

1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME III

7
8
9 Wrangell, Alaska
10 September 29, 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

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30 Regional Council Coordinator, Robert Larson

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P R O C E E D I N G S

(Wrangell, Alaska - 9/29/2011)

(On record)

CHAIRMAN ADAMS: Good morning everyone.

(Pause)

CHAIRMAN ADAMS: Now that Mr. Kessler is here we can start our meeting.

(Laughter)

CHAIRMAN ADAMS: I'll give you a minute or so to settle down. Mr. Larson is trying to make a phone call right now. Right after that's all done we'll get started.

(Pause)

CHAIRMAN ADAMS: We'll come back into session. Before I forget I was told yesterday Mr. Martin from the tribal council from Wrangell said that if anyone wants to do a field trip over to Shakes Island just give him a call and he'll arrange it. It looks like you all might have a little time this afternoon if we get done in time. I think our target for adjournment will be 3:00 o'clock this afternoon. We've done pretty well with the proposals and I hope that continues on. I'm going to be leaving as well. I'm going to meet my wife in Juneau this evening and we've got dental appointments in Juneau tomorrow. Soon after the meeting is over, if we're done by 3:00, I'm going to be saying goodbye to you all.

With that, we'll go ahead and move on with the proposals. We are now on Proposal WP12-13, revised deer designated harvest.

Mr. Reeves, you're next.

MR. REEVES: Thank you, Mr. Chairman.
Good morning.

CHAIRMAN ADAMS: Starting on Page 140 is it -- or 150.

MR. REEVES: For the record, my name is Jeff Reeves, US Forest Service. Bert just graciously

1 told you where to find it. The analysis will begin on
2 Page 152. Proposal WP12-13 was submitted by Wrangell
3 Fish and Game Advisory Committee and it's requesting that
4 the Federal designated hunting provisions limit the
5 number of Federally qualified recipients that a
6 designated hunter may hunt deer for in Units 1B and 3.

7
8 The proponent is concerned that the
9 designated hunter program allows for over exploitation of
10 deer within these units and believes that the deer
11 populations will increase by limiting the number of
12 recipients a designated hunter can harvest for during the
13 season.

14
15 Back in 2002 there was a series of
16 proposals, WP02-04, 05 and 06 that were all considered
17 within one analysis and those proposals were all fairly
18 similar to this one and they sought to limit the
19 eligibility of the recipients that could be hunted for.
20 Also that year was Proposal 02-10 that was asking for a
21 prohibition on designated hunting within a portion of
22 Unit 3. These proposals were all opposed by both your
23 Council and the Federal Subsistence Board.

24
25 Deer harvests are reported on Federal
26 designated hunting permits for these units and it seems
27 to be very low. You can find that table on Page 155.
28 That table is showing the overall maximum harvest
29 reported on one permit and the average harvest per permit
30 from the Federal designated hunter permit since 2003.

31
32 The proposal will reduce the number of
33 Federally qualified recipients a designated hunter is
34 able to hunt deer for within these units. Adopting the
35 proposal will have a negative effect on rural residents
36 unable to hunt for themselves and will not likely reduce
37 the total deer harvest within these areas. Adopting the
38 proposal also results in an exception to the general
39 designated hunting regulations within these areas and
40 should have no measurable effect on the deer population
41 and no effect on non-Federally qualified users.

42
43 The preliminary conclusion is to oppose
44 the proposal because adoption of the proposal restricts
45 the traditional practice of hunting for others and limits
46 the ability of some Federally qualified users unable to
47 hunt for themselves to enjoy the benefits of deer
48 harvested by others.

49
50 Deer populations in this area are

1 predominantly influenced by winter weather conditions and
2 predation. Additionally, deer conservation is managed by
3 the applicable seasons and harvest limits with further
4 reinforcement coming from the designated hunting
5 regulations. The number of deer taken annually by
6 designated hunters is small compared to the total
7 harvest, so the proposal will likely have no measurable
8 effect on the deer population so there is no further need
9 to restrict the traditional practice of hunting for
10 others.

11

12 This concludes my presentation.

13

14 Thank you.

15

16 CHAIRMAN ADAMS: Thank you, Jeff.

17

18 Questions anyone.

19

20 Donald.

21

22 MR. HERNANDEZ: Thank you, Mr. Chairman.
23 Jeff, what years did you say we dealt with these
24 proposals before?

25

26 MR. REEVES: Mr. Chair. Mr. Hernandez.
27 It was during 2002.

28

29 MR. HERNANDEZ: I was looking at the
30 table on Page 155. At one point in early 2000s, 2004,
31 2005, there was a -- I'm looking at this. It seems like
32 the proponent's problem with this is with a few people
33 taking a lot of deer. The only years I actually see that
34 situation in this maximum reported harvest is in 2004,
35 2005. There's a couple numbers there that kind of stand
36 out.

37

38 From personal experience it seems like
39 during that period there was a pretty high deer abundance
40 or a higher deer abundance in this area. Since then,
41 2007, 2008, hard winter years the populations decrease.
42 Don't see anymore big maximum harvest numbers. We dealt
43 with this before kind of during that period of relatively
44 abundant deer numbers. I'm just trying to get that clear
45 in my mind what the situation is here.

46

47 Also, one other question. I am assuming
48 that these are hard numbers, that we have mandatory
49 reporting on these designated hunters and you have good
50 information that these numbers are actual numbers not

1 estimates of any kind, right?

2

3 MR. REEVES: Mr. Chair. Mr. Hernandez.
4 Yes, the permits are due back every year and we do try to
5 track them down to get this. So this is fairly accurate
6 numbers here.

7

8 MR. HERNANDEZ: Thank you, Mr. Chairman.

9

10 CHAIRMAN ADAMS: Thank you, Mr.
11 Hernandez. Anymore questions.

12

13 (No comments)

14

15 CHAIRMAN ADAMS: Next. Good morning,
16 Jennifer.

17

18 MS. YUHAS: Good morning, Mr. Chairman
19 and Council members. Again, this is Jennifer Yuhas
20 representing the Alaska Department of Fish and Game. You
21 have our written comments already in the record.

22

23 The Department would support modification
24 if you do adopt this. You've seen before one bag limit
25 at a time and antler destruction for designated hunters,
26 but we don't see any need to constrict the designated
27 hunter to a certain number of people a year that they can
28 hunt for if there's no conservation concerns, so we'd
29 like to see that stricken.

30

31 **No official written comments
32 inserted/provided by State at this
33 time**

34

35 CHAIRMAN ADAMS: Thank you. Are there
36 any questions for Jennifer.

37

38 (No comments)

39

40 CHAIRMAN ADAMS: Thank you. Okay. Any
41 other Federal or State agency comments.

42

43 (No comments)

44

45 CHAIRMAN ADAMS: Tribal comments. Every
46 time I say tribal comments I always look over at Ron.
47 Just automatic, Ron.

48

49 (No comments)

50

1 CHAIRMAN ADAMS: InterAgency Staff
2 Committee. No, of course not.
3
4 (No comments)
5
6 CHAIRMAN ADAMS: Subsistence Resource
7 Commission comments.
8
9 (No comments)
10
11 CHAIRMAN ADAMS: Summary of written
12 public comments.
13
14 MR. LARSON: Mr. Chair. There are no
15 written public comments.
16
17 CHAIRMAN ADAMS: Thank you, Mr. Larson.
18 Public testimony.
19
20 (No comments)
21
22 CHAIRMAN ADAMS: We are now in Council
23 deliberations, so what's the wish of the Council. We
24 need a motion, Mr. Bangs.
25
26 MR. BANGS: Thank you, Mr. Chairman. I
27 move to adopt Wildlife Proposal 12-13.
28
29 CHAIRMAN ADAMS: Thank you, Mr. Bangs.
30 Is there a second.
31
32 MR. DOUVILLE: (Nods affirmatively)
33
34 CHAIRMAN ADAMS: Seconded by Mike
35 Douville. Okay, we're now in discussion. Discuss away.
36 Mr. Bangs.
37
38 MR. BANGS: Thank you, Mr. Chair. I'm
39 just confused. We're in Wrangell and I don't see a
40 representative from their Fish and Game Advisory
41 Committee. Did they not get notified that we're having
42 the meeting? I don't know. I just wonder why there's
43 nobody here. We're in Wrangell.
44
45 CHAIRMAN ADAMS: He's on the phone right
46 now, but I have a deep concern as we go through the
47 process for the comments being made, like Subsistence
48 Resource Commissions, Advisory Councils and so forth, we
49 don't see them out in the audience and I think there is
50 something that we really should be doing to reach out to

1 these people so that when we go into these communities to
2 have these meetings that the community be well
3 represented by these various groups.

4

5 The question, Mr. Larson, is there hasn't
6 been very much participation from other user groups in
7 the community. Is there a good reach-out program that we
8 have to notify people of our meetings?

9

10 MR. LARSON: Mr. Chair. There's public
11 service announcements on the radio, there are flyers in
12 town. There's not necessarily in all newspapers of
13 Southeast, but in those close ones and especially in the
14 major ones. Ketchikan, Juneau, Sitka, Petersburg there's
15 -- or in Wrangell, excuse me, there's newspaper
16 announcements. The people I've spoken to, members of the
17 public, seem to be aware of this meeting. I just don't
18 know what to say about the reason why there's no public
19 participation, but I would think there would be adequate
20 notice. If there was some interest in addressing the
21 Council, they'd be here.

22

23 CHAIRMAN ADAMS: Okay. Like, for
24 instance, I'm really concerned with organizations like
25 the subsistence Resource Commissions. I'm not sure if
26 all communities have that. I know just about every
27 community has a Fish and Game Advisory Board. When we
28 don't see them here, it causes me great concern because
29 we're not reaching out to the real people that could have
30 an impact on these meetings.

31

32 Jennifer, do you have a comment.

33

34 MS. YUHAS: With the Chair's permission,
35 I'd just like to address the specific question Mr. Bangs
36 had with regards to the advisory committees. The rest of
37 the notification is handled through the Office of
38 Subsistence Management, but for the advisory committees
39 themselves, they're the parallel body to the Regional
40 Advisory Council so they aren't governed by the
41 Department, but they're supported by the Department.
42 Part of that is my job. So when the Office of
43 Subsistence Management gives us the RAC schedule and we
44 receive the proposals, I forward all that information to
45 our board support section. All our advisory committees,
46 whether they're active at the time or not do receive
47 notification of the schedule and each of the proposals
48 with an opportunity to comment through our board support
49 section.

50

1 CHAIRMAN ADAMS: Thank you. Mr. Larson.

2

3 MR. LARSON: In that regard, I made
4 personal contact with the advisory committees, their
5 secretary, so they're well aware.

6

7 CHAIRMAN ADAMS: Thank you, Jennifer. I
8 know we have a semi active advisory committee in Yakutat.
9 The mayor has been the chairman. I talk to him quite a
10 bit about the proposals that they might be concerned
11 about. The only time they have a meeting is when it's
12 really important. Right, Susan? If some real big issue
13 comes up, then they call a meeting. But it's a problem.
14 Yes.

15

16 MR. YEAGER: Mr. Ackerman was first.

17

18 CHAIRMAN ADAMS: Oh, you were first.

19 Okay.

20

21 MR. ACKERMAN: Thank you, Mr. Chairman.
22 I had a pretty good conversation with one of the locals
23 last night. Apparently he wanted to come to the meeting
24 here to testify, but he is working 10-hour days and he is
25 unable to break away from his job and come here to
26 testify on any of the things that are going to affect
27 him. So, yeah, he wished to come here but he was unable
28 to. He's working 10-hour days.

29

30 CHAIRMAN ADAMS: That's when written
31 comments come in. I think that's something we need to
32 make people aware of too, that they can write in a
33 comment and it will be entered into the records. John,
34 did you have something.

35

36 MR. YEAGER: Thank you, Mr. Chairman.
37 Kind of an awkward position here for me. I sit on the
38 Wrangell AC Board and to the best of my knowledge we did
39 not designate anyone specifically to come here and
40 testify on a specific issue. The only reason I can think
41 of that there is not a representative here at this time.

42

43 CHAIRMAN ADAMS: Thank you, John. So
44 there is a serious problem here. I think we need to
45 reach out a little bit more to those people. I know if
46 there was a proposal or an issue that really, really
47 affected them, they'd be here. Other than that we have
48 this attitude, you know, let George do it.

49

50 I know it's the same way with our SRC

1 meetings in Wrangell-St. Elias. We deliberately, like we
2 do here, have meetings and little villages there, within
3 100 mile radius of Glennallen, for the purpose of
4 listening to the local people I always try to make it a
5 point to have our coordinator contact a tribal leader so
6 they can come and make welcoming remarks and any comments
7 about anything that is on the agenda that would affect
8 them.

9

10 But they do have that attitude that we're
11 here to help them and let us do it. But let George do it
12 attitude is something that they embrace pretty much. So
13 I don't know. I keep saying, you know, we are here and
14 we're going over proposals that are going to directly
15 affect their life. If they have any complaints or
16 anything, then they should be here making their wishes
17 known. After the fact we hear the question, why did you
18 do that. My question is why weren't you there.

19

20 Patty.

21

22 MS. PHILLIPS: Thank you, Mr. Chairman.
23 I will be voting to support Staff recommendation to
24 oppose WP12-13 based on their justification on Page 156.
25 I hope that the Staff analysis -- I don't know. Does it
26 get turned over to the makers of the proposal, the
27 analysis? That would be good so that they can see why we
28 make the decisions that we have.

29

30 Thank you.

31

32 CHAIRMAN ADAMS: Thank you, Patty. Any
33 more. Wait a minute. Patty, we're still going through
34 public comments.

35

36 MS. PHILLIPS: I thought there was a
37 motion made.

38

39 MR. BANGS: Yeah, we made a motion.

40

41 CHAIRMAN ADAMS: Did we?

42

43 REPORTER: (Nods affirmatively)

44

45 CHAIRMAN ADAMS: Okay, folks, Tina says

46 -- Mr. Larson.

47

48 MR. LARSON: We made a motion. We're in
49 deliberations.

50

1 CHAIRMAN ADAMS: We are in deliberations
2 says Mr. Larson and Tina.

3
4 (Laughter)

5
6 CHAIRMAN ADAMS: We got sidetracked and
7 I apologize for that, but I think we talked about a very
8 important subject and that's getting more and more people
9 involved. We are in deliberation.

10
11 Any more comments.

12
13 Don.

14
15 MR. HERNANDEZ: Thank you, Mr. Chairman.
16 I will also be voting in opposition to this proposal. I
17 live in the area, I hunt Unit 3 every year. I hear the
18 complaints. I've heard them personally that there are
19 people that are dissatisfied with the way the designated
20 permit has worked. Those complaints seem to all come
21 from Wrangell for one reason or another.

22
23 I think I can kind of understand some of
24 the complaints. You look at the numbers. I guess the
25 one that stands out to me is the average harvest per
26 permit on Page 155. Over time the average has
27 essentially been one other bag limit has been harvested
28 on the permits, which to me doesn't stand out as anything
29 significant or a problem.

30
31 It seems like the designated hunter
32 permits are working as intended. People that need extra
33 deer are getting extra deer, but then you do see a few
34 years of maximum harvests that are quite high,
35 essentially what amounts to five or six bag limits. I
36 think that's probably the impetus for this proposal is at
37 times there have been maybe a few people taking advantage
38 of this designated hunter maybe to an excess. Maybe I
39 can understand why that would be objectionable to some
40 people. Just the way people hunt and where they hunt.
41 If you've got certain individuals that are intensifying
42 their hunting in certain places, in certain ways, may
43 create competition to other people that want to use that
44 same area certain ways.

45
46 I guess what I haven't heard from anybody
47 is the motivation of the people that are doing the high
48 harvesting. Are they truly trying to benefit their
49 community for some reason or are they just avid hunters
50 that want to get out there and hunt as much as possible

1 and give the deer away. I've never been able to
2 understand that aspect of it from anybody.

3

4 Overall I can't see the need to change a
5 system that benefits subsistence people to solve a
6 problem that may not always be in existence, so I'm not
7 willing to support this proposal. Thank you. I guess I
8 should add also that even though deer populations have
9 declined in this unit due to the severe winters, I don't
10 think -- during that period of decline it appears that
11 the designated hunter harvest has also declined. I don't
12 think that the designated hunter permits are causing any
13 kind of a conservation concern.

14

15 Thank you.

16

17 CHAIRMAN ADAMS: Thank you, Donald.

18 Anyone else.

19

20 MR. KITKA: Call for the question.

21

22 CHAIRMAN ADAMS: It's been called for the
23 question by Mr. Kitka. All in favor please signify by
24 saying aye.

25

26 (No aye votes)

27

28 CHAIRMAN ADAMS: Opposed, nay.

29

30 IN UNISON: Nay.

31

32 CHAIRMAN ADAMS: Thank you. The proposal
33 is defeated. Let's move on to 14.

34

35 MR. LARSON: This is a good time to call
36 Wade.

37

38 CHAIRMAN ADAMS: Okay. There's an
39 individual in Sitka, his name is Wade Martin and he wants
40 to make some comments about sea otters. So Mr. Larson
41 will dial him up and we will listen to his testimony.

42

43 Mr. Martin called me a week or so ago at
44 my home and addressed his concerns to me. He has a lot
45 of good points.

46

47 MR. LARSON: Mr. Martin.

48

49 MR. MARTIN: Yes.

50

1 MR. LARSON: We'll just need you to say
2 something to make sure we have the microphones set
3 appropriately.

4
5 MR. MARTIN: Okay. Can you hear me?
6

7 MR. LARSON: That's just fine. We're
8 going to let Chairman Adams give you an opportunity to
9 testify. Hole on.

10
11 CHAIRMAN ADAMS: Can you hear me all
12 right, Wade?

13
14 MR. MARTIN: Yeah. Is this Bert?

15
16 CHAIRMAN ADAMS: Yes, it is. So you
17 called me up last week I believe it was and expressed
18 your concern about the sea otter situation and you gave
19 me a pretty big earful about your views of this, so I'd
20 just kind of like to have you share this with the council
21 and with the audience here as well. Why don't you go
22 ahead and start your testimony. I'll remind you that you
23 will be on record and it will be recorded for future
24 reference.

25
26 So thank you, Mr. Martin.

27
28 MR. MARTIN: Okay. Thank you for this
29 opportunity to speak, Chairman Adams. Good morning,
30 ladies and gentlemen. This is Wade Martin. I live in
31 Sitka, Alaska. My testimony, like Mr. Adams said, is
32 going to be pertaining to sea otter problems we have in
33 Sitka. I have an extensive knowledge of the sea otter
34 problem and the populations in my area and I've hunted
35 otter for 30 years. The problems I see with the sea
36 otters -- it will take me a few minutes here, but I have
37 quite a few different areas to talk about.

38
39 The first one is enforcement. Many of
40 our people in Sitka here are scared to hunt because of
41 what I consider a scare tactic by U.S. Fish and Wildlife
42 Service enforcement. They come to your homes, they comes
43 to our canneries. If you've ever had them come to your
44 home to ask the questions they do, no matter where they
45 ask them it's pretty intimidating. So much so that we
46 can hardly get anybody to tag here in Sitka. I've had
47 problems with the U.S. Fish and Wildlife Service and I'll
48 tell you it's not very fun.

49
50 Another thing that is a real problem is

1 discretionary enforcement powers pertaining to cases and
2 significantly altered definitions. Significantly altered
3 definitions change from officer to officer. They all
4 don't say the same thing, so that basically comes right
5 down to enforcement and use at their own discretion. I
6 think the U.S. Fish and Wildlife Service should have
7 their laws all in place where they all say the same thing
8 and that eliminates a lot of gray area and it keeps a lot
9 of people out of trouble.

10
11 Another problem, the reason why these
12 otters are thriving in our area is the trade embargoes.
13 We can't sell sea otters to non-Natives. Our clientele
14 base is very narrow. Like myself, I have no desire to
15 sell handicrafts, so that eliminates me from a lot of it.
16 I think the laws need to be changed to make it easier for
17 Southeast Alaska Natives or Alaska Natives in general to
18 be able to buy, sell, trade and barter and a lot easier
19 definitions described by the U.S. Fish and Wildlife.
20 That would definitely help us with the population boom in
21 Alaska on sea otters.

22
23 Under the U.S. Fish and Wildlife Service
24 management the Southeast populations are growing because
25 of these things mentioned. I believe we need to change
26 the way that they manage sea otters. I know out west in
27 the Aleutians they're on the decline, but in Southeast
28 they're thriving. I think they need to manage region by
29 region or sector or areas and settle. They just can't
30 lump them all into one and talk about otters all in one
31 population because it isn't right. We have a huge
32 problem in Southeast, where out west they're saying their
33 endangered. It's a really hard thing to consider them
34 being endangered when they're thriving in our area.

35
36 Many communities in the Southeast here
37 have been impacted by sea otters. They ruined the crab
38 fishery, they ruined our subsistence food gathering just
39 in Sitka. The things that we have a hard time gathering
40 and we don't even see anymore is crab, cockle, sea
41 urchin, abalone, all species of clams, gooey duck, sea
42 cucumbers, just to name most of them.

43
44 We have a problem. I've been approached
45 over the years with people wanting to give me gifts of
46 ammunition or fuel and I can't do that because if they're
47 non-Native there's laws in place and the U.S. Fish and
48 Wildlife see it as aiding in the hunt. Those people
49 aren't even on my boat. All they want to do is -- okay,
50 well, we'd like to give you some gas, you're doing a good

1 job, we know we have an otter population problem and we'd
2 like to help, but they can't even do that. I think
3 that's a problem and I think that's a law that needs to
4 be changed.

5
6 Basically I feel like my Alaska Native's
7 hands are tied with everything mentioned. We aren't able
8 to take care or manage this huge problem. We don't want
9 to kill all the sea otters. We want to manage them in a
10 sustainable and respectful manner region by region. All
11 I've heard for years and years from the U.S. Fish and
12 Wildlife Service is they are working on it. Meanwhile,
13 our way of life has been impacted and changed. We can no
14 longer enjoy gathering food that we're not very used to
15 living on. Basically most of the species are gone and
16 depleted.

17
18 That's pretty much what I have to say.
19 There was one other thing that I wanted to mention I
20 thought might help. I got in trouble in 2003 with the
21 U.S. Fish and Wildlife Service. He was telling me
22 somebody was a non-Native and he told me he was a Native
23 and I think that the U.S. Fish and Wildlife Service
24 should issue everybody who wants to buy, sell, barter or
25 trade sea otter handicrafts or pelts issue us a card and
26 pretty much it will take the burden of proof off of
27 anybody who is hunting or buying, selling or bartering
28 sea otter hides. All we have to do is show your card and
29 you know they're legal. I don't think that would be that
30 hard to implement. It was pretty easy to do with our
31 subsistence halibut fisheries.

32
33 Once again I'd like to thank you for
34 listening to me and these are things that are very dear
35 to me and many people here and hopefully you can do some
36 good.

37
38 Thank you again.

39
40 CHAIRMAN ADAMS: Thank you, Wade. We
41 appreciate your willingness to testify and share your
42 thoughts with us. We do have someone who has a question
43 for you though. Wade meet Harvey Kitka. Harvey meet
44 Wade. Harvey has a question for you.

45
46 MR. KITKA: Thank you, Mr. Chair. Wade,
47 if I understand you proper, are you saying that
48 interpretation of the regulations by management and
49 enforcement is different? Is that what I understand?
50

1 MR. MARTIN: I'm trying to understand
2 your question and I'm having a hard time hearing you,
3 Harvey.

4
5 CHAIRMAN ADAMS: Can you hear me okay,
6 Wade?

7
8 MR. MARTIN: Yes, I can.

9
10 CHAIRMAN ADAMS: Harvey's question was do
11 you think the interpretation of enforcement and
12 management are different or the same?

13
14 MR. MARTIN: It's different. I've seen
15 handicrafts that at one time were grandfathered in and
16 they were acceptable as significantly altered and now
17 they're no longer acceptable. There's a young lady in
18 Cordova that has gone to court and is probably still in
19 court over it. She isn't able to just put a backing and
20 a fringe on a sea otter. It takes her a good seven,
21 eight hours to do that handicraft and that is no longer
22 allowed now.

