maybe
43 in front of the -- I'm not sure where we mean in front
44 of Angoon, but is that -- has that been discussed at a
45 local level or is that something we can do?
46
47 MR. OWEN: Through the Chair. We, as a
48 group, the group that are helping the community of
49 Angoon have really benefited from the advice of Dave
50 Harris from Fish and Game about what is and isn't

1 possible, you know, in terms of workability, I think is
2 the key, you know, for Board of Fish proposals and
3 there has been discussion within the community about
4 ways to manage the fishery in that area that you're
5 calling in front of Angoon, but I don't believe that
6 any of the proposals that have been started to be
7 fleshed out have gone to the scale of creating specific
8 fisheries. It's been more about regulatory
9 opportunities.

10

11 ACTING CHAIR BANGS: Mr. Douville.

12

13 MR. DOUVILLE: When we had our meeting
14 -- this is Mike Douville.

15

16 But, anyway, when we had our meeting in
17 Juneau we suggested that a gillnet fishery could happen
18 to help supplement the shortcomings they have. It
19 wasn't in any way meant to water down the ETJ in any
20 way but it was kind of taken that way, I felt, there
21 was resistance to it. But we were looking at it only
22 as a way to help things out until the sockeye recover,
23 if that's a possibility, and it seemed to me the
24 Department thought there may already be an opportunity
25 for the gillnet to happen in front of Angoon, or in
26 those waters and there was no follow up done.

27

28 But I want to make it clear it wasn't,
29 in any way, to water down what Angoon was trying to
30 accomplish, it was just another means to be able to get
31 them fish.

32

33 ACTING CHAIR BANGS: Thank you, Mike.

34

35 MR. OWEN: I very much appreciate that
36 comment. I think all of the parties to the ETJ process
37 here recognized that there are many ways to reach
38 solutions, some of which are through the Board of Fish
39 and there are other things that we are doing.

40

41 ACTING CHAIR BANGS: Thank you.

42

43 Any other questions or comments.

44

45

46 (No comments)

47

48 ACTING CHAIR BANGS: Thank you, Mr.

49 Owen.

50

1 MR. OWEN: Thank you.
2
3 ACTING CHAIR BANGS: Cathy do you have
4 a -- I think we have another question.
5
6 MR. OWEN: Oh, sure.
7
8 ACTING CHAIR BANGS: Cathy.
9
10 MS. NEEDHAM: Thank you, Mr. Chair.
11
12 Actually it's a question. Does this
13 conclude the update that we're getting on ETJ or was
14 there going to be more information shared. I think, in
15 the past, this Council has tried to make it clear that
16 we wanted an update on the ETJ position each time we
17 met and that we wanted that update to address each of
18 the recommendations that move forward with. Because I
19 know that, you know, last time we talked a lot about
20 the management plan and whether or not changes had been
21 happening with that and so I was wondering if that
22 update -- if our update's going to include more than
23 just what we've discussed.
24
25 MR. OWEN: Mr. Chair. I think that
26 both Ms. Yuhas and I would be happy to address other
27 specific questions. I've looked through the questions
28 that Mr. Kessler sent me. I think I -- I think that
29 I've answered the questions that I can right now but if
30 there's something that we haven't answered I'm sure
31 Fish and Game and I would be happy to continue the
32 discussion.
33
34 ACTING CHAIR BANGS: Ms. Phillips.
35
36 MS. PHILLIPS: Thank you, Mr. Chairman.
37
38 On August 21st, 2013 we received a
39 letter regarding ETJ from Beth Pendleton, Regional
40 Forester. In her letter she said amendments to the
41 Northern Southeast Alaska Seine Management Plan and the
42 Hidden Falls Hatchery Management Plan to include
43 adjustments for the State and Federal subsistence
44 fisheries. And communicated these concerns to the
45 seine management task force and ADF&G rep stated ADF&G
46 is working on management options with the seine fleet
47 that could be incorporated into the Northern Southeast
48 Alaska Seine Management Plan for 2013.
49
50 So were there changes to the management

1 plan or are there changes foreseen for the 2014 season
2 and are these amended by proposals or are they amended
3 by management at ADF&G?

4
5 Those are my questions and I have a
6 couple more.

7
8 ACTING CHAIR BANGS: Thank you, Patty.

9
10 Mr. Owen.

11
12 MR. OWEN: I have no specific knowledge
13 about that, those regulations are prosecuted by the
14 State and I would defer to them to respond to that.

15
16 ACTING CHAIR BANGS: Ms. Yuhas.

17
18 MS. YUHAS: Thank you, Wayne. Mr.
19 Chairman. And member Phillips.

20
21 They -- we also followed up with a
22 letter to the Council recently, following the letter
23 that you requested on the specifics, which was
24 previously the way we went through the report, hitting
25 all of the specifics. Changes to the seine management
26 plan have not yet occurred, the mechanism for that is
27 through the task force followed by implementation by
28 the Department of Fish and Game and the season is still
29 in preparation right now. We're really focusing on the
30 Board of Fish proposals at this point.

31
32 MS. PHILLIPS: Mr. Chairman.

33
34 ACTING CHAIR BANGS: Patty.

35
36 MS. PHILLIPS: Proposals to close the
37 commercial seine fishery areas near Basket Bay and
38 Kootznoowoo Inlet, I mean we're talking about
39 submitting a proposal to close those by regulations and
40 Fish and Game's been closing those by emergency order.
41 I mean Fish and Game indicated that, you know, that
42 that could be put into regulation so do we move that
43 proposal forward or will Fish and Game do that?

44
45 MS. YUHAS: Through the Chair.

46
47 So the process, similar to the way that
48 your Council Chairmen are bound when they go to a
49 meeting to only discuss things you've taken action on,
50 I'm not able to speak to what the Department will or

1 will not bring yet for a Board of Fish proposal because
2 we have a process for that. And until it's official,
3 it's not official.

