

1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME I

7
8
9 Wrangell, Alaska
10 September 27, 2011
11 9:00 a.m.

12
13
14 COUNCIL MEMBERS PRESENT:

- 15
16 Bertrand Adams, Chairman
17 Timothy Ackerman
18 Michael Bangs
19 Michael Douville
20 Donald Hernandez
21 Harvey Kitka
22 Frederick Nielsen
23 Cathy Needham
24 Patricia Phillips
25 John Yeager
26
27
28
29
30 Regional Council Coordinator, Robert Larson

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

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3 (Wrangell, Alaska - 9/27/2011)

4
5 (On record)

6
7 CHAIRMAN ADAMS: Good morning, ladies and
8 gentlemen. On behalf of the Southeast Regional
9 Subsistence Advisory Council I will call this meeting to
10 order. Before we begin we would like to have Wilma
11 Stokes, if she would, offer an invocation for us. Wilma,
12 please. Would everyone rise, please.

13
14 MS. STOKES: (Invocation)

15
16 CHAIRMAN ADAMS: Gunalcheesh. We'll do
17 the roll call. After the roll call and review of the
18 agenda we'd like to call on some local people, leaders in
19 the community, to offer some welcoming remarks. Then we
20 have a surprise for Wilma. Right now, Mr. Secretary,
21 would you please take the roll.

22
23 MR. KITKA: Thank you, Mr. Chair. Tim
24 Ackerman.

25
26 MR. ACKERMAN: Present.

27
28 MR. KITKA: Frank Wright, Jr.

29
30 (No comments)

31
32 MR. KITKA: Patricia Phillips.

33
34 MS. PHILLIPS: Here.

35
36 MR. KITKA: Mike Douville.

37
38 MR. DOUVILLE: Here.

39
40 MR. KITKA: Harvey Kitka is here. Bert
41 Adams.

42
43 CHAIRMAN ADAMS: Here.

44
45 MR. KITKA: Floyd Kookesh.

46
47 (No comments)

48
49 MR. KITKA: Donald Hernandez.

50

1 MR. HERNANDEZ: Here.
2
3 MR. KITKA: Frederick Archie Nielsen.
4
5 MR. NIELSEN: Here.
6
7 MR. KITKA: Merle Hawkins.
8
9 (No comments)
10
11 MR. KITKA: John Yeager.
12
13 MR. YEAGER: Here.
14
15 MR. KITKA: Michael Bangs.
16
17 MR. BANGS: Here.
18
19 MR. KITKA: Cathy Needham.
20
21 MS. NEEDHAM: Here.
22
23 MR. KITKA: Mr. Chair, we have a quorum
24 with three absent.
25
26 CHAIRMAN ADAMS: Thank you, Mr.
27 Secretary. Floyd and Merle have been excused. Frank
28 just forgot that we were having a meeting here this week,
29 so I'll talk with Bob about that in a little bit, but I
30 think we can also excuse him as well. I'll think about
31 that in a little bit.
32
33 The next thing is to review and adopt the
34 agenda and we always adopt the agenda as a guide. That's
35 in case we need to move things back and forth. A motion
36 is now in order to accept the agenda as a guide. After
37 a motion has been made and seconded, then we can bring it
38 up for discussion if you want to make any changes,
39 additions or subtractions to it, we can do it at that
40 point.
41
42 Mr. Bangs.
43
44 MR. BANGS: Thank you, Mr. Chairman. I
45 move to adopt the agenda as a guide.
46
47 CHAIRMAN ADAMS: Thank you. Do I hear a
48 second.
49
50 MR. NIELSEN: I'll second that, Mr.

1 Chair.

2

3 CHAIRMAN ADAMS: Archie. Okay. We now
4 want to bring up for discussion and after we've discussed
5 the heck out of it then we'll pass it. If there's
6 anything you see on the agenda that you'd like to see
7 subtracted or added to or whatever, this is the time to
8 do that. Harvey asked me a little bit ago if he could
9 take a few minutes and invite us all to potlatches
10 forthcoming, so we'll put that down toward the end of the
11 agenda if that's okay with you under other business.
12 We'll make that D. Just put in there Harvey.

13

14 Anything else.

15

16 MR. KITKA: Mr. Chair.

17

18 CHAIRMAN ADAMS: Mr. Kitka.

19

20 MR. KITKA: Mr. Chair. I noticed on the
21 calendar it's got Sitka as our meeting place for the next
22 place. I don't know where the meeting place is going to
23 be, but I understand it's a misprint. So I'd like to at
24 least know where it's going to be.

25

26 CHAIRMAN ADAMS: Do you know what date
27 the next meeting is going to be, Mr. Larson?

28

29 MR. LARSON: Mr. Chairman. At our
30 previous meeting the Council decided on a date; however,
31 they did not decide on a location. One of the options
32 was to investigate whether or not it's possible to have
33 a meeting in Angoon. There was a secondary choice of
34 Craig and that item on the agenda is item 18, so we have
35 some time to think about that as this meeting goes on,
36 but it's scheduled to be decided, the final decision, on
37 item 18.

38

39 CHAIRMAN ADAMS: Thank you, Mr. Larson.
40 Mr. Bangs.

41

42 MR. BANGS: Thank you, Mr. Chairman. I
43 don't know if we need to adjust the agenda to change our
44 field trip. I guess that's going to happen anyway, but
45 I don't know if we need to address that.

46

47 CHAIRMAN ADAMS: No, I think we're fine.
48 After Mr. Larson gets an idea of when we'll be able to do
49 that, then we can do it. We adopted the agenda as a
50 guide, so we can switch around wherever. It might not

1 turn out what we suggest right now anyhow. Okay. Any
2 others.

3

4 (No comments)

5

6 CHAIRMAN ADAMS: Hearing none. All in
7 favor of the adjusted agenda please signify by saying
8 aye.

9

10 IN UNISON: Aye.

11

12 CHAIRMAN ADAMS: Opposed the same sign.

13

14 (No opposing votes)

15

16 CHAIRMAN ADAMS: Motion is carried.
17 Thank you. The next part of the agenda, before we do the
18 welcome and introductions, I'd like to call on Wilma to
19 come forward, please, if you would, Mrs. Stokes.

20

21 Wilma, with your husband's long devotion
22 and service to the Southeast Regional Advisory Council on
23 behalf of the Southeast Regional Advisory Council it
24 gives me much pleasure to present this photo to you of
25 your husband and we wish you well.

26

27 MS. STOKES: Thank you. I feel that I
28 was almost as much as my husband from sitting in the
29 meetings here. Just thank you.

30

31 CHAIRMAN ADAMS: You're welcome.

32

33 (Applause)

34

35 CHAIRMAN ADAMS: We have a gentleman from
36 the Forest Service, Mr. Bob Dalrymple, you're welcome to
37 give us a welcome address.

38

39 MR. DALRYMPLE: Thank you, Chairman
40 Adams. I'd just like to take a few minutes to welcome
41 the Council and the agency personnel to Wrangell and to
42 the Wrangell district. I don't know how many people have
43 been here before. I'm always glad to see a Wrangell
44 representative on the Council as well.

45

46 Welcome. We're kind of in between storms
47 right now, which is good. We've had some pretty brutal
48 weather here in the last few weeks. I'm not going to
49 speak too much about Wrangell. I think you're going to
50 also be talking with other community folks later on in

1 your agenda.

2

3 The Wrangell Ranger District is the
4 center of Southeast Alaska. It's about 1.7 million acres
5 or so and it's a key subsistence resource for central
6 Southeast and specifically the communities of Wrangell
7 and Petersburg and a few smaller communities like Meyers
8 Chuck and Toms Place. So it's a very important area for
9 subsistence.

10

11 I think you're well aware of some of the
12 issues. There are both fish and wildlife issues, but the
13 Stikine River is one of those I think is a management
14 puzzle, I guess, continually for both you and me as a
15 Forest Service manager. So I'm looking forward to the
16 trip up the Stikine tomorrow. I believe that's going to
17 be tomorrow, right, Bob? So I and my staff will be on
18 the boats with you guys and look forward to talking about
19 any issues there.

20

21 Where we will be is the Stikine-LeConte
22 Wilderness. It's kind of a unique situation where you
23 have a motorized travelway right through the wilderness.
24 That also brings in some challenges for subsistence as
25 well. It's a really interesting topic. It's important
26 from a social and a resource point of view. I haven't
27 had the opportunity to sit in on one of these Council
28 meetings, so I look forward to that.

29

30 The only other thing I think is that I
31 would put a plug in that if you haven't been to the Nolan
32 Center here, the museum has got an excellent
33 representation of the history of Wrangell and it's a deep
34 history. It's pretty interesting.

35

36 Thank you for coming and I look forward
37 to the meeting.

38

39 CHAIRMAN ADAMS: Thank you. Is there any
40 questions you'd like to ask of Mr. Dalrymple?

41

42 (No comments)

43

44 CHAIRMAN ADAMS: Thank you, sir.
45 Appreciate it. Then we have the mayor who will be
46 showing up here a little bit later when he arrives. Mr.
47 Larson, please let me know so we can recognize him.
48 We're going to do the welcome and introductions right
49 now. What I'd like to do is start with the Staff and
50 then the Council will have an opportunity to introduce

1 themselves as well. Why don't we start on this end, work
2 on down the line.

3

4 Dave, do you want to start.

5

6 MR. MILLS: My name is Dave Mills. I'm
7 the subsistence manager for the National Park Service in
8 Alaska. It's a pleasure to be with you here. I live in
9 Anchorage, but 30 years ago I was fortunate enough to
10 live in Southeast. I did about 10 years of subsistence
11 research around Southeast, so it's nice to be back and I
12 look forward to listening and learning.

13

14 Thank you.

15

16 CHAIRMAN ADAMS: Is this your first
17 meeting to the Southeast RAC?

18

19 MR. MILLS: Many years ago I attended
20 one, but this is the first in a while.

21

22 CHAIRMAN ADAMS: You're representing
23 National Park Service then?

24

25 MR. MILLS: Yeah, National Park Service.
26 I occasionally have the opportunity to -- when our
27 Regional Director is not available, I'm the stand-in on
28 the Federal Subsistence Board.

29

30 CHAIRMAN ADAMS: So we won't have the
31 privilege of having Jim Capra here this meeting.

32

33 MR. MILLS: I talked to him.
34 Unfortunately he can't make it, but he said he's been in
35 touch with you. I have a little bit of information in
36 that area. I'm sure you know the Yakutat better than me.

37

38 CHAIRMAN ADAMS: Just for the record I
39 wanted to clarify that. Thank you, Dave.

40

41 My favorite sockeye man.

42

43 MR. VAN ALLEN: Ben Van Alen. I'm a
44 fisheries biologist for the Forest Service in Juneau.

45

46 MS. MAHARA: Carol Mahara, fisheries
47 biologist in Juneau with Ben.

48

49 MR. KESSLER: Good morning, Council
50 members. Steve Kessler with the Forest Service. I serve

1 on the Interagency Staff Committee. I work out of
2 Anchorage and it's good to be back to the meeting.

3
4 CHAIRMAN ADAMS: It's good to see you
5 Steve. You come faithfully almost every year. I like to
6 dub him as "no comment Kessler."

7
8 (Laughter)

9
10 MR. CHESTER: Dennis Chester, wildlife
11 biologist with the Juneau Ranger District, Juneau.

12
13 CHAIRMAN ADAMS: Thank you. These
14 gentlemen here, please.

15
16 MR. CHURCHILL: Frank Churchill from
17 Wrangell.

18
19 CHAIRMAN ADAMS: Mr. Churchill, thank
20 you.

21
22 MR. STOUGH: James Stough, Wrangell.

23
24 MR. CHEN: Good morning. My name is
25 Glenn Chen. I'm the subsistence manager and Staff member
26 for the Bureau of Indian Affairs. I live in Homer,
27 Alaska.

28
29 CHAIRMAN ADAMS: It's good to see you
30 again, Glenn. Just like another fixture on the wall over
31 there. Just quietly sits back and listens and takes
32 everything in.

33
34 Thank you.

35
36 Go ahead, Pippa.

37
38 MS. KENNER: Pippa Kenner. I'm an
39 anthropologist from Fish and Wildlife Service in
40 Anchorage.

41
42 MR. SUMINSKI: Good morning. I'm Terry
43 Suminski with the Forest Service and the subsistence
44 program leader for the Tongass National Park.

45
46 CHAIRMAN ADAMS: We know Wilma, we've
47 taken care of Bob.

48
49 MR. LEIGHTON: Ron Leighton, vice
50 president of the Organized Village of Kasaan.

1 CHAIRMAN ADAMS: Okay.
2
3 Thank you, Ron.
4
5 MR. REEVES: Jeff Reeves, Forest Service,
6 subsistence fisheries, Prince of Wales and Ketchikan
7 area.
8
9 CHAIRMAN ADAMS: Jeff Reeves. As far as
10 I'm concerned, the most active individual in the RAC from
11 watching the goings on down there in that area. Okay.
12
13 Mr. Dalrymple, I wanted to make this
14 comment before you left. I really appreciated the
15 reports that came from the Stikine River on subsistence
16 take. I don't know whether it came through your office,
17 but Bob always keeps pretty good track of that on a
18 weekly basis. I don't know whether the Council member
19 has copied those reports or everything, but we really
20 appreciate that.
21
22 And then we have our faithful Tina over
23 there.
24
25 Okay. Why don't we start with you,
26 Cathy, and just work on down the line.
27
28 MS. NEEDHAM: Thank you, Mr. Chair. Good
29 morning. My name is Cathy Needham. I live in Juneau and
30 I represent subsistence users on this Council.
31
32 MR. YEAGER: Good morning. My name is
33 John yeager. I'm from Wrangell and I'd like to welcome
34 everyone here that's here for the meetings. Please feel
35 free to pull me aside if anyone has questions or if I can
36 help anybody while they're here with us.
37
38 Thank you.
39
40 CHAIRMAN ADAMS: Thank you, John.
41
42 MR. HERNANDEZ: My name is Don Hernandez.
43 I live in Point Baker. I'm a commercial fisherman and an
44 active subsistence harvester.
45
46 MR. BANGS: Good morning. My name is
47 Mike Bangs and I live in Petersburg. I'm a commercial
48 fisherman and avid subsistence user.
49
50 MR. KITKA: Good morning. My name is

1 Harvey Kitka. I represent Sitka, Alaska and a Sitka
2 Tribal Council member. I'm also part of Sitka Tribes
3 Hearing Committee. I'm a lifetime subsistence user. I
4 also do commercial fishing. I also am a lifetime member
5 of Sitka Sportsman Association.

6

7 CHAIRMAN ADAMS: Thank you, Harvey. I'll
8 finish up last. We'll start with you, Archie, and work
9 down this way.

10

11 MR. NIELSEN: Good morning. My name is
12 Archie Nielsen. I'm a member of Sitka Tribe of Alaska.
13 I'm one of the newest members on the Council here. Bob
14 Larson made an exception because I was 178 years old.

15

16 (Laughter)

17

18 MR. NIELSEN: He lies worse than I do
19 sometimes, but that's all right. I'm glad to be here.
20 I was raised subsistence lifestyle during the Depression
21 era and I've retained most of that.

22

23 Thank you very much.

24

25 CHAIRMAN ADAMS: Thank you, Archie.

26

27 MS. PHILLIPS: Good morning. I'm
28 Patricia Phillips from Pelican, Alaska, and I live a
29 commercial fishing and subsistence lifestyle.

30

31 Thank you.

32

33 MR. DOUVILLE: I'm Mike Douville from
34 Craig. I'm a full time commercial fisherman and I like
35 to do all the other fun things like subsistence also. A
36 pleasure to be here.

37

38 MR. ACKERMAN: Tim Ackerman from Haines,
39 representing Deishu, Klukwan and some of the other closer
40 areas. I am living the subsistence life, proxy fisher
41 for folks out of Juneau and supply a lot of the elders
42 with fish in the area there. Yeah, I'm retired.

43

44 CHAIRMAN ADAMS: And my name is Bert
45 Adams, Sr. I come from Yakutat. I've been involved in
46 all the known user groups. I've been a commercial
47 fisherman, sport, charter captain, but an avid
48 subsistence user. If you go into my home right now,
49 you'll find that I have two freezers and they're about
50 almost plum full with king salmon and sockeye and I'm

1 working on the cohos right now. This fall I'm hoping
2 that my sons will be successful in getting a moose and
3 some deer, so we'll be set for the winter.

4
5 I'd just like to mention I have some
6 roots in Wrangell, John. My great-grandfather was Chief
7 John Kadashan and his daughter or my grandmother
8 Elizabeth Kadashan named me after him, so my Tlingit name
9 is Kadashan. It's good to be here. The last time I was
10 here I was over in Shakes Island and there's two Kadashan
11 poles there. I don't know if they're still there. I
12 tried to see if they were still there when we drove by
13 there a couple times, but they might be hidden somewhere.
14 I know there's some renovation taking place over there
15 right now, so it would be nice to go over there and see
16 that place.

17
18 I just wanted to mention that and I do
19 have some proud roots here. I have family, you know, the
20 Fellers, my family members that are direct descendants
21 from Kadashan as well. Myrna Stokes is my half-sister.
22 I hope maybe I'll be able to see a lot of these people
23 before I leave.

24
25 So thank you for sharing your thoughts
26 with us and we'll go on with the meeting. The next thing
27 is to review and approve the minutes of March 22nd
28 through the 24th.

29
30 You know what, we forgot about Bob.
31 Introduce yourself, Mr. Larson.

32
33 MR. LARSON: Thank you, Mr. Chair. My
34 name is Robert Larson. I live in Petersburg. I work for
35 the Forest Service. My function here is as the Southeast
36 Council's Coordinator and if there are questions or
37 issues that we need to address to the Council, I can
38 bring them to the Chair's attention. As we go through
39 the meeting, we'll have a discussion of protocols and how
40 to do public comments and things like that. If there's
41 communication needs or any questions, then I'm here to
42 answer those.

43
44 Thank you.

45
46 CHAIRMAN ADAMS: Thank you, Bob. Sorry
47 I passed you up during the Staff introductions. I hope
48 you won't hold that against me.

49
50 MR. LARSON: That's okay.

1 CHAIRMAN ADAMS: Another thing too,
2 folks, for those of you who want to do testimony there's
3 this little card that you can pick up from Jeff over
4 there. What you need to do is fill it out and tell us
5 what proposal or what you want to make testimony on.
6 When that proposal comes up, then we will call your name
7 to address that particular issue. We want you to
8 participate in these proceedings as much as you possibly
9 can and this is the procedure on how you can make that
10 happen. They're over there where Jeff is sitting at that
11 table over there, so feel free to go over there and fill
12 one of those out.

13
14 There's always a sign in sheet over there
15 as well, so every time you come in sign in. Sign in for
16 today and tomorrow and until the duration of this
17 meeting. We need to have that as a record for ourselves.

18
19
20 Anything else we need to do some
21 housekeeping on?

22
23 MR. LARSON: You might want to mention
24 postponing the trip until tomorrow.

25
26 CHAIRMAN ADAMS: Oh, yeah. The field
27 trip that was supposed to take place about five minutes
28 ago has been postponed until tomorrow. Evidently the jet
29 boat that was supposed to take us -- where is it, Haines?

30
31 MR. LARSON: It's just not here.

32
33 CHAIRMAN ADAMS: It's just not here.
34 Okay. So they're not ready to take us. When that
35 arrives, then we'll have a better idea when we'll be able
36 to do that. Hopefully tomorrow. So we're going to go
37 through the agenda as much as we possibly can. Mr. Ron.

38
39 MR. LEIGHTON: Then you're not on your
40 agenda then. Where would we fill that in?

41
42 CHAIRMAN ADAMS: We're just going to go
43 through the agenda. We'll keep on moving.

44
45 MR. LEIGHTON: Public testimony right
46 after that, then -- so is that going to move down? I
47 don't know how far we can get today.

48
49 CHAIRMAN ADAMS: We're going to get as
50 far as we possibly can today.

1 MR. LEIGHTON: Okay.
2
3 CHAIRMAN ADAMS: And testimony can be
4 taken at any time as well. If you want to talk about
5 something other than what's on the agenda, just fill out
6 that sheet over there and if we have a few minutes then
7 we'll be able to. You know, in between breaks and so
8 forth we'll be able to address that as well. If you want
9 to talk more than what you said, bear claws and another
10 proposal on there, you can fill out that sheet there.
11 Identify what it is you want and then make sure that he
12 gets it and then Bob gets it and then I get it, okay?
13
14 MR. LEIGHTON: Sure.
15
16 CHAIRMAN ADAMS: Okay, thanks. Let's go
17 back to the minutes, folks. Mr. Kitka.
18
19 MR. KITKA: Mr. Chair. I move we adopt
20 the minutes.
21
22 CHAIRMAN ADAMS: Thank you. Is there a
23 second.
24
25 MR. BANGS: Second.
26
27 CHAIRMAN ADAMS: Seconded by Mr. Bangs.
28 Let's go through the minutes. If you have any issues or
29 problems with it, make note of it and we'll address the
30 changes and move this agenda on.
31
32 (Pause)
33
34 CHAIRMAN ADAMS: Archie.
35
36 MR. NIELSEN: Mr. Chairman. I'd like to
37 comment on the last report on Makhnati. Several times
38 Makhnati has been brought up and we had a herring spawn
39 there a couple years ago, but if we go back in history
40 the interconnecting islands causeway they use Makhnati
41 Island as a dumping place for all the equipment that the
42 Army/Navy had on Chiponski (ph) Island. There's no doubt
43 in my mind that the area is contaminated. I wouldn't set
44 branches there. So I don't see how enhancing Makhnati
45 Island makes it any easier to live by there. I just
46 wanted to bring that up, Mr. Chairman.
47
48 CHAIRMAN ADAMS: Thank you, Archie. I
49 appreciate that. Anyone else.
50

1 MS. PHILLIPS: Mr. Chairman.

2

3 CHAIRMAN ADAMS: Patty.

4

5 MS. PHILLIPS: Thank you, Chairman Adams.

6 The meeting minutes on Page 7, top of the page, it says
7 three ad hoc working groups were formed to develop
8 council options for the Board's request for
9 recommendations on the Memorandum of Understanding with
10 the State, the Council Charter and whether the current
11 customary and traditional use process is meeting the
12 needs of the Southeastern Alaska Region. Mr. Adams
13 appointed Harvey Kitka, John Yeager, Patty Phillips and
14 Mike Bangs to the MOU Committee; Floyd Kookesh, Don
15 Hernandez and Frank Wright to the Charter Committee; and
16 Tim Ackerman, Cathy Needham, Merle Hawkins, Dianne
17 McKinley and Pat Petrivelli to the customary and
18 traditional use committee.

19 If we go onto other business, Page 13 and
20 onto -- excuse me, Page 12, other Council actions, the
21 Council made several recommendations, comments to the
22 Federal Subsistence Board and I'm curious to know in what
23 ways the Federal Subsistence Board took into
24 consideration our recommendations and comments.

25

26 Thank you.

27

28 Mr. Chair. Follow up.

29

30 CHAIRMAN ADAMS: The letter should
31 address that in the annual report.

32

33 MS. PHILLIPS: Okay.

34

35 CHAIRMAN ADAMS: Mr. Larson.

36

37 MR. LARSON: Mr. Chair. The annual
38 report reply, which is normally printed in the Council's
39 book, seems to be missing in our copies. We have copies
40 being made and we'll distribute them as soon as they get
41 back.

42

43 CHAIRMAN ADAMS: Thank you, Robert, for
44 that. Yeah, we were looking around this morning to see
45 if anyone got their copies. Normally they're in the book,
46 but they inadvertently have been left out. So you gave
47 us a copy to make copies of, Patty, so thank you for that
48 and we should be having copies for everyone here soon.
49 Mr. Hernandez.

50

1 MR. HERNANDEZ: Mr. Chair. I was just
2 going to point out that I received my copy of the annual
3 report response. I picked it up in the mail yesterday on
4 my way to the airport, so it might have been a little
5 late getting out.

6
7 CHAIRMAN ADAMS: A little bit late.
8 Okay. Anyhow, we'll have copies for everyone here
9 shortly. How many don't have a copy? Any more comments.

10
11 (No comments)

12
13 MR. KITKA: Question.

14
15 CHAIRMAN ADAMS: Mr. Kitka called for the
16 question. All in favor please signify by saying aye.

17
18 IN UNISON: Aye.

19
20 CHAIRMAN ADAMS: Opposed nay.

21
22 (No opposing votes)

23
24 CHAIRMAN ADAMS: Motion is carried, thank
25 you. Chair's report. We've already addressed the issue
26 of the annual report. Some of you don't have it with
27 you. We apologize for that. It really should be in the
28 book and we apologize for that as well. However copies
29 are being made and everyone should have a copy of that
30 report. When you do get it, read it over and if you have
31 any questions about it during the course of this meeting,
32 feel free to bring it up if you would.

33
34 MS. PHILLIPS: Mr. Chairman.

35
36 CHAIRMAN ADAMS: Yes, Patty.

37
38 MS. PHILLIPS: I'm wondering if perhaps
39 we should insert into our charter that our meeting
40 materials be submitted like a month before our actual
41 meetings and that they be included in our meeting
42 packets. We're supposed to respond to the annual report
43 and only two of us have copies of it and we're supposed
44 to have a well thought out opinion on it. Some of our
45 members haven't even had a chance to read it.

46
47 These Federal agencies, Federal
48 Subsistence Board looks to our comments and, you know,
49 they defer to us oftentimes because of our comments and
50 if we're not prepared, then oftentimes our response will

1 not be brought up at the next meeting. So maybe that's
2 something we should consider when we bring up our charter
3 again.

4

5 Thank you.

6

7 CHAIRMAN ADAMS: Thank you, Patty. I
8 know I got my book last week and I'm sure that yours came
9 in about the same time. I agree with Patty in that we
10 kind of receive them a little bit too late for us to be
11 prepared to come to these meetings. I don't know whether
12 we'll be able to comply with the request to have it out
13 a month before because it really doesn't come -- we get
14 everything prepared as much as we possibly can here, then
15 it's sent up to OSM and then they, in turn, get the
16 materials out to us, so we have to deal with that. Am I
17 correct in that analysis, Robert? What can we do as far
18 as you're concerned about getting materials out a little
19 bit earlier?

20

21 MR. LARSON: Yes, Mr. Chair. The fastest
22 way of communicating, and it's maybe more of a challenge
23 for some than others depending on their particular
24 circumstances, is that -- for instance the annual report
25 reply has -- you know, I distributed that as an email
26 attachment several months ago and it's been posted on the
27 OSM website for at least a couple months. So it's been
28 available. It's normally printed in the book and we
29 really have no control over the printing schedule.

30

31 I know that this year it's been a point
32 of contention in the past about how quickly we can have
33 printed materials to the Council members. Our goal this
34 year was to have it three weeks ahead of time. Some of
35 those things are beyond the control of both the Forest
36 Service and OSM, the printer and their schedule and mails
37 and their schedule. But that was, in fact, our goal, was
38 to have it to you a week before we've normally been
39 giving it to you. It did not appear that we were
40 successful in that.

41

42 I think that's a good comment and one
43 that we can bring forward to our work within our own
44 process to make sure that this three-week time period is
45 something as a goal. But it is -- one of the big strides
46 we've made recently is making sure that all this material
47 is on the web and has been distributed electronically
48 whenever it's been finalized. If that doesn't work out
49 for some people, then we can make alternate arrangements.
50 Anyway, that's.....

1 CHAIRMAN ADAMS: Thank you. Let's see if
2 we can follow up on that three-week thing and make sure
3 we get the materials in a timely manner. Before I let
4 you speak, Patty, I just want to say the website is a
5 good source too. That's out a lot earlier. But a lot of
6 us don't have access to the website.

7
8 One of the problems that I've had is some
9 of those proposals that we're going to be addressing I'm
10 really reluctant about printing those out because it's
11 just a waste of paper for me. Then maybe a week or so
12 later, you know, the book comes out, so I go over what
13 they provide for us there, but it's not like having the
14 book in front of me like I do right now and making
15 comments, highlighted comments, that will help me address
16 the proposals a lot better.

17
18 Anyhow, if we can work on that, Mr.
19 Larson, I think it would help the Council members be more
20 better prepared.

21
22 Thank you.

23
24 MS. PHILLIPS: Mr. Chair.

25
26 CHAIRMAN ADAMS: Yes, ma'am.

27
28 MS. PHILLIPS: Thank you. Thank you for
29 bringing up those comments, Chairman Adams. I would
30 further add that I don't like to print -- I try to give
31 a quick glance or a read over of the material that gets
32 sent and I do appreciate all the material that does get
33 sent via email, but I do not print those up. I'm not
34 going to print up these documents with my own print.
35 It's expensive. Ink is expensive. Previously we used to
36 get all that stuff in the mail. We're only 13 members
37 here on this RAC. We're not like making copies for
38 600,000 people who live in the state of Alaska. We're
39 asking that the material be provided to the RAC, all 13
40 of us, so that we can make a well prepared opinion on
41 something.

42
43 Also I have satellite internet. In order
44 to get the best satellite internet you have to pay a lot
45 of money for it. Well, I don't pay a lot of money for
46 the best satellite internet. I pay for a mediocre one.
47 If I download too much stuff, then it's called free
48 access policy and they lower my speed. We don't have the
49 benefit of broad band in some of our remote communities.
50 Things that some of you people take for granted. So make

1 copies, even if they have to be on a two-sided copy, and
2 drop them in the mail to us. I'd appreciate that.

3

4 Thank you.

5

6 CHAIRMAN ADAMS: Thank you, Patty.

7 Steve, do you have something to enlighten us with.

8

9 MR. KESSLER: Thank you, Mr. Chairman and

10 Council members. Steve Kessler with the Forest Service

11 and the Interagency Staff Committee. I don't really want

12 to make excuses, but I do want to let everybody know how

13 difficult this cycle has been. It's been extraordinarily

14 difficult with somewhere around 100 different proposals

15 statewide. Some very complicated ones.

16

17 Office of Subsistence Management staffing

18 has been way down. Maybe some of you know Mr. Probasco

19 had a very serious accident a few months ago. Has just

20 gotten back to work full time. We've had sort of cycling

21 deputies under him. Polly Wheeler, who was the deputy,

22 she was on a different assignment. We've had different

23 people who have come into her place when Pete had his

24 accident. Polly came back. She's now left to a

25 different job with refuges. We've had one person acting,

26 sort of doing their job, Chuck Ardizzone, who is in

27 charge of the wildlife cycle, and doing two other jobs at

28 the same time.

