

1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME I

7
8
9 Sitka, Alaska
10 September 26, 2012
11 11:10 a.m.

12
13
14 COUNCIL MEMBERS PRESENT:

15
16 Bertrand Adams, Chairman
17 Timothy Ackerman
18 Michael Bangs
19 Michael Douville
20 Merle Hawkins
21 Donald Hernandez
22 Harvey Kitka
23 Floyd Kookesh
24 Frederick Nielsen
25 Cathy Needham
26 Frank Wright
27 John Yeager
28
29
30
31
32 Regional Council Coordinator, Robert Larson

33
34
35
36
37
38
39
40
41
42
43 Recorded and transcribed by:
44
45 Computer Matrix Court Reporters, LLC
46 135 Christensen Drive, Suite 2
47 Anchorage, AK 99501
48 907-227-5312/sahile@gci.net

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

P R O C E E D I N G S

(Sitka, Alaska - 9/26/2012)

(On record)

CHAIRMAN ADAMS: (In Tlingit)

Good morning everyone.

We will now call this meeting to order.
The Southeast Alaska Subsistence Regional Advisory
Council is now in order and is about 10 after 11:00
according to my time, and we will go ahead and have the
roll call.

Mr. Kitka, please.

MR. KITKA: Thank you, Mr. Chairman.
Timothy Ackerman.

MR. ACKERMAN: Here.

MR. KITKA: Frank Wright, Jr.

MR. WRIGHT: Here.

MR. KITKA: Patricia Ann Phillips.

(No comment)

MR. KITKA: Michael Douville.

MR. DOUVILLE: Here.

MR. KITKA: Harvey Kitka's here. Bert
Adams.

CHAIRMAN ADAMS: Here.

MR. KITKA: Floyd Kookesh.

MR. KOOKESH: Here.

MR. KITKA: Donald Hernandez.

MR. HERNANDEZ: Here.

MR. KITKA: Archie Nielsen.

1 MR. NIELSEN: Here.
2
3 MR. KITKA: Merle Hawkins.
4
5 (No comments)
6
7 MR. KITKA: I know she's here somewhere.
8
9 CHAIRMAN ADAMS: She was here.
10
11 MR. KITKA: She was here.
12
13 CHAIRMAN ADAMS: Uh-huh.
14
15 MR. KITKA: John Yeager.
16
17 MR. YEAGER: Here.
18
19 MR. KITKA: Michael Bangs.
20
21 MR. BANGS: Here.
22
23 MR. KITKA: Cathy Needham.
24
25 MS. NEEDHAM: Here.
26
27 MR. KITKA: Mr. Chair. We've got a
28 quorum.
29
30 CHAIRMAN ADAMS: Gunalcheesh, Harvey. We
31 do have a quorum.
32
33 So we'll go ahead and do the
34 introductions. We'll start with Council members first
35 and then work off of Staff and then people out in the
36 audience there.
37
38 So Mr. Larson.
39
40 MR. LARSON: Mr. Chair, just a point of
41 clarification regarding Patty Phillips. I've been in
42 communications with her, she's at Southeast Conference
43 representing the city of Pelican and she will be here
44 tomorrow night and be able to participate in our meeting
45 on Friday.
46
47 Thank you.
48
49 CHAIRMAN ADAMS: Thank you, Mr. Larson.
50 So we'll start with Mr. Yeager over there, please, just

1 state your name, where you're from.

2

3 MR. YEAGER: Good morning. My name's
4 John Yeager, I'm from Wrangell.

5

6 MS. NEEDHAM: Good morning. My name's
7 Cathy Needham. I represent subsistence users on the
8 Council and I'm from Juneau.

9

10 MR. WRIGHT: Good morning. My name's
11 Frank Wright, I'm from Hoonah.

12

13 MR. DOUVILLE: I am Mike Douville from
14 Craig.

15

16 MR. BANGS: Yes, I'm Mike Bangs from
17 Petersburg.

18

19 MR. KITKA: Good morning. I'm Harvey
20 Kitka from Sitka, Alaska.

21

22 CHAIRMAN ADAMS: I am Bert Adams, Sr.,
23 from Yakutat.

24

25 MR. LARSON: And my name is Robert
26 Larson, I work for the Forest Service. I'm not a member
27 of the Council but I function as the Council's
28 coordinator.

29

30 MR. KOOKESH: Floyd Kookesh, Angoon.

31

32 MR. ACKERMAN: Tim Ackerman, Haines.

33

34 MR. NIELSEN: Archie Nielsen, Sitka.

35

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

38

39 CHAIRMAN ADAMS: Thank you, Council
40 members. It's really good to be among you again. So
41 we'll go ahead with introductions from Staff people.
42 Where do we want to start, we'll go up there first, I see
43 some people up there.

44

45 MR. KESSLER: I'm Steve Kessler, I'm with
46 the Forest Service and an InterAgency Staff Committee
47 member.

48

49 CHAIRMAN ADAMS: Always good to see you,
50 Steve.

1 MR. KESSLER: Thank you.
2
3 CHAIRMAN ADAMS: Anyone else.
4
5 MR. HOLEN: My name's David Holen. I'm
6 the subsistence program manager for the Department of
7 Fish and Game for southern Alaska.
8
9 CHAIRMAN ADAMS: What was your name,
10 again, sir?
11
12 MR. HOLEN: David Holen.
13
14 CHAIRMAN ADAMS: Okay. Next.
15
16 MS. SILL: Lauren Sill, Division of
17 Subsistence, Juneau.
18
19 MS. MARTIN: I'm Gale Martin, just came
20 in -- Juneau, Alaska.
21
22 MS. PETRIVELLI: Pat Petrivelli from BIA
23 subsistence branch, anthropologist.
24
25 CHAIRMAN ADAMS: Thank you.
26
27 MR. VIRDEN: Gene Virden, BIA, Regional
28 Director for Alaska.
29
30 MR. SUMINSKI: Terry Suminski. The
31 subsistence program leader for the Tongass, Forest
32 Service.
33
34 MR. KOLLER: Good morning. My name's
35 Justin Koller, I'm acting subsistence biologist in Sitka,
36 Forest Service.
37
38 CHAIRMAN ADAMS: Have you been here
39 before, sir?
40
41 MR. KOLLER: I was at the Council meeting
42 in Juneau.
43
44 CHAIRMAN ADAMS: Okay.
45
46 MR. CASIPIT: I'm Cal Casipit. I'm the
47 subsistence Staff biologist for the Forest Service.
48
49 CHAIRMAN ADAMS: Hi, Cal.
50

1 MR. LORRIGAN: Good morning, Mr.
2 Chairman. I'm Jack Lorrigan with Office of Subsistence
3 Management. I'm the Native Liaison.
4
5 CHAIRMAN ADAMS: All right,
6 congratulations on your new calling, Jack.
7
8 MR. LORRIGAN: Thank you, sir.
9
10 MS. O'REILLY-DOYLE: Good morning, Mr.
11 Chairman. I'm Kathy O'reilly-Doyle, Deputy Assistant
12 Regional Director for the Office of Subsistence
13 Management.
14
15 CHAIRMAN ADAMS: Thank you.
16
17 MR. LANG: Tom Lang, Sr., from Metlakatla
18 representing the Tsimshian Tribe.
19
20 MS. YUHAS: Good morning. I'm Jennifer
21 Yuhas. I am the State liaison to Federal Subsistence
22 Board, and also technically a member of the ISC.
23
24 CHAIRMAN ADAMS: It's always good to see
25 you Jennifer. Anyone else.
26
27 MR. SHARP: Dan Sharp with Bureau of Land
28 Management.
29
30 CHAIRMAN ADAMS: BLM.
31
32 MR. SHARP: (Nods affirmatively)
33
34 CHAIRMAN ADAMS: How about people over --
35 okay.
36
37 MR. FELDPAUSCH: Jeff Feldpausch.
38 Resource protection director the Sitka Tribe, and I'm
39 working on coffee right now so it'll be here shortly.
40
41 CHAIRMAN ADAMS: Oh, good, we needed that
42 an hour ago.
43
44 (Laughter)
45
46 MR. DUNCAN: John Duncan, Sr., Sitka.
47
48 MS. COOPER: Deb Cooper, associate
49 regional director, Park Service.
50

1 MS. SWANTON: Hi, I'm Nancy Swanton. I'm
2 with the National Park Service and I'm on the InterAgency
3 Staff Committee.
4
5 CHAIRMAN ADAMS: Okay.
6
7 MR. BAINES: Mike Baines from Sitka.
8 Good morning.
9
10 CHAIRMAN ADAMS: Hello, Mike.
11
12 MR. PRUSZENSKI: Good morning. Stan
13 Pruszenski with the U.S. Fish and Wildlife Service.
14
15 CHAIRMAN ADAMS: All right, welcome. How
16 about this young lady over here.
17
18 OLIVIA: I'm Olivia (Indiscernible) just
19 an interested member of the public.
20
21 CHAIRMAN ADAMS: Pardon.
22
23 OLIVIA: Just an interested member of the
24 public.
25
26 CHAIRMAN ADAMS: Well, good for you,
27 welcome. Next.
28
29 MS. HERNANDEZ: I'm Andrea Hernandez, I'm
30 the wife of Don Hernandez.
31
32 MR. SCHOENFELD: I'm Ed Schoenfeld,
33 Alaska Public Radio News.
34
35 CHAIRMAN ADAMS: Oh, okay. We hope we
36 can give you an earful today and tomorrow and Friday.
37
38 (Laughter)
39
40 CHAIRMAN ADAMS: Anyone else. Have we
41 left anyone out?
42
43 (No comments)
44
45 MR. LARSON: Mr. Chair. This is a good
46 time to remind everybody that a big part of what we do is
47 documenting the people that attend these meetings and
48 participate. One of the primary tools we use in that
49 regard is the sign-up sheet. If all of you could take
50 time to sign in, we'll get your names correctly and

1 properly documented that you've participated and were
2 able to attend this meeting.

3

4 CHAIRMAN ADAMS: Okay. And last, but not
5 least I want to recognize Tina who is always there, you
6 know, doesn't say much but she does fantastic work for us
7 and we really appreciate you Tina, thank you.

8

9 REPORTER: Thank you, Bert.

10

11 MR. KITKA: The guy way up there in the
12 corner didn't say anything.

13

14 CHAIRMAN ADAMS: Way up there in the
15 corner, Jeff.

16

17 MR. REEVES: Jeff Reeves.

18

19 CHAIRMAN ADAMS: That's Jeff Reeves.
20 Okay, anyone else?

21

22 (No comments)

23

24 CHAIRMAN ADAMS: Great, thank you. I
25 want to give Mr. John Duncan an opportunity to come and
26 welcome the Council and say a few words.

27

28 Mr. Duncan (In Tlingit)

29

30 MR. DUNCAN: (In Tlingit)

31

32 I would like to thank you folks for
33 coming to meet on our land, the Kiksadi lands here in
34 Sitka that our uncles fought so hard for.

35

36 And I would say to start off, we welcome
37 you to come ashore and we're happy that you're here to
38 meet on our subsistence food that our people has lived
39 off of for many years that is now shared between
40 everyone.

41

42 Welcome to Sitka.

43

44 CHAIRMAN ADAMS: Gunalcheesh.

45

46 MR. DUNCAN: Okay. And before we start
47 we'd like to stand up and say a little short prayer for
48 you folks to start.

49

50 (Prayer)

1 Our Dear Heavenly Father as we come here
2 today, to gather all together to meet on very important
3 issues for our people.

4
5 Open and put your hands on each and every
6 one of their heads to bless them so that the right
7 decisions are made to protect our food and to protect
8 their health and their trip coming and on the way home.

9
10 Thank you, Lord.

11
12 Gunalcheesh.

13
14 CHAIRMAN ADAMS: Okay. I think maybe
15 just to get the meeting, you know, started, you know,
16 with a positive note, I'm not saying that we're going to
17 have any, you know, on-positive notes taking place, but
18 I always like to kind of leave us with the impression
19 that first off I say (In Tlingit) and that means
20 honorable people, or self-respecting people, it means
21 everyone here, and (In Tlingit) is respect. Respect
22 towards one another, respect towards everything. Respect
23 towards our resources. We should show respect, you know,
24 to the environment, you know, and to the animals and the
25 birds and the fishes. Tlingit people believe that there
26 is life in everything. You know, there's life in this
27 cup, there's life in my computer here, there's life in
28 that wood down there, there's life in the trees, in the
29 environment. And when we treat these resources with
30 respect it's going to return to us the things that we
31 need to sustain our lives and if we show disrespect
32 towards them then as Raven said, many, many, many
33 hundreds of years ago they're going to start
34 disappearing. And I think the real big challenge that we
35 have as members of this Council is to always, you know,
36 be mindful that we need to show respect toward everyone
37 and toward our resources and the animals and the birds in
38 order that we might regain the benefits and the blessings
39 that are before us.

40
41 So I'd just like to leave that as a
42 beginning note for our meeting today.

43
44 I appreciate you, you know, listening to
45 me on this issue.

46
47 We're now at Item No. 4 and it's to
48 review and adopt the agenda. And we always adopt -- just
49 as a reminder, we always adopt the agenda as a guide and
50 so when the motion is made, please, you know, indicate

1 so, and then the purpose, you know, is so that sometimes
2 we need to move items around on the agenda and we have
3 the ability to do that if we adopt the agenda as a guide.
4 So a motion is now in order to adopt the agenda.

5
6 Mr. Kitka.

7
8 MR. KITKA: Thank you, Mr. Chair. I move
9 to adopt the agenda as a guide.

10
11 CHAIRMAN ADAMS: Is there a second.

12
13 MR. KOOKESH: Second.

14
15 CHAIRMAN ADAMS: All right. Now, we need
16 to go through the.....

17
18 MR. KOOKESH: Remarks.

19
20 CHAIRMAN ADAMS: Remarks. You got a
21 remark, Mr. Kookesh?

22
23 MR. KOOKESH: Yeah, Mr. Chairman, I'd
24 like to, for the purpose of discussion we had on the
25 agenda -- I'd like to add to old business. I know we're
26 using this as a guide and trying to time this with our
27 general manager of Kootznoowoo, who's flying in tomorrow,
28 and we have an agenda item called old business, and it's
29 the ETJ issue and I'd like to put that on under old
30 business. Hopefully for Thursday afternoon this will
31 coincide.

32
33 Thank you.

34
35 CHAIRMAN ADAMS: Thank you, Mr. Kookesh.
36 What is the wish of the Council on this issue, do you
37 want to put the ETJ on the.....

38
39 MR. KOOKESH: Mr. Chair.

40
41 CHAIRMAN ADAMS: Yes, sir.

42
43 MR. KOOKESH: It's my understanding that
44 when we make recommendations to the agenda we don't vote
45 them up and down we're placing them on here for
46 discussion and it doesn't become debatable. Mr.
47 Parliamentarian, this is a request. If not, I'll ask for
48 a suspension of the rules when the general manager for
49 Kootznoowoo comes here. But I don't believe we -- I
50 don't know if we should be voting on every agenda item

1 other than just putting the agenda items in place. Maybe
2 I'm reading Robert's Rules, or I haven't done it enough.

3

4 CHAIRMAN ADAMS: Okay. We'll go ahead
5 and include that on the agenda, however, there is another
6 option, is that, he can make a testimony at any time, you
7 know, during the process of this meeting. So we'll go
8 ahead and leave it there and then when that issue comes
9 up we can push it further.

10

11 Thank you.

12

13 Any other things that we need to discuss
14 on the agenda.

15

16 MR. LARSON: Mr. Chair.

17

18 CHAIRMAN ADAMS: Mr. Larson.

19

20 MR. LARSON: There are a couple of items
21 that the Council should be aware of and I request that
22 the Chair, as its prerogative to amend the agenda, is to
23 have a range for the discussion of old business under 10,
24 the Memorandum of Understanding, that we would have that
25 discussion on Thursday and not on Friday. I think the
26 right people will be in the room on Thursday and they may
27 not be here on Friday.

28

29 The other is that we will have a report,
30 and this is probably a good way to do this, but we're
31 going to have a report from the C&T committee this
32 morning, but the discussion, I think we should put it on
33 the agenda for Friday and that'll be part of the
34 workgroup's recommendation.

35

36 But I think as long as we're talking
37 about the agenda we get the agenda down and have a space
38 on Friday.

39

40 The other is that there's been some work
41 on tribal consultation. If there was appropriate work or
42 information that was important to the Council regarding
43 each of the proposals, if you look on Page 23 there would
44 be a place on that process, and it's also on the back of
45 your nameplates, where we go through the process, and
46 there will be an addition to that, and it's going to be
47 consultation, tribal, ANCSA corporation consultation. So
48 just know that these agenda topics, the next time you see
49 them they'll look a little bit different.

50

1 This afternoon we'll have the Deputy
2 Commissioner for Fish and Game, Mr. David Bedford,
3 address the Council regarding the Pacific Salmon Treaty
4 and the Pacific Salmon Commission. I would suggest that
5 we incorporate the discussion of Proposal 13-19
6 immediately prior to that discussion, that would allow
7 Commissioner Bedford to be privy to the Staff discussion.
8 It would also allow the Council to hear those issues in
9 a logical order, they could take action. My
10 recommendation is that they would be prepared to take
11 action after we hear from Commissioner Bedford. So that
12 would be time certain for Mr. Bedford at 3:30 with the
13 discussion, Staff analysis of 19 immediately prior to
14 that.

15
16 CHAIRMAN ADAMS: Is that it, Mr. Larson?

17
18 MR. LARSON: Yes.

19
20 CHAIRMAN ADAMS: Okay. And.....

21
22 MR. LARSON: Oh, and one other issue.
23 Fallout -- fallout from the change in Staff on the State
24 side is that we should keep Item No. 9, the State of
25 Alaska regulatory proposal discussion until Friday so
26 we'll have the right people at the table for that
27 discussion here on Friday as well.

28
29 CHAIRMAN ADAMS: Okay. What else do you
30 have for us?

31
32 MR. LARSON: That is it?

33
34 CHAIRMAN ADAMS: Are you sure?

35
36 MR. LARSON: No.

37
38 CHAIRMAN ADAMS: Okay.

39
40 (Laughter)

41
42 MR. LARSON: But that's for now.

43
44 CHAIRMAN ADAMS: Okay. I think just as
45 a matter of information for the Council members, the
46 reason why we're doing the MOU on Thursday is we need
47 everyone that is involved in that discussion to be here,
48 and Ms. Yuhas is going to be leaving here on, is it
49 Thursday.

50

1 MS. YUHAS: Friday morning.
2
3 CHAIRMAN ADAMS: You're going to leave
4 Friday, but this discussion needs to take place on
5 Thursday to accommodate her while she is here. So that,
6 we're justifying that for that move.
7
8 Okay, good, let's move on.
9
10 MR. KOOKESH: Are we going to vote on it?
11
12 CHAIRMAN ADAMS: Oh, yeah, we've got to
13 vote on the agenda, please.
14
15 MR. BANGS: Question.
16
17 CHAIRMAN ADAMS: The question's been
18 called for. All in favor of the motion to adopt the
19 agenda as amended, please signify by saying aye.
20
21 IN UNISON: Aye.
22
23 CHAIRMAN ADAMS: Opposed.
24
25 (No opposing votes)
26
27 CHAIRMAN ADAMS: Okay. Next, we're on
28 the approval -- the reading and approval of the minutes.
29
30 (Pause)
31
32 MR. BANGS: Mr. Chair.
33
34 CHAIRMAN ADAMS: Yes, go ahead.
35
36 MR. BANGS: Thank you, Mr. Chair. I move
37 to adopt the minutes of our last meeting in March as
38 written.
39
40 CHAIRMAN ADAMS: Thank you, Mr. Bangs.
41 Do I hear a second.
42
43 MR. KITKA: Seconded by Mr. Kitka.
44
45 CHAIRMAN ADAMS: The motion is to adopt
46 the minutes of the meeting of March. So we're open for
47 discussion now, please, you know, if you have any issues
48 go through it and bring them out.
49
50 MR. LARSON: Mr. Chair.