4
5 The other question was, are you able
6 to, yes, you are able to bring that.

7
8 I can't speak to whether or not the
9 Department will and I cannot speak to whether or not
10 the Department will support or oppose any proposals.

11
12 MS. PHILLIPS: Mr. Chairman.

13
14 ACTING CHAIR BANGS: Patty, followup.

15
16 MS. PHILLIPS: So the other item
17 identified in her letter was the status of escapement
18 goals for Kanalku, Kook, Sitkho, Hasselberg and Eva
19 Lakes and status of genetic stock identification to
20 determine stock of origin for sockeye salmon in the
21 commercial catch.

22
23 So have there -- what is the status of
24 the escapement goals for those systems?

25
26 MS. YUHAS: And through the Chair,
27 escapement goals would not be calculated until all of
28 our data is collected and I gave a report at the fall
29 meeting as far as the status of data collection for
30 GSID, and since there hasn't been a fishery season
31 since the fall meeting there's no new information for
32 me to report at your winter meeting.

33
34 MS. PHILLIPS: Mr. Chair.

35
36 I mean that sounds like bureaucratic
37 speak to me and I didn't really understand what you
38 said.

39
40 (Laughter)

41
42 MS. PHILLIPS: But is that -- I mean
43 I'm assuming you're talking about the season to come,
44 were there escapement goals set for the season we just
45 went through and so am I right, is, what you just said
46 for the season 2014 and were there escapement goals in
47 place for 2013?

48
49 MS. YUHAS: Through the Chair. For
50 2014 no new decisions have been made on escapement

1 goals. Data is not finished being collected -- or data
2 is not finished being processed. And to the GSID for
3 2014, I do not have new information because we've
4 collected no -- it might sound bureaucratic but there's
5 no new information since October.

6
7 MS. PHILLIPS: What is GS.....

8
9 MS. YUHAS: Genetic stock
10 identification.

11
12 ACTING CHAIR BANGS: Okay. Any other
13 questions for Mr. Owen or Ms. Yuhas.

14
15 Don.

16
17 MR. HERNANDEZ: Just a quick one.

18
19 Is there an Angoon representative on
20 that task -- the seine management task force?

21
22 MS. YUHAS: He's asking me hard
23 questions. I don't know. I have to say I don't know.
24 I have to look it up.

25
26 MR. OWEN: I'm afraid I don't know
27 either.

28
29 ACTING CHAIR BANGS: Okay. Any other
30 questions.

31
32 MS. YUHAS: Someone behind.....

33
34 ACTING CHAIR BANGS: Cathy.

35
36 MS. YUHAS:me in the public
37 appears to know.

38
39 ACTING CHAIR BANGS: Cathy.

40
41 MS. NEEDHAM: Thank you, Mr. Chair. I
42 just have one question/comment.

43
44 You know the work that we did in this
45 -- like where things are moving forward with ETJ there
46 was sort of this three year extension on the decision
47 to meet specific goals and that's why we had
48 specifically asked that each of those goals be reported
49 on at each of our Council meetings so that we could
50 keep track of progress and it's been two years since --

1 well, it's been two years since we did our work, and
2 it's just been a few months of lag time since the
3 actual recommendation was completed of what needed to
4 be done, so are things like the management plan
5 revisions and escapement -- creating escapement goals,
6 are we still on track for meeting that three year time
7 period. Is it going to happen within the next year at
8 this point, and the genetic stock analysis?

9

10 MS. YUHAS: Through the Chair.

11

12 Hopefully this Council recognizes that
13 I do my best to answer questions as specifically as
14 possible but I also, with that particular question,
15 have to say to meet it, and what is it, and are we
16 collecting genetic stock identification data, yes, we
17 are; are we continuing to do that and evaluate it, yes,
18 we are. The specific goal being achieved by that is
19 yet to be determined because we don't know what we have
20 yet. So it's difficult to answer some portion of your
21 question.

22

23 Is success simply a change in the
24 management plan, that depends on whether or not a
25 change is able to assist the residents of Angoon with
26 meeting their needs. So to say someone changed the
27 plan, I could come in here and say, oh, somebody
28 tweaked a plan and now everybody's happy because we
29 just made some action and we haven't -- similar to the
30 idea of previous attempts to get the Department to hold
31 a town hall meeting, you know, we went through that
32 whole discussion for about two years. And we said we
33 don't see it as being productive, we don't see that it
34 is generating an actual proposal that might have real
35 consensus rather than perceived consensus and being
36 successful with the Board of Fisheries so we did push
37 back on that and say, you know, a town hall meeting
38 doesn't get to the goal, we really want to find a
39 solution.

40

41 So is there progress, probably like
42 those little plants under the soil, not that you can
43 see as far as did someone change the management plan,
44 nope. Are there discussions on what can we do, what
45 would be feasible and what would meet their needs
46 rather than simply showing some action to say we
47 produced activity. I recently had that discussion with
48 a non-profit, you know, do you want to simply be
49 recognized for being active or do you want to be
50 effective. I can push a lot of paper and not be

1 effective.

2

3 ACTING CHAIR BANGS: Yes, Cathy,
4 followup.

5

6 MS. NEEDHAM: Yeah, I just want to
7 comment that I appreciate that because I know that -- I
8 don't know that we necessarily expected specific final
9 goals to be met within three years but we wanted to see
10 significant progress and so I appreciate that we can
11 have that, you know, you and Mr. Owen here to give us a
12 progress report on each of the things and I hope that
13 we can still continue every six months to get a
14 progress report on what's being accomplished and what's
15 happening and if those progress reports can actually
16 address each of the things that were in our recommended
17 letter that would be even better for us to process, for
18 ourselves to understand what progress is being made.