23
24 Significantly altered definitions by the
25 U.S. Fish and Wildlife Service is a huge problem because
26 you go to one agent and they'll say it's fine and you go
27 to another one and it isn't fine. So it leaves a lot of
28 gray area. You know, for somebody who was doing
29 something for a long time that was acceptable and all of
30 a sudden it isn't and you sell it to somebody like a
31 non-Native, all of a sudden you're caught in a loophole
32 and the next thing you know you're going to court under
33 the Lacey Act.

34
35 That was one of the things that happened
36 to me. That was a Lacey Act that they got me under. It
37 took them five years to bring me to court. When they
38 did, you know, the whole time they were telling me I was
39 going to jail for a year and a \$100,000 fine and that was
40 a pretty harsh thing to be thinking about for five years
41 before they finally -- the statute of limitations finally
42 ran out before they brought me to court. It was like a
43 week from running out, so they -- it wasn't a very
44 pleasant idea and I really think they need to change
45 that.

46
47 They're whole system and all their
48 officers need to be saying the same thing. It's not
49 right to be managing and everybody saying something
50 different.

1 I hope that clarified what I was talking
2 about.

3
4 CHAIRMAN ADAMS: Thank you, Wade. Anyone
5 else have any questions, Council members.

6
7 (No comments)

8
9 CHAIRMAN ADAMS: Well, we certainly
10 appreciate your testimony, Wade. This will be recorded
11 and when the management issue starts to, we hope, take
12 place here real soon. We've been after the Fish and
13 Wildlife Service quite aggressively specifically for the
14 last couple years or so to try to address this problem.
15 Your comments will certainly be important to them as they
16 do these management schemes.

17
18 So thank you very much.

19
20 MR. MARTIN: Thank you, Mr. Chairman. I
21 was also going to let you know I went -- it took me a few
22 good months to get this to work, but you can see some of
23 the things that have happened with Federal law and one of
24 the things I finally got to go through and get done this
25 week was an article that was done on me that pertains to
26 sea otter and Federal management and laws. It was
27 written by Gary Fields, a reporter from Wall Street
28 Journal. That finally was brought to light here this
29 week. You can go online to Wall Street Journal and just
30 type in Gary Fields and it will bring up all his stories
31 and you'll see a real good one on me in Southeast Alaska
32 and sea otter.

33
34 Once again, thank you for allowing me the
35 time to speak. I know it was kind of lengthy and I
36 apologize, but it's a very big problem for me and a lot
37 of people here. I'll say goodbye and thank you.

38
39 CHAIRMAN ADAMS: Hold on there, Wade. We
40 have another Councilman who has a question for you. Mr.
41 Douville.

42
43 MR. MARTIN: Okay.

44
45 MR. DOUVILLE: Thank you, Chairman Adams.
46 I don't have a question, but what I would suggest to you
47 is to support Don Young's sea otter bill. It addresses
48 all of the problems that you have mentioned.

49
50 MR. MARTIN: I haven't personally seen

1 Don Young's bill or what he was trying to pass through
2 Congress. I've heard of something he was working on and
3 a lot of it I was told was shot down, but I have not seen
4 that bill, so I really can't comment on it because I've
5 never seen it. I know he's been trying to help us with
6 this problem. I've talked to his office. I've talked to
7 Peggy Wilson and Lisa Murkowski, Al Kookesh and they all
8 recognize the problem. I guess the legal wheel moves
9 very slow with the Federal government.

10

11 MR. DOUVILLE: Mr. Chair.

12

13 CHAIRMAN ADAMS: Follow up, please.

14

15 MR. DOUVILLE: The bill addresses all the
16 problems that you mentioned. I've read it myself. What
17 it needs is support from the communities in Southeast.
18 In my way of thinking, that's the only way to approach
19 it, would be through congressional action and it would
20 solve all the problems should the bill pass. So what I
21 would suggest is support for that bill.

22

23 MR. MARTIN: Okay. Yeah, I haven't seen
24 what he was trying to run through to Congress, but I was
25 told that it would take an act of Congress to change
26 these laws. So if that's the way we have to go, yeah,
27 we'd support that bill wholeheartedly. Anything to get
28 these animals under control. I can't express the
29 problems that we're having right now and it's definitely
30 changed the way we live and it's impacted the fisheries.
31 They've left a lot of devastation in their wake. They're
32 cute and cuddly, but boy they sure do a lot of damage.

33

34 CHAIRMAN ADAMS: Thanks a lot, Wade. We
35 appreciate your comments and we'll say goodbye now, but
36 keep active in this issue and look up that bill Mr. Young
37 is trying to pass through Congress. He's going to need
38 all the support he can get.

39

40 Have a good day.

41

42 MR. MARTIN: Thank you. Same to you.

43 Bye.

44

45 CHAIRMAN ADAMS: Thanks. Bye. Any
46 comments anyone. Let's take comments from the Council
47 first and then we'll have you up.

48

49 Yes, go ahead.

50

1 MR. ACKERMAN: Thank you, Mr. Chairman.
2 I've been communicating with a few of the hunters, matter
3 of fact quite a few, all the way down to Ketchikan.
4 Apparently, as we're discussing this on the internet, one
5 of the problems is there's no sense in harvesting anymore
6 sea otter because there's very few Federally licensed
7 tanneries in the state.

8
9 The hunter from Ketchikan had sent maybe
10 20 sea otter hides down to a California tannery and
11 unbeknownst to her the tannery's permit expired, so the
12 Feds came in and impounded all the sea otter hides and
13 it's still in litigation. They figure that the
14 litigation is going to take so long that the hair will
15 slip on these sea otters. They'll be virtually worthless
16 because they're unprocessed and you know the wheels of
17 the government are turning so slow.

18
19 The Sitka Tribe just started up a new
20 tanner over there and I don't know how close they are to
21 completing this. Like I say, I've been communicating
22 with multiple people throughout Southeast all the way
23 down to Ketchikan on this particular subject here. Yeah,
24 that's their take on it, is that there's no sense in
25 harvesting any sea otter if you can't get them tanned.
26 There's no sense in harvesting sea otter and then setting
27 them in the corner and letting the hair slip on them and
28 they'll be virtually worthless. So that's just one of
29 the ongoing problems we've been communicating about.

30
31 Evidently the Chinese have bought up most
32 of the tanneries on the West Coast, is the word I heard
33 here. I think a number of the tanneries are hesitating
34 to even get a Federal permit to tan these sea otters
35 because of all the Federal rules and regulations and the
36 scare that they could be shut down, which has happened.

37
38 Thank you, Mr. Chair.

39
40 CHAIRMAN ADAMS: Thank you, Tim. I think
41 maybe Mr. Young's bill addresses what to do, the
42 marketing part of it. If it's not in there, then we
43 should make sure it's there.

44
45 Anyone else have a comment from the
46 Council before I let Mr. Leighton come forward.

47
48 Mr. Kitka.

49
50 MR. KITKA: Thank you, Mr. Chair. Tim

1 mentioned Sitka Tribe's tannery. The last report on the
2 tannery is that they are pretty much caught up on the
3 hides now and they're getting a new machine that will
4 help them do it a little more. I know a few years ago
5 they offered training to all the communities in Southeast
6 so that they could learn how to do this and set up their
7 own tanneries. Maybe that's what needs to happen. Yeah,
8 Sitka is starting to get close.

9

10 CHAIRMAN ADAMS: Thank you, Mr. Kitka.
11 I have a grandson who hunts sea otters quite a bit, but
12 he goes through the process of catching them and tanning
13 them and everything himself. He just does it on a small
14 scale.

15

16 Archie.

17

18 MR. NIELSEN: Thank you, Mr. Chairman
19 Follow up on Mr Kitka there. We're almost even at Sitka
20 Tribe, but the outlook of sea otters and shellfish,
21 shellfish starting to disappear. The otter explosion,
22 there's no putting a cap on it. My proposal is to
23 introduce something at the Alaska Federation of Natives,
24 right where hit the coastal communities. At first they
25 transplanted the otter out at Bristol Bay and the
26 Aleutian Chain, then the otters started moving down. Now
27 they're infiltrating all of Southeast. They can eat and
28 eat shellfish until there's nothing left. Before we get
29 to that point we need to do something.

30

31 I approve of Don Young's bill. Thank
32 you, Mr. Chairman.

33

34 CHAIRMAN ADAMS: Thank you, Archie.
35 Donald.

36

37 MR. HERNANDEZ: Thank you, Mr. Chairman.
38 I guess I didn't realize we were going to be talking
39 about sea otters. I did want to make one more comment.
40 I want to refer to Page 47 of our handbook. It's the
41 analysis of the bear claw issue and it states bear
42 populations that have been managed for sustained harvest
43 have generally fared better than populations in which
44 hunting has been prohibited mainly because the former
45 better controls illicit hunting than the latter.

46

47 I said this before and I want to put it
48 on the record again, there is illicit hunting of sea
49 otters going on out there. It's due to the inaction of
50 the U.S. Fish and Wildlife to resolve this legal take of

1 sea otters. I see it. I see dead sea otters floating
2 out there. I know that people are shooting sea otters
3 out of frustration and spite. It's happening because
4 U.S. Fish and Wildlife is not acting and that's wanton
5 waste and wanton waste is very offensive to subsistence
6 users.

7

8 Thank you.

9

10 CHAIRMAN ADAMS: Good point, Donald.
11 Thank you very much. I know that we have been really
12 trying to get the Fish and Wildlife Service active in
13 this issue. We've had -- I can't remember his name.

14

15 MR. BANGS: Doug Burn.

16

17 CHAIRMAN ADAMS: Doug Burn here and he
18 testified a couple times and we need to -- that's
19 probably my next concern, can we get them moving a little
20 bit more. Mr. Bangs and then I'll call on Mr. Leighton
21 after you're done.

22

23 Thank you.

24

25 MR. BANGS: Thank you, Mr. Chairman. I
26 think what Mr. Douville said in regards to supporting the
27 bill might be something we could all do. Go to our
28 communities and get our community city councils to write
29 a letter in support. I think something as simple as that
30 might have an impact and I think it's worth our time to
31 pursue that.

32

33 Thank you.

34

35 CHAIRMAN ADAMS: Mr. Leighton, please.
36 My button isn't working very well, Tina. Are you
37 shutting me off?

38

39 REPORTER: No.

40

41 MR. LEIGHTON: Thank you. Ron Leighton,
42 Organized Village of Kasaan. We have just put together
43 an island-wide commission with members of the four tribes
44 sitting on this commission. It's a sea otter commission.
45 We're going for management, but at this meeting I asked
46 Mr. Burns specifically -- I knew this was true. I didn't
47 know to what extent. I asked him on this substantially
48 altered, when that came into play, and he said quite
49 simply that during the 1980s when it came before
50 Congress, the Marine Protection Act came before Congress,

1 they eliminated tribes from that -- what's the word I'm
2 looking for.

3

4 Anyway, quite simply they put wording in
5 there to the effect tribes and tribal members are to use
6 the hides in a cultural way, okay. After the bill went
7 out and was passed on, the Secretary of Commerce decided
8 that that was not explanation enough, it was too general,
9 and he added the words in substantially altered hides.
10 That does not need an act of Congress to take that back
11 out. The Secretary of Congress can simply relax that
12 portion of it, let us go back to a cultural way and then
13 we could bring our history forward where we did in the
14 round, in the raw, in the green, deal with foreign
15 countries on trade.

16

17 In fact, I mentioned earlier on in the
18 week about that we did and as evidence accept currency.
19 However, we didn't have any use for currency, so we
20 accepted the coins and put it to our use for armored
21 vests, but currency wasn't in our cultural way, but we
22 did. Had there been currency, we would have accepted
23 this more, but I think we should be able to go on with
24 our trading. I feel that currency should be a standard
25 for acceptance because that's what our countries that we
26 traded with in the past use. Unfortunately, the accepted
27 means of paying for stuff. We could also just barter and
28 trade. I think it's important at this time that we be
29 able to sell pelts in the raw because at the levels that
30 we're going to have to harvest there is no furriers that
31 would be able to keep up. It's going to be a must.
32 We're in an emergency situation now and I feel that we
33 have to act fast.

34

35 Don Young's bill that was introduced last
36 year died in committee and there's a chance that might
37 happen again, but I feel that this Council should be
38 taking it further and where the Federal Subsistence
39 Council communicates direct with the Secretary of
40 Interior. Secretary of Interior then can take this to
41 the Secretary of Commerce and maybe have him relax that
42 portion, allowing us to do it in a cultural way. I think
43 that would be a fix for the time being until we can go
44 through the proper legislative channels.

45

46 We're going to have a lot of opposition
47 out there. We have already seen it. Unfortunately, I
48 think the term of the words came out of meetings that the
49 commercial fleet had and it was keyed at a meeting where
50 we should have an otter slaughter. That hit media, that

1 hit down there the concerns of the greenies and it really
2 put them on notice and they're going to be following
3 these bills through very, very close. So that's what I'd
4 like to say.

5

6 Another thing too. When you're looking
7 at the take the sea otters have out there, number one,
8 they did an aerial survey in 1995, I believe. They flew
9 over and estimated the population about 5,000. Last
10 summer they did the same type aerial survey, flew over
11 and they estimated at 20,000. Because of aerial photos
12 you all know that you're going to miss, but we feel that
13 the west coast, Prince of Wales Island contains and holds
14 a population of about 35,000. Where they say that they
15 eat about 30 percent of their weight, 33 percent of their
16 weight, that's only eating. You've got to keep in mind
17 they kill more than their body weight and maybe up to 150
18 percent of their body weight. If you could sit down
19 there and compute 35,000 sea otters at about 100 pounds,
20 that's what they waste or kill per day and it's a lot.

21

22 Thank you.

23

24 CHAIRMAN ADAMS: Thank you, Ron.
25 Appreciate your comments. Is there any more comments
26 from anyone.

27

28 I'd kind of like to move on.

29

30 Go ahead, Tim.

31

32 MR. ACKERMAN: Thank you, Mr. Chairman.
33 Just a quick comment here. It's surprising how fast the
34 emergency orders for closures on the mountain goats and
35 the low population of deer areas that they have emergency
36 closures on. This is exactly the opposite of emergency
37 closure for harvest. In fact, it's an emergency harvest
38 if you would say. So, yes, very good points on the sea
39 otter thing there.

40

41 Thank you, Mr. Chair.

42

43 CHAIRMAN ADAMS: Thank you. Just
44 briefly, Mr. Larson, if you could just give us an update
45 on where we are with the Fish and Wildlife Service's --
46 where they're at on this.

47

48 MR. LARSON: Mr. Chairman. I don't know
49 that I could give an adequate answer. What I do know is
50 that our contact with Fish and Wildlife Service regarding

1 sea otters, the marine mammals coordinator, Doug Burn,
2 has taken a new position. That coordinator position is
3 now vacant. They're soliciting and trying to fill it as
4 soon as they can. Before he left he organized a sea
5 otter task force that is made up of the commercial
6 shellfish harvesters and there's an Alaska Department of
7 Fish and Game representative. I sit in. Matter of fact
8 last week they had a meeting. I suspect that that group
9 will not be making any progress regarding identifying the
10 issues or solutions until we get a new coordinator with
11 the Fish and Wildlife Service.

12
13 I have no word other than the letter that
14 the Council got last year that took almost a year in
15 preparation. It was clear that the Fish and Wildlife
16 Service would rather deal with the tribal organizations
17 than they would with this body. We have no jurisdiction
18 there.

19
20 The new -- it's not the Sea Otter
21 Commission, but the Intertribal Sea Otter Co-management
22 Group, I have not heard that they've met recently. I
23 know that there was great expectations that they would
24 meet and become effective. I have not heard from them
25 lately. I suspect that that organization will not move
26 forward with addressing some of the issues regarding
27 significantly altered until we get a new coordinator.

28
29 CHAIRMAN ADAMS: How long do you think
30 that would be? What will it take to get a new
31 coordinator. How long?

32
33 MR. LARSON: That's a personnel decision
34 within the Fish and Wildlife Service and I have no idea.
35 I suspect it's a fairly high profile position that they'd
36 want to fill right away.

37
38 CHAIRMAN ADAMS: Right away. Okay. We
39 better keep track of that. Well, thanks. This is a good
40 discussion, worthwhile. We'll go ahead and take a 10-
41 minute break, okay.

42
43 (Off record)

44
45 (On record)

46
47 CHAIRMAN ADAMS: 16 and 17, is that what
48 you're going to testify on? I mean present the proposal.
49 I'm sorry. Are you going to be doing 14?
50

1 MR. SUMINSKI: Mr. Chairman. We're
2 actually going to talk about the wolf petition.

3
4 CHAIRMAN ADAMS: Oh, I was wondering why
5 you were up here. I knew he was going to be there, but
6 I'm not sure about you.

7
8 MR. SUMINSKI: I'm not sure why I'm here
9 either.

10
11 (Laughter)

12
13 CHAIRMAN ADAMS: Okay. Brian, would you
14 please introduce yourself and then we'll let you make
15 your comments.

16
17 MR. LOGAN: Good morning, Mr. Chairman
18 and members of the Council. My name is Brian Logan. I'm
19 the wildlife program manager.

20
21 CHAIRMAN ADAMS: You know, if you feel up
22 to it, you can let Terry make a comment here and there
23 too. So that's fine.

24
25 MR. LOGAN: Okay. My name is Brian
26 Logan. I'm the Forest wildlife biologist for the Tongass
27 National Forest. I manage the wildlife program for the
28 Tongass. I've been talking with Terry and Rob recently
29 about issues surrounding wolf conservation in Southeast
30 Alaska and there's two separate but somewhat
31 complementary processes that are ongoing.

32
33 In August there was a petition to list
34 Alexander Archipelago wolves under the Endangered Species
35 Act and that is a process that jurisdictionally is
36 administered by U.S. Fish and Wildlife Service. I don't
37 work for U.S. Fish and Wildlife Service but I was asked
38 to present an overview of what that process entails, but
39 then also the Forest Service manages the Tongass National
40 Forest under direction included in a Forest Plan dating
41 back to -- I think a little bit of history will help the
42 Council understand the two different processes that
43 surround this issue.

44
45 Going back to 1993, a petition was
46 submitted to U.S. Fish and Wildlife Service to list
47 wolves under the Endangered Species Act because of
48 habitat alteration that was associated with the historic
49 logging practices on the Tongass National Forest. That
50 petition was not successful and the primary reason that

1 U.S. Fish and Wildlife Service used to justify their
2 determination was that the protection afforded by the
3 Tongass National Forest Plan in 1997 ensured the
4 continued viability and sustainability of wolf
5 populations in Southeast Alaska and on the Tongass
6 National Forest.

7

8 Since then we've revised the Forest Plan
9 in 2008 and arguably have strengthened the conservation
10 measures and protections afforded for wolves. But
11 petitioners -- and if you've looked at the petition that
12 was submitted to Fish and Wildlife Service have argued
13 that those protection measures in the Forest Plan are not
14 sufficient and there are other issues that contribute to
15 their concern about wolves. Under the Forest Plan we
16 have direction to develop wolf habitat management plan
17 and coordinate that with State and Federal harvest
18 regulations.

19

20 A separate process is that we've
21 initiated the formation of a work group that will look at
22 wolf conservation in Southeast Alaska. I'll talk about
23 that in a minute, but that's actually happening as we
24 speak.

25

26 The wolf petition process. The Center
27 for Conservation Biology and Greenpeace submitted a
28 petition with the Fish and Wildlife Service on August
29 13th of this year that initiates -- and there is a
30 handout there that was distributed that summarizes the
31 process. Fish and Wildlife Service receives the
32 petition, then that initiates a 90-day review of the
33 petition. What they do is they look at the information
34 as presented in the petition itself. There's no
35 opportunity for public comment, but what they do is they
36 determine whether the information in that petition
37 warrants essentially a closer look. If so, then it
38 initiates a 12-month review of the issue and they solicit
39 commercial and scientific information to help inform
40 their decision of whether a listing is warranted.

41

42 My conversations with Fish and Wildlife
43 Service, and they're based out of Juneau, they have
44 received funding from the Washington office to initiate
45 this review and they anticipate that they'll have a
46 determination in April sometime of 2012. I'm told that
47 that initial review the bar is relatively low. They will
48 look specifically at the information that's presented in
49 the petition. So it may be that come April here we have
50 an announcement that they will initiate a 12-month

1 review.

2

3

4 The 12-month review will likely take two
5 years. I've heard the phrase used before the wheels of
6 government turn slowly. During that 12-month review the
7 public, the agencies, Forest Service, the Council, will
8 have an opportunity to provide information to the Fish
9 and Wildlife Service. That will allow them to come to a
10 determination at the end of those 12 months.

11

12 The separate process that is initiated by
13 direction in the Forest Plan and I did pass out the
14 standard and guideline that's contained in Tongass
15 National Forest Plan. It directs the Forest Service to
16 take a look at wolf conservation and wolf habitat
17 management should concerns relative to wolf mortality be
18 expressed.

18

19

20 Over the course of planning for a number
21 of different timber sales primarily on Prince of Wales,
22 the State, Fish and Game and other non-profit
23 organizations have raised the issue of wolf mortality as
24 a concern. So what the Forest Service has done back in
25 February directed myself and the ranger in Thorne Bay to
26 initiate the formation of a wolf work group. That was
27 initiated prior to this petition, so it's a totally
28 independent process. We're currently in the process of
29 scheduling the first meeting for this work group.

29

30

31 How the two relate though, the petition
32 and the work group, is that when we get into that 12-
33 month review any outcome or product of the work group
34 could potentially be useful information to the Fish and
35 Wildlife Service and what their eventual determination
36 might be under the petition. Fish and Wildlife Service
37 will have active participation in the work group, but it
38 will be a separate process.

38

39

40 I think one of the important things for
41 the Council to consider is that we would like to have
42 representation from the Council on that work group. Our
43 first meeting is scheduled for October 12th and 13th in
44 Ketchikan. Bob and Terry so far I've been coordinating
45 with them, so they'll be there. But the intent of that
46 first meeting is really an organizational meeting to talk
47 about process, what will the group look like, who will be
48 involved. There will certainly be a discussion about
49 what we know of wolf populations on Prince of Wales and
50 in GMU 2, what don't we know, how can we get the
51 information that will help inform our decisions in the

1 future.

2

3 So that's it in a nutshell if there's any
4 questions.

5

6 CHAIRMAN ADAMS: Thank you. Any
7 questions. Cathy and then Don.

8

9 MS. NEEDHAM: Thank you, Mr. Chair. I'm
10 wondering if you can explain how that ESA petition
11 process and then also maybe subsequently how the
12 revisions of the Forest Plan -- if the wolf becomes -- if
13 there's substantial evidence for it to go into the 12-
14 month review and then eventually the wolf becomes listed
15 by the Fish and Wildlife Service, how does that affect
16 current subsistence regulations?

17

18 MR. LOGAN: I don't know that I can
19 actually answer that. I'm a Forest Service NEPA
20 practitioner and I could talk to how, process-wise, how
21 endangered species listings influence Federal Forest
22 Service decisions, but how it would affect subsistence
23 would be speculation on my part.

24

25 MS. NEEDHAM: I guess what I'm trying to
26 get at essentially and I guess I understand that you
27 might not be able to answer it and I'm not sure if
28 there's anyone present from Fish and Wildlife Service
29 that can. Once a species is -- if we were to change --
30 because we're going to be probably looking at we have
31 this wildlife regulatory cycle and we probably will have
32 one more regulatory cycle prior to the actual listing of
33 the species.

34

35 It seems like now if we have current
36 existing regulations in place -- my comments and
37 questions are coming in based on experience up north for
38 something like the Pacific walrus that was listed.
39 Subsistence regulations are still in place even though
40 that species is listed, but if we were to limit
41 subsistence to our trapping and stuff to wolves under
42 subsistence regulations now, it will be harder to get
43 that once a species is listed. If that subsistence is
44 not available to Federally-qualified users after it's
45 listed, it will be almost impossible to have those
46 opportunities, so that's sort of the framework that I'm
47 coming from with that comment and I don't know much about
48 how the revisions of the Forest Plan would play into that
49 scenario.

