

1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME III

7
8 Saxman, Alaska
9 March 18, 2010
10 9:00 clock a.m.

11
12
13 COUNCIL MEMBERS PRESENT:

- 14
15 Bertrand Adams, Chairman
16 Michael Bangs
17 Michael Douville
18 Merle Hawkins
19 Harvey Kitka
20 Floyd Kookesh
21 Jack Lorrigan
22 Cathy Needham
23 Patricia Phillips
24 Frank Wright
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29 Regional Council Coordinator, Robert Larson

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P R O C E E D I N G S

(Saxman, Alaska - 3/18/2010)

(On record)

CHAIRMAN ADAMS: Okay, please take your seat and we'll get started.

Thank you.

(Pause)

CHAIRMAN ADAMS: Okay, folks.

(In Tlingit)

Good morning people of Honor. We will get our meeting started this morning. I want to thank Mr. Bangs for helping me out yesterday, I really wasn't feeling too well. I tried to get some rest last night and I was pretty restless, I'm still not 100 percent, but I know I can count on you if we need it. But, thanks, Mr. Bangs, for Chairing this meeting for a short spell.

Anyhow, we want to go ahead and get started. We've got a bunch of proposals that we need to get through this morning, and, today. I would hope that those of you who have signed up to testify, we want to hear your concerns but we also want you to know about our time constraints. It's very stressful, you know, when this Council has to rush through the latter part of the day, and I really want to avoid that if possible. So if we can keep our comments and everything to the point and as short as possible, we would sure appreciate it. That goes, you know, especially for those who are on the list to testify. I would encourage that to be true through all of the proposals that we go through today. But, you know, we hope to get out of here in a respectable time.

So, thank you.

Mr. Bangs, did you have something that you wanted to address?

MR. BANGS: There's a little -- I'm a little bit confused and I was wondering if I could ask some questions to Mr. George Pappas.

1 CHAIRMAN ADAMS: Mr. Pappas, you're on
2 the hot seat.

3
4 MR. PAPPAS: Good morning, Mr. Chair.
5 Mr. Bangs.

6
7 MR. BANGS: Thank you. I just want to
8 make sure that I understood that the State is clear
9 that they're not going to comment on the proposals that
10 they didn't comment on here, the C&T findings and a
11 couple other ones that the State didn't have a position
12 on.

13
14 MR. PAPPAS: Through the Chair. Mr.
15 Bangs. To make it clear, statewide we have not
16 provided comments on Proposals 1 through 5 to hear the
17 different inputs of the RACs, new information
18 available. Same with the C&T proposals. Now, our
19 positions will be finalized once we incorporate all the
20 new information that's presented at the RACs, all the
21 public testimony, all the conclusions of the RACs, and
22 our comments will go to the Federal Subsistence Board
23 on those particular proposals, but not at this meeting.
24 I've been to nine of the 10 meetings so far, and we've
25 had the same information and, actually, the vast
26 majority of the RACs have appreciated prior to
27 formulating and finalizing our position on some of the
28 statewide proposals and C&Ts, they appreciated us
29 listening.

30
31 Thank you, Mr. Chair.

32
33 CHAIRMAN ADAMS: Follow up.

34
35 MR. BANGS: Mr. Chairman. Mr. Pappas.
36 We've went over this time and time again and the reason
37 why that the State needs to make their comments at this
38 meeting here, at the RAC level, it helps us to form
39 better judgment on the proposals and it's just not in
40 the purview of this group to have those comments go by
41 us and go to the Federal Board. And this is something
42 that we've tried to be pretty firm. And Chairman
43 Littlefield was pretty adamant about it as well. And I
44 don't understand why the State continues to do this.
45 And I think, I don't know how the rest of the Council
46 feels, but I don't think it's a proper procedure.

47
48 Thank you.

49
50 CHAIRMAN ADAMS: Thank you. Mr.

1 Douville.

2

3 MR. DOUVILLE: Thank you, Mr. Chair. I
4 agree with what you're saying totally. And Chairman
5 Littlefield would not allow further comment beyond the
6 regional level, so if you can't put it through us, if
7 it does not go through us, then it's unethical to even
8 attempt to go to the Federal Subsistence Board with any
9 information that you have not presented to us, and that
10 he would disallow that totally. If you don't make your
11 comments here, well, then you're barred from doing that
12 farther down the road in the process. That was quite
13 clear.

14

15 CHAIRMAN ADAMS: Okay. Any more
16 comments about that issue.

17

18 (No comments)

19

20 CHAIRMAN ADAMS: Thank you, Mr. Pappas.

21

22 MR. PAPPAS: Duly noted. It's in the
23 record. I'll ensure that all the supervisors and
24 policy team is specifically aware of this.

25

26 Thank you, Mr. Chair.

27

28 CHAIRMAN ADAMS: Gunalcheesh. Thank
29 you.

30

31 I want to take a testimony this
32 morning. We'll try to get through these here as
33 quickly as possible. I want to call Franklin James up,
34 if you would, Mr. James.

35

36 MR. JAMES: Thank you, Mr. Chairman.
37 Good morning to all you RAC, Council. My name is
38 Franklin James.

39

40 I'm not going to read anything from
41 this, that I handed out copies to you guys. What I
42 want to do, and I know you don't make rulings on this,
43 but why I'm going to talk on this issue is, so much was
44 brought up about Kuiu yesterday, and what I want is
45 Forest Service and those people to know about Kuiu.

46

47 I grew up there, on Kuiu. I trapped
48 there from when I was a young kid. Now they're talking
49 about the snowfalls for the last two years out there, I
50 heard it, marten, no such thing. When I grew up, and

1 I'm sure all of you guys know when we're young kids,
2 look at the snow, good grief, it was five, six feet,
3 you had to shovel a tunnel just to go to school, frozen
4 from half -- right from the blinker out of Craig, by
5 Crab Bay all the way to Klawock, yet that place was
6 full of marten, it's just overtrapped.

7
8 But what I want to do is just talk on
9 Kuiu. People say that island belongs to somebody else.
10 Nope, they don't even know the story. I gave you guys
11 papers and you can study them and the guys from Forest
12 Service. And what it is, I would like to ask Merle, on
13 the people that we met so I can continue, Merle, do you
14 remember those people down at KIC.

15
16 MS. HAWKINS: Yeah, the Sacred Sites
17 National Committee. Susan Johnson was in charge of
18 that committee, she's Alaska -- she's Native American
19 Tribe.

20
21 MR. JAMES: Thank you. Anyway, what I
22 wanted to talk on, and I'll try to keep it under five
23 minutes, is that you take a look at Kuiu all the way
24 from -- I can go all the way around the island but I
25 leave that to Kake, from Pt. Saint Ellis going around
26 south all the way to the north end of Threemile Island,
27 there's so much buriel sites, all over the place, and
28 that's what we discussed with this group that Merle
29 just talked about, not only that we have a lot of
30 buriel grounds out in Mulsberry, and that area, the
31 Forest Service has been building roads right over our
32 grave sites, which is wrong. And the -- when you take
33 a look -- and those are supposed to be sacred sites.
34 They do have laws that you have a boundary that you
35 can't come within those sacred sites.

36
37 Another one is that, as you'll see in
38 your paper, where the Battleship Sagna (ph) came and
39 destroyed eight villages, wiped them out at night.
40 They could not defeat us in the daytime. One on one
41 they could -- the United States, we could have wiped
42 them out. But they had to come in at night and wipe
43 out our villages. And each one of our villages had
44 anywhere between 18 to 14 longhouses, just like our
45 Chair said yesterday, the house got too small to build
46 another one. These houses housed over 300+ people and
47 we had between 18 to 14 longhouses per village. This
48 averages out at 11, and you put it at 300 that's 28,000
49 people. And you can get this from three different
50 scholars that drafted a book in the 1890s steady.

1 Where are those people from around Kuiu where there was
2 20 to 40,000 people, where are they today?

3
4 Okay, let's get back again. Smallpox.
5 That they planted and killed all these people. A lot
6 of them died all off in the waters trying to cool off.
7 A lot of them died right in their houses. The people
8 that survived this that went up in the mountains and
9 some went to Kake and some went to Petersburg and
10 Wrangell and -- well, Petersburg was just a summer
11 camp, it wasn't even in existence then, just a summer
12 -- Native summer camp. But to Wrangell and to Klawock.
13 After they came back after the disease, they burned up
14 all the bodies, okay, cremation sites, if I'm not
15 mistaken, has got 100 mile radius. So with the
16 battlesites that took place, that where the (In
17 Tlingit) fought the Russians out there in Kuiu Straits,
18 they fought it all the way around that island, some
19 places we know where the cannons are laying today,
20 still where we sunk the ships, you can see the cannons
21 at low tide. Okay, those are scared sites. The
22 cremations are all sacred sites. So the fish straps
23 are sacred sites.

24
25 We went over this with these people and
26 they were supposed to draft something up for me where
27 we can keep all the logging off there. And one -- I'm
28 going to cut it off because I know -- I'm glad our
29 Chairman gave me a little extra time.

30
31 One thing I want to express, we are
32 going to win that island back in Kosciusko. Why, when
33 they destroyed eight of our villages -- my challenge
34 after my fishing rights case, which I'm sure I'm going
35 to win, is that we're going to go after these people
36 that forced us off in 1934 from Kosciusko, by guns, by
37 destroying our eight villages. I'm not going to ask
38 for repayment like they gave to Angoon for destroying
39 just part of a longhouse, gave them reparation of, I
40 think \$78,000, nope, my suit's can come in where we had
41 three camps right there, Tebenkoff, Bay of Pillars,
42 Mulsberry, one in Kell Bay, one up in Bear Harbour, up
43 in Tebenkoff, No Name Bay and inside of Conflusion,
44 where they destroyed -- I want all those places built
45 back. They're going to rebuild that whole area.

46
47 So what I'm doing is letting the Forest
48 Service know you guys are trespassing on lands, you're
49 trying to make rules on lands, and for me I agree with
50 them, close that trapping to marten. Marten is a dumb

1 animal I used to trap. All you had to do was hang a
2 little can up there, put bait in it and they'll jump up
3 and jump in the trap and you leave the trap open. I
4 trapped out there since 1954 to 1963. And those areas,
5 you could not come into our area, we'd shoot you, that
6 was the law. You could not trespass on our areas and
7 it was known up until the latter -- early part of the
8 '60s, people used to ask us permission to go in the
9 areas. What happened to those things today.

10

11 So in closing here I just wanted to
12 give you guys these three papers, just to show, I'm
13 giving you a brief thing, that I got so much stacks of
14 papers you wouldn't believe, and these are just
15 summarized down.

16

17 Gunalcheesh.

18

19 CHAIRMAN ADAMS: Gunalcheesh, Franklin.

20 We've got three more people to testify here this
21 morning and I think we're going to try to get rid of
22 all of those right off the bat, hopefully we'll be able
23 to, you know, move the agenda on forward.

24

25 The next person I'd like to call is
26 Melvin Charles, are you here.

27

28 MR. CHARLES: Gunalcheesh.

29

30 Yeah, on our fishing that we have for
31 halibut fishing right here we've got -- I don't know if
32 this was mentioned before or not, if it was I did not
33 hear it. But it is not right for us to be out
34 traveling an extensive distance away from Ketchikan to
35 set our halibut skates. And that there should not be
36 any commercial fishing in the radius around Ketchikan.
37 And I was thinking a good radius of five miles.

38

39 And that I am totally against this here
40 harvesting of dungeness crabs for commercial. And
41 there is a lot of non-Natives that get this here
42 dungeness and they love it and there's not going to be
43 any. There's not going to be any dungeness crabs for
44 anybody. And there should be a radius around every
45 town and village all over Alaska.

46

47 And for the eulachons, I feel that the
48 Canadians should be liable for getting eulachons for
49 our people. I have commercially fished for eulachons
50 for many times right from when I was a teenager and I

1 fished with my Uncle Benny and we had taken eulachons
2 right directly to Craig, and we supplied Craig,
3 Klawock, Hydaburg with eulachons and this was every
4 year. And the reason why I believe that Canada should
5 be liable for getting us eulachons, they could get it
6 for us out of Nass River (ph). The Canadians have a --
7 they're doing mining in the Unuk River in Canada, and
8 I'm opposed to mining anywhere. And they're attempting
9 to start mining here, I am against that.

10

11 The other thing is on our fishing, I
12 want to find out, and if you can help me on that
13 matter, is where -- why and who put all of those
14 batteries at Sackman Seaport for landfill, and how is
15 that affecting our clams and how is it affecting the
16 water there because those batteries would kill
17 anything, I don't know what it would kill, but I don't
18 think it's right.

19

20 So we -- I do thank you very much about
21 this here.

22

23 And if our harvesting for herring eggs
24 comes into jeopardy at any time I believe that there
25 should be a total shutdown on all commercial fishing of
26 herring. At no time should we be deprived of our food
27 and we are not going to step aside so that the
28 commercial fishermen could make their harvest.

29

30 So I know that you guys are very, very
31 busy, and I know that you're very tired and have lots
32 more to go so I do thank you. Thank you very much.

33

34 Gunalcheesh.

35

36 Gunalcheesh.

37

38 CHAIRMAN ADAMS: Gunalcheesh, Charles.

39

40 (In Tlingit)

41

42 CHAIRMAN ADAMS: Mr. William Farmer,
43 are you here.

44

45 Thank you, sir.

46

47 We were going to -- Mr. Farmer, we were
48 going to let you, you know, testify when these
49 proposals came up, but we'll take your testimony now
50 and you'll be on record so, you know, you don't have to

1 worry that your testimony is going to be ignored.

2

3

Go ahead.

4

5

MR. FARMER: Thank you. Before I
6 forget I'd like to thank the Board for the time and the
7 effort and the expense that you've suffered to be here.
8 I'll speak for myself and my family, we do appreciate
9 it, and we respect your opinions in all matters.

10

11 First I'd like to address the numbers
12 of the deer. I'm a commercial fisherman and I've lived
13 on Prince of Wales for 30 continual years. I came
14 there with myself and my wife and my family has grown
15 substantially. My family now consists of four
16 children, six grandchildren. We encompass the Yates,
17 the Smiths and the Simpsons. I feel comfortable in
18 speaking for myself and my family. I've seen the
19 numbers drop substantially as far as deer numbers and
20 I'm an avid hunter, and I hunt from the saltwater to
21 the Alpine. There's areas that I've hunted continually
22 for the past 30 years, I revisit every year, so I have
23 a good feel on what's going on. I go to where the deer
24 live and look at where they sleep, where they eat, and
25 where they drink. I don't count pellets. I have a
26 good feel for what's going on. The numbers have
27 dropped. And by their own numbers they figure by the
28 pellet count, since 2006, they've dropped by 30
29 percent.

30

31

I looked at Proposal 19 and I'm for
32 that proposal, but I think the timeframe needs to be
33 tweaked a little bit, and some of the concern that I've
34 heard was the does will still have fawns with them at
35 the time that is written down. It ultimately boils
36 down to the discretion of the hunter. The does aren't
37 afraid of you. You go out, you hunt, it's your own
38 discretion. If there's a fawn with that doe, you
39 bypass that doe; it's your call. I would like to see
40 that timeframe tweaked from September 15th to October
41 15th, to October 1st to October 30th; that would give
42 them at least a couple more weeks but it really boils
43 down to the hunter's discretion, whether you want to
44 create that kind of harm, you know, I mean on a doe,
45 you walk up to it, you've got plenty of time, sit down,
46 take a snack, take a nap, whatever, it's not going
47 nowhere, see if any fawn show up. It's just like
48 shooting a sow bear, with cubs, you just don't do it,
49 you know.

50

1 The other proposal I'd like to comment
2 on is Proposal 20. And I personally don't hunt deer at
3 that time of the year, it's just too hot and the deer
4 just aren't in prime shape. They're skinny, it's hot
5 out, what do you do with the meat after you harvest it
6 anyway, you know, I'm not holding it against anybody
7 else that wants to participate in that, I'm all for it,
8 but for me, personally, I don't do it.

9
10 I also have been harassed by the long
11 arm of the law and I take exception to that but
12 generally what it really boils down to all I've got to
13 do is look in the mirror and I see why I'm being
14 harassed. It's up to a person's own personal
15 discretion whether you want to go that way or not.

16
17 Once again I'd like to thank the Board.

18
19 CHAIRMAN ADAMS: Thank you, Mr. Farmer.
20 Anybody have any questions.

21
22 (No comments)

23
24 CHAIRMAN ADAMS: Gunalcheesh.

25
26 MR. LARSON: Actually I have a
27 question.

28
29 CHAIRMAN ADAMS: Mr. Larson has a
30 question.

31
32 MR. LARSON: Mr. Farmer.

33
34 REPORTER: Do you want to go back, he
35 has a question.

36
37 MR. LARSON: Mr. Farmer.....

38
39 MR. FARMER: Yes.

40
41 MR. LARSON:if I could, just to
42 make sure that my notes and the record is clear, you
43 are in support of 19 with an amendment that you propose
44 to change the dates; is that correct?

45
46 MR. FARMER: That is correct.

47
48 MR. LARSON: And for Proposal 20, you
49 are in support of that proposal as well?

50

1 MR. FARMER: No, I am not in support of
2 20.

3
4 MR. LARSON: Okay. So you're in
5 opposition to 20.

6
7 MR. FARMER: Yes, sir.

8
9 MR. LARSON: And you're speaking for
10 the AC.

11
12 MR. FARMER: I am not speaking for the
13 AC.

14
15 MR. LARSON: Okay.

16
17 MR. FARMER: This is my own personal
18 opinion.

19
20 MR. LARSON: Yes, thank you.

21
22 CHAIRMAN ADAMS: Cathy.

23
24 MS. NEEDHAM: Thank you, Mr. Chairman.
25 Could you please reread the dates that you were making
26 as a recommendation?

27
28 MR. FARMER: As it stands now the
29 proposal is set up to -- I'm not sure when it's to
30 change the dates, I know they run up until December as
31 it's written now, but they're asking for the dates to
32 be changed to September 15th to October 15th; and I'd
33 like to see it changed, instead, from October 1st to
34 October 30th. You'll still have a 30 day timeframe
35 there, but it does give the fawns another 15 day leeway
36 to -- and that's still not saying that they're not
37 going to be with their mothers; probably some of them
38 still will be. I mean I see fawns with mothers in
39 November. But they'll be a little bit more mature and
40 a little bit more capable of surviving.

41
42 The other point I'd like to make is
43 late in the season when you shoot a doe, if that doe is
44 pregnant, that fawn has zero percent chance of
45 survival. Zero percent chance. Because if that doe is
46 pregnant, you kill its mother, the fawn is dead. At
47 least by changing the season forward, there's a slight
48 chance that the fawn may survive.

49
50 MS. NEEDHAM: Thank you.

1 MS. PHILLIPS: Mr. Chair.

2

3 CHAIRMAN ADAMS: Patty.

4

5 MS. PHILLIPS: Thank you. Mr. Chair.

6 Mr. Farmer. You said that, you know, based on what you
7 read that, you know, the analysis shows the deer
8 population dropped by 30 percent, and on your own
9 observations what do you think the population has
10 dropped by?

11

12 MR. FARMER: I started hunting on the
13 island in 1981, I had some excellent teachers that
14 taught me the right way to harvest the deer, and just
15 walking through the old growth I see a drop in the deer
16 population of probably 60 percent. On the road system
17 as -- the road system expanded and we got more
18 technical, nicer trucks, nicer boats, better guns,
19 GPS', all this and all that, we've been able to sustain
20 what we need, but we've had to become much more
21 technical to do it, look in new areas. What I know is
22 I've basically been hunting the same areas for the past
23 30 years. I could move out to outlying areas, I could
24 move down into other areas and still do as well but I
25 feel I'm a good example because I've been hunting the
26 same areas. On the road system, back in the early '80s
27 if you drove from Craig to Whale Pass or El Capatain
28 Pass, just basically across the island, there were
29 many, many, many a days you'd see 20 or 30 bucks on the
30 road and now you may make the same route and you --
31 maybe three or four times and you might see one buck.
32 You know that's what I've experienced.

33

34 You drive out into the clearcuts and
35 you used to be able to walk out on a landing and look
36 down in there and see three or four bucks, take the one
37 you want or take none, you know, just to experience the
38 experience of being out there. It wasn't all about
39 harvesting. It was about the experience of being
40 there. Now you might go to 10 or 15 different
41 clearcuts and see none. The pressure has intensified
42 dramatically. I've seen the pressure go from road
43 hunting to fringe hunting to everybody's progressing.
44 It used to be you'd go to the Alpine, on opening day
45 you'd see nobody, now you go up there you're going to
46 see a dozen people on any mountain. You know it's
47 progressed to that stage. A lot more access. We have
48 ferry traffic every day. Every day. Where there used
49 to be one ferry a week, you know. The pressure in
50 outlying areas, the deer have decreased, so what do you

1 do you go to the next best place. People come home,
2 you know, families have grown. It's changed.

3

4 MS. PHILLIPS: Follow up.

5

6 CHAIRMAN ADAMS: Follow up.

7

8 MS. PHILLIPS: Thank you, Mr. Chair.
9 Mr. Farmer, are you and your family's subsistence needs
10 for deer being met?

11

12 MR. FARMER: With a lot of effort, they
13 are, we're not going hungry. But I have a very
14 adequate family. My son-in-laws are all avid hunters.
15 We all provide for each other, we share. My primary
16 occupation is prawns and I'm ashamed to admit that I
17 fish prawns while they're carrying eggs. It's
18 something I tried hard for the past 20 years to change,
19 there's no reason to be fishing those prawns when
20 they're carrying their babies. The market doesn't want
21 it, myself as a commercial fisherman doesn't want it.
22 I would much rather fish them when they're not
23 pregnant. But it was convenient, when the law was made
24 for a certain fisherman to fish in the off season, I'm
25 ashamed to admit that I fish prawns while they're
26 carrying eggs.

27

28 MS. PHILLIPS: Thank you.

29

30 CHAIRMAN ADAMS: Thank you, sir,
31 appreciate your comments.

32

33 MR. FARMER: Thank you.

34

35 CHAIRMAN ADAMS: Okay, I'm going to
36 take one more. Mr. Willard Jackson.

37

38 (In Tlingit)

39

40 MR. JACKSON: Gunalcheesh.
41 Gunalcheesh. I want to speak on behalf of Saxman again
42 and the citations.

43

44 Yesterday my brother and I were here
45 and we read some of the resolutions off to you. One of
46 the resolutions I'm referring to is 05-09, citations
47 given out in Yukon River, Yakutat, Kasaan, Angoon,
48 Hydaburg, Saxman and Klawock and many other
49 communities. I am going to be 63 years old in another
50 month. I'm retired. And I'm drawing a great, great

1 Social Security from longshoring and the VA.

2

3 My brother and I served in Vietnam and
4 between us there's probably 30 medals that we received.
5 I was wounded in Vietnam two times. I was a drill
6 sergeant when I was 22 taking young men, including
7 myself into battle. Prior to going out in an ambush
8 patrol or even a night patrol a warning order is given,
9 I bring the map out, I tell the young men the direction
10 we're going and the direction we're coming back. I
11 give them the warning order where we're going and why
12 we're going there. I have a license with me. When I
13 turned 62 nobody, nobody should be breaking the law.
14 Nobody. I don't care if it's for traditional
15 gathering. Nobody, nobody should be breaking the law.
16 When I sat at my table with our father, our father used
17 to hold a butter knife in front of us and he used to
18 say, don't talk about your father that way. When I
19 went to jail in the Ketchikan system for many many
20 times after coming back from Vietnam, my father would
21 let me sit there. I spent months and months in jail.
22 But I learned a valuable lesson. Indian country has
23 protocol and traditions just as well as the Organized
24 Village of Saxman, they have their boundaries.

25

26 If you look around the walls here, to
27 your left and your right, you're going to see the clan
28 emblems, those are their boundaries.

29

30 If you're going to fish in the Saxman
31 area or this community, and you're not a part of this
32 community, don't break the laws. That is why Saxman's
33 name is on this resolution; someone broke the law.
34 Saxman paid for that.

35

36 I really appreciate your support in the
37 future for the Organized Village of Saxman.

38

39 My grandchildren are from this place.

40

41 If you look around the table, you know,
42 a lot of us are up in age, and we're not going to be
43 here too much longer. We're basing our culture and our
44 traditions, importing our values into our children. If
45 our brothers and sisters continue to break the law
46 they're setting our children up to fail. That's not
47 the way I was brought up. That's not the way I was
48 brought up in the military, I was to follow orders.
49 There are protocol and traditions in our culture and we
50 need to stand by them as human beings.

1 But I also want to share one last
2 thing. They medivac'd a brother of ours last night,
3 he's dying from cancer, and he's from this village, and
4 that's David Guthrie. He's a clan brother of mine and
5 he lived the subsistence traditional lifestyle. And
6 before I leave this table I want to fill this air with
7 a prayer, a prayer for my brother and a prayer for the
8 family and a prayer for this village.

9
10 (Prayer)

11
12 Father, I'm grateful to be in the
13 presence of the RAC Council. They're
14 given some heavy information here
15 Father and responsible for a lot of
16 things Father.

17
18 Father we medivac'd a brother of ours
19 just hours ago to Anchorage, he is not
20 going to be with us too much longer.
21 Father be gentle, be gentle on my
22 brother. Father we ask you stand with
23 the family, and stand with this village
24 Father, our Teikweidi brother. Be
25 gentle with him.

26
27 Father we thank you for the medications
28 and the doctors and the nurses and the
29 hospitals that we have in our midst.

30
31 Most of all, Father, we thank you for
32 the time that our brother has been here
33 with us and we've supported his family
34 and his grandchildren.

35
36 Father, we ask you this in your name.

37
38 Gunalcheesh.

39
40 CHAIRMAN ADAMS: Gunalcheesh, Willard,
41 Gunalcheesh.

42
43 Okay, that concludes the testimonies
44 that we have before us now. If there are any other
45 people who would like to testify, you know, throughout
46 the remainder of this day, please, fill out a little
47 sheet over there and have it brought up here, however,
48 if you've already testified, don't bother, because
49 we've already taken your testimony and we want to, you
50 know, use our time wisely so thank you for that.

1 I'd like to turn the gavel over to Mr.
2 Bangs for awhile, if you could take care of these next
3 few proposals, I need to take a little bit of rest.
4
5 MR. LARSON: Could we take five
6 minutes.
7
8 CHAIRMAN ADAMS: Let's take five
9 minutes.
10
11 (Laughter)
12
13 (Off record)
14
15 (On record)
16
17 ACTING CHAIRMAN BANGS: Okay, we need
18 to get started here so we can get through these
19 proposals.
20
21 (Pause)
22
23 ACTING CHAIRMAN BANGS: So we're on
24 WP10-15. What's the wish of the Council.
25
26 MR. ADAMS: Mr. Chairman.
27
28 ACTING CHAIRMAN BANGS: Yes.
29
30 MR. ADAMS: I move that we adopt WP10-
31 15.
32
33 ACTING CHAIRMAN BANGS: Thank you, Mr.
34 Adams.
35
36 MR. LORRIGAN: Second.
37
38 ACTING CHAIRMAN BANGS: It's been moved
39 and seconded for WP10-15.
40
41 MR. ADAMS: Mr. Chairman.
42
43 ACTING CHAIRMAN BANGS: Mr. Adams.
44
45 MR. ADAMS: That's the language that's
46 found on Page 131.
47
48 ACTING CHAIRMAN BANGS: Thank you, Mr.
49 Adams.
50

1 Ms. Oehlers.

2

3 MS. OEHLERS: Good morning, Mr. Chair
4 and Council members. For the record my name is Susan
5 Oehlers. I'm a wildlife biologist with the Forest
6 Service in Yakutat, and I will be discussing the
7 analysis for Proposal WP10-15 found on Page 131 in your
8 book.

9

10 And this proposal was submitted by the
11 Council requesting that the Federal subsistence goat
12 hunting season in Unit 5A, that area between the
13 Hubbard Glacier and the West Nunatak Glacier on the
14 north and east side of Nunatak Fjord be closed.

15

16 This proposal was submitted because the
17 proponents state that there is a conservation concern
18 for goats in this area and that it is necessary to
19 close the hunting season to protect the goat
20 population. The goat population appears to have begun
21 declining in this portion of Unit 5A referred to as the
22 Nunatak Bench in approximately 2000 and has remained at
23 low levels. Both the Federal subsistence and State
24 seasons have been closed since 2001.

25

26 And I'm just going to briefly mention
27 one alternative that was discussed in the analysis, if
28 you didn't want to support the proposal as stated. One
29 alternative would be to delegate authority to the
30 Yakutat District Ranger to close the season, which
31 would allow flexibility in managing this population
32 without additional action from the Federal Subsistence
33 Board. This delegation of authority may, however, be
34 addressed by Proposal WP10-22, which requests
35 standardization of in-season management which will be
36 discussed later today.

37

38 In summary, the preliminary conclusion
39 is to support the proposal as stated, or as submitted
40 by the Council.

41

42 The goat population in the Nunatak
43 Fjord has declined and remains at a low level that is
44 insufficient to sustain any high risk on Federal public
45 lands. Since the population is not expected to
46 increase for a number of years, Federal public lands
47 should continue to be closed because of conservation
48 concerns for the Unit 5A goat population. Harvest
49 should not be allowed until the population of at least
50 100 animals is observed for several consecutive years

1 as recommended by the Department of Fish and Game.

2

3 Because the harvest of goats was low
4 prior to 2001 and has not been allowed since then,
5 subsistence users will be minimally affected by
6 adoption of this proposal. Closing the Federal season
7 will promote recovery of this population, increasing
8 the possibility of a harvest for Federally-qualified
9 subsistence users in the future. This closure would be
10 reviewed by the Federal Subsistence Board no more than
11 three years from the establishment of the closure and
12 at least every three years thereafter. If survey data
13 indicates a population sufficient to sustain harvest
14 the season could be reopened by submitting a proposal
15 through the Federal regulatory process.

16

17 That concludes my presentation. I'd
18 welcome any questions from the Council.

19

20 Thank you.

21

22 ACTING CHAIRMAN BANGS: Mr. Lorrigan.

23

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

25 I noticed on mortality factors you have goats are
26 predated by brown bears, wolves, coyotes, black bears
27 and wolverines. Has anybody been watching this group
28 of animals for any length of time, other than noting
29 that there's not lots of them around?

30

31 MS. OEHLERS: Yeah, that's a good
32 question. You know we really have very little
33 information on this population, it's remote, there's
34 not a lot of, you know, people up there for any reason,
35 you know, we just get a few surveys in here and there
36 and note, you know, predators that we do see. You know
37 we have seen an occasional bear. I think we saw a
38 wolverine in one survey. Not really seeing a lot of
39 predators during those surveys and, you know, those are
40 generally in September/October so, you know, the rest
41 of the year we just really don't have much information.

42

43 MR. LORRIGAN: Thank you, Mr. Chairman.
44 You should add eagles to this list because they've been
45 observed knocking kids off of cliffs in Sitka. So that
46 might be another thought.

47

48 MS. OEHLERS: Okay, good point, thank
49 you.

50

1 MR. LORRIGAN: And any other large
2 raptors. I just saw a YouTube video of an eagle taking
3 down a deer so they'll take animals larger than
4 themselves if they have the means to.

5
6 Thanks.

7
8 MS. OEHLERS: Okay, thank you.

9
10 ACTING CHAIRMAN BANGS: Thank you, Mr.
11 Lorrigan. Anyone else.

12
13 MS. PHILLIPS: Mr. Chair.

14
15 ACTING CHAIRMAN BANGS: Patty.

16
17 MS. PHILLIPS: Thank you, Mr. Chair.
18 Ms. Oehlers. On Page 140, Figure 2, it shows the
19 Yakutat harvest, well, it shows the total harvest and,
20 you know, it splits it up, but in 2000 I'm not showing
21 -- well, can you explain that to me, how between '98
22 and 2000 it shows -- are these bars for different years
23 on that table, or figure, and so Yakutat tends to take
24 a greater proportion of the harvest and so where are
25 they getting their goats from now, because it's a good
26 -- it's a traditional food to them; do you know that?

27
28 MS. OEHLERS: You're wondering where
29 the -- what harvest is taking place now, outside of the
30 Nunatak Bench?

31
32 MS. PHILLIPS: Well, two questions
33 really.

34
35 MS. OEHLERS: Uh-huh.

36
37 MS. PHILLIPS: Is that in 2000 there
38 was no Yakutat harvest, or, you know.....

39
40 MS. OEHLERS: Right. So I believe the
41 last open season was in 2000 and then the season was
42 closed starting in 2001. Does that answer your
43 question?

44
45 MS. PHILLIPS: No.

46
47 MS. OEHLERS: Okay.

48
49 MS. PHILLIPS: So you have Figure
50 2.....

1 MS. OEHLERS: Uh-huh.
2
3 MS. PHILLIPS:you have that
4 little square that shows total harvest, Yakutat
5 residents, non-local, non-resident.
6
7 MS. OEHLERS: Right.
8
9 MS. PHILLIPS: So in 2000 I don't see
10 any Yakutat harvest.
11
12 MS. OEHLERS: Right. I think there
13 just was not any harvest by Yakutat residents that
14 year. In previous years, you know, there was harvest
15 by Yakutat residents.
16
17 MS. PHILLIPS: Well, my point is it
18 looks like Yakutat gets a greater share of that
19 harvest?
20
21 MS. OEHLERS: Generally.
22
23 MS. PHILLIPS: So where are they going
24 now if they can't hunt that area?
25
26 MS. OEHLERS: Right. So there's other
27 areas in Yakutat. I don't know if -- I did have a -- I
28 did have a map in here, I'll have to check, there are
29 other areas besides the Nunatak Bench that are actually
30 more accessible where harvest can take place at this
31 point. Yeah, the map is on Page 134. And that mostly
32 shows the Nunatak Bench but if you would kind of look
33 south on that map, along the Nunatak Fjord, goes down
34 to -- there's a large lake that's accessible by boat,
35 that people can hunt from, and there's other areas that
36 are, you know, more accessible by plane. So at this
37 point.....
38
39 MR. KESSLER: Page 21.
40
41 MS. OEHLERS: Okay. Or if you look at
42 Page 21 -- thank you, Steve, Page 21 will show more of
43 the entire area.
44
45 So, you know, for Unit 5, the Nunatak
46 Bench is a relatively small portion of, you know, of
47 the forelands area, so you can see from -- on Page 21,
48 from Nunatak Fjord, all the way down Russell Fjord is
49 accessible to Harlequin Lake and then on down to the
50 Dry Bay, Alsek River area, so there are -- you know

1 there are populations that are still open, although we
2 are seeing some declines in those populations as well.

3

4 MS. PHILLIPS: Thank you.

5

6 ACTING CHAIRMAN BANGS: Thank you.

7 Anyone else. Mr. Adams.

8

9 MR. ADAMS: Maybe I can just help shed
10 some light onto the discussion here.

11

12 I think the reason why we had real low,
13 you know, take of deer [sic] in the Nunatak Bench in
14 2000 or thereabouts, is because there was a sting that
15 took place there, you might have remembered I was
16 talking about that last year in Yakutat. And so these
17 individuals were illegally guiding for goat and you had
18 some Federal officers going there and that's where the
19 sting took place, so they were caught red-handed.

20

21 We had been worried about populations
22 in the Nunatak Bench even before that.

23

24 I think if you look at the chart on --
25 or that one that we were referring to earlier, where
26 did that go, oh, right on Page 140, you see way up,
27 there was, at one time, you know, the number of goats
28 observed in that particular area; it's a real small
29 area, okay, and I remember when I was on the tribal
30 council, the Forest Service and the State and the tribe
31 always, you know, got together to talk about what they
32 wanted to do with that area, and as you can see, you
33 know, right after -- you know, in 2000, that population
34 began to really go down. I can't remember -- I think
35 what they were -- and you weren't there at the time,
36 but I do remember them saying that if they kept it
37 around 68 goats then it would be pretty healthy, but it
38 had gone down below that after that, and since then it
39 hasn't been able to rebuild.

40

41 So I thought that might be a, you know,
42 good source of information as we go through this
43 discussion.

44

45 Harlequin Lake is a good place to hunt.
46 It's accessible by road then you just use a boat to go
47 up to the mountains. Some of my family members go
48 there. And then understand that that's -- that
49 population is kind of in jeopardy at this time too, I
50 don't know whether you would like me to elaborate on

1 that, but there's a lot of goat down in the Dry Bay
2 area. So that's where they go.

3

4 And then if you remember last year
5 somebody came up, one of the local residents came up
6 and thought it would be a good idea if we -- this was
7 during the SERAC, or was it -- okay, to open up flying
8 to the area of Icy Bay, which is not allowable right
9 now, so they thought it would make it a lot easier, you
10 know, to get into the goats that way too. But that
11 particular area is really, really in jeopardy of losing
12 all of it's population.

13

14 Thank you.

15

16 ACTING CHAIRMAN BANGS: Thank you, Mr.
17 Adams, for sharing the local knowledge there.

18

19 Okay, anybody else have any questions
20 for Ms. Oehlers or comments.

21

22 Mr. Wright.

23

24 MR. WRIGHT: Thank you, Mr. Chair. I
25 was looking at the chart, Figure 1, and it says two --
26 I was looking at these years, like in 2009 you have
27 this one square that says 10, 11 or -- then you got
28 another one right on top of it, 30, so it says numbers
29 observed, so which one is it? That's on Page 140.

30

31 MS. OEHLERS: Sure, that's a good
32 question. And what this is reflecting is on years that
33 we do -- we may do a number of surveys, a number of
34 replicate surveys in a given year. So for example in
35 2009 we did one survey, that was a little bit earlier
36 in the fall, where we only saw about a dozen goats, and
37 then we went out again like later in September/October
38 and we saw a higher number, and that can be reflective
39 of just sightability conditions. They may have been
40 lower down in the brush where we didn't see them
41 earlier or there may have been some movement so, you
42 know, if possible we try and do several replicate
43 surveys in one season.

44

45 Does that make sense?

46

47 MR. WRIGHT: (Nods affirmatively)

48

49 ACTING CHAIRMAN BANGS: Thank you. Any
50 other comments or questions.

1 (No comments)

2

3 ACTING CHAIRMAN BANGS: Okay, thank
4 you, Ms. Oehlers.

5

6 MS. OEHLERS: Thank you.

7

8 ACTING CHAIRMAN BANGS: Mr. Pappas.

9

10 MR. PAPPAS: Thank you, Mr. Chair.
11 Members of the Council. Our comments incorporated into
12 the record as it appears, Page 145, I'll summarize.

13

14 Closing this area under the Federal
15 regulations will have no impact on subsistence hunters
16 at this time. Although this area was once the most
17 sought after area to harvest goats for Federal
18 subsistence no goats have been taken since 2002 -- or
19 excuse me, since 2000 due to the Federal subsistence
20 closures enacted in concert with ADF&G closures. The
21 State of Alaska closed this area to goat hunting in
22 2003 by removing it from the legal hunting area under
23 registration permit RG170.

24

25 Adoption of this proposal will ensure
26 that no goats are taken in this hunt area, which is
27 necessary to allow this population of goats to rebound
28 to a level sufficient to support a huntable population.

29

30 Adoption of this proposal will
31 eliminate the annual requirement for the approval of a
32 wildlife special action by the Federal Subsistence
33 Board to close the hunt. And once the goat population
34 rebounds a proposal can be submitted to the Federal
35 Subsistence Board to reopen the Federal subsistence
36 hunt.

37

38 The Department supports this proposal.

39

40 And one other comment, through the
41 Chair, Jack, very good observation of the eagles. I
42 have met several of the mountain -- wildlife biologists
43 that have had tagging projects -- had to incorporate
44 protocols to protect from eagles because I understand
45 eagles probably really enjoy a dizzy sheep or goat on a
46 hillside after they've been darted and collared. It's
47 really easy pickings. And these biologists do not like
48 to have to climb down 10,000 feet to recover the
49 collar.

50

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50

So, thank you, Mr. Chair.

STATE OFFICIAL WRITTEN COMMENTS

Alaska Department of Fish and Game
Comments to the Regional Advisory Council

Wildlife Proposal WP10-15:

This proposal would close the federal subsistence goat hunting season in that portion of Unit 5A between Hubbard Glacier and West Nunatak Glacier on the north and east side of Nunatak Fjord.

Introduction:

The area described in this proposal is known as Nunatak Bench in State of Alaska regulations. Based on aerial survey data, the goat population in this area began declining precipitously in about 2001. An aerial survey conducted in 2000 enumerated 82 goats, followed by 48 in 2001 and an average high count of 33 goats per year during 2005-2008. Reasons for the decline are likely related in part to hunting, but winter weather, predation, and disease may also have contributed. Due to low numbers seen during aerial surveys, the department closed this area to goat hunting by Emergency Order in 2001 and 2002. The hunt was closed under state regulations in 2002 and has remained closed. Beginning in 2003, the department omitted this area from the Unit 5 mountain goat State registration permit (RG170). The department will keep this area closed until the population rebounds to a sustainable level.

Impact on Subsistence Users:

Closing this area under federal regulations will have no impact on subsistence hunters at this time. Although this area was once the most sought after area to harvest goats for federal subsistence, no goats have been taken since 2000 due to federal subsistence season closures enacted in concert with ADF&G closures.

Opportunity Provided by State:

The State of Alaska closed this area to

1 goat hunting in 2003 by removing it from the legal
2 hunting area under registration permit RG170.

3

4 Conservation Issues:

5

6 Adoption of this proposal will ensure
7 that no goats are taken in this hunt area, which is
8 necessary to allow this population of goats to rebound
9 to a level sufficient to support a huntable population.

10

11 Other Comments:

12

13 Adoption of this proposal will
14 eliminate annual requirement for the approval of a
15 wildlife special action by the Federal Subsistence
16 Board to close this hunt. Once the goat population
17 rebounds, a proposal can be submitted to the Federal
18 Subsistence Board to reopen the federal subsistence
19 hunt.

20

21 Recommendation:

22

23 Support.

24

25 ACTING CHAIRMAN BANGS: Mr. Lorrigan.

26

27 MR. LORRIGAN: Thank you, Mr. Chair.
28 Yeah, I've been paying attention to this for awhile.
29 And when they're really small they can just wait for
30 them to get on a precarious point and then just hit
31 them and they can soar down and pick up what's left.

32

33 Are there golden eagles in this area?

34

35 No, okay.

36

37 And then these surveys, are you guys
38 doing them in concert with each others, who's doing the
39 surveys, State, or are both of you in the same plane or
40 are you taking different planes, or what?

41

42 Thanks.

43

44 MS. OEHLERS: Yeah, you know, we
45 generally collaborate with Fish and Game and we've, you
46 know, done both, kind of depending on, you know, who's
47 able to provide funding for that year, and who's
48 available if -- if we can. I've done surveys in
49 concert with Neil or other biologists. We use similar
50 -- well, the same survey protocol so the results should

1 be consistent, but we collaborate on those as we can.
2
3 ACTING CHAIRMAN BANGS: Mr. Adams.
4
5 MR. ADAMS: Just a comment. If I were
6 an eagle, I'd sure really enjoy a nice meal if it's
7 available to me.
8
9 (Laughter)
10
11 ACTING CHAIRMAN BANGS: Any other
12 questions.
13
14 (No comments)
15
16 ACTING CHAIRMAN BANGS: Thank you.
17
18 Are there any other Federal agencies.
19
20 (No comments)
21
22 ACTING CHAIRMAN BANGS: Tribal agencies
23 -- oh, here we go, Park Service.
24
25 (Laughter)
26
27 MR. CASIPIT: Mr. Chair. Council
28 members. My name's Jim Capra, I'm with the National
29 Park Service.
30
31 Part of the Nunatak Bench includes a
32 portion of Wrangell-St. Elias National Park and the
33 Park resource managers wanted me to make sure the
34 Council knew the Park Service concurs with the
35 evaluation, that in the long-term this will be in the
36 best interest of the subsistence users and the goat
37 population there because it will be reviewed every
38 three years and it's not a closure that stands and
39 needs new legislation or rulemaking to be removed.
40
41 ACTING CHAIRMAN BANGS: Thank you, Mr.
42 Capra. Is there any questions.
43
44 (No comments)
45
46 ACTING CHAIRMAN BANGS: Thank you, very
47 much.
48
49 Okay, I don't know if we have any
50 tribal agencies that want to address this.