19

20 Thank you.

21

22 MS. YUHAS: Mr. Chairman, if I may.

23

24 On that note, you know, focusing on the
25 Board of Fish proposals, you know, we knew there was a
26 three year cycle and we've been waiting to see that,
27 you know, a year ago, folks said but you didn't write
28 anything and the deadline is coming, we could satisfy
29 people and get them off my back by writing something,
30 but it might not have been productive. We're really
31 hoping something will be successful and meet people's
32 needs out of this, you know, we're looking at four
33 possible proposals. Six months ago nothing had been
34 drafted and we weren't sure yet. Now is the year where
35 we see them introduced and watch their progress and see
36 what happens at a Board of Fish meeting and then that's
37 part of the three year process, is what happened and
38 what was the progress. Proposals got written,
39 proposals got introduced, proposals went through
40 deliberations and were they adopted; I don't know yet.

41

42 ACTING CHAIR BANGS: Thank you.

43

44 Any other questions, comments.

45

46 Mike.

47

48 MR. OWEN: Thank you, Mr. Chair.

49

50 MR. DOUVILLE: Oh, is he leaving.

1 ACTING CHAIR BANGS: We have one more
2 question, I think.

3

4 MR. OWEN: Oh, I'm sorry.

5

6 MR. DOUVILLE: I believe the offer was
7 made at our Juneau meeting that involved enhancement
8 and I don't know if anybody from Angoon has considered
9 contacting NSRAA for a little bit of help with the
10 sockeye enhancement, I believe it was offered even.
11 It's something that could be worthwhile looking into.

12

13 MR. OWEN: If I may, Mr. Chairman.

14

15 Last summer the Forest Service, in
16 cooperation with Fish and Game engaged in an
17 enhancement project for the Kanalku passage, you know,
18 hopefully to improve escapement back in the backwaters
19 for reproduction. The mechanics for that seemed to
20 have been very successful and we're very much looking
21 forward to this summer to counting fish to see if it
22 was biologically successful.

23

24 So I think all the parties were very
25 pleased with how that project went and we have our
26 fingers crossed hoping that the biology is positive as
27 well.

28

29 ACTING CHAIR BANGS: Thank you.

30

31 Mr. Douville, followup.

32

33 MR. DOUVILLE: Okay, this was
34 specifically taking stock or eggs from there and
35 raising them at Snedesham, I guess, reintroduce them
36 back into the system was what I was talking about, but
37 I know what you're talking about, the falls
38 modification, we.....

39

40 MR. OWEN: Right.

41

42 MR. DOUVILLE: But it seemed like to me
43 to get an extra boost you would, at least from my
44 personal opinion, you'd be looking at the other option,
45 too.

46

47 MR. OWEN: Jennifer, I'm giving this to
48 you.

49

50 MS. YUHAS: Part of the question was

1 whether or not anyone had approached NSRAA so I will
2 defer that question to NSRAA. Regarding the stocking,
3 once a request comes to the State, we have a process
4 that we have to go through through the stocking plan
5 and just like any proposal requests are entertained, of
6 course, and then they are evaluated for feasibility and
7 the rest of the considerations through the stocking
8 plan but to my knowledge we have not received a
9 specific request as yet.

10

11 ACTING CHAIR BANGS: Mr. Reifenstuhl.

12

13 MR. REIFENSTUHL: Thank you, Chairman.

14

15 Steve Reifenstuhl. So I would like to
16 answer three questions I heard up here that I can shed
17 some light on.

18

19 One, the seine task force, anyone is
20 welcome and Angoon has been invited to that. To my
21 knowledge I did not see someone from Angoon at the last
22 seine task force meeting which was in December. But
23 anybody can attend. It's a group of 50 people who show
24 up at that meeting.

25

26 Escapement goals. Escapement goals are
27 complicated and there's different -- there's optimum
28 escapement goals, biological escapement goals, and when
29 Fish and Game sets escapement goals, they can be simple
30 based on I'd say professional experience and that's
31 their lowest level but it's not based on a great deal
32 of science. To establish true escapement goals you
33 need spawner recruit data and it takes 10 years to do
34 that. So when you ask about are they establishing new
35 escapement goals for these systems they would need
36 longterm data and, really, there's only a few systems,
37 Kanalku would be one of them, where they have started
38 gathering that information probably four years or so,
39 where they have a weir set up and they're counting
40 adults in and then have some idea of smolts out but you
41 need that kind of data to really establish an
42 escapement goal that's really biologically,
43 scientifically driven.

44

45 Now, on the enhancement part, we have
46 not been approached but the quickest way you can get
47 additional sockeye production would be to take eggs at
48 the system and then incubate those at a place like
49 Snedesham which has isolation facilities and then bring
50 them back as fry because you could tend to get about 90

1 percent survival whereas in the wild system you might
2 get five percent survival, you might get 10 percent, it
3 could even be less. So that would be a viable type of
4 enhancement program. But there's much that needs to be
5 known about that lake to determine, you know, what it
6 can truly produce.

7

8 ACTING CHAIR BANGS: Mr. Douville.

9

10 MR. DOUVILLE: I fully understand the
11 permitting process and what it takes and it doesn't
12 happen over night, it is, you have to do all the
13 background stuff and then you have to get the permits
14 and it is a process. But that stream is going to be
15 there, hopefully, forever and, you know, we do have to
16 try and make it better but it's just the process and
17 something that the people of Angoon -- you know if I
18 lived there I would be pursuing.

19

20 So whether it worked or not, you'd have
21 to look at it and find out and maybe it wouldn't, but
22 certainly it's worth looking at.