50

1 MR. LOGAN: Council, through the Chair.
2 I don't know if this is going to answer your question,
3 but one of the considerations in the petition review
4 process by Fish and Wildlife Service is existing
5 regulatory mechanisms and their effectiveness. If you
6 look at the actual petition, that is one of the things
7 that the petitioners talk to very much. As I mentioned,
8 the conservation strategy of the Forest Plan is the
9 predominant -- one of the predominant regulatory
10 mechanisms that Fish and Wildlife Service based their
11 determination on back in '93, the petition which was
12 actually finalized in '98. I don't know if that answers
13 the question.

14
15 MS. NEEDHAM: Yeah, I think it addresses
16 part of the concern for sure. I understand you can't
17 necessarily answer the question in terms of specifically
18 from the process of the Fish and Wildlife Service, but it
19 does kind of put that information on the table, so thank
20 you.

21
22 CHAIRMAN ADAMS: Donald, go ahead.

23
24 MR. HERNANDEZ: Thank you, Mr. Chairman.
25 A couple different lines of questioning here. First of
26 all, I just want to make clear if I'm correct dealing
27 with Alexander Archipelago wolves, which are only found
28 on Prince of Wales Island, that's correct?

29
30 MR. LOGAN: No, that is not correct or
31 it's not accurate. Alexander Archipelago wolf is found
32 throughout Southeast Alaska and western British Columbia,
33 coastal British Columbia.

34
35 MR. HERNANDEZ: Okay, thank you. So it
36 sounds like we're talking a lot about Prince of Wales
37 Island, why is that?

38
39 MR. LOGAN: Good question. I didn't
40 provide too much background that would help explain that.
41 The petition is making the argument that Prince of Wales
42 Island, GMU 2, represents a substantial portion of the
43 range of the subspecies, the Alexander Archipelago wolf
44 is the subspecies. This is very relevant to the ESA
45 process, they are asking Fish and Wildlife Service to
46 determine that Prince of Wales also represents a distinct
47 population segment.

48
49 The idea behind that relative to the
50 Endangered Species Act is you could have one part of the

1 species range that represents where most of the
2 individuals reside, so that represents the most important
3 part of the population where you might have some
4 scattered individuals outside of that population. They
5 aren't so important to the viability of the species, so
6 the petitioners are asking the Fish and Wildlife Service
7 to determine Prince of Wales Island as a distinct
8 population segment.

9

10 The result of that is if there's a risk
11 that can be demonstrated to that distinct population
12 segment, that is certainly a consideration in their
13 review process of that petition.

14

15 An example similar -- an application of
16 that distinct population segment is the grizzly bears in
17 Yellowstone National Park. They represent a distinct
18 population segment, they're genetically and
19 geographically isolated from other individuals of the
20 same species and they were listed under the Endangered
21 Species Act based on threats to that population

22

23 MR. HERNANDEZ: Thank you very much.
24 That clarifies. The distinct population segment, that
25 kind of confused me. So that's how Prince of Wales gets
26 involved. You also talked about the Forest Plan, the
27 1997 Plan, the revision in 2008. Am I correct in saying
28 this listing, this petition for listing, is a direct
29 result of the recent court case which found that the 2008
30 revision that the Forest Service calculations for
31 determining habitat capabilities and viabilities on the
32 Forest was flawed? And we had a court ruling. Ninth
33 district court ruled against the Forest Service.
34 Greenpeace and Cascadia Wild filed the lawsuit and that
35 court case was settled approximately a week before this
36 listing came out. To me that was a direct result from
37 Greenpeace filing the petition as the success of their
38 lawsuit and the lawsuit did find that the Forest Plan was
39 flawed in calculating deer habitat.

40

41 Maybe you're not familiar with that.
42 Maybe Mr. Kessler might have to answer. But to me it all
43 seemed connected. How is the Forest Service dealing with
44 the result of that lawsuit and does it all effect this
45 wolf listing. To me it seems like the listing is more
46 the result of habitat conditions. We're not talking
47 about just counting the number of wolves. We've argued
48 back and forth about how many wolves are out there.
49 Nobody is ever going to resolve that question I don't
50 think, but habitat conditions is what we're talking about

1 for viability of deer and how important deer are to
2 wolves.

3

4 If you can enlighten us on any of that
5 and what the Forest Service is doing about habitat on
6 Prince of Wales Island in the Forest Plan.

7

8 CHAIRMAN ADAMS: And could we just kind
9 of wrap things up here so we can move on.

10

11 MR. LOGAN: Mr. Chair and Council. A
12 couple things. For clarification purposes, I'm actively
13 involved in appeals and litigation and represent the
14 wildlife resource in the Forest in that regard. The
15 recent remand by the ninth circuit was for four separate
16 timber sales done under two different forest plans. A
17 '97 and '08 Forest Plan. That was not an adverse ruling
18 on the ninth circuit. It was a remand back to the Forest
19 Service to clarify the analysis used in support of those
20 decisions. So we were afforded the opportunity to redo
21 the analysis for those four separate timber sales and/or
22 clarify the language that the court can understand what
23 was done in support of those projects. We are currently
24 doing that.

25

26 Moving on to the question of habitat,
27 harvest regulations, State and Federal, those are the
28 questions we anticipate we'll be dealing with through the
29 work group. Having all the different parties,
30 subsistence communities, subsistence users, State, Fish
31 and Game, Federal Forest Service, potentially NGOs and
32 other interested public I think can bring a lot to the
33 table and hopefully sit down and talk about it and
34 identify what the issues are and figure out where to go
35 from there.

36

37 CHAIRMAN ADAMS: Okay. Thank you.
38 Anyone else. Terry, do you have anything to add?

39

40 MR. SUMINSKI: No, I think Brian did a
41 good job of summing it up.

42

43 CHAIRMAN ADAMS: Okay. So you were there
44 for moral support?

45

46 MR. SUMINSKI: (Nods affirmatively)

47

48 CHAIRMAN ADAMS: Go ahead.

49

50 MR. LOGAN: One thing I should have

1 mentioned right up front, I'm not here to endorse or
2 provide recommendations for any of the proposals on the
3 agenda here. I just wanted to brief the Council and I
4 appreciate that opportunity.

5

6 CHAIRMAN ADAMS: We understand. Thank
7 you. I really apologize, you guys, for getting me
8 confused. I thought we were going into the next proposal
9 and Susan was supposed to be doing the next presentation
10 and I know Susan and you're not Susan.

11

12 (Laughter)

13

14 CHAIRMAN ADAMS: What do you have?

15

16 MR. LARSON: Mr. Chair. Just to put a
17 final note on the whole process here regarding the wolf
18 work group and my participation. I've been invited to
19 participate and my role would be to provide
20 representation from this program. I would anticipate
21 that as we develop the agenda for our March meeting that
22 there well might be a place in this process for the
23 Council. We'll continue this conversation at our March
24 meeting, but it will be much clearer how the Council
25 could participate and in what form and what way. There
26 might even be a place for a Council representative if
27 this group becomes more formalized.

28

29 CHAIRMAN ADAMS: Thank you, Robert.
30 That's what I understood Brian's comments were too, that
31 there would be a representative from the Council.

32

33 MS. PHILLIPS: Mr. Chair.

34

35 CHAIRMAN ADAMS: Yes, ma'am. Go ahead.

36

37 MS. PHILLIPS: I move to support
38 participation by the SERAC in the working group that will
39 be discussing the Alexander Archipelago wolf petition.

40

41 CHAIRMAN ADAMS: Thank you, ma'am. Is
42 there a second.

43

44 MR. BANGS: Second.

45

46 CHAIRMAN ADAMS: Seconded by Mike Bangs.
47 All in favor say aye.

48

49 IN UNISON: Aye.

50

1 CHAIRMAN ADAMS: Opposed the same sign.

2

3 (No opposing votes)

4

5 CHAIRMAN ADAMS: Thank you. That handles
6 that. Susan, you're next in line. Susan works for the
7 Forest Service in Yakutat and I really do appreciate her
8 because if I have a question about deer or moose or
9 anything I can always count on her to have a good
10 conversation.

11

12 Thank you, Susan.

13

14 MS. OEHLERS: Yes, thank you. Good
15 morning, Mr. Chairman, Council members. As Mr. Chair
16 stated, Susan Oehlers, Forest Service in Yakutat. I'll
17 be presenting the analysis for WP12-14 and this starts on
18 Page 159 of your book.

19

20 This proposal submitted by James F.
21 Baichtal requests that traps and snares be marked with
22 trapper identification in Units 1 through 5. Essentially
23 this is to match subsistence regulations to the existing
24 State regulation which does require the identification of
25 traps or snares.

26

27 The proponent contends that the
28 inconsistency between the Federal and State regulations
29 with regard to trap and snare
30 identification makes enforcement problematic. The
31 proponent also believes that passage of this proposal
32 will help law enforcement identify trappers responsible
33 for leaving traps and snares in the field illegally,
34 which may help to modify unethical trapper behavior and
35 limit wasting of resources.

36

37 Just some background, the current State
38 requirement for marking traps and snares was passed at
39 the 2006 Alaska Board of Game meeting.

40

41 As far as the effects of the proposal,
42 just to give a little background explanation, consistent
43 with the Code of Federal Regulations, that's Title 50
44 100.6.3 and 100.14a and also Section 816(a) of ANILCA.
45 The current State regulations for trap and snare marking
46 do already apply, they're already incorporated into
47 subsistence regulations on the public lands throughout
48 Units 1 through 5, but with the exception of Wrangell St.
49 Elias National Park.

50

1 Adoption of this proposal would extend
2 the trap marking requirement to subsistence users
3 trapping within Wrangell St. Elias National Park.
4 Although the current trapping marking requirement is
5 currently applicable on Federal public lands because of
6 the State regulations, most subsistence users are
7 probably not aware of this, so adopting this proposal
8 would clarify the requirement for both subsistence users
9 and law enforcement.

10
11 So adoption of this proposal would extend
12 this requirement to users within Wrangell St. Elias
13 National Park. We expect that the effects would be
14 minimal because of the minimal additional expense and
15 time involved with marking traps. Many trappers operate
16 on both State and Federal land, so they would already
17 have their traps identified to meet State trapping
18 requirements.

19
20 This proposal will not affect other State
21 users because they are already required to mark their
22 traps. Adoption of this proposal has the potential to
23 benefit all users by promoting responsible and ethical
24 trapping techniques and practices.

25
26 The preliminary conclusion is to support
27 Proposal WP12-14.

28
29 Adoption of this proposal will align
30 State and Federal regulations within Wrangell St. Elias
31 National Park and clarify the alignment of State and
32 Federal regulations throughout the remainder of Units 1
33 through 5.

34
35 In regards to the extension to Wrangell
36 St. Elias National Park lands, although it's not likely
37 to result in the intended effect of reducing intentional
38 illegal trapping, it will allow better communication with
39 and education of well-intended subsistence trappers,
40 thereby promoting responsible and ethical trapping
41 techniques and practices, and potentially improve public
42 safety. Adoption of this proposal may reflect positively
43 on the subsistence trapper through demonstrated
44 responsibility and trapping ethics and reduced user
45 conflicts. There will be no effect to other users and
46 minimal effects to subsistence users. Although there is
47 potential for subsistence trappers to be targeted by
48 anti-trapping persons encountering their marked traps,
49 these effects are expected to be minimal.

50

1 That concludes my presentation.
2
3 Thank you.
4
5 CHAIRMAN ADAMS: Thank you, Susan, any
6 questions anyone.
7
8 (No comments)
9
10 CHAIRMAN ADAMS: Hearing none. Thank
11 you, Susan. Well done. Next. Next means Jennifer.
12
13 MS. YUHAS: That's your order, right.
14
15 CHAIRMAN ADAMS: Yeah.
16
17 MS. YUHAS: Jennifer Yuhas, Alaska
18 Department of Fish and Game. You have our written
19 comments. We have a similar program and we also support
20 it.
21
22 **No official written comments
23 inserted/provided by State at this
24 time**
25
26 CHAIRMAN ADAMS: Questions anyone.
27
28 (No comments)
29
30 CHAIRMAN ADAMS: Thank you. Other
31 Federal or State agency comments. Please come forward,
32 sir.
33
34 MR. AULT: Thank you, Mr. Chair. Doug
35 Ault, United State Forest Service law enforcement. This
36 proposal does have the support of Forest Service law
37 enforcement for the aforementioned reasons and primarily
38 for the ease and mitigation of user confusion throughout
39 Units 1 through 5.
40
41 Thank you.
42
43 CHAIRMAN ADAMS: Thank you. Questions
44 for the gentleman, anyone.
45
46 (No comments)
47
48 CHAIRMAN ADAMS: Thank you. Tribal
49 comments.
50

1 (No comments)
2
3 CHAIRMAN ADAMS: InterAgency Staff
4 Committee.
5
6 (No comments)
7
8 CHAIRMAN ADAMS: Subsistence Resource
9 Commission comments.
10 (No comments)
11
12 CHAIRMAN ADAMS: I think this is a group
13 that really should be active, you know, in this process.
14 Any written comments, Mr. Larson.
15
16 MR. LARSON: Mr. Chair. Yes, we have a
17 comment from the Organized Village of Kasaan and they are
18 in support of this proposal.
19
20 CHAIRMAN ADAMS: Thank you. Any more
21 public testimony.
22
23 (No comments)
24
25 CHAIRMAN ADAMS: Ladies and gentlemen, we
26 are now in deliberations. What is the wish of the
27 Council.
28
29 MR. DOUVILLE: Mr. Chair.
30
31 CHAIRMAN ADAMS: Mr. Douville.
32
33 MR. DOUVILLE: Thank you, Mr. Chairman.
34 I have one question. Does this mirror the -- is there a
35 State regulation that this mirrors? In other words, like
36 the distance of the sign between there and the nearest
37 snare.
38
39 CHAIRMAN ADAMS: From what I understand,
40 Mr. Douville, it does mirror State regulations.
41
42 We need a motion to adopt.
43
44 Mr. Bangs.
45
46 MR. BANGS: Thank you, Mr. Chairman. I
47 move to adopt Wildlife Proposal 12-14 as written on page
48 159.
49
50 CHAIRMAN ADAMS: Thank you, sir. Do I

1 hear a second.

2

3

MR. KITKA: I'll second.

4

5

MR. HERNANDEZ: (Nods affirmatively)

6

7

CHAIRMAN ADAMS: Seconded by Harvey.

8 Turn to Page 159. We can start making comments. In your

9 deliberations, if you make a comment, would you please

10 just address the four criteria that we follow in this

11 process. Mr. Bangs.

12

13

MR. BANGS: Thank you, Mr. Chairman. I'd like to hear from a trapper, if Mr. Douville has anything to add, if this is a burden or -- I'm not a trapper so I don't know, but I'd like to get a clarification from somebody that knows what it's all about.

18

19

CHAIRMAN ADAMS: Mr. Douville, please.

20

21

MR. DOUVILLE: Thank you, Mr. Chairman.

22 I am a trapper and I can sort of see why enforcement

23 would like to have a tag on your trap. However, I do not

24 believe that this would stop anybody that does want to

25 trap out of season or wants to leave a snare out.

26 Certainly if they wanted to do that, they would not leave

27 a tag on it. This still could and perhaps may happen.

28

29

On the other hand if you don't put a sign up -- for instance, if I set a wolf trap, you're going to step on it before you even know it's there. For an enforcement officer to go check one, he'd virtually wreck your set by looking for your tag on the trap. I don't have an issue with it. It will be all right, but it isn't going to cure some of the things that are purported to be or they say are happening on the island.

37

38

Like we're still finding some things on there like big bear traps that were set by an amateur and left out or maybe they were set fairly recent. I don't know. They found two of them. These things cost 660 bucks a piece. We're beginning to feel -- or some of the trappers are, not myself personally, feel that there may be a group that is doing this on purpose to give the trappers a black eye, is what some of the feeling is right now. I don't know, but that's some of the feeling that some of the trappers have at this point.

48

49

You keep hearing that there is snares and traps left out and I asked for evidence from the

50

1 Department three different times and I got one set of
2 pictures of one bear and it was snared by two toes and
3 it, of course, had died, but that's the only evidence
4 that was presented to me. But you keep hearing stories
5 that we're finding all this stuff and nobody -- I guess
6 the reason I asked for it is because if we could see
7 where and what type of snare and stuff that was, we could
8 figure out amongst the trappers where it was coming from.
9 That's why I requested that information, but it didn't
10 seem to be -- it either didn't exist or they didn't want
11 to share it with me.

12
13 I don't have an issue with putting a
14 copper tag on your trap.

15
16 CHAIRMAN ADAMS: Okay. Answer your
17 question?

18
19 MR. BANGS: Yes.

20
21 CHAIRMAN ADAMS: Any more questions,
22 comments. Tim, go ahead.

23
24 MR. ACKERMAN: Thank you, Mr. Chairman.
25 Up in the Haines area last winter we did have, in fact,
26 a ghost trap, if you will, with a wolverine that was
27 found in it. The trap in particular -- the wolverine had
28 been there so long that the other animals started feeding
29 on it. The other trappers in the area are the ones that
30 did, in fact, find this ghost trap and turn it in to Fish
31 and Game and, of course, nobody could own this trap,
32 nobody owned up to it. So you could say it was like an
33 abandoned trap or was it set there intentionally to give
34 the trappers a bad name. I have found multiple traps,
35 big Conibear traps abandoned in the river too. Like he
36 said, they're pretty expensive, so I would think that it
37 would help matters also if they were identified in some
38 form or fashion.

39
40 Thank you, Mr. Chair.

41
42 CHAIRMAN ADAMS: Thank you, Tim. Anyone
43 else.

44
45 MR. BANGS: Question.

46
47 CHAIRMAN ADAMS: The question has been
48 called for. All in favor please signify by saying aye.

49
50 IN UNISON: Aye.

1 CHAIRMAN ADAMS: Opposed, same sign.

2

3 (No opposing votes)

4

5 CHAIRMAN ADAMS: Thank you. Move on to
6 the next one. That will be 12-15, close bear hunting at
7 Margaret and Dog Salmon Creeks. It's all yours. You're
8 back on.

9

10 MS. OEHLERS: Good morning again, Mr.
11 Chairman, Council members. For the record, Susan Oehlers
12 with the Forest Service in Yakutat. I'll be presenting
13 the analysis for WP12-15, which can be found starting on
14 Page 166 of your book.

15

16 This proposal was submitted by Brien
17 Salazar and requests closing subsistence bear hunting
18 within one quarter mile of Margaret Creek downstream of
19 the outlet of Margaret Lake and also close bear hunting
20 within one quarter mile of the Dog Salmon Creek wildlife
21 viewing area and within one quarter mile of Dog Salmon
22 Creek downstream of the viewing platform. There are maps
23 included in the analysis for those areas on Pages 168 and
24 169.

25

26 Some background information. The U.S.
27 Forest Service does maintain wildlife viewing platforms
28 at both these sites and the Forest Service regulates
29 commercial bear viewing tours in these areas through
30 outfitter/guide permitting. The proponent states that
31 there are inherent dangers of bear viewing and hunting
32 taking place at the same locations.

33

34 Also based on the proponent s companies
35 reporting there has been increased bear hunting activity
36 and annual declines in bear sightings since the company
37 started bringing guests to these areas, particularly Dog
38 Salmon Creek nine years ago. Essentially the proponent
39 states that this regulation is necessary to maintain a
40 healthy bear population as well as for the safety of the
41 people viewing these bears.

42

43 Just for clarification, I did contact the
44 proponent and the intent of this proposal was to close
45 these areas to subsistence harvest of bears only, so it
46 would not affect other subsistence hunting.

47

48 Background at Dog Salmon Creek there is
49 signage in areas such as on the main road, the trailhead,
50 and parking area referencing 36 CFR 261.10(d) which

1 prohibits shooting within 150 yards of a developed
2 recreation site.

3

4 Also for background at the November 2010
5 meeting the Alaska Board of Game did pass a hunting
6 closure in the Margaret Creek viewing area, with similar
7 areas as to what this proponent is proposing. The Board
8 did reject a similar proposal for a hunting closure in
9 the Dog Salmon Creek area on the grounds that the
10 Department of Fish and Game and the Forest Service are
11 currently collaborating on developing a viewing
12 management plan for this area, which may include an
13 expanded hunting closure area.

14

15 Just a little more background. There was
16 a similar proposal to this that was submitted by the
17 National Park Service to the Federal Subsistence Board in
18 1995. This was also essentially a public safety issue
19 requesting lands within one mile of the Kantishna airport
20 to the Park boundary be closed to all subsistence hunting
21 between June through September with the reasoning to
22 improve safety and reduce potential user conflicts
23 between the wildlife viewers and subsistence users.

24

25 After much discussion, the Board deferred
26 action on this proposal while going on record supporting
27 the National Park Service taking the necessary
28 administrative action to address the public safety issue.
29 The Park Service did follow through with a regulation,
30 which was a summer season firearm safety zone.

31

32 I think it's just important to have some
33 information that this issue has come up before and this
34 is how it was dealt with by the Board.

35

36 As far as the bear population in these
37 areas, it does appear through Fish and Game reports that
38 black and brown bear populations in Unit 1, including the
39 Margaret Creek bear viewing area are stable as well as
40 black bear populations around the Dog Salmon Creek
41 viewing area appear to be stable.

42

43 There were no bears harvested by
44 subsistence users in the Margaret Creek viewing area
45 watersheds from 2000 to 2010. During that same time
46 period a total of 16 black bears were harvested by
47 Federally qualified subsistence users in the watershed
48 surrounding Dog Salmon Creek, so that's averaging about
49 one bear per year. Just to point out, you know, they
50 don't have harvest data specific to -- you know, they

1 can't get it down to this was in such a distance from the
2 wildlife viewing area, so these numbers are incorporating
3 about a 30 to 50 square mile area around the viewing
4 area. So subsistence use in those areas as far as bear
5 harvest is really minimal.

6
7 So the effects of this proposal, adopting
8 this proposal would align Federal and State regulations
9 in the Margaret Creek area. Federally qualified bear
10 hunters would be restricted by closing this area. There
11 would be no effect to other users at Margaret Creek area
12 because that area is already closed to bear harvest under
13 State regulations.

14
15 Adopting the proposal at Dog Salmon Creek
16 would not affect non-Federally qualified subsistence
17 users since it remains open under State regulations, and
18 Federally qualified subsistence users could still harvest
19 bears in this area under State regulations.

20
21 The preliminary conclusion is to oppose
22 this proposal. Adopting this proposal would
23 unnecessarily restrict subsistence users from taking
24 bears in both areas. Federally qualified users can only
25 be restricted if there is a conservation concern with the
26 resource, to continue subsistence uses, or for public
27 safety. No conservation concern with Federally qualified
28 users taking bears has been identified at either
29 location. A closure clearly does not continue
30 subsistence uses of bears in these areas. The safety
31 concern is minimal since there is minimal subsistence
32 harvest and minimal overlap between the subsistence
33 hunting season and wildlife viewing tours.

34
35 Additionally, Forest Service regulation
36 prohibits the discharge of a weapon within 150 yards of
37 a developed recreation site, which includes both of these
38 wildlife viewing areas. Furthermore, adopting the
39 proposal at Dog Salmon Creek would not have the intended
40 effect of reducing bear hunting, since it remains open
41 under State regulations, and subsistence users could
42 still harvest bears in this area under State regulations.

43
44 A closure to bear hunting would only
45 partially address the concerns stated by the proponent.
46 Whereas the Federal Subsistence Board can regulate the
47 taking of wildlife, the Forest Service has the authority
48 to prohibit the discharge of weapons which would better
49 address any safety issues in the areas. The development
50 of comprehensive recreation management plans by the

1 U.S. Forest Service with users and cooperators input
2 would create an effective solution.

3

4 That concludes my presentation.

5

6 Thank you.

7

8 MR. BANGS: Thank you, Ms. Oehlers. Does
9 anybody have any questions for Susan.

10

11 (No comments)

12

13 MR. BANGS: Thank you. Jennifer.

14

15 MS. YUHAS: Ready for the State comments?

16

17 MR. BANGS: Yes.

18

19 MS. YUHAS: Jennifer Yuhas, Alaska
20 Department of Fish and Game. You have our written
21 comments. Because the Board of Game took action to
22 restrict Margaret Creek and not Dog Salmon Creek, the
23 State is supporting the modification simply to match the
24 Board of Game's actions last November.

