

1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

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9 VOLUME III

10
11 Ted Ferry Civic Center
12 Ketchikan, Alaska

13
14 March 14, 2013
15 8:00 a.m.

16
17 COUNCIL MEMBERS PRESENT:

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

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35 Regional Council Coordinator - Robert Larson

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45 Recorded and transcribed by:

46
47 Computer Matrix Court Reporters, LLC
48 135 Christensen Drive, Suite 2
49 Anchorage, AK 99501
50 907-243-0668/sahile@gci.net

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P R O C E E D I N G S

(Ketchikan, Alaska - 3/14/2013)

(On record)

CHAIRMAN ADAMS: Okay, folks. It looks like everybody is in their seats, so we'll go ahead and get started. Welcome. I trust everyone had a real good dinner last night and a good night's rest and we're ready to go.

I think we want to finish up the rural determination process review.

MR. ISAACS: We'll see you guys.

CHAIRMAN ADAMS: Are they really going? Bring us some too.

MR. KOOKESH: We can't hear you.

(Laughter)

CHAIRMAN ADAMS: So reaching 5:30 or so before we recessed yesterday we could tell it was getting kind of laborsome on our brains and our resolve, so we thought it would be a good idea to have you think it over a little bit more and we'd bring this up this morning to finish up the discussion. So what's the Council's wish on this particular issue.

Any comments.

I don't think we need to have any action items, so just a matter of discussion. What we need to do is just finish it up.

Mr. Bangs.

MR. BANGS: Thank you, Mr. Chairman. Reading through the methods that are used to make rural determination, to me, in my mind, don't seem to fit the actual -- they don't reflect the needs of subsistence users. When we're making these decisions on population, it doesn't help subsistence users at all. To me, it just seems like an odd way to go about it. I understand if you can go to Wal-Mart or whatever, but it still doesn't change subsistence uses or the needs of the people that maybe live in a populated area.

1 That's just a thought that's bothered
2 me is that we're making determinations that affect
3 subsistence users by using population as a means.

4
5 Thank you.

6
7 CHAIRMAN ADAMS: Frank.

8
9 MR. WRIGHT: Thank you, Mr. Chair. I
10 agree with Mr. Bangs. I was thinking about this
11 yesterday and I think the community that was deleted as
12 being rural was here before, Ketchikan was here, and
13 that was -- to determine they're the same as Ketchikan
14 I believe is wrong because a community is a community.
15 Their names are separate. They may be connected by
16 road, but I believe there's a completely different
17 culture in Saxman, so they're obviously different and
18 the culture of the people are unique to Southeast. I'm
19 a Tlingit, they're a Tlingit, but we're in a different
20 region. To deny them to exist as a people just because
21 someone made a rule that they're connected by roads is
22 wrong.

23
24 I feel the same way when the Tlingit
25 people were in Sitka before the Russians even came. To
26 me it's just wrong because you cannot deny a people
27 their existence just because someone in Congress or
28 whoever made these rules made rules because you do not
29 eliminate a person -- we do not eliminate people
30 because of someone writing something down.

31
32 Gunalcheesh.

33
34 CHAIRMAN ADAMS: Mr. Kookesh.

35
36 MR. KOOKESH: If you look at the rural
37 determination, it was like the rule was written by only
38 one party. There wasn't two sides to it. The
39 agreement was only one-sided. That's my comment.

40
41 CHAIRMAN ADAMS: And a good point. I
42 think lack of consultation with the people involved is
43 missing there.

44
45 Anyone else.

46
47 Ken, go ahead.

48
49 MR. JACKSON: Thank you, Mr. Chairman.
50 Looking at this as a new member and thinking about it,

1 I understand that Saxman has been on the block before
2 and everyone has talked about it, but it looks like
3 there's more to this than just a census. People
4 separating rural and nonrural because of the number of
5 people that are in there. I think we're going to have
6 to go back more to characteristics, geographics and the
7 multiple users.

8
9 I know the State looks at it as
10 everybody is subsistence, everyone is subsistence
11 users. At some point possibly that's going to happen,
12 but right now rural is being defined by 2,500 to 7,000
13 and I think that the characteristics of Saxman and
14 possibly other communities that we haven't discussed
15 seem to be ignored, but the characteristics of people
16 in those village or communities using subsistence has
17 never changed. Since time immemorial they've been
18 going out to get seaweed, seal and whatever fish.

19
20 I too would like to see probably more
21 study on characteristics rather than go by the census.
22 I think it's going to take some time. I know the book
23 talks about five years, but it may take more than that
24 and we may not even get it right, but at least I'm
25 happy for this Council looking at this and I'm happy to
26 be part of it.

27
28 Thanks.

29
30 CHAIRMAN ADAMS: Thank you, Mr.
31 Jackson.

32
33 Next.

34
35 MR. HERNANDEZ: Thank you, Mr.
36 Chairman. Just a few of my thoughts on the
37 determination here. I guess first of all Mr. Jackson
38 had some really perceptive points there for being new
39 on the Council. I kind of agree with him
40 wholeheartedly that the census numbers shouldn't be
41 that hard and fast. The determination kind of
42 acknowledges that, saying that rural characteristics
43 should be considered, yet I don't see any really hard
44 and fast criteria for how to determine what these rural
45 characteristics are.

46
47 I read through the briefing paper on
48 the whole issue and it seems like they're trying to
49 base what's rural on some notions that really don't
50 apply at all to Alaska's situation. We don't have

1 urban communities with scattered rural areas around it
2 of farms and ranches, you know, that they seem to look
3 for that as some kind of definition of rural. There is
4 not a lot of land base where people can live in
5 surrounding areas. We're kind of concentrated and
6 people in these larger communities can live this rural
7 lifestyle. Population is not a good indicator. Yet,
8 if you're going to apply these rural characteristics,
9 how is it going to be done. It's very uncertain to me.
10

11 I think if you're going to go that
12 route, I think the Board in making the determinations
13 has to look to the local Councils on determining those.
14 I think we really need to see a lot of deference to the
15 Councils who really know the area and know the
16 characteristics better than anybody because it's really
17 hard to do any kind of a quantitative analysis of what
18 these characteristics are. It's just something that we
19 know. If they don't give a lot of deference to the
20 Councils on that, it's just not going to work very
21 well.
22

23 The aggregation of communities, pretty
24 much the same issue. I don't think their criteria
25 really are very valid in how they determine that. The
26 knowledge of the Councils should have a lot of
27 influence over that whole process and I hope that's how
28 it goes forward.
29

30 CHAIRMAN ADAMS: Before Larson gets
31 online I'd just like to make a comment too. I remember
32 several years ago this issue of population came up and
33 I don't know whether you're going to address that or
34 not, but I seem to remember that it came back to us and
35 -- well, I think I'll go ahead and let you do it
36 because I think you can probably bring up those issues
37 a lot better than my memory recalls right now.
38

39 MR. LARSON: Thank you, Mr. Chair. I
40 just wanted to remind the Council of previous actions
41 regarding this discussion. The Council members that
42 were in your positions the last time we discussed rural
43 determinations had the same concerns about population
44 size being used as a determining factor for whether a
45 community is rural in nature or not. They wrote a
46 letter to the Secretary recommending the range,
47 population size that could be considered rural be
48 expanded to 11,000. Now that letter is still on the
49 Secretary's desk and he has not responded to that.
50

1 The last I checked on that letter, that
2 will be part of a discussion regarding this issue on
3 this round whether or not they wanted to change the
4 population size to 11,000 based on the Council's
5 letter. So that's still on the desk and it's still a
6 valid question. I can't, of course, tell you when
7 we're going to hear back on that, but when we do
8 everybody will know. There was a letter and it's still
9 valid and it's still at the Secretary's Office, so we
10 will hear back more about that.

11

12 Thank you.

13

14 CHAIRMAN ADAMS: Thank you, Robert.
15 You addressed the exact issue that was in the back of
16 my mind. Ken brought up the issue of characteristics
17 of a community and replacing that with population
18 criteria and so forth. I think a lot of work has
19 already been done. You know, Saxman, when they were
20 doing an RFR, and I think Dan Monteith helped with that
21 report and everything. If you look at the reports
22 about Saxman and then they talked about Ketchikan.
23 This characteristic issue was discussed in there. I
24 think that should really come to the surface and be one
25 of the guiding factors about whether a community should
26 be rural or not.

27

28 Mr. Kitka, please.

29

30 MR. KITKA: Thank you, Mr. Chair. I
31 know that a lot of discussion is going to happen on
32 this rural determination. I really would like to kind
33 of withhold what I have to say about what I feel about
34 this until the tribes weigh in on this. The
35 consultation that's started has gone before the tribes,
36 at least I hope it has. I know I took it to the Sitka
37 Tribe and I started pushing this. I took it to the
38 city assembly of Sitka and gave them the information
39 and the things to look at. I assume a lot of the
40 communities are looking at it that way with the
41 consultation process. They're going to really open our
42 eyes to a different point of view on this. I might
43 want to weigh my thoughts on it a little different
44 until that happens. Hopefully the tribes will come
45 through and tell us what they want.

46

47 CHAIRMAN ADAMS: I think that's a good
48 point, Harvey.

49

50 Anyone else like to make a comment.

1 Tim.

2

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

4 I find it very interesting that in this time and day
5 that the Federal government comes up with this in
6 particular when you could go back let's say 200 years
7 ago. Why didn't they start thinking about making it
8 back then. Why wait until the population increases.
9 The fishing was a big draw, the logging was a big draw.

10

11

12 The village of Saxman didn't ask for
13 this city to be built here. I would like to think that
14 they're grandfathered in regardless of what the
15 population is. Prince of Wales is a close proximity.
16 You can get on the ferry and come over here and go to
17 Safeway or whatever. Why subject them when you could
18 subject Prince of Wales because they're in close
19 proximity.

20

21 Mr. Arriola, what did he spend, \$425
22 for six fish? That's my whole budget for subsistence
23 fishing for the whole summer for fuel with a 16-foot
24 skiff. It's really expensive to purchase fish in that
25 sense when he could go out or some other provider could
26 go out and fish and give him some fish. It would be a
27 lot more economically feasible for them. They'd be
28 able to maintain their diet that these folks have had
29 for thousands, 20,000 years or whatever they've been on
30 the Southeast here. You can't change their diets
31 regardless. We're all not going to be eating out of
32 Safeway and paying \$20 a pound for sockeye. Halibut is
33 \$25 a pound where I come from.

34

35 We can't afford that.

36

37 Thanks.

38

39 CHAIRMAN ADAMS: Thank you, Tim.

40

41 Aaron.

42

43 MR. ISAACS: Thank you, Mr. Chairman.
44 To me the word rural is so arbitrary, almost coupled
45 with the word subsistence. You read the definition of
46 subsistence and it's a way of life that some legislator
47 came up with, but to us it's the gathering of food, the
48 preparation of the food, the storing of the food. Now
49 they come up with rural and it's based on numbers and
50 it's been said by several people now that our Tlingit-

1 Haida people were here so many years before, before
2 this subject even came up.

3

4 I read a lot of history on our Tlingit
5 and Haida people and never once have I heard the words
6 rural or subsistence. You have to pardon my voice.
7 I'm still recovering from a bit of a stroke last
8 October. I hope though that there's some way we could
9 get around just the word itself to include places like
10 Saxman. These people, you know, they're still living
11 the lifestyle that their grandparents lived and I think
12 it's unfair to them.

13

14 Thank you.

15

16 CHAIRMAN ADAMS: Thank you, Mr. Isaacs.

17

18 Mr. Douville.

19

20 MR. DOUVILLE: Thank you, Chairman. I
21 might be missing something here, but we've been down
22 this trail before almost 10 years ago or whatever it
23 was. We've always stood rock solid behind Saxman being
24 rural. We've stated that many times in letters. We're
25 doing the same thing here. This Council has always
26 supported. We've made our stand. We've already said
27 that numerous times, so what are we doing here. This
28 Council's mind and opinion hasn't changed, but we're
29 revisiting this subject again. We've already made it
30 quite clear how we feel. I mean there's stacks of
31 testimony and letters that we wrote.

32

33 CHAIRMAN ADAMS: Yes. I was making
34 reference to those earlier too, Mike, and I just
35 couldn't remember them. I agree with you. Maybe we
36 ought to just go ahead and wind this up right now, but
37 here's what I think I need to do and I think some of
38 you Council members have the same views. We need to
39 try and make a movement to separate Saxman from
40 Ketchikan and then go from there. I think we need to -
41 - if it would be well to send a letter to the Secretary
42 requesting when are we going to get a response back to
43 the letter that's sitting on their desk and they
44 haven't responded to yet.

45

46 Anyhow, go ahead, Patty.

47

48 MS. PHILLIPS: Thank you, Chairman
49 Adams. Again, the policies and regulations that we
50 follow are mimicked from the State procedures. The

1 reason it went through a review is the Native tribes
2 were saying that, and others were saying that they
3 didn't really represent certain aspects of rural. So
4 when State regs were made, I don't know when the State
5 regs were made, but they were made with limited
6 involvement by Alaska Native people and rural people
7 for that matter because the legislature is based on
8 population. So, you know, look at Southeast. Our
9 representation is diminished because of our population.
10 Rules and regulations are made at the State Legislature
11 and through the Board of Fish process that now 20 years
12 ago we implemented as our regulations.

13

14 I told you people this before that the
15 average education of Alaska Native from the villages
16 was less than an 8th grade education. We have a hard
17 enough time trying to follow this process that you have
18 to follow, so you go back in time and they're supposed
19 to follow a process that hasn't even been explained to
20 them and try to represent. They just went and lived
21 their way of life. They didn't have to put it on paper
22 and document what they got to do.

23

24 ANILCA says we are to protect the
25 subsistence way of life. Saxman exhibits the cultural
26 aspects of an Alaskan Native community that have
27 practiced that subsistence way of life. This program
28 should have been protecting it knowing that it was
29 being surrounded by an ever-increasing population.
30 Instead it just said, well, the easy way is to just
31 meld it right in and say we're not going to go into the
32 community and see what the actual cultural aspects are.
33 We're just going to lump it into an aggregate. If we
34 could somehow separate that, tease that out of this, I
35 think we would find some more of a positive step in the
36 right direction.

37

38 Thank you, Mr. Chair.

39

40 CHAIRMAN ADAMS: Jack, do you have
41 something to add to the subject.

42

43 MR. LORRIGAN: Thank you, Mr. Chair.
44 In order to help the Council, there's specific
45 questions that the Board was asking for you to mull
46 over. It was population threshold, the rural
47 characteristic, the aggregation of communities, the
48 timelines and the information sources. In your
49 deliberations, I think those are the specific criteria
50 the Board is looking for answers to. In an effort to

1 bring the Council to a cohesive thought process, I
2 thought I'd reiterate those for you because those are
3 the things that the Board was asking you to think
4 about.

5
6 CHAIRMAN ADAMS: Thank you, Jack.
7 We've pretty much discussed the population thing to
8 death here today and we've gone over, as mentioned
9 before, the aggregation issue. Some of us feel, you
10 know, that the characteristics of the communities need
11 to be the deciding factor of whether a community is
12 rural or not.

13
14 Anyhow, thank you. Unless there's
15 anything else.

16
17 Okay.

18
19 Cathy, go ahead.

20
21 MS. NEEDHAM: Thank you, Mr. Chair. I
22 appreciate Jack coming up and bringing this point
23 because some of my comments from reading the materials
24 that we got in our book is -- I've gone through this
25 news release where I think the Federal Subsistence
26 Board is asking and I think I heard this from Jack's
27 presentation yesterday that they're asking the Regional
28 Advisory Councils to really weigh in on these
29 questions.

30
31 I think from the testimony that even
32 we've heard just at this meeting we could actually go
33 in and put in some very strong recommendation or our
34 opinions on each of the questions. There's nine of
35 them. I kind of penciled them out when Mr. Lee Wallace
36 was testifying yesterday. We have years worth of
37 testimony that we've received on the issue, not just
38 for Saxman, but just the region as a whole and I think
39 we need to address it as a region as a whole so that
40 the next community after Saxman that maybe potentially
41 heard the way this process is currently being reviewed
42 and proposed that we can put that in our recommendation
43 letter back to them.

44
45 We have time, obviously. The deadline
46 isn't until November 1st, but if we think about our
47 fall meeting and the amount of proposal work that we
48 may have and other issues that we have on the table, I
49 think we would be well ahead of ourselves if we think
50 about right now at least drafting up some of these key

1 points for the nine questions that are there and get
2 them down on paper so we don't forget and have to have
3 a lot of the discussion all over again. Most of the
4 stuff that we're hearing now are things that have been
5 reiterated and reiterated after each meeting.

6

7 I think in that recommendation we
8 really also need to make a very strong point about the
9 deference to the Regional Advisory Council and that
10 should probably be our first and foremost point back in
11 terms of the processes that we expect that.

12

13 Thank you.

14

15 CHAIRMAN ADAMS: Thank you for putting
16 that in perspective for us. Appreciate it. Like you
17 said, we've got until our next meeting to come up with
18 something that we can put together with a lot of teeth
19 in it.

20

21 Robert.

22

23 MR. LARSON: Mr. Chairman, thank you.
24 I know that myself and the Federal Subsistence Program
25 greatly appreciates the quality of work that was done
26 by the C&T workgroup in order to evaluate these fairly
27 complex issues between Council meetings. I suggested
28 that was a very worthwhile project and the people
29 involved in that should be commended.

30

31 I'm thinking that this question is
32 similarly complex and would benefit from a formation of
33 a workgroup to bring a product back to the Council at
34 their fall meeting for final action, one that truly
35 reflects the will of the Council and is well through
36 out and really is something that could be acted on by
37 the Board and the Secretaries. So that would be my
38 suggestion.

39

40 Thank you.

41

42 CHAIRMAN ADAMS: I was kind of thinking
43 the same thing is maybe we ought to form a work group
44 to work on this until the next meeting and we'll have
45 something pretty good. Would you like to take charge
46 of that committee?

47

48 MR. BANGS: Sure.

49

50 CHAIRMAN ADAMS: Okay. And then you

1 can choose whomever you want to help you.

2

3

Okay.

4

5

Patty, go ahead.

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MS. PHILLIPS: Thank you, Chairman Adams. Council person Needham, are you willing to share those key points that you jotted down so that we have something to think about over these next several months?

MS. NEEDHAM: Absolutely. Right now?

(Laughter)

MS. PHILLIPS: (Nods affirmatively)

MS. NEEDHAM: All right. I think if you just go through the questions, population threshold, some of the discussion that we've heard in the deliberations a moment ago, some of the key points I pointed out, I know that this 11,000.....

MR. HERNANDEZ: What page?

MS. NEEDHAM: Oh, Page 125 in the book. Question No. 1 is asking about the population thresholds and I wanted to make sure that some of the discussion about the 11,000 was brought back because that was put on the table before I was a Council member and it was something that was discussed before then, but I think this Council had very specific comments about that particular threshold. Right now it reads 7,000 and if 11,000 is a better number if we're actually going to use numbers. That was that point. Again, though, the Council may not want a number. That's the other option on that aspect thing.

On Page 126, rural characteristics, it asks are these characteristics useful for determining whether a specific area of Alaska is rural? I think something that's left out of those rural characteristics that we heard about is whether or not a Federally recognized tribe is present. I think Mr. Lee Wallace brought that up and Mr. Richard Jackson brought up the ANB Camp and whether or not they had their own - like Saxman has their own ANB Camp associated with it and I think that could be considered and included at some point.

1 Aggregation of communities. I didn't
2 have specific things that came out of any of the
3 testimony just yesterday, but I know that I've heard in
4 the past talking about some of this commuting, people
5 who were commuting to work 30 percent, so I want to
6 know what distance they used in terms of high school
7 attendance. When I looked through all of these things
8 and thought about Saxman as the example -- and, you
9 know, it says do they share a common high school
10 attendance area, I thought that was really the only
11 thing that Saxman really didn't have. So I was
12 thinking, oh, maybe Saxman needs just to get a high
13 school and then they'd fit all the things.

14

15 (Laughter)

16

17 MS. NEEDHAM: So I had more questions
18 about that one than I had actual comments that we could
19 put in in terms of support, but I think if we went
20 through the transcripts or even talked to some of the
21 communities affected by this, we could narrow more
22 things down on there.

23

24 Timelines, number 7. Should the Board
25 review rural determinations on a 10-year cycle? We've
26 heard specifically from Mr. Lee Wallace about what a
27 hardship that is on the community, the leaders that are
28 trying to deal with this issue and the amount of time
29 that they've expended and I think we can specifically
30 reference what he talked about in terms of how he would
31 rather be working for other things on his community and
32 is just sucked into this issue year after year.

33

34 Information sources. Again, Federally
35 recognized tribes should be included in that aspect of
36 it when it asks if there are additional sources that
37 could be beneficial for use.

38

39 Aside from that, if we're going to have
40 a work group, I think some things that the work group
41 can look at is if the work group has access to the past
42 testimony, if Staff could help them put that together
43 like they did the C&T work group. I think they could
44 actually pull very specific bullet items out of there
45 and I think we shouldn't just make this argument based
46 on Saxman as an example. We should think about the
47 other communities that this might affect along the line
48 like Mr. Kitka brought up and pull some of that
49 testimony that's come out from even Sitka in the past
50 and use that as well.