23

24 That's all I was trying to say.

25

26 ACTING CHAIR BANGS: Thank you, Mike.

27

28 MS. PHILLIPS: Mr. Chair.

29

30 ACTING CHAIR BANGS: Yes, Patty.

31

32 MS. PHILLIPS: Thank you. I mean we
33 represent the region and, you know, the voice of the
34 Angoon people just courses through my blood and I don't
35 know how to say this without being emotional about it
36 but when I hear that anybody can attend a seine task
37 force is that -- and then I also hear that, you know,
38 the tribal council of Angoon declined to participate
39 in, you know, bringing together data that might help
40 their community, you know, I recognize this lack of
41 trust in the system that, you know, oversees their way
42 of life, you know, so I want to come forward and say,
43 hey, I don't feel welcome at the seine task force, I
44 might be invited, I might be able to go there but I
45 feel really out of place. And then another part of me
46 is like, but decisions are made by people who show up
47 and so that's what's going on here, is that, Angoon's
48 voice is not a part of the bigger picture. And they've
49 tried to follow through the Board of Fish process and
50 they're proposals have not been approved and so then

1 they come forward with this really significant ETJ, and
2 so where does that leave us, you know. So as a member
3 of the RAC I see these -- we need to put these
4 placeholders in but, you know, I don't want to be doing
5 it for Angoon but on the other hand we're going to miss
6 a cycle if we don't.

7

8 So, you know, it's a Catch-22.

9

10 I want to recognize the efforts that
11 are being made. But we can't bring the community to
12 the table if they don't want to be there. You know,
13 portions of them do, portions of them don't trust us.
14 So where does that leave us.

15

16 I mean these proposals are due next
17 month, you know, so I don't know what to do.

18

19 I want to put placeholders in is what I
20 want to do and then see where it goes from there.

21

22 Thank you.

23

24 ACTING CHAIR BANGS: Thank you, Patty.

25

26 MR. OWEN: Mr. Chairman, if I could
27 address that.

28

29 You know I have a lot of sympathy for
30 the comment that we just heard and that is explicitly
31 why the Forest Service is -- you know, and Fish and
32 Game, but why the Forest Service in our role Angoon has
33 encouraged all three of the parties in Angoon to
34 separately have a process to submit draft proposals, or
35 to submit proposals, because they're going to come in
36 with different strengths, they're going to come in with
37 different ideas and they're going to come in with ideas
38 that are supported differently. So I completely
39 understand and have experienced, you know, the
40 situation behind the previous comment and that has
41 figured into our outreach to Angoon, to try to help
42 them be successful.

43

44 So completely understand. We're trying
45 to do, we're trying to help them. It's been my
46 experience that the Fish and Game has been trying to
47 help them. So at some point, you know, Angoon, we need
48 them to stand up and it doesn't matter to us who that
49 is in Angoon, as long as the situation improves for the
50 people there.

1 ACTING CHAIR BANGS: Thank you. Thank
2 you very much.

3
4 Okay, we're really running short on
5 time here, we have to be out of here at 1:00. So if
6 you have a short comment, Ms. Yuhas.

7
8 MS. YUHAS: I don't want to belabor the
9 point, but simply agreeing and Mr. Owen and I have had
10 many discussions about this and we can keep offering.
11 But when we go there -- when I go there, we're a guest,
12 I'm a guest, we can keep offering and say do you need
13 any help, are you ready for my help but it has to be
14 received.

15
16 ACTING CHAIR BANGS: Thank you.

17
18 Okay.

19
20 Anything else, questions or comments.

21
22
23 (No comments)

24
25 ACTING CHAIR BANGS: Thank you very
26 much, all of you, Wayne, Steve and Jennifer.

27
28 MR. OWEN: Thank you, Mr. Chair.

29
30 ACTING CHAIR BANGS: Okay. I'm trying
31 to figure out if it's possible if we can meet and cover
32 some Council issues tomorrow for a short period of
33 time, apart from the joint session. What does the
34 Council -- how does the Council feel. We're running
35 out of time and we've got some issues that we need to
36 deal with so what's the wish of the Council.

37
38 Cathy.

39
40 MS. NEEDHAM: I think I would like to
41 -- if we can't get through everything in the amount of
42 time before we lose the room, I think we need to
43 reconvene at some point in time so we can make sure
44 that we take the time that we need to to cover all of
45 the actions that we still have to do, including these
46 proposals.

47
48 I think we have quite a bit of work.
49 We're here until the end of Thursday, there's got to be
50 something that we can do in order to make sure that we

1 can still finish the work that we came here for.
2
3 ACTING CHAIR BANGS: Thank you, I
4 agree.
5
6 Mr. Larson, what's your take on it.
7
8 MR. LARSON: And it's very likely that
9 there will be time tomorrow afternoon for a Southeast
10 session. So if we could just recess after today
11 instead of adjourn that would be the appropriate
12 action.
13
14 ACTING CHAIR BANGS: Thank you.
15
16 Okay.
17
18 What do we have left here.
19
20 (Pause)
21
22 ACTING CHAIR BANGS: Mr. Adams.
23
24 CHAIRMAN ADAMS: Yeah, just to
25 emphasize a point that we have to be out of here by
26 1:00 o'clock. I see Mr. Lohse is sitting over there
27 ready to kick to kick us out.....
28
29 (Laughter)
30
31 CHAIRMAN ADAMS:you know he wants
32 to take over.
33
34 He's also asked the Council to be out
35 in the hallway at quarter to, so whatever we can get
36 done right now, you know, let's plug away at it.
37
38 Thank you.
39
40 ACTING CHAIR BANGS: Thank you, Bert.
41
42 Okay, we have a lot of action items
43 that we need to deal with and could you briefly go over
44 those Robert.
45
46 MR. LARSON: Could I suggest that we
47 just touch on the Stikine River, the last item on the
48 agenda before we move to summarize.
49
50 ACTING CHAIR BANGS: Yes. Okay, that

1 is the Stikine River subsistence fishery summary and
2 Council recommendations. That was put on there by the
3 agenda committee to discuss this.

4
5 MR. LARSON: And perhaps I could speak
6 to that.