1 CHAIRMAN ADAMS: Mr. Larson.
2
3 MR. LARSON: Subsequent to the printing
4 of these minutes I have found an omission -- it's kind of
5 an omission, I think that these minutes could be made
6 more complete and accurate if we would include as the
7 attendees, our joint meeting with the Board last year.
8 I did not the attendees for that portion of the meeting,
9 I only included our attendees at the Council portion of
10 the meeting, not the joint meeting. So, if -- with your
11 indulgence, I will, in the official record, make some
12 additions to the people attending to make sure that I
13 include all the people that attended the joint meeting as
14 well.
15
16 CHAIRMAN ADAMS: Indeed, we need to do
17 that, Mr. Larson.
18
19 MR. LARSON: Yeah.
20
21 CHAIRMAN ADAMS: Thank you. Any other
22 comments on the minutes.
23
24 MS. NEEDHAM: Mr. Chair.
25
26 CHAIRMAN ADAMS: Cathy.
27
28 MS. NEEDHAM: Thank you, Mr. Chair. I
29 had a question that I was hoping to get a point of
30 clarification on and then a recommended addition to the
31 minutes. On clarification it states on Page 5 that the
32 Council was present during tribal consultation and then
33 again on Page 18 it -- the header is tribal and ANCSA
34 corporation consultation, and I was wondering if during
35 the meeting we actually were doing consultation or if
36 that's a misuse of that word and it was more of a
37 presentation, materials by those organizations. I think
38 it's a little misleading to use the consultation if it
39 wasn't truly consultation in our meeting.
40
41 CHAIRMAN ADAMS: And I fully agree with
42 that. We got clarified this morning about the difference
43 between consultation and participation in meetings.
44
45 MR. LARSON: I can speak to that, Mr.
46 Chair.
47
48 CHAIRMAN ADAMS: Go ahead.
49
50 MR. LARSON: Mr. Chair. The Council

1 heard and this was by design, to allow the Council to
2 participate fully in tribal consultation. They met in a
3 joint session with the Board so they heard the tribal
4 consultation because they were in joint session with the
5 Board who is able to engage in tribal consultation. So
6 it's actually the Board that is authorized to engage in
7 tribal consultation but the Council, in fact, was sitting
8 at the table.

9

10 Yes.

11

12 MS. NEEDHAM: Well, I think regarding my
13 question then when you look at the organizations that
14 presented under tribal and ANCSA corporation
15 consultation, which was Kootznoowoo, who presented their
16 petition during that time and then all the other tribes
17 that made it, my question would be to them, do they
18 realize that they were participating in consultation or
19 were they there to testify on the proposal, which I kind
20 of separate as two separate things.

21

22 MR. KOOKESH: Mr. Chair.

23

24 CHAIRMAN ADAMS: Mr. Kookesh.

25

26 MR. KOOKESH: Yeah, Ms. Needham does have
27 a point because I recollect that Angoon Community
28 Association did tribal consultation with Butch Blazer and
29 we weren't privy to that and that was what I constitute
30 as tribal consultation. What we did -- my understanding,
31 that occurred, was all just presentation, not
32 consultation.

33

34 MR. LARSON: Mr. Chairman.

35

36 CHAIRMAN ADAMS: Mr. Larson.

37

38 MR. LARSON: Mr. Chairman. Tribal
39 consultation occurs at different levels of this
40 organization. It occurs both in a private setting and in
41 a public setting. The portion of the meeting with the
42 Board was noticed as a tribal consultation. So what
43 happened outside of that process, you know, is unknown to
44 us and really not relevant. What's relevant is what's
45 happened at that meeting. So the -- it is a tribe
46 talking to a member of the Executive Branch of the State
47 government and is in a meeting noticed as an opportunity
48 for tribal consultation.

49

50 So I can't speak to it other than that.

1 CHAIRMAN ADAMS: But I am kind of
2 confused here because, we, as a Council are not, you
3 know, privy to entering into tribal consultation.

4
5 MR. LARSON: That's correct.

6
7 CHAIRMAN ADAMS: However, the fact that
8 we were in a joint session with the Board, does that
9 include us in that process as well.

10
11 MR. LANG: Mr. Chair. Is this session
12 open to the public?

13
14 CHAIRMAN ADAMS: Yes.

15
16 MR. LANG: You don't have a motion on the
17 floor or anything, can anyone in here address
18 consultation?

19
20 CHAIRMAN ADAMS: Well, right now the
21 Council is deliberating the minutes and so forth, you
22 know, you'll have an opportunity if you want later on to
23 make a public testimony. There's a sheet up there.

24
25 MR. LANG: I wish to say something about
26 consultation.

27
28 CHAIRMAN ADAMS: Pardon. Well, we're in
29 Council contemplation right now so we'll finish our
30 process here.

31
32 Thank you.

33
34 Where were we?

35
36 MR. LARSON: The information that was
37 provided, in my opinion, is summarized appropriately. So
38 what we're talking about is how it's characterized; is
39 that correct, Cathy?

40
41 MS. NEEDHAM: Well, I guess my concern
42 is, is then no tribe that presented, presented based on
43 a testimony for a specific proposal, they were in
44 consultation and I don't think that those Native leaders
45 understood that they were in consultation. I think that
46 they actually came here to provide tribal testimony based
47 on the petition specifically.

48
49 But I don't completely understand the
50 Federal Subsistence Board's consultation policy either,

1 so I just want to make sure that we're clear and in our
2 minutes not misrepresenting tribal governments that
3 provided testimony on the petition.

4
5 CHAIRMAN ADAMS: So I think something
6 needs to be reflected in the minutes somehow, you know,
7 that concern, and how you want to phrase it, you know, I
8 would leave it up to you, Mr. Larson.

9
10 MR. LARSON: So do you have some words
11 that would more accurately reflect your concerns?

12
13 MS. NEEDHAM: I would just recommend on
14 Page 18 making the title read, tribal and ANCSA
15 corporation testimony. And on Page 5, after call to the
16 order, second paragraph, fifth line down, just say the
17 Council was present during tribal and public testimony or
18 something along those lines.

19
20 MR. KOOKESH: Second.

21
22 MS. NEEDHAM: Okay. And then I have one
23 other addition.

24
25 CHAIRMAN ADAMS: Okay.

26
27 MS. NEEDHAM: On page, I lost my page,
28 sorry, on Page 9, at the bottom under agency reports
29 under the Office of Subsistence Management when Mr.
30 Probasco gave an update, I think from our minutes the C&T
31 -- his comments on the status of the C&T were omitted,
32 and so I'd recommend that we also add a sentence in there
33 that summarizes his comments on the C&T process in his
34 agency report.

35
36 CHAIRMAN ADAMS: Okay, so noted.
37 Anything else, anyone?

38
39 (No comments)

40
41 CHAIRMAN ADAMS: Cathy, any more?

42
43 MS. NEEDHAM: (Shakes head negatively)

44
45 MR. NIELSEN: Mr. Chairman.

46
47 CHAIRMAN ADAMS: Uh-huh.

48
49 MR. NIELSEN: My question is to the
50 Board, it needs to be aware of what happened here a

1 couple months ago and the State Department of Fish and
2 Game is responsible for what happened.
3
4 CHAIRMAN ADAMS: We're talking about the
5 minutes right now, Archie.
6
7 MR. NIELSEN: Well, when they go
8 busting.....
9
10 CHAIRMAN ADAMS: Is there anything in the
11 minutes that reflects what you are addressing right now?
12
13 MR. NIELSEN: When they go busting into
14 people's homes, that's unaccounted for. You just don't
15 do that, that's breaking and entering. Fish and Game has
16 a policeman power, but it doesn't go to breaking and
17 entering into a person's house. We need to let Fish and
18 Game, if they testify, I want to know who gave them the
19 authorization for that.
20
21 CHAIRMAN ADAMS: Thank you, Archie. This
22 could be addressed at another time, other than when we're
23 going over the minutes, but thank you.
24
25 MS. HAWKINS: Bert.
26
27 CHAIRMAN ADAMS: Yes.
28
29 MS. HAWKINS: Yeah, on Page 7, the list
30 of people in attendance, it should be Rob Sanderson, Jr.,
31 not Bob, Ketchikan, representing Central Council.
32
33 CHAIRMAN ADAMS: Okay, thank you, Merle.
34
35 MR. LARSON: What page was that?
36
37 CHAIRMAN ADAMS: On Page 7.
38
39 (Pause)
40
41 CHAIRMAN ADAMS: How are we doing?
42
43 (No comments)
44
45 CHAIRMAN ADAMS: Any more comments on the
46 minutes?
47
48 (No comments)
49
50 MR. WRIGHT: Question.

1 CHAIRMAN ADAMS: Question's been called.
2 All in favor, please say yea.
3
4 IN UNISON: Yea.
5
6 CHAIRMAN ADAMS: All opposed nay.
7
8 (No opposing votes)
9
10 CHAIRMAN ADAMS: Thank you. The motion
11 is carried.
12
13 Okay, the next item on the agenda is Item
14 No 6 Council member reports.
15
16 Okay, we'll go ahead and start with you,
17 Mr. Hernandez, please.
18
19 MR. HERNANDEZ: Thank you, Mr. Chairman.
20 I guess I'll be giving my reports kind of based on my
21 experiences out there on the north end of Prince of
22 Wales, communities of Point Baker, Port Protection.
23
24 Fishing season's now over. It wasn't the
25 most abundant fishing season in recent years, but it
26 seemed to be fairly adequate. I think most people's
27 needs were taken care of. It was not a very good year
28 for berry crops out there this year, I don't know how the
29 rest of the country did. Gardening was kind of a
30 challenge this year, berries were kind of sparse.
31
32 But I'd like to kind of make the main
33 topic of my comments, though, we're looking forward to
34 the fall hunting season, of course, like everybody else
35 and our experiences from last fall were not very good.
36 It seems like there's been a pretty serious decline of
37 deer in the central portions of Southeast. A lot of our
38 hunters work on Kupreanof Island, and, of course, the
39 north end of Prince of Wales Island and Kupreanof seems
40 to be pretty well depressed for deer populations right
41 now, success rates have been very poor there. Wolf
42 predation seems to be high from our experiences and I
43 think that situation kind of is general through the
44 central portions. Mitkof, Kupreanof, Kuiu Islands.
45 Maybe Mr. Yeager's got some better idea how things are
46 going around, Zarembo Island, Wrangell Island, those
47 areas. The northern end of Prince of Wales seems to be
48 somewhat depressed as well. We get reports from the
49 people on the lower end of the island, they seem to be
50 doing quite well on their deer populations, but I think

1 the severe winters have kind of affected that central
2 portion, including the northern regions of Prince of
3 Wales. We'll see how it goes this year, but I'm kind of
4 expecting the situation to kind of be the same. Last
5 year was another one of those years with snow kind of
6 staying fairly deep well into the spring, so it seems
7 like it's been kind of a similar situation for several
8 years now.

9

10 Thank you.

11

12 CHAIRMAN ADAMS: Thank you, Donald. And
13 before we let Merle talk, I just want to let the audience
14 know if you want to make a testimony, you know, there's
15 this little form that's up there at that desk, please
16 fill it out and Jeff will get it down here and then we'll
17 make sure you're on the agenda for testimony. So just a
18 little housekeeping issue that we need to take care of at
19 the beginning of this meeting.

20

21 Merle, go ahead.

22

23 MS. HAWKINS: Yeah, we had a lot of snow
24 last winter and a very cool spring in our area,
25 Ketchikan, and the summer was very cool and wet also.

26

27 Again, we had no eulachons, no shellfish
28 again because the paralytic shellfish poisoning. No
29 berries. I guess some people did get black seaweed. So
30 it seems like it gets more and more challenging to get
31 the food that is necessary.

32

33 My tribe, Ketchikan Indian Community,
34 just started an elderly lunch program, they took over,
35 and attempt to provide traditional foods. People donate
36 it. So that seems to be very successful. I haven't been
37 able to attend much because of my job but I know people
38 have donated halibut and red snapper and other things.
39 So we pretty much hold to our traditions of gathering and
40 sharing our resources as we can in the area. I don't
41 have time to fish so I do a lot of trading with the
42 fishermen and pick berries and gather the vegetables that
43 we get. But it just seems like it gets more and more
44 challenging to get the foods that we need, and especially
45 for our elders, it's really necessary for them to eat
46 that black seaweed and other things that are a part of
47 their diet. The eulachon oil, that the prices seem to
48 keep going up and up on it because as the resources get
49 more scarce the prices rise.

50

1 I did go to a mining symposium in March.
2 There's still a lot of concern about the KSM mine
3 proposed in British Columbia which would affect all the
4 rivers in our area so we've been working on that issue.

5
6 I recently attended a clan party, (In
7 Tlingit) The Two-Fin Killer Whale last Saturday in Craig
8 for the Hydaburg people, my grandmother's sister's family
9 that was hosting it so it was nice to be able to be out
10 there and see some of our culture and social activities
11 involved and also the food that was provided. So just
12 try to hang on to those traditions as much as I can.

13
14 I did teach at Cultural Camp this year
15 and taught the kids how to make the devil's club ointment
16 and so that was a lot of fun.

17
18 So glad to be here representing Southeast
19 Alaska.

20
21 CHAIRMAN ADAMS: Gunalcheesh Merle.
22 Archie, go ahead, your turn. (In Tlingit) You can talk
23 about anything at this point, okay.

24
25 MR. NIELSEN: The -- when we came from
26 Wrangell last year, we opened the door to Alaska Natives
27 harvesting sea otter. Two months ago Marty Martin
28 reported that State of Alaska officials came busting in
29 the door, not once, but twice, while he and his family
30 were at home. That practice is not the way it's supposed
31 to be. If I was him I'd get a bulldog lawyer and go at
32 it with the State of Alaska. You don't bust into
33 people's homes, that's breaking and entering. This needs
34 to be taken up with Fish and Game, if they have a
35 different answer then I want to know but if it happens
36 again I'll get the State Human Rights Commission on them.
37 The reason I say that is I'm a former State Human Rights
38 investigator myself, you just don't do that, not to
39 people's houses.

40
41 CHAIRMAN ADAMS: Thank you, Mr. Nielsen.

42
43 Mr. Ackerman.

44
45 MR. ACKERMAN: Yes, thank you, Mr.
46 Chairman. Council. The first thing we noticed about
47 this summer that was different, of course, was the
48 environmental change, a lot cooler, less sunlight, colder
49 weather. In addition the summer before this one, we had
50 a three month drought where not one drop of rain came

1 down since the spring thaw. So that stunted a lot of the
2 berry bushes around the area that we noticed. And as
3 well, the drought affected all the way up into the Yukon
4 and the berry crop this year up in the Yukon was pretty
5 bad so it forced a lot of the brown bears to go forage in
6 people's garbage up in the Whitehorse area, they had a
7 record number of bears there. So this summer the berry
8 crop did happen, but the ones that took it the first was
9 the salmonberries, we noticed that it took them months
10 and months to ripen up. And the blueberry bush -- or
11 there's still green berries on the bushes right now, they
12 just wouldn't ripen up, the weather wasn't good for them
13 to do their thing. So that kind of stressed the animals
14 out plus our record snowfall of 360-plus inches last year
15 in the Haines area. And the moose did suffer an amount
16 of stress that slowed their whole herd down up there a
17 little bit, we were thinking that it stunted the horn
18 growth a little bit, we're not sure exactly what happened
19 but there was a lot of tired moose just laying in the
20 snow. Yeah, the dogs would come up to them and nip them
21 and they wouldn't even care, it was pretty exhausting for
22 all the animals up there. But the drought is something
23 else. And then this summer we've had a ton of rain on
24 everything and it made the plants, of course, rebound
25 back but I think they were stunted by last year's
26 drought.

27

28 And then the halibut stocks up in the
29 northern Canal there after they've run the whole gauntlet
30 was pretty dismal for a lot of people. It was water haul
31 after water haul after water haul for a lot of the
32 halibut fishers up there. They went to all their
33 favorite places to fish and there was no fish there. We
34 had one set, a person set out their hooks and they got 10
35 sharks, no halibut. And there's a lot of people that
36 were going to write some proposals for changing some of
37 the halibut. But, yeah, up at the north end it's pretty
38 hard after it runs the gauntlet all the way from their
39 migration in and out of the waters of the northern end
40 there. I was able to set down on a top of a bunch of
41 halibut so I was pretty fortunate, one of the few
42 fortunate people. People spent hundreds of dollars
43 trying to catch their halibut for the winter and they
44 just went broke, there was no fish and so they just
45 decided not to buy any more gas and attempt to try to
46 catch any more halibut. And they're questioning now is
47 the effects of the interception and the decline of the
48 stocks that used to be there, they're looking for answers
49 and we think it's been severely diminished from the
50 offshore folks that are operating offshore here but we'll

1 soon find out, I guess, here in the near future if the
2 halibut stocks completely disappear from the northern
3 end. And a lot of people don't have the resources or the
4 big boats to go south into the lower canal area there and
5 fish, it's pretty far and a lot of us that have 16 foot
6 boats and we're limited to our fair weather fishing, I
7 guess you would.

8
9 And this spring, of course, the eulachon
10 came back. On the Chilkoot side we had a fairly normal
11 run, the river was pretty full. They filled it up pretty
12 good. And I did see one eulachon with the orange
13 miniature ball attached to the top fin on this eulachon,
14 I don't know where it came from but I just wasn't quick
15 enough to catch it. So I don't know if it was a tag or
16 a parasite or whatever it was, I just couldn't catch the
17 fish, it was already there and gone. But on the Chilkat
18 side the eulachon came in but there was a short burst and
19 then they were gone, they completely moved to the other
20 side of the Chilkat River. So the traditional grounds
21 right there at the airport dike, the fish weren't present
22 there so we were unable to harvest them. And what
23 happens is that all the pressure is put on the Chilkoot
24 side for all the harvesters to come down. We have
25 Canadians and Yukon friends that come down and harvest
26 the eulachons as well and we share the resources with
27 the, historically, I guess you could say. But it was a
28 pretty good run luckily on the Lutak side, the Chilkoot
29 side.

30
31 And then the moose hunting season just
32 started over a week ago here and we've had nine bulls
33 taken so far. The weather has stayed pretty warm so the
34 frost line didn't move down and put the bulls into the
35 mating mood there and so they're slow coming out of the
36 forest and, yeah, we saw some up at 3,000 feet still and
37 they were just laying there. None of them came to the
38 call or anything but as the weeks go by here, they'll be
39 more so to come to the call.

40
41 The other thing that was -- one of the
42 complaints from some of the subsistence users up there
43 was that the mountain goats that are available, the
44 Takshunak Range was closed down because we had a bunch of
45 amateurs come up there and as they climbed into the
46 higher altitudes they shot the first goat that they saw,
47 it was white so they shot it. And what they did, in
48 fact, was shoot the nannies and close the whole mountain
49 range down. And this doesn't give the locals there that
50 have a tag, you have to travel farther and longer out of

1 the close proximity to go harvest your mountain goat so
2 that seems to be the norm for the areas up there is
3 everybody's just shooting all the nannies everywhere.

4
5 But, anyway, there was a lot of salmon
6 that did come back on the Chilkoot side, the count was
7 well over 100,000 fish that came through on the sockeye
8 and it was like a five year fish, it was close to the 10
9 pound average. A lot of people got a lot of sockeye and
10 then the -- there was a lot of pinks, and the dogs are
11 still coming in and filling up the streams everywhere,
12 and, yeah, actually the salmon did pretty good. And the
13 only one that didn't do so good was the king salmon, the
14 king salmon returns for this year were not so good so a
15 lot of us decided that, you know, we didn't need king
16 salmon this year and we didn't catch and retain -- we
17 don't try to target them anyway but it's nice to have one
18 or two for the whole winter. So the whole subsistence
19 community pretty much stayed off of the Chilkat side and
20 allowed a lot more escapement on the Chilkat side there
21 for the king salmon, but, yeah, it'll be pretty
22 interesting to see what happens here.

23
24 But the good thing about the big snowfall
25 that we had up there was that we were guaranteed to keep
26 all the salmon streams running at full capacity so all
27 the salmon could get in the streams and spawn, that was
28 the one good thing about the deep snow that was
29 guaranteed there.

30
31 So, all right, thanks.

32
33 CHAIRMAN ADAMS: Thank you, Tim.

34
35 Mr. Kookesh.

36
37 MR. KOOKESH: Yeah, Mr. Chairman, with
38 the understanding that the Regional Advisory Council's
39 never going to Angoon I might as well give you a snapshot
40 of the community and of the area around us.

