

1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME III

7
8
9 Sitka Tribal House
10 Sitka, Alaska
11 March 19, 2015
12 9:00 a.m.

13
14
15 COUNCIL MEMBERS PRESENT:

16
17 Michael Bangs, Chair
18 Arthur Bloom
19 Michael Douville
20 Donald Hernandez
21 Kenneth Jackson
22 Cathy Needham
23 Robert Schroeder
24 Frank Wright
25 John Yeager
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31 Regional Council Coordinator, Robert Larson

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P R O C E E D I N G S

(Sitka, Alaska - 3/19/2015)

(On record)

CHAIRMAN BANGS: Okay. I guess we'll get started here. We don't have much left to go over but we need to cover these proposals and Robert's going to put them up on the screen for us to look at and then we'll give him the okay or adjust them or however we want to deal with the proposals.

(Pause)

CHAIRMAN BANGS: While we're waiting for the proposals to appear on the screen, maybe we can see if there's anybody who has any discussion or comments about non-agenda items.

(No comments)

CHAIRMAN BANGS: I don't see anyone so we'll just wait for the screen.

(Pause)

CHAIRMAN BANGS: Mr. Larson.

MR. LARSON: So, Mr. Chair, the Council asked Staff to put into regulatory language the proposals for five topics and we have them here and we'll go through them one at a time.

So this is the proposal to have the wording in Federal regulations consistent with the wording that's on the State registration permits. We require the subsistence hunters to obtain a State registration permit, State registration permits do not have the word antlered in them. It would, I think, provide some consistency between the two programs if we would, in fact, make that language the same. It needs to be done in two places. One is in Unit 1C and the other is Unit 5B. And the other small change that, not only will you have -- can you shoot a bull moose but when 25 bull moose have been taken then that will be the season closure.

So that's the regulatory language. We run down to the bottom here. It says, explains under

1 part three exactly why this change is necessary.

2

3 So that would be the bull moose
4 proposal. Do we need to amend or change that, we could
5 approve them as we go or approve them as a package.

6

7 CHAIRMAN BANGS: I think we should
8 approve them as we go.

9

10 MR. LARSON: Approve them as we go.

11

12 CHAIRMAN BANGS: Yes. I'd like to
13 approve them as we go in case there's one in the group
14 that we don't agree with. So I guess we could do a
15 raise of the hands in case you're looking at the
16 proposal, and you're not behind your desk, so can you
17 see it Cathy.

18

19 MS. NEEDHAM: I can see it but I can't
20 read it.

21

22 CHAIRMAN BANGS: Okay. Let's cover the
23 proposals one at a time as we go through them, we'll
24 just okay them or amend them if that's okay with the
25 Council.

26

27 (Council nods affirmatively)

28

29 CHAIRMAN BANGS: If it looks okay to
30 everybody I'd appreciate a motion on the floor to adopt
31 it.

32

33 (Pause)

34

35 CHAIRMAN BANGS: Mr. Larson, could you
36 maybe read it, they're having trouble reading it up on
37 the screen it's not coming through very clear.

38

39 MR. LARSON: Oh, you can't read that
40 tiny, tiny font.

41

42 (Laughter)

43

44 CHAIRMAN BANGS: Go ahead Mr. Larson.

45

46 MR. LARSON: Remove the term antlered
47 from the moose harvest regulations in 1B and 1C.....

48

49 CHAIRMAN BANGS: It says 5B.

50

1 MR. LARSON: Or 5B and 1C, yeah. Let
2 me see if I can get this to where it makes sense to me.

3
4 This is just a little -- this will be
5 better maybe.

6
7 And how would the new regulation read:

8
9 The new regulation is exactly the same
10 as the old regulation except that the word antlered is
11 removed so it would read:

12
13 Unit 1C remainder, excluding drainages
14 of Berner's Bay, one antlered bull, and
15 the new regulations would be -- one
16 bull by State registration permit only.

17
18 The other change is for 5B, that's in
19 Yakutat and it's a very similar change. The antlered
20 would be removed so it would be:

21
22 One bull by State registration permit
23 only, the season would be closed when
24 25 bulls have been taken from the
25 entirety of Unit 5B.

26
27 And the reason would be to align -- not
28 to align but to have similar wording in the Federal
29 regulations and the State registration permit. The
30 State registration permit does not have the word
31 antlered in it. With this change the Federal
32 regulations would not have the word antlered in it
33 either.

34
35 CHAIRMAN BANGS: Mr. Douville.

36
37 MR. DOUVILLE: I don't know, I can't
38 remember the proper way to do it but, you know, I would
39 move that we submit the proposal that Mr. Larson has
40 just read.

41
42 CHAIRMAN BANGS: Is there a second.

43
44 MR. YEAGER: Second.

45
46 CHAIRMAN BANGS: Okay. It's been moved
47 and seconded to adopt the language written to change
48 Federal regulations to align with the State regulations
49 for removing antlered.

50

1 Any discussion.

2

3 Mr. Schroeder.

4

5 MR. SCHROEDER: Just for the purpose of
6 making a record on this. We discussed this earlier in
7 our meeting. This is basically kind of aligning
8 regulations so we don't believe this would make a major
9 change or any change whatsoever for subsistence users
10 except to have them be able to hunt without any
11 confusion. We've heard substantial evidence that this
12 would be a reasonable change to make. It's probably
13 beneficial to subsistence users and has no effect on
14 other users. And this basically is not addressing a
15 conservation concern.

16

17 I will support this proposal.

18

19 CHAIRMAN BANGS: Thank you, Bob.

20 Anyone else. Mike.

21

22 MR. DOUVILLE: I just have a question.
23 Since we are just submitting a proposal, does the
24 justification for doing so have to be done at this time
25 or can we just submit the proposal and, you know, that
26 comes into play later.

27

28 MR. LARSON: Mr. Chair.

29

30 CHAIRMAN BANGS: Mr. Larson.

31

32 MR. LARSON: Mike is correct. These
33 are proposals. The Council will deliberate and make a
34 recommendation on the record regarding this proposal
35 after the Staff develops a Staff analysis that has all
36 of the pertinent factual information wrapped up in it.
37 So this -- although we appreciate the detail that's
38 provided by Bob, it's actually not that necessary at
39 this point.

40

41 CHAIRMAN BANGS: Thank you, Bob. So
42 what I would do is entertain a motion to, or a second
43 on the motion so we could vote on it.

44

45 REPORTER: You already have a motion
46 and second.

47

48 CHAIRMAN BANGS: Okay. It's been
49 seconded.

50

1 MR. WRIGHT: Question.
2
3 CHAIRMAN BANGS: Question's been
4 called. All those in favor of submitting this as a
5 proposal be written up respond by saying aye.
6
7 IN UNISON: Aye.
8
9 CHAIRMAN BANGS: Opposed.
10
11 (No opposing votes)
12
13 CHAIRMAN BANGS: Okay. Next proposal.
14
15 MR. LARSON: Mr. Chair. The other
16 proposal dealing with the Yakutat area is that because
17 of some land ownership issues that the definition
18 that's used in State regulations regarding the Nunatak
19 Bench is actually not appropriate for the Federal
20 Program. We've worked with the Yakutat District to
21 redefine a -- not to redefine but to actually include a
22 definition in Federal regulations where there is none
23 that is more appropriate to our program.
24
25 So what you see is the definition of
26 the Nunatak Bench and I'll read it:
27
28 In Unit 5A, Nunatak Bench is defined as
29 that area east of the Hubbard Glacier,
30 north of Nunatak Fjord, and north and
31 east of the East Nunatak Glacier to the
32 Canadian Border.
33
34 Thank you.
35
36 CHAIRMAN BANGS: Thank you, Mr. Larson.
37 Do we need to go through these in the order of like
38 voting on them or are we just agreeing to have it
39 written up because we're going to go through the
40 proposals when they're actually presented to us as a
41 proposal. I'm just wondering if we can just okay the
42 wording and have them come back to us in proposal form
43 which we can go through and discuss it. I'm just
44 wondering if we can just say, well, is there any
45 changes and then make any changes we want and then
46 we'll go through this Robert's Rules of adopting the
47 regulation when it's printed.
48
49 Mr. Larson.
50

1 MR. LARSON: You have a clear and
2 accurate idea of what the process is. The process now
3 is to establish the wording of the proposal and this
4 will be what the Southeast Council sends to the Office
5 of Subsistence Management that'll initiate the whole
6 regulatory process. So, yeah, just a simple yes and no
7 is adequate here.

8
9 CHAIRMAN BANGS: Okay, thank you. So
10 is everybody happy with the way that's worded, and
11 we'll have it before us as a proposal at the next
12 meeting.

13
14 (Council nods affirmatively)

15
16 CHAIRMAN BANGS: Okay. Next proposal.

17
18 MR. LARSON: Mr. Chair. The next
19 proposal deals with in-season manager's authority to
20 manage deer on Unit 2.

21
22 At one point the Board delegated the
23 in-season manager the authority to change the harvest
24 by one deer on Prince of Wales and they put it in
25 regulation. Since that time the Board has reissued
26 letters of authority that broadened their delegations
27 from the Board. At that point they've broadened the
28 powers that have been assigned to the in-season
29 managers. In this case for deer in Unit 2, however,
30 the regulatory language takes precedence and actually
31 constrains the ability of the in-season manager to act.
32 It's our suggestion that we remove, what we view as
33 outdated language from the regulations, that would be
34 consistent with another in-season manager's have.....

35
36 (Teleconference participant having
37 independent conversation interruption)

38
39 CHAIRMAN BANGS: Is there someone
40 online, could you please mute your phone.

41
42 (No comments)

43
44 CHAIRMAN BANGS: Thank you. Mr.
45 Larson.

46
47 MR. LARSON: So the regulation that we
48 would propose you would propose is to remove the
49 sentence in the deer regulations for Unit 2, it would
50 say:

1 The harvest limit may be reduced to
2 four deer based on conservation
3 concerns.
4
5 So we would just remove that from
6 regulation then, allow the in-season manager to do
7 whatever was in his authority granted by the Board in
8 his letter.
9
10 Thank you.
11
12 CHAIRMAN BANGS: Thank you, Mr. Larson.
13 Any discussion.
14
15 (No comments)
16
17 CHAIRMAN BANGS: Everyone happy with
18 the way that's worded.
19
20 (Council nods affirmatively)
21
22 CHAIRMAN BANGS: Okay. Thank you, Mr.
23 Larson. Next proposal.
24
25 MR. LARSON: Mr. Chair. The other
26 proposal dealing with deer in Unit 2 would specify that
27 in Unit 2 under Federal rules the deer harvest ticket
28 No. 5 would be designated as the doe harvest ticket and
29 that could be used out of sequence to mark the harvest
30 of a doe deer. There's been quite a bit of concern
31 regarding accountability of the doe harvest when any
32 ticket can e used to mark that doe deer where there's
33 only a one doe deer limit. This proposal will generate
34 a Staff analysis on that subject and you'll be able to
35 deliberate that question in the fall.
36
37 Thank you.
38
39 CHAIRMAN BANGS: Thank you, Robert.
40 Any discussion.
41
42 (No comments)
43
44 CHAIRMAN BANGS: Is everyone okay with
45 the way that's worded.
46
47 (Council nods affirmatively)
48
49 CHAIRMAN BANGS: Okay, sounds good.
50 Let's go to the next proposal.

1 MR. LARSON: Mr. Chair. The fifth
2 proposal that the Council wished to develop is a
3 consistency proposal with recent actions by the Board
4 of Game. The Board of Game allowed beaver trappers to
5 use a firearm in Southeast Alaska. The Council
6 actually submitted a regulation to the Board to adopt
7 that action, that proposal. This is a parallel
8 proposal to allow that same activity into Federal
9 subsistence rules that the State allowed under State
10 trapping rules.

11
12 CHAIRMAN BANGS: Thank you, Mr. Larson.
13 Any discussion.