7
8 ACTING CHAIR BANGS: Go ahead, Mr.
9 Larson.

10
11 MR. LARSON: There's two items that are
12 timely for this spring.

13
14 The first is that the forecast for
15 chinook salmon returning to the Stikine River does not
16 -- it's not large enough to have an allowable catch.
17 So in the context of the Stikine River it's the mid-
18 point of the escapement goal range plus 7100 fish to
19 account for harvests in other non-directed, you know,
20 defined fisheries. So that -- anyway that number, it's
21 very similar to what the situation was last year.

22
23 So our intention, the Staff's, is to
24 petition the Subsistence Board to close that fishery
25 again until we have an in-season estimate of abundance
26 that would allow for an allowable catch. So once we
27 have an allowable catch then we would open the fishery
28 for the rest of the season.

29
30 That's the one issue.

31
32 The other issue is -- and we petition
33 the Board because it's actually outside of the
34 delegations of authority that was given to the in-
35 season manager. He has in-season management authority
36 for conservation. Our interpretation of his letter is
37 that he doesn't have in-season management authority to
38 implement the Pacific Salmon Treaty.

39
40 So that's one issue.

41
42 The other issue is that the Subsistence
43 Board is going to take up the deferred proposal for
44 changing or eliminating the guideline harvest level for
45 sockeyes. The proposal submitted by the Council is to
46 establish a new guideline harvest from 600 to 2,000.
47 Once the Council considered that, last year they
48 thought a better solution would be to eliminate the
49 guideline harvest level altogether. It's confusing at
50 600 fish, it's actually no more -- there's no more

1 clarity at establishing it at 2,000 fish. So if we
2 just eliminate it then that's clear.

3

4 So my advice and what I have prepared
5 is to suggest that the Board not take action in April
6 as scheduled. It makes more sense to me that they
7 would take action on all of the fisheries proposals
8 dealing with the Stikine River at one time. We will
9 have -- and I know we have at least two proposals
10 dealing with guideline harvest levels for sockeye, we
11 have a couple of proposals, at least, dealing with the
12 conduct of the fisheries.

13

14 It makes more sense to me to take up
15 all those issues at one time.

16

17 I've had ex-parte communications with
18 the Pacific -- our commissioner to the Pacific Salmon
19 Commission, and there's no will on their part to open
20 negotiations out of cycle to address tweaking of the
21 subsistence fishery. So probably what's going to
22 happen is that the regulatory changes and changes to
23 Annex 4 of the Treaty would be part of the normal
24 negotiations process so the positioning for that is
25 happening now. The US commissioners would need to get
26 some direction from the Board, by Board action. The
27 Board action would be contingent upon action by the
28 Pacific Salmon Commission, they would, in fact, then be
29 the body that changed the Treaty. But that process
30 will be completed in 2017, with implementation in 2018.

31

32 So that's kind of the timeline we're
33 working under.

34

35 And I think that's -- I attended the
36 Pacific Salmon Commission -- the TransBoundary Panel
37 meeting this spring and the panel, I think, was --
38 would be, you know, would be happy with that kind of a
39 process.

40

41 So I think that's my report for now.

42

43 ACTING CHAIR BANGS: Thank you, Mr.
44 Larson.

45

46 Any questions for Robert on the Stikine
47 fishery.

48

49

50 (No comments)

1 ACTING CHAIR BANGS: Okay. I guess
2 we'll have to work with that at a later point and see
3 how this year works out as far as returns and what
4 we're going to have happen at the Council level.
5
6 Okay.
7
8 That's the last item on the agenda that
9 we have to deal with other than confirm the location of
10 the 2014 meeting and select a date and location for the
11 2015 meeting.
12
13 We do have some action items that we're
14 going to deal with but I think with the time
15 constraints we should probably get all that paperwork
16 together to look at it this evening and then be a
17 little better informed to make a decision on.
18
19 How does that sound.
20
21 (Council nods affirmatively)
22
23 ACTING CHAIR BANGS: So what's the
24 Council want to do for our next meeting.
25
26 (Laughter)
27
28 ACTING CHAIR BANGS: Okay, we
29 tentatively set the date in September, I believe.
30
31 MR. JACKSON: Before the fiscal year
32 ends.
33
34 MR. DOUVILLE: Mr. Chair.
35
36 ACTING CHAIR BANGS: Yes, Mr. Douville.
37
38 MR. DOUVILLE: Thank you, Mr. Chair.
39
40 Patty is suggesting October 1, 2 and 3
41 and I agree with her.
42
43 MS. PHILLIPS: September 30th.
44
45 MR. DOUVILLE: What.
46
47 MS. PHILLIPS: September 30th.
48
49 MR. DOUVILLE: Excuse me, September 30,
50 October 1 and October 2.

1 ACTING CHAIR BANGS: So that would be
2 the September 30th, October 1 and 2nd.

3
4 MR. DOUVILLE: That's correct.

5
6 ACTING CHAIR BANGS: Yeah, that is the
7 end of the fiscal year and we ran into that problem on
8 another previous schedule.

9
10 Cathy.

11
12 MS. NEEDHAM: No, not now.

13
14 ACTING CHAIR BANGS: Mr. Larson then.

15
16 (Laughter)

17
18 MR. LARSON: Thank you, Mr. Chair.

19
20 On the meeting calendars and most
21 people, I think, have those documents. You'll see that
22 the week of September 29th, there's no meeting
23 scheduled during that week. The reason being --
24 there's two reasons actually.

25
26 One is that the fiscal year ends on
27 September 30th and a new one starts on October 1st. It
28 is just so much easier, administratively, to conduct
29 our travel within one fiscal year. It seems like it's
30 a minor issue but it actually causes -- it has issues
31 attached to it but it's not insurmountable.