41
42 I've lived there all summer, I go there
43 to hunt, go clamming, and it's been my observation as a
44 former Mayor that the community is coming back on its
45 own. It's not a retirement community. It's a community
46 where people are held to a point to where they're not
47 entitled to benefits, they don't have the privileges of
48 seine permits or IFQs. So what you see is you see a
49 community that's placing -- based on its employment
50 opportunities you see a community that has a high

1 dependence on subsistence. And with the fishery going
2 the way it has been going, especially in the light of
3 crows doing what they did this year, the value of fish
4 among our people, the rural users, use that word, becomes
5 very high. And in terms, high, it might not be a good
6 high, it tends to pit people against people when we're
7 talking about a resource people are dependent upon.
8 They're not all, as we would say, pork chop eaters, in
9 our community.

10

11 Before I came here I contacted Kate and
12 Clarence was supposed to be here to do his presentation
13 but I made sure I met with Clarence and another gentleman
14 in Kake to talk about the Kake situation because we're
15 sister cities, we have so much in common that I felt that
16 everything I echo is basically the same thing that Kake
17 echoes. The fact is there is concern. You do know that
18 we did file a petition, the ETJ petition, but there is
19 concern that we have local management issues that need to
20 be addressed, and they're going to be addressed through
21 the ETJ process. We have issues in our community and in
22 Kake when it comes to permit amounts. We have issues of
23 -- of -- what do you call that, well, basically the
24 numbers, when they talk about permit amounts, and we also
25 have issues of distance to the resource, and also the
26 price of fuel. The price of fuel in Kake is \$6.30 a
27 gallon, it's \$5.49 a gallon in Angoon, so we have issues
28 of commonality there. But the issue of local management
29 comes up about deciding who's going to decide what the
30 number is; is it going to be the Juneau office or is it
31 going to be Angoon along with the Juneau office deciding
32 the number, or Kake for that matter. We need to sit down
33 and this -- hopefully this ETJ petition will bring this
34 process closer so that we have a say in it. We've seen
35 issues where community permits were given and that
36 process did not work. We've seen decisions by the Juneau
37 office on permitting numbers that do not benefit our
38 community that create illegal harvest. I've yet to have
39 anyone explain to me how you can have a seine that can
40 catch 10 sockeyes. Everything we do is close to being
41 criminal.

42

43 So hopefully Clarence will come here and
44 testify on behalf of Kake. I've just given you a
45 snapshot of his community but Clarence talks about coming
46 together and trying to make sure the harvest benefits the
47 people. They shouldn't have to suffer. It shouldn't be
48 a crime to do what's your customary and traditional way
49 of life.

50

1 On the sockeye issue, we had -- we had a
2 monument manager tell our general manager of Kootznoowoo
3 that it was average. The sockeye run for Angoon was
4 average. And I happened to tell our general manager,
5 that's probably based on the fact that Angoon fortunately
6 did a 10 year voluntary closure, that we can say it's
7 average. Nobody can take credit for that other than the
8 -- unless you factor in the voluntary closure.

9
10 And on the issue of deer, we don't seem
11 to have a deer issue because of the fact that we have no
12 road system. We're very blessed that you have to get out
13 there and do it the old fashion way, you have to earn it.

14
15 We have a sea otter issue but it's so
16 small you can't even measure it, maybe one, two but we
17 don't know where they are anymore, so maybe they
18 disappeared or went back to the sea.

19
20 But as a community, Angoon, being --
21 speaking for the laymen, the community wants to know what
22 happened to the coho fishery. They'd like to get an
23 explanation from someone, other than global warming, poor
24 management, what really happened, we'd like to hear it.
25 Something. Somebody has to tell us so.

26
27 As for the halibut fishery, Mr. Ackerman
28 is accurate in the sense that we did have -- we did have
29 Angoon people up in Haines harvesting salmon up there and
30 at the same time doing halibut fishing. We had the
31 family that was up there, said they almost had to come
32 back to Angoon to get their halibut from Haines, that's
33 how bad it is. I've never fished Haines so I don't know
34 how that fishery works. But when you have to almost come
35 back home to fish, you know, there is a problem with the
36 fishery. But as a charter boat operator for the season
37 there is not a -- we did not have halibut issues out
38 there, maybe something between 45 and 65 inches was an
39 issue for us, which is what the -- we're not allowed to
40 keep those ones.

41
42 So, Mr. Chairman, that pretty much covers
43 it, thank you.

44
45 CHAIRMAN ADAMS: Thank you, Mr. Kookesh.

46
47 I'm going to save the Chairman's report,
48 I'm going to include it with, you know, some other issues
49 here, so we'll go ahead and go to the other side of the
50 fence here.

1 We'll start with Tina first.
2
3 (Laughter)
4
5 REPORTER: (Shakes head negatively)
6
7 (Laughter)
8
9 CHAIRMAN ADAMS: No, Tina.
10
11 REPORTER: Thank you, Bert.
12
13 CHAIRMAN ADAMS: You've got all of the
14 notes there, you can read off of that.
15
16 (Laughter)
17
18 CHAIRMAN ADAMS: Okay, John, go ahead.
19
20 MR. YEAGER: Wrangell will mirror a lot
21 of what was already said but again a very cold spring, a
22 lot of snow left on the mountains that we would normally
23 see gone by August or the middle of August. I remember
24 get -- May 5th was one of my first real days at work, it
25 was 42 degrees out when I woke up to go walk down to my
26 boat so it wasn't very warm at that time, in particular.
27 So a lot of my folks were dressed very warm for that
28 particular trip.
29
30 We had a good spring.
31
32 We had a eulachon return on the Stikine.
33 I think it was adequate and everyone that needed eulachon
34 got the eulachon there.
35
36 King salmon were late. We're still
37 waiting on silvers and we're just now starting to see
38 some decent silver returns coming in. Our sockeye return
39 was good on the Stikine. A lot of our subsistence users
40 did well with their fishery and were able to get all the
41 sockeye that they needed for the winter there.
42
43 Our deer situation, a lot of small deer,
44 Zarembo Island. Not a lot of bucks around the first week
45 of the opening there. Lots of does but the bucks that we
46 did see come off the island were fairly small. I did a
47 hunt on Etolin the first week in September and only saw
48 three does the weekend that I was down there hunting,
49 however, that was right during when we had a really nice
50 stretch of our late summer there, the first two weeks of

1 September were really warm.

2

3 Moose season, roughly around 13 bulls
4 taken off the Stikine right now. Only two sublegals and,
5 however the first week of the -- right before the first
6 week of the season I think the Stikine crest around 29
7 feet, 28, 29 feet, which was extremely high and moved a
8 lot of the moose to the back of the bases of the
9 mountains there and kept them off of some of our normal
10 hunting areas. So the river now is getting down to a
11 manageable level, opening some more hunting areas and
12 opportunities so I would suspect that the next few weeks
13 will be probably be more productive for moose hunters up
14 there.

15

16 A lot of wolves that have hung around and
17 we've had a lot of bear issues up there as well in the
18 areas that we're hunting presently.

19

20 Other than that, that's all.

21

22 Thank you.

23

24 CHAIRMAN ADAMS: Thank you, John. Next.

25

26 MS. NEEDHAM: Thank you, Mr. Chair. I'd
27 love to report on issues within Juneau but unfortunately
28 during the summer and actually late spring season I
29 travel so much for job that I don't actually get to
30 witness much that goes on in Juneau, of course.

31

32 But with that being said I do participate
33 in projects, Prince of Wales Island that are working on
34 subsistence sockeye. And later in our agenda Hydaburg
35 Cooperative Association is going to be giving a
36 presentation that I'll be helping them with on how the
37 sockeye runs are going in their project and how they're
38 doing management. So that will be pretty exciting.

39

40 And then I also work with Organized
41 Village of Kasaan on sockeye for the Karta River and they
42 actually had a pretty decent run of sockeye and an
43 astronomical run of pink salmon that came back this year
44 before they closed down their operations.

45

46 During the early spring, after our last
47 meeting, I did work a little bit with Central Council of
48 Tlingit-Haida on their C&T workgroup that they do and
49 addressed some sea otter issues that they're more
50 actively working on. I'm not sure if they're going to be

1 here to report on that or not but usually they do come.

2

3 And then finally towards the last couple
4 months or so we've been working pretty hard on the
5 workgroup that we formed at the end of the last meeting
6 for the C&T use determination.

7

8 So that pretty much summarizes my
9 involvement with subsistence issues over the summer.

10

11 CHAIRMAN ADAMS: Thank you, Cathy. A
12 busy lady.

13

14 Mr. Wright.

15

16 MR. WRIGHT: Thank you, Mr. Chair.
17 Getting sockeyes is kind of a big issue in Hoonah, too,
18 because, you know, to go to our -- our first closest
19 system is over 20 miles. And then going to Hoktaheen is
20 over 50 miles and you have to cross from South Pass, then
21 you have to go across over to the other side, which you
22 are crossing ocean waters, which is -- if you don't time
23 it right and the weather's bad then you get in trouble
24 and fuel, like Angoon and Kake is high, so the word
25 subsistence doesn't count because you're burning up
26 everything you have.

27

28 So another issue is bears. You know all
29 the years I've lived in Hoonah we've never had a bear
30 attack ever. But now, you know, when the logging
31 industry came into Hoonah, when you take their home away
32 they have nowhere else but to go downtown. So just about
33 four days ago they put one down behind someone's house,
34 a pretty big one. And my wife was talking me about a
35 teacher had seen -- a teacher had seen, and wondering who
36 bought a new Volkswagen, all of a sudden that Volkswagen
37 started walking away so there's some big ones that wander
38 around Hoonah. And there was -- I was up in the morning
39 and I was watching -- and I live on Front Street and
40 there was a bear swimming across from Front Street, going
41 across to Pit Island, then another week later there was
42 another one that walked downtown and walking across to
43 Pit Island. So, you know, we got a bear problem but all
44 the years I've lived there there's never been a bear
45 attack but we keep putting them down.

46

47 Another issue is sea lions. I mean
48 there's so many sea lions I don't know why they call them
49 endangered. The more and more there are they'd be more
50 in danger the closer they come to me because I get tired

1 of them. This summer we were seining and all of a sudden
2 there was a sea lion just swimming around inside our
3 seine, just going and then we almost had to -- we come to
4 the bunt and he's still inside our seine eating
5 everything -- I mean when does that stinking sea lion get
6 full. I mean we were just about ready to get into our
7 bunt and he was still inside, so he went over the corks
8 and then instead of being inside our seine he started
9 trying to pull that fish right through the net. He
10 grabbed the fish from the outside and was yanking on the
11 net trying to pull it through. I mean that's, you know,
12 there's sea lions all over the place and I just get tired
13 of trying to stay away from them so I can go trolling.

14
15 Otters, there's otters in Port Frederick
16 again. Now, we have a cockle bed that's way up the bay
17 and we're worried about the otters. I think there may be
18 a solution. I think Sealaska is -- I saw a notice that
19 Sealaska was paying \$50 to \$100 per skin depending on
20 size, so -- and they had sent out a notice on how to take
21 care of them. So I told of my guys that fish with me,
22 they got pretty happy so hoping that we can deal with
23 some of these things that deplete our resources that
24 belong to not only -- I hate to say this, not only to
25 (indiscernible) but a lot to us, too.

26
27 We have -- there's a company that had
28 come into Hoonah since there was logging going on in
29 Hoonah in the past, but since there's a logging --
30 blueberries are just -- there's tremendous amounts of
31 blueberries there so there's a company that had come in
32 that are paying our people -- some of our people to go
33 pick blueberries and it's, you know, \$3.10 a pound, and
34 I guess during the fall you can do pretty good because
35 they start falling off and if you know how to hit the
36 branch and knock them off you can really do a good job.
37 And so there's a little bit of employment there. And the
38 company that had come in there had gone out and looked at
39 it and they got all excited so they're thinking of moving
40 their company down into Hoonah so it'll create more
41 employment, which is good news, you know, so I'm hoping
42 -- I'm hoping that it -- I think it's good news for the
43 community but it could be bad news, too, because if they
44 are going to do something like that I'm certainly going
45 to object if they start importing people to do the
46 picking so that the community ends up being shorthanded
47 -- I mean short on the berries for our traditional uses.
48 So there's a -- it's a double-edged sword. It's
49 something that I am going to be watching. We're not
50 going to be importing people to do something that's going

1 -- something that the sea otter is doing to us, stop us
2 from having an abundance of resource.

3
4 The issues of crab, dungy crabs. We have
5 right on the other side of Pit Island there's a place
6 that community -- it only takes about five minutes to get
7 there on a skiff. But when the commercial crabbing comes
8 up you see hundreds of pots on the other side of the
9 island where even your pot's not safe because they pull
10 everything. They don't just pull their pots they pull
11 everything and they don't care what they -- and so I'm
12 hoping in the future that we can build a proposal -- put
13 together so that we can cut down -- stop the commercial
14 fisheries on the other side of the island which is so
15 close that anybody can go there with a row or a skiff or
16 -- so -- it's pretty accessible, so we may try to put a
17 proposal together somewhere to stop commercial fishing so
18 close to Hoonah when you got, you know, I don't even put
19 my crab pots -- my dungy crab pots out when the
20 commercial are there because they -- I lost two pots
21 already so I'm not going to worry about that, putting my
22 crab pots out.

23
24 Halibut. I don't have any dry fish this
25 year, you know, the halibut is -- getting harder and
26 harder to come by. My quota has dropped so bad that, you
27 know, I hold off until the last minute where the prices
28 shoot sky high. So, you know, I'm just holding back
29 because by the time November comes around the prices go
30 back up again but my quota is so low that I have to find
31 a way to make a living out of it. You know, my quota has
32 dropped two-thirds since I started and if there's --
33 there's another hearing coming up where the charter fleet
34 is going to be proposing another four to five percent,
35 which is 1.5 million out of the total allowable catch and
36 so that means my quota is going to drop again. So I'm --
37 and my whole crew is from Hoonah and so they depend on
38 everything that comes in from me.

39
40 I think that the resources that we have
41 are being depleted and I really believe that, you know,
42 we, as commercial fishermen have always, we've always
43 accepted the fact that the -- when our quota went down we
44 accepted it because that was the way to go. We did not
45 -- we did not go to court to try to make the
46 International Pacific Halibut Commission to push the
47 quota higher, the commercial fishermen have all accepted
48 conservation so that's what we always did. So I'm hoping
49 that there's a way we can keep the halibut resources
50 alive. I have a crewman that wants to get into

1 commercial but there's no reason for him to get into it
2 because if he bought quota and he went and -- and next
3 time around -- there's another allocation coming up, it's
4 going to be cut by another -- our quota's going to be cut
5 because someone wants it -- when we earned it it's --
6 there's no reason for him to buy it because he's a crew,
7 he paid for it, but then it just gets cut so you wonder
8 about the people that paid hundreds of thousands of
9 dollars that -- it's like I usually have 30,000 pounds of
10 halibut, now I have 10.

11

12 Thank you.

13

14 CHAIRMAN ADAMS: Thank you, Mr. Wright.
15 Mike, you're next.

16

17 MR. DOUVILLE: Thank you, Mr. Chairman.
18 I'm just going to touch on a couple things.

19

20 One that concerns several people, or many
21 of us around Craig is we have a shrinking area of herring
22 spawn and we seriously question the Department's
23 rationale for letting a pound fishery go unrestricted
24 while we're seeing a smaller and smaller herring spawn
25 there. I mean it doesn't spawn on fish egg anymore and
26 that's -- I mean we've never seen that in past history
27 ever. It's getting really small, and it concerns me and,
28 you know, many others. Just a small quarter mile -- less
29 than a quarter mile spawn where we've been getting our
30 take home eggs, that's thick enough, it does spawn a
31 little here and there, but it's not thick enough, there's
32 no quality to it. So it's getting pretty small.

33

34 We had the -- probably the poorest return
35 of pinks I've seen in a long time.

36

37 The other thing is we have a ton of sea
38 otters and we don't have shellfish, it's going away and
39 I don't see any relief from it unless we have
40 Congressional action to change the Marine Mammal
41 Protection Act.

42

43 One thing we are looking forward to is
44 hunting deer. We do have deer in a couple small areas
45 that we keep secret and hopefully we'll do okay.

46

47 But other than that, thank you.

48

49 CHAIRMAN ADAMS: Thank you, Mike. Mr.
50 Bangs, you're next.

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

2

3 Well, on the concerns that seem to be
4 growing around our area is concerns about all the marine
5 mammals. There seems to be a lot more whales that are
6 wintering there. And we're kind of wondering what kind
7 of affect that's going to have on the food chain and
8 we've asked biologists and they don't really know what's
9 going to happen. But when you see that many humpback
10 whales continually feeding and not leaving as they
11 normally did, in the past, it changes the dynamics and
12 everybody's kind of wondering what's going to happen
13 there.

14

15 And like Mr. Wright said, sea lions,
16 we're seeing more and more sea lions in the harbor. I
17 went to the fuel dock yesterday and there was 20 sea
18 lions hauled out on the airplane dock float, no one's
19 ever seen that before. There's just so many sea lions,
20 it's just amazing. And why they're coming to town,
21 nobody's quite figured that out, but there is a problem
22 with that.

23

24 And I know around the Kake area there is
25 getting to be a huge population of sea otters and what
26 we've noticed is that it compresses the commercial crab
27 fleet more and more because they lose area and then it
28 affects the people that are trying to get their personal
29 use crab to eat because there's -- you know there's
30 commercial pots everywhere. And so it's really a growing
31 problem with losing ground to the predation from sea
32 otters of basically all the shellfish.

33

34 As far as halibut, in our area halibut
35 fishing has been considerably better than it has in the
36 past. The subsistence people were able to catch more
37 than they needed and shared it with other people that
38 weren't able to go out and get their own for their
39 freezers, so that was a good surprise for our area this
40 year. It was considerably better than it has been in the
41 past.

42

43 I think there was an above average
44 harvest of moose to date. Like Mr. Yeager was saying,
45 that they had taken quite a few off of the Stikine
46 already, we're not sure if that's -- usually they don't
47 take very many until the 1st of October, the last couple
48 weeks is when the start moose start really coming out and
49 they're already above an average harvest so we're hoping
50 that it's just because there's a lot of moose around.

1 That's all I have, thank you.

2

3 CHAIRMAN ADAMS: Thank you, Mike. Mr.
4 Kitka, please.

5

6 MR. KITKA: Thank you, Mr. Chair. We
7 have several concerns within our community.

8

9 We have a concern with some of the people
10 that are hunting mountain goats that are taking more of
11 the females and it's like Mr. Ackerman said, they're
12 taking too many of the females and they're closing the
13 seasons early and they're closing off areas that are kind
14 of closer to town to where we can subsist. This is a
15 concern.

16

17 We had some concerns over some of the
18 sockeye returns. Some of the -- I don't know whether the
19 sockeye are getting smarter but there was enough sockeye
20 for escapement but they were extremely hard to get
21 because some days you could go out and you could work all
22 day dipnetting and not get anything, and some people
23 would get their limit but some wouldn't get any. And
24 that was the case for a lot of the places.

25

26 One of our big concerns is the sea otter
27 population is increasing and so a lot of the places where
28 the shellfish -- even we didn't even tell each other
29 about some of the places, are disappearing.

30

31 The other concern is the herring. An
32 ongoing concern. Last year the quota was so high for the
33 herring and they didn't even meet half their quota of the
34 commercial fisheries and we're hoping that this was an
35 oddity and not something that's coming down the line.
36 But a year ago I went to Simon Fraser University with the
37 First Nations people in Canada and they had their
38 concerns about it and the reports out of Canada is that
39 the quotas for the commercial fisheries wasn't even
40 reached, they barely made half the amount. So this is
41 one of the major concerns and we're not looking forward
42 to -- because we heard rumors that the quota was going to
43 be the same as last year for what their take was and if
44 it is that, and, again, we have no -- our needs won't be
45 met again so -- and I know there were very few of us that
46 were able to make our needs met as far as the herring
47 eggs were concerned. I know I could only ship to about
48 half the people I usually ship to. So half of them
49 didn't get what they normally get.

50

1 So this is our concerns.

2

3 Thank you, Mr. Chair.

4

5 CHAIRMAN ADAMS: Thank you, Mr. Kitka.

6

7 I have to take my Chairman's comments off
8 of my computer because I didn't get the book until
9 yesterday and so I have to -- I pulled everything up on
10 my computer and I think I can give a better report off of
11 that.