1 (No comments)
2
3 ACTING CHAIRMAN BANGS: Any written
4 public comments.
5
6 MR. LARSON: Mr. Chair. There are no
7 written public comments, nor are there comments from
8 ACs.
9
10 ACTING CHAIRMAN BANGS: Thank you, Mr.
11 Larson. So we're in deliberation.
12
13 Mr. Kitka.
14
15 MR. KITKA: Thank you, Mr. Chair. I
16 was wondering what the Council, whether they would like
17 to table this until we could work on 22?
18
19 ACTING CHAIRMAN BANGS: Any discussion.
20 Mr. Larson.
21
22 MR. LARSON: Mr. Chair. If it is the
23 Council's will to delegate this authority to an in-
24 season manager which would -- it's probably appropriate
25 to have that discussion now. The preliminary
26 conclusion for 22 is to make a modification that only
27 those authorities that are already in place would be
28 granted delegations by letter from the Board. So I
29 think the order is important, but it's not critical,
30 you could do it either way.
31
32 Thank you.
33
34 ACTING CHAIRMAN BANGS: Thank you, Mr.
35 Larson. Where does the Council want to go with this.
36
37 MR. ADAMS: Mr. Chairman.
38
39 ACTING CHAIRMAN BANGS: Mr. Adams.
40
41 MR. ADAMS: While I appreciate what
42 Harvey has said, I think that we should go ahead and
43 address this proposal and I think, you know, maybe
44 somehow or another, you know, No. 22 will enter into
45 the picture somehow.
46
47 But I'm going to support it. I see
48 there is a grave conservation concern.
49
50 Even though it's going to adversely

1 affect, you know, subsistence and non-subsistence
2 users, there's very few people who go up there and hunt
3 in that area because, you know, the smallness of the
4 area and so I really believe, you know, there's enough
5 data here to support the closure of this hunt for now.
6 So I'm going to vote in favor of it, Mr. Chairman.

7
8 ACTING CHAIRMAN BANGS: Thank you, Mr.
9 Adams.

10
11 Anyone else.

12
13 MS. PHILLIPS: Mr. Chair.

14
15 ACTING CHAIRMAN BANGS: Ms. Phillips.

16
17 MS. PHILLIPS: Thank you, Mr. Chair.
18 Due to the substantial evidence provided by the Staff
19 analysis, it is apparent that the goats in the area in
20 this proposal are in need of some conservation measures
21 to rebuild the goat populations.

22
23 The subsistence harvesters have other
24 areas they can go to during this closure to meet their
25 subsistence needs and uses.

26
27 Thank you.

28
29 ACTING CHAIRMAN BANGS: Thank you, Ms.
30 Phillips. So we've covered most of the four criteria.
31 We need to mention that the non-subsistence users, it
32 won't affect them any differently.

33
34 MR. ADAMS: Mr. Chairman.

35
36 ACTING CHAIRMAN BANGS: Mr. Adams.

37
38 MR. ADAMS: I think I addressed that in
39 my evaluations.

40
41 ACTING CHAIRMAN BANGS: Okay, thank
42 you, Mr. Adams.

43
44 Any other comments.

45
46 MR. LORRIGAN: Question.

47
48 ACTING CHAIRMAN BANGS: Question's been
49 called for. Proposal WP10-15, all those in favor
50 signify by saying aye.

1 IN UNISON: Aye.
2
3 ACTING CHAIRMAN BANGS: All those
4 opposed, nay.
5
6 (No opposing votes)
7
8 ACTING CHAIRMAN BANGS: The aye's have
9 it.
10
11 Okay, the next proposal, WP10-16, moose
12 in Unit 5A.
13
14 MR. LORRIGAN: Mr. Chairman. I move to
15 adopt Proposal WP10-16 for consideration.
16
17 MR. KITKA: I'll second.
18
19 ACTING CHAIRMAN BANGS: It's been moved
20 and seconded. Thank you. Ms. Kenner.
21
22 MS. KENNER: Thank you, Mr. Chair.
23 Members of the Council. My name is Pippa Kenner and I
24 work for the Office of Subsistence Management and
25 beside me is Susan Oehlers with the Forest Service out
26 of Yakutat. The analysis for this proposal begins on
27 Page 146 of the meeting book, that's on Proposal WP10-
28 16.
29
30 The proposal was submitted by the
31 Southeast Alaska Council and requests that the harvest
32 limit for moose in Unit 5A be modified from one bull
33 per person to one bull per household. The Council is
34 requesting this action because it believes that it is
35 necessary to prevent waste of moose and to promote
36 sharing within the community of Yakutat. Concerns from
37 the community have been brought to the Council's
38 attention that one household is harvesting more moose
39 that can be processed and preserved to prevent
40 spoilage. Residents of the community have observed
41 wasted moose meat. The requirement to salvage the meat
42 of ungulates, including moose, in Federal regulations
43 does not apply to this situation because the spoilage
44 occurred after the meat was removed from the field.
45
46 The majority of public lands in Unit 5A
47 are Federal public lands, 98 percent, and the majority
48 of State and private land in Unit 5A is located on the
49 portion of the forelands surrounding the community
50 locally referred to as the nine townships. Only the

1 residents of Unit 5A have a customary and traditional
2 use determination for moose in Unit 5A, and Yakutat is
3 the only community in 5A.

4

5 This hunt is managed under a joint
6 State/Federal registration permit. The Federal
7 subsistence season opens October 8th and the State
8 season opens October 15th. The permit hunt area is
9 divided into two moose management zones. One zone
10 close to the community of Yakutat has better access by
11 road and boat than the other area so during the moose
12 hunt is more popular with subsistence hunters. This
13 area has been managed with a quota of 30 bull moose
14 since 1990 but in 2008 the quota was dropped to 20 and
15 in 2009 the quota was 25. With a population of over
16 800 people in Yakutat these 20 to 30 moose are very
17 important for subsistence.

18

19 The State and the Forest Service began
20 issuing the joint Federal/State registration permit for
21 all moose hunters in 5A during the 2004 season. For a
22 number of reasons described in the analysis at this
23 time it's unlikely that the State of Alaska Board of
24 Game would adopt a regulation parallel to this one
25 limiting all State residents to only one bull per
26 household or one permit per household to harvest moose
27 in Unit 5A. So if this proposal is adopted a separate
28 Federal permit would probably be required because the
29 State harvest limit would remain one bull per person
30 and the Federal harvest limit would change to one bull
31 per household.

32

33 In this last part of the analysis I've
34 tried to outline some specific consequences of making
35 this change, and they can be -- if you want I can go
36 through the specifics of how this type of hunt would be
37 administered, but for right now I'll just talk about it
38 generally.

39

40 The proposed action would not
41 necessarily limit Yakutat residents to one bull per
42 household because they could choose to hunt under the
43 State season and would be very difficult to administer
44 and enforce. Responsible households could have only
45 one hunter in the field at a time or hunters in the
46 household would have to hunt together, otherwise they
47 would risk violating the regulation. If this proposal
48 is adopted there would be no effect on non-Federally-
49 qualified hunters and they would continue to be allowed
50 to harvest one bull per person in Unit 5A except

1 Nunatak Bench.

2

3

4 Additionally if imposing a one househo
5 -- if imposing a per household harvest limit on Yakutat
6 residents decreased the harvest of moose during the
7 early part of the season, more moose would be available
8 for non-Federally-qualified hunters. If this proposal
9 is not adopted the harvest limit in 5A except Nunatak
10 Bench would remain one bull per person with the joint
11 permit.

12

13 Reducing the harvest limit from one
14 bull per person to one bull per household is not
15 necessary to manage the moose population at this time
16 because there aren't any conservation concerns and the
17 moose population is managed with a quota.

18

19 For these reasons the OSM preliminary
20 conclusion is to oppose Proposal WP10-16.

21

22 Thank you, Mr. Chair.

23

24 ACTING CHAIRMAN BANGS: Thank you, Ms.
25 Kenner. Any questions for Ms. Kenner.

26

27 (No comments)

28

29 ACTING CHAIRMAN BANGS: Thank you. Mr.
30 Pappas.

31

32 MR. PAPPAS: Thank you, Mr. Chair. Our
33 comments for WP10-16, Page 155. A very thorough
34 analysis there so I'll try to summarize.

35

36 Determining who lives in the same
37 household can be problematic for enforcement of this
38 proposal unless some administrative solution requires
39 listing all household members when acquiring a permit.
40 Also if more than one person per household can get a
41 permit there's a chance that two people from the same
42 household taking a moose at the same time and, thereby,
43 taking one illegal moose. If the permit is limited to
44 one per household all household members should be
45 listed on the permit and should be required to have the
46 permit -- to be in possession when harvesting moose.

47

48 This proposal could be difficult to
49 administer unless the proposal limits the number of
50 permits to one per house -- excuse me -- difficult to
51 administer unless the proposal limits the permits to

1 one per household.

2

3 Another administrative option is to
4 limit the number of permits per household. The State
5 has discretionary authority to list this as a condition
6 of a permit.

7

8 Since this moose hunt is managed as a
9 joint State/Federal registration permit, parallel
10 language is preferred.

11

12 If adopted hunters could simply decide
13 to hunt under State regulations to avoid the
14 restrictions of this proposal.

15

16 The Department does oppose this
17 proposal.

18

19 Thank you, Mr. Chair.

20

21 *****

22 STATE OFFICIAL WRITTEN COMMENTS

23 *****

24

25 Alaska Department of Fish and Game
26 Comments to the Regional Advisory Council

27

28 Wildlife Proposal WP10-16:

29

30 This proposal would limit the annual
31 moose harvest limit to one moose per household.

32

33 Introduction:

34

35 This proposal was submitted to address
36 a concern of Yakutat residents that a single family
37 harvests a disproportionate number of bull moose during
38 the Unit 5A moose hunt. This hunt is managed under a
39 joint State/Federal registration permit (RM061). The
40 Federal subsistence season opens October 8, and the
41 State season opens October 15. The permit hunt area is
42 divided into two moose management zones. One zone
43 close to the community of Yakutat has better access by
44 road and boat than the other area, so during the moose
45 hunt, is more popular with subsistence hunters. This
46 area has been managed with a quota of 30 bull moose
47 since 1990, but in 2008 the quota was dropped to 20
48 and, in 2009, the quota was 25. With a population of
49 800+ people in Yakutat, these 20-30 moose are very
50 important for subsistence. During recent years, a

1 single family took multiple moose and, in some cases,
2 5-6 of the allowable quota, leaving hunters for other
3 families with less opportunity.

4

5 Enforcement Issues:

6

7 Determining who lives in the same
8 household could be problematic for enforcement of this
9 proposal unless some administrative solution requires
10 listing all household members when acquiring a permit.
11 Also, if more than one person per household can get a
12 permit, there is the chance of two people from the same
13 household taking a moose at the same time and, thereby,
14 taking one illegal moose. If the permit is limited to
15 one per household, all household members should be
16 listed on the permit and should require the permit to
17 be in possession when harvesting moose.

18

19 Other Comments:

20

21 This proposal could be difficult to
22 administer unless the proposal limits the permits to
23 one per household. Another administrative option is to
24 limit the number of permits per household. The State
25 has discretionary authority to list this as a condition
26 of a permit. Since this moose hunt is managed as a
27 joint State/federal registration permit, parallel
28 language is preferred. If adopted, hunters could
29 simply decide to hunt under state regulations to avoid
30 the restrictions this proposal presents.

31

32 Recommendation:

33

34 Oppose.

35

36 ACTING CHAIRMAN BANGS: Thank you, Mr.
37 Pappas. Questions.

38

39 (No comments)

40

41 ACTING CHAIRMAN BANGS: Seeing none,
42 thank you, Mr. Pappas. Is there any other Federal
43 agencies.

44

45 (No comments)

46

47 ACTING CHAIRMAN BANGS: Tribal.

48

49 (No comments)

50

1 ACTING CHAIRMAN BANGS: Any written
2 public comments. Mr. Larson.

3
4 MR. LARSON: Mr. Chair. There are no
5 written public comments, however, I would note that the
6 Wrangell-St. Elias Subsistence Resource Commission
7 deliberated this proposal and they are in opposition.
8 Their comments were that regulations shouldn't be
9 drafted because of issues with one person.

10
11 Thank you.

12
13 ACTING CHAIRMAN BANGS: Thank you, Mr.
14 Larson.

15
16 No other reports, so I guess we'll
17 enter into deliberation.

18
19 MR. ADAMS: Mr. Chairman.

20
21 ACTING CHAIRMAN BANGS: Mr. Adams.

22
23 MR. ADAMS: Mr. Chairman. I'm going to
24 have to oppose this proposal. We did, as Mr. Larson
25 just alluded to, go through this at our SRC meeting,
26 and it states the reason.

27
28 But I want to add, you know, some more
29 information that I think is pertinent.

30
31 This proposal actually originated from
32 an individual about an individual. And even though,
33 you know, there's a lot of evidence that this had been
34 going on, that a family has been using their
35 children's, you know, permits to hunt moose and low and
36 behold he was, you know, teaching his children how to
37 hunt moose and, you know, we don't have any problem
38 with that. It was the -- it was the way the meat was
39 handled afterwards. And so this individual said, you
40 know, he was going to submit this proposal and here it
41 is right now.

42
43 We think, you know, that it should be
44 handled in another way, it, it could be handled in
45 another way. You know, enforcement, you know, I think
46 should play a real important part in it. I think
47 they're aware of the complaints that have been coming
48 to them about this incident but, you know, actually
49 nothing has been done. So I think, you know, that's
50 the way it really should be handled is on a local

1 level.

2

3 As alluded in the analysis, you know,
4 there's going to be some serious conflict between State
5 and Federal permits. The way it is right now you can
6 get a joint permit, joint Federal and State permit, and
7 the subsistence hunt opens on October 15th -- no, I'm
8 sorry, 18th -- 8th, and goes through the 15th, for one
9 whole week. It gives the subsistence hunters, you
10 know, an opportunity to get a jump start on getting
11 their moose before the statewide hunt begins. And so
12 they have a joint permit, you know. And if we're going
13 to pass this resolution or accept this resolution -- or
14 this proposal, there would have to be two permits, you
15 know, and that's going to cause a lot of conflict
16 between State and Federal regulations.

17

18 So for that, you know, I see no effect
19 on non-subsistence users.

20

21 There's really no conservation concern
22 other than the fact that there might be some wanton
23 waste, but that's very small.

24

25 And so for that reason, Mr. Chairman,
26 I'm going to vote no on this proposal.

27

28 ACTING CHAIRMAN BANGS: Thank you, Mr.
29 Adams. Any other -- Ms. Needham.

30

31 MS. NEEDHAM: Thank you, Mr. Chairman.
32 I, too, would oppose this proposal and I'd like to
33 thank the Staff for putting together a very well
34 written recommendation that was supported by good
35 scientific evidence and making it clear to us that
36 there was not a conservation concern and that this
37 proposal was -- and it gave us good background
38 information in terms of what the harvest was and how it
39 would impact that, because it helps us go through these
40 four criteria. And I also believe that it doesn't
41 restrict non-subsistence users as well.

42

43 So I would oppose the proposal for
44 those reasons.

45

46 ACTING CHAIRMAN BANGS: Thank you. I
47 appreciate Mr. Adams' comments from the perspective of
48 someone who lives there and I think that helps me a lot
49 make a decision.

50

1 Anyone else.
2
3 MS. PHILLIPS: Mr. Chair.
4
5 ACTING CHAIRMAN BANGS: Ms. Phillips.
6
7 MS. PHILLIPS: Mr. Chair. Thank you,
8 Councilman Adams.
9
10 (Laughter)
11
12 MS. PHILLIPS: I looked at your name
13 tag and I'm like oh.....
14
15 (Laughter)
16
17 MS. PHILLIPS: Okay. On reading this
18 proposal I had some questions about how do we address,
19 you know, what the proposal's about. And I inquired
20 about a designated hunter harvest limit to one moose
21 per household or maybe coming up with a provision that
22 further defines wanton waste of moose and in this book,
23 this harvest of wildlife book, on Page 19, on
24 designated hunter, a special provision could be made
25 for Unit 5 -- unit specific regulations may preclude or
26 change the use of the designated hunter system or allow
27 the harvest of additional species by a designated
28 hunter and, you know, perhaps designated hunter permit
29 for that area specific may hunt no more than two
30 harvest tickets.
31
32 Either that or we firm up the wanton
33 waste provisions.
34
35 And, you know, I'll go along with what
36 Mr. Adams has recommended, is to vote down the
37 proposal, but maybe we should be considering some other
38 options.
39
40 Thank you.
41
42 ACTING CHAIRMAN BANGS: Thank you, Ms.
43 Phillips. I guess we would have to draw up another
44 proposal or try to approach it from a different angle
45 as far as coming up with a regulation change. I think
46 that's what -- so is there any other comments.
47
48 Mr. Adams.
49
50 MR. ADAMS: Mr. Chairman. I think --

1 as I mentioned and I appreciate, you know, Patty's
2 comments that this could be handled another way, I
3 think it's a local issue and I think that we just need
4 to address it from a local level. I'll take it back to
5 the community and I'll see if one of the organizations,
6 a tribal organization or someone to that effect could
7 consider bringing forth a proposal with some real good
8 way to handle that.

9

10 But I think, you know, just between you
11 and me and the lightpost it can be handled, you know,
12 locally, we just need to enforce it.

13

14 The designated hunter, that individual
15 had problems with that, too. He was getting permits,
16 you know, for a whole bunch of people to get their
17 moose for them and what he was doing, he was saying,
18 oh, I'll get your moose for you if you give me a
19 quarter, you know, or, you know, half of it and we
20 don't address it that way when -- the way I understand
21 it, the designated hunter has to take the moose to the
22 person that they are hunting for and it needs to be
23 hung in his shed, not the hunter's shed and that's the
24 way it has been handled.

25

26 But, anyhow, I think there's other ways
27 that we can handle it and, you know, I'm still going to
28 vote no.

29

30 ACTING CHAIRMAN BANGS: Thank you, Mr.
31 Adams.

32

33 Anyone else.

34

35 (No comments)

36

37 MR. LORRIGAN: Question.

38

39 ACTING CHAIRMAN BANGS: Question's been
40 called. All those in favor of WP10-16 signify by
41 saying aye.

42

43 (No aye votes)

44

45 ACTING CHAIRMAN BANGS: Opposed, nay.

46

47 IN UNISON: Nay.

48

49 ACTING CHAIRMAN BANGS: The nay's
50 carry. Okay, Mr. Larson has something to say.

1 MR. LARSON: Thank you, Mr. Chair. I
2 noticed in the back of the room a person that I view as
3 an expert in matters of fish and wildlife for the local
4 area. He's truly a gentleman, a friend of mine and a
5 mentor. I'd like to have Tom Copeland stand up and I
6 would like to introduce him to the Council.

7
8 (Applause)

9
10 MR. LARSON: Thank you for being here
11 Tom.

12
13 ACTING CHAIRMAN BANGS: Okay.

14
15 UNIDENTIFIED VOICE: Speech. Speech.

16
17 (Laughter)

18
19 MR. COPELAND: Experience, when you're
20 talking about.....

21
22 ACTING CHAIRMAN BANGS: Could you come
23 up to the microphone please.

24
25 MR. COPELAND: Thank you. Tom
26 Copeland.

27
28 ACTING CHAIRMAN BANGS: Push the
29 button.

30
31 MR. COPELAND: Thank you. Remember I'm
32 just two generations from smoke signals.

33
34 (Laughter)

35
36 MR. COPELAND: It is really good what
37 you're doing. I see a -- we did a lot of this, you
38 know, when I was with the Department and then working
39 with Bob and stuff like that. And there's a lot of
40 emotion going on. And it's just really, really good
41 what you're -- what we're -- I think what I'm trying to
42 say, is try to do.

43
44 A lot of the data that I've looked at,
45 I believe is flawed, that they're trying to bring in.
46 Some of this stuff is maybe 30 to 40 to 50 years old,
47 that the literature is cited. If you're from Yakutat,
48 on this goat hunting, you need to look at that.

49
50 And aerial surveys, there's probably

1 nobody else here that has done more aerial surveys than
2 I have. I've got 22,000 hours in the air. And it's
3 timing, the pilot, the time of day for mountain goats,
4 and this has to be consistent. And what you want to be
5 able to ask, is the confidence limits from year to year
6 and if the pilot changes because that's important.
7 Because we all don't see the same way, and it will
8 change. You can miss hundreds of goats if you have the
9 wrong pilot or the wrong time.

10

11 And I'm going to go back and sit down
12 and keep my mouth shut.

13

14 Thank you.

15

16 (Laughter)

17

18 ACTING CHAIRMAN BANGS: Thank you for
19 sharing that with us. Okay, we're moving to the next
20 proposal, yes, Ms. Needham.

21

22 MS. NEEDHAM: Thank you, Mr. Chair.
23 Before we move on to Proposal No. 17, I was wondering
24 if we could consider looking at Proposal No. 10-22
25 prior to it because I noted that the OSM recommendation
26 said that the decision on this might be dependent on
27 the outcome of Proposal No. 22.

28

29 ACTING CHAIRMAN BANGS: Thank you.
30 What's the wish of the Council. Mr. Adams.

31

32 MR. ADAMS: If she makes that into a
33 motion I'll second it.

34

35 ACTING CHAIRMAN BANGS: Ms. Needham.

36

37 MS. NEEDHAM: Thank you, Mr. Chair. I
38 move that we adopt Proposal -- Wildlife Proposal 10-22.

39

40 MR. ADAMS: I second.

41

42 ACTING CHAIRMAN BANGS: It's been moved
43 and seconded. We'll take up Proposal WP10-22.

44

45 Mr. Larson.

46

47 MR. LARSON: Good morning, Mr.
48 Chairman. I will speak to Proposal 22.

49

50 Proposal 22 is a proposal to change the

1 way in-season managers are determined through either
2 regulation or letter of delegation from the Board.

3

4 Right now in the Southeast Alaska
5 region there are 11 delegations of authority for
6 wildlife in Federal regulations. There are
7 additionally seven delegations for management of
8 wildlife by letter from the Board. The previous
9 actions by the Council and as supported by the Staff
10 has indicated that a letter of delegation provides more
11 flexibility and is a more rationale way of assigning
12 in-season management authorities.

13

14 There are now six wildlife management
15 units, there's five species involved and there are
16 eight positions identified within the Forest Service
17 Staff that have delegated authority, either by
18 regulations or by letter. It's actually quite
19 complicated. And the Staff is concerned that it's
20 really unnecessary to list those delegations in
21 regulation.

22

23 It's been the Council's recommendations
24 that in-season management authority to close, reopen,
25 or readjust Federal subsistence seasons and to set
26 harvest and possession limits for wildlife would be
27 delegated by letter to the Board to a uniform set of
28 Federal subsistence fish and wildlife in-season
29 managers.

30

31 Both the Staff and the Council has been
32 on record that public awareness of in-season management
33 authorities would be improved if a table of managers
34 and their delegation authorities could be included in
35 the subsistence wildlife regulations, the same as is
36 done in the subsistence regulation book, in the back of
37 the subsistence regulation book there's a map and
38 associated in-season managers so it's clear to the
39 public who's, in fact, in-season manager for those
40 species in this area.

41

42 There is an exception to the rule that
43 all the in-season managers are Forest Service employees
44 and that's in Yakutat area where there's National Park
45 and those management authorities would have to be
46 shared appropriately with the Park Service land
47 managers.

48

49 The Staff recommends to the Council
50 that they support, with the modification to not include

1 a blanket change in management authorities, but,
2 instead, delegate in-season management authorities by
3 letter and not by regulation to only the same in-season
4 management authorities as currently have in-season
5 management, either delegated by the Board in a letter
6 or through our regulatory process. The idea being that
7 those in-season management authorities were done in a
8 public process and if they were going to be changed it
9 should also be done in a public process. And then we
10 could move forward with additions or changes at some
11 other time. But the first step in that process would
12 be to remove the positions from regulation not the
13 authorities; the authorities would stay, the
14 identification of what position it is in our
15 regulations would be removed.

16

17 Thank you.

18

19 ACTING CHAIRMAN BANGS: Thank you, Mr.
20 Larson. Mr. Kitka.

21

22 MR. KITKA: No, that's okay.

23

24 ACTING CHAIRMAN BANGS: Ms. Needham.

25

26 MS. NEEDHAM: Thank you, Mr. Chairman.
27 When I was reading this proposal I made a note to
28 myself that this Council passed a proposal giving it to
29 the Board before and they've opposed or didn't accept
30 the proposal previously. My note says because their
31 justification was there was no conservation concern
32 provided, and so I'm not exactly sure -- I've been
33 trying to find why I made this note to myself, but my
34 real question is, if it's been brought before the
35 Federal Subsistence Board and not accepted before, have
36 we overcome -- has this new proposal overcome what
37 their objection to approving it before or are we going
38 to get to that point where we pass a proposal that goes
39 before them that they don't support? I guess that's my
40 real question.

41

42 Does it make sense, hopefully.

43

44 MR. LARSON: Mr. Chairman. Ms.
45 Needham. That is actually a misunderstanding of the
46 situation where we are right now.

47

48 The 2008 annual report to the Board
49 generated by this Council included concerns over in-
50 season management authorities and how they are

1 delegated and what they asked for, assistance from the
2 Board, is to provide in-season management authority to
3 a more standardized group of individuals. The method
4 that was used is very much an issue specific type of
5 delegation that was used. It was not done according to
6 a strategic plan of any kind, it was done only when
7 those instances dictated that an in-season authority
8 would be worthwhile. So it was pretty much granted to
9 a person as that issue came forward.

10

11 Now, what the Council indicated in
12 their letter of 2008 to the Board was that maybe it's
13 time to revisit all of those issues and look at where
14 we are as a whole. And their suggestion was to grant
15 those authorities to those people that are experts in
16 the field that currently have it for fish, and so the
17 Board responded back and said they would entertain a
18 proposal to do that and then we could have a Staff
19 analysis and look at exactly how best to match up the
20 appropriate person with the appropriate action. And
21 that's where we are right now.

22

23 So the Council took that to heart and
24 said we will provide a proposal, the Staff has examined
25 that proposal and the OSM modification is that we would
26 take this step by step and only grant those authorities
27 that have been previously granted by the Board and see
28 how that works and go from there.

29

30 Thank you.

31

32 ACTING CHAIRMAN BANGS: Thank you, Mr.
33 Larson.

34

35 MS. NEEDHAM: I just wanted to thank
36 you for that clarification because I made a note and I
37 was very confused by, but I can't find it now, so,
38 thank you.

39

40 ACTING CHAIRMAN BANGS: Other comments.

41

42 (No comments)

43

44 ACTING CHAIRMAN BANGS: Thank you, Mr.
45 Larson. Mr. Pappas.

46

47 MR. PAPPAS: Thank you, Mr. Chair.
48 Members of the Council. These are most extensive
49 comments today so bear with me please. The comments
50 will be incorporated into the record as it appears on

1 Page 238.

2

3

4 The Southeast RAC is proposing the
5 Federal Subsistence Board grant Southeast Alaska
6 Federal land managers authority to in-season manage the
7 Federal subsistence hunting and trapping seasons. The
8 proposal requests Federal land managers be authorized
9 to close, open and change seasons and adjust harvest
10 and possession limits. Currently, only certain Federal
11 land managers in Southeast Alaska are delegated
12 specific in-season management authority for identified
13 Federal subsistence hunts. The Southeast RAC Chair
14 stated their preference of granting Federal land
15 managers some authority at the April 28th, 2008 Federal
16 Subsistence Board meeting to close Federal subsistence
17 hunting or trapping seasons for conservation purposes
18 if the same Federal manager was authorized to change
19 other regulations such as open seasons as granted to
20 Federal subsistence fisheries managers.

21

22 The Southeast RAC also requested
23 delegation of in-season hunt authority in the 2008
24 annual report to the Federal Subsistence Board approved
25 at the -- excuse me -- March 24, 2009 Southeast RAC
26 meeting. The Federal Subsistence Board responded to
27 this request on August 4th, 2009. I just have a couple
28 comments from this excerpt from the full Board;

29

30 A similar need to universally delegate
31 in-season authority of all wildlife
32 population in order to provide
33 conservation of wildlife resources has
34 not been demonstrated. Instead for
35 wildlife management delegation of
36 authority occurs on a case by case
37 basis, any field official receiving
38 delegated in-season management
39 authority is required to complete
40 analysis, consult with the appropriate
41 agencies, individuals and document
42 rationale for the specific action.

43

44 And the Board believes that such
45 process have been responsive and timely
46 in regard to processing all special
47 actions -- processing these special
48 actions.

49

50 The Department of Fish and Game
recently supported the special action WSA09-04 which

1 temporarily granted Federal land managers in-season
2 authority to close a portion of Federal subsistence
3 moose hunting in portions of GMU 5A for conservation
4 purposes following consultation with the Department.
5 Although the Department supported this special action,
6 the Department requested that the change in delegated
7 authority should not be to expand the moose quota in
8 regulation and requested the authority be clarified by
9 inserting the present harvest quota into the proposed
10 language to establish an upper harvest limit confirming
11 that the delegated authority retains the existing
12 maximum harvest quota and limits set by the Department
13 and Federal Board while delegating authority to
14 reducing the quota and if and when a closure necessary
15 to ensure conservation of moose populations.

16
17 The Department reiterates and amplifies
18 its concern with WP10-22. While WSA09-04 addressed a
19 moose season in a portion of a specific unit, WP10-22
20 would broadly delegate all in-season Federal
21 subsistence hunt authority to Federal land managers in
22 all -- in the Southeast region. The Department
23 recommends the delegation of in-season management
24 authority for the Federal land managers should be
25 explicitly detailed in the scope of delegation and
26 guidelines of delegation sections of letters of
27 delegation from the Federal Board for the purpose of
28 authorizing in-season management based on conservation.
29 The letter of delegation should contain sideboards of
30 delegated power such as specified -- specifying upper
31 limits and quotas for conservation purposes. This is
32 required in Federal regulation, which authorizes the
33 Board to delegate authority only within framework that
34 have been established by the Board. The Board should
35 consult the Department in developing these sideboards.

36
37 The Department recommends language to
38 be developed which prohibits liberalizations and
39 conditions which result in reallocation between users
40 without direction set by the Federal Board.

41
42 The Department also requests that
43 language be added stating the Federal managers will
44 consult with the Department prior to making decisions
45 that involve the Department's management of fish and
46 wildlife as specified in our January 12, 2010 review of
47 the October 14th, 2009 proposed rulemaking involved
48 with special actions to define what that consultation
49 entails.

50

1 Although the proponent and Federal
2 explain that addressing this proposal through the
3 Federal Subsistence Board process would allow for
4 public review and discussion of the proposed solution,
5 adoption of this proposal would eliminate the public
6 from the regulatory process of modifying and expanding
7 delegated authorities.

8
9 If adopted, designated in-season
10 officials would be issued a letter of delegation by the
11 Board, which grants all in-season authorities currently
12 in regulation but future changes to the letter of
13 delegation could expand that authority outside of the
14 public process, thus eliminating the transparency of
15 the public process in rulemaking.

16
17 The proponent and Federal Staff
18 indicate this proposal change is necessary for
19 rationale implementation of wildlife regulations and
20 cooperative management. The Department concludes this
21 point is overstated. The Department has cooperatively
22 guided and assisted Federal Staff during development
23 and execution of Federal subsistence fisheries and hunt
24 closures for 10 and 20 years, respectively. Eventual
25 full delegation of in-season management authority is
26 not necessary for rationale implementation of Federal
27 subsistence regulations for conservation of fish and
28 wildlife resources for Federal subsistence users on
29 Federal public lands in Southeast Alaska.

30
31 The proposed framework for eventual
32 achieving full delegation of authority to designated
33 Federal officials in Southeast Alaska has not been
34 deliberated by the Board, the Federal Board clearly has
35 not delegated full authority to any Federal Staff in
36 Alaska for the purposes of managing Federal subsistence
37 wildlife hunting or trapping.

38
39 The Department presently works
40 cooperatively with the Federal Staff and does not
41 foresee the benefits of adoption of this proposal.
42 Delegation of all the Board's authorities to open and
43 close and restrict hunting and trapping by Federal
44 Staff in Southeast Alaska is not only unnecessary, it
45 contr -- contra -- the public process, but also
46 exacerbates a misunderstanding that the State remains
47 responsible for sustainability of all wildlife on all
48 lands in Alaska.

49
50 The Department opposes.

1 If adopted, modification is needed that
2 clarifies a letter of delegation will
3 be developed in consultation with the
4 Department to include a maximum harvest
5 quota and harvest limits that do not
6 exceed sustainable harvest established
7 by the State and other sideboards on
8 the exercise of the delegated
9 authority.

10
11 Details the requirements and process
12 for consultation with the State.

13
14 Clearly details the public review
15 process required for modifying the
16 letters of delegations and/or
17 protesting such modifications.

18
19 Direct Federal Staff to make the letter
20 of delegation reasonably available for
21 public review.

22
23 Thank you, Mr. Chair.

24
25 *****
26 STATE OFFICIAL WRITTEN COMMENTS
27 *****

28
29 Alaska Department of Fish and Game
30 Comments to the Regional Advisory Council

31
32 Wildlife Proposal WP10-22:

33
34 Delegate all of the Federal Subsistence
35 Board's authority to open, close, and restrict hunting
36 and trapping through inseason letters of authority to
37 federal land managers in GMUs 1-5.

38
39 Introduction:

40
41 The Southeast Regional Advisory Council
42 (SE RAC) is proposing the Federal Subsistence Board
43 grant the Southeast Alaska federal land managers
44 authority to in-season manage the federal subsistence
45 hunting and trapping seasons. The proposal requests
46 federal land managers be authorized to: close, open,
47 or change seasons and adjust harvest and possession
48 limits. Currently, only certain federal land managers
49 in Southeast Alaska are delegated specific inseason
50 management authorities for identified federal

1 subsistence hunts.

2

3

4 The SE RAC Chair stated their
5 preference of granting the federal land managers some
6 authority at the April 29, 2008, Federal Subsistence
7 Board meeting to close federal subsistence hunting or
8 trapping seasons for conservation purposes if the same
9 federal manager was authorized to change other
10 regulations such as open a season as granted to federal
11 subsistence fisheries managers. The SE RAC also
12 requested delegation of inseason hunt authority in its
13 2008 Annual report to the Federal Subsistence Board,
14 approved at the March 24, 2009, SE RAC meeting. The
15 Federal Subsistence Board responded to this request on
16 August 4, 2009, as follows:

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18 Wildlife

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Item 5: In-season Management of

The Southeast Region
has been faced with a
number of situations in
the past two years
where special actions
were necessary to
provide for
conservation of
wildlife resources.
The Council recommends
the board delegate in-
season management
authority for all
wildlife to the same
Forest Service managers
that have in-season
management authority
for fish.

The Federal response to SE RAC annual
report in a letter stated:

Under 50CFR100.10 and
36CFR242.10, the Board
can delegate to agency
field officials the
authority to set
harvest and possession
limits, define harvest
areas, specify methods
or means of harvest,

1 specify permit
2 requirements, and open
3 or close specific fish
4 or wildlife harvest
5 seasons within
6 frameworks established
7 by the Board. As you
8 note, the Board has
9 previously delegated
10 inseason management
11 authority for
12 fisheries, and in some
13 instances for wildlife,
14 to agency field
15 officials. A primary
16 reason for equipping
17 field officials with
18 in-season fisheries
19 management authority is
20 to provide the required
21 tools to implement
22 timely conservation
23 actions, recognizing
24 the dynamic nature of
25 fish populations. A
26 similar need to
27 universally delegate
28 in-season management
29 authority of all
30 wildlife populations in
31 order to provide for
32 conservation of
33 wildlife resources has
34 not been demonstrated.
35 Instead, for wildlife
36 management, delegation
37 of authority occurs on
38 a case-by-case basis.
39 Any field official
40 receiving delegated in-
41 season management
42 authority is required
43 to complete an
44 analysis, consult with
45 appropriate agencies
46 and individuals, and
47 document rationale for
48 the special action.
49 The Board believes that
50 such processes have

1 been responsive and
2 timely in regard to
3 processing special
4 actions. Anyone may
5 submit a proposal
6 during the upcoming
7 call for 2010-2012
8 wildlife regulatory
9 proposals requesting
10 delegation of authority
11 for wildlife management
12 field officials.

13
14 Other Comments:

15
16 The Alaska Department of Fish and Game
17 recently supported wildlife special action WSA09-04
18 which temporarily granted federal land managers
19 inseason authority to close a portion of the federal
20 subsistence moose season in a portion of GMU 5A for
21 conservation purposes following consultation with the
22 Alaska Department of Fish and Game. Although the
23 department supported this special action, the
24 Department requested that the change in delegated
25 authority should not be to expand the moose quota in
26 regulations and requested the authority be clarified by
27 inserting the present harvest quota into the proposal
28 language to establish the upper harvest limit.
29 Confirming that the delegated authority retains the
30 existing maximum harvest quotas and limits set by the
31 department and Federal Board, while delegating
32 authority to reduce the quota and implement a closure
33 is necessary to assure conservation of the moose
34 population.

35
36 The Alaska Department of Fish and Game
37 reiterates and amplifies this concern with WP10-22.
38 While WSA09-04 addressed a moose season in a portion of
39 a specific unit, Wp10-22 would broadly delegate all in-
40 season federal subsistence hunt authority to federal
41 land managers in GMUs 1-5. The Department recommends
42 the delegation of in-season management authority for
43 federal land managers should be explicitly detailed in
44 the "Scope of Delegation" and "Guidelines of
45 Delegation" sections of letters of delegation from the
46 Federal Subsistence Board for the purpose of
47 authorizing in-season management actions based on
48 conservation. The letters of delegation should contain
49 sideboards on the delegated power, such as specifying
50 upper limits in quotas for conservation purposes. This

1 is required by 50 CFR 100.10(d)(6) and 36 CFR 242
2 10(d)(6), which authorize the Board to delegate
3 authority only "within frameworks established by the
4 board." The Board should consult with the Alaska
5 Department of Fish and Game in developing these
6 sideboards. The Alaska Department of Fish and Game
7 recommends language be developed which prohibits
8 liberalizations and conditions that result in
9 reallocation between users without the direction set by
10 the Federal Subsistence Board. The Department also
11 requests that language be added stating that federal
12 managers will consult with the Department prior to
13 making decisions that involve the Department's
14 management of fish and wildlife, as specified in our
15 January 12, 2010, review of the October 14, 2009,
16 proposed rulemaking involving special actions to define
17 what that consultation entails.

18

19 Although the proponent and the federal
20 staff explain that addressing this proposal through the
21 Federal Subsistence Board process would allow for a
22 public review and discussion of the proposed solution,
23 adoption of this proposal would eliminate the public
24 from the regulatory process of modifying and expanding
25 delegated authorities. If adopted, designated in-
26 season officials would be issued a letter of delegation
27 by the Federal Subsistence Board which grants all in-
28 season authorities currently in regulation but future
29 changes to the letter of delegation could expand that
30 authority outside of the public process, thus
31 eliminating the transparency of the public process in
32 rulemaking.

33

34 The proponent and federal staff
35 indicate this proposed change is necessary for rational
36 implementation of wildlife regulations and cooperative
37 management. The Alaska Department of Fish and Game
38 concludes this point is overstated. The Department has
39 cooperatively guided and assisted federal staff during
40 development and execution of federal subsistence
41 fisheries and hunts for closure for 10 and 20 years,
42 respectively. Eventual full delegation of in-season
43 management authority is not necessary for rational
44 implementation of federal subsistence regulation for
45 conservation of fish and wildlife resources for federal
46 subsistence users on federal public lands in Southeast
47 Alaska. Though the proposed framework for eventually
48 achieving full delegation of authority to designated
49 federal officials in Southeast Alaska has not been
50 deliberated by the Federal Subsistence Board, the

1 Federal Board clearly has not delegated full authority
2 to any federal staff in Alaska for the purpose of
3 managing federal subsistence wildlife hunting or
4 trapping.

5
6 The Department presently works
7 cooperatively with federal staff and does not foresee
8 the benefits of adoption of this proposal. Delegation
9 of all of the Board's authority to open, close, and
10 restrict hunting and trapping by federal staff in
11 Southeast Alaska is not only unnecessary and
12 contravenes public process, but it may also exacerbate
13 misunderstandings that the state remains responsible
14 for the sustainability of all wildlife on all lands in
15 Alaska.

16
17 Recommendation:

18
19 Oppose.

20
21 If adopted, modification is needed that
22 clarifies that the letters of delegation will be
23 developed in consultation with the Alaska Department of
24 Fish and Game to include: (1) maximum harvest quotas
25 and harvest limits that do not exceed sustainable
26 harvest established by the State and other sideboards
27 on the exercise of delegated authority, (2) details the
28 requirements and process for consultation with the
29 State, (3) clearly detail the public review process
30 required for modifying letters of delegation and/or
31 protesting such modifications, and (4) direct federal
32 staff to make the letters of delegation reasonably
33 available to the public for review.

34
35 ACTING CHAIRMAN BANGS: Wow, okay,
36 thank you, Mr. Pappas.

37
38 (Laughter)

39
40 MS. PHILLIPS: You talk and really
41 fast.

42
43 (Laughter)

44
45 ACTING CHAIRMAN BANGS: Any questions.

46
47 (No comments)

48
49 ACTING CHAIRMAN BANGS: Thank you, Mr.
50 Pappas. Any other Federal agencies.

1 (No comments)

2

3 ACTING CHAIRMAN BANGS: Tribal
4 agencies.

5

6 (No comments)

7

8 ACTING CHAIRMAN BANGS: Do we have any
9 written public comments.

10

11 MR. LARSON: Mr. Chair. We have no
12 written public comments, however, we have a note from
13 the Sitka Advisory Committee and from the Wrangell-
14 St.Elias Subsistence Resource Commission.

15

16 The Sitka Advisory Committee is in
17 support. They view this as a good proposal that would
18 grant similar authority that is already granted to
19 State managers.

20

21 The Wrangell-St.Elias Subsistence
22 Resource Commission is in support as modified by the
23 Office of Subsistence Management. And they think that
24 it would facilitate the management of wildlife without
25 changing the delegations.

26

27 Thank you.

28

29 ACTING CHAIRMAN BANGS: Thank you, Mr.
30 Larson. Any other comments.

31

32 (No comments)

33

34 ACTING CHAIRMAN BANGS: I guess we
35 could enter into deliberation. Mr. Douville.

36

37 MR. DOUVILLE: I'd like to request a
38 couple minutes at ease here.

39

40 ACTING CHAIRMAN BANGS: Okay, there's
41 been a request for an at ease for a couple minutes. I
42 guess we'll have a little discussion or you just needed
43 a little break.

44

45 MR. DOUVILLE: Yes, just a break.

46

47 ACTING CHAIRMAN BANGS: Okay, we'll
48 break for five minutes.

49

50 (Off record)

1 (On record)
2
3 ACTING CHAIRMAN BANGS: If we could
4 take our seats please so we could move along here.
5 We've got to get through a few more proposals before
6 lunch.
7
8 (Pause)
9
10 ACTING CHAIRMAN BANGS: Okay, we're
11 going to get started. We've got quite a ways to go
12 before lunch so I'd appreciate it if everyone would sit
13 down and let us get started.
14
15 MR. KITKA: It looks like Floyd
16 disappeared -- Floyd really disappeared.
17
18 MR. ADAMS: Yeah.
19
20 ACTING CHAIRMAN BANGS: Okay, we're
21 going to get started.
22
23 (Pause)
24
25 ACTING CHAIRMAN BANGS: Okay, we're in
26 deliberation, WP10-22. Discussion.
27
28 Mr. Probasco.
29
30 MR. PROBASCO: Mr. Chairman. Maybe in
31 an attempt to help move this along, I think what would
32 be helpful and not get us bogged down is if the Council
33 would just clarify their intent on the record what they
34 would like and then with that intent, prior to the
35 Board meeting, we can draft the actual language on how
36 it would be.
37
38 So if your intent is to pass a
39 regulation that gives the same authority as currently
40 allowed the Federal managers for fish as for wildlife,
41 you could state it that way, or you can look at what
42 the modification is, to do it stepwise, I don't think
43 we need to get bogged down in how the regulatory
44 language would look and that kind of stuff.
45
46 Mr. Chair.
47
48 ACTING CHAIRMAN BANGS: Thank you, Mr.
49 Probasco. I think we've covered this issue many times
50 and it's very confusing to get the wording properly, so

1 I would entertain what the Council wishes on this. How
2 do you want to move forward with it.

3

4 Mr. Douville.

5

6 MR. DOUVILLE: I understand what you're
7 saying but there's some confusion with modification and
8 stuff and I think that what our intent was to want to
9 delegate the same authority that the in-season managers
10 have for fish, same authority for game, not changing
11 anything other than that was our intent; in our
12 original proposal, and I still support the original
13 proposal without the modification.

14

15 Is that enough for you to take it from
16 there? That was our intent.

17

18 ACTING CHAIRMAN BANGS: Thank you,
19 Douville.

20

21 MR. PROBASCO: Mr. Chair. Mr.
22 Douville. That would be very clear on what your intent
23 is and then subsequently the language could be drafted
24 for the Board to review. So that's sufficient.

25

26 Mr. Chair.

27

28 ACTING CHAIRMAN BANGS: Thank you.
29 Anyone else.

30

31 Mr. Lorrigan.

32

33 MR. LORRIGAN: Just to clarify these
34 would all be within the bounds of ANILCA.

35

36 ACTING CHAIRMAN BANGS: Mr. Douville.

37

38 MR. DOUVILLE: So we have a proposal on
39 the floor, I don't know, of course, someone will have
40 to explain to me where we're at, are we on the original
41 proposal or.....

42

43 ACTING CHAIRMAN BANGS: The original
44 proposal is what was brought to the floor.

45

46 MR. DOUVILLE: Or do we even have to
47 vote, our intention and thoughts are on record, you
48 know, where do we go from here, I guess, I need some
49 guidance.