29

30 We've had some Council coordination

31 problems. You'll notice by the way Melinda Hernandez is

32 not here for the first time in years and we have her

33 working over at Office of Subsistence Management now

34 filling in as a Council coordinator for the Western

35 Interior Region. So the Forest Service has loaned

36 Melinda to the Office of Subsistence Management because

37 of their workforce situation.

38

39 So there have been a lot of things going

40 on. Tribal consultation you may be aware of. We've been

41 going through a process with tribal consultation for each

42 of the regions and with ANCSA corporations. All of this

43 is taking a lot of time. As all of these different

44 things have been added onto the plate, something has to

45 fall through the cracks. So it's become very difficult

46 to get all the materials out timely. It's been much much

47 harder this cycle. I'm sure for all of us we want to do

48 a heck of a lot better than what we've been able to do.

49 I just want to make the Council aware that this has been

50 a very very stressful cycle and it's been difficult.

1 The normal process for the Board's
2 response to the annual reports was not followed because
3 there wasn't time to do it. The Board normally meets --
4 I believe it was in -- I can't remember the month that
5 they normally meet, but they normally meet and go over
6 all the annual responses to the annual reports. That
7 didn't happen this year. It was all done by email and
8 things fell through the cracks because of that.

9
10 So there are all sorts of things that
11 happened that are just problematical. I think Office of
12 Subsistence Management is down about 20 percent of their
13 employees right now. So we'll try and push ahead and
14 hopefully Office of Subsistence Management will be able
15 to bring back up their work force. They're concerned
16 about funds, as the whole country is. We'll talk a
17 little bit more about Forest Service funding later on in
18 the agenda.

19
20 So there are these things that are
21 happening. No excuses. We need to do better. We need
22 to get materials out in a timely fashion, but it's been
23 very very difficult this cycle.

24
25 CHAIRMAN ADAMS: Thank you, Steve, for
26 explaining that to us. Appreciate that.

27
28 MR. KESSLER: You're welcome.

29
30 CHAIRMAN ADAMS: Go ahead.

31
32 MR. LARSON: Thank you, Mr. Chair.
33 Follow up on the concerns of Patty. If there are any of
34 the Council members that would rather have me follow up
35 with electronic communications with a written document in
36 the mail, just let me know and we'll do whatever it takes
37 to make sure that you are informed adequately. I know
38 that some of the issues with Frank was that he hasn't had
39 a computer for three or four months and nobody knew that.
40 So we thought we had been communicating with him that
41 really wasn't happening. So if there's anybody that
42 needs a written documentation mailed to them, just let me
43 know and we'll make that happen.

44
45 CHAIRMAN ADAMS: Thank you, Robert. And
46 thanks for bringing up Melinda, Steve. I failed to
47 recognize her at the beginning. We are going to miss her.
48 She has been really the backbone of all the material
49 gathering and making sure everything is in order for us.
50 It's Robert working by himself in that effort. I can

1 recognize the tremendous amount of work that needs to be
2 done. We'll try to figure out some way, Robert, if we
3 can recognize her sometime during the course of the
4 meeting so that she knows that we appreciated her.

5
6 I'd just kind of like to without any more
7 interruptions, folks, finish my report and then we'll go
8 on to Council members comments. You know, the Saxman
9 issue I understand just might go away. I got it from
10 good authority that where it's at right now the Board is
11 probably not going to take any action on it. If that
12 happens, then everything will go back to the way it is
13 until the next cycle, of course. So Saxman will be able
14 to be separated from Ketchikan. Ketchikan will be
15 separated from Saxman and Saxman will be able to retain
16 its rural status. There will be more information, I'm
17 sure, coming out about this later, but it's some
18 information I just recently gathered and I think Saxman
19 can start breathing a little easier from now on.

20
21 The eulachons in Yakutat we're going to
22 have a report on that by Ben Van Alen. The eulachon
23 surveys that have been taking place the last couple
24 years, Mr. Ben Van Alen will be giving us a report there.
25 And Susan Oehlers I hope is going to be here to talk
26 about goats. These are issues we've been concerned about
27 in the Yakutat area for some time now.

28
29 Hubbard Glacier is getting closer and
30 closer to closing off permanently, so the community is
31 going to have to deal with that somewhere down the line.
32 The way it has closed off before, it's done that a couple
33 times, the best way I can explain it to you, this is
34 Gilbert Point here, here's the Hubbard Glacier, and it
35 would bump up against Gilbert Point, then over a period
36 of time when Russell Fiord began to rise, the pressure
37 would just wash out that sediment on the bottom and it
38 would flood out. It did that one time in 1986 and
39 another time I think in 2002.

40
41 Right now the way the glacier is
42 advancing, here's Gilbert Point again and Russell Fiord
43 is down here. It's closing in on it like a horseshoe and
44 it's going to surround it like that, so there's a pretty
45 good chance that it will not break, but it will be
46 permanent.

47
48 So we've been watching that pretty close.
49 The glacier begins to advance in February and we watch it
50 really close from there until mid summer when it begins

1 to retreat again. When it stopped its advance, it was
2 very very close to closing off this year, so maybe next
3 year is going to be D-Day for that glacier.

4
5 We're going to have a Chair's workshop.
6 I think it's October 19th during the AFN Convention.
7 Wrangell-St. Elias is part of Subsistence Resource
8 Commissions. I think there's about 10 of them throughout
9 the state. So I've been appointed to serve as a
10 chairman. I've got a couple things that needs to be
11 taken care of before we finalize the agenda and
12 everything. Maybe sometime during this meeting we're
13 going to set up a teleconference with Clarence Summers
14 who is coordinating all this stuff for us to finalize
15 that meeting. So looking forward to that.

16
17 Our Wrangell-St. Elias Subsistence
18 Resource Commission meeting is going to take place next
19 week, the latter part of next week and we're going to be
20 meeting in two places actually, Northway and Tanacross.
21 So I'm looking forward to that. It's going to be a long
22 trip. There's another individual and I who serve on that
23 from Yakutat, Ray Sensmeier. Fly from Yakutat to
24 Anchorage up to Fairbanks and then Clarence is going to
25 drive us down to Tok to those meetings. I hope the
26 weather is favorable and not too cold by then. Anyhow,
27 I'm looking forward to that.

28
29 I guess I reported at the last meeting
30 about our concern for RFRs and I was told by one of the
31 attorneys, I can't remember his name now, and what he's
32 saying is that -- and we weren't allowed to do this
33 before -- and that is to assist any community who wants
34 to submit an RFR. We can't do it ourselves as a Council,
35 but we can assist communities who want to submit an RFR
36 in any way that we can. Whatever expertise we might have
37 with our Staff here we'll be able to do that. That was
38 kind of a compromise. I told him I wasn't satisfied that
39 we couldn't do RFRs ourselves and I think we have good
40 reason. But at least there's an opportunity there for us
41 to be involved in it.

42
43 Tribal consultation is going to be a real
44 big issue coming up and we're going to be talking about
45 that a little bit later as well. I attended the tribal
46 -- well, a board meeting, you know, last winter where
47 they spent one whole day on tribal consultation. We
48 listened to tribal leaders throughout the entire state of
49 Alaska about their concerns. I think there is kind of
50 protocol that will be forthcoming here pretty soon.

1 I noticed -- and this might be another
2 issue that we need to move OSM about. I notice that we
3 had a meeting -- when was our last RAC meeting? And then
4 just maybe a month or so ago I got my per diem. How
5 about you guys? It was kind of late. We talked about
6 this before. I just need to emphasize here again that
7 we're all volunteers and we appreciate the fact that we
8 can come to these meetings and have our expenses taken
9 care of and everything, but to wait that long -- you
10 know, I had completely forgotten about it until I noticed
11 that it was in my account here several weeks ago. But I
12 think that needs to be, Mr. Larson, you know, kind of
13 addressed so that we can maybe speed up that process as
14 well.

15
16 That's about the extent of my report.
17 Council members and ladies and gentlemen, if you have any
18 questions, I'll be happy to answer them. Archie.

19
20 MR. NIELSEN: Mr. Chairman. Under
21 Council member reports I have a couple things that have
22 surfaced for me from people in Sitka. The news
23 media.....

24
25 CHAIRMAN ADAMS: Okay. In just a minute
26 we'll go into Council member reports. Ron, would you
27 come up to the microphone here so we can get you recorded
28 properly. Turn on that button over there and when that
29 light turns on you're turned on.

30
31 MR. LEIGHTON: Ron Leighton with the
32 Organized Village of Kasaan. I was listening to you and
33 you were talking on a report that was done on the
34 eulachons and I assume it's a eulachon shortage.

35
36 CHAIRMAN ADAMS: Uh-huh.

37
38 MR. LEIGHTON: Has that report been
39 circulated to the tribes?

40
41 CHAIRMAN ADAMS: When that issue comes up
42 we can ask Mr. Ben Van Alen how much information has been
43 dissipated to tribes. But not that I know of right now.
44 The concern that we have in the Yakutat area is that the
45 eulachons in the Situk River has declined down to nothing
46 the past three or four years now. So our harping and
47 griping about it here, they were able to fund a four-year
48 survey program that extends all the way from Tawah Creek
49 all the way down to Dry Bay area, which is about 60 or so
50 miles and there's about 18 streams that are involved in

1 that, so they've been doing surveys the past couple,
2 three years now and we'll be hearing a report from Mr.
3 Van Alen here somewhere down the line here. I hope
4 you're here for that.

5

6 Do you have anymore questions?

7

8 MR. LEIGHTON: Yeah. It's not only the
9 Yakutat area, it's all up and down the coast from British
10 Columbia up. I was doing some study on that and it was
11 found in British Columbia that it was the pink shrimp
12 trawl fisheries that were intercepting it. We do have or
13 did have that pink shrimp trawl fishery off the west
14 coast out here. I think it's still going on.

15

16 I've been trying to find their bycatch
17 and there was a report of a boat coming into the Craig
18 area to the cannery in there and his boat was loaded with
19 eulachons and he wanted to try to sell it to the cannery,
20 but the cannery wasn't geared up to take it, so he went
21 out and dumped it and that was a bad situation there. If
22 this fishery is going on and they're making bycatch and
23 stuff like that on the eulachons, number one it should be
24 stopped, number two, if it isn't' stopped, their bycatch
25 should go to the users, the consumers that are being
26 shorted.

27

28 CHAIRMAN ADAMS: What I would suggest you
29 do, Ron, is when he gives his report that you come up
30 here, make sure you fill out one of these here, and we'd
31 like to hear that over again just for the record.

32

33 MR. LEIGHTON: Okay.

34

35 CHAIRMAN ADAMS: Thank you. Okay.
36 Archie, go ahead.

37

38 MR. NIELSEN: Mr. Chairman, thank you.
39 The reports that come out of Sitka is that the Japanese
40 want to garner as much seaweed as possible. Our people,
41 this is one of the staple items of the Tlingit society.
42 The thing of it is, the elderly cannot get out and
43 harvest seaweed. It's an impossibility. The second
44 report to surface in the news media is the contamination
45 of that nuclear plant in Japan. The concerns are that
46 it's starting to affect the Bristol Bay area and the
47 Pacific Ocean. We don't know if they put a cap on that
48 nuclear plant over there, but if it affects our seafood,
49 then we better start looking at it.

50

1 Thank you, Mr. Chairman.

2

3 CHAIRMAN ADAMS: Patty, you're next.

4

5 MS. PHILLIPS: Thank you, Chairman Adams.

6 The community report for Pelican is we are a declining
7 population as a community. Our mainstay is commercial
8 fishing and a subsistence way of life and as there is
9 less economic opportunity in our community, there's more
10 of a reliance on subsistence harvest of subsistence
11 resources.

12

13 I would say that there are already deer
14 coming in and it's good to see that the deer are healthy
15 or returning to a healthier level of population. We're
16 seeing quite a bit of deer on the beach already.

17

18 I can tell you that the price of freight
19 has gone up to 75 cents a pound, so we won't be
20 freighting in groceries. Probably just rely on our meat
21 and our local seafood, not bring in so much from grocery
22 stores. I'm so thankful to live in the West Chichagof-
23 Yakobi Island Wilderness area and the Lituya area because
24 we do have an abundance of resource.

25

26 We do recognize that our seasonal
27 residence or seasonal transients come in and utilize the
28 resource close to Pelican, so it does affect the ability
29 of catch close to the community, but come end of August
30 they're pretty much gone and then the resource starts to
31 return to the localized areas. That's my report.

32

33 Thank you.

34

35 CHAIRMAN ADAMS: Thank you, Patty. Mr.
36 Douville.

37

38 MR. DOUVILLE: Thank you, Mr. Chair.
39 Real brief. There's a couple things I'll mention. One
40 is Greenpeace wants to list the wolf on Prince of Wales
41 Island as endangered species. That's causing us some
42 concern. Without some wolf harvest we're not going to
43 have any deer.

44

45 Sea otter is still an issue. It's never
46 been resolved and I think that Don Young's sea otter bill
47 needs to be supported. Many of us don't believe the
48 Department is escaping enough pinks and chums out of the
49 net fishery for proper escapement in many of the streams
50 in our area, although up on the north end here seem to

1 have a banner year. There was one expected in our area
2 too and it didn't happen. Two years ago I think I said
3 the same thing and I'll say it again, they're not
4 escaping enough on the odd year, which is supposed to be
5 the better run.

6

7 That's all I have. Thank you.

8

9 CHAIRMAN ADAMS: Thank you, Mike. Tim,
10 go ahead.

11

12 MR. ACKERMAN: Thank you, Mr. Chairman.
13 Yeah, we had a very interesting spring up in the Haines
14 area. The first run was the herring and the eulachon
15 both show up at the same time at the Haines area. The
16 Chilkat side is the first run of eulachon and the herring
17 also showed up pretty good. We had a pretty good spawn
18 up in Mud Bay. Must have been about an eighth of a mile.
19 And I know the return of herring is improving each year,
20 the amount of herring is increasing.

21

22 It's a slow process because a couple
23 miles across the bay is the haul-out for the sea lions
24 and they estimated over 1,000 sea lions on the haul-out
25 this spring. So we had a pretty good run of herring
26 there and the sea lions actually came in the bay at
27 nighttime at Mud Bay and just wiped out the whole school.
28 They pushed them so far up into the bay that the herring
29 just surged up on the beach and we had about 30, 40
30 eagles. I woke up in the morning and they were all on
31 the beach and they had cleaned everything out by then.

32

33 So we harvested some herring for halibut
34 bait, of course, as every spring we do, and then the
35 Chilkat run of eulachon started and then we harvested
36 them and everybody filled up their pits all the way up
37 into Klukwan and Haines area there. That run continued
38 quite a while on the Chilkat side. The eulachon made it
39 up as far as 20 miles up the river. There was such a big
40 biomass that the areas that we were watching for the
41 seagulls feeding on them, they weren't feeding on them
42 because there were so many of them and you could go out
43 in the river and throw the net and they were still there
44 after two weeks on the Chilkat side.

45

46 What happened was it was a back-to-back
47 run of eulachon on the Chilkoot side. They estimated the
48 biomass of eulachons at 11 million fish and that was just
49 a ballpark figure of such a hard thing to estimate, the
50 biomass. But the whole river from the Chilkoot River

1 from the beginning to where it enters in the lake was a
2 solid black mass of eulachon spawning and they swam
3 across Chilkoot Lake, went up the far river for a couple
4 miles and were spawning up the Chilkoot River.

5
6 Now very interesting to see this biomass
7 come in there. Four years ago I had stopped everyone
8 from fishing from the bridge up. I physically made
9 everybody stop fishing the eulachon when they first
10 returned in the area after years of being absent in the
11 area. I controlled the fishery myself and told everybody
12 that we will let all of these fish go up as far as they
13 can in the river. We will leave everything from the
14 bridge up alone. We will harvest right at the bridge
15 down.

16
17 This was like four to five years ago. We
18 didn't bother the eulachons that were -- we called them
19 the scouts I guess you could say. So we were possibly
20 thinking that this might have been one of the desired
21 effects of our own indigenous management as you would.
22 So we had a really big biomass that came in there.
23 Eulachon usually go up into the Skagway area and then up
24 into Taiyasanka. It just depends if you can look across
25 the bay and see the seagulls feeding on them. But it was
26 such a huge biomass.

27
28 Now I got to talking to the biologists
29 that were up there checking them out and everything and
30 trying to figure out how to kind of figure these things
31 out. They don't know a whole lot about these eulachon.
32 The first thing I noticed was the Chilkat side eulachon
33 were much larger in body than the Chilkoot side was. The
34 Chilkoot side was a smaller fish. The Chilkat side was
35 a much larger male fish.

36
37 Now the other thing that we noticed was
38 at nighttime with 1,000 sea lions they, as far as I could
39 guesstimate, is that they turned the biomass up into the
40 Lituya Inlet. They hit them so hard that they turned the
41 whole biomass into the Lituya Inlet so the biomass didn't
42 split and go up into the Skagway area or the Taiyasanka
43 area, so the complete biomass of eulachons came up into
44 the Lituya Inlet and up the Chilkoot River. It was
45 absolutely amazing to see that big of a biomass up in
46 there.

47
48 The return was just phenomenal. Yeah,
49 they're still checking it out. I know the tribe up there
50 has their own study they've been doing on it and they're

1 trying to get some good numbers and some estimates on the
2 returns. Yeah, we kind of help manage that up there in
3 a sense. We only take as much as we need. We shared it
4 with all of Whitehorse, Kluckshu, Champagne, Carcross,
5 Tagish. We have a trade route that we deliver eulachons
6 and eulachon oil. We're restoring the old historical
7 trade routes.

8
9 So, yeah, that biomass was really good.
10 Of course, the candlefish that came in before that was in
11 February. They came in pretty good. Now the sockeye
12 escapement was pretty close to being met as far as can
13 remember. The weir count at Chilkoot was over 60,000.
14 I think they were shooting for maybe 80-90,000. It would
15 have been a good number. They estimated a poor return on
16 the sockeye on the Chilkoot side. They wanted the
17 subsistence users to concentrate more so on the Chilkat
18 side with our nets being on the river and in the ocean
19 side there.

20
21 But the poor returns they estimated were
22 affected, I believe, by the seiners down in Icy Strait
23 really cleaned up the whole biomass of multiple species
24 of salmon that were coming in. It was so slow up in the
25 north end there at Haines that the local gillnetters were
26 getting pretty excited about it and it was almost
27 yelling, screaming, hollering going on because you fish
28 hard for eight hours and you get 14 fish and then you
29 know something definitely happened to the stocks. This
30 started at the end of July and the first part of August.

31
32
33 The fish that were left were coming
34 through so they kind of got to recoup some of their
35 money, but as the fishermen described to me some of the
36 seine boats the crew members their share in the monies
37 was as much as the gillnet boat made in the whole season.
38 So they were pretty hot under the collar. I didn't get
39 to go to their last meeting. The numbers would have went
40 up on both the Chilkat and Chilkoot side if they hadn't
41 intercepted as much as they did.

42
43 The other thing was that the net
44 restrictions are imposed upon the gillnetters versus the
45 seine boats have no net restrictions or anything on their
46 net size. You know, they can catch all species all at
47 the same. Yeah, very interesting situation to listen to
48 all of this. The subsistence users up there pretty much
49 concentrated and got a lot of sockeye and the silvers are
50 just coming in up there for the last couple weeks or so.

1 I think everybody filled their quota for those.

2

3 The halibut fishery up there was kind of
4 spotty. I did myself 20 sets with 30 hooks and I got 20
5 fish. A lot of the people up there just gave up. They
6 didn't go out halibut fishing anymore because it costs so
7 much in gas and after you do multiple water hauls, four
8 or five times, and your hooks are empty, not even
9 anything, not a cod or nothing, then it becomes a debt
10 burden on the subsistence user that you can't sustain
11 that expenditure out of your income just to go out and
12 just burn gas up and trying to catch halibut when they're
13 not there. So a lot of people gave up. I had one fish
14 that was probably about 300 pounds we estimated. I let
15 it go because we're not targeting the bigger fish. I
16 like them 100 pounds and under usually. But, yeah, the
17 halibut were few and far between.

18

19 For the commercial boats that are able to
20 go out into the heavy weather some of them guys did
21 pretty good. One guy had two sharks and 10 halibut on
22 the same set. I limit it on a 16-foot boat, so I can't
23 do the heavy weather, so we stay pretty close in the area
24 up there on the Chilkat and Chilkoot side.

25

26 The gillnetters had a meeting up there
27 and I still think they're going to have a meeting up
28 there and I was going to go to that particular meeting to
29 represent the subsistence users up there. Yeah, it was
30 a very interesting season.

31

32 We had one brown bear count on the
33 Chilkoot side. There was 16 bears in the whole river
34 total. We had one sow with four cubs up there, just a
35 multitude of brown bears feeding on the river fish up
36 there. It's actually doing pretty good.

37

38 We suffered a draught up there for four
39 months so the berry crop was really bad. The
40 salmonberries didn't come out. Very interesting
41 situation. A lot of the salmon creeks dried up. Finally
42 the rains came and made up for it towards the latter part
43 of July. Other than that the ecosystem is actually doing
44 pretty good up there for the returns.

45

46 Thanks.

47

48 CHAIRMAN ADAMS: Thank you, Tim. So
49 that's where all the eulachon went. Now we know.

50

1 I'll just give a short one on the
2 eulachon thing. We're doing Council reports right now,
3 sir, and right after we're done with our reports then
4 I'll be happy to take your testimony.

5
6 UNIDENTIFIED VOICE: I just wanted to
7 mention that the mayor from Wrangell.....

8
9 CHAIRMAN ADAMS: I know, I know. I was
10 pointed out by that. We'll take care of him after we're
11 done too. Gunalcheesh. Now I forgot my train of
12 thought, so I'll just pass it over to Harvey.

13
14 (Laughter)

15
16 MR. KITKA: Thank you, Mr. Chair. The
17 current concerns of some of the people I've talked in
18 Sitka have been pretty much the same for the last few
19 years. Part of it is the herring. A major portion is
20 probably the sea otter, multiplying the way they have and
21 what they have taken and eaten. We now can identify a
22 lot of the rock formations in Sitka because the kelp has
23 come back so much that some of the places you can't even
24 get into anymore because of the kelp.

25
26 This is probably the first year that I
27 seen Sitka Fish and Game Advisory Committee submit their
28 own proposal to the Board of Fish for herring
29 conservation and this kind of came as a surprise to us
30 and the tribe who have been asking for this for some
31 time.

32
33 I had some concerns over the sockeye this
34 year. I know when they closed Redoubt and they closed it
35 so quickly that some of the people were taken by
36 surprise. I know the escapement may have been good
37 there, but I know some people that went out there and
38 spent a few days out there and after two days of dipping
39 all day long they only had 10 sockeye. So it is a
40 concern to Sitka over that.

41
42 We do have some concerns over some of the
43 proposed regulations. One of them is the wolves. We'll
44 probably talk about that when it comes up again.

45
46 Other than that I think that's pretty
47 much about what I have to say.

48
49 Thank you.
50

1 CHAIRMAN ADAMS: Thank you, Harvey. Now,
2 I know what I was going to talk about, the eulachons.
3 You know, we did submit a proposal from here to close off
4 the Unuk River. About six, seven years ago we became
5 really concerned about the eulachons because they started
6 declining down to nothing, so the State closed that
7 fishery down and then we've been kind of watching it. I
8 kind of noticed that maybe there might have been a trend
9 that extended all the way up to Yakutat.

10
11 To make a long story short, when that
12 proposal got before the Board, there were several people
13 from Metlakatla who came and really talked against it,
14 claiming that they weren't able to come to this meeting
15 and share their thoughts and everything. So what the
16 Board did, I think, is they deferred it or waited until
17 more information came in. I just thought that might be
18 a point of interest. We did have the proposal and the
19 Board considered it, but because of Metlakatla people
20 they wanted to give it more time.

21
22 We can get you later, Archie. We need to
23 go down the line here, okay.

24
25 Mr. Bangs, go ahead.

26
27 MR. BANGS: Thank you, Mr. Chairman.
28 I'll real briefly go over a couple of the concerns that
29 have come up since our last meeting in Petersburg.
30 Again, sea otters are a pretty major topic and how it's
31 going to affect subsistence users and commercial
32 fishermen. It's definitely a big issue.

33
34 Oddly enough there's been more and more
35 talk about the effects that the growing population of
36 humpback whales are going to play on the ecosystem. It's
37 just become a major concern recently, just even talking
38 to whale researchers that they think it's going to have
39 an impact on our salmon and the whole food chain.
40 Anyway, that's been talked about a lot lately.

41
42 Another concern we have is the moose hunt
43 that's happening right now. It's progressing real slow,
44 out of the ordinary, I think. I think Mr. Yeager could
45 attest to it because he's been hunting and we're not sure
46 why, but it's kind of a slow year for moose.

47
48 The weather wasn't very kind for berry
49 production, but I will say that the cranberries did
50 really well with this inclement weather. I don't know

1 why, but there's lots of cranberries. It's a good year.
2 Anyway, that's all I have.

3
4 Thank you.

5
6 CHAIRMAN ADAMS: Thank you, Mike. Mr.
7 Hernandez.

8
9 MR. HERNANDEZ: Thank you, Mr. Chairman.
10 I hear two topics of concern quite often from the folks
11 on North Prince of Wales Island. First one has to do
12 with I guess what I would call the commercialization of
13 our deer resources we're really worried about. Outfitter
14 guides essentially getting into the -- trying to extend
15 their seasons a little longer by getting into the hunting
16 season and trying to encourage people to come out for
17 deer hunting. We don't want to see this increasing.

18
19 I know it's been discussed a little bit
20 at meetings and outfitter guides say, you know, there's
21 never going to be much interest in Southeast deer hunting
22 and big time. It will always be just a few people,
23 incidental. That doesn't really satisfy our concerns.
24 What we're seeing is this slow, incremental increase that
25 at some point is probably going to need to be put in
26 check in some way or it could get to be a problem.

27
28 This Council, I think, is kind of become
29 aware of two important things dealing with subsistence
30 that are maybe sometimes overlooked, but I think we
31 recognize it and that is competition and core areas.
32 This outfitter guide use will impact both of those.
33 Competition is a factor in subsistence gathering. You
34 may not have a lot of people out involved in commercial
35 hunting essentially, but if you go to a bay and you see
36 an outfit in there virtually every time you go there,
37 even though it's just maybe a boat load, it has an
38 impact.

39
40 The other impact is core areas. Some
41 areas are just a lot more important to subsistence uses
42 and even though there might only be a few people there
43 and even though Fish and Game will tell you the overall
44 take is minimal it shouldn't have an impact, it does have
45 an impact through competition in very important areas to
46 subsistence users and we want to see that addressed and
47 it may have to be addressed as a policy issue that we'll
48 have to get involved in.

49
50 Like I say, I don't want to have to start

1 dealing with a lot of proposals coming in dealing with it
2 if we can deal with it in a policy fashion, so I think
3 we'll be talking about that more in the future.

4

5 Other topic is something other people
6 have discussed. It's just an overall concern with the
7 general health of our marine environment. I've become,
8 since I've been on the Council, kind of more aware of
9 this traditional ecological knowledge. Maybe as I'm
10 getting older I'm starting to think more along these
11 terms. In my fairly brief time here I've seen
12 significant changes in what I've observed. I talked to
13 a lot of people who have been here a lot longer than I
14 have and you start hearing the way things used to be.
15 It's changed a lot. I've seen it.

16

17 I think I live in a very significant
18 spot. When you leave Wrangell here and you travel west
19 you get to Point Baker, you turn left and you're heading
20 for the ocean. My house is right on that point, right on
21 the point of Point Baker. My kitchen window looks right
22 out on some of the most rich fishing grounds in Southeast
23 Alaska. I sit there day in and day out looking out my
24 window and I see everything that's happening out there.
25 I've been doing that for 30 years and I've seen changes.

26

27

28 Every year I sit there and the first week
29 in April I look out the window and I'll see small flocks
30 of Bonapart Gulls. They show up -- I think they're
31 probably following the crill. A few days later there
32 will be thousands of Bonapart Gulls out there. I've seen
33 this every year. This year markedly I looked out there
34 one morning having my coffee. Sure enough there were
35 some Bonapart Gulls out there. They were there for about
36 a week and then they were gone and I never saw anymore.
37 Never showed up. I don't know if there were no crill or
38 no birds. I suspect it was the lack of crill.

39

40 A few weeks later I start trawling for
41 king salmon out there. There was a marked decrease in
42 the amount of feed out there. We had a very poor king
43 salmon trawling season. You could not find feed, we're
44 not finding herring. I've been fishing there for 20-some
45 years. It was just a given. Come April the herring
46 would show up, king salmon would show up, whales show up,
47 the place comes alive. It didn't happen this year.
48 Consequently we're all talking about this noticeable
49 decrease in the size of the coho fish this year.

50

1 Is there a connection? Was what I was
2 seeing out my window with the lack of birds part of the
3 reason we saw these small cohos? What's happening out
4 there? This is my lifetime. I've listened to people who
5 have lived there for a lot longer than I have and they
6 tell me about the way things were in the past and I think
7 about some of the things that they tell me they've seen
8 that I've never seen. I've only been there for 25 years.
9

10
11 I talk to people who have been there
12 their lifetime, only 60 70 years. Relatively short
13 period of time really in the grand scheme of things.
14 I've never seen herring spawn in Port Protection Bay.
15 I've never seen crill piled up on the shorelines in the
16 bay so thick that you go out and shovel them up and put
17 them in your garden for fertilizer. I've never jigged a
18 codfish off the dock like people used to be able to do
19 it. I've never been able to go out and use a herring rig
20 to harvest my herring for halibut bait. It's a
21 relatively short period of time.
22

23 What's happening to our marine resources
24 and what's the cause? I think it's something we all need
25 to be aware of. If there's anything any of us can do to
26 have an impact on that, we should be thinking about that.
27 So thank you.
28

29 CHAIRMAN ADAMS: Thank you, Donald. Mr.
30 Yeager, you're next.
31

32 MR. YEAGER: Thank you, Mr. Chairman.
33 Again, I'd like to welcome everyone to Wrangell. I feel
34 fairly privileged here to have everyone in my town, I
35 like to call it. This is home for me and it will remain
36 that even though coming from the cornbelt of northwest
37 Ohio I like it a lot better here.
38

39 A couple things. Again, I'd like to
40 mirror the problem with the sea otter that's continuing
41 to be a problem with the dungeoness crab fishery both on
42 subsistence and on the commercial side. So, like many
43 other communities we're really feeling the effect of that
44 here as well.
45

46 One of the things that's very fortunate
47 for us is that we will be doing our trip on the Stikine
48 River and the eulachon fishery and also the sockeye
49 fishery is very important for Wrangell and the community
50 benefits from both of those species we see on the Stikine

1 and the summer I felt we had a good sockeye fishery up
2 there. A lot of people benefitted from the harvest of
3 those fish. It goes a lot further than just harvesting
4 the fish. It's the teaching our families and our children
5 and providing for people in the community that can't get
6 up there and do that.