14
15 (No comments)

16
17 CHAIRMAN BANGS: Everybody good with
18 that.

19
20 (Council nods affirmatively)

21
22 CHAIRMAN BANGS: Okay, sounds good. Is
23 that the last proposal.

24
25 MR. LARSON: Mr. Chair, that's the last
26 proposal.

27
28 CHAIRMAN BANGS: Okay. So we'll see
29 those in analysis proposal form at the next meeting.

30
31 So next on the agenda we have Mr.
32 Dennis Teitzel.

33
34 MR. TEITZEL: Teitzel.

35
36 CHAIRMAN BANGS: Teitzel, sorry.

37
38 MR. TEITZEL: Good morning. I'm Dennis
39 Teitzel, spelled T-E-I-T-Z-E-L. I'm the field manager
40 for the Bureau of Land Management out of the Glennallen
41 Field Office. I'm really here just to introduce myself
42 to the Board but also see if there's any issues of
43 concerns that you have with what's been going on.

44
45 A little bit of background, what's been
46 happening. Whether or not you know this, recently the
47 BLM did a redraw of the boundaries for the field
48 offices this last year and moved Southeast Alaska into
49 the Glennallen Field Office area from the Anchorage
50 Field Office area and so that's why I'm here from

1 Glennallen and not from Anchorage. We did this
2 alignment really just to get workload balanced a little
3 bit better and also to allow us to delve in and really
4 deal with some of the issues that are going on in
5 Southeast Alaska. Our land base down here is only
6 about 350,000 acres, most of it in Haines and then
7 sporadically small parcels here and there with the next
8 biggest chunk being here in Sitka.

9

10 The one issue we're dealing with here
11 is with the D'vex in Whiting Harbor and it's an
12 invasive tunacate from Asia and this is the only place
13 in Whiting Harbor where it's found in Alaska. It is
14 found in other places throughout the West Coast and
15 Whiting Harbor happens to be the only harbor owned by
16 the BLM so.....

17

18 (Laughter)

19

20 MR. TEITZEL:so it's unique in a
21 lot of different ways. So we're learning as we go
22 along in trying to get this done right.

23

24 We partnered with the state of Alaska,
25 ADF&G to start working on eradicating the tunacate.
26 You may have seen -- particularly those that were
27 local, this last winter we did a scoping proposal for a
28 test to start figuring out how to eradicate it. We're
29 partnered with ADF&G, ADF&G has brought in Smithsonian
30 Environmental Research Center, SERC to actually conduct
31 the test. And what's proposed and what hopefully will
32 happen is they're going to bring in -- put in some
33 domes, about a meter square about 80 of them, up to
34 120, 80's the minimum number they're shooting for and
35 they'll try a combination of treatments from rock salt
36 inside the dome to increase the salt content to kill
37 it, another test will be chlorine and another test will
38 be cement dust to see if they can smother it because
39 it's a filtration type of animal and then a combination
40 of salt and chlorine. And it's a 24 hour saturation of
41 the test and then come back a few weeks later and take
42 a look at it and see if it's started to kill it.
43 They've done this inside of a controlled environment in
44 tanks and so now we're trying it in the open water in
45 containment so they can get a high enough
46 concentrations -- is the big concern that they're
47 trying to figure out how to do. The test is scheduled
48 -- let me get back to that page -- sorry.....

49

50 (Pause)

1 MR. TEITZEL:here we go, sorry
2 about that.

3
4 Right now the initial test is supposed
5 to start May 28th to June 1st after the herring season
6 is over and the ADF&G really has the determination
7 local biologist to work with them to make sure that
8 everything is done and over and clear at that point.
9 Then they'll be back in the end of July to get the
10 results and see how that goes and then at that point in
11 time we'll actually start another -- we'll do another
12 environmental analysis based upon which treatment type
13 we want to move forward with and then see if, over the
14 next few years, we can get a project in place for
15 complete eradication or at least to the best of our
16 ability to minimize the potential spread in the area.

17
18 So that's really what we're doing. I
19 know it's been long in coming but we're trying to -- I
20 hate to say this, but I've only been responsible since
21 about January, so we're trying to move forward and get
22 things going.

23
24 Is there any questions or anything of
25 what we're doing or what we're trying to do.

26
27 CHAIRMAN BANGS: Do they know how it
28 got there.

29
30 MR. TEITZEL: Well, the belief is there
31 used to be an oyster farm there with some equipment and
32 the belief was when that equipment was brought in that
33 it was contaminated at that point in time. That's just
34 one of the theories. It could have, you know, broken
35 off of a ship passing by that had it on it. It could
36 have -- there's any number of theories of how it
37 happened. But that just seems to be the most plausible
38 in the discussions I've had.

39
40 CHAIRMAN BANGS: Any questions.

41
42 Mr. Hernandez.

43
44 MR. HERNANDEZ: Thank you, Mr. Chair.
45 This is one kind of a different topic. I don't know if
46 anybody else had any questions on the invasive species
47 but I wanted to ask the gentleman about something else
48 if I could.

49
50 MR. TEITZEL: Sure.

1 MR. HERNANDEZ: Is the BLM, are they
2 tasked with doing the surveys on the recent land
3 transfers there to Sealaska Corporation.

4
5 MR. TEITZEL: That was done through
6 another office and all those parcels should have been
7 surveyed. I know that's the standardized procedure
8 that they would have surveyed them and put in corner
9 markers to -- but surveying -- there's a variety of
10 methods and depending upon the risks involved and the
11 size of the parcel will determine which particular
12 method they use, if they do an actual on the ground
13 markers survey or if they just do a descriptive survey
14 based upon known markers in place, you know, from a
15 corner point that's already been marked and surveyed
16 and then they'll do a descriptive title, what they call
17 a descriptive title to do that without having to
18 physically go out on the ground and survey that.

19
20 It would have to be parcel by parcel to
21 look at which way they did it and which one was done.

22
23 MR. HERNANDEZ: Follow up. Is there
24 someplace that we could go to find out if -- there's a
25 parcel adjacent to my community there that we're a
26 little uncertain of where that actual boundary line is,
27 you know, we want to know.....

28
29 MR. TEITZEL: Uh-huh.
30
31 h.....you know, what jurisdiction when we're out there
32 using the land so is there a place where we can go and
33 find out exactly.

34
35 MR. TEITZEL: Yeah, I will leave you my
36 card and you can call my office and we can research
37 that for you. That's one of the things my lands folks
38 will do. They can research that for you and send you
39 the actual platt and everything so you've got that.

40
41 MR. HERNANDEZ: That would be great.

42
43 MR. TEITZEL: And that may be awhile
44 before they're -- you know the transfer only happened,
45 what, a week and a half ago and so it may be awhile
46 before those plats are available to us but we can get
47 those.

48
49 MR. HERNANDEZ: Yeah, if you could
50 provide me with a number there that'd be greatly

1 appreciated.
2
3 MR. TEITZEL: Yeah, I will.
4
5 MR. HERNANDEZ: Thank you.
6
7 MR. TEITZEL: Yes.
8
9 CHAIRMAN BANGS: Any other questions.
10
11 (No comments)
12
13 CHAIRMAN BANGS: Thank you, Dennis.
14
15 MR. TEITZEL: All right, thank you.
16
17 CHAIRMAN BANGS: We'll see you at our
18 other meetings, are you going to be coming to our
19 meetings or.....
20
21 MR. TEITZEL: Either myself or I'll try
22 to have somebody else down here, my subsistence
23 coordinator. We don't do much down here in Southeast
24 Alaska for subsistence, our bulk is GMU 13 with the
25 caribou and moose harvests there. But our plan is to
26 have somebody down here at least to hear what's going
27 on if you do have questions or concerns we can get
28 answers to them>
29
30 CHAIRMAN BANGS: Okay, thank you. Oh,
31 is there another question, okay, Frank, sorry.
32
33 MR. WRIGHT: How fast is that invasive
34 species, is it spreading.
35
36 MR. TEITZEL: Well, right now it's not
37 spreading very -- it does not appear to be spreading
38 very fast. It's contained within Whiting Harbor. It's
39 been there for a number of years. There doesn't appear
40 to be a vector for it to leave the harbor area and
41 that's -- you know, they closed down that oyster farm
42 that was there, cleaned the equipment, had it all
43 removed so that it doesn't have that potential for
44 spread. I believe the State actually closed the harbor
45 for boat traffic in there so we don't get it -- you
46 know, so that vector isn't available for spreading. It
47 spreads in a number of ways and one is it breaks off
48 and floats away with the tide and it can reattach and
49 start to grow. So that doesn't appear to have been
50 happening.

1 The actual area of coverage within that
2 harbor is only a few acres of coverage with the
3 invasive on it out of that whole area. It's not -- you
4 know, we're catching it at the beginning stages before
5 it really starts to spread and run. So hopefully we'll
6 get that done. But, you know, it does spread -- it
7 can, but usually, you know, on like a ship or something
8 and that's the belief of how it came here from Asia and
9 how it promulgated up and down the West Coast of the
10 United States, commercial shipping traffic.
11 Fortunately it's kind of an isolated harbor, not a lot
12 of traffic in there, not a lot of need for traffic
13 right there next to the airport and that. So it'd be
14 different if it was in one of the marinas or something
15 else, then there'd be a lot more risk to deal with.

16

17 MR. WRIGHT: Thank you.

18

19 CHAIRMAN BANGS: Any other questions.

20

21 (No comments)

22

23 CHAIRMAN BANGS: Thanks, again.

24

25 MR. TEITZEL: Thank you.

26

27 CHAIRMAN BANGS: Pat Heuer, you have a
28 report from the Forest Service.

29

30 MR. HEUER: Well, good morning
31 everybody. My name is Pat Heuer. I'm one of the
32 Forest Planners on the Tongass and I was asked to come
33 and just kind of give a little bit of an overview on
34 the status of the Forest Plan Amendment that we're
35 working on, and also the Tongass Advisory Committee,
36 which is working to inform and advise the Forest
37 Service in that process.

38

39 So I believe everyone got a little bit
40 of a handout, kind of a briefing paper that provided
41 kind of most of the information that we -- you know,
42 kind of a summary of where we're at with things and I
43 thought I'd go and give a little overview of that and
44 then open it up to questions if people have additional
45 questions I'll try to answer any questions folks may
46 have. And if I can't answer them maybe I can get an
47 answer and route those back through Bob to everyone.

48

49 Basically the Forest Plan Amendment
50 that we're working on is focused on renewable energy

1 development and young growth management. It's kind of
2 narrowly focused to provide and develop any changes in
3 management direction that are needed to guide the
4 transition to young growth management and development
5 of renewable energy projects on the Forest.
6

7 Currently the DEIS, the draft
8 environmental impact statement, which we're working on,
9 is scheduled to be out in August of this year, 2015.
10 Tetra Tech is the contractor that's been selected to do
11 the work for the Forest Service, we're working with
12 them very closely on that and they're currently in the
13 process of developing alternatives and finalizing
14 alternatives for the draft, which like I said will be
15 out for review for public comment that's scheduled to
16 be in August of this year and it'll be a 45 day comment
17 period and following comments on the draft we'll work
18 to respond to the comments and determine which changes,
19 or updates are needed for the final EIS and record of
20 decision and that's currently scheduled to come out in
21 August of 2016.
22

23 And as part of that process, the
24 Tongass Advisory Committee, I'm thinking most folks are
25 probably familiar or at least heard of the TAC, the TAC
26 was established to basically help guide the Forest
27 Service and provide a transparent and inclusive,
28 collaborative path forward in regards to young growth
29 management and transitioning the young growth
30 management on the Tongass and so they're working on
31 providing recommendations and advice to the Forest
32 Service. And their recommendations could be included
33 in one or more of the alternatives that will be in the
34 draft environmental impact statement. They've met six
35 times so far and they've got their final scheduled
36 meeting, which is for next week in Juneau. Their
37 website, which was included in the handout you have is
38 a good place to go, they've kept that up and it
39 provides the progress of their work. There's meeting
40 materials for all the different meetings, are included
41 on that website. The audio recordings from all the
42 meetings are there and the last meeting they had was in
43 February in Juneau and their draft recommendations are
44 now on that website. You could go there and review
45 their draft recommendations that they've come up with
46 so far. I believe this March meeting this next week,
47 they're going to be working to finalize those
48 recommendations and then also determine, I think, if
49 any other meetings are needed.
50

1 So I'm trying to think if there's
2 anything else specifically -- that's kind of a little
3 bit of an overview of where we're at. So I guess I'd
4 open it up to any questions folks might have.