50

1 (Laughter)
2
3 ACTING CHAIRMAN BANGS: Thank you, Mr.
4 Douville.
5
6 MR. KITKA: Ask Mr. Larson to read it.
7
8 ACTING CHAIRMAN BANGS: Mr. Kitka.
9
10 MR. KITKA: Have Bob read that.
11
12 ACTING CHAIRMAN BANGS: Okay, Mr.
13 Larson, could you read it into the record for us.
14
15 MR. LARSON: Yes, Mr. Chair.
16
17 The original proposal, I believe, the
18 language is captured very much to the intent of Mr.
19 Douville and it's listed at the top of Page 222 as in
20 the general description.
21
22 ACTING CHAIRMAN BANGS: 227.
23
24 MR. LARSON: 227, excuse me, I have to
25 look through the right portion of my glasses.
26
27 (Laughter)
28
29 ACTING CHAIRMAN BANGS: Thank you, Mr.
30 Larson. So as written is the general description in
31 the executive summary at the top of Page 227; does that
32 sit well with everyone?
33
34 (Council nods affirmatively)
35
36 ACTING CHAIRMAN BANGS: Do we need to
37 vote?
38
39 MR. LARSON: Yes, absolutely.
40
41 ACTING CHAIRMAN BANGS: We need to
42 vote.
43
44 MR. KITKA: Call for question.
45
46 MR. LORRIGAN: Question.
47
48 ACTING CHAIRMAN BANGS: Question's been
49 called for. All those in favor of the Proposal 10-22
50 as written on Page 227 in the executive summary say

1 aye.

2

3 IN UNISON: Aye.

4

5 ACTING CHAIRMAN BANGS: All those
6 opposed, say nay.

7

8 (No opposing votes)

9

10 ACTING CHAIRMAN BANGS: Okay, the
11 motion carries and I guess we'll back up here to WP10-
12 17. You want to put that on the floor, does somebody
13 want to move to adopt it or not.

14

15 (No comments)

16

17 ACTING CHAIRMAN BANGS: Is there a
18 motion to adopt.

19

20 MR. LORRIGAN: Mr. Chair, I move to
21 adopt WP10-17 for consideration.

22

23 MR. KITKA: Second.

24

25 ACTING CHAIRMAN BANGS: It's been moved
26 and seconded. Thank you, Mr. Lorrigan and Mr. Kitka.

27

28 Ms. Oehlers.

29

30 MS. OEHLERS: Thank you, Mr. Chair.
31 Susan Oehlers with the Forest Service in Yakutat.

32

33 And I'll just go ahead with my proposal
34 analysis as it stands and just in reference to WP10-22
35 as well.

36

37 So my analysis can be found -- I'm
38 sorry, this proposal is found on Page 156 of your book
39 and the analysis is for WP10-17.

40

41 This proposal was submitted by the
42 Council and asks to delegate authority to the US Forest
43 Service Yakutat District Ranger to establish the quota
44 for moose in Unit 5A, except Nunatak Bench and to close
45 the season when the quota has been filled. This quota
46 would be established in consultation with the Alaska
47 Department of Fish and Game, the Yakutat District
48 Ranger for Wrangell-St. Elias and Glacier Bay National
49 Parks and Preserve and the Chair of the Council.

50

1 The proponent stated that this action
2 is necessary to maintain a healthy moose population in
3 Unit 5A, and as discussed Board action on Proposal
4 WP10-22 may address this proposal, or make this
5 proposal moot.

6
7 I did consider two alternatives in the
8 analysis which I'll just review briefly.

9
10 One proposal would be to modify the
11 Yakutat District Ranger's authority to reduce the quota
12 while retaining the existing maximum quota of 60 moose
13 including 30 west of the Dangerous River in addition to
14 retaining the authority to close the season when the
15 quota is met.

16
17 This option was not recommended because
18 granting authority to the District Ranger to establish
19 the quota as requested in the initial proposal allows
20 flexibility and responsiveness to align quotas with the
21 State if the moose population increases in the future
22 and allows quotas to be set higher than what is now
23 limited by regulation.

24
25 Another alternative would be to limit
26 the Yakutat District Ranger's authority to close the
27 season if there is no harvestable surplus or when the
28 established quota has been reached. Under this
29 alternative any changes to the current quota would be
30 implemented by action of the Federal Subsistence Board.

31
32 This alternative not recommended
33 because it is anticipated that the harvest quota will
34 need to be adjusted in the future and allowing the
35 District Ranger to establish the quota will allow for
36 establishment of the quota without additional action by
37 the Board.

38
39 So the preliminary conclusion is to
40 support the proposal as submitted by the Council.

41
42 The moose quota has been adjusted
43 during the last two seasons in response to changes in
44 the population which demonstrates that a static quota
45 in regulation is not appropriate for management of this
46 moose population.

47
48 Adoption of the proposal will
49 facilitate management flexibility and responsiveness by
50 allowing the Yakutat District Ranger, after

1 consultation with the State and the Park Service and
2 the Chair of the Council to determine the harvest quota
3 for moose and to close the season when the quota has
4 been taken without additional action by the Board.

5
6 Just to clarify the intent of this
7 proposal, was to allow the Yakutat District Ranger to
8 adjust the currently unsustainable harvest quota.
9 Therefore, it is not anticipated that the harvest quota
10 would be increased any time soon above the level
11 currently in regulation.

12
13 If this proposal adopted the Yakutat
14 District Ranger is expected to consult with Alaska
15 Department of Fish and Game, the Park Service and the
16 Chair of the Council including consideration of an
17 increase from the current quota if warranted by the
18 population in the future.

19
20 And that concludes my presentation, I
21 welcome any questions.

22
23 Thank you.

24
25 ACTING CHAIRMAN BANGS: Thank you, Ms.
26 Oehlers. Any questions or comments from the Council.

27
28 (No comments)

29
30 ACTING CHAIRMAN BANGS: Thank you. Mr.
31 Pappas.

32
33 MR. PAPPAS: Thank you, Mr. Chair. Our
34 comments begin on Page 161.

35
36 Adopting this proposal would streamline
37 the process by delegating authority to district rangers
38 to make decision to lower the quota and cooperate with
39 the Department of Fish and Game's management of the
40 moose populations within State sustainable yield
41 principles.

42
43 The Department supports the intent of
44 this proposal to authorize Federal delegated officials
45 to close the Federal moose season in a portion of Unit
46 5A for conservation purposes following consultation but
47 we do have some concerns.

48
49 The proposal requests the district
50 ranger be delegated authority to establish the quota.

1 The description suggests that the proponent intended to
2 request the authority to reduce the quota when
3 necessary to align Federal quotas with lowered State
4 quotas in years of low bull/cow ratios. The moose hunt
5 in this portion of 5A is managed under a joint
6 State/Federal permit and the season closed when 60
7 bulls are taken from 5A within a portion of the
8 Dangerous River closes when 30 bulls are taken in that
9 area.

10

11 Authorizing the Federal delegated
12 official to close a Federal season when the reduced
13 quota is reached would streamline the process of
14 closing the Federal portion of the season. The current
15 management authority of the Petersburg District Ranger
16 exemplifies the intent of streamlining the Federal
17 process by authorizing the district ranger to close the
18 Federal subsistence deer [sic] hunting based on a
19 conservation concern or when harvest quota levels are
20 expected to be reached in consultation with the
21 Department and the Southeast RAC.

22

23 The change in delegated authority
24 should clarify it is not intended to expand or increase
25 the present quota in regulation beyond 60 bulls in Unit
26 5A with a maximum of 30 west of the Dangerous River.
27 If this proposal is adopted the Department requests
28 that the delegated authority be clarified confirming
29 that the delegated authority retains the existing
30 maximum harvest quota and authorizes a reduction in
31 quota and closure, if necessary, to ensure conservation
32 of moose populations.

33

34 Adoption of this proposal would allow
35 for more efficient and effective management of the
36 moose hunt which will provide a healthy moose
37 population for subsistence moose hunters.

38

39 The proposal will help in the
40 management of the moose herd by allowing the district
41 ranger to work in concert with the Department to insure
42 that bull moose harvest is kept at a sustainable
43 harvest level.

44

45 The Department does support this but
46 recommends amending the language to clarify that the
47 authority is to reduce the upper harvest quota but not
48 close -- or to close it, but not to increase the upper
49 harvest quota level.

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Thank you, Mr. Chair.

STATE OFFICIAL WRITTEN COMMENTS

Alaska Department of Fish and Game
Comments to the Regional Advisory Council

Wildlife Proposal WP10-17:

This proposal requests delegation of authority to the Yakutat District Ranger to determine the subsistence moose harvest quota for Unit 5A on an annual basis and to close this hunt in consultation with the Alaska Department of Fish and Game and the Southeast Regional Advisory Council chair when the quota is reached.

Introduction:

During the past two hunting seasons, the department lowered the harvest quota for bull moose on the west side of the Dangerous River due to low bull:cow ratios. Because this hunt is managed under a State/Federal joint moose permit, it is necessary to have the federal season quota be the same as that of the state. Although the US Forest Service District Ranger responsible for the federal subsistence moose hunt on federal lands in Unit 3 has been able to lower the federal quota to match the state quota, the process required a Special Action Request to accomplish this task. Adopting this proposal would streamline this process by delegating the authority to the District Ranger to make the decision to lower the quota and cooperate with Alaska Department of Fish and Game s management of this moose population within sustainable yield principles. The Department supports the intent of this proposal to authorize the federal delegated official to close the federal moose season in a portion of Unit 5A for conservation purposes following consultation, but we have a some concerns.

First, the proposal requests the District Ranger be delegated authority "to establish the quota." The description suggests the proponent intended to request authority "to reduce the quota" when necessary to align the federal quota with a lowered State quota in years of low bull:cow ratios. The moose hunt in this portion of Unit 5A is managed

1 under a joint State/Federal permit, and the season is
2 closed when 60 bulls are taken from Unit 5A, with the
3 portion west of the Dangerous River closed when 30
4 bulls are taken in that area. Reductions in the quota
5 in recent years necessitated special action by the
6 Federal Subsistence Board in 2008 based on conservation
7 concerns and a similar reduction was made in 2009.
8 Authorizing the federal delegated official to close the
9 federal season when the reduced quota is reached would
10 streamline the process of closing the federal portion
11 of the season. The current management authority of the
12 Petersburg District Ranger exemplifies the intent of
13 streamlining the federal process by authorizing the
14 District Ranger to close the federal subsistence deer
15 hunting season based on conservation concerns (harvest
16 quota levels are expected to be reached), in
17 consultation with the department and the Southeast
18 Regional Advisory Council.

19
20 The change in delegated authority
21 should clarify it is not intended to expand (increase)
22 the present quota in regulations of 60 bulls in Unit 5A
23 with a maximum of 30 west of the Dangerous River. If
24 this proposal is adopted, the department requests the
25 delegated authority be clarified by confirming that the
26 delegated authority retains the existing maximum
27 harvest quota and authorizes a reduced quota and
28 closure if necessary to assure conservation of the
29 moose population.

30
31 Impact on Subsistence Users:

32
33 Adoption of this proposal would allow
34 for more efficient and effective management of this
35 moose hunt, which will provide for a healthy moose
36 population for subsistence moose hunters.

37
38 Opportunity Provided by State:

39
40 The State of Alaska moose hunting
41 season in Unit 5A (except in Nunatak Bench) is from
42 October 15 through November 15. This hunt is managed
43 under a joint State/Federal moose permit.

44
45 Conservation Issues:

46
47 This proposal will help in the
48 management of this moose herd by allowing the District
49 Ranger to work in concert with the department to assure
50 the bull moose harvest is kept at a sustainable level.

1 Recommendation:

2

3 Adopt with amended language that
4 clarifies the authority is to reduce the upper harvest
5 quota or to close but is not to increase the upper
6 harvest quota.

7

8 ACTING CHAIRMAN BANGS: Thank you, Mr.
9 Pappas. Any questions from the Council.

10

11 Mr. Adams.

12

13 MR. ADAMS: Thank you. Mr. Chair.
14 While Susan was up there I seemed to have heard her say
15 something about the ability of the managers to, you
16 know, set quotas and everything, and that they wouldn't
17 go above what the regulation reads right now, like for
18 instance, you know, if it were 60 bulls, you know, in
19 Unit 5A, that the in-season manager would not have the
20 authority to increase it more than that, it would have
21 to stay within that, within those numbers.

22

23 MS. OEHLERS: Yeah, let me try and
24 address your question.

25

26 You know, as the proposal stands the
27 district ranger would have the authority to establish
28 the quota which could include expanding the quota if
29 conditions warrant in the future. We're not expecting
30 that any time soon, but by having that authority it
31 would just allow for flexibility if at some point down
32 the road there was an opportunity for a higher quota.

33

34 Does that address your question?

35

36 MR. ADAMS: Thank you. I don't have a
37 question for George.

38

39 (Laughter)

40

41 ACTING CHAIRMAN BANGS: Any other
42 questions.

43

44 (No comments)

45

46 ACTING CHAIRMAN BANGS: Thank you. Is
47 there any other Federal agencies that have a report for
48 us.

49

50 (No comments)

1 ACTING CHAIRMAN BANGS: Tribal
2 agencies.
3
4 (No comments)
5
6 ACTING CHAIRMAN BANGS: Written public
7 comment, Mr. Larson.
8
9 MR. LARSON: Mr. Chair. There are no
10 written public comments nor are there comments from any
11 of the Advisory Committees or the Wrangell-St. Elias
12 Subsistence Resource Commission.
13
14 Thank you.
15
16 ACTING CHAIRMAN BANGS: Thank you.
17 Okay, we're going into deliberation, Proposal 17 is
18 before us, any discussion.
19
20 MS. PHILLIPS: Mr. Chair.
21
22 ACTING CHAIRMAN BANGS: Ms. Phillips.
23
24 MS. PHILLIPS: Thank you. This request
25 recommending delegation of authority to the ranger
26 district doesn't come lightly and it shows our level of
27 confidence in our Staff at the regional -- at the
28 district level. And, you know, thank you for that and
29 I'm going to support the proposal.
30
31 ACTING CHAIRMAN BANGS: Well said, Ms.
32 Phillips, thank you.
33
34 Anyone else.
35
36 Mr. Adams.
37
38 MR. ADAMS: Thank you, Mr. Chair. I'm
39 going to support it as well for the reasons that Patty
40 just shared to us, but I think there's enough evidence
41 here to show that it's worked in the past. I don't
42 think there's any conservation concerns. It's going to
43 benefit subsistence and non-subsistence users as well.
44 So I don't think there's any unnecessary restriction
45 that will be coming as a result of this. So for that
46 reason I'm going to support it, Mr. Chairman.
47
48 ACTING CHAIRMAN BANGS: Thank you for
49 addressing that Mr. Adams. Anyone else.
50

1 MR. LORRIGAN: Question.
2
3 MR. DOUVILLE: Question.
4
5 ACTING CHAIRMAN BANGS: Question's been
6 called for. All those in favor of WP10-17 signify by
7 saying aye.
8
9 IN UNISON: Aye.
10
11 ACTING CHAIRMAN BANGS: Those opposed,
12 nay.
13
14 (No opposing votes)
15
16 ACTING CHAIRMAN BANGS: The motion
17 carries. Okay, moving on to the next proposal, where
18 are we at, WP10-19 on Page 184.
19
20 MR. LORRIGAN: I move to adopt.
21
22 ACTING CHAIRMAN BANGS: Do we have a
23 motion. Mr. Lorrigan.
24
25 MR. LORRIGAN: I move to adopt WP10-19
26 for consideration.
27
28 MR. ADAMS: I'll second, Mr. Chairman.
29
30 ACTING CHAIRMAN BANGS: Thank you, Mr.
31 Adams. It's been moved and seconded.
32
33 Mr. Dickerson.
34
35 MR. DICKERSON: Thank you, Mr. Chairman
36 and the Council. My name is Larry Dickerson. I'm a
37 wildlife biologist for the Forest Service. Proposal 19
38 can be found on Page 184.
39
40 This proposal was submitted by DJ
41 O'Brien, who testified yesterday, and requests the
42 Federal subsistence season for hunting antlerless deer
43 in Unit 2 be changed from October 15th through December
44 31st to September 15th through October 15th.
45
46 Mr. O'Brien expressed concerns that he
47 does believe that these does -- a percentage of these
48 does, or most of these adult does are bred and are
49 carrying the next years cohort of fawns, therefore,
50 they would be taken out of the population if they're

1 harvested and he believes that by not harvesting those
2 or having that season moved earlier for doe harvest,
3 antlerless, that both Federally-qualified and non-
4 Federally-qualified hunters would benefit over time
5 because of the greater population of that.

6
7 So what I'd like to do is WP19 has
8 quite a bit of data that we've collected from the Unit
9 2 deer harvest and from telephone calls from people so
10 I'd like to go over what I think the meat of this would
11 say.

12
13 Just to let the Council know that
14 during the last 10 years there's been a harvest of
15 approximately 2,600 deer in Unit 2. So approximately
16 125 to 150 of those 2,600 deer each year are reported
17 as does that have been taken. So if we look, that's
18 between 1500 and 2000 hunters normally. So as Mr.
19 Farmer mentioned today, a hunter does have the option
20 to remove at this time an antlerless deer after October
21 the 15th -- excuse me, a Federally-qualified hunter.
22 And if we -- about 70 percent of the hunters in Unit 2
23 have been Federally-qualified, they are Federally-
24 qualified, so, therefore, we have about 1,050 to 1,250
25 hunters removing an approximately 150 antlerless deer
26 or does each year, at least that's what's reported. So
27 the reason this has been sustainable or we believe it's
28 sustainable and that's what we talk about is because
29 most hunters are passing on does. However, that
30 opportunity is there for subsistence hunters if they
31 warrant that or need that.

32
33 So if we look at the biology of this
34 and why it should be sustainable, from Mr. Porter's
35 2007 deer harvest report put out by ADF&G he estimated
36 through trend information approximately 55,000 deer in
37 Unit 2 and was alluded to earlier, Todd Brinkman's
38 preliminary DNA study, in 2008, made an estimate of
39 68,000 deer. And one of the things with that, it did
40 show just over 93,000 in 2006, the first year, which
41 did indicate a possible 30 percent decline, from 93K to
42 approximately 68 though that was based on, like I said,
43 a preliminary sampling, but it is good information, and
44 then our pellet surveys, we basically say are stable,
45 increasing in some places and decreasing but they've
46 remained pretty stable, and if we look at the harvest,
47 so we have good information with that, the harvest
48 reporting, that has remained stable or increasing
49 because we can look at hunter effort, deer per hunter,
50 harvest success and other things.

1 So if we take that low population and
2 we say it's 55,000 it's believed that a deer population
3 can remain sustainable if 10 percent of those are
4 harvested, and that's in a population that has
5 predation and other mortalities. So if that's true, if
6 we take that 55K and 10 percent that leaves 5,500 deer.
7 It's also believed that 10 percent of those, of that
8 sustainable population can be harvested as does and
9 that's approximately 550 individuals from that number.
10 So, therefore, if we're harvesting at this point an
11 average of about 150 does we are well under that
12 sustainable population.

13
14 So here is an opportunity for
15 subsistence hunters, we believe that hunters, at least
16 from the reporting information, that we're within that
17 allowable sustainable population harvest that it should
18 go on. There's many factors. Many hunters don't
19 believe in removing does and that's wonderful, they
20 don't have to do that, they have a choice, they can
21 take five bucks rather than four bucks and one
22 antlerless deer.

23
24 And another thing is when -- it is hard
25 for many, many people to harvest an animal that's been
26 bred, it has been talked about by Mr. O'Brien and Mr.
27 Farmer that those females after the rut are carrying --
28 could very well, adult fawns -- or excuse me -- adult
29 does are most likely bred, there's no doubt most of
30 them are bred. However, if you harvest a doe at any
31 time of the year, if it's August 15th, September 15th,
32 October 15th, you're saying that's an allowable harvest
33 and you're going to remove that animal and it's
34 following cohorts from the population and you're saying
35 it still can be sustained.

36
37 So that's one point that should be
38 made, that though you're going to remove that animal,
39 you're also saying it can be removed and you're going
40 to have a sustainable population. So that's something
41 to walk away with here that's very important.

42
43 So with those reasons and others here,
44 our preliminary determination is to oppose the
45 proposal.

46
47 And, Mr. Chairman, I'd like to leave it
48 open for any questions.

49
50 ACTING CHAIRMAN BANGS: Thank you, Mr.

1 Dickerson. That's a very good explanation of the
2 proposal, it made it clear in my mind.

3

4 Any questions.

5

6 MS. PHILLIPS: I do.

7

8 ACTING CHAIRMAN BANGS: Ms. Phillips.

9

10 MS. PHILLIPS: Thank you, Mr. Chair.
11 Mr. Dickerson on Page 192 under habitat condition and
12 trends, it says, however, Alaback, 2003, suggests if
13 thinning treatments are conducted to improve wildlife
14 habitat, especially on poor sites it's crucial to
15 concentrate on areas with rich and diverse understory
16 initially. Is that going on? It's in the first
17 paragraph in the middle.

18

19 MR. DICKERSON: Thank you. Yes, we --
20 I should say yes. We have limited funds for wildlife
21 treatments and thinning projects and also, of course,
22 civil-culture projects, we have done something called
23 develop WAA plans and that was through the 2005
24 subcommittee where 11 different areas were prioritized.
25 And in those WAA plans we have looked for those places
26 along the beaches or within corridors where thinning
27 has occurred where we need to, because of subsistence
28 uses and other uses it's a high priority area so we
29 have identified those areas, we've targeted those,
30 we've built deer home ranges around those. We've
31 looked at a lot of different things other than just
32 that patch of 40 acres of harvest. We've looked at a
33 250 acre deer home range and how that works and what's
34 adjacent to that so, yes, we have addressed that. More
35 work can be done especially with funding.

36

37 MS. PHILLIPS: Thank you.

38

39 ACTING CHAIRMAN BANGS: Mr. Lorrigan.

40

41 MR. LORRIGAN: Thank you, Mr. Chairman.
42 Back in the '90s I got to tromp around with Joe Doore
43 up around Petersburg and at the time I guess, he was
44 under -- in talking with him while we were walking
45 around, that the thinning, while well intention for
46 civil-culture, didn't really benefit -- over the long-
47 term didn't really benefit a lot of habitat needs for
48 wildlife because you ended up with one umbrella going
49 up and then if you thinned it you ended up with two
50 different umbrellas coming at different stages. Is

1 that still kind of accepted, I don't know I haven't
2 heard anything different since.

3

4 MR. DICKERSON: Mr. Chairman. Mr.
5 Lorrigan. That is true. There are people that the
6 jury is still out about thinning. It does open up the
7 canopy, sometimes thinning it's a physical barrier for
8 fawns to get through. It covers the ground, sometimes
9 -- once that does melt down in 10 or 15 years, that's
10 about the same time the canopy closes again. However,
11 overall, thinning has made that turn from Alaback and
12 most people believe it's doing good. However, if we
13 can have different methodologies, like if we could
14 treat that slash when it hits the ground and with some
15 of the commercial harvest that we're thinking now
16 within those stands, it's going to make a big
17 difference for wildlife; and some of that's going on
18 right now on Prince of Wales and it really looks
19 beautiful because the canopy is opened and the ground
20 is clear. So those methodologies are there, it's just
21 implementing it on the ground.

22

23 ACTING CHAIRMAN BANGS: Mr. Lorrigan,
24 follow up.

25

26 MR. LORRIGAN: Please, thank you, Mr.
27 Chairman. Can you define treatment, what do you mean,
28 are you yarding the stems out, are you trying to get
29 them broken up to break down faster or what are you
30 talking about, treatment?

31

32 MR. DICKERSON: Yes, when we're talking
33 about treatment there are some different mechanical
34 instruments now, we're pulling all of the leaves and
35 the guts of the trees right out of there and it's
36 either being pulled out and used for different projects
37 or it's being distributed in other areas or stacked in
38 other areas which we're trying to leave more open
39 ground. So it depends if it can be used -- somebody
40 mentioned biofuels and bioproducts in the future, that
41 would really open it up, but that's all out in the
42 future and kind of pending.

43

44 ACTING CHAIRMAN BANGS: Mr. Lorrigan,
45 another follow up.

46

47 MR. LORRIGAN: Thank you. Well, now
48 I've got more questions. How much money is it costing
49 to go in there to do this and then if you're removing
50 all of this stuff that was intended to rot and feed the

1 root system and everything around it, are you noticing
2 any kind of slower growth of the trees since you're --
3 you're removing the stem to a tree to go to pellets or,
4 whatever, you know, fuel pellets and you've got crews
5 tromping around; I'm just trying to figure out what the
6 cost benefit to this is and if you can sustain that
7 kind of activity over time.

8

9 MR. DICKERSON: I can't answer the
10 question over time because it's just now started the
11 last two years, some very, very small limited projects
12 that we're looking at and trying to do some surveying
13 on the ground to look at how the veg comes back and
14 what it does, hopefully get some exclosures on the
15 ground too. And so some of the questions you've asked
16 I can't answer.

17

18 ACTING CHAIRMAN BANGS: Thank you, Mr.
19 Dickerson. Okay, we're getting a little bit off the
20 proposal language and the purpose of the proposal.

21

22 Is there anyone else.

23

24 MS. PHILLIPS: I do.

25

26 ACTING CHAIRMAN BANGS: Ms. Phillips.

27

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

29 Mr. Dickerson.

30

31 What is -- I know every WAA has a
32 different, like, you know, capacity for deer, but are
33 we well below capacity of deer population or are we
34 near capacity generally overall for the island?

35

36 MR. DICKERSON: Mr. Chairman. Ms.
37 Phillips. Well, it's -- in talking with our area
38 biologist, Boyd Porter and Dave Persons, we're below
39 carrying capacity at this time, which is probably good.
40 If we were at carrying capacity, we'd have deer in a
41 lot of the places where, you know, there's been quite a
42 bit of logging and stuff and we may or may not have
43 cover to protect deer, especially when it's winter.
44 It's believed, right now, that probably wolves are a
45 major factor in keeping the deer down from carrying
46 capacity. Here we were talking about 150 does just for
47 perspective. There's many ways of mortality. But if,
48 from some of the studies, from Mr. Persons, we have 300
49 to 350 wolves on the island and if those wolves are
50 taking 26 to 30 deer a year then possibly 9,000 deer

1 being removed by the wolves and maybe half of those,
2 4,500, possibly, are female. So if hunters -- if you
3 put that in perspective of what hunters are removing,
4 150, it does show us what we're looking at.

5
6 There are large causes, or there is
7 many, many things that create mortality on deer, with,
8 of course, hunters being one of them. But this is
9 something on this that we can manage so they are below
10 K at this time, carrying capacity. And if -- it gets
11 -- if deer populations or any populations get towards
12 carrying capacity then maybe hunting is just
13 compensatory, it's just another thing removing them
14 before they die of another way. If they were there
15 that's -- we would probably want to harvest more does
16 if they were close to K and at this time they're not.

17
18 Thank you.

19
20 ACTING CHAIRMAN BANGS: Thank you. Any
21 other comments or questions for Mr. Dickerson.

22
23 (No comments)

24
25 ACTING CHAIRMAN BANGS: Thank you,
26 Larry. Is there anything from the State, Mr. Pappas.

27
28 MR. PAPPAS: Thank you, Mr. Chair.
29 Comments are on Page 202 and to be incorporated into
30 the record. A very brief summary.

31
32 Under State regulation, the harvest of
33 antlerless deer in GMU -- in this GMU is prohibited.
34 Currently there are no plans to change the State deer
35 hunting regulations. This proposal does not raise new
36 conservation concerns. The current Federal subsistence
37 doe season established from mid-October to help ensure
38 the young of the year fawns were weaned and able to
39 survive without the close association of adult female.

40
41 Harvesting adult females one month
42 earlier would be -- would further compromise survival
43 of the young fawns, however, the proposed shorter doe
44 season could protect pregnant females and stimulate
45 herd growth in high use hunting areas especially near
46 POW communities.

47
48 The Department is actually neutral on
49 this proposal.

50

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Thank you, Mr. Chair.

STATE OFFICIAL WRITTEN COMMENTS

Alaska Department of Fish and Game
Comments to the Regional Advisory Council

Wildlife Proposal WP10-19:

Reduce federal subsistence doe deer hunting season dates in GMU 2 from October 15 through December 31 (2 months) to September 15 through October 15 (1 month).

Introduction:

The federal subsistence doe deer hunting season in GMU 2 fluctuated over the past 10 years while the bag limit remained one female deer. Federally qualified hunters are allowed 5 deer total which can include one doe. This proposal requests the doe deer season be reduced by six weeks and also change the start date to September 15 (one month earlier).

Impact on Subsistence Users:

Adoption of this proposal would reduce federal subsistence user opportunity to harvest doe deer by 6 weeks per year but sufficient opportunity remains to fill the bag limit.

Opportunity Provided by State:

Under State regulation, the harvest of antlerless deer in GMU is prohibited. The State GMU 2 deer hunting season is August 1 through December 31. State bag limits for GMU 2 deer have not changed since 1987, when the bag limit was increased from 3 antlered deer to 4 and the deer season extended from November 30 to December 31. In 1998, state regulation changed from 4 antlered deer to 4 bucks. Currently there are no plans to change state deer hunting regulations in Unit 2.

Conservation Issues:

This proposal does not raise new conservation concerns. The current federal subsistence

1 doe season was established in mid October to help
2 insure young of the year fawns are weaned and able to
3 survive without the close association of the adult
4 female. Harvesting adult females one month earlier
5 would further compromise survival of young fawns.
6 However, the proposed shorter doe season could protect
7 pregnant females and stimulate herd growth in high use
8 hunting areas especially near POW communities.

9

10 Recommendation:

11

12 Neutral

13

14 ACTING CHAIRMAN BANGS: Thank you, Mr.
15 Pappas. Questions for Mr. Pappas.

16

17 (No comments)

18

19 ACTING CHAIRMAN BANGS: Thank you very
20 much.

21

22 MR. PAPPAS: Uh-huh.

23

24 ACTING CHAIRMAN BANGS: Okay, any other
25 Federal agencies.

26

27 (No comments)

28

29 ACTING CHAIRMAN BANGS: Tribal
30 agencies.

31

32 (No comments)

33

34 ACTING CHAIRMAN BANGS: Public
35 comments. Mr. Larson.

36

37 MR. LARSON: Mr. Chair. There are no
38 written public comments. I would remind you that we've
39 had previous testimony from DJ O'Brien in support of
40 this proposal. We've heard from Mr. Bill Farmer and he
41 is in support if we would modify the season from
42 October 1st to October 30th. We have written comments
43 from the Juneau/Douglas Advisory Committee and they are
44 in opposition to this proposal, and they think that it
45 would unnecessarily reduce the subsistence harvest of
46 doe deer.

47

48 ACTING CHAIRMAN BANGS: Thank you, Mr.
49 Larson. Okay, we'll enter into deliberation. Any
50 discussion.

1 Mr. Adams.

2

3 MR. ADAMS: Mr. Chairman. I'm going to
4 oppose this proposal. And even though Mr. O'Brien, you
5 know, gave real good testimony yesterday, when I asked
6 him if he had shared it with other people who would be
7 affected by it he said that he was at a, I think it was
8 an Advisory Committee meeting and they, of course, you
9 know, supported his issues there. However, I didn't
10 see any evidence of that. You know I'm not going to,
11 you know, disqualify him because of that, it's just the
12 fact that I have problems when individuals bring forth
13 a proposal and if they don't have evidence that shows
14 that they had gotten some public input of some sort,
15 you know, then I have some real strong reservations
16 about not supporting that, and it's so in this case.

17

18 I think it's going to adversely affect
19 the subsistence and non-subsistence users. And even
20 though there may be no conservation concern, I don't
21 think there needs to be change here at all.

22

23 I also understand that this is pretty
24 much controlled by a special or emergency action so I
25 think that covers any issues that, you know, might
26 arise here, so I'm going to, you know, that I'm not
27 going to support this at this time.

28

29 Thank you.

30

31 ACTING CHAIRMAN BANGS: Thank you, Mr.
32 Adams. Other discussion.

33

34 Mr. Kitka.

35

36 MR. KITKA: Thank you, Mr. Chair. I
37 really think that I'm going to vote against this
38 because the committee made up by the Ketchikan and
39 rural areas of Prince of Wales, what they decided on,
40 needs to be looked at a little longer before any
41 changes go into effect.

42

43 ACTING CHAIRMAN BANGS: Thank you.
44 Thank you, Harvey. Mr. Douville.

45

46 MR. DOUVILLE: I do not support the
47 proposal, there's several reasons. You know, we've
48 been over this U2 deer for many years.

49

50 For one it does take away from -- an

1 opportunity away from a subsistence user by changing
2 the -- shortening the season for one, but what I'd like
3 to point out is it's generally later in the year is
4 when you desire to take a doe, when the bucks have gone
5 through rut and stuff and I don't do it anymore, but
6 certainly I used to do it, years ago, is we would go
7 get those because they were much better meat in
8 December. And it is customary and traditional to do
9 that. And I'm not going to support anything that takes
10 it away. Besides the fact that there's no biological
11 reason to do so, as all the graphs and all the
12 testimony by the biologists indicate that there is a
13 slight increase -- increasing trend in deer.

14

15 ACTING CHAIRMAN BANGS: Thank you, Mr.
16 Douville. Ms. Phillips.

17

18 MS. PHILLIPS: Thank you, Mr. Chair. I
19 made a note in my booklet that I'm profoundly pleased
20 with this Staff analysis. It references literature
21 cited, Unit 2 Subcommittee report and the analysis
22 itself and hunter survey reports, which, to me, is
23 traditional ecological knowledge and it cites that 90
24 percent of hunters are reporting on their harvest
25 rates. Let's see, the harvest reporting rate has
26 increased from approximately 42 percent to 90 percent
27 so we're seeing a greater harvest because more people
28 are reporting their harvest. That may be that there's
29 a stable level of harvest even though the data shows
30 that it was lower then and higher now, but because of
31 the 90 percent reporting it's probably a stable amount
32 that's been harvested all along.

33

34 There was only a total of 170
35 antlerless deer reported harvested in 2008, and that's
36 less than one-half of one percent of the total
37 estimated population on the island so it is not a
38 conservation concern.

39

40 Right now we have residents of the
41 island saying that their subsistence needs are not
42 being met and so for these reasons I oppose the
43 proposal.

44

45 Thank you.

46

47 ACTING CHAIRMAN BANGS: Thank you, Ms.
48 Phillips.

49

50 MR. ADAMS: Call for the question, Mr.

1 Chairman.
2
3 ACTING CHAIRMAN BANGS: Question's been
4 called for on WP10-19 as on Page 184. All those in
5 favor say aye.
6
7 MS. HAWKINS: Aye -- oops.
8
9 (Laughter)
10
11 MR. KITKA: Oops.
12
13 MR. ADAMS: Oops.
14
15 ACTING CHAIRMAN BANGS: All those in
16 favor say aye.
17
18 MR. ADAMS: Mr. Chairman. What does
19 oops mean?
20
21 (Laughter)
22
23 MR. LARSON: Withdraw.
24
25 MR. ADAMS: Yeah.
26
27 (Laughter)
28
29 ACTING CHAIRMAN BANGS: Withdraw.
30
31 MS. HAWKINS: I withdraw my oops.
32
33 ACTING CHAIRMAN BANGS: All those
34 against the proposal say nay.
35
36 IN UNISON: Nay.
37
38 ACTING CHAIRMAN BANGS: The nay's have
39 it. Thank you. Okay, getting through these. We just
40 have a few more, I think WP10-20, is that the next one.
41
42 MR. LORRIGAN: Mr. Chairman. I move to
43 adopt WP10-20 for consideration.
44
45 MR. ADAMS: I'll second. Mr. Chairman.
46
47 ACTING CHAIRMAN BANGS: Thank you, Mr.
48 Lorrigan, Mr. Adams.
49
50 Mr. Dickerson.

1 MR. DICKERSON: Thank you, Mr.
2 Chairman. My name is Larry Dickerson. I'm a wildlife
3 biologist for the Forest Service. And I would like to
4 take one moment to touch base on one or two things that
5 I haven't said that should be said.

6
7 I do, on these projects, we have a
8 cooperative Unit 2 harvest reporting program and that
9 came through the Unit 2 Subcommittee that was put
10 together to look at a lot of these issues so we worked
11 together, since 2005, with ADF&G on a collaborative
12 deer reporting harvest and that's why we have gotten a
13 lot of efforts together, harvest reporting to the 90
14 percent and above. And I've heard some things but the
15 area biologist, Boyd Porter, and the local ADF&G
16 biologist Steve Bethune, those guys are top notch, and
17 we work hand in hand on projects. We agree on so much,
18 we sometimes disagree when we get to ANILCA, we have
19 different marching orders, but those guys work well.

20
21 And the other thing behind the scenes
22 that should be said is Mr. Mike Douville, who has his
23 Ph.d. in Federal Subsistence Board subsistence, is in
24 our office a lot, and so he's on the phone with us, so
25 that and between working people, it really helps us get
26 an idea what the issues are and so there's a lot going
27 on behind the scenes that people here don't see but we
28 thank you.

29
30 Anyway, WP20 can be found on Page 204,
31 and the draft analysis starts on Page 204. This
32 proposal was submitted by DJ O'Brien which requests the
33 closure of Federal public lands in Unit 2 for the
34 harvest of deer by non-Federally-qualified users be
35 changed from August 1st through August 15th to July
36 24th through July 31st.

37
38 So what that would do is it would
39 reduce what is referred to as, we would call it a
40 meaningful priority, or what was the for the Federal
41 subsistence hunters from 23 days to eight days on those
42 lands in Unit 2 which kind of were broken down into
43 three areas. What the Unit 2 Deer Subcommittee, that
44 was put together in 2005, through the Council, really
45 struggled with this for months, and it was a
46 collaborative effort that came up with -- they actually
47 did come up with three or four different things to
48 provide what was called -- where Unit 2 deer hunters
49 felt that they were not meeting their needs,
50 subsistence needs and with competition. So one of the

1 things it did is it did allow hunting for Federally-
2 qualified persons to begin on July 24th, Federally-
3 qualified people were allowed to harvest five deer, one
4 of which could be a female deer after October 15th, and
5 we do have the use of designated hunters. So Mr.
6 O'Brien was correct, and he felt that those four things
7 right there provided a meaningful relationship,
8 preference for hunters and he felt that that could be
9 done, with the other things that are happening, in less
10 time, instead of 23 days down to eight days.

11
12 So what we did, is we looked at this,
13 and we really wanted to look at the basis of what has
14 changed, what has changed out there on the ground since
15 the Unit 2 Subcommittee's recommendation to the
16 Council.

17
18 One of the things we need to know is
19 we've had 35 proposals since 1996 to change the deer
20 season regulations in Unit 2 so this is a reoccurring,
21 it keeps coming back, it's a very contentious thing and
22 so we have a lot of good numbers to look at with what's
23 going on. One of the things that's happened, you'll
24 notice in here, about the access to the area, the ATM
25 just did get signed, Mr. O'Brien brought it up, it's
26 not proposed, now we have 42 percent of the roads on
27 Prince of Wales that will be going through being closed
28 right now if -- if you look at the harvest data that we
29 have about 73 percent of the deer are accessed by a
30 vehicle by using the roads, they're not shot from the
31 roads but these are where alpines or muskegs or old
32 growth or something intersects the roads, which is
33 making it easier for hunters who only have seven
34 percent of the harvest, if I remember correctly, from
35 people using boats. So people are really using the
36 road system on Prince of Wales. That road system
37 distributes hunters through Prince of Wales. All of a
38 sudden now if we have 40 percent of that in the next 10
39 years being taken off, all of a sudden as access goes
40 down competition goes up.

41
42 The other great point that Mr. O'Brien
43 talked about was six percent of harvest of what we
44 called huntable young growth, Todd Brinkman did an
45 excellent study where he interviewed 88 hunters from
46 Unit 2, all with an average of 19 years hunting
47 experience in Unit 2. One of the things that was
48 brought out with that is that when hunters were hunting
49 clearcuts, it was their second preferred area, they
50 felt that after nine years a clearcut loses its ability

1 to be huntable; he explained that. Because now the
2 second -- the growth has grown up and you can't
3 visually see deer standing in that. So if that's true
4 what we did is we took our existing veg layers and we
5 looked at clearcuts that were 10 year and older and 94
6 percent of the clearcuts on Prince of Wales are 10
7 years or older, leaving six percent huntable from those
8 hunters that provided that information.

9

10 So that's how the data was used.

11

12 So we're not trying to hide anything.
13 what I did on this, is I looked at something through --
14 kind of ran it through ANILCA .810 where I looked at
15 what this proposal would do for the resource, the
16 distribution and abundance of the resource, access to
17 the resource and competition for the resource. So
18 looking at this it was our deduction that we would
19 oppose the proposal because of those things that I've
20 mentioned here earlier.

21

22 So the preliminary determination is to
23 oppose this proposal.

24

25 ACTING CHAIRMAN BANGS: Thank you, Mr.
26 Dickerson.

27

28 MR. DICKERSON: Thank you.

29

30 ACTING CHAIRMAN BANGS: Any questions.

31

32 (No comments)

33

34 ACTING CHAIRMAN BANGS: Hearing none,
35 Mr. Pappas, please.

36

37 MR. PAPPAS: Thank you, Mr. Chair. Our
38 comments on Page 250 I'll be summarizing from.

39

40 Federal subsistence regulations were
41 changed in '05 to close the Unit 2 deer hunting season
42 on Federal lands to non-qualified Federal subsistence
43 users from August 1 through the 15th and opened the
44 season for Federally-qualified users on July 24th
45 providing a three week of hunting before non-Federally
46 qualified hunting's allowed on Federal public lands.

47

48 If this proposal's adopted Federally-
49 qualified subsistence hunters would still have an eight
50 day hunting period before the State season begins

1 August 1st and would maintain the more liberal bag
2 limit. Maintaining the existing three week closures is
3 not necessary to provide a meaningful preference for
4 Federal subsistence on Federal public lands.

5
6 This proposed regulation change does
7 not raise conservation concerns. The deer in GMU 2
8 appear to be healthy, stable and able to support any
9 additional harvest, hunting pressure this proposal
10 would provide. The closure on Federal public lands to
11 non-Federally-qualified hunters during August 1 through
12 August 15th cannot be justified for conservation
13 purposes. Maintaining the full three week closure to
14 non-Federally-qualified users while also maintaining a
15 larger bag limit for Federally-qualified users is
16 inconsistent with the Federal Subsistence Board's
17 closure policy and unnecessary to provide for Federal
18 subsistence opportunity on Federal public lands.

19
20 Recent Forest Service planning for the
21 ATM, as discussed earlier, proposed to close many
22 duplicative roads and trails. The plan was designed
23 not to limit access but to resolve issues of
24 maintaining duplicative roads. Roads that maintain
25 access throughout the island will be retained while
26 roads that are duplicative -- that duplicate access
27 were closed, so these closures are not expected to
28 impact subsistence opportunity.

29
30 For the recommendation. Further
31 information may be needed to determine whether the
32 Federal closure for the two weeks of the State season
33 should be retained or removed to be consistent with the
34 Federal Subsistence Board closure policy.

35
36 So the Department does not have a solid
37 position at this time.

38
39 Thank you, Mr. Chair.

40
41 *****
42 STATE OFFICIAL WRITTEN COMMENTS
43 *****

44
45 Alaska Department of Fish and Game
46 Comments to the Regional Advisory Council

47
48 Wildlife Proposal WP10-20:

49
50 This proposal would change the Unit 2

1 deer season beginning date from August 16 to August 1
2 for non-federally qualified hunters on federal public
3 lands.

4

5 Introduction:

6

7 This proposal would reopen deer hunting
8 in Unit 2 to allow non-federally qualified users to
9 hunt federal public lands beginning on August 1 rather
10 than August 16. Federal subsistence regulations were
11 changed in 2005 to close Unit 2 deer hunting season on
12 federal lands to non-federally qualified subsistence
13 users from August 1 through August 15 and open the
14 season for federally qualified hunters on July 24,
15 providing three weeks of hunting before non-federally
16 qualified hunting on federal lands. All of Unit 2 is
17 open under state regulation August 1 through December
18 31. The federal subsistence deer harvest limit is 5
19 deer of which one may be antlerless, while the state
20 harvest limit is four bucks.

21

22 Impact on Subsistence Users:

23

24 Federally qualified subsistence hunters
25 can begin hunting on July 24, while the state season on
26 federal public lands begins on August 1. However, only
27 federally qualified subsistence users can hunt on most
28 federal land in Unit 2 during July 24 through August 15
29 due to the federal lands closed to non-federally
30 qualified hunters. If this proposal is adopted,
31 federally qualified subsistence hunters would still
32 have an 8-day hunting period before the state season
33 begins August 1 and would maintain the more liberal bag
34 limit. Maintaining the existing three week closure is
35 not necessary to provide the meaningful preference for
36 federal subsistence on federal public lands.

37

38 Opportunity Provided by State:

39

40 Under state regulation, the deer
41 hunting season in Unit 2 is August 1 through December
42 31, with an annual bag limit of 4 bucks.