12

13 But locally for Yakutat, we did have a
14 very tough winter, you know, we had snowfall after
15 snowfall after snowfall -- and were you up there when it
16 was pretty deep -- yeah. On my house and the
17 neighborhood around us, you know, you shovel the snow off
18 of the roof, okay, and then it starts building up and
19 building up and building up and I got to a point where I
20 was shoveling the snow off of the roof on top of a
21 snowhill all around the house and I have pictures of that
22 to prove it, too, and I mean it's really something. We
23 had snow on the ground right up until July.

24

25 And so it called for, you know, cooler
26 summers and like anywhere else, I think the berries, you
27 know, just didn't show up, you know, we used to get lots
28 and lots of salmonberries. Particularly in my backyard,
29 salmonberries and blueberries, I only got about a cup of
30 blueberries in my backyard here a few days ago, however,
31 yesterday, and we don't have strawberries, you know, July
32 is our -- July and into August is our strawberry months
33 but I went in the backyard and low and behold I got a
34 whole gallon of nice big strawberries, so they were late.
35 And so the blueberries now I think that's a lost cause.

36

37

38 Halibut we seem to be doing okay with our
39 subsistence halibut. I still need to get a couple more
40 40-pounders to make dry fish out of.

41

42 The herring, you know, is kind of really
43 unusual this year because previous year we had real good
44 spawn and I thought, you know, that it was going to
45 continue on. But I think I've heard it say in other
46 places that the spawn and was gone as quickly as it was
47 there. So we had good spawns but you had to be at the
48 right place at the right time then they were gone. So I
49 didn't get very much local herring spawn this year.

50

1 The sea lions in our area, and I don't
2 know whether it's true in other places but we had
3 California sea lions migrating up into our area, which is
4 really unusual and we don't like that very much.

5
6 The eulachons on the Situk River where it
7 used to be plentiful, they didn't show up again. There
8 was a little bit there but not enough to take home. I
9 made several survey trips, you know, with the Forest
10 Service down to Dry Bay area and there's about 18 rivers
11 that the community got a grant to survey those rivers to
12 find out what's happening with the eulachons in that
13 area. And, again, the only productive river of all of
14 the 18 or so rivers and creeks was the Akwe River. And
15 so, you know, I'm kind of curious to see what these
16 surveys are going to produce here in the next year, I
17 think this is the third or fourth year.

18
19 Okay, I'm going to take some comments off
20 of my job as the Chair, if you'd bear with me a minute.

21
22 I want to talk a little bit about our
23 annual report. There's some issues in there that I think
24 are really, you know, important.

25
26 Of course, you know, we're going to be
27 talking more about the customary and traditional
28 determinations, I won't cover that right now. However,
29 you know, we do have -- the Council does have an issue
30 with the emphasis on social concerns in the Staff
31 analysis and so, you know, you have those in your book.
32 If you just, you know, look at those you'll get an idea
33 what that's all about.

34
35 We talked a little bit about this this
36 morning and it's encouraging tribes to comment on social
37 issues during testimony. We encourage -- you know the
38 Council, you know, does encourage the Board to have
39 tribes and ANCSA corporations present to discuss social
40 and cultural and economic issues and so, you know, that's
41 in the process. And one of the things I knew was going
42 to have a real impact, you know, on this process was, of
43 course, the funding for tribes. I think I mentioned in
44 previous comments that Yakutat Tribal Council, for
45 instance, has only \$1,200 for subsistence, you can't do
46 very much with that, you know. And I'm always going to
47 their meetings and encouraging them to be here, to go to
48 Board meetings but they just don't have the budget for
49 it. And as interested as they are in what we are doing
50 here, you know, they just don't have funds. And so I

1 think that they need to, you know, look at other ways of
2 filling their coffers for subsistence issues.

3

4 Another thing that is in our annual
5 report, I think is worth mentioning, is the budget. As
6 you know the budget has been decreasing and it affects
7 the monitoring program and so, you know, the letter
8 addresses that.

9

10 Also, you know, folks, the Federal -- I
11 mean the Secretary did give an answer to our annual
12 report and it's in your book and so you can look those
13 over.

14

15 The sea otters is an issue. We think
16 that there must be a better way to manage the growing
17 population of sea otters.

18

19 And that's about the extent for that one
20 there. I'm going to look up something else here.

21

22 The Subsistence Resource report. Some of
23 the things that are happening, you know, at our SRC
24 meetings. Of course, the Park Service in Yakutat has a
25 new ranger. His name is Mike Thompson and he started
26 working there in May. Still trying to figure out, you
27 know, how he's going to work out, you know, we test them
28 and they test us but that's an ongoing process. He came,
29 you know, from the Interior and I happened to have met
30 him before he applied for that job in Northway when we
31 had a meeting up there a year and a half or so ago and
32 he said he was going to apply for the job and low and
33 behold he got it. He likes to talk. I mean, you know,
34 one of those guys.

35

36 Portland State University and Wrangell-
37 St. Elias is working on an anthropological report called
38 the Yakutat-Tlingit Ethnographic Overview and Assessment.
39 And I don't know what that really means but I was assured
40 that it was a program that was going to enhance the --
41 kind of the same thing that we've been doing down in the
42 Dry Bay area, they want to do on the other side, which
43 includes, you know, the people who migrated down from the
44 Copper River area.

45

46 They are, indeed, in our area, or up in
47 the Icy Bay area, in particular conducting stellar sea
48 lions survey, it's done in the Malaspina Forelands.

49

50 There's been a long process of developing

1 off road vehicle management program for Nabesna and
2 that's coming to fruition. I think sometime next month
3 we are going to have a meeting to address that -- or we
4 did have a meeting to address that, I'm sorry, in July,
5 but we'll have some followup again next month. They're
6 starting a campground up there -- or they did start a
7 campground up there and made it real big -- I have a
8 thing here on their website, I'm not even going to pull
9 up, but they are making progress with working with local
10 people to make it possible for people to be involved in
11 going out and doing camping. But I thought it was a good
12 idea.

13

14 Okay, I guess I have to speak closer to
15 the mic.

16

17 That's about the extent of that one. I
18 got one more other thing here.

19

20 Got an announcement yesterday that the
21 moose in Unit 5, you know, we have -- Unit 5 is kind of
22 divided by the Dangerous River, you have the west side
23 and then the east side. The thing that's unusual about
24 or significant about Yakutat is there's a lot of moose
25 there, you know, however, it's the cow ratio thing that
26 is causing some concerns for the State people and the
27 Forest Service as well. And in the past few years what
28 they have been doing on the west side was reducing the
29 take of moose, it used to be 30 and they reduced it down
30 to 25, and they feel that there is a need to do that
31 again this year because of the snowfall might have had
32 some effect, you know, on the moose populations and so
33 forth. So that is something that, I think, that, you
34 know, Mr. Bangs said that he got an announcement to that
35 effect here as well.

36

37 So that's about the extent of my report,
38 ladies and gentlemen. So I'll conclude it here, thank
39 you.

40

41 We're going to take a break folks. When
42 do you want to come back for.....

43

44 MR. KOOKESH: Tomorrow.

45

46 (Laughter)

47

48 CHAIRMAN ADAMS: Tomorrow.

49

50 (Laughter)

1 CHAIRMAN ADAMS: Okay. I've got about
2 almost a quarter to, do you want to come back at 1:30.
3
4 MR. KOOKESH: 1:30.
5
6 CHAIRMAN ADAMS: You want an hour.
7
8 MR. KOOKESH: We've got to have an hour
9 at least.
10
11 CHAIRMAN ADAMS: Let's go take an hour.
12 Okay. Let's reconvene here at 2:00 o'clock.
13
14 (Off record)
15
16 (On record)
17
18 CHAIRMAN ADAMS: We're back in session
19 folks. Okay, I'm going to let Robert -- these things got
20 distributed here while we were gone and so I'm going to
21 let Robert explain them to us. But before we do that I
22 would like to recognize -- I was just informed that we
23 have a visitor here, her name is Sue Detwiler. I think
24 the lady in the pink sweater up there, she's talking and
25 not paying any attention.
26
27 (Laughter)
28
29 CHAIRMAN ADAMS: And, you know, long
30 before, you know, this subsistence issues were a part of
31 our lives she was involved in it, I understand. I
32 haven't been introduced to you yet but I was told about
33 you, and so I just want to recognize you Sue for the work
34 that you have done and it looks like we might need you
35 back on board again. But, anyhow, we'll see.
36
37 (Laughter)
38
39 CHAIRMAN ADAMS: Go ahead, Robert, would
40 you do the announcement, please.
41
42 MR. LARSON: Yes, Mr. Chair. During the
43 lunch break there was three items that were distributed
44 to the Council members. The largest is a packet of
45 papers and it's customary and traditional use
46 determinations briefing paper, plus some supporting
47 documents. And Cathy will speak to that on behalf of the
48 C&T workgroup.
49
50 The other is a copy of the presentation

1 that we're going to hear in a few minutes from Jeff
2 Reeves regarding the subsistence program and fisheries
3 issues, a summary, and in-season management actions.

4
5 The third is a briefing document
6 regarding where we are with extraterritorial jurisdiction
7 petition. That will be for the Council to review prior
8 to our discussions on this item at the Board's
9 discretion, and so you could review that in preparation
10 for the presentation from Steve Kessler and Beth
11 Pendleton.

12
13 MR. KOOKESH: What is the Board's
14 discretion?

15
16 MR. LARSON: The Board's discussion --
17 the Chair's discretion, thank you.

18
19 CHAIRMAN ADAMS: Okay. And as Robert
20 explained, you know, Steve will be giving the
21 presentation on that tomorrow. Beth will be there with
22 him. And then after they're done, you know, then we can
23 take testimonies at which time, you know, Kootznoowoo
24 could do their testimony. Okay.

25
26 Okay.

27
28 Moving further on.

29
30 Cathy, are you going to do yours now?

31
32 MS. NEEDHAM: Just a quick one.

33
34 CHAIRMAN ADAMS: She's going to do just
35 a quick one, okay, go ahead.

36
37 MS. NEEDHAM: Thank you, Mr. Chair. I
38 just have a quick update before I ask if we can defer our
39 discussions until Friday when Ms. Phillips gets here.

40
41 I just wanted to update the Council that
42 the working group on the customary and traditional use
43 determination process has been meeting since about mid-
44 July, and that workgroup has been Patty Phillips, Tim
45 Ackerman, and myself, along with Staff support from Pat
46 Petrivelli, Pippa Kenner and Robert Larson. And we had
47 -- we spent a good portion of the time just asking for
48 and reviewing additional materials on it. Patty is
49 really familiar with the C&T process but Tim and I were
50 a little newer to it so we wanted to make sure that we

1 had reviewed a lot of past actions and those things
2 included the original subcommittee report from the
3 Southeast Alaska RAC, transcripts from other RACs around
4 the State when they actually addressed or were asked to
5 give input into the process, we reviewed their
6 transcripts. And then we also looked at the original
7 2007/2008 draft C&T policy and the public comments that
8 came out of that.

9
10 And one of the first things that we
11 realized is that we're at a point where we could be
12 making requested regulation changes but we didn't want to
13 actually put forth regulation changes that have impacts
14 for the entire state without engaging the other Regional
15 Advisory Councils, so what we'd like to do is have you
16 guys review a briefing paper that we put together, which
17 is just a one pager that has some additional supporting
18 documents if you so desire, and then come prepared on
19 Friday, when Patty gets back and can help with some of
20 the discussions on potential action items that could come
21 out of the working group of what we've done.

22
23 And so with that, that concludes my
24 report.

25
26 CHAIRMAN ADAMS: Thank you, Cathy. So on
27 Friday, we're going to bring this up again when Patty's
28 here.

29
30 Gunalcheesh.

31
32 Okay, moving on then, we have Item No. D,
33 Fisheries Harvest Summary and In-Season Fish and Wildlife
34 Action Summary. Mr. Jeff Reeves, you are in the hot
35 seat. Are you going to use this up here?

36
37 MR. LARSON: So if should probably take
38 a break.

39
40 CHAIRMAN ADAMS: Maybe if we could just
41 take a break and move off to the side so that thing
42 doesn't shine in my face.

43
44 (Laughter)

45
46 CHAIRMAN ADAMS: I feel like I'm being
47 questioned.

48
49 (Laughter)

50

1 MR. REEVES: Thank you, Mr. Chairman and
2 Council members. Can everybody see the screen from where
3 you're at?

4
5 (Council nods affirmatively)

6
7 MR. REEVES: What I put together here,
8 it's a summary of Federal subsistence fisheries and a
9 handful of items that's related to it. After I get
10 through with the PowerPoint then I'll go into the small
11 list of special actions that have occurred this year.

12
13 The first slide that we have here, this
14 is the average State and personal use harvest by specie,
15 it's covering the period of 1990 to 2011. And you can
16 basically see in this slide that people in Southeast
17 pretty much want sockeye. So there's some harvest of
18 pink and chum, but as you'll see the majority here is
19 directed at sockeye.

20
21 This slide here kind of just shows you a
22 typical scene in a State managed subsistence fishery,
23 typically a lot of seining going on in marine waters,
24 whereas, and in this slide here, this is more typical of
25 a Federal jurisdiction fishery, so obviously above the
26 high tide line, up within Federal waters.

27
28 The Federal regulations are governed in
29 most part by 36 CFR and I believe it's for the Fish and
30 Wildlife Service, and that type of lands, is covered by
31 the 50 CFR.

32
33 This here is the cover of the current
34 regulations that you'll see expires in March, end of
35 March this next year.

36
37 So the Federal managed fisheries,
38 obviously, they fall under the terms of a Federal permit,
39 and currently right now we have five fisheries that are
40 under individual permits so we have a general salmon
41 permit, there's a Stikine River permit, Yakutat steelhead
42 and then there's two Prince of Wales steelhead permits,
43 one for the winter fishery and one for the spring. The
44 one on the left is the old style, which used to be 8x11,
45 but since the adoption of the new fisheries permit
46 database, the one on the right there is the new current
47 permit. The top third of it is the registration stub and
48 the bottom two-thirds is the actual permit that the
49 fishermen will have in their possession.

50

1 The zones on here are the management
2 zones that the individual biologists cover. The list on
3 the side there is the designated in-season manager by
4 ranger district. Currently right now Prince of Wales has
5 an acting in-season manager but my understanding is that
6 the Craig ranger has been filed and the Thorne Bay one
7 right now is currently vacant with, I believe, the intent
8 to fill. So all the rest of these folks are -- have
9 experience with the program for a number of years. So
10 these would be your primary in-season manager contacts.

11
12 This slide shows the current customary
13 and traditional use determinations in Federal regulation.
14 And anywhere that has a particular color or hash mark
15 basically defines a customary and traditional area that,
16 you know, only certain communities or individuals could
17 fish. Any area -- that's just more of the vacant kind of
18 blue area, like right here, there's no C&T determination
19 so that applies to all -- it could be all rural
20 residents, or even all statewide residents, depending on
21 what specie it is.

22
23 This is zoomed in because like this area
24 here, you'll see that there's actually -- there's
25 multiple C&Ts, so it's the only area in Southeast where
26 there is multiple C&Ts. Typically more of the other
27 ones, like down here, you know, this is limited more to
28 Saxman, this is residents of Prince of Wales, but this --
29 like this area here is a combined area that includes
30 Prince of Wales residents, Petersburg and Wrangell, Kake,
31 Meyers Chuck, so a number of areas.,

32
33 Typical wave of fishing gear within the
34 fisheries it can be broken down by species to identify.
35 See there for sockeye, pink and chum that there's
36 multiple gear, gaffs, spears, gillnets, seines, dipnets,
37 cast nets, handline, rod and reel. Coho's a little bit
38 more limited, dipnet, spear, gaff, handline and rod and
39 reel. On the Stikine there still is a handful of gears,
40 dipnet, spear, gaff, rod and reel and beach seine, and
41 there are restrictions to gillnets. Typically they got
42 to be less than 15 fathoms and under 5.5 inch mesh,
43 except during the chinook fishery where it's up to an 8
44 inch mesh. If you want to target steelhead you're a
45 little bit more limited. And finally you can see there
46 with trout and char, if you're going to target them it's
47 limited to rod and reel.

48
49 Incidental harvest of other species.
50 Yes, it is allowed under Federal regulation so this is

1 actually a whitefish that was, my understanding, was
2 harvested up by the Stikine River.

3
4 Now, if you look at all the fisheries in
5 Southeast under Federal management, except the Stikine,
6 this breakdown right here shows you that the percentage
7 of harvest by specie. So you could see that
8 predominately the Federal fisheries are harvesting coho
9 and then sockeye. There is some pink harvest but
10 typically, like I said you see coho and sockeye.

11
12 This is a breakdown of overall harvest by
13 species. I hope the colors can be seen. The yellow is
14 sockeye. The blue is coho. The red line that is moving
15 through it is the number of permits that are issued by
16 year. The scale on this side is numbers of fish, this is
17 numbers of permits. You can see that over the years that
18 there's been a -- it seems like, obviously the fisheries
19 are becoming more popular by the number of permits being
20 issued and you see that both sockeye and coho harvest
21 have risen over the last, you know, four or five years.

22
23 This is a breakdown of that harvest by
24 community. And what you find is that the majority of the
25 harvest is actually occurring on Prince of Wales Island.

26
27 The remainder of the area you can see is
28 broken down with Yakutat, Sitka and it looks like
29 Petersburg being the other top communities of fishing
30 under Federal permits.

31
32 When you break down the Prince of Wales
33 harv -- obviously Prince of Wales has about 11
34 communities on it, you can see that the majority of the
35 Federal harvest is occurring between the residents of
36 Craig, Thorne Bay and then Klawock.

37
38 This is Stikine fishery. You can also
39 see here that it's had an increase in participation in
40 it. The permits issued has jumped over the last three
41 or four years. You also notice, too, that it's been --
42 the fishery has been a little bit more successful. You
43 see the past three years of harvest here, the yellow is
44 sockeye harvest, that is actually been higher than the
45 600 fish guideline harvest level, which is why you are
46 also seeing a proposal this year to change that.

47
48 The Stikine harvest is predominately
49 occurring by residents of Wrangell, so two-third, one-
50 third ratio here, with that remaining one-third obviously

1 coming from Petersburg.

2

3 Here's a typical scene of probably
4 decenter [sic] fishing conditions on the Stikine River.
5 I've been told it's not a very easy river to fish. The
6 water flow can be quite a challenge. I'm sure Mr. Yeager
7 would probably concur on that, the rises in water.

8

9 MR. YEAGER: Very much so. But I'd like
10 to point out I believe this photograph is up in Canada.

11

12 (Laughter)

13

14 MR. REEVES: Well, this picture was given
15 to me.

16

17 MR. YEAGER: Well, that's Canadian
18 waters, with the boom stick out there like that, that's
19 not necessarily on the lower Stikine, how we gillnet
20 there.

21

22 (Laughter)

23

24 MR. REEVES: This is a slide of harvest
25 -- when we look at all the Federal fisheries, so you have
26 the Stikine, Yakutat and the general Southeast fishery
27 added, the predominate harvest gear type is gillnet, with
28 dipnet following, with rod and reel in third. If you
29 remove the Stikine and Yakutat, you'll see there's a big
30 change that it has switched from a gillnet fishery over
31 to a dipnet and then a rod and reel fishery. Seines are
32 starting to become a little bit more used, but I believe
33 the general characteristics of Federal waters is more
34 conducive for dipnetting and rod and reel fishing.

35

36 MR. LANG: Could you describe what you
37 mean by seine? What are you talking about, I've never --
38 these seines?

39

40 MR. REEVES: Under seine, we have hand
41 purse seine and beach seine as legal gear types. So for
42 Federal jurisdiction since we're above high tide line
43 they're typically not a real long seine net but I don't
44 believe we have any real restrictions on the length of
45 the net. The Federal rules do, however, limit a person
46 from basically plugging the whole stream, so they cannot
47 block any more than one-half of the channel, if that
48 helps.

49

50 MR. LANG: Thank you.

1 MR. REEVES: So here's a typical scene of
2 a dipnetting type area, more conducively -- this I
3 believe is Karta, actually between where the weir site
4 would be and the lake. And here's a -- this is Lower
5 Hatchery Creek, or say towards the lower falls, mid-
6 Hatchery Creek. It used to be a pretty heavy rod and
7 reel fishery there.

8
9 So in 2012 the only in-season action that
10 occurred related to salmon fisheries occurred up in the
11 Situk River in the Yakutat area. There was a restriction
12 to the use of bait and the retention of king salmon was
13 prohibited.