5
6 CHAIRMAN BANGS: Thank you. Is there
7 any questions.

8
9 Mr. Hernandez.

10
11 MR. HERNANDEZ: Yeah, thank you, Mr.
12 Chairman. Now that the TAC is kind of coming to a
13 conclusion, could you give me some idea of what the
14 scope of their recommendations might be. I don't know,
15 are they talking about, you know, changes to existing
16 land management designations, are they talking about,
17 you know, changes to management plans. How much scope
18 do they have in the recommendations they can make.

19
20 MR. HEUER: The scope of their
21 recommendations, you know, is wide open, you know, as
22 far as they're concerned. They can provide any sort of
23 recommendations, I think, that they feel they'd like to
24 provide. As far as whether or not those
25 recommendations will be included in an alternative or a
26 separate alternative in the Forest Plan, in the draft,
27 I guess it'll -- the Forest Service will be looking at
28 those in relation to the purpose and need for the
29 Forest Plan Amendment and see how well they fit in and
30 it could be that maybe not all their recommendations
31 would be able to be included in an alternative or maybe
32 they could be. The scope of their recommendations, I
33 have not had a chance to read through their entire
34 draft recommendations, yet, I have not seen those. But
35 my guess is they include, you know, different, you
36 know, recommendations in relation to land use
37 designations, you know, where and changes that they
38 would like to see made in relation to the young growth.
39 But I can't state specifically. I would encourage you
40 to take a look at their draft recommendations on their
41 website. It's about a -- I just glanced at it
42 yesterday, it's about I think a 20 page document.

43
44 MR. HERNANDEZ: Thank you.

45
46 CHAIRMAN BANGS: Any other questions.

47
48 (No comments)

49
50 CHAIRMAN BANGS: Seeing none, thank

1 you, Pat.

2

3 MR. HEUER: You're welcome.

4

5 CHAIRMAN BANGS: Robert's going to put
6 a map up of where Whiting Harbor and the Makhnati
7 Islands of how -- just for our FYI.

8

9 (Pause)

10

11 MR. LARSON: Yeah, it's kind of a long
12 ways to see but I think you can get the idea that the
13 waters under Federal jurisdiction are in either the red
14 or the blue. And it.....

15

16 MR. SUMINSKI: May I.

17

18 MR. LARSON: Yeah, sure.

19

20 MR. SUMINSKI: This is the runway, the
21 airport runway, this is Whiting Harbor here. So it'd
22 be adjacent to the runway and in-bounded by the
23 causeway that goes out.

24

25 MR. LARSON: So that area that Dennis
26 was talking about with the invasive tunacate, as far as
27 I know, and there have been people looking around that
28 area that it's confined to the Whiting Harbor area.
29 Fairly close to, you know, where those oyster pens
30 were.

31

32 CHAIRMAN BANGS: Thank you, Mr. Larson.

33

34 Several years ago we had a meeting
35 here, the RAC did and they took us out on a boat and we
36 went by there but they don't allow any boats to go in
37 there and anchor or anything, it's kind of off limits
38 for everything. But, anyway, it's pretty amazing that
39 it stayed in there and didn't -- any questions.

40

41 (No comments)

42

43 CHAIRMAN BANGS: Okay, the next thing
44 that we have to decide on is where we're going to have
45 our meeting this fall.

46

47 Any suggestions.

48

49 Ms. Needham.

50

1 MS. NEEDHAM: Mr. Chair. Were we going
2 to discuss the rural determination before our agenda
3 Item 13.

4
5 CHAIRMAN BANGS: The two letters for
6 C&T recommendation and the rural determination, they're
7 not quite finished, they're in draft form, and I'll let
8 Mr. Larson speak to that.

9
10 MR. LARSON: I was hoping that we would
11 have these letters in a more complete form available
12 for the Council to give final review before they're
13 sent, that's always the cleanest way to do business,
14 those letters are not quite in that form as of yet.
15 What I suggest is that you give me a few days to make
16 them complete and I will -- we all have emails, I
17 suggest we -- we already have -- you've already
18 approved the content so all we're doing now is just
19 wordsmithing. But I do think it's important that the
20 Council have an opportunity to edit the words
21 themselves, so I would suggest that prior to actually
22 sending the letter, that I distribute the letter to the
23 Council and allow for a week or so review and back and
24 forth exchange prior to the letter actually, you know,
25 being sent from the Council.

26
27 CHAIRMAN BANGS: Cathy.

28
29 MS. NEEDHAM: Thank you, Mr. Chair. So
30 yesterday -- I want to make sure some of my comments
31 that I made actually make it into the rural
32 determination letter, if the rest of the Council
33 agrees, and I think that when I brought up the bullet
34 point about that I thought it would be a good
35 recommendation to make the proposals on rural
36 determination -- future proposals on rural
37 determination go through Regional Advisory Councils,
38 Mr. Larson had made comments about how that process
39 would happen anyway. But after our discussion I had a
40 conversation with him and it's not standard practice
41 for proposals for rural determination to actually come
42 through Regional Advisory Councils, and so I think the
43 discussion that we had on the record yesterday was a
44 little misleading and I would still like for that piece
45 to be included in the language, if the rest of the
46 Council agrees and I want to make sure that we give you
47 that direction.

48
49 And in addition to that, I also think
50 it's important that we add deference so I'd like to see

1 the letter reflect the deference discussion that we
2 had. I understand that the Board's policy is to give
3 Regional Advisory Council deference but as soon as the
4 Board make up changes there's the opportunity for a
5 different interpretation and if deference isn't set in
6 the regulation or -- it doesn't have to be the word,
7 deference, if it's not a legal term, but giving -- you
8 know, making rural determinations on Regional Advisory
9 -- with their input, I think really needs to happen, it
10 needs to read into that regulation somehow.

11
12 And then the final thing was that I
13 made note that Mr. Schroeder also wanted to make sure
14 that we added -- that we expressed that things be done
15 by 2017 when the current cycle expires so having this
16 new regulation be in it.

17
18 I don't know what else is going to go
19 into the letter, it would have been really nice to have
20 had that draft so that we could have these discussions
21 a little bit more. I thought that was one of the
22 reasons why we tabled it until this morning.

23
24 So those are just my points and I think
25 that it would be if other Council members can weigh in
26 if they agree or not on those three things.

27
28 CHAIRMAN BANGS: Thank you, Cathy. Any
29 discussion.

30
31 Art.

32
33 MR. BLOOM: Yes, thank you. Just,
34 first, in your first point, I wasn't clear -- I can't
35 remember exactly what you said but you weren't very
36 specific in what you wanted included there.

37
38 MS. NEEDHAM: Thanks, Mr. Bloom.

39
40 Yesterday I had brought up the
41 suggestion that if after this -- or if in our letter we
42 can mention to the Board that we think it's important
43 that future proposals on rural status be funneled
44 through the Regional Advisory Council. So currently if
45 rural determinations are made by the Board, and so they
46 don't necessarily come through this body. So if an
47 individual, and then that's within a small community
48 that's not organized, such as -- like an example would
49 be Pennock Island outside of Ketchikan, if they don't
50 make it on that rural list that they want to approach

1 the Board and ask for a rural determination, then they
2 would have to put forth -- theoretically they would
3 have to put forth a proposal to get rural status. And
4 so my suggestion is is that those proposals come
5 through this body. Because if they go directly to the
6 Board for that then it's going to get kicked back
7 anyway and it just streamlines the process. And then
8 in that respect we have our hearings through the
9 Regional Advisory Council who -- we understand our
10 region the best and then we would be able to make a
11 recommendation about rural status for that community.

12

13 But the letter doesn't have to go into
14 that kind of detail, I think just making a -- reminding
15 the Board that we want to remain at the forefront of
16 that process so that they can give us some type of
17 deference would be great.

18

19 CHAIRMAN BANGS: Yes. Art.

20

21 MR. BLOOM: Yes, thank you, Mike.

22 Well, I have actually a different view on this. I
23 don't quite agree with all your reasoning. You just
24 made a statement that it gets kicked back anyway, so --
25 but you also made a statement that it doesn't normally
26 go to the Regional Council, so that seems
27 contradictory. If it is going to get kicked back
28 anyway then I don't see why we need to be so concerned
29 about putting it into the letter.

30

31 You know, I don't have enough history,
32 I guess, to know what the normal procedure is or what
33 the historical procedure has been so like with one
34 issue that's been kind of controversial with Saxman,
35 whether -- how much discussion there was at the
36 Regional Council level.

37

38 MS. NEEDHAM: I guess I meant it could
39 get kicked back. Currently we don't make rural
40 determinations, the Board does.

41

42 CHAIRMAN BANGS: Go ahead.

43

44 MR. BLOOM: Thank you, Mike. I
45 understand that and that's also why I'm not sure that I
46 completely agree with the concern about deference
47 because it's not our -- it doesn't seem to be something
48 that we're supposed to be doing, it is a function of
49 the Board and not the Council. Also because deference
50 is, apparently, I keep hearing, not a legal term. It

1 is the Board's function and it's their responsibility
2 to make those determinations.

3

4 CHAIRMAN BANGS: Any more discussion.

5

6 (No comments)

7

8 CHAIRMAN BANGS: I'd like to say I
9 personally appreciate Cathy's comments. I think it's
10 important that these decisions are brought through this
11 Council because we are on the ground floor, basically,
12 we're boots on the ground, and I think it's important
13 that we at least are able to weigh in and be aware of
14 any changes in rural status or any applications for
15 changes.

16

17 I think Cathy's idea is a good one
18 myself.

19

20 Anyone else.

21

22 Mr. Schroeder and then Mr. Yeager.

23

24 MR. SCHROEDER: Earlier on in the whole
25 process of rural determination the Council went on
26 record saying that really it was due deference in this
27 respect, the same way it's due deference for
28 regulations affecting fish and wildlife. So I'd just
29 point that out, that the position of the Council I
30 don't think has changed.

31

32 CHAIRMAN BANGS: Mr. Yeager.

33

34 MR. YEAGER: Thank you, Mr. Chair. I
35 also agree with Cathy's comments and I feel the
36 importance needs to be reiterated in that letter that I
37 feel that the Board would require our comments and our
38 input on anything regarding rural determination in our
39 area of responsibility. So I think that has to be
40 included.

41

42 CHAIRMAN BANGS: Thank you. Mr.
43 Jackson.

44

45 MR. JACKSON: Mr. Chairman. I, too,
46 agree. A lot of it has to do with the history of the
47 area and that we've been told basically who's been
48 there and with Saxman they have told us how long they
49 have been there, who has been included in their area
50 and I just agree that, you know, it should come through

1 us because of the history that this Board has with all
2 the things that have been going on for rural and
3 nonrural.

4

5 Thank you.

6

7 CHAIRMAN BANGS: Thank you, Ken. Any
8 other discussion.

9

10 (No comments)

11

12 CHAIRMAN BANGS: So what's the wish of
13 the Council, anything else we want to add to this
14 letter or do you feel comfortable with adding that and
15 we can look at the letter when it comes out and edit it
16 at that point. Mr. Larson -- yeah, we're going to take
17 a 10 minute break.

18

19 MR. LARSON: Yeah, we need to have a
20 discussion here.

21

22 CHAIRMAN BANGS: Okay. We'll take a 10
23 minute stand down and figure this out, how we're going
24 to go about it.

25

26 (Off record)

27

28 (On record)

29

30 CHAIRMAN BANGS: Okay, I think we're
31 ready. I think the wordsmithing is taken care of so if
32 everybody could get back to their seats and we can
33 start.