7

8 We're very fortunate to have such a live
9 ecosystem on the Stikine River, so I'm anxious for
10 everyone to see it. Some of you it might be the first
11 time up there. Some of you may have been there several
12 times. A trip up the river is, in my mind, always a good
13 day, so I'm anxious for that to happen.

14

15 To kind of go on with Mr. Bangs' comment
16 on the moose hunt, it has started somewhat slow. We had
17 a flood on the river. It, I think, crested at 30, almost
18 31 feet. In my opinion, from my experience of hunting up
19 there for the last 12 or 13 days, the moose have
20 basically -- they moved way inland along the
21 mountainsides there. We're starting to see movement
22 more, but before where you would see tracks on the
23 riverbanks and things like that they're just not there.
24 They're looking for any piece of high ground they can get
25 and I don't blame them.

26

27 Other than that, that's all I have.

28

29 Thank you very much.

30

31 CHAIRMAN ADAMS: Thank you, John. I was
32 kind of hoping I could take a moose home with me when I
33 go back.

34

35 MR. YEAGER: Me first.

36

37 (Laughter)

38

39 CHAIRMAN ADAMS: You first. Okay.

40 You're next.

41

42 MS. NEEDHAM: Thank you, Mr. Chairman.
43 I just have a couple points. I work a lot with the
44 Prince of Wales communities and with respect to sockeye
45 it looked like it was really -- or it looks like it was
46 a really good sockeye year down on Prince of Wales.
47 Especially in the early part the communities were able to
48 meet their needs early for a lot of community events that
49 happened. There were a number of totem pole raisings in
50 both Hydaburg and Klawock, so the harvest was really good

1 for that. I do believe that their needs were met in that
2 respect.

3
4 But then in talking to some individuals,
5 a lot of them were saying that their needs weren't met on
6 an individual basis because they put a lot of effort
7 towards harvesting fish for the community events. When
8 I was thinking about it, I was like, well, why weren't
9 the individual needs met when there was such an abundance
10 of sockeye.

11
12 In talking with Tony Christianson from
13 Hydaburg, he shed some light on that aspect of it and
14 most of the subsistence-based fisheries down there closed
15 at the end of July. There's only one system that's open
16 after that. Because people were really busy at the
17 beginning of the year helping to meet the communities'
18 needs, especially in Klawock, I guess, they weren't
19 really able to get their individual needs met out of
20 Klawock and then they were having to shift and try to
21 make the shift all the way down to Hydaburg to harvest
22 out of that area since their subsistence season is open
23 until the end of August.

24
25 And I think there was a fair amount of
26 weather challenges this year for sockeye. So I thought
27 that was an interesting trend for them to note and I
28 think it would be good to encourage maybe some of the
29 tribes down there to be involved in this process when it
30 comes up for the fisheries regulatory change. I don't
31 know if it's too late for them to think about that part
32 of it, but extending the fishing season may be something
33 that would help the communities that can't take advantage
34 of the abundance of later sockeye run down there.

35
36 Along that note I've also been kind of
37 keeping tabs on the Federal Subsistence Board and tribal
38 consultation process that came out of the Secretarial
39 Review for the Federal Subsistence Board. One of the
40 things that I noted is, you know, I think tribal
41 consultation is good and as a tribal member and having
42 worked with tribes before or worked for tribes and with
43 tribes before, it's an important part of their process to
44 have that government to government relationship. But I do
45 kind of sit back and wonder. You know, we don't have a
46 lot of necessarily tribal representation even at this
47 meeting today. Perhaps it's because we were all going to
48 be on the river today, so maybe they're not here yet.

49
50 But where does the Regional Advisory

1 Council fit into that process because we don't get a lot
2 of community representatives that come in. We see
3 proposals submitted, but then we don't get a lot of
4 feedback from the communities themselves about how these
5 proposals affect that. So I'm wondering if tribal
6 consultation is going to circumvent some of the work that
7 we do at this table together. I don't think that it
8 will, but I'd be interested -- I'm really interested in
9 seeing how this process plays out after the Secretarial
10 Review.

11
12 Finally, of course, I've mentioned it at
13 every meeting that I think I've been involved in so far
14 and my time has been short with the Council of course and
15 we've heard it a number of times today, but that's the
16 sea otter and we're going to bring it up probably every
17 time. There isn't a lot of things we can do about it,
18 but the reason why I wanted to bring it up is I know that
19 at our last meeting when we heard from the U.S. Fish and
20 Wildlife Service on this and we know that they can't make
21 a plan for managing sea otters, but they can work with
22 local communities. I do believe there are a couple of
23 local communities now working on local management plans
24 for sea otters. I would be really interested in this
25 body being able to hear back about that and finding a way
26 to share the success if they're able to pass one and
27 moving it into other communities that haven't gotten that
28 far along in that process.

29
30 That's it.

31
32 CHAIRMAN ADAMS: Thank you, Cathy. That
33 concludes the Council comments. Thank you all for that.
34 I want you to know that the annual report is before you
35 now so please look at them and if you have any questions
36 or concerns you know we can talk about it later on.

37
38 I want to recognize Susan. She just
39 walked in the door a few minutes ago from Yakutat, so
40 welcome to the meeting. Come on in and make yourself
41 welcome.

42
43 And then we have the Mayor of Wrangell
44 who has been sitting there patiently waiting for us to
45 recognize him, so would you please come forward and make
46 a few comments to the Council. We'd sure appreciate
47 that.

48
49 MAYOR MAXAND: Good morning.

50

1 CHAIRMAN ADAMS: Good morning.

2

3 MAYOR MAXAND: Well, on behalf of the
4 people of the city and borough of Wrangell I want to
5 welcome each and every one of you to our rainy but
6 fabulous town. The work that you're doing is incredibly
7 important. It bears repeating and I know all of you know
8 this, but subsistence hunting, gathering and fishing in
9 Southeast community and throughout Alaska is the
10 lifeblood for many people who live here just as a way of
11 sustaining their families, but also as a way of life.
12 It's no different here in Wrangell.

13

14 I do want to recognize briefly -- I know
15 all of you know Wilma, who is one of our assembly
16 members, and I also want to recognize the heckler in the
17 audience, Mr. Stough, who is one of our former city
18 council members and assembly members, and Jamie -- I can
19 remember growing up in Jamie's back yard where he had a
20 giant smokehouse and I would play with his daughter and
21 our friends and we would -- any time that you went to
22 have dinner at Jamie's house it was guaranteed to be some
23 form of subsistence food, whether it was fish or deer or
24 moose. I don't remember eating herring eggs. I probably
25 did, but I don't remember.

26

27 It's a huge deal. As we heard today,
28 you're dealing with all kinds of serious concerns and
29 issues pertaining to how the environment has changed in
30 Southeast Alaska over the years. I have a lot of
31 confidence and I'm glad that you're bringing a
32 subsistence voice to that issue. We need to strike a
33 balance between the charters, the commercial fishermen,
34 logging and other issues in the forest and on the water.

35

36 So I'm glad that you're here in Wrangell.
37 I'm glad that you are tackling these issues for us. Of
38 course, I would, as always, be remiss if I did not
39 encourage all of you to go downtown and spend money in
40 our stores and in our restaurants, so please do that and
41 on John's charter operation as well.

42

43 Again, thank you. Welcome to Wrangell
44 and I hope you have a great and productive meeting.

45

46 CHAIRMAN ADAMS: Just stay there for a
47 minute, Jeremy. You weren't here when we were
48 introducing ourselves and I just want you to know that my
49 great grandfather was John Kadashan. Of course, he came
50 from Wrangell. I have family here. Myrna Stokes is my

1 half-sister -- or step-sister and then you have the
2 Feller family, you know. I don't know whether they're
3 all here. I looked in the telephone book last night and
4 only saw one that I recognized, is Lou. Do you know if
5 John is here yet or is he gone somewhere else? John
6 Feller.

7

8 MAYOR MAXAND: I don't know.

9

10 UNIDENTIFIED VOICE: He's in Juneau.

11

12 CHAIRMAN ADAMS: He moved to Juneau with
13 his mother. Okay. I was kind of curious. Anyhow, thank
14 you for being here to welcome us. We appreciate that
15 very much. We hope we see you more often here.

16

17 MAYOR MAXAND: I will. Thank you.

18

19 CHAIRMAN ADAMS: What I'd like to do
20 right now, ladies and gentlemen, is take a break.

21

22 MR. LARSON: I've got a message from
23 Floyd.

24

25 CHAIRMAN ADAMS: Robert has a message
26 from Floyd, so let's hear that.

27

28 MR. LARSON: Thank you, Mr. Chair. I did
29 have a conversation with Floyd last night and he wishes
30 he felt well enough to attend, but he's confident that
31 you guys will do good work and of that he's happy. But
32 he's feeling good. He's had a good rest in Angoon. He's
33 back in Juneau for his chemo treatments and he says he
34 looks and feels great, but that probably won't be the
35 case after he's had his chemo tomorrow. Anyway, that's
36 the word from him and wishes us well in our work.

37

38 CHAIRMAN ADAMS: Thank you for that. I
39 hope that we all remember him in our thoughts and
40 prayers. I know what it's like to go through those kinds
41 of treatments. My daughter-in-law just completed hers.
42 Luckily enough she started off with a 28 percent chance
43 of surviving and then after her first treatment it went
44 up to about 58 percent and then she had real extensive
45 chemotherapy toward the end and it boosted up to 87. Now
46 she made a trip to where she had her major treatment at
47 in Utah and they've declared her cancer free. So, you
48 know, it's amazing what can be done with these diseases
49 these days. We wish the best for Floyd.

50

1 You said you had something, Archie, and
2 then we'll take a break.

3
4 MR. NIELSEN: Yes, Mr. Chairman. I
5 wanted to follow Harvey. Our fisheries biologist quit at
6 Sitka Tribe. The most important position. I don't think
7 people realize just what this lady contributed to. When
8 the herring come there, she's able to tell us is this
9 three year, five year or seven year herring. What is the
10 population of the fisheries. I think the Council, if I
11 may ask, to stress on the Chairman Woody Widmark the
12 importance of this fisheries biologist. She lives in a
13 world all by herself. There's nothing that will even
14 touch her. Talks all by herself. We don't understand
15 that, but when we start analyzing, it's the most
16 important position for subsistence people.

17
18 Thank you, Mr. Chairman.

19
20 CHAIRMAN ADAMS: Thank you, Archie.
21 Let's go ahead and take a 10-minute break.

22
23 (Off record)

24
25 (On record)

26
27 CHAIRMAN ADAMS: Okay, everyone, please
28 take your seats so we can get moving.

29
30 (Pause)

31
32 CHAIRMAN ADAMS: Okay, folks, I'll call
33 this meeting back to order. Nancy, do you want to give
34 us some housekeeping information here, please. Would you
35 come up to the microphone over here.

36
37 NANCY: They just wanted me to let you
38 know about our building. This is a fairly new building
39 for you who aren't from here. Behind you is a movie
40 screen and obviously this is our movie theater on the
41 weekends, Friday, Saturday and Sunday nights. Not every
42 weekend. We also have a museum and a gift shop, which
43 opens from 1:00 to 5:00 in the afternoons. The museum is
44 well worth your time to go visit. It's small, but has a
45 lot of neat exhibits. The gift shop is also a really
46 nice little gift shop. Of course, the meeting facility
47 is here with our little kitchen area if you ever come.
48 Did you have any questions? The bathrooms, I think most
49 of you have found them. They're in the center of the
50 building as you go out. There's mens and womens. We

1 have an exit in the front and in the back, the glass
2 doors. So there's that.

3

4 CHAIRMAN ADAMS: Thank you very much for
5 sharing that with us. Okay. James, do you want to come
6 forward and give your comment, please. Turn on that
7 light.

8

9 MR. STOUGH: I follow instructions.

10

11 (Laughter)

12

13 CHAIRMAN ADAMS: By the way, I've got a
14 button here that will turn you off too.

15

16 MR. STOUGH: My wife wants that one.

17

18 (Laughter)

19

20 MR. STOUGH: I just wanted to make my
21 comments now. People have touched on many things that
22 concern me.

23

24 CHAIRMAN ADAMS: I noticed you were
25 really paying attention up there, pretty intent.

26

27 MR. STOUGH: It's one of those things
28 I've never been involved in before. There's about four
29 or five items here that I wanted to just touch on. One
30 is the eulachon that was brought up here quite a few
31 times. I presently live on the Stikine River.

32

33 I've been involved in eulachon fishing
34 for a lot of years of my life, since I was young. Also
35 over the years, the last few years, my daughter was head
36 of SEARHC Traditional Foods and so on the Stikine River
37 we held fish camps and I taught a lot of the kids and
38 grownups how to take care of traditional food, salmon and
39 eulachon and that.

40

41 One of the things I wanted to note here
42 on the eulachon study and the eulachon throughout here --
43 Wrangell has been very fortunate that we've had a good
44 eulachon run all along. Ours didn't drop as bad as the
45 rivers below us or above us. The last two years we've
46 had exceptional eulachon runs. Very exceptional.

47

48 One of the things I feel troubling is
49 eulachon studies themselves. The two eulachon studies
50 that have been done on the Stikine were people brought in

1 and they did not know how to eulachon fish. We took them
2 around, showed them how and where because, like a lot of
3 things, if you fish on the river, it depends exactly
4 where you go and how you read the river, the same as
5 salmon fishing. Those studies I felt were skewed. I've
6 read them both and I helped both of those studies. I
7 directed those people where to go and got them and
8 brought them to it.

9
10 One of the things I find troubling in the
11 eulachon studies is we catch eulachon in the spring and
12 that major run I don't know how the rivers are up in
13 Haines, but the major run hits here and we've had real
14 exceptional. The river changes to which side you fish
15 on. The thing that I found interesting was that we're
16 catching eulachon in July. Nobody in Fish and Game or
17 anything else is telling us that those fish even run as
18 late as July or later because they have no history. They
19 don't test, they don't do that. The way they've been
20 caught is in gillnets that were for salmon, so they've
21 been catching 10 or 12 eulachon that are spawning.
22 That's not what they're telling us down the coast and I
23 don't see the studies involved that show us good
24 management of the resource.

25
26 We're fortunate here that Wrangell has
27 always been against commercial fishing, so consequently
28 we've pretty much kept our runs intact. At least that's
29 the way I feel. Due to that we're still maintaining a
30 pretty good run. We had a real exceptional run last year
31 and this year. I sent a lot of eulachon to town. We give
32 it to all the older people. That's the way we were
33 raised and we do that with fish. It leads right into the
34 salmon.

35
36 CHAIRMAN ADAMS: Could you move your
37 microphone a little closer to you, please.

38
39 MR. STOUGH: Moved right into the salmon
40 fisheries. The salmon fisheries that we're talking about
41 for our sockeye, coho, dogs and pinks, we're very
42 fortunate on the river that Dick Stokes got that passed
43 and got that fisheries back for us, that subsistence
44 fish. We're very grateful for that.

45
46 The management, on the management side,
47 I feel lacks a little bit. One of the things or a couple
48 of the things that are unique to our river is that there
49 isn't a real lot of places that you can set a net. Most
50 people don't realize that. When you go up the river

1 tomorrow, you're going to find that the rock above
2 Government is one of the main places and there's a couple
3 back sloughs down in the lower river and then up at the
4 glacier and then up at Wizard Island. Those are about
5 the only three real spots you can fish.

6
7 Fish and Game fishes the main river, but
8 they're using pretty good long nets. That was one of the
9 comments I wanted to make on your net fishery. Our net
10 is only 100 feet long. I feel they could be increased to
11 maybe 130 or 40 feet, 140 feet, 150 feet, somewhere in
12 there. It's not the net size a lot of times because the
13 length and what I found in your regulations you're
14 stating five and a half inch mesh and you're not
15 following the commercial at all then. I mean you're
16 catching everything that comes through. You need to
17 change the mesh sizes per species so when the permits go
18 out you can adjust your size. If you're going to use a
19 five and a half inch mesh for catching sockeyes, you're
20 going to catch nothing but small sockeyes. Most people
21 are doing it for subsistence and either drying it or
22 canning it, smoking it. So I feel that's an area that
23 could be looked at and be appreciated if it was looked
24 at.

25
26 CHAIRMAN ADAMS: If I could interject
27 here a little bit on that. I think it would be a good
28 move for you, maybe you could get one of the tribal
29 organizations here in Wrangell to submit a proposal if
30 you want to lengthen the sizes of nets and meshes and so
31 forth. That would be a good place to start and then we
32 will come here and then we will talk about it and move it
33 on. But rather than sharing your feelings about it, it
34 probably won't go anywhere further than just what you've
35 said.

36
37 MR. STOUGH: I realize that, but I wanted
38 to make you aware. I do realize the process, but I
39 thought you should be kind of informed a little bit too
40 of our area.

41
42 The other part of that problem in the
43 salmon fisheries is gaining management of your predators
44 and what he was talking about with sea lions and history.
45 History is there was no sea lions around here hardly.
46 We've got an island over here called Lesnoi and the
47 rookery on it. The Forest Service has tried to make that
48 into a rookery. That never was a spot for sea lions
49 period when I was young and all my younger years. It's
50 only been the last 10 years that they've made that a

1 rookery. That large predation on our fisheries, eulachon
2 and salmon, is detrimental. It's not just that, it's the
3 seals themselves too. We have way more seals than we
4 ever had when I was growing up let alone sea lions. I
5 feel that has a high impact on our fisheries here on the
6 Stikine River.

7
8 The first seals become a problem. Most
9 of the area you're talking about is across from Point
10 Baker there, which is Kupreanof. My dad logged over
11 there and he owns his own logging camp and we were there
12 for a good number of years. That used to be real good
13 seal hunting country and I hunted seal a lot when there
14 was a bounty on them. That area right now doesn't have
15 any crab and that last two years has just wiped it out
16 out there. The crab fishermen just moved out of there.
17 I know the guys that have the floathouse in there and the
18 guys that crab fish there. That's moved in from Kuiu,
19 out that way and Rocky Pass. They're all the way in to
20 Level Island, which means they're getting all the way in.
21 They're seeing them around here now, so it's a concern.

22
23
24 I realize this board can't do anything,
25 but they should be aware of it because it's a real
26 problem throughout. I think they appreciate -- Fish and
27 Game and everybody else appreciates your comments even if
28 we don't have the power, your comments go a long ways in
29 the helping of controlling this problem.

30
31 Halibut fisheries is a problem right now
32 for subsistence halibut fisheries. I don't feel it's the
33 gear. I'm kind of like the other guy there. I don't
34 remember which one was talking, but I've been out there
35 setting a lot of halibut gear too and I haven't been
36 successful at all. I don't think 30 hooks, it could be
37 90 hooks, 100 hooks, it don't matter. I can remember the
38 state trooper years ago told me when the State used to
39 put it out it didn't matter how many hooks you have, it's
40 how many fish you have and I agree with that.

41
42 I think our subsistence halibut limit is
43 way too high. There's abuse by it and we see it in our
44 communities. We all want that privilege to go catch and
45 put up our subsistence halibut because that's part of
46 what we do. It's hard when you leave the rules so open
47 that it causes large abuse. I feel that our charter boats
48 have taken the brunt of it. I think we need to look a
49 little farther than just our doors here in the local
50 areas and inside waters.

1 I think the failure is our government.
2 We're not enforcing our 200-mile limit. That was in the
3 '70s when we saw a big increase of our halibut come back
4 and now we're seeing a decrease because we're getting a
5 lot of charter boat use, which isn't recorded as well as
6 it should be. So our local areas are really taking a
7 hit. Like you mentioned in Haines, but I know here,
8 around here, the spots where we held them as local areas
9 are getting hit pretty hard. That causes problems in the
10 amount and it causes problems for enforcement, it causes
11 problems for us locals to try to catch.

12
13 I think the 30 hook thing, in my opinion,
14 was kind of wrong. We get most of our gear from halibut
15 fishermen and that's a skate long usually. Personally,
16 I don't have a problem with that and the folks that set
17 a skate gear because that's where we get our gear because
18 we can't afford to buy it. We usually get it secondhand
19 from any commercial guy.

20
21 I see in your regulations you were
22 talking about destroying the horns on some of your deer
23 and animals. I would advise against that. A lot of us
24 keep and use those things. I know it's kind of a way to
25 keep, in some areas, keep management, but that's a
26 problem too because we use that. We like to be able to
27 have that resource. You know, you probably put the horns
28 up when your kid shoots one or something, so I'm kind of
29 against that.

30
31 Most of our area down here, it doesn't
32 matter whether it's black-tailed deer or moose, this
33 whole Southeast area is not trophy moose and I think we
34 all realize that. Most of this moose in this country
35 down here is subsistence type. Everything on this river
36 is subsistence moose hunting. We're doing it for meat.
37 We're not doing it for trophy.

38
39 On that subject I'd like to touch a
40 little bit too because management has a failure to look
41 in the past and we regulate by what we see presently and
42 presently almost all these areas around here above
43 Petersburg, down towards Ketchikan, all your moose
44 hunting is due to moose moving out of the valleys and
45 increasing. It's nothing new. My grandfather talked
46 about the Stikine River and when he was here hunting in
47 the '20s, there was nothing south of the border. They
48 didn't shoot moose south of the border. Now we're -- you
49 know, my dad logged on all these islands out here. He
50 had his own logging camp. We never had moose on

1 Kupreanof, Zarembo, Etolin, Wrangell Island, Mitkof. Now
2 we're hunting those areas and opening seasons on them.
3 We didn't have that when I was young. It was unheard of
4 to see a moose anywhere. I think that's due to this
5 spike fork 50. This idea that you're going to hunt a
6 trophy moose and I think that forces your younger bulls
7 to move out of the areas that they're in.

8
9 Our herring fisheries, I would like to
10 make a comment on the herring fisheries. We get our
11 herring mostly from the people out of Sitka. We had
12 boats that were bringing it to Wrangell and that's the
13 way they traditionally did it in the old days. We don't
14 get big herring spawns around here. They're down by
15 Ketchikan or out by Sitka.

16
17 But if you look at Wrangell as a Wrangell
18 tribe, you can trace history all the way back to the
19 1700s and we, the Stikine tribe, have always got herring
20 from over there and our tribe went over there and fished
21 over there and got our herring from over there and
22 brought it back over here. That was one of the main
23 fisheries if you go back and study history. So I'd like
24 to make sure that they keep that open to the other
25 communities, not just Wrangell but all communities that
26 use it for a subsistence style life.

27
28 I don't have any other comments. I just
29 wanted to give my opinion on that and I do realize the
30 rules that you've got to make proposals and bring them
31 forward. One of the things that I'm glad you're doing is
32 trying to work with the tribal governments. It's hard to
33 do and get the tribal governments to do these because
34 it's no different than public office. It's very hard to
35 get people to volunteer to serve in public office and
36 that's what that is. I've served four terms on our city
37 council and I also was the president of our local tribe.
38 It's hard to get people involved and keep them involved.
39 So I appreciate you guys trying to extend your hand out
40 and work with these people.

41
42 Thank you.

43
44 CHAIRMAN ADAMS: The issue of tribal
45 governments getting more involved is something that the
46 Federal government is really trying to implement right
47 now. I know it's difficult to reach out to those tribes
48 because they've never been involved in this type of
49 subsistence things before. I know my tribe has a budget
50 of \$1,200 a year to deal with subsistence and you can't

1 come to a meeting, you can't develop a proposal with that
2 kind of funding, so that's going to be a real big
3 problem, but hopefully it will be solid here in the
4 future when consultation and processing gets a little bit
5 better.

6
7 I really do appreciate your comments.
8 You're on record now. I appreciate it. Tim, did you have
9 something?

10
11 MR. ACKERMAN: Yes, Mr. Chairman.

12
13 CHAIRMAN ADAMS: Go ahead.

14
15 MR. ACKERMAN: If I could have a comment
16 on this. Very interesting to hear the catch stats on
17 your attempt of catching halibut here. Apparently this
18 is a continuing problem throughout Southeast for some
19 folks in the smaller communities. There's what they call
20 the community fish person that can use up to 100 hooks.
21 But like you said, whether it's 100 hooks or 30 hooks, if
22 they're not here, they're not here. It's an empty desert
23 ocean out there. Part of the discussion the last time we
24 met was the bycatch from the offshore trawlers. That's
25 in our book as we come up further in the meeting here.

26
27 A very interesting thing that was brought
28 to my attention here. We have a group of people that get
29 SHARC cards, halibut, Southeast Alaska halibut cards,
30 that are actually suspected in some of our users up there
31 to not actually be residents of the state. All of a
32 sudden we looked in the files of the SHARC card holders
33 in our area and Haines. Apparently some people came up
34 and were able to claim residency, get a halibut card and
35 fish the fishery and then leave for the whole winter and
36 then they come back in the spring and work the tour
37 industry, but yet they're able to claim residency.

38
39 Yeah, very interesting subject. We can
40 only assume at this time there's a few numbers of people
41 that actually aren't year-round residents as it states in
42 the SHARC cards. That in turn brings more competition
43 for the resource, which makes it harder for the year-
44 round resident. Yeah, I think it's something you brought
45 to the attention of the Council.

46
47 MR. STOUGH: Yeah, I liked your comment
48 earlier. One of the big things is right now is all
49 subsistence use is the idea that things are more
50 expensive and fuel costs a lot. When you start getting

1 a couple people together to go on a hunting trip or
2 fishing trip, it becomes very expensive. I liked your
3 comment on that.

4

5 MR. ACKERMAN: Mr. Chairman.

6

7 CHAIRMAN ADAMS: Go ahead, Tim.

8

9 MR. ACKERMAN: Yes, very interesting now
10 that the price of fuel is so high, an individual that has
11 to fill up his tanks to go out and fish for his family is
12 getting harder and harder to afford to go out and halibut
13 fish like that. What we were inquiring about was getting
14 two permit holders, SHARC card holders, to go out in a
15 boat together, but which is not allowed. You can only
16 fish one card, I believe, on the boat at the time. So
17 now it's even harder for us to be able to do that, to
18 fish 60 hooks off a single boat. Part of the problem
19 being now is fuel is so expensive not everybody can go
20 out and fish for them, especially when you're getting
21 water hauls.

22

23 I think I can kind of see in the future
24 here that they should at least allow four people to help
25 charter the boat out to go out and get their 350 pounds
26 or 400 pounds, whatever is good for a family for the
27 whole winter. I can kind of see some kind of change
28 coming for that particular situation because it is now
29 getting so expensive, like you said, to pursue the
30 subsistence halibut there, especially when they're not
31 there.

32

33 Thanks.

34

35 CHAIRMAN ADAMS: Thank you. You know, I
36 think I've seen this happening pretty much region-wide.
37 We're having problems with halibut returns in our area
38 too. So it's a big issue.

39

40 I think Mr. Kitka had something first and
41 then Mike after that.

42

43 MR. KITKA: Thank you, Mr. Chair. Your
44 comments on herring. We had a lot of discussion with
45 that and I think this Council had some discussion with it
46 also. Sitka Tribe throughout history has always had an
47 opening for subsistence herring with all the communities
48 in Southeast and that will never change. They will
49 always be allowed to come and fish herring as long as
50 there is herring.

1 Thank you.

2

3 CHAIRMAN ADAMS: Thank you, Harvey. Mr.
4 Douville, you're next.

5

6 MR. DOUVILLE: Thank you, Chairman Adams.
7 You mentioned about the sea otter becoming a problem here
8 and it's not going to get any better. Congressman Young
9 has introduced legislation that would address and make it
10 easier to harvest more otter. If the Wrangell Tribe or
11 city council or anybody here is not aware of it, I would
12 suggest supporting that bill.

13

14 MR. STOUGH: Yes.

15

16 MR. DOUVILLE: Mr. Chairman, I have a
17 couple questions

18

19 CHAIRMAN ADAMS: Sure. Go for it.

20

21 MR. DOUVILLE: It doesn't have anything
22 to do with -- one is where is your hammer?

23

24 (Laughter)

25

26 MR. DOUVILLE: The other question is Mr.
27 Hernandez addressed this outfitter/guide issue and I know
28 that Craig Ranger District was doing a scoping process,
29 so I'd like to know where that process is. I know today
30 our schedule has changed, but perhaps somebody at some
31 point could answer that question.

32

33 CHAIRMAN ADAMS: Yeah, your hammer, I
34 forgot it at home. Sorry, Mike. You went through the
35 trouble of getting it fixed for me and I think it's an
36 insult to you that I left it home. Sorry. I apologize
37 profusely.

38

39 Patty.

40

41 MS. PHILLIPS: Thank you, Chairman. Mr.
42 Stough, thank you for your traditional ecological
43 knowledge and sharing that with us. For the benefit of
44 Mr. Stough perhaps you could tell us -- Robert could tell
45 us when the fisheries proposal cycles will be open for
46 proposals and perhaps the Regional Advisory Council could
47 submit a proposal about the gillnet size that you were
48 talking about.

49

50 CHAIRMAN ADAMS: Mr. Larson.

1 MR. LARSON: Thank you, Mr. Chair. In
2 the even and odd year cycle, we're in the wildlife
3 portion this year. Next year at this time we'll be
4 discussing our fisheries proposals. The development of
5 fisheries proposals will be on the agenda for springtime
6 meeting. I don't know the exact dates, but it's usually
7 in February or even January the proposal period is open.
8 We've had several people call me discussing rules and
9 regulations regarding the Stikine River fishery. So I
10 would encourage any user to think about what suits their
11 needs. They could call me personally and I could walk
12 you through the process. There's also going to be an
13 opportunity for the Council at the spring meeting to
14 provide their own proposals for fisheries.

15
16 MS. PHILLIPS: Thank you.

17
18 CHAIRMAN ADAMS: Okay. Go ahead, Donald.
19

20 MR. HERNANDEZ: Thank you, Mr. Chairman.
21 One more question for Mr. Stough. When we were forced to
22 close the Unuk River eulachon fishery, I was led to
23 believe that a lot of those folks that used to fish the
24 Unuk River started to come up to the Stikine to get the
25 eulachons for the folks down in Ketchikan, Metlakatla.
26 I was just wondering if that was so and to what extent it
27 might have been and did our actions in the Unuk River
28 impact your ability to get eulachons or any other impacts
29 there that we might want to know about?