32
33 The other issue for that week and the
34 reason that we're encouraged not to schedule during
35 that week is action by Congress. We very likely -- who
36 knows, you know, there's posturing right now regarding
37 what's going to happen on October 1st, whether or not
38 we have a budget, whether or not we're going to be able
39 to travel. We won't know whether we have a budget or
40 not, possibly, until late. We can change these other
41 dates easily and cancel them but it would be more
42 difficult to -- if we didn't know if we had a budget or
43 not to like cancel the day before, or the day of, that
44 is an issue for us as well.

45
46 So I would ask, and I've been asked to
47 encourage the Councils not to schedule during the week
48 of September 29th.

49
50 ACTING CHAIR BANGS: Thank you, Mr.

1 Larson.

2

3 Any other ideas or how do you feel
4 about it.

5

6 Patty.

7

8 MS. PHILLIPS: Mr. Chair. What about
9 the week of October 21st.

10

11 ACTING CHAIR BANGS: Anyone have any
12 objections.

13

14 MR. SCHROEDER: That doesn't work. Mr.
15 Chair, that doesn't work very well for me.

16

17 ACTING CHAIR BANGS: October 21st, 22nd
18 and 23rd.

19

20 Cathy.

21

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

23

24 You know, I think one of the reasons
25 why we're trying to consider some additional -- or
26 maybe a different timing is that this Council tends to
27 meet the last week of September every year and when we
28 set agendas, a lot of times we try to make sure that we
29 get as many people in -- a full Council as possible,
30 and a lot of times that has been set around people's
31 personal fishing schedules, like what they do for their
32 livelihood. Every year since I've been on the Council
33 we've had it the last week of September and I always
34 give up one full week of my work in order to be able to
35 attend, which I'm still willing to do, but I know that
36 there are some other potential conflicts and so I would
37 ask, maybe Patty to speak towards one of the reasons
38 maybe why she has a conflict and is suggesting other
39 dates as well.

40

41 ACTING CHAIR BANGS: Patty.

42

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

44

45 I am now Mayor of my community,
46 Pelican, and I'm also on the Southeast Conference Board
47 of Directors and I'm actually second Vice President, or
48 First Vice President and I become President in
49 September and that September meeting has been
50 conflicting with the Southeast Conference Board of

1 Meeting annual meeting and if I have to choose because
2 I am going to become President, I have to choose going
3 to the Southeast Conference Board of Directors annual
4 meeting.

5
6 ACTING CHAIR BANGS: Thank you, Patty.

7
8 I don't have a conflict of any date. I
9 don't know how everybody else is, I'm good.

10
11 Mike.

12
13 MR. DOUVILLE: We're salmon fishing up
14 until the 20th of September, so, you know, anything
15 before that is difficult, anything after that I can try
16 to make the adjustment.

17
18 ACTING CHAIR BANGS: Yes, Mr. Adams.

19
20 CHAIRMAN ADAMS: Yes, my time is pretty
21 flexible as long as, you know, I know plenty ahead of
22 time so I can pencil that out on my calendar so
23 whatever you guys decide I will accommodate.

24
25 ACTING CHAIR BANGS: Thank you, Bert.

26
27 John.

28
29 MR. YEAGER: Thank you, Mr. Chair. We
30 were talking the 21st of October, that week.

31
32 ACTING CHAIR BANGS: I think that was a
33 recommendation or an option.

34
35 MR. YEAGER: I like it.

36
37 ACTING CHAIR BANGS: Cathy.

38
39 MS. NEEDHAM: I think we're saying
40 anything after that last week of September where we
41 currently have a placeholder so I mean unfortunately
42 the only week that that seems to leave that no other
43 Council has -- they don't have Council meetings, two in
44 there, is that week of October 21st.

45
46 ACTING CHAIR BANGS: Yeah, that's a
47 good point. It's difficult for Staff to deal with,
48 two, let alone three in one week. So our options are,
49 from what I see are in September of the 21st, so what's
50 the will of the Council.

1 Any other options.
2
3
4 (No comments)
5
6 ACTING CHAIR BANGS: So we're still
7 shooting for Sitka, is that Sitka on the 21st.
8
9 (Laughter)
10
11 ACTING CHAIR BANGS: So I would
12 entertain a motion and we could move on.
13
14 (Pause)
15
16 ACTING CHAIR BANGS: Yes, Mr. Yeager.
17
18 MR. YEAGER: Thank you, Mr. Chair.
19
20 I'd also like to throw out the
21 suggestion of maybe having it in Wrangell because of
22 the Stikine River sockeye issues that we'll be talking
23 about in the fall just for consideration for the
24 Council.
25
26 ACTING CHAIR BANGS: Any other
27 discussion on that.
28
29 Harvey.
30
31 MR. KITKA: No.
32
33 ACTING CHAIR BANGS: Okay.
34
35 (Laughter)
36
37 ACTING CHAIR BANGS: Okay. So I'd
38 entertain a motion to set the date and time, anybody
39 have any other discussion about the pros and cons about
40 whether Sitka or Wrangell or the week.
41
42
43 (No comments)
44
45 ACTING CHAIR BANGS: So what I'm
46 gathering is the week of the 21st and it would be the
47 21st, 22nd and 23rd of October in Wrangell.
48
49 Cathy.
50