43

44 Conservation Issues:

45

46 This proposed regulation change does
47 not raise conservation concerns. The deer population
48 in Unit 2 appears to be healthy, stable, and able to
49 support any additional hunting pressure this proposal
50 would provide. The closure on federal public lands to

1 non-federally qualified hunters during August 1 through
2 August 15 cannot be justified for conservation
3 purposes.

4

5 Other Comments:

6

7 Maintaining the full three-week closure
8 to non-federally qualified users while also maintaining
9 a larger bag limit for federally qualified users is
10 inconsistent with the Federal Subsistence Board closure
11 policy and unnecessary to provide the federal
12 subsistence opportunity on federal public lands.

13

14 Recent Forest Service planning for
15 Access and Travel Management proposes to close many
16 duplicative roads and trails. The plan was designed
17 not to limit access but to resolve issues of
18 maintaining duplicative roads. Roads that maintain
19 access throughout the island were retained while roads
20 that duplicated access were closed, so the closures are
21 not expected to impact subsistence opportunity.

22

23 Recommendation:

24

25 Further information may be needed to
26 determine whether the federal closure for two weeks of
27 the state season should be retained or removed to be
28 consistent with the Federal Subsistence Board closure
29 policy.

30

31

32 ACTING CHAIRMAN BANGS: Thank you, Mr.
33 Pappas. Any questions or comments from the Council.

34

35 (No comments)

36

37 ACTING CHAIRMAN BANGS: Go ahead.

38

39 MR. BETHUNE: I just wanted to take the
40 opportunity to introduce myself, I don't know if I've
41 spoken before this RAC before. But my name is Steve
42 Bethune and I'm the wildlife biologist for Alaska
43 Department of Fish and Game and I'm stationed on Prince
44 of Wales Island. You heard Boyd Porter's testimony
45 earlier, he's my supervisor, so we work in conjunction
46 on POW issues. And I just wanted to say I'm looking
47 forward to working with you all in the future.

48

49 ACTING CHAIRMAN BANGS: Thank you very
50 much, and, welcome. Okay, hearing no questions, thank

1 you -- oh, Mr. Adams.

2

3 MR. ADAMS: I was just wondering when
4 the young man over there was going to say something so
5 I appreciate that.

6

7 (Laughter)

8

9 MR. ADAMS: I've seen him sitting over
10 here all day yesterday and today he's Mr. Pappas'
11 sidekick, so, thanks.

12

13 (Laughter)

14

15 MR. ADAMS: Thanks a lot.

16

17 ACTING CHAIRMAN BANGS: Thank you, Mr.
18 Adams. Any other Federal agency Staff.

19

20 (No comments)

21

22 ACTING CHAIRMAN BANGS: Tribal agencies.

23

24

25 (No comments)

26

27 ACTING CHAIRMAN BANGS: Written public
28 comments.

29

30 MR. LARSON: Mr. Chair. There are no
31 written public comments. However, I would remind the
32 Council that we've heard testimony at this meeting from
33 DJ O'Brien in support of the proposal and from Mr. Bill
34 Farmer, who is in opposition to this proposal. We also
35 have written comments from the Juneau/Douglas Advisory
36 Committee and they're in opposition this proposal.

37

38 Thank you.

39

40 ACTING CHAIRMAN BANGS: Thank you, Mr.
41 Larson. Anyone else.

42

43 (No comments)

44

45 ACTING CHAIRMAN BANGS: Okay, I guess
46 we'll enter into deliberation on this.

47

48

MS. PHILLIPS: Mr. Chair.

49

50 ACTING CHAIRMAN BANGS: Ms. Phillips.

1 MS. PHILLIPS: Thank you. I would
2 support a modification to the proposal, but after
3 consideration with other Council members, and based on
4 the draft Staff analysis, the subcommittee -- the
5 Council recommends no major changes to Unit 2 deer
6 harvest management for three to five years, 2009 to
7 2011; and we could defer the proposal until after 2011
8 or it could be voted down or opposed.

9
10 Being a mother of four children and a
11 family that actively hunts for deer with our children,
12 I had sympathy for Mr. O'Brien's request to modify the
13 season closed for non-Federally-qualified and I would
14 modify that to a date of opening for non-Federally-
15 qualified to August 8th rather than the August 15th so
16 that he could bring his children to the island and
17 hunt. There are other areas that could be hunted that
18 he could take his children to, that's true, but if
19 you've, you know, traditionally or not traditionally,
20 but over long periods of time gone to a certain area,
21 you tend to want to go to that same area.

22
23 But I'm willing to defer the proposal
24 until after 2011 but I'd like to hear what the rest of
25 the Council has to say.

26
27 Thank you.

28
29 ACTING CHAIRMAN BANGS: Thank you, Ms.
30 Phillips. Subsistence Dr. Douville.

31
32 (Laughter)

33
34 MR. DOUVILLE: Oh, brother.

35
36 (Laughter)

37
38 MR. DOUVILLE: We've been down this --
39 this has been a long process. It's been a real
40 struggle trying to get a subsistence priority for Unit
41 2, and Unit 2 is most difficult because everybody wants
42 a piece of Unit 2 whether it be timber or deer and with
43 the IFA ferry system we created a monster. It's easy
44 to go there now.

45
46 But I don't know if you remember the
47 history of what happened here, is the RAC wanted to
48 make that preference available so they requested from
49 the 1st to the 10th of August.....

50

1 MS. PHILLIPS: 15th.

2

3 MR. DOUVILLE: 10th originally.

4

5 MS. PHILLIPS: Oh.

6

7 MR. DOUVILLE: Would take care of this,
8 but no one was going to hear anything about it. They
9 would not let us do that. So we added a week in July
10 and that didn't take anything away from anybody that's
11 how we got the July season. And then I think it was
12 OSM that came up with a proposal that extended that
13 closure in August clear to the 30th, and I remember
14 distinctly in Sitka that I modified it to the 15th, do
15 you remember that, but, anyway, that's why we're here.

16

17 But in reality I would rather see
18 things remain as is and defer this proposal, and I feel
19 that at that time that we can look at this a little
20 closer and perhaps relax a part of the August, maybe by
21 five days or something, I'm just guessing now, but we'd
22 have to look at this thing again a little closer
23 because one of the concerns that I would have is the
24 Forest Service is going to have 1,400 miles of road
25 that are slated to be closed, and that's going to
26 change the playing field. And we have to understand
27 what that will do to the local hunters as well as the
28 non-rural ones, so it's just not an easy thing -- it's
29 not broken right now. There's other places for these
30 people to go on Prince of Wales as well as in Southeast
31 on this island; they all seem to be totally determined
32 to go to Prince of Wales.

33

34 There are other opportunities there and
35 I think we just need to look at this thing for a little
36 bit longer before we make another decision.

37

38 ACTING CHAIRMAN BANGS: Thank you, for
39 that perspective Mr. Douville. Ms. Needham.

40

41 MS. NEEDHAM: Thank you, Mr. Chairman.
42 And thank you, Member Douville, for that sort of
43 background. I am familiar with the history of what's
44 going on with Unit 2 but I appreciate you putting that
45 before us again, especially for me as a new Council
46 member. And I wholeheartedly agree in terms of, even
47 if we were to ask the question if the rural subsistence
48 users needs are being met, at this point, you know, I
49 mean I have sympathy for the gentleman from Ketchikan
50 as well, however, it's a non-rural community today, as

1 it sits now, and I think that the question is, is are
2 the non-rural subsistence uses on island being met and
3 even if they were, I think, over the next few years we
4 might see changes in that because of the competition
5 for, you know, competition by having roads closed and
6 their access being reduced.

7

8 And so I think that those -- I think
9 it's very foresighted to think about those pieces of
10 it.

11

12 I don't know if their needs are being
13 met, I'm not trying to say that they are or they're
14 not, that would be one of my questions. But even if
15 they are, there's so much about to change, that I think
16 we need way more information -- or we need to allow,
17 you know, to see how that that's going to happen over
18 the next couple of years and that competition, I think,
19 is a little bit frightening to think about.

20

21 Thank you.

22

23 ACTING CHAIRMAN BANGS: Thank you, Ms.
24 Needham. So what's the wish of the -- Mr. Adams.

25

26 MR. ADAMS: Thank you, Mr. Chairman.
27 In view of the comments that Patty and Mr. Douville
28 have made and, of course, Cathy, I think it would be
29 proper for us to defer this as well.

30

31 I saw a lot of good merits to Mr.
32 O'Brien's discussion on this yesterday, so with that I
33 think also that this also probably could be considered
34 to be made into a SERAC proposal and I think that would
35 probably address the issue a lot more forceful.

36

37 Thank you.

38

39 ACTING CHAIRMAN BANGS: Thank you, Mr.
40 Adams.

41

42 MR. ADAMS: So with that I would move
43 that we would defer this proposal.

44

45 ACTING CHAIRMAN BANGS: Thank you. I
46 think Mr. Larson will address the procedure for
47 deferment.

48

49 MR. LARSON: Thank you, Mr. Chair. A
50 motion to defer at this point is complicated. It's

1 complicated for a number of reasons.

2

3 One is, that we don't really know when,
4 procedurally, we don't know when the next time we're
5 going to take up wildlife proposals. We are in the
6 middle of a rural review. It may be next -- it may be
7 a year from now, it may be 18 months from now.

8

9 The closures that are on the books are
10 up for a regular review through the closure policy that
11 we have in place right now.

12

13 We have a number of unknowns.

14

15 When, of course, it would be
16 appropriate to defer to.

17

18 So it, of course, can be done, but it
19 would be difficult for me to provide good counsel about
20 when the most appropriate meeting for that to happen
21 would be right at this point.

22

23 Thank you.

24

25 ACTING CHAIRMAN BANGS: Thank you, Mr.
26 Larson. In light of that I might just make a comment
27 that maybe we should either vote it up or down for the
28 record and then possibly when it's time to present
29 proposals and we feel we need to change it a little
30 bit, like what Mr. Adams was saying, we could write the
31 RAC proposal.

32

33 Mr. Douville.

34

35 MR. DOUVILLE: Thank you, Mr. Chairman.
36 I will not support this proposal if it's too far in the
37 future to defer it. We have a U2 recommendation by
38 that council. And I have some concerns about the road
39 closures. And also you got to remember that those
40 stems of young growth are growing as we speak and after
41 a few years the drive by hunters do not have a good
42 place to hunt anymore and that's what they are, I mean
43 that's what the fight's over, is all the clearcuts that
44 were so easy to get deer on, it's as simple as that.
45 Those are -- much of the island has been logged,
46 period, and it's growing up. Things are going to change
47 there and this RAC has to be aware of what will happen
48 when those changes come, it's going to change the
49 playing field.

50

1 So you just can't say, okay, let's
2 shorten the closure up, you know, I mean I think some
3 good thought has to come into it first.

4
5 ACTING CHAIRMAN BANGS: Thank you, Mr.
6 Douville. Ms. Needham.

7
8 MS. NEEDHAM: Thank you, Mr. Chairman.
9 And, I, too, wanted to clarify that my justification
10 earlier was actually because I was opposed to the
11 proposal, not that I was supporting a potential
12 deferral. So I would oppose this proposal given my
13 statements previously.

14
15 ACTING CHAIRMAN BANGS: Thank you. Ms.
16 Phillips.

17
18 MS. PHILLIPS: Thank you, Mr. Chair. I
19 will be voting in opposition of the proposal based on,
20 you know, the subcommittee. The Unit 2 Subcommittee
21 has asked that no action be taken until after 2011.
22 And the WP10-19 hunter observations say that many
23 subsistence proponents have maintained that they have
24 had increasing difficulty in meeting subsistence needs
25 for deer in Unit 2.

26
27 And I base a lot of my opposition on
28 the traditional and ecological knowledge that Council
29 member Michael Douville brings to the table. I live on
30 the north end and my familiarity with POW is only my
31 attendance to RAC meetings there and what I read in the
32 Staff analysis. So I vote no, thank you.

33
34 ACTING CHAIRMAN BANGS: Thank you, Ms.
35 Phillips. Ms. Hawkins.

36
37 MS. HAWKINS: Yeah, I'm going to oppose
38 this proposal also. We've looked at so many Unit 2
39 proposals. In the first year I was involved in this
40 committee was as an observer in 2006 and in the past
41 three years we've gone over this many times.

42
43 So I know school doesn't start until
44 August 27th and that's been a concern that there are
45 parents that want to take their children hunting and
46 train them and so I'm going to oppose this.

47
48 ACTING CHAIRMAN BANGS: Thank you. Mr.
49 Adams.

50

1 MR. ADAMS: Thank you, Mr. Chairman.
2 In view of the fact that everyone that has --
3 practically all of the Council members who have made a
4 comment about this and they say that they are going to
5 oppose it, it seems like we already voted. So I'd just
6 go ahead and make it official and call for the
7 question.

8
9 (Laughter)

10
11 ACTING CHAIRMAN BANGS: Thank you. The
12 question's been called for. All those in favor,
13 signify by saying aye.

14
15 (No aye votes)

16
17 ACTING CHAIRMAN BANGS: All those
18 opposed, nay.

19
20 IN UNISON: Nay.

21
22 ACTING CHAIRMAN BANGS: Okay, I guess
23 lunch is ready. And I just want to say that it's good
24 to have a doctor back on the RAC.

25
26 (Laughter)

27
28 ACTING CHAIRMAN BANGS: So, Mr.
29 Douville.

30
31 MR. DOUVILLE: Thank you, Mr. Chair.
32 I'm not opposed to looking at this down the road,
33 though, as the agreement or the policy of the U2
34 Committee expires. Certainly we can look at it as a
35 RAC, and I think it would be a good idea. I would
36 encourage that.

37
38 ACTING CHAIRMAN BANGS: Thank you.
39 Okay, I guess we could recess for lunch, it's 12:11, so
40 how about 1:15.

41
42 (Off record)

43
44 (Mr. Kookesh arrives)

45
46 (On record)

47
48 CHAIRMAN ADAMS: Okay, welcome back
49 everyone. I want to thank Mr. Bangs for doing a Bang
50 of a job this morning and going through these

1 proposals.

2

3 (Laughter)

4

5 CHAIRMAN ADAMS: Hopefully I can make
6 it through the rest of the day. We don't have very
7 much to do, so we'll start off with -- I want to call
8 Pete Probasco up and have him give a report and then
9 following will be Jeff and then Steve Kessler, in that
10 order.

11

12 MR. PROBASCO: Thank you, Mr. Chair.
13 And I appreciate you letting me have the opportunity, I
14 do have to catch this afternoon's flight. I have a
15 meeting in the morning that I have to be in attendance
16 and there's a couple of agenda items I wanted to just
17 briefly discuss with you before I leave.

18

19 The first one is the update on the OSM
20 Partners Program in the Southeast region. As you
21 recall at your last meeting in Yakutat that was an
22 issue that we discussed and both the Sitka Tribe and
23 Central Council were interested in the process where
24 their potential recommendations could be considered.

25

26 Since that meeting we had some progress
27 with the Central Council, we have had correspondence
28 back and forth. There's an interest in that group
29 looking at doing a partners program similar to what you
30 would see with Bristol Bay or what we have up in
31 Bethel, et cetera, and my understanding now is in the
32 future I'll be working with -- or my Staff will be
33 working with Mr. Kookesh to take that further and
34 hopefully proposals will be developed where they can be
35 evaluated for future partners programs, Mr. Chair.

36

37 As far as Sitka, there was initial
38 interest and since that time we have not had any
39 further correspondence with the Sitka Tribe.

40

41 Mr. Chair.

42

43 CHAIRMAN ADAMS: Thank you, Pete. Any
44 questions, anyone.

45

46 (No comments)

47

48 CHAIRMAN ADAMS: Gunalcheesh.

49

50 MR. PROBASCO: And the last one is

1 meeting location. Two comments. I know that you're
2 possibly looking at another location for the next fall.
3 I just want to go on record that we do have budget
4 situations that we have to consider, however, what we
5 look at is the comparative cost of going to a more
6 remote location and if the issues warrant and justify
7 that location then -- I don't want to say regardless of
8 the cost, but we would probably look very favorably on
9 meeting in those locations.

10

11 As far as your desire to, down the
12 future to meet with a combined meeting with the
13 Southcentral Council, the only task or responsibility
14 that each Council would have is we would have agenda
15 items that were similar to justify having a joint
16 meeting. In other words, we just can't do it for the
17 sake of doing it, we need to have agenda items. And I
18 think that's not an undaunting task, I think with the
19 Wrangell-St. Elias, and those type of areas we could
20 justify that type of meeting.

21

22 Mr. Chair.

23

24 CHAIRMAN ADAMS: Thank you, Pete. And
25 our coordinators have been working on agenda items that
26 I think would be common, you know, for a joint meeting
27 as such so we're in the process of doing that.

28

29 MR, PROBASCO: Thank you, Mr. Chair.
30 And thank you, Council members. It was a very
31 productive meeting. And I understand in order to catch
32 the flight out of Ketchikan with the ferry and all
33 that, I'll have to leave by 2:30, but I wish you the
34 best this spring and the summer and we'll see you in
35 the falltime.

36

37 Mr. Chair.

38

39 CHAIRMAN ADAMS: Our best to you, too,
40 Pete. Have a good trip.

41

42 Jeff.

43

44 MR. REEVES: Mr. Chairman. Council.
45 Jeff Reeves, US Forest Service. I, too, have to get
46 out of here this afternoon, I got to get on the ferry,
47 so we're kind of jumping ahead on your schedule.

48

49 If you can direct your attention to
50 Page 252 in your book you'll see a fishery closure

1 review for the Sarkar River drainage.

2

3 The Sarkar River system, for those of
4 you who are not familiar with it, it's located on north
5 central Prince of Wales Island, and under Federal
6 subsistence fishing regulations there currently is a
7 restriction to the use of nets by both Federally-
8 qualified and non-Federally-qualified users above the
9 highway bridge. The restriction to this use of nets
10 applies year-round.

11

12 The Sarkar subsistence fishery for
13 sockeye under -- it's not defined under a State
14 regulation and the yearly regulations for it basically
15 are determined by the local area management biologist
16 and typical permit conditions in this fishery have it
17 -- it's a June and July fishery with a daily harvest
18 limit of 20 sockeye, no annual limit. And fishing gear
19 under that permit's typically limited to beach seines,
20 hand purse seines and dipnets.

21

22 The Federal fishery, for those fishing
23 a Federal permit, there's no season and, however, the
24 sockeye limit are basically the same as the State limit
25 and these limits cannot be combined or accumulated.

26

27 The Federal regulation that we're
28 looking at here was a result of Fishery Proposal FP00-
29 35, which was submitted by Mike Douville. It was
30 requested -- requesting the prohibition within the
31 freshwater portion of the drainage because there was
32 concern that the fishery up in the lake area was not
33 allowing for enough sockeye escapement. The proponent
34 indicated that nets had never traditionally been used
35 about saltwater and that with the road access and this
36 bridge crossing and later the building of a Forest
37 Service cabin on the lake, that the easier access had
38 allowed fishermen to get in there and more easily
39 utilize these nets increasing the harvest on the
40 sockeye that were trying to get to the spawning
41 grounds.

42

43 The proposal was reviewed and
44 deliberated during the 2000 regulatory cycle with Board
45 action occurring in December of 2000. With the
46 subsistence users expressing concern over this decline,
47 or apparent decline in the escapement and suggesting
48 that the decline was probably attributed to the nets
49 being used up in the lake, the Board unanimously
50 supported the proposal to restrict the use of nets

1 above the highway bridge, and the closure then became
2 effective in the 2001 fishing season.

3
4 There's limited escapement information
5 for Sarkar. The State did have a weir in there in 1982
6 and 1983 with weir counts ranging almost 8,000 the
7 first year and 2,300 the second year.

8
9 Escapement observations are conducted
10 also with aerial and foot surveys but they're not
11 considered total counts for the system and these
12 surveys are primarily targeted for pink salmon. The
13 peak escapement survey counts are varied during the
14 period of 1941 to 1999, ranging from a low of 200
15 sockeye to an estimated high of 55,000 in 1995.

16
17 Up until 2007 pretty much all the
18 reported subsistence harvest was occurring under State
19 permits. Since 2007 we have had a few reported on
20 Federal permits and in the analysis it says 121 and
21 since then I think that number has jumped to about 168
22 over all three of those years. The fish reported under
23 Federal permit have been reported taken with rod and
24 reel, handline and a small handful of beach seines and
25 it's assumed that the beach seined fish were probably
26 taken somewhere from the bridge downstream, maybe a
27 couple hundred yards to where the actual Federal
28 jurisdiction line is.

29
30 The preliminary recommendation right
31 now is to remain status quo on this closure.

32
33 There's been no new population studies
34 to determine if the stock is healthy enough to
35 sustainably support actual net fishing up in the
36 spawning grounds.

37
38 The last couple of years people have
39 been happy there. There has seemed to have been good
40 numbers of fish but, you know, there's no assurance
41 that just because of two seemingly healthy years that
42 the future years are going to be -- that the run's
43 going to be healthy enough over the next few years to
44 continue -- or to re-allow fishing to occur up near the
45 spawning grounds.

46
47 And when we talk about a closure, this
48 isn't a closure to a full fishery it's just basically a
49 gear restriction under regulation so Federally-
50 qualified users can still fish in these grounds under a

1 Federal permit if they choose to, they just need to
2 adapt to another means other than a net.

3
4 So that concludes what I have. This
5 was a whole new thing to me, I had never done one of
6 these before. So I'll be open to answer any questions
7 that you may have.

8
9 CHAIRMAN ADAMS: Thank you, Jeff. Any
10 questions. Go ahead, Cathy.

11
12 MS. NEEDHAM: Thank you, Mr. Chairman.
13 Jeff, are there any population studies planned for
14 Sarkar that you know of in the near future?

15
16 MR. REEVES: Mr. Chair. Ms. Needham.
17 I don't know of any. It's one I've kind of looked at
18 to try to do. My understanding is where it comes out a
19 lake, it's kind of a rapids, so the outlet creeks, it
20 doesn't seem like it'd be that easy to weir, and I
21 think that's part of the reason why it was never really
22 continued by the State.

23
24 There's probably something that can be
25 done and I believe at one point there might have been
26 an FIS proposal submitted in the early years of our
27 program but it really never got very far. If we could
28 come up with some easy way to do it, then, yeah, we'd
29 love to.

30
31 CHAIRMAN ADAMS: Anyone else.

32
33 (No comments)

34
35 CHAIRMAN ADAMS: Thank you, Jeff, safe
36 trip home. Does somebody have a question, oh, Mike, I
37 didn't see your hand behind that bottle there.

38
39 (Laughter)

40
41 MR. DOUVILLE: I'll move the bottle.

42
43 (Laughter)

44
45 MR. DOUVILLE: Thank you, Mr. Chair. I
46 agree with maintaining the status quo. What happens
47 when you take a beach seine up there is that the fish
48 are all gathered up right below the creek and you can
49 catch them very easily. But one of the problems with
50 doing that is these are a smaller run of sockeyes and

1 lots of them gill and so if your permit says 20 or
2 whatever and you catch a 150 gillers, I mean that's
3 part of the problem with doing that sort of thing. I
4 know that for a fact.

5
6 CHAIRMAN ADAMS: Okay, thanks, Mike.
7 Anyone else.

8
9 MS. PHILLIPS: Mr. Chair.

10
11 CHAIRMAN ADAMS: Patty, go ahead.

12
13 MS. PHILLIPS: Has it been overfished,
14 is that why, you know, it went from 55,000 down to 211?
15

16 MR. REEVES: Mr. Chair. Ms. Phillips.
17 The fishery has definitely been up and down. The State
18 subsistence harvest have reported a range between, I
19 think, a low of 66 one year to a high of almost
20 2,400/2,500. I know there was concerns before this
21 proposal, that what was happening was, that it was,
22 because you had one user group fishing down in marine
23 waters and another user group actually fishing up in
24 the spawning area.

25
26 So the one thing that I had hoped for
27 and, George, do you want to help me with the
28 information, you remember the information request stuff
29 -- what we had -- with the permits you had two
30 different gear types so you could pretty much look at
31 the permit and say, well, if it's a dipnet caught fish
32 then we knew it came up out of the creek. It may not
33 identify the beach seine fish that were in the lake.
34 But there were some years that within the permit data
35 that, you know, they almost matched. And also you add
36 in the fact that this location can also be reported as
37 Douville and so we didn't get a full representation,
38 particularly up until about 2000 of exactly what was
39 going on there under a State permit, but, based on the
40 information I received and up until this closure went
41 in, I mean I think the one year the dipnet harvest were
42 almost matching the reported seine harvest. So since
43 then it's -- definitely the numbers have been down, the
44 dipnet numbers are way down because everyone's fishing
45 down in this bay with their seine nets.

46
47 The only other deal that -- I might be
48 going out on a limb here by saying this but the
49 commercial seine effort on the west coast, too, has
50 been down and all the west coast stocks have actually

1 been a lot healthier, there's been more fish harvested
2 by folks, too. So, you know, we really don't know if
3 that's playing into it.

4

5 Does that answer?

6

7 MS. NEEDHAM: Okay.

8

9 CHAIRMAN ADAMS: George, you got
10 something to add.

11

12 MR. PAPPAS: Yes, sir. Jeff asked for
13 the subsistence harvest on the State database, permit
14 database, just from inception what have you, and our
15 team looked at it, at our information and it turned out
16 there were some strange data points prior to 2000,
17 wrong gear types, numbers that didn't quite make sense
18 so they actually are going to go back and find the
19 hardcopies and start over, resummarize to figure out if
20 there was data entry errors or what have you. But a
21 couple flags were thrown up. And that didn't help Jeff
22 because he didn't get a complete data set prior to
23 2000.

24

25 Once we do have that information we
26 could bring it forth. I don't know if that will make a
27 difference in this decision, but it put Jeff in a hard
28 position there without having the solid information
29 available.

30

31 Thank you, Mr. Chair.

32

33 CHAIRMAN ADAMS: All right, thank you,
34 George. Anyone else.

35

36 Mr. Douville.

37

38 MR. DOUVILLE: You know I'd like to see
39 the State, at some point, you know, take a -- have
40 escapement goals for these places that are heavily
41 fished, I mean there's roads there and people from
42 everywhere can access it where they didn't in 1955.
43 You know, we always say that there used to be lots when
44 I was a kid and, you know, this is proof. But we used
45 to -- my step-father's family used to live right there
46 that's why it's called Douville, and I know a lot
47 about it's history.

48

49 There's one thing that occurs in this
50 stream that I don't know if you're aware of Jeff, but

1 below the bridge there, there's a little fish we used
2 to call shiners, but they're like little perch and
3 they're just -- that place is just loaded with those
4 things waiting to catch fingerlings coming out and I
5 know those things have a big impact on escapement going
6 out. I don't know if you could ever address anything
7 like that but it's just amazing to me how much of those
8 fish are really there.

9

10 Some of these streams should certainly
11 be looked at by the State for an annual limit to
12 protect them and build them back up to -- you know,
13 2,500 is nothing compared to 55,000, you know, in the
14 old days Theodore Roberts could even tell you they'd go
15 there in a seiner and made a set and catch 5,000, you
16 know, in the old days, you know, and they took them all
17 back to Klawock and gave them away.

18

19 But these runs are depressed.

20

21 There's people that camp there and fish
22 everyday. And they don't waste the fish, I don't
23 think, but they harvest a lot, and that's why I would
24 say a household -- suggest a household annual limit on
25 many of these streams, including Klawock and so on.

26

27 CHAIRMAN ADAMS: Thank you, Mike. Mr.
28 Larson, you got something to add.

29

30 MR. LARSON: Yes. It's not normally my
31 role here as a Council coordinator to directly answer
32 questions from the Council members but one of the
33 citations in here is Edgeton, et al., and I'm the et
34 al.,

35

36 (Laughter)

37

38 MR. LARSON: I also have participated
39 in the seine fishery in the early '70s, you know, at
40 Douville, you know, where there was directed
41 commercial seine effort at those fish. And to answer
42 your question regarding whether or not the lack of
43 sockeyes in the Sarkar could be a result of
44 overfishing, those fish are quite vulnerable at times
45 and they're -- access is fairly easy and it's certainly
46 possible.

47

48 CHAIRMAN ADAMS: Thanks. Patty, go
49 ahead.

50

1 MS. PHILLIPS: Thank you. Why aren't
2 we doing something more then, than just this, I mean
3 what more can we do; this sounds serious.

4
5 MR. DOUVILLE: Mr. Chair.

6
7 CHAIRMAN ADAMS: Mike.

8
9 MR. DOUVILLE: Because most of the
10 fishing occurs in State regulated waters and we have
11 nothing to say about it, and that's why I was
12 suggesting to the State that they look at household
13 annual limits for these places instead of -- because
14 they really don't know how much escapement's going in
15 there or anything. I mean it's just kind of a wide
16 open and no one's really paying attention to what's
17 going on and these are important and in my opinion many
18 of them are depressed.

19
20 MS. PHILLIPS: Mr. Chair.

21
22 CHAIRMAN ADAMS: Go ahead, Patty.

23
24 MS. PHILLIPS: Thank you. Mr. Chair.
25 Mr. Douville. So what would it take to get the State
26 to do that, I mean what can we do to politely ask the
27 State would you please, you know, change your permits
28 or does that go through a proposal process, you know,
29 you're talking about a system in serious distress, so
30 how can you guys go in a direction that Mike's
31 recommending.

32
33 CHAIRMAN ADAMS: Mr. Pappas.

34
35 MR. PAPPAS: Well, Mr. Chairman,
36 Council Member Phillips, a proposal to the Board of
37 Fisheries to change the regulation would be my first
38 answer.

39
40 You could generate a proposal by the
41 RAC to the State Board of Fish for evaluation and
42 implementation or adoption or modification, somewhere
43 down the line, otherwise your notes -- your comments,
44 the record you're building here I'll ensure that the
45 fisheries folks are aware of your concerns and
46 testimony.

47
48 And in the case of State subsistence
49 permits, the stipulations on the permits can be
50 adjusted by the area manager for conservation purposes

1 so I will make sure that they get a copy of the
2 transcripts once they're out in two weeks.

3

4 (Laughter)

5

6 MR. PAPPAS: Thank you, Mr. Chair.

7

8 CHAIRMAN ADAMS: Frank, go ahead.

9

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

11 We're talking about one stream, have you guys done
12 anything in other streams to see if, you know, we're
13 talking overfishing in State waters, have any other
14 streams been affected as bad as this one? I'm not
15 familiar with Prince of Wales, I don't know what kind
16 of streams are down there, I'm sure there's more than
17 one sockeye stream down there.

18

19 MR. REEVES: Mr. Chairman. Mr. Wright.

20 You know this is one of several that are actually
21 listed on the subsistence half of -- on the Ketchikan
22 area management permit. The other ones that are on
23 there have been -- or the heavier use subsistence have
24 -- currently have FI -- you know Fisheries Resource
25 Monitoring projects on them. And, you know, a couple
26 of them have seen some ups and downs in their runs.
27 The last couple of years, though, like I said the west
28 side systems last year were all off the charts, you
29 know, for years of resource management proje -- or
30 monitoring projects.

31

32 This one doesn't have one.

33

34 A lot of times this system is more of a
35 back up system, that if one fishery is not performing
36 as well they'll go there. The other aspect is this one
37 gets one of the earlier runs of sockeye on the island.
38 So there is a group of fishermen that like to fish here
39 in June if there's fish there. A majority of our
40 sockeye fisheries are all in July.

41

42 CHAIRMAN ADAMS: Anyone else.

43

44 MS. PHILLIPS: Follow up.

45

46 CHAIRMAN ADAMS: Patty.

47

48 MS. PHILLIPS: Thank you. Mr. Pappas,
49 are you telling me then that you, ADF&G, can take
50 action sooner through the manager or do we have to wait

1 for the proposal cycle and when will that be?

2

3 MR. PAPPAS: Mr. Chair. Ms. Phillips.
4 Annually, as I understand, unless it's stated in State
5 regulation that a limit's established, the area
6 managers, the regional coordinators and research folks
7 get together, look at the previous years harvest, look
8 at any other information, indexes, weirs, look at any
9 information that's available in making a determination
10 whether or not any of the harvest limits need to be
11 adjusted on the subsistence permits.

12

13 It's an involved process. I'm not sure
14 if they've completed what the limits are going to be
15 for this summer yet, I think they should be done about
16 now because you have to get the permits out, so they
17 can respond to changes if you have a mass amount of
18 harvest, or effort to get shifted from one place to
19 another for one reason or another or the fish are
20 serially (ph) not showing up or showing up in low
21 numbers, they can adjust and use it as a permit
22 stipulation on the actual subsistence permit.

23

24 So if there's information available to
25 indicate that this particular system is really heading
26 towards a conservation concern they have to take that
27 into consideration, they're bound to. So that's about
28 all I can say about that portion.

29

30 But for the Board of Fish, they just
31 met for Southeast in February '09, so it would be three
32 years until they meet again, it's on the very early end
33 of the cycle.

34

35 Mr. Chair.

36

37 CHAIRMAN ADAMS: So what's the wish of
38 the Council on this, it's three years before the next
39 cycle comes around for a proposal if you want to go in
40 that direction but I think we need to -- we need to
41 send Jeff on the ferry here pretty soon, you know, with
42 some knowledge of how do you want to approach this.
43 You know we can accept his report and I'll just throw
44 that out for your discussion because it does say that
45 the preliminary recommendation is to maintain the
46 status quo for now. And then maybe we can, you know,
47 work on addressing the other issues, you know, that you
48 brought up through a regulation or proposal of some
49 sort.

50

1 It's up to you.
2
3 MS. PHILLIPS: Mr. Chair.
4
5 CHAIRMAN ADAMS: Patty.
6
7 MS. PHILLIPS: I will go with the
8 recommend -- I support the recommendation of our
9 biologist, however, I'm stewing, I'm just stewing about
10 this because, you know, ADF&G just really likes to
11 micromanage and get under the skin of subsistence users
12 and here's a system which they have control over, you
13 know, whether there should be a fishery on it or not
14 and it appears to me that it's in stress and, yet,
15 they're doing nothing about it.
16
17 So, anyways, I do support your
18 recommendation, Jeff, thank you for bringing it to us.
19
20 CHAIRMAN ADAMS: Anyone else have a
21 comment.
22
23 (No comments)
24
25 CHAIRMAN ADAMS: Thank you, Patty.
26
27 I would entertain a motion to go ahead
28 and accept Mr. Reeves' report at this point and then
29 maybe we can hash out the other issues later.
30
31 Mr. Douville.
32
33 MR. DOUVILLE: Thank you, Mr. Chair. I
34 move we accept Jeff's report.
35
36 CHAIRMAN ADAMS: Thank you. Do I hear
37 a second.
38
39 MR. BANGS: Second.
40
41 CHAIRMAN ADAMS: Thank you. Okay, any
42 further discussion.
43
44 (No comments)
45
46 CHAIRMAN ADAMS: I think we discussed
47 it to death right now.
48
49 MR. KITKA: Question.
50

1 CHAIRMAN ADAMS: Question's been
2 called. All in favor please say aye.
3
4 IN UNISON: Aye.
5
6 CHAIRMAN ADAMS: Opposed say nay.
7
8 (No opposing votes)
9
10 CHAIRMAN ADAMS: The motion is carried.
11 Thank you. Thank you, sir, have a safe trip back home,
12 see you next time. You got something else to say?
13
14 MR. REEVES: Yeah. One other thing I
15 could be available for is later on in your agenda one
16 of the potential, I guess, fish proposals, is a sockeye
17 season extension and I still have a few more minutes if
18 you need any history on that or need any questions, I
19 could take them.
20
21 CHAIRMAN ADAMS: You want to make a
22 comment on that right now?
23
24 MR. REEVES: Well, basically, like I
25 say this Council I know has dealt with Klawock
26 proposals twice for season extensions. And with,
27 basically, again, the fishery occurring more down in
28 State jurisdiction, you know, we've never done
29 anything. The last proponent, or -- or after going
30 through our cycle was encouraged to go through the
31 Board of Fish, which they did. And the State Board of
32 Fish at that '09 meeting, that George was referring to,
33 added one week to the Klawock fishery. And the Klawock
34 fishery is the only one in Southeast Alaska that's in
35 State regulation. So currently our regulation and
36 theirs for sockeye are -- they're out of alignment.
37
38 Last year we had to do a special action
39 request and we'll have to do another one this year. So
40 it's basically, you know, it'll be up to you guys if
41 you want to submit something through the formal Board
42 process to either match that or whatever, but.....
43
44 CHAIRMAN ADAMS: Great, thanks a lot.
45 Anything else.
46
47 (No comments)
48
49 CHAIRMAN ADAMS: Have a safe trip.
50

1 MR. REEVES: Thank you.
2
3 CHAIRMAN ADAMS: Does the Council want
4 to discuss this issue any more, you know, or shall we
5 move on.
6
7 (No comments)
8
9 CHAIRMAN ADAMS: It seems like there's
10 some deep concerns and if you want to talk about it
11 here why we'll take a few minutes to do so.
12
13 Mr. Douville.
14
15 MR. DOUVILLE: Thank you, Mr. Chairman.
16 There doesn't seem to be a lot of concern by the
17 Department on monitoring or -- we've gone over this
18 before, you know, there's no escapement goals really
19 that are monitored and I know it's expensive and
20 difficult to do that. Not wanting to put any undue
21 restriction on any user, which was -- you know, I don't
22 even like to go there but in reality you do have to
23 protect these streams because they have such easy
24 access. And one of those mechanisms would be a
25 household annual limit, what that would be, I don't
26 know, somebody else would have to figure that out.
27
28 But that would prevent overfishing by
29 certain groups.
30
31 There's a group here that goes from one
32 to the other to the other to the other because they
33 don't all come in at the same time and they fish them
34 all real hard so what they do with those fish is beyond
35 me but you only need so many to get by.
36
37 CHAIRMAN ADAMS: Yeah, I understand
38 your concern now, Mr. Douville.
39
40 MR. DOUVILLE: And I will add this.
41 Sometimes there seems to be a few fish going into the
42 system and other times there isn't much and when it
43 gets into July I don't participate because I'm doing
44 other things but if they come in in June maybe I have a
45 chance, but sometimes there isn't much and then I don't
46 get to see what happens later, you know.
47
48 CHAIRMAN ADAMS: Okay. Mr. Bangs.
49
50 MR. BANGS: Thank you, Mr. Chairman. I

1 think this is an example of why, I think, we need to be
2 more engaged in the State Fish and Game, both, Board of
3 Game and Board of Fish process and generate proposals
4 that we feel are important to sustaining subsistence
5 from the State side.

6

7 Thank you.

8

9 CHAIRMAN ADAMS: Thank you, Michael.

10

11 MS. PHILLIPS: Mr. Chair.

12

13 CHAIRMAN ADAMS: Okay, yes, Patty.

14

15 MS. PHILLIPS: With that being said,
16 what Mr. Bangs said, that we should be more engaged,
17 you know, in the ADF&G Board process, it would be
18 helpful if there was a Staff member who could keep
19 track of these concerns that come before us as a RAC
20 because when we meet to discuss, you know, some of
21 these proposals that we look -- that we'd like to put
22 forward, I'm not going to have a list immediately
23 before me because I've got so many other
24 responsibilities to tend to, so who's going to remind
25 us; what did we discuss when we were in, you know, down
26 here, you know, what did we discuss -- okay, so Mr. --
27 Mr. Larson will keep track of those for us.

28

29 (Laughter)

30

31 MS. PHILLIPS: Thank you.

32

33 CHAIRMAN ADAMS: Yeah, you bet. And,
34 you know, like what was described a little while ago,
35 there's going to be three years before we can bring
36 this up. I just got a note sent to me here I think
37 will help solve our short-term problems, and that's
38 just to send a letter of concern to the ADF&G. And so
39 if it's okay with the Council, we'll direct Mr. Larson
40 to do that.

41

42 (Council nods affirmatively)

43

44 CHAIRMAN ADAMS: Harvey.

45

46 MR. KITKA: Thank you, Mr. Chair. I
47 was just wondering if the State would give us some
48 advice on how to proceed to get an out of cycle
49 proposal to the Fishery Board.

50

1 CHAIRMAN ADAMS: Mr. Pappas.
2
3 MR. PAPPAS: Thank you, Mr. Chair. For
4 an out of cycle Board of Fisheries proposal request --
5 maybe Mr. Larson you can help me with this one.
6
7 You have to prove there's an immediate
8 biological concern -- conservation concern, an
9 unforeseen circumstance of a recently adopted
10 regulation; and what's the third one?
11
12 CHAIRMAN ADAMS: Mr. Larson.
13
14 MR. LARSON: Mr. Chair. Without going
15 into the whole process of out of cycle proposals to the
16 Board of Fish, I think we could cut to the chase and
17 say that in this particular circumstances it probably
18 does not qualify and it may not be worth our effort to
19 go there because there's no -- I don't -- personally
20 don't think that it will be accepted.
21
22 Now, the letter, if the Council would
23 like me to write a letter of concern to the appropriate
24 Department of Fish and Game officials expressing our
25 interest in knowing more about Sarkar and maintaining
26 some escapement levels in that system, I think that
27 would be much more effective and it would very well
28 prime the pump for a future Board of Fish proposal, if
29 the Council would like to make it. We're certainly
30 going to get a response prior to the time that we would
31 need to do that, to access the Board of Fish.
32
33 Thanks.
34
35 CHAIRMAN ADAMS: Thank you, Robert.
36 Yes, it appears to me like this would be a good avenue
37 to go at this time.
38
39 So with the Council's concurrence we'll
40 just go ahead and direct Mr. Larson to go ahead and
41 write a letter of concern to the ADF&G.
42
43 (Council nods affirmatively)
44
45 CHAIRMAN ADAMS: Mr. Douville.
46
47 MR. DOUVILLE: And I would recommend
48 while doing that maybe you could consult with Jeff and
49 look at some of the other stream trends on the island.
50

1 CHAIRMAN ADAMS: Thank you, Mike.
2 Okay, good. Thanks George. So did we -- we didn't
3 vote on this, did we -- I know we moved to accept, did
4 we.....
5
6 MR. LARSON: You don't have to vote,
7 the intent is fine for the letter.
8
9 CHAIRMAN ADAMS: Okay, we don't have
10 to. Let's go back to Proposal No.....
11
12 MR. LARSON: Mr. Kessler would like to
13 address us really quickly.
14
15 CHAIRMAN ADAMS: Oh, I'm sorry, Mr.
16 Kessler, please come forward we're going to give you a
17 few minutes.
18
19 MS. KENNER: But I need to.....
20
21 MR. KESSLER: Pippa's going out on the
22 flight today and I'm going to be here all afternoon so
23 maybe she could go first.
24
25 CHAIRMAN ADAMS: Oh, sure, come forward
26 Pippa.
27
28 MR. LARSON: I'm sorry, I thought he
29 was going to be on that same flight.
30
31 CHAIRMAN ADAMS: It's fine. Go right
32 ahead, madam, the.....
33
34 MS. KENNER: Thank you, Mr. Chair.
35
36 CHAIRMAN ADAMS:the floor is all
37 yours.
38
39 MS. KENNER: Thank you, Mr. Chair.
40 Members of the Council. My name is Pippa Kenner and I
41 work for the Office of Subsistence Management. And I'm
42 going to be describing Proposal WP10-21 and the
43 analysis begins on Page 217 in the meeting book.
44
45 This proposal was submitted by the
46 Southeast Alaska RAC and.....
47
48 CHAIRMAN ADAMS: Excuse me.
49
50 MS. KENNER:and it.....

1 CHAIRMAN ADAMS: Excuse me, please. I
2 think we need a motion to adopt it first, okay, so
3 let's entertain a motion to adopt 21. So when are you
4 leaving?

5
6 MS. KENNER: (No response)

7
8 CHAIRMAN ADAMS: When are you leaving?

9
10 MS. KENNER: (No response)

11
12 CHAIRMAN ADAMS: What time, please?

13
14 MS. KENNER: 2:30

15
16 CHAIRMAN ADAMS: Okay.

17
18 (Laughter)

19
20 CHAIRMAN ADAMS: Okay, let's do a
21 motion to adopt.

22
23 MS. NEEDHAM: Mr. Chairman. I move to
24 adopt Wildlife Proposal 10-21 as written on Page 216.

25
26 MR. BANGS: Second.

27
28 CHAIRMAN ADAMS: Thank you, Cathy, and
29 seconded by Mr. Bangs. Go ahead.

30
31 MS. KENNER: Thank you, Mr. Chair. I'm
32 sorry I do have to leave -- unfortunately I do have to
33 leave a little bit early today but I'll go through the
34 analysis and I can appoint others to take notes about
35 the RAC's response. And, again, my name is Pippa
36 Kenner and I'm with the Office of Subsistence
37 Management in Anchorage.

38
39 And, again, Proposal WP10-21 was
40 submitted by the Southeast Alaska Council and it
41 requests that the deer harvest on Federal public lands
42 of the Northeast Chichagof Controlled Use Area, or the
43 NECCUA, in Unit 4 be restricted to residents of Hoonah.
44 The Council stated that conservation concerns regarding
45 the deer population in this area prompted the request.