14
15 Now, we jump into the Prince of Wales
16 steelhead fisheries. What we have here is combined, the
17 lighter bars are the spring steelhead harvest and the
18 black line is the number of permits issued. The darker
19 bars is the winter fishery and the red line is the
20 permits issued during the winter fishery. So you can see
21 that within both there has been an increase in
22 participation. Harvest over time has actually increased.
23 The gaps, like the 2006 gap there in the winter fishery
24 was lack of participation actually due to heavy snow
25 conditions and you couldn't access anywhere on the
26 island, but, you know, you could see though there's never
27 been a huge harvest in Prince of Wales, but it is seeming
28 to be growing and it has become a more popular fishery.

29
30 The steelhead harvest has typically been
31 a rod and reel harvest under the terms of the Federal
32 permit, although some of the older more traditional gears
33 are -- were being used.

34
35 Here's a typical seine, this is on Lower
36 12 Mile Creek. Jigs are very popular in the rod and reel
37 fishery.

38
39 Here is -- this is the late Claude
40 Morrison from Hydaburg and that was his steelhead spear.
41 You can see it's a very lengthy pole. A close up of the
42 business end of it there. Really unique method -- or
43 harvesting -- piece of harvesting equipment here is that
44 point will actually come loose from where -- it's
45 attached to the line but it will come loose and my
46 understanding is that actually helps to retain the fish
47 once the fish is punctured with the spear.

48
49 If you look in this individual's hand
50 here, that is a handline. Also can be an effective piece

1 of equipment in smaller, brushier streams.

2

3 This year there was a special action on
4 the Klawock River. The harvest limit was reduced down to
5 a two fish bag limit during the spring fishery and bait
6 was prohibited within the lower river. It was more of a
7 response to higher harvest during the winter fishery at
8 the location and the intent of the closure was to still
9 allow for continued subsistence opportunity but to
10 provide also for conservation.

11

12 The eulachon this year, you know, last
13 year I gave a presentation at the Wrangell meeting about
14 what went on in Southeast, and 2012 again was an
15 interesting year. Last year I didn't have this, but this
16 is the historical harvest from about 1990 on. And the
17 blue is the previous -- this area here, this is the old
18 commercial harvest from the State management, the red is
19 Federal harvest, when the Federal Program took over, and
20 then the green here is the little bit of State managed
21 personal use harvest that occurred.

22

23 And you can see that in the earlier years
24 it was a heavier harvest and then right around in here
25 you kind of had some scattered years where there was no
26 harvest, some of it possibly could have been to ice. But
27 then you see, peaked a little bit again here and then
28 there are these years here when there was virtually no
29 return. Last year there was a return to the Unuk but in
30 2011 it was closed and I believe the river has been
31 closed since 2006 every year, under both the State and
32 Federal management.

33

34 MR. SANDERSON: Are we allowed to ask
35 questions?

36

37 MR. REEVES: If we could just kind of
38 wait until the end.

39

40 So basically 2012, this year, both State
41 and the Federal programs went into the season with
42 closures and what was different about this year compared
43 to the previous year was with the surprised return to
44 Carroll Inlet the year before and those eulachon actually
45 genetically being tied back to the Unuk, we were
46 concerned that the closure needed to be expanded to more
47 than just the Unuk, so that both the State and Federal
48 program implemented closures, fishing closures across the
49 entirety of District 1 in the Ketchikan area. So this
50 map kind of basically shows that all this area right in

1 here, this is District 1, the State had also implemented
2 this area up here closed to commercial harvest and then
3 this portion of District 7 was closed to all harvest.

4
5 And so early March, Pete is one of the
6 techs out of Ketchikan, he went to Unuk with the idea
7 that we're going to mount some cameras to get an idea if
8 we could get -- to be able to track predator activity
9 because obviously predator activity is one of the big
10 indicators of the presence of eulachon and so cameras
11 were set up to basically take pictures at locations that
12 we knew eulachon would return to and it was supposed to
13 take these pictures about every 30 minutes. So there's
14 Pete Roginski actually putting one of the apparatus up
15 and while he was up there he stumbled across this dead
16 eulachon on the beach. So immediately the next day, or
17 two days later, when weather allowed, an aerial survey
18 was done and as soon as they got in proximity of the
19 mouth of the river there was sea lions, bird -- you can
20 see the number of gulls, this seal haul out, like right
21 here, as he started getting up in the river, again, gulls
22 really actively feeding on the water so effort was being
23 made to go ahead and get a crew up there as soon as
24 possible. So when they got up above, up near the
25 confluence of the Eulachon River into the Unuk, this mass
26 of fish actually right here was seen. All this black
27 area right here is eulachon. And to tell you the truth
28 it was kind of exciting because we hadn't seen anything
29 like this in a number of years. You know as they flew
30 further up the Eulachon River you can kind of see these
31 scattered black right here, nowhere near that last mass,
32 but there was, you know, smaller groups actually seen
33 further upstream.

34
35 With that happening and last year knowing
36 at the same time that there was activity on the Unuk, we
37 had this activity at Carroll, we made sure that we got a
38 crew up Carroll Inlet because it's actually easier to get
39 to from Ketchikan. And they went in on high tide and you
40 can see all of a sudden there's a lot of gull activity.
41 This area, it was the area that we tried to get into last
42 year but snow had hampered us from getting in, so they
43 got up in there right away and while they got up there,
44 you know, this is what they saw. So you can see this is
45 actually eulachon, you know, why all of a sudden they're
46 showing up here we have no clue. So this is a little
47 farther up the creek.

48
49 They did spawn up there. You can see in
50 this that this is just a handful of gravel that, you

1 know, egg, egg, egg, there's a number of eggs in here so
2 hopefully their spawning is successful and maybe we're
3 going to be having an establishment of another run in
4 this area, we don't know.

5
6 So a week later, we basically -- we
7 scheduled another round of surveys on the Unuk. So here
8 -- and then this is actually within the river, you can
9 see here's the sea lions there, they're heading down.
10 Again, bird activity is really good. It's kind of hard
11 to see but right here -- I'm not sure about what this
12 actually is but there was this unique oily sheen right
13 here and there's a little bit closer view of it and we
14 noticed this in a couple of spots. But this section of
15 the river right here, this hole -- it's really too deep
16 to actually see what's in there. So I don't know if this
17 is a result of predator activity on eulachon or not but
18 where we did notice this, there was predation in the
19 area. This shot here, this is farther up the Unuk, you
20 can see that there actually -- there's a number of eagles
21 actually standing in the river here.

22
23 This is actually in the tidal flat and we
24 don't know what did this, if this was actually eulachon
25 spawning or flounders or what. But there was this one
26 unique tidepool here that you can see is actually -- when
27 we circled it you could tell that there was some activity
28 in it. We tried to locate this one on the ground but the
29 nature of this flat is it's so huge that unless you have
30 somebody physically like hovering over this thing with a
31 helicopter you're not going to be able to find it, and we
32 needed to get more up the river, so, you know, we weren't
33 able to find it. So we don't know what actually caused
34 this spawning here. But chances are, our opinion was if
35 this was eulachon by chance, it's doubtful because this
36 is -- the selindinity in this area is so high, this
37 probably wouldn't have been a successful spawning here if
38 it was. So after those pictures were taken I was dropped
39 off and we proceeded up by jet boat.

40
41 This is Lower Landing Slough, and this
42 kind of area right here, this was the first spot we
43 actually noticed some fish and it's a little deeper
44 pocket. Upper Landing Slough, again, I wish the detail
45 was a bit better, but you can kind of see this black
46 right in here. This was, you know, some fish right
47 there. Just out of curiosity we stuck the camera under
48 water and took a shot and it just so happened that, you
49 know, you could see that there were fish.

50

1 This is up the Eulachon River. Things by
2 no means are at the levels that they were by this point
3 that we're seeing on those aerial shots. This is
4 actually one of those logs that was seen from that one
5 aerial shot, and it's real hard to see but there is a
6 small group of fish right here off the tip of this log.
7 As you got closer then you could definitely see them but
8 -- another little batch up next to a stump.

9
10 This is the general layout of the Unuk.
11 So the last couple pictures, the Eulachon River's right
12 here. Upper Landing Slough's right in here, this is
13 Lower Landing Slough. That area with the milty water was
14 somewhere down in here. We checked up in here, there was
15 bird activity, and we also saw a handful of remanent fish
16 up in here too.

17
18 We did sample -- I think we dipnetted to
19 check to see some of the -- the majority of what we --
20 probably 99 percent of what we sampled turned out to be
21 spawned out males. So that mass of fish, once they got
22 in, they apparently did their thing pretty fast, and
23 either turned around and went out or, you know, we're
24 looking at like I said, spawned out males.

25
26 The cameras -- Matney Slough was one
27 them that typically had always had -- seemed to have
28 activity and we figured it would be an easy one. We
29 didn't -- this year we weren't able to get any bird
30 pictures for some reason -- but there were some visitors
31 up the creek up there.

32
33 We moved the Matney camera to the
34 Eulachon River and within days, yeah, this picture's
35 great, we had this eagle come here. But the next one was
36 even better and this was a zoom in of one and you can see
37 that there was some activity. He's got an eulachon in
38 his talon's right here. But there's one, two, three,
39 there's at least four eagles right here in this picture
40 so, you know, is this an exact science, probably not, but
41 the Unuk, in proximity, it's so hard to get to from
42 Ketchikan that, you know, we're going to have to have
43 some way to really get there. So it's something that
44 we're looking at, you know, obviously people found out
45 that fish showed up pretty quick. It headlined in the
46 newspaper right there, it made the front page, and this
47 is March 28th, so this is four days after we were up
48 there trying to access, you know, what we'd seen.

49
50 This was a unique -- in June, there's a

1 smolt trap project being run on Prince of Wales Island.
2 And for some odd reason during the series of high tides
3 we -- or the crew there I should say had, during that
4 week, captured four eulachon in a creek that we had
5 never, ever -- never ever seen an eulachon or even
6 thought one would exist. So we don't know if these were
7 just strays. This one here was actually a female that
8 the crew told me that when they sampled it, was actually
9 spewing eggs. So what happened here we have no clue.
10 They were lost, I don't know. But this was another one
11 a few days later that they captured.

12

13 So recommendations. What does this mean.

14

15 It's probably going to be a good idea to
16 continue with some special actions for probably at least
17 three more seasons. Let's completely cover the life
18 cycle of eulachon. You know we went through about five
19 years of them not showing up. Now, you know, it's firm
20 belief from management that two years doesn't mean a full
21 recovery, it'd be great if we could get another three
22 more years of return. With a second year of fish showing
23 up at Carroll Inlet, which is outside Sections 1C and 1B
24 here, the fishery permit requirement for eulachon, if it
25 does resume, should probably be expanded to probably
26 cover the full fishing district, so District 1. And,
27 again, if fishing does resume it's probably going to be
28 a good idea to probably have some form of harvest limit
29 and maybe gear restrictions implemented as permit
30 conditions just to potentially avoid what happened in the
31 past.

32

33 You know it's not 100 percent but it's
34 probably, you know, the past fishing practices probably
35 could have contributed. I mean, you know, you look at
36 the graph, you see the higher harvests and then you see
37 they get lower, so I'll finish it up here, and that's all
38 folks.

39

40 So I'm going to quickly pull up the other
41 handout that you were given here.

42

43 The majority of what is on your handout,
44 we actually covered through this. But in addition to the
45 eulachon, the steelhead and the Situk River special
46 actions, the remaining two are more recent ones here.

47

48 There was a Unit 4 goat closure that was
49 issued from -- through the watersheds of Blue Lake
50 Medvejie and the southern half of the Katlian River

1 watershed. It closed the season down. My understanding
2 is this was a result of past nanny harvest that were
3 causing the initial goat hunts to be closed down. And
4 then Bert mentioned just a little while ago, too, that a
5 special action was just released that established the
6 moose quota for Unit 5, 5A, and it uses the Dangerous
7 River kind of as a boundary point into one side of it,
8 the west side is that no more than 25 of the 55 bulls can
9 be taken and then the whole area itself has a quota of 55
10 bulls.

11
12 So that concludes what I have for you and
13 if you have any questions that I can answer.

14
15 Thank you.

16
17 MR. SANDERSON: Thank you for the
18 presentation. Mr. Chairman. I was watching the
19 presentation on the eulachon in the Unuk River, we're
20 studying this down in Ketchikan, KIC. We have grave
21 concerns of what's going on above the Unuk River, mining.
22 I didn't hear that in his presentation. And you talk
23 about oil sheens and maybe this and that but first of
24 all, you know, predation's always been there. In my
25 book, you know, it's everywhere. Do I think that it
26 plays a role in the demise of eulachon, I don't think so.
27 I think that in the future that we really need to take a
28 good look at what is happening above the Unuk River, 76
29 miles behind Ketchikan.

30
31 Right now they're in a process of
32 building one of the largest open pit mines in the world
33 there, the KSM gold mine, copper, and then you have the
34 Seabridge gold, and you know, maybe their senses are
35 getting -- their navigational senses are getting all
36 messed up. They've been mining up there, small scale
37 mining above the Unuk River for the last 10 years, you
38 know, and then all of a sudden they just disappear. I
39 mean we need to really start -- is there any kind of
40 water quality testing for contaminants coming from the
41 Canadian side, has that been answered, you know, it's
42 easy to point the finger at predation, sea lions,
43 fishermen, different user groups and, you know, it's my
44 opinion that we really need to take a real close look and
45 go up there along the border and take water quality
46 samples coming out of Canada.

47
48 That's all I have, Mr. Chair, thank you.

49
50 CHAIRMAN ADAMS: I think some kind of

1 proposal, you know, to do the water testing and so forth,
2 because it's right down Cathy's line there. But anyhow,
3 thank you. It's well noted and I've heard the same
4 comments, too, you know, about what's happening way up
5 above the river there, you know.

6

7 Anyone else have something.

8

9 (No comments)

10

11 CHAIRMAN ADAMS: Okay, before you guys go
12 any further I need to do something. I neglected to
13 recognize Pat Pourchot who is sitting up in the highest
14 chair over there.

15

16 MR. KOOKESH: Pourchot.

17

18 CHAIRMAN ADAMS: Pourchot. And he is the
19 assistant to the Secretary, you know, representing
20 Alaska, if I got your title right, you know, that's the
21 way I understand it. But, thank you for being here Pat,
22 appreciate it.

23

24 Do you have a question, Mr. Hernandez?

25

26 MR. HERNANDEZ: Yes, I do.

27

28 CHAIRMAN ADAMS: Or a comment.

29

30 MR. HERNANDEZ: Yes, question on the
31 presentation.

32

33 CHAIRMAN ADAMS: Do we need that on
34 anymore.

35

36 (Laughter)

37

38 MR. HERNANDEZ: Oh, the light in Bert's
39 eyes, turn it off.

40

41 CHAIRMAN ADAMS: I'm about ready to break
42 down here.

43

44 (Laughter)

45

46 CHAIRMAN ADAMS: Go ahead, Mr. Hernandez.

47

48 MR. HERNANDEZ: So while they're trying
49 to get the light out of your eyes, Bert, two questions.

50

1 On the harvest, or historical harvest,
2 when it went from a commercial harvest managed under the
3 State Fish and Game and then it switched over to a
4 subsistence harvest, the numbers stayed fairly high, was
5 there allowances under that subsistence harvest for
6 customary trade with some of that eulachon being sold
7 under Federal permit system?
8

9 MR. REEVES: Mr. Chairman. Mr.
10 Hernandez. I believe some of it was, whether it was
11 actual fish being sold or the oil, that I'm not sure of.
12 I know in 2000 is when the State closed down their
13 commercial fishery and so there was a switch over to the
14 Federal fishery because it did allow for the customary
15 trade.
16

17 MR. HERNANDEZ: So I guess we'll assume
18 that for a period there commercial activity continued
19 under both State and Federal management then it sounds
20 like.
21

22 MR. REEVES: Mr. Chairman. Mr.
23 Hernandez. You could probably nod your head yes on that
24 statement.
25

26 MR. HERNANDEZ: Okay. Yeah, I wasn't
27 sure about that.
28

29 The other question was, I'm not sure if
30 you mentioned it in your presentation or not, about when
31 you started seeing eulachon showing up in these different
32 systems, like Carroll Inlet, did you have -- do you have
33 some kind of way to track through markings or genetics of
34 specifically if those are the same fish or is it
35 speculation that they're the same fish or how sure are we
36 that fish that show up in different systems could
37 possibly be Unuk River fish or is that a big question?
38

39 MR. REEVES: Mr. Chairman. Mr.
40 Hernandez. Eulachon aren't quite as unique as like some
41 salmon stocks where you can look at their DNA and say, it
42 physically comes from this physical area. What they've
43 found is that, at least within Southeast, is there's like
44 two distinct, you could say genetic regions, like
45 northern Southeast, southern Southeast.
46

47 The Carroll Inlet fish that we sampled
48 last year, we had the Fish and Wildlife Service, genetic
49 lab, look at that and they basically let us know they
50 weren't from Japan or anything like that but they seemed

1 to match that southern Southeast stock.

2

3 Now, the newest one that we have going is
4 that we've talked to the Canadians, and the Canadians
5 have been doing a lot of genetic work but what's
6 unfortunate is the equipment they use and the equipment
7 the U.S. has used, they can't just compare their data.
8 So the Canadians have been interested in actually looking
9 at the Unuk and the Carroll Inlet fish and even we've
10 gotten a couple samples from these Twelvemile fish and so
11 we're working on trying to get, actually the Canadians a
12 bunch of the samples from our samples to see, you know,
13 it could be a number of things, to see if they
14 interrelate any better or, you know, do these things even
15 have a tie like to the Nase, you know, I don't know how
16 strong the Nase's run was this year, but the Nase is like
17 the closest, you know, Canadian system. So, you know,
18 what we did find is that the Carroll fish were
19 genetically similar to the Unuk fish, so meaning -- that
20 mean that they were Unuk fish that just came down, could
21 they have been Stikine fish, we're not quite sure, but we
22 know they are kind of tied to that kind of southern
23 Southeast region. And hopefully we'll get -- especially
24 if the Canadians look at our stuff we can kind of get a
25 little bit better idea, too.

26

27 MR. HERNANDEZ: Interesting.

28

29 CHAIRMAN ADAMS: Anybody else. Tim.

30

31 MR. ACKERMAN: Yeah, real fast here.
32 Both the Chilkoot and the Chilkat sides, the Chilkat run
33 comes first. The indicator is we can have a 12 inch chop
34 on top of the water and wherever the eulachon are, the
35 school, the biomass, it's calm, you will see the oil
36 slicks, the water will be calm in the storm. So we --
37 that's the first observation that we've known for years
38 and years, is as soon as we see the oil slicks in the
39 ocean then we know that the fish are getting closer to
40 the mouth of the river. Same thing applies for the
41 Chilkoot side. It's real obvious, same thing, we know
42 that with herring too, we see the schools come in and the
43 oil slick's on top of the water, the seals leave an oil
44 slick as well in the wintertime when they're all by
45 themselves, real -- just something that we observe and we
46 have known for years.

47

48 The Chilkat side, eulachon have broader
49 backs, they are bigger than the Chilkoot side. We have
50 two distinct runs and both have their own size and the

1 Chilkat side is always much bigger.

2

3 And some of the first fish that came in
4 this year, too, we noticed on the Chilkoot side were a
5 little bit smaller so they weren't eating as much, or the
6 environment that they were living in wasn't as rich as
7 the Chilkat side, per se.

8

9 But, yeah, it's real interesting to see
10 the differences in these sizes of the fish and just a
11 little bit of different color variation and the size of
12 the fish as well. But, yeah, thanks, Mr. Chairman.

13

14 CHAIRMAN ADAMS: Anyone else?

15

16 Archie.

17

18 MR. NIELSEN: Thank you, Mr. Chairman.
19 Three years Goldbelt people asked me to make an
20 observation on the Taku River. They said Arch, we
21 entered in an agreement with the Canadians and they're
22 going to use those boats, and I said are you crazy, you
23 upset the ecology of the salmon, they won't come back.
24 Sure enough last year, no fish came back.

25

26 They fired Randy Wanamaker and I said,
27 Randy, you remember what I told you two or three years
28 ago. The fish are very finicky, you upset their ecology,
29 they won't come back.

30

31 The biggest boondoggle that Alaska
32 Natives have is mining. There is no in between when it
33 comes to mining, it's all downhill.