34

35 (Pause)

36

37 CHAIRMAN BANGS: Okay, Mr. Larson,
38 could you.

39

40 MR. LARSON: Mr. Chair. The draft
41 letter regarding Council's comments on the customary
42 and traditional -- or the rural determination -- or the
43 proposed rural rule is on the screen. I apologize that
44 it's difficult for some of us to see that, perhaps it
45 would be best if I could maybe read it, make it a
46 little bit larger here. Is that helpful.

47

48 CHAIRMAN BANGS: Yes, a little.

49

50 MR. LARSON: Okay. So would you like

1 me to read it or.....

2

3 CHAIRMAN BANGS: Go ahead and read it.

4

5 MR. LARSON:and then my
6 suggestion is whenever it seems like it's a good time
7 for a break and if you want to have a discussion just
8 tell me to stop reading.

9

10 MR. SCHROEDER: Bob, could you print a
11 couple of copies out.

12

13 MR. LARSON: I can print a couple of
14 copies.

15

16 MR. SCHROEDER: You have that little
17 machine so.....

18

19 MR. LARSON: Yes, that's not an issue
20 here.

21

22 (Pause)

23

24 MR. LARSON: I think we all have copies
25 now, there's at least one for everybody to look at.
26 And how do you wish me to proceed, do you want me to
27 read it or since we've already got it, do you just want
28 to take comments or what do you want to do.

29

30 Yes, are we back on record.

31

32 REPORTER: Yes.

33

34 MR. LARSON: Yeah, good, okay.

35

36 CHAIRMAN BANGS: I think we could just
37 look it over and any discussion we could do that at
38 this point.

39

40 (Pause)

41

42 CHAIRMAN BANGS: Any comments or
43 questions, additions.

44

45 Mr. Schroeder.

46

47 MR. SCHROEDER: I think that it's sort
48 of a strange one because I think the Council really
49 knows where it's at on this but it's a little bit
50 difficult to put the words on it. And I think quite

1 clearly we're in favor of this proposed rule. The
2 proposed rule is a vast improvement of the previous
3 rule which required a review of rural status every 10
4 years which put communities on the spot and that
5 obviously has dragged the program down and put the
6 communities in our region, particularly Saxman and then
7 sometimes Sitka, really in the hot seat.

8

9 Exactly what we want to express beyond
10 the support for this, I think we need a little bit more
11 work there.

12

13 In terms of deference, I'm in complete
14 accord with Cathy and other Council members who believe
15 that that is part of what needs to take place. The
16 Council, previously, as I have said, has maintained
17 that it's not asking for deference, that this is
18 something that we have already in our charter and in
19 the stipulations of ANILCA. So how we get that -- how
20 we put that in this letter in a succinct and clear way,
21 I think that's what we're working on.

22

23 And then I have another comment later
24 on.

25

26 CHAIRMAN BANGS: Anyone else have any
27 comments.

28

29 MR. LARSON: Mr. Chair. If you look at
30 the letter there is the exact words from the proposed
31 rule, I've included, and right immediately above that I
32 say that the Council recommends proposed regulations be
33 changed as follows, and, of course, I made no changes
34 so if there was -- you know, that would be the place if
35 you wanted to change the regulation, you know, we would
36 amend that language.

37

38 But, anyway, that's -- if you're
39 looking for a change there there is none. That's all I
40 wanted to make clear.

41

42 CHAIRMAN BANGS: Thank you, Mr. Larson.
43 So do we want to add any changes.

44

45 (No comments)

46

47 CHAIRMAN BANGS: I would like to see a
48 change in the recommendation that Cathy put forward by
49 the -- before the Board is -- not just deference, but I
50 think instead of going backwards like we did in the

1 past, we wouldn't be here if it would have went through
2 the Council first, I think we would have been able to
3 have expressed our concerns and give us the deference
4 as far as making a decision on a rural determination.
5 So we could have said our peace before the fact, rather
6 than have a proposed change and a determination come
7 back to us and then we had to put Saxman appeal -- or
8 basically appeal the determination and so now it's been
9 how many years trying to figure this out.

10

11 So I think Cathy's point in having the
12 proposed changes in rural status come before us first
13 so that the Board could make an informed decision
14 rather than the other way around. I don't know if
15 that's something that the Council would want to put as
16 a change in it but maybe a recommendation to include.

17

18 Anybody have any comments.

19

20 Bob.

21

22 MR. SCHROEDER: I really agree with
23 that. I'm trying to figure out where that fits. I
24 think we don't have very much likelihood of having that
25 be part of the regulation itself but I'd just like
26 Cathy to weigh in on whether she thinks that should be
27 in the regulation or is that in our suggestions on what
28 happens next.

29

30 CHAIRMAN BANGS: Cathy.

31

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

33

34 In our discussions I think the take
35 home message that I got was if it's not in regulation
36 it can change or interpret -- policy only has to follow
37 regulation and so any developed policy could have it in
38 there now but the interpretation of that policy may be
39 different as the composition of those implementing that
40 policy changes over time. So the only true way to
41 assure that Regional Advisory Council have that input
42 is if it is in regulation. In one suggested change
43 that I talked with Ms. Kenner about potentially doing
44 is saying:

45

46 In Part A, have it say the Board, with
47 input from Regional Advisory Councils,
48 determines which areas of the
49 communities in Alaska are nonrural.

50

1 And the rest remains the same.

2

3 And then that would put it in
4 regulation and any policy would have to be developed to
5 adhere to that regulation. It doesn't use the word
6 deference just because it doesn't quite fit that way
7 but at least it puts -- it requires input through these
8 bodies to the Board.

9

10 CHAIRMAN BANGS: Thank you, Cathy. My
11 feelings are that that's probably a good direction.
12 That's the way proposals that are brought before fish
13 and wildlife issues, they come to us first and I think
14 that would be a good way to go about it.

15

16 Mr. Bloom.

17

18 MR. BLOOM: Yeah, I just wonder what
19 the implications are of proposing a change to the
20 regulation in terms of, you know, this has been in the
21 Federal Register, I am assuming, and if any changes
22 were made to the regulation it would have to be put
23 back in the Federal regulation, there'd probably have
24 to be -- all these hearings over again and we'd be --
25 it'd probably take a long time as things do in the
26 bureaucracy. Is that accurate.

27

28 CHAIRMAN BANGS: Mr. Larson.

29

30 MR. LARSON: Mr. Chair. The proposed
31 rule -- as written in the Federal Register is that,
32 it's designed to solicit input and there is -- I
33 believe, an expectation that it may not end up being a
34 final rule without modifications. So the reason to
35 have a proposed rule is to provide adequate notice for
36 people to comment and so the ultimate final action
37 would reflect those comments based on the proposed
38 rule. So, no, I would think there's almost certainly
39 an expectation that there'll be amendments someplace
40 but I am not aware of what that process is going to be,
41 we're still in the public review process, the end of
42 that.

43

44 CHAIRMAN BANGS: Thank you, Mr. Larson.
45 That's -- I think that's why we're here and it's
46 proposed.

47

48 Any comments.

49

50 Mr. Douville.

1 MR. DOUVILLE: I agree with what we
2 have here and I agree with Cathy and Mr. Schroeder.
3 The only thing is -- I said this yesterday, should this
4 process get bogged down I would also -- I don't know
5 how you would do it, request that Saxman have a stay so
6 they don't lose their rural status while this is being
7 taken care of. But I think in some point in this, you
8 mentioned that you wanted it done by 2017, but I guess
9 it's a risk that it may not happen but, anyway,
10 hopefully you understand what I'm saying.

11
12 CHAIRMAN BANGS: Thank you, Mr.
13 Douville. That's a good point. We don't want time to
14 run out on their window of appeal, basically.

15
16 Anyone else.

17
18 Mr. Yeager.

19
20 MR. YEAGER: Thank you, Mr. Chair. I
21 agree with the addition that Cathy mentioned in Item A.
22 And I also feel that there should be reference to that
23 expiration of 2017 in the body of the letter.

24
25 CHAIRMAN BANGS: Thank you. Anybody
26 else.

27
28 Don.

29
30 MR. HERNANDEZ: Yeah, thank you, Mr.
31 Chairman. I think I agree with what everybody else has
32 said here. I think this is the right opportunity to
33 insert wording into the proposed regulation. I believe
34 that is what the intent of these hearings have been
35 about. The exact wording is tricky. What Cathy
36 proposed there, inserting the words, with Council
37 input, I don't know if we can't think of something that
38 would be stronger than that. I mean it leaves a little
39 bit of interpretation as to whether that implies
40 deference. But I think if we state that in a letter,
41 you know, that'll accompany this, that we -- you know,
42 they know what our intent what that change is, that
43 might be adequate and let them come up with the exact
44 wording, what would work legally. I think John made a
45 good point, the letter, I don't think it was included
46 in there that we would hope that this rule could be
47 finalized before the deadline before the appeal process
48 runs out. I think that should be added to the letter
49 as well.
50

1 CHAIRMAN BANGS: Thank you, Don.
2
3 Art.
4
5 MR. BLOOM: Yeah, I just want to make
6 sure that I'm understood here, that I am in favor of
7 the concept here and I also think that the wording up
8 that was up on the screen there in front of us would be
9 appropriate. I was just more concerned with the
10 process of getting to this point.
11
12 CHAIRMAN BANGS: Thank you, Art.
13
14 Any other comments.
15
16
17 (No comments)
18
19 CHAIRMAN BANGS: Maybe what we could do
20 to the letter is add the concerns that several have
21 mentioned about the sunset and hopefully it'll be
22 resolved or Saxman would not be returned to nonrural
23 status after 2017. Maybe something to that effect
24 could be put in the letter.
25
26 Cathy.
27
28 MS. NEEDHAM: I'm sorry, was that a
29 question.
30
31 CHAIRMAN BANGS: No, I thought you had
32 your hand raised.
33
34 MS. NEEDHAM: No.
35
36 CHAIRMAN BANGS: Okay, sorry.
37
38 Anybody else.
39
40 (No comments)
41
42 CHAIRMAN BANGS: I'm not sure how we
43 would word to the effect to not let the sunset happen
44 before a rural change is made.
45
46 Mr. Larson.
47
48 MR. LARSON: I think that's inherent in
49 this whole process that the rural determinations are
50 going to be completed, you know, prior to the time when

1 Saxman would revert back to begin a nonrural community
2 and I think that that -- I'm looking towards Pippa or
3 Chris for some thumbs up that that's the intent of the
4 Board right now; is that not correct.

5
6 MS. KENNER: Thumbs up.

7
8 MR. LARSON: Yes, I'm getting a thumb's
9 up that that's why we're going through this process in
10 the time that we're doing it and that's the Board's
11 intent.

12
13 CHAIRMAN BANGS: Thank you.

14
15 Cathy.

16
17 MS. NEEDHAM: Mr. Chair. Mr. Larson,
18 can you still add it to our letter that we support that
19 please.

20
21 CHAIRMAN BANGS: Any other discussion.

22
23 (No comments)

24
25 CHAIRMAN BANGS: I think what the
26 Council would need to now is just make a motion to
27 approve the content of the letter and send it to the
28 Board. We'll give -- Mr. Douville.

29
30 MR. DOUVILLE: Mr. Chairman, I so move.

31
32 MR. HERNANDEZ: Second.

33
34 CHAIRMAN BANGS: Okay. It's been moved
35 and seconded to approve the letter and move it on to
36 the Board.

37
38 Mr. Schroeder.