46
47 If the Board reaches the conclusion
48 that conservation concerns mandate closure of Federal
49 public lands to non-Federally-qualified users and,
50 further, that the pool of Federally-qualified users

1 must be further restricted as requested in this
2 proposal, then a Section .804 analysis would be
3 necessary.

4
5 Section .804 of ANILCA establishes
6 criteria that must be used when distinguishing among
7 subsistence users. There are three criteria, and they
8 are:

9
10 Customary and direct dependence upon
11 the population as a mainstay of
12 livelihood;

13
14 Local residency or proximity to the
15 resource; and

16
17 The availability of alternative
18 resources.

19
20 However, before conducting a Section
21 .804 analysis the Board must first determine that it is
22 necessary to close the NECCUA to non-Federally-
23 qualified users for deer harvesting. The Section .804
24 analysis in this analysis is presented in the event
25 that the Board reaches the conclusion that conservation
26 concerns mandate closure of Federal public lands to
27 non-Federally-qualified users and further that the pool
28 of Federally-qualified users must be further restricted
29 in the NECCUA.

30
31 Table 1 in the analysis summarizes
32 harvest and effort information for the NECCUA obtained
33 through the Fish and Game deer harvest survey. For
34 Hoonah residents, all other Federally-qualified
35 subsistence users and non-Federally-qualified users
36 from '97 to '07.

37
38 In '07 the season following the first
39 deep snow winter, the number of deer harvested and the
40 number of hunters decreased while the effort per deer
41 harvest increased. From '97 to '07 Hoonah residents
42 harvested the most deer in the NECCUA followed by non-
43 Federally-qualified users and other Federally-qualified
44 subsi -- Federally-qualified subsistence users
45 harvested the fewest.

46
47 The Section .804 analysis begins by
48 showing that 19 communities or roughly 21,000 people
49 are included in the existing customary and traditional
50 use determination for deer in Unit 4. They are Angoon,

1 Cube Cove, Elfin Cove, Funter Bay, Game Creek,
2 Gustavus, Haines, Hoonah, Kake, Klukwan, Pelican,
3 Petersburg, Point Baker, Port Alexander, Port
4 Protection, Sitka, Tenakee Springs, White Stone Camp,
5 Wrangell and Yakutat. The communities located in the
6 affected area in the NECCUA are Game Creek, Hoonah,
7 Tenakee Springs and White Stone Camp.

8
9 One source of information concerning
10 deer harvesting by these communities is, again, the
11 Fish and Game deer hunter survey conducted each year in
12 Southeast Alaska.

13
14 The rest of the analysis is a
15 description of using the three criteria of each of
16 those communities. And the conclusion of the .84 --
17 .804 analysis is that the residents of communities
18 located within the boundary of the NECCUA and Gustavus
19 have exhibited the highest levels of reliance on the
20 deer in the area. Deer harvest on Federal public lands
21 in the NECCUA should be restricted to the restricted to
22 the residents of the area including residents of Game
23 Creek, Hoonah, Tenakee Springs and White Stone Camp and
24 Gustavus. However, if this proposal is adopted Federal
25 public lands in the NECCUA must be closed to the
26 harvest of deer by non-Federally-qualified users as
27 well as residents of some of the communities included
28 in the customary and traditional use determination for
29 deer.

30
31 The biological analysis of the deer
32 population is found on Proposal -- is found in the
33 analysis for Proposal WP-14. As discussed in that
34 analysis, existing population and harvest information
35 indicate that the deer population in the NECCUA is
36 sufficient to provide for a continued harvest of bucks
37 by both Federally-qualified and non-Federally-qualified
38 users. But if the Board determines that the pool of
39 Federally-qualified users must be reduced the
40 preliminary Staff conclusion would be to adopt the
41 results of the Section .804 analysis and restrict deer
42 hunting in the NECCUA to residents of the area and
43 Gustavus.

44
45 Thank you.

46
47 CHAIRMAN ADAMS: Thank you. Questions
48 anyone.

49
50 MR. WRIGHT: I just have one comment.

1 CHAIRMAN ADAMS: Go ahead, Mr. Wright.
2
3 MR. WRIGHT: I just have a comment.
4 White Stone Camp keeps getting mentioned but it's
5 Hoonah residents that live out in that camp so it's
6 part of Hoonah, so, thank you, Mr. Chair.
7
8 CHAIRMAN ADAMS: Thank you. Okay,
9 folks any more comments, questions. We know you got to
10 leave Pippa.
11
12 MS. PHILLIPS: I have a comment.
13
14 CHAIRMAN ADAMS: Okay, go ahead, Patty.
15
16 MS. PHILLIPS: Sorry. On the number of
17 deer harvested is based on the return of hunter surveys
18 and I'm just going to make an extrapolation or an
19 assumption based on Unit 2, is that, that might be as
20 much as 50 percent return or maybe not even that much
21 of the actual surveys sent out and returned, so the
22 harvest may be more, we just don't know.
23
24 MS. KENNER: Mr. Chair. Was that a
25 question?
26
27 (Laughter)
28
29 MS. PHILLIPS: Am I correct?
30
31 (Laughter)
32
33 MS. KENNER: Yes. And the mailout
34 survey is a statistical exercise, however, those
35 numbers do not have confidence intervals around them.
36 There are questions -- there are -- in order to
37 interpret the numbers there's information we need that
38 we don't have.
39
40 It assumes that you need to get at
41 least 80 percent of the people who have licenses to
42 return the survey in order to have a sample that's most
43 likely representative of the hunters in the community
44 and those return rates vary from community to community
45 and every year Fish and Game, in their published
46 report, indicate what communities they feel the
47 information is least reliable. And in the years that
48 I'm reporting for in this, Hoonah and Angoon were often
49 times mentioned as communities in which less than 10
50 percent of the harvest surveys were returned. So the

1 way I analyzed the data, given that, and not really
2 knowing how fuzzy the numbers were, is that I took the
3 percentage of their total reported harvest that was
4 taken in the NECCUA, rather than looking at the
5 communities who harvested the most in the NECCUA.

6

7 CHAIRMAN ADAMS: Mr. Frank -- or
8 Wright, please.

9

10 MR. WRIGHT: Thank you, Mr. Chair. You
11 know a lot of the hunters that come out of Hoonah
12 always end up, you know, they -- sometimes they'd go to
13 Lemishure or Pleasant Island and hunt those areas just
14 because of trying to get off Chichagof Island because
15 Chichagof Island is hit so hard. And are these numbers
16 -- do these numbers come from those areas too, because
17 I think Pleasant Island is only about five, six miles
18 toward Glacier Bay and Lemishure's about 20, 25 miles
19 kind of east out toward Indian Islands.

20

21 Thank you, Mr. Chair.

22

23 MR. CHESTER: Yes, the islands are
24 included in the X35 major reporting.

25

26 MS. KENNER: 42.

27

28 MR. CHESTER: X42, I'm sorry.

29

30 MS. KENNER: And I'd like to add to
31 that, this is Pippa Kenner again with OSM -- excuse me
32 but stay here -- that we're using Fish and Game data
33 because it's what we have and we don't have money to go
34 out and do research but this is a draft analysis and
35 I'm interested in any information you may have about
36 that. What happened was that after we had analyzed
37 things we realized that those islands were included in
38 the two major hunt areas that make up the NECCUA and
39 for which data are collected, but unfortunately they
40 did include those two islands. So my harvest
41 information includes harvest from those two islands,
42 which are outside the NECCUA.

43

44 CHAIRMAN ADAMS: Go ahead, Jack.

45

46 MR. LORRIGAN: Thank you, Mr. Chairman.
47 On top of Page 220, Table 1, is that Juneau hunters, is
48 that information from Juneau residents coming over
49 there and hunting?

50

1 MS. KENNER: That's a good question.
2 Through the Chair. Non-Federally-qualified users
3 includes everybody who is not included in the C&T
4 determination, which includes the residents of Unit 4
5 and a short list of other communities; so everybody
6 else including Juneau is in the non-Federally-
7 qualified, people from all non-rural areas would be
8 included in that category, and Juneau is non-rural.
9

10 MR. LORRIGAN: And Juneau is what?
11

12 MS. KENNER: And Juneau is non --
13 considered non-rural by the Federal Program.
14

15 MR. LORRIGAN: The reason I ask is
16 Juneau is not on your list of communities so having to
17 extrapolate that from those numbers there.
18

19 CHAIRMAN ADAMS: Okay, Cathy, you got
20 something.
21

22 MS. NEEDHAM: Mr. Chair. I'm chomping
23 at the bit. I don't know if you realize this, Jack,
24 but we had a supplement, a different table presented to
25 us and I don't think that was brought up by Pippa and
26 those numbers that you're reading from the book
27 regarding that issue specifically are the ones that
28 actually changed on the new table that was given to us.
29 Just in case that influences your.....
30

31 CHAIRMAN ADAMS: Okay, thank you.
32

33 (Pause)
34

35 MR. WRIGHT: Mr. Chair.
36

37 CHAIRMAN ADAMS: Frank.
38

39 MR. WRIGHT: Thank you, Mr. Chair. Are
40 these surveys, when you send them out, do you just send
41 them to people that get hunting licenses? I'm just
42 curious of how you know it's from people -- you know,
43 people from Juneau?
44

45 Thank you.
46

47 MS. KENNER: Mr. Chair. The Department
48 of Fish and Game does conduct those surveys but we have
49 extensive knowledge about the process they use and,
50 yes, my understanding is they send them to people

1 holding -- people who have bought hunting licenses,
2 however, in some communities I do believe they choose a
3 sample of the people holding hunting licenses.

4
5 (Laughter)

6
7 MS. KENNER: Thank you.

8
9 CHAIRMAN ADAMS: You have permission to
10 sit by Pippa.

11
12 (Laughter)

13
14 CHAIRMAN ADAMS: Go ahead Neil.

15
16 MR. BARTEN: Mr. Chair. Members of the
17 Council. My name is, again, Neil Barten, with Fish and
18 Game. Yeah, what they do, Mr. Wright, is for all the
19 people who hold harvest tickets, who get harvest
20 tickets, approximately 33 percent of those people are
21 sent the survey and then from those approximately 50
22 percent respond. And then they send a reminder letter
23 and I believe from that they get another half of the
24 remaining people. So anyway it's sample, it's a random
25 stratified sample that's meant to try to get at across
26 the board, a sample from each community of hunters who
27 are out there and then they take that information and
28 extrapolate it across the entire number of hunters and
29 try to estimate the number of deer taken and the number
30 of days hunted, et cetera.

31
32 CHAIRMAN ADAMS: Thank you. I know you
33 got to go, do you mean you have to leave here at 2:30
34 or your airplane leaves at 2:30.

35
36 (Laughter)

37
38 MS. HAWKINS: Getting nervous.

39
40 (Laughter)

41
42 CHAIRMAN ADAMS: Yeah, me, too.

43
44 (Laughter)

45
46 MS. KENNER: Mr. Chair. I have to
47 leave here at 2:30.....

48
49 CHAIRMAN ADAMS: Oh, okay.

50

1 MS. KENNER:because my -- my
2 boat's floating there.
3
4 CHAIRMAN ADAMS: Oh, your boat, okay.
5
6 MS. KENNER: No, my car, I mean.
7
8 CHAIRMAN ADAMS: Oh, your car.
9
10 MS. KENNER: My taxi.
11
12 CHAIRMAN ADAMS: Taxi, all right.
13
14 (Laughter)
15
16 CHAIRMAN ADAMS: You got a taxi waiting
17 out there for you, okay.
18
19 (Laughter)
20
21 CHAIRMAN ADAMS: Any other comments,
22 please.
23
24 (No comments)
25
26 CHAIRMAN ADAMS: All right, thank you.
27 State, Mr. Pappas.
28
29 MR. PAPPAS: Thank you, Mr. Chair.
30 Comments on Page 226, I'll be summarizing.
31
32 This proposal is submitted to address
33 the conservation concern with deer on the NECCUA by
34 restricting hunters to -- hunting to Hoonah residents
35 only. This proposal states that there are not enough
36 deer in the area to share with outside communities
37 other than Hoonah and implies that this action to
38 further restrict eligibility under ANILCA .804 is
39 necessary.
40
41 Over the past three hunting seasons the
42 Department and the Federal Board have worked in
43 consultation in enacting similar closures. These
44 efforts were necessary to allow the reproductive
45 portion of the deer population to remain in tact to
46 allow the population to begin to recover. These
47 actions show a shared responsibility between the State
48 and Federal managers towards addressing the resource
49 concern.
50

1 The recent subsistence deer hunting
2 season dates in the NECCUA are from August 1 through
3 January 31st and the bag limit has been six deer, of
4 which, antlerless deer may only be taken from September
5 15th to January 31st.

6
7 If adopted Federally-qualified
8 subsistence hunters from Hoonah would benefit from
9 exclusive deer hunting on the Federal public lands in
10 this area, however, other Federally-qualified users and
11 as well as non-Federally-qualified users would not be
12 able to participate in the hunt.

13
14 The doe closures are necessary in order
15 to provide for sufficient reproduction to allow a
16 population recovery. Even if hunting is limited to
17 Hoonah hunters the deer population will remain at low
18 levels if does are harvested during periods of low deer
19 abundance.

20
21 The Department opposes this proposal at
22 this time.

23
24 Thank you, Mr. Chair.

25
26 *****
27 STATE OFFICIAL WRITTEN COMMENTS
28 *****

29
30 Alaska Department of Fish and Game
31 Comments to the Regional Advisory Council

32
33 Wildlife Proposal WP10-21:

34
35 This proposal would restrict deer
36 harvest on Federal public lands of the Northeast
37 Chichigof Controlled Use Area (NECCUA) to residents of
38 Hoonah. This proposal requests total closure to non-
39 federally qualified users and would restrict federally
40 qualified users under ANILCA Section 804 to only one
41 community.

42
43 Introduction:

44
45 This proposal was submitted to address
46 a conservation concern with deer on NECCUA, by
47 restricting the hunting to Hoonah residents only. The
48 proposal states that there are not enough deer in this
49 area to share outside the community of Hoonah and
50 implies that this action to further restrict

1 eligibility under ANILCA 804 is necessary.

2

3 Over the past three hunting seasons,
4 the department has implemented doe closures in this
5 area: EO 01-06-07, EO 1-13-07, EO 01-03-08, EO 01-02-
6 09. The USFS worked in consultation with the Federal
7 Subsistence Board and the department to enact similar
8 closures under federal subsistence regulations: WSA07-
9 05, WSA 07-07, 7-BD-05-08, 7-BD-05-09, WSA 09-10.
10 These efforts were necessary to allow the reproductive
11 portion of this deer population to remain intact to
12 allow this population to begin to recover. These
13 actions show a shared responsibility between State and
14 federal managers towards addressing a resource concern.

15

16 The recent subsistence deer hunting
17 season dates in NECCUA are from August 1 through
18 January 31, and the bag limit has been 6 deer of which
19 antlerless deer may only be taken from September 15 to
20 January 31.

21

22 Impact on Subsistence Users:

23

24 If adopted, federally qualified
25 subsistence hunters from Hoonah would benefit from
26 exclusive deer hunting rights on federal public lands
27 in this area. However, other federally qualified
28 subsistence users would not be able to participate in
29 this hunt, nor would non-federally qualified hunters.

30

31 Opportunity Provided by State:

32

33 State deer hunting seasons in NECCUA
34 are August 1 through December 31, and the bag limit is
35 three deer in some portions of NECCUA and four in the
36 remainder of GMU 4, of which either sex deer may be
37 harvested from September 15 through December 31. The
38 federal subsistence deer season lasts one month longer
39 than the state hunting season and up to twice the state
40 harvest limit.

41

42 Conservation Issues:

43

44 The doe closures are necessary in order
45 to provide for sufficient reproduction to allow
46 population recovery. Even if hunting is limited to
47 Hoonah hunters, the deer population would remain at low
48 levels if does are harvested during periods of low deer
49 abundance.

50

1 Enforcement Issues:
2
3 If adopted, differences in federal and
4 state regulations create confusion and enforcement
5 issues in areas with mixed land ownership and
6 distinguishing between state and federal lands within
7 NECCUA.
8
9 Recommendation:
10
11 Oppose.
12
13 CHAIRMAN ADAMS: Thank you, George.
14 Questions anyone.
15
16 (No comments)
17
18 CHAIRMAN ADAMS: Neil, do you have
19 anything to add?
20
21 MR. BARTEN: (Shakes head negatively)
22
23 CHAIRMAN ADAMS: Okay, thanks. Any
24 other Federal agencies, our audience is getting thinner
25 and thinner.
26
27 (No comments)
28
29 CHAIRMAN ADAMS: None. Tribal
30 organizations.
31
32 (No comments)
33
34 CHAIRMAN ADAMS: Written comments. Mr.
35 Larson.
36
37 MR. LARSON: Mr. Chairman. There are
38 no written public comments. We do have one comment
39 from the Juneau/Douglas Advisory Committee, they're in
40 opposition to the proposal. They believe that it would
41 reduce the opportunity to hunt by Juneau residents.
42
43 Thank you.
44
45 CHAIRMAN ADAMS: Thank you. We're now
46 under deliberations so what's the wish of the Council.
47
48 Mr. Bangs.
49
50 MR. BANGS: Thank you, Mr. Chairman.

1 As it's written I'm leaning towards opposing the
2 proposal but I was wondering if it would be appropriate
3 to maybe amend it to include all rural residents and it
4 would increase the harvest to subsistence and basically
5 we'd just be cutting out Juneau, I guess that's what
6 I'm getting at.

7

8 CHAIRMAN ADAMS: Yeah, I think we're
9 going to have to get Mr. Wright's permission for that
10 though.

11

12 (Laughter)

13

14 CHAIRMAN ADAMS: That's just a joke.

15

16 (Laughter)

17

18 CHAIRMAN ADAMS: That sounds like an
19 appropriate way to go, if you want to amend it, go
20 ahead.

21

22 MR. BANGS: Does what -- what we've
23 been discussing here is if it fits the criteria of our
24 guidelines, I'm not sure if it would. I was just
25 wondering if the other Council members had any comments
26 on that idea.

27

28 CHAIRMAN ADAMS: It would be
29 appropriate to make an amendment and get a second and
30 then we can talk about it, okay.

31

32 MR. BANGS: Okay. I move to amend the
33 proposal to change the wording to include all rural
34 residents.

35

36 CHAIRMAN ADAMS: Thank you.

37

38 MR. WRIGHT: Second.

39

40 CHAIRMAN ADAMS: And it's seconded by
41 Mr. Wright. Comment, Mr. Douville.

42

43 MR. BANGS: Excuse me.

44

45 CHAIRMAN ADAMS: Uh-huh.

46

47 MR. BANGS: I think it would be
48 appropriate to include the words with a positive
49 customary and traditional finding.

50

1 CHAIRMAN ADAMS: Yes. Yes, that's
2 fine. Okay, discussions, anyone. Mr. Douville or are
3 you just holding your arm out.

4
5 MR. DOUVILLE: I'm just stretching.

6
7 (Laughter)

8
9 CHAIRMAN ADAMS: Okay. Go ahead,
10 Floyd.

11
12 MR. KOOKESH: Is that all rural
13 residents of Alaska or Unit 4?

14
15 MR. BANGS: All rural residents with
16 C&T findings for this area.

17
18 CHAIRMAN ADAMS: I understand where
19 Floyd is coming from, we don't want to confuse
20 everyone, you know, where people from all over the
21 country can come in there and hunt.

22
23 So is that clear, that it's just going
24 to be for that area?

25
26 (Council nods affirmatively)

27
28 CHAIRMAN ADAMS: Okay. Any more
29 comments. Mr. Wright.

30
31 MR. WRIGHT: Mr. Chair. I agree with
32 him, you know, because when hunting season comes around
33 I got anchor out, seining or go fish off over in White
34 Stone and you've got trailers from Juneau sitting out
35 there just hunting just for the fun of it and, you
36 know, that's' something that, you know, within our
37 community we don't go out and do things for the fun of
38 it, we go out for a purpose.

39
40 And one thing that I have --
41 unfortunately I have a problem with is that a lot of my
42 people live in Juneau. When we were coming over from
43 Juneau one time on a ferry and I noticed a young man,
44 said, well, I'm going hunting over in Hoonah and I was
45 thinking, ugghh, he's a resident of Juneau but I know
46 he's a Tlingit person, and I'm -- I don't -- I have a
47 hard time saying something to a Tlingit, that you can't
48 go home and go hunt when I know they're in Juneau
49 because there's no work in Hoonah. It's against my
50 nature to tell the Tlingit you cannot be Tlingit just

1 because you live in Juneau so I struggle with an issue
2 like this because I'm Tlingit, you know, that's -- so
3 many -- you know, I take -- whenever I get any
4 subsistence foods or anything like that I send it to my
5 two sisters that live in Juneau, my uncle lives in
6 Juneau and, you know, the rest of the family lives in
7 Sitka, and I send stuff all around so this issue I
8 struggle with just because we got Tlingit people living
9 in Juneau or in urban areas.

10

11 But when it comes down to the people of
12 my community, I have to push all of my personal
13 feelings for my family and other people aside because
14 I'm representing my community, especially with an issue
15 like this, when a lot of people come and complain to me
16 about the ferry's full again, I mean there's no room on
17 it, some people say I couldn't even get my car on the
18 ferry because people were coming over to hunt, I had to
19 be on standby, and when you're out driving around out
20 in the bush and you see backstraps still laying there,
21 and the ribs still laying there and you got a front
22 quarter and a hindquarter is gone, need to teach the
23 people that do this that the backstrap's probably the
24 best part of the whole deer and the ribs.

25

26 But I support this because when you
27 come from a community that has hardly any jobs but they
28 know how to hunt and they know how to provide for
29 themselves plus the rest of the family that is not in
30 their household that are struggling to maintain a
31 subsistence way of life, I wish I could do more for --
32 but I have to -- you know, whether it's a legal issue
33 or anything like that, I would have to support this
34 proposal, just because of the community that I come
35 from.

36

37 Because like I said, that -- I have
38 family that lives all over, that live in urban areas
39 that I cannot, you know, and some of my friends that
40 live in urban areas that come over to hunt, but I
41 cannot tell them that they can't hunt even if I --
42 because I am Tlingit and Tlingit people are always
43 there to share, that's how our people have survived the
44 centuries and centuries that we've been in existence.

45

46 So I thank the Council for letting this
47 proposal come through.

48

49 Gunalcheesh.

50

1 CHAIRMAN ADAMS: Mr. Douville.

2

3 MR. DOUVILLE: Thank you, Mr. Chairman.
4 I appreciate your feelings, Frank. I have a question
5 for you, in this, you're in a difficult position, it's
6 really hard to say no to your own people, you know,
7 that's -- just because they -- I know what you were
8 just saying -- but in here it says that this could be
9 expected to recover in five years even if we did
10 nothing. I would like to have your opinion on that, do
11 you think it could do that and if we did nothing it'll
12 be okay in just a few years?

13

14 MR. WRIGHT: Are you asking about the
15 population, the deer would.....

16

17 MR. DOUVILLE: That's correct. Yeah,
18 do you think it'll straighten up in four or five, six
19 years, and it'll be all right without doing anything?
20 And I guess what we'd do here would eliminate some
21 users out of it, but would it do that as described in
22 here -- they said in five years it could be expected to
23 recover on its own without doing anything.

24

25 MR. WRIGHT: Mr. Chairman. With the
26 amount of clearcut that is there and the -- you know,
27 when clearcut starts growing, not even a squirrel will
28 go in there, I really -- I think that it would probably
29 rebound if we could eliminate some of the -- maybe some
30 of the hunters that are coming in, you know, just like
31 I said, a lot of our -- some of our people don't even
32 go use the road system anymore because it's being used
33 so much, we just go out on a skiff and go somewhere
34 else. So I would think that it would -- if the winters
35 are -- that's a -- you know if the winters are as mild
36 as this year, they have to rebound, something's --
37 because I know a -- a lot of the guys that I talk to
38 say we see a lot of does out there so all I can say is
39 I hope the winters are as mild as this in the next few
40 years.

41

42 CHAIRMAN ADAMS: Thank you. Mr.
43 Douville, some more.

44

45 MR. DOUVILLE: So you think it will
46 rebound then? You think it will if we don't take --
47 you know, don't support this, it doesn't go through,
48 and as is you think it could recover then if the
49 winters are not too tough -- but the other thing you
50 got to consider in this area is that it's second growth

1 that's coming up and eventually it won't be as
2 productive as it has been in the last few years which
3 made it so popular.

4
5 MR. WRIGHT: Yes, I do. I think it
6 will rebound.

7
8 CHAIRMAN ADAMS: Okay, I've got a
9 comment here to make. If we took the amendment out of
10 it and then, you know, opposed this proposal, there's a
11 mechanism in there they've been using, you know, over
12 the years when there has been heavy snow and increased
13 mortality by using the special action and emergency
14 orders; this has been done before.

15
16 You know, I hate to put Mr. Wright in a
17 position where he's going to have to tell the people of
18 his community and particularly Hoonah residents who now
19 live in Juneau that they cannot hunt there anymore
20 because of that. However, you know, I think if we use
21 this mechanism that it will be closed to everyone, you
22 know, until it's, you know, rebounded and reopened
23 again so, you know, I would ask the Council to
24 reconsider the amendment and work on the proposal
25 again.

26
27 Larry, go ahead.

28
29 MR. DICKERSON: Mr. Chairman to Mr.
30 Douville, on that question. Just for clarity the
31 reproductive potential of Sitka black-tail is about 30
32 to 32 percent given great conditions and morality off
33 of that comes between how bad the winter is, predation,
34 hunting and everything; but Sitka black-tail do have a
35 great potential without mortality. So if that adds
36 that -- therefore, if someone said three to five years,
37 we've seen incredible populations recover, you know, on
38 Kodiak Island and at other places also but, anyway, Mr.
39 Douville brought up a good point. I don't know the
40 conditions, but thank you.

41
42 CHAIRMAN ADAMS: Thank you, Larry.
43 Pippa.

44
45 MS. KENNER: I know you're in
46 deliberation, but I was wondering if I could provide a
47 point of clarification.

48
49 CHAIRMAN ADAMS: Sure.
50

1 MS. KENNER: Thank you.
2
3 CHAIRMAN ADAMS: And then I know you've
4 got to go.
5
6 (Laughter)
7
8 MS. KENNER: Well, this is important.
9 I'd miss the flight for this, it's okay.
10
11 CHAIRMAN ADAMS: Go ahead.
12
13 MS. KENNER: This is Pippa Kenner with
14 the Office of Subsistence Management.
15
16 The policy of the Office of Subsistence
17 Management generally is to not write, not conduct the
18 .804 analysis until an area is closed either through
19 special action or by proposal. Generally that's when
20 we do it, when we are told by the -- we've been
21 informed by the biologist and the Board concurs that
22 not only does an area need to be closed to
23 nonsubsistence uses, it needs to be further -- the pool
24 of the eligible needs to be further reduced.
25
26 Through Proposal 10-14, 10-14 was a
27 request to close part of the season to non-Federally-
28 qualified uses, and the Council opposed that. So that
29 means that the results of the .804 analysis isn't going
30 forward. First the Board would decide to go against
31 the Council's recommendation on 10-14 and would be
32 closing the area.
33
34 So because it was so important to this
35 Council and out of respect for the members, I was
36 allowed to go ahead and write the analysis so you could
37 see what the end result would be if indeed this occurs,
38 because we can't predict what the Board will do. I
39 can't say between now and then something else might
40 happen.
41
42 So I just want to inform the Board that
43 to adopt this proposal will not close the NECCUA. It's
44 an informative exercise, but the biolog -- the most
45 important part of this analysis was the biological
46 portion, and that was presented to you in Proposal 10-
47 14, which the Council opposed. So once you oppose
48 that, then the .804 action won't go forward.
49
50 CHAIRMAN ADAMS: And it could either be

1 done by regulation or special cation, right?

2

3 MS. KENNER: Correct. If the Board
4 decides that the NECCUA does need to be closed to all
5 Federally-qualified uses, but -- to all non-Federally-
6 qualified uses, but Federal subsistence users can still
7 go forward, they can then ask for that .804 analysis,
8 and we'll have it done for them.

9

10 CHAIRMAN ADAMS: So what I'm saying
11 then, members of the Council, is that without the
12 amendment that was offered here, if we just take that
13 out and work on, you know, opposing the proposal, that
14 the emergency action and special action, you know,
15 well, Joe or Ken, if they see that there's an
16 opportunity, you know, to do something, either open it
17 or close it, that option is there, and I think that
18 would in my opinion be the better way to go. And like
19 I said earlier, I'd sure hate to put Mr. Wright in an
20 awkward position of trying to explain, you know, why
21 Hoonah people are the only privileged people to hunt
22 deer in that area and everyone else is excluded.

23

24 With this avenue then, I think everyone
25 will either be -- it will be either open to everyone or
26 closed to everyone. Okay. By special action. Correct
27 me if I'm wrong.

28

29 MR. BANGS: Mr. Chairman, I've got a
30 question.

31

32 CHAIRMAN ADAMS: Mr. Bangs.

33

34 MR. BANGS: Thank you, Mr. Chairman.
35 Then I guess what I would consider is calling the
36 question on the amendment, and then we could start back
37 again. Okay. Well, I'll do that then. I'll call the
38 question on the amendment.

39

40 CHAIRMAN ADAMS: The question has been
41 called on the amendment. All those in favor of the
42 amendment please say aye.

43

44 (No aye votes)

45

46 CHAIRMAN ADAMS: Opposed please say
47 nay.

48

49 IN UNISON: Nay.

50

1 CHAIRMAN ADAMS: Thank you. Now we're
2 back to the main motion. Mr. Douville.

3
4 MR. DOUVILLE: You've got me, sir. I
5 was really lost now, you know.

6
7 (Laughter)

8
9 MR. DOUVILLE: Now I'm trying to figure
10 out how the original proposal is going to do all the
11 things that you just said. You'll have to explain that
12 to me.

13
14 CHAIRMAN ADAMS: Well, it's very
15 simple. If you go over to Page 224, right down on the
16 very last paragraph, it says, in recent years there
17 have been instances of heavy snow and increased deer
18 mortality resulting in restrictions being placed on the
19 harvest of deer in Unit 4 and the NECCUA area.
20 Emergency actions were issued by both Federal and State
21 management programs to promote and rebound the deer
22 populations in this area.

23
24 So I think that that mechanism can be
25 used, you know, whenever in-season managers feel like
26 there is a need to either open or close it. And it
27 will be closed to all and it will be open to all when,
28 you know, those kinds of decisions are made.

29
30 Patty, go ahead.

31
32 MS. PHILLIPS: Thank you. Could it be
33 closed just to non-Federally-qualified in an emergency
34 order? Because it's the people of Hoonah that need
35 that the most.

36
37 CHAIRMAN ADAMS: Yeah, you know. Sure.

38
39 Pippa.

40
41 MS. KENNER: Thank you, Mr. Chair.
42 What you would have to do first is go back to 10-14 and
43 modify it to close Federal public lands to non-
44 subsistence uses. The first part of this, the bulk,
45 the main part of this analysis is -- thank you. The
46 main part of this analysis is a biological analysis.
47 And rather than repeating the analysis for 10-14, it's
48 just referenced. So if you adopt 10-14 and further
49 modify it to close the area to non-Federally-qualified
50 uses, then we move on to the .804. But because the

1 main part of the analysis -- and that's one of the
2 reasons why we don't write .804s until an area is
3 closed, because what it -- it puts us in the position
4 of having to predict what the Board will do, and we
5 can't.

6

7 MS. PHILLIPS: A question.

8

9 CHAIRMAN ADAMS: Go ahead.

10

11 MS. PETRIVELLI: Could I say something
12 first? My name is Pat Petrivelli. And Pippa's
13 referencing the .814 analysis, because it has all the
14 biological information like she keeps saying. But --
15 yeah, the Proposal 14. But, anyway, with Proposal 14,
16 that was a proposal to restrict deer harvest and it
17 was, you know, closing deer harvest and it talked about
18 residents and different things.

19

20 This proposal asks you to close -- you
21 put in a proposal to close the harvest of deer to all
22 the residents except to Hoonah.

23

24 Now, the Federal program set up a
25 closure policy where you close the uses of deer, it has
26 to be for conservation purposes or to -- if it's
27 necessary to continue subsistence uses. Now, there's
28 evidence in this proposal that would point to the fact
29 that this closure would be necessary to continue
30 subsistence uses, because you can see from Table 1 that
31 the harvest of Hoonah deer is at 19 percent of the
32 average deer. Now, I would say that that's enough
33 evidence to allow the closure of the harvest to other
34 users when you're at 19 percent of your average level.
35 And that would be the justification.

36

37 Now, your decision, Pippa did an .804
38 and it said to restrict it just to the residents of
39 NECCUA and Gustavus. Or you can do it like Mike Bangs
40 said, to recommend just to close it to all C&T users,
41 which would be all the people in Table 2 I think, which
42 is -- I forget. No, Table 3. Or, no -- yeah, Table 2.
43 So those are -- you have two decisions.

44

45 If you think -- well, like Pippa says,
46 in your decision on 14 was a much larger area, it was
47 Chatham Straits and I forget what else, but it was the
48 harvest of doe deer, and you opposed that proposal, and
49 there was a lot of biological information in there.

50

1 But this proposal just addresses NECCUA
2 and whether you want to argue about biological
3 information or not, that's up to you, because you have
4 biologists on the Council now, and there's biologists
5 in the audience, and you can talk about that. But I'm
6 looking at the harvest levels and that's Table 1, and
7 it says Hoonah people are getting 20 percent of their
8 average harvest. And to me, I would say that's
9 sufficient reason to close the area to other users. So
10 if you make that decision, to recommend to the Board to
11 do that, then you decide who should be it restricted
12 to. Just those residents of NECCUA and Gustavus.

13

14 MS. KENNER: Do you agree with the
15 .804.

16

17 MS. PETRIVELLI: If you agree with
18 that, or just all Federally-qualified users. But you
19 can make a recommendation to the Board, and the Board
20 could consider it based upon the drastic reduction of
21 subsistence use.

22

23 And you don't have to discuss -- if you
24 do want to discuss biological information from 14, then
25 Dennis Chester could talk to you about that.

26

27 CHAIRMAN ADAMS: I didn't think it was
28 going to take this long.

29

30 Frank, you have something.

31

32 MR. WRIGHT: Yeah. Thank you, Mr.
33 Chair.

34

35 So if we restricted it to Hoonah
36 residents only and told the non-rural people that they
37 couldn't use it, it would be a conservation issue. So
38 I agree.

39

40 MS. PHILLIPS: Mr. Chair.

41

42 CHAIRMAN ADAMS: Patty.

43

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

45

46 MS. PHILLIPS: Okay. We would have to
47 reconsider WP10-14, but could that be modified to just
48 the NECCUA, or do we have to accept it as is written?

49

50 MS. PETRIVELLI: I don't think you have

1 to do anything about Proposal 10-14. Pippa was just
2 saying there's biological information in there that you
3 looked at, and all the biologists -- but she's saying
4 the biologist don't feel there's a biological reason to
5 close the area. But there are other considerations
6 made to close areas, and that's to continue subsistence
7 uses.

8
9 Now, whether the Federal Board would
10 agree with you, you know, because there will be
11 biologists on one side, and subsistence users on the
12 other.

13
14 But you don't have to reconsider 14.
15 You just -- you just have to either evaluate -- if you
16 think that the case is compelling enough that
17 subsistence uses aren't continued, you can make a
18 recommendation on Proposal 21, which is to close the
19 NECCUA to non-Federally-qualified users.

20
21 CHAIRMAN ADAMS: Fred, go ahead.

22
23 MR. KOOKESH: Mr. Chairman. In
24 following this process, one of the things I've always
25 done is since I'm not as knowledgeable of a certain
26 area, I usually give deference to the affected user,
27 which is Hoonah. So I believe that we should do what
28 Mr. Wright wants, which is the right thing. That's a
29 joke.

30
31 (Laughter)

32
33 MR. KOOKESH: I'm in agreement.

34
35 And I also note from my years of
36 subsisting, and I can't agree with Mr. Bangs'
37 amendment, because we don't go hunt where there's no
38 deer and where there's a problem. We stay way from it.
39 Just like if there's a fishery -- a problem with a
40 fishery, like Kanalku, we did a voluntary closure.
41 We've been in a voluntary closure since maybe 2002.
42 The point is, we don't go and wipe them out. And I
43 don't believe that we should be given invitations to
44 people, rural, just because they're rural residents
45 also, the preference to go and hunt in an impacted
46 area.

47
48 But I'm with Mr. Wright on this. He's
49 right.
50

1 CHAIRMAN ADAMS: Thank you, Floyd.
2
3 Mr. Bangs.
4
5 MR. BANGS: Thank you, Mr. Chairman.
6 The reason I made the amendment is I felt that we
7 should consider the people in close proximity that are
8 rural residents that have always hunted there, and they
9 depend on those deer just as if they lived in Hoonah.
10 I'm not sure of the geographical makeup of all the --
11 you know, the people that live in that area, but that
12 is the reason I did that, because I felt that there may
13 be other people that live close that would not qualify
14 if we closed it to except for the people that lived in
15 Hoonah, and that was my thinking.
16
17 Thank you.
18
19 CHAIRMAN ADAMS: Thank you. Comments
20 more. Anyone.
21
22 MS. PHILLIPS: Mr. Chair.
23
24 CHAIRMAN ADAMS: Patty.
25
26 MS. PHILLIPS: In the best world, or
27 however you say that, if we could have it like the
28 halibut permit where if you're a member of a tribe, or
29 if you're a member of the rural community, then you get
30 the halibut card and you can fish that area. It would
31 be great, you know, if in Hoonah, if you're a resident
32 of Hoonah and if you're a member of the tribe of
33 Hoonah, then you could, you know, be a hunter in
34 Hoonah.
35
36 I have to tell you that, you know,
37 Frank's right. That the economies of our rural
38 communities are suffering drastically. And they don't
39 have other options. You know, this WP10-21 says, you
40 know, these communities, some of these other
41 communities can go to another management unit to
42 harvest deer. I mean, they're traveling already. If
43 they're coming in their boats, they can go in their
44 boats somewhere else. A lot of them go out to the west
45 Chichagof or Yakobi, you know, and some of them don't
46 like to go on that outside water, so they go into Port
47 Frederick and, you know, they go in there with their
48 fourwheelers and they hit the logging roads.
49
50 Well, we've got these people in Hoonah

1 that can't even afford to leave Hoonah. And they go to
2 Juneau and they're working minimum wage jobs, so, you
3 know, of course, they want to go home and get a deer,
4 because they can go stay at home with their family.
5 And they can go get a deer.

6
7 And, you know, but it's not -- I can't
8 make it the best world it is, and we've got to look at
9 the reality of it all. And the last three winters have
10 been tough. Not this winter. And that report does say
11 things are going to be rebounding. Do we want them to
12 rebound faster by saying, okay, you know, some of you
13 more, you know, better off people can come to Hoonah,
14 you know, with all your latest gadgets and go hunt
15 those roads. And I'm sorry if I'm stereotyping, I
16 don't mean to.

17
18 But, yeah, I think I would support the
19 closure to non-Federally-qualified.

20
21 CHAIRMAN ADAMS: Okay. Cathy, go
22 ahead.

23
24 MS. NEEDHAM: Thank you, Mr. Chairman.
25 I think I'm a little confused about sort of where we're
26 at. Right now my understanding is we're talking
27 specifically on the Proposal as it was proposed. We're
28 back to that. And coming into this discussion
29 originally, I was opposed to the proposal because I had
30 gone through my four questions, and I just didn't see
31 it as Mr. Bangs had pointed out. And we provided an
32 amendment that was a good compromise for me at that
33 point in time. But I understand, you know, we're sort
34 of passed that point.

35
36 And so one question of clarification I
37 have is now I understand we're talking about
38 recommending to close it to non-Federally-qualified
39 users, and is that piece of it different than the
40 proposal as it is written, because I think it is?

41
42 CHAIRMAN ADAMS: Uh-huh.

43
44 MS. NEEDHAM: And so I just want to
45 make sure that I'm still on track so that I can keep
46 track of -- because I'm flipping back and forth every
47 time we talk about something different. I want to make
48 sure I'm still on track with the RAC.

49
50 CHAIRMAN ADAMS: The proposal reads,

1 six deer, however female deer may be taken only from
2 September 15th to January 31st. Federal public lands
3 of Chichagof Island north of Tenakee Inlet and east of
4 drainage divide from northwest point of Gull Cove to
5 Port Frederick -- Frederick Portage, including all
6 drainages into Port Frederick and Mud Bay are closed to
7 the taking of deer except by residents of Hoonah.

8

9 MS. NEEDHAM: And so in that respect it
10 excludes non-Federally-qualified users and some Federal
11 -- and most Federally-qualified users that have a C&T
12 determination for them.

13

14 CHAIRMAN ADAMS: Uh-huh. But I
15 thought I saw, you know, Mr. Bangs point in opening up
16 to, you know, Federally-qualified users, but then I
17 looked at the emergency action provision, and I think
18 that pretty well covers, you know, the problems that
19 are occurring there. If they had this heavy winters,
20 the deer begin to go away, you know, then they can
21 close it by emergency action. They can also open it up
22 by emergency action. When they close it, as I
23 understood from what Pippa and Patricia were saying to
24 us, is that then .804 will come into effect, and then
25 the Federal Board will have to look at the priority
26 part of it. Okay.

27

28 Yes, go ahead.

29

30 MR. BANGS: I've got a question then.
31 How is this affecting people of Tenakee, you know.
32 They're right close to you, too. So I still don't know
33 how to get where we want to go. We know what the
34 problem is and what needs to be done. It's just a
35 matter of how do we get there, and that we need some
36 advice from OSM to help us out. But my question first
37 is, should Tenakee be included in that area with
38 Hoonah, because they're right there, you know. And I
39 don't know how many of those people come to there to
40 hunt, but, you know, that's for Frank to answer.

41

42 CHAIRMAN ADAMS: Pat, go ahead.

43

44 MS. PETRIVELLI: Mr. Chair. I think
45 there was an amendment by Mr. Bangs to include all
46 Federally-qualified users, and I don't think you voted
47 on the amendment yet, but I think during -- oh, they
48 did vote on the amendment? So if the proposal is as
49 amended -- oh, they didn't vote or they have voted?

50

1 UNIDENTIFIED VOICE: Voted it down.

2

3 MS. PETRIVELLI: Yeah, you did vote to
4 not do the amendment so you just have the proposal as
5 was originally before which would just limit the
6 hunting to residents of Hoonah. So you could either
7 amend the proposal again to include all Federally-
8 qualified users or you could take the recommendation of
9 the analysis which says they did an .804 analysis and
10 said residents of -- who is it, Gang Creek, Hoonah,
11 Tenakee Springs, White Stone Camp, which is Hoonah, and
12 Gustavus are the most directly affected and have the
13 most customary and direct dependence upon the resource,
14 don't have availability of alternative resources, and I
15 forget what the other third criteria was. So if you
16 would want to consider the recommendation of the .804.

17

18 I think we got off track was when Pippa
19 said that the .804 would only be done when the Board
20 has agreed to close the lands to other users. And I
21 guess by accepting this recommendation, you would be
22 saying that you think that NECCUA should be closed to
23 other users and restricted to those people. That you
24 would take the recommendations for those people to be
25 the only people left to harvest the resource.

26

27 CHAIRMAN ADAMS: Thank you. Steve, do
28 you have something to enlighten us here a little bit?
29 No? You normally do.

30

31 MR. KESSLER: No, Mr. Chairman. I
32 think that Pat covered what I wanted to point out, was
33 that the .804 analysis, even though your proposal was
34 Hoonah only, the .804 analysis indicates that it would
35 be best to be Game Creek, Hoonah, Tenakee Springs,
36 White Stone Camp and Gustavus. So I think that Ms.
37 Petrivelli did a good job with that.

38

39 CHAIRMAN ADAMS: Thank you. Frank. Go
40 ahead.

41

42 MR. WRIGHT: Mr. Chairman. Mr.
43 Douville. Tenakee people hardly ever come up to
44 Hoonah. They pretty much keep to themselves, kind of a
45 small little community.

46

47 Thank you.

48

49 CHAIRMAN ADAMS: Mike.

50

1 MR. DOUVILLE: Thank you, Mr. Chairman.
2 We do have this original proposal here. And I think
3 what we could do is include those communities
4 identified in the .804 analysis and go with that if
5 that's possible. If that's where we need to go, and it
6 seemed like it was. I think somebody can correct me if
7 that's wrong.

8
9 CHAIRMAN ADAMS: No, we can put the
10 amendment back on, you know. You don't want to do
11 that? Who are you looking at over there.

12
13 Mr. Bangs.

14
15 MR. BANGS: Thank you, Mr. Chairman.
16 Maybe what the amendment should say is to include the
17 residents of the .804 analysis and then just move on.
18 Would that clarify things?

19
20 CHAIRMAN ADAMS: Yeah. I think so.
21 Uh-huh.

22
23 MS. PHILLIPS: Mr. Chair.

24
25 CHAIRMAN ADAMS: Yes. Go ahead, Patty.

26
27 MS. PHILLIPS: Mr. Lorrigan pointed out
28 that Elfin Cove is, you know, located in close
29 proximity to the NECCUA, and they're listed as having
30 harvested deer out of there. They only had three, but
31 they have a very small population in Elfin Cove. So I
32 don't know if it would be appropriate to add them in.

33
34 CHAIRMAN ADAMS: Mr. Bangs.

35
36 MR. BANGS: Thank you, Mr. Chairman. I
37 think by the numbers, the reason that I included all
38 C&T finding Federally-qualified users is because it's
39 such a low number for other residents that are
40 qualified, but don't live near there, that I didn't
41 think it would make that much difference. There's a
42 couple reasons why we went here. And Frank explained
43 that the close ability with the ferry and the cars and
44 everything else, and this -- whether we amended it to
45 include all the other C&T people that use this area, we
46 would be getting rid of the problem, and we would be
47 solving the availability problem for the residents.
48 That's why I originally put the amendment to include
49 all Federally-qualified C&T finding communities in
50 there.

1 Thank you.

2

3 CHAIRMAN ADAMS: And it seemed like,
4 you know, the Council is pretty going to -- wanting to
5 go in that direction until I brought up the idea, you
6 know, that put a lot of monkey wrenches into the
7 machinery, and I apologize for that. I think the
8 emergency actions, you know, will still be in effect
9 even if we, you know, do the amendment and go from
10 there. So if you want to go ahead and do that, you
11 know, feel free to do so.

12

13 Patty.

14

15 MR. DOUVILLE: Mr. Chair. Can we take
16 five.

17

18 CHAIRMAN ADAMS: You bet. Let's take
19 five.

20

21 (Off record)

22

23 (On record)

24

25 CHAIRMAN ADAMS: The caucus has solved
26 our problem, so let's all get together and finish this
27 up. Hit the table.

28

29 Okay. We're back in session again, so
30 members of the Council, have you come up with
31 something, you know, from your little caucus over
32 there? Go ahead. It was a big caucus from what I
33 understood.

34

35 Mr. Bangs. Go ahead.

36

37 MR. BANGS: Thank you, Mr. Chairman. I
38 move to reconsider the amendment to close NECCUA to
39 non-Federally-qualified subsistence users and further
40 restrict subsistence users to the .804 analysis.

41

42 CHAIRMAN ADAMS: There we go. I think
43 that solves our problem. Thank you, Mr. Banks.

44

45 Is there a second.

46

47 MS. NEEDHAM: Second.

48

49 CHAIRMAN ADAMS: Thank you. Any
50 further discussion.

1 MR. WRIGHT: Question.
2
3 CHAIRMAN ADAMS: There's a question.
4
5 MR. LARSON: What -- I'm writing this
6 down. He was too quick. Restate it, please.
7
8 CHAIRMAN ADAMS: Would you please
9 restate your motion. You know, you were going a little
10 too fast for Mr. Larson.
11
12 MR. LARSON: A little slower.
13
14 MR. BANGS: Okay. Thank you, Mr.
15 Chairman. I would like to reconsider the amendment to
16 close the NECCUA to non-Federally-qualified subsistence
17 users and further restrict subsistence users to .804
18 analysis.
19
20 MR. LARSON: Mr. Chair. The motion was
21 appropriate to reconsider. If the Council wanted to
22 reconsider their vote and put that amendment back on
23 the table, that's appropriate. To change the amended
24 language at this point is not appropriate. So what is
25 appropriate is to vote to reconsider. That would
26 require a vote in positive of a simple majority to put
27 it back on the table. And then there could be other
28 discussions.
29
30 Thank you.
31
32 CHAIRMAN ADAMS: Mr. Frank.
33
34 MR. WRIGHT: Mr. Chairman. I believe
35 we withdrew the last amendment.
36
37 CHAIRMAN ADAMS: We did.
38
39 MR. WRIGHT: So this is a new
40 amendment, am I correct?
41
42 CHAIRMAN ADAMS: That's correct.
43
44 MR. LARSON: Again the appropriate
45 motion by the Council is because they voted to not
46 adopt the recommendation, and if the new recommendation
47 as the way I understand it, is going to be the same as
48 the old one that they voted not to adopt, then the
49 appropriate motion is to reconsider.
50

1 Thank you.
2
3 CHAIRMAN ADAMS: Mr. Douville.
4
5 MR. DOUVILLE: Thank you, Mr. Chair.
6 We didn't vote on the original proposal, but we did
7 defeat the amendment.
8
9 CHAIRMAN ADAMS: That's correct.
10
11 MR. DOUVILLE: So what he's asking for
12 is to reconsider the amendment, but I think what he
13 did, he added some stuff to it before we even
14 reconsidered it. So if we're going to reconsider it,
15 we need to get it back on the floor and then make an
16 amendment to it, and then go from there is how it is in
17 my head. I could be wrong.
18
19 CHAIRMAN ADAMS: Mr. Bangs.
20
21 MR. BANGS: Thank you, Mr. Chairman.
22 Actually it's the same as what I amended it, but it's
23 in different words. But what I will do is I will make
24 a motion to reconsider the amendment.
25
26 CHAIRMAN ADAMS: Is there a second.
27
28 MR. KITKA: I'll second.
29
30 MS. NEEDHAM: Second.
31
32 CHAIRMAN ADAMS: Two people. I'll take
33 Cathy's second.
34
35 Okay. Discussion. Mr. Bangs.
36
37 MR. BANGS: Thank you, Mr. Chairman.
38 So I would like to amend my recommendation to close the
39 NECCUA to non-Federally-qualified subsistence users and
40 further restrict the subsistence users to the .804
41 analysis.
42
43 CHAIRMAN ADAMS: Great. Is there a
44 second.
45
46 MS. PHILLIPS: Second.
47
48 CHAIRMAN ADAMS: All right. Mr. Bangs.
49 Mr. Douville, I'm sorry.
50

1 MR. DOUVILLE: Thank you, Mr. Chair.
2 So what he's -- the amendment now, it's a brand new one
3 amended to what he just read; is that correct?
4
5 CHAIRMAN ADAMS: Yep. Okay. Any
6 further discussions on that. Are we clear.
7
8 (No comments)
9
10 MR. KITKA: Call for the question.
11
12 CHAIRMAN ADAMS: The question's been
13 called for. All in favor of the amendment please
14 signify by saying aye.
15
16 IN UNISON: Aye.
17
18 CHAIRMAN ADAMS: Opposed say nay.
19
20 (No opposing votes)
21
22 CHAIRMAN ADAMS: Very good. Thank you.
23
24 MR. WRIGHT: Question on the main
25 motion.
26
27 CHAIRMAN ADAMS: Question on the main
28 motion has been called for.
29
30 MR. KITKA: As amended.
31
32 CHAIRMAN ADAMS: Pardon?
33
34 MR. KITKA: As amended.
35
36 MR. WRIGHT: Yeah, as amended.
37
38 CHAIRMAN ADAMS: Question on the main
39 motion as amended has been called. All in favor of
40 that please signify by saying aye.
41
42 IN UNISON: Aye
43
44 CHAIRMAN ADAMS: Opposed say nay.
45
46 (No opposing votes)
47
48 CHAIRMAN ADAMS: Whew.
49
50 (Laughter)

1 CHAIRMAN ADAMS: Thank you. Let's move
2 on. Let's seem what did we do.
3
4 MR. KITKA: 23, 24, 25, 26.
5
6 CHAIRMAN ADAMS: Did we do 21?
7
8 MR. WRIGHT: We did it.
9
10 MR. KITKA: Yeah.
11
12 CHAIRMAN ADAMS: Mr. Larson, did we do
13 21?
14
15 MR. LARSON: Yes.
16
17 CHAIRMAN ADAMS: Okay. I didn't check
18 it off.
19
20 MR. KITKA: We did 22.
21
22 CHAIRMAN ADAMS: Yeah. And we did 22.
23 We're down to the wire here. 23, 24, 25, 26.
24
25 MR. KITKA: All at once.
26
27 CHAIRMAN ADAMS: All at once. Is there
28 a motion to adopt 23, 24, 25, and 26.
29
30 MS. HAWKINS: So moved.
31
32 CHAIRMAN ADAMS: Oh, Merle. Okay. Is
33 there a second.
34
35 MR. LORRIGAN: Second.
36
37 CHAIRMAN ADAMS: Thank you. Who did
38 the second?
39
40 REPORTER: Jack did.
41
42 CHAIRMAN ADAMS: Okay, Jack did.
43
44 Whose going to do the analyseses (ph).
45
46 (Laughter)
47
48 CHAIRMAN ADAMS: They're all leaving.
49
50 MR. KITKA: They all left.

1 MR. CASIPIT: All our OSM people are.
2 They had to catch their plane, so I guess I'm it.

3
4 This is Cal Casipit. I'm the
5 subsistence Staff biologist for the Forest Service.

6
7 Your analysis on this proposal starts
8 on Page 241. You can see the executive summary. And
9 the actual analysis begins on Page 242.

10
11 These four proposals were submitted by
12 the Alaska Wildlife Alliance, and they request changes
13 to wolf hunting and trapping seasons in Southeast
14 Alaska. 23 requests that wolf hunting not be allowed
15 in 1, 3, 4, and 5 in the months of August and April.
16 Proposal 10-24 requests that wolf trapping not be
17 allowed in Units 1, 3, and 4 in the month of April.
18 And Proposal 10-25 and 26 seeks to close wolf hunting
19 and trapping seasons in Unit 4.

20
21 The proponents make some statements
22 about value of wolf hides in April and whether or not
23 they've been rubbed and reduced values on fur markets.
24 You can read that for yourself on Page 242.

25
26 We have a summary of regulatory history
27 on Page 243, and a section on biological background in
28 all the units.

29
30 I did want to mention that the
31 particular part of the proposal that asks that no
32 wolves be trapped or hunted in Unit 4, I just wanted to
33 briefly say that even though they're not established in
34 Unit 4, there have been confirmed reports of wolves on
35 Pleasant Island near Gustavus. That is Unit 4. And
36 along the east side of Admiralty Island. Again that's
37 Unit 4. So even though the proponent says there's no
38 wolves in Unit 4, there are -- there have been reports
39 of wolves in portions of Unit 4. I just wanted to make
40 sure and point that out.

41
42 The effects of the proposal. If any of
43 these proposals are adopted, opportunity to harvest
44 wolves under Federal subsistence regulations in
45 Southeast Alaska will be reduced. And there's specific
46 effects that we talk about in the effects of the
47 proposal on the lower page at 246.

48
49 One of the other things I wanted to
50 mention as well, and again we kind of went through it

1 here in that last proposal, that before we can restrict
2 non-Federally-qualified users we have to restrict
3 Federally-qualified users first. This proposal does
4 not suggest any of that.

5
6 So for that reason, we're opposing --
7 the preliminary conclusion is to oppose all four
8 proposals and I'll be happy to answer any questions.

9
10 CHAIRMAN ADAMS: Any questions, anyone.

11
12 (No comments)

13
14 CHAIRMAN ADAMS: No questions.
15 Comments.

16
17 (No comments)

18
19 CHAIRMAN ADAMS: Thank you, Cal.

20
21 MR. PAPPAS: Thank you, Mr. Chair. Our
22 comments begin on Page 249. I'll be distilling the
23 comments; they'll be incorporated in the record as it
24 appears.

25
26 This proposal would not present
27 conservation issues for wolves. However, in some areas
28 where the wolves prey on deer and other ungulates, a
29 shorter season may result in higher numbers of wolves
30 and fewer prey species Federal subsistence hunters
31 depend upon. This proposal might result in some
32 confusion by Federal subsistence users who would have a
33 shorter season than those hunting under State
34 regulations.

35
36 And the Department does oppose all
37 three of these proposals.

38
39 Thank you. Four of these proposals.
40 Thank you.

41
42 *****
43 STATE OFFICIAL WRITTEN COMMENTS
44 *****

45
46 Alaska Department of Fish and Game
47 Comments to the Regional Advisory Council

48
49 Wildlife Proposal WP10-23:
50

1 Shorten the wolf hunting season in
2 Units 1, 3, 4, and 5 from the present dates of August 1
3 through April 30 to September 1 through March 31.

4
5 Wildlife Proposal WP10-24:

6
7 Shorten the wolf trapping season in
8 Units 1, 3, and 4 from the present dates of November 10
9 through April 30 to November 10 through March 31.

10
11 Wildlife Proposal WP10-25:

12
13 Eliminate the wolf hunting season in
14 Unit 4.

15
16 Wildlife Proposal WP10-26:

17
18 Eliminate the wolf trapping season in
19 Unit 4.

20
21 Introduction:

22
23 The federal subsistence and State of
24 Alaska wolf hunting seasons are identical (August 1
25 through April 30). During the 2002 and 2004 Alaska
26 Board of Game meetings, proposals were submitted to
27 change the wolf hunting season dates. In 2002, a
28 proposal was adopted to shorten the season, and in 2004
29 a proposal was adopted to return to the original season
30 dates prior to the 2002 season adjustment. The
31 Department did not support shortening the season in
32 2002 and supported readopting the pre-2002 season dates
33 during the 2004 Board of Game meeting.

34
35 Wolf populations are healthy and the
36 hunting and trapping seasons length does not compromise
37 sustained yield principles. The August 1 opening
38 allows hunters who are afield for goats or deer to
39 opportunistically harvest a wolf. In spring, the
40 Department supported a season extending through April
41 to allow people to shoot or trap wolves. These season
42 dates provide for substantial hunting and trapping
43 harvest opportunity while allowing for sustainable wolf
44 populations. The department opposed extending the
45 trapping season into May because of wolf pupping season
46 and to avoid catching bears after they emerge from dens
47 in early May.

48
49 The only portion of Unit 4 where wolves
50 have ever been documented with certainty is Pleasant

1 Island near Gustavus, and this has been only on an
2 occasional basis. The present hunting season dates
3 reflect an interest by the department to keep an open
4 season on wolves in this area should they become
5 established. Unit 4 represents the primary producer of
6 deer for many hunters from many communities in northern
7 Southeast Alaska. Much of the area is subject to
8 substantial snowfall during winter, which concentrates
9 deer near the beaches and leaves them vulnerable to
10 predation. If wolves do become established, the deer
11 population would likely decline dramatically, leaving
12 many fewer animals available for subsistence hunters.
13 By leaving the present season dates intact, hunters can
14 harvest wolves and prevent them from becoming
15 established in Unit 4.

16

17 Impact on Subsistence Users:

18

19 Proposal WP10-23 would shorten the wolf
20 hunting season from 9 months to 7 months, reducing some
21 opportunity for federal subsistence hunters and WP10-24
22 would shorten the wolf trapping season by ending March
23 31 instead of April 30, also reducing federal
24 subsistence trapping opportunities. Federal
25 subsistence hunting opportunities for deer, moose, and
26 goats could be impacted if a shorter wolf season
27 resulted in reduced wolf harvests and increased
28 predation rates on these species. The past three
29 severe winters lowered these prey species populations,
30 and any additional mortality could inhibit their
31 ability to recover. Given that no wolves have been
32 harvested in Unit 4, proposals 25 and 26 would have no
33 affect on federal subsistence users. However, the deer
34 populations in Unit 4 are at low levels due to
35 increased mortality during the past three severe
36 winters. Therefore, if wolves were to become
37 established in Unit 4, the combination of vulnerability
38 to predation and mortality due to severe winters would
39 have a significant detrimental affect on deer
40 populations in northern southeast Alaska.

41

42 Opportunity Provided by State:

43

44 The wolf hunting season under state
45 regulation in this area is from August 1 through April
46 30, with a bag limit of five wolves. The wolf trapping
47 season under state regulation in this area is November
48 10 through April 30 with no bag limit.

49

50 Conservation Issues:

1 This proposal would not present
2 conservation issues for wolves. However, in some areas
3 where wolves prey on deer and other ungulates, a
4 shorter season may result in higher numbers of wolves
5 and fewer of the prey species federal subsistence
6 hunters depend upon.

7
8 Enforcement Issues:

9
10 This proposal might result in some
11 confusion by federal subsistence users who would have a
12 shorter season than those hunting under state
13 regulations.

14
15 Recommendation:

16
17 Oppose.

18
19 CHAIRMAN ADAMS: Thank you. Questions,
20 anyone of George or Cal.

21
22 (No comments)

23
24 CHAIRMAN ADAMS: Hearing none, thank
25 you, gentlemen.

26
27 Any other Federal agencies like to
28 testify.

29
30 (No comments)

31
32 CHAIRMAN ADAMS: Tribal organizations.

33
34 (No comments)

35
36 CHAIRMAN ADAMS: Written comments, Mr.
37 Larson.

38
39 MR. LARSON: Yes, Mr. Chair. There is
40 one written comment and it is in opposition to this
41 proposal. The Wrangell-St. Elias Subsistence Resource
42 Commission is opposed to this proposal as is the
43 Wrangell -- or the Juneau-Douglas Advisory Committee.

44
45 Thank you.

46
47 Oh, but the -- I would note that the
48 Juneau-Douglas Advisory Committee, although it's
49 opposed to 23, they recommended no action or took no
50 action on 24 and 25.

1 Thank you.
2
3 CHAIRMAN ADAMS: Thank you for that.
4
5 You got something, Harvey.
6
7 MR. KITKA: Yeah.
8
9 CHAIRMAN ADAMS: Do you have a comment.
10
11 MR. KITKA: No. That was written
12 public comments on 251.
13
14 CHAIRMAN ADAMS: Well, at 251 there's a
15 written comment Harvey has pointed out to us, Mr.
16 Larson. There's a written comment by the Alaska
17 Professional Hunters Association. They oppose also.
18
19 MR. LARSON: Yeah, Mr. Chairman. That
20 was the comment that I was referencing, too, the one
21 written comment. Thank you.
22
23 CHAIRMAN ADAMS: Okay. Thank you.
24
25 Mr. Bangs.
26
27 MR. BANGS: Thank you, Mr. Chairman.
28 The Petersburg Fish and Game Advisory also opposed all
29 of these proposals.
30
31 CHAIRMAN ADAMS: Thank you. We're now
32 in -- any other comments.
33
34 (No comments)
35
36 CHAIRMAN ADAMS: We're now in
37 deliberation. Mr. Bangs.
38
39 MR. BANGS: Thank you, Mr. Chairman. I
40 think that I'm going to oppose these.....
41
42 MS. HILE: Your mic, Mike.
43
44 MR. BANGS: Oops, sorry. I'm going to
45 oppose these proposals. I think there's substantial
46 information that shows that everything is fine with the
47 populations. I don't -- I think it will conserve fish
48 and wildlife populations by predator control in that
49 sense. And I think it will improve subsistence uses
50 for other wildlife. And I don't think it will have any

1 effect on non-subsistence users.
2
3 Thank you.
4
5 CHAIRMAN ADAMS: Thank you, Mr. Bangs.
6
7
8 Anyone else like to comment.
9
10 (No comments)
11
12 UNIDENTIFIED VOICE: Question.
13
14 CHAIRMAN ADAMS: The question's been
15 called. All in favor please say aye.
16
17 MR. KITKA: Aye.
18
19 (No aye votes)
20
21 CHAIRMAN ADAMS: All opposed say nay.
22
23 IN UNISON: Nay.
24
25 MR. KITKA: Mine was nay.
26
27 CHAIRMAN ADAMS: Oh, he changed his
28 vote.
29
30 (Laughter)
31
32 CHAIRMAN ADAMS: I was just going to
33 pound him in the head. That was another oops.
34
35 (Laughter)
36
37 MR. DOUVILLE: Mr. Chairman.
38
39 CHAIRMAN ADAMS: Yes, sir.
40
41 MR. DOUVILLE: With our previous, not
42 this proposal, but the one before that, we just did, we
43 did not run through this. Would you find it would be
44 necessary to do so?
45
46 CHAIRMAN ADAMS: I think so, Mr.
47 Douville, so if you want to do that, I would appreciate
48 it.
49
50 MR. DOUVILLE: I believe the proposal

1 was supported by substantial information, and I believe
2 it will conserve the wildlife populations. And it will
3 continue subsistence for at least some residents. And
4 I believe that the restriction on nonsubsistence users
5 in this case is necessary.

6
7 CHAIRMAN ADAMS: Well, thank you. Well
8 said, Mr. Douville. Thank you.

9
10 So that's going to enter into item 21.

11
12 Let's see, what else do we have. Let's
13 look at the agenda. We're winding up here, folks.

14
15 MR. DOUVILLE: Mr. Chairman.

16
17 CHAIRMAN ADAMS: Yes. Go ahead.

18
19 MR. DOUVILLE: I would like to bring
20 back or reconsider the wolverine proposal.

21
22 CHAIRMAN ADAMS: What number was that?

23
24 MR. DOUVILLE: I don't know what number
25 it was.

26
27 MR. LARSON: Mr. Chairman. That's
28 Proposal 12

29
30 CHAIRMAN ADAMS: Okay. There's a
31 motion to bring back Proposal 12. Is there a second.

32
33 MR. BANGS: Second.

34
35 CHAIRMAN ADAMS: Seconded by Mr. Bangs.
36 It's on the table again. Go ahead.

37
38 MR. DOUVILLE: What was that again?

39
40 CHAIRMAN ADAMS: I said it's on the
41 table again, so go ahead and discuss it.

42
43 MR. DOUVILLE: I'd like to offer an
44 amendment changing the.....

45
46 MS. HILE: Microphone.

47
48 MR. DOUVILLE: Thank you, Mr. Chair. I
49 would like to amend it, changing the closing date
50 February 15th to February 30th. Wait a minute, is that

1 right? Excuse me, I'll get it straight here. To make
2 the closing date instead of February 15th, March 1.
3 That would be my amendment to it.

4
5 CHAIRMAN ADAMS: Okay. Is there a
6 second to the amendment.

7
8 MR. BANGS: Second.

9
10 CHAIRMAN ADAMS: By Mr. Bangs?
11 Seconded by Mr. Bangs. Talk about it. Mr. Bangs.

12
13 MR. BANGS: Thank you, Mr. Chairman. I
14 agree with Mr. Douville. I think this adds subsistence
15 preference.

16
17 Thank you.

18
19 CHAIRMAN ADAMS: Okay. Any other
20 comments.

21
22 (No comments)

23
24 CHAIRMAN ADAMS: Ready to vote? Mr.
25 Douville.

26
27 MR. DOUVILLE: I believe we went over
28 the criteria. This is just merely -- what did you say?

29
30 CHAIRMAN ADAMS: You're correct.
31 You're just amending it, so the criteria and everything
32 has already been taken care of.

33
34 MS. PHILLIPS: Call for the question.

35
36 CHAIRMAN ADAMS: The question's been
37 called for. All in favor please say aye.

38
39 IN UNISON: Aye.

40
41 CHAIRMAN ADAMS: Opposed nay.

42
43 (No opposing votes)

44
45 CHAIRMAN ADAMS: Motion carries. Thank
46 you.

47
48 MR. LARSON: Just a point of order, Mr.
49 Chairman. Although we had a call to reconsider and a
50 second, so discussion, I'd like some verification that

1 we actually voted to reconsider.

2

3 CHAIRMAN ADAMS: No.

4

5 MR. LARSON: Mr. Chairman. In light of
6 that, I would recommend we back up and vote whether or
7 not the Council wishes to reconsider, and at that point
8 it would be more appropriate to vote again on the
9 amendment. I think we have it on the table and we
10 understand what it is, the process would be to vote on
11 whether or not we wanted to reconsider, then we would
12 vote again to reaffirm the Council's actions.

13

14 Thank you.

15

16 CHAIRMAN ADAMS: I thought that's what
17 we just did.

18

19 MR. LARSON: It was never voted to
20 reconsider.

21

22 MS. PHILLIPS: Mr. Chair.

23

24 CHAIRMAN ADAMS: Okay. All right.
25 Patty, go ahead.

26

27 MS. PHILLIPS: Call for the question on
28 the motion to reconsider.

29

30 CHAIRMAN ADAMS: Okay. So that's what
31 it is then. We're reconsidering. Question to
32 reconsider. Please say aye.

33

34 IN UNISON: Aye.

35

36 CHAIRMAN ADAMS: Opposed.

37

38 (No opposing votes)

39

40 CHAIRMAN ADAMS: Okay. Now, go ahead.

41

42 MR. DOUVILLE: With the amendment?

43

44 CHAIRMAN ADAMS: Uh-huh.

45

46 MR. LARSON: Mr. Chair. For process,
47 at this point I think it would be fair and appropriate
48 to reaffirm what the Council voted on inappropriately
49 before and have a new vote. And maybe it would be
50 possible if I could just restate what I understood the

1 Council's action was. That might facilitate.

2

3 CHAIRMAN ADAMS: Is that on 12?

4

5 MR. LARSON: That's correct.

6

7 CHAIRMAN ADAMS: I mean, on -- we
8 already passed 12, right?

9

10 MR. LARSON: Mr. Chairman. You passed
11 12 before its time. It was not an appropriate vote at
12 the time until it was on the table. I think it would
13 be appropriate to reaffirm what you did on 12 not that
14 it's on the table and we have voted in favor of
15 reconsidering the proposal. Yes.

16

17 CHAIRMAN ADAMS: Okay. I've gotcha.
18 So, yeah, we need some kind of action to reaffirm that
19 we've had some action on 10-12. This parliamentary
20 procedure stuff.

21

22 MR. LARSON: Mr. Chair. In my notes,
23 after review, the will of the Council is to change the
24 season ending date for wolverine in Units 1 through 5
25 such that it ends now on March 1st. That would be the
26 vote to reaffirm that action.

27

28 CHAIRMAN ADAMS: Are you ready to vote.
29 I'm ready to go home.

30

31 (Laughter)

32

33 MS. PHILLIPS: Yeah, but we need a
34 motion and a second.

35

36 CHAIRMAN ADAMS: No, it's already
37 there. It's already on the table.

38

39 MR. KITKA: I'll second it.

40

41 CHAIRMAN ADAMS: Harvey seconded it.
42 Okay. Now I'm confused. Discussion.

43

44 (No comments)

45

46 MR. KITKA: It's been discussed.

47

48 CHAIRMAN ADAMS: Have we talked about
49 it already. We've talked about it to death. Somebody
50 call for a question.

1 MS. HAWKINS: Question.
2
3 CHAIRMAN ADAMS: Merle called for the
4 question. Okay. All in favor please say aye.
5
6 IN UNISON: Aye.
7
8 CHAIRMAN ADAMS: Opposed nay.
9
10 (No opposing votes)
11
12 CHAIRMAN ADAMS: Okay. Carried.
13
14 MR. LARSON: Thank you, Mr. Chairman.
15 I believe that the record is complete at this point.
16 Thank you.
17
18 And that completes all of the proposals
19 that are before you for deliberations. Thank you.
20
21 CHAIRMAN ADAMS: Yeah.
22
23 MR. DOUVILLE: Mr. Chairman.
24
25 CHAIRMAN ADAMS: Mr. Douville. Go
26 ahead.
27
28 MR. DOUVILLE: There's one more thing
29 of importance that I would like to bring out here, and
30 I don't know how. Somebody else will have to help me
31 get where to we need to go with it. One is, I
32 mentioned this before, we are not exempt from the
33 roadless any more, and it's affected the permits for
34 free use wood, personal use timber. And it's like
35 subsistence, you know what I mean. But what happened
36 with the roadless restriction is that we are restricted
37 now to a few postage stamp places to get wood. And it
38 was small to begin with, but it's really small now.
39 And within these places you still have other
40 considerations like eagle trees, cultural sites and so
41 on that are eliminated. Although you might have this
42 island here, there might be stuff on there that makes
43 it even smaller. So the choices are really small
44 because of the roadless review they're having now. And
45 they say they are working on a plan, the plan could
46 take years to complete.
47
48 So what I would like to see is the free
49 use permits for timber, particularly on the water or
50 from the water, be exempt from the roadless. Now if

1 that makes any sense. And we would have to address it
2 with the Secretary of Agriculture or somebody in that
3 nature. If we could write a letter or how could we
4 best address this so we can have a better program than
5 what we have now.

6

7 I might add that these are
8 noncommercial. They're environmentally friendly.
9 They're very well done by the Forest Service. Nothing
10 -- no stone is left unturned before they give you a
11 permit, so it's a good thing that live in -- that
12 utilize this type thing.

13

14 CHAIRMAN ADAMS: So you think.....

15

16 MR. DOUVILLE: Not only where I live,
17 but, you know, everywhere it's available.

18

19 CHAIRMAN ADAMS: I think Mr. Kessler
20 can shed some light on that a little bit.

21

22 MR. KESSLER: Thank you, Mr. Chairman
23 and Council. Steve Kessler with the U.S. Forest
24 Service.

25

26 Of course this decision on where we are
27 on roadless is a Secretary of Agriculture decision as
28 you've well pointed out. I just recently reviewed the
29 correspondence policy as to can you write a letter
30 directly to the Secretary of Agriculture. And Pete
31 Probasco and I discussed it a little bit earlier today.
32 And I would say the answer to that is not clear. You
33 can certainly write a letter through the Federal
34 Subsistence Board and you may be able to write one
35 directly. So, you know, if it's will of the Council, I
36 would say that you would ask Staff to write such a
37 letter and make sure that it gets through the proper
38 channel so that it gets moved up to the Secretary of
39 Agriculture.

40

41 CHAIRMAN ADAMS: Thank you, Steve. I
42 know we hashed this years before, you know, and the
43 proper procedure would be just as he described, you
44 know. We can direct Mr. Larson to write a letter and
45 then send it up the chain so that it eventually we
46 hope, you know, in a timely manner reach the Secretary.

47

48

49 Mr. Bangs.

50

1 MR. BANGS: Thank you, Mr. Chairman.
2 Just real quick I'd like to have the letter reflect how
3 important forest products are to subsistence uses.
4 It's just as much important as fish and wildlife.

5
6 Thank you.

7
8 CHAIRMAN ADAMS: Sure. Maybe Mr.
9 Larson can share the letter with you when he has a
10 draft completed. You know, get your -- receive your
11 input.

12
13 Mr. Douville.

14
15 MR. DOUVILLE: Thank you, Mr. Chairman.
16 I would just -- I guess ask if the rest of the Council
17 agrees.

18
19 CHAIRMAN ADAMS: How does the Council
20 feel about that? A letter that would go up the ladder
21 expressing these concerns? I think that's a proper way
22 to go.

23
24 MS. PHILLIPS: Mr. Chair.

25
26 CHAIRMAN ADAMS: Patty.

27
28 MS. PHILLIPS: I support the letter to
29 the Secretary of Agriculture exempting personal use
30 timber for use permits from the roadless rule in the
31 Tongass.

32
33 CHAIRMAN ADAMS: Thank you. All right.

34
35 MR. KITKA: Is that a motion?

36
37 CHAIRMAN ADAMS: No, it's just a
38 directive to write a letter. Okay.

39
40 Steve Kessler, do you have a short
41 presentation to make.

42
43 MR. KESSLER: Thank you, Mr. Chairman.
44 Members of the Council. It's good to be back here in
45 front of you.

46
47 Two items that I would like to talk
48 about. A little bit about personnel and a little bit
49 about funding for the Forest Service.

50

1 First of all, about personnel. I think
2 most of you are aware that Regional Forester Denny
3 Bschor retired at the beginning of January after I
4 believe it was about 10 years on the Federal
5 Subsistence Board. And I think that he did an
6 excellent job for the Forest Service on the Board.

7
8 A new regional forester has been
9 appointed, and that's Beth Pendleton. She has about 10
10 years experience here in Southeast Alaska, having
11 worked in Juneau on both the Tongass National Forest
12 and in planning, and then also in the regional office.
13 She then moved from Juneau down to California, to the
14 regional office in California where she was deputy
15 regional forester there. And was just appointed to
16 this position here. She's been on board, oh, I think
17 about three weeks maybe. I'm not exactly sure how
18 long.

19
20 She's expressed great interest in the
21 Federal Subsistence Program. She has said that she
22 plans to be engaged in the program, and certainly hope
23 that she is able to make it to your next meeting. This
24 week she was not able to make it, because she was
25 actually moving her household goods up from California.

26
27 She will be the Forest Service's Board
28 member at the May wildlife meeting, so we will bring
29 her up to speed on all of these discussions that you've
30 had so that she's well aware of positions of the
31 Council.

32
33 Any questions on the new regional
34 forester, our new Board member?

35
36 (No comments)

37
38 MR. KESSLER: I also would like to
39 point out that we have three new district rangers on
40 the Tongass National Forest. All three of them are
41 familiar with Alaska. Marty Marshall on Admiralty, Bob
42 Dalrimple at Wrangell. Both of them are returning to
43 Alaska to be district rangers. And then Jeff DeFreest
44 who you met yesterday, and he's the new district ranger
45 for Ketchikan and Misty Fjords.

46
47 So that's sort of the personnel issues.

48
49 The other thing that I wanted to do was
50 just make you aware a little bit of the funding

1 situation for the Forest Service. And I think that
2 I've probably given you sort of updates on Forest
3 Service funding situation probably at least five times
4 over the six or seven years that I've been here. In
5 the past fiscal year 2009 -- I'm going to talk about
6 fiscal years. Fiscal years run October 1st to
7 September 30th. I'm going to use that terminology,
8 because that's what Congress does, and that's just the
9 easiest for me.

10
11 Fiscal 2009, so that was the last
12 fiscal year, the one previous to this, and previous for
13 about the last six years, seven, our budgets for the
14 Forest Service portion of the Federal Subsistence
15 Program was about 5 to 5.9 or \$6 million. Now, the
16 Forest Service subsistence has always been a line item
17 in the Congressional appropriations. You can actually
18 go into the appropriations bills and you can find the
19 Forest Service subsistence dollars right in there.

20
21 Starting in the fiscal year we are in
22 right now, fiscal year 2010, there was a reduction from
23 approximately that 5 to 5.9 to \$2.5 million. That's
24 about half of what we previously received. Again,
25 that's in line item appropriation. At the same time,
26 there was some additional language that was added in
27 the justification for the Forest Service budget that
28 allowed for other funds to be used to help with the
29 funding of the subsistence program. There's been about
30 a million additional dollars that was taken from other
31 areas to assist with the subsistence program.

32
33 Given that we were careful about how we
34 spent our dollars last fiscal year, and with what we
35 call carry-over, so dollars that we carried over from
36 the previous years, that dollars that were received for
37 this year, we were fairly well able to keep our program
38 stable. And when I say that, it means that we were
39 able to fund the regulatory work that we need to do and
40 people that are here. We were able to fund with some
41 help from Office of Subsistence Management and the
42 Department of the Interior the fisheries information
43 projects.

44
45 We were not able to fund wildlife
46 projects that we were hoping to fund. So we were
47 hoping to fund some wildlife projects last year. One
48 of the ones had to do with the Nunatak goats that we
49 were talking about. We were unable to do that.

50

1 And then the other piece that we were
2 not able to fund was a half a million dollars that we
3 provide to law enforcement every year. That is making
4 things difficult for them. We thought that they would
5 receive additional funds from the Washington office,
6 but they have not to date.

7
8 Now I'm going to talk about fiscal year
9 2011. The process for appropriations is that the
10 President makes a request to Congress. That request to
11 Congress comes out in February, and that request to
12 Congress was essentially the same as the last request,
13 \$2.5 million. It was a slight increase, I think about
14 a 3 percent increase over the \$2.5 million, but it
15 still comes out pretty close to \$2.5 million. The
16 statement in the budget request again was that some
17 funds would come from other source, Forest Service
18 funding areas. But we don't know how much that will
19 be.

20
21 Now, that's the President's budget
22 request. We don't have any idea what Congress will do
23 with it. Congress is working through the budget
24 process right now. They start with the president's
25 request and sometimes it goes up, sometimes it goes
26 down. And in the case of the Forest Service budget has
27 pretty well historically been exactly what the request
28 has been.

29
30 CHAIRMAN ADAMS: Mr. Kessler.

31
32 MR. KESSLER: Yes.

33
34 CHAIRMAN ADAMS: I've got a question.
35 How does the president know how much money we need for
36 subsistence purposes in the Forest Service? I
37 know.....

38
39 MR. KESSLER: That's a darn good
40 question.

41
42 (Laughter)

43
44 MR. KESSLER: You know, sometimes it's
45 a mystery to me. There's some back and forth between
46 the Forest Service and the Office of Management and
47 Budgets. Office and Management and Budget that does
48 this work for the President. They take all the funds
49 that are in the appropriations bill and tries to
50 balance what's going to be spent where. And how they

1 do that is sort of a black box for me.

2

3 CHAIRMAN ADAMS: Is there a way we can
4 lobby him to increase our budget?

5

6 MR. KESSLER: Is there a way you can
7 lobby. You need to be very careful about lobbying.
8 You can express concern, and we need to be careful
9 again with the correspondence policy, just like we
10 talked about. You know, how do we talk to the
11 Secretary of Agriculture, how do we talk to the Office
12 of Management and Budget, how do we talk to the
13 President, how do we talk to Congress. I mean, it's --
14 you know, it's sort of difficult. And that's what that
15 correspondence policy helps us sort of weave our way
16 through is about lobbying. So you're really not a
17 lobbying organization, but you know that there are
18 other lobbying organizations.

19

20 And I'm not lobbying here to you. I'm
21 just explaining the facts.

22

23 So with that \$2.5 million that's in the
24 president's budget and some unknown that we may get
25 from other Forest Service dollars, if that unknown --
26 if that is become zero, which we don't really know what
27 it will be, because nobody has told us, then you'll see
28 some fairly significant changes in this program. and
29 the area that is going to probably suffer the most is
30 the monitoring program, because that's really the area
31 that we have our only real ability to adjust funds.

32

33 The regulatory part that we do for you
34 and for the Federal Subsistence Board is sort of
35 absolutely required. The other piece that's the
36 monitoring is not absolutely required.

37

38 CHAIRMAN ADAMS: But we found that to
39 be a very valuable tool, and again, you know, I
40 wouldn't know how we could, you know, address that, but
41 maybe including it in -- I don't know. It's pretty
42 valuable.

43

44 MR. KESSLER: We agree it's a valuable
45 tool. Our Federal managers need that tool. Our
46 Federal managers need the information. I think the
47 Alaska Department of Fish and Game has found that
48 information very helpful. You know, we're going to
49 have to make some big decisions on how to spend funds
50 if that appropriation stays at \$2.5 million.

1 And one of the things I want to tell
2 you is that 2.5 million might sound like a lot of
3 money, but there's this big huge off the top that goes
4 away that pays for, you know, buildings and computers
5 and district rangers, and et cetera, et cetera. So
6 that historically that's been almost a million dollars
7 tapped out of the Federal subsistence funds. So it's a
8 substantial change.

9
10 CHAIRMAN ADAMS: I think Cathy has a
11 question for you, too, Steve.

12
13 MS. NEEDHAM: Thank you, Mr. Chair.
14 It's not a question as more so a comment, since you
15 were talking about the monitoring program and the
16 importance of it. I think, you know, regulatory is
17 absolutely required, but I -- and that's kind of what
18 we're doing today. And I find it extremely difficult
19 to do regulatory without the information that we get
20 from monitoring based type projects, that biological
21 background and stuff. And I think, you know, the State
22 sees cuts all the time, and we lose -- we notice in our
23 fisheries programs and stuff, we were talking earlier
24 about Sarkar and not having the population based
25 information that we needed and the State is not --
26 doesn't have the funds to step up, and now we're
27 talking about not having funds to add any more programs
28 obviously. So I think, you know, they're linked and so
29 that it would be an extreme shame to lose really any
30 portion of this.

31
32 And I don't -- I mean \$2.5 dollars is a
33 huge shortfall, so I would really encourage us to
34 follow the path of writing a letter of concern
35 regarding this in support of trying to get this budget
36 back.

37
38 CHAIRMAN ADAMS: Thank you, Cathy. Go
39 ahead, Steve.

40
41 MR. KESSLER: Mr. Chairman. I'm not
42 sure that that needed response.

43
44 CHAIRMAN ADAMS: Pardon?

45
46 MR. KESSLER: I'm not sure that needed
47 a response.

48
49 CHAIRMAN ADAMS: Oh, I just wanted you
50 to go ahead and continue with your.....

1 MR. KESSLER: No, I'm done.
2
3 CHAIRMAN ADAMS: Okay. You're done.
4
5 MR. KESSLER: And I'm here to answer
6 questions.
7
8 CHAIRMAN ADAMS: Oh, any more
9 questions. Mr. Douville and then Jack.
10
11 MR. DOUVILLE: Thank you, Mr. Chair.
12 I've just got to say it's a good thing we work cheap.
13
14 CHAIRMAN ADAMS: Jack. And then who
15 else? Oh, Floyd. Okay.
16
17 MR. LORRIGAN: What if we adopted him,
18 would that be lobbying?
19
20 CHAIRMAN ADAMS: Adopted him?
21
22 MR. LORRIGAN: Adopt the President.
23
24 CHAIRMAN ADAMS: Yeah.
25
26 (Laughter)
27
28 CHAIRMAN ADAMS: I guess it would be.
29 Floyd, go ahead. Sorry.
30
31 MR. KOOKESH: Yeah. I don't know if
32 this is a related topic, but one of the problems, I
33 don't know, with Forest Service, we're talking about a
34 budget cut for subsistence. One of the problems I've
35 always seen in the Forest Service, and I always wonder
36 why we never address it is the use of charter planes to
37 fly everywhere instead of getting on like regular
38 planes. The Forest Service has this policy where they
39 travel on charter flights to our communities all the
40 time. Like one person on the charter, on a Beaver.
41 And I never could for the life of me understand that
42 policy.
43
44 And the second thing is even though
45 you're taking a cut of funding, one of the things we
46 do, and Merle and I and others that experience it, is
47 when we have a RAC meeting in a community, we have to
48 put in our own dime to attend those meetings, like the
49 fund-raising luncheons, and I don't feel that's right,
50 that we have to dig into our own pocket. But they said

1 it's a policy. And I know that you're facing a cut,
2 but we also take a hit. We go into debt for this
3 program personally.

4

5 CHAIRMAN ADAMS: Go ahead, Mr. Casipit.

6

7 MR. KESSLER: Mr. Chairman. Mr.
8 Kookesh. The first question about aviation, about
9 flights is we've got a long history of aviation use in
10 the Forest Service here in Southeast Alaska. In
11 actually all of Alaska. And a major emphasis after
12 losing a lot of employees has been safety. And so I'm
13 not an expert in this area, but I can tell you that
14 what we do is we only fly on airplanes that have been
15 certified and checked out, only fly with pilots that
16 have been certified and checked out. And in Southeast
17 Alaska, not including Yakutat, we only fly on floats.
18 There are some exceptions to that, depending on what
19 type of aircraft it is. And we also have stricter
20 requirements for weather than the standard. And the
21 result of that is we have not had an incident in 11
22 years now, 12 years.

23

24 MR. CASIPIT: Actually going on 13.

25

26 MR. KESSLER: 13 years now. And so
27 safety is such a major concern of the Forest Service.
28 So I don't anticipate that going away. And the last
29 thing we want to do is lose an employee.

30

31 Second, what was the second?

32

33 MR. CASIPIT: I wanted to add something
34 on aircraft use by the subsistence program. In fact, I
35 just got done a couple weeks ago when we put together
36 our final budget for 2010. We hardly use Forest
37 Service aircraft in the subsistence program at all. It
38 is very low, very minimal. Most of the travel that
39 subsistence program people are doing is either on the
40 ferries or the IFA back and forth from Prince of Wales
41 to here, or getting on Alaska Airlines jet. Very
42 little use of these float planes that Steve talks about
43 that we're actually using.

44

45 CHAIRMAN ADAMS: Thank you, Cal.

46

47 Any more questions for these gentlemen.

48

49 MR. KESSLER: Mr. Kookesh had another
50 issue which I went and forgot what it was.

1 CHAIRMAN ADAMS: Go ahead, Mr. Kookesh.
2
3 MR. KOOKESH: The question was about us
4 as RAC members having to spend out own money to attend
5 the functions.
6
7 MR. KESSLER: Mr. Chairman. Mr.
8 Kookesh. My understanding is that you get what we call
9 a per diem. You get a certain amount of money per day
10 for food. You get lodging paid and you get a certain
11 amount of money for food, and that's to cover that
12 area.
13
14 CHAIRMAN ADAMS: I think he is
15 referring to something else, Steve. Go ahead.
16
17 MR. KOOKESH: Well, let me use Merle
18 since we're talking about today. Merle lives in
19 Ketchikan. Maybe Merle could probably elaborate on it
20 a lot better than I, because she's living it.
21
22 MS. NEEDHAM: Mr. Chair, if you don't
23 mind, I'll speak on behalf of Merle. She lives in
24 Ketchikan which is within a certain mileage of where
25 we're meeting today, and so she's not compensated for
26 her meals, or I don't even know if she's compensated
27 for her miles.
28
29 MS. HAWKINS: Yeah.
30
31 MS. NEEDHAM: You are?
32
33 MS. HAWKINS: 50 cents a mile.
34
35 MS. NEEDHAM: Okay. Compensated 54
36 cents a mile, so.....
37
38 MS. HAWKINS: 50 cents.
39
40 MS. NEEDHAM:her expenses to
41 attend the meeting, her local expenses are not covered.
42 And I think that's what Mr. Kookesh was getting at, if
43 these meetings come to the rural communities, and
44 there's a representative on the Board, that person
45 isn't compensated that piece of it.
46
47 MR. KESSLER: Mr. Chairman. Ms.
48 Needham. Thank you very much. Yes, I understand that
49 now. And I don't know if something can be done about
50 it or not, but we'll bring it back for discussion at

1 OSM.

2

3 CHAIRMAN ADAMS: Mr. Kessler. I really
4 believe that wherever you're having a meeting that
5 these people who give up their time to spend three
6 days, you know, deliberating and working on serious
7 things, I think that everyone should get their per
8 diem, even their local communities. You know, I didn't
9 get one last year because it was in Yakutat, you know.
10 And there's some instances where people have jobs.
11 They have to come to a meeting. And, you know, they
12 give up that pay, you know, for volunteering to come to
13 these meetings. And I think that, you know, everyone,
14 no matter where they're at should receive at least per
15 diem for their time here.

16

17 Go ahead.

18

19 MR. KESSLER: Thank you, Mr. Adams.
20 Two points. One is that this specific issue you might
21 want to consider including in your annual report. And
22 that way you will receive an official response.

23

24 The second item is that we are aware
25 that this one of the concern that has been brought up
26 to Mr. Pat Pourchot as part of the Department of the
27 Interior's review of the program. And maybe there will
28 be some changes as a result. I don't know.

29

30 I think bringing up this specific
31 issue, what about people who are at meetings in their
32 community who have uncompensated expenses is one that
33 should -- could very well be in your annual report.

34

35 CHAIRMAN ADAMS: Uh-huh. Thanks. Any
36 more questions of these gentlemen.

37

38 (No comments)

39

40 CHAIRMAN ADAMS: Let me say while you
41 were away for a while, Steve, of course, you know, Cal
42 filled in for you. And I really had a lot of
43 appreciation working with him. It was very limited,
44 but, you know, I just want you to know that he filled
45 your shoes very well.

46

47 MR. KESSLER: Thank you. And thank
48 you, Cal.

49

50 CHAIRMAN ADAMS: Thank you.

1 MR. KITKA: Mr. Chair.
2
3 CHAIRMAN ADAMS: You have something to
4 say?
5
6 MR. KITKA: I was just going to tell
7 him I refused to go to that Sitka meeting.
8
9 CHAIRMAN ADAMS: Go ahead. Say that.
10
11 MR. KITKA: Steve Kessler, I just
12 wanted to reaffirm that I refused to go to the Sitka
13 meeting, because I wasn't going to get paid for that.
14
15 (Laughter)
16
17 CHAIRMAN ADAMS: And it's on record.
18 Pat, do you have a.....
19
20 MR. LARSON: Let's do this first; get
21 these out of the way.
22
23 CHAIRMAN ADAMS: Okay. We're going to
24 go for -- let's take item number 14, call for fish
25 proposals. Who's going to do that. Cal.
26
27 MR. CASIPIT: I just wanted to alert
28 the Council to the proposal period for fisheries
29 proposals for the 2011 to 2013 cycle is currently open,
30 and that that proposal period closes here next week,
31 March 24th. You know, as Staff we are aware of some
32 issues that I'm sure the Council has been aware of,
33 we've talked about before.
34
35 But we had a couple potential proposals
36 that the Council may be interested in sponsoring. One
37 is to either align the Klawock sockeye season with the
38 State regulations for Klawock, or to get rid of the
39 season completely, because that's the way we manage all
40 our other Federal sockeye fisheries. We don't have a
41 season because people tend to fish where the fish are,
42 so if the fish aren't there, they don't fish there. So
43 that is something you guys might want to consider.
44
45 Also as you know, there's been a
46 series, I think it's going on the sixth year now where
47 we've used in-season managers' authority to close the
48 Unuk River subsistence -- the Unuk River eulachon
49 fishery. I shouldn't say subsistence. We closed all
50 fishing to protect the eulachon in Unuk River. Perhaps

1 the Council would be interested in making that a
2 permanent closure. Again, that's up to the will of the
3 Council.

4

5 And Staff and Robert there will be
6 happy to work with the Council to prepare those
7 proposals and get them submitted on behalf of the
8 Council.

9

10 Thank you, Mr. Chair.

11

12 CHAIRMAN ADAMS: Any questions. Mr.
13 Douville.

14

15 MR. DOUVILLE: Thank you, Mr. Chair.

16

17 On your Klawock proposal, there is
18 fishing that goes on in Federal waters there. I would
19 not be in favor of aligning those. In reality -- is it
20 okay to go on a little bit here? I'll give you some
21 history.

22

23 They have a restriction -- they have
24 some restrictions on the Klawock fishery which I don't
25 agree with in State water. And we've adopted their --
26 you said aligned, but I don't -- because they changed
27 theirs. Ours was the same, because we just merely
28 adopted it. They have some restrictions in the State
29 fishery that I'll point out.

30

31 One is you're restricted to a 35-
32 horsepower motor. Two, I believe it's closed on
33 weekends. I think there was one other issue I can't
34 think of right now.

35

36 But the closure on weekends was to
37 eliminate the people that came from over here over
38 there to participate, because it was cheap on the State
39 ferry, and, you know, they'd come over on the weekend
40 and fish and there was too much competition, outside
41 competition. So they closed it on weekends. But this
42 really doesn't occur any more so much, you know,
43 because it's expensive to go on the IFA and do all
44 that. So we don't see any effort there any more. Or I
45 don't know if it would be if it was relaxed.

46

47 But what it does do, those working
48 people that work for a living can't fish on the weekend
49 that live there.

50

1 And a lot of people don't have -- like,
2 for example, my case. I have 115-horsepower motor. I
3 can't use my boat to go fish there. This was put in
4 place because when this law was made, or regulation,
5 the cannery was operating and there was a lot of
6 seiners in there at that time. Now the cannery doesn't
7 operate, those boats are not there any more. But these
8 guys on their off time would come up and throw a beach
9 seine in a power skiff, and it was unfair competition.
10 They were bigger and, you know, it was just not working
11 well with the little boats. So that's why the
12 horsepower restriction.

13

14 But we have people out there that are
15 having to buy a smaller motor just so they can get
16 sockeyes, because, you know, they didn't have one. And
17 they will issue a ticket if you use a bigger motor,
18 even though it makes no difference. You can only pull
19 a little beach seine so fast. It doesn't matter if you
20 have 900 horsepower or a six horse, you know.

21

22 And the other thing that I've
23 considered and I've talked to some people in Klawock
24 about this, is that the fishery closes whenever it
25 does, but there's a lot of people there -- or there's
26 some people, I shouldn't say a lot. There are people
27 there that don't have a beach seine and they don't have
28 skiffs. But they're able to go and do a little bit
29 other fishing that's allowed in stream. But it closes
30 the same time as the salt water does. So I would be in
31 favor of extending that part and let the salt water
32 close. So I guess maybe I will write a proposal. I
33 don't know.

34

35 But I just wanted to point out some of
36 the things that are going on.

37

38 CHAIRMAN ADAMS: Go ahead, Cal.

39

40 MR. CASIPIT: Well, that's why I
41 suggested that the Council may not even want to align
42 seasons, just get rid of the Federal season at Klawock,
43 and people fish when the fish are there, and you don't
44 worry about a season closing or opening. You know, if
45 the Council wants to do that, we'll help you write the
46 proposal to do it for the Federal program.

47

48 Now, as far as changes to the State
49 program, when the next cycle rolls around again, Staff
50 can be available to help craft proposals to go into the

1 State system to go into the State system to solve the
2 motor issue and some of those other things. At the
3 will of the Council. That's part of the money that we
4 talked about, the regulatory program and how that has
5 to stay. That's our function is to support this
6 Council however they want.

7

8 CHAIRMAN ADAMS: Go ahead, Mike.

9

10 MR. DOUVILLE: There is a small area
11 where you can use beach seines in the Federal area, and
12 I've seen them do that, probably with a State permit,
13 but they don't seem to worry about it, or the Feds do
14 not, or the State doesn't either, but they do go right
15 up there. And it's a nice place to catch fish for
16 sure.

17

18 MR. CASIPIT: I would suggest we just
19 eliminate the season and we just go from there. That's
20 the proposal. That would be the proposal would just be
21 to strike the season out of Federal regulations and
22 that takes care of it.

23

24 MR. DOUVILLE: I don't know how you --
25 if you eliminate the Federal season, well, then you
26 wouldn't be fishing in Federal water then, right? Is
27 that what you're saying?

28

29 MR. CASIPIT: No. No. No, we just --
30 basically what the regulation would say is no closed
31 season, that you're not limited to the State season on
32 the permit any more. It's a Federal season which is no
33 opening, no close -- it's an open season.

34

35 MR. DOUVILLE: But you would have to
36 have a Federal permit?

37

38 MR. CASIPIT: Yeah, you would still get
39 the Federal permit, yeah. You still have to have the
40 Federal permit to fish in Federal waters to be
41 protected.

42

43 CHAIRMAN ADAMS: So is that the avenue
44 you'd like to go, just have Staff write up a proposal
45 addressing that?

46

47 MS. PHILLIPS: Yes

48

49 CHAIRMAN ADAMS: Yes. Okay. You've
50 got your walking orders there, Cal.

1 MR. CASIPIT: Okay. We'll do that for
2 you. No problem.

3
4 CHAIRMAN ADAMS: Thank you. Merle.

5
6 MS. HAWKINS: Yeah. I wanted to
7 discuss the eulachon fishery, because we always seem to
8 have more questions than we have answers. And that
9 would be the only reason I would be interested. And I
10 don't even know if they could find the answers. But
11 one thing I'm really interested in looking at is the
12 statistics for the last openings that they had, because
13 -- and the other thing, part of it, too, is I wouldn't
14 want to make any decisions without tribal consultation
15 and without the traditional and cultural users. And
16 Beau and Louie Wagner have been doing it for 50-some
17 years or longer. So I certainly don't want to offend
18 anybody or make any mistakes.

19
20 But if nothing else, I would like to
21 get the statistics on the fishery, because I remember
22 the last few years that we had eulachons, Beau and
23 Louie were still doing their fishery, but also I think
24 there was another small trolling boat, or a small boat
25 that went out and got a load of eulachons. And so I've
26 always suspected that might have impacted it. And then
27 there's the Back Island submarine acoustic testing
28 site. So it's always like we always like we have more
29 questions than we have answers.

30
31 So that would be my only interest is
32 being able to find some answers. Not that we have to
33 blame anybody. I'd most of all like to see our fish
34 come back.

35
36 MR. CASIPIT: Thank you, Mr. Chair.
37 Ms. Hawkins. You're exactly right. I mean, that's my
38 concern is to ensure the conservation of the population
39 at this point.

40
41 Part of the process of submitting, you
42 know, a proposals gets submitted and then we as Staff
43 have to gather all the pertinent information, put it in
44 a write up, you know, and it gets put in your book and
45 it's there for everybody in the public -- you and the
46 public to review and to comment on. You know, getting
47 that information in one place for you guys to evaluate,
48 that's part of the process and that's what we'd start
49 with. A proposal.

50

1 CHAIRMAN ADAMS: Follow up.

2

3 MS. HAWKINS: Yeah. I think that would
4 work, because that would be my intention is to find
5 some answers. But like I said, it's really putting
6 myself in a position, I don't certainly want to offend
7 anybody in this area, but, you know, the reality is the
8 fish aren't there, and we could find out why. But I
9 would hope that you use traditional and cultural
10 knowledge and go to Beau and Louie Wagner and other
11 people from the area that probably have -- I know they
12 have a lot more knowledge than I do, but I remember
13 since I've been a kid we'd go down to the dock and get
14 our eulachons off the boat. And we're not doing that
15 any more. We're not going down and getting our herring
16 eggs either. So if we could find some answers, I think
17 it would be worth investigating.

18

19 MR. CASIPIT: Through the Chair. Ms.
20 Hawkins. That's exactly the type of things that would
21 happen through the proposal process. We would consult,
22 you know, users, local users, people with the local
23 knowledge in developing the analysis to bring to you
24 guys for a recommendation to the Board. You know,
25 that's why I brought it up. If the Council would like
26 us to look at this issue, we will, and provide you an
27 analysis so that you can make an informed decision as
28 to where you want to go in the future.

29

30 CHAIRMAN ADAMS: Please do look at it.

31

32 MR. CASIPIT: We shall.

33

34 CHAIRMAN ADAMS: Harvey.

35

36 MR. KITKA: Thank you, Mr. Chair. Cal.
37 I'm just curious is there a commercial fishery on
38 eulachon?

39

40 MR. CASIPIT: Not any more in that
41 location. I believe the State has closed the
42 opportunity for commercial fishing there 2001, 2002,
43 somewhere in there. I'm looking at Robert to kind of
44 confirm. He's more familiar with the local commercial
45 stuff. And then we stopped -- we restricted the
46 subsistence and personal use fishery -- well, actually
47 all fisheries in Federal jurisdiction I believe
48 beginning 2002, 2003, somewhere in there. We've been
49 using closures ever since then. Emergency closures.

50

1 MR. LARSON: Mr. Chair. We could go
2 down this road here and we'll have the discussion, but
3 I think the important part right here is whether or not
4 the Council wants to solicit more information by
5 submitting a proposal which would result in a Staff
6 analysis.

7
8 To answer your question though
9 directly, you know, the State closed the fishery in
10 2000 to commercial fishing. So I think that was your
11 question.

12
13 But the item at hand is whether or not
14 we want to have a Staff analysis regarding the
15 appropriateness of a closure, and that would take a
16 Council action.

17
18 CHAIRMAN ADAMS: Do you have a follow
19 up?

20
21 MR. KITKA: I did, but I guess it's
22 not.....

23
24 CHAIRMAN ADAMS: Okay. Any more
25 questions of Cal on eulachons.

26
27 (No comments)

28
29 CHAIRMAN ADAMS: Thank you for bringing
30 it up, Merle.

31
32 As you know, I reported that we have a
33 four-year project going on in Yakutat and they're doing
34 some aerial surveys, you know, from Yakutat all the way
35 down to Dry Bay. They're going to be surveying I think
36 18 or 19 rivers and creeks. So we saw this happening,
37 you know, when Unuk River was closed. I was alerted to
38 it, and I was kind of curious about, you know, how that
39 was going to cause a chain reaction all the way up the
40 coast. And then I've seen in the last three or four
41 years, you know, the Situk River eulachons almost go
42 away. And we're really doing those surveys right now.

43
44 And when I get back, hopefully we can
45 make a trip down to Dry Bay and see what's really
46 happening down there. As I gave a report yesterday
47 through Susan, you know, there is some showing up in
48 some of the places down there, but I'm really more
49 concerned about Situk. And if we yell loud enough and
50 long enough, you know, something is going to happen,

1 because that's what we did here. And that's the result
2 of the surveys that are taking place there right now.

3

4 Thank you, Cal.

5

6 MR. KITKA: Alaska statute, no
7 commercial fisheries on any foraging (ph) fish. In
8 other words, except herring.

9

10 CHAIRMAN ADAMS: Except herring?

11

12 MR. KITKA: Yeah. There shouldn't be
13 any fishery on eulachon.

14

15 CHAIRMAN ADAMS: There shouldn't be. I
16 agree.

17

18 Okay. Where are we here.
19 Agency/organization reports. We've gone through Office
20 of Subsistence Management. U.S. Forest Service did
21 theirs yesterday.

22

23 MR. KITKA: National Park Service.

24

25 CHAIRMAN ADAMS: Okay. First -- let's
26 take Mr. Capra. Sir. And then Bureau of Land
27 Management, and then U.S. Fish and Wildlife Service,
28 and then the Bureau of Indian Affairs. I understand
29 Pat has a short PowerPoint presentation to share with
30 us.

31

32 MR. CAPRA: Good afternoon. Mr.
33 Chairman. Council members. I'm Jim Capra with the
34 National Park Service. I work in Glacier Bay in
35 Yakutat. It's a pleasure to address the Council again,
36 and thank you, Mr. Chairman, for removing me from the
37 basement of the list.

38

39 CHAIRMAN ADAMS: The reason why we put
40 you up toward the top earlier, remember at the last
41 meeting before this?

42

43 MR. CAPRA: Yeah.

44

45 CHAIRMAN ADAMS: You weren't here last
46 meeting, so we put you back down on the bottom again.

47

48 MR. CAPRA: I'll try to work my way
49 back up, sir.

50

1 I have two short items. One is usually
2 a concern to the Council. It's about the environmental
3 impact statement for the Hoonah people collecting gull
4 eggs in Glacier Bay National Park. Right now we've
5 completed the draft environmental impact statement, and
6 this is a legislative environmental impact statement.

7
8 The preferred alternative is the most
9 generous one for the Hoonah people to collect eggs. It
10 allows them to go on multiple trips to multiple sites,
11 and includes a much larger window of -- a larger amount
12 of eggs and a larger window of time.

13
14 If that alternative -- it will,
15 unfortunately take several months to go through the
16 rest of the public process, and then requests that
17 Congress change the laws that established Glacier Bay
18 National Park and Preserve to allow the collection of
19 Gull eggs. Wayne Howell, who's been heading this
20 process for us in Glacier Bay, says it's -- he says it
21 won't happen that gull eggs will be collected by the
22 Hoonah people in Glacier Bay this year. He expects it
23 to be done by fall, so in 2011 this will happen. As
24 long as it comes back as we expect with the selected
25 alternative.

26
27 The other item is the Park Service for
28 its subsistence program, which, Mr. Chairman, you're
29 familiar with as Chair of the SRC, has always had a
30 hard time funding information studies or information
31 requests, because we compete for funding with the
32 natural resource pool of money or the cultural resource
33 pool of money for the Park Service and subsistence has
34 been left kind of in between.

35
36 For fiscal year 2010 we actually get a
37 base amount funded, \$300,000, to address the
38 information concerns in the parks. This year we were
39 -- it came as kind of a surprise, and this year it's
40 being used to fund -- mostly to expand existing
41 studies. We didn't have time to write up completely
42 new projects and get them funded. But it's being used
43 to expand harvest surveys and include hopefully two
44 additional communities in Wrangell-St. Elias where we
45 were only able to fund one survey, one community a
46 year; to expand other studies in one example in
47 Southcentral, keep a weir going when we only had enough
48 to fund it for the beginning and end of the year during
49 the peak runs and we were going to miss six weeks in
50 the middle of the summer. So right now it's backfill.

1 It probably will not affect the
2 Southeast regions too much. A lot of it will go to big
3 ticket items like Yukon River fisheries and caribou
4 where they're disappearing. But if the Council's
5 interested, I can tell you the list of items we are
6 applying it to this year and how we get to our
7 selections.

8
9 That's all I have. And I'll turn it
10 over to Diane.

11
12 MS. MCKINLEY: Diane McKinley, National
13 Park Service, Anchorage.

14
15 And I don't have a report, but I just
16 wanted to convey that I really appreciate everybody's
17 hard work this week. Many of us know that subsistence
18 doesn't end at 5:00 o'clock. Many of us are still
19 discussing it and working on issues beyond the clock.
20 And so I appreciate everybody's contribution. And many
21 people I communicate via emails, but it's nice to come
22 down and actually talk to the different RAC members and
23 Staff and find out more. It's good to have that one-
24 on-one. And I appreciate Lance Mackey's aunt and all
25 her work that she does, because it really helps us do
26 our job, too, when we have to review the transcripts
27 and these issues are year after year.

28
29 So it's just always nice to come home
30 and gunalcheesh.

31
32 ***(Transcriber's Note - Doesn't get
33 autographs or pictures from relatives for fans)

34
35 CHAIRMAN ADAMS: Gunalcheesh, Diane.
36 And I want you to know that we appreciate the
37 contribution that you make, you know, in the position
38 that you have in Anchorage. You're a great source of
39 help and inspiration, particularly to me. So
40 gunalcheesh.

41
42 And thank you, Jim, for our
43 contribution. Yeah, try to work your way up that
44 ladder again. Thanks.

45
46 MR. CAPRA: I'll try. Thank you, sir.

47
48 CHAIRMAN ADAMS: Okay. Where is it,
49 Patty. Oh, you want to bring it up? I'll let you.
50 You've got the paperwork there.

1 MS. PHILLIPS: Fearless leader.
2
3 (Laughter)
4
5 CHAIRMAN ADAMS: It has to do with the
6 sea otter correspondence. So you've got something
7 there?
8
9 MR. LORRIGAN: Do you want me to talk
10 from here, or go over there?
11
12 CHAIRMAN ADAMS: Are you representing
13 an organization other than this?
14
15 MR. LORRIGAN: No.
16
17 CHAIRMAN ADAMS: No? Just stay right
18 there.
19
20 MR. LORRIGAN: All right. Earlier in
21 the week you directed us to come up with some kind of
22 language to try and deal with the sea otter issue that
23 everybody had testimony about. We don't have a title,
24 and we don't know who it's going to, but the issue --
25 you want me to read this out loud?
26
27 MS. NEEDHAM: Yes.
28
29 MR. LORRIGAN: All right.
30
31 MS. NEEDHAM: Thank you.
32
33 CHAIRMAN ADAMS: Cathy, you want to
34 interject here?
35
36 MS. NEEDHAM: I think it might be best,
37 Jack, just to read the issues and then the places in
38 the regulations that we're recommending get changed.
39
40 And also, just for everybody's -- to
41 bring everybody up to date, you know, we worked on this
42 periodically for the last three days, but we obviously
43 don't have how to exactly change it, just the places
44 where we could change and how it addresses -- those are
45 the places that address the issues. Then the rest of
46 it just putting a letter together, which I think that
47 can probably or hopefully direct Staff to do based on
48 those. That would be my way that I would recommend
49 approaching it. If you agree.
50

1 CHAIRMAN ADAMS: And I want to thank
2 you. I know this project was assigned to you to work
3 on it. So I really appreciate that.

4
5 So if you want to go ahead and
6 elaborate a little bit more on that, Jack, we'd
7 appreciate it.

8
9 MR. LORRIGAN: Thank you, Mr. Chairman.

10
11 Issue. In our discussion, it came out,
12 issue, regulations need to incorporate practices for
13 when the population is over carrying capacity or near,
14 when the population has reached and gone beyond.

15
16 Issue, tanning of sea otter pelts needs
17 to be considered as, quote, significantly altered,
18 unquote.

19
20 Issue, the ability to sell pelts need
21 to be liberalized. Requiring registered agents is
22 inhibiting because of costs.

23
24 Issue, tags must remain affixed to the
25 skin through the significantly altered process, like
26 tanning.

27
28 Change Title 50 Part 18 Section 18.3,
29 definitions. Need to clarify that tanning is, quote,
30 significantly altered, other than the handicraft part.

31
32
33 Change Title 50 Part 18 Section 18.23
34 Part (b), native exemptions. Right now it has to be
35 sold to a registered agent. Should be able to be sold
36 to whomever. Liberalize ability to sell pelts.

37
38 Change Title 50 Part 18 Section 18.23,
39 blah-blah-blah. Marks and tags must remain affixed to
40 the skin through the tanning process. Delete the rest
41 that has to do with parts.

42
43 Is that fine?

44
45 MS. NEEDHAM: Mr. Chair. I think,
46 Jack, the rest of it was all of the justification that
47 we were providing about why we wanted to recommend
48 addressing those specific issues and those changes.
49 And a lot of those were -- or some of those at least I
50 know were discussed earlier this week, and I would

1 guess that a lot of them were also discussed previous
2 to this particular meeting. So I don't think its
3 necessary to read those justifications. I kept it in
4 there so that Staff would have language to use in the
5 letter to justify these things.

6

7 MR. LORRIGAN: I'll just touch on the
8 last three paragraphs.

9

10 Native groups and fishing groups are
11 frustrated by the limitations the Marine Mammals
12 Protection Act, particularly U.S. Code of Federal
13 Regulations Title 50 Part 18, definitions. Authentic
14 Native articles of handicrafts and clothing, part (b),
15 are, quote, significantly altered from their natural
16 form and are produced, decorated or fashioned in the
17 exercise of traditional native handicrafts without the
18 use of pantographs, multiple carvers or similar mass
19 copying devices, unquote.

20

21 Recognizing the intent of the
22 regulation was to prevent the future depletion of
23 marine mammals, the present population levels and
24 management plans are sufficient to prevent this, but at
25 the same time it fairly restricts a useful tool in
26 regulating population numbers on a species that is
27 successfully over-utilizing its habitat.

28

29 The Southeast Regional Advisory Council
30 requests the definition of, quote, significantly
31 altered, unquote be defined as a sealed and tanned sea
32 otter hide legally harvested by a Federally-qualified
33 Alaska Native hunter, and that it be legally available
34 for interstate sale and private commerce between
35 qualified Alaska Natives and non-Native consumers.

36

37 CHAIRMAN ADAMS: Good. Now, were you
38 uncertain about where to send this to?

39

40 MR. LORRIGAN: I am.

41

42 CHAIRMAN ADAMS: I think it would be to
43 the U.S. Fish and Wildlife Service. As you know, Mr.
44 Burn came here and, you know, talked to us the other
45 day. And they're going to work, you know, on
46 developing some management schemes, you know, for --
47 and working with tribes and so forth. And I think that
48 would probably be a good document to send to him.

49

50 MR. LARSON: Mr. Chair. I could

1 provide some ex parti communications I had with Doug
2 Burn before he left. And he offered to review the
3 letter and provide some counsel on who would be --
4 according to the content of the letter, then he would
5 give us counsel on who would be the most appropriate
6 person to send it to. And once we find out who the
7 most appropriate person to send it to, then we can make
8 sure that in fact it fulfills our obligations under our
9 correspondence policy. But he's volunteered to help us
10 find the right avenue to send this letter. But he
11 would like to review the content first.

12
13 CHAIRMAN ADAMS: Uh-huh. It sounds
14 like that would work just the same as sending it to
15 him. Jack.

16
17 MR. LORRIGAN: Mr. Chairman. Thank
18 you. I think in getting wide range of support, I think
19 this should go to the other RACs, tribal organizations
20 that live on the coast and like IPCoMM and the Alaska
21 Sea Otter Commission and so on and so forth, the
22 corporations. Because, you know, not only Sealaska,
23 but, you know, Bristol Bay Native Corporation, they
24 might have some ideas on marketing and so forth so that
25 we're not doing the lone ranger thing on this.

26
27 Thank you.

28
29 CHAIRMAN ADAMS: No, I think that's
30 great, to share it with everyone that we possibly can.

31
32 Cathy.

33
34 MS. NEEDHAM: Mr. Chair. Thank you. I
35 also, it just occurs to me that, you know, Jack and I
36 are both new, and so we worked really hard -- or he
37 worked really hard on providing a lot of information.
38 We had a couple of meetings. But I want to make sure
39 from the rest of the Council sitting at the table that
40 -- I mean, we narrowed it down to some specific issues,
41 and then we went and looked at where in the regulations
42 we could actually change to do that, but I want to make
43 sure that they feel that we covered what this issue is
44 in terms of the limitations of the regulations and
45 being able to address the sea otter issue.

46
47 CHAIRMAN ADAMS: Okay. Let's take it
48 out to the Council to comment.

49
50 Harvey, go ahead.

1 MR. KITKA: Thank you, Mr. Chair. One
2 of the things I have a little difficulty with on most
3 of this stuff is when they say definition for
4 significantly altered. And I often wondered whether
5 any Native organizations had any say in this definition
6 or whether it just came from up on top.

7
8 CHAIRMAN ADAMS: Mr. Douville.

9
10 MR. DOUVILLE: Thank you, Mr. Chair.
11 They seem to have determined that there is an excess
12 that could be harvested without harming the population.
13 And one of the things that they could do is to issue
14 special tags that could go on these harvestable
15 surplus. How you distribute them or how you get there,
16 I don't know. Maybe the tribes could do it or some
17 other way, but certainly that a harvestable amount
18 should be utilized with some tag or process that would
19 allow you to do what the letter says, you know.

20
21 CHAIRMAN ADAMS: If you remember what
22 Mr. Burn's said the other day is that they don't get
23 concerned unless the population of any type of species,
24 you know, goes down below the threshold. And if you
25 remember, I asked him, well, what about if there's
26 more, you know, and that also needs to be addressed I
27 think, you know, particularly -- yeah, particularly
28 with the sea otters. We're having trouble with some
29 of the others, like seals and, you know, having
30 population problems. But there's a serious problem
31 with sea otters that I think needs to be addressed, and
32 to be concerned when we get too many of them that are
33 -- they are competing, you know, with our subsistence
34 foods and so forth.

35
36 So, Cathy, go ahead.

37
38 MS. NEEDHAM: Thank you, Mr. Chair. I
39 agree with you wholeheartedly, and we were having a
40 little bit of a hard time understanding how to word the
41 first issue, which is, you know, that sort of the
42 ceiling when the populations get too high, how you
43 actually insert that or where you could put that into
44 the regulations, and so that would be one thing that I
45 think we would need extra help on this with is that
46 particular piece of it, because, I mean, we just worded
47 it as we were talking this morning and we were like
48 throwing out words like carrying capacity, but there
49 might be a better way to do it to address that, so I'm
50 glad you clarified it.

1 CHAIRMAN ADAMS: Sure. I think just
2 the way I addressed it would probably be good language
3 to use.

4
5 Anyone else.

6
7 (No comments)

8
9 CHAIRMAN ADAMS: What does the Council
10 want to do with this letter or this -- was it a
11 proposal, a document or report?

12
13 MR. LORRIGAN: Mr. Chairman, if I may.

14
15
16 CHAIRMAN ADAMS: Sure.

17
18 MR. LORRIGAN: That's kind of our
19 question is where do we go now. Does it -- I mean, it
20 needs a title and it needs an address, and probably
21 some wordsmithing. Does that come from us, or does
22 that go to Mr. Larson or does that go to Cal or who he
23 designates or what?

24
25 CHAIRMAN ADAMS: It looks like Cal is
26 volunteering to take it and carry it on.

27
28 MR. LORRIGAN: Okay. Cal stepped
29 forward.

30
31 MR. CASIPIT: Mr. Chair. Mr. Lorrigan.
32 Your capable coordinator can take what you've done,
33 craft a letter, figure out who it needs to be mailed to
34 and make sure you guys get involved along the way with
35 drafts or what have you. That's his role, that's what
36 he does for you as Council coordinator. So Mr. Larson
37 will help you through this process and make sure the
38 right people get this letter.

39
40 MR. LORRIGAN: I'm sorry, Mr. Chair.
41 Did you give him the file yet.

42
43 CHAIRMAN ADAMS: A copy of what you
44 have developed so far.

45
46 MS. NEEDHAM: Did you copy the file
47 this morning?

48
49 MR. LARSON: (Shakes head negatively)

50

1 MS. NEEDHAM: You just printed it? I
2 will do so.
3
4 CHAIRMAN ADAMS: Okay. So it will go
5 to Robert, and then he'll wordsmith it and I'm sure,
6 you know, you'll share it with all of the Council
7 members and then from that point on it will get routed
8 to the proper place.
9
10 Floyd.
11
12 MR. KOOKESH: Mr. Chairman. Is it
13 proper -- it's proper that when committees do work,
14 that when they bring their work in front of the
15 Council, the Council's supposed to adopt the
16 committee's work, to make it their own. Is that
17 correct?
18
19 CHAIRMAN ADAMS: That's correct. We do
20 need to adopt it. So do you want to.....
21
22 MR. KOOKESH: Consider that a motion,
23 sir.
24
25 CHAIRMAN ADAMS: Is there a second.
26
27 MR. BANGS: Second.
28
29 CHAIRMAN ADAMS: Seconded by Mike.
30 More discussion.
31
32 (No comments)
33
34 MS. HAWKINS: Question.
35
36 CHAIRMAN ADAMS: All in favor say aye.
37
38 IN UNISON: Aye.
39
40 CHAIRMAN ADAMS: Opposed say nay.
41
42 (No opposing votes)
43
44 CHAIRMAN ADAMS: Now it does belong to
45 us, okay, as Mr. Kookesh mentioned, and so we can carry
46 it on from here and take it to the proper places.
47 Thank you.
48
49 Where are we.
50

1 MR. LARSON: Does Pat have something?
2
3 CHAIRMAN ADAMS: Yeah. Bureau of
4 Indian Affairs. Pat has something, an update on deer
5 issues.
6
7 And is Mr. George here. No, not that
8 George, the other George. George James. Oh, there he
9 is. I really appreciate your patience. We'll take
10 your testimony here after we're -- we're just about
11 done with our agenda now, and so after Pat here gives
12 her presentation, then you be prepared to come up and
13 address us, okay?
14
15 MS. PETRIVELLI: A short recess while
16 we set up.
17
18 CHAIRMAN ADAMS: You want a short
19 recess? Okay. We'll take a short recess. And come
20 back after it's set up.
21
22 (Off record)
23
24 (On record)
25
26 CHAIRMAN ADAMS: Let's turn time over
27 to Pat now.
28
29 MS. PETRIVELLI: Okay. Some of you
30 have already seen this Unit 2 deer study before. And
31 so I'm going to just go through it really quickly with
32 the background. And then when you stop seeing the deer
33 in the corner, that will be the new stuff. The two new
34 people, Jack and Cathy, I apologize, and in the fall
35 you'll get a completely full presentation. But we're
36 just going to go through this with background as soon
37 as I enter. Okay. Oh, just enter. So here we go.
38
39 This is all the background. But it was
40 about uses and needs and these are uses and needs as
41 defined by -- and here's some sample questions. We had
42 two sample periods of the trial communities. There was
43 a breakdown of random sample and census samples. This
44 will all be in the report.
45
46 Oh, part of the background, I should go
47 back, was because -- it's still not going. I went the
48 wrong way. Okay. Here we go.
49
50 The background was the Unit 2 Deer

1 Subcommittee. But we were supposed to define uses and
2 needs. And we went to ANILCA for uses and needs. Used
3 as food, sharing, barter, clothing and objects,
4 customary trade. And needs is physical, economic,
5 traditional, cultural and social.

6

7 So then we developed the questionnaire.
8 Oh, this one in red. We had two survey questions, one
9 to households and one to hunters. And the household
10 one was in 2007, the hunters was in 2008. And we added
11 one question, as an economic need is replacement of a
12 store-bought meat.

13

14 So this is the sample.

15

16 Here is what we accomplished. We got
17 16 percent of the larger communities surveyed in the
18 household survey. We got 66 percent of the smaller
19 communities. With the hunters, we hunted -- the off-
20 island hunters on the ferry, and we had workers working
21 on the ferry from August through November. And then the
22 local hunters we interviewed in their communities from
23 January through June. And we ended up completely with
24 25 percent of the households and we surveyed a total of
25 526 hunters the very next year.

26

27 Besides doing the fill-in-the-blank
28 surveys, we did -- and when I'm talking about we,
29 Melinda was partnering in the study, and we did key
30 respondent interviews, her and I. And we just did more
31 in-depth interviews with hunters.

32

33 The other part of the study besides
34 gathering material is to look at old material. And
35 this is what we knew about from harvest data, and just
36 that part, looking at that, there was core WAAs, this
37 was from 1987 to 2003, and Bob Schroeder had put this
38 together, but the core WAAs, well, here's the next map,
39 but it was hard to tell, but there were little red
40 dots. But the core WAAs are really everywhere where
41 there's a road, except for way up north at 1529, but
42 those WAAs had an average of 150 deer harvested during
43 the period. So wherever the roads are were the core
44 WAAs, plus 1529. And I don't know, you know, we won't
45 know who those hunters are, but we're just going to
46 keep looking at what that means.

47

48 And then we got the new data after with
49 the mandatory reporting, and that's added 2005, 6 and
50 7. And you can see just like 2003, that was the year

1 of heavy snowfall, and that's the year when the Federal
2 Board put in the restrictions, but the harvests were
3 the lowest in any time that was recorded for that year.
4 And it's gone up since then, because in parts of the
5 Island, the winters got milder, and, of course, the
6 Federal Board increased the harvest levels, too, from
7 four to five for locals.

8
9 The other thing I looked at was, okay,
10 this line here, the bottom one, it's in red normally,
11 but those are the nonlocal people. And then the blue
12 are the C&T users. And, of course, there's that little
13 dip again in 2003. With the nonlocal people, it went
14 down in 2005. But you can see, because the harvest
15 level got to go up for the locals, they were able to
16 sustain their harvest, which is fine, because that
17 shows that people are still able to meet their needs,
18 even though they dipped a little, too, they didn't dip
19 as much as the nonlocals. And, of course, that's just
20 harvest levels.

21
22 But where we just keep looking at, I'm
23 working with -- I'm going to be working with a
24 statistician to see what is statistically significant
25 about these numbers. But these are all preliminary,
26 but we'll be keeping looking at all of these results.

27
28 And this means we're going to switch.
29 Where did it go? there was a PDF. Where did it go.
30 Yeah, there was supposed to be. Oh, here, we'll go
31 like this. Oops.

32
33 So these charts, those little candy-
34 stripe ones are just where people, the mail-out survey.
35 And then that corner one is the mandatory reporting.
36 And then the solid blue are household surveys.

37
38 Coffman Cove is kind of even, but then
39 -- oops. You can see, it's kind of hard to tell on
40 here. And Craig is almost even. Edna Bay. Of course,
41 even with mandatory reporting, in 2007 no one harvested
42 any deer in Edna Bay. And I don't know, I'll have to
43 investigate that.

44
45 But you can see in the other years with
46 that hit and miss of, you know, so many percentage
47 getting the survey and so many percentage reporting.
48 Then as we move to other communities, with Hollis, our
49 household survey, certainly it showed almost 50 percent
50 deer harvested than the mandatory reporting.

1 For Hydaburg it was quite a bit more in
2 our household surveys than any kind of reporting. The
3 household surveys, because we do go house to house and
4 ask them how much they harvested, and then the other
5 one is just with using the harvest tickets and
6 mandatory reporting. Of course, with Hydaburg, just
7 even anywhere between 38 and 58 deer harvested a year
8 is kind of not realistic.

9
10 With all of these communities, what
11 these reporting -- there's just different ways of
12 getting information, and what they do show are trends.
13 But we'll be looking at uses and needs of all the
14 communities as we go through the report. But
15 definitely the household survey did I think provide us
16 with a more accurate picture of people reporting,
17 because, well, even Port Protection, the year we did
18 the household survey, they reported harvesting one deer
19 that year in 2007.

20
21 But there are some communities though
22 it's kind of level between the harvest tickets, the
23 household survey and the mandatory reporting, but
24 others, with the smaller communities, you know, it's
25 just -- it doesn't. But each of those as we have the
26 -- when we do our community meetings, we'll have these
27 charts available for the communities so that we can
28 better accurately describe their uses.

29
30 And then we'll also have the stuff from
31 the key respondent interviews. And when we did the key
32 respondent interviews, we did mapping histories with
33 them. Oops. I keep forgetting. I'm left-handed, so I
34 use a different -- so when we did those interviews, we
35 interviewed knowledgeable users.

36
37 And then the tribes asked us to look at
38 two groups of hunters: the younger hunters and then the
39 older hunters. And then they want us to compare and
40 contrast. Maybe the younger hunters aren't learning
41 what they're supposed to. And then they wanted us to
42 just to see why was that or why is it. You know, just
43 to analyze the change. And so we'll be doing that as
44 we go. And it's interesting, their perceptions as they
45 go along.

46
47 Of course, in some communities some of
48 the older hunters would not talk to us, because they
49 have talked to us in the past. Or, not to us as
50 anthropologists. And so they just do not want to talk

1 to any more anthropologists, and so that was a problem.
2 But it will be described in the report, and those gaps
3 will be identified and the people who would not talk to
4 us. But we'll read their old reports of hunting
5 practices, and then we'll do other things.

6
7 But we'll show those harvest histories.
8 We have the locations by WAA, and we'll show that. And
9 then we have -- and, of course, you can't see this map,
10 but each of those dots show one harvest that was
11 reported in the mapping histories, and then we have all
12 the colors on Prince of Wales except for Port
13 Protection. No one from Port Protection would
14 interview with us. And then we used a technique where
15 it's random scattered within the WAA because we told
16 them we wouldn't report their exact hunting location.
17 So if there's 10 harvest in one WAA then there will be
18 10 dots.

19
20 And so this is the local people, which
21 you can't see. Oops, wrong way. And then here's
22 nonlocal people. Ad the others were circles, and these
23 are squares. But with GIS, we can have each level,
24 when we have community meetings and we'll have better
25 lighting, but we an just show that community, so we'll
26 have their community on one slide, their harvest
27 history and then we'll compare it with the other
28 communities. But we told them when they were going to
29 tell us what their uses were, that we would review our
30 study results before we turned it into the Forest
31 Service.

32
33 And we hope to have the draft report
34 done by the first week of May or around there, and
35 we'll mail it out and then schedule the community
36 meetings sometime after that. But we have to meet with
37 our study committee for the project to get the right
38 date.

39
40 Here's some of the survey results. And
41 I just picked one question, the pounds you use per
42 year. And then that big yellow column, that's all
43 preliminary data. But like for -- so from the hunter
44 survey, the mean average pounds per use for just the
45 first one is 271 pounds. A non-Unit 2 hunter used 175.
46 And then that other number 164 pounds, that's just for
47 all the households, because believe it or not, we found
48 households in Unit 2 that did not use deer. I mean, I
49 was surprised, but we had 384 households surveyed, and
50 only 339 used deer. So there were 50 households -- or

1 I forget how many, 40, 45 households that did not use
2 deer. And there was actually one household that was
3 completely vegetarian. I mean, the most they used were
4 spawned out fish to fertilize their garden, and that
5 was the only use of fish and wildlife that they had
6 used.

7

8 But those numbers in the yellow, I have
9 to get them statistically accurate, because that Unit 2
10 is for all the households, and to compare with the
11 hunter surveys, we need to have it broken down just for
12 the hunters only.

13

14 Whether any of these differences are
15 significant or not we'll go through with the
16 statistician and we'll do the confidence intervals and
17 then the significance of their different answers.

18

19 But we had a 7-page survey that went
20 through uses and needs, you know, did you get enough
21 deer, you know, where did you harvest, how did you
22 harvest. And we'll be reporting all those results in
23 an appendices.

24

25 So our next steps are just to continue
26 processing all that data, and then we'll draft up the
27 report, and then, of course, have those reviews. And
28 once we have the community feedback, then we'll meet
29 with the study committee again and finalize it and then
30 we'll turn it into the Forest Service.

31

32 And then we'll have the great
33 PowerPoint presentation for you in the fall. And
34 you'll meet the other partner in the project, which is
35 Craig Community Association. Jessie Duvrai has been
36 working -- she is the most recent staff person there,
37 but she's been doing all the GIS work and it's
38 exciting. It will be more interesting and a better --
39 that's a draft map that you saw. And then, of course,
40 me and Melinda will keep working on the draft report,
41 and we'll be doing the community meetings.

42

43 So I don't know if you have any
44 questions.

45

46 CHAIRMAN ADAMS: Any questions.

47

48 MR. JAMES: I heard you mention
49 vegetarian. The Plains Indians said a vegetarian is a
50 poor hunter.

1 (Laughter)

2

3 MS. PETRIVELLI: I'll have to remember
4 that.

5

6 CHAIRMAN ADAMS: Yeah. That's why
7 they're vegetarians. Okay.

8

9 George, we'll take your testimony now.
10 Thank you for being so patient.

11

12 MR. JAMES: Thank you, Mr. Chairman.
13 Of course, my name is (in Tlingit, sounds like: Wich-
14 tah-ir-hatch-dutaasa-kuakuan-senata-garanah).

15

16 I want you Board members to bear in
17 mind I'm not -- when I say something, I'm not pointing
18 the finger at you or anybody else. It's just that if
19 we work together, we can get some things accomplished.

20

21

22 It was probably brought to your
23 attention several times by my younger brother, but just
24 in case he left something out, I'll reiterate some of
25 the things that I think it's important that Kahku (ph)
26 has probably brought to your attention several times.
27 And the reason (In Tlingit) has his own name, our
28 forefathers named Kahyu. They were the first people in
29 that area. My grandfather's name was (In Tlingit). It
30 means always been there. There was nobody there before
31 us. And our forefathers lived there continuously since
32 time immemorial. We never relinquished our rights or
33 ownership to anybody.

34

35 I don't know if I've mentioned this the
36 other day. And, of course, at my age, I've got to
37 write everything down. If I don't write it down, I'll
38 probably figure I didn't say it. But our parents got
39 moved off of Shakan forcefully by the U.S. marshals,
40 and we have two of our elders in our family are still
41 alive that witnessed this happening. They told our
42 parents that if you don't get your kids in schools,
43 we'll put your children in orphanages and the parents
44 in jail. Up to that point we lived on Koyu and Shakan
45 for a continuation since the time of Noah's flood.

46

47 But anyway, I've got several points to
48 bring out, is that we have a video, and I wish I could
49 have had you folks look at it some time or another, but
50 I'll make some copies and ship it to whoever wants it,

1 that would like to look at it, but, of course, there
2 will be a small fee. Whatever it costs to make the
3 video.

4
5 We have an attorney who is a land title
6 specialist. His name is James Patrick Baily. And he
7 does research at the Smithsonian, Congressional
8 records, National Archives. There's nothing on record
9 to show Alaska -- I mean Russia owned Alaska. There's
10 nothing on record to show they owned Alaska. There's
11 nothing on record to show the U.S. bought it.

12
13 So what does that tell you? Well,
14 we've been telling this to the State for several years.
15 We've talked to them for the past -- whenever they
16 became a state, even when I got old enough, I'd tell
17 them. I'd say, you don't have title for the soil,
18 because we knew that.

19
20 And finally I think it was in 2002 they
21 sued for quiet title. And, of course, it's -- I'll
22 hand you this packet here that pretty much explains
23 that. And once they sued for quiet title, we filed
24 what they call as an act of state with all the
25 countries of the world. Or 18 countries of the world,
26 putting them on notice, letting them know where we're
27 at. That's proper protocol from government-to-
28 government relationship. And that's what government-
29 to-government means.

30
31 And I always tell our people, I said,
32 well, we have a government-to-government relation with
33 the Forest Service. The Forest Service is not a
34 government; they're an entity of the Federal
35 Government. That's all. And I said, the Forest
36 Service can't go up to the U.N. and make a complaint
37 about anybody. They have to go up to their superiors.

38
39 Prior to the session of Alaska that
40 Russia claimed ownership, but the U.S. denied that.
41 What they did is, our attorney points it out, and he
42 says that when Russia came down this way on the outside
43 of Kuiu and they'd only seen the mountain tops of Kuiu,
44 probably the mountain top of Mt. Edgumbe. They
45 didn't stop. So they can't claim discovery by -- title
46 by discovery, because they never set foot on the land.
47 He said, you'll have to live there. This is why the
48 Law of Nations says, you've got to live on the land in
49 order to be the first ones there, in order to discover
50 that. They didn't qualify under that discovery title.

1 But then you take this a little
2 further, in the Katie John case, customary fishing
3 rights in the river. I think it was the Manzanita (ph)
4 River. I'm just going by memory. That they said that
5 they were going to represent everybody, but we
6 intervened, Kuiu intervened in the 9th Circuit Court
7 of Appeals. What we did there is we thought they were
8 going for a title. But after we got invited in, we no
9 longer -- we made our case, then they booted us out,
10 saying we're not talking about title.

11
12 But the State of Alaska, what they did
13 later on, they said we filed at an untimely manner.
14 But they used that as a ploy to get us out of the
15 court. But the untimely manner also, too, but as
16 strange as it may seem, the State of Alaska used our
17 claim to appeal it to the supreme court. They used our
18 argument.

19
20 In 1802, and this is -- and we've got
21 the Russian documents on that, 1802, the attack on the
22 fort in Sitka, the Kuiu and the Stikine were
23 instrumental principals in that attack. What happened
24 is that the Kuiu would drive the Stikines back up the
25 river. It's what Petersburg sets on, Wrangell sets on,
26 that's all Kuiu country. And the Kuiu country starts
27 north of here, which we never relinquished to anybody.
28 Never gave it up, from Ship Island northward. It goes
29 all the way up to Frederick Sound, all the way across
30 to Baranof, back down to Hazy Island, and all the way
31 down to Cape Uzan (ph) and along that shore, because
32 where our boundary takes up -- leaves off, the (In
33 Tlingit) takes up.

34
35 And also, too, I have here -- one
36 thing, too, I'd like to point out, too, we have some
37 sacred sites. We have several sacred sites. I know my
38 brother pointed it out earlier probably when I wasn't
39 here, but Calder Mountain is a sacred site. That's
40 where, one of the mountains that our people went and
41 lived on when the great flood was here. They had to
42 live up on the highest place they could live. And one
43 of our elders was telling me, we went up there. I
44 don't know how we can get up, it's pretty steep. That
45 you could still find the ropes that disintegrated like
46 sugarwood (ph) ash. It's still there.

47
48 And I'll have here -- I'll present this
49 to you.
50

1 And also we have here copies, or a
2 picture of our carvings. I'll give that to you folks,
3 too. And it shows here that the doubleheaded raven is
4 -- I mean, the singleheaded raven is first people that
5 was there. At the first south the doubleheaded raven
6 of the (In Tlingit) was a doubleheaded raven, the
7 shield there. The shield is probably about this big,
8 as big as this table over that way. And the plus
9 symbol is our real estate stamp. That signifies we own
10 the land, waters and resources. We were the first
11 people there. We never relinquished that right to
12 anybody.

13
14 And then one thing I'd like to point
15 out here, too, I know some of you folks know (In
16 Tlingit), George Jim. He's my nephew. He was 93 years
17 old and he -- I got his uncle's name. When I told him
18 what my name was, he said, gee, he says, you're my
19 uncle. And I said, okay, nephew, I won't make you work
20 too hard due to your age.

21
22 But anyway he pointed out what the real
23 estate symbol was.

24
25 And also I have a letter here, a
26 document here from -- and it's got the Department of
27 the Interior seal on there, and I won't read it all. I
28 won't read it, but I'll just point out what it says in
29 there. They're saying -- he's saying how flawed ANCSA
30 was. I'll give that to you, too. He says, there's so
31 many flaws there. He said, under just compensation
32 clause of the Fifth Amendment to the Constitution, the
33 bill would affect the compensational taking of property
34 rights because it's multiple, deprives the people of a
35 lot of rights that they have. He said that it's
36 flawed. ANCSA's flawed. And so he said, you know, the
37 Indians are not going to be able to fight this, because
38 they don't have the money. But never the less he
39 printed it up. One of our people got a copy of this,
40 and I'll share that with you also, too.

41
42 But also another point that I would
43 like to make, let's see, right here. I'll give you
44 this copy. Under the international law here is
45 whenever the United States signs a treaty with every
46 country of the world, it becomes the supreme law of the
47 land, just like the Constitution. And the State's, the
48 Gateway Borough, Federal Government's got to abide by
49 that law, because the U.S. signed it, and it becomes
50 the supreme law of the land, just like the

1 Constitution.

2

3 On Article 24 of this document it says,
4 indigenous people have the right to their traditional
5 medicines and health practices, including the right to
6 the protection of vital medicine plants, animals and
7 minerals. They also have the right to access without
8 any discrimination to all medicines, institutions,
9 health service and medical care. Article 25,
10 indigenous people have the right to maintain and
11 strengthen their distinctive spiritual and material
12 relationship with lands, territories, waters and
13 coastal seas and other resources they have
14 traditionally owned and otherwise occupied or used to
15 uphold their responsibilities to future generations in
16 this regard.

17

18 Article 26, indigenous people have the
19 right to own, develop, control, use the lands and
20 territories, including the total environment of the
21 lands, air, water, coastal seas, sea ice, flora, fauna,
22 other resources which they have traditionally owned or
23 otherwise occupied or used. This includes the right to
24 full recognition of their laws, not the State law or
25 Federal laws, traditions and customs, land ownership
26 systems and institution for the development and
27 management of the resources and the right to affect
28 measures by states to prevent interference with the
29 alienation or encroachment upon these rights.

30

31 This is very clear. And so this law
32 that the State of Alaska has to abide by, the Federal
33 Government has to abide by.

34

35 Indigenous people have the right to
36 restitution of lands, territories, and resources which
37 they have traditionally owned or otherwise occupied or
38 used which they have confiscated -- which have been
39 confiscated, occupied, used or damaged without their
40 free and informed consent. Where this is not possible,
41 they have the right to just and fair compensation
42 unless otherwise freely agreed upon by the people's
43 concerned. Compensation shall take the form of lands
44 and territories of equal quality and equal size and
45 legal status.

46

47 And what that means there, if the
48 Federal Government or the State wants to take Kuiu,
49 they've got to replace it with land of equal value or
50 any other land in southeastern Alaska. They take the

1 land in Hoonah, Angoon, Sitka, they've got to replace
2 it with land of equal value.

3
4 So all this information, we did in
5 research. We've got an ambassador in Geneva,
6 Switzerland right now so when things come up, we get
7 ahold of him. But due to his status, he's barred from
8 coming back into the United States, because he's a
9 threat to us retaining our portion of Alaska back to
10 the original owners. And in fact they tried to hire
11 him as ambassador for the U.S., but he turned them
12 down. He said, I owe my allegiance to my people. And
13 since then they made it miserable for him. His name is
14 Ronald Barnes.

15
16 And I went halibut fishing about 10
17 years ago, and I forgot, I didn't have a permit from
18 the State of Alaska. I didn't go out to prove a point,
19 but however, when I went to deliver my halibut, the
20 halibut I caught, I was outside the three-mile-limit,
21 that they arrested me, confiscated my catch, and -- but
22 anyway that -- I went to court a year later, and what I
23 did is I told them I got a permit from my tribe. And I
24 said, I always have a permit from my tribe. I don't
25 need a State permit. But nevertheless they threw me in
26 jail for five hours. And I says, you folks can't keep
27 me here, because I'm right. Sure enough, they let me
28 out five hours later. And when I went to court a year
29 later, they dismissed my case, because there's nothing
30 they can do to you outside the three-mile limit. But
31 that's just one small thing that's happening.

32
33 But the reason why I'm telling you
34 that, when I went to go to court in Craig the following
35 spring, a year later, I said, why all the big guns in
36 the courthouse? In court I went before a little lady,
37 a little magistrate lady, a small little lady. I
38 thought I was going to go before her again. But they
39 had pinstriped suits, guys walking around in the
40 courthouse. A man with a long black robe, Judge Peter
41 Follek (ph) out of Juneau. Of course, I didn't know
42 him when he was -- when I first looked at him, and
43 found out who he was. And I said, why all the big guns
44 here? He said, well, you Kuiuwan are the big fish.
45 We get you, we get everybody. And he said, we've got
46 AFN, we've got SEAlaska, we've got TNH. He named a
47 whole bunch of people they had under their thumb, he
48 said, but we don't have you yet. We get you, we get
49 everybody. They don't have us. And that's why we keep
50 on bringing these things up for your folks' knowledge

1 to stand firm.

2

3

4 And the eulachon that this young lady
5 brought it up here earlier about in Unuk River, that we
6 don't have any eulachons here. The only way we can get
7 it, we have to buy it from some guy that comes up from
8 Canada. What happens, last year I believe there was a
9 boat that was coming up with eulachons to sell it to
10 the Native people, but we understand that Fish and Game
11 turned them around and made them go back to Canada.
12 And it's a very important part of our diet.

13

14

15 And also, too, that I'm glad they're
16 finally do some checking on the Unuk River to see why
17 the eulachons aren't coming back, because there's
18 another river up there, I read an article about. I
19 think it might be the Taku. One of the rivers up there
20 that the Canadians mined up above the area and it's
21 killing a lot of the fish off. And probably the same
22 thing has happened here in the Unuk.

23

24

25 And anyway, thank you, folks, for your
26 time. Oh, let me see, wait a minute. I think I got it
27 all.

28

29

30 But, anyway, read the international
31 law, because that's part of our law. And when the U.S.
32 signs anything, a treaty under the supremacy clause
33 becomes the supreme law of the land. And judges in
34 every state are bound by it.

35

36

37 And somebody wrote me here. I'm not
38 prejudice, but somebody handed me a deal here and it
39 says, the words misspelled the bill right, it should
40 read the bill of whites. But that's just somebody
41 else's opinion. But nevertheless that's all I have to
42 say.

43

44

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49

50

51 Thank you for your time.

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1 MR. LARSON: I had a correction.
2
3 CHAIRMAN ADAMS: You have a correction?
4
5 MR. LARSON: Mr. Chairman. For the
6 Council's -- maybe they've already noticed, but that's
7 a misprint in this. What the Council agreed to was
8 September.
9
10 CHAIRMAN ADAMS: I was wondering why it
11 was so late. It will be September. Same dates?
12
13 MR. LARSON: Same dates.
14
15 CHAIRMAN ADAMS: Okay. That was a date
16 that was determined at our last meeting. We need to
17 confirm that. And then there is a March 2011 combined
18 meeting with Southcentral that is being suggested.
19
20 And let's address the item A thing and
21 see if that's still the date that you want to have your
22 meeting in Sitka, and then I'll have Mr. Larson explain
23 a little bit more about the combined meeting this being
24 proposed.
25
26 MR. LARSON: And is it still Sitka or
27 did you want to go to Hoonah.
28
29 CHAIRMAN ADAMS: And we want to know if
30 it's still Sitka, or do you want to go somewhere else,
31 like Hoonah. I think Mr. -- you know how this came
32 about. I told Mr. Wright that some day I'm going to
33 have to go to Hoonah, because my grandmother and a
34 little baby is buried over there, and I'd sure like to
35 go over there and see if I can find it. And he said,
36 well, why don't we have a Council meeting over there.
37 So that's more or less of an invitation.
38
39 (Laughter)
40
41 CHAIRMAN ADAMS: And so I just want to
42 know if, you know, you still want to use Sitka or
43 Hoonah.
44
45 Mr. Bangs.
46
47 MR. BANGS: Well, we need Harvey. We
48 can't go to Sitka. No, what I was thinking, just an
49 idea that we had at lunch is that this time of the year
50 would be a good time to be in Sitka, because the

1 herring fishery is going off. That was just a thought.

2

3 I agreed with the idea of Hoonah though
4 being brought up. That might be an interesting place
5 to go in the fall. I don't know if it would be a good
6 place to go this time of year on a normal, maybe a
7 wintery year. But anyway just thoughts.

8

9 CHAIRMAN ADAMS: And I think that the
10 reason why we targeted Sitka is because of the Makhnati
11 Island issue. And we thought that it was going to be a
12 fisheries meeting, and that we would be there to
13 support them in their efforts, you know, to get their
14 issues taken care of. And so, you know, I think that
15 needs to be seriously considered, too, if we're going
16 to shift, you know, from there to another community.

17

18 So what's your wish. Mr. Kookesh.

19

20 MR. KOOKESH: Yeah. Mr. Chairman.
21 Since we had NECCUA, I felt that we should be in Hoonah
22 in March, because I'd like to see what happens on that
23 issue. And for Sitka, it doesn't matter to me for
24 Sitka, but I definitely want us to be -- I believe we
25 should be in Hoonah for March so we can have an idea
26 how their hunt actually went, get some local input to
27 it.

28

29 CHAIRMAN ADAMS: Okay. Anyone else
30 have an idea or comment.

31

32 Mr. Bangs.

33

34 MR. BANGS: Well, if we went to Hoonah
35 in the fall, we could go hunting.

36

37 (Laughter)

38

39 MR. KOOKESH: Mr. Chairman.

40

41 CHAIRMAN ADAMS: Mr. Kookesh. Go
42 ahead.

43

44 MR. KOOKESH: Are you one of the .804
45 communities?

46

47 (Laughter)

48

49 CHAIRMAN ADAMS: Mr. Douville.

50

1 MR. DOUVILLE: Excuse me. Mr.
2 Chairman. I'm still fishing that time of the year, in
3 September. And it's very difficult for me to connect
4 with these. And if we're going to have a meeting, I'm
5 not asking for special treatment, but somewhere that
6 you don't have to travel a long ways makes it easier
7 for me to connect. If you remember right, the last
8 meeting in Sitka I was a little bit late, because I had
9 to make a delivery and then couldn't quite make it on
10 time.

11
12 CHAIRMAN ADAMS: Yeah, well, Dr.
13 Douville, you're very important to this body and, you
14 know, we'd want you to be there. So we're not going
15 to, you know, do special treatment or anything like
16 that, but I think the merits of, you know, Sitka or
17 Hoonah needs to be discussed, you know, and determined.

18
19 Mr. Wright.

20
21 MR. WRIGHT: Thank you, Mr. Chair. I
22 was looking at September, too, and I think Mike
23 Douville and I's going have the same kind of fisheries,
24 so I don't know if I would be there.

25
26 CHAIRMAN ADAMS: And we'd certainly
27 want you there in your home town if we're going to have
28 it there.

29
30 Go ahead, Mr. Douville.

31
32 MR. DOUVILLE: Well, I'm just saying
33 that it's easier to connect if you don't have to
34 overnight here and connect on the ferry and stuff like
35 that. And then you could better plan your fishing
36 around it, and sometimes you just can't. But what I'm
37 saying, if it takes less time to get to and from there,
38 it's easier for those of us that have a conflict like
39 that.

40
41 CHAIRMAN ADAMS: yeah. So what would
42 be better for you. You want to choose it? When is
43 your fishing over with, both of you?

44
45 MR. DOUVILLE: It never is.

46
47 (Laughter)

48
49 CHAIRMAN ADAMS: Never. It's never
50 over.

1 MR. WRIGHT: Mr. Chair. I would sure
2 welcome the RAC to be in Hoonah. I'd sure like them to
3 be there. And probably the only thing I would be in
4 trouble with, if they had a fall dog opening over in
5 Excursion Inlet, then, we never know if that's going to
6 happen or not. Otherwise I can work around my long
7 line and around these dates. But I sure would like the
8 RAC to come to Hoonah.

9

10 Thank you.

11

12 CHAIRMAN ADAMS: Thanks. Another
13 thing, too, that we need to do is Mr. Larson has talked
14 with Mr. Probasco before he left on the logistics, you
15 know, of having it over there. I think, you know,
16 Hoonah is doable because it's just a short distance
17 from Juneau, you know. In 15, 20 minutes you can be
18 over there. But, you know, it's really up to you guys,
19 you know. Where do you want to have it and when I
20 think is the question that we need to settle now.

21

22 Mr. Bangs.

23

24 MR. BANGS: Thank you, Mr. Chairman.
25 Are we speaking of the fall meeting, this coming fall.

26

27 CHAIRMAN ADAMS: This coming fall, yes.

28

29 MR. BANGS: Okay. Thank you.

30

31 MR. KOOKESH: Mr. Chairman.

32

33 CHAIRMAN ADAMS: Mr. Kookesh.

34

35 MR. KOOKESH: I thought originally when
36 we had talked about having our meetings in Sitka, the
37 idea was to be visiting the Makhnati issue, the one
38 that's been deferred, but I believe that was why we
39 were going to go there.

40

41 CHAIRMAN ADAMS: Yeah. Well, that was
42 my understanding, too, and just to be there to support
43 Sitka on that particular issue, you know, I thought was
44 one of the reasons why we wanted to go there.

45

46 Mr. Wright.

47

48 MR. WRIGHT: Mr. Chairman. Makhnati
49 is, you know, a real big issue, and NECCUA is a big
50 issue, so it's kind of a -- I would like, you know,

1 some of our people to even to address the hunting
2 issue, and I know the Makhnati issue has been put
3 before us almost every time I've been dealing with the
4 fisheries.

5
6 Thank you. Mr. Chair.

7
8 MR. LARSON: May I say one thing.

9
10 CHAIRMAN ADAMS: Mr. Larson, go ahead.

11
12 MR. LARSON: Thank you, Mr. Chair. I
13 have one observation, and I'd like to share with the
14 Council that the Council is on record on numerous
15 occasions regarding their position on Makhnati Islands.
16 It seems to me that the Staff could put together a
17 field trip to look at deer, deer habitat, the kind of
18 land use activities that would affect deer, and we
19 could do that specific to the Northeast Chichigof
20 Controlled Use Area, if the Council wanted to go there
21 in September. If the Council was thinking about going
22 to Hoonah in March, our experiences the last few years
23 has been that that would not be possible because of the
24 snow conditions that we would find during that time.
25 So if a field trip to look at deer and deer habitat in
26 the NECCUA is of some importance to the Council then we
27 could accommodate that in September, but that would be
28 very difficult in March.

29
30 Thank you.

31
32 CHAIRMAN ADAMS: Harvey.

33
34 MR. KITKA: Thank you, Mr. Chair. Is
35 it also possible that next year in March is more the
36 important part of the fisheries proposal.

37
38 MR. KOOKESH: Mr. Chairman.

39
40 CHAIRMAN ADAMS: Floyd, go ahead.

41
42 MR. KOOKESH: Yeah, I understood that
43 this was the Council decision, and the Coordinator just
44 coordinates for us. I certainly respect his opinion,
45 but I really believe that we should make NECCUA in
46 March so we can actually have a hand's on look at the
47 real issue.

48
49 CHAIRMAN ADAMS: Let's determine where
50 we want to go right now. Then we can work on the

1 dates.

2

3

Mr. Bangs.

4

5

MR. BANGS: Thank you, Mr. Chairman.

6 I like the idea of going to the NECCUA in the fall when

7 the deer are actually being hunted. And I think Mr.

8 Kitka's correct, the springtime is when the fishery is

9 happening. It's happening right now. They're supposed

10 to fish tomorrow or they're on two-hour notice. I

11 think that would be a hand's on on that issue. I'm not

12 real sure of the timeframe of the Makhnati issue in the

13 fall as far as documents or what we need to do to show

14 support. But I would agree with Mr. Kitka.

15

16

Thank you.

17

18

MR. KOOKESH: Mr. Chair.

19

20

CHAIRMAN ADAMS: Okay. Mr. Kookesh.

21

22

MR. KOOKESH: I believe it's been my

23 experience that in September we haven't really started

24 hunting in our rural communities. That's just like the

25 beginning. The hunt takes off after September, in

26 October and November. That's when the real hunts are.

27 That's my tack.

28

29

CHAIRMAN ADAMS: It's good point.

30 We're still looking for a place. I would like for you

31 guys to make that decision.

32

33

MR. KITKA: Mr. Chair.

34

35

CHAIRMAN ADAMS: Mr. Kitka.

36

37

MR. KITKA: Why don't you put it to a

38 vote and we'll get an idea of what we want.

39

40

CHAIRMAN ADAMS: Well, we need a motion

41 first.

42

43

MS. PHILLIPS: Mr. Chair.

44

45

CHAIRMAN ADAMS: Patty, go ahead.

46

47

MS. PHILLIPS: I move to schedule the

48 fall meeting in Hoonah and I would prefer the first

49 week of October, but I'm flexible.

50

1 CHAIRMAN ADAMS: Okay. We've got date
2 and time. Is there a second.
3
4 MR. BANGS: Second.
5
6 CHAIRMAN ADAMS: Seconded by Mr. Bangs.
7
8
9 Any further discussion. Mr. Bangs.
10
11 MR. BANGS: Thank you, Mr. Chairman. I
12 have the same problem in the September/October. I'm
13 fine in September, but we've been going back and forth
14 on those dates, because my season starts in October,
15 but I can work around that. I'm flexible on that.
16 That's the way I feel about it, but I'm behind Patty.
17
18 Thank you.
19
20 CHAIRMAN ADAMS: Thank you. Any
21 further discussion.
22
23 MS. PHILLIPS: Mr. Chair.
24
25 CHAIRMAN ADAMS: Patty.
26
27 MS. PHILLIPS: I can go either the last
28 week of September or the first week of October.
29
30 CHAIRMAN ADAMS: Okay. Anyone else.
31
32 (No comments)
33
34 MR. LORRIGAN: Question.
35
36 CHAIRMAN ADAMS: The question's been
37 called. All in favor say aye.
38
39 IN UNISON: Aye.
40
41 CHAIRMAN ADAMS: Opposed say nay.
42
43 MR. KOOKESH: Nay.
44
45 CHAIRMAN ADAMS: One nay.
46
47 UNIDENTIFIED VOICE: That was for
48 September?
49
50 CHAIRMAN ADAMS: The first week of

1 October.

2

3 UNIDENTIFIED VOICE: (Indiscernible,
4 mic not on)

5

6 CHAIRMAN ADAMS: That's right. That's
7 the Grand Camp convention is that week.

8

9 MS. PHILLIPS: Mr. Chair.

10

11 CHAIRMAN ADAMS: Yes, ma'am.

12

13 MS. PHILLIPS: We can stay with our
14 dates on the calendar. I can amend my motion or make a
15 motion -- how do we -- reconsider I guess or substitute
16 or whatever we do. Mr. Parliamentarian.

17

18 MR. LARSON: The correct process since
19 the Council has already voted would be to vote to
20 reconsider or rescind and then have a new vote. That's
21 cumbersome, but probably the cleanest.

22

23 Thank you.

24

25 MS. PHILLIPS: I move to reconsider the
26 meeting date or the last motion. Is that? Okay. Move
27 to reconsider the previous motion.

28

29 CHAIRMAN ADAMS: Thank you. Is there a
30 second.

31

32 MR. BANGS: Second.

33

34 CHAIRMAN ADAMS: Mr. Bangs. Okay.

35 Talk about it.

36

37 MS. PHILLIPS: Don't we need to vote?

38

39 MR. LARSON: You need to vote on the
40 reconsideration.

41

42 CHAIRMAN ADAMS: All in favor please
43 say aye.

44

45 IN UNISON: Aye.

46

47 CHAIRMAN ADAMS: Opposed say nay.

48

49 (No opposing votes)

50

1 MS. PHILLIPS: Mr. Chair. Move to
2 reconsider the date for the fall date to September 28
3 to September 30th in Hoonah.
4
5 CHAIRMAN ADAMS: Is there a second. Do
6 I hear a second.
7
8 MR. BANGS: Second
9
10 CHAIRMAN ADAMS: Mr. Bangs. Okay. Now
11 we can talk about it.
12
13 MS. PHILLIPS: Mr. Chair.
14
15 CHAIRMAN ADAMS: Patty.
16
17 MS. PHILLIPS: Merle, what did you say?
18 I didn't hear it.
19
20 MS. HAWKINS: Oh, I'm sorry. Grand
21 Camp is the first week of October and it's here in
22 Saxman.
23
24 MR. BANGS: Question.
25
26 CHAIRMAN ADAMS: Calling for the
27 question or do you have a question. Pardon?
28
29 MR. BANGS: No one was saying anything,
30 so I thought I'd call for the question.
31
32 CHAIRMAN ADAMS: Okay. There's a
33 conflict there?
34
35 MR. LARSON: No.
36
37 MR. WRIGHT: Mr. Chair.
38
39 MR. LARSON: Right here. Only in
40 Hoonah. That's the motion before us.
41
42 CHAIRMAN ADAMS: Okay. For September.
43
44 MR. LARSON: 26th to 28th, in Hoonah.
45 That's the motion.
46
47 CHAIRMAN ADAMS: Okay. All right. Do
48 you have something.
49
50 MR. WRIGHT: No, Mr. Chair. I was

1 going to point out that October 4th is the first week
2 in October, so September 28, 29, and whatever. Thank
3 you.

4
5 CHAIRMAN ADAMS: That work for you?
6 Okay. So all in favor of the motion please say aye.

7
8 IN UNISON: Aye.

9
10 CHAIRMAN ADAMS: Opposed nay.

11
12 (No opposing votes)

13
14 CHAIRMAN ADAMS: The motion carries.
15 So it's going to be in Hoonah, September 28th, 29th and
16 30th.

17
18 Okay. The other one that we need to
19 talk about is the -- and I'll just turn it over to Mr.
20 Larson to talk about that, because, you know, Patty in
21 our meeting in Yakutat brought up the idea of having a
22 combined meeting with Southcentral.

23
24 And I've had a chance to talk it over
25 with their Chairman there. At the Federal Subsistence
26 Board meetings he sits right next to me. And so we
27 talked about it, and then we talked with our
28 coordinators, and they have discussed this a little
29 bit.

30
31 So, Mr. Larson, go ahead and bring us
32 up to date on that, please.

33
34 MR. LARSON: Thank you, Mr. Chairman.
35 Just a couple things.

36
37 There was a some discussion at the last
38 Council meeting regarding the benefits of having a
39 joint Council meeting with the Southcentral Council.
40 The subsequent discussions with the Office of
41 Subsistence Management has indicated that it's not out
42 of the question. They would entertain a proposal to
43 have a joint meeting if it's co-authored by both the
44 Southcentral and the Southeast Councils, and there
45 would be justification in the form of an agenda that
46 would be clear that both the interests of the
47 Government and the interests of the two Councils would
48 be addressed by having a joint meeting.

49
50 So that's kind of where we are

1 regarding permission to do this.

2

3 The Southcentral Council met last week
4 and they had no discussion regarding a joint meeting.
5 Subsequent discussions with Mr. Ralph Lohse, who's the
6 Chair have indicated to me that they're not opposed to
7 a joint meeting they just didn't put any effort into
8 developing an agenda or moving forward with a proposal
9 to have a joint meeting. They are scheduled to meet
10 March 16 through 18 in Anchorage next year.

11

12 Right now without being privy to the
13 results of the Secretarial Review for subsistence it
14 appears to me that the topics that would be best
15 addressed by a joint meeting are -- there's a few
16 topics that would be appropriate for a joint meeting at
17 this point, however, depending on the recommendations
18 by the Secretary there may be some opportunity for
19 implementation of those recommendations and those would
20 be appropriate to a joint meeting. But at this point,
21 although there is -- there may be permissions and
22 monies and budget and an interest and an agenda at some
23 time in the future, it doesn't appear to me that it's
24 at all necessary to have a joint meeting. But that's
25 up to the Council to determine then and I would be
26 interested to know what their level of interest is in
27 having a joint meeting.

28

29 Thank you.

30

31 CHAIRMAN ADAMS: I think I'd like to
32 bring that up as a matter of discussion right now. I
33 know it was a great idea when Patty suggested that in
34 Yakutat and so we relayed it to our Chairs and
35 coordinators and they thought at that time it was a
36 good idea too but working out the agenda and logistics
37 as to where and when was a big question.

38

39 So do you feel like a joint meeting is
40 appropriate?

41

42 MS. PHILLIPS: Mr. Chair.

43

44 CHAIRMAN ADAMS: Go ahead, Patty.

45

46 MS. PHILLIPS: I think if such were the
47 Subsistence Program was going to go under some
48 reorganization and, you know, as our coordinator stated
49 it might be a good opportunity to do that but it's too
50 soon to say so, you know, we should stick with our

1 regional areas unless -- and by the time we have our
2 fall meeting things might be different and we might
3 know more and such that we could schedule to meet in
4 Anchorage with Southcentral but I would suggest that we
5 go with the Sitka location as recommended earlier.

6

7 CHAIRMAN ADAMS: Mr. Bangs.

8

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

10

11 CHAIRMAN ADAMS: Thank you, Patty.

12

13 MR. BANGS: I agree with Patty. And a
14 point that I think Mr. Kessler said, that this coming
15 year or the spring meeting next year, is a non-
16 regulatory cycle and that would probably be the best
17 time for us to address issues outside of our proposal
18 timeframe.

19

20 CHAIRMAN ADAMS: That's a good point,
21 thank you, Mr. Bangs.

22

23 MR. BANGS: Thank you.

24

25 CHAIRMAN ADAMS: Anyone else.

26

27 MR. LARSON: I have an observation.

28

29 CHAIRMAN ADAMS: You have an
30 observation.

31

32 MR. LARSON: I do.

33

34 (Laughter)

35

36 CHAIRMAN ADAMS: Mr. Larson.

37

38 MR. LARSON: Mr. Chair. If the
39 rationale for meeting in Sitka includes an observation
40 of the herring fishery, there is much -- the window
41 closes for Advisory Committees to meet on March 24th.
42 The Council would be much more likely to have a fishery
43 occur if you could meet at the end of that window and
44 that would be March 22nd and 24th, rather than the week
45 or two previous to that. So that's my only observation
46 is, if they want to see the fishery, that you would
47 need to meet at the end of that window.

48

49 Thank you.

50

1 CHAIRMAN ADAMS: So Sitka is the
2 location, if that's the case then we need a motion and
3 a time.

4
5 Mr. Bangs.

6
7 MR. BANGS: Thank you, Mr. Chairman. I
8 make a motion to have the meeting next march in sitka
9 on the 22nd through the 24th.

10
11 CHAIRMAN ADAMS: Thank you. Is there a
12 second.

13
14 MR. LORRIGAN: Second.

15
16 CHAIRMAN ADAMS: Seconded by Mr.
17 Lorrigan. Discussion.

18
19 Mr. Douville.

20
21 MR. DOUVILLE: Thank you, Mr.
22 Chairman. Under discussion I'm not interested in
23 seeing the fishery but I am interested in eating fish
24 eggs.

25
26 (Laughter)

27
28 CHAIRMAN ADAMS: Same here.

29
30 MR. WRIGHT: Harvey.

31
32 (Laughter)

33
34 CHAIRMAN ADAMS: We're going to have a
35 big feast. Harvey you have a comment.

36
37 MR. KITKA: No.

38
39 (Laughter)

40
41 MR. KITKA: Yes, Mr. Chair. It might
42 be a little bit too early for the herring to spawn at
43 that point but I'm sure some of the fishermen will be
44 bringing in samples of the herring that will have the
45 roe in the round, which they might be able to share
46 with us.

47
48 Thank you.

49
50 CHAIRMAN ADAMS: Okay, thanks. Any

1 more discussion.

2

3 Mr. Lorrigan.

4

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

6 Since Harvey and I won't be getting a per diem we're
7 expecting treats.

8

9 (Laughter)

10

11 CHAIRMAN ADAMS: Hopefully we'll have
12 that thing solved by then.

13

14 Okay, any more discussion. Harvey.

15

16 MR. KITKA: Thank you, Mr. Chair. I'm
17 just looking for volunteers to help set the trees.

18

19 (Laughter)

20

21 CHAIRMAN ADAMS: That's how you're
22 going to earn your keep. Mike.

23

24 MR. DOUVILLE: Thank you, Mr. Chair.
25 We have lots of second growth on Prince of Wales.

26

27 (Laughter)

28

29 MR. DOUVILLE: There's a couple of
30 things I wanted to say. When we amended the wolverine
31 proposal, did we adequately do the rationale to the
32 amendment, and the other thing that I would say, I said
33 when I was making a statement here earlier, I said
34 1,400 miles of road were scheduled to be closed and
35 that wasn't quite correct, it's like 690 but that's
36 still enough road to reach from here to Seattle.

37

38 CHAIRMAN ADAMS: Thank you.

39

40 MR. LARSON: Mr. Chair. I believe the
41 record is adequately supported for your actions on 12.

42

43 Thank you.

44

45 CHAIRMAN ADAMS: Thank you.

46

47 MR. BANGS: Question.

48

49 CHAIRMAN ADAMS: Question's been called
50 all in favor please say aye.

1 IN UNISON: Aye.
2
3 CHAIRMAN ADAMS: All opposed, say nay.
4
5 (No opposing votes)
6
7 CHAIRMAN ADAMS: The motion carries.
8 The ayes have it.
9
10 (Laughter)
11
12 CHAIRMAN ADAMS: Did you vote?
13
14 MR. WRIGHT: I'm okay with it, whatever
15 it is.
16
17 CHAIRMAN ADAMS: Okay, we're down to
18 other business now. The final review of Council
19 communication and actions.
20
21 The resolution that Patty put on the
22 table has been withdrawn.
23
24 I think the Saxman rural status issue
25 has been put into our annual report so that's already
26 covered.
27
28 And I don't see anything else here.
29
30 Mr. Bangs.
31
32 MR. BANGS: Thank you, Mr. Chairman. I
33 just wanted to say one thing that I would put before
34 the Council, is something that we -- I feel that we
35 should include in our agenda at each meeting and that
36 would be a space for comments or proposals that we
37 would consider generating for, one the Board of Fish,
38 and one for the Board of Game so that we don't forget
39 about it or, whatever, if we just had a place in our
40 agenda to -- if we don't do anything that's fine, but I
41 think we should have that.
42
43 CHAIRMAN ADAMS: Sure Mike, and I think
44 Mr. Larson is making note of that already so thanks for
45 that.
46
47 MR. LARSON: Let me just quickly
48 review.
49
50 CHAIRMAN ADAMS: Go ahead.

1 MR. LARSON: Mr. Chairman. I think
2 that it's appropriate for me to do a quick review of
3 what I view as Council actions and my instructions and
4 if you see any omissions or corrections I would like to
5 hear about them now.

6
7 The Council has deliberated 26 wildlife
8 proposals.

9
10 We have reaffirmed the Sarkar fisheries
11 closure.

12
13 The Council has agreed to submit two
14 Board of Fish proposals.

15
16 They have finalized the annual report
17 subject to review and including one item on
18 uncompensating costs for Council members and the other
19 for Saxman rural determination.

20
21 There is a letter being drafted to the
22 Alaska Department of Fish and Game re: concerns for
23 sockeye, the health of the sockeye populations in
24 Sarkar. And I will have a discussion with the local
25 area biologist to determine whether or not there are
26 other sockeye streams we should include in that
27 category but right now it's directed at Sarkar, for
28 more information for the Council to consider at,
29 probably their next meeting.

30
31 There is a letter that's being drafted
32 to the Secretary of Agriculture regarding Forest
33 Products and the roadless rule.

34
35 There is a letter drafted and probably
36 to somebody within the Fish and Wildlife Service, as
37 yet to be determined, regarding sea otters.

38
39 And the Council has confirmed a date
40 for meeting in the fall and Sitka in the spring.

41
42 That is the extent, I think.....

43
44 MR. KOOKESH: Mr. Chair.

45
46 MR. LARSON:of the action items.
47 If there's any additions.....

48
49 MR. KOOKESH: Mr. Chair.

50

1 MR. LARSON:or corrections I'd
2 like to hear them.

3
4 CHAIRMAN ADAMS: Mr. Kookesh and then
5 Mr. Bangs.

6
7 MR. KOOKESH: Yeah, Mr. Chairman, even
8 though we're doing a wrap up, I'm actually disappointed
9 that we, as a Council, didn't even discuss the Federal
10 review that's going on around us, the one that concerns
11 us. It's really disheartening to see something that
12 we're supposed to be all about not even at the table
13 here.

14
15 Thank you.

16
17 CHAIRMAN ADAMS: Thank you. You know
18 we could do that. You guys have a copy of my report,
19 you know, for the meetings that was established up
20 there and if -- I asked you, you know, if there were
21 any questions that you had about the report or about
22 the review that, you know, feel free to do so. If you
23 want to do that now, it's fine.

24
25 Mr. Bangs.

26
27 MR. BANGS: Thank you, Mr. Chairman.
28 Yeah, that might be appropriate to do at this time.

29
30 I would also like to add that maybe
31 this would be the time to have Staff draft a letter
32 asking the Department of Agriculture and Interior to
33 appropriate funding for us, you know, it's important
34 that we keep reminding them that funding is important
35 for this program.

36
37 CHAIRMAN ADAMS: Sure. Merle, go
38 ahead.

39
40 MS. HAWKINS: I didn't hear him mention
41 the eulachon fishery that we asked for an analysis of
42 that or did I just miss it.

43
44 CHAIRMAN ADAMS: Mr. Larson.

45
46 MR. LARSON: Mr. Chairman. Yes, the
47 two fisheries proposals that the Council generated, one
48 to remove the season dates in Klawock River for
49 sockeyes and, two, to close the eulachon fishery on the
50 Unuk River. Those two proposals will generate Staff

1 analysis for the Council's deliberations and
2 consideration at their September meeting.

3

4 MS. HAWKINS: Thank you.

5

6 CHAIRMAN ADAMS: Okay, thank you. Mr.
7 Douville.

8

9 MR. DOUVILLE: Adding to what Mr. Bangs
10 said, there is some concerns about the funding as it
11 provides a lot of information that we need to make
12 rationale decisions and if that isn't properly taken
13 care of then we're really hamstrung if you will.

14

15 The other thing I would like to, like
16 Floyd mentioned, the review, the review, all the
17 information is there, it's all been available to read
18 and so on but as a RAC here, I can't think of anything
19 that we could add, the process is in motion and it's
20 more or less to sit and wait and see what happens at
21 this point. That's how I see it.

22

23 CHAIRMAN ADAMS: Any more comments.

24

25 (No comments)

26

27 CHAIRMAN ADAMS: Okay, you know, we're
28 at the end of our agenda now.

29

30 MR. LARSON: We need to deal with
31 Michael's suggestion of a letter regarding the budget,
32 I don't have a clear, is it the Council's will or not,
33 we need some sort of an action or some direction to me.

34

35 CHAIRMAN ADAMS: Michael, he's
36 reminding me that we need some kind of action for the
37 budget that you addressed. So, Mr. Bangs, go ahead.

38

39 MR. BANGS: Thank you, Mr. Chairman. I
40 make a motion that we instruct Staff to draft a letter
41 to be sent to the Department of Agriculture, Department
42 of the Interior stressing the need to adequately fund
43 the Subsistence Program so that we can, as Mr. Douville
44 said, make sound decisions based on the information
45 that we're able to attain, but it does take funding.

46

47 Thank you.

48

49 CHAIRMAN ADAMS: Is there a second.

50

1 MS. NEEDHAM: Second.

2

3 CHAIRMAN ADAMS: Okay. I think Mr.
4 Kessler explained to us, you know, the process for
5 communications. I'll have him come up again and
6 explain that a little bit more, you might have to
7 adjust your motion here a little bit.

8

9 MR. KESSLER: Thank you, Mr. Chairman
10 and Council. I'm not exactly sure what the process
11 would be.

12

13 We have the correspondence policy in
14 place, which, if you read it, technically it doesn't
15 allow correspondence between you and the Secretary of
16 Agriculture, however, if you take a look at ANILCA, you
17 -- actually in ANILCA the Councils are advisors to the
18 Secretaries, so I think that what might be appropriate
19 is to ask Staff to relay this information and relaying
20 your concerns in the most appropriate way possible,
21 hopefully directly to the Secretary of Agriculture but
22 otherwise through the Federal Subsistence Board.

23

24 CHAIRMAN ADAMS: Yeah, that's the way I
25 understood it too. So it would go to the Board, they
26 would address it and then it would be taken to the
27 Secretaries from there.

28

29 Yes.

30

31 MR. KESSLER: There could be a decision
32 that it's perfectly appropriate for you to write a
33 letter on this issue directly to the Secretary but it
34 would not be appropriate to Congress because that would
35 be considered lobbying. But, you know, if you just
36 read ANILCA, Section .805, you're an advisor to the
37 Secretaries and your advice might be to do something a
38 little different for funding.

39

40 CHAIRMAN ADAMS: Yeah, we need to
41 adjourn in five minutes or I'm going to miss my flight,
42 who said that?

43

44 MR. LARSON: That was me.

45

46 (Laughter)

47

48 MR. LARSON: Along with the rest of the
49 Council.

50

1 (Laughter)
2
3 CHAIRMAN ADAMS: Okay. But what I'm
4 saying is that it really needs to go to the Board and
5 then to the Secretarys, we don't want to bypass the
6 Board without their knowledge.
7
8 MR. KESSLER: We can do the Staff work
9 for you and figure out the best way to make it happen.
10
11 CHAIRMAN ADAMS: Okay. Okay.
12
13 MR. KESSLER: You just need to
14 express.....
15
16 CHAIRMAN ADAMS: Thank you. We got it.
17
18 MR. KESSLER:your desire to.....
19
20 CHAIRMAN ADAMS: We've got it on
21 record, Tina, has it.
22
23 MR. KESSLER:pass that -- if you
24 pass that motion we'll take care of figuring it out for
25 you.
26
27 CHAIRMAN ADAMS: Thank you. We need a
28 vote. So we need to vote on the motion.
29
30 MS. HAWKINS: Question.
31
32 CHAIRMAN ADAMS: Question's been
33 called, all in favor say aye.
34
35 IN UNISON: Aye.
36
37 CHAIRMAN ADAMS: Opposed say nay.
38
39 (No opposing votes)
40
41 CHAIRMAN ADAMS: The aye's have it.
42 Mr. Douville.
43
44 MR. DOUVILLE: Thank you, Mr. Chairman.
45 I would like to -- before we -- we're about ready to
46 quit, right, we're almost done?
47
48 CHAIRMAN ADAMS: Uh-huh.
49
50 MR. DOUVILLE: I would like to thank

1 Robert for all his effort and keeping us informed and
2 the information flow, he does an excellent job, in
3 fact, I sometimes feel it too much. And, Melinda, for
4 all her efforts in our travel and housing arrangements
5 work really smooth; I appreciate it. Thank you.

6

7 CHAIRMAN ADAMS: Yeah, thank you. Let
8 me say something about Robert. You know, he was up at
9 our SRC meeting recently and got to talking with one of
10 the Chairs, I think it was the Eastern Interior RAC and
11 she was impressed with the way that we conduct our
12 meetings and how we use our coordinator so she invited
13 him to come to their meeting, which, you know, shortly
14 followed that, and so they got some real good
15 instruction on how, you know, they could use their
16 coordinator because it was completely different than
17 the way we do and they wanted to copy ours, so, again,
18 my thanks to Robert for the fine job in which he's
19 doing here.

20

21 I want to say thank you to the Saxman
22 ANB/ANS for their fine dinner, lunches and for their
23 hospitality. And, you know, I want this on record but
24 if there's any of you people here who can relay that to
25 your ANB and ANS members, just let them know that we
26 really appreciated your guys welcome and hospitality.

27

28 MS. HAWKINS: Bert.

29

30 CHAIRMAN ADAMS: Yes, ma'am.

31

32 MS. HAWKINS: Just for a point of
33 information, KIC also did donate for the spaghetti
34 dinner.

35

36 CHAIRMAN ADAMS: And if you could relay
37 that information for us, that thank you for us, I'd
38 appreciate that, I was going to bring that up.

39

40 Okay, well, folks, thanks for bearing
41 with us, it got thinner and thinner. And we're going
42 to adjourn at this point and we'll see you next time.

43

44 (Off record)

45

46 (END OF PROCEEDINGS)