1 MS. NEEDHAM: Thank you, Mr. Chair.
2
3 Was there a specific reason why we had
4 preliminary had Sitka as a placeholder from the past
5 meeting.
6
7 ACTING CHAIR BANGS: Mr. Larson.
8
9 MR. LARSON: Mr. Chair. Yes. At the
10 time there was an interest to have the Council
11 participate or at least be able to listen to
12 discussions that the Board may have in Sitka regarding
13 rural determinations. It's unknown to me whether or
14 not the Board's actually scheduled a meeting during
15 that time or not in Sitka to talk about, you know,
16 rural determinations and how that whole process. It
17 seems like we scheduled it in anticipation of some
18 actions by the Board. I don't know that the Board has
19 kept up to it's -- we don't have that scheduled. So it
20 seems to me that the reasons we talked about before are
21 not necessarily as valid now as what they were.
22
23 ACTING CHAIR BANGS: Okay, thank you.
24
25 Cathy.
26
27 MS. NEEDHAM: Thank you, Mr. Chair.
28
29 I move we have our Southeast Regional
30 Advisory Council meeting October 21st, 22nd, 23rd in
31 Wrangell.
32
33 MR. DOUVILLE: Second.
34
35 ACTING CHAIR BANGS: Okay, it's been
36 moved and seconded to have it in Wrangell on the week
37 of the 21st of October.
38
39 Discussion.
40
41 CHAIRMAN ADAMS: Question.
42
43 ACTING CHAIR BANGS: Question's been
44 called for, all those in favor of the October 21st,
45 22nd, 23rd in Wrangell say aye.
46
47 IN UNISON: Aye.
48
49 ACTING CHAIR BANGS: Opposed, nay.
50

1 (No opposing votes)
2
3 ACTING CHAIR BANGS: Okay. Now we need
4 to plan ahead a little bit and think about where we
5 want to have the meeting next time this year.
6
7 Any discussion.
8
9 (Laughter)
10
11 ACTING CHAIR BANGS: Harvey wants it in
12 Bristol Bay.
13
14 (Laughter)
15
16 ACTING CHAIR BANGS: Cathy.
17
18 MS. NEEDHAM: Mr. Chair. Do we know if
19 any of the other Councils have blocked out timeframes
20 that we cannot look at right now, like are there double
21 Council meetings in weeks.
22
23 ACTING CHAIR BANGS: Mr. Larson.
24
25 MR. LARSON: Mr. Chair. I don't know
26 that everyone has the most updated Council schedule but
27 the correct calendar should have on February 24th and
28 25th Bristol Bay meeting in Naknek.
29
30 February 25th and 26th the Yukon Delta
31 meeting in Bethel.
32
33 March 3rd and 4th, Western Interior
34 meeting in Fairbanks.
35
36 March 4th and 5th, Eastern Interior
37 meeting in Fairbanks.
38
39 And maybe somebody else in this room
40 knows more than that but those are the meeting dates
41 that I know of and I think that's current.
42
43 ACTING CHAIR BANGS: Thank you.
44
45 So we're looking at the possibility of
46 this time next year, March 10th.
47
48 Bert.
49
50 CHAIRMAN ADAMS: I don't remember the

1 dates, but maybe Barbara can help me remember when our
2 SRC meeting will take place, isn't it around that time
3 as well.

4

5 MS. CELLARIUS: Thank you, Mr. Chair.
6 This is Barbara Cellarius, subsistence coordinator for
7 Wrangell-St.Elias National Park and Preserve.

8

9 We have not yet scheduled our winter
10 meeting. Our October meeting is scheduled for the
11 first full week of October. But we usually just do one
12 meeting ahead because we try to coordinate with the
13 dates of the RAC meetings.

14

15 ACTING CHAIR BANGS: Thank you.

16

17 Okay, any other ideas or dates.

18

19 (Pause)

20

21 ACTING CHAIR BANGS: What about a
22 location.

23

24 (Laughter)

25

26 (Pause)

27

28 ACTING CHAIR BANGS: Well, I had
29 originally invited the Council to Petersburg a couple
30 of meetings ago but we ended up going to Ketchikan, but
31 I think that's a possibility. We haven't been there in
32 awhile.

33

34 Any other ideas.

35

36 (Laughter)

37

38 CHAIRMAN ADAMS: Mr. Chairman.

39

40 ACTING CHAIR BANGS: Mr. Adams.

41

42 CHAIRMAN ADAMS: When was the last time
43 we were in Yakutat.

44

45 ACTING CHAIR BANGS: That's an option
46 then. Yeah, the budget constraints, is there a
47 difference, Mr. Larson in places that we go.

48

49 MR. LARSON: I would forward that
50 request to OSM, their Staff, to make sure that that's

1 okay and they've said before that Yakutat was okay. I
2 do question, and maybe Bert is aware, is there lodging
3 and food availability in Yakutat in March.

4
5 CHAIRMAN ADAMS: We'll open something
6 up.

7
8 (Laughter)

9
10 ACTING CHAIR BANGS: Okay. So does
11 somebody want to make a motion or any more discussion.

12
13
14 (No comments)

15
16 ACTING CHAIR BANGS: How big is your
17 living room.

18
19 (Laughter)

20
21 CHAIRMAN ADAMS: We could hold the
22 meeting there.

23
24 (Laughter)

25
26 MR. ISAACS: What kind of reaction did
27 the Council express when it was held out at Craig,
28 Klawock's only six miles away. It's the site of the
29 first salmon cannery in Alaska.

30
31 MR. DOUVILLE: I'd rather go to Bert's
32 living room.

33
34 MR. ISAACS: Yakutat.

35
36 (Laughter)

37
38 ACTING CHAIR BANGS: Okay, well, there
39 you go.

40
41 MS. PHILLIPS: Mr. Chair.

42
43 ACTING CHAIR BANGS: Yes, Patty.

44
45 MS. PHILLIPS: I move to hold our
46 winter meeting in Yakutat February 10, 11 and 12.

47
48 ACTING CHAIR BANGS: Thank you. I'd
49 entertain a second. Do I have a second.