39
40 MR. SCHROEDER: Mr. Chair. Pippa
41 provided some supporting materials that she was able to
42 provide earlier -- some of the earlier communications
43 from the Council on the urban/rural issue. And I don't
44 think she found all of them, I think there are a couple
45 of later ones and I'd like to ask our Council
46 coordinator to work with Pippa to uncover the whole
47 treasure trove of what we've said in the past and to my
48 recollection it's exactly consistent with what we're
49 doing now. So I don't think there's anything in there
50 that was going in a different direction, and I think

1 that would make this submission a good deal stronger
2 because it shows our commitment over time.

3

4 Then I have one more comment when we
5 get around to it.

6

7 CHAIRMAN BANGS: Okay, thank you, Bob.
8 I agree. I think it's good to show the Board, because
9 they're different members than there were in the past,
10 if we show a good strong public record of our actions
11 in the past. I think it would be a good thing for us
12 to do, to show them our public input.

13

14 Mr. Larson.

15

16 MR. LARSON: So I'd just like some
17 verification that the last sentence that we've amended
18 and is up on the screen captures the intent of the
19 Council adequately.

20

21 (Pause)

22

23 CHAIRMAN BANGS: Mr. Bloom.

24

25 MR. BLOOM: The only thing that I would
26 say is that this is really about the process of rural
27 determination and not about a particular issue, which
28 the Board will be reviewing once there's a new process,
29 so I would be somewhat we would be concerned that we'd
30 be wording it that way, the way it's worded.

31

32 CHAIRMAN BANGS: What specifically are
33 you referring to?

34

35 MR. BLOOM: It clearly refers to one
36 specific issue, which is the village of Saxman, which
37 will not be automatically -- it will not automatically
38 remain rural because it would seem that the Board would
39 have to make a new determination based on the new
40 process, unless there's something I don't understand.
41 And in that case the letter's going beyond the process,
42 which is what the whole public hearing was about.

43

44 CHAIRMAN BANGS: Mr. Larson, did you
45 have a comment to clarify.

46

47 MR. LARSON: No, I think Mr. Bloom has
48 captured that perfectly. The new process is the
49 recommendations that the Board is looking for. The new
50 process will have to be in place and when they review

1 the rural status there'll be a new proposed rule which
2 will list, not the rural communities, but the new
3 proposed rule will list the nonrural communities. At
4 that point the Council and the Board will have an
5 analysis of which communities and there'll be another
6 process, similar to this, where we will weigh in on
7 which communities are -- would be more appropriately
8 rural or nonrural. But at this point we're talking
9 about which process the Board is going to use to make
10 those determinations.

11
12 CHAIRMAN BANGS: Thank you. I'm trying
13 to grasp the idea of trying to make the Board aware
14 that we want this done before Saxman's time runs out.
15 So if it doesn't belong with this document for the
16 proposed rule, maybe just a simple letter to a company
17 saying that the Council is requesting that the Board be
18 expedient in getting this done so that Saxman's time
19 doesn't run out. Maybe it has to be a separate letter
20 but I think it needs to be conveyed to the Board that
21 we're concerned that they need to make action happen.

22
23 MR. LARSON: Yes, Mr. Chair. The
24 proposed timeline for the new process and the actual
25 rural determinations is designed to accommodate the
26 time that the Board held their previous decisions in
27 abeyance regarding Saxman and a number of the other
28 communities that had changed their rural/nonrural
29 status. So there's I think five or seven communities
30 involved in this hiatus status right now.

31
32 But that is integral into moving this
33 process forward. So it's -- you know the Council can
34 do whatever they want and I will include it in whenever
35 they want but that is the Board's intent.

36
37 CHAIRMAN BANGS: Thank you, Mr. Larson.

38
39 Mr. Bloom.

40
41 MR. BLOOM: Yes, thank you, Mike.
42 Might I just suggest then that instead of -- we change
43 the wording so that it's -- and I agree with what Mike
44 is trying to get at but it should say implemented in
45 time or prior to this particular date that comes up and
46 whatever's involved in that. I don't, obviously, have
47 the exact words but there is a date at which those
48 stays will become effective and it should be prior to
49 that -- implemented prior to that timeframe.

50

1 CHAIRMAN BANGS: Thank you, Art.
2
3 The reason I even said that just
4 listening to the discussion of the Council I think
5 that's an issue that we want to make sure is made
6 aware, other than that I'm not sure what the venue
7 would be but that was my point.
8
9 Any other discussion.
10
11 MR. LARSON: We will fix that, we can
12 put the date in there.
13
14 CHAIRMAN BANGS: Okay. Any other
15 discussion.
16
17 Mr. Schroeder.
18
19 MR. SCHROEDER: Well, I have sort of a
20 general comment to make and that is, what the Council's
21 concerned with is, well, what is next -- what happens
22 next and so I think that's what we're attempting to
23 discuss here and we really don't know what will happen
24 next on rural determinations. We will point out that
25 there is nothing in ANILCA that says that rural
26 determinations have to be done. That that was -- the
27 decision to go ahead and do rural determinations was
28 made by the State primarily as a way to define who is
29 eligible for subsistence and frankly to limit the
30 number of people who would be eligible.
31
32 The Federal government took on that
33 task when it assumed management to stay very close to
34 State regulations. The only firm information or firm
35 direction from Congress on rural determinations --
36 who's rural and who isn't rural is in the Legislative
37 history of ANILCA and so that's pretty solid and that
38 identifies the main, what almost everyone considers
39 urban communities in Alaska, which are Fairbanks,
40 Anchorage, Juneau and Ketchikan as urban places. And
41 so that's really firm. Perhaps the Federal Board, in
42 its wisdom will defer to the Congressional intent which
43 considered everybody else to be rural.
44
45 CHAIRMAN BANGS: Thank you, Bob. Okay.
46 Any other discussion.
47
48 (No comments)
49
50 CHAIRMAN BANGS: We have a motion on

1 the floor to accept the letter and send it on to the
2 Federal Board.

3

4

Mr. Wright.

5

6 MR. WRIGHT: Thank you, Mr. Chair. I
7 agree with the process that's happening right now. You
8 know, I think that Saxman's been, like Lee had said
9 that he's tired of going to every meeting and having to
10 bring this issue up and I think that if it's at all
11 possible that we could get this presented to the Board
12 before the deadline then get it approved because I'm
13 thinking that, you know, Mr. Wallace is tired of having
14 to deal with this issue every time and, you know, we,
15 as a Council have dealt with this every time, too, you
16 know. And, you know, I'm glad the way the process
17 right now is going and I think that it'll be -- you
18 know it's like the young person when he was up here and
19 he was talking that -- that was talking, he was saying
20 that the Board relies heavily on the comments and the
21 decisions that the Council makes on their
22 recommendations, and in the past few, how many years
23 that I've been here, we've been dealing with this,
24 there's a lot of comments that were being made and, you
25 know, I think that -- and all in favor. I don't --
26 there may be one or two that had commented -- you know,
27 had comments against it, but I certainly don't remember
28 that, it's always been in favor of making Saxman -- you
29 know, Saxman is a Native village.

30

31

And that's -- to me that's unethical to
32 put them in a position where they can't be kind of like
33 who I am, a Tlingit, you know, so it's kind of two
34 wrongs don't make a right, you know, the Federal
35 government put them in a situation where they're -- you
36 know, taking their identity away, you know, and that's
37 one of the things that I always -- I will always talk
38 about that, when you take one part of you away then
39 you're eliminating who they are.

40

41

The Federal government always talks
42 about taking care of the sea lions because they're
43 endangered, taking care of all these indigenous animals
44 that are within our region, but never talk about one of
45 the most indigenous people that are within the area,
46 which is the people that have been here for thousands
47 of years. I'm glad this Board -- this Council's always
48 been in favor and I'm proud to be part of the process.

49

50

Gunalcheesh.

1 CHAIRMAN BANGS: Thank you, Frank.
2
3 So is there any more discussion.
4
5 MR. LARSON: Mr. Chair.
6
7 CHAIRMAN BANGS: Mr. Larson.
8
9 MR. LARSON: Mr. Chair. There's been
10 some discussions regarding the dates, and it's called
11 the five year compliance date extension period so
12 that's the date that the rural determinations that were
13 held in abeyance. May 7th of 2017 is the date that the
14 previous Board action will take in effect, so that has
15 -- for Saxman, that's the date that it would become
16 nonrural again. If you look on the timeline on this
17 figure you'll see a big red star on that timeline and
18 it's -- there's a January 15th and the star is right on
19 the righthand side of it and that's where we are at
20 this point so the process we're in is commenting on the
21 proposed rule. The intent of the Board is to make a
22 final determination and publish the final rule a year
23 from now. That would allow the Board between 2016 and
24 May of 2017, that time period to publish the proposed
25 rule and have rural determination under the new rules.
26 So that is the intent of the process we're undergoing
27 right now.
28
29 CHAIRMAN BANGS: Thank you, Mr. Larson.
30
31 Is there any more discussion.
32
33 John.
34
35 MR. YEAGER: Question.
36
37 CHAIRMAN BANGS: Question's been called
38 for to send the letter that we've grappled with here
39 for the past couple hours and move it towards the Board
40 for consideration. All those in favor say aye.
41
42 IN UNISON: Aye.
43
44 CHAIRMAN BANGS: All those opposed.
45
46 (No opposing votes)
47
48 CHAIRMAN BANGS: Motion carries. Thank
49 you. The other thing left on the agenda is to finalize
50 our adoption of our annual report. It's on Page 70 of

1 your book. And we've added another issue and it had to
2 do with making them aware of correspondence, our
3 concerns about our correspondence not being conveyed in
4 a timely manner. I think maybe Mr. Schroeder could
5 give us some words that we felt comfortable with. I
6 think you were the one that brought that up that
7 correspondence would be something that we needed to put
8 in there in the annual report.

9

10 Cathy.

11

12 MS. NEEDHAM: Mr. Chair. I thought we
13 were allowing Staff time to develop that issue so that
14 we could see it up on the screen today because we did
15 discuss it quite a bit yesterday.

16

17 CHAIRMAN BANGS: That's correct.

18

19 I'll give Robert a minute. I just
20 wanted to make sure because I know Mr. Schroeder had
21 some eloquent words that I was hoping he could
22 recapture.

23

24 (Pause)

25

26 CHAIRMAN BANGS: Mr. Schroeder.

27

28 MR. SCHROEDER: Just while Robert's --
29 I'm not sure he has something that he's going to put up
30 for us but just, you know, I think the -- I didn't hear
31 any objection on the Council for wanting our
32 correspondence to go through, I mean that would be kind
33 of weird.

34

35 (Laughter)

36

37 MR. SCHROEDER: But I guess it's how
38 strongly the Council would want to state that and, you
39 know, there's probably a whole level of, gee, would you
40 please see if you could get our correspondence out
41 there if you can level, to if you don't do it we're
42 just going to send it ourselves.

43

44 (Laughter)

45

46 MR. SCHROEDER: And I'll point out that
47 there isn't any requirement that -- that the
48 requirement that we work through the current
49 correspondence policy is at the level of an agreement
50 and it's generally worked pretty well but if we're not

1 getting things through the Council may wish to do
2 something else.

3

4 MR. LARSON: Mr. Chair.

5

6 CHAIRMAN BANGS: Thank you, Mr.
7 Schroeder.

8

9 Mr. Larson.

10

11 MR. LARSON: Mr. Chair. I have
12 included those items that the Council referenced in
13 previous conversations in the annual report. I have
14 not printed copies for the Council members, but it is
15 on the screen and the part that has been amended, other
16 than some minor wordsmithing is highlighted in yellow.

17

18 At one point there was a discussion
19 under Issue One to add a sentence, I'll read it for
20 you:

21

22 The Council would appreciate any
23 support the Board can provide to
24 initiate a water quality monitoring
25 program on the TransBoundary Rivers.

26

27 And that's in relationship to the
28 previous sentence about TransBoundary mining.

29

30 Under Issue No. 3, there was some
31 additional discussions regarding the North Pacific
32 Fisheries Management Council so I've added a sentence
33 that says:

34

35 In addition to increasing
36 representation for subsistence users on
37 the North Pacific Fisheries Management
38 Council, the Council request the Board
39 engage the North Pacific Fisheries
40 Management Council to reduce the
41 incidental harvest of salmon and
42 halibut in the Gulf of Alaska and
43 Bering Sea trawl fisheries.