34

35 Thank you, Mr. Chairman.

36

37 CHAIRMAN ADAMS: Thank you. Anyone else.

38 Merle.

39

40 MS. HAWKINS: I'll save most of my
41 comments for when we get to the proposals about the
42 eulachon other than to say that I got to try some of
43 those Carroll Inlet eulachon, they were real tasty.

44

45 CHAIRMAN ADAMS: Okay, thank you. All
46 right, well, thanks, Jeff, appreciate it.

47

48 Why don't we take a break, folks, a 15
49 minute break.

50

1 (Off record)

2

3 (On record)

4

5 CHAIRMAN ADAMS: We'll go ahead and get
6 started here. We're going to do our, right now, you
7 know, we have the motion to adopt the agenda as a guide
8 and so we're going to listen to EP13-19.

9

10 MR. KOOKESH: FP.

11

12 CHAIRMAN ADAMS: FP. And Robert Larson
13 is going to talk about it and then Mr. David Bedford will
14 also be making a comment about that after him, and then
15 other testimony can be taken after that, and then once we
16 have heard everyone who wants to speak then we can move
17 to adopt it and go into Council deliberation, as we were
18 trained this morning.

19

20 Okay.

21

22 Mr. Larson, go ahead.

23

24 MR. LARSON: Thank you, Mr. Chair. The
25 first proposal that will be considered by the Council
26 this afternoon is Proposal FP-19 and that can be found on
27 Page 64, the executive summary is on Page 64 of your
28 Council book. The draft Staff analysis begins on Page 65
29 of your Council book.

30

31 FP13-19 is a proposal, it's by the
32 Southeast Council and its intent is to increase the
33 annual Stikine River subsistence sockeye salmon guideline
34 harvest level, the amount that is allocated to the
35 Federal subsistence fishery from 600 fish to 2,000 fish.

36

37 The guideline harvest levels are
38 contained, not only in Federal regulations, but they're
39 contained in the Annex 4 of the US/Canada/Pacific Salmon
40 Treaty from 1985 as amended in 2009.

41

42 If we talk about the Treaty we're really
43 talking about the US/Canada/Pacific Salmon Treaty, and,
44 Bert, if you could push that little white button to put
45 us on line again -- thank you.

46

47 CHAIRMAN ADAMS: I did my job for today.

48

49 (Laughter)

50

1 MR. LARSON: The first Federal
2 subsistence Stikine River subsistence fishery was
3 approved by the Board and subsequently by the Pacific
4 Salmon Commission through the TransBoundary River Panel
5 in 2004, so that's when it was first effective, was in
6 2004.

7
8 The rules, primarily the season was
9 slightly different than what it is today. However, one
10 of those provisions of the regulations that was
11 subsequently adopted into the Treaty was a guideline
12 harvest level. Remember at that time there was
13 considerable uncertainty regarding the potential for
14 harvest in this new fishery. However, because the US
15 Federal subsistence harvest, this new fishery is part of
16 the US harvest allocation, then there's a need to account
17 for that harvest, and the guideline harvest was an
18 attempt to estimate the impact of the Federal subsistence
19 fishery, a new fishery on those stocks.

20
21 The guideline harvest levels are in
22 Federal regulations. They're also in Annex IV and they
23 were based on very limited information, essentially
24 myself and the local area manager of the Department of
25 Fish and Game consulted with some local users and based
26 on our experience and working with some of the Staff in
27 our headquarters provided these guideline harvest
28 numbers. There's a guideline harvest number for king
29 salmon, for chinook salmon, for cohos and for sockeyes.

30
31 So the derivation of this number was
32 based primarily on our supposition of the facts at that
33 time. At the time we were thinking that the season
34 length would be very reduced and we really didn't know
35 what would be a daily limit that would be adopted by the
36 Board either, so -- but anyway it was our best estimate
37 of what would this fishery look like eventually, and that
38 was where the 600 fish came from.

39
40 The State does not have a companion
41 fishery. Most fisheries in the state, primarily in
42 Southeast specifically there is a parallel fishery
43 authorized under State regulations, so it's either a
44 State subsistence fishery or a State personal use fishery
45 but in this case there is not, the State has a positive
46 customary and traditional use determination for the
47 Stikine River but they do not authorize a fishery. This
48 is the fishery that's authorized for this use for
49 subsistence.

50

1 Federal waters are all waters of the
2 Stikine River. It's within the Stikine/LeConti
3 Wilderness area, but actually the jurisdiction for
4 fisheries is not affected by that. It is inside the
5 exterior boundaries. But 24 miles up the Stikine River
6 is the Canadian boundary and we've made a determination
7 based on the best available information at the time where
8 the lower boundary is and we have a map with a line on
9 it, and it's shown as Figure 1 in your book, which is the
10 lower extent of the jurisdiction and the upper extent is
11 the Canadian boundary.

12
13 The fishery was opened in 2004. The date
14 was changed to where it is now in 2006. The sockeye
15 fishery has remained pretty much the same since then.
16 Rules regarding mesh size and daily possession limit and
17 gear has all stayed the same. In 2004 we had 40 permits
18 that were issued and 243 sockeyes harvested.

19
20 If we look at Table 1, which is on Page
21 69 in your Council book, you show an increasing trend of
22 both participation and harvest. Record harvest occurred
23 in 2011 where 129 permit holders harvested 1,755
24 sockeyes. Our estimate -- we provide a weekly harvest
25 estimate to the US managers to allow for a harvest
26 estimate based on queries of permit holders. I call a
27 number of people every week during the season and we get
28 a harvest estimate and I expand that by the number of
29 permit holders so they would have a weekly estimate of the
30 Stikine River subsistence harvest, they can put that into
31 their models and decisionmaking process regarding whether
32 or not -- or what conditions they would have a commercial
33 fishery, which is the other part of the US allocation.
34 In 2012 I think that the harvest will be closer to 1,400
35 fish than 1,700 fish, so this increasing trend seems to
36 have stabilized.

37
38 During the course of development of the
39 Staff analysis, there is a logical alternative that arose
40 and that is, well, what's so magic about the 2,000 number
41 other than being a more realistic estimate of the total
42 harvest, we do have a requirement for a weekly harvest,
43 estimate that the State could use in their total
44 allocation calculations and that seems to be a lot more
45 relevant than another estimate. Why would we replace one
46 estimate with another estimate when we still provide a
47 weekly harvest to the managers to account for our
48 harvest. So the -- if you don't consider the guideline
49 harvest level as a quota, and we don't consider it a
50 quota, that view is not necessarily shared by everyone,

1 but that is our view is a guideline harvest level is a
2 guideline harvest and it's something that we work within,
3 but we don't have regulations to either constrain the
4 fishery to allow that number or to change the fishery
5 conditions to increase the harvest to attain that number,
6 so it's not a target, it's not a quota, it's a guideline
7 harvest that we to provide for scope of the fishery. In
8 that case, there is an argument to be made that having a
9 guideline harvest is not necessary -- a guideline harvest
10 level.

11
12 When you think about the effects of the
13 proposal, you have to talk about two parallel management
14 systems that are working, not necessarily en sync with
15 each other, but sequentially there's a bunch of steps
16 that need to happen. Because the guideline harvest
17 levels are in the Annex for the US Salmon Treaty, in
18 order to change the regulations, we can do that through
19 the Subsistence Board process, to change those guideline
20 harvest levels in Treaty language requires a process
21 that's different and it involves the Pacific Salmon
22 Commission and the TransBoundary River Panel.

23
24 If you look at Page 69 of the Council
25 book it's very clear, Annex IV, Chapter I says that we
26 need -- this is the process that needs to happen.

27
28 Any proposed regulatory changes to the
29 fishery during the remaining years of the Annex will need
30 to be reviewed by the bilateral TransBoundary River Panel
31 and approved by the Pacific Salmon Commission. So
32 ultimately when we've done business before we have done
33 -- on the Federal side we've approved this changes
34 contingent upon approval of the Pacific Salmon
35 Commission.

36
37 Nothing that we're doing here would
38 change the fact that we're still part of our US
39 allocation. But whatever we do, and I think that we're
40 approaching some level of participation in harvest that
41 we could expect to see in the future, something, you
42 know, around 2,000 fish, maybe a little bit less, I could
43 see it maybe going a little bit higher than what it was
44 this year based on other considerations but I don't think
45 it's going to, you know, extend much higher,
46 significantly higher than the 2,000 fish or something
47 that's not anticipated. And the stocks in the Stikine
48 River, we're talking about sockeyes now, are generally
49 healthy. So we're looking at an average harvest -- or an
50 average return of 185,000 fish, 184,000 and our harvest

1 would be something -- you know if we caught 2,000 fish,
2 you know, a little more than one percent of that, so
3 that's the kind of scale we're talking about here.

4
5 The preliminary conclusion is to
6 eliminate the subsistence sockeye salmon harvest level in
7 Federal regulations and by extension, implementation
8 would require the elimination of the guideline harvest
9 level in the Treaty Annex.

10
11 Justification would be that we expect
12 that this fishery will exceed 600 fish. I mean clearly
13 the parameters that we were considering when we derived
14 the 600, it's not -- those are just not valid, they're
15 different than that. We have a longer season, we have
16 more people participating. What it does allow is it
17 allows this allocation of fish to -- for the Federal
18 process to be fully integrated into the State process.
19 And having a US position to move forward to the Pacific
20 Salmon Commission, instead of being something separate or
21 in addition to, the way it is right now. Changing or
22 eliminating the guideline harvest level would not cause
23 either management or conservation concerns. And I think
24 the thing to remember is -- regarding process, that we're
25 not operating independently of this other body, we are
26 sending a signal about how we want to proceed, but it
27 would be contingent upon approval and action by this
28 other body.

29
30 The process, specifically, would be if
31 the Council and the Board wanted to approve it, this
32 change, you would be recommending this change to the
33 Board, just like normal, the Board would then change or
34 approve, ultimately approve something but it would be
35 done contingent upon further action by the Pacific Salmon
36 Commission. And there is the TransBoundary River Panel,
37 who is the intermediate, you know, that's the first step
38 that you bring things to the Pacific Salmon Commission.

39
40 So that concludes my remarks about
41 Proposal 13-19.

42
43 Thank you.

44
45 CHAIRMAN ADAMS: Thank you, Mr. Larson.
46 Is there any questions of the Council, and let's remember
47 that your question has to be related to the proposal, and
48 please try to avoid keeping your own comments out of it
49 until after we go into deliberation. Okay.

50

1 Mr. Bangs.

2

3 MR. BANGS: Thank you, Mr. Chairman. Mr.
4 Larson, have you personally had experience with the Panel
5 that deals with this as far as understanding how they
6 work and would this number of 2,000 be more effective to
7 have the number in rather than to not have a number in;
8 would you -- I mean my feeling is -- I'm kind of confused
9 on how they would respond to a no number?

10

11 MR. LARSON: Mr. Chair. I think we're
12 talking about the merits of proposal as opposed to my
13 presentation, but that being said, we have had
14 discussions in the past where primarily the Canadian side
15 of the equation would feel more comfortable having a
16 number but that is fairly dated kind of information and
17 a discussion that happened some years ago so I have no
18 current knowledge of what would be a preference regarding
19 changing or eliminating the guideline harvest level by
20 some other body.

21

22 CHAIRMAN ADAMS: Cathy.

23

24 MS. NEEDHAM: Thank you, Mr. Chair. Mr.
25 Larson. I'm not exactly sure I follow it since this is
26 kind of a different fishery than what we're used to
27 dealing with so if I'm out of line you can correct it.
28 But I just want to ask the question if the number is
29 pulled out, not -- like if we go with 2,000 and we put
30 that under the US allocation, will subsistence priorities
31 still be assured under -- now that it's part of the US
32 allocation and not the overall Treaty allocation or am I
33 getting that confused?

34

35 MR. LARSON: Mr. Chair. The number that
36 goes into the US allocation from -- not the overall
37 allocation, not the US/Canada allocation but the US
38 allocation itself, is -- it's not either the 600 or the
39 2,000 or some other number that might be picked out of
40 the hat, it's the number that is provided to the US
41 managers, the Department of Fish and Game managers by
42 myself on a weekly basis. So that's the number that they
43 use for their allocations. It's not the number that's in
44 the Treaty. They don't use 600 fish. In this case, you
45 know, they use 1,400 fish because that's what I've
46 provided them.

47

48 CHAIRMAN ADAMS: Mr. Hernandez, please.

49

50 MR. HERNANDEZ: Okay. So on the US side

1 of the border we have two fisheries essentially. We've
2 got the commercial fishery that takes place in marine
3 waters and we have the subsistence fishery and, you know,
4 am I correct in thinking that there is one number that
5 the Pacific Salmon Commission has kind of allocated to
6 both of those fisheries, a total? I see on Page 68, it
7 says preliminary US total allowable catch for the 2012
8 season is 31,000 sockeye, so are they using a number that
9 includes both the subsistence catch and the commercial
10 catch to come up with a 31,000 total allowable catch or
11 is that just a commercial number?

12
13 MR. LARSON: Mr. Chair. That is the US
14 allocation and it's based on the forecast of number of
15 fish returning, plus the harvest sharing schedule. So
16 the harvest sharing schedule and the forecast for the
17 abundance of sockeye returning is -- that's published
18 every year in a technical report. It's a management
19 report and it includes all the TransBoundary River
20 Panels. So the 31,000 is the US allocation. Within that
21 allocation there is all the components wrapped up from
22 harvest on the US side is made up of that number so --
23 but the success, or not of any one fishery is part of an
24 integral process, those numbers are changed in-season, so
25 the 31,000 isn't static. The 31,000 is changed depending
26 upon how the in-season estimate of returns change. And
27 then the total -- the way the fisheries are managed,
28 primarily in the commercial fishery really has nothing to
29 do with -- practically it doesn't have anything to do
30 with the subsistence fishery, it's so small that you
31 can't manage for it. This is all a commercial fishery
32 management issue.

33
34 MR. HERNANDEZ: Right. I guess that will
35 be probably one of my considerations in deliberation. I
36 mean it seems like our number, as even a percentage of
37 the US total allowable catch is so small, that whether or
38 not it's significant enough to be considered, and, you
39 know, would the Commission accept the fact that the
40 subsistence fishery is just a very small part of the US'
41 overall catch allowance and how much difference that
42 would make, I guess that's something we'll have to
43 discuss, but that's where I was going with that question
44 for future deliberations, I guess.

45
46 CHAIRMAN ADAMS: Thank you. Any more
47 questions.

48
49 John.
50

1 MR. YEAGER: Thank you, Mr. Chair. Mr.
2 Larson, if this were presented in front of the Panel and
3 rejected at that level, what ramifications will that have
4 on the current users of the Stikine fishery, would it go
5 back to the way it reads now or do you have any idea how
6 that would look if it was rejected?

7
8 MR. LARSON: Mr. Chair. I don't know
9 that I'm ready to get too much into conjecture at this
10 point. What we'd like to do at this point is just to put
11 some facts on the table and we can talk about, you know,
12 what that means here at some later point but, yeah.

13
14 CHAIRMAN ADAMS: Thank you. Anyone else.

15
16 (No comments)

17
18 CHAIRMAN ADAMS: Thank you, Mr. Larson.
19 Now we'll listen to Mr. Bedford, the State Department of
20 Fish and Game.

21
22 COMMISSIONER BEDFORD: By your leave, Mr.
23 Chairman. Thank you for the opportunity to speak with
24 the Council, I appreciate this.

25
26 We've had an ongoing relationship dealing
27 with the subsistence fishery on the Stikine. When I
28 first got involved with the Salmon Commission, I signed
29 in with the State in 2003 and that was when we first
30 brought that forward and we've been working together ever
31 since that time. We've invited folks over -- Dick Stokes
32 came over and talked to us about it in the first
33 instance, and we've had people from subsistence, from
34 both management, and then from the RAC come and talk with
35 us as well.

36
37 It's been, I think, a fairly effective
38 cooperative relationship that we've been involved in.

39
40 In any event, my particular position is
41 I'm Deputy Commissioner of the Alaska Department of Fish
42 and Game. I'm appointed by the Secretary of State as
43 Alaska's Commissioner on the Pacific Salmon Commission.

44
45 The Pacific Salmon Treaty was a fairly
46 dramatic and unique enterprise. It's an incredibly
47 effective international agreement to try to address very
48 complex resources and fisheries, so it addresses the
49 salmon fisheries that occur between Cape Suckling in
50 Alaska down to Cape Falcon in Oregon. It addresses net

1 fisheries, troll fisheries, subsistence fisheries, you
2 have the Canadian food fisheries are part of the
3 dialogue, you have the subsistence fisheries, and tribal
4 fisheries in the Pacific Northwest, and all of this
5 dealing with basically thousands of stocks of salmon;
6 you're talking about chinook, coho, sockeye, all of it.
7 Very complicated arrangement, and very, very
8 controversial when it first started out.

9
10 The negotiations really started, their
11 infancy in the '60s and the Treaty was not executed until
12 1985. IT was a very difficult process. And the reason
13 being that both countries had developed fisheries that
14 were designed to operate on mixed stocks and that had the
15 effect of intercepting fish that were the product of
16 rivers in the other nation.

17
18 In the first instance this was a classic
19 tragedy of the Conans. Because the idea is you get out
20 there and you fish as hard as you can because if you
21 don't catch it somebody else will so there's no real
22 reason to conserve and be cautious because if you don't
23 get it, again, it's going to get across the border into
24 the other country and those guys are going to get it. So
25 it took a lot of soul searching and arm twisting to get
26 to the point where we had a bilateral agreement where we
27 could effectively conserve salmon resources and constrain
28 human use of those resources.

29
30 The agreement was signed in 1985. And
31 one of the provisions of that agreement was the equity
32 principle, and that is the notion that each nation is
33 entitled to the benefits of the salmon produced in its
34 own waters. That's been something that was a real bone
35 of contention because the idea is if you're catching fish
36 that are coming from the other country then the other
37 country could claim you owed them something as a
38 consequence of that. The negotiation on the
39 TransBoundary Rivers was particularly difficult because
40 in the other instances I'm talking about, these are mixed
41 stock fisheries where you may have a predominance of
42 domestic production, or you may, in some cases, have a
43 predominance of production from the other nation. On the
44 TransBoundary Rivers it states quite clearly in the
45 Annex, that that is an arrangement dealing with
46 production from the Canadian side of the border. So all
47 of the fish that are governed under that particular
48 Annex, including the subsistence fishery are Canadian
49 origin salmon. So it's something -- it was the first
50 real hiccup in the Salmon Treaty process. In 1985,

1 shortly after the agreement was signed, the negotiations
2 froze because they were having a problem figuring out
3 some issues on the TransBoundary Rivers. Now, that was
4 with the commercial fisheries, but nonetheless, same
5 resource that was under discussion at that point.

6
7 You get -- in our own experience in
8 dealing with the subsistence fishery you get the same
9 kind of backdrop. I mean if you harken back -- when we
10 first started -- when I first dealt with it in 2003 we
11 went to Canada and we said we would like to, as Robert
12 was saying, he and Will Bergman sat down and come up with
13 their estimate of what a subsistence fishery would take
14 and we had taken that to Canada in the discussions and it
15 just absolutely high-centered. I mean we were unable to
16 get Canada to really talk to us at all. We were sorting
17 around with all kinds of different incentives and
18 approaches and so on, trying to get anything that would
19 get things moving ahead, and we had another extraordinary
20 session where we met to talk about only the TransBoundary
21 subsistence fisheries on the Taku and the Stikine, so we
22 had to bring the Commission together for that special
23 meeting and that is -- believe me that doesn't happen.
24 I mean that is -- we've got two of those, they've both
25 been on the TransBoundary Rivers. But in any event we
26 were successful finally in putting through the levels of
27 harvest that had been recommended to us by the Regional
28 Advisory Council.

29
30 When we renegotiated the Treaty in 2008,
31 I mean if you look, again, you guys have the tables with
32 the harvest and so on, and you'll see that the harvest up
33 until 2008 were pretty much falling within the guideline
34 harvest levels, when we renegotiated in 2008, again, we
35 came to the Regional Advisory Council and said, how
36 should we approach this, what's your recommendation for
37 the next step on this. And it was suggested that the
38 Council would like to see an uninterrupted fishery. We
39 had a gap.....

40
41 (Laughter)

42
43 (TELECONFERENCE INTERRUPTION)

44
45 (Laughter)

46
47 CHAIRMAN ADAMS: Sorry about that David.

48
49 COMMISSIONER BEDFORD: No problem.