50

1 MR. DOUVILLE: Second.
2
3 ACTING CHAIR BANGS: Okay. It's been
4 moved and seconded to Yakutat in March?
5
6 MS. PHILLIPS: February.
7
8 MR. DOUVILLE: February.
9
10 ACTING CHAIR BANGS: February. Is it
11 doable in February, I mean there's like 10 feet of snow
12 there.
13
14 (Laughter)
15
16 CHAIRMAN ADAMS: Let me check around
17 and I'll get back to you and we'll deal with.....
18
19 MS. PHILLIPS: How about the 3rd then,
20 March 3rd.
21
22 (Pause)
23
24 MR. LARSON: Mr. Chair.
25
26 ACTING CHAIR BANGS: Robert.
27
28 MR. LARSON: The week of February 23rd
29 and March 2nd are not good for us so the week of March
30 9th, March 16th, February 16th, or February 9th, those
31 weeks are not scheduled.
32
33 ACTING CHAIR BANGS: So what do you
34 think, Patty, March 9th, 10th, 11th, we can always
35 change it at the next meeting but we need something.
36
37 MS. PHILLIPS: March 17th, 18th, 19th.
38
39 ACTING CHAIR BANGS: How does that work
40 Mr. Larson.
41
42 MR. LARSON: Those dates are open.
43
44 ACTING CHAIR BANGS: Okay, so do you
45 want to make a motion.
46
47 MS. PHILLIPS: Mr. Chair. I move to
48 hold the meeting in Yakutat March 17th, 18th, and 19th.
49
50 ACTING CHAIR BANGS: Do I have a

1 second.

2

3 MR. JACKSON: Second.

4

5 ACTING CHAIR BANGS: Okay, it's been
6 moved and seconded to have the meeting in Yakutat the
7 17th, 18th and 19th of March.

8

9 All those in favor say aye.

10

11 IN UNISON: Aye.

12

13 CHAIRMAN ADAMS: Opposed.

14

15 MR. ISAACS: Nay.

16

17 (Laughter)

18

19 ACTING CHAIR BANGS: We have one --
20 well, it still passes.

21

22

23 MR. ISAACS: No, I was just.....

24

25 ACTING CHAIR BANGS: We'll discuss
26 this.....

27

28 (Laughter)

29

30 ACTING CHAIR BANGS: We'll discuss this
31 at our next meeting and make a final decision but we
32 have a tentative meeting time.

33

34 Okay.

35

36 I guess it's time, we need to recess
37 until tomorrow morning.

38

39 Cathy.

40

41 MS. NEEDHAM: Mr. Chair. Before we
42 recess can we actually go over a list of the things
43 that we're supposed to be looking at for when we
44 reconvene, the actions that we're going to be taking
45 after our joint meeting tomorrow.

46

47 ACTING CHAIR BANGS: Yes.

48

49 Mr. Larson could you touch on those --
50 I don't even know if we have all the documents yet and

1 you'll have to bear with me regarding the State Board
2 of Fish proposals. I would like to have some Council
3 just to confirm those exact -- whatever it is we're
4 going to submit but we'll work on those as we can.

5
6 Right now we have a letter to the Board
7 on C&T determinations. That will be a cover letter
8 with the attachment of the workgroup.

9
10 There's going to be a letter to the
11 Board asking for assistance to put subsistence -- a
12 subsistence designated seat on the North Pacific
13 Fisheries Management Council.

14
15 We have two proposals to the
16 Subsistence Board. We've printed those and made a
17 distribution for you. One is to restrict the use of
18 seines and gillnets in the Klawock River. The other is
19 to specify that any steelhead taken on Prince of Wales
20 Island be marked on your permit immediately.

21
22 You'll find a letter for review for the
23 C&T determinations, that's been distributed, you'll
24 find the letter asking for the subsistence seat on the
25 North Pacific Fisheries Management Council, that's been
26 distributed to you.

27
28 I have five Board of Fisheries
29 proposals.

30
31 One is the same proposal that the
32 Council submitted earlier regarding annual limits for
33 salmon for non-residents.

34
35 The second is to close those waters
36 near Angoon and Basket Bay that the State normally
37 closes by emergency order.

38
39 The third is to ask the Board of
40 Fisheries to establish a second -- a separate amounts
41 necessary for subsistence use for the Angoon area and
42 not include that with the Juneau area.

43
44 The next is to allow the use of seines
45 and gillnets for subsistence fishing in the waters of
46 Chatham Straits.

47
48 The last is to restrict the use of
49 seines and gillnets in waters under Federal jurisdiction
50 in Klawock.

1 We've amended the annual report. There
2 are three additional items.

3
4 One is regarding Council support by
5 OSM. There's a lack of.

6
7 The other is to include a request for
8 support of a meeting of the Chairs prior to the Board
9 meetings.

10
11 The other is to raise the issue of a
12 designated subsistence seat on the North Pacific
13 Fisheries Management Council.

14
15 The Council supported the tribal
16 consultation guidelines as listed in the Council book.

17
18 And, lastly, the Council's invited
19 representatives of the Fish and Wildlife Service to
20 provide additional information regarding sea otters at
21 their fall meeting.

22
23 MS. PHILLIPS: That's a big list.

24
25 ACTING CHAIR BANGS: Thank you.

26
27 Okay. If we can get a hold of some of
28 the documents later today or if we can get them in the
29 morning or.....

30
31 MR. LARSON: Mr. Chair. We will work
32 on the State Board of Fish proposals. You have the
33 other documents. I will work on the annual report and
34 the State Board of Fish proposals. You will have
35 something by tomorrow.

36
37 ACTING CHAIR BANGS: Thank you.

38
39 Okay. Any other comments so we can
40 recess until tomorrow morning. What time is the joint
41 session, I think the joint session starts at 8:00
42 o'clock in that room.

43
44 MR. LARSON: Yes.

45
46 ACTING CHAIR BANGS: Okay.

47
48 MR. LARSON: It's in the other room and
49 we have a time certain presentation at 8:00 o'clock
50 tomorrow.

1 ACTING CHAIR BANGS: Okay, thank you,
2 let's recess.

3

4 (Off record)

5

6 (PROCEEDINGS TO BE CONTINUED)