44

45 I've seen some recent correspondence
46 and this is on the agenda for the North Pacific
47 Fisheries Management Council at some of their upcoming
48 meetings.

49

50 Issue No. 4 is the discussions that the

1 Council has had regarding the correspondence, the
2 process. I know it doesn't show very well, maybe it'd
3 be best if I read it to you.

4
5 Issue 4. Improvements are needed for
6 the Board's correspondence process.
7 The Council has an opportunity to meet
8 only twice each year. Considerable
9 effort is expended to use those few
10 days to develop important
11 communications with the Board and other
12 management agencies. Restricting this
13 exchange of information diminishes the
14 effectiveness of the Council. The
15 Council's an important component of the
16 Subsistence Program and with the Office
17 of Subsistence and the Board provides
18 necessary opportunities for the public
19 and other non-government groups and
20 governmental agencies to share
21 information. Delays in distribution of
22 Council correspondence diminish the
23 effectiveness of the Council's
24 recommendation and public comments.

25
26 As an example, the Council's comments
27 to the State Boards of Game and the
28 State Board of Fisheries was not
29 provided to those bodies prior to the
30 day of the meeting.

31
32 The Council recommends the Board review
33 the internal processes used to approve
34 and distribute Council correspondence
35 to allow for a timely distribution.

36
37 CHAIRMAN BANGS: Thank you, Mr. Larson.

38
39 I would entertain a motion to adopt the
40 annual report as amended.

41
42 MR. SCHROEDER: Motion to adopt.

43
44 CHAIRMAN BANGS: It's been moved to
45 adopt.

46
47 MR. DOUVILLE: Second.

48
49 CHAIRMAN BANGS: And seconded.

50

1 Any discussion.

2

3 Mr. Schroeder.

4

5 MR. SCHROEDER: I'm wondering if there
6 is some way to get a more immediate response on the
7 correspondence issue because, you know, it would be
8 kind of strange if you wait six months until our fall
9 meeting to find out whether or not a letter's been
10 sent. So I'm not sure exactly how we do that in terms
11 of the annual report, I know there's a process for
12 doing that.

13

14 But perhaps, Robert, could you get back
15 to us earlier than that. I'd say that this is
16 something that the Council is very concerned about and
17 that I think we want action on that.

18

19 MR. LARSON: Mr. Chair. I've actually
20 been in communications with the Office of Subsistence
21 Management and it is not their intention to diminish
22 the effectiveness of the Council by not providing for
23 timely distributions of correspondence. This is a
24 fairly high priority item for them to deal with
25 internally and I could guarantee that they're not going
26 to wait until the next Council meeting to deal with it.
27 So this is something that they will deal with.

28

29 They'll report back what actions have
30 been taken but those actions are going to be taken much
31 sooner than, you know, the next Council meeting.

32

33 Thank you.

34

35 CHAIRMAN BANGS: Thank you, Mr. Larson.
36 Mr. Schroeder.

37

38 MR. SCHROEDER: I guess the one item
39 that seems to be out there in the netherlands right now
40 is Council comments on TransBoundary issues, which may
41 have languished for a really long time, so maybe that's
42 sort of a special case as well, a slightly separate
43 case.

44

45 CHAIRMAN BANGS: Thank you, Bob.

46

47 MR. BLOOM: Thank you, Mike.

48

49 Appropriate to Bob's comments, might I
50 suggest an amendment that we change the word

1 restricting this exchange to just restriction of the
2 change because obviously restricting sounds like an
3 action that someone purposely took. So I would suggest
4 that we amend it to say restriction of the exchange.

5

6 CHAIRMAN BANGS: Any other comments.

7

8 (No comments)

9

10 CHAIRMAN BANGS: I think at least we're
11 getting the Board informed on our concerns about
12 communication although OSM is aware and that's where
13 the communications goes.

14

15 Cathy.

16

17 MS. NEEDHAM: Thank you, Mr. Chair.
18 Yesterday I had reminded that at the beginning of the
19 meeting I had added an agenda item about getting a
20 status of our TransBoundary Mining letter and when I
21 brought it up at the end of the day yesterday Mr.
22 Larson said that I needed to -- that it was more
23 appropriate to handle it while we were talking about
24 TransBoundary in the annual letter so I was wondering
25 if we could get a status of our TransBoundary Mining
26 letter and whether or not it had been forwarded on to
27 the Secretary of the State and where it sits.

28

29 CHAIRMAN BANGS: Mr. Larson.

30

31 MR. LARSON: Mr. Chair. In my
32 discussions I do know that the Secretary of the
33 Interior and Secretary of Agriculture, they have the
34 letter, the Council's letter was forwarded with a
35 letter from the Board. The Secretary of the Interior
36 responded, said that, you know, it was -- thank you
37 very much and it was being taken seriously, it didn't
38 exactly say what they were going to do with it but at
39 least we had a response from the Secretary of the
40 Interior. We have not had a response back from the
41 Secretary of Agriculture. I have no way of knowing
42 whether or not the Council's letter and the Board's
43 correspondence that is associated with that has been
44 forwarded to the Secretary of State.

45

46 CHAIRMAN BANGS: Thank you, Bob.

47

48 Mr. Schroeder.

49

50 MR. SCHROEDER: Just a question on that

1 Robert. Beth Pendleton is our Board member from Forest
2 Service and in many areas the Secretary of Agriculture
3 has designated the Regional Forester as the lead on all
4 subsistence issues, could this go through Beth or is
5 this a different matter completely since this is a
6 subsistence issue.

7

8 MR. LARSON: Mr. Chair. Any
9 correspondence that is outside of acting as a
10 representative for the Subsistence Program, as defined
11 by inclusion with the Office of Subsistence Management,
12 those authorities and responsibilities are retained
13 within the actual Secretary of Agriculture. So it
14 would not be appropriate. And Beth really does not
15 have the authority to forward this to the Secretary of
16 State, that authority is retained by the actual
17 Secretary of Agriculture.

18

19 CHAIRMAN BANGS: Thank you, Bob.
20 Cathy.

21

22 MS. NEEDHAM: Thank you, Mr. Chair.
23 There is a Secretarial Review and in that Secretarial
24 Review, I believe, is where it stated that if Regional
25 Advisory Councils had issues of concern that were
26 outside of the Secretary of Agriculture or Secretary of
27 Interior purview that we should bring that to their
28 attention to be forwarded or discussed or brought
29 forward, you know, if there were issues about
30 subsistence that were under other Secretaries purview,
31 which is the whole point of the whole reasons, or the
32 avenue why we wrote our letter a year ago and asked for
33 it to be submitted. And so it's frustrating that they
34 asked us to identify issues but they're still not going
35 to take those issues to the other Secretaries, that it
36 falls under their jurisdiction.

37

38 And then in that respect, I think our
39 language in this Issue No. 1 needs to be a little bit
40 clearer that, you know, we stated that we had an
41 original letter in March and we had a followup letter
42 in October and still nothing has been -- the message
43 about our region's concerns of TransBoundary Mining
44 have not been really elevated outside of the current
45 jurisdiction of the Agriculture and Interior and I mean
46 what's the point in asking us to go through this
47 exercise if nothing is going to be done and it's not
48 going to be forwarded. And so I just think that this
49 -- I don't know if it goes with Issue 1 or Issue 4,
50 it's kind of a correspondence issue as well as the

1 TransBoundary Mining issue. But I think it's important
2 and I don't necessarily want to wait another six months
3 to get the same report that we just got from Steve
4 Kessler in Wrangell in October that it hasn't gone
5 anywhere.

6

7 CHAIRMAN BANGS: Thank you, Cathy.

8

9 So what's the wish of the Council.

10

11 (No comments)

12

13 CHAIRMAN BANGS: Did you want to add
14 anything or do you feel that we've conveyed our
15 message, it's just -- it's on record that we're not
16 happy about no response.

17

18 Cathy.

19

20 MS. NEEDHAM: We've also been told that
21 our records aren't ever read, and so if it's not in an
22 annual letter to the Federal Subsistence Board or in
23 another letter, that that message is not really
24 necessarily heard beyond those who go through the
25 transcripts, which we know the Federal Board does not.

26

27 CHAIRMAN BANGS: Mr. Hernandez.

28

29 MR. HERNANDEZ: Thank you, Mr.
30 Chairman.

31

32 Under the Issue 1, the TransBoundary
33 River Mining in our annual report we do say that the
34 Council is troubled that there has been no response
35 from the Secretary of Agriculture to the letter from
36 the Council so adding a new topic on our letter policy
37 but we also do have in the letter, you know, mention of
38 specifically the TransBoundary Mining issue so maybe
39 that'll be adequate for the Council.

40

41 CHAIRMAN BANGS: Thank you, Don.

42 Cathy.

43

44 MS. NEEDHAM: I agree, I did see that.
45 But we're not asking the Board to do anything, we're
46 just telling them that we're troubled and so if we
47 don't ask them to do anything we're not going to be
48 able to expect any kind of response out of them.
49 That's been the -- the Office of Subsistence Management
50 has also told us that. You know, sometimes if we don't

1 ask for something specific back then the rest of the
2 letter is for information only and so I appreciate that
3 it does say that we are troubled by this but it's
4 almost like we need to ask for them to have -- to
5 assure that by a certain timeframe our letter does get
6 passed on and that we expect a report, rather than just
7 asking our coordinator to generally talk to OSM and get
8 something back.

9

10 And so maybe if we can add a sentence
11 specifically requesting a response from the Federal
12 Board on this it would be more powerful.

13

14 CHAIRMAN BANGS: Thank you, Cathy. So
15 you would like to add a sentence to Issue No. 1
16 requesting a response as to where our letter went.

17

18 Cathy.

19

20 MS. NEEDHAM: Requesting followup and a
21 response from the Secretary of Agriculture and
22 Secretary of Interior regarding what their intent is to
23 do with our letter since we requested it to go to the
24 Secretary of State.

25

26 CHAIRMAN BANGS: Any discussion on
27 that.

28

29 MR. WRIGHT: Mr. Chair.

30

31 CHAIRMAN BANGS: Frank.

32

33 MR. WRIGHT: Requesting is kind of like
34 can you please respond but you don't have to.....

35

36 (Laughter)

37

38 MR. WRIGHT:so I'm wondering if
39 you should put a little more meat on it and say demand
40 or tell us something, something.

41

42 CHAIRMAN BANGS: Thank you, Frank.
43 Maybe require or something that's -- yeah -- Mr.
44 Larson.

45

46 MR. LARSON: In that regard I would ask
47 that the Council perhaps review that second to the last
48 sentence where it says the Council requests the Board
49 provide a report to the Council on the status of
50 attempts to engage the Secretaries in addressing this

1 issue. That's the request that's associated with Issue
2 1. Maybe that's the one -- I think that's the one you
3 need to approve or not approve there.

4
5 CHAIRMAN BANGS: Thank you, Robert.
6 Cathy.

7
8 MS. NEEDHAM: I don't think I'm asking
9 that we want a report, though, I think I'm asking that
10 we want them to -- we don't necessarily want a report
11 back from the Board, we want a report back from the
12 Secretary of Agriculture or at least a response to our
13 letter from the Agriculture and Interior, and maybe the
14 Secretaries will just say we don't feel that your
15 letter is appropriate to be forwarded but at least
16 they've communicated formally back to us.

17
18 CHAIRMAN BANGS: Anyone else.

19
20 (No comments)

21
22 CHAIRMAN BANGS: So I think at this
23 point we need to decide if we want to add that sentence
24 that we request the proposed language that Cathy had,
25 just add it to it, would that suffice. Does that sound
26 good. To add a request, a response not from the Board
27 from the Secretaries. Is that your intent.