25

26 **No official written comments
27 inserted/provided by State at this
28 time**

29

30 MR. BANGS: Thank you. Any questions.

31

32 (No comments)

33

34 MR. BANGS: Thank you. Any other Federal
35 or State agency comments.

36

37 (No comments)

38

39 MR. BANGS: Tribal comments. Ron, thank
40 you.

41

42 MR. LEIGHTON: Ron Leighton, Organized
43 Village of Kasaan. We will go on record of opposing this
44 for obvious reasons. I think it's going to be upcoming
45 norm where, again, commercial enterprise comes in in an
46 attempt to override traditional subsistence uses or
47 effect them. It's been a long-standing history
48 throughout from the commercial limit entry to the charter
49 boat entering into the commercialization, which would
50 effect and has, our ability to subsist, get our proper

1 levels.

2

3

4 How many viewing stands? What next is
5 going to be set up for allocation? There's something now
6 called guided tour allocation that is in the making. I
7 looked at some of that, areas that they propose to set
8 aside for allocation. I'm somewhat confused as to -- at
9 this point in time I can't get a handle on how that's
10 going to effect either cultural or subsistence gathering.
11 I think that we have to realize and start to realize that
12 this might be a way of future impacts that are coming
13 down the road.

13

14

15 I feel that this Council here, now that
16 I know you, you're very good at identifying things that
17 would effect subsistence gatherers or users and I
18 appreciate your professionalism and the way you go about
19 things. I'm thinking that in the future you will be able
20 to answer some of these or maybe become involved in some
21 of the scopings or some of the laws. I think that if
22 these laws affect us that you will address it in the
23 future.

23

24

25 I want to just say that we oppose
26 anything like this. There are laws that -- and it
27 confuses me because I don't even think there's any
28 hunting going on at that particular time in that area
29 anyway. But deer hunting, I deer hunt up there in that
30 area. I know there's a viewing stand there. I don't
31 know. Now that I see there's something further coming
32 down and co-management with the State and Federal that's
33 going to set up something in that area, I'm hoping to
34 comment on that if it comes about or how we can comment
35 on that I don't know. I'm sure if this is going to be
36 affecting subsistence users I'll be coming back to this
37 Board if it does.

37

38

39 Thank you.

39

40

41 MR. BANGS: Thank you for your comments
42 and your perspective, Mr. Leighton.

42

43

44 Any questions for Ron.

44

45

46 (No comments)

46

47

48

49

50

49 MR. BANGS: Any comments from InterAgency
50 Staff.

51 (No comments)

1 MR. BANGS: Subsistence Resource
2 Commission comments.
3
4 (No comments)
5
6 MR. BANGS: Fish and Game Advisory
7 Committee comments. Mr. Larson.
8
9 MR. LARSON: No, Mr. Chair. Oh, yes,
10 there is. Of course, thank you. There is no Advisory
11 Committee comments. There is written public comments.
12
13 MR. BANGS: Could you read those into the
14 record, please.
15
16 MR. LARSON: Mr. Chair. The written
17 public comment from the Organized Village of Kasaan.
18 It's consistent with the oral testimony. One of the
19 things stressed in the written public comment was the
20 willingness of the tribal government to engage and work
21 with the Department of Fish and Game and the Forest
22 Service to develop a plan for viewing and use of bears at
23 Dog Salmon Creek.
24
25 Thank you.
26
27 MR. BANGS: Thank you, Mr. Larson. Any
28 public testimony.
29
30 (No comments)
31
32 MR. BANGS: Okay. We're in deliberation.
33 We have a motion. Mr. Hernandez.
34
35 MR. HERNANDEZ: I move to adopt Wildlife
36 Proposal 12-15 as presented on page 166 in our Council
37 book.
38
39 MR. KITKA: I'll second.
40
41 MR. BANGS: It's been moved and seconded.
42 I'll turn the gavel back over to Chairman Adams.
43
44 CHAIRMAN ADAMS: Thank you, Mr. Bangs.
45 I had to step out a minute and make a telephone call, so
46 appreciate your helping me out here. Let's go into
47 discussion now.
48
49 Mr. Hernandez, go ahead.
50

1 MR. HERNANDEZ: Mr. Chairman. I would
2 vote to oppose this proposal. There are no conservation
3 concerns with bears in either of these areas. This is a
4 restriction on subsistence users. Clearly subsistence
5 users have the priority use in both of these areas. If
6 there are any public safety concerns, I think those are
7 well addressed by existing hunter rules for the area, so
8 I don't think we need to add to that in any way. And it
9 obviously does not affect any other users.

10
11 CHAIRMAN ADAMS: Thank you, Donald. Any
12 more comments.

13
14 MS. PHILLIPS: Call for the question.

15
16 CHAIRMAN ADAMS: The question has been
17 called for. All in favor signify by saying aye.

18
19 (No aye votes)

20
21 CHAIRMAN ADAMS: Oppose, nay.

22
23 IN UNISON: Nay.

24
25 CHAIRMAN ADAMS: Thank you. Let's move
26 on. I need to inform you if I already haven't, I do have
27 a luncheon date at 11:30 with two cousins of mine, so at
28 that time I will turn the gavel back over to Mr. Bangs,
29 who is capable of finishing up these proposals if we
30 don't get through them all.

31
32 Our next one is WP12-16/17. This is
33 where I was getting confused. I can recognize you now,
34 Mr. Suminski.

35
36 MR. SUMINSKI: Good morning, Mr.
37 Chairman. Council members. Proposals WP12-16, 17, 20
38 and 21 were analyzed together and you can find the
39 beginning on Page 176 in your books.

40
41 These proposals were submitted by the
42 Defenders of Wildlife and request changes in the wolf
43 hunting and trapping seasons in Southeast Alaska.

44
45 Proposal WP12-16 requests that wolf
46 hunting not be allowed in Units 1, 3, 4 and 5 in the
47 months of August and April. Proposal WP12-17 requests
48 that wolf trapping not be allowed in Units 1, 3 and 4 in
49 the month of April. Proposals 20 and 21 seek to close
50 wolf hunting and trapping seasons in Unit 4.

1 In 2009, the Alaska Wildlife Alliance
2 requested these same regulatory changes. The Southeast
3 Alaska Regional Advisory Council opposed them and the
4 Federal Subsistence Board rejected them.

5
6 The wolf populations in Units 1, 3 and 5
7 are thought to be healthy. It appears that the
8 population of wolves in these units is regulated more by
9 natural factors than by harvest by hunters or trappers.
10 These proposals would reduce subsistence opportunity.

11
12 While wolves are not established in Unit
13 4, there have been confirmed reports of wolves from this
14 unit. Even if these proposals are adopted by the Federal
15 Subsistence Board, hunters will still be able to take
16 wolves under State regulations on Federal lands.

17
18 Therefore, adoption of these proposals by
19 the Federal Subsistence Board will not have the effect
20 sought by the proponent.

21
22 The OSM preliminary conclusion is to
23 oppose these four proposals.

24
25 Thank you.

26
27 CHAIRMAN ADAMS: Thank you, Terry.
28 Questions anyone.

29
30 Mr. Tim.

31
32 MR. ACKERMAN: Thank you, Mr. Chair.
33 Unit 4 you mentioned that there was no wolves in that
34 area, did I hear you correct in that?

35
36 MR. SUMINSKI: Mr. Ackerman through the
37 Chair. Actually there have been occasional reports on
38 Admiralty Island.

39
40 MR. ACKERMAN: Thank you. Just an
41 observation from years ago on Baranof Island, Appleton
42 Cove, we observed a pack of dogs, if you will, on the
43 beach. Hopefully you folks are aware of that down there.
44 Yeah, that was years ago. Just for your information.

45
46 Thank you, Mr. Chairman.

47
48 CHAIRMAN ADAMS: Any more questions.

49
50 (No comments)

1 CHAIRMAN ADAMS: Gunalcheesh, Terry.
2 Next.

3
4 MS. YUHAS: Thank you, Mr. Chair.
5 Jennifer Yuhas, Alaska Department of Fish and Game. In
6 your proposal book on Page 176 it just speaks to our
7 opposition to Proposal No. 16, but we do oppose all four
8 of these proposals along with the Staff recommendation.
9 For Proposal 16 there's not a conservation issue. This
10 would misalign State and Federal regulations, confusing
11 users, and we find it unnecessary.

12
13 For the proposals that speak to the
14 useability of the hides, we think that's best determined
15 by the person who wants to use the hides.

16
17 *****
18 STATE OFFICIAL WRITTEN COMMENTS
19 *****

20
21 Alaska Department of Fish and Game
22 Comments to the Regional Advisory Council

23
24 Wildlife Proposal WP12-17:

25
26 Shorten the wolf trapping season in Units
27 1, 3, and 4 from the present dates of November 10 through
28 April 30 to November 10 through March 31.

29
30 Wildlife Proposal WP12-20:

31
32 Eliminate wolf hunting in Unit 4, ABC
33 Islands.

34
35 Wildlife Proposal WP12-21:

36
37 Eliminate wolf trapping in Unit 4, ABC
38 Islands.

39
40 Introduction:

41
42 These proposals seek to reduce federal
43 subsistence trapping of wolves in Units 1, 3, 4, and
44 close the hunting and trapping seasons on ABC Islands.
45 The proponent of WP12-17 feels the trapping seasons in
46 Units 1, 3, and 4 are excessive long and federal
47 subsistence trapping activities into the spring impact
48 pregnant and denning wolves. The proponent also assumes
49 the Federal Subsistence Board approved the current
50 trapping season as a form of wolf control and the fur

1 quality of trapped wolves in spring renders hides
2 unusable. The same proponent submitted WP12-20 and 21
3 which request total closure of the federal subsistence
4 hunting and trapping seasons on the Unit 4 Admiralty,
5 Baranof, and Chichagof Islands (ABC Islands) because no
6 wolves are currently present on the islands.

7

8 Impact on Subsistence Users:

9

10 Proposal WP12-17 would shorten the wolf
11 trapping season from 5.5 months to 5 months, reducing
12 some opportunity for federal subsistence hunters and
13 WP12-20 and 21 would eliminate wolf hunting and trapping
14 on the ABC Islands all together. Federal subsistence
15 hunting opportunities for deer, moose, and goats could be
16 impacted if a shorter wolf season resulted in reduced
17 wolf harvests and increased predation rates on these
18 species. Given that no wolves have been harvested in
19 Unit 4, proposals WP12-20 and 21 would have no affect on
20 federal subsistence users. However, deer populations in
21 Unit 4 are at low levels due to increased mortality
22 during the past three severe winters. Any additional
23 mortality could inhibit their ability to recover.
24 Therefore, if wolves were to become established in Unit
25 4, the combination of vulnerability to predation and
26 mortality due to severe winters is likely to have a
27 significant detrimental affect on deer populations in
28 northern southeast Alaska.

29

30 Opportunity Provided by State:

31

32 The wolf trapping season under state
33 regulation in Units 1, 3, and 4 is November 1 through
34 April with no bag limit. The wolf trapping season for
35 Unit 2 is December 1 through March 31 with no bag limit.
36 The wolf hunting season for Unit 2 is from August 1
37 through April 30, with a bag limit of five wolves.

38

39 Conservation Issues:

40

41 These proposals would not present
42 conservation issues for wolves. However, in some areas
43 where wolves prey on deer and other ungulates, a shorter
44 season may result in higher numbers of wolves and fewer
45 of the prey species federal subsistence hunters depend
46 upon. Wolf populations are healthy and the hunting and
47 trapping season lengths does not compromise sustained
48 yield principles. These current hunting and trapping
49 season dates provide for substantial harvest opportunity
50 while allowing for sustainable wolf populations.

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

18

19 Enforcement Issues:

20

21 Adoption of these proposals would likely
22 result in confusion by federal subsistence users who
23 would have a shorter season than those hunting under
24 state regulations.

25

26 Other Comments:

27

28 The suitability of the hides for
29 subsistence uses is best determined by the user.
30 Previous testimony before the Federal Subsistence Board
31 cites that fur which is less than prime still possess
32 many uses such as for trim on garments.

33

34 Recommendation:

35

36 Oppose WP12-17, 20, and 21.

37

38 CHAIRMAN ADAMS: Questions anyone.

39

40 (No comments)

41

42 CHAIRMAN ADAMS: Thank you, Madame.

43 Other Federal or State agencies.

44

45 (No comments)

46

47 CHAIRMAN ADAMS: Tribal. Welcome,

48 Ronald.

49

50 MR. LEIGHTON: Ron Leighton, Organized

1 Village of Kasaan, and we go on record as opposing these
2 for obvious reasons. I think this would limit the
3 ability to control or possibly, if the wolf populations
4 fall below, this would not enable them to close if they
5 set in amounts that could be harvested. Also, in the
6 same sense, if these populations were to increase to
7 where you have to harvest.

8

9 I feel that we ought to leave these
10 decisions up to the experts, the biologist, to determine
11 that. This is why we oppose.

12

13 Thank you.

14

15 CHAIRMAN ADAMS: Thank you, Ron. Any
16 questions anyone.

17

18 (No comments)

19

20 CHAIRMAN ADAMS: Okay. InterAgency.
21 He's gone. Oh, there he is. No.

22

23 (No comments)

24

25 CHAIRMAN ADAMS: Subsistence Resource
26 Commission comments.

27

28 (No comments)

29

30 CHAIRMAN ADAMS: Fish and Game Advisory
31 Committee comments.

32

33 (No comments)

34

35 CHAIRMAN ADAMS: Mr. Larson is gone. Any
36 written comments. I suppose Kasaan has a written
37 comment, which you just referred to. Public testimony.

38

39 (No comments)

40

41 CHAIRMAN ADAMS: Let's go into
42 deliberations. When Mr. Larson comes back in, we can ask
43 him if there's any public comments. We need a motion.
44 Mr. Bangs.

45

46 MR. BANGS: Thank you, Mr. Chair. I move
47 to adopt Wildlife Proposals 12-16, 17, 20 and 21 as
48 written on Page 176.

49

50 CHAIRMAN ADAMS: Thank you, sir. Do I

1 hear a second.

2

3

MR. KITKA: I'll second it.

4

5

CHAIRMAN ADAMS: Seconded by Harvey. Mr. Larson, are there any written comments we need to be aware of?

6

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Anyway, they're in opposition.

CHAIRMAN ADAMS: Thank you, Mr. Larson. Ron, I thought there was a comment from Kasaan as well, a written comment. Anyhow, he made his comment.

Okay.

Discussion.

Talk about it, okay.

MS. PHILLIPS: Mr. Chair.

CHAIRMAN ADAMS: Patty.

MS. PHILLIPS: I support the OSM preliminary conclusion to oppose proposals WP12-16, 17, 20 and 21 based on their justification on Page 182.

Thank you.

CHAIRMAN ADAMS: Thank you, Patty. Any more comments.

(No comments)

MR. BANGS: Question.

CHAIRMAN ADAMS: The question has been called for by Mr. Bangs. All in favor say aye.

1 (No aye votes)

2

3 CHAIRMAN ADAMS: All opposed say no.

4

5 IN UNISON: No.

6

7 CHAIRMAN ADAMS: Thank you. Move on.

8 WP12-18 found on Page 187.

9

10 Welcome, Susan.

11

12 MS. OEHLERS: Thank you, Mr. Chair.

13 Members of the Council. Again, for the record, Susan

14 Oehlers, Forest Service out of Yakutat. I will be

15 presenting WP12-18 starting out on Page 187 of your book.

16

17 This proposal, submitted by Defenders of

18 Wildlife, requests that in Unit 2, wolf traps and snares

19 be marked with owner s identification, and to close the

20 season when the combined State and Federal harvest

21 reaches 45 wolves.

22

23 The proponent contends that a lower

24 harvest cap will ensure a sustainable harvest of wolves

25 and that marking traps will decrease illegal harvest.

26

27 Again, as discussed in an earlier

28 proposal, the current State requirement for marking traps

29 and snares was passed in 2006 by the Alaska Board of

30 Game. Also in 1996 the Alaska Board of Game adopted a

31 harvest cap of 25 percent of the estimated fall Unit 2

32 wolf population. A harvest in excess of the guideline

33 was determined to be non-sustainable in the long term and

34 could lead to a population decline.

35

36 In fall 2000, to provide more hunting and

37 trapping opportunity, avoid emergency order closures,

38 and improve harvest reporting, the Alaska Board of Game

39 increased the wolf harvest cap from 25 to 30 percent of

40 the estimated fall population.

41

42 In 1994, the estimated population of

43 wolves in Unit 2 was 336 wolves. The population in Unit

44 2 is thought to have declined since then, but there is no

45 current formal estimate of the population. Average

46 annual harvest by rural residents, and thus Federally

47 qualified subsistence users, in Unit 2 was 47 wolves

48 between 2000 and 2009.

49

50 If this proposal is adopted, subsistence

1 trappers in Unit 2 will have to mark their wolf traps and
2 snares. This was already previously discussed in
3 WP12-14. Adoption of a harvest quota of 45 wolves will
4 set a static harvest quota for subsistence harvest of
5 wolves in Unit 2. A special action will be necessary to
6 change the quota if necessary in the future for the
7 Federal quota to be consistent with that of the State.

8

9 If the proposal is adopted and the quota
10 is reduced to 45, and the State quota remains higher,
11 this proposal will likely have no effect on the total
12 harvest since subsistence users can harvest wolves under
13 the State regulations and the individual limits and
14 season end dates are similar between State and Federal
15 regulations.

16

17 The preliminary conclusion is to support
18 this proposal with modification to take no action on the
19 marking traps and snares
20 component and oppose the harvest limit component of the
21 proposal. Hopefully that makes sense. I'll just
22 reference 12-14. We already discussed that and that's
23 been voted on.

24

25 Again, in relation to the harvest quota,
26 the Board of Game did pass a quota guideline of 30
27 percent of the estimated fall population. Because the
28 quota is set and combined for both State and Federal
29 harvest, State and Federal managers need to collaborate
30 to set the quota for each season. A static quota of 45
31 is not recommended because it does not allow for
32 flexibility in setting the quota. You cannot set a joint
33 quota if the State s quota is flexible and the Federal
34 quota is not.

35

36 If populations do continue to decline, a
37 quota of 45 may indeed be too high, causing a
38 conservation concern. Leaving the quota flexible will
39 allow for prompt management of the harvest without the
40 possible time delays through the special action process.
41 Setting a static quota of 45 in regulation is not
42 supported since it is contrary to sound wildlife
43 management principles and may create conservation
44 concerns.

45

46 That concludes my presentation.

47

48 Thank you.

49

50 CHAIRMAN ADAMS: Thank you, Susan.

1 Questions anyone.

2

3

Donald.

4

5 MR. HERNANDEZ: Could you briefly
6 describe how this quota number is arrived at year by
7 year.

8

9 MS. OEHLERS: Through the Chair. Mr.
10 Hernandez. I can't speak to that specifically other than
11 it's basically set based on the fall population estimate.
12 So it's 30 percent of whatever they estimate the fall
13 population to be. I don't know if the State could speak
14 to that any further, but that's my basic understanding.

15

16 MR. HERNANDEZ: I guess my real question
17 is how do they come up with this population estimate.

18

19 MS. OEHLERS: That's a good question. I
20 don't know if there's anyone else who can shed any
21 further light on that.

22

23

Thank you.

24

25 MR. LOGAN: Council through the Chair.
26 It's based on the work that was done in the '90s. It's
27 30 percent of the population estimate, estimated fall
28 population, but there has been no updating of the fall
29 population estimate since the work done in the '90s.

30

31 MR. HERNANDEZ: In the 1990s you say.

32

33 MR. LOGAN: Correct.

34

35 MR. HERNANDEZ: More than a decade ago.

36

37 MR. LOGAN: Correct.

38

39 CHAIRMAN ADAMS: Anymore.

40

41 (No comments)

42

43 CHAIRMAN ADAMS: Thank you, Susan. Ms.
44 Yuhás.

45

46 MS. YUHÁS: Thank you, Mr. Chairman. A
47 little bit confused on the OSM testimony because I think
48 we're saying the same thing, but when I look in the book
49 here it says support and we are opposed to the proposal
50 for all the reasons she said. We don't see a need to

1 restrict this regulatory process, we're happy to have the
2 users that want to shift over to the State side when
3 you're closed, but we don't see a reason to restrict that
4 now. We already took action on Proposal 12-14, so we
5 don't see a need to take action on this one for that
6 portion of it.

7

8

9

STATE OFFICIAL WRITTEN COMMENTS

10

11

12

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

13

14

15

Wildlife Proposal WP12-18:

16

17

Require traps and snares to be marked
with owner's identification and establish hunting and
trapping harvest management objective of 45 wolves on
Prince of Wales Island in Unit 2.

18

19

20

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Introduction:

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Impact on Subsistence Users:

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Opportunity Provided by State:

The wolf hunting and trapping seasons
under state regulation in this area are from December 1
through March 31 with an annual hunting bag limit of five
wolves and annual trapping limit. Wolves taken in Unit
2 must be sealed on or before the 30th day after the date
of taking. Trappers are prohibited from using a trap or
snare unless the trap or snare has been individually

1 marked with a permanent metal tag upon which is stamped
2 or permanently etched the trapper's name and address, or
3 the trapper's permanent identification number, or is set
4 within 50 yards of a sign that lists the trapper's name
5 and address, or the trapper's permanent identification
6 number; the trapper must use the trapper's Alaska
7 driver's license number or state identification card
8 number as the required permanent identification number;
9 if a trapper chooses to place a sign at a snaring site
10 rather than tagging individual snares, the sign must be
11 at least 3 inches by 5 inches in size, be clearly
12 visible, and have numbers and letters that are at least
13 one-half inch high and one-eighth inch wide in a color
14 that contrasts with the color of the sign.

15

16 Conservation Issues:

17

18 This proposal would not present
19 conservation issues for wolves. However, in some areas
20 where wolves prey on deer and other ungulates, a shorter
21 season may result in higher numbers of wolves and fewer
22 of the prey species federal subsistence hunters depend
23 upon.

24

25 Enforcement Issues:

26

27 If adopted, this proposal might result in
28 some confusion by federal subsistence users in the field
29 who do not receive word the wolf hunting and trapping
30 seasons were closed inseason.

31

32 Recommendation:

33

34 Take no action on the traps and snares
35 marking requirement based on proposal WP12-14 and oppose
36 remainder of WP12-18.

37

38 CHAIRMAN ADAMS: Thank you. Any
39 questions of Jennifer.

40

41 (No comments)

42

43 CHAIRMAN ADAMS: Hearing none. Thank
44 you. Other Federal or State agencies.

45

46 Chuck.

47

48 MR. ARDIZZONE: Mr. Chair. Chuck
49 Ardizzone for the record. I was just going to come up
50 here and mirror what Ms. Yuhas said. The Council already

1 took action on Proposal 14, so the support with
2 modification could go away. It could just be a strict
3 oppose if the Council felt like doing that because we
4 already are marking traps based on Number 14.

5
6 CHAIRMAN ADAMS: Would you repeat that
7 again, please.

8
9 MR. ARDIZZONE: Because of the action the
10 Council took on Number 14, the support with modification
11 is already covered, the marking portions. The Council
12 could, if it would like to, just oppose this.

13
14 CHAIRMAN ADAMS: Okay. Thank you.
15 Tribal comments.

16
17 MR. LEIGHTON: Ron Leighton, Organized
18 Village of Kasaan. We oppose. I think we put down that
19 the marking of traps portion of this we supported, but
20 like was said earlier it was already addressed in another
21 proposal and passed, but we do oppose the putting the
22 limit of harvest at 45 for the reasons I stated before,
23 that we have management that would view it.

24
25 I would like to stress though now that it
26 came out about the estimate of the population. I would
27 like to see where a request for funds for a study be put
28 in place because there may be upcoming Endangered Species
29 petition for putting wolves on an Endangered Species
30 list. I would hope that we'd get some funding to get an
31 accurate count on these.

32
33 Thank you.

34
35 CHAIRMAN ADAMS: Thank you, Ron.
36 InterAgency Staff Committee.

37
38 (No comments)

39
40 CHAIRMAN ADAMS: Subsistence Resource
41 Commission comments.

42
43 (No comments)

44
45 CHAIRMAN ADAMS: Fish and Game Advisory
46 Committee comments.

47
48 (No comments)

49
50 CHAIRMAN ADAMS: Any written comments,

1 Mr. Larson.

2

3 MR. LARSON: Yes, Mr. Chair. There are
4 two written public comments. The first is from the
5 Organized Village of Kasaan. They're consistent with the
6 oral testimony we've heard.