50

1 And so then anyway, harken back to 2008
2 when we renegotiated the fishery provisions of the
3 agreement we, again, came to the Regional Advisory
4 Council and what you recommended was that you have a
5 continuous fishery, that we take out the gap that had
6 been in the Treaty between the chinook harvest in June
7 and then the sockeye harvest in July.

8
9 Subsequent to that time, of course, we've
10 seen that the harvest has been in excess of the GHIL.
11 This has been something that has been the topic of
12 conversation within the TransBoundary River Panel and a
13 matter of substantial interest, in particular, to Canada.

14
15 We're now in the position where we're
16 once again coming to you and we understand that you're
17 looking at, what is it, FP13-19, and listening to Robert,
18 I guess, that the original draft is to change the GHIL to
19 2,000 with a Staff recommendation of eliminating the GHIL.
20 I'm not going to speak substantively on this. I mean the
21 process that we go through is the US section of the
22 TransBoundary River Panel likes to receive from the
23 Regional Advisory Council your recommendations on what
24 should be done with the fishery, then the TransBoundary
25 River Panel has an opportunity to review that with their
26 particular understanding of how the negotiations with
27 Canada work. We then would take that forward after the
28 TBR Panel on our side has had a chance to deal with it,
29 we would take it forward into the negotiations. The
30 executive session of the Salmon Commission will take
31 place in about, oh, I think a week or 10 days down in
32 Vancouver, British Columbia, and that's the agenda
33 setting point in the process. We'll develop work plans
34 for the panels and the technical committees and then we
35 will lay out what the Commission agenda's going to be for
36 the meetings in January and February. And at that
37 meeting, I mean I can say that, as a matter of process,
38 we will have on the table, and on the agenda, the sockeye
39 fishery on the Stikine. So it will be something that
40 will be discussed in the Panel and in the Commission
41 process. I can't speak, as I say, substantively to what
42 the outcome on that is. But I do appreciate the
43 opportunity to receive your thoughts and recommendations.

44
45 I would like to sketch out for you a few
46 considerations of the sorts of things that we'll be
47 looking at when we take this into the international
48 process. Over the past couple of years there has been
49 concern raised by Canada, and for that matter on our
50 side as well, about some of the aspects of the

1 subsistence fishery, not because there's any concern
2 about the fact that we have a subsistence fishery and
3 that it's being conducted and so on or that there's any
4 sort of difficulty with that, but there is the fact that
5 there was a guideline harvest level and that the fishery,
6 over the last three years, has exceeded it very
7 substantially. Canada's interested in that. Recall now,
8 this -- Canada was in a position where they were very,
9 very reluctant to agree to a 600 fish fishery, and that
10 was under the -- and believe me, on our part we had a
11 really hard time understanding that, and, again, it was
12 something that we continued to pursue over about a two
13 year period to ultimately get that authorized. But,
14 again, bearing in mind what that shows is that Canada is
15 paying some pretty close attention to this, and I'd
16 harken back again to the notion that with the
17 TransBoundary Rivers you're talking about domestic
18 Canadian production, so it's a matter of some real
19 interest to them.

20

21 But in any event, there was a concern
22 about that.

23

24 Perhaps a little bit more concern to
25 Canada, and, again, we're talking context here, and this
26 is not directly related to the proposal that you have in
27 front of you, but it is something that will be part of
28 the mix as we try to move this through. Canada is quite
29 concerned that there's a directed subsistence fishery on
30 chinook salmon in circumstances in which there is not an
31 identified guideline -- or identified surplus. And there
32 is specific language in the Treaty that states that you
33 can't prosecute a fishery on chinook in the Stikine River
34 unless there is an allowed catch. And I recognize that
35 the subsistence fishery is not a large fishery, but this
36 is in international relations, in the discussion, the
37 letter of the law is something that has some importance.
38 So Canada reads the text of the Treaty word for word and
39 on its face says, this says, no directed fishing. Now,
40 understanding that at the same time there's indirect
41 fishing. So, for example, you could have a sockeye
42 fishery in Canada or a sockeye fishery commercial fishery
43 or subsistence fishery that was directed at sockeye that
44 might have an incidental harvest of chinook. So, for
45 example, when discussing this with Canada, their concern
46 is not whether after the 1st of July there's some
47 incidental harvest of chinook, their concern is that a
48 fishery is open in which the target harvest is chinook in
49 a circumstance, again, where there is no TAC available.

50

1 So that's something that Canada brings to
2 the table that they're pretty concerned about.

3
4 Another area of concern that's been
5 raised has been in terms of how the fishery is conducted.
6 Recognizing that some of the Canadian fishermen travel
7 down to Wrangell to sell fish and so they're traveling
8 through the area where the fishery takes place, there's
9 concern that some of the fishermen don't believe that the
10 gear is being very well tended. They're concerned that
11 there may be unaccounted harvest taking place. That
12 perhaps what we would be seeing is untended nets where
13 there's harvest of fish taking place that would then drop
14 out of the nets. I do know that in at least one instance
15 a net was pulled on the river and there were seal bit
16 fish in the net. So this is another area of concern for
17 Canada. And I bring this up, I mean, this is not an
18 effort to try to be critical of the subsistence fishery,
19 but what I'm trying to do is describe for you the context
20 in which the negotiations will take place. These are
21 concerns that Canada has put on the table.

22
23 So as we move ahead on this and we try to
24 move it through I'll be pleased to take whatever it is
25 the Council decides is the direction you want to follow,
26 take that to the US section of the Northern Panel. I
27 think it would be very helpful if along with the
28 recommendation, we had some sort of presence from the
29 Federal process, in whatever fashion you might think
30 would be appropriate, to come and talk with the US
31 section about the take on some of these issues that I'm
32 laying out. Because the guys who are on the US section
33 are going to have to go in with Canada and Canada's going
34 to raise these questions and so, how do we deal with
35 those, and I would suggest that as we move something out
36 of the US section of the TransBoundary River Panel and
37 into the bilateral session in January, again, I think it
38 would be helpful to have someone come to be able to speak
39 to the proposal that you have in mind, and then some of
40 the questions that have been raised by the Canadians in
41 our discussions.

42
43 But in any event I appreciate the
44 opportunity to come in and talk with you. And, again, I
45 think we've been fairly effective and successful up to
46 now in being able to move through the recommendations
47 that the Regional Advisory Council has made, and I look
48 forward to hearing what it is your recommendations are
49 for this year and taking them to the Northern Panel.
50 And, again, I assure you it will be an issue that will be

1 on the agenda for the Commission and we can give it
2 another shot.

3

4 Thank you.

5

6 CHAIRMAN ADAMS: Thank you, Mr. Bedford.
7 We appreciate you coming here and sharing, you know, the
8 information with us. So, Jennifer, are you going to make
9 an addition to this?

10

11 MS. YUHAS: (Nods affirmatively)

12

13 CHAIRMAN ADAMS: Okay, we'll withhold
14 questioning from the Council until she's done with her
15 presentation.

16

17 MS. YUHAS: Thank you, Mr. Chairman.
18 Members of the Panel, and my Deputy Commissioner.

19

20 As far as process and order, what is on
21 the table right now for discussion is the proposal itself
22 and so I just kind of want to bring things back to the
23 mechanics because the Department received an invitation
24 that Deputy Commissioner Bedford come give a report and
25 then the agenda was amended so that the proposal would be
26 taken up after his report but we find ourself in the
27 middle of the ADF&G section where I have not actually
28 given you our recommendation or answered a few of the
29 questions from the RAC, and kind of have been put in the
30 position of not wanting to interrupt my Deputy
31 Commissioner's report but find ourself at this point on
32 the agenda.

33

34 So since it is also the first time at the
35 microphone I just want to state my name for the record,
36 it's Jennifer Yuhas. I am the State liaison to the
37 Federal process, and thank the Chairman and the RAC
38 members for the opportunity to be here and landowners for
39 the opportunity to meet on site and the gracious welcome
40 that we have.

41

42 As you can see in your proposal book the
43 Department's recommen.....

44

45 CHAIRMAN ADAMS: Before you go any
46 further, folks, I just.....

47

48 MS. YUHAS: Sure.

49

50 CHAIRMAN ADAMS:want to announce

1 that Jennifer got her first, was it goat the other day?

2

3 MS. YUHAS: Sheep.

4

5 CHAIRMAN ADAMS: Sheep. So
6 congratulations.

7

8 MS. YUHAS: Thank you, it was earned.
9 Not an easy one.

10

11 The Department's recommendation on this
12 particular proposal is to defer until the decisions have
13 been made at the Panel and the Commission. That is
14 because the way the mechanics work, we make
15 recommendations to and coordinate with this Federal
16 Program, we don't have a voting seat at the Federal
17 table, we make recommendations, we liaison to you. We do
18 have a member on the Panel and the Commission, and,
19 therefore, we have to defer our recommendation on this
20 proposal until after decisions are made there. However,
21 that does not mean that we are asking the RAC to defer a
22 recommendation as Mr. Bedford has been quite clear, he is
23 welcoming a recommendation so he can take it to that
24 process, and has actually invited participation and
25 person at that meeting. But I wanted to be clear on what
26 that means.

27

28 There's times when the Department comes
29 and wants a decision to be deferred by the Board or by
30 the RAC. We are simply locked into the decision of
31 needing to defer any Department recommendation on this.
32 We do not want to prevent the RAC from making
33 recommendations on what outcome you would like to see to
34 Mr. Bedford so he can take those to the Panel and the
35 Commission.

36

37 *****

38 STATE OFFICIAL WRITTEN COMMENTS

39 *****

40

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

43

44 Fisheries Proposal FP13-19: Revise
45 Stikine River sockeye salmon harvest limits.

46

47 Introduction:

48

49 This Southeast Alaska Subsistence
50 Regional Advisory Council proposal would increase the

1 total annual guideline harvest level for Stikine River
2 sockeye salmon from 600 sockeye salmon to 2,000 sockeye
3 salmon.

4

5 The proponent stated this change is
6 needed because the original sockeye salmon guideline
7 harvest levels (GHLs) were based on estimated parameters
8 for this new fishery. The level of participation and
9 harvest were unknown. Since its inception, the Stikine
10 River subsistence sockeye fishery has had greater
11 participation and much higher harvests than anticipated.
12 Increasing the GHL to reflect actual and anticipated
13 harvests of Stikine River sockeye salmon is recommended.

14

15 Hilsinger (2005)¹ reported the U.S. and
16 Canada reached an agreement in February 2004 to allow
17 subsistence fishing for sockeye salmon in lower Stikine
18 River. The terms of the fishery included a 600 fish
19 maximum harvest limit, a July 1 31 season, and fishing in
20 the mainstem Stikine River. The sockeye salmon harvest
21 limit adopted by the Transboundary River Panel (TBR) was
22 based on results of a January 2003 analysis by the USFWS
23 and USFS. The agreement also required all proposed
24 regulatory changes to the fishery to be reviewed by the
25 bilateral TBR and be approved by the Pacific Salmon
26 Commission (PSC).

27

Impact on Subsistence Users:

28

29 If this proposal is adopted, federal
30 subsistence users would be able to harvest 1,400 more
31 Stikine River sockeye salmon per year than the current
32 total annual GHL of 600 sockeye salmon. However, in
33 reality the annual Stikine River federal subsistence
34 sockeye salmon harvest would not change much since the
35 600 fish GHL has been exceeded in each of the last three
36 years (e.g., 792, 1653, and 1735 fish harvests for 2009,
37 2010, and 2011, respectively).

38

39 With a current total annual guideline
40 harvest level of 600 Stikine River sockeye salmon and an
41 annual limit of 40 sockeye salmon per household, one can
42 calculate the original number of users expected to
43 participate in this subsistence salmon fishery was around
44 15.

45

46 If the annual limit of 40 sockeye salmon
47 per household remains the same, the proposed total annual
48 GHL of 2,000 Stikine River sockeye salmon could
49 potentially be shared by up to 50 subsistence salmon
50

1 users.

2

3

Impact on Other Users:

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

Opportunity Provided by State:

Salmon may be harvested under state regulations throughout the majority of the Southeast Alaska area, including a liberal subsistence fishery. Fish may be taken by gear listed in 5 AAC 01.010(2), except as may be restricted under the terms of a subsistence fishing permit. Under state regulations, subsistence is the priority consumptive use. Therefore, state subsistence fishing opportunity is directly linked to abundance and is not restricted unless run size is inadequate to meet escapement needs.

Conservation Issues: None at this time.

Enforcement Issues: None noted at this time.

Jurisdiction Issues:

The February 2004 agreement reached with Canada that allowed a sockeye salmon subsistence fishing in the U.S. portion of the lower Stikine River also required that any proposed regulatory changes to the fishery (e.g., increase harvest limit) would need to be reviewed by the bilateral TBR and be approved by the PSC.

Other Issues:

The next bilateral meeting of the TBR at which Stikine River subsistence fishery regulatory changes could be considered, is scheduled for the week of January 14, 2013 in Vancouver, BC.

Recommendation:

Defer, pending consideration by the TBR and the PSC.

1 1 Hilsinger, J. 2005. 2006 Federal
2 fisheries subsistence proposals ADF&G staff comments.
3 Alaska Department of Fish and Game, Division of
4 Commercial Fisheries, Subsistence Liaison Team,
5 Anchorage.

6
7 CHAIRMAN ADAMS: Thank you. Thank you,
8 are you done?

9
10 MS. YUHAS: I believe so, thank you, Mr.
11 Chairman.

12
13 CHAIRMAN ADAMS: Okay. So we'll just
14 keep you both up there and we'll allow the Council to ask
15 either of you questions, but we'll start with David
16 first, okay. Any questions of David -- Mr. Bangs.

17
18 MR. BANGS: Thank you, Mr. Chairman. I'm
19 not real clear on the problems that -- from the Canadian
20 side, their concerns about how we basically kind of
21 divide up our share. And the subsistence take, although
22 is greater -- is what I'm getting, is maybe their concern
23 is based on if we increase our catch of sockeyes, it
24 increases the bycatch of chinook, that's what the table
25 kind of reads to me, but I'm not sure what Canada's
26 concerns are, how we divide up our share amongst user
27 groups in the US?

28
29 COMMISSIONER BEDFORD: Yeah, I appreciate
30 that question because quite frankly that's been something
31 that's been puzzling to us all along the line.

32
33 Frankly, when we first brought the
34 subsistence fishery to the table, it caused such
35 controversy with Canada, it was really puzzling to us, we
36 were quite unable to figure out what the problem was.
37 Because if you think back, I mean the request was so
38 modest, you know, 600 sockeyes, or 400 cohos came a
39 little bit later, you know 125 chinook, so I can't really
40 speak for Canada on why it is. I mean the only thing
41 that I can think is that first off it was a new
42 initiative, so it was another step in a process in which
43 people watch each other very carefully and which there
44 has not been a tremendous amount of trust. Don't get me
45 wrong, we have a much more collegial relationship with
46 Canada now than we did in the past, but, still, I mean
47 there's kind of a lingering, I think, effect.

48
49 But, you know, I don't have a clear
50 answer for you, I don't know.

1 CHAIRMAN ADAMS: Anyone else for Dave.
2 Donald.
3
4 MR. HERNANDEZ: I guess my question is,
5 who represents the US side in the negotiations, are there
6 yourself and commercial fishermen involved in that and
7 who advocates for subsistence fisheries in that process?
8
9 COMMISSIONER BEDFORD: Well, I like to
10 think I do. I mean, again, as I say, we've come to the
11 Regional Advisory Council and asked what it is you feel
12 is the approach that you would recommend and we've taken
13 that forward each time.
14
15 So as far as the Panel is concerned, the
16 representatives on the Panel are a bunch of a fishermen
17 from around Southeast, you know, Yakutat, Wrangell, Rod
18 Brown's on there.
19
20 MR. HERNANDEZ: A quick follow up.
21
22 CHAIRMAN ADAMS: Follow up, go ahead.
23
24 MR. HERNANDEZ: So when you say
25 fishermen, you're saying commercial fishermen represent
26 the US Panel primarily. And I know -- Mr. Chairman, I
27 know in the past when we first initiated this fishery we
28 also asked to have a subsistence user put on the Panel
29 and that never happened, we didn't get that. So I guess
30 my concern is a little bit about, you know, we're
31 concerned about subsistence fisheries, yet, I know within
32 the US allocation there's also a bit of an allocation
33 issue between commercial and subsistence, which could be
34 a factor, it's not a big factor but, you know, any time
35 you ask to increase the guideline harvest, it could
36 essentially come out of commercial harvest. So I'd just
37 like to know if you feel that our interests are well
38 represented on that Panel?
39
40 COMMISSIONER BEDFORD: Yes.
41
42 CHAIRMAN ADAMS: Okay. Archie, you got
43 a question.
44
45 MR. NIELSEN: This is from the Daily
46 Sentinel. SJ reinforces claim to Redoubt. They got
47 records when the Russians were here.
48
49 Mr. Chairman, The only time United
50 States had records when they had -- they bought Russia --

1 United States bought Russia, the Russian Church had
2 transcripts of birth certificates.....

3

4 CHAIRMAN ADAMS: Archie, does your
5 comments have direct relationship to the question.

6

7 MR. NIELSEN: They're laying claim to
8 Kiksadi property.

9

10 CHAIRMAN ADAMS: You need to ask him the
11 question, okay, you need to ask Mr. Bedford a question.

12

13 MR. NIELSEN: They're laying claim to
14 Kiksadi property who had been there hundreds of years and
15 they says they got records of 1750, you know, the
16 Russians had three small settlements in Sitka, Kodiak and
17 Bristol Bay, they were afraid of the Alaska Natives. You
18 want to know why, they treated them like dirt, they
19 treated them as the lowest life on earth and they're
20 afraid to go outside of their fort (ph). The only
21 records that they claim to have is the transfer records.
22 I've been a member of the Orthodox Church ever since I've
23 been born and I'm 79 years old. I know they have records
24 of birth, death, and nothing else. When that church
25 burned a of the records went up there. Now, he said/she
26 said, hey, that don't fly in court. Never has, never
27 will. You can get the best lawyer in town and it won't
28 fly.

29

30 I'm sorry for disrupting you, Mr.
31 Chairman.

32

33 CHAIRMAN ADAMS: That's okay. I don't
34 know if that was a question or not for you, Mr. Bedford,
35 but would you like to respond to his concern there.

36

37 COMMISSIONER BEDFORD: I really don't
38 have a response, Mr. Chairman.

39

40 CHAIRMAN ADAMS: Okay, thank you. Anyone
41 else.

42

43 (No comments)

44

45 CHAIRMAN ADAMS: Again, let's keep, you
46 know, focused on the proposal that is before us. Mr.
47 Bedford is here to answer any questions of the Council.
48 So we'll ask, again, is there any more questions.

49

50 Mr. Bangs.

1 MR. BANGS: Thank you, Mr. Chairman. Mr.
2 Bedford, getting back to your knowledge of how the Panel
3 works and how the Canadians respond, I'm still not clear
4 on whether having the OSM type of no limit, or no number,
5 tangible number to stick out there, or the 2,000, in your
6 opinion they want to see the number or how does your
7 feeling about how Canada feels about that?

8
9 COMMISSIONER BEDFORD: I'll be real frank
10 with you, I have a hard time responding directly to that.
11 I mean we see turnover in the Panel, we're going to have
12 a new Chairman this coming year. It'd be very hard for
13 me to predict, so I apologize, I can't really speak to
14 that.

15
16 CHAIRMAN ADAMS: Okay. Any more
17 questions of Mr. Bedford.

18
19 (No comments)

20
21 CHAIRMAN ADAMS: Hearing none, do you
22 have any questions for Ms. Yuhas.

23
24 (No comments)

25
26 MS. YUHAS: I did hear one question asked
27 before I came to the table that I can answer, Mr.
28 Chairman, if you'd like.

29
30 CHAIRMAN ADAMS: Go ahead.

31
32 MS. YUHAS: Member Needham had asked
33 about subsistence as a priority, and what the proposal
34 would mean and what the numbers mean. There really are
35 two separate questions between what the Panel and the
36 Commission may do and how we manage our fishery in Alaska
37 and whether it's under the Federal Program or whether
38 it's under the State Constitution and State management,
39 subsistence always has a priority. Some of the mechanics
40 of that are often debated, sometimes through court cases,
41 but the answer to the question that she asked is that it
42 would still be the priority fishery after the numbers are
43 allocated.