30
31 MR. STOUGH: From my recollection, the
32 closure in Unuk was a good move. The next one up is the
33 Bradfield River and the Harding River. Harding River
34 also has eulachon in it. Those rivers I've always had
35 kind of a -- the Bradfield River hits first before the
36 Stikine and then the other river down there hits and then
37 the Stikine River eulachon hit. I think the closure was
38 a good idea. At the time when you guys were discussing
39 that I had a very long phone call with the Fish and Game
40 biologist from Ketchikan. I spent about two and a half
41 hours on the phone with him. I don't know if that did
42 any good or not, but we didn't get our river shut down.
43 I was given the facts of the people that studied and the
44 runs we were having. We were having good runs. We're
45 still continuing to have good runs.

46
47 The impact of that was that some of those
48 people came up here. In reality, what happened was that
49 they were used to fishing their river and our techniques
50 up here are a lot different than theirs. They use too

1 big a nets and they didn't understand the swiftness of
2 our river and how you can fish the river. That's why I
3 was explaining that with the salmon fisheries. It just
4 kind of follows the same thing.

5
6 Each river has kind of got its own little
7 quirks I guess you'd say. It depends whether you're
8 dipnetting or seining, beach seining is what we do. Most
9 of our nets are three-quarter-inch mesh or less, half-
10 inch mesh, and that's so you don't gill the fish. We've
11 been using beach seines for as long as I can remember.
12 We use herring seines or herring nets to catch them when
13 they're not thick enough that we can't get them when
14 schools go through.

15
16 The problem with the fisheries is
17 everybody assumes you're going to go to that river and
18 catch a bunch of fish. That's not true. I mean you can
19 sit there for a week and not see a eulachon and that set
20 of tides are going to go through and be gone. They're up
21 there and they're back.

22
23 That's the other thing they don't
24 understand. There's not just one run that goes up this
25 river. Last year we had about five runs go up that
26 river. They hit either on this side or different parts
27 of the river. They come in the different sets of tides.
28 We realize the big tides push them in and then they
29 shallow up and then they go across the flats on the
30 smaller tides.

31
32 CHAIRMAN ADAMS: You've got a follow-up,
33 Donald.

34
35 MR. HERNANDEZ: Yeah, I'll just follow
36 up.

37
38 CHAIRMAN ADAMS: Go ahead.

39
40 MR. HERNANDEZ: Essentially people did
41 come from other areas to start fishing here, but they
42 weren't very successful, so really didn't have much of an
43 impact on the locals?

44
45 MR. STOUGH: Yeah, it didn't have much of
46 an impact on us. They came up and some of us helped them
47 fish. They had a little different technique that they
48 used. Yeah.

49
50 CHAIRMAN ADAMS: I have a question about

1 eulachons. Several years ago we became quite concerned
2 about the Situk River particularly because they started
3 declining real fast until there was almost nothing. I
4 noticed in the last couple years. I know eulachons don't
5 return to the same, like salmon, return to the same river
6 in which they were born, but I notice that in Yakutat
7 there's a real big barge that washed up on the beach and
8 it has all these little holes and everything in it. When
9 the tide comes in, it will fill up with water and then
10 the eulachons would go in there. When the tide went out,
11 there they were. But just a few miles away from there is
12 the Situk River and they weren't going into the river.
13 I'm trying to find an answer to that. They're there, but
14 they're not going into the river.

15
16 MR. STOUGH: I don't know. I've got a
17 bunch of unanswered questions about eulachon too.

18
19 CHAIRMAN ADAMS: Okay. I'd just thought
20 I'd share that. I thought that was pretty interesting to
21 notice that. Unless there's no more questions for Mr.
22 Stough we appreciate your testimony.

23
24 Thank you very much.

25
26 MR. STOUGH: Thank you for coming to
27 Wrangell. We appreciate it.

28
29 UNIDENTIFIED VOICE: It's the Boroughs.

30
31 CHAIRMAN ADAMS: Ha. I really do need to
32 apologize to Mike. He gave me that gavel and I took it
33 home with me, hanging onto it with dear life, and low and
34 behold it was there for me to pick up and put into my bag
35 and I left in such a hurry I forgot. So I apologize and
36 I guess it gives you all a good reason to fire me.

37
38 (Laughter)

39
40 Anyhow, why don't we take a lunch break
41 now.

42
43 Why don't we come back at 1:15, 1:20
44 somewhere around there.

45
46 (Off record)

47
48 (On record)

49
50 CHAIRMAN ADAMS: Good afternoon,

1 everyone. We'll go ahead and get started here. I hope
2 you all had a nice lunch. I certainly did and I had a
3 good partner. I had to do a bunch of things between
4 leaving the cafe and getting down here. I didn't have
5 time to take care of my own personal needs, so when
6 you've got to go, you've got to go. So I took care of
7 that and here we are. I think I'm okay for the rest of
8 the afternoon.

9

10 Anyhow, we're going to get started here.
11 I understand John Martin from the Wrangell Cooperative
12 Association. Have a seat there and turn on the button.
13 The time is yours.

14

15 MR. MARTIN: The light is on. I guess
16 that means we're good to go.

17

18 CHAIRMAN ADAMS: That's it.

19

20 MR. MARTIN: Good afternoon and welcome
21 to Wrangell. On behalf of the tribes and association we
22 extend a warm welcome to all of you and glad you're here
23 visiting with us. This is, I think, my third meeting
24 today, so I'm trying to get them all squared away in my
25 mind on how these things develop. I also have a
26 couple.....

27

28 CHAIRMAN ADAMS: Just for your
29 information you're at the Southeast Regional Advisory
30 Council.

31

32 (Laughter)

33

34 MR. MARTIN: Here we go. But I also have
35 a couple tribal members sitting in the back row there and
36 they're going to keep me straight as I walk through this.

37

38 We appreciate your efforts. In any
39 tribal environment, subsistence is a big item and we're
40 paying attention. We, as everyone else, are trying to
41 keep our elders fed, trying to keep the flow of goods and
42 resources to the local tribal members.

43

44 Just a little background. The tribal
45 council has been relatively quiet for a while and now
46 it's coming back up to speed. We've since opened up an
47 office on Main Street and started a number of projects.
48 Probably the biggest is the Shakes Island renovation. We
49 have this 70-year-old building sitting there that needs
50 major care. It originally was a Forest Service CCC

1 project and I found it interesting that ideally the CCC
2 was there to employ all those young people that needed
3 someplace to work in a failing economy, but when they did
4 the Shakes house they had to employ all the old guys that
5 knew how to do the work, so it was a good opportunity.
6

7 The architects are estimating that it's
8 going to be a \$1.7 million project, so housing costs
9 continue to rise. But we've got a good team. You can
10 walk out next door and hear the adzers as they're
11 thunking on those planks. Probably about 7,000 square
12 feet of planking has to be surfaced by hand. So we have
13 six adzers over there working.
14

15 We just recently did our first roads
16 paving project with the Indian Reservation Roads Program,
17 so that's a highlight for us, and a number of other
18 things going on in the community. I'm just really
19 pleased with what's going on. Again, more importantly,
20 just to wish you a good stay and a productive meeting and
21 I hope we maintain the contact.
22

23 Thank you.
24

25 CHAIRMAN ADAMS: Just stay there a
26 minute, John. My name is Bert Adams, by the way. My
27 Tlingit name is Kadashan. I was named after my great
28 grandfather John Kadashan. You might know his history.
29 Is Kadashan poles still on Shakes Island?
30

31 MR. MARTIN: Yes, it is. We've taken
32 them down. We need them out of the way when we do the
33 construction, so we've got them lying out and covered and
34 we'll do an evaluation to see if we can do some repairs
35 on them.
36

37 CHAIRMAN ADAMS: Okay. Because the last
38 time I was here -- we had a meeting here several years
39 ago and I went over there and they were still standing
40 and I had some pictures taken, but I'd sure like to see
41 them again. They belonged to my great grandfather.
42 Anyhow, thank you very much. It's really good to be
43 here. So far we're doing real well. So we're looking
44 forward to the field trip tomorrow and go up the Stikine
45 River.
46

47 MR. MARTIN: Okay.
48

49 CHAIRMAN ADAMS: Thank you very much.
50 Would you mind turning that thing off. I guess I could

1 have done it from here too.

2

3 Robert help me. We got through public
4 testimony, Stikine River field trip is tomorrow. We've
5 got some presentations. A, B and C. All right. Under
6 item number 10, presentations, we've got A, review of
7 Federal fishery issues and season fish and -- that's a
8 real long challenge. I'm not going to finish it off.
9 Anyhow, Terry Suminski is going to do that for us.
10 Welcome, Terry.

11

12 MR. SUMINSKI: Good afternoon, Mr.
13 Chairman, Council members. You should find in front of
14 you a sheet of a summary of all the special actions that
15 we worked on this calendar year. I just wanted to go
16 through those pretty quickly and if you had any questions
17 try to answer them.

18

19 The first action we took this calendar
20 year was to close the Unuk River for take of eulachon.
21 We had to close the Situk River to the harvest of chinook
22 salmon. Then Hatchery Creek was closed again to take of
23 sockeye salmon. Unit 4 on Baranof Island, the harvest of
24 goats was closed in the Blue Lake, Medvejie and southern
25 half of Katlian Watershed. Redoubt Lake was closed and
26 then once the run showed up it was reopened. We also
27 implemented a doe closure again in northeast Chichagof
28 Controlled Use Area. Had to close the Nakwisina River
29 drainage to harvest of goats on Baranof Island. Then the
30 last special action was to establish the moose quota for
31 Yakutat.

32

33 If there's any questions I can go into
34 more details with those. Hopefully you're all -- we
35 shared all this information with you as we went through
36 it, so hopefully it's not a surprise to you at this
37 point.

38

39 Thank you.

40

41 CHAIRMAN ADAMS: Thank you, Terry. I'll
42 just make a comment on a couple items here. The Situk
43 River chinook salmon closure, as you said, it took place.
44 The king salmon escapement there is very low for the past
45 few years. They feel comfortable, I think, if there's --
46 I don't know. Maybe Susan can help me. But it seems to
47 me like Gordy was watching it pretty close, you know, and
48 if they get 750 or so up the weir, then they felt that
49 was a good escapement, but it's been way below that. So
50 that's the reason why they closed it. What they did is

1 up the river toward where the river comes in to the
2 Arhnklin. There's a lagoon in there that really really
3 -- three or four nets set there really can catch the
4 salmon there, so they closed those off in order that they
5 might let the salmon go by there. Just a matter of
6 information there, but we'd like to see that king salmon
7 get better before they reopen it again.

8
9 Then on the moose thing, later on I think
10 I'll ask Susan to give a report on that, but they had to
11 reduce the take on the west side of the Dangerous River
12 again this year because of the low counts of bull:cow
13 ratios.

14
15 Any questions from anyone else. Harvey
16 and then Donald.

17
18 MR. KITKA: Thank you, Mr. Chair. I had
19 questions basically on procedure. The closure of the
20 Redoubt Lake. When I talked to you guys before, I
21 understand there was some sort of agreement with the
22 State to allow you to close it that quickly. Realizing
23 that Forest Service and the tribe has an agreement also,
24 when we ask for a closure it never happens unless it
25 takes months to go through. We were told that we can't
26 just close it because it's going to take some time to go
27 through the talking stage.

28
29 The State of Alaska and the tribes are
30 both sovereign governments and we should be acted on the
31 same as with the State. This is one of the things I was
32 concerned about.

33
34 Thank you.

35
36 CHAIRMAN ADAMS: Thank you, Harvey.
37 Donald.

38
39 MR. HERNANDEZ: I have a question for
40 Terry about the Northeast Chichagof Controlled Use
41 Closure. I think I saw a notice that there was going to
42 be a public meeting, which I think occurred, and I also
43 recall reading that, as I recall, that the consensus from
44 the public was that they didn't really support the
45 closure this year. I was just wondering if you went to
46 that public meeting or if Jack Lorrigan did. Did I
47 understand that right about the amount of public support
48 and how that went?

49
50 MR. SUMINSKI: Mr. Hernandez, through the

1 Chair. I was unable to attend the meeting, but Jack
2 Lorrigan did or the district ranger in Hoonah, Rich
3 Jennings did. I believe Cal called in. And your Council
4 Coordinator called in. I don't have the notes in front
5 of me from that meeting, but there was a fair number of
6 people that showed up and there was quite a bit of
7 testimony that they were seeing more does and would like
8 to consider a limited doe hunt especially for local
9 people was the sentiment.

10

11 The reason the district ranger decided
12 not to go with that was that that's exactly what we
13 should be seeing are more does. The issue is that these
14 does are very young and the idea was to give them a
15 chance to breed before opening up limited harvest. So
16 the group that attended the hearing was a different group
17 of people than had been attending the last hearings in
18 the last few years. There was other people that didn't
19 attend that were in support of the doe closure. The
20 tribe in Hoonah wrote a letter supporting the closure
21 again this year to allow the deer to recover a little
22 better.

23

24 I can supply those notes to you again if
25 that would be helpful. Does that answer your question or
26 did I forget part of it?

27

28 MR. HERNANDEZ: Yeah, that pretty much
29 sums it up. I think I have that report electronically.
30 I might go back and look, so I don't think you need to
31 send me it again. It was just kind of by recollection of
32 how it went, but I wanted to make sure I was correct in
33 that, so thank you.

34

35 CHAIRMAN ADAMS: I seem to remember that
36 conversation quite a bit too. There was a lot of people
37 who were not in favor of the closure. Patty, go ahead.

38

39 MS. PHILLIPS: Thank you, Chairman Adams.
40 Terry, I think I remember at our Hoonah field trip the
41 biologist said that they supported like five years of
42 closure. So what year are we going to go into? What
43 year is this of closures?

44

45 MR. SUMINSKI: Ms. Phillips through the
46 Chair. I believe the first action we took was after the
47 hard winter in '07 and there was two winters past that
48 that were not all that favorable either, but not quite as
49 severe snowfall, but a later thaw for two years. The
50 thinking at this point is that we're getting close to

1 where we should be able to allow a limited doe hunt. All
2 that is contingent on weather and what field surveys and
3 things show. I would not try to predict what will happen
4 or what actually might take in the future, but I think we
5 are getting close, very close.

6

7 CHAIRMAN ADAMS: Thank you, Terry. I
8 noticed my old buddy Joe walk in the door. What's the
9 matter, you lost again, Mr. Williams?

10

(Laughter)

12

13 CHAIRMAN ADAMS: Do you want to come up
14 here and say a few words to us? Joe and I go back a long
15 ways. You know how to turn that button on over there?

16

17 MR. WILLIAMS: Yes, I do. My name is Joe
18 Williams, I'm from Saxman. My real name is Kaxesdx .
19 For some of you, now you know why it's Joe Williams.

20

(Laughter)

22

23 MR. WILLIAMS: I'm from Saxman, former
24 Mayor of Saxman. Also former tribal president. I was
25 elected tribal president for 12 years and somebody said
26 let me do it and I said praise God.

27

28 Our subsistence lifestyle of living --
29 I'm really struggling with having to be here because
30 there's some fish back home waiting for me. When you
31 think in terms of the subsistence lifestyle that we have
32 to give up at times because of decisions that you've
33 made. I'm in the tour business and I get asked questions
34 about especially when there was a need for having in a
35 family a need of having boys and girls in the family and
36 you always had boys and girls in the family because the
37 boys are raised by the mother's brother.

38

39 Inevitably I always get the question of
40 what if there was only boys or what if there was only
41 girls or what if a family couldn't have any children.
42 What does this have to do with where we are here today?
43 I think it has a lot to do with it. I remember early on
44 in the business with the tour business I honestly didn't
45 know the answers to those questions other than to say
46 that families continued to have children until such time
47 that boy arrived if there were only girls or until that
48 girl arrived if there were only boys and why was that so
49 necessary. As I mentioned, uncles raised the sister's
50 sons, so it was absolutely imperative.

1 And when I went through the villages here
2 in Southeast Alaska and asked that question of what if
3 there was only girls or what if there was only boys or
4 what if families couldn't have any children, the answer
5 to those questions, and I asked elders in each of the
6 communities, the answer to the question was they were
7 always able to have children, they were always able to
8 have boys, always able to have girls. So the next
9 question I asked was what do you contribute that to. An
10 elder in Angoon said, Joe, I'm surprised you asked that
11 question. I said, you know, I asked the question because
12 I know of the business I'm involved in, which is tourism,
13 that I will be asked that question and I don't know the
14 answer. He said, son, think about it.

15
16 Now please know when somebody -- I'm 68
17 years of age. When somebody calls me son, I feel real
18 good, okay. He said, son, think about it. We are what
19 we eat, then our families ate everything that we ate was
20 wild; wild mountain goat, wild deer, wild bear, wild
21 salmon, wild sea cucumbers. Everything was wild, nothing
22 was processed.

23
24 So for the esteemed position that you are
25 holding here today, we, the people of Alaska are asking
26 we want to continue that wildness that we so desperately
27 need. The elder went on to say it wasn't until we were
28 bombarded with the onslaught of processed food is when we
29 got ourselves into trouble and that's where we are today.
30 The decisions you make will truly affect many, many
31 families. Not just your friends, people you've never
32 met, and I respect your position. All I can say is
33 praise God I'm not sitting there. I'll leave it up to
34 Bert because we went to school together and if he doesn't
35 vote the way I want him, I'll take him outside and beat
36 him up.

37
38 (Laughter)

39
40 MR. WILLIAMS: So, with that,
41 gunalcheesh, thank you.

42
43 CHAIRMAN ADAMS: Gunalcheesh, Joe. I
44 thought when we went outside to duke it out that it was
45 the other way.

46
47 (Laughter)

48
49 CHAIRMAN ADAMS: Thank you, Joe. Hey,
50 Joe. Saxman is striving hard for its rural status. I

1 think it's going to be fixing itself here pretty soon
2 because I heard rumblings, you know, that the Board is
3 not going to act on the situation as it is. They're just
4 going to let it run out, so Saxman will just then
5 automatically retain its rural status. Unless something
6 serious happens you guys can really appreciate that. And
7 we've worked really hard from this body here to try to
8 achieve that goal for you.

9

10 I hope it does turn out that way.

11

12 MR. WILLIAMS: That's the best news I've
13 heard in the last four years. Thank you very much.

14

15 CHAIRMAN ADAMS: Go home and send the
16 news. You can blame it on me if it doesn't come through
17 because I'm way up in Yakutat and you guys can't reach
18 me.

19

20 MR. WILLIAMS: I know where you live.
21 Gunalcheesh. Thank you.

22

23 CHAIRMAN ADAMS: Okay. The next item is
24 item number 10b, summary of 2000 fisheries monitoring
25 program. Mr. Ben Van Alen, you're in the hot seat now.

26

27

28 He's going to do a PowerPoint
29 presentation, so why don't we take a few minutes and let
30 him set up.

31

32 (Off record)

33

34 (On record)

35

36 MR. VAN ALEN: Good afternoon. I'm Ben
37 Van Alen with the Forest Service in Juneau, a fisheries
38 biologist. I've been involved with the Fishery Resource
39 Monitoring Program projects mostly dealing with
40 estimating sockeye salmon escapements into the various
41 systems throughout Southeast. What I'm doing here is
42 following the agenda, basically summarizing these project
43 findings through this year 2011. Some projects are still
44 ongoing, so what I'm presenting is preliminary.

45

46 Just as background and I know some people
47 have seen this before, but before the Federal subsistence
48 funds were available for subsistence monitoring there was
49 really very little ongoing projects for enumerating
50 sockeye escapements in the whole coastal island area

1 except for the mainland rivers. Since this funding has
2 been available in about 2001 there's been projects that
3 have come and gone.

4
5 Right now there's a project at Hetta with
6 Hydaburg and the Organized Village of Kasaan has got
7 projects at Hatchery Creek and Karta. We did have three
8 projects with the community here in Wrangell years ago at
9 Kake. They're still doing Falls Lake. In Angoon there's
10 three projects going, Sitkoh, Kook and Kanalku. In Sitka
11 right now there's Redoubt Lake and the Klag Lake has been
12 a long-term weir project. In Hoonah, there's currently
13 Neva Lake weir project.

14
15 You have the results in the handout.
16 Again, they're preliminary. A number of numbers are
17 going to change, particularly for this year and last
18 year.

19
20 Another thing that's not really presented
21 here but there have been a lot of reports that have come
22 out of these projects, some of these projects are
23 actually first time ever estimates of sockeye
24 escapements. These reports are available from the Office
25 of Subsistence Management website.

26
27 One project I'll start with, it's
28 actually the last remaining index project and the longest
29 term one we've had, it's
30 Sitkoh Lake where we go in and beach seine along a
31 section of beach and index the escapement of fish in
32 there. It's been done since 1997 with a few years gap.
33 Right now we've completed two of our four surveys for
34 this season.

35
36 I'll just quickly review some of the weir
37 projects and data. Again, this is preliminary data, but
38 there's about 12,000 sockeye estimated through the Klag
39 Lake weir this year at Kanalku behind Angoon. There's
40 about 700 sockeye estimated through the weir, so the
41 escapement was quite poor in Kanalku this year.

42
43 At Hetta there's been about three years
44 of 20,000-plus fish in there the last three years, so the
45 escapements have been looking -- I think people are
46 pleased with the escapements at Hetta.

47
48 At Klawock, I just threw this in. We're
49 not actually -- it isn't a Fisheries Resource Monitoring
50 Program currently, but we have been involved in the past.

1 I'm just pointing out that the escapement this year
2 doesn't look so good for sockeye.

3

4 At Karta, they estimate 21,000-plus in
5 there. The last few weeks of the weir operation there
6 was high water and the weir was basically washed out.
7 This is a picture of the crew in 2009, the first year we
8 did this trap and weir design, and here's a picture of
9 the crew from this year in June sitting around the
10 smoldering campfire. This is Jeff Bell, the project
11 leader, from the Organized Village of Kasaan. Another
12 view of the trap and weir configuration. This
13 configuration has now been used at other locations with
14 great success.

15

16 Here's just a video I was showing. This
17 is a semi-classic weir operation where the fish enter the
18 trap at night. You go out in the morning or basically
19 during daylight hours and you pass fish out of the trap.
20 Where you pull pickets and count them as they pass
21 through the weir, but you're physically present whenever
22 fish are moving.

23

24 That's the way we did it at Kook Lake for
25 the first three years of the project, 2005, '06 and '07.
26 Basically marking fish at a weir, examining fish above
27 the weir, in the streams, beaches, for the proportion of,
28 in this case, adipose clipped fish that you've marked.

29

30 We also experimented with fish video in
31 2006 and '07 and have extended that now in several
32 systems. At Kook Lake the last two years we basically
33 don't put in the picket weir. We put in a couple of net
34 weirs which guide fish through these video shoots and we
35 just bring the video cards, SD cards back to camp and
36 count the fish that went through. In fact, most fish are
37 moving through at night. So that's just the design of
38 net weir we have at Kook. One at the outland and one
39 between the island and the mainland. It's powered by
40 solar panels, self-contained systems.

41

42 Here's a video shoot where the fish swim
43 through, a camera on each side. There's a picture of
44 Carol there checking the camera and the recording data in
45 the field. This particular video apparently isn't
46 working for us, but basically this is what we end up
47 getting when it all works well is a fish-triggered or
48 motion-detected video. Even though the camera is going
49 24 hours a day, we're basically saving images only when
50 the fish are moving through.

1 Here's data, I don't have it updated for
2 this year, but just gives an indication of the timing of
3 fish into Kook Lake, which has varied dramatically
4 between years. Depending in part on the relative
5 strength of the early running inland streams spawners and
6 the later running beach spawning. It's like two
7 different stocks of fish I'd say or populations.
8

9 Also very much so on the timing of the
10 commercial seine fishery in Icy and Chatham Strait.
11 Roger Williams. Here they are, they've pulled the SD
12 cards, brought them back to camp and are doing a video
13 review of the left and right cameras at the same time
14 recording the data on that data form by hour.
15

16 At Neva Lake we're doing the same thing
17 except not with a net weir. We're still using picket
18 weirs, but they're short V picket weirs that guides fish
19 through the video shoots. There's our floating camp
20 there in the background.
21

22 So the only fish we trap are the ones we
23 need to take scales from. Again we're doing dual video.
24 Also having the crews do the data entry of the data into
25 laptops in the field now. Here's an older picture from
26 Falls Lake, but this basic operation is still in place
27 where they put a trap in at the top of the fish pass and
28 then mark all the fish. Adipose clip all the fish that
29 come up through the fish pass, which is about 40 percent
30 of the run.
31

32 Last year Cal and others helped us
33 assemble a net weir, which we then put at the outlet of
34 the lake. We've repeated that this year with this net
35 weir on the outside of those logs but we also have a net
36 weir over the logs right as the fish come up into the
37 lake over the falls. So we essentially have two net
38 weirs just like at Kook Lake there. A picture of it.
39 There's an underwater picture of the lake net weir about
40 six feet under water.
41

42 Redoubt Lake, what we did, we extended
43 our work we did last year, basically extended the wing on
44 that net. Essentially put in what might be the world's
45 largest net weir. It's a huge lake, nine miles long,
46 lots of water flowing out of there. So in addition to
47 their picket weir, which has now been in place 24 years
48 or more they have this net weir upstream which we can
49 examine fish for marks and validate the escapement count.
50

1 At Hatchery Creek they also have the
2 picket weir and these are the counts with 6,000 sockeye
3 counted at the Hatchery Creek this year at the weir.
4 Just upstream from the weir we put this net weir in,
5 which is kind of a stream net weir, which again guides
6 the fish through a video shoot and they can swim through
7 whenever they want, day or night. Tar is there, Russell
8 Snook, putting together the net weir. This picture
9 happens to be from last year, but it's very similar for
10 this year. You could just see the picket weir downstream
11 below the bridge, the highway bridge there.

12
13 Here's a picture I just got from Jeff I
14 think August 21st. There was a flood event, which washed
15 the weir out, but nearly all the sockeye had already
16 passed at that point.

17
18 One thing that's coming out of these
19 projects is we are having some technical improvements to
20 how to count fish. One is our use of floating camps.
21 It's proven a great place to live and a low impact on the
22 environment. In fact, the only impact is the latrine
23 there. We've also done trap and weir designs in several
24 places and those work very well compared to what we used
25 to do. Basic fish videos work great. That was an
26 adipose clipped fish and here's one with an adipose fin
27 on. It turned out we can see a high proportion of fish
28 for these marks, so we're getting good mark recapture
29 estimates.

30
31 We could as well be doing projects that
32 involve dolly counting or cutthroat or coho or whatever.
33 We can also so -- like this is a mystery fish. Nobody
34 has really come out and said what they think that fish
35 is. I'll play it again. We might have ideas. This is
36 Kook Lake and it's about the size of an adult sockeye,
37 that fish.

38
39 In Icy and Chatham Strait this year there
40 was a tremendous seine effort that went from June through
41 early September. As most seine fisheries are, they're
42 concentrated right along the shoreline. In the area, we
43 did observe relatively small or weaker runs of
44 escapements of sockeye. This is at Kanalku, at Sitkoh
45 right now and at Kook Lake.

46
47 That's all I have for now. Jeff is going
48 to review the eulachon studies. Thanks.

49
50 CHAIRMAN ADAMS: Go ahead, Tim.

1 MR. ACKERMAN: In looking at your latest
2 technology there in the fish weirs, using nets instead of
3 pickets, an interesting situation you have up there in
4 Haines on the Chilkoot River and it's all steel pilings,
5 they're not galvanized, and there's people that noticed
6 the pilings driven into the riverbed are now corroding
7 and all the iron bacteria from the steel itself as it
8 goes down into the substrate is turning the whole
9 substrate, where the spawning beds are, red from the high
10 iron content that's coming off the steel piling.

11
12 Now the fish weir is now becoming a
13 number one spot for bear viewing and it's getting to be
14 quite a problem out there. They have on-site volunteers
15 and the Park Ranger that comes up there and helps try to
16 monitor the bear/human interaction. Are you sharing any
17 of this stuff with the State of Alaska and maybe they
18 could incorporate that into the Chilkoot weir to make it
19 not so, like you say, having that much impact on the
20 river itself and maybe sometime in the future they could
21 incorporate that rather than the steel picket weir.

22
23 Of course you have like you said, the
24 flood that happens when the whole lake comes up and adds
25 more water, which puts more hydraulic pressure on the
26 pickets and can wipe stuff out. It would be nice to see
27 that kind of operation in the Chilkoot River. It's a
28 beautiful river, but they've got the steel pilings
29 pounded right into the substrate and the corroding. It's
30 almost like what you would call an attractive nuisance.
31 The bears go on it.

32
33 The guy who runs the fish count station
34 there, he has to be physically present right there versus
35 where you have that cam. He could be on the shoreline,
36 away from the bears and he could be -- you don't even
37 have to be there. It's counting the fish already. It's
38 a self-contained system. Very interesting to see that.

39
40 MR. VAN ALLEN: I'll be the first to say
41 that the Chilkoot as well as the Chilkat and any of our
42 other more mainland rivers would be absolutely
43 challenging for a net weir kind of system. It doesn't
44 mean there isn't potential for fish video, particularly
45 like at Chilkoot a V type weir might be a net weir
46 actually right at the outlet on the lake might have
47 better potential for guiding fish through a video chute
48 or chutes.

49
50 Anyway, I think one thing that is -- just

1 a couple things on the Chilkoot one. That one is
2 basically one of the only weirs in all of Southeast that
3 the State of Alaska has put money into. As you mention,
4 you've got steel pilings or the steel I-beams driven 30
5 feet into planet Earth, which is pretty cool in one
6 respect, but it is your classic traditional weir where
7 you're forcing those fish to find the entrance to a trap
8 and then passing them through that trap only when you're
9 there.

10

11 I believe there would normally be a lot
12 more movement of those fish at night and wouldn't
13 normally be delayed by the presence of the weir, which in
14 turn results in more bears. Basically it's just not
15 natural in the migration pattern of the fish. So, yeah,
16 I think there's a need to look at other techniques there.
17 Of course, the glacial water is challenging too.

18

19 CHAIRMAN ADAMS: Ron, if you could stand
20 up and speak loud so that the microphone can pick you up.

21

22 MR. LEIGHTON: I want to applaud your
23 system here and you're doing a marvelous job, especially
24 working with tribes and the fish camp weir. I think it's
25 good for both Federal government and the tribes. Our
26 tribe is doing -- I could just see their proudness when
27 they're working in this area. That's because I think
28 we've been doing this process for hundreds of thousands
29 of years, you know.