1 I think that was pretty much it.

2

3 CHAIRMAN ADAMS: Thank you.

4

5 Mr. Bangs.

6

7 MR. BANGS: Thank you, Mr. Chair. I
8 think Cathy just agreed to be part of the committee.

9

10 (Laughter)

11

12 CHAIRMAN ADAMS: A good way to recruit
13 people. Unless there's anything else we'll stop the
14 discussion on this. The workgroup will come up with
15 some pretty good plans for the next meeting for us to
16 consider, so we'll go ahead and end this discussion.
17 In regards to that, I want to do some public testimony
18 at this time. Dan Monteith and Lee Wallace, both on
19 the same subject, so if you both would like to come up
20 to the table. The time is all yours for a little
21 while.

22

23 MR. WALLACE: Thank you, Chair, and
24 thank you, Council. Thank you, Cathy and thank you,
25 Jack, for bringing this back to where it should be.
26 The reason we're here is because some years ago it was
27 deemed that subsistence is broken. Part of that
28 brokenness was a whole list of items and one of them was
29 this awful decision of Saxman, so that's why we're
30 here. With the review process with Robert Jenkins
31 meeting with the FSB last year basically the discussion
32 was that this will be a process for rural determination
33 from the ground up.

34

35 So here we are in the community of
36 Ketchikan and you have representatives from Saxman,
37 which is on the block because they -- for the most
38 part, I'm really thankful they made a stay on the
39 decision. It was a fair thing to do. Throughout this
40 whole process I'd have tribal citizens coming to me and
41 they'd say, well, Lee, are we rural, do we have --
42 could we go out and rural hunt and fish. I said, yes,
43 we still have our rural status. It's in question, but
44 the bottom line is we're still rural. The thoughts I
45 had go back and repeat.

46

47 When I read through the first bullet
48 point, population threshold, a community or area with a
49 population below 2,500 will be considered rural.
50 That's with a big period. To strengthen that, I think

1 there could be some language brought in that was
2 mentioned about the characteristics that we have in
3 Saxman. We do have a viable Federally recognized
4 tribe, the Saxman IRA Council. We have our own city
5 government, which is a municipal government.

6
7 Maybe the definition of a -- I better
8 term it as a village of Saxman, like the many different
9 villages throughout Alaska. Definitely there's history
10 of the settlement of the village of Saxman and it's
11 been predominantly the Saanyaa Kwaan people that
12 populated the area. Other characteristics, like been
13 mentioned, we have our own ANB Camp. Probably the most
14 prevalent is -- I mean if you're looking at the
15 population threshold, currently it's 411 from the 2010
16 census. The 2000 census it was 431, so the population
17 went down. Again, predominantly it's Alaska Native
18 American Indians in the village of Saxman.

19
20 So if you look at the next level of
21 threshold that's mentioned is 2,500 to 7,000, we'd have
22 to grow 20 fold to get to that threshold of 7,000. I
23 do recall the letter going out to maybe have the
24 consideration of 11,000 as a threshold, so then you'd
25 even be talking more if that ever came about.

26
27 I think what I'd like to see is the
28 first ends -- it ends with is rural period. So if we
29 finally define and reference the population below
30 2,500, like 411, like many other small villages, it
31 would end the process. It would say, okay, you go
32 through a flow chart and then if you go through this
33 other determination process, then, yeah, when you get
34 to 2,500, 7,000 or 11,000, yeah, then you'll have
35 further examination of a community to determine whether
36 it's rural or not. I think if we focus on that it
37 might just end the whole thing.

38
39 So the first questions, like it says,
40 are these population threshold guidelines useful for
41 determining whether a specific
42 area of Alaska is rural, and the answer is no and yes.
43 It may be yes for different parts of Alaska, but for
44 our region it's probably no, but maybe we could have
45 further discussions on coming up with answering of all
46 these questions.

47
48 The second, if they are not, please
49 provide population size(s) to distinguish between rural
50 and nonrural areas, and the reasons for the population

1 size you believe more accurately
2 reflects rural and nonrural areas in Alaska. So we've
3 just simply go through those questions and come up with
4 something that can be useful. The same thing with
5 rural characteristics. I think we kind of briefly
6 mentioned those already.

7
8 My strong point is aggregation of
9 communities and that's what happened with this last
10 determination and the whole process. They said let's
11 aggregate them because we're so close, but they
12 shouldn't aggregate us. When you look at the first
13 bold thing, the population thresholds, under that item
14 we clearly define the differences of why Saxman is
15 different than these other areas.

16
17 What I seen in the last go round they
18 talked about the aggregation of areas, they talked
19 about subdivisions, neighborhoods, enclaves and Saxman
20 isn't any one of those things. It's not an enclave,
21 it's not a neighborhood, it's not a subdivision. It's
22 its own village and its own municipal government and we
23 have our own Federally recognized tribe that is very
24 active. Those are some of the things in argument
25 against the aggregation.

26
27 I brought up in testimony I think
28 before the new members came on this Council is Saxman
29 had an ANA grant and it was to define what we really
30 wanted in our village. One of the top things that
31 floated to the top was a school. In discussions we had
32 throughout the community and the community included the
33 city of Saxman, Cape Fox Corporation and there's
34 another you could add on to the characteristics of a
35 village community, that we do have an ANCSA village
36 corporation right in our community.

37
38 What floated to the top was not only a
39 school, it was a K-12 charter school. All of our
40 children are bussed off to school in the Ketchikan
41 area. As noted in history, the founding of Saxman was
42 for a number of villages in the area to move into one
43 area so they could have education and the old school
44 building still stands. It's one of the historical
45 buildings in the community of Saxman. At one point it
46 ceased to be a school. Then it became -- it was
47 actually the property of the tribe at one point, the
48 IRA. At one point the IRA wasn't active. That's when
49 probably the State started becoming active, so then you
50 had the municipal government of Saxman form, so then

1 you had the city of Saxman. My understanding with the
2 history is the tribe relinquished the building and all
3 the land in Saxman to the municipality. There's a
4 little history there.

5
6 The emphasis on the school was because
7 all of our children are bussed off to Ketchikan, which
8 we deem as nonrural and in that school system we are
9 the minority. The thoughts and studies is that, okay,
10 we are the minority and we have a different learning
11 style, so success rates of our children is a high
12 drop-out rate in the region. It's the same issue that
13 faces the Juneau district with the high drop-out rate
14 of our American Indians, Alaska Native students.

15
16 So the emphasis that we want to go down
17 and we're going to still pursue it is a charter school
18 with the emphasis on our Native education and our
19 learning style, which is very different. So that's
20 part of the timelines. I stated earlier about the
21 10-year cycle. That's something that some agency or
22 agency Staff dreamed up. Let's revisit this every 10
23 years. If you look at maybe the population of the
24 rural areas throughout Alaska, a lot of them hasn't
25 really changed. Throughout the timeline of Alaska,
26 your big urban centers, like Anchorage and Fairbanks,
27 they changed with the influx of industry, the oil
28 industry, but as a whole a lot of our villages haven't
29 seen a big change. Not a drastic change.

30
31 Like I say, a few years ago and maybe
32 still current times we were alarmed of high cost of
33 fuel for villages in the rural areas to operate
34 electricity and heating. There seemed to be a
35 migration from the village to the urban centers and
36 that was a concern for village leaders, losing their
37 people to a larger area. I don't think the 10-year
38 cycle is really necessary. That's something again we
39 could be discussing further down the road.

40
41 Then you go onto information sources.
42 8 and 9 you have thinking about other things that may
43 fit for decision-making. But I think -- I'm glad you
44 guys are here and I'm glad you decided to have some
45 discussion. Yes, the timeline is the end of November
46 and here we are in March, but we're coming up on spring
47 and summer and early fall activities of fishing and
48 gathering, so really a timeline is very short, so I'm
49 glad we're taking that time to start this process.

50

1 With that I'll end and Dr. Monteith is
2 on board to assist us. He was with us with the RFR
3 along with Carol Daniels from AFN, so we're really
4 grateful to have Dan Monteith assist us in this whole
5 process also. So I'll end with that and I'll give the
6 mic to Dan.

7
8 DR. MONTEITH: Gunalcheesh. Chair.
9 Council. Thank you for this opportunity and time.
10 I'll try and be brief on some specific questions. On
11 Tuesday I said some pretty harsh words about the
12 scientist and it being bad science. Maybe in a Tlingit
13 sort of way I want to apologize, but also talk about my
14 qualifications for the record. Sorry, Council, I don't
15 want to take a lot of time, but 30 years ago I took two
16 different paths. One was to come to Alaska to be
17 involved with fishing and pay my way through school.

18
19 The second one, as a kid growing up in
20 Seattle, I applied to the University of Washington and
21 I thought I'd look around for what's a really good
22 school in anthropology. I was interested in
23 anthropology. In those days you didn't surf the web.
24 We all know they were called catalogs. The best school
25 in the country was the University of Chicago. I feel
26 very blessed to have that background. That's where I
27 got a bachelor's and master's degree.

28
29 That education was similar to the
30 education I've gotten from Tlingit elders, from people
31 like Amy Marvin and Richard Dalton, Sr. From folks
32 like Austin Hammond, from folks like Angoon Kwaan,
33 gunalcheesh, Lydia George, Jimmy George, Robert
34 Willard, who I mentioned on Tuesday, and others from
35 Matthew Fred, from Herman Kitka, Mark Jacobs, from so
36 many others.

37
38 I got my masters and I did a master's
39 thesis on commercial fishing in Bristol Bay. My mentor
40 said you're a little bit applied for the ivory towers
41 here of University of Chicago and I studied with some
42 of the big names there. I went on to Michigan State,
43 which is one of the top programs now in public
44 anthropology. As I've told you, I've been in Southeast
45 Alaska for over 23 years. Resident anthropologist.
46 That's a lot of hard work some days 7/24
47 anthropologist. I celebrate the births of new children
48 with you and I go to the ku.eex' and mourn the death of
49 our elders with you.

50

1 I now have the great opportunity of
2 working with the young people. The young people who
3 will be the leaders, the educators and the cultural
4 bearers of tomorrow. The Mary Follettis of Haines.
5 The Mr. James Young from Hoonah. Reanna Kookesh and
6 Conrad Frank from Angoon. Many others. I could go
7 down the list and look at all the different
8 communities. Robert Wolf from Craig and Klawock.

9
10 So I say these things with some
11 background in two worlds and I want to offer up my
12 assistance and work with, if I can, the committee on
13 developing some ideas because sometimes even good
14 science is not enough. There's politics involved of
15 course.

16
17 So let me get to a few specific
18 comments. They've already been touched on, but some
19 ideas to think about and some issues and I'll try and
20 be very brief so you can go on. I know it's the last
21 day and we all need to move on.

22
23 CHAIRMAN ADAMS: Dr. Monteith.

24
25 DR. MONTEITH: Yes.

26
27 CHAIRMAN ADAMS: Before you go on to
28 that I want to remind you and everyone else too that
29 you came to Yakutat to participate in some Gunaxoo
30 Kwaan programs.

31
32 DR. MONTEITH: Gunalcheesh. Bert Adams
33 and George Ramos and Elaine Abrams has done so much and
34 I appreciate their work. Now working with some of
35 their students, Amanda Bremner and Gloria Anderstrom
36 and so forth. Gunalcheesh.

37
38 CHAIRMAN ADAMS: Just as an
39 afterthought, you know, we're not done with that
40 program and there's probably a lot of work that we can
41 probably assign to you when we start that process.

42
43 DR. MONTEITH: I'm looking forward to
44 it. Keep me busy and I'll keep our young people busy.
45 I love helping empower them to work on these things so
46 that someday they can be the one up here doing this and
47 Lee and I can set sail or something and go on vacation.

48
49 (Laughter)

50

1 DR. MONTEITH: I think the 10-year
2 thing, I'll start from the very end, the 10-year
3 timeline is just one of those things to wear down small
4 rural Alaska Native communities and just keep hitting
5 them again and again. A strong recommendation on
6 communities that are small and have a solid
7 representation eliminate that because, as you heard
8 from Lee and community of Saxman, it costs a lot of
9 time, money and effort.

10
11 Jumping to the front on population
12 thresholds, enough has been said and I think it's kind
13 of weak. It's numbers and we can move on.

14
15 Rural characteristics. I liked what
16 Ken had to say, Mr. Jackson. I think the Federal
17 Subsistence Board really needs to move towards some
18 qualitative, non-quantitative kind of look at the
19 characteristics. Even in there they have their own
20 kind of prompts. Fish and Wildlife, economics. I
21 wouldn't say development and diversity, but I would
22 just say economics of a community. Community
23 infrastructure. On community infrastructure, of
24 course, we all know that it should have been a slam
25 dunk for Saxman. Their own IRA, their own Tlingit and
26 Haida chapter, their own ANB/ANS Camp, so forth and so
27 on. So many ways that they express their own separate
28 identity.

29
30 That's true throughout Southeast Alaska
31 and that will always be true for each of the different
32 Native communities and that's a deep historical
33 tradition that goes back to clans and kwaans, time
34 immemorial. So I think that needs to be a key
35 component, that historical part. Each one of these
36 communities, Sitka, no doubt incredible aspect for
37 them.

38
39 The aggregate material I think is just
40 totally out of whack and there needs to be a lot done
41 on this. A lot of this material and the strong science
42 in this was actually developed for the Kenai Peninsula.
43 The Kenai Peninsula is a very different place than
44 Southeast Alaska. Roads and you can drive from
45 wherever to the Kenai Peninsula to most of these
46 communities. You can't do that in Southeast. We're
47 much more isolated. A much different thing.

48
49 Commuting, all those different things,
50 there's a variety of things we're going to look at in

1 terms of work for the people of Saxman. One of the
2 issues on work where they're thinking of going away
3 from commuting and work and going in a new direction
4 with that, when you look at many Alaska Native and just
5 rural subsistence communities, many folks go outside of
6 their community to work, you know. Summertime
7 employment or other things.

8
9 As Floyd was saying, there's not a lot
10 of jobs in many small communities. Many folks work on
11 the Alaska Marine Highway or commercial fishing or so
12 forth and so on, so they go out of the community. To
13 use that as a way of saying you're not rural is
14 ethnocide. Ethnocide means a clear government policy
15 that works towards basically not literally
16 exterminating a people, but politically and
17 economically subverting, subjecting people or
18 community.

19
20 So I think there's a lot wrong with the
21 aggregate data and it's something that the Council
22 should really comment on. I think a lot of the
23 decisions, as all of you said, should really come back
24 to the Councils. You are the ones that were originally
25 empowered. That was the intent of so much of this
26 legislation and everything else that's behind the
27 Regional Advisory Council. I think in each and every
28 area of Alaska if the Federal Subsistence Board
29 listened to the RACs, it would be a much better system
30 particularly when it comes to this rural determination.
31 You guys know and I know there would be some politics
32 there, I think it wouldn't be perfect but it would be a
33 lot better.

34
35 I think that's enough for today. I
36 look forward to working, I hope, with Mike and Cathy as
37 we prepare, once again, Saxman for this future.

38
39 Thank you.

40
41 CHAIRMAN ADAMS: Thank you. Me and Dr.
42 Monteith -- I'm just getting used to calling you Dr.
43 Monteith.

44
45 DR. MONTEITH: I always look over my
46 shoulder when folks call me Dr. Monteith.

47
48 (Laughter)

49
50 DR. MONTEITH: That and a dollar will

1 get me a cup of coffee thing, I think.

2

3 CHAIRMAN ADAMS: Any questions of Lee
4 or Dr. Monteith. Comments about what they've said so
5 far. Good reports. Gunalcheesh.

6

7 MR. ACKERMAN: Mr. Chair.

8

9 CHAIRMAN ADAMS: Oh, okay. You were
10 kind of blended into Frank there. I'm sorry.

11

12 (Laughter)

13

14 CHAIRMAN ADAMS: Go ahead.

15

16 MR. ACKERMAN: Thank you, Mr. Chair.
17 In your tribal jurisdiction, at any time when you go
18 government to government with the government, right,
19 you have not waived your sovereign rights at any time,
20 right?

21

22 DR. MONTEITH: No.

23

24 MR. ACKERMAN: Okay. That's a pretty
25 interesting thing. When you have sovereignty, you
26 folks are on a government to government and then the
27 State of Alaska comes in at the bottom of the whole
28 heap there. So it's just real interesting to think. As
29 we all are assimilated into Western society as working
30 folks to see all of the rural villages leave their
31 traditional ways of bartering in the world that we knew
32 before the Western society came in and changed all of
33 the social structure that the Tlingits had in place.
34 It's real interesting to see all of this effect, all
35 these folks and the whole of Southeast here.

36

37 If you had a population -- you know, if
38 Wal-Mart and Fred Meyer moves in, then all of a sudden
39 you're not rural, is that what they're trying to do?
40 You have to adapt and get a job and go to the store and
41 buy the fish rather than go out to the sea and harvest
42 it like you've done for thousands of years. Thanks.

43

44 CHAIRMAN ADAMS: Or McDonald's.

45

46 DR. MONTEITH: I think what you said is
47 important, Tim, and a lot of this criteria here in this
48 whole process is based on old school anthropological
49 ideas. Any cultural anthropologists worth their salt
50 would say what is the definition of culture. Culture

1 is living dynamic embodied in the cultural
2 participants, you. The whole idea of culture and
3 identity are coming closer and closer together.

4
5 What is being a Tlingit today in the
6 21st century and that's a very complex question, but
7 they're using these old functionalist static notions
8 that assume that cultures are dying and the rumors of
9 their demise for Tlingit culture has been greatly
10 exaggerated and we need to kind of move them away from
11 that in terms of politics.

12
13 You know, another area is schools.
14 They say schools. Well, Saxman has tried to have their
15 own Head Start Program. They also have their own roads
16 group that they work through Federal monies that the
17 tribe can apply for. They've done their own roads.
18 They've turned away different monies and being
19 incorporated into the Borough and lost certain road
20 projects and other sorts of monies that they might be
21 eligible for. They have their own water and sewer
22 system, those sorts of things. They have fiercely
23 tried to maintain their own sort of identity and then
24 the Federal government does this.

25
26 CHAIRMAN ADAMS: More questions.

27
28 (No comments)

29
30 CHAIRMAN ADAMS: Gunalcheesh.

31
32 DR. MONTEITH: Thank you.

33
34 Thank you for your time.

35
36 MR. WALLACE: Thank you.

37
38 CHAIRMAN ADAMS: We'll go ahead and
39 take your testimony right now, ma'am. Oh, excuse me,
40 ma'am. We hear the clicking coming on and off on the
41 online telephone there, so we want to know how many
42 people are online with us right now.

43
44 I apologize for not recognizing you
45 earlier.

46
47 MR. SHARP: Dan Sharp with Bureau of
48 Land Management. Good morning.

49
50 CHAIRMAN ADAMS: Good morning.

1 MR. EVANS: Good morning. This is Tom
2 Evans with OSM.
3
4 CHAIRMAN ADAMS: Okay. Good morning.
5 Is that it?
6
7 MR. EVANS: I think Dave Jenkins is on
8 there too. He may have stepped outside of his office
9 to deal with something else, but I think he's online as
10 well.
11
12 CHAIRMAN ADAMS: Okay. Let him know
13 when he comes back in that he was recognized. Go
14 ahead, ma'am.
15
16 MS. CHURCHILL: Yesterday I introduced
17 myself in my traditional way. I'm here to speak on
18 rural status for Saxman. Also on another issue.
19
20 When I was growing up, my grandfather
21 was Tlingit and my grandmother of Haida Gwaii in the
22 Queen Charlotte Islands, British Columbia, which made
23 it unique for us when we were growing up here in
24 Ketchikan because we lived on half breed avenue.
25 Everyone else lived in the village or in the poverty
26 area, some successful Natives were able to get property
27 with friends of Norwegians and Scandinavians when it
28 wasn't a right for Indians to own property.
29
30 Now growing up, Haidas were rich in
31 seafood and on an island, therefore we were dependent
32 on seals and on bear and such. You know, over the
33 years and living with my grandpa and having a
34 smokehouse in Ketchikan, we did seal. We were known
35 for our potlatches that were held out at Saxman. We had
36 a great love for our Tlingit families. It was a very
37 diverse community. Over the years we really simulated.
38 They thought they had successfully ethnocized us.
39 However, in growing up, I learned the talent of doing
40 hides and weaving baskets and doing my food and living
41 subsistence.
42
43 Speaking on rural status for Saxman, we
44 have to get -- we're a city here in Ketchikan, but out
45 at Saxman the poverty level is very noted. However,
46 they are a rich community because of their lifestyles
47 of harvesting and gathering and providing for their
48 families in traditional manners. They're a healthier
49 society previously, but since the community house went
50 down in 2000 and the rural status had been removed, you

1 could see the society becoming obese and becoming more
2 -- as I said, mental illness and depression. I speak
3 on the hopes from the Tlingit-Haida chapter here of
4 Ketchikan that you would reconsider or put forward the
5 consideration to the Subsistence Board to reinstate
6 them as rural status.