44
45 CHAIRMAN ADAMS: Thank you. Thank you,
46 folks, appreciate it.

47
48 Federal agencies. Is that going to be
49 you, Mr. Kessler.

50

1 MR. KESSLER: InterAgency Staff Committee
2 when we get there.

3
4 CHAIRMAN ADAMS: Pardon.

5
6 MR. KESSLER: I'll represent the
7 InterAgency Staff Committee when you get there.

8
9 CHAIRMAN ADAMS: Okay. Any Native or
10 tribal organization who would like to make a comment at
11 this point.

12
13 (No comments)

14
15 CHAIRMAN ADAMS: Alrighty. Villages.

16
17 (No comments)

18
19 CHAIRMAN ADAMS: Other people.

20
21 (No comments)

22
23 CHAIRMAN ADAMS: Mr. Kessler, it looks
24 like you are next, InterAgency Staff Committee comments.

25
26 MR. KESSLER: Thank you, Mr. Chairman and
27 members of the Council. Steve Kessler with US Forest
28 Service and member of the InterAgency Staff Committee.
29 It's great to be back with you.

30
31 I know that there is the agenda item for
32 the InterAgency Staff Committee comments and the
33 InterAgency Staff Committee reviewed all of these
34 proposals you'll be deliberating. We think that they
35 have been written very well and after working with the
36 analysts we think that they really don't -- we don't have
37 any comments for you from the InterAgency Staff
38 Committee, all the issues, in our opinion have been
39 addressed in them. So unless you have specific questions
40 that you would like to ask me as a member of the
41 InterAgency Staff Committee on all of these proposals
42 that you will be deliberating, the -- I'll give you the
43 same response, that we don't have any comments.

44
45 CHAIRMAN ADAMS: As usual.

46
47 MR. KESSLER: Well, they're well done.

48
49 CHAIRMAN ADAMS: Is there any comments,
50 I mean questions of Mr. Kessler at this point.

1 (No comments)
2
3 CHAIRMAN ADAMS: Hearing none, thank you,
4 sir.
5
6 MR. KESSLER: Thank you.
7
8 CHAIRMAN ADAMS: Item No. 3 here,
9 Advisory groups.
10
11 (No comments)
12
13 CHAIRMAN ADAMS: Neighboring Regional
14 Advisory Councils.
15
16 (No comments)
17
18 CHAIRMAN ADAMS: Any local Fish and Game
19 Advisory Committees.
20
21 (No comments)
22
23 CHAIRMAN ADAMS: National Park Service.
24
25 (No comments)
26
27 CHAIRMAN ADAMS: Okay, moving on, Mr.
28 Larson, are there any written comments.
29
30 MR. LARSON: Mr. Chair. We do not have
31 written comments regarding this proposal.
32
33 CHAIRMAN ADAMS: Thank you, sir. Public
34 testimony.
35
36 (No comments)
37
38 CHAIRMAN ADAMS: Hearing none, we will
39 now go into deliberation. We need a motion from the
40 Council and second to adopt it and then we will go into
41 discussion.
42
43 Mr. Bangs.
44
45 MR. BANGS: Thank you, Mr. Chairman. I
46 move to adopt Fisheries Proposals 13-19.
47
48 CHAIRMAN ADAMS: Thank you, Mr. Bangs.
49 Do I hear a second.
50

1 MR. YEAGER: Second.
2
3 CHAIRMAN ADAMS: By whom?
4
5 MR. YEAGER: (Raises hand)
6
7 CHAIRMAN ADAMS: John, okay. All right,
8 we're in Council discussion now.
9
10 MR. LARSON: Mr. Chair. I do have a
11 comment here.
12
13 CHAIRMAN ADAMS: Mr. Larson has a
14 comment.
15
16 MR. LARSON: Mr. Chairman. I spoke too
17 soon, I apologize. There is one written public comment,
18 it's found on Page 75. The Southeast Alaska Fisheries
19 Alliance, a commercial fisheries working group supports
20 the concept where the Board works with the Pacific Salmon
21 Treaty Panel to address this issue. They believe that
22 accurate accounting and understanding and the amount of
23 harvest occurring is necessary for the long-term
24 sustainable fisheries management of the river.
25
26 Thank you.
27
28 CHAIRMAN ADAMS: Thank you, Mr Larson.
29 Okay, we are now in discussion of this proposal.
30
31 So during this part of the discussion,
32 you know, you need to address if there is a conservation
33 concern and how will your recommendation address that
34 concern. Is there substantial -- it's the four criteria,
35 okay, we all know that, so go ahead, let's go into
36 discussion.
37
38 I think we need to give, you know, the
39 maker of the motion first opportunity to speak on this
40 issue, so, Mr. Bangs.
41
42 MR. BANGS: Thank you, Mr. Chairman. I
43 believe our proposal is going in the right direction.
44 I'm still on the amendment made by OSM to remove the
45 number which we picked, the 2,000, which seems to be
46 reasonable. I feel if we were to adopt the amended
47 proposal and they didn't accept it because of the lack of
48 a number, I'm not sure they would put a number on it, so
49 I'm kind of confused about which way we should go to give
50 the Panel the opportunity to have an acceptable proposal

1 before them. And that's why I'm still not sure exactly
2 how to move forward with it as far as our recommendation
3 versus OSM.

4

5 Thank you.

6

7 CHAIRMAN ADAMS: Okay. Mr. Bangs, would
8 you mind addressing the four criteria if you don't mind,
9 you know, you made the motion and you're doing it based
10 on those so if you could address that I'd sure appreciate
11 it, please.

12

13 MR. BANGS: Mr. Chairman. I don't think
14 I'm ready to address the criteria because I don't think
15 we've discussed it enough to bring out more changes or
16 ideas about our proposal. I think there's still
17 questions and I'd like to hear some more comments from
18 other Council members.

19

20 CHAIRMAN ADAMS: Okay, that's well taken.
21 Anyone else like to make a comment.

22

23 Mr. Douville.

24

25 MR. DOUVILLE: Thank you, Mr. Chairman.
26 We recommended a number of 2,000 and OSM, in their
27 analysis, chooses to remove all the numbers. From
28 listening to Mr. Bedford, the Treaty people, if you will,
29 seem to feel more comfortable with a number and I agree
30 with what you're saying, that without a number, I'm
31 afraid that they would think that this thing would spiral
32 out of control. But our coordinator, with his best
33 estimate, based on numbers in the past, thinking that it
34 may reach 2,000 or somewhere close and perhaps maintain
35 a similar level, to me is more acceptable to have a
36 number there. That's my thinking.

37

38 CHAIRMAN ADAMS: Okay, thank you,
39 Michael. Anyone else.

40

41 Mr. Donald.

42

43 MR. HERNANDEZ: Thank you, Mr. Chairman.
44 I think I'm more inclined to agree with the OSM's
45 recommendation to not put forward a number. I guess at
46 this point in the history of this fishery, I mean Mr.
47 Larson might be very accurate in thinking that 2,000 is
48 a number that wouldn't be exceeded, but when this new --
49 when this fishery -- and I won't call it a new fishery
50 because I'm sure if Mr. Stokes was here, he would

1 admonish me for calling it a new fishery when it's
2 actually probably the oldest fishery on the river, so --
3 but when it was implemented in regulation as a
4 subsistence fishery there was a number -- they wanted to
5 see a number and we came up with a number, and I think it
6 was kind of recognized that it was kind of implement the
7 fishery, see how it develops, you know, maybe see how
8 that number works out and now at this point, I guess, I'm
9 a little afraid that if we come up with a new number, if
10 we get to the point where that number should start to be
11 exceeded, they may try and hold us to that number at this
12 point. I'm a little wary of the whole process where I
13 don't really -- I know Mr. Bedford says that the
14 Department speaks for our interests, but I also know, you
15 know, through a long history, that there's a very strong
16 commercial interest in that fishery and they've been
17 represented on the Panel for, you know, since its
18 inception, and I guess I do worry that we would be held
19 to a number if we come up with a number at this point and
20 that may be not where we want to go.

21
22 I think we should probably argue for the
23 fact that US allocation, total allowable catch should be
24 worked out between the Alaska components, which is the
25 Federally-managed subsistence fishery and the State
26 managed commercial fishery to keep within that total
27 allowable catch and not have a set number for subsistence
28 fishery.

29
30 So that'd be my opinion.

31
32 CHAIRMAN ADAMS: Thank you, Mr.
33 Hernandez. Anyone else -- John, go ahead -- I'm sorry,
34 John, he caught my attention first, I apologize, go
35 ahead.

36
37 MR. KITKA: To add to the discussions
38 realizing the numbers that are out there right now, is
39 that -- I'd like to know whether there is any more
40 families that will get involved in this fishery and, if
41 so, the numbers will change and just how much they'll
42 change we have no idea but if I'm right, there's more
43 families that may get involved in this fishery. And I'd
44 put this question to Bob.

45
46 CHAIRMAN ADAMS: You may answer Bob.

47
48 MR. LARSON: Mr. Chairman, thank you. It
49 appears that those people with both the interest and the
50 means to participate in this fishery is -- those people

1 that are not participating now, but could participate, it
2 seems that that number is getting smaller. So I can't
3 speak -- I would guess that as time goes on and the --
4 you know, everyone that can participate becomes
5 capitalized into the fisheries so that they could
6 participate, you know, those people that want to could,
7 the number of participants could go up, yes. Now,
8 whether that's -- you know, I don't expect it to double,
9 I don't think that that's true. I think most of the
10 people that would participate are participating, but
11 there's other people that have an interest in doing this,
12 that are currently unable to do it. But there's also
13 going to be people that are, you know, phasing out of
14 that part of their life and they're not doing it anymore.
15 So I think that what you've seen in the past is the
16 maturing of that fishery. So the amount of growth is not
17 open ended, the amount of growth is going to be reduced.

18
19 CHAIRMAN ADAMS: Okay. Just a point of
20 order here, let me take my point of order here. We
21 already had the question, you know, portion for Mr.
22 Larson after he gave his presentation so, you know, we
23 need to be careful, you know, to ask questions during our
24 deliberation part. You know I understand you want
25 clarification and everything and maybe it can be allowed
26 once in awhile but I think that needs to kind of be
27 closely followed. Did you have something, but he had
28 something first.

29
30 John.

31
32 MR. YEAGER: Thank you, Mr. Chair. I
33 agree with Mr. Hernandez. At this point I would be
34 hesitant to put a cap or a number on this for the reason
35 that at some point you could be -- it could be held on
36 that -- we could be held to that, I should say and at
37 this point this is not a stock of concern issue with this
38 fishery. So I like the idea of not putting a number but
39 having accurate numbers that Mr. Larson can collect from
40 the users. I think that that could potentially be more
41 useful than just a number we put out there.

42
43 I also think that it would be helpful for
44 the Council to address the concerns or considerations
45 that were expressed to us about the fishery on there that
46 they could take maybe some information back with them
47 when they present this so it could maybe clear up some
48 lines there on how that fishery is being handled on the
49 Stikine.

50

1 Thank you.
2
3 CHAIRMAN ADAMS: Thank you, John.
4
5 Mr. Kookesh.
6
7 MR. KOOKESH: Thank you, Mr. Chairman.
8 Yeah, I'm trying to take it we're asking for a no cap;
9 I'm sensing that we're so used to a cap that we're afraid
10 when somebody's giving us too much it scares us.
11
12 (Laughter)
13
14 MR. KOOKESH: We should be celebrating.
15
16 Thank you.
17
18 CHAIRMAN ADAMS: Thank you, Floyd.
19
20 Mr. Bangs.
21
22 MR. BANGS: Thank you, Mr. Chairman. I'd
23 just like to make a point. Out of the last nine years
24 we've exceeded the number we have now four times and this
25 is a guideline harvest level, it's not a cap, there's a
26 lot of difference between that. And if the proposal is
27 going to go forward with no number, I'm not sure that the
28 Panel would put a number on there, if they won't pass the
29 proposal without a number. That's my concern. But I
30 just want to remind you this is not a cap, it's a
31 guideline harvest.
32
33 Thank you.
34
35 CHAIRMAN ADAMS: Thank you, Mr. Bangs.
36
37 Mr. Wright.
38
39 MR. WRIGHT: Thank you, Mr. Chairman. If
40 I was the person who was going to be negotiating, or
41 talking up there and recommendation, if they had asked me
42 what was the recommendation of Southeast Regional
43 Advisory Council and I would have to say, well, we don't
44 have a number, so I would be -- as a person that would be
45 talking for us, I'd be kind of like stumped. So like Mr.
46 Bangs has said, it's a guideline level, so I really think
47 that, you know, eventually there are going to be more
48 harvesters because, you know, the sockeye for some reason
49 is always the most sought after fish. You know, I like
50 humpies too, you know, and I like cohos, whatever, but

1 anyway the concern to me is if we didn't have any kind of
2 number, what would we be going after, we don't know.

3

4 Thank you, Mr. Chair.

5

6 CHAIRMAN ADAMS: Thank you, Mr. Wright.
7 Anyone else, please.

8

9 Mr. Kookesh.

10

11 MR. KOOKESH: It would seem to me that a
12 GHJ and a cap are the same difference. Maybe I'm not as
13 smart as you guys but a level and a cap. I don't want to
14 belabor the point but.....

15

16 CHAIRMAN ADAMS: Well, thanks for
17 bringing it up it's something to consider.

18

19 MR. LARSON: Can I talk about that?

20

21 CHAIRMAN ADAMS: You want to talk about
22 that, sure.

23

24 MR. LARSON: Thank you, Mr. Chair. Floyd
25 has a valid point, that the impressions or the
26 understandings of what is entailed in a guideline harvest
27 level is not the same for every person. There are some
28 people, and if you look on the Canadian website that
29 talks about this issue, they refer to it as a 600 fish
30 cap, so our quota is 600 fish. That's not our impression
31 of how that should be interpreted but that is theirs.

32

33 The other issue is that it's not -- I
34 need to remind you that it's not just how Federal
35 regulations are going to read, what we're doing is
36 recommending how the Treaty language is going to change.
37 Do you want to see a number in the US/Canada Treaty or
38 are you going to want to see that, you know, some
39 different language that the subsistence harvest is part
40 of the US allocation and it stops there. So what we're
41 really talking about is, not just Federal regulations,
42 but what the Treaty is going to say.

43

44 Thank you.

45

46 CHAIRMAN ADAMS: Okay. Any more
47 comments.

48

49 Mike, you have a comment.

50

1 MR. DOUVILLE: Thank you, Mr. Chairman.
2 I wish to amend the proposal with a modification to
3 eliminate the subsistence sockeye salmon limit from
4 Federal regulation. If I may, the reason for doing so,
5 as long as we're harvesting within the US allocation
6 there shouldn't be any problem, in my mind.

7
8 CHAIRMAN ADAMS: Thank you, that kind of
9 kind of takes care of the other issue, too, that was
10 brought up a couple times.

11
12 Is there a second.

13
14 MR. KITKA: I second.

15
16 CHAIRMAN ADAMS: It's been moved and
17 seconded to amend the motion to eliminate the subsistence
18 sockeye salmon limit from the Federal regulations. So
19 any discussion on that.

20
21 (No comments)

22
23 MR. KITKA: Question.

24
25 CHAIRMAN ADAMS: Question's been called
26 for. Now we're going to vote on the amendment and that
27 is to eliminate the subsistence sockeye salmon limit from
28 the Federal regulation. All those in favor please say
29 aye.

30
31 IN UNISON: Aye.

32
33 CHAIRMAN ADAMS: Opposed.

34
35 (No opposing votes)

36
37 CHAIRMAN ADAMS: Motion carries. Now
38 we're back to the main motion, folks.

39
40 Mr. Bangs.

41
42 MR. BANGS: Thank you, Mr. Chairman. I
43 think there was a good point made in the fact that what
44 Mr. Larson said that if the language in the Treaty
45 reflects the intent of having no number, as far as the
46 subsistence take will be written in as part of the US
47 allocation so that there isn't a misunderstanding that we
48 just want to have an unended amount of fish to take.

49
50 Thank you.

1 CHAIRMAN ADAMS: Thank you. Any more
2 comments.
3
4 (No comments)
5
6 CHAIRMAN ADAMS: Are you ready to vote.
7 Are you calling for the vote.
8
9 MR. DOUVILLE: Yes.
10
11 CHAIRMAN ADAMS: Okay.
12
13 MR. DOUVILLE: Question.
14
15 CHAIRMAN ADAMS: Okay, a call for the
16 question -- this is the main motion now, all in favor of
17 -- do we understand the motion, do we understand what it
18 is. It is essentially to adopt the OSM preliminary
19 conclusion and that is to eliminate the subsistence
20 sockeye salmon limit from the Federal regulations. So
21 that is an amendment to the main motion, okay. Do I
22 understand that right?
23
24 MR. KITKA: We already passed it, right?
25
26 CHAIRMAN ADAMS: We haven't passed the
27 main motion yet.
28
29 MR. KITKA: The main motion as amended.
30
31 CHAIRMAN ADAMS: We are on the main
32 motion as amended yes.
33
34 MR. LARSON: Just give me a second before
35 we vote.
36
37 CHAIRMAN ADAMS: Here's the way I
38 understand it. We made a motion that we seconded to
39 adopt the language of Proposal 13-19 and it requests that
40 the annual guideline harvest levels for the subsistence
41 sockeye salmon fishery on the Stikine River be increased
42 from 600 sockeye to 2,000 sockeye salmon and this was
43 submitted, of course, by this body. And then there was
44 an amendment to the motion, which you passed, okay, so we
45 have to deal with that and the amendment. We dealt with
46 the amendment and now we're at the main motion again.
47
48 Okay.
49
50 Mr. Larson.

1 MR. LARSON: Mr. Chair. Just for the
2 sake of clarity on Page 64 the OSM preliminary conclusion
3 could be stated more clearly. What you said is exactly
4 correct, what it says in the preliminary conclusion is
5 not stated right. So what it should say is:

6
7 Support Proposal FP13-19 with
8 modification to eliminate the annual
9 subsistence sockeye salmon level --
10 guideline harvest level from Federal
11 regulations

12
13 So we're talking about the guideline
14 harvest level, we're not talking about a limit.

15
16 CHAIRMAN ADAMS: So that's a bad word
17 there.

18
19 MR. LARSON: Yes. So we need to
20 substitute limit and put guideline harvest level in there
21 just to make sure we understand what we're talking about.

22
23 CHAIRMAN ADAMS: That makes more sense to
24 me now.

25
26 MR. DOUVILLE: Mr. Chair. That was
27 clearly my intent.

28
29 (Laughter)

30
31 CHAIRMAN ADAMS: It's clear that was your
32 intent.

33
34 MR. DOUVILLE: Yes.

35
36 CHAIRMAN ADAMS: Are we ready to vote on
37 this now, it's the main motion, back to the main motion.

38
39 Mr. Bangs.

40
41 MR. BANGS: Thank you, Mr. Chairman. I'd
42 like to read the justification into the record.

43
44 CHAIRMAN ADAMS: Go ahead.

45
46 MR. BANGS: Okay. I don't think -- I
47 think we proved that there is not a conservation concern.
48 And I think that our recommendation is supported by
49 substantial evidence. And it will address the
50 subsistence needs and will not be detrimental to

1 subsistence users.

2

3 Thank you.

4

5 CHAIRMAN ADAMS: Great. Thank you, Mr.
6 Bangs. And Mike called for the question, right.

7

8 MR. DOUVILLE: (Nods affirmatively)

9

10 CHAIRMAN ADAMS: Okay, we're going to
11 vote now. All in favor of this motion please signify by
12 saying yea.

13

14 IN UNISON: Yea.

15

16 CHAIRMAN ADAMS: All opposed, nay.

17

18 (No opposing votes)

19

20 CHAIRMAN ADAMS: The motion carries.
21 Thank you ladies and gentlemen, let's take a break until
22 tomorrow morning. Is 9:00 o'clock okay.

23

24 (Council nods affirmatively)

25

26 CHAIRMAN ADAMS: 9:00 o'clock, okay.

27

28 (Off record)

29

30 (PROCEEDINGS TO BE CONTINUED)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

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, State of Alaska and reporter of Computer Matrix, do hereby certify:

THAT the foregoing pages numbered 02 through 90 contain a full, true and correct Transcript of the SOUTHEAST FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL, VOLUME I, taken electronically by our firm on the 26th day of September 2012, in Sitka, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed 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 5th day of October 2012.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires:9/16/2014