30

31 So thank you.

32

33 CHAIRMAN ADAMS: Thank you, Ron.

34

35 MR. VAN ALEN: Thank you.

36

37 CHAIRMAN ADAMS: Patty.

38

39 MS. PHILLIPS: Ben, you talked about the
40 Kanalku and the Sitkoh and was it the Kook?

41

42 MR. VAN ALEN: Yes.

43

44 MS. PHILLIPS: Possibly being intercepted
45 by the high seine incidental or, you know, this
46 intercepting fish. Is there any genetics being done that
47 could verify that, do you know.

48

49 MR. VAN ALEN: I guess I'd be a little
50 bit more aggressive than that. The sockeye migrate in

1 through Icy Strait and down Chatham where there's been
2 tagging studies in the past, millions of dollars of
3 tagging studies. The one conclusion, of course, is that
4 they don't swim over dry land. So all we need to do is
5 look at a map and we also know that basic entry pattern
6 is very popular for the migration of sockeye and pinks
7 and cohos. In fact, that's where the fishermen fish.
8 They're fishing where it's most efficient to catch fish.
9 We look at the relative timing between the fishing effort
10 and when those sockeye are moving through.

11
12 In the past, I would say 10 years ago and
13 more, the general assumption was that most of those
14 sockeye had come in through Icy and come through Chatham
15 and are more in the bays or even in the rivers, into
16 Kanalku, into Pavlof, into Kook, Basket Bay, into Sitkoh.
17 By the time the bulk of the seine effort begins their,
18 quote, targeting on the pink salmon.

19
20 But I'd say as a result of our projects,
21 some I've shown and some I haven't, where we're
22 monitoring the escapement of sockeye into Kanalku, the
23 river. We found the runs still moving in in mid August.
24 In 2005, our first year at Kook Lake that we did the
25 weir, we had half the fish, 2,000 fish that year, but
26 half of them escaped into the lake. Came through the
27 weir after August 24th, which was the day that the seine
28 fishery closed.

29
30 Now we have a number of years here where
31 it's pretty clear the harder they fish in Icy and
32 Chatham, the greater the direct harvest is of the
33 sockeye. We might see these lower escapements, like in
34 this year, but we can't say anything about the run size.
35 The run size might actually have been pretty good at
36 Kook, let's say, or even Kanalku. But there were a lot
37 taken in the commercial seine fishery.

38
39 I think there is certainly going to be
40 interest in genetic stock ID or any fishery contribution
41 estimate. How many Kanalku bound sockeye are caught in
42 these fisheries and when. I'm not a big fan of that.
43 I'll be up front on that because we already know that
44 they're being caught. We know about where, we know when.
45 There's nothing we're going to learn and actually nothing
46 we're going to really be able to use the information for.
47 It's not like we're going to go in a few years from now
48 and manage -- they call it weak stock management. Manage
49 for the return of sockeye to Kanalku in a seine fishery
50 where these sockeye are, indeed, a minor contributing

1 stock.

2

3 I think it all boils down to is, again,
4 what we've done several times now in the history of
5 seining in Icy and Chatham Strait is trying to find that
6 right mix between moderating the seine effort in a highly
7 mixed stock, passing stock fishery, along the Admiralty
8 Island shore. We can fish there, but we can't fish as
9 hard as we have this year and in other years. We're
10 going to have to harvest more of the target species,
11 which is the pink salmon, closer to where they're going.
12 That would be off Hood Bay, Chaik, Whitewater, entrance
13 to Tenakee. More what we call local stock fisheries
14 where you're fishing on the strength of local stocks.

15

16 I think there's one other word you used.
17 You know, fishermen are out there fishing and nothing is
18 incidental in their catch. There's nothing incidental in
19 the catch of coho, the catch of sockeye. You know, in
20 fact, they're called money fish for a reason. There is
21 a great value in the seine fishery to harvest these fish.
22 It's interesting to hear -- it will be a huge debate
23 again every cycle of the Board of Fish. It's the inside
24 gillnetters versus the outside seiners. In some respects
25 in our realm right here, we will greatly benefit from the
26 concerns expressed by the inside gillnetters to moderate
27 this seine effort in Icy/Chatham Strait, the highly mixed
28 stock fishing areas of Icy/Chatham because it's the same
29 whatever.

30

31 MS. PHILLIPS: Follow up.

32

33 CHAIRMAN ADAMS: Okay.

34

35 MS. PHILLIPS: So how can you implement
36 some of these strategies you talked about? You're a
37 Federal fish biologist and yet we're dealing with
38 multiple agencies. We have these fisheries monitoring
39 projects that support, you know, what we've been saying
40 all along, that the sockeye are being intercepted and not
41 part of the escapement. We have proof now. So how can
42 you implement the strategies? Especially if you might be
43 retiring soon.

44

45 MR. VAN ALLEN: I think nothing will
46 happen without reliable data. I think that's part of
47 what we're trying to do here, is collect data that's
48 reliable. Anyway, I think that's critical. Where we sit
49 like Federal subsistence managers or the Federal
50 Subsistence Program, which only regulatory authority,

1 essentially above mean high tide. We have no control
2 over the conduct of the fisheries and no control over 90-
3 plus percent of the harvest of a return of these fish in
4 these areas like along Chatham Strait. So it's
5 difficult.

6
7 We need to work with our State
8 counterparts as all the groups do so they understand both
9 the subsistence needs, especially if they're not being
10 met. They must literally follow their loss. They have
11 a subsistence priority that's as good or better than the
12 Federal one. They line out the requirements by stock or
13 population being met. But that they choose not to follow
14 their law doesn't make it right, so that's part of our
15 negotiation or however you put it.

16
17 There's other approaches. I think
18 Kootznoohoo did submit an extraterritorial jurisdiction
19 petition. I mean that's another way of doing it. I hate
20 to see something like that being something that we're
21 working on. I'd hope for better cooperation. Nothing
22 will be easy.

23
24 MS. PHILLIPS: One more question. How
25 can we as a RAC support that more localized fishery?

26
27 MR. VAN ALLEN: I think if there's a way
28 or a group on the RAC that would want to be a little more
29 active in considering and submitting regulatory proposals
30 to the State Board of Fish, that would help. That's one
31 piece. I think other political approaches too. I think
32 it's a shame, it's unfortunate or whatever it is that the
33 residents in these communities basically, like Hoonah and
34 Angoon and Kake are no longer active participants in the
35 commercial fisheries that occur off their front porches.
36 I think if they were somehow allowed to re-engage in the
37 commercial fishing industry, that would probably be the
38 best thing, the most valuable thing for addressing
39 subsistence needs.

40
41 Anyway, there's a whole bunch of little
42 thoughts like that.

43
44 CHAIRMAN ADAMS: Anyhow, if you remember
45 a few years ago there was a study and there was a
46 committee, if I remember correctly. Floyd was a part of
47 that committee and then they had some State people
48 involved. I think it addressed the seine interception of
49 sockeye. It might be well if you brought that paper up
50 and we kind of reviewed it a little bit.

1 CAROL: Can Ben play it again.
2
3 MR. ACKERMAN: It looks to me like a lake
4 trout from the Interior. That's kind of what it
5 resembles to me.
6
7 MR. VAN ALLEN: Yes, that's what I think,
8 it's a lake rearing cutthroat, is what it looks like to
9 me. So there might be this monster in Kook Lake for
10 anybody with a fly rod.
11
12 CHAIRMAN ADAMS: Do we need to use this
13 any more?
14
15 MR. REEVES: Yes.
16
17 CHAIRMAN ADAMS: Okay.
18
19 MR. REEVES: Thank you, Mr. Chairman.
20 Council members. My name is Jeff Reeves, U.S. Forest
21 Service. Originally when I was putting this together
22 you'll notice most of this presentation is going to
23 concentrate on southern Southeast. As we got closer to
24 the meeting I got asked to see if we could kind of put
25 more together on some other runs in Southeast itself. So
26 my apologies to Yakutat and the Stikine I only have a
27 brief little section on it, but I did receive a few
28 summaries from those folks.
29
30 The majority of this presentation is
31 going to be -- it was a surprise return to Southeast. If
32 you bear with me and just enjoy a little -- we'll
33 hopefully learn some more about eulachon here.
34
35 You can see 2011, the year of the
36 eulachon. For some reason it just seemed like after
37 March and what happened at Carroll Inlet it just seemed
38 like eulachon were everywhere. I was even hearing jokes
39 that people are afraid to flush their toilets because
40 they weren't sure if eulachon were going to come out.
41
42 Yakutat, they did their surveys. It
43 sounds like flying surveys of a number of the drainages
44 there along the coast. They started them in January,
45 continued them into May, but it seemed like they first
46 started detecting eulachon in the area in February, but
47 they only found them in 13 out of those 19 study areas.
48 They felt that the Alsek seemed to be showing the most
49 fish and there's stronger prolonged runs in the
50 Dangerous, the Akwe, the East Alsek and Doame. If I

1 pronounced any of those wrong, my apologies. I'm not
2 from the area. The Situk and the Lost River seemed to
3 show pretty weak returns.

4
5 I was given a couple pictures. It looks
6 like Tyler and the Italio and all those white specks are
7 gulls. You can probably guess what they're feeding on
8 right there. This picture amazed me when I saw it
9 because I always heard the stories of how heavy the bird
10 activity is and this is one of the big indicators that
11 eulachon are probably in the area. Here's one from the
12 Akwe. You can see that little black mass there is a
13 school of eulachon.

14
15 The Stikine this year, basic observations
16 and we've heard from some local testimony earlier that
17 the run was really good here. Strong runs begin late
18 March, subsistence harvest were well. The odd part this
19 year though is in the summer, June, July, the reports of
20 eulachon being -- pre-spawn eulachon being caught in the
21 salmon gillnets and dolly varden being found with their
22 stomachs packed with them. Mr. Larson could probably
23 tell you more on that. He's the one who indicated that
24 fact to me.

25
26 These pictures were given to me from the
27 biologist here and were obviously taken by a local
28 resident.

29
30 This is the big part -- this is where
31 I've got some experience. I was sitting at my desk one
32 day and I got this call that we got eulachon in Carroll
33 Inlet and Carroll Inlet, if you're not familiar with it,
34 it's right outside of Ketchikan. In the week of March
35 20th this power plant right here they noticed a large
36 amount of bird activity. Later in the week some law
37 enforcement officers happened to be in the area and they
38 came across this boat here. That boat right there was
39 barely above the water line and that's all eulachon.
40 Nothing was against the law or being done wrong here.
41 It's just this was an area where these fish had never
42 been reported.

43
44 The following day this picture come from
45 the State biologist. This is the cove and this is the
46 power plant outflow. When I asked them about this
47 picture, he said you really couldn't see eulachon, but he
48 thought this whole area was some. You'll notice here's
49 the seine skiff -- a skiff getting ready to seine. Right
50 here, which is kind of hard to see, but if you blew the

1 picture up, there's a dipnetter right here.

2

3 So by the end of the week Forest Service
4 staff was finally able to get there. This is right along
5 the edge here. You see there's a number of eulachon.
6 These are all post-spawn eulachon. We did find
7 indication right here that they did lay some eggs here,
8 but this is all marine water and it's definitely tidal
9 influenced.

10

11 Now when we got out there, this is the
12 outflow coming out, but by Friday you see the outflow
13 from this power plant had shut off and the activity
14 within this cove, which is right here on the little map,
15 decreased. But all of a sudden we started noticing heavy
16 bird and seal activity right in this neck, this part of
17 the inlet here.

18

19 This is looking at that flat, but looking
20 at it from where the river comes in. There's the main
21 channel right here. There's also another creek right
22 over in here. This one was looked at by the law
23 enforcement officers and they did indicate that there was
24 the presence of eulachon there. Myself and another
25 individual wound up going up the mainstem. This creek is
26 one of the first ones -- you see saltwater right here --
27 we looked at and we did find some indication that there
28 was a partial spawn or a small spawn in that creek
29 itself.

30

31 So we headed upstream and the flat here
32 -- the channel comes down and it splits into these two
33 channels. So we concentrated first on doing the loop.
34 Along this shoreline here, this is a gravel bar, we found
35 an indication of spawn. Along that whole tape is nothing
36 but eggs. When you look real close, all these little
37 find dots are all eulachon eggs.

38

39 No fish were seen there, however there
40 was some spawn. So we head upstream and what caught our
41 eyes is this is the upstream section of where those two
42 channels split. One goes off here and one here. You
43 notice right here this is what caught our eyes. That is
44 solid wolf tracks right there. So we got looking a
45 little closer and right off from there do you see this
46 little spot right here. If you stuck your camera in
47 there that's the edge of that school of fish. These fish
48 were sampled. These were all post-spawn fish.

49

50 Upstream from there we really wanted to

1 get -- as the channel got wider and deeper, but we ran
2 into deep snow. This was an aerial shot actually taken
3 where we wanted to get later that day, but we couldn't
4 get there. What we did see when we turned around to head
5 out was that there was a good number of eagles along this
6 edge and a lot of mergansers in the creek too, so we're
7 making the assumption that there was probably a school of
8 them up in here.

9
10 Coming back down, we were walking in
11 between those two channels and I wish this picture was
12 clearer, but right under these reflections of these reeds
13 there's actually eulachon right here. The reason they
14 wound up in this is this was a picture of the area with
15 a really high tide. So not only could they stay in the
16 channel, these fish were able to just scatter over the
17 tidal flat.

18
19 We did sample again eulachon from the
20 power plant area and we were able to sample some out of
21 Carroll Creek. They were delivered to the genetic lab in
22 Anchorage. What basically came out is that those Carroll
23 Inlet samples were no different from any of the Southeast
24 Alaska collection. They do not have specific identifiers
25 to say this eulachon is from the Unuk or from the Situk
26 River or wherever, but what they do have is they're able
27 to tell them apart by separate regions.

28
29 In the meanwhile, Pete and I are tromping
30 around on Carroll, phone calls start coming in from the
31 Unuk. One of the families that was staying up there
32 reported some bird activity and that they'd seen a small
33 school of eulachon. Again, I didn't take this picture,
34 but the reflection of this whole area right here is
35 scattered eulachon.

36
37 By this point it was kind of the tale end
38 of that set of tides, so there wasn't a whole lot that we
39 could do, but the Forest Service decided let's go ahead
40 and we'll take aerial surveys. We had one other report
41 come in that there were eulachon taken in the Wilson
42 River too. Basically each week we would fly the
43 drainages, look for any indication of birds or marine
44 mammal activity and then the plan was at least return to
45 the Unuk in April with the next set of the big tides.

46
47 Here's an aerial shot. This is the mouth
48 of the Unuk. The first places that we would fly would be
49 the Wilson and Blossom. These two come together. This
50 is the one area we do know that a handful returned in

1 March, but from this point on we never saw anymore
2 activity. This is a shot of the Klahini. Nothing noted
3 there.

4
5 The Chickamin had reports of off and on
6 bird activity, but the few times it was checked we never
7 did look at any eulachon. This is the Eulachon River
8 that actually drains into the Unuk. This is the day
9 before a ground survey was done. Again, here's the Unuk.
10 The following day after a set of flights that I did, we
11 flew back in and hiked up in at low tide. We hadn't
12 received any heavy reports or any reports of any heavy
13 eulachon down low in the river. Visually we found one.

14
15
16 What came in after this survey was the
17 State runs a smolt project upriver and they actually
18 noted a larger school of eulachon upstream of their
19 project, which in past years that area had never been
20 surveyed. The indications seem like they were post-spawn
21 fish, but we don't know if it was the group of fish that
22 had been seen earlier in late March. We're really really
23 not sure.

24
25 What does this whole thing mean. Well,
26 even though it seems like more eulachon returned to the
27 Unuk this year in larger numbers than we documented in
28 years of the ground surveys, it doesn't mean that that
29 stock is recovered. So State and Federal management,
30 until we get more documentation of abundant returns over
31 the life history of eulachon we need to maintain that
32 closure on the Unuk.

33
34 What about Carroll Inlet? Well, those
35 fish they're never documented there and we don't know if
36 they'll ever return there or even if that spawning that
37 we documented was successful. Since the genetic work
38 said that these are southern Southeast stock, well that
39 means there's a good chance that those could have been
40 Unuk fish. The estimate on that skiff full was at least
41 3-5,000 pounds worth. Just because they show up
42 somewhere else doesn't necessarily mean they can be
43 fished heavy.

44
45 When you look at the regulations for
46 District 1, the Unuk area, besides our closures, it has
47 the regulation that you have to have a permit, but
48 there's other areas within District 1 that no permit is
49 required and there's no harvest limit. You never know
50 where if these fish return, particularly close to

1 Ketchikan, where you may have an unsustainable harvest of
2 them. That's why I kind of said that the Carroll Inlet
3 scenario could suggest.

4
5 If or when that we do resume subsistence
6 fishing of eulachon in District 1, we probably really
7 should have some household harvest limits and possibly
8 gear restrictions in place before we proceed. That's
9 kind of where I had it ended. I'll do my best to
10 entertain any questions if possible.

11
12 Thank you.

13
14 CHAIRMAN ADAMS: Thank you, Jeff. Please
15 stay put. Any questions anyone. Go ahead, Ron.

16
17 MR. LEIGHTON: Is there any research or
18 anything that went on that may be possible causes like
19 glacial movement?

20
21 MR. REEVES: Mr. Chair. Mr. -- I'm
22 sorry, I forgot your name. We really don't know.
23 Eulachon is a whole new species to me too. What got me
24 drawn into it was Carroll Inlet. We heard a lot of
25 speculation this year of what could have done this. I
26 mean there was thoughts, everything from shifting
27 currents and earthquakes to just high abundance of
28 eulachon everywhere. I even had reports that previous
29 years there had been a small return noted in Chomley on
30 Prince of Wales, but I don't have any proof to that. One
31 thing is for sure, we just never know where they could
32 show up.

33
34 You know, 13 out of 19 rivers in Yakutat
35 that normally have them -- or 19 rivers can have them,
36 but only 13 this year had them. I've seen similar type
37 information on Canada. We were really wondering. I mean
38 we spent the money to have those Carroll Inlet fish
39 looked at because we didn't know.

40
41 MR. LEIGHTON: Thank you.

42
43 CHAIRMAN ADAMS: I happened to have gone
44 on several of those surveys in Yakutat. It was really an
45 eye-opener. Last year on the Akwe River that's where the
46 eulachons were. A whole seven or eight miles all the way
47 up to where we call the village of Grasaya there was
48 eulachons and we knew that because thousands and
49 thousands of seagulls there. Down toward the mouth there
50 were the seals and sea lions. The thing that really

1 surprised me was the number of swans. They were grouped
2 in five and six at a time all the way up and down the
3 river. There must have been a thousand or so of those
4 swans.

5

6 Any more questions.

7

8 MR. ACKERMAN: Yeah, in our fisheries up
9 there in Haines on the Chilkat and the Chilkoot, like I
10 said the Chilkat side the eulachon beam, if you will,
11 across the top of the backs. The Chilkat side was much
12 broader fish than the ones on the Chilkoot side. There's
13 a lady that does beadwork up in Klukwan. We have two
14 different color variations. In the Chilkat side is a
15 different color than the Chilkoot side. Very
16 interesting. There was an old-timer pointing that out to
17 me. So that's another thing you might think about
18 taking, is the color in the fish.

19

20 CHAIRMAN ADAMS: A new study is in
21 process here and every little detail is going to help us.

22

23 MS. PHILLIPS: Do you have an estimate of
24 the biomass at Carroll Inlet?

25

26 MR. REEVES: Mr. Chairman. Ms. Phillips.
27 We don't really have a full estimate. What we saw on the
28 ground, they're about the three schools that we saw was
29 about 500. Most of those were post-spawn fish. What we
30 saw in that cove following the end of it was probably
31 another three to five hundred. Like I said, we know that
32 there was at least three to five thousand pounds
33 harvested out of there. I want to say it's like 17 to 20
34 fish per pound or something if I have that correct out of
35 a study from Canada. So multiply that times three to
36 five thousand and that will give you an idea how many got
37 harvested.

38

39 MS. PHILLIPS: Did anybody interview the
40 fishermen?

41

42 MR. REEVES: Law enforcement talked to
43 the individuals that had the skiff. There was people
44 that came and went from the power plant site that were
45 dipnetting and folks were talking to them that worked at
46 the power plant because you did have to check in with
47 that plant. It was unknown who some of those people
48 were, so our agency really didn't get to talk to a lot of
49 the users.

50

1 Louie Wagner did give us some fish for
2 the genetic work though after we got back. He gave us a
3 gallon Ziploc of them to have looked at.

4
5 CHAIRMAN ADAMS: I'll make the comment,
6 otherwise I'll forget, okay. Those three individuals
7 that came from Metlakatla to testify at the Board
8 meeting, one of their comments was that they are going to
9 return, so that gives you a pretty important value of
10 what traditional knowledge has. We need to pay attention
11 to that because, as indicated, they started to come in
12 there again. I just thought maybe I'd mention that.
13 They assured us that they would start coming back again.
14 Just don't get too excited. Well, it's been six, seven
15 years, you know, when we've been getting excited about
16 it. Finally decided to do something. Hopefully it's
17 going to return.

18
19 Yes, sir. If you can speak real loud so
20 the mike can pick you up.

21
22 MR. STOUGH: In your continued studies
23 there, are you going to be funded in the future for that?
24 I'm kind of curious because that was -- the thing that I
25 brought up was the fact that they don't understand a lot.
26 We didn't assume we could catch them either in June and
27 July and nobody -- I know they run up there at least 30
28 miles and this river here, our major run comes from the
29 Wrangell side and not the but -- I can't think of the
30 straits on the other side. But that produces a run up in
31 the north side. That's a setnet -- qualified as a setnet
32 fishery on that side at times. So it's an unstudied kind
33 of fish in certain instances.

34
35 MR. REEVES: Mr. Chairman, Mr. -- I
36 didn't really catch your last name. The in-season
37 manager there, these stocks are of importance to him and
38 that will be his decision. I can't really say that, yes,
39 we're going to because being a government agency we have
40 to have the funding to do it. The Unuk particularly is
41 a very important place in the Ketchikan area. I would
42 assume that the in-season manager will want to know
43 what's going to happen this next year there. If it means
44 getting on site and doing aerial surveys, then I'm sure
45 we'll probably be doing that.

46
47 The nice part about the Carroll Inlet
48 situation is in order to go to the Unuk you have to cross
49 over Carroll Inlet. So it's in the vicinity and so are
50 those other drainages. For us, meaning Forest Service,

1 if we have the money to do it we can look at all those
2 locations, so they're not out of reach.

3

4 CHAIRMAN ADAMS: Go ahead.

5

6 MR. STOUGH: A question to the agencies.
7 A lot of us help provide statistics, which I don't know
8 how that assists you at all, but like you mentioned, our
9 run starts in January and goes underneath the ice. We've
10 lost -- four or five years ago he said there was no
11 eulachon. That's not true. They went underneath the
12 ice. We can't fish them, we can't get at them, and it's
13 blowing too hard on the Stikine. So that first run or
14 two is before the ice even goes out and so then we get
15 where we can fish. We used to catch shrimp when they
16 start shallowing up and they start schooling. You don't
17 normally do that because you can't catch them. That boat
18 in the water keeps them out of there 99 percent of the
19 time.

20

21 CHAIRMAN ADAMS: I'll get you next, okay.
22 I just want to make a comment. Like you, you get
23 eulachon in the Stikine River and even up into July, it's
24 the same way in Yakutat with the Akwe and Dry Bay area.
25 When I was young we'd setnet in both those rivers and
26 we'd be catching eulachons in June and July. I remember
27 just having a lot of fun when you see them wash up on the
28 beach and they'd be flopping around on the beach there
29 and the kids would run around picking them up and washing
30 them off and having a good meal that day. Yeah, we used
31 to catch them as late as July as well.

32

33 Ron, do you have a question?

34

35 MR. LEIGHTON: Yeah. You were mentioning
36 there were no identifiers for this, but are you working
37 on maybe a DNA process to see what's going on?

38

39 MR. REEVES: Mr. Chairman. Mr. Leighton.
40 That's what the genetic lab is telling me and that was
41 one of the first questions I asked, was can you
42 physically figure out where they came from and what they
43 said was all the data they have at least on Alaska
44 eulachon there's no distinct -- I don't know what you'd
45 call them, but what they use to identify them, what they
46 look at. It is genetic, so I'm guessing it's DNA.

47

48 Like I said, it doesn't show up on paper
49 that this one is physically from the Unuk River. What
50 they noted when they looked at it that there were

1 similarities between fish from the Stikine down through
2 the Unuk, but those fish showed differences from the ones
3 in northern Southeast, like the Chilkoot and the Chilkat
4 and Burners Bay and then the ones from Yakutat were a
5 little bit different. Then you got up in Cook Inlet and
6 those fish were different. There was multiple area where
7 the fish came from and they looked similar, but nothing
8 identified them specific.

9

10 MR. LEIGHTON: You know, in the salmon
11 stuff they were doing scale samples. Are the scale
12 samples from the eulachon could they be compared with
13 these and maybe try to get some subtleties?

14 MR. REEVES: That I don't know. These
15 samples were actually -- it was flesh they were using to
16 extract the DNA or the genetics or whatever. I'm not a
17 geneticist, so I hope I'm telling you this the right way.
18 They take the chunk of meat and from that point I don't
19 know how they processed it or looked at it, but what I
20 could tell you is I was looking at tinkering with one to
21 see if I could get some scales off and those scales were
22 so small that I don't know if it would have done
23 anything. Salmon scale you can at least pull off and
24 stick in a microfischer under a microscope and look at
25 it. Those eulachon scales were pretty tiny.

26

27 CHAIRMAN ADAMS: Thanks a lot, Jeff.
28 Appreciate it. So why don't we take a break and we'll
29 come back about 5 after.

30

31 (Off record)

32

33 (On record)

34

35 CHAIRMAN ADAMS: Folks, let's get back to
36 our seats.

37

38 (Pause)

39

40 CHAIRMAN ADAMS: We're going to call the
41 meeting back to order folks. I'm going to give the gavel
42 over to Mike for a while, so he'll conduct the meeting
43 for probably the rest of the afternoon. We'll see. It's
44 all yours, Mike.

45

46 Thank you.

47

48 MR. BANGS: Thank you, Mr. Chair. We're
49 on item number 11, Fisheries Resource Monitoring Program
50 projects. I think Mr. Suminski is going to give us a

1 report.

2

3 MR. SUMINSKI: Good afternoon, Mr.
4 Chairman, members of the Council. My name is Terry
5 Suminski with the Forest Service and with me is Pippa
6 Kenner, anthropologist with OSM.

7

8 We're here today to obtain your
9 recommendation on the 2012 Fisheries Resource Monitoring
10 Plan which has been recommended by the Technical Review
11 Committee. The plan begins on Page 15 of your Council
12 books. In November of 2010 a request for proposals was
13 advertised. We consulted with the Council on the
14 priority information needs when developing the request
15 for proposals, which is on Page 19. Proposals were due
16 to the Office of Subsistence Management in January of
17 2011. We received four stock, status and trends
18 proposals and one harvest monitoring proposal.

19

20 In March, the Technical Review Committee
21 evaluated the proposals and determined which
22 investigators would be asked to provide full
23 investigation plans. Three stock status project and one
24 traditional ecological knowledge project were forwarded
25 for development of full investigation plans.

26

27 In July, the TRC met to evaluate the
28 investigation plans for the strategic priority,
29 scientific-technical merit, investigator ability and
30 resources, and also partnership-capacity building. They
31 formulated a recommendation for review by this Council.
32 More information on the evaluation criteria can be found
33 on Page 16 and 17 in your Council books.

34

35 After reviewing the four investigation
36 plans, the Technical Review Committee recommended funding
37 all of the proposed projects. A table of projects which
38 are prioritized in descending order can be found on Page
39 20 of your books. Those projects are in order of
40 priority: Hoktaheen Lake Sockeye Salmon Stock
41 Assessment, Lake Leo Sockeye Salmon Stock Assessment,
42 Changing Use Patterns in Subsistence Salmon Fisheries and
43 Eek Lake Sockeye Salmon Stock Assessment. Each project
44 recommended for funding in the Southeast Alaska Region in
45 2010 is summarized in your Council books starting on Page
46 20.

47

48 After the Council makes its
49 recommendation, the Federal Subsistence Board will decide
50 on the final monitoring plan at their meeting in January

1 of 2012. Approved projects will begin in the spring of
2 2012. The bad news is that the level of funding for new
3 starts in the Southeast Region for 2012 is uncertain. If
4 Department of Agriculture funding is not provided, none
5 of the new project investigation plans submitted for the
6 Southeast Region would be funded.

7
8 If you have any questions, we'd be happy
9 to address them.

10
11 Thank you.

12
13 MR. BANGS: Thank you, Terry. Does
14 anybody have any questions about the projects or any
15 questions for Terry?

16
17 (No comments)

18
19 MR. BANGS: Ms. Needham, would you like
20 to address it.

21
22 MS. NEEDHAM: Thank you, Mr. Chair. I
23 don't have a question, however I do have -- before we get
24 into any action items regarding the projects that will be
25 up for recommendation I needed to clear that. The Eek
26 Lake project I'm written in as a co-investigator and my
27 company stands to profit from that project. The money
28 would go directly to the Hydaburg Cooperative
29 Association, who contracts me to do the fisheries
30 biologist work. I'd like to request from the Chair a
31 ruling regarding my participation and any portion thereof
32 as we go into deliberations on the proposals.

33
34 MR. BANGS: Thank you, Ms. Needham. The
35 ruling stands as Ms. Needham may engage in discussion in
36 regards to the project, but has to refrain from voting on
37 the recommendation of that project.

38
39 Anybody have any questions about
40 projects.

41
42 (No comments)

43
44 MR. BANGS: What we need is a motion to
45 approve funding as on Page 20 for the projects and then
46 we need to vote on whether we want to recommend this for
47 funding. Mr. Kitka.

48
49 MR. KITKA: Thank you, Mr. Chair. I make
50 the motion that we approve the funding on Page 20 for the

1 Fisheries Resource Monitoring Program in Southeast
2 Alaska. I think they're 12-601, 12-602, 12-651 and 12-
3 600.

4
5 MR. BANGS: Thank you, Mr. Sitka. Do I
6 have a second.

7
8 CHAIRMAN ADAMS: Mr. Chairman. I second.
9

10 MR. BANGS: Thank you, Mr. Adams. A
11 motion has been made and a second to approve the funding
12 for the four projects for the Fisheries Resource
13 Monitoring Plan. All those in favor respond by saying
14 aye.

15
16 IN UNISON: Aye.

17
18 MR. BANGS: All those opposed same sign.

19
20 (No opposing votes)

21
22 MR. BANGS: It passes unanimously.
23 Anything more, Terry.

24
25 MR. SUMINSKI: I think that's all we
26 need. Thank you very much.

27
28 MR. BANGS: Thank you. Okay, we're on to
29 the report on tribal consultation with Mr. Kessler. Are
30 you going to do it with Don?

31
32 MR. KESSLER: Mr. Ron Leighton. Good
33 afternoon, Mr. Chairman and Council members. I'm Steve
34 Kessler with the U.S. Forest Service, Interagency Staff
35 Committee. Ron, would you introduce yourself.

36
37 MR. LEIGHTON: I'm Ron Leighton with the
38 Organized Village of Kasaan.

39
40 MR. KESSLER: On July 26th, 2011 the
41 Federal Subsistence Board sent a letter to every tribe
42 and corporation in the state describing a new interim
43 consultation process for the Federal Subsistence Program.

44
45 I'd like to point out a few items from
46 that letter. The letter discusses that the Board follows
47 the recommendations of the Councils concerning the taking
48 of fish and wildlife unless those recommendations are not
49 supported by substantial evidence, violate recognized
50 principals of fish and wildlife conservation or would be

1 detrimental to the satisfaction of subsistence needs.
2 Deference to the Councils ensures that rural residents
3 have a meaningful role in the management of fish and
4 wildlife and subsistence uses as envisioned by Congress.
5 I know you're all very familiar with that.

6
7 The Board has scheduled consultations
8 prior to the Council meetings so that tribal and
9 corporation comments and points of views can be
10 considered by the Councils as the Councils develop
11 recommendations to the Board.

12
13 There's a detailed item on tribal
14 consultation in your Board books for later in the meeting
15 that's on Page 199, so we won't be discussing sort of the
16 overall tribal consultation process right now. We'll
17 just be discussing the consultation that was undertaken
18 on the proposals in front of you.

19
20 The interim consultation process includes
21 a report out process to the Councils. That process
22 includes a joint presentation by a tribal representative
23 and a Federal representative. Mr. Leighton is the tribal
24 representative and I am the Federal representative
25 reporting on that tribal consultation for the Southeast
26 Region that took place on September 19th, 2011, one week
27 ago.

28
29 I will present a short discussion of that
30 consultation and you have copies of the notes in front of
31 you, except that I wasn't given a copy. Do you have
32 another copy, Cal. Ron will answer all those questions
33 you might have since he was the lone tribal
34 representative at the consultation.

35
36 So, Mr. Normal Chairman, all the hard
37 questions go to Ron.

38
39 (Laughter)

40
41 MR. KESSLER: Ron also will be available
42 during the discussion of the proposals to further discuss
43 the tribes' viewpoint on each of those proposals so you
44 can ask him further questions or have further discussions
45 as you actually go through the proposals.

46
47 Following the tribal presentation I will
48 also give you a short overview of the corporation
49 consultations that took place. So on the handout that you
50 have in front of you the first page shows the

1 participants in this teleconference consultation.
2 Mr. Leighton from Organized Village of Kasaan was the
3 only tribal representative that participated in it. We
4 had three Board members, Beth Pendleton, our Regional
5 Forester, who was the lead Board member, Dave Mills, who
6 is with us today representing the National Park Service
7 and Gene Virden from the Bureau of Indian Affairs. We
8 also had a number of Federal Staff online also.

9
10 If you look at the back of this page
11 there's a series of nine proposals and there is some
12 comments that were developed through the consultation
13 with the Organized Village of Kasaan and these comments
14 will be important for you to consider during the
15 discussions on each one of the proposals. We didn't
16 actually talk to them about them in the order they're
17 shown, but we just reorganized them to help you as you're
18 going through proposals.

19
20 I'll just quickly go over each of these
21 proposals that the tribe consulted on. Proposal WP12-01,
22 which has to do with the making of handicrafts with bear
23 claws, the Organized Village of Kasaan opposes that
24 proposal. There were concerns expressed about law
25 enforcement, the sealing certificate, what would you do
26 with old bear claws that you possessed and now wanted to
27 make a handicraft out of it and then sell them. I'd say
28 there were enough questions and concerns that the tribe
29 felt they needed to oppose that proposal.

30
31 WP12-02, that has to do with the
32 designated hunter changes that were proposed statewide.
33 It would change the designated hunter to look more like
34 the proxy hunter system that the State uses. Again, they
35 opposed that proposal.

36
37 WP12-03, also a statewide proposal, was
38 opposed as written, but the tribe felt there might be
39 some merit in rewarding that one. It has to do with
40 setting a trap on a path or in this case maybe a deer
41 trail that has been where a wolf has been caught in the
42 past.

43
44 The next series of proposals, Number 8
45 through 19 there, are all Southeast specific. I don't
46 think I'm going to get into those right now since you'll
47 be discussing each one of those as you go through this
48 meeting unless Ron wants to speak about some of those
49 specifically now. So we'll just hold off for the moment
50 on those. Then I think that it's important to look at

1 those other topics at the bottom, which were three other
2 topics. It was pretty open-ended consultation so that we
3 could discuss other items of concern besides these
4 proposals.

5
6 So one of the concerns had to do with the
7 tribal consultation protocol and specifically the
8 involvement of ANCSA corporation. The tribe felt that
9 the tribes ought to be involved in the ANCSA corporation
10 consultations, but that the reverse would not be true,
11 that corporations should not interfere with government-
12 to-government consultation for the tribes.

13
14 Item number 11, the role of the Federal
15 Subsistence Board, that there are a lot of issues having
16 to do with subsistence across all the resource areas,
17 across marine waters, Federal lands, State lands, etc,
18 and that there are a lot of issues that are not Federal
19 subsistence issues with the program that we deal with,
20 but that all issues should be addressed in some sort of
21 way and that agencies should work together to solve those
22 problems no matter what the jurisdiction is.

23
24 Anyway, that is what this council has
25 been doing and been very much involved in the sea otter
26 situation in Southeast as an example of what, my
27 understanding, the tribe felt that the Federal
28 Subsistence Program should continue to be involved in.

29
30 Finally, number 12, law enforcement.
31 Ensure that law enforcement is part of your proposal
32 development so that interpretations of regulations are
33 uniform, so that we don't end up with some problems that
34 law enforcement says, no, it's one way and everybody else
35 thought it was some other way.

36
37 So those are pretty much what was covered
38 for the Southeast Regional Advisory Council during the
39 consultation. Ron, if you have anything to add at this
40 point, I certainly would appreciate it or, Mr. Chairman,
41 if there are questions we can also handle those and then
42 I'll talk after that a little bit about the ANCSA
43 corporation consultation.

44
45 MR. BANGS: Thank you, Mr. Kessler. Mr.
46 Leighton, did you have any comments.

47
48 MR. LEIGHTON: I do have a comment and
49 I'm still puzzled up about government-to-ANCSA
50 corporation consultation. When it comes to subsistence

1 or anything to do with the subsistence boards, because of
2 the fact that we can't Federally subsist on their lands
3 anyway. So I guess I'm puzzled up. What consultation
4 would be taking place then? What could? That's why if
5 there's any consultation, because it might be of a
6 subsistence nature and maybe that we had submitted
7 proposals or supported or non-supported proposals, then
8 if you're going to have consultation with ANCSA
9 corporations, we would ask that we would be present
10 because anything that came out of there could be either
11 against what the tribe had already talked on. If that
12 makes sense.

13

14 MR. BANGS: Yes, Mr. Adams.

15

16 CHAIRMAN ADAMS: I have a comment to your
17 comment. Tribes do have that direct connection with the
18 Federal government. It's a government-to-government
19 unique relationship with the Federal government with the
20 tribes, very unique. ANCSA corporations don't have that.
21 If ANCSA corporations want to be involved in the
22 subsistence issues of tribal governments or other tribal
23 entities have on the table, then they can be there to
24 support it. But to actually be involved in consultation,
25 they don't have that government-to-government
26 relationship like tribal governments do.

27

28 MR. BANGS: Thank you, Mr. Adams. Mr.
29 Kessler.

30

31 MR. KESSLER: I fully agree with Mr.
32 Adams on his comments. However, we do need to be careful
33 the 2004 and 2005 appropriations bills say that we need
34 to consult with ANCSA corporations in the same way that
35 we consult with tribes. Those aren't the exact words.
36 And that was written into those appropriation bills, so
37 therefore we have to have that consultation. It's not
38 what we would call government-to-government consultation.
39 We're being very careful to not call it that. We're
40 calling it government-to-corporation or government-to-
41 ANCSA-corporation consultation because it is different.
42 The legislation requires us to do that and we're trying
43 to figure out within the requirements of law how best to
44 involve tribes and how best to involve ANCSA
45 corporations.

46

47 To that end there are two protocols that
48 will be written on consultation. We have two interim
49 ones right now. Again, that will be discussed later in
50 the agenda. We're all trying to work that out and we'll

1 want to know exactly what the Councils think of those
2 protocols that are being developed. I believe those will
3 come to you at your next meeting for your comments.

4

5 MR. BANGS: Thank you, Mr. Kessler. Mr.
6 Kitka. Oh, you have a follow-up, Mr. Adams.

7

8 CHAIRMAN ADAMS: Yes, just to make a
9 comment before I forget. Thank you, Mr. Chairman. I
10 think that piece of legislation is in error when they
11 wanted -- when they put in there, you know, the ANCSA
12 corporations as well. I have some serious problems with
13 it, but that's my concern and I'll just leave it at that.
14 I think the Federal government and tribes do have that
15 unique relationship that they can work together on the
16 government-to-government relationships. They don't have
17 that right now with ANCSA corporations. They can meet
18 and do whatever on other issues, but when it comes to
19 subsistence it's a completely different story.

20

21 Thank you, Mr. Chairman.

22

23 MR. BANGS: Thank you, Mr. Adams. Mr.
24 Kitka.

25

26 MR. KITKA: Thank you, Mr. Chair. That is
27 quite a puzzling question. Right now the ANCSA
28 corporations don't have any control over their land as
29 far as subsistence goes since it is all State controlled.
30 The State is the one that has the subsistence laws on the
31 ANCSA lands. Until they change that legislation I don't
32 see where the Federal government would have a say in it.

33

34 Thank you.

35

36 MR. BANGS: Thank you, Mr. Kitka. Any
37 response, Mr. Kessler?

38

39 MR. KESSLER: Again, Steve Kessler. I've
40 got one little response because Mr. Kitka is completely
41 correct. Just remember that the way our Federal
42 jurisdiction works for wildlife, it's only on those
43 Federal public lands. Only on the specific lands that
44 are in ownership by the people of the United States and
45 managed by the Federal government.

46

47 Remember for fisheries purposes there is
48 jurisdiction throughout the area bounded by the Tongass
49 National Forest, which can include private lands, ANCSA
50 corporation lands and State lands. That's in litigation

1 right now in front of the Ninth Circuit, but we have been
2 since the fisheries jurisdiction began been exerting that
3 jurisdiction on all the lands throughout the Tongass
4 National Forest, including those lands that are within
5 that boundary.

6

7 So just a little clarification.

8

9 MR. BANGS: Thank you, Mr. Kessler.
10 Harvey, follow up.

11

12 MR. KITKA: Thank you, Mr. Chair. Steve,
13 does that mean the Chilkat, which runs through the
14 Klukwan property, does the Federal government have a say
15 on that one because they came to us and that is all we
16 were told, that there was no Federal jurisdiction there
17 at all. I just was wondering if that was the case.

18

19 MR. KESSLER: Mr. Kitka, that area is
20 excluded from the Tongass National Forest. If you take
21 a look at one of the Tongass National Forest maps, you'll
22 see that there's sort of this big area that's missing up
23 on the northwest corner of Lynn Canal.

24

25 MR. BANGS: Thank you, Mr. Kessler. Mr.
26 Ackerman.

27

28 MR. ACKERMAN: Yeah, thank you, Mr.
29 Chairman. Very interesting subject here. I've noticed
30 in the last couple years, ever since they started
31 communicating with SeaAlaska Corporation, which is a for-
32 profit corporation formed under ANCSA, and one of the
33 things I noticed that they kind of failed to do is that
34 we, as individuals, are shareholders in that corporation.
35 Under ANCSA, it states in there that we have to have
36 maximum participation by the owners of the corporation.

37

38

39 So never have any of us ever been asked
40 to actually vote on anything that affects our lands and
41 it's almost as if it is a breach of contract by the
42 corporation not giving us our rights to be in maximum
43 participation as stated in ANCSA. All of a sudden a
44 for-profit corporation is printing out that they are now
45 a tribal entity.

46

47 The talk on the street is that this, in
48 fact, is a usurping of a power base taken away from the
49 smaller tribes within Southeast Alaska. This is just the
50 feelings that these people are getting. There's various

1 opinions out there. It's a real touchy subject here that
2 they have denied us our right to act and vote on any
3 particular subject concerning our lands, surface or
4 subsurface if you would. They actually own the surface
5 and the subsurfaces might belong to the Federal
6 government in case they find a vein of gold down there or
7 something. But, yeah, a real touchy situation there. I
8 just thought I'd share my opinion.

9

10 Thanks.

11

12 MR. BANGS: Thank you, Mr. Ackerman. Did
13 you have a response?

14

15 (No comments)

16

17 MR. BANGS: I have one question or
18 comment that I think Ms. Needham touched on earlier as to
19 how tribal consultation will fit into our arena as far as
20 what we can do and whether we're going to receive the
21 consultation notes and what's happened -- you know, this
22 happens before our meeting so we get the information.
23 Can you clarify that a little bit. I'm not really sure
24 how it's going to meld with our Council.

25

26 MR. KESSLER: Mr. Bangs, I think it's all
27 developing. I think that your Council will have the
28 ability to influence how that develops. What we're
29 operating under right now is an interim protocol that was
30 developed by a group of tribal representatives from
31 across the state and a group of Federal employees. I
32 think it was seven and seven if I remember correctly.
33 And I think Mr. Peterson from Kasaan was the
34 representative from Southeast Alaska that participated in
35 that group. They developed these interim protocols. We
36 are implementing that interim protocol by being here with
37 you, in front of you. We had the meeting one week ago
38 and we're presenting the results of that consultation.

39

40 I think it's up to you maybe to think
41 about if that's working when we only had one tribe that
42 participated in that consultation and across the state
43 we've had a couple of these teleconferences where there
44 have been no tribes that have called in for some other
45 regions. Yesterday we had the Southcentral consultation
46 teleconference and we had one tribe call in in that
47 situation. Y-K, Seward Peninsula had none.

48

49 So I think that this is going to have to
50 be a developing process. It's not clear that this is

1 working. It may be that there's some other processes
2 that work for tribal consultation better. Your Council
3 has always had on your agenda as you go through proposals
4 the opportunity for tribes to provide comments. I don't
5 see those little pieces of paper in front of you right
6 now, but that's always sort of on that list of who you
7 hear from before you go into your deliberations on a
8 proposal. I think you'll want to continue doing that,
9 but is that the only time that tribes would have that
10 interaction with the Council or the Federal Subsistence
11 Board prior to a Council meeting. I don't know the
12 answer to that. That's a work in progress.

13

14 The other opportunity for tribes to have
15 a role in consultation is just before the Federal
16 Subsistence Board meeting. There's the day before the
17 Federal Subsistence Board meeting is scheduled to be a
18 day for tribal consultation statewide. We did that
19 during the last set of fisheries proposals that were
20 considered last year. We did have a number of tribes
21 that chose to consult with the Board prior to the Board
22 acting on those fisheries proposals. Again, tribes can
23 always come up in front of the Board just prior to the
24 deliberations on each proposal and have additional
25 discussions.

26

27 So there are a number of ways the tribes
28 can get involved, but it was viewed that there needed to
29 be a way to have more significant involvement, more
30 meaningful involvement of tribes and that's what we're
31 trying to work through right now.

32

33 MR. BANGS: Thank you, Mr. Kessler. Mr.
34 Adams.

35

36 CHAIRMAN ADAMS: Just judging from the
37 teleconferences and meetings that you had previously,
38 even up until yesterday, very few tribes are
39 participating. I know this Council has been a real
40 strong proponent in getting tribes more and more
41 involved. I've always been happy to see Central Council
42 here, Carrie Sykes. I hope she shows up sometime during
43 the week. But she has been pretty devoted to coming to
44 these meetings wherever they might be.

45

46 Central Council representing 18 or 19
47 tribes in Southeast Alaska can be a real big catalyst in
48 bringing tribes together, but it's very difficult to get
49 tribes involved because -- I know I've been talking to my
50 tribes ever since the Federal government says that we're

1 going to get tribes more and more involved in the
2 process. I've talked with them until I'm blue in the
3 face and say you guys need to be coming to these meetings
4 and participating, but their funding is very limited and
5 I think that's the real big problem right there.

6
7 We need to find some avenue where they
8 can be funded to attend these meetings. I know with
9 Central Council they operated off of a grant and there
10 was a time when that grant petered out. So even that
11 large tribal government has a hard time keeping their
12 subsistence coffers filled.

13
14 Anyhow, that, to me, is an indication
15 that tribes aren't really stepping up because they don't
16 have the resources to do it. I hope they are able to
17 find those resources and become more and more involved.
18 I know the president of my tribal council said that she
19 was going to come to the last Federal Board meeting and
20 she never did. I'm really disappointed. I was happy
21 when the Federal government said we want to see more
22 involvement in tribes, but it really hasn't happened in
23 the way I would like to see it happen or many of us.
24 It's a big concern.

25
26 MR. BANGS: Thank you, Mr. Adams. Mr.
27 Leighton.

28
29 MR. LEIGHTON: I would like to point out
30 too that this upcoming Federal Subsistence Board meeting
31 is going to be the 18th or 19th of January, and where is
32 that going to be at?

33
34 MR. KESSLER: Anchorage.

35
36 MR. LEIGHTON: Yeah. About that time the
37 State of Alaska is having their shellfish board meeting
38 in Petersburg and I know that I would like to be at this
39 Federal meeting, but I'm going to obligate myself to
40 preparing for this Alaska fisheries board meeting because
41 they're wanting to reopen our summer dungeoness crab
42 fishery, so it's important to us that we're going to be
43 there and I think there's going to be four of us at that
44 meeting. I don't know whether we're going to have
45 capabilities of being in both places. I just thought I'd
46 let you know that.

47
48 It's probably a good idea that maybe
49 these Board meetings, maybe they look at the State Board
50 of Fish meeting and say, hey, we better not conflict with

1 that because there are issues that maybe tribes or
2 subsistence users or anybody would have to be at the
3 State Board meetings. That's just a thought you could
4 pass up to them for future. I know they probably can't
5 change this one upcoming, but for future.

6

7 MR. BANGS: Thank you, Mr. Leighton.
8 We've discussed that. We were kind of hoping the State
9 would adjust their meeting.

10

11 (Laughter)

12

13 Mr. Douville.

14

15 MR. DOUVILLE: Thank you, Mr. Chair.
16 With these consultations, I can understand why you have
17 if it's written in your funding and everything else. I
18 don't have any heartburn with it. But like he was saying
19 he may not go to the Federal Board meeting. On the other
20 hand, none of the consultation happens after our RAC
21 meeting, so nothing gets around us if you will.
22 Everything must go through the RAC. So I was wondering
23 what kind of participation you're expecting from ANCSA
24 corporations or tribes if they do get to say anything at
25 a Federal Board meeting.

26

27 MR. KESSLER: Mr. Bangs. Mr. Douville.
28 A couple of answers on there. First of all, I do want to
29 clarify that these notes that you see here will go to the
30 Federal Board members also. So in this situation if
31 Organized Village of Kasaan is not able to make it to the
32 meeting, we will pass this on to the Board unless, of
33 course, you want to provide additional comments, you can
34 do that by another letter, or it's also possible that we
35 will have the ability to have a phone consultation too
36 because we fully know that there is no way everybody can
37 come to Anchorage for meetings.

38

39 Mr. Douville, you mentioned sort of
40 getting around the Council and one of the ideas here of
41 these consultations before the meetings is so that the
42 Councils are fully aware of what tribes and ANCSA
43 corporations are thinking before the Council meetings so
44 that you hear all the different evidence, pieces of the
45 story, before you make your recommendations to the
46 Federal Subsistence Board.

47

48 When I was giving my presentation at the
49 beginning, I was careful to make sure that everyone knew
50 that deference to the Councils is written into the law,

1 into the statute, so that always is going to exist.
2 Given that, the Federal Board and the Secretaries of the
3 Interior and Agriculture still want tribal consultation
4 and making it as meaningful tribal consultation as
5 possible.

6
7 So that also means, as all the evidence
8 comes in, including the Council recommendations that the
9 Board also, at least on an interim basis, determined that
10 the day before their regular meeting in Anchorage to make
11 these final decisions that they will have another
12 consultation with tribes if the tribes so choose to come
13 to talk to them and provide comments, discussion, maybe
14 ideas for alternatives, whatever it is, and that the
15 Board also is aware of that information.

16
17 The trick is to do that and still provide
18 deference to the Councils. I mean that's still the key.
19 That's sort of the difficult thing to balance. How do
20 you provide for a consultation process and also in
21 statute where there is deference to the Councils for all
22 the actions. That's where you, as a Council, can really
23 help out in developing this protocol, which sort of comes
24 up with that process in order to honor both the tribes,
25 the corporations in this case because of what the
26 appropriations law has, and the deference to the
27 Councils.

28
29 MR. BANGS: You have a follow up, Mike.

30
31 MR. DOUVILLE: We had difficulties with
32 a process similar to this where the State was allowed to
33 give further testimony after our RAC meeting and present
34 evidence, testimony, what have you, that we did not get
35 to see before we made our recommendation. I do not want
36 to see a tribe or the State or anybody else presenting
37 any testimony or evidence or whatever that does not go
38 through the RAC when we make our decision. It would
39 undermine our process and I would totally disagree with
40 that.

41
42 MR. BANGS: Thank you, Mr. Douville. I
43 think you hit it right on and I think that maybe it would
44 be appropriate for the Council to work on coming up with
45 criteria for the protocol and work on it, maybe a working
46 group. What's the wish of the Council to work on it.
47 Ms. Phillips, do you have a comment.

48
49 MS. PHILLIPS: Yes, Chairman Bangs.
50 Thank you. First I'd like to thank Mr. Leighton for his

1 participation in the tribal consultation teleconference
2 and thank Mr. Kessler for making his presentation to the
3 RAC.

4

5 I think it's a laudable effort on behalf
6 of the Federal agencies to initiate this protocol
7 teleconference. I mean the level of participation from
8 the Federal agencies, I mean they're some pretty high-up
9 people that took two hours of their very busy schedules
10 to participate in this teleconference in a good faith
11 effort to outreach to tribal entities in tribal
12 consultation. I'm wondering if this is the best use of
13 consultation efforts if you only have one tribal entity
14 dial in and I thank you very much for your participation.

15

16 I would suggest that the RAC issue a
17 statement that would be delivered to tribes or
18 corporations notifying them of the RAC's endeavors to
19 include their comments in our deliberations. Every time
20 they want to do a government to government at the Board
21 level without comments to us first, they should be given
22 this statement. It's a process of teaching them this is
23 how it needs to be done. We're the RAC, we're the rural
24 residents, we're the ones that know subsistence. We want
25 your comments to come to us. Yeah, they can go to the
26 Board anyway and not involve us, but it sort of defeats
27 the purpose.

28

29 As far as Tlingit and Haida goes, I saw
30 Carrie Sykes. She won't be here. She's trying to get a
31 regional planning grant application in due October 7th.
32 Tlingit and Haida's only budget is \$1,500 for
33 subsistence and that's not very much. They're trying to
34 do like the Federal government, trying to do a lot with
35 a lot less. So that's my recommendation, that we issue
36 a statement that we give to them every time. We've got
37 to teach them, to the tribes. Issue a statement in a
38 paper form and say this is what we want you to do. We
39 want you to present to the RAC. We need them to learn
40 that we're an important part of the process.

41

42 Thank you.

43

44 MR. BANGS: Thank you, Patty. Mr.
45 Leighton, do you have a response.

46

47 MR. LEIGHTON: Yeah. Maybe if on your
48 agenda you have a place here for -- I know you have a
49 place here for tribal comments or tribal government
50 reports.

1 MR. BANGS: Yes.

2

3 MR. LEIGHTON: Maybe you ought to reword
4 that as maybe an area for tribal consultation, you know,
5 so that -- okay, now you're providing and it's there in
6 your thing. Tribal comment is one thing. Tribal
7 consultation, that would be another, you know, and maybe
8 that would help a little bit.

9

10 I don't know now, but I would like to
11 make some comments that are outside of this but I think
12 just as important as these issues. I want to address the
13 concern I have over tribes located in urban communities
14 that cannot participate in rural level of gathering. I
15 feel that the Department of Commerce had opened the door
16 and issued a SHARC card as a tribal card, and to the
17 other rural subsistence halibut deal they issued another
18 card. I don't know what that means because we could fish
19 the same technique, same amount of hooks, same time,
20 although they did further say that tribes can go out and
21 subsist the -- I think it's qualified areas. I'm not
22 sure on that. Anyway, can go out and subsist with 100
23 hooks and blah, blah, blah or educational.

24

25 But I think it's time now -- Secretary
26 Salazar said the system is broken and I think this is a
27 part of where it's really seriously broken, is that the
28 tribes that are within urban areas do not have the
29 ability to function as tribes. And I'm telling you that
30 subsistence was never in our dialect or stuff, it was
31 customary, traditional and it wasn't even use. It was
32 commerce. Customary and traditional commerce. That was
33 what tribes were all about and it was so important for so
34 many different reasons that there were territories that
35 were really strictly set and each tribe neighboring each
36 other recognized this. The reason why they recognized
37 that is simply because not all territories had all the
38 resources. So that is why barter and trade amongst
39 tribes are very important. If we didn't have some
40 resource but had an abundance of other, we'd trade for
41 it.

42

43 I was told, well, you guys, you can't
44 sell your stuff for money because you never had in the
45 past. I say, no, it's 100 percent wrong. You can't say
46 we haven't in the past because back in the Smithsonian
47 Institute there is a couple of vests, shields, body armor
48 that was made and it was made from Chinese coins. I can
49 only picture how we got those Chinese coins to make our
50 vests out of and that was through trading furs for money

1 and that was a way long time ago.

2

3 I think we have to sit down there and I
4 would like to work with this Council on developing a
5 Federal schedule for tribal and cultural workings and I
6 think that would solve a lot of the problems that are
7 going on and have been going on as far as, oh, you can't
8 barter and trade that, you can't do this, you have to do
9 this. And why limits are set, why do we have 20 halibut
10 per day.

11

12 I heard somebody say, well, I think it's
13 abused, I think there's too much. Twenty halibut per day
14 is too much. Well, actually, the way it's set up, it
15 isn't too much, and the reason why I say that is the
16 price of fuel and everything like that, if they would
17 allow us to use as many hooks as we can to catch that 20
18 halibut, then I wouldn't have to make so many trips to go
19 out there and get it. When you stop and realize it -- I
20 know, Bert, you're saying that, well, I have two
21 freezers. Well, I have three, but in reality you can
22 only catch as much as you can put in your freezer. Maybe
23 20 halibut would serve your needs, but maybe 20 halibut
24 won't serve this family need because this family here has
25 20 kids, you know.

26

27 I think the Board here has to really
28 strongly look at the things that are affecting the
29 subsistence users. This halibut deal is a real pain in
30 my side the way it's set up. At first the North Pacific
31 Fisheries Management Council came out and they're run by
32 the dirtiest fishery in the world, by the way, and that's
33 the trawlers. They came out and said, okay, let's give
34 them 20 halibut. Let's give them the ability to get 20
35 halibut, but let's don't provide them the means to get
36 there. So we'll give them the 20 halibut and only allow
37 them 45 hooks. A little bit later on they said, whoa,
38 whoa, maybe that's too many hooks, we'll give them 30
39 hooks.

40

41 I'll tell you what, I've been out there
42 and the best I have
43 ever done in my sets was 10 halibut, no more. They're
44 not giving me my reasonable due diligence to reasonably
45 collect. When I say reasonably, financially collect my
46 subsistence need or my customary and traditional level of
47 gathering.

48

49 I think all these things have to be
50 addressed and I think they should be addressed. I say

1 this -- I phoned in and I talked to the Federal
2 Subsistence Board and they flat told me this is not part
3 of us. This is run by another agency, this halibut deal.
4 But I say, no, it is part of you. You're the Federal
5 Subsistence Board and whether or not that is under the
6 Department of Interior or not, it's still -- you are
7 supporting the gatherers. You are supporting the people
8 that are working on subsistence. Whether that's by
9 another Federal agency or not, I think it's still the
10 Federal Subsistence Board that has to pursue all these
11 glitches that are coming before the subsistence users.

12
13 I would like to see you guys recommend
14 and send up that no matter is responsible for this
15 particular subsistence or for this particular whaling or
16 for this particular thing that you put the appropriate
17 recommendations before the appropriate person and that
18 would be the Secretary of Interior. You send it to him
19 and he goes across to the Secretary of Commerce and say
20 look, we've got a problem here. Because they did not
21 really like to address this issue up there in the Pacific
22 Fisheries Management Council. I mean they really didn't.
23 When I asked them, they said it would be a long time for
24 you to go through this system, you know. I told him, I
25 said this system is broken and hurt so bad.

26
27 I live remote, very remote, and the
28 people that come out to visit me come out from Ketchikan
29 or come out from Seattle or some place and when they're
30 out there -- you know, they used to come out and help me
31 pull my skate because I'm getting to an age now for me
32 pulling a skate by myself it's pretty difficult, you
33 know.

34
35 We had a TV series come out, and the
36 reason why I'm saying this, we had a TV series come out
37 and nobody was around to help me pull my skate, but they
38 wanted me to set skates so they could air it. I said you
39 guys are going to have to help me pull it. Well, they
40 thought that would be good and I said, well, maybe I
41 better check. Maybe I better check and see if this is
42 legal. I don't want to air something and get you guys in
43 trouble. So I did my checking and I found out that they
44 could not even touch my gear.

45
46 Unless a person also possesses a SHARC
47 card and only a person that possesses a SHARC card could
48 touch that gear and work that gear. That goes against
49 everything that has ever been put in place and I'm
50 talking if even a tourist that came up here and went up

1 the Kenai River and that tourist is sitting there
2 fighting a king salmon and he comes in and this other
3 person walks along and don't even have a fishing license
4 or nothing, hey, can you grab that net over there and
5 help me net my fish. Oh, sure. They can. Well, does a
6 longline -- a guy that has IFQ and a longliner, their
7 crew members, do they have to also hold IFQ? No, they
8 don't. They can work gear. They can haul stuff in.

9
10 I'm saying that this law here has been so
11 much misinterpreted by enforcement, number one. Number
12 two, the law, in the way it was put in, is a heavy
13 regulator of tribal commerce. The Constitution of the
14 United States says that only Congress may regulate
15 commerce of tribes. So putting a regulation in coming
16 through the dirtiest fishery the way it affects us is all
17 illegal.

18
19 The same thing with the sea otter. The
20 sea otter thing when it passed Congress in the Marine
21 Mammal Protection Act, it says that you must use it for
22 cultural uses is all. Then a little later on it came out
23 and said, no, no, that doesn't make it clear enough, so
24 they went ahead and said they have to be substantially
25 altered. Now that further is violation, you know. I
26 think all these things here by you should be brought
27 forward and say look, this is true. All this stuff here
28 is wrong and this is the way we feel you ought to fix it.

29
30 That's all I have to say.

31
32 MR. BANGS: Thank you, Mr. Leighton.
33 There's a few more comments. I think Mr. Kitka and then
34 Mr. Larson had a comment.

35
36 MR. KITKA: Thank you, Mr. Chair. Maybe
37 it's not clear to me or maybe it's not clear to the
38 tribal people that you're trying to get in contact with.
39 Tribal consultation -- when you go out there and say
40 you've got to have tribal consultation with the tribes,
41 does that mean the tribal chair or tribal councilman or
42 does that mean the business managers of the tribe? Which
43 one of them does it mean that you have to have tribal
44 consultation with? Because they all have to go back to
45 their people and talk to them. I just was curious as to
46 which one of the tribal consultations that you're
47 referring to or which one was the one you need to talk
48 to.

49
50 MR. KESSLER: Mr. Kitka. Tribal

1 consultation is with someone who is designated to
2 represent the tribe in that consultation. That's the way
3 I see it anyway. So if the tribe asks the business
4 manager, say can you represent our interest and these are
5 the things that we want you to talk about, it could be
6 that person. It could be the tribal chairman. Whoever
7 the tribe designates to official represent the tribe. It
8 shouldn't be the personal opinion of a single tribal
9 member. It should be whoever officially represents the
10 tribe.

11

12 MR. BANGS: Thank you, Mr. Kessler. Mr.
13 Larson.

14

15 MR. LARSON: Thank you, Mr. Chair. I
16 would like to address one aspect that Ron brought out and
17 that's regarding tribal consultation and the rewording of
18 item 4 under the order that the Council will receive
19 comments. Tribal consultation, by definition, is between
20 the tribal government and the government of the United
21 States and there's no one at this table that represents
22 the government of the United States. This is the
23 Advisory Council, so we cannot engage in consultation.
24 We have, however, been charged with receiving comments
25 from tribes that we use -- we, meaning the Council, use
26 to make our recommendations. By law, these
27 recommendations have a deference from the Board, but the
28 tribal consultation between governments is not us, at
29 least not the Council.

30

31 Thank you.

32

33 MR. BANGS: Thank you, Mr. Larson. I have
34 Mr. Hernandez and then Mr. Adams.

35

36 MR. HERNANDEZ: Thank you. This is a
37 very interesting discussion and I appreciate Mr. Leighton
38 being here and participating in this. It seems to me
39 that Kasaan must be one of the smallest tribes here in
40 Southeast yet you've been very actively -- we see efforts
41 from Kasaan numerous times and we appreciate that.

42

43 I think this process is very worthwhile,
44 you know, what's been needed and I think we'll figure out
45 a way to make it all work well. This whole concept of
46 consultation. I also look forward to a discussion on the
47 ANCSA tribal consultation and how that may all work
48 because that's a whole different situation as far as I
49 can see.

50

1 The relationships between tribes and the
2 United States goes back a very long time. It predates
3 ANCSA and ANILCA. They definitely have standing. That
4 needs to be recognized. Then along comes ANILCA and then
5 ANILCA recognizes that subsistence is a priority amongst
6 rural residents of Alaska, Native and non-Native alike.
7 We have to keep that in mind. It also gives deference to
8 the Councils in implementing that. I see a very strong
9 partnership between the Council and the tribes working
10 together for a common cause. There are distinctions,
11 there are historical precedents here to consider and it
12 all gets very interesting and complicated. I just wanted
13 to throw out that one more perspective and look forward
14 to further discussions here on this.

15
16 MR. BANGS: Thank you for that, Don.
17 Bert.

18
19 CHAIRMAN ADAMS: Thank you, Mr. Chair.
20 One of the reasons why we have these meetings in a
21 different community every time is to reach out to those
22 people in those communities and get their input as to how
23 they want to see or how they view subsistence in their
24 areas. I think that in those villages tribal governments
25 can have a real big impact with what happens here. They
26 won't be in consultation with us because, as Mr. Larson
27 said, we are not a government and the consultation
28 process takes place between a government-to-government
29 relationship. We don't have that relationship with them.

30
31 However, I think that we, as a Council,
32 need to encourage tribal governments in the communities
33 to be more involved in the process. We need to see the
34 Wrangell Tribal Council, whatever it's called, here,
35 taking in the things that we are discussing and learning
36 more.

37
38 I also feel that tribes should be
39 submitting more proposals than we see. They can be a
40 very powerful force on behalf of their tribal members who
41 are all subsistence people. If there is a concern in the
42 village or their community, then they should take it to
43 the tribal council. The tribal council would listen to
44 it, they would develop a proposal and then would go
45 through the process and up the ladder. Of course, if we
46 accept that proposal -- as mentioned earlier, the Board
47 gives deference to the RACs. I think that's how they can
48 be involved.

49
50 As far as the consultation process is

1 concerned, it's when a government agency is dealing
2 directly with the tribal government and so forth. We are
3 not that.

4

5 Thank you, Mr. Chair.

6

7 MR. BANGS: Thank you, Bert. I think
8 that's the million dollar question. We've always tried
9 to get the communities more involved and the tribes.
10 There's no easy answer for sure. Just people don't want
11 to get out and get involved. Not as many as we'd like to
12 see for sure. I appreciate Mr. Leighton for all his
13 efforts and the Village of Kasaan have put forth some
14 effort into getting involved because it's important to
15 all of us.

16

17 Does anybody else have any comments. Mr.
18 Kitka.

19

20 MR. KITKA: Thank you, Mr. Chair. I'm
21 not too sure whether Sitka Tribe got their comments in on
22 these proposals. I know that I was a part of it that
23 filled out to send to Council to have comments on that.
24 They were submitted, but I don't know where they're at.

25

26 MR. BANGS: Thank you, Harvey. Mr.
27 Kessler.

28

29 MR. KESSLER: Thank you, Mr. Bangs. I
30 believe Sitka Tribe's comments -- I thought they were
31 mailed out to everyone by email. That's a great form of
32 input from the Council.

33

34 There were two parts of this I wanted to
35 present. One was the consultation with tribes and the
36 other part was the consultation with ANCSA corporations.
37 If you don't mind, I'll move forward into that short
38 part.

39

40 Two teleconferences with ANCSA
41 corporations were held earlier this month. On the first
42 teleconference four corporations -- these are statewide
43 consultation. On the first teleconference four
44 corporations were represented with Hoonah-Totem being the
45 only one from Southeast. Hoonah-Totem did not provide
46 any comments on any of the proposals.

47

48 The only comment of relevance to the
49 Southeast Region came from Dolly Norton from the Cully
50 Corporation, which is located in Point Lay. Her comment

1 was on the statewide Proposal WP12-02. She expressed
2 concern about the proposal. Hunters -- and this has to
3 do with the designated hunter authority. She expressed
4 concern about that proposal. Hunters need to be able to
5 utilize the designated hunter provision when needed to
6 support subsistence uses of the resources available.
7 Hunters need to be able to teach other young hunters
8 where and how to hunt according to traditional and
9 cultural values.

10
11 On the second ANCSA corporation
12 teleconference, three of the same four corporations from
13 the first teleconference actually called in. And one
14 additional corporation called in and listened only mode.
15 No Southeast corporation was represented on the second
16 ANCSA teleconference.

17
18 Sandra Nicori from Kwethluk Incorporated
19 commented on statewide Proposal WP12-02, which proposes
20 restrictions limiting designated hunting permits to
21 people over 60 because they could cause problems for the
22 subsistence households where the household head is a
23 widow or single mother under 60 years of age. She said
24 that this proposal should not pass.

25
26 Also in this teleconference Dolly Norton
27 repeated her comments on WP12-02 that hunters need to be
28 able to utilize the designated hunter provision when
29 needed to support subsistence uses or resources
30 available. Hunters need to be able to teach their
31 children and other younger hunters where and how to hunt
32 according to traditional and cultural value. Those were
33 all of the comments applicable to this Council's
34 deliberation on the proposals.

35
36 That's all I have.

37
38 MR. BANGS: Thank you, Mr. Kessler.

39
40 Any questions or comments from the
41 Council.

42
43 Ms. Phillips.

44
45 MS. PHILLIPS: Thank you, Chairman Bangs.
46 I apologize, but I want to go back to the tribal
47 presentation you gave. You had mentioned, Mr. Kessler,
48 the tribes often meet with the Board and give their
49 comments on proposals. That being said, and oftentimes
50 those comments don't come to the RAC, in our meeting

1 minutes we asked that a tribal consultation report should
2 be provided to the Councils by the Office of Subsistence
3 Management. So if there are conversations going on
4 between the tribe and the Federal Subsistence Board I'm
5 not being made aware of those and I would like to be made
6 aware of those as a member of the RAC.

7

8 Thank you.

9

10 MR. BANGS: Thank you, Ms. Phillips. A
11 very good point.

12

13 Anyone else, comments.

14

15 Mr. Leighton.

16

17 MS. LEIGHTON: Maybe then if there's
18 going to be any tribal consultation government to
19 government with the Subsistence Board, maybe that ought
20 to be done before the meeting, well in advance, even
21 before you meet here so that then you're afforded the
22 ability to go over what had taken place between the
23 government to government consultation and it would really
24 certainly help you all.

25

26 MR. BANGS: Thank you. Mr. Kessler and
27 then Mr. Ackerman.

28

29 MR. KESSLER: Ms. Phillips. I think that
30 was the general idea of having these consultations before
31 the Council meeting so you as a Council would hear those
32 things that tribes were concerned about. Do they
33 support, do they oppose, do they have some sort of
34 recommendations to change these proposals so that your
35 role would be honored as a Council. So that's why I
36 think that that's the process here. The question is, is
37 it working or do we need to figure out something else
38 that might work better to have tribes more involved. I
39 hope that this Council can help us all figure that out.
40 This whole idea was to honor the Council's role.

41

42 MR. BANGS: Thank you, Steve. Mr.
43 Ackerman and then Mr. Douville.

44

45 MR. ACKERMAN: Thank you, Mr. Chairman,
46 Council. Very interesting listening to your statements
47 about the sea otters and all the laws that apply and
48 then, again, the British, the French, the Spanish, the
49 American, customary, traditional, historical trading went
50 on with these sea otter hides. Now all the indigenous

1 folks that hunt these, they are sovereign powers as well.
2 To not be able to continue the commerce and economic
3 activity that helped these folks survive in historical
4 times before the state of Alaska became under ownership
5 and under basically the gun of the Federal government
6 regulating the commerce of these folks throughout
7 Southeast Alaska trading these sea otter pelts.

8
9 And now the bill that was introduced by
10 Mr. Young, I believe, that's going to change some of
11 this. Given the opportunity to have an economic benefit
12 in some of the highest unemployed areas in the whole
13 state of Alaska here to be self-sustaining once again, to
14 open up all the trade routes north, east, west and south,
15 a lot of the pelts went to China, it would be nice to see
16 a final resolution that would empower the Tlingits and
17 all the hunters to regain that commerce that they once
18 had as it would be economic benefit to the villages
19 there. But, yeah, very interesting when you mentioned
20 the sea otter pelts.

21
22 That's my comment there.

23
24 Thank you.

25
26 MR. BANGS: Thank you, Tim. Mr.
27 Douville, then Mr. Archie Nielsen.

28
29 MR. NIELSEN: Thank you, Mr. Chairman.
30 One caution. We talk about corporations. We talk about
31 he said, she said. We don't get in that. Our concern
32 here as a Board is how does this affect subsistence
33 usage. That's first and foremost. The negotiations that
34 happen, they deal with the vice president of Natural
35 Resources. Their obligation under ANILCA law respond.
36 We have a certain obligation and we want to fulfill that,
37 but we don't want to get into he said, she said. I
38 scolded City of Sitka for doing the same thing. You
39 don't put words in other people's mouth unless there's a
40 voice there and that's the way it is.

41
42 Thank you, Mr. Chairman.

43
44 MR. BANGS: Thank you, Archie. Mike.

45
46 MR. DOUVILLE: Thank you, Mr. Chair. I
47 agree with you having consultations and then letting us
48 see it before meetings. That would be great. It would
49 help us make better decisions knowing what the tribe is
50 thinking. And I appreciate your effort and hopefully you

1 won't give up and you'll get better participation down
2 the road. Maybe you need to not only do it
3 electronically, but with paper also. Maybe you'll get a
4 little more notice. I don't feel threatened by the
5 tribal consultation really. We're both trying to do the
6 same thing and want the same things for the most part, so
7 it would be great to be informed of your ideas before we
8 make our decisions.

9

10 Thank you.

11

12 MR. BANGS: Thank you, Mike. Mr.
13 Leighton.

14

15 MR. LEIGHTON: And I could certainly
16 understand your concerns too, you know. I don't think
17 this consultation should be set up in such a way that it
18 would circumvent this Council here either. I feel things
19 should proceed. I think this Council here, you have a
20 lot of power, you have a lot of say, and you could
21 transmit a lot of concerns and possibly get a lot of
22 things done.

23

24 Like you say on this bill that's before
25 Congress on sea otters, I would like to see this Council
26 here make their recommendations that this bill has to go
27 through Congress and I think it has to go in and through
28 on emergency status. The devastation that's occurring
29 out there to all of our subsistence.

30

31 And I didn't realize how much or what
32 variety of shellfish or seafood a sea otter eats, but in
33 my opinion a sea otter would eat a whale if it sat still
34 long enough. I mean they eat everything. First of all
35 they get the slow ones, the crawlers, the ones that are
36 on the rocks. When that's gone they go to the easy
37 swimmers. I didn't realize it, but they take devastation
38 on shrimp. I didn't realize how much, but if you was to
39 look at their appetite and what they eat, that's
40 something else.

41

42 I know there was something came out that
43 a sea otter eats about 30 percent of its body weight per
44 day. Well, that's good, but you've got to realize they
45 kill over their body weight per day to eat that 30
46 percent. In other words, they're very wasteful too, and
47 they don't have sex or size. The amount of sea otters
48 that are on the west coast of Prince of Wales Island --
49 I wish that everything else would grow at that rate, but
50 they're upwards of about 30 percent -- 25 to 30 percent

1 increase per year. I wish our deer or elk or moose or
2 other stuff would bound at that.

3

4 I think it's very important and we have
5 run into a problem that is very, very difficult. That is
6 even if we want to control it, we cannot control it in a
7 way that is not wanton waste. In other words, we have to
8 harvest levels of sea otter that furriers or anybody else
9 can't handle. I don't want to quote because it's already
10 hit the people that are in opposition of us being able to
11 do this and take sea otter. It's already landed on their
12 ears because somebody had mentioned, well, let's do an
13 otter slaughter and that stuck. It's just sort of like
14 when that bridge to nowhere took off and that phrase was
15 used. We're going to have to bypass this otter slaughter
16 deal now.

17

18 The rate that we're going to have to
19 harvest to get this under control is another thing and
20 another thing we're going to have to look at is maybe
21 transplanting them back up. If the Aleutian Island wants
22 them, transplant some of them back up there. That's,
23 after all, where they came from. We're definitely going
24 to have to get our levels down so that we can manage them
25 properly.

26

27 MR. BANGS: Thank you, Ron. Mr.
28 Hernandez.

29

30 MR. HERNANDEZ: Just a quick question
31 that occurred to me. Was there tribal consultation prior
32 to any of the special actions that were taken this
33 season?

34

35 MR. KESSLER: Mr. Hernandez, I think
36 we'll have to bring up Terry Suminski for that. I don't
37 know the answer to that.

38

39 MR. SUMINSKI: Mr. Hernandez. Through
40 the Chair. Generally special actions, especially the
41 emergency special action type, we don't generally enter
42 into formal consultation just because of the short time
43 frames that are involved, but we always do try to contact
44 the tribal president or tribal leader of the area that
45 it's affected.

46

47 MR. BANGS: Thank you. Don, follow up.

48

49 MR. HERNANDEZ: I just want to say I
50 think that would be a good idea to consult the people

1 that are going to be locally affected. I think that
2 could be more effective than dealing with the Council
3 quite often on an issue like that because there you're
4 able to talk to people maybe directly affected by those
5 special actions, so I would encourage that.

6

7 MR. BANGS: Thank you, Don. Mr. Adams.

8

9 CHAIRMAN ADAMS: Thank you, Mr. Chair.
10 You know ,when I was the tribal president of the Yakutat
11 Tlingit Tribe, these special actions always came. They
12 always called me into the discussion and then we had a
13 census of agreement that a certain action would take
14 place. So it was with goat. I don't know, Susan, if
15 that process is still taking place. You might want to
16 address that not now but later on. I've encouraged the
17 tribal president and, of course, the ranger to make sure
18 the tribe is up to snuff on all the things they're
19 involved in, particularly in special actions and so
20 forth. It always worked well. We had State, the Feds
21 and the tribe all in one room talking about an issue and
22 making a decision.

23

24 MR. BANGS: Thank you, Mr. Adams. Any
25 other comments or questions about tribal consultation.
26 Mr. Leighton.

27

28 MR. LEIGHTON: Yeah, there is one thing
29 on tribal consultation, an area that came about, and I
30 don't know. It's upcoming. Like I say, the Board of
31 Fish, State of Alaska is going to come back, we've got a
32 proposal on our dungeoness crab fishery. The last time
33 it was opened there was a Federal -- a person out of
34 Anchorage -- I don't remember his name offhand, but he
35 was a person that coordinated subsistence -- made comment
36 to the Board of Fish -- I don't know whether it was the
37 Solicitor or not, but he made comment, yes, go ahead. I
38 see no reason why this fishery would hurt anything to do
39 with subsistence.

40

41 I think it's pretty important that maybe
42 this board here make recommendation to all Federal
43 agencies that if they're going to make comment to the
44 Board of Fisheries on areas that are going to be open
45 that may affect that tribe in that area, that they
46 contact -- anything that's going to be commented on or
47 opposed or even approved or go unopposed, that they
48 contact the local tribe and do their consultation at that
49 time with them because I don't want to see anything like
50 this go again.

1 This guy was out of Anchorage, he wasn't
2 a normal person that I recalled ever doing any dealings
3 with, so it was just sort of like random. Somebody
4 phoned him up and said would you care to make comment on
5 this or something. I don't know. Maybe it was set up.
6 But, still, it happened. His deal entered into the
7 records stating they were unopposed to this opening. I
8 only would recommend that maybe you send a message that
9 any Federal agency making comment to a State Board of
10 Fish or Board of Game go through certain channels or
11 whatever.

12

13 Thank you.

14

15 MR. BANGS: Thank you, Ron. Well, is
16 there any other questions or comments on tribal
17 consultation. What's the Council's wishes to do about
18 coming up with protocol ideas or how does the Council
19 want to proceed with this.

20

21 Thank you very much, Mr. Kessler and Mr.
22 Leighton. We're going to move on to the next item. Are
23 we going to have time to start proposals or should we
24 stop? Mr. Adams.

25

26 CHAIRMAN ADAMS: I understand that item
27 number 10D the people are here, but they're not prepared
28 to do that. However, there is people here to start with
29 Item 13A. So if we could take that, I would recommend
30 that we take that now and maybe see where we want to go
31 after that. It's almost 5:00 o'clock.

32

33 MR. BANGS: We're moving on to our
34 proposals and 13A is WP12-01, requirements when selling
35 handicrafts. It's a statewide proposal. Ms. Kenner.
36 We're going to go through the presentation procedure for
37 the proposals. It's 1 through 10 under 13. Do you want
38 to go through that, Robert, or do you want me to.

39

40 MR. LARSON: Go ahead.

41

42 MR. BANGS: Okay. Number 1 the
43 introduction of proposal and the analysis. Number 2 is
44 the Alaska Department of Fish and Game comments. 3 is
45 other Federal and State agency comments. 4 is tribal
46 comments. 5, Interagency Staff Committee comments. 6,
47 Subsistence Resource Commission comments. 7, Fish and
48 Game Advisory Committee comments. 8, Summary of written
49 public comments. 9, public testimony. 10, Regional
50 Council deliberation, recommendation, and justification.

1 So that's the order in which we'll go through after we
2 read through the proposal and have an introduction and
3 carry on.

4

5 So, Ms. Kenner.

6

7 MS. KENNER: Thank you, Mr. Chair.
8 Members of the Council. For the record, my name is Pippa
9 Kenner and I work with the Office of Subsistence
10 Management. The analysis for Proposal WP12-01 begins on
11 Page 43 of your Council book.

12

13 Proposal WP12-01 was submitted by the
14 Brown Bear Claw Handicraft Working Group and requests
15 that prior to selling a handicraft incorporating a brown
16 bear claw, the hide or claw not attached to a hide, must
17 be sealed by an authorized Alaska Department of Fish and
18 Game representative and that a copy of
19 the Fish and Game sealing certificate would then
20 accompany the handicraft when sold.

21

22 The Working Group's Proposal WP12-01 is
23 a response to Proposal WP08-05, the analysis of which
24 begins on Page 55 of your Council book, submitted by the
25 Alaska Department of Fish and Game to the Federal
26 Subsistence Board in 2008. Generally the State does not
27 allow the sale of any part of the bear except the fur.

28

29 In contrast, Federal wildlife regulations
30 have allowed the sale of handicrafts made from brown bear
31 claws since 2004 in wildlife management units that are
32 located in the Eastern Interior, Bristol Bay, and
33 Southeast Regions of the state.

34

35 In response, in 2008, the State requested
36 through Proposal WP08-05 that sale of brown bear
37 handicrafts made of claws, bones, teeth, sinew or skulls
38 should occur only between Federally qualified subsistence
39 users, also known as rural to rural.

40

41 The Federal Subsistence Board deferred
42 the State's proposal twice, once in 2008 and again in
43 2010, and a working group was formed. The Federal
44 Subsistence Board tasked the group to develop and
45 recommend to the Board a method of tracking brown bear
46 claws made into handicrafts for sale. The purpose of
47 tracking brown bear claw handicrafts was to identify to
48 law enforcement the claws from brown bears harvested
49 under Federal wildlife regulations. Only claws taken
50 from brown bears harvested under Federal regulations can

1 be legally sold. The working group was made up of
2 representatives from all interested Subsistence Regional
3 Advisory Councils and State and Federal Staff. I believe
4 on this Council it was Bert who attended that series of
5 meetings.

6
7 The working group is recommending that
8 the Board oppose the State's original proposal WP08-05,
9 which was deferred, and adopt this proposal instead and
10 that would be prior to selling a handicraft incorporating
11 a brown bear claw, the hide or claw not attached to a
12 hide must be sealed by an authorized Alaska Department of
13 Fish and Game representative and that a copy of the Fish
14 and Game sealing certificate accompany the handicraft
15 when sold. This proposal fixes two problems that the
16 working group identified.

17
18 First, in some management units, brown
19 bear harvested for subsistence do not need to be sealed.
20 There's no documentation that the brown bear was
21 harvested legally under Federal subsistence regulations
22 and no documentation that it is legal for a person to
23 sell a handicraft made from the claws. These units are
24 listed on Page 44 of your Council books under the section
25 extent of Federal public lands. They are Units 1 through
26 5, 9A through C, 12, 17, 20, Management Unit 23, 24B, 25
27 and 26. This proposal requires that a bear harvested
28 anywhere in the state be sealed even in the units
29 excluded from sealing requirements if the claws are going
30 to be made into a handicraft and sold.

31
32 The second problem that the working group
33 recognized was that the claws of a sealed brown bear
34 harvested under Federal subsistence regulations needed to
35 be identified, therefore a copy of the sealing paperwork
36 must stay with the claws.

37
38 In summary, the intent of the proposal is
39 to protect subsistence users who incorporate brown bear
40 claws into handicrafts for sale by providing proof that
41 the claws are from brown bears that were harvested by
42 Federally qualified subsistence users. Having proof that
43 the claws are from subsistence harvested brown bears
44 would clearly identify that the claws are from a legally
45 harvested brown bear and requiring that a copy of the
46 sealing certificate accompany the handicraft would
47 provide a method of tracking legally harvested brown bear
48 claws.

49
50 The Board has consistently rejected

1 attempts to remove brown bear claws as a legal item with
2 which Federally qualified users can make handicrafts for
3 sale. Retaining the use of claws and handicraft for sale
4 is consistent with previous Board action and is not
5 expected to significantly increase harvest as described
6 in these previous proposal analyses. Therefore, the OSM
7 preliminary or draft conclusion is to support this
8 proposal.

9

10 Thank you, Mr. Chair.

11

12 That's the end of my presentation.

13

14 MR. BANGS: Thank you, Pippa. Any
15 questions from the Council. Mr. Hernandez.

16

17 MR. HERNANDEZ: Thank you, Mr. Chair.
18 Pippa, so with the adoption of this -- if this proposal
19 were to be adopted, there would be no restrictions placed
20 on subsistence users as to who they could sell these
21 handicrafts to? So is all the language dealing with
22 selling to subsistence qualified only, is that all off of
23 the table now if this were passed?

24

25 MS. KENNER: Mr. Chair. Yes.

26

27 MR. BANGS: Any other questions. Mr.
28 Ackerman.

29

30 MR. ACKERMAN: Thank you, Mr. Chair.
31 Quick question. Any of the artists, whether they be
32 starving or rich, Native, non-Native that are producing
33 or will produce items for sale out of these bear claws,
34 have they ever been contacted in regards to this
35 particular item that's up here?

36

37 MS. KENNER: Mr. Chair. I have
38 participated personally in only one of these meetings,
39 but I have tried to keep up with what is happening. I
40 think that during the working group meetings attempts
41 were made to honor the viewpoints of our artisans, but
42 whether they were directly contacted in relation to this
43 proposal I'm not aware that that contact was made.

44

45 MR. BANGS: Thank you, Pippa. Anyone
46 else. Mr. Hernandez.

47

48 MR. HERNANDEZ: Was there any discussion
49 about a bear which may have been harvested at some point
50 in the past that subsistence users still has the hide and

1 claws attached and the bear could have been harvested
2 years ago and now they would like to make an artifact
3 with it and sell it? Could such a hide still be sealed
4 under these requirements or does the sealing process have
5 to be -- I don't see a timeframe listed here. Maybe
6 there are State regulations that deal with it that the
7 bear has to be sealed within 30 days or something. I
8 don't know if those would apply in this case and how that
9 might affect people who have been in possession of bear
10 hides and claws over some period of time and may now wish
11 to make something with them now that there is allowance
12 for them to do that.

13

14 MS. KENNER: Mr. Chair. First of all the
15 regulations around the use of parts of bears are varied
16 and differ from region to region and unit to unit, but
17 regarding your question this proposal affects most
18 significantly people who live in areas where they do not
19 have to seal a brown bear that's been harvested under
20 State or Federal regulations.

21

22 I've missed the point of your -- I've
23 forgotten the point of your question. Could you please
24 say it one more time. I was focused on another thing.

25

26 MR. HERNANDEZ: I guess the point would
27 be if a person lived in an area where a bear did not need
28 to be sealed and then now they have possession of a hide
29 and they wish to make a handicraft, is there some way
30 that they can get that sealed so that they can now comply
31 with the new regulations and sell a handicraft. I guess
32 that would be the question.

33

34 MS. KENNER: Through the Chair. Thank
35 you, Mr. Hernandez. And the plain and simple answer is
36 yes, they can. At the meeting I was at, this was
37 discussed and because it's been carefully crafted into
38 the regulatory language, I assume it was considered an
39 issue. In these areas where previously people did not
40 need to have brown bear sealed, what if they had brown
41 bear claws that now they do want to have sealed, the
42 answer is, yes, they may get them sealed.

43

44 MR. BANGS: Thank you, Pippa. Any other
45 questions. Cathy Needham.

46

47 MS. NEEDHAM: Thank you, Mr. Chair.
48 Pippa, my understanding is this proposal is specific to
49 when handicrafts are sold. Would a user need to be --
50 would they be required to seal a hide for trade, trade of

1 claws, trade to other Federally qualified subsistence
2 users? I mean it just seems like this proposal
3 specifically deals with selling the handicraft and not
4 any other transfer of those bear claws.

5
6 MS. KENNER: Ms. Needham, through the
7 Chair. Because these are areas in which previously brown
8 bear and brown bear claws did not need to be sealed and
9 there's no record of their harvest, there was creation of
10 additional regulations that said if you're moving this
11 brown bear hide, and in Federal regulations that includes
12 claws outside of that unit or that area, you must get it
13 sealed. So those types of regulations would now apply.

14
15 MR. BANGS: Thank you, Pippa. Yes.

16
17 MR. ARDIZZONE: Mr. Chair. Excuse me.
18 Chuck Ardizzone from the Office of Subsistence
19 Management. I believe the question was about barter and
20 this regulation would not affect barter.

21
22 MR. BANGS: Thank you. Mr. Ackerman.

23
24 MR. ACKERMAN: Thank you, Mr. Chairman.
25 Real interesting to discuss brown bear skulls and claws
26 and hides and stuff. We salvaged probably about a three-
27 year-old bear that had been attacked and killed by a
28 bigger bear and we salvaged all the claws and the skull.
29 We didn't find all the claws, but we salvaged it. I know
30 there is a salvage -- you can salvage the parts from the
31 animal, but we weren't aware at the time that everything
32 had to be sealed.

33
34 Given the fact that you could have stated
35 that you had found a completely dead grizzly bear that
36 had been deteriorated to the point where you could
37 salvage all the pieces and parts minus the hide because
38 it's gone in order to really make them comply with the
39 law you would almost have to have these folks that have
40 these bear claws take pictures of the actual salvage of
41 the brown bear claws because I've seen brown bear claws
42 hang around people's necks that apparently they had found
43 or their friend had found them and they had passed them
44 on to other people.

45
46 So basically it sounds like every brown
47 bear claw, every hide, tooth, skull, is going to have to
48 have a title to it or a seal as you would say. Is that
49 kind of the intent of this?

50

1 Because I'm guilty of all the above I
2 guess you could say because I've been selling brown bear
3 claws, we've been harvesting brown bear claws since I was
4 a kid and black bear claws and I've been selling them as
5 handicrafts back in the early '70s because I lived in the
6 Bush and we didn't have a lot of money, so we had to do
7 something to make a few bucks. The older I got, the more
8 educated and was informed of the laws. We don't get a
9 Federal handbook on all the laws, rules and regulations
10 pertaining to everything like that, neither from the
11 State nor the Feds in a sense unless we get busted for
12 it. Then you will be instantly educated on what your
13 violation is.

14

15 Yeah, pretty interesting subject because
16 I make stuff out of brown bear claws. I don't sell them.
17 You know, I never have sold them, but I use them for
18 handicrafts, but not for sale. Also we do make brown
19 bear boots that are the best cold weather gear you can
20 imagine. You wear them with the fur on the inside, not
21 on the outside. Summer comes, the fur is on the outside.
22 Winter comes, fur is on the inside. Just for historical.

23

24 Thank you, that's all.

25

26 MR. BANGS: Thank you, Tim. Ms. Kenner.

27

28 MS. KENNER: Thank you, Mr. Chair. There
29 was a question in that, right?

30

31 MR. ACKERMAN: (Nods affirmatively)

32

33 MS. KENNER: Okay. And it had to do with
34 the need for a tagging certificate to follow other parts
35 of the brown bear other than the claws. There's two
36 things I'd like to bring up before I answer that. One is
37 on Page 48 of your Board books there is an attempt to
38 create an outline of what the different regulations are
39 regarding brown bear parts. There are quite a few that
40 do come into play, so you have to be very specific
41 sometimes in how you answer these questions.

42

43 But as a general response, the regulation
44 that is before us now was developed specifically with
45 this problem of brown bear claws and tracking brown bear
46 claws. So if somebody at the Anchorage airport was
47 leaving with a brown bear handicraft that incorporated
48 brown bear claws, they weren't going to be enforced
49 against. That they would have the paperwork necessary to
50 show that these claws were harvested through a legal

1 process, they were harvested by a Federally-qualified
2 user from Federal public lands and it is indeed legal to
3 sell it if it's incorporated into a handicraft. Only
4 brown bear claws is this specific regulation regarding.

5

6 MR. BANGS: Thank you, Pippa. Any other
7 questions, comments, follow up.

8

9 MR. YEAGER: Mr. Chair.

10

11 MR. BANGS: Yes, go ahead.

12

13 MR. YEAGER: Thank you, Mr. Chairman.
14 Quickly, would this proposal, if it were implemented,
15 would it provide a tracking system for the number of
16 bears being taken by subsistence users?

17

18 MS. KENNER: Thank you, Mr. Chair. No.
19 For example, brown bears that are harvested as part of
20 the Federal regulatory process in certain units of the
21 state still would not need to be sealed. However, we do
22 have other methods for tracking those types of harvest.

23

24 MR. BANGS: Thank you, Ms. Kenner. Any
25 other questions. Ms. Needham.

26

27 MS. NEEDHAM: Thank you, Mr. Chair. I
28 didn't have a follow up earlier about my question, but
29 now I do. If a brown bear was harvested and a claw was
30 taken and traded for something else and that claw went to
31 an artisan who made it into art and then gifted it to a
32 tribal member, the question would be then what? If that
33 person travels through security at the airport and that
34 brown bear claw has never been required to be tracked or
35 sealed, how would that be affected by enforcement?

36

37 MS. KENNER: Thank you, Ms. Needham. It
38 is hard to predict what is going to happen with
39 enforcement at the airport, but in this scenario that
40 would be illegal and there would be enforcement.

41

42 MR. ARDIZZONE: Mr. Chair.

43

44 MR. BANGS: Yes.

45

46 MR. ARDIZZONE: Chuck Ardizzone. You
47 said it was never sold though, right?

48

49 MS. NEEDHAM: Correct.

50

1 MR. ARDIZZONE: You said bartered then
2 gifted, so I don't think this regulation would apply to
3 that item in this case. I don't think we've covered
4 every scenario that may happen out there, but I think law
5 enforcement would be reasonable, but you never know. I
6 don't have a good answer for you, but in this case this
7 regulation wouldn't apply because it was never sold.

8

9 MR. BANGS: Cathy.

10

11 MS. NEEDHAM: Thank you for that
12 clarification. So if the regulation doesn't apply and
13 then enforcement action was taken, would it be at the
14 detriment of the person with the claw that would have to
15 defend themselves and track that claw back to the fact that
16 it had never been sold from the time it was separated
17 from the brown bear?

18

19 MR. ARDIZZONE: That's a very good
20 question that I cannot answer. I'll leave it at that.

21

22 MR. BANGS: Maybe we should ask
23 enforcement.

24

25 MR. AULT: Thank you, Mr. Chair. Doug
26 Ault, law enforcement officer here in Wrangell and
27 Petersburg for the U.S. Forest Service. My answer to
28 that question would be this. Well, to the original
29 question my answer would be that would be a situation and
30 as you can sit here and kind of propose all these
31 different scenarios, law enforcement is going to have to
32 with these types of issues -- well, we have to do what we
33 do. We have to investigate. So it would be a
34 requirement on law enforcement to basically backtrack
35 where that claw came from and make a determination as to
36 whether or not it ever was sold and, therefore, whether
37 or not the regulation applied.

38

39 In the situation where enforcement action
40 was being taken, I would say that the responsibility is
41 going to come down to the person who is in possession of
42 the claw at the time of the enforcement action.
43 Therefore, what I would say there is that it's probably
44 best when -- and I would say this not only with brown
45 bear but with anything that I would talk to anyone about
46 regarding property and trade and commerce and that kind
47 of thing. Records are important. As an
48 enforcement officer, what I like to look at is what's on
49 paper and what people have kept track of. When I find
50 somebody with a brown bear claw, what I'm going to ask

1 him is, okay, where did you get it. If they say it was
2 given to me as a gift, okay, who gave it to you. This
3 person. And I can go talk to that person. That person
4 tells me I received it from this other person. So we
5 have to be able to backtrack it and anything that's kept
6 in record or kept track of is what helps us do that.

7

8 Thank you.

9

10 MR. BANGS: Thank you for that
11 clarification. Appreciate it. Yes, sir, Mr. Kitka.

12

13 MR. KITKA: Thank you, Mr. Chair. I had
14 one question and that is just how far back do you have to
15 backtrack it?

16

17 (Laughter)

18

19 MR. AULT: Mr. Kitka through the Chair.
20 Good question. That is the difficulty. Understanding
21 that as we've talked about here there may be situations
22 where some of these claws and these handicrafts may have
23 been around for quite a while. When one pops up at the
24 airport, as we're talking about in these situations, I
25 would say that hopefully law enforcement officers will be
26 reasonable and accommodating in trying to determine the
27 origins of them. That's what I would try to do, though
28 I can't speak for every officer. Hopefully that's what
29 they would try to do as well.

30

31 To answer your question quite directly,
32 as far as you can and be able to kind of explain the
33 history of what you have as well as possible. That's
34 what we're going to be able to go with. As far as sales
35 in particular with these regulations, those things would
36 want to be documented much more carefully because that's
37 where this regulation is particularly going to apply.
38 When it comes to gifts and barter and that kind of thing,
39 those are things that are, to be quite honest, harder to
40 prove, those kinds of transactions.

41

42 Does that answer your question, sir?

43

44 MR. BANGS: Thank you. Mr. Adams.

45

46 CHAIRMAN ADAMS: Thank you, Mr. Chair.
47 I was at that working group meeting and there was so much
48 that we went over in one day there, I'm still trying to
49 recall a lot of it.

50

1 I don't remember, Pippa, if they showed
2 what a seal looks like and I'm kind of curious what does
3 it do and how does it affect the product, adversely or
4 otherwise, if that animal is sealed?

5
6 And then another question, it says here
7 down on the bottom, a copy of the ADF&G sealing
8 certificate must accompany the handicraft when sold.
9 What happens to that after the animal is sold?

10
11 MS. KENNER: What was the very last
12 phrase you used? I didn't catch it. What happens
13 to.....

14
15 CHAIRMAN ADAMS: What happens to the seal
16 after the product has been sold?

17
18 MS. KENNER: Concerning your first
19 question, the effect on the product -- also, there are
20 going to be other people giving comment who are going to
21 add pieces to the story and the State has a very good
22 story that we concur with as how this came about and in
23 the beginning there was some question about whether Fish
24 and Wildlife Staff working at the airport how they would
25 handle a situation with someone coming through with a
26 bear claw and what has come out of the working group
27 process is a really good collaboration between law
28 enforcement, State management and Federal management to
29 come to an agreement. The way regulatory policy is
30 developed is often like this. There's a lot of gray
31 areas. We try to operate in good faith, come to a common
32 understanding of the situation.

33
34 So, specifically, when the discussion was
35 on the tag itself, there was talk of more modern methods
36 to use, for instance electronic tracking where you put a
37 chip in the product itself or even a tag, like a Made in
38 Alaska tag. A lot of discussion came up. Of course,
39 with some of these more modern methods there's a lot of
40 question about what would it be, when would it be
41 implemented, how much would it cost. So what came out of
42 it was an agreement specifically from law enforcement
43 that that wouldn't be written into the regulation. For
44 right now it would just be adequate to say that this
45 documentation would travel with the bear claw and that
46 that would be enough.

47
48 To describe to you what it looks like,
49 basically you know you get this locking tag when you seal
50 a brown bear. So what's going to happen with this claw

1 is that you're going to have a copy of the sealing
2 document, not a copy of the tag, but the copy of the
3 sealing document. More importantly it's going to have
4 that number and there are electronic files now where
5 those numbers can be tracked. It would require the State
6 to modify the sealing document a little bit to indicate
7 whether it was a Federally harvested brown bear.

8
9 Also the purpose in terms of the brown
10 bear international regulations is that sealing
11 certificate is also a CITES certificate and CITES has to
12 do with international convention treaty about endangered
13 species or species that are considered threatened.
14 Certain populations in different parts of the world, so
15 there's national treaties where you track some of these
16 through a CITES seal, which Fish and Game, for them that
17 CITES seal is also their sealing document.

18
19 MR. BANGS: Thank you, Pippa. Anyone
20 else. Mr. Ackerman.

21
22 MR. ACKERMAN: Thank you, Mr. Chairman.
23 Here's just a scenario that happens in our culture. I
24 gain a coho raven opposite the brown bear clan. What I
25 do is I will manufacture a piece of bear, whether it be
26 a necklace, headband or just a single bear claw hanging
27 around your neck. I will fashion it for the brown bear
28 clan and then give it to the brown bear clan. The brown
29 bear clan is not allowed to manufacture it. It has to be
30 opposite. So real interesting situation there and I
31 would be the crafter that makes that and gives it to the
32 brown bear clan. For your information in the Tlingit
33 custom I guess you could say. You could send me all the
34 Federal applications that I guess I should probably fill
35 those out.

36
37 MR. BANGS: Thank you, Tim. Did you have
38 a comment?

39
40 MR. AULT: Yes, Mr. Chair. Just
41 regarding the question about the sealing certificates and
42 the travel of those with the items, in particular claws.
43 The way that generally I like to talk to people, I don't
44 personally seal animals. The Fish and Game officer, some
45 of the State troopers do, wildlife troopers do. But I
46 often deal with hunters and subsistence and State both
47 and the sealing question comes up quite often. What I
48 like to tell those folks is that as far as the sealing
49 certificate is concerned it's kind of like the title to
50 a car. If you don't have that sealing certificate, you

1 don't legally own that. If you don't have the title to
2 your car, you don't legally own that car. So it's kind
3 of one of those things that once the item has been
4 sealed, whether the hide, the claw, whatever it may be,
5 that's your proof. That's what shows the connection to
6 ownership. If that's clear, if that makes.

7

8 Thank you.

9

10 MR. BANGS: Thank you. Anything else.
11 Thank you both. I'm going to ask that Mr. Adams resumes
12 the Chair so he can tell us when he wants us to be here
13 tomorrow and close the meeting for the day.

14

15 CHAIRMAN ADAMS: Thank you, Michael, for
16 taking the gavel for a bit. Do we want to finish up
17 tonight, folks. It should go fairly quickly. Let's go
18 ahead and do it. We'll finish it up tonight.

19

20 Jennifer, you're next.

21

22 MS. YUHAS: Thank you, Mr. Chairman.
23 Members of the Council. This is my first trip down to
24 Wrangell for this and since it's the first time I've
25 testified, thank you to our host and our landowners here
26 again.

27

28 For the record, my name is Jennifer
29 Yuhas. I represent the State of Alaska. We're
30 supporting this proposal before you, 12-01, in lieu of
31 our original proposal. When you get to the second one,
32 I hope you won't discuss it too much because instead of
33 asking that you oppose it we're asking that you take no
34 action. We intend to request to withdraw that at the
35 Federal Subsistence Board meeting so you won't have to
36 discuss it.

37

38 The 12-01 is a product of two years of
39 the Bear Claw Handicrafts Working Group meeting. Ms.
40 Kenner explained that she participated I guess in one of
41 those meetings. I didn't participate as much as I
42 respectfully listened to the culmination of two years of
43 work at three of these meetings, so I have a little bit
44 of information and I will try to cover as many points as
45 I heard the Council discussing before I take questions if
46 that's okay.

47

48 With regard to Mr. Ackerman's questions
49 regarding artists, artists were contacted through the
50 Department of Fish and Game participants. Larry Van Dale

1 was one of the co-chairs along with Helen Armstrong.
2 When Ms. Kenner said their thoughts were represented at
3 the meetings, members of our wildlife and subsistence
4 staff had actually spoken to the artist and asked them
5 what their needs were. So in some of these discussions
6 should it be a certificate, can we carve a number right
7 into the handicraft itself, I heard a lot of reports at
8 these meetings from our staff representing people they
9 had spoken to saying in this area they said it's fine,
10 well in this area they said that no way, this would
11 absolutely deface the art they were producing. So you had
12 varying comments from different areas. Some people were
13 very exuberant about the idea we could put a tiny little
14 microchip in something that could be tracked and they
15 wouldn't have to worry about it and others said I live
16 too far remote and I don't have access to those things
17 and how am I going to work that.

18

19 With the CITES, there tends to be a lot
20 of German tourists, I guess, who seek bear handicrafts
21 and so the CITES really came into play when there was
22 some discussions to maybe get away from that and make
23 this just a State issue. It really had to be brought
24 back in. These were all comments that came from the
25 artists themselves. So I don't know if that helps, Mr.
26 Chairman.

27

28 With regards to Ms. Needham's scenarios,
29 I listened to lots of scenarios play out. How would it
30 work if my friend just stopped at the airport and how
31 would it work if the German tourist takes it somewhere
32 and what will the certificates look like.

33

34 We left room -- I shouldn't say we, I
35 should say they and give credit where credit is due, I
36 just listened to the culmination here, but the working
37 group decided to go with a certificate and the copy of
38 the certificate for now and let some of the technology
39 and some of the other things develop. There's talk that
40 there's statewide artist group, just like the Made in
41 Alaska seal. That's a professional association that's
42 developing their own acceptable markings for Alaska
43 handicrafts and we shouldn't try to derive that through
44 this proposal and decide ahead of time whether something
45 can be accepted.

46

47 So there's room in the proposal to accept
48 other forms at a later date for authentication and to
49 write something into the regulations to say this will be
50 counted as a copy of the certificate, but since we don't

1 know what that looks like right now the working group
2 decided to go with what they have on paper.

3
4 The working group also recognized that it
5 might not be the perfect product, but it's a consensus
6 document. We're asking you to take no action and
7 withdraw our original proposal when it might be our
8 favorite but we participated long and hard in a very
9 positive, collaborative experience with other entities
10 who had needs to be met and we think that this is a good
11 product after two years of work that meets the needs of
12 the artist, makes as certain as possible that people who
13 are well intended are not going to be unduly cited for
14 things.

15
16 Law enforcement participated in these
17 meetings. There was a lot of discussion we need these
18 things to travel. There are older hides, older
19 handicrafts that have been around for a while and what
20 happens at that point in time. Somehow, we haven't
21 determined how, but there's room for the mechanics to be
22 drafted for taking care of those people who come forward
23 and say, well, I've had this for a long time and now I
24 want to sell it, how do I get it sealed. Enforcement is
25 not really looking for the one person with one bear claw
26 around their neck at the airport. The red flag is going
27 to be the person that comes through with several of these
28 items and no explanation.

29
30 Again, how are you going to find a
31 prosecutor. This was part of the discussion. It may
32 serve as the title to the car, but if you can't prove
33 that it wasn't a gift, you're going to have to prove that
34 it was a sale. So even if you get someone who may be
35 real exuberant about writing citations, you might not get
36 a prosecutor that wants to deal with that if you can't
37 prove there was a sale. This only relates to sale, not
38 barter or trade.

39
40 *****
41 STATE OFFICIAL WRITTEN COMMENTS
42 *****

43
44 Alaska Department of Fish and Game
45 Comments to the Regional Advisory Council

46
47 Wildlife Proposal WP12-01:

48
49 Develop a tracking program for federal
50 subsistence harvested bear claws that are made into in to

1 handicrafts for sale by federally qualified users.

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Introduction:

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Impact on Subsistence Users:

The Federal Subsistence Board's current allowance of brown bear handicraft sales was not based upon a determination that such sales are customary and traditional but instead upon the Board's unsupported argument that the Board can authorize any use if the take is customary and traditional (see e.g., January 2, 2006, letter from Chairman Demientieff to Commissioner Campbell). Therefore, adoption of this proposal will not impact customary and traditional subsistence activities.

1 Adoption of this proposal will not
2 interfere with continuing to allow federally qualified
3 subsistence users to obtain such handicrafts for
4 ceremonial, religious, and cultural purposes.

5
6 If adopted, federally qualified
7 subsistence users who plan on selling handicrafts made
8 from legally harvested brown bear claws will be required
9 to have the hide sealed by the department, retain copies
10 of the sealing certificate, and provide copies of the
11 certificate to customers.

12
13 Opportunity Provided by State:

14
15 Under 5 AAC 92.200, handicrafts made with
16 bear fur may be sold to anyone, but sales of handicrafts
17 made with claws, skulls, teeth, and bones are prohibited.
18 Whole bear skins, with claws attached, taken in certain
19 predator control areas may be sold under 5 AAC 92.031,
20 but only after sealing and under terms of a permit issued
21 for that bear skin.

22
23 Conservation Issues:

24
25 The Federal Subsistence Board created a
26 new market for bear claws and other high value bear parts
27 which could readily mask illegal sales, thereby
28 compounding problems with the international trade of
29 Endangered Species and contributing to the illegal
30 harvest, overharvest, and waste of bears in other states
31 and countries, as well as Alaska. Markets for high value
32 bear handicrafts create a conservation concern because
33 brown bears are protected under the Endangered Species
34 Act in other states and Mexico, and the origin of brown
35 bear products cannot be determined by visual inspection.
36 Brown bears are also listed on Appendix II of the
37 Convention International Trade of Endangered Species
38 (CITES).

39
40 In Alaska, economic incentives associated
41 with harvesting brown bears to make handicrafts create
42 conservation concerns because brown bears develop slowly
43 and have a low reproductive rate, making small
44 populations extremely susceptible to overharvest.
45 Allowing widespread sale of high value bear parts without
46 any kind of tracking mechanism is an invitation to
47 illegal harvests. Further, the existing regulations are
48 unenforceable and inconsistent with sound wildlife
49 management principles.

50

1 Enforcement Issues:

2

3 This proposal will reduce enforcement
4 issues created by the existing federal regulation by
5 creating a tracking system which provides documents to
6 accompany brown bear claws used for making handicrafts
7 legally taken, utilized, and sold under federal
8 subsistence regulations. Further, adoption of this
9 proposal will significantly reduce the likelihood that
10 federally-qualified subsistence users will face state
11 prosecution for engaging in sales that are prohibited
12 under state law when they occur on state or private
13 lands.

14

15 Jurisdiction Issues:

16

17 The Federal Subsistence Board lacks
18 jurisdiction to allow sales of any wildlife handicrafts
19 when and where such sales are not customary and
20 traditional. In the past, the Federal Board has rejected
21 this argument, asserting that if any use is customary and
22 traditional then the Board can authorize any other use.
23 The Board's argument is inconsistent with its litigation
24 stance in the Chistochina Unit 12 moose case where it
25 argued that customary and traditional use is related to
26 how resources are used after they are taken, and not to
27 or a prerequisite condition for the taking itself. State
28 v. Fleagle, (Case 3:06-cv-00107-HRH) Doc. 32 at 22.

29

30 Other Comments:

31

32 The department appreciates the
33 cooperative work the brown bear claw work group completed
34 over the last two years. Providing for tracking would be
35 an important first step to addressing some of the
36 Department's concerns regarding conservation and
37 enforcement. If brown bear harvests can be tracked over
38 time, and bear parts or handicrafts can be traced to
39 reported legal harvests, conservation concerns will be
40 less likely to arise and managers will be better able to
41 determine if or when legal sales are contributing to
42 illegal sales or otherwise creating conservation
43 concerns.

44

45 Recommendation: Support.

46

47 MR. ACKERMAN: Mr. Chair

48

49 CHAIRMAN ADAMS: Do you have a follow up
50 there, Tim.

1 MR. ACKERMAN: Thank you, Mr. Chairman.
2 This proposal here is really going to save a lot of
3 paperwork for a lot of the State folks and the Federal
4 folks. I would be really interested in getting
5 applications and filling everything out because I'm in
6 the process of making a gentleman a brown bear necklace
7 out of his canines out of his bear that he has right now,
8 his bear skull. This will be about the third object I've
9 made out of bear parts for these individuals.

10
11 The first one I did was a complete
12 bearhide vest out of the brown bear and then all the
13 claws as a headband, but I'm sure he retained his brown
14 bear tag and stuff that the hide was sealed. It was
15 mounted and everything.

16
17 But, yeah, this would really help the
18 situation because I have a massive bear claw necklace
19 that I've had for many years and people always ask me how
20 much I want for it and I say you can't sell it and I
21 wouldn't sell it to begin with anyway unless it was bona
22 fide legal Federally registered thing. So each
23 individual claw, if you sold them as individuals, each
24 one of those claws would have a paper to authenticate
25 that it is, in fact, claw number 4 off the bearhide and
26 etc, etc, right?

27
28 Okay, that would really clear a lot of
29 stuff up for all those folks there. So I will be very
30 interested in this program that you have here.

31
32 Thank you, Mr. Chairman.

33
34 CHAIRMAN ADAMS: Thank you, Tim. Anymore
35 comments, questions.

36
37 (No comments)

38
39 CHAIRMAN ADAMS: Thank you, Jennifer.
40 Let's try to move on here. Next is other Federal and
41 State agencies that want to comment.

42
43 (No comments)

44
45 CHAIRMAN ADAMS: Tribal people. Ronald,
46 come on forward.

47
48 MR. LEIGHTON: I would like to know why
49 all of a sudden a brown bear becomes more important than
50 the whale or more important than the seal or more

1 important than the sea otter. Neither one of those do you
2 have to when you split that product up or the animal up
3 do you have to show proof where it came from. Once it's
4 done and once that product is put into art or anything
5 like that -- by the way, that's the only way you could
6 sell them now. Sea otters have to be substantially
7 altered, then you can sell it. You don't have to show
8 the tag, the seal or anything like that.

9

10 So why? What is this really going to
11 accomplish but heartache for a person that had to go out
12 and seal it. How much is it going to cost for us to get
13 it sealed? Is this sealing process going to be by the
14 State or by the Federal people, by who? I'm unclear of
15 that. And where is it going to be done?

16

17 If I live way out in the Bush and stuff
18 like that and I don't come into town very often and
19 stuff, do I have to before I send an item off to be sold
20 go in, air travel in to Ketchikan or some place to get
21 this done and sealed?

22

23 I think this is going to be a burdensome
24 and unnecessary deal. If I don't have to sit down there
25 -- I could sell the teeth, I could sell the claws off a
26 sea otter. I don't have to submit anything as far as
27 showing proof. I think this here is regulation put into
28 effect sort of like the shotgun effect. If you want to
29 get a bad guy, shoot a double-barrelled shotgun into a
30 crowd hoping that a couple of those pellets hit the bad
31 guy, but you're going to take out a lot of innocent
32 people while you're doing it and I think that's what this
33 here will cause.

34

35 If I'm going through an airport, I get
36 hassled bad enough because I've got a metal knee. If
37 also I have a bear claw and stuff like that and they come
38 up, oh, where'd you get that. Well, what are you going
39 to do? Is my bear claw then going to be seized, my name
40 taken, seized until this Federal agent is going to pull
41 his investigation? What's going to happen there?

42

43 I don't see where this here is -- this is
44 not going to stop any poaching and that's what I was told
45 this was put in for. I guarantee you it's not. It's
46 going to assist the poacher. That poacher is going to go
47 out and get a legal brown bear and get that sealed and
48 then he's going to copy it and sell off 100 claws as long
49 as that accompanies it. Until somebody down the line
50 says wait a minute, let's count these claws on this seal.

1 That brown bear had 100 claws. You know, it's not going
2 to sit down there and do anything, I think, except for
3 maybe harassing people.

4
5 It boggles my mind why brown bears should
6 be treated different than whales, different than seals,
7 different than sea otter and stuff like that. I oppose
8 anything like this. I really am because I know where
9 this is going to go. Someplace down the line more
10 further interpretations are going to be put on it.
11 Unbeknownst to us all of a sudden, bang, you're tangled
12 up in one big sting. One big sting operation that you're
13 going to have to spend your money defending yourself in
14 a court of law. I don't see it. I don't see where it's
15 going to do any good to anybody. It's just going to make
16 it hard on people in general. That's why we oppose it.

17
18 CHAIRMAN ADAMS: Thank you, Ron. I
19 appreciate your comments. Maybe I can just answer a few
20 of them if I can. I'll take an attempt at it.

21
22 It is true. This proposal came forth
23 because they were trying to eliminate the opportunity for
24 it becoming a commercial enterprise. There are a lot of
25 ways that that can be done. If I remember correctly at
26 the working group meeting, as you may all know, the gall
27 bladders are really really popular over in China. In the
28 Black Market, that could be used to sell that stuff over
29 there. That, to me, is one of the reasons why this
30 proposal -- well, there's many other reasons, but that's
31 one of the main reasons.

32
33 The State Department of Fish and Game is
34 the entity that will be doing the sealing. Of course,
35 you know, we talked about what if I'm 100 miles away from
36 a State sealing place. Well, whenever the opportunity
37 arises, you take your product over there and then they'll
38 seal it and then you'd be able to sell it.

39
40 There's a couple things that I got from
41 your comments that I wanted to address. Go ahead.

42
43 MR. LEIGHTON: Bert, I don't see anything
44 in here where it says you have to seal a gall bladder.

45
46 CHAIRMAN ADAMS: No.

47
48 MR. LEIGHTON: Okay. So you're saying
49 this here is going to stop that from happening. It
50 really isn't, Bert. I'm sorry. Why -- I have to raise

1 the question, why is a brown bear being treated special
2 other than anything else? Other than the fact that maybe
3 it's the State that wants to do it. I'm sorry, but I see
4 too many laws passed by the State that has no sense but
5 we're stuck with it. One of them is, if I was still
6 living in Ketchikan and I wanted to go out and pick
7 seaweed, I had to get a fishing license. That would be
8 just as crazy as me having to go get a hunting license to
9 pick blueberries. Seaweed is no fish, it's a plant, but
10 it's there. Who picks seaweed?

11

12 CHAIRMAN ADAMS: I do.

13

14 MR. LEIGHTON: Yeah. Tourists? No.
15 Anybody else? I doubt there's very many caucasians that
16 go out and pick seaweed. So what is that directed at,
17 you know? I'm appalled that some of these things are
18 being put in to play. It's hard enough for me when I go
19 out there and I can't even -- I'm out there and running
20 along in my boat and I see a feather. Down south, I
21 don't know about up here, but they say, oh, you've got to
22 get permission before you can even salvage that. Bull.

23

24

25 I mean these things that are being put in
26 place and why. Why? Why do they always say -- okay, the
27 brown bear clan, you know. We're going to sit down there
28 and treat this thing a little different and blah, blah,
29 blah. Did they talk to the brown bear clan? No.

30

31 Well, I'm sorry, Bert. I know there was
32 a lot of work put on here and a lot of stuff, but why.
33 It failed before. The State even deferred there's and
34 then had another group come in and put it forth. If the
35 State deferred theirs, there must be a reason for it.
36 I'm recommending that you guys oppose.

37

38 CHAIRMAN ADAMS: Okay. Hopefully during
39 the time of deliberation, Ron, we'll bring out your
40 points here and discuss it quite a bit. So thank you.

41

42 InterAgency Staff Committee comments.
43 Anyone. There he is. No comment.

44

45 MR. KESSLER: Thank you, Mr. Chairman and
46 Council members. Steve Kessler with InterAgency Staff
47 Committee. You're correct, I have no comments. I just
48 want to let you know that I will not be having any
49 comments for any of these proposals, so you can just
50 speed right along without me. However, if you have

1 questions that you would like to ask, I'm available at
2 any time to come up.

3

4 CHAIRMAN ADAMS: Thank you, Steve.
5 Subsistence Resource Commission comments.

6

7 (No comments)

8

9 CHAIRMAN ADAMS: Fish and Game Advisory
10 Committee comments.

11

12 (No comments)

13

14 CHAIRMAN ADAMS: Mr. Larson, any written
15 public comments.

16

17 MR. LARSON: Yes, Mr. Chair, there is one
18 written public comment and that is in support and that is
19 not the same comment as we heard from the Organized
20 Village of Kasaan. It's from the Gates of the Arctic
21 Subsistence Resource Commission. They support this
22 proposal.

23

24 CHAIRMAN ADAMS: Thank you, Mr. Larson.
25 Any more public testimony.

26

27 (No comments)

28

29 CHAIRMAN ADAMS: Okay. Council members,
30 why don't we adjourn for now or recess for now and then
31 we'll go into deliberations in the morning. Thank you
32 for your patience. We went over time that we were
33 supposed to recess here, but let's go ahead and retire
34 for the evening and be here at 9:00 o'clock in the
35 morning.

36

37 (Off record)

38

39 (PROCEEDINGS TO BE CONTINUED)