28
29 (Council nods affirmatively)

30
31 CHAIRMAN BANGS: Okay, could you add
32 that Robert.

33
34 MR. LARSON: Possibly. Let me make
35 sure we get this exactly right. It's -- you know it's
36 not appropriate for the Councils to, you know, demand
37 anything of the Secretaries I don't think, but we could
38 -- we'll need to wordsmith and maybe this is a good
39 time just to put some words on the paper here and
40 perhaps you could work with me here, Cathy, to get
41 these on the screen.

42
43 CHAIRMAN BANGS: Cathy.

44
45 MS. NEEDHAM: We can ask the Board to
46 do it. We can ask the Board to request a response to
47 the letter and then report back to us.

48
49 (Pause)

50

1 CHAIRMAN BANGS: That's basically what
2 it says.

3
4 MR. YEAGER: No.

5
6 MS. NEEDHAM: No, it says the Board
7 will provide a report to the Council on the status and
8 I'm saying we could request the Board to ask the
9 Secretaries of the Agriculture and Interior for a
10 response to our letter that was forwarded to them, to
11 the Secretary of the State.

12
13 CHAIRMAN BANGS: Okay, I follow you,
14 that makes sense. So that seems pretty clear to add
15 that. Are there any other issues or discussion about
16 amendments to the annual report.

17
18 (No comments)

19
20 CHAIRMAN BANGS: We'll give Robert just
21 a minute here and he'll finish and then we can vote
22 this issue.

23
24 (Pause)

25
26 MR. LARSON: The new second to the last
27 sentence would read:

28
29 The Council requests the Board request
30 a response from the Secretaries of the
31 Interior and Agriculture regarding
32 action on the Council's letter.

33
34 CHAIRMAN BANGS: Is everybody good with
35 that.

36
37 (Council nods affirmatively)

38
39 CHAIRMAN BANGS: Okay, we have a motion
40 on the floor to accept the annual report as amended.

41
42 MR. SCHROEDER: Call the question.

43
44 MR. WRIGHT: Question.

45
46 CHAIRMAN BANGS: The question's been
47 called for. All those in favor of adopting the annual
48 report as amended say aye.

49
50 IN UNISON: Aye.

1 CHAIRMAN BANGS: Opposed.
2
3 (No opposing votes)
4
5 CHAIRMAN BANGS: Okay. I think -- is
6 there any other issues that we need to talk about other
7 than our next meeting location and time.
8
9 MR. LARSON: Mr. Chair.
10
11 MR. ADAMS: Mr. Chairman.
12
13 CHAIRMAN BANGS: Yes, Mr. Larson.
14
15 MR. LARSON: I would like to say that
16 it's my intent and it's my understanding of the intent
17 of the Council to incorporate the motion that was made
18 by Cathy regarding those additional items we needed
19 from the C&T Staff analysis into a letter to the Board
20 for action. If there's some other expectation than
21 that this would be a good time to communicate it to me.
22
23 CHAIRMAN BANGS: Thank you, Mr. Larson.
24 Any discussion on the C&T letter that is in progress,
25 that we will get that sent to us via email.
26
27 MR. LARSON: It's my intent to have
28 that in a near final format next week and I would
29 distribute it to the Council for review, amendments and
30 I would ask that when, you know, those of us that have
31 access to email that we -- you know, we provide
32 comments in a timely manner so we could get this off
33 our plate.
34
35 Thank you.
36
37 CHAIRMAN BANGS: Okay. I would request
38 that if you could make sure that everybody receives the
39 material and is aware of it before we make any
40 decisions so that any amendments need to be followed up
41 by correspondence with every Council member.
42
43 MR. LARSON: Yes, that's my expectation
44 that it will be an iterative process where there'll be
45 an original draft and then a final draft and then
46 approved document.
47
48 CHAIRMAN BANGS: Okay. Thank you, very
49 much. Cathy.
50

1 MS. NEEDHAM: I just have a question
2 given that our correspondence doesn't always go places
3 in timely manners if, in the interim, that I believe
4 the workgroup was going to work with Staff to add to
5 the analysis that was in our Council books to cover the
6 points that we felt some additional analysis would be
7 needed and so I wanted to make sure that that could
8 still happen without having to wait for the letter
9 necessarily to go to the Board. Because I was a little
10 uncertain about what the letter to the Board, what, the
11 purpose of that. But -- and I'm fine with having a
12 letter go to the Board wrapping up our discussion and
13 stuff with C&T but I wanted to make sure that
14 additional analysis was still going to happen because
15 the workgroup had hoped to have the additional analysis
16 by our next Council meeting.

17
18 CHAIRMAN BANGS: Thank you, Cathy. Mr.
19 Larson.

20
21 MR. LARSON: Yes. I think that that's a
22 perfectly reasonable request. And it's my
23 understanding that OSM would be agreeable to that.

24
25 CHAIRMAN BANGS: Okay. Any other
26 discussion on the C&T letter.

27
28 (No comments)

29
30 CHAIRMAN BANGS: Okay. Let's move on
31 to our fall 2015 Regional Council meeting. And the
32 calendar is on Page 77 if you want to refer to it in
33 your book.

34
35 Don.

36
37 MR. LARSON: Mr. Chair.

38
39 CHAIRMAN BANGS: Robert.

40
41 MR. LARSON: If you look at the Council
42 calendar there has already been a few changes that you
43 should be aware of. It may or may not be relevant to
44 your discussions but the Southcentral meeting has been
45 changed by one day. It now will occur October 21st and
46 22nd, it's been moved from Seldovia to Copper Center.
47 The Bristol Bay meeting, which also has been moved one
48 day, it's now going to occur October 28th and 29th in
49 Dillingham. Other than that I believe that the
50 remaining dates are the same.

1 Thank you.

2

3 CHAIRMAN BANGS: Thank you, Robert.
4 Mr. Hernandez, did you have something.

5

6 MR. HERNANDEZ: Yeah, thank you, Mr.
7 Chairman. You mentioned discussing the place of our
8 meeting, is it also possible to change the timing of
9 the meeting.

10

11 CHAIRMAN BANGS: It's up to the
12 Council. We'll have to pass it by the Staff as far as
13 timing go but we can pick whatever time we want, I
14 think, or at least a request. Mr. Larson.

15

16 MR. LARSON: Mr. Chair. The rule is
17 that you can't have more than two Council meetings in
18 one week, that causes issues with Staff in providing
19 adequate support for all the Councils, or the same
20 amount of support for all the Councils. So two
21 meetings a week is adequate, three causes somebody to
22 be shortchanged, so we'd rather not do that.

23

24 MR. HERNANDEZ: Okay. Thank you, Mr.
25 Chairman. As we broke up in our Wrangell meeting back
26 in the fall we set that date of October 13th for the
27 meeting and I think it's not on this calendar but I
28 believe that is -- or excuse me, October 12th is a
29 Federal holiday, is that correct, Bob.

30

31 MR. LARSON: Mr. Chair, that is, in
32 fact, correct, October 12th is a Federal holiday and
33 there is some reluctance on the agencies behalf to ask
34 people to travel on their holiday, if it's necessary
35 and if it's the will of the Council then that will be
36 done. But there is issues with having a Council
37 meeting the day after a holiday, thank you, especially
38 a three day weekend.

39

40 CHAIRMAN BANGS: Don.

41

42 MR. HERNANDEZ: So we missed that at
43 our Wrangell meeting, I think, because it's not listed
44 on this calendar we have in front of us. So if -- and
45 also Mr. Schroeder, as I recall, wasn't able to attend
46 that meeting. I don't recall anybody else who had a
47 conflict with that date that's in our book here,
48 October 13th. So I guess I would propose that we might
49 move our meeting back to the week of October 20th and I
50 guess I would ask Mr. Schroeder if that solves his

1 conflict and ask anybody else if they had any other
2 conflicts for that week. So I would propose October
3 20th for our meeting time.

4

5 CHAIRMAN BANGS: John.

6

7 MR. YEAGER: Thank you, Mr. Chair. I
8 agree with Mr. Hernandez' request to move that to
9 October 20th, 21st timeframe there. That would help
10 with the conflict that I would have that week if it was
11 prior to that.

12

13 Thank you.

14

15 CHAIRMAN BANGS: Thank you, John. I
16 would like to see us have the meeting in Yakutat,
17 that's just my feeling, instead of Petersburg. Does
18 anybody else have any ideas.

19

20 Mr. Bloom.

21

22 MR. BLOOM: Could you -- I mean if
23 we're going to be making a decision or choice, can you
24 elaborate on why you have a preference for one place
25 over the other.

26

27 CHAIRMAN BANGS: We were originally
28 going to have this meeting in Yakutat and we moved it
29 to Sitka to accommodate the rural determination process
30 and I just feel I would like to fulfill that idea of
31 going to Yakutat. That's just my own feeling. I mean
32 we could go to Wrangell, you know, it's up to the
33 Council.

34

35 Cathy.

36

37 MS. NEEDHAM: Thank you, Mr. Chair. I
38 also would support moving the meeting to Yakutat. It
39 was something that we discussed when we wanted to pull
40 out of Yakutat to come to Sitka and we all recognize
41 that going to Yakutat in the spring was difficult
42 travelwise and that fall meeting would be a better
43 timeframe. And so I would support moving the meeting
44 to Yakutat on October 20th and 21st.

45

46 CHAIRMAN BANGS: Any other comments.

47 Ken.

48

49 MR. JACKSON: Mr. Chair. I would, too,
50 agree with Yakutat and I think that's a good choice.

1 We had talked about doing that earlier and I think we
2 should stick to that.

3

4 Thank you.

5

6 CHAIRMAN BANGS: Anyone else.

7

8 Mike.

9

10 MR. DOUVILLE: Mr. Chair. I'm good on
11 those dates and Yakutat is fine with me.

12

13 CHAIRMAN BANGS: Mr. Larson.

14

15 MR. LARSON: One last item on your
16 calendar the Southeast meeting is scheduled for two
17 days, if the Council would like to have three days this
18 would be a good time to formalize that request.

19

20 CHAIRMAN BANGS: Cathy.

21

22 MS. NEEDHAM: Three days might be
23 better given that it's a regulatory proposal meeting
24 and so we'll have proposal process to go through.

25

26 CHAIRMAN BANGS: I would agree. I
27 think there will be a lot more on our agenda at that
28 meeting and there may be some other things that we
29 might want to look at while we're there. There's a lot
30 of subsistence activities that are different from other
31 parts of the region and I think maybe we could even
32 arrange to observe some of those things outside of the
33 meeting hall.

34

35 I guess we need a form of a motion to
36 pick a place so I would entertain a motion to make our
37 meeting place and dates.

38

39 Mr. Schroeder.

40

41 MR. SCHROEDER: I move that our fall
42 meeting take place October 20th through 22 in Yakutat
43 and note that that would be a three day meeting.

44

45 MR. HERNANDEZ: Second.

46

47 MR. DOUVILLE: Second.

48

49 CHAIRMAN BANGS: It's been moved and
50 seconded to have our fall meeting of 2015 in Yakutat on

1 the dates of October 20th through the 22nd, any
2 discussion.

3

4 Robert.

5

6 MR. SCHROEDER: Just so we're clear on
7 why we want three days, it would be that we anticipate
8 that we have some regulatory proposal load and the
9 Council spent a lot of time and energy on the customary
10 and traditional use determination process, both in this
11 meeting and in other meetings and we'll probably have a
12 bunch of work to do on that in Yakutat.

13

14 CHAIRMAN BANGS: Thank you. Any other
15 discussion.

16

17 MR. WRIGHT: Question.

18

19 CHAIRMAN BANGS: The question's been
20 called for on the meeting dates of October 20th through
21 the 22nd in Yakutat 2015 fall meeting. All those in
22 favor.