7

8 The other is from Mr. Samuel Peters.
9 He's a resident of Prince of Wales Island. He states
10 there's no reason to restrict wolf harvest because the
11 population is strong and increasing in some areas. He
12 said a reduction in wolf harvest by trappers is likely
13 due to the retirement of some past active trappers.

14

15 Thank you.

16

17 CHAIRMAN ADAMS: Thank you, Mr. Larson.
18 Any more public testimony.

19

20 (No comments)

21

22 CHAIRMAN ADAMS: Okay. Let's go into
23 deliberations. We need a motion. Mr. Hernandez.

24

25 MR. HERNANDEZ: Mr. Chairman. I move to
26 adopt Wildlife Proposal 12-18 as written on Page 187 in
27 our book.

28

29 CHAIRMAN ADAMS: Thank you, sir. Do I
30 hear a second.

31

32 MS. PHILLIPS: Second.

33

34 CHAIRMAN ADAMS: Seconded by Patty.
35 Okay, let's talk about it. I need to remind you that in
36 about three or four minutes I need to excuse myself. If
37 we're still in session, I'll turn the gavel over to Mr.
38 Bangs. Mr. Douville.

39

40 MR. DOUVILLE: Thank you, Chairman Adams.
41 I will not support the proposal. While we believe there
42 are less wolves than there was in the early '90s, what we
43 do believe is there was twice too many at that time. The
44 population was at an all-time high and we had declining
45 deer population. We believe that the deer population is
46 stable and even increasing some and we have half the
47 wolves we had.

48

49 We don't know an exact number. Some of
50 these trappers got together last fall and did a

1 population estimate, which I think is as good as
2 anybody's. They talked to people, looked at traps. I
3 mean they covered the island and they have really pretty
4 good knowledge of what's going on. Who saw tracks of
5 wolves and put all this stuff together. They came up
6 with an estimate of 225. I have a map at home that lists
7 where, how and everything, which is probably as good a
8 science as you're going to find.

9

10 So I don't believe the wolves are in
11 danger there. I believe they're at a level now that is
12 okay.

13

14 The trapping effort has declined since
15 the peak harvest like in 2000 when it was closed by
16 emergency order. But some of the trappers just aren't
17 doing it anymore because they're fishermen like myself.
18 You're just not going to go out there and spend a couple
19 months fooling around with wolves because you can't make
20 any money on it for one unless you want one yourself when
21 you have \$8 a pound king salmon to catch. You just don't
22 have any effort anymore.

23

24 That will be reflected by the harvest
25 data that you see today. It's not because there's not
26 wolves. It's because the guys simply aren't trapping
27 anymore.

28

29 CHAIRMAN ADAMS: Okay. Any more
30 comments.

31

32 MR. DOUVILLE: One other thing.

33

34 CHAIRMAN ADAMS: Go ahead.

35

36 MR. DOUVILLE: I believe the Forest
37 Service or whoever should be gathering DNA data on their
38 own and not rely on State one research biologist data.
39 Pure and simple. We need to do that on our own. There's
40 been considerable effort into putting or making Unit 2
41 wolves a subspecies. We don't know whether that's true
42 or not. That's based on one person's research.

43

44 Now if they are a subspecies, most of the
45 people there believe that if there's a DNA difference
46 it's because they are hybrids. It's well documented that
47 dogs have been running with these wolves. So if there is
48 DNA difference, we believe that would be the reason.

49

50 Thank you.

1 CHAIRMAN ADAMS: Thank you. I have to
2 leave, so, Mr. Bangs, would you please take over.

3
4 (Pause)

5
6 MR. BANGS: Mr. Kitka, do you have
7 something to say.

8
9 MR. KITKA: Yes. Just knowing the
10 population of the wolves is in question, I just was
11 curious as to how fast they repopulate. How many times
12 do they have pups? How fast do they repopulate? Does
13 anybody have an answer?

14
15 MR. LOGAN: Council, through the Chair.
16 I'm not a wolf expert, but there is information provided
17 here and it does talk about litter size. I think the
18 range is seven or eight pups per year. There would be
19 one litter per pack. The literature does support that if
20 you have isolated localized areas that have immediate
21 reductions in numbers, even complete elimination of
22 wolves due to trapping or specific competition, there's
23 a fair amount of aggression between packs, so they will
24 kill each other. But a fair number of individuals from
25 each pack will then disperse on a regular basis and look
26 to establish new packs in other areas. So it happens
27 frequently that they will re-occupy areas.

28
29 If I may, there was concerted efforts to
30 get updated information on wolf populations on Prince of
31 Wales. The Forest Service is collaborating with Fish and
32 Game. We have an ongoing project that we've been working
33 on for a couple years now to do DNA extraction from scats
34 collected and use that information to estimate
35 populations for Prince of Wales. Because of the efforts
36 of the work group that are perhaps -- the importance of
37 which are elevated because of the petition, we are
38 pursuing additional funding to collect additional
39 information using DNA extracted from hairs. Fish and
40 Game does have a proposal entirely within their
41 department to essentially redo the work that was done in
42 the early '90s by capturing wolves and putting collars
43 on. I think there's a lot more that will come out of the
44 work group to get better information on the current
45 status of wolves on Prince of Wales.

46
47 MR. BANGS: Thank you. Does that help
48 answer your question, Harvey.

49
50 (No comments)

1 MR. BANGS: Any other questions or
2 comments.

3
4 (No comments)

5
6 MR. KITKA: Call for the question.

7
8 MR. BANGS: The question has been called
9 for. All those in favor of proposal WP12-18 signify by
10 saying aye.

11
12 (No aye votes)

13
14 MR. BANGS: All those opposed nay.

15
16 IN UNISON: Nay.

17
18 MR. BANGS: Okay. Moving along. We've
19 got one more proposal and then we can break for lunch.
20 The next proposal is WP12-19.

21
22 MS. OEHLERS: Good morning again, Mr.
23 Chair. Members of the Council. Again, for the record,
24 Susan Oehlers, Forest Service out of Yakutat. I'll be
25 presenting the analysis for WP12-19.

26
27 The proposal was submitted by the
28 Southeast Alaska Subsistence Regional Advisory Council
29 and requests that the sealing requirement for wolves in
30 Unit 2 be reduced from 30 days after harvest to 14 days
31 after harvest.

32
33 The proponent states that this proposed
34 regulation is necessary to allow the management agencies
35 to track the total harvest in Unit 2 to prevent
36 overharvest of this population and align Federal and
37 State regulations.

38
39 In 1997, the Federal Subsistence Board,
40 through proposal WP07-15, adopted a requirement that all
41 wolves taken in Unit 2 must be sealed within 30 days of
42 harvest.

43
44 During the Alaska Board of Game's recent
45 meeting in November of 2010, they adopted a regulation
46 modifying the time for wolves
47 to be sealed in Unit 2 from 30 days to 14 days. This
48 action was determined to be necessary to allow the
49 managers to track the harvest and stay within the total
50 allowable harvest.

1 Adopting this proposal would align
2 Federal and State regulations by requiring subsistence
3 users to bring wolf hides from Unit 2 into Fish and Game
4 offices or to a designated sealer for sealing within 14
5 days of harvest. The shortened sealing requirement will
6 allow the management agencies to more effectively track
7 the harvest of wolves in Unit 2 and avoid exceeding the
8 harvest quota.

9
10 Shortening the reporting period is
11 expected to have minimal effects on subsistence users
12 since 14 days is generally considered to be an adequate
13 amount of time to turn in the hides. This proposal would
14 not affect other users because this regulation already
15 exists under State regulations. Both subsistence users
16 and non-Federally qualified users will benefit by this
17 proposal since more effective management will ensure
18 continued long-term availability of this resource.

19
20 So the preliminary conclusion is to
21 support this proposal. The shortened sealing requirement
22 will allow the management agencies to more effectively
23 track the harvest of wolves in Unit 2 and avoid exceeding
24 the harvest quota, with minimal effects to subsistence
25 users. All users should benefit long-term from more
26 effective management of the population.

27
28 That concludes my presentation.

29
30 Thank you.

31
32 MR. BANGS: Thank you, Ms. Oehlers. Any
33 questions from the Council.

34
35 (No comments)

36
37 MR. BANGS: Hearing none. Thank you.

38
39 MS. YUHAS: Thank you, Mr. Chairman.
40 Jennifer Yuhas for State of Alaska. You wrote it and we
41 support it.

42
43 **No official written comments
44 inserted/provided by State at this
45 time**

46
47 MR. BANGS: Thank you. Any questions
48 from the Council.

49
50 (No comments)

1 MR. BANGS: Other Federal or State agency
2 comments.
3
4 (No comments)
5
6 MR. BANGS: Tribal comments.
7
8 (No comments)
9
10 MR. BANGS: InterAgency Staff.
11
12 (No comments)
13
14 MR. BANGS: Fish and Game Advisory
15 Committee comment.
16
17 (No comments)
18
19 MR. BANGS: Written public comments. Mr.
20 Larson.
21
22 MR. LARSON: Yes, Mr. Chair, there is one
23 written comment. That's from the Organized Village of
24 Kasaan. They're in support of this proposal. They
25 believe the proposal may help with management of wolves
26 in Prince of Wales Island.
27
28 Thank you.
29
30 MR. BANGS: Thank you, Mr. Larson. Any
31 public testimony.
32
33 (No comments)
34
35 MR. BANGS: Okay. We'll go into
36 deliberation on WP12-19. I need a motion.
37
38 MR. KITKA: Mr. Chair.
39
40 MR. BANGS: Mr. Kitka.
41
42 MR. KITKA: Mr. Chair. I move we adopt
43 WP12-19 as written on Page 194.
44
45 MR. BANGS: Thank you, Mr. Kitka.
46 Second.
47
48 MR. DOUVILLE: Second.
49
50 MR. BANGS: Thank you, Mr. Douville.

1 Discussion.

2

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Mr. Hernandez.

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MR. HERNANDEZ: Thank you, Mr. Chairman.

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MR. BANGS: Thank you for that. Any

other comments.

MS. PHILLIPS: Call for the question.

MR. BANGS: The question has been called

for. All those in favor of WP12-19 signify by saying

aye.

IN UNISON: Aye.

MR. BANGS: Those opposed nay.

(No opposing votes)

MR. BANGS: Proposal passes. Okay.

We'll recess until 12:45 for lunch and then I think we'll

be able to get through the rest of it fairly quickly so

we can be out of here.

Thank you.

(Off record)

(On record)

CHAIRMAN ADAMS: Good afternoon, folks.

I hope you all had a nice lunch. I understand it was

crowded. It was a good thing I left early. Anyhow, I

had a nice dinner and a nice visit with some cousins that

I see only occasionally, so that was pretty good. We'll

get going on our agenda now. I guess we have to be out

of here by 3:00. Is that what the schedule is or no?

MR. LARSON: We have 5:30. You have

3:00.

CHAIRMAN ADAMS: Oh, we have 3:00. Okay.

1 We're going to get out of here by 3:00.

2

3 REPORTER: We have until tomorrow.

4

5 (Laughter)

6

7 CHAIRMAN ADAMS: Okay. We're on Item
8 Number 14, agency and organization reports. We put
9 tribal governments on there because we want to really get
10 tribal governments involved in the subsistence process.
11 However, I don't believe there is anyone here who would
12 be able to give a report. Oh, Ron is still here, but if
13 we had somebody, you know, like Tlingit-Haida or any
14 other tribal governments that would be great.

15

16 Unless somebody wants to pop up, I'm not
17 seeing anyone, we're going to go ahead and move on to the
18 Office of Subsistence Management. Chuck, is this your
19 first Southeast RAC meeting?

20

21 MR. ARDIZZONE: It's my second. The very
22 first one was in Haines, which was a number of years ago.

23

24 CHAIRMAN ADAMS: Oh, yeah. Okay. That's
25 how come I couldn't remember seeing you here. Okay, go
26 ahead. The floor is all yours.

27

28 MR. ARDIZZONE: Mr. Chair. For the
29 record, my name is Chuck Ardizzone. I'm from the Office
30 of Subsistence Management. There's several briefings in
31 your book today I'm just going to cover briefly and I'll
32 try and answer questions if I can.

33

34 The first briefing is on tribal
35 consultation. It's a written briefing on Page 199. As
36 discussed with the Regional Advisory Councils at the
37 winter meetings, the Federal Subsistence Board has been
38 taking steps to formally incorporate tribal consultation
39 into the Federal Subsistence Management Program, while
40 maintaining the role of the Councils.

41

42 Towards this end, the Board approved two
43 interim protocols, one for tribes and one for ANCSA
44 corporations. These can be found on Pages 200 and 202.

45

46 These interim protocols will guide
47 consultation efforts throughout this wildlife cycle.
48 These are an evolving process. The documents are under
49 evolution I guess I should say. There is a work group
50 that's been put together that involves, I think, tribal

1 members, Federal Staff. I don't know if there's any RAC
2 members on those or not and the Native liaisons for a
3 number of our Federal agencies. They're the ones that
4 kind of have been pulling these protocols together.
5 There will be a number of more inputs on these interim
6 protocols.

7

8 There's three upcoming meetings. There's
9 one in October on the 20th of this year. A consultation
10 with ANCSA Corporations at AFN on the protocols. There's
11 one on December 1st, which will be a consultation with
12 Federally recognized Tribes at the BIA Tribal Service
13 Providers Conference. There will also be some discussion
14 of the draft protocols in January at the Federal Board
15 meeting when they're addressing wildlife proposals.

16

17 I just hope that the final protocols will
18 be ready in time for the Board to adopt in early 2012.
19 However, I'm not sure if we have a firm date on that yet
20 or not.

21

22 I guess this is your chance to give me
23 some comments to take back to our office on the
24 protocols. At this time, that's all I have.

25

26 CHAIRMAN ADAMS: Any questions for Chuck.
27 Cathy.

28

29 MS. NEEDHAM: Thank you, Mr. Chair. With
30 respect to tribal consultations between the Federal
31 Subsistence Board and tribal governments, is there any
32 indication on -- I know it's early in the process and
33 this is an interim policy, but is there any indication
34 whether or not tribes are receiving meaningful tribal
35 consultation? As a follow up to that, is this an
36 appropriate time to maybe give some recommendations into
37 that process?

38

39 MR. ARDIZZONE: Through the Chair. As
40 far as meaningful consultation, I have not attended any
41 teleconferences myself. However, I will take
42 recommendations at this time I can bring back to our
43 office.

44

45 MS. NEEDHAM: I think one recommendation
46 is that I think we should consider getting back to the
47 Office of Subsistence Management to bring back would be -
48 - you know, we discussed it earlier in our deliberations
49 on the bear claw proposal and whether or not customary
50 and traditional use had been part of the consultation

1 process between Federal Subsistence Board and any of the
2 tribes in Southeast Alaska.

3

4 My understanding from the conversation
5 that we had with Mr. Leighton regarding that piece of it
6 is that the tribes were asked to go into tribal
7 consultation with the Federal Subsistence Board regarding
8 wildlife proposals, but I think it would have been a
9 little more helpful if they would have actually gone into
10 consultation regarding specific issues within proposals
11 and the example for that would be the customary and
12 traditional use of bear claws, that part of it. I think
13 that information would have been really valuable for us
14 when we were evaluating that particular proposal.

15

16 CHAIRMAN ADAMS: Okay. In order for the
17 Council to take ownership of that, I think we need to
18 entertain a motion to do so.

19

20 MS. NEEDHAM: I move that we ask -- the
21 suggestion to include consultation on specific issues
22 within proposals that come before the Regional Advisory
23 Council be consulted -- the recommendation that we go
24 back to the Federal Subsistence Board for meaningful
25 tribal consultation.

26

27 CHAIRMAN ADAMS: Thank you, Cathy. Do I
28 hear a second.

29

30 MR. KITKA: I'll second that.

31

32 CHAIRMAN ADAMS: Thank you. Seconded by
33 Harvey. Any further discussion.

34

35 Donald.

36

37 MR. HERNANDEZ: Just one question. Would
38 this be something we might put in an annual report or
39 would it be best as a separate issue?

40

41 CHAIRMAN ADAMS: We could put it in the
42 annual report too. Any more comments.

43

44 (No comments)

45

46 CHAIRMAN ADAMS: All in favor say aye.

47

48 IN UNISON: Aye.

49

50 CHAIRMAN ADAMS: Opposed.

1 (No opposing votes)

2

3 CHAIRMAN ADAMS: Carried. Thank you.
4 Any more questions for Chuck?

5

6 Tim, go ahead.

7

8 MR. ACKERMAN: Thank you, Mr. Chairman.
9 Chuck. We have three separate tribal entities up there
10 on the north end, Haines, Skagway, Klukwan. I can go in
11 and talk to all three entities and try to get things
12 rolling up there with some form of communication for
13 them.

14

15 Also we started a Facebook group on
16 Facebook and it's called Seal Hunters and Otter Hunters
17 of Southeast Alaska and I think we're up to about 200
18 members on that particular thing. One of the questions
19 that they posed to me was that they would like a very
20 simple subsistence booklet for the Alaska Natives on the
21 Southeastern side to be able to read it and understand in
22 regards to the sea otter hunting, your rights and things
23 you should and shouldn't do. To put it in plain, simple
24 language, that would be beneficial to these folks that
25 are out there.

26

27 I've fielded numerous questions about it
28 and I told them we didn't know where to start, but we've
29 got to start somewhere on educating them and we've been
30 sharing our information. A harvester down in Ketchikan
31 is on top of everything in all the rules and regulations.
32 So, if anything, we could help educate these folks on
33 their rights as sea otter hunters would be very helpful.

34

35 Thank you.

36

37 CHAIRMAN ADAMS: Thank you, Tim.

38

39 Cathy.

40

41 MS. NEEDHAM: Thank you, Mr. Chair. I
42 also think we should consider having a message brought
43 back to the Federal Subsistence Board regarding the
44 interim consultation policy with the ANCSA corporations.
45 I have a couple of points.

46

47 One would be that so far in my limited
48 experience I have not seen ANCSA corporations involved in
49 the process previously. I understand this is something
50 that's mandated by U.S. code that the Federal Subsistence

1 Board have a consultation policy with ANCSA corporation.
2 We've touched on this issue in previous conversations
3 with regards to tribes. I think there's a good
4 probability that government to government consultation
5 between the Federal Subsistence Board and ANCSA
6 corporations could lead to the potential of ANCSA
7 corporations circumventing the work that we do as a
8 Regional Advisory Council. I would like to see some
9 effort put forth to educate the ANCSA corporations on the
10 actual process of how this works and this body has a
11 mission and if they're going to be involved in this type
12 of thing they should be utilizing us for that.

13
14 The second point is -- I would just like
15 to ask the question and hopefully receive an answer, and
16 maybe this is something more appropriate for the annual
17 report, is why are we affording the opportunity for
18 Federal Subsistence Board and ANCSA corporations having
19 a direct relationship or that government-to-government
20 consultation when we don't have that with other Federally
21 qualified subsistence users?

22
23 So we're doing it for tribes. I
24 understand that. I think the government to government
25 between the Federal government and tribal governments is
26 needed and I think that it can be successful and they can
27 find a way for the meaningful tribal consultation, but
28 we're giving ANCSA corporations that same privilege and
29 we're not other Federally subsistence qualified users and
30 it seems like there is a disconnect with that.

31
32 CHAIRMAN ADAMS: I totally agree with you
33 on that, Cathy, and I think those are issues that we can
34 put in our annual report.

35
36 Any more.

37
38 (No comments)

39
40 CHAIRMAN ADAMS: Okay. Thank you, Chuck.

41
42 Anything else.

43
44 MR. ARDIZZONE: Mr. Chair. There are
45 several more briefings in the book I'll go through
46 briefly. If you turn to Page 203, there's a status
47 report on the Secretarial recommendations to the Federal
48 Subsistence Management Program.

49
50 There's quite a large list, but in

1 reality the only thing that's actually been moving
2 forward is adding two new members to the Federal Board.
3 Currently, the Secretaries are requesting for
4 applications or nominations for those members to be
5 added. The final rule was published, I believe, several
6 weeks ago. So now they're looking for input on who those
7 new members could be.

8

9 Our office is not handling that. It is
10 the Office of the Secretary. It's not in the book.
11 However if anybody would like the information I have the
12 phone numbers, I have the email address and I also have
13 the mailing address. I can give that to you after the
14 meeting.

15

16 CHAIRMAN ADAMS: Why don't you give it to
17 Robert.

18

19 MR. ARDIZZONE: I can do that.

20

21 CHAIRMAN ADAMS: He can handle it for us
22 from there.

23

24 MR. ARDIZZONE: I'll forward it to Robert
25 then. As far as everything else on the list, like I
26 said, it's quite extensive, but there's not a whole lot
27 going on at the moment. A lot of things, like in number
28 7, just like every other Federal agency right now we are
29 having budget difficulties. The budget is fairly flat or
30 decreasing, so a lot of suggestions that were made from
31 the Secretaries would need additional funding and at this
32 time we're not sure when that will occur. If there's any
33 questions on any of these other ones I can surely answer
34 them, but that's the brief version.

35

36 CHAIRMAN ADAMS: Questions. Cathy, go
37 ahead.

38

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

40

41 CHAIRMAN ADAMS: The Chair recognizes
42 Cathy. My thing was off. Go ahead.

43

44 MS. NEEDHAM: I have a question. With
45 respect to the issues that we discussed at our last RAC
46 meeting, we actually put together three subcommittees to
47 address issues that would go before the Federal
48 Subsistence Board with RAC input and those subcommittees
49 gave information back to the Federal Subsistence Board or
50 they gave that input back. I'm noticing that on the

1 three we did subcommittees for all of them are pending.
2 Basically the Federal Subsistence Board has said they
3 received the information and now the issues are pending.

4

5

6 I'm wondering if there's going to be
7 opportunity for further input for the Regional Advisory
8 Councils. The reason I'm asking the question is for item
9 number 4 with the customary and traditional use
10 determination process where it gives the status. It said
11 that there's no -- because most comments were generally
12 supportive of the existing process. The Board is
13 focusing energy on other things, but I know the committee
14 that worked on behalf of this Regional Advisory Council
15 was not generally supportive, so I'm wondering if there's
16 still going to be opportunity for more RAC input with
17 regards to the things that we worked by subcommittee on.

18

19 MR. ARDIZZONE: Through the Chair. I
20 believe -- like it says, the Board received a number of
21 comments from all the RACs and I think generally all RACs
22 were supportive and I think, like this says, at this time
23 they're focusing their energies on other things. If
24 there were changes to be made, I'm sure the RACs would be
25 involved to comment on whatever changes might occur, but
26 I don't think there are any plans currently to make any
27 changes to the process.

28

29 CHAIRMAN ADAMS: Anyone else.

30

31 (No comments)

32

33 CHAIRMAN ADAMS: How about you, anything
34 else.

35

36 MR. ARDIZZONE: One more that's listed in
37 the book and that would be the briefing on the Gulf of
38 Alaska chinook salmon bycatch on Page 207.

39

40 In 2010, the bycatch was over 51,000 fish
41 in the Gulf of Alaska, which is one of the highest
42 bycatch amounts on record. Because of this, the North
43 Pacific Fishery Management Council was concerned about
44 that and expedited the issue and wanted to address it
45 through regulations.

46

47 There's lots of concern about that
48 bycatch because those fish, if they're caught in the Gulf
49 don't make it into the rivers for people to catch.

50

1 So in May of this year, the Federal
2 Subsistence Board sent a letter to the North Pacific
3 Fishery Management Council suggesting a hard cap of
4 15,000 chinook. That's what the Board would like to see.
5 It's based on some previous numbers and it would have
6 less impacts on subsistence users.

7
8 In June, the North Pacific Fishery
9 Management Council took final action on the issue;
10 however, they selected a higher cap of 25,000 chinook
11 salmon for the commercial pollock fishery. That's where
12 that stands. They went with a higher limit than what the
13 Board suggested.

14
15 If you want further information, the
16 website is listed in your book. The Board did try to
17 support subsistence users and get the cap lowered, but
18 they're not the governing body for this pollock fishery.

19
20
21 If there's any questions, I can try to
22 answer that.

23
24 CHAIRMAN ADAMS: Patty has a question.

25
26 MS. PHILLIPS: Thank you, Mr. Chair.
27 Does this motion that the North Pacific Fishery
28 Management Council made have to be signed off on by the
29 Secretary of Commerce?

30
31 MR. ARDIZZONE: That's a good question I
32 cannot answer, but I could find out for sure and let you
33 know.

34
35 MS. PHILLIPS: Mr. Chair.

36
37 CHAIRMAN ADAMS: Go ahead.

38
39 MS. PHILLIPS: Would it be appropriate of
40 the RAC to send a submittal letter to the Secretary of
41 Commerce stating our support of the Federal Subsistence
42 Board's recommendation of 15,000 hard cap?

43
44 MR. ARDIZZONE: I've seen some head-
45 nodding earlier from Mr. Larson. Maybe he can help me
46 out here a little bit because I'm not familiar with the
47 process.

48
49 MR. LARSON: Yes, Mr. Chair and Chuck.
50 It's my understanding that the North Pacific Fishery

1 Management Council's actions has been approved by the
2 Department of Commerce.

3
4 CHAIRMAN ADAMS: So the 25,000 cap
5 is.....

6
7 MR. LARSON: Yeah, the 22.5, yeah.

8
9 CHAIRMAN ADAMS: 22.5? Okay. Any more
10 comments, questions. Patty, did you want to follow up
11 with some kind of a letter addressing that or.....

12
13 MS. PHILLIPS: (Shakes head negatively)

14
15 CHAIRMAN ADAMS: Just let it go? Okay.

16
17 MS. PHILLIPS: Mr. Chair. If our
18 coordinator's correct, then it's already been signed off
19 on. There's nothing more we can do.

20
21 CHAIRMAN ADAMS: Okay. Thank you, Chuck.

22
23 MR. ARDIZZONE: That's all I have.

24
25 CHAIRMAN ADAMS: Okay. Oh, we've got a
26 question here. Mr. Bangs.

27
28 MR. BANGS: Thank you, Mr. Chairman.
29 I've been thinking about this and I was kind of wondering
30 if I could -- I'm still kind of uncertain about this
31 consultation issue that we feel strong that we don't want
32 to be circumvented and I'm wondering if it would be
33 something that the Council would want to do is maybe make
34 a recommendation that any information -- it says will be
35 given to the Councils, but it doesn't say that it must be
36 or there shouldn't be any further comments from ANCSA
37 tribes or whoever that's consulting with the Federal
38 Board without going through the Council so that we know.

39
40 Is there some way to make that happen or
41 recommend that that happens?

42
43 CHAIRMAN ADAMS: What do you think,
44 Chuck?

45
46 MR. ARDIZZONE: I think the RAC can
47 recommend anything it would like to at this point because
48 these are just interim policies. They're not finalized.
49 I'm sure the Board would like to hear what you have to
50 say.

1 CHAIRMAN ADAMS: I think that's a good
2 point too. The way that I see this government to ANCSA
3 consultation, it's a divide and conquer type of thing
4 that's coming from the government and we should do
5 whatever it is that we can, you know, to try to put a cap
6 on that and I think coming through the Council is a
7 proper way.

8

9 I think we're going to also enter that
10 into our annual report, Mr. Bangs, if that's okay.

11

12 MR. BANGS: Thank you.

13

14 CHAIRMAN ADAMS: Any more questions.

15

16 MR. LARSON: I have one. Mr. Chair. I'm
17 trying to capture that clearly for our annual report and
18 I don't know that I have it clear in my mind what the
19 suggestion was.

20

21 CHAIRMAN ADAMS: Mr. Bangs, could you
22 review that for Mr. Larson, please.

23

24 MR. BANGS: Thank you, Mr. Chair. Mr.
25 Larson. I'm not sure of the proper wording, but I would
26 like to make -- if it's the wish of the Council, to make
27 it clear that comments or any consultation information
28 between the Federal Board members and tribal entities or
29 ANCSA corporations that the information is passed on to
30 us prior to the Federal Board meeting that is going to
31 entail all the Federal Board decisions and that that
32 information must go through us. At least we're able to
33 have access to that information before the Board meeting.

34

35 Thank you.

36

37 MR. LARSON: Mr. Chair. I would like to
38 note that earlier in this meeting we had a report.
39 That's part of the protocol right now, is that we had a
40 report on consultations regarding items that the Council
41 was going to hear and it was issued by both a
42 representative of the Federal government and a
43 representative of tribes. That's the current protocol,
44 is that they would report to the Council before
45 deliberations on all matters that the Council could be
46 expected to address at their meeting.

47

48 So is this something in addition to that
49 we're talking about?

50

1 MR. BANGS: Mr. Chair. Mr. Larson. The
2 way I read it into the interim protocol, I don't see
3 where there's a definite or definitive vehicle for us to
4 have access. If they go to the Federal Board meeting
5 after we've heard their consultation and they can go to
6 the Federal Board, just as the State has done to us
7 before, and bring new evidence or new ideas without going
8 through the RAC. I thought that was the gist I got from
9 the RAC is that we wanted to make sure that that wasn't
10 going to be the case.

11

12 Thank you.

13

14 CHAIRMAN ADAMS: Steve, do you have any
15 light to shed on this issue?

16

17 MR. KESSLER: No, Mr. Chairman. I think
18 Mr. Bangs got it correct that actually a part of the
19 protocol has a -- the interim protocol has a tribal
20 consultation in person session with the Board just prior
21 to the Board's meeting on the wildlife proposals. As he
22 says, if something new comes up at that meeting, the
23 Council hasn't had opportunity to discuss it. I can't
24 second guess what the Board might do, but I would think
25 that if it's significant new information, that would be
26 something that the Board probably would want to not make
27 a decision on and send it back to the Council. Those
28 types of things have happened.

29

30 For instance, just at this last Board
31 meeting when the eulachon issue for the Unuk came forward
32 from Metlakatla, they brought all this information to the
33 Board and the Board said this is not what the Council
34 wanted. We're going to send it back and not take action
35 at this point. It would be my guess that that's what
36 might happen in the future. There will always be a
37 public portion of testimony at the Federal Board meetings
38 that people will bring forward information that didn't
39 come in front of -- could bring information forward that
40 didn't come through this Council. Tribes or corporations
41 or anybody else.

42

43 CHAIRMAN ADAMS: Thank you. I wonder if
44 it would be proper -- I think it would be. I'm going to
45 make a suggestion that we do put ANCSA corporations along
46 with the agency and other reports. Just like we have
47 entered in with the tribal government reports. That
48 would be one way to keep them involved in the process
49 with us.

50

1 I just thought I'd make that suggestion,
2 Mr. Larson.

3
4 MR. LARSON: And I believe that's within
5 our prerogative to include that in our agenda.

6
7 CHAIRMAN ADAMS: Sure. Any more
8 comments. Mr. Douville.

9
10 MR. DOUVILLE: Thank you, Mr. Chairman.
11 Not only ANCSA corporations or tribes, no further
12 testimony or anything that undermines our process should
13 be offered beyond here if we haven't had the opportunity
14 to either use the information or what have you. It
15 should be presented down the road on our proposals, on
16 decisions. It shouldn't be restricted to just them.
17 It's everybody in general.

18
19 CHAIRMAN ADAMS: Steve.

20
21 MR. KESSLER: Just one comment. There's
22 a working group that's been assigned to try and put this
23 protocol together and that protocol has -- don't quote me
24 on this, but I think it's seven Federal members and seven
25 tribal members from around the state. And for Southeast
26 the representative is Mr. Richard Peterson from the
27 Organized Village of Kasaan and what I guess I would
28 suggest that you might do is try to have a discussion or
29 at least provide these comments that you're talking about
30 to Mr. Peterson so that he can bring that information
31 forward to this working group.

32
33 CHAIRMAN ADAMS: Okay. How are we doing.

34
35 MS. PHILLIPS: Mr. Chair.

36
37 CHAIRMAN ADAMS: Yes, ma'am.

38
39 MS. PHILLIPS: Thank you. Mr. Kessler,
40 are you on the working group?

41
42 MR. KESSLER: No, I'm not.

43
44 MS. PHILLIPS: Who is from the Feds?

45
46 MR. KESSLER: Well, let me give this a
47 try, okay. There are a number of the agency Native
48 liaisons who are on that group. I believe it's Crystal
49 Leonetti from the Fish and Wildlife Service who is pretty
50 much leading the process, Jean Gamache from the National

1 Park Service, Brenda Takeshorse from the BLM, Lillian
2 Petershoare from the Forest Service. I think Kristin
3 K'eit is from the BIA. I'm not sure she's involved.
4 From the InterAgency Staff Committee it's Glenn Chen from
5 the BIA and Nancy Swanton from the Park Service.

6

7

MS. PHILLIPS: Thank you.

8

9

CHAIRMAN ADAMS: Did Glenn leave today?

10

11

12

MR. KESSLER: Glenn left on the early

13

14

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CHAIRMAN ADAMS: I didn't even have a
chance to say goodbye. Thanks, Chuck. Stay there,
Steve. Okay, we've got a chance to listen to the U.S.
Forest Service. Mr. Kessler.

MR. KESSLER: Thank you, Mr. Chairman and
Council members. We'll have a number of other people
coming up here for the Forest Service presentations,
including Cal. I've got another seat over here. Cal,
maybe you'll want to come up. Terry will be part of this
presentation and Doug Ault from law enforcement will be
part of this presentation.

If you take a look at your agenda, we
have five items on there. Item number 5 we've already
addressed and we are adding or substituting another item
for you, which will be a law enforcement update for
number 5.

So the first item that is on the list is
the Federal Subsistence Program budget. This is sort of
an update that I give you fairly regularly. The last
time we spoke at the last meeting I told you that the
president's budget proposal to Congress zeroed out the
U.S. Forest Service dedicated subsistence budget line
item, but the budget proposal also stated that there
would be a similar level of funding to 2010, but that
money would come from other Forest Service more general
program funds.

You expressed concern about that funding
in your 2010 annual letter to the Federal Subsistence
Board, which you should have in front of you, and I would
like to direct you, if you have it, to Page 2, Issue 2,
which is adequate funding of the Subsistence Program.
Does everyone have a copy of that?

1 Assuming you all have that, your issue
2 about funding was stated and the responses listed. In
3 the budget language, the president's budget request to
4 Congress and what it says is written here as quoted.
5 Also in this response there is a letter from Secretary
6 Vilsack to Senator Begich. I think it's the first
7 attachment to the letter. There you can read the
8 Secretary's commitment to the program. I think one of
9 the interesting parts of the letter is the handwritten
10 part on Page 2 from Secretary Vilsack saying, Senator, we
11 are working in a very tough environment with tough
12 choices now and in the future (given the current fiscal
13 year 2011 budget deal).

14
15 So, anyway, I think that if you read this
16 letter, you'll get a good sense at least where the
17 Secretary of Agriculture is and that he's extremely
18 supportive of the program.

19
20 It also identifies we had a peak funding
21 of 5.87 million and we're down around 4 million now, so
22 you can clearly understand that we don't have the
23 capabilities that we once had to fund the Fisheries
24 Monitoring Program or the Wildlife Monitoring Program
25 that we had started.

26
27 Now what I'd like to do is give you an
28 actual update, where are we. A number of months ago the
29 Senate Appropriations Committee took up the president's
30 budget request, which remember was for zero. The
31 Appropriations Committee said zero isn't okay and they
32 put \$2 million into their report out. So \$2 million
33 compares to 2.5, which was previously in the subsistence
34 line item, which again is not all of the funds.

35
36 So they put that \$2 million in, but where
37 we are now is a sort of big unknown. The Senate and
38 House have approved a continuing resolution through
39 middle of November, so the government will continue to be
40 funded at the same level as we were funded in fiscal year
41 2011 starting on Saturday. Where this will eventually go
42 we really don't know.

43
44 So that's all I really have on budget.
45 As far as we know, we anticipate that the level of
46 funding based on all this information will be similar to
47 the level of funding in both fiscal year 2011, which is
48 just ending, and fiscal year 2010.

49
50 Any questions on budget?

1 CHAIRMAN ADAMS: What about 2012?

2

3 MR. KESSLER: 2012, as far as we know,
4 will be consistent with 2011 and 2010. By the way, I do
5 want to point out another thing in this response letter
6 to your letter from the Board. On the bottom of Page 2
7 recognizing that you still have concerns. If the Council
8 chooses to write a letter to the Secretary expressing its
9 concern about future funding, the Board will forward the
10 letter to the Secretary. You did this, I believe it was
11 two years ago, we sent a letter through the Board to the
12 Secretary. If you so choose to do that again that's your
13 prerogative.

14

15 CHAIRMAN ADAMS: Okay. Thanks. Anybody
16 have any questions for Steve. Cathy, go ahead.

17

18 MS. NEEDHAM: I don't have a question
19 actually but I would like to bring up that I think that
20 we would still be concerned about the level that the
21 program is being funded and that we may consider writing
22 a letter to the Secretary as the Federal Subsistence
23 Board has recommended if we're still concerned to do so.

24

25 A number of things we saw in the report
26 back from the Secretary Review, a lot of things aren't
27 necessarily happening because of budgetary concerns and
28 in addition we don't get wildlife proposals. One of
29 those things is having wildlife projects and being able
30 to fund things like that because the budget doesn't allow
31 for it. So I think that would be one point to bring up
32 if we were to do a direct response to the Secretary
33 expressing our concern.

34

35 CHAIRMAN ADAMS: Thanks. That will be
36 included in our annual report, Cathy. Anything else.

37

38 (No comments)

39

40 MR. KESSLER: Are we ready to move on to
41 the next topic?

42

43 CHAIRMAN ADAMS: Okay. Let's do so.

44

45 MR. KESSLER: The next topic is the
46 Kootzooohoo petition for extraterritorial jurisdiction and
47 both Cal and I can speak to this. Cal is pretty much
48 leading the process for this for the Forest Service.

49

50 First of all, I do want to mention Mr.

1 Peter Narrows and Mr. Floyd Kookesh were talking about
2 being here to present information to you in person, but
3 that didn't work out. I know they very much wanted to do
4 that at this meeting. We'll do the best we can, at least
5 give you an update on where things are.
6

7
8 This petition for extraterritorial
9 jurisdiction associated with the Chatham Straits sockeye
10 first was submitted to the Secretaries and to the
11 Regional Forester in Alaska in May 2010. There were a
12 number of -- there was a lot of information that was
13 missing from what we would need to address an
14 extraterritorial jurisdiction request. Cal worked with
15 Kootznoohoo and sort of described those things that were
16 missing in what was needed. Kootznoohoo in June 2011 sent
17 a supplement to the Secretaries and to Regional Forester
18 Beth Pendleton with the information that was needed. I
19 believe both of those were mailed out to the Council, so
20 you should all be aware of those. If you need copies of
21 any of that through Bob or through us we can take care of
22 that.

23
24 On July 29th, 2011 the Secretary of
25 Agriculture sent a response letter to Kootznoohoo to both
26 Mr. Narrows and Mr. Kookesh in which he directed the
27 Board to take up this request. So things are rolling.
28 We just met with OSM last week to start developing a
29 timeline for addressing this petition. We have now a
30 tentative plan and you all are a part of that tentative
31 plan. We need to have a little bit of a conversation
32 about your next Council meeting, the one that's scheduled
33 in March, because what our thought is, and this really
34 came from a thought of the Regional Forester who said we
35 really should try to involve the Council in this process
36 and give the Council the opportunity to provide comments
37 and recommendations to the Federal Subsistence Board.

38
39 The way this works is the petition comes
40 to the Secretaries, the Secretaries send it to the
41 Federal Subsistence Board. The Federal Subsistence Board
42 can take early comment on that and then develops an
43 analysis of the petition. That analysis of the petition
44 is public. There's a public meeting where people can
45 provide additional comments to the Federal Subsistence
46 Board and then the Board goes into executive meeting in
47 order to develop a confidential recommendation to the
48 Secretaries. So their recommendation is never made
49 public so that they don't end up boxing the Secretaries
50 in a corner essentially.

1 What we're talking about is trying to
2 have the analysis completely done, have that public
3 meeting in March, have that public meeting associated
4 with your next meeting, you can hear all of the
5 information associated with the petition, all the
6 analysis that is done and then you will be able to make
7 a recommendation to the Board. The Board would meet in
8 Juneau and we would ask you to meet in Juneau and all
9 this would happen the same week.

10
11 So your current meeting is scheduled in
12 Sitka. We would ask that you move your meeting to
13 Juneau. We also would ask that you delay your meeting
14 either to the week after you currently have it scheduled
15 or the week after that. So it would be the third week in
16 March if I remember correctly or the fourth week in
17 March. Actually, we've already gotten permission to have
18 the meeting outside the window if needed. We need the
19 time in order to do the analytical work, to make the
20 arrangements. The Regional Forester we've confirmed is
21 available either of those two weeks because she
22 absolutely wanted to be available for that discussion.
23 The other piece of that is that your current meeting
24 overlaps with the Southcentral Council meeting and we
25 can't have those two overlap anyway.

26
27 So that's part of the request and we'll
28 keep Council very much involved and give you the
29 opportunity to provide that input to the Board and you'll
30 actually be able to participate in a Board meeting that
31 way.

32
33 Cal, what have I missed?

34
35 CHAIRMAN ADAMS: Mr. Kessler, when we go
36 down to Item 18 we will discuss that and confirm the
37 dates for that meeting. Right now we're scheduled to go
38 to Angoon.

39
40 MR. KESSLER: Cal reminds me that one of
41 the key things about having all this happen in March is
42 that we want the Secretary to be able to make that
43 decision on extraterritorial jurisdiction by May so it
44 can actually potentially affect next season's fishery if
45 there is some sort of action that comes out of it.
46 That's going to be cutting things a little close
47 unfortunately because getting anything through the
48 Secretary's office a month is a challenge. What we
49 intend to do is get the Secretary's office ready so that
50 they're well aware of this petition, what's going to be

1 coming to them and that they'll be able to make their
2 decision fairly quickly.

3
4 So anyway, what we did is we sort of
5 started from May, worked backwards, figured out when the
6 Council meeting was and how quickly we could do all this
7 work.

8
9 CHAIRMAN ADAMS: Thank you, Steve. Any
10 questions for Steve. Mr. Hernandez.

11
12 MR. HERNANDEZ: Mr. Kessler is up there.
13 Maybe he could answer this question. Do you have any
14 sense of when the two new Board members might be seated?
15 Is there a possibility they could be seated before that
16 meeting?

17
18 MR. KESSLER: Through the Chair. Mr.
19 Hernandez. I think you are aware that the special
20 assistant to the Secretary of the Interior has put out a
21 call for nominations and those nominations are due the
22 end of October. I know that it is his intent that those
23 members will actually be in place for the January Board
24 meeting, where the decisions that you've been talking
25 about have been in place. Whether that happens or not,
26 we don't know. We don't know how long that's going to
27 take. I would anticipate with that being the goal by
28 March hopefully we will have the two new members sitting.

29
30 CHAIRMAN ADAMS: More questions.

31
32 MS. PHILLIPS: Mr. Chair.

33
34 CHAIRMAN ADAMS: Patty.

35
36 MS. PHILLIPS: Thank you. On the two new
37 members, are those paid positions, are they salaried
38 positions?

39
40 MR. KESSLER: Through the Chair, Patty.
41 My understanding is that those are paid positions on an
42 hourly basis, so they're not regular salaried position,
43 but they are paid when the people are actually working.

44
45 CHAIRMAN ADAMS: Anyone else.

46
47 (No comments)

48
49 CHAIRMAN ADAMS: Okay. Do you want to
50 move on to the next item. Just pull up another chair,

1 Terry.

2

3 MR. CASIPIT: Unless you have technical
4 questions about the petition itself, I'm going to excuse
5 myself and let Terry come up and take my seat. So, with
6 the permission of the Chair.

7

8 CHAIRMAN ADAMS: You're excused.

9

10 MR. KESSLER: The next item that's on the
11 agenda is a personnel update and Terry and I will be
12 doing that together. I'll just give you a quick update
13 from the regional office and then Terry will give you an
14 update for the Forest. For the regional office we have
15 a new employee who you know well and that's Melinda
16 Hernandez. She has transferred from the
17 Tongass National Forest to the regional office working
18 under me and she's now living in Anchorage.

19

20 CHAIRMAN ADAMS: So you swiped her from
21 us.

22

23 MR. KESSLER: She's still available for
24 work for this Council. Swipe is a little bit of a strong
25 word.

26

27 CHAIRMAN ADAMS: You stole her.

28

29 (Laughter)

30

31 MR. KESSLER: The other part of that is
32 that she's now in Anchorage and she is on a detail to the
33 U.S. Fish and Wildlife Service Office of Subsistence
34 Management and she is now for 120 days the Council
35 coordinator for the Western Interior Council. So she's
36 getting really good experience. It's an exciting Council
37 to be working with. I think many of you probably know
38 Jack Reakoff is the chair. It's just a great experience
39 for her.

40

41 She was very unhappy that she was missing
42 this meeting, the first meeting of Southeast Council
43 she's missing in years, but she's pretty excited about
44 this new work.

44

45 CHAIRMAN ADAMS: Well, our
46 congratulations to her. You could relay that to her from
47 us. I'm certain that she will do well because of the
48 experience she's had working with us.

49

50 MR. KESSLER: So Terry's next.

1 MR. SUMINSKI: Good afternoon, Mr.
2 Chairman, Council members. The fall meeting in Hoonah
3 you met Trevor Fox and he ran the Falls Lake project for
4 us the year before last. I'll come right out and say it,
5 OSM swiped him, so we had to refill that position.
6 Justin Koeller comes to us from the -- I believe he
7 worked in Oregon with -- I can't remember what agency
8 now.

9
10 MR. VAN ALLEN: USGS.

11
12 MR. SUMINSKI: Yes, USGS in Oregon. He
13 has a fairly extensive background in the type of work we
14 do on these fisheries projects. He got here just in time
15 for about the last week of the Falls Lake project, but
16 he's been doing a great job, so we're happy to have him
17 here now. I got a new a supervisor recently. Patricia
18 O'Connor, who was my supervisor, was promoted to deputy
19 forest supervisor and we hired Ted Schenk. Some of you
20 may remember he worked on the Tongass before as a
21 wildlife biologist in planning. So he's back in the
22 Tongass and took Patricia's position.

23
24 Last but not least just an update on your
25 Council Coordinator. We did advertise for that position
26 to be filled. It would be filled as a Tongass position.
27 It would be half-time Council Coordinator, half-time
28 Wrangell-Petersburg subsistence fisheries biologist.
29 That position got caught up in the hiring pause, so it's
30 gone through the process and it's been elevated to
31 Washington office for approval. That's part of this
32 pause. We're waiting for the results of that to finalize
33 that position.

34
35 CHAIRMAN ADAMS: So we have to put up
36 with this guy for a while yet?

37
38 (Laughter)

39
40 MR. SUMINSKI: We're not sure yet. We
41 hope to hear soon. Steve just mentioned I have to put up
42 with him through at least October 8th. That's when his
43 present appointment is up. That's all I had for updates.

44
45 CHAIRMAN ADAMS: Questions anyone for
46 Terry.

47
48 (No comments)

49
50 CHAIRMAN ADAMS: Thank you. Schedule of

1 proposed actions.

2

3 MR. SUMINSKI: You should all be familiar
4 with the schedule of proposed actions. The last I gave
5 this update I think everybody knew how to access them on
6 the internet and things like that. If you need that
7 information again just let Robert know and we'll make
8 sure we get it to you.

9

10 I just went through the latest listing
11 and there's quite a few outfitter/guide capacity analyses
12 in there. I'll get back to that in a second. Almost all
13 the districts have one or two watershed restoration
14 projects going. There's a Fish Pass project being
15 planned for Kanalku. I think we've been working on that
16 one for a while. There's also the Angoon Airport.
17 That's kind of an interesting project.

18

19 I did have an update on the
20 outfitter/guide use analysis for Prince of Wales. They
21 will have a draft EA out in October. I don't know what
22 date exactly, but they're hoping to get it out in
23 October. Ketchikan district also has one coming out
24 soon.

25

26 Are there any questions on the SOPA,
27 schedule of proposed actions.

28

29 CHAIRMAN ADAMS: Mr. Douville.

30

31 MR. DOUVILLE: Thank you, Mr. Chair. My
32 question would be on the outfitter/guide scoping process.
33 Kind of the way I understand it, the next step would list
34 the different choices or decisions that they made and
35 those would be offered for public comment?

36

37 MR. SUMINSKI: That's exactly correct,
38 Mr. Douville, through the Chair. This EA that will come
39 out is a draft EA that's out there for public comment.
40 I'm sorry I misstated that. I didn't make that clear.

41

42 Thank you.

43

44 CHAIRMAN ADAMS: Thank you, Terry. Are
45 there anymore questions.

46

47 (No comments)

48

49 CHAIRMAN ADAMS: All right. Next thing.

50

1 MR. KESSLER: The last item, Mr.
2 Chairman, that we would like to bring up is Mr. Doug Ault
3 to give a law enforcement update and he'll hopefully
4 query you to see if you've got law enforcement concerns
5 on the Tongass that he can bring back to Jeff Bryden who
6 wasn't able to be here at this meeting as he normally is
7 because of funding situations.

8
9 Doug, go ahead.

10
11 MR. AULT: Thank you, Steve. Thank you,
12 Mr. Chairman. Members of the Council. This has been my
13 first opportunity to attend a Council meeting. I've been
14 very happy to do so. It's been very educational for me
15 and I think it's something that's very important that
16 we're a part of as law enforcement.

17
18 As Steve said, Jeff Bryden was not able
19 to attend due to budget constraints and so this was kind
20 of thrust upon me at the last moment, so I can't really
21 provide you with much of an update per se, but what I
22 would like to do if I can is give you a viewpoint and in
23 so doing try not to speak too much above my pay grade
24 lest I find myself doing a lot of pushups when I see my
25 boss next week.

26
27 (Laughter)

28
29 MR. AULT: That said, starting out, I
30 just kind of want to point out something that sometimes
31 gets lost with folks, which is that right now there's 11
32 of you sitting in front of me and currently there are
33 seven Forest Service law enforcement officers in
34 Southeast Alaska. So we've got a big job to do out there
35 and that's why the business that you accomplish here and
36 that we're a part of here is so important because the
37 more we can take care on the front end the less there is
38 to do out in the woods.

39
40 In law enforcement, a lot of times we
41 talk about kind of the three E's, which would be
42 education, engineering and enforcement. The reason
43 enforcement is last is because if we do our job through
44 education and we do our job through engineering good
45 regulations and good notification of those regulations to
46 the public, then we don't have to take as many punitive
47 and corrective actions through enforcement.

48
49 Two parts of education. One would be
50 public. We heard Mr. Stough on the first day talking

1 about the fish camps and the cultural education that he
2 does to help instill values in the public for the
3 resource. That's very important. And on the government
4 side we need to do our part to get all these really smart
5 folks out here to share the science and to make sure
6 everybody is aware of why we do what we do.

7

8 Engineering is what you folks do here.
9 It is probably the most important part of the process
10 because it's what brings together the cultural and
11 traditional knowledge and the scientific knowledge that
12 we have to try to find somewhere in the middle where we
13 can create regulations to support our management goals
14 such as sustained use of our resources, subsistence use.

15

16 Again, enforcement is last and our
17 primary mission is to maintain a safe and equitable
18 environment for the sustained use of resources as set
19 forth by you folks and by policy-makers in general. The
20 two ways we do that, cooperation and communication.

21

22 When I say cooperation, I think you might
23 be surprised to hear me say that I agree 100 percent with
24 the gentleman who called in from Sitka and who was
25 voicing these concerns about the fact that different
26 officers give different answers and different
27 interpretations.

28

29 When I talk about cooperation, what I'm
30 talking about is having Federal, State and tribal
31 governments working to align regulations and goals and
32 needs so that we can end user confusion. That's probably
33 the biggest complaint that I get from the public is
34 confusion over different sets of regulations. As long as
35 we do have different sets of regulations, it's going to
36 be difficult to work through.

37

38 Difficult as it may be, progress is a
39 process. I look at kind of the enforcement part of that
40 process as being communication between policy-makers and
41 the public and I see that kind of as a feedback loop.

42

43 The first part of the loop is that we
44 need to communicate with you and we need to communicate
45 with our managers and with our researchers so that we
46 understand what our mission is so that we can better
47 communicate that mission to the public. If we're out
48 there telling people what to do but we can't explain why,
49 then the connection is lost.

50

1 The other part of that feedback loop is
2 for law enforcement officers to report back to you and
3 report back to our managers what we're hearing in the
4 public and the concerns and the questions and the
5 confusions. Believe me, we hear a lot of it. I hear a
6 lot of it every time I'm in the field.

7
8 So I can confidently say that most if not
9 all of the officers that I work with are willing to
10 engage in that type of conversation. In fact, most of
11 them you probably have a hard time getting them to be
12 quiet once you get them started talking. None of them are
13 shy. That goes double for my chain of command. I can say
14 that everyone in my organization from the Forest regional
15 levels in law enforcement are more than happy to engage
16 in this dialogue. So I would encourage you to seek out
17 your local law enforcement officers in your communities
18 and ask them what they're hearing from the public. At
19 the same time, let us know what we can do better.

20
21 So thank you for the last few days.

22
23 It's been very educational for me.

24
25 CHAIRMAN ADAMS: Thank you. We
26 appreciate you being here. Is there any questions.
27 Archie. Did you have a question, Patty? And then
28 Harvey.

29
30 MR. NIELSEN: Thank you, Mr. Chairman.
31 I'd like to thank you gentleman. You've absorbed a lot
32 in four days being a newbie like myself. I spent time on
33 several boards of directors over the years. But I
34 watched you in the last four days and you're impressive.
35 You've come out all right and now you can hold your head
36 high.

37
38 MR. AULT: Thank you, sir.

39
40 CHAIRMAN ADAMS: I noticed that. I've
41 watched you too, so congratulations.

42
43 MR. AULT: Thank you.

44
45 CHAIRMAN ADAMS: Any more questions. Oh,
46 Patty.

47
48 MS. PHILLIPS: Thank you, Mr. Chair.
49 Thank you for your participation in our meetings as well.
50 I appreciate that the Forest Service law enforcement

1 makes a pass through Pelican at least once a season and
2 I would encourage that to happen. I know that you guys
3 are under budget constraints, but it's a good presence to
4 have unnotified, you just sort of show up, so people know
5 that you guys really exist.

6

7 I'd like to know on the emergency orders
8 how are those shared with you and how you implement them.

9

10 MR. AULT: First of all, through the
11 Chair, I'd like to say that I will pass that along and
12 thank you for mentioning that it is appreciated that we
13 come through at least once a year and we'll try to do so
14 more often.

15

16 As far as the emergency orders are
17 concerned, I would say that probably most officers in
18 most locations work very closely with every agency and
19 every department, both State and local enforcement and
20 management-wise. I know personally I'm in contact with
21 the Forest Service managers here, but also work very
22 closely with the Alaska Wildlife Troopers, which is the
23 other primary resource enforcement agency here, both in
24 Wrangell and Petersburg, and with the Fish and Game
25 offices in those locations.

26

27 We have a very open line of communication
28 and I think that for the most part the information is
29 pretty well shared. Sometimes there's a little breakdown
30 here and there and things don't get passed along, but
31 pretty well. It's from officer to officer between the
32 agencies.

33

34 CHAIRMAN ADAMS: Mr. Douville.

35

36 MR. DOUVILLE: I appreciate you being
37 here. You express yourself very well. I appreciate
38 that. I recommend no pushups to your boss.

39

40 MR. AULT: Thank you very much.

41

42 CHAIRMAN ADAMS: Mr. Kitka had something.

43

44 MR. KITKA: Thank you, Mr. Chair. I
45 appreciate your thoughts and the way you spoke to us and
46 the way you listened. I really would like to see more of
47 the enforcement come to the tribal governments and offer
48 suggestions to the people. If it can be in advance
49 notice so we can ask some of the public involved in some
50 of these things to come to those meetings too so they can

1 be informed.

2

3

Thank you.

4

5

CHAIRMAN ADAMS: I'd like to just agree
6 as well. Going to tribal governments and getting a
7 sense of their cultural and the way they live,
8 traditional, is a very important way for enforcement
9 officers to get a grasp of that. We've had them come
10 into our community like gangbusters in the past and it
11 took us years and years to try to settle them down a
12 little bit. So it's really important to go to the tribal
13 governments and visit with them, let them know why you're
14 there, what you're doing. I think they'd really
15 appreciate that.

16

17

Any more comments.

18

19

(No comments)

20

21

CHAIRMAN ADAMS: Thank you, sir.

22

23

MR. AULT: Thank you.

24

25

CHAIRMAN ADAMS: Steve.

26

27

MR. KESSLER: Thank you, Mr. Chairman.
28 That's the end of Forest Service report. If there are
29 any other general questions, I can answer them.
30 Otherwise, you can move on.

31

32

CHAIRMAN ADAMS: Any more questions.

33

34

(No comments)

35

36

CHAIRMAN ADAMS: Thank you guys, both of
37 you. I apologize to you, Ron. You're always sitting
38 over there, okay, and then you pulled a fast one on me.
39 You moved over there and then I didn't know that you
40 wanted to make a comment after our last presentation. Do
41 you still want to come forward?

42

43

MR. LEIGHTON: Yes, please.

44

45

CHAIRMAN ADAMS: Thank you.

46

47

MR. LEIGHTON: Ron Leighton, Organized
48 Village of Kasaan. I wanted to make a comment on that
49 salmon bycatch through the trawl industry. They don't
50 only intercept our salmon, they are intercepting our

1 halibut in large quantities and stuff, four pound
2 average.

3
4 But this fishery here is the closest
5 thing to fishing with dynamite. I always explain that,
6 you know. You could see these sport people, elders,
7 sitting around a quiet lake and a guy goes up there and
8 throws two sticks of dynamite in, collects two fish,
9 leaves the rest dead and walks away. Well, they don't
10 afford the proper methods in which to sort out size, sex
11 and weight and stuff like that and their bycatch that
12 they throw back goes back dead, most of it. Very little
13 survive.

14
15 I came into some information and I'm
16 pretty sure it's true. Maybe if you could investigate
17 further. You guys have the means, you have the contacts.
18 I was told through an advisory council person, I asked
19 him on the bycatch of king salmon, they are ordered to
20 bring the remaining bycatch even over their cap into
21 Dutch Harbor for being analyzed to determine -- maybe try
22 to determine where they are from, what areas and stuff.

23
24 I said what happens to the fish after
25 that and the person indicated that he suspects it goes
26 into commerce. Now I'd like to have that investigated.
27 If that's in fact the truth, then I think that something
28 has to be put in place as far as -- right now if this
29 here trawl industry comes out and bycatches king salmon,
30 that's all they say, oops. There's no deterrent there.
31 My thought on that is we have people up the rivers and
32 stuff like that that are not getting their needed king
33 salmon.

34
35 So if the trawl industry was penalized in
36 such a way that they have to, they're forced to process
37 that salmon in a good acceptable way, glaze it, freeze
38 it, glaze it, freeze it, bring it back into Anchorage and
39 make sure it gets to the people that are shorted by it.
40 This will cause them to utilize their freezer space, it's
41 going to cause them to utilize their resource on board
42 and it would deter them. They will say, well, we don't
43 want to do that now. We're having to go out of our way
44 here to do this.

45
46 I think if something could be put in
47 place, these deterrents put in place, maybe that will
48 work and help. Anybody have any questions on that.

49
50 CHAIRMAN ADAMS: Mr. Bangs.

1 MR. BANGS: Thank you, Mr. Chairman.
2 What investigations I've made into the king salmon is
3 that the quality is so poor after being drug in a trawl
4 that the majority of it gets ground up. I can understand
5 the salmon that is acceptable for food should be
6 processed and I appreciate that thought, but I don't
7 think there's a lot of it that turns out to be a quality
8 fish.

9
10 Thank you.

11
12 MR. LEIGHTON: I feel that this attitude
13 of books is not acceptable. They don't only cause severe
14 damage to the chinook king salmon returns, but it's
15 noticeable in the halibut, king crab, all kinds of other
16 subsistence foods. I would like to see something brought
17 out through -- a stronger approach, let's put it this
18 way. It's kind of difficult because this is under the
19 Department of Commerce and you're operating under the
20 Department of Interior and Department of Agriculture.
21 I'm hoping that somewhere down the road there's going to
22 be an open access, some way of opening up the doors and
23 getting some communication back to the Secretary of
24 Commerce on how this is affecting people.

25
26 I feel that this here trawl industry can
27 probably catch as much pollock as they are doing now in
28 a pot fishery rather than in a trawl fishery. I feel
29 that that there has got to be entertained because there
30 in that pot fishery they could sort out size, sex and
31 bycatch and put it back into the waters in maybe a
32 surviving state.

33
34 CHAIRMAN ADAMS: Tim, go ahead.

35
36 MR. ACKERMAN: Yeah, it's pretty good
37 listening to the king salmon issue here. Apparently
38 after the king salmon survives the high seas and makes it
39 all the way through the straits and up to the north end
40 up there where were fisheries, we do the driftnet fishery
41 and we have also as a subsistence user classifying king
42 salmon in our nets as incidental catch now. The Fish and
43 Game would like us to release most if not all king salmon
44 that we are bycatching incidental bycatch in our
45 driftnets also now. It's not a real strict requirement
46 that we release the fish. If they're too damaged by the
47 gillnet, then we do keep a couple of them and we also
48 give scale samples to the Fish and Game.

49
50 We, as a subsistence user on the north

1 end, have entered the bycatch incidental of king salmon
2 in our nets also, but we've all participated and released
3 quite a few king salmon that we have caught. Yeah, we
4 are under the watchful eye, I guess, but we don't need
5 too many up there.

6

7 But, yeah, real interesting situation
8 there.

9

10 Thank you, Mr. Chair.

11

12 CHAIRMAN ADAMS: Thank you.

13

14 MR. LEIGHTON: That's one area that I
15 think that -- I don't know whether this here North
16 Pacific Fisheries Management Council have addressed the
17 concerns of the subsistence users. I don't know if maybe
18 this board here can make sure that the other subsistence
19 needs are met. Where you have to sit down there and
20 consider that as bycatch in the past used that as
21 subsistence food, this is probably part of the reason.

22

23 Anyway, I'm done on that one. I would
24 like to say that I would -- I'm going to be submitting a
25 proposal here and I would like assistance in drafting it
26 and this would be a proposal for deer hunting and elders
27 and handicap access, more better access to the deer.
28 I'll get with Robert and ask him on that.

29

30 I also would like to say that I'm going
31 to try to put -- and I'd like to get adjudicated that
32 water is an important subsistence item. It's not
33 adjudicated. Never has been adjudicated, but we simply
34 process all our subsistence foods with water. I would
35 like that on the schedule and be adjudicated. I'm going
36 to be submitting something along that line too.

37

38 CHAIRMAN ADAMS: Thank you, Ron.

39

40 MR. LEIGHTON: Thank you.

41

42 CHAIRMAN ADAMS: Mr. Mills. Thank you
43 for being patient.

44

45 MR. MILLS: Mr. Chairman. Council
46 members. It's a pleasure being with you here the past
47 few days. I've really enjoyed listening and learning.
48 My name is Dave Mills. I'm the subsistence manager for
49 the Alaska Region of the National Park Service. I
50 haven't been to one of your meetings in quite a while, so

1 it's nice to be able to join here. Most of my experience
2 the last 20 years has been in northern Alaska. Prior to
3 that I did spend a decade or so around Southeast Alaska,
4 so it's great to be back.

5
6 I just had a couple things. I'll be real
7 brief here. Jim Capra, by the way, our ranger in
8 Yakutat, I talked with him and he told me to express his
9 apologies for not being able to make this. He's the lone
10 ranger up there right now. He said he would plan to join
11 you at your spring meeting, so you can expect to see him
12 back then.

13
14 CHAIRMAN ADAMS: There's something unique
15 about Jim. He'll come here at the meetings, he'll sit in
16 the back all during the meetings, you know, and then when
17 it's time for him to do his report it's a five-minute
18 report. So we just really appreciate him a lot. I just
19 thought I'd share that with you, Dave.

20
21 MR. MILLS: Okay, great. I'll be real
22 quick here too.

23
24 CHAIRMAN ADAMS: That doesn't mean I want
25 you to be quick.

26
27 MR. MILLS: Well, I don't have much. I'm
28 basically here to just learn and to meet folks. It's
29 been very rewarding as far as that goes.

30
31 As you know, there's four National Park
32 areas within your region here and actually the oldest
33 National Park unit, Sitka Historical National Park, just
34 celebrated its 100th anniversary. Following that, Glacier
35 Bay was established about 80-some years ago. So you have
36 some very older National Park units. Then came the
37 Klondike Gold Rush National Historic Site about 40 years
38 ago and then the bulk of the National Parks in Alaska,
39 including Wrangell-St. Elias and Northern Southeast were
40 established by ANILCA.

41
42 I bring that up in that some of the
43 challenges that were faced especially at Glacier Bay is
44 protected areas such as National Parks that were
45 established around the country, for that matter, around
46 the world, really reflect the time period and the values
47 that were in place when they were established. Older
48 National Parks oftentimes have older concepts.

49
50 They're still important, but in the case

1 of Glacier Bay, for example, the staff there is working
2 hard at finding ways to recognize traditional homeland of
3 the Tlingit people in that area in the context of the
4 legislation that established the area 80-some years ago
5 before we had Title VIII of subsistence and ANILCA. As
6 our other parks around the country, quite frankly,
7 there's new approaches and how to work with and recognize
8 indigenous people and their use of the land there.

9

10 In talking with Ken Grant on the staff
11 there at Glacier Bay he mentioned that their efforts
12 continue working with people around Glacier Bay on ways
13 of recognizing that homeland even though the Glacier Bay
14 proper, the National Park lands, is not a part of what we
15 call Title VIII subsistence activities like the newer
16 park in Wrangell. So that's a big challenge for all of
17 us and the staff there.

18

19 One of the things he mentioned there was
20 the efforts to seek legislation, which is required to
21 allow some gull egg collection as part of that
22 recognition. It's before Congress right now. It's gone
23 through a few committees, so it's in the process right
24 now. I'm assuming you've heard a little bit about that
25 in the past.

26

27 The other thing I would like to mention,
28 they continue their outreach programs with the
29 communities around there that I think have been
30 appreciated and really valued, especially with Hoonah.

31

32 One national program that affects parks
33 such as Glacier Bay and older parks in the Lower 48 is we
34 are working on a discussion with tribes to find ways to
35 again recognize their homelands and their connections
36 with lands that we now call National Parks, even if
37 they're places like Yellowstone that were established
38 well over 100 years ago. In beginning discussions with
39 Federally recognized tribes, how we might allow certain
40 activities aside from fish and wildlife harvesting that
41 would allow the continued cultural connections that
42 they've had with the land, including use of plants and
43 other materials.

44

45 It's a start and it's something that is
46 being discussed both here in Alaska -- it doesn't affect
47 most of our parks because they're covered by ANILCA, but
48 it would Glacier Bay and in the Lower 48. Go ahead.

49

50 CHAIRMAN ADAMS: Are you familiar with

1 the celebration we had in the Dry Bay area this spring?

2

3 MR. MILLS: No.

4

5 CHAIRMAN ADAMS: Classic example of what
6 you just got through addressing. Allowing Native tribal
7 clans to get reconnected with their past and their
8 history. I wish I had time to talk about it. It was a
9 real big project, but we worked with the Park Service,
10 the Forest Service and the tribal governments to have
11 this celebration down there. 125 people from all around
12 Southeast Alaska showed up. It was quite a celebration.
13 Anyhow, I just wanted to mention that.

14

15 MR. MILLS: That's good to hear. So I
16 just wanted to mention those couple programs and we'll
17 look forward to working through the Federal Board process
18 and with the Regional Councils on continuing to do what
19 we can to live up to the intent and doing what is
20 appropriate and right with accommodating and allowing the
21 continued opportunities that ANILCA protects.

22

23 So I think with that I'll leave that. I
24 notice on your agenda you're going to have a discussion
25 on an appointment to the Wrangell-St. Elias Subsistence
26 Commission, which is very important to us and I'll let
27 you do that. I just wanted to again thank you for the
28 opportunity to join you and look forward to continuing to
29 work with you.

30

31 CHAIRMAN ADAMS: Thank you, Dave. Is
32 this your first Southeast RAC meeting?

33

34 MR. MILLS: It's my second, but it's been
35 a while.

36

37 CHAIRMAN ADAMS: Maybe it was before my
38 time. Anyhow, welcome. Any questions anyone.

39

40 (No comments)

41

42 CHAIRMAN ADAMS: Gunalcheesh. I'm going
43 to leave it up to the Council here. We've only got a few
44 more items to go. We can continue on with the meeting
45 until we reach the end of the agenda or we can take a
46 little break. You want a break? Okay. We'll take a 10-
47 minute break.

48

49 (Off record)

50

1 (On record)

2

3 CHAIRMAN ADAMS: We're going to begin
4 here in about a minute, so would you please take your
5 seats.

6

7 (Pause)

8

9 CHAIRMAN ADAMS: Okay, folks, let's get
10 started. I want to go ahead and excuse John. He wanted
11 to leave at 3:00 o'clock. He's going to go up the river
12 and go shoot a moose. Are you going to give us any?

13

14 MR. YEAGER: Definitely.

15

16 CHAIRMAN ADAMS: Definitely. So we'll
17 start and whenever you decide you need to leave it's
18 okay, John.

19

20 MR. YEAGER: Thank you, Mr. Chairman.

21

22 CHAIRMAN ADAMS: You're welcome. Okay.
23 We're going to go through the agenda in this order and
24 we're going to bounce around a little bit. Mr. Larson
25 and I went through this. We thought it would be good, so
26 get a pencil or a pen ready. We're going to do number 1,
27 Item Number 15. Then we're going to go down to 17,
28 number 2 will be A. 18 will be 3A. Number 4 would be B.
29 5 would jump up to C. That's all. We'll do it in that
30 order just to make sure we get those items out of the
31 way.

32

33 We're now on Item Number 15. Identify
34 issues for the 2011 draft annual report. Go ahead, Mr.
35 Larson. Under 17D Harvey has a request to make. I
36 wasn't going to ignore that, Harvey, so we'll make sure
37 that happens. Go ahead, Mr. Larson.

38

39 MR. LARSON: Mr. Chair. I have four
40 items identified by the Council at this meeting that
41 would be suitable for the annual report. Number one
42 would be to incorporate issues addressed within a
43 proposal rather than the proposal itself to engage tribes
44 and corporations for consultation. For instance, the
45 cultural use of bear claws as opposed to the handicraft
46 proposal itself. I think I've got that captured
47 correctly.

48

49 Number two would be consultation by
50 tribes and corporation at board meetings that contain

1 significant new information, if there is, then this issue
2 should be returned to the Council for additional
3 consideration.

4

5 Number three would be that ANCSA
6 corporations should be included in the Council's agendas
7 and provided information on how best to interact with the
8 Council.

9

10 Number four would be continued concern on
11 the subsistence budget, the need for wildlife resource
12 projects and a dedicated funding source. I don't know
13 about dedicated funding. We'll scratch that. That is
14 all that I have written down as yet for 2011 annual
15 report.

16

17 CHAIRMAN ADAMS: That pretty much covered
18 what we talked about so far. Cathy, I know you wanted to
19 bring up an issue. Go ahead.

20

21 MS. NEEDHAM: With respect to number four
22 that Mr. Larson read off, correct me if I'm wrong, but I
23 don't think it's appropriate to put it into the annual
24 report since it was already reported in an annual report
25 and the Federal Subsistence Board responded to it and
26 their response was if we wanted to express concern to the
27 Secretaries regarding the budget that we would write them
28 a letter directly. If that is the case, then we should
29 make a motion and vote on that at this meeting in order
30 to have that letter be drafted and submitted to the
31 Secretaries.

32

33 CHAIRMAN ADAMS: I think that would be a
34 better idea, Cathy, so a motion is in order to do so.

35

36 MS. NEEDHAM: Mr. Chair. I move that we
37 draft and submit a letter directly to the Secretary
38 regarding our previously expressed concerns on the
39 subsistence budget.

40

41 MR. BANGS: Second.

42

43 CHAIRMAN ADAMS: It's been moved and
44 seconded by Mr. Bangs. Discussion.

45

46 (No comments)

47

48 MR. KITKA: Question.

49

50 CHAIRMAN ADAMS: The question has been

1 called. All in favor signify by saying aye.

2

3

IN UNISON: Aye.

4

5

6

CHAIRMAN ADAMS: Opposed same sign -- no,

7

8

(No opposing votes)

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Mr. Larson.

MR. LARSON: Mr. Chair. I make the assumption that between myself and Cathy Needham we would be empowered to draft a letter for your signature on the subject.

CHAIRMAN ADAMS: Yes. Okay Cathy?

MS. NEEDHAM: (Nods affirmatively)

CHAIRMAN ADAMS: Okay. Thanks.

MS. PHILLIPS: Mr. Chair.

CHAIRMAN ADAMS: Patty.

MS. PHILLIPS: When will this letter get turned in?

MR. LARSON: Mr. Chair. What I would anticipate and pending Cathy's schedule, and I'm not sure what that would be, that we would have something within a week or so and that would be sent to the Council for review, which would be another week or so of time for them to review. I normally provide 10 days and then time for the Chairman to sign it. So I would say three weeks or month before it was signed.

MS. PHILLIPS: Mr. Chair.

CHAIRMAN ADAMS: Patty, go ahead.

MS. PHILLIPS: Thank you. I'm wondering if we might discuss the coordinator position on the sea

1 otter management, the U.S. Fish and Wildlife Service. I
2 understand Mr. Doug Burns has transferred out. This is
3 such an important issue for our region. Knowing how slow
4 the Federal bureaucracy can be, we need to highlight the
5 importance of that position and get it filled quickly.

6

7

Thank you.

8

9 CHAIRMAN ADAMS: So you want that to be
10 put in the annual report, Patty?

11

12

MS. PHILLIPS: If it's appropriate.

13

14

CHAIRMAN ADAMS: Yeah, go ahead.

15

16

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(No comments)

MR. LARSON: Mr. Chairman. Under the
topic for fulfilling the position of the marine mammal
coordinator, I would like to note that this is a draft
2011 annual report. It will be written by myself and the
Chairman in draft form and presented to the Council in
March of 2012 for approval. So it won't go to the Board
until April of 2012. The idea of the annual report is
actually to bring items to the Board that they may or may
not be aware of. They're important for the Council. I'm
just questioning whether or not the timeliness of filling
a position now that's vacant which would likely not be
vacant by the time we finally get around to approving the
report.

CHAIRMAN ADAMS: Patty, would you like
maybe a letter to be adopted?

MS. PHILLIPS: Yes, please, Chairman
Adams, if you could work on a letter to that effect, that
would be great.

1 CHAIRMAN ADAMS: We'll do it. Thank you.

2

3 MS. PHILLIPS: Mr. Chair. Mr. Douville
4 has brought to my attention our motion to have RAC
5 participation in the wolf petition process that the U.S.
6 Forest Service is going through, so I don't know if it's
7 appropriate to address that in our annual report that we
8 want enough funds for RAC involvement in that working
9 group that's being assembled for the wolf petition.

10

11 CHAIRMAN ADAMS: Anything else for the
12 annual report.

13

14 MR. LARSON: Just to make sure, Mr.
15 Chairman, that I have authorization to work with Ms.
16 Phillips in drafting this letter.

17

18 CHAIRMAN ADAMS: That's fine.

19

20 MR. LARSON: And the letter would go to
21 the director of the U.S. Fish and Wildlife Service.

22

23 CHAIRMAN ADAMS: Okay. Any more.

24

25 (No comments)

26

27 CHAIRMAN ADAMS: Hearing none, we'll
28 close this portion of the discussion then. Mr. Larson.

29

30 MR. LARSON: And there will be an
31 opportunity to finalize this list. We have now a draft
32 annual report topic list and there will be an opportunity
33 at our next meeting to amend, edit and finalize our
34 annual report.

35

36 CHAIRMAN ADAMS: So moving on then.
37 Let's go to Item Number 17A, Council appointment to the
38 Wrangell-St. Elias National Park Subsistence Resource
39 Commission. Mr. Larson.

40

41 MR. LARSON: Mr. Chair. I've been in
42 contact with the coordinator of the Wrangell-St. Elias
43 Subsistence Resource Commission and she has been in
44 contact with the Yakutat area Fish and Game Advisory
45 committee. The rules regarding this position are that it
46 must be either a member of this Council or a member of
47 the Fish and Game Advisory Committee from Yakutat, they
48 have to be rural subsistence users. The only person that
49 is -- there are no volunteers within the advisory
50 committee. There is only one person on this Council that

1 is eligible and that's yourself, of course.

2

3 (Laughter)

4

5 MR. LARSON: So the Subsistence Resource
6 Commission for the Wrangell-St. Elias Park would
7 appreciate a nomination, but as far as I could tell
8 you're the only possible nominee.

9

10 CHAIRMAN ADAMS: Mr. Bangs.

11

12 MR. BANGS: Thank you, Mr. Chair. I
13 nominate Bert Adams as our representative.

14

15 MR. HERNANDEZ: Second.

16

17 MR. BANGS: Second.

18

19 MS. NEEDHAM: Second.

20

21 MS. PHILLIPS: Call for the question.

22

23 REPORTER: I'll pick.

24

25 (Laughter)

26

27 CHAIRMAN ADAMS: The question has been
28 called for. Talk about a railroad. All in favor say
29 aye.

30

31 IN UNISON: Aye.

32

33 CHAIRMAN ADAMS: Opposed same sign.

34

35 (No opposing votes)

36

37 CHAIRMAN ADAMS: Carried. Thank you
38 folks. If there's any time that I want to be on this
39 commission right now is the work that we are trying to do
40 in getting more people involved in applying for seats on
41 a commission. We don't have any representation, you
42 know, up in the Northway area, so we're having our
43 meeting there coming up next week, so we get a chance to
44 go up there and talk to those people and see if we can
45 get them interested in applying for some of those seats.
46 I think we're going to be okay with it, but I really do
47 want to be a part of that process in recruiting somebody
48 from that area.

49

50 Once that's accomplished you can kick me

1 off anytime. Thank you. I do appreciate your confidence
2 in appointing me to that position every year and it's
3 been a real good experience for me as well. And I love
4 going up there. They're nice people up there.

5

6

Mr. Larson.

7

8

MR. LARSON: I would like to report that
9 one of the obligations of this coordinator position is to
10 accompany Bert every two years to one of their meetings
11 and my time is up this spring, so I hope you pick a nicer
12 place.

13

14

CHAIRMAN ADAMS: Hawaii.

15

16

(Laughter)

17

18

CHAIRMAN ADAMS: All right. Let's move
19 on then. 18A is our next one. The next meeting is
20 scheduled to be in Angoon and I'll let Bob talk about
21 that, why we are probably going to have it in Juneau
22 instead. Bob, why don't you go ahead and address that a
23 little bit.

24

25

MR. LARSON: As previously mentioned by
26 Mr. Kessler, there's an opportunity for the Council to do
27 two important things. One is that they could hear and
28 discuss the staff analysis and the merits of the extended
29 jurisdiction petition and they could provide their
30 recommendations to the Board. The Board will meet
31 immediately after our meeting. We've been given
32 permission to stay as representative Councils for the
33 public portion of the Board meeting. I don't know that
34 that's ever been done before. It's a wonderful
35 opportunity. The meeting will be in Juneau. Exactly
36 what day it will be in Juneau we're not sure. My
37 recommendation is that instead of meeting March 12th
38 through the 15th as we see in the book on Page 210 that
39 we postpone that meeting and agree to meet sometime
40 between March 19th and 23rd in Juneau and the idea would
41 be that we would meet in the two days immediately prior
42 to the Board meeting. However, the Board meeting is not
43 scheduled as yet. So that would be my suggestion and we
44 could work with that if that was the intent of the
45 Council.

46

47

CHAIRMAN ADAMS: I've got a question.
48 Would the Board's decision as to when they have that
49 meeting depend upon when we have ours?

50

1 MR. LARSON: Mr. Chair. The Board's
2 decision to have their meeting is dependant upon
3 availability of Board members and availability of a
4 meeting place and some other extraneous items, logistical
5 items, that have not been worked out yet by this meeting.
6 So if we were to allow a bit of flexibility for us to
7 schedule immediately prior to the two days before their
8 meeting, then that would be adequate for both our needs
9 and for the Board's needs. The best of my knowledge, the
10 Board is planning on meeting something during the latter
11 part of the week starting on March 19th.

12
13 CHAIRMAN ADAMS: Okay. Is that clear as
14 mud? Patty.

15
16 MS. PHILLIPS: Move to schedule the
17 winter 2012 Regional Advisory Council meeting for the
18 week of March 19th to the 23rd in Juneau.

19
20 Thank you.

21
22 CHAIRMAN ADAMS: Thank you.

23
24 Do I hear a second.

25
26 MR. DOUVILLE: (Waves hand)

27
28 MR. BANGS: Second.

29
30 CHAIRMAN ADAMS: I saw Michael wave his
31 arm first. The other Michael, Michael. So moved and
32 seconded by Patty and Mike Douville. Discussion.

33
34 (No comments)

35
36 MR. NIELSEN: Question.

37
38 CHAIRMAN ADAMS: Thank you, Archie.

39
40 All in favor say aye.

41
42 IN UNISON: Aye.

43
44 CHAIRMAN ADAMS: Opposed say nay.

45
46 (No opposing votes)

47
48 CHAIRMAN ADAMS: All right, that's taken
49 care of. 18B.

50

1 MR. LARSON: Mr. Chair. We need to
2 provide tentative dates for next falls's meeting. Right
3 now the two Councils that have met, they are the Kodiak-
4 Aleutians Council and the Seward Pen Council. The
5 Kodiak-Aleutians have selected September 5th and 6th.
6 Seward Pen has selected October 3rd and 4th. We have the
7 ability to make our selections prior to Southcentral,
8 which is practically speaking the only true conflict that
9 we have. So it appears we have an open-ended calendar
10 for Councils.

11
12 CHAIRMAN ADAMS: So what would be some
13 good dates to target here, Robert.

14
15 MR. LARSON: My suggestion is any date
16 that does not straddle a fiscal year, which in this case
17 is good because September 30th is a Sunday. Typically
18 the last three, four or five years we've had it the last
19 week in September. So in that regard the appropriate
20 dates would be September 25th through September 27th if
21 you wanted to stay with the same schedule you've had the
22 past few years.

23
24 CHAIRMAN ADAMS: Harvey, did you have a
25 comment.

26
27 MR. KITKA: Thank you, Mr. Chair. Unless
28 you're going to have it in Sitka I wouldn't be able to
29 make that meeting. We've got the memorial potlatch on the
30 28th and 29th of September.

31
32 CHAIRMAN ADAMS: So Harvey wouldn't be
33 able to make it.

34
35 MR. KITKA: Along with that statement, I
36 know you put me down later on the list, but.....

37
38 CHAIRMAN ADAMS: You can take care of
39 that now.

40
41 MR. KITKA:I want to take care of
42 that now. Being as my father was not allowed to retire
43 from this Council, I asked the clan if it was okay if I
44 invited this Council and all that could attend to the
45 potlatch, so weigh that in your mind too.

46
47 Thank you.

48
49 CHAIRMAN ADAMS: September 28th and 29th?

50

1 MR. KITKA: Yes.
2
3 CHAIRMAN ADAMS: Okay. We appreciate
4 that. What other alternative dates do we have, Robert,
5 other than that week.
6
7 MR. LARSON: We have a clear schedule
8 here.
9
10 CHAIRMAN ADAMS: Mr. Bangs. Sorry.
11
12 MR. BANGS: Thank you, Mr. Chairman.
13 What about the week of September 17th, which would give
14 us the dates of 18th, 19th and 20th.
15
16 CHAIRMAN ADAMS: Donald.
17
18 MR. HERNANDEZ: Mr. Chairman. Could we
19 hold our meeting in Sitka so that we could have the
20 meeting and then attend the potlatch? Is there any
21 reason why we wouldn't want to meet in Sitka that time?
22
23 MS. PHILLIPS: Second.
24
25 CHAIRMAN ADAMS: That's a good idea.
26
27 MR. HERNANDEZ: I would move that Council
28 hold its next fall meeting the week of September 24th in
29 Sitka.
30
31 MS. PHILLIPS: Second.
32
33 CHAIRMAN ADAMS: Just hold off. I got
34 stumbled here. He needs some dates.
35
36 MR. HERNANDEZ: I would make the motion
37 to recommend that the Council meet on -- will this be a
38 three-day meeting most likely?
39
40 CHAIRMAN ADAMS: Most likely.
41
42 MR. HERNANDEZ: All right. Then I would
43 recommend Tuesday, September 25th through Thursday the
44 27th.
45
46 CHAIRMAN ADAMS: That would work. Is
47 there a second.
48
49 MS. PHILLIPS: I agree.
50

1 CHAIRMAN ADAMS: Seconded by Patty. All
2 in favor say aye.

3

4 IN UNISON: Aye.

5

6 CHAIRMAN ADAMS: Opposed.

7

8 (No opposing votes)

9

10 CHAIRMAN ADAMS: Motion carries. Okay,
11 Sitka. Move on. Let's go to Item Number 17C next,
12 Council comments on State Board of Fish and Game
13 proposals. Does somebody want to start the conversation
14 here.

15

16 Mr. Bangs.

17

18 MR. BANGS: Thank you, Mr. Chairman. I
19 think there's some crucial proposals. It's the cycle of
20 Southeast finfish and there's miscellaneous shellfish, a
21 lot of important items coming up and I think it's
22 important that we cover that.

23

24 CHAIRMAN ADAMS: I think we also need to
25 talk about maybe having a Council person selected to go
26 to those meetings.

27

28 MR. DOUVILLE: Mr. Chair.

29

30 CHAIRMAN ADAMS: Mike, go ahead.

31

32 MR. DOUVILLE: Thank you, Mr. Chair.
33 I'll move that Mr. Bangs represent the Council at the
34 Board of Fish meeting.

35

36 MS. PHILLIPS: Second.

37

38 CHAIRMAN ADAMS: These guys got you.
39 It's been moved and seconded. All in favor say aye.

40

41 IN UNISON: Aye.

42

43 CHAIRMAN ADAMS: Opposed.

44

45 (No opposing votes)

46

47 CHAIRMAN ADAMS: Congratulations, Mr.

48 Bangs.

49

50 MR. DOUVILLE: Mr. Chair.

1 CHAIRMAN ADAMS: Yes, Mike.

2

3 MR. DOUVILLE: As part of the thing, I
4 did submit a proposal. I was hoping that the Craig
5 Advisory Committee would do it and they didn't quite get
6 it done, so I did it, but I'm sure they will support it.
7 Me not having a book, I don't even know a number or
8 anything, but I guess I could give you the basic context
9 of it. It's to remove the horsepower limit in the
10 Klawock -- I'm not sure if it's a personal use or
11 subsistence fishery in saltwater and to remove the
12 weekend closure. It's closed on weekends there and you
13 have a 35 horsepower limit. If you have a bigger motor,
14 you can't fish. So it does those two things.

15

16 It's an outdated regulation is what it
17 is. It needs to be changed.

18

19 CHAIRMAN ADAMS: Okay. Thank you, Mr.
20 Douville. Any comments on that.

21

22 Harvey.

23

24 MR. KITKA: Thank you, Mr. Chair. I
25 heard a rumor and I don't know how true it is because I
26 haven't seen the proposals yet, but I heard that there is
27 a real move to put people to get permits to set branches
28 and I don't know if that's in the proposal or not. I
29 could probably ask the State. I would hope that this
30 Council would oppose something like that.

31

32 CHAIRMAN ADAMS: Mr. Larson whispered in
33 my ear and he said it is. So what do you want to do.

34

35 MR. KITKA: Mr. Chair. I'd like to make
36 a motion that we oppose anything to do with making
37 permits to set hemlock boughs in the water -- to get
38 permits to do a longstanding subsistence.

39

40 CHAIRMAN ADAMS: Thank you, sir. Do I
41 hear a second.

42

43 MR. HERNANDEZ: Second.

44

45 CHAIRMAN ADAMS: Mr. Hernandez seconded
46 it. Do you want to discuss it a little bit, Harvey.

47

48 MR. KITKA: Mr. Chair. I realized this
49 was coming for some time, it's been coming down for a
50 long time that commercial fish has been trying to do this

1 to us for a while. This is probably one of the most
2 restrictive things they could do to a subsistence person,
3 to make us get permits. They did that with the kelp and
4 I could see no reason for it since they have a commercial
5 fisheries on it. To get a permit for something that they
6 have no limit on or such a tremendous limit for the
7 commercial fisheries and to put a limit on a subsistence
8 person is an undue burden.

9

10 Thank you.

11

12 CHAIRMAN ADAMS: Thank you, Mr. Kitka.

13 Anyone else.

14

15 (No comments)

16

17 MS. PHILLIPS: Call the question.

18

19 CHAIRMAN ADAMS: The question has been

20 called for. All in favor say aye.

21

22 IN UNISON: Aye.

23

24 CHAIRMAN ADAMS: Opposed nay.

25

26 (No opposing votes)

27

28 CHAIRMAN ADAMS: Motion carries. Thank

29 you.

30

31 Cathy, do you have something.

32

33 MS. NEEDHAM: Thank you, Mr. Chair. I,
34 unfortunately, haven't had the opportunity to know what
35 other proposals are going before the Board of Fish this
36 cycle. Do we need to discuss other proposals that might
37 be important to this Council or this region that we want
38 to actually have comments on? It seems like we need to
39 add that as well, just like Mr. Kitka did for the
40 proposal that he knew something intricate about. So I'm
41 wondering if Mr. Larson has a list of Board of Fish
42 proposals that would be something that we need to
43 consider and to do that so Mr. Bangs can represent the
44 views of the Council at the meetings.

45

46 CHAIRMAN ADAMS: Thank you, Cathy.

47

48 MS. PHILLIPS: Mr. Chair.

49

50 CHAIRMAN ADAMS: Patty.

1 MS. PHILLIPS: While we're waiting for
2 that information I move to support Board of Fish proposal
3 submitted by Mr. Mike Douville requesting removal of
4 outboard restrictions and weekend closure restrictions in
5 saltwater at Klawock River.

6
7 CHAIRMAN ADAMS: Thank you, Patty.

8
9 Second.

10
11 Is there a second.

12
13 MR. HERNANDEZ: Second.

14
15 CHAIRMAN ADAMS: By Mr. Hernandez. Do we
16 want to talk about it.

17
18 (No comments)

19
20 CHAIRMAN ADAMS: Hearing none, all in
21 favor please say aye.

22
23 IN UNISON: Aye.

24
25 CHAIRMAN ADAMS: Opposed nay.

26
27 (No opposing votes)

28
29 CHAIRMAN ADAMS: Motion carries. Thank
30 you. Anything else that we need to bring up.

31
32 Mr. Larson, are you.....

33
34 MR. LARSON: Mr. Chair. There are
35 several hundred. I think there's over 300 Board of Fish
36 proposals and I read through those. There are very few,
37 depending on how closely they're read, that directly
38 affect Federal subsistence. If there were proposals that
39 the Staff felt needed to be addressed by the Council
40 other than the Council's own proposal, then I think we
41 would have put more effort into bringing those to your
42 attention.

43
44 There's some that have some nexus with
45 the Federal program, but none that really directly affect
46 the Federal program. There are some that we could see
47 had maybe some interest by an individual member. For
48 instance, the branches providing some permitting or
49 something like that, but that is not a Federal
50 jurisdiction.

1 Earlier in the cycle I went through those
2 and sent an inquiry to the rest of the Staff about
3 whether we felt there was a need to highlight any of
4 these Board of Fish proposals. We would like to notice
5 that Harvey submitted three, 230, 231, 232. Those are
6 primarily dealing with the State management of herring in
7 Sitka Sound. I would like to remind the Council that the
8 Council's proposal to the Board will be deferred and
9 discussed at our fishery cycle.

10
11 The Council's Proposal 249 that I think
12 our recommendations and the justification within that is
13 fairly strong and it speaks for itself. There's just
14 nothing that we felt was directly applicable to our
15 program. Although there might be something from some
16 Council member, I don't know, but we were not able to
17 identify that.

18
19 CHAIRMAN ADAMS: Thank you, Mr. Larson.
20 You know, some of us have to catch that airplane. I see
21 some people going out the door right now. What time do
22 we have to check in?

23
24 MR. LARSON: If you have a bag, you
25 should be there by 3:30.

26
27 CHAIRMAN ADAMS: Okay. I've got a bag.
28 Maybe I'll just go ahead and turn the time over to you,
29 Mr. Bangs. Do you want to give Ron Leighton an
30 opportunity to have some closing remarks. We're almost
31 done, but I think I better skedaddle out of here. Thanks
32 a lot everyone. I think it was a good meeting. As
33 always, we've got professionalism here and I really
34 appreciate that. Gunalcheesh.

35
36 MR. BANGS: I guess we're almost done
37 here. Mr. Hernandez.

38
39 MR. HERNANDEZ: I just had one question.
40 Bob, could you refresh my memory, what was the Council's
41 proposal on this cycle.

42
43 MR. LARSON: Council's Proposal, and I
44 believe it's 239, is to have annual catch calendar for
45 non-residents to properly document the harvest. Salmon
46 is what we're talking about.

47
48 MR. BANGS: Thank you. Mr. Leighton,
49 would you like to come up and give us some closing
50 remarks.

1 MR. LEIGHTON: Ron Leighton, Organized
2 Village of Kasaan. I would like to thank the Council
3 here for answering and making it possible for us to come
4 forward with some of our concerns. You guys handle it in
5 a very professional way. At the same time it was, I
6 would say, very easy for us to sit down here and be able
7 to express what our concerns are and I think that was
8 really important. I'm going to bring back a good report
9 to our council saying this. I want to thank you again
10 for the opportunity and for your professional way you
11 handle it.

12
13 Thank you.

14
15 MR. BANGS: Thank you, Mr. Leighton. I'm
16 sure that I'm not the only one that really appreciates
17 you coming and staying here. It's not easy to sit
18 through some of these meetings, but I really appreciate
19 you coming here and I wish we had more people that are as
20 engaged as you are to come to our meetings.

21
22 MR. LEIGHTON: Well, I'm going to pass
23 the word around to the other remaining three tribes on
24 Prince of Wales Island and maybe get them more involved.
25 Yeah. Thank you again. I'm going to be attending more
26 of these. I won't be able to attend the one in January,
27 but we might have somebody there. I hope so.

28
29 Thank you.

30
31 MR. BANGS: Thank you. Does anyone on
32 the Council have anything more to add or say.

33
34 Mr. Ackerman.

35
36 MR. ACKERMAN: Thank you, Mr. Chairman.
37 I forgot to mention at the beginning on our report for
38 our region up there. A very interesting thing happened
39 up on Kluksu, which is 100 miles north of us. It's the
40 Alsek, Takshini (ph), Dry Bay. There's a run of fish
41 that mysteriously appeared up in Kluksu and there was
42 thousands and thousands of them last summer. To the
43 astonishment of the locals there, which have been having
44 a pretty thin go of it there in that river up there,
45 they've been intercepted in the Dry Bay area, but these
46 fish just came out of nowhere. Evidently they were
47 unscathed and they filled up the river to capacity up
48 there at Kluksu, so the folks up there were really
49 amazed at the event.

50

1 Also this last winter, in addition to
2 some problems we had up there in Skagway, we had some
3 individuals that got real trigger happy, so there was
4 dead seals and dead sea lions washing up on the beach in
5 Skagway. I worked with the NOAA enforcement officers on
6 some possible leads and possible help on their
7 investigation and gave them some tips on some people that
8 they need to contact both in Haines and Skagway there.

9
10 When they first printed it out, the
11 newspaper reported that they possibly thought it was
12 subsistence hunters and there's only three of us up there
13 that hunt marine mammals. We don't live in Skagway, we
14 live in Haines, and the way they made it kind of sound
15 was that we were just shooting and leaving the carcasses
16 kind of thing. It was bad for us as a Federal agency
17 releasing this kind of information and saying maybe it
18 was the subsistence hunters.

19
20 I immediately called them up and helped
21 them with the investigation as much as I could and told
22 them that that wasn't a good scenario for us as well.
23 Yeah, their presence in Skagway and