7
8 I'm unable to do the seal for them
9 anymore because I don't have status and they don't have
10 status. You can get a certain food use permit, but I
11 have no brothers and therefore I relied on them to
12 bring me the food. Traditionally the opposite clan
13 would bring you the food, you'd smoke it up into your
14 smokehouse and then you would return it to them so that
15 they would feast and you were given more relationship,
16 you were given property, relationship transferring of
17 bartering in this manner and we grew within our own
18 wealth in a different manner than the green buck, but
19 we grew within our community as a tight relationship.
20 Without this rural status, we very seldom have the
21 potlatches that we had out there. We have turkey at
22 our meals, you know. The abundance is very tightly
23 protected because of the lack of capability of
24 providing our traditional foods. So I speak on that to
25 hope that you would pursue the rural status for Saxman.

26
27 The other concern I have is that there
28 has not been any discussion to the artisans and the
29 people of religious background that hunt sea otters.
30 Those of us that are traditional artisans -- I'm known
31 back in the Smithsonian Institute for having brought
32 pre-contact garments back. Cedar bark clothing that
33 has sea otter intertwined and woven. What our
34 descendants had woven pre-contact of any background.
35 When you go back to the Smithsonian, look up Holly
36 Churchill and you'll be my articles.

37
38 Without those available, and I live
39 here in Ketchikan, it's very difficult to acquire and
40 it's very difficult because of the regulations that are
41 put before us and I just would hope that you guys would
42 look into this issue with great spiritual interest and
43 regard to those of us that are artisans and also
44 practice our spirituality through animals.

45
46 You know, people go what do you mean by
47 that. Well, you know, one of the things that had to
48 happen is we had to go underground in our relationship
49 with our potlatching, with those particular shamanism
50 ceremonies because it's unlawful. It's still on the

1 books that it's against the law to practice those
2 rituals. Because of that we're not being outwardly
3 showing how we go about those things because of the
4 previous regard of Christian faiths that would have
5 considered us as pagans and savages as well as
6 practicing witchcraft. So we keep those closely
7 guarded. Our medicines as well as our animal
8 spirituality.

9

10 I hope that you would reconsider and
11 really look at that law on sea otters and keep it
12 within and hopefully you guys really write strong
13 against Stedman's provision of \$100 bounty again. I
14 thank you.

15

16 CHAIRMAN ADAMS: Thank you very much.

17

18 Any questions, anyone.

19

20 MS. CHURCHILL: Thanks.

21

22 CHAIRMAN ADAMS: Oh, there was a
23 question.

24

25 Go ahead, Mr. Hernandez.

26

27 MR. HERNANDEZ: You just kind of caught
28 me by surprise there, Holly. Why would you want us to
29 come out in opposition of Bert Stedman's legislation?
30 I'm just kind of curious of your opinion there if you
31 don't mind.

32

33 MS. CHURCHILL: Well, one of the things
34 is as long as it stays within First Nation's capability
35 of giving him the \$100 per pelt because one of the
36 things is that I took offense to him saying crabs and
37 cucumbers or crabs and clams have a right too. What
38 they're saying is that the divers have a right and I
39 believe divers and all the industries do have rights,
40 but when you're starting to just shoot them, you know,
41 to be shooting them and then not having a plan on what
42 is going to be done with the remains of the animal,
43 there is a total disregard to the holistic thinking of
44 spiritual existence between the animal and our human
45 relationship. I just think that, you know, when you
46 just go to take them off of the landscape that there is
47 no real plan in it and that's my reasoning behind that.

48

49 Thank you.

50

1 MR. HERNANDEZ: Thank you for that.
2 That's a good opinion that I hadn't heard before and I
3 appreciate it.

4
5 CHAIRMAN ADAMS: Any more.

6
7 Okay, Tim.

8
9 There's more, Holly. There's still
10 some more.

11
12 MS. CHURCHILL: Oh, goody.

13
14 CHAIRMAN ADAMS: They're just warming
15 up, so stay there until you're excused.

16
17 (Laughter)

18
19 MS. CHURCHILL: Oh.

20
21 MR. ACKERMAN: Thank you, Mr. Chairman.
22 One of the things that we brought up when we met with
23 Fish and Wildlife up in Anchorage was that we went back
24 to let's say pre-contact times when the Europeans
25 weren't in the whole Alexander Archipelago here. What
26 were the levels in historic times? Just to give you an
27 example of historic levels, I have a friend that was
28 trawling in Chatham back in the early '50s. He saw
29 what he thought was a big wave coming up Chatham all
30 the way across Chatham. He's in his trawler looking
31 down south Chatham there and this wave got closer and
32 closer. Pretty soon he pulled up his field glasses and
33 looked down there. What it was was thousands and
34 thousands and thousands of fur seals migrating up
35 Chatham and they took a left into Tenakee and they ate
36 on the biomass of wintertime herring there and then
37 they came back out, went up to Icy Strait and out the
38 Indian Islands and made their way north. Very
39 interesting to think. They dug up a killer whale
40 carved and it was inlaid with thousands of sea otter
41 teeth. This was down in Washington area there. But,
42 yeah, real interesting to think.

43
44 Now you remove all the fur like the
45 Russians, the English, the Americans, the British, the
46 French. They all came in and decimated the
47 populations. Now if you look in the history in Sitka
48 there, they had 80,000 furs, fur seal and sea otter, in
49 the warehouse at one time ready to get shipped out to
50 Paris, London and all other points that bought this.

1 It's very interesting to think back that you're talking
2 about on the sea otters there.

3

4 Yeah, I think you were on that canoe
5 that chased Lt. Whidbey back to Vancouver and they left
6 Point Retreat.

7

8 MS. CHURCHILL: I believe that. Thank
9 you.

10

11 CHAIRMAN ADAMS: Is there anyone else.

12

13 MR. JACKSON: Yes.

14

15 CHAIRMAN ADAMS: Go ahead, Ken.

16

17 MR. JACKSON: Holly, thank you for your
18 testimony. In and around Kake, between the bottom of
19 Kuiu Island and right toward Kake now the sea otters
20 have decimated all the crab, shrimp, everything,
21 gumboots. We have nothing. There's a lot of people
22 that are out of jobs because of these cute furry
23 animals. Traditionally this wasn't ours. In 1968 the
24 old people said Fish and Game planted some at
25 Coronation Island to help them revive the population.
26 So it's been '68 till now and Kuiu Island is a big,
27 huge island and every bay there has no crab. There is
28 nothing.

29

30 I've had friends that were trawling
31 outside of Kingsmill and those things go down over 500
32 feet, they watch them on fathometer, and they pick up
33 clams and king crab and they come up and they eat a
34 third of their weight every day.

35

36 I don't mind people using them as you
37 do for your art, but sometime here in the future -- and
38 they're already spreading up into Peril Straits, I see
39 them, and going up Chatham and all along Admiralty.
40 These things are going to clean up the biomass and that
41 is why everybody in our region says let's get rid of
42 them because they have affected everything that we do.
43 When you say Tlingit, if you take the term Tlingit, it
44 means people of the tide. Tling means tide. But we
45 have been robbed because we use -- those are
46 traditional and customary lands of ours and we're not
47 the only ones. I think Sitka is being affected now.

48

49 I appreciate your testimony but these
50 are things that are affecting us and everybody in the

1 community wants to get rid of them. I don't know one
2 person. If there are, they're probably
3 environmentalists, but for us that live the traditional
4 and customary life, they've decimated everything. The
5 crabbers don't even -- you know. And most of them are
6 from Petersburg. We used to have like 30 boats there.
7 Now there's not even one boat fishing outside of Kake.
8 Subsistence crab pots or king crab pots, shrimp,
9 everything, yein, which is sea cucumber. There's
10 nothing. There's nothing for us to get anymore. So we
11 have to do something.

12
13 Like I say, I appreciate your
14 testimony, but mine would be to try to get it back and
15 I don't know if the environment is going to come back.
16 Probably not in my lifetime, but for our grandchildren
17 and great-grandchildren. Sometimes we make mistakes
18 and sometimes our ancestors have made mistakes. They
19 weren't always heros and sheros like we make them out
20 to be and we're going to make mistakes and we need to
21 make sure of all the informed people around here that
22 they tell us what we need to know.

23
24 Thank you.

25
26 MS. CHURCHILL: Ken, if I could
27 respond. I think that there is a way to thin out a
28 herd or whatever the term is, but I believe that in
29 doing so that it's important that it remains a
30 traditional, spiritual hunt. Haidas were entrepreneurs
31 when it came to gathering and getting the pelts for the
32 Russians and such and maybe even too much so.

33
34 At the same token, when you're looking
35 at all of the different resources -- and I am a tree
36 hugger, you know. I wouldn't say I'm an
37 environmentalist to all concerns. I'm a land use --
38 multi-land use believer that things should be all
39 benefitted by -- which makes me probably the unique
40 person in the room because I'm a half-breed and I'm as
41 much German and English as my dad. I'm a Churchill and
42 I'm very proud of being a Churchill. But I do think
43 that there is a balance and a way to thin out a herd
44 without decimating a species.

45
46 I do know that in your location that
47 there was a mismanagement by placing a herd that isn't
48 supposed to be in the area because of the area itself,
49 but in trapping, our people that are hunting and making
50 regulations that you -- I know that they recently

1 changed the regulation on having modern sewing
2 machines, but those of us that are artisans we have to
3 pay -- one time we were paying \$2,000 a pelt for our
4 sea otter pelts. Now I think it's down to \$250 there
5 in Sitka. It makes it so hard to get it because when
6 they first -- the first time it showed up over on
7 Prince of Wales Island one pelt went for one acre in
8 Haida Gwaii for trades.

9
10 Right now there's a black market for
11 pelts over in our region and we need to work on how we
12 can get that law into place where we can trade like we
13 had previously had with the Canadian Haidas and those
14 of us that utilize it and want to work in our
15 traditional ways. We actually are in contact with our
16 ancestors when we're weaving garments, when we're
17 working with the skins. There are definitely
18 relationships with our past and I think that there is a
19 way to find a balance and a way for this board to come
20 together to figure out how we are able to manage it
21 ourselves as Native people and get the otters thinned
22 down to where it's healthy for the water as land.

23
24 Thanks, Ken.

25
26 CHAIRMAN ADAMS: Anyone else.

27
28 (No comments)

29
30 CHAIRMAN ADAMS: Gunalcheesh.

31
32 MS. CHURCHILL: Thanks.

33
34 CHAIRMAN ADAMS: Why don't we take a
35 break and then we'll reconvene here. It looks like
36 we'll be able to finish up in pretty good time.

37
38 Thank you.

39
40 Be back here about quarter to.

41
42 (Off record)

43
44 (On record)

45
46 CHAIRMAN ADAMS: Thank you for coming
47 back. We've just got a few more items here to finish
48 up. Hopefully they'll go very quickly. They're mostly
49 reports. We'll get started with that. I just want to
50 let you know when we came down here the other day it

1 was snowing in Juneau, snowing in Sitka and snowing
2 here. Every night I would call home and I would talk
3 to my wife and ask her what's the weather doing and she
4 said it's sunshining up there and it's been sunshining
5 there for the last few days now, but it's cold.

6

7

Yes, sir.

8

9

MR. BANGS: Thank you, Mr. Chairman. I
10 just have a quick question regarding the workgroup.
11 We'll come up with some information for the Council on
12 the rural determination. I have Ken, Mr. Jackson,
13 agreed to be on the committee and Cathy. Is it -- to
14 the Council's approval, can we possibly bring somebody
15 from outside the Council into the workgroup such as Dr.
16 Monteith?

17

18

CHAIRMAN ADAMS: I don't see any
19 problem with that. Whatever information you need to
20 gather to make a good report use those resources.

21

22

MR. BANGS: Okay. Thank you.

23

24

CHAIRMAN ADAMS: Mr. Douville.

25

26

MR. DOUVILLE: Thank you, Chairman
27 Adams. You know, like I said, we weren't saying
28 anything bad about the system, but we have been down
29 this road before. We have a lot of information that
30 could be referenced. These criteria might vary
31 slightly, but we had some very highly-regarded people
32 speak to this many times. Dr. Garza, Chairman
33 Littlefield and I think even Chairman Thomas.

34

35

Those would be good things to
36 reference.

37

38

CHAIRMAN ADAMS: Exactly. Looking back
39 on the transcripts in the past meetings and stuff.

40

41

Yeah, okay.

42

43

Thank you.

44

45

MR. DOUVILLE: Excuse me. Their
46 testimony on rural determination.

47

48

CHAIRMAN ADAMS: Right. Okay. Thanks.
49 Good luck, Mr. Bangs, in your group. We'll go on with
50 agency reports. It looks like Jack is going to take

1 care of that for us, so have fun.
2
3 MS. STEVENS: Four. This is Deborah
4 Stevens.
5
6 CHAIRMAN ADAMS: Anyone else?
7
8 MR. SHARP: Dan Sharp still hanging in
9 there.
10
11 CHAIRMAN ADAMS: Okay. Thank you.
12
13 Anyone else online want to identify
14 yourself.
15
16 MS. MEDERIOUS: Anndrea Mederious.
17
18 CHAIRMAN ADAMS: Okay.
19
20 MR. EVANS: Tom Evans.
21
22 CHAIRMAN ADAMS: All right. Welcome,
23 you guys. Is that all?
24
25 (No comments)
26
27
28 CHAIRMAN ADAMS: Go ahead, Jack.
29
30 MR. LORRIGAN: Thank you, Mr. Chairman.
31 Good morning, Council. My name is Jack Lorrigan. I'm
32 the Native liaison for the Office of Subsistence
33 Management and I'll be covering agency reports for OSM,
34 Items 1 through 5. I covered 6 yesterday. With your
35 indulgence, I'll read this into the record. The
36 talking points have been provided.
37
38 The Federal budget is currently
39 operating under a continuing resolution -- we've been
40 sequestered. This includes currently operating under
41 the automatic spending cuts referred to as
42 sequestration. We are making every effort to support
43 the Regional Advisory Councils, including providing
44 travel to meetings and conference lines to all meetings
45 and ensure that support Staff and analysts are
46 available to provide briefings and address questions.
47
48 Staffing. Pete Probasco has taken a
49 new position as ARD for migratory birds and State
50 programs. Kathy O'Reilly-Doyle has taken over as

1 acting ARD for subsistence. The selection process is
2 currently underway for the new ARD. David Jenkins has
3 assumed duties as the deputy ARD for subsistence.
4 Helen Armstrong is retiring from the Fish and Wildlife
5 Service. A selection process is currently underway for
6 a new anthropology chief. Michelle Chivers is retiring
7 from the Fish and Wildlife Service. She's actually
8 already gone and there's a selection process underway
9 for her position.

10

11 RFP for fisheries monitoring proposals.
12 Funding opportunity details are on our website under
13 the Fisheries Resource Monitoring Program. The
14 deadline for submission is April 4, 2013 at 5:00 p.m.
15 close of business. There's \$3.7 million available to
16 fund new research and monitoring projects. All
17 investigation plans addressing Federal subsistence
18 fisheries will be considered. Past awards have ranged
19 from 3,000 to 375,000 dollars per year. The award
20 period has ranged from one year to four years.

21

22 You're all familiar with the Council
23 appointments and nominations. There's a significant
24 delay in finalizing the Council appointments this year.
25 Most everybody has been appointed to their respective
26 Councils by now. The delay was in DC, it wasn't in our
27 office. We've also received a very low number of
28 applicants for 43 open seats, so we're extending the
29 application period until March 29, the end of the
30 meeting cycle.

31

32 Regulatory cycle. The Board heard
33 various recommendations from Regional Advisory Councils
34 regarding FSB meeting dates, fisheries regulatory cycle
35 and fall meeting window. There really was not
36 consensus as to what specific recommendations to make.
37 However, most Councils agreed that the fall meeting
38 window should be extended to mid-November. Some
39 Councils agreed with moving the beginning of the
40 fisheries regulatory cycle from April 1 to May 1. The
41 Board will be addressing those recommendations at a
42 future meeting after the Board and the Interagency
43 Staff Committee has a chance to review the comments.

44

CHAIRMAN ADAMS: Questions anyone.

45

(No comments)

46

47

48

49

50

CHAIRMAN ADAMS: I have a question

1 about the Council appointments. I'm happy that we have
2 a full Council now. However, there were some people
3 that I know who applied and didn't get appointed. Is
4 their application still active for the next go round or
5 do they have to reapply again?

6

7 MR. KRON: Have to reapply.

8

9 MR. LORRIGAN: Have to reapply.

10

11 CHAIRMAN ADAMS: Okay. Thank you.

12

13 Any questions of anyone from the

14 Council.

15

16 (No comments)

17

18 CHAIRMAN ADAMS: Thank you.

19

20 Gunalcheesh.

21

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

23

24 CHAIRMAN ADAMS: Forest Service.

25 Anyone going to do the Forest Service for us. Mr.
26 Suminski, are you here.

27

28 Oh, that guy.

29

30 That guy is named Ted Schenck.

31

32 Welcome.

33

34 MR. SCHENCK: Thank you.

35

36 CHAIRMAN ADAMS: I saw you sitting
37 there all during the meeting. I was wondering what you
38 were waiting for.

39

40 MR. SCHENCK: A good invitation.

41

42 (Laughter)

43

44 CHAIRMAN ADAMS: All right.

45

46 MR. SCHENCK: I understand that the
47 Council would like to have a briefing on the five-year
48 review for the Tongas Forest Plan.

49

50 CHAIRMAN ADAMS: The five-year review?

1 What about TLMP? Are you going to handle that one?

2

3 MR. SCHENCK: Well, that is the forest
4 plan.

5

6 CHAIRMAN ADAMS: Okay. Go ahead.

7

8 MR. SCHENCK: I had prepared a
9 PowerPoint, but in the interest of time I think I'll
10 just go ahead and give you a briefing. I can share the
11 PowerPoint with you later if you're interested.

12

13 Tongass National Forest Land Enforced
14 Management Plan and the record of decision that
15 supported it said that five years after we signed the
16 decision we would take a look and see how well it's
17 working and we would do that through a five-year review
18 process. I'd like to briefly go over a little bit
19 about what the process is, some of the ideas that might
20 happen and to give you a little context for what a
21 forest plan is and how we use it and then how you could
22 be engaged in the review process, then give you an
23 opportunity to ask some questions. Typically I don't
24 answer the questions, but get to comment.

25

26 (Laughter)

27

28 MR. SCHENCK: This is, after all,
29 comment. Okay. I'm taking advantage of a collegial
30 relationship that I think I have with the Council. I'm
31 glad to be back. It's been about 10 years since I've
32 had the privilege to be here and work with the
33 Subsistence Council. As a biologist at Sitka for about
34 10 years, I was engaged with the Southeast Council and
35 have a relationship with some of the people that go
36 back that long and I can't believe the kids are growing
37 up and going off to school. They were not so big long
38 ago.

39

40 So what is a five-year review. That's
41 a mid-course process that we ask the public and the
42 people in the Forest Service to see if they have
43 comments on how well the plan is working and if there's
44 comments, we get those comments, we review the comments
45 and then we, here at the Forest, make a recommendation
46 to the Regional Forester if there is some change that
47 is needed.

48

49 A change or an action that could be
50 taken after we solicit comments might be that there

1 needs to be a written clarification on how we're doing
2 part of the plan. We may need to supplement the plan,
3 just fine tune it around the edges. We may need to do
4 a minor amendment to the Forest Plan. We may need to
5 do a major amendment to the Forest Plan or we may need
6 to start over and do a Forest Plan revision. Those are
7 the range of actions that could be taken after the
8 five-year review.

9

10 To do a written clarification of how we
11 implement a plan, that might take one to two months.
12 To do a supplement might take one to 12 months. To do a
13 minor amendment can be done in maybe one to two years.
14 To do a revision might take four to five years. If we
15 would do a revision, it would reduce our capacity to do
16 other work on the ground because it's a lot of work to
17 do a revision.

18

19 So what are the components of this
20 five-year review. Well, it's soliciting public comment
21 from the employees and the people who work and live and
22 subsist within the Tongass National Forest. In
23 February we had a series of public meetings. We went to
24 Kake, Sitka, Ketchikan, Juneau, Haines, Petersburg,
25 Wrangell. We're going to go to Haines. We'll be up
26 there this month. We've met with a number of different
27 interest groups and we continue to do that.

28

29 We had envisioned that our comment
30 process would be done in March, but there's a request
31 from Southeast Conference to the Delegation to extend
32 our comment period to allow them to finish some of
33 their work, so now the comment period is now going to
34 be extended until 30th of June this year. At the end
35 of the comment period we will do synthesis of all those
36 comments.

37

38 Concurrently with the soliciting of
39 comments the Forest is working on a five-year
40 monitoring report and we hope to have that done
41 probably by the middle of April. We hoped to have it
42 done by the end of March, but there's always problems
43 getting things done as quickly as we'd like. We're
44 working to have a five-year monitoring report done in
45 April.

46

47 We did an information needs assessment.
48 What kind of information do we need to have to see if
49 our plan is working the way that it's supposed to be
50 working and that will help inform our five-year review

1 process.

2

3 In addition to the comment period, our
4 record of decision for the Forest Plan specifically
5 asks us to get engaged with the public to see how well
6 the conservation strategy for old growth and associated
7 wildlife is working. Our forest plan was built around
8 an old growth conservation strategy which includes old
9 growth reserves of large scale, medium scale and small
10 scale reserves. We need to do a review of that
11 conservation strategy.

12

13 We hope to do that sometime after the
14 monitoring reports are done. We had planned to do it
15 in May, but with the extension of the comment period
16 we're likely to be doing that sometime in the fall.
17 It's probably not appropriate to try to do something
18 that important during the middle of fishing season and
19 the middle of field season. That's why we wanted to
20 get it done before, but we got extended, so we might
21 have to push the conservation strategy review later on.
22 It looks like maybe we'll do that in October, but I
23 don't have a firm date on that just yet. We're still
24 in the planning process.

25

26 We hope by the end of this calendar
27 year to have synthesized the information and make a
28 recommendation to the Regional Forest that the forest
29 plan is working or, if it's not working what we would
30 propose to change, whether we need to do an amendment
31 or a revision. The current thinking is that it's
32 mostly working, but there are issues on the horizon
33 that may require us to take a look at amendment or
34 revision. So that's kind of the process.

35

36 Let me give you a little bit of
37 background about what a forest plan is and give you
38 some context and the different parts of a forest plan.
39 Essentially the Tongass Land Management -- and let me
40 give you a little bit of why we even have one, a little
41 bit of the history. The Forest and Rangeland Renewable
42 Resources Planning Act in 1974 required that the Forest
43 Service do forest plans. The National Forest
44 Management Act tuned that up and said we have to do
45 interdisciplinary plans. ANILCA helps to inform that
46 and the the Tongass Timber Reform Act helps to inform
47 the Tongass Forest Plan.

48

49 So what is a forest plan. A forest
50 plan is a document much like a zoning ordinance for a

1 community or a borough. It says what kinds of things
2 are consistent with desired -- it establishes desired
3 future conditions for the landscape and it says what
4 kinds of activities on that landscape are consistent
5 with that desired future conditions for the landscape
6 and it says what kinds of activities on that landscape
7 are consistent with that desired future conditions.
8 You can do these kinds of things in this land use area,
9 you cannot do certain kinds of things in this land use
10 area or you can do things in this land use area if you
11 do them in certain ways.

12
13 The forest plan has goals and
14 objectives. Goals are the desired future condition
15 where we're heading. The objectives in the forest plan
16 tell us kind of how quick we're going to get there. If
17 you do things in a certain way, we expect you'll
18 achieve these desired conditions. Kinds of activities
19 at the forest level and within each land use
20 designation may be modified by standards. If you're
21 going to do this behavior in this area, you always have
22 to do it this way. That's a standard. The guideline
23 says you can do these activities in this land use area
24 if you do it this way usually, but there may be an
25 exception. Standard, you have to do it that way.
26 Guideline is usually you have to do it that way. There
27 are forest wide standards and guidelines and there are
28 land use designation standards and guidelines.

29
30 That's all wrapped up in a set of
31 documents. Those documents are the forest plan, the
32 record of decision, the final impact statements that go
33 along with that and a set of maps. Part of the history
34 of the Tongass is that our forest plan is that we
35 started a forest plan in 1976 and in 1979 we had what
36 was called the Tongass Land Management Plan, TLMP.
37 That was amended in 1980. It was amended again in
38 1986. It was amended again in 1990. We did a
39 revision. We started a revision process in 1990 and
40 finished that process to get what we called the TLMP in
41 1997. Finally we got through revision, draft
42 environmental impact statement, supplemental revised
43 draft impact statement. You might have remembered 1990
44 to 1997 there was a lot of versions of draft impact
45 statements. We finally got a plan in '97.

46
47 We took another look and did a
48 supplemental environmental impact statement in 2003,
49 but we didn't change the forest plan. In 2008 we did a
50 forest plan amendment that resulted in a change and a

1 new name. So now our current forest plan is called the
2 Tongass Land and Resource Management Plan TLRMP.
3 Hardly anybody calls it that. We just keep referring
4 to it as the TLMP. In 2013 we're doing this review to
5 see where we go.

6

7 Let me talk just shortly about a couple
8 of things. The record of decision is the selection of
9 the alternative that we're going to try to implement
10 that we portrayed to the public in an environmental
11 impact statement.

12

13 CHAIRMAN ADAMS: Excuse me. Could you
14 maybe pull your thing closer.

15

16 MR. SCHENCK: Okay. Is that better?

17

18 CHAIRMAN ADAMS: Thank you.

19

20 MR. SCHENCK: Okay. The record of
21 decision is what approves what alternative that we came
22 up with for the forest plan. That allows us to have
23 forest wide goals and objectives. There are 19 land
24 use designations that we use across the Tongass. It
25 approves the management prescription, the goals and
26 objectives standards and guidelines that go with each
27 one of the land use designations and it established 23
28 forest wide standards and guidelines that applied
29 across all land use designations.

30

31 To just quickly summarize, there's a
32 map of the Tongass and it shows where on the landscape
33 all of these land use designations are intended to be
34 applied. Is anybody not familiar with the Tongass Land
35 Management Plan land map?

36

37 (No comments)

38

39

40 MR. SCHENCK: I'll just quickly
41 summarize. There are two wilderness and national
42 monument designations and these are generally going
43 from the level of management that we can apply on a
44 landscape from light touch in our wilderness areas to
45 active management. So there are wilderness and
46 national monument designations to those. There are
47 eight land use designations that are mostly natural
48 settings; LUD 1 old growth or LUD 2 old growth,
49 habitat, research natural areas, semi-remote
50 recreation, remote recreation, municipal watersheds,

1 special interest areas and Wild and Scenic Recreational
2 Rivers.

3

4 There are three moderate development
5 land use designations; scenic view sheds modified
6 landscapes, experimental forests. Then there's one
7 intensive land use designation, which is called timber
8 management.

9

10 In addition to those we have what's
11 called overlay land use designations. One of those is
12 for minerals and then we have transportation and
13 utility land use designations, which include existing
14 and proposed road corridors and existing and proposed
15 transportation power transmission corridors to get
16 intertie kinds of things, move power across the
17 landscape.

18

19 So that gives us a map in standards of
20 guidelines, goals and objectives in a set of documents.
21 Then we go out and do activities. How do we figure out
22 how to do activities. What's the process that we use.
23 Well, there's a lot of people that want to do things
24 and our districts work with our public and we propose
25 projects; timber sales, restoration projects, outfitter
26 and guide activities. We take a look at the desired
27 conditions of the landscape and what people would like
28 to have us do. We go through what's called a National
29 Environmental Protection Act analysis to figure out
30 what are different ways that we can do these kinds of
31 activities on a landscape. We consider the goals and
32 objectives of the forest plan, the standards and
33 guidelines, and then we go do the projects.

34

35 As part of the forest plan and part of
36 the NEPA process, we have to monitor did the project
37 work like it was supposed to, did we get the results
38 that were intended, did our models tell us what would
39 happen on the landscape.

40

41 Our forest plan is built with the idea
42 of doing active and adaptive management. We try
43 something, see if it works. If it works, we'll keep
44 doing it. If it didn't work like we thought it would,
45 we can make mid-course corrections and make changes.
46 Hopefully we would learn enough to change how we're
47 doing our management, so in the future we'll do it to
48 better accomplish where we're going.

49

50 Our monitoring is intended to tell us

1 whether or not are the results that we're getting
2 consistent with what they thought, what did we do,
3 implementation monitoring, validation monitoring, and
4 then we report the results of our monitoring out
5 annually and every five years.

6
7 So that's where we are. We're five
8 years into the 2008 plan and we're coming to you and
9 asking you how is it working, do you have concerns
10 about the plan. Remember there's two parts. The
11 projects that we do and the plan itself. Is the plan
12 the standards, the guidelines, the goals and objectives
13 and how we've been implementing it, is that working for
14 you. If that's working for you, we need to know that.
15 If it's not working for you, we need to know that it's
16 not working and what you would propose that we need to
17 change.

18
19 How can you get involved in that.
20 Well, we've tried to make it as least difficult as we
21 can, so we've put a bunch of our information on the
22 website for the Tongass and I'll make sure that Robert
23 gets you that information. You can sign up right now
24 to get on our contact list. You have to go to the
25 website www.tnf-fiveyearreview.com. When you go there,
26 you'll be asked to send an email, give an email address
27 and then you can make comments on a form that's there
28 and you can also see what other people have been -- the
29 comments other people have been making along the way.

30
31 I'd ask you if you're interested in
32 making comments to go to the website and make those
33 comments. You can also submit a letter in writing to
34 us at the Tongass National Forest five-year review.
35 I'd like to give you just a short idea on what kind of
36 comments will be the most helpful to us.

37
38 I already mentioned this. How do you
39 think the Tongass Forest Plan implementation is going
40 and why do you feel that way? What would you like to
41 change about the Forest Plan and why? Is there
42 anything you think is working well that we would like
43 to keep doing? Are there things on the horizon that
44 you see coming up that you don't think has been
45 addressed in our current Forest Plan? If you see
46 something coming that's not covered in the Forest Plan,
47 let us know that so we can begin to address it.

48
49 So that's what I wanted to say and I'd
50 like to give you an opportunity to ask questions and

1 make comments. The best way to get the comments is
2 through the system, but I'm here at your discretion.

3

4 CHAIRMAN ADAMS: Sure. Thank you. I
5 guess it's open for discussion and I think he's asking
6 if you're aware of the plans in your area and are they
7 working for you. If you want to ask questions at this
8 time, we'll entertain that too.

9

10 Feel free to -- go ahead, Patty.

11

12 MS. PHILLIPS: Thank you, Chairman
13 Adams. We had a small working group meet to come up
14 with questions for the five-year review. So I'll go
15 through the list and I would ask that -- I'd like to
16 recognize our committee members as Don Hernandez,
17 Michael Bangs and Michael Douville and myself. Should
18 I go through them one by one or just name them all off?

19

20 MR. HERNANDEZ: Maybe it might be best
21 just to kind of read off all the questions and let Ted
22 answer them in the best way he can and we might want to
23 get a little more detailed, but that would be fine.

24

25 MS. PHILLIPS: Thank you, Mr. Chair.
26 So how does the forest plan address/impact subsistence.
27 Explain what the plan says about subsistence under
28 recent timber harvest sales. Is the U.S. Forest
29 Service meeting subsistence standards and guidelines.
30 What drives a change analysis and what effect does a
31 change analysis have on subsistence. How will the
32 Sealaska land legislation change land status, the
33 Tongass Land Use Management Plan. How will the
34 Sealaska Land Legislation affect conservation
35 strategies and transition the second growth strategies.
36 How can our questions be effective comments. How do
37 the new national standards apply to the Tongass Land
38 and Resource Management Plan.

39

40 Do you want to look at my questions?

41

42 MR. SCHENCK: That's okay. Let me go
43 through them one at a time. Great questions. Let me
44 start with the last one first. How do the national
45 standards -- I think you're talking about the new
46 planning rule, 2012 planning rule.....

47

48 MS. PHILLIPS: Yes.

49

50 MR. SCHENCK:applied to our

1 Tongass Land and Resource Management Plan that was
2 prepared under the 1982 planning rule. The 2012
3 planning rule calls for a requirement to amend the
4 existing forest plans, monitoring sections to become
5 consistent with the new provisions of the planning rule
6 within three years after the adoption of the new
7 planning rule. So the new 2012 planning rule will
8 require we take a look at our monitoring plan and begin
9 to do monitoring consistent with that new rule.

10

11 Essentially what that does is take a
12 monitoring plan out of the forest plan and put it off
13 to the side so we can change the monitoring that we're
14 required to do without doing a forest plan amendment.
15 So we'll be taking a look at what that means. And
16 we've got until -- the planning rule was -- the 2012
17 planning rule went into effect May of 2012, so that
18 will be about 2015 before we're required to go do an
19 amendment.

20

21 Some of the science with regard to how
22 well management indicator species really represent the
23 effect of harvest of timber and other activities on the
24 environment has been called into question. Looking at
25 our current list of management indicator species and
26 what we're monitoring is a requirement under the new
27 planning rule. We've got to look at seeing if there
28 are a suite of species that they would call focal
29 species that better address the ability to monitor
30 populations and habitats of individual species and make
31 inferences to how well the changes that you're seeing
32 in those populations and habitats are matching changes
33 to the ecosystem. So that's one of the requirements
34 that we would be interested in taking a look.

35

36 The Forest has been working with the
37 State of Alaska and Fish and Wildlife Service to take a
38 look at our suite of management indicator species and
39 see if there would be some. We're waiting for the
40 five-year review process to finish before we would make
41 a recommendation on how to do that.

42

43 You asked some questions about how
44 would potential Sealaska Land Exchange legislation
45 affect our current forest plan. The answer to that
46 question is it kind of depends on what specifics are in
47 the legislation. When you take 70,000 acres of land
48 from Federal ownership and move it to Sealaska, how
49 would that affect how we do things.

50

1 Well, it may have an effect on
2 allowable sale quantity, it may have an effect on a
3 number of different items. Based on what the
4 legislation has with it, it might mean a forest plan
5 amendment, a minor amendment, major amendment, or it
6 could mean that we'd have to take another hard look at
7 our forest plan. We don't know until the legislation
8 passes. It's a good question.

9
10 Our current forest plan anticipated
11 that this might go on and the environmental impact
12 statement did make some inferences, but until we get
13 the legislation we don't know. So once we get the
14 legislation in hand, then we'll take a look at it and
15 see what it really means.

16
17 There's been a lot of dialogue between
18 the Forest and Sealaska and the legislative staff to
19 come up with what that might look like. That's an
20 active and ongoing discussion. The Forest supervisor
21 was back in D.C. a couple weeks ago talking with staff
22 on that. I think there's at least two bills that have
23 been proposed for legislation for Sealaska so far. I
24 think we'll all be interested to see how those work
25 through the process. It seems like there's been other
26 priorities for Congress to work on than Sealaska
27 legislation here in the last few weeks.

28
29 What would the effect of the Sealaska
30 exchange be on the conservation strategy. We can't
31 tell yet. We don't know what lands would end up being
32 selected in that land exchange, so trying to answer
33 that question now without knowing what the legislation
34 is would be speculative.

35
36 Let me give you some insight as to how
37 the current forest plan links to subsistence. Start
38 with that and then talk about how we consider
39 subsistence when we do projects and then when we do
40 change analysis to projects.

41
42 ANILCA says that whenever the Federal
43 agency has to consider a major project we have to take
44 the affect of subsistence into consideration. So
45 there's quite a lot of discussion of the impacts of the
46 current forest plan on subsistence communities in the
47 impact statement documents for the current forest plan.
48 A community-by-community discussion about the effects
49 of subsistence. We had a panel that helped to think
50 about the effect of the land management plan on

1 subsistence users.

2

3 When we do a project, we're also
4 required to consider the effects of that project on
5 subsistence resources and the ability of subsistence
6 users to take advantage of those resources. So we have
7 a section in virtually all of our environmental
8 analysis, whether it be an EA or EIS discussing the
9 effect of this proposed action on subsistence users.

10

11 If for some reason the decision that's
12 supported by that EA would change between the time the
13 decision would be made and when we implement it on the
14 ground, and that's not an unusual circumstance.
15 Sometimes our proposed timber sales get appealed, so we
16 can't implement them until after the appeal period and
17 sometimes our timber sales after the appeal are
18 litigated and we can't implement them until after their
19 litigated through the court system. So it could be a
20 matter of months to a number of years from the time a
21 decision has been made until we can begin to implement
22 it on the ground.

23

24 Well, circumstances may have changed
25 within communities or there could be floods,
26 landslides, avalanches. A number of different
27 circumstances could change. To inform the line officer
28 and the public on the effects of those changes on that
29 decision we go through this process called a change
30 analysis. So we would take a look and see if there's
31 changed conditions that would require us to make a
32 different decision or if the environmental effects of
33 that change are still consistent with what we had said
34 earlier.

35

36 So that's how the change analysis
37 works. Each change analysis would be project specific.
38 So without knowing which projects you were interested
39 in when you asked the question, I really can't address
40 it very much further. If there were changed
41 circumstances, we'd have to -- we'd use our change
42 analysis process to inform the decision-maker and the
43 public to see if there was a need for doing additional
44 environmental analysis or not.

45

46 Did I miss anything?

47

48 MS. PHILLIPS: The Sealaska land
49 legislation as related to transition to second growth
50 strategies.

1 MR. SCHENCK: Okay. This is another
2 topic that the Forest supervisor and the regional
3 forester spent some time in Washington, D.C. talking
4 about. Not just the Sealaska land exchange but what is
5 the transition to young growth and what's that likely
6 to be.

7
8 The Tongass National Forest has
9 harvested the timber in kind of an interesting way.
10 Prior to -- well, Tongass was established in 1907 by
11 President Roosevelt. From the time it was established
12 until about 1954 we had small harvests of timber over
13 the years, but not a lot of significant acres.
14 Starting in 1954 with the advent of the long-term
15 timber sales from 1954 through the '70s and '80s and
16 early '90s we had long-term timber sale contracts in
17 support of pulp mills and saw mills. There's a pulp
18 mill in Ketchikan, there's a pulp mill in Sitka and
19 then there was a sawmill at Wrangell. Three long-term
20 timber sale contracts. One of them didn't last very
21 long, but two of them persisted until the '90s.

22
23 From a rapid ramp-up in the '50s to the
24 early '60s, we began to harvest a lot more acres. Then
25 from about mid '60s until mid '90s we harvested about
26 20,000 acres of timber a year. Since that time we've
27 harvested much less timber, but there's a pulse of
28 young growth that's moving through the system that's
29 kind of like a population expansion. We've got a lot
30 of acres of young growth. We can begin to reharvest
31 young growth under the National Forest Management Act.
32 After that new stand reaches what they call 95 percent
33 of the culmination of mean annual increment (CMAI) and
34 that's the tree gets as big as it's going to get fairly
35 rapidly and then it can continue to grow for a long
36 time, but the amount of growth that it puts on is
37 pretty small. The annual increment gets smaller as it
38 goes along.

39
40 On the Tongass in many of our best
41 sites we are projecting that it takes 80 to 120 years
42 for that harvested stand to get to CMAI. Well, if it
43 take 80 to 120 years, if we use an average of 100
44 years, we're going to have about 20,000 acres a year of
45 young growth coming online sometime starting about 2060
46 and moving through until about 2090.

47
48 The Forest and Beth went back and
49 looked at language and they discovered that in 2010 the
50 Secretary of Agriculture directed the chief of the

1 Forest Service to move into harvesting young growth on
2 the Tongass quickly or immediately. Well, the amount
3 of young growth that we've got to be able to harvest
4 right now isn't very big. It's what had been harvested
5 along the way prior to the long-term timber sale
6 contracts.

7

8 There are a few places where there are
9 good examples of young growth that are coming online.
10 Kosciusko Island is one, Heceta Island is another
11 place. There are small stands up above Sitka where the
12 Russians harvested that's not Forest Service land, but
13 there are trees back up there that the Russians
14 harvested in the 1860s that have grown back to being
15 nice and healthy and big. But we don't have a lot of
16 those acres and moving in to just harvesting those
17 acres immediately would be a disconnect between our
18 current ability to provide wood to the timber industry
19 in any kind of level that they think that they need.

20

21 Tongass Timber Reform Act says that
22 we'll seek to meet market demand and market demand for
23 wood products for the Tongass National Forest varies
24 from year to year, but it's probably between 45 million
25 and 100 million board feet of timber each year.
26 There's not enough young growth wood in the woodpile to
27 move into just young growth harvest immediately and
28 still be able to seek to provide timber to the timber
29 industry under the Tongass Timber Reform Act.

30

31 It wasn't until fairly recently that
32 we've been able to tell the story. Starting in 2060 or
33 maybe a few years before that we can get into young
34 growth in a sustainable way. Our current forest plan
35 says if we do that we can probably harvest around 100
36 million board feet per year into the foreseeable
37 future, but it's going to take a while to get from 2014
38 to 2060.

39

40 Stay tuned for news because the
41 regional forester and the forest supervisor are
42 interested in pulling a working group together to talk
43 about how we would begin to bring on the resources up
44 here that could harvest some of the wood product that
45 we have growing that's not into the CMAI. We do
46 commercial thinning. We can do pre-commercial
47 thinning. We can do pre-commercial thinning that
48 results in good wood product. It may be able to be
49 used for biomass or some other kind of product, but we
50 need to talk about how much of that and that has to be

1 a collaborative effort. So there's current discussions
2 on how that might look, but that's going to involve
3 working in a very -- it might be under a Federal
4 advisory committee kind of a program. I'm not sure
5 what that will take.

6

7 The Forest and the regional forester
8 just published what they called Transition to Young
9 Growth, a leader's intent paper that talks about this
10 process and talks about how do we get from 2014 to when
11 we can move more into the young growth management on
12 the Tongass, maybe 2060, that kind of thing.

13

14 So what affect would Sealaska have on
15 our ability to transition into young growth. Well,
16 this is something that Sealaska has been thinking about
17 too, so some of the proposals that they've made for
18 land selections included some of our oldest young
19 growth stands. So if that particular proposal is
20 implemented in this selection process through the
21 legislation, that might change the rate that we could
22 move into -- that the Tongass could move into the
23 transition to young growth.

24

25 Was that responsive?

26

27 MS. PHILLIPS: Excellent.

28

29 CHAIRMAN ADAMS: That was very
30 thorough.

31

32 (Laughter)

33

34 CHAIRMAN ADAMS: I think the questions
35 the committee has developed for you is very helpful.
36 Unless there's anyone else who wants to make a comment.

37

38 Go ahead, Tim.

39

40 MR. ACKERMAN: Thank you, Mr. Chair.
41 Very interesting to listen to the Sealaska Lands Bill.
42 In addition, let's go back a little bit here. Lisa
43 Murkowski involved what's called the Lands Acceleration
44 Act. They tried to expedite all the land transfers and
45 Native allotments, et cetera, and expedite it, which,
46 in fact, BLM has said that it has actually slowed down
47 the process. So anywhere from 75 to 100 years to
48 settle allotments, et cetera. Okay. Now we have
49 Murkowski introduced another bill to help settle the
50 five landless communities, which is separate from

1 Sealaska. The talk around Haines there, since we're in
2 the landless, it's pretty evident that Sealaska is the
3 power vacuum. The five communities. We're figuring
4 it's going to take another 50 to 100 years to even see
5 any kind of resolution to this.

6
7 The other thing they were talking
8 about, the landless folks, was that in the report in
9 the event that they give the landless folks land, the
10 conservation people are so against it that they might
11 not get the land. They might be compensated otherwise.
12 This is in the news release as we read it and heard it.
13 It will be interesting to see if there's any provisions
14 in any of this to actually give the landless folks
15 their land before this big corporation that has
16 vacuumed up all the money, all the land, and these are
17 the opinions that we're working with here, it's going
18 to be real interesting because the conservation groups
19 think that this landless community is going to get all
20 this acreage and immediately they're going to log it
21 all off because another corporation has set the
22 precedent. Now immediately we have this reaction from
23 the conservation groups and it's real interesting to
24 watch the progress here.

25
26 Thanks.

27
28 CHAIRMAN ADAMS: Thank you, Mr.
29 Ackerman.

30
31 MR. SCHENCK: I'd just like to reflect
32 back on your comment, Mr. Chair. Isn't it interesting
33 to watch the process of politics play out in Southeast
34 Alaska. It makes a planner's job on the Tongass pretty
35 interesting.....

36
37 (Laughter)

38
39 MR. SCHENCK:and hard to predict
40 what the next day would bring.

41
42 CHAIRMAN ADAMS: Mr. Bangs.

43
44 MR. BANGS: Thank you, Mr. Chairman. I
45 just had a quick question. When you were speaking
46 towards the change analysis, I'm curious, does the
47 Forest Service implement a change analysis? Does it go
48 back for public review or do you just do the change
49 analysis and change your project scope?

50

1 MR. SCHENCK: I'm hoping that we
2 wouldn't use a change analysis to change the scope of
3 the project. I'm hoping that we would use the change
4 analysis project, say we went to the field, we looked
5 at this stand and there's streams or buffers or road
6 alignments that would make more sense, so we've taken a
7 look at some of those and advise the line officer. If
8 the change analysis is significant, then we'd do a
9 supplemental information report and let the public know
10 that that had happened and if the change was big enough
11 we would probably have to go back and do additional
12 scoping and start over with maybe a different scope of
13 the project hypothetically.

14
15 I could talk to you in more detail
16 about a specific project if you were interested. The
17 change analysis and the supplemental information report
18 that would be provided are usually part of the project
19 record. They're not usually part of the public NEPA
20 process.

21
22 MR. BANGS: Thank you.

23
24 CHAIRMAN ADAMS: Thank you.

25
26 Anyone else.

27
28 Don.

29
30 MR. HERNANDEZ: Thank you, Mr.
31 Chairman. Thank you, Ted. Very detailed descriptions
32 of some of the things we were wondering about. I
33 appreciate that. You've also kind of dispelled or
34 clarified I should say a number of rumors I've been
35 hearing to this whole change to the CMAI, which sounds
36 kind of arcane, but when I first heard about it, first
37 as a rumor and now you've pretty much kind of confirmed
38 there's discussions being held on it, it was fairly
39 disturbing to me because I, and I know a lot of others,
40 have kind of been under the assumption that -- you
41 know, we've all heard of the 100-year rotation. I
42 firmly believe and I know a lot of others would agree
43 that to really achieve good wildlife habitat you really
44 need to let the forest reach a certain maturity again
45 in these clear-cut areas.

46
47 I don't personally believe and I know
48 we've had some testimony here at the Council in the
49 past about thinning policies of the Forest Service that
50 most of the thinning that's done on the Tongass is

1 geared more towards timber production and not
2 necessarily beneficial to wildlife. Wildlife specific
3 thinning is more of a specialized type of thinning
4 that isn't necessarily as economical as thinning done
5 for timber production.

6
7 If the Forest Service goes down a path
8 where they essentially change what is law, because you
9 did say this is in the National Forest Management Act,
10 and that's just from a personal perspective on the
11 National Forest Management Act that was enacted in 1976
12 and came as a direct result of several different
13 lawsuits in the nation. One back on the East Coast,
14 Monanga (ph) Heald decision and the other one was a
15 lawsuit that took place right in my hometown of Point
16 Baker when my neighbor -- I wasn't living there at the
17 time, but we did become neighbors, Herb Zieske sued the
18 Forest Service. It was a landmark case, 1975, Zieske
19 vs. Butz. He won that case. The pulp company had to
20 cease operations. There was a court injunction to stop
21 logging on the Tongass as a result of that case. They
22 had to do something to resolve it and they enacted the
23 National Forest Management Act.

24
25 So I have a lot of interest in our
26 community and that act and what it means. Just hearing
27 that there are efforts underway to change that, in my
28 opinion, specifically to benefit a specific corporation
29 who seeks to gain ownership of some of this older
30 second growth that you refer to, you know, would
31 totally change the Forest Plan. That really bothers
32 me. I think it has deep consequences for wildlife. I
33 think it's something that the Council should weigh in
34 on.

35
36 I know it's a complicated issue and
37 there's a comment period, but I would just ask the
38 Council if there is some action that we would want to
39 take in the form of official comments. We have a lot
40 of stuff on the record here from this meeting, but I
41 would ask if we could make some official comments from
42 the Council in this review process.

43
44 Thank you.

45
46 CHAIRMAN ADAMS: Thank you, Don.

47
48 Anymore questions.

49
50 Go ahead, Ken.

1 MR. JACKSON: Thank you, Mr. Chairman.
2 Thank you, Don. I'm from Kake. Started logging in
3 '72. Logged some of yours lands. Logged all of
4 Sealaska lands. We planted as soon as they were done
5 logging. After about a 14-16 year cycle we started
6 thinning depending on how tall the trees were and just
7 lately they started a new process to clear wood.
8 You're right, it's directed probably towards selling
9 the wood, but it enhanced the habitat for the wildlife
10 and Sealaska had the guys that were doing it cut trails
11 so the wildlife could get through, but the berries and
12 everything else underneath after they thinned it took
13 off and there was a lot more vegetation than if you
14 looked at the old stands where they didn't thin.
15 There's nothing. No vegetation, nothing underneath
16 them.

17
18 I'm not saying it's, you know, just
19 probably around Kake. I think they did it in Hoonah
20 and Naukati on Prince of Wales they're doing that.
21 It's employed quite a few people, but they brought in
22 crews from down south. Just watching the process from
23 logging to planting to thinning to pruning, I would say
24 -- and they're saying within 60 to 80 years there will
25 be a harvestable stand depending on the size of the
26 wood and where it sits on the mountain. Those that are
27 exposed to sunlight and water grow faster. I've
28 watching the Forest Service come in and do some
29 thinning. They don't prune the trees up. Their trees
30 grow a little bit slower, but it does enhance the
31 wildlife because we're getting a lot more moose and
32 deer and porcupine. We never had porcupine before.

33
34 I know that you guys are doing that on
35 Kupreanof. I'm just talking about my island. I'm not
36 sure where I stand. I'm not -- like I say, it created
37 jobs for the community. But now that the pulp mills
38 and the sawmills went away -- and after they did quit
39 buying from the Forest Service, the sawmills and pulp
40 mills went to the corporations and bought their wood
41 because they were able to send it -- some of it went
42 overseas. I think they're still logging in Hydaburg or
43 around Hydaburg. I'm not sure.

44
45 I know Sealaska has a project -- you
46 know, all their projects, as soon as they log they
47 start planting and their seeds come from stuff that was
48 sent around from around Petersburg down to Roy,
49 Washington and they cultivate it there. They come up
50 as one or two-year-old seedlings. You can employ a

1 crew of about 15 to plant for the summer.

2

3 But, no, I do see the process that you
4 were talking about. We got kicked off Forest Service
5 lands after the lands were conveyed by ANILCA. They
6 told us just to leave everything. Don't touch one more
7 log. Just pull your lines in. So it's been -- you
8 know, I watched the process. I logged for about 24
9 years, I guess. I know there's a lot of people that
10 don't like the logging part. If you look on our
11 island, it grows right back. It's a renewable
12 resource. I don't want to argue with anybody about it.
13 I can see it created jobs and it's still creating jobs.

14

15 I thank you for your comments.

16

17 Thank you, very much.

18

19 CHAIRMAN ADAMS: Gunalcheesh.

20

21 Who else.

22

23 Patty.

24

25 MS. PHILLIPS: Thank you, Mr. Chair.
26 Besides the questions we had several comments. These
27 are comments that the committee came up with. If
28 Sealaska gets public land transferred to private land,
29 can covenants be put in place to maintain public access
30 to salmon streams to keep under the protection of
31 ANILCA, maintain preservation of sacred sites and
32 Alaska Native old village camp sites and village sites
33 and maintain U.S. Forest Service buffers on streams and
34 rivers that follow the Forest Practices Act and be
35 mindful of changes in temperature of streams.

36

37 Then we had thinning issues. Thinning
38 to improve wildlife habitat when thinning second growth
39 do more of and support edge effect thinning on second
40 growth and leave the second growth alone for at least
41 100 years. Thinning should be done to improve deer
42 habitat. The five-year review should include thinning
43 second growth to improve deer habitat.

44

45 Stewardship contracts. Do thinning for
46 marketable use and improve forest condition for deer
47 habitat with edge effect thinning on second growth.

48

49 CHAIRMAN ADAMS: Okay. Are you going
50 to respond to that, sir?

1 MR. SCHENCK: I was just keeping some
2 notes. Good comments and please send them in. I'm the
3 wildlife subsistence and planning staff officer on the
4 Tongass, so how do I plan for wildlife improvements and
5 benefitting subsistence users. That's one of the
6 things that we talk about quite a bit and how to begin
7 to do that effectively and efficiently.

8
9 Much of the Tongass is in moderate and
10 light developed landscapes where logging had previously
11 occurred, so there's always tension between investing
12 in stands that we're going to come back and harvest in
13 the future, that's the working forest, and then
14 restoring that wildlife resiliency and support in
15 places where we've logged before and have a chance to
16 invest it. That's kind of what we're thinking about
17 how to do that in an integrated way. Your comments in
18 the five-year review will give emphasis to helping to
19 do that. We're always looking for partners in support.

20
21 MS. PHILLIPS: Mr. Chair. One more
22 point was to replant trees in clear-cut zones.

23
24 Thank you.

25
26 CHAIRMAN ADAMS: Okay. Mike, go ahead.

27
28 MR. DOUVILLE: My turn?

29
30 CHAIRMAN ADAMS: Uh-huh.

31
32 MR. DOUVILLE: There's one other thing
33 of concern. It concerns subsistence of the rural
34 priority. Are these lands that the Sealaska bill would
35 address would become private and we lose the rural
36 priority unless it's inserted in there? We certainly
37 would like to see that although I'm certain that
38 Sealaska plans to log them and it would diminish the
39 capability for them to produce any game at least.

40
41 Just as an example, I believe Sealaska
42 -- I don't know how many acres of land that they've
43 logged, it's a tremendous amount, but just the village
44 corporations, there's four of them there, that's
45 100,000 acres. I know Sealaska has logged about
46 300,000, but that could be -- that was spread out a
47 little bit, but most of that has happened on Prince of
48 Wales, so our land base gets smaller every time
49 something like this happens.

50

1 CHAIRMAN ADAMS: Thanks. Frank, go
2 ahead.

3
4 MR. WRIGHT: Thank you, Mr. Chair. I
5 was just curious about how this works, if the EIS has
6 been done. Because if Sealaska gets more land, is this
7 plan of Tongass already in place, is that already taken
8 care of, the EIS, or is there a new EIS that has to
9 come out and how many years does that take to do?
10 We're talking, what, 70,000 acres or something like
11 that. I'm just curious because I used to be a logger
12 and I used to log for the corporation and I was not
13 happy after I got done logging.

14
15 So just a question.

16
17 Thank you, Mr. Chair.

18
19 CHAIRMAN ADAMS: Sure. Thank you.

20
21 MR. SCHENCK: Mr. Chair. If Sealaska
22 bill goes through, what provisions that will be
23 attached to it and how much protection that would be
24 associated with that is going to be part of the
25 legislation. We've had a lot of talking about a
26 Sealaska bill, but we don't have one that's been signed
27 in our hands. So there's been no environmental
28 analysis as to the effect of that land exchange beyond
29 what we talked about as potential cumulative effects in
30 our existing forest plan.

31
32 In the event that Sealaska land
33 exchange does take place, that would be changed
34 conditions that we'll have to look at to see how it
35 would affect our current forest plan. Without knowing
36 all of the provisions, I can't predict whether or not
37 we'd have to do a forest plan revision.

38
39 I can say if we did have to do a forest
40 plan revision, it would likely under the -- and we
41 would be under the 2012 planning rule, it would likely
42 take three to four years to complete a forest plan
43 revision under that rule. We're not scheduled under
44 current planning to do a forest plan revision for a
45 number of years. Typically 10 to 15 years after a
46 forest plan is signed you one is signed you start to
47 think of a new forest plan revision. If circumstances
48 didn't change, we wouldn't start that again until 2018.

49
50 If a Sealaska land bill went through,

1 we'd have to take a look at when to start that process.
2 It would depend on what Congress did adding to that
3 bill. If they said do a forest plan revision to
4 accommodate this and added funding to get the revision
5 done, that would be one course of action we could head
6 out on. Without knowing what will be in the
7 legislation, it's hard to say what effect that would
8 have. I don't know if they're proposing to have any
9 legacy standards applied to that exchanged lands or
10 not.

11
12 If you had an interest in doing that,
13 you might let the Delegation know that you would be
14 interested in having that kind of thing since the bills
15 haven't been passed yet. There might be time to let
16 them know what you had in mind.

17
18 CHAIRMAN ADAMS: Thank you. A lot of
19 good information has been exchanged here. I'd kind of
20 like to wind the discussion down on this one here. I
21 kind of want to get out of here by -- you know, adjourn
22 our meeting by.....

23
24 MR. ACKERMAN: One more.

25
26 CHAIRMAN ADAMS: No thanks. By noon.

27
28 MR. KOOKESH: I have a comment.

29
30 CHAIRMAN ADAMS: You have a comment?
31 Okay, we'll take Tim and then Floyd and then we'll end
32 this discussion and move on. I was reminded before we
33 go any further that those of you who came in for the
34 meeting we like you to sign in, but as you're going
35 out, please sign out this time so we have your name's
36 recorded at the meeting, okay.

37
38 (Laughter)

39
40 CHAIRMAN ADAMS: Tim, go ahead.

41
42 MR. ACKERMAN: Thank you, Mr. Chairman.
43 Just a quick comment here. In our particular region up
44 there in Haines, when Sealaska makes their bill in
45 Congress and all that and all these sacred lands have
46 been selected in different various communities in the
47 south here, we in the north, all of our historical
48 sites, villages, graveyards, have been aquisitioned by
49 the State of Alaska and they now own all of our
50 graveyards and historical archaeological sensitive

1 places. Those are not included in any Sealaska bills
2 or anything like that. So it's kind of distressing for
3 the folks to see the purpose kind of defeated in this
4 sense that the State has been able to make acquisition
5 of all this property without us even being able to
6 select this at this time, is what some of the landless
7 folks have been talking about.

8
9 Me and another guy walking through the
10 Porcupine River area up there, I'm sure you're all
11 familiar with the Gold Rush show, we're out there
12 walking around and we come across this jar nailed to a
13 tree. So it's a gold claim is what we figured, so we
14 popped the jar open and unfolded the piece of paper --
15 and this is on the alluvial flood plain from the
16 Porcupine River's gold bearing everywhere there. So
17 here's the Mental Health Trust filing a claim on the
18 alluvial fan of Porcupine River. So all the land up
19 there belongs to the State, the Mental Health Trust and
20 the University. So this one Vietnam vet told me -- he
21 said they offered him some land up there and all of it
22 was like 3,000 feet. That was all that was left.

23
24 Thanks.

25
26 CHAIRMAN ADAMS: Mr. Kookesh.

27
28 MR. KOOKESH: I probably have a few
29 comments. When we put this agenda together, I guess we
30 kind of through in TLMP. So I'm kind of sitting here
31 as a Sealaska shareholder -- in all fairness, we should
32 have had Sealaska here representing themselves. I know
33 you're trying to answer the questions that Sealaska
34 should be answering. So maybe at our next meeting
35 bring Sealaska to the next meeting. That way we don't
36 have to -- and let's get to the horse's mouth and talk
37 to the right people. I do know that Sealaska has done
38 wonderful things in our communities. I listened to Mr.
39 Jackson a few minutes ago. I know for a fact that
40 Sealaska has what they call haa ani (ph) and they're
41 going to our communities and they're trying to
42 stimulate development. I don't know who else is going
43 around doing that.

44
45 Another thing is when we talk about the
46 impact Sealaska withdrawal is going to have under TLMP,
47 if they were already supposedly given that land, it was
48 never yours to begin with. The Forest Service was
49 basically holding it in trust, so you shouldn't expect
50 to be planning with somebody else's land when it

1 belonged to Sealaska to begin with. It was something
2 that was supposed to have been done in 1971. If you're
3 going to lose it, you never owned it is my point.

4
5 Then the other thing was one time we
6 had the Mental Health Trust sitting here -- not here,
7 but in our presence talking to us and when I listened
8 to him, to the gentleman talk for the Mental Health
9 Trust, it was like listening to Sealaska. The Mental
10 Health Trust is no different than Sealaska. They're
11 basically the same animal.

12
13 But I really want us to say for
14 Sealaska -- at least give them the opportunity to come
15 here and speak for themselves and if we have something
16 to say, let's say it to them and not through this
17 gentleman.

18
19 Thank you. But I did have one more
20 that I forgot. Do you know how many times the word
21 subsistence was mentioned in the 2008 TLMP?

22
23 MR. SCHENCK: In the land management
24 plan itself or in the FEIS?

25
26 MR. KOOKESH: In the 2008 TLMP
27 management plan.

28
29 MR. SCHENCK: I can't say. I haven't
30 done a word search on it personally.

31
32 MR. KOOKESH: Thank you.

33
34 CHAIRMAN ADAMS: Make it brief, Don.

35
36 MR. HERNANDEZ: Thank you, Mr. Chair.
37 I don't want to deliberate, but I would be glad to put
38 a motion on the table if we wanted a deliberation. If
39 you'd allow me to comment, I would appreciate it.

40
41 CHAIRMAN ADAMS: Sure. Go ahead.

42
43 MR. HERNANDEZ: This is in response to
44 Floyd's comments there. I would point out that there's
45 a drastic difference with this land exchange and the
46 fact that if Sealaska were to select lands already
47 entitled to them in the withholding areas, they'd be
48 selecting undeveloped land. By selecting previously
49 developed land, it would have a much bigger impact on
50 the planning that's been done because those lands were

1 developed in accordance with a plan. To select those
2 lands would drastically change that plan. I'm kind of
3 focusing on the TLMP plan and implications down the
4 road. I think it's a separate issue.

5

6 CHAIRMAN ADAMS: Thank you.

7

8 Follow up there, Mr. Kookesh.

9

10 MR. KOOKESH: Are we talking about the
11 concept of cherry picking, is that what you're talking
12 about? Because to make a point here, who do those
13 Indians think they're wanting the rest of their land
14 back. That's my point to this exchange here. We
15 shouldn't have to belabor the point either. I know you
16 want to move on, so let's leave it at that.

17

18 CHAIRMAN ADAMS: Okay. Let me just
19 share an experience that we have in Yakutat. We, for
20 the past few years, have been discovering these ancient
21 sites, 400 years old tribal houses and villages. When
22 Sealaska was going to submit their bill to Congress,
23 they were going to accelerate the land exchange thing,
24 those areas weren't included in the Sealaska land
25 selection. However there's a small area on the Dry Bay
26 area where there's a historical site that belongs to
27 Sealaska. When we began to see how mining was going to
28 take place in Yakutat, you all probably knew about
29 that, we decided we were going to try to figure out how
30 to protect those sites, so we asked Sealaska to include
31 that as an amendment in their bill and it is in there
32 now. So if that land becomes law, then our historical
33 sites will be protected by Sealaska.

34

35 I just wanted to share that with you.
36 It's a good avenue to go through. Any more. I'll give
37 somebody else another opportunity to say something and
38 then I would appreciate it if we could move on.

39

40 (No comments)

41

42 CHAIRMAN ADAMS: Thank you, sir.

43

44 Do you want to make a closing comment.

45

46 MR. SCHENCK: I would. Sealaska land
47 exchange or further selection isn't the only thing
48 that's coming up. There are a lot of other things.
49 Mental Health Trust, Southeast Conference is in the
50 process of doing a conservation strategy for us to

1 consider and there are other ramifications to the
2 Tongass. The Governor's Task Force on Timber proposed
3 again a 2 million acre Tongass State Forest in the
4 middle of the Tongass lands.

5
6 Like I said earlier, it's interesting
7 being here and being involved in how we manage our
8 lands. Since I live here, I can say that too. Thanks
9 for taking good care of them and thanks for watching.

10
11 CHAIRMAN ADAMS: Thank you.

12
13 MR. SCHENCK: Have me come back again.
14 I'll enjoy it.

15
16 CHAIRMAN ADAMS: You're excused now.
17 Thank you.

18
19 Is there anyone from the National Park
20 Service here.

21
22 (No comments)

23
24
25 CHAIRMAN ADAMS: I guess not. You
26 know, they were hit hard by this sequestration. I know
27 our ranger in Yakutat, about a year on the job now, was
28 unable to come down here to this meeting because of
29 that.

30
31 Anyhow, let's move on to some really
32 important business here. Future meetings. Oh, wait a
33 minute. We've got a testimony to take here. George
34 James. Would you please come forward and we'll be
35 happy to hear from you. ANB Camp #14.

36
37 MR. JAMES: I'd like to comment on the
38 logging. Also my background, Sepna (ph), our last
39 name, tribal name is Sepna. Always been there. There
40 was no one there before us. That's what it means. We
41 were probably the first people in the whole North
42 America to be there, the first ones to come. That's
43 what the name means as more of a title.

44
45 I'm also the subsistence chair of Camp
46 14. I'd like to talk about certain things, like where
47 Sealaska is planning on logging. It's our tribal area.
48 That's something we never gave up. When ANCSA came
49 about, it was pushed through and it wasn't supposed to
50 be pushed through unless we gave our consent, which the

1 Northwest Ordinance says. Your tribes, your lands
2 you'll never lose unless you give your consent. That
3 never happened.

4
5 The new people that came into this
6 country wanted to build a pipeline so fast and quick
7 that the only way they could build it -- they were
8 supposed to have a title. We know that, in doing my
9 studies, that in 1975 the State of Alaska sued for
10 quiet title because they had a quit claim deed. Well,
11 the supreme court denied their claim saying that a quit
12 claim deed does not transfer title.

13
14 In 2000 they sued again and that's
15 what's called Original Action 128. When they filed
16 that, we filed an opposition with the supreme court.
17 Filed a brief called an Act of State pointing out that
18 the State of Alaska has no jurisdiction in that case.
19 They have no reason to be in the supreme court because
20 we have title, not them. We still have title because
21 in 2000 they denied them again because we filed briefs
22 not only with the supreme court, we filed it with the
23 Secretary of State. I think it was Condoleezza Rice.
24 And we filed it with 12 countries in the world, even
25 the Vatican. You've probably heard about the Vatican
26 the last two days. They got a new Pope. We filed with
27 them because that's what all the nations in the world
28 do, they file briefs with them.

29
30 Sealaska is choosing to log on our
31 tribal land. We claim our tribal boundaries start from
32 ship island north to Frederick Sound to Point Gardner,
33 part of Baranof shore to Hazy Island, all the way down
34 to Cape Muzon. That's our tribal area. Something we
35 never gave up. It's still ours.

36
37 In fact, about 10 years ago I got a
38 citation from the State for fishing without a permit.
39 I had one permit, but I didn't have the other. I
40 didn't do that intentionally, but anyway we made it an
41 issue. I found out then that the State of Alaska has
42 no jurisdiction -- they only have jurisdiction three
43 miles. After three miles they don't have anything
44 beyond that. So when I went to court in Craig, there
45 was a fellow there from Juneau. I seen him with a big
46 tall guy with the black robe. I said why all the big
47 guns? He said your Kuiu are the big fish. We get
48 you, we got everybody. We got Sealaska, we got T&H, we
49 got them all, but we don't have the Kuiu and that's
50 where we're going to always be.

1 When Sealaska chooses to log north of
2 Prince of Wales, which our tribal area goes across and
3 goes all the way to the north end of Prince of Wales,
4 that's my mother's tribal area. We've got carvings
5 there, Tuxekan Pass. We got carvings on Noise Island.
6 We got carvings towards Cape Muzon on the Crow Sticks.
7 We got carvings at Cape Addington. We got carving in
8 Kuiu. We've got carvings in Shipley Bay that have a
9 double-headed raven is looking at two lands that we
10 own. That's something that we never gave up.

11
12 I got several things to talk to. I
13 know you're pressed for time, but I think that Sealaska
14 has got to think about it. They can't log in an area
15 where their cremation was taken place. We cremated
16 people Kuiu. There's 40,000 people that died on Kuiu
17 due to smallpox epidemic. I got the Russian documents
18 that clearly states beware of a man by the name of
19 Captain Briggs. He has a bolt of cloth that has a
20 deadly disease. The bolt of cloth contains smallpox.
21 That was in the winter. We had Winchesters too. That's
22 what it would take then. The white people never came
23 across, but the smallpox killed our people off. A lot
24 of them weren't buried. Some of our tribal houses on
25 Kuiu held as much as 600 people. That's a lot of
26 people. Six hundred people in there. Big tribal
27 houses. They used them for forts too.

28
29 In 1850, I think it was 1851 when the
30 smallpox epidemic hit, right around there someplace.
31 The reason why I'm here today is my great grandfather
32 took my grandfather up to the caves in Kuiu to live to
33 get away from the sickness. That's why we're here.
34 There's only about 2,000 of us now. We're gradually
35 building up.

36
37 There's several things, like the
38 sockeye salmon. I'll always bring this up. We go down
39 to Hugh Smith. That's almost 50 miles to go down there
40 one way. We have to go down there to catch 12 fish and
41 come back. It would be cheaper to buy it from one of
42 the grocery stores than to go down there and do that.
43 We're asking the people to raise the limit, take the
44 limit away. The way they have that season set up too is
45 that they'll say, well, you only got a certain amount
46 of time to fish. Well, last year the fish didn't show
47 up until the closing time, so they extended it a week,
48 but yet the commercial guys were allowed to go out
49 there and fish so many days. We catching sockeye we're
50 put on a limit.

1 When the northwest wind blows, which it
2 does all the time, the northwest wind will blow the
3 fish offshore or blow it away. You can't catch
4 nothing. But only after the southeaster comes the fish
5 will be getting blown back onto our shores. We're
6 asking you people if they could up our limit. Instead
7 of 12 fish a day to 20 or 30 so we don't have to go
8 back and forth to catch the 12 fish at Hugh Smith.

9
10 I think too when I was a young fella --
11 I'm going to be 75 here in September, I didn't know I
12 was going to live this long. Anyway, I got into the
13 purse seine fishery just the right time.
14 I fished purse seine most of my life up to that point,
15 but I became a skipper and then I got a limited entry
16 permit. I trawled all my life. My fathers, my
17 brothers, I trawled with them, I trawled on my own. I
18 lacked two points of getting a permit for trawling. I
19 think the same thing should apply to the Permanent Fund
20 for the state of Alaska. If you fellas have any input
21 in that, you cannot get a Permanent Fund unless you
22 live here for 20 years, the same thing that happened
23 with me when I wanted to purse seine. I had to have
24 enough points.

25
26 Also the sea cucumbers, the abalone,
27 are being depleted. The people that like to mine have
28 to realize when they dump that stuff into the ground,
29 they could dig a hole, but we know that this whole area
30 is full of muskeg. It's not going to stay in that
31 hole. It's going to run off and contaminate the ocean
32 and that's what it's doing. Once that happens our food
33 is contaminated. I have a friend that lives up in
34 Copper River. He says he can't drink the river water.
35 They have to buy the bottled water because the toxic
36 waste from the mines are polluting their drinking
37 water. That's the same thing that's going to happen to
38 us here.

39
40 Also too the Forest Service is getting
41 into the fishery. I don't know how that came about,
42 but those guys are supposed to be planting the trees
43 and watching the trees. Here all of a sudden they're
44 expert on our fisheries and they're stopping us from
45 getting eulachon from the Unuk River.

46
47 Our seaweed is no longer black. When
48 we get it when it's time to pick, it's already white.
49 There's so much pollution and toxics in the water in
50 this area that our seaweed is no longer black and

1 healthy-looking like it should be.

2

3 I heard somebody mention sacred sites,
4 sacred areas. The whole Kuiu is sacred. The whole
5 north end of Prince of Wales is sacred. The whole
6 state of Alaska is sacred. Every square inch of that
7 land is sacred to us. Our forefathers walked on it and
8 when you hear people say well when we purchased Alaska.
9 I'll give any one of you here 10,000 bucks you show me
10 the title that they got from Russia. I'll give you
11 10,000 bucks. If you can't find it, you've got to give
12 me 10,000 bucks too. I'll give you 90 days because we
13 know there's no title. The title remains with each
14 tribe here.

15

16 Some people are satisfied with the
17 situation we're in. The guys in Sealaska that are on
18 the Board, they get big per diems. The guys on T&H are
19 well satisfied. Even if I was on the Board I wouldn't
20 be satisfied until every one of my people were
21 satisfied along with me, not just an individual because
22 I got a good position.

23

24 Oh, one other comment too. The fellows
25 that are indigenous people fishing up in the Kuskokwim
26 River, that's those people's inherent right to do that.
27 They're born with that right. They were born with that
28 right before the United States was born. They were
29 born with that right. They're trying the wrong people.
30 I used to be -- when I was younger, I used to work on a
31 dragger. I made 15-day trips. After the first 15 days
32 I told the skipper I was going to quit. He said why,
33 is the work too hard for you. I said I'm getting tired
34 of sleeping while the gear is out. I says not only
35 that, I says my brother and I cleaned that boat so well
36 because we had nothing to do. The skipper didn't want
37 to show us his drag area. The first drag we made
38 outside of Seattle, from there to Point Wells, outside
39 of Edmonds, we had 13 spawner king salmon, big guys.
40 That's called an incidental catch. We caught and threw
41 them overboard. I said we can't even save the steaks?
42 He said, no, we'll get fined. So we moved to Lummi
43 Island and we caught about three baskets full of the
44 little flounders. That's what we were after. So we
45 left there and went outside of Port Angeles. Our first
46 drag we had 15 tons of dungeness crab.

47

48 I'm not a crab eater, but somebody else
49 eats that. This is the reason why I'm bringing this
50 out. I want to tell you the effect that these draggers

1 have on the fishery. The next drag we went out to
2 LaPush. Our first drag we had 6,000 pounds of halibut,
3 big halibut. We dumped those over. They were all
4 dead. That was one dragger, a 57-foot dragger. But
5 you take these guys who are dragging off the coast
6 there, coast of Alaska, they're the ones that's stopped
7 that fish from coming up the Kuskokwim River.

8
9 Something has to be done about it. I
10 know the Feds will say, well, we've got to make a
11 study. The study is going to take 30 years. By that
12 time there will be nothing. Even out here I want to go
13 out and catch a halibut to eat. I have a tough time
14 doing that. I'd be lucky if I catch one. I didn't
15 catch any last year. The halibut I have was given to
16 me.

17
18 Anyway, the incidental catch that these
19 draggers do -- in fact, what they do up there -- I
20 talked to some of the crew members when they catch
21 100,000 pounds of halibut, they move them to another
22 area. When they catch another 100,000 pounds in that
23 area, they move them to a third area. In the meantime,
24 you've got 300,000 pounds of halibut laying on the
25 bottom where nobody utilize it. Those draggers kill so
26 much fish that they could feed the hungry people the
27 whole world and something has to be done about that.

28
29 I thank you for your time. It's good
30 to see you, each of you. Harvey, Bert, Skeek, good to
31 see you. Thanks for your time. Mike.

32
33 CHAIRMAN ADAMS: Thank you. Anyone
34 have a question for Mr. James.

35
36 MR. JACKSON: Gunalcheesh.

37
38 CHAIRMAN ADAMS: Tim, two seconds.

39
40 MR. ACKERMAN: Yeah, I just have a
41 comment. When you talked about Mr. Briggs bringing the
42 smallpox in on a blanket, very interesting. Through
43 the oral history that I've been working on, the British
44 practiced germ warfare on the East Coast first, kind of
45 got it down to the blankets that were contaminated.
46 Now very interesting that you mention that because the
47 oral history passed down in the Chilkats up there we
48 succumbed to the smallpox also and it just so coincided
49 with the British survey ship when the United States and
50 the British were arguing over our territory up there.

1 The blankets were passed out, as you have said like
2 that, and it decimated the population of the Chilkats
3 and the Chilkoots. Thanks for mentioning that. That
4 shed some light on some of the history that I've been
5 studying. Thanks.

6

7 MR. JAMES: That's a very important
8 topic. A lot of times, like you hear the purchase of
9 Alaska, the purchase of Alaska, you hear it so much you
10 start believing it. We had a land title specialist,
11 nobody better than him. He passed away about two years
12 ago. He was a doctor of law. He did research at the
13 Smithsonian, Congressional Records, National Archives.
14 He said there's nothing in the records to show Russia
15 owned Alaska. There's nothing on record to show they
16 sold it. There's nothing on record to show the U.S.
17 bought it. He says you Kuiu are absentee landlords.
18 Live on your land. It belongs to you. That's where
19 we're at. So we've got a lot of property. We never
20 gave any of it up.

21

22 Any other questions?

23

24 (No comments)

25

26 CHAIRMAN ADAMS: Thank you very much.

27

28 We appreciate it.

29

30 MR. JAMES: Thank you, Bert. Talk to
31 you later.

32

33 CHAIRMAN ADAMS: Okay. Moving on.
34 Future meetings. Patty, go ahead, and then you've got
35 something?

36

37 MR. DOUVILLE: I do.

38

39 CHAIRMAN ADAMS: Okay. Go ahead.

40

41 MS. PHILLIPS: Mr. Chair. I thought
42 the reason for forming a subcommittee working group on
43 the five-year review is so that the RAC could submit
44 comment. I really feel that was unresolved. We had the
45 questions that we asked him and then I asked how best
46 could our questions be submitted as comments. I'd like
47 to get input from the RAC, are our questions acceptable
48 to submit as commits.

49

50 CHAIRMAN ADAMS: I thought your

1 questions were right on just from my opinion. I
2 thought we had it pretty well established while he was
3 still up here. Do you want to talk about it a little
4 bit more, you guys. Mr. Kookesh.

5
6 MR. KOOKESH: Are you asking for a
7 motion to accept the committee's work, which is
8 probably, as they would say, in order.

9
10 CHAIRMAN ADAMS: That would be in
11 order. Would someone like to make a motion.

12
13 (No comments)

14
15
16 CHAIRMAN ADAMS: Who's a good motion
17 maker. Mike, do you want to do that? Go ahead. Are
18 you just going to make a comment? What are you going
19 to do?

20
21 MR. DOUVILLE: I was just going to make
22 a comment. Don had a question about responding to
23 something a while ago, whether it was the TLMP or -- he
24 was wondering if the Council could do that, I think. I
25 don't know. You're going to have to go back. I know
26 whatever you asked it wasn't answered.

27
28 CHAIRMAN ADAMS: Do you remember what
29 you asked?

30
31 MR. HERNANDEZ: It was essentially I
32 think what Patty was saying is how do we want to
33 address this. I'm trying to think of a proper motion
34 here that would relate to our discussion and how best
35 to submit those as comments. I guess I would need a
36 little help with this and I don't know if Robert has
37 any suggestions before I make a motion.

38
39 CHAIRMAN ADAMS: Okay. If you want to
40 just delay that for a minute, we can go through item
41 number A and B on the agenda and then maybe come back
42 and finish. You can make your motion then if you want.
43 Okay. So what we need to do is just confirm the date
44 and location for the fall meeting. It's going to be in
45 Petersburg.....

46
47 MR. LARSON: Mr. Chair.

48
49 CHAIRMAN ADAMS:September 12
50 through 14, 2013.

1 I just needed to finish that, okay.

2

3 (Laughter)

4

5 CHAIRMAN ADAMS: Thank you.

6

7 Go ahead, Robert.

8

9 MR. LARSON: Mr. Chair. While we're
10 thinking about how the Council would like to resolve or
11 not resolve respond back to the issue of the five-year
12 review for the Tongass Land Management Plan, it seems
13 to me that there's several other issues that we talked
14 about that I'm not sure we've completely resolved or
15 moved beyond yet. The first is that we've left
16 wildlife proposals sort of open-ended. I don't know if
17 there's anyone or the Council has any more wildlife
18 proposals. That sort of stopped before it was fully
19 resolved, I think.

20

21 The other is there was a discussion
22 about having some comments to the special action
23 request for closing the Stikine River chinook fishery.
24 The Council has not had a motion on that regard. I've
25 heard discussions during this meeting regarding whether
26 or not the Council is satisfied with the action or no
27 action on C&T. Do they want to pursue some letter or
28 some advice for the other Councils at this meeting so
29 the other Councils would have something to chew on at
30 their fall meeting.

31

32 I don't know that we've ever had a
33 resolution regarding the extended jurisdiction
34 petition. There was some discussion on the Council's
35 position, but that was never completely resolved it
36 seemed to me either.

37

38 I'm looking for some direction from the
39 Council on those topics just to put them away.

40

41 CHAIRMAN ADAMS: Let's take them in the
42 order that you identified here. The first one is the
43 wildlife proposals. Is there any wildlife proposals
44 that the Council would like to submit at this time.
45 That will be for the next cycle.

46

47 MR. LARSON: Mr. Chair. The Council
48 already acted on one proposal. It was just unclear to
49 me if there was another one out there.

50

1 Thank you.
2
3 CHAIRMAN ADAMS: I thought we had
4 completed that when we did that, so that's how come we
5 didn't bring it up.
6
7 Any discussion on that.
8
9 (No comments)
10
11
12 MR. LARSON: Fine.
13
14 CHAIRMAN ADAMS: Fine. Then there's
15 the Stikine River closure. There was that issue there
16 that Robert doesn't feel it got resolved.
17
18 Go ahead, John.
19
20 MR. YEAGER: Thank you, Mr. Chair. I
21 move that we have Mr. Larson draft a letter to the
22 Board recognizing Special Action 13-01 the pending
23 preseason closure of the Stikine River chinook fishery
24 and also that we address the need to move the Stikine
25 chinook fishery from a directed fishery to a baseline
26 fishery within the Pacific Salmon Treaty.
27
28 CHAIRMAN ADAMS: Everyone understand
29 the motion. It was a pretty long motion. Is there a
30 second.
31
32 MS. PHILLIPS: Second.
33
34 CHAIRMAN ADAMS: Thank you, Patty.
35
36 Further discussion.
37
38 (No comments)
39
40
41 CHAIRMAN ADAMS: I think we understand
42 what's going on here, so are you ready for the vote.
43
44 MR. KITKA: Question.
45
46 CHAIRMAN ADAMS: The question has been
47 called. All in favor please say aye.
48
49 IN UNISON: Aye.
50

1 CHAIRMAN ADAMS: Opposed same sign.
2
3 (No opposing votes)
4
5 CHAIRMAN ADAMS: Okay. Then the C&T
6 issue.
7
8 MR. LARSON: Mr. Chair.
9
10 CHAIRMAN ADAMS: Go ahead.
11
12 MR. LARSON: Maybe this would be a good
13 time to reconfirm the letter regarding the
14 transboundary rivers. That letter has been drafted.
15 We've had discussion, so I'm ready to move forward. I
16 just want to make sure that I have concurrence of the
17 Council that we're going to write this letter. We have
18 a draft exactly. The draft has been distributed
19 previously.
20
21 CHAIRMAN ADAMS: Yeah. So maybe a
22 motion would be in effect to authorize Robert to go
23 ahead and draft that letter. This he gave to us as
24 homework last night. I took mine home and I read it.
25 I don't have any problem with it. Mr. Bangs.
26
27 MR. BANGS: Thank you, Mr. Chairman.
28 Do we need a motion for this to accept this letter?
29
30 So moved.
31
32 MR. HERNANDEZ: Second.
33
34 CHAIRMAN ADAMS: All right.
35
36 MS. PHILLIPS: Call for the question.
37
38 CHAIRMAN ADAMS: All in favor say aye.
39
40 IN UNISON: Aye.
41
42 CHAIRMAN ADAMS: Opposed say nay.
43
44 (No opposing votes)
45
46 CHAIRMAN ADAMS: Okay. It passes.
47 ETJ, what were you looking for on that one. Do you need
48 some kind of action for that, Mr. Larson.
49
50 MR. LARSON: I just wanted to remind

1 the Council that I have no recommendations from the
2 Council to move forward regarding ETJ. There was quite
3 a bit of discussion, but I have not prepared any
4 comments formally from the Council. I just wanted to
5 make sure that that was your intention to not submit
6 comments at this time.

7

8

CHAIRMAN ADAMS: Cathy.

9

10

MS. NEEDHAM: Mr. Chair. On that
11 particular issue when we were discussing ETJ I had
12 recommended that we draft a letter to the Federal
13 Subsistence Board reiterating our involvement with the
14 particular issue and there were some bullet points that
15 I had read off and then we had decided that we would
16 talk about that later in the meeting. It will take me
17 a minute to find those bullet points, but are we
18 interested in reiterating that we want to make sure
19 that when we get reports back every six months that
20 they actually address what our recommendations were and
21 also reiterate that we want to keep the information
22 going because we believe this issue will probably be
23 back amongst us at some point in time for decision.
24 Also to reiterate that we want to make sure that the
25 status of the three years is still -- things are still
26 on track for that.

27

28

CHAIRMAN ADAMS: I seem to remember,
29 Robert, that we did discuss that and I addressed those
30 points, so would you be able to draft a letter to that
31 effect.

32

33

MR. LARSON: If you would care to make
34 a motion to that effect, I will draft that letter to
35 that effect, yes.

36

37

CHAIRMAN ADAMS: A motion is in order.
38 Mr. Bangs.

39

40

MR. BANGS: I make a motion to what
41 Cathy just said.

42

43

(Laughter)

44

45

MR. KITKA: Second.

46

47

CHAIRMAN ADAMS: It's been moved and
48 seconded. Any further discussion.

49

50

(No comments)

1 CHAIRMAN ADAMS: Hearing none. All in
2 favor say aye.
3
4 IN UNISON: Aye.
5
6 CHAIRMAN ADAMS: All opposed same sign.
7
8 (No opposing votes)
9
10 CHAIRMAN ADAMS: Motion carries.
11
12 Thank you.
13
14 MR. LARSON: Mr. Chair. Then I will
15 get together with Cathy to make sure that this reflects
16 the previous discussions we've had on this subject and
17 get a letter for you soon.
18
19 CHAIRMAN ADAMS: That would be a good
20 idea. Cathy, go ahead.
21
22 MS. NEEDHAM: I want to bring it back
23 to the C&T thing that Robert brought back up that we
24 didn't discuss in this little workgroup. As the
25 workgroup chair, several members of the Council have
26 come to me and asked where we are with it and what this
27 Council is doing. On the workgroup, I don't believe
28 that we have guidance from this Council on what we may
29 or may not want to do for our region outside of the
30 scope of what's going on on a statewide basis.
31
32 I would ask those Council members to
33 speak up now on the record if you do have input that
34 you want into it and if the workgroup is going to be
35 giving any direction to address C&T over the next six
36 months prior to the fall meeting. The alternative is
37 that as far as I can tell the workgroup was not given
38 any tasks, so we wouldn't be doing anything until the
39 fall after we have a chance to discuss it when the OSM
40 Staff come back to us and it's discussed on the record.
41
42 For those of you that approached me
43 afterwards and not on the record I'd love for you to
44 put your comments on the record so we can move forward
45 with that.
46
47 CHAIRMAN ADAMS: Mr. Bangs.
48
49 MR. BANGS: Thank you, Mr. Chairman.
50 Thanks to Cathy for bringing this up. We talked about

1 it. I've talked about it with different Council
2 members and I think what Patty came up with in her
3 comments that maybe we could look into the legalities
4 or look at it as a RAC specific look at C&T to where
5 the deference is given to the RAC whether you want to
6 have C&T or whether you want to go and follow ANILCA
7 and not push the idea that we have statewide. It seems
8 like there's a lot of different views on how it should
9 be implemented in different parts of the state. I
10 agree with what Patty was saying, is maybe our needs
11 are different than other needs in other parts of the
12 state, so maybe we should look more at our region and
13 not impose our ideas on other regions.

14

15 Thank you.

16

17 CHAIRMAN ADAMS: Thank you, Mr. Bangs.
18 I think that's the way it really should be handled.

19

20 Patty, go ahead.

21

22 MS. PHILLIPS: Mr. Chair. I don't know
23 if it's yet been determined whether our ways are
24 imposing upon other areas. That's why we sent a letter
25 out so we could get feedback on that. So I think that
26 concurrently -- you know, we had some mixed messages
27 about whether we could submit our own proposals about
28 C&T use determinations as a region separate from the
29 statewide C&T use determinations.

30

31 I think we can, as a region, submit our
32 own proposal that would change it to reflect more .804,
33 which is what we do down here in Southeast Alaska
34 except for some of those specific areas like Yakutat.
35 So if we could move in the direction of a proposal that
36 meets a regional C&T use determination process that
37 matches an .804 process and then at the same time allow
38 the outreach to the other regions of the state to
39 continue to occur so that we we could get feedback from
40 them. Perhaps they might want to come on board later
41 on or perhaps, because of our unique circumstances,
42 we'll have our own proposal.

43

44 Thank you, Mr. Chair.

45

46 CHAIRMAN ADAMS: But you don't want to
47 suggest a proposal right now.

48

49 MS. PHILLIPS: I'd like RAC feedback on
50 that, Mr. Chair.

1 CHAIRMAN ADAMS: Okay. So you're just
2 putting the idea out on the table. .804 works for us
3 as well.

4

5 Mr. Larson.

6

7 MR. LARSON: Mr. Chair. I would like
8 to remind the Council of a previous action where we
9 have written a letter to the Office of Subsistence
10 Management requesting a joint meeting with the
11 Southcentral Council to address two things. One was
12 the status of the rural determinations and the other
13 was to have a unified position on customary and
14 traditional use findings and that is a year from now.
15 So the desire for each region to have their own
16 separate regulations, that was not part of that
17 discussion and not part of that letter. Just to be
18 clear there.

19

20 CHAIRMAN ADAMS: Okay.

21

22 MS. PHILLIPS: Mr. Chair.

23

24 CHAIRMAN ADAMS: Yes, ma'am.

25

26 MS. PHILLIPS: I was not advocating
27 that each region have their own separate. I was saying
28 that perhaps Southeast Alaska should have their own
29 separate from the statewide already regulations. That
30 we should piecemeal a piece out for Southeast.

31

32 CHAIRMAN ADAMS: Understood. Mr.
33 Kitka.

34

35 MR. KITKA: Thank you, Mr. Chair. I
36 guess I had one little thought on this. I kind of
37 talked to several people about it before and that was
38 on the Southeast C&T there' some communities and some
39 villages that the cities grew up around. These people
40 at this point don't have any C&T determinations. If
41 we're going to weave in some of the C&T, I think some
42 of that needs to be incorporated into it.

43

44 Thank you.

45

46 CHAIRMAN ADAMS: Thank you, Harvey.
47 Maybe, you know, when we have a joint meeting with
48 Southcentral -- you know, this is one of the reasons
49 why we're going to advocate for it -- we can probably
50 get some more input from that region at that time. So

1 if we want to wait until that time, that might be a
2 good idea.

3

4 Cathy.

5

6 MS. NEEDHAM: Thank you, Mr. Chair.
7 With the things I've been hearing outside of being in
8 session is that some people would appreciate maybe the
9 Southeast portion of things going a little quicker than
10 that or at least be thinking about it and formulating a
11 potential regulation change that fits our region
12 better. I just want to make sure that that -- since
13 that's been related to me a number of times, that
14 that's put on the record. What I'm hearing is if we
15 wait until the Southcentral meeting that's a year
16 before we take any action for us specifically.

17

18 I think, honestly, most people are
19 thinking that we can do this for our region and
20 ourselves, but still the rest of the process that we've
21 already set in motion with the letter that we sent out
22 to the other RACs, that can still happen and that still
23 needs to -- we all recognize that that's still very
24 important for that to happen for other regions because
25 it gets them thinking about what the issue means to
26 them and if they do want to change it or need to. In
27 the meantime, maybe Southeast is leading by example by
28 coming up with something specific for their region.

29

30 As the current workgroup chair, I think
31 if the Council wishes, we could actually still meet
32 between now and the next meeting and talk about --
33 because we presented this Council with only two
34 alternatives previously. One was to strike the C&T
35 determination process as it is and the other we
36 proposed a potential regulation change if striking it
37 was not in our best interest. And there may be other
38 options out there, so we might want to think about what
39 are those other options so we can have them ready for
40 discussion in the fall.

41

42 CHAIRMAN ADAMS: We certainly can take
43 action or develop something by ourselves right now. We
44 have that letter that you guys drafted, which I put my
45 signature on. Is that a real good start for you or do
46 you want to make a motion of some sort to bring this
47 forward a little bit more. Somebody make a motion.

48

49 MS. NEEDHAM: All right. I move that
50 the C&T workgroup continue their work between this

1 meeting and the next meeting to come up with additional
2 alternatives for suggested regulation changes to the
3 C&T process that are regionally specific.

4
5 MR. BANGS: Second.

6
7 MR. ISAACS: Second the motion, Mr.
8 Chairman.

9
10 CHAIRMAN ADAMS: I heard him first,
11 Aaron, is that okay.

12
13 (Laughter)

14
15 MR. ISAACS: Now we can discuss it.

16
17 CHAIRMAN ADAMS: Let's talk about it,
18 sure. Go ahead, Mr. Bangs.

19
20 MR. BANGS: Thank you. I would hope
21 that if we come up with ideas you would contact one of
22 the members in the working group so that they can --
23 you know, if you have any ideas, I think that would be
24 a good idea to call them or contact them.

25
26 Thank you.

27
28 CHAIRMAN ADAMS: Sure. Okay.

29
30 Ready to vote.

31
32 MS. PHILLIPS: Call for the question.

33
34 CHAIRMAN ADAMS: The question has been
35 called. All in favor say aye.

36
37 IN UNISON: Aye.

38
39 CHAIRMAN ADAMS: Opposed.

40
41 (No opposing votes)

42
43 CHAIRMAN ADAMS: Motion carried. Good
44 work, you guys. Thank you.

45
46 Anything else.

47
48 MR. LARSON: Now the calendar.

49
50 CHAIRMAN ADAMS: The calendar.

1 MR. LARSON: I would reference the
2 calendar and right now the Southeast.....

3
4 CHAIRMAN ADAMS: I'm on Page 130.

5
6 MR. LARSON:is scheduled to meet
7 September 24th, 25th and 26th in Petersburg. That's
8 the fall meeting. The spring meeting is -- at least on
9 the current calendar that I have is not going to
10 reconfirm. I suggest that if -- since the Southcentral
11 has confirmed their meeting dates for February 19th and
12 20th that the Southeast, if they wanted to have a joint
13 meeting, that they would also schedule their meeting
14 for February 19th and 20th.

15
16 CHAIRMAN ADAMS: So that would be the
17 winter meeting.

18
19 MR. LARSON: Mr. Chair. The
20 Southcentral Council of course scheduled their meeting
21 without an understanding or the invitation to have a
22 joint meeting with the Southeast Council. The
23 Southeast Council recommended having the meeting in
24 Cordova. Southcentral, without knowing that, scheduled
25 their meeting for Anchorage. I would think we would
26 have a better idea about where that Council meeting
27 would be after we do a cost analysis.

28
29 CHAIRMAN ADAMS: I think you kind of
30 jumped ahead, Mr. Larson. I think we need to confirm
31 the date for the Petersburg meeting and then we can go
32 on to the 2014 meeting.
33 Are you all right with those dates in Petersburg. If
34 so, then we can just confirm with a motion, or do you
35 want a different time and place. Cathy.

36
37 MS. NEEDHAM: Mr. Chair. I move that
38 we confirm our dates for holding our fall meeting
39 September 24-26 in Petersburg.

40
41 MR. DOUVILLE: Second.

42
43 CHAIRMAN ADAMS: Second by Mr. Bangs.
44 I don't think we need to discuss it much more.

45
46 (Laughter)

47
48 CHAIRMAN ADAMS: All in favor please
49 say aye.

50

1 IN UNISON: Aye.
2
3 CHAIRMAN ADAMS: Opposed same sign.
4
5 (No opposing votes)
6
7 CHAIRMAN ADAMS: Carried. The next
8 selection date would be for the spring of 2014,
9 actually that would be in the winter because it's in
10 February, that Robert was suggesting that the
11 Southcentral is going to meet. Do we want to have a
12 meeting with Southcentral at that time and where.
13
14 MR. JACKSON: Is Anchorage a better
15 place? Is that the way they've already got theirs
16 scheduled?
17
18 CHAIRMAN ADAMS: They got theirs
19 scheduled. Somebody suggested in Cordova. I can solve
20 it. We can have it in Yakutat.
21
22 (Laughter)
23
24 MR. LARSON: Mr. Chair. We have a
25 letter that's been approved by the Council recommending
26 Cordova.
27
28 CHAIRMAN ADAMS: So we'll send that
29 letter to Southcentral and then from there maybe we can
30 figure out dates. Is that all right.
31
32 MR. LARSON: A venue.
33
34 CHAIRMAN ADAMS: A venue.
35
36 MR. LARSON: Mr. Chair. I think it's
37 important that we confirm dates now and then leave the
38 venue up to other considerations that we're not quite
39 aware of at this meeting regarding costs.
40
41 CHAIRMAN ADAMS: So with that you want
42 to pinpoint the date.
43
44 MS. PHILLIPS: Mr. Chair.
45
46 CHAIRMAN ADAMS: Go ahead, Patty.
47
48 MS. PHILLIPS: Well, Southcentral has
49 already picked February 18th and 19th.
50

1 CHAIRMAN ADAMS: But that's in
2 Anchorage.
3
4 MS. PHILLIPS: Well, we can be
5 flexible.
6
7 CHAIRMAN ADAMS: Keep the dates. Keep
8 the date.
9
10 MS. PHILLIPS: We can be flexible with
11 location too. If Anchorage works, then Anchorage
12 works.
13
14 CHAIRMAN ADAMS: Okay. So maybe we can
15 entertain -- Mr. Wright.
16
17 MR. WRIGHT: Yeah, Anchorage would be
18 fun, but I don't think I could make it because tanner
19 fishing is 15th to the 21st or something like that.
20
21 MR. KOOKESH: We'll miss you.
22
23 (Laughter)
24
25 MR. WRIGHT: Thank you, Mr. Chair. I
26 know, I'll miss you too.
27
28 (Laughter)
29
30 CHAIRMAN ADAMS: I probably could
31 comment on that, but I'm not going to.
32
33 (Laughter)
34
35 CHAIRMAN ADAMS: So are those dates
36 okay for everyone. Maybe send them a letter and let
37 them know that we want to have this but maybe leave the
38 location open.
39
40 MR. JACKSON: Are we changing dates to
41 accommodate him or.....
42
43 CHAIRMAN ADAMS: Oh, you want -- okay.
44 Or changing dates to -- is those dates okay? Do you
45 want to stick with it because he's -- you know, him and
46 Floyd, they're going to miss one another.
47
48 (Laughter)
49
50 CHAIRMAN ADAMS: Patty, go ahead.

1 MS. PHILLIPS: Mr. Chair, thank you.
2 Mr. Wright, what date would work? I would prefer a
3 meeting in March myself.

4
5 MR. WRIGHT: Mr. Chair. Tanner fishing
6 usually is around the 15th to the 22nd or something in
7 that area in February.

8
9 CHAIRMAN ADAMS: Okay. It looks like
10 there's a lot of open space on the winter calendar.
11 Mr. Bangs.

12
13 MR. BANGS: Thank you, Mr. Chairman.
14 Maybe we could suggest a March meeting to the
15 Southcentral. I know travel is much more difficult in
16 February than it is in March as a rule. Maybe we could
17 suggest that to them with a tentative date in March and
18 see what their reaction is and go from there.

19
20 CHAIRMAN ADAMS: Do you want to pick a
21 date.

22
23 MR. BANGS: I would move to make the
24 meeting the first week of March, March 4th, 5th.

25
26 CHAIRMAN ADAMS: Okay. Just say the
27 week of March. Second.

28
29 MR. LARSON: Mr. Chair.

30
31 CHAIRMAN ADAMS: Go ahead.

32
33 MR. LARSON: There is one consideration
34 and it's kind of administrative in nature and I'm
35 thinking this thing through while I'm looking at the
36 calendar, but if we have one Council already scheduled
37 for March 5th and 6th, then we can't have more than one
38 other Council meeting during that week. That's our
39 guidelines. Whether or not one other Council is
40 suitable to have a joint, that's one or two Councils, I
41 don't know. There may be some administrative hurdles
42 to have two additional Councils meet in the same week
43 that there's already a Council scheduled. There's no
44 Councils meeting on March 11th. I have more of an
45 updated calendar than you do. That's the confusion
46 here.

47
48 CHAIRMAN ADAMS: Okay. So it would
49 have to be the week of March 10th. Does that sound
50 okay, the week of March 10th. Mr. Bangs.

1 MR. BANGS: I'm good with the March
2 10th week.
3
4 CHAIRMAN ADAMS: So we've got that
5 pretty well established. Maybe a motion would be in
6 effect to designate that week for our meeting. After
7 that we need to talk about how we're going to deal with
8 a joint meeting with Southcentral since they have
9 theirs for February. But let's go ahead and take care
10 of the dates here right now and get that out of the
11 way.
12
13 MR. BANGS: I make a motion that we
14 have our winter meeting of 2014 the week of March 10th.
15
16 CHAIRMAN ADAMS: Do I hear a second.
17
18 MR. DOUVILLE: Second.
19
20 MR. ISAACS: What is the motion?
21
22 CHAIRMAN ADAMS: To have the meeting
23 during the week of March 10th.
24
25 MR. ISAACS: The location hasn't
26 been.....
27
28 CHAIRMAN ADAMS: No. We're going to
29 talk about that after that. It's been moved and
30 seconded. All in favor say aye.
31
32 IN UNISON: Aye.
33
34 CHAIRMAN ADAMS: Opposed same sign.
35
36 (No opposing votes)
37
38 CHAIRMAN ADAMS: Motion carries. I
39 think maybe the proper way to do this, Mr. Larson,
40 would be to send a letter to Southcentral letting them
41 know that we have chosen this time and see if maybe we
42 can come to a meeting of minds or something about when
43 we can both meet.
44
45 MR. LARSON: Yes, Mr. Chair. I will
46 have the letter reflect the suggestions of changing the
47 Southcentral meeting from February 19 and 20 to
48 sometime during the week of March 10th and the letter
49 that was approved by the Council previously has a
50 suggested meeting venue location of Cordova. I'll

1 include that in the letter as well.
2
3 CHAIRMAN ADAMS: Okay. Thank you.
4 That will do it. Okay. I was hoping we could have been
5 out of here by noon, but we're getting close.
6
7 Do you want to make quick closing
8 comments.
9
10 MS. PHILLIPS: Mr. Chair.
11
12 CHAIRMAN ADAMS: Yes, ma'am.
13
14 MS. PHILLIPS: The five-year review,
15 I'm ready for a motion.
16
17 CHAIRMAN ADAMS: Oh, okay. Thank you
18 for reminding us.
19
20 Go ahead.
21
22 MS. PHILLIPS: Thank you, Mr. Chair.
23 Move to submit comments to the U.S. Forest Service
24 Tongass five-year review based on the transcripts of
25 the questions portions of the March 14th RAC meeting.
26
27 MR. HERNANDEZ: Second.
28
29 CHAIRMAN ADAMS: It's been moved and
30 seconded. All in favor say aye.
31
32 IN UNISON: Aye.
33
34 CHAIRMAN ADAMS: Opposed same sign.
35
36 (No opposing votes)
37
38 CHAIRMAN ADAMS: Motion carries. Thank
39 you. Can we move on now to closing comments. You
40 know, the way that I'm going to do it, I'm going to
41 make mine and then we'll go down this side and then
42 turn around and come back this way, okay.
43
44 MR. ISAACS: Mr. Chairman.
45
46 CHAIRMAN ADAMS: Yes, sir.
47
48 MR. ISAACS: Was the location at 2014
49 established?
50

1 CHAIRMAN ADAMS: No, it wasn't. Mr.
2 Larson is going to send a letter to Southcentral
3 telling them that we're going to have a meeting during
4 the week of March 10th. Their meeting has already been
5 established for February, so we're going to see if we
6 can maybe come together and have our meeting at the
7 same time in Yakutat.

8
9 (Laughter)

10
11 MR. ISAACS: Would it be premature then
12 to ask that it be in Klawock?

13
14 (Laughter)

15
16 CHAIRMAN ADAMS: No, we can go
17 anywhere.

18
19 MR. ISAACS: So move.

20
21 CHAIRMAN ADAMS: Go ahead.

22
23 MR. LARSON: Mr. Chair. I think maybe
24 this is a good question that needs a response and Mr.
25 Isaacs hasn't had the opportunity to hear these kind of
26 discussions before about having meeting locations in
27 non-Alaska Airlines route locations. Those are hub
28 locations. Within the last year we've had quite a bit
29 of discussion regarding which communities would be
30 acceptable to conduct Council meetings.

31
32 Although the rule is not absolute, if
33 the Council has some reason for asking to meet in a
34 non-hub community, meaning a community that's not
35 serviced by Alaska Airlines, that the Office of
36 Subsistence Management will accept a request and
37 provide a cost analysis and make a decision. But we've
38 been told that there needs to be some fairly strong
39 justifications for having those kind of meetings or
40 having Council meetings in those remote locations.

41
42 In this particular circumstance where
43 we're inviting members that live in Anchorage and the
44 Kenai Peninsula to some remote locations, I can speak
45 for that group right now in saying that having a
46 meeting venue for Klawock would not be acceptable in
47 this case. If there is a reason to have a meeting in
48 Klawock for some other reason, then that would be
49 acceptable, but in this case it would not be.

50

1 Thank you.

2

3 MR. ISAACS: Mr. Chairman. The
4 response is not acceptable.

5

6 (Laughter)

7

8 MR. ISAACS: One of the reasons I'm
9 asking it be in Klawock is it could very well be that
10 the herring will be spawning then. We did that with
11 Tlingit-Haida-Central Council one time. We were trying
12 to decide when to have the meeting in Craig and we pull
13 out a tide book. We selected the minus tides and that
14 was one of the best conventions Tlingit-Haida ever had.

15

16 (Laughter)

17

18 MR. ISAACS: But Klawock is accessible
19 by ferry and I think there's about three airlines that
20 fly from Ketchikan to Craig/Klawock. Klawock has the
21 only airport on the island too. A 5,000-foot runway.

22

23 CHAIRMAN ADAMS: Gunalcheesh.

24

25 MR. ISAACS: Angoon is not going to be
26 there, huh?

27

28 (Laughter)

29

30 MR. ISAACS: We'll mail your fish eggs
31 up there.

32

33 (Laughter)

34

35 CHAIRMAN ADAMS: You've got to be
36 present. Okay, thanks for that, Aaron, but that's the
37 situation as it is right now, you know. Unless budget
38 constraints get a little bit better and everything,
39 that's what we have to live by at this point. But I
40 appreciate your comments and it's well taken. Anything
41 else.

42

43 (No comments)

44

45

46 CHAIRMAN ADAMS: The reason I was
47 trying to get done by noon was because Mr. Douville had
48 some appointments right after this, so I was trying to
49 push it, but he excused himself and of course I excused
50 him, so he's gone for the rest of this meeting, so we

1 wish him well. We can finish up now.

2

3 The way we do closing remarks is pretty
4 much the same way that we do opening remarks for the
5 new Council members. I think what we need to kind of
6 address is what did we learn from this and what can we
7 take home to our villages. I'm going to start it off.

8

9 I'm pleased we have a full Council and
10 I think we have good people on it. We've always
11 managed to attract quality people on this particular
12 RAC. I want you to know that I really appreciate that
13 a lot. I appreciate your patience with me as I go
14 through trying to conduct the items on the agenda.
15 Sometimes when I get tired or my mind a little foggy,
16 I've got a good backup here.

17

18 Another thing that I've learned about
19 this, you know, as always, the quality of discussions
20 that comes out of each and every one of you. Then the
21 workshop committees that do special things like the C&T
22 and other workshops that have been developed, you guys
23 have done quality work in that. When you come to these
24 meetings, it's really easy to put those issues together
25 and make it possible for us to be concise in what we're
26 doing.

27

28 I have to tell you this. Other
29 Councils throughout the state looks at Southeast Alaska
30 and what we are doing. They look to us for leadership
31 at the Board meetings as well, so I just wanted to
32 share that with you because that does reflect on the
33 quality of people that we have here.

34

35 What I'm going to take home is a good
36 experience here. Actually I'm not going home directly.
37 I'm going to fly up to Anchorage and I'm going to
38 attend the state basketball championship. Klawock is
39 going and Yakutat is going. I hope they're on the
40 opposite side of the brackets again so we can play each
41 other for the championship game. Anyhow, I'm looking
42 forward to that. So tomorrow, instead of getting off
43 at home, I'm going to get off, but I'm going to get off
44 to help my wife get on board the airplane and we're
45 going to state, so I'm looking forward to that.

46

47 I'm looking forward to the next meeting
48 and the things we've discussed here that will be
49 brought up again. It's going to be something to really
50 look forward to. I'm looking forward to the joint

1 meeting with Southcentral. Ralph Lohse is the chairman
2 of Southcentral. I don't know why, but ever since we
3 began to go to the Federal Subsistence Board meeting
4 they always put him and I together. I have to tell
5 you, sometimes we are the troublemakers in that Board
6 and we sometimes get their brains spinning, but it's
7 really good. I understand he's not doing so well. He
8 had maybe a stroke or a heart attack several months ago
9 and he's still trying to recover, so he wasn't at the
10 last Federal Subsistence Board meeting.

11
12 But it's always great to be able to
13 represent this Regional Advisory Council at such
14 meetings. I have to say that you have prepared me well
15 to represent your concerns here. I really appreciate
16 Mr. Larson for his help in getting me prepared as well.
17 Of course, he is there in case I need to be updated on
18 anything.

19
20 Anyhow, I'm just going to make it nice
21 and short. I'll turn the mic over to Mr. Bangs and go
22 down this way and come back this way.

23
24 MR. BANGS: Thank you, Mr. Chairman. I
25 just wanted to thank the Council for all the work that
26 we've gotten through this meeting as well as other
27 meetings. I really appreciate the Staff and the
28 patience that the audience has to sit through some of
29 our long-winded deliberations. I definitely appreciate
30 it.

31
32 I was thinking since the very first
33 meeting that I went to, it's been several years ago, I
34 thought about why we don't have younger people in the
35 audience. I mean I look around the room and I see a
36 lot of gray hair.

37
38 (Laughter)

39
40 MR. BANGS: It's something that when we
41 go to the communities, some communities maybe the high
42 school will bring in some students to witness what
43 we're doing and I would encourage everyone to do that
44 when the meeting goes to your town. Maybe mention it
45 to your high school and start to educate younger people
46 to this process. Anyway, that was just a thought I
47 had.

48
49 Thank you.
50

1 CHAIRMAN ADAMS: Thank you, Mr. Bangs.

2

3 Mr. Kitka.

4

5 MR. KITKA: Thank you, Mr. Chair. Over
6 the years I've really come to a point to where I can at
7 least say some things. I had some tremendous problems
8 with being able to focus what I wanted to say at times.
9 I'm really happy to see tribal consultations coming,
10 new things in the rural determination. I really think
11 the C&T is going to help our thoughts on different
12 items and kind of broaden our ideas from the different
13 communities. As the consultation becomes more involved
14 with our group, it might help getting more of the
15 public to be involved with what we're doing. I feel
16 that we really needed that over the years. I look
17 forward to a different meeting with Southcentral.

18

19 Besides that, I really appreciated
20 those of the Council that came to my dad's ku.eex last
21 year. It helped make the ku.eex complete.

22

23 Thank you.

24

25 CHAIRMAN ADAMS: Gunalcheesh, Mr.

26 Kitka.

27

28 Ken, (in Tlingit).

29

30 MR. JACKSON: Gunalcheesh. I'd like to
31 thank all those that testified, to the Staff, and
32 everybody that attended. The representation of ANB and
33 your brother. I really want to thank everybody on the
34 board for teaching me. This is a very very important
35 board. I missed the first day. Thanks for bringing me
36 along. Robert, thank you for everything. We'll
37 probably be thanking you for the rest of our lives.

38

39 (Laughter)

40

41 MR. JACKSON: But for teaching us that
42 we all have a mission here, all of us, and we still
43 have to work on accomplishing whatever is good for
44 everyone, not just for one particular entity. We have
45 to be diverse, which everybody on the board is.

46

47 There is one comment I would like to
48 make. I was going to bring this up earlier, but I
49 didn't know when to bring it. I know we talked about
50 the mining thing, but we're being inundated with tour

1 ships that are dumping their waste inside our waters.
2 It affects our fishing. Our hunting because deer and
3 moose come down to the beach and everything else and
4 they eat kelp off the beach. Our seaweed has turned
5 white. These guys dump sewage and waste from four or
6 five thousand people. About 20 ships a day enter our
7 waters. Because they're three miles away from each
8 shore the law says they can do that.

9
10 Later on I would like to see from point
11 to point and keep them out. Even though the mining
12 thing isn't going to happen, this is already happening.
13 It's affecting everything. We've had more cancer in
14 the last 20 years to our villages because this stuff is
15 happening and we didn't even realize, but nobody has
16 done a study on it. We've lost more people in our
17 communities that were younger and I think because we
18 eat the halibut, the crab, everything else, I think
19 we're going to end up identifying and dealing with this
20 later on. I don't know how soon. But I would really
21 like to thank the Forest Service for overseeing
22 everything.

23
24 I won't take up too much more of your
25 time.

26
27 Thank you very much.

28
29 CHAIRMAN ADAMS: Thank you, Ken.

30
31 Patty, you're next.

32
33 MS. PHILLIPS: Thank you, Mr. Chair. I
34 really appreciate the collaboration that goes on at
35 these meetings and I really feel that Big Bill is up
36 there being our guardian angel. I appreciate the
37 outreach that the RAC is conducting ongoing. The
38 outreach to the transboundary, the letter that we're
39 sending to the Secretary of State. It shows the clout
40 that we have as a Regional Advisory Council when we
41 come together on common issues. I like that we're
42 advancing the C&T working group's activities. I really
43 appreciate the FIS presentation by the Hydaburg Tribe.

44
45 Thank you.

46
47 CHAIRMAN ADAMS: Mr. Yeager.

48
49 MR. YEAGER: Thank you, Mr. Chair. I'd
50 like to congratulate Chairman Adams and Vice Chairman

1 Bangs for their reappointment. They do a great job. I
2 look forward to work with them in the future. I will
3 be taking away quite a bit from this meeting back to
4 Wrangell, which I think will be important for our
5 community.

6

7 Thank you.

8

9 CHAIRMAN ADAMS: Thank you very much.

10

11 Mr. Isaacs, (in Tlingit).

12

13 MR. ISAACS: Thank you, Mr. Chair. I'm
14 excited to be on this Council. I have served on the
15 local advisory council for about 15 years. Matter of
16 fact that proposal that we sent out of Klawock to limit
17 the gear and times for sockeye fishermen came from my
18 desk. When I got the letter from Secretary Salazar, I
19 was excited because I know the responsibilities of this
20 Council. It affects literally so much of our way of
21 life and subsistence users.

22

23 Although I've traveled and been all
24 over the state in employment, my family still conducts
25 subsistence. My three sons and daughter love the
26 history that they learn about subsistence. They
27 practice it, they use it. Unfortunately two of them
28 are married to non-Natives who they have to educate now
29 on subsistence.

30

31 But, again, I'm thrilled to be here on
32 this Council. I've got a lot of friends that I've been
33 around in ANB, Tlingit-Haida, Sealaska. I've served 13
34 years on the State Human Rights Commission and I'm now
35 in my 13th year on the State Labor Relations Board, so
36 I'm familiar with how these different Councils and
37 Commissions work. I enjoy it. I've been ANB president
38 for years in Klawock. Every year we ask for
39 resolutions, subsistence comes up.

40

41 The other thing that I'm very
42 passionate about is the veterans. I am a veteran. My
43 father was a veteran. My two brothers were veterans.
44 When the Forest Service was giving a presentation, I
45 wanted to speak up and praise them because as our
46 Prince of Wales Veteran's Association formed, it's for
47 one purpose, to have a totem pole carved honoring all
48 veterans. We sent a letter to Sealaska asking for a
49 tree. We were denied. I kept that letter. I was so
50 angry I wanted to tear up that letter, but I thought I

1 better hang onto this letter.

2

3 So a letter went to the Forest Service.
4 Just that quick they responded. We got our tree. It's
5 curing. Our carver is preparing the design, who is
6 also a Marine Corps veteran, Jon Rowan. Some of you
7 know him. The Forest Service, their response to me was
8 just incredible. Again, I'm working with them now on
9 another issue. I praise the Forest Service. They've
10 done so much for our people.

11

12 Again, thank you for my presence on
13 this Council.

14

15 Thank you, Chairman.

16

17 CHAIRMAN ADAMS: Thank you, Aaron. We
18 certainly are happy that you're with us.

19

20 Cathy.

21

22 MS. NEEDHAM: Thank you, Mr. Chairman.
23 I was honored to be reappointed for another three years
24 to this Council. I hope that I can continue to work
25 hard for subsistence users throughout our region. I've
26 enjoyed working with the workgroup members and
27 appreciate their hard work in the workgroup that I was
28 a part of and look forward to continuing to work with
29 them and the additional workgroup that I was added to.

30

31 (Laughter)

32

33 MS. NEEDHAM: I want to acknowledge
34 that I think this meeting was an extremely productive
35 meeting and we covered a variety of issues and I think
36 a measure of that is the number of letters that we're
37 producing out of this meeting. We seem to be writing
38 more and more letters and I think that's a good venue
39 for us to make sure that the issues that are brought
40 before us get forwarded on to the places that they need
41 to go.

42

43 I want to thank the Staff for their
44 continued support and help that they've given us. I
45 really appreciate the community members that have
46 testified before us and come here and give us more
47 documentation and background into the issues that are
48 important and that help us do our work.

49

50 Lastly, I'd like to acknowledge Patty

1 Phillips for 20 years of being on this Regional
2 Advisory Council.

3
4 I think that's just amazing and I look
5 up to that.

6
7 (Applause)

8
9
10 CHAIRMAN ADAMS: Mr. Wright.

11
12 MR. WRIGHT: Thank you, Mr. Chair.
13 Whenever I come to this meeting we're always talking
14 about an issue that sustains our people, which is
15 subsistence. When we talk about subsistence, we're
16 talking about the people of the communities of all
17 Southeast Alaska that live near the water. I always
18 tell people the people that live near the water that
19 takes care of them. Some people that come to our town,
20 I said if anyone goes hungry in this town, they don't
21 get off their butt and go out and go do something.
22 There's no excuse for anyone to go hungry in our
23 community. I look in our freezer and I say, wow, I'm
24 pretty rich.

25
26 I'm glad that we had discussed Saxman
27 again. I certainly hope that something can go forward
28 where Lee Wallace doesn't have to do this anymore.
29 It's got to be a subject that he lives with every day
30 and talks about. I mean what can I do, what can I do.
31 I'm glad that it's come before us again so that we can
32 make a recommendation of some kind, some way to change
33 things. I really believe that. Our people need to
34 exist. There's only one way our people can exist is
35 being -- like I always say when I speak before like a
36 Federal Board or something like the Halibut Commission
37 or something like that, I always just say look at me.
38 I look this way because of the food I eat. I look this
39 way because of the environment I live in.

40
41 We've got to keep people like me
42 around.

43
44 Gunalcheesh.

45
46 CHAIRMAN ADAMS: Gunalcheesh.

47
48 Go ahead, Mr. Ackerman.

49
50 MR. ACKERMAN: Gunalcheesh to the

1 Tongass and the Saxman for letting this Chilkat come
2 into your country, whereas you would say in the 21st
3 century thank you for letting me come into your
4 refrigerator.

5

6 (Laughter)

7

8

9 MR. ACKERMAN: As the Chilkats would
10 say, we come in peace and we wish all to go in peace.

11

12 Thank you.

13

14 CHAIRMAN ADAMS: Thank you much.

15

16 Mr. Hernandez.

17

18 MR. HERNANDEZ: Thank you, Mr.
19 Chairman. I just want to say again how enjoyable it is
20 working with this Council, working through some really
21 tough issues sometimes and complex things and working
22 with everybody here is just a really great experience,
23 the amount of knowledge and cooperation that we have
24 here. I want to commend the two new members, Mr.
25 Jackson and Mr. Isaacs for volunteering to be on this
26 Council. I think they're going to be excellent Council
27 members. I can see they're really engaged with the
28 process. It's a steep learning curve. There's so much
29 bureaucracy to figure out, but I think they're going to
30 be really good members.

31

32 Most of all, I want to echo Cathy's
33 comments. I really want to thank the people that took
34 the time to come and testify at these meetings. I
35 think the testimony at this meeting, particularly on
36 the Saxman issue and the mining issue were just
37 tremendous help to the Council in formulating some
38 ideas on these two important issues and I really
39 appreciate that.

40

41 CHAIRMAN ADAMS: Go ahead, Floyd.

42

43 MR. KOOKESH: Thank you, Mr. Chairman.
44 I'd like to mention like three different things. The
45 first one is when we leave this room and go our own
46 separate ways, I was talking to a gentleman in Juneau,
47 he's an older gentleman, his name is Charlie Williams,
48 and he told me, he said, our people shouldn't be
49 shutting down every kind of project that comes along
50 just to stop projects from happening or just to keep

1 things from moving forward, he said. He said we've got
2 to always keep in mind that our children need to work
3 because that's the way this culture is. We can't just
4 keep shutting everything down.

5
6 So as you go forward always keep in
7 mind there has to be a balance and that's what Charlie
8 was telling me. We can't just shut everything down.

9
10 The other thing that I'd like to
11 mention is I'm very involved with politics through my
12 brother Albert and through my years of being a mayor
13 and through the corporate world. One thing that I'm
14 very bothered by is our legislature. They don't seem
15 to be -- we call them Alaska State legislators, but
16 they don't seem to be state legislators, they seem to
17 be representatives of their own area. They serve
18 themselves, which is wrong.

19
20 I mentioned it before in a different
21 way when I said although we may come from -- I may come
22 from Angoon, we should always remember that we
23 represent a region. When you're out there, speak for
24 other people. If your brothers and sisters aren't
25 there, speak for them on their behalf. Always support
26 them. That's what I remember. We're regional
27 representatives.

28
29 The third thing is Alaska Native
30 Brotherhood and Sisterhood executive committee has
31 asked me more than once to chair their meetings up in
32 Juneau. I worried very much about making sure I
33 adhered to the Robert's Rules of Order process. I bite
34 my tongue sitting in this meeting because I feel we
35 have a lot of work to do yet in terms of Robert's Rules
36 of Order. This pamphlet, which it's a step, but it's a
37 small step. We do have Robert's Rules of Order and if
38 we're going to be the best RAC we can be and to be an
39 example for our children, we should adhere a little
40 more strongly to Robert's Rules of Order.

41
42 Thank you.

43
44 CHAIRMAN ADAMS: Gunalcheesh, Floyd. I
45 appreciate your frank comments. I appreciate you.
46 You've made me a better -- I've said this before, a
47 better Chairman. I hope that you can continue to keep
48 that kind of relationship going.

49
50 MR. LARSON: Mr. Chair.

1 CHAIRMAN ADAMS: Yes. I'm not done
2 yet. I'm reading something here. I just want to make
3 a closure here. I think I have a right as a Chairman
4 to do so even though I made comments before.

5
6 I need to let you know about the
7 Wrangell-St.Elias Subsistence Resource Commission
8 meeting. When I was appointed by this body to be on
9 that council or commission, I came back from my first
10 meeting and Big Bill was chairman then. So I gave my
11 report and then he asked me after my report was given
12 how come -- if I was made chairman yet and I said no.
13 Then his question was why not. I said I'm just getting
14 started there. I wasn't even looking for it. But then
15 our meetings, as I attended those meetings, they
16 struggled with Robert's Rules, so I was always calling
17 for point of order and trying to get things straight.
18 That second year that I went there I was elected
19 chairman.

20
21 The purpose was -- that I stuck in
22 there for so long was to help some of the council
23 members to learn how to properly conduct meetings and
24 they've done that pretty well now. So I'm no longer
25 chairman there. That was my goal, was to be able to
26 turn that responsibility over to the people who are
27 living in that area. They elected a new chairman this
28 last meeting, so I'm just going to be a member from
29 here on. I'll probably be calling point of order like
30 Floyd is doing right now.

31
32 Anyhow, I just wanted to share that
33 with you. You know, ANB is the one who trained us on
34 how to conduct meetings. So many of us, you know, of
35 the older generation have learned how to do that. Our
36 leadership came from the Alaska Native Brotherhood. I
37 look forward to having a convention there in Yakutat
38 this coming fall.

39
40 I'll close for now.

41
42 Did you have something, Mr. Larson to
43 say.

44
45 MR. LARSON: I did. There will be a
46 recognition ceremony of some kind in the fall meeting
47 for Patty Phillips. There was some discussion of
48 exactly what form that would take and we tried to get
49 it together for this Council meeting and it just didn't
50 gel and we wanted to do something similar for --

1 there's three people in her position in the state and
2 we wanted to have something that was fairly similar for
3 all the Councils and we didn't get it done for the
4 first one, so we're going to postpone that whole
5 business and do it in the fall, but we did not forget
6 you, Patty. So you can expect that.

7

8 MS. PHILLIPS: How could you?

9

10 (Laughter)

11

12

13 MR. LARSON: The other is that I just
14 got word that the letter I said was not going to be
15 available at this meeting, the mining letter, that's
16 been approved, so I'll have that for your signature at
17 the end of the meeting.

18

19 Thank you.

20

21 CHAIRMAN ADAMS: Thank you much. Well,
22 folks, again, it's been a very productive meeting and
23 we will adjourn now. Before we do that I'd sure like
24 to ask Lee if he would like to give us a closure
25 prayer, please. We do need your blessings.

26

27 Would you, please.

28

29 MR. WALLACE: I don't know why you
30 always pick on me. However, I was told not to refuse.

31

32 What I really appreciate hearing in
33 prayers is the local languages and that's what I really
34 enjoy. Language is the base of our culture. Without
35 it, there's a great portion of it missing. My
36 generation, myself, I speak very little Haida, although
37 I'm Haida, Tlingit and Tsimshian, so very little of all
38 three.

39

40 Dr. Monteith spoke and addressed
41 himself in his Tlingit language that he learned and
42 adopted and he's adopted into the clan here in Saxman.

43

44 Without delay then, let's bow our
45 heads.

46

47 (Blessing)

48

49 CHAIRMAN ADAMS: Gunalcheesh.

50

1
2
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5

MS. PHILLIPS: We're adjourned.

(Off record)

(END OF PROCEEDINGS)

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C E R T I F I C A T E

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)ss.
STATE OF ALASKA)

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Salena A. Hile
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