23

24 IN UNISON: Aye.

25

26 CHAIRMAN BANGS: Opposed.

27

28 (No opposing votes)

29

30 CHAIRMAN BANGS: Motion carries. Mr.
31 Larson.

32

33 MR. LARSON: Mr. Chair. We have been
34 somewhat remiss in arranging for field trips. Yakutat
35 is truly a wonderful location that is unique in this
36 region, with your permission I'd like to work with some
37 of the local Staff in identifying a activity or
38 something that we could share with the Council and the
39 equivalent of a field trip. I'd hate to have this
40 opportunity go by without capitalizing on that.

41

42 CHAIRMAN BANGS: I would agree with
43 that Mr. Larson. I think it's very unique and there's
44 some things that we could all learn about subsistence
45 uses in a different place that's very unique to
46 Southeast. So, anyway, I would agree with that if the
47 Council thinks that's a good idea I think we should
48 arrange for -- if we have time outside of our work,
49 that we are able to pull off a field trip. It sounds
50 good.

1 (Council nods affirmatively)

2

3 CHAIRMAN BANGS: Okay. I think that
4 covers the agenda, is there any other discussion.

5

6 Mr. Larson.

7

8 MR. LARSON: Mr. Chair. The last item
9 before we get to closing comments is the winter of 2016
10 Council meeting. I am pleased to report that the
11 winter meeting will happen on March 7th to 11th and
12 it's going to be an all Council meeting in Anchorage.
13 We are working towards finalizing the agenda and
14 arranging for the appropriate venues but the idea would
15 be that we would use this opportunity for workshops
16 regarding processes, workshops regarding some of the
17 policies that have been in place and how those are
18 developed. There's a number of different needs that
19 have been identified by the other Councils that are
20 going to be addressed. Some fisheries management
21 issues. There's some wildlife management issues. But
22 these are going to be tailored to the point where we
23 could all benefit from the exposure to other Councils
24 and other Council members. There'll be an opportunity
25 for concurrent sessions that -- so in addition to
26 workshops there'll be concurrent sessions. So your
27 Council agenda, when we meet in the falltime, will
28 review those items that are really necessary and I
29 would guess that our concurrent sessions will be
30 restricted to one day or so, depending upon the
31 schedule for the workshops.

32

33 It's anticipated that those four days
34 will be, you know, in Anchorage, and there's a
35 committee that is put together that is looking at the
36 big picture stuff right now. When we get into some of
37 the more finely detailed planning, then I'll be in
38 communication with the Council and we'll have further
39 discussion. Certainly by the time the fall meeting
40 rolls around, that we may task some of you to assist us
41 in developing the final product here.

42

43 But the budget has been organized and
44 the will of the Councils to have this meeting has been
45 heard and so I hope and I anticipate that it'll be a
46 pretty exciting time to have everybody there all at one
47 time and place.

48

49 Thank you.

50

1 CHAIRMAN BANGS: Thank you, Mr. Larson.

2

3 Mr. Jackson.

4

5 MR. JACKSON: Yeah, I know we're
6 missing a couple two or three members that went to
7 tournaments, or possibly went to tournaments, you
8 know.....

9

10 (Laughter)

11

12 MR. JACKSON:and during this time
13 in March, I don't know what the dates are but you might
14 have them weigh in on whether they agree with those
15 dates or not. But that's just something I was thinking
16 about, thank you.

17

18 CHAIRMAN BANGS: Thank you, Mr.
19 Jackson. That brings up a good point. I know that
20 there was a couple of Council members, Ms. Phillips had
21 an obligation and we were well aware of her conflict
22 with Southeast Conference, and I think it was agreed
23 that that would be the best thing for her to do as
24 that's very important work that she does. The other
25 Council members did not, in my opinion, did not inform
26 the Council or Staff of their absences in a timely
27 manner and I think that that's something that we should
28 try to do in the future, that make sure, everybody, if
29 you can't make it for a reason or whatever, that you
30 left Staff know in ample time. So, anyway, I just
31 wanted to put that out there, I think that's important
32 that we let everyone know if we're not going to be able
33 to be there.

34

35 So, anyway, any other comments about
36 the meeting or anything on anyone's mind.

37

38 Mr. Douville.

39

40 MR. DOUVILLE: There has been a recent
41 wolf study done in Unit 2, everybody's kind of aware,
42 you know, we're concerned about this ESA thing and so
43 on but I know there's a DNA study that probably has
44 some result, I was wondering if it was possible if that
45 could be made available to the Council.

46

47 CHAIRMAN BANGS: Okay, thank you for
48 that Mike. Robert's taking that done and he'll see if
49 he can make that happen.

50

1 Any other discussion.

2

3 (No comments)

4

5 CHAIRMAN BANGS: I just want to
6 appreciate your patience with me trying to figure this
7 position out and I think it was a good meeting. We did
8 get it accomplished in time to make our connections to
9 going home. So anyway I'd entertain a motion to
10 adjourn.

11

12 MR. ADAMS: Mr. Chairman.

13

14 CHAIRMAN BANGS: Oh.

15

16 MR. ADAMS: Mr. Chairman, please.

17

18 CHAIRMAN BANGS: Yes.

19

20 MR. ADAMS: Hey, this is Bert, here,
21 again. I wonder if I could have a couple minutes
22 before you guys sign off.

23

24 CHAIRMAN BANGS: I think we could
25 afford a couple minutes, Bert, any time, go ahead.

26

27 MR. ADAMS: You think so, uh. Yeah,
28 so, you know, I kind of signed off yesterday feeling
29 that I probably didn't share enough information with
30 you all so I kind of formulated something that I wanted
31 to share with you at this point so I appreciate the
32 opportunity.

33

34 You know I think one of the things that
35 you might all be interested in is how my wife is doing
36 and she is hanging in there pretty well but, you know,
37 her Alzheimer's condition is deteriorating quite
38 regularly and I have to tell you I hope none of you
39 have to go through that because it is a sad experience.
40 But I also believe that I left the Council at the right
41 time so I could spend more time with her and, you know,
42 just to be with her when she needs me. So blessings to
43 come in disguises and I really do believe that the Good
44 Lord had a lot to do with that.

45

46 She always supported me in this
47 position. There were times when I asked her if she
48 wanted me to resign and, you know, spend more time at
49 home and she kept telling me that I was doing important
50 work and that I should stick with it. And it wasn't

1 until just maybe a few weeks before the last meeting
2 that she told me that she was wanting me to think about
3 passing the baton and she said that she was having a
4 hard time at nights and so like I said it was probably
5 the best time for me to leave serving on the Council,
6 and I want you to know that her support was really
7 important to me.

8

9 And I also want you all to know that
10 your guys' support was really important to me. I have
11 come to know each and every one of you, you know, as
12 individuals and it's really going to be a lasting
13 relationship that I have developed with all of you.

14

15 I want to congratulate Michael for
16 taking on the Chairmanship, I know that this is the
17 Council's wish, and you always make wise decisions.
18 And I think having Mike as a Vice President, you know,
19 for years, I had helped him develop quite well into
20 that position so I want to let you know that I
21 congratulate you Mike.

22

23 And also Cathy is the Vice Chair now
24 and so congratulations to you.

25

26 And if I just might throw out a few
27 names there that really had an important impact on me
28 from the Council, I really appreciate and love Mike
29 Douville. You know, he always supported this Chairman.
30 I remember just before the elections ever came about he
31 always pulled me aside and asked me if I would be
32 willing to continue to serve and so I really do
33 recognize and appreciate your support for me in that
34 position, Mike, and I want you to know -- and I was
35 here, by the way, when you guys decided to move -- have
36 your next meeting in Yakutat, so I want you to know
37 that I still have that gavel that you gave me and I'll
38 officially turn that over to Mr. Bangs when you guys
39 have your meeting here next fall.

40

41 And so I think enough is said here.
42 I've listened to the last half hour of your meeting and
43 nothing has changed, you know, same people doing
44 important work for the issue of subsistence, it's your
45 job and I think you're doing excellent.

46

47 My appreciate is also expressed to Mr.
48 Larson. He has sat at my right side all along and
49 helped me to progress and grow as well and you can
50 count on him Michael for that same kind of devotion

1 from him.

2

3 And in closing I just want you to know
4 that the eulachons are showing up in Dry Bay and Auke
5 Way and down in the Italia River. I got a call from
6 Forest Service personnel this morning and said that
7 they were going to go down there tomorrow for a survey
8 so I'm invited to go and on my way back, when I get
9 back, I'll email a report to Mr. Larson and he can
10 forward that on to you.

11

12 You guys have a safe trip home and
13 we'll -- oh, yes, another thing, too, I talked a little
14 bit with Susan Ohelers about a meeting here in Yakutat,
15 if it should come to pass, and we have committed to
16 helping make that work on this end. So, Mr. Larson, if
17 you need any help or assistance, please feel free to
18 call on me at any time.

19

20 So thank you for the opportunity to
21 share with you and you all have a safe trip back home.
22 Love you all. Good-bye.

23

24 CHAIRMAN BANGS: Thank you, Bert.
25 Thank you very much for calling in. I think Mr.
26 Douville has something he'd like to say.

27

28 MR. DOUVILLE: Thanks Bert for the kind
29 words and I look forward to seeing you in Yakutat and
30 as far as the hammer, that is yours to keep, but should
31 you choose to give it to Mr. Bangs, I guess that is
32 your decision. I might make him one but I'm not sure
33 he's earned it yet, okay.

34

35 (Laughter)

36

37 MR. ADAMS: Just because you and me,
38 Mike, and the Council, I feel that that gavel, you
39 know, should go from one Chairman to the next. I would
40 appreciate keeping it as a memento but I think, you
41 know, that I'm going to pass it on and it would be my
42 privilege to do so.

43

44 CHAIRMAN BANGS: Mr. Hernandez.

45

46 MR. HERNANDEZ: Yeah, thank you, Mr.
47 Chairman. Bert, I also wanted to say, you know, I
48 really missed you at this meeting, you've been on the
49 Council the entire time that I've served and as a
50 fellow Council member and a Chairman and I think I

1 always looked to you, in particular, for a lot of very
2 sage advice and wisdom and I'm going to miss that and
3 really appreciated working with you all these years.

4
5 So look forward to seeing you in
6 Yakutat in the fall though.

7
8 MR. ADAMS: Thank you, Donald. I
9 really appreciate that. You are one of the people that
10 I always appreciate too, well, I appreciate everyone
11 but there's certain people like yourself and some of
12 the others that have really had an impact, you know, on
13 my job as the Chairman and as a member of the Council,
14 so thank you for that, I appreciate it.

15
16 CHAIRMAN BANGS: Ken.

17
18 MR. JACKSON: Bert, it's Ken Jackson.
19 I hope everything goes well with your family, your wife
20 and thank you for being our Chair (In Tlingit) when you
21 were here.

22
23 Gunalcheesh.

24
25 (In Tlingit)

26
27 MR. ADAMS: (In Tlingit)

28
29 CHAIRMAN BANGS: Well, thanks again
30 Bert for calling in and our thoughts are with you and
31 your wife, we definitely miss you and so we'll see you
32 in the fall.

33
34 MR. ADAMS: Alrighty, thanks, Mike.
35 Have a good trip home. Bye now.

36
37 CHAIRMAN BANGS: Good-bye.

38
39 MR. ADAMS: I'm signing off.

40
41 CHAIRMAN BANGS: Okay. I guess we're
42 ready to adjourn and I'll entertain a motion to
43 adjourn.

44
45 MR. YEAGER: Move to adjourn.

46
47 MR. DOUVILLE: Second.

48
49 CHAIRMAN BANGS: It's been moved and
50 seconded to adjourn.

1
2
3
4
5

Thank you.

(Off record)

(END OF PROCEEDINGS)

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C E R T I F I C A T E

UNITED STATES OF AMERICA)
)ss.
STATE OF ALASKA)

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing pages numbered 193 through 250 contain a full, true and correct Transcript of the SOUTHEAST FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME III taken electronically on the 18th day of March in Sitka, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by under my direction and reduced to print to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 29th day of March 2015.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 09/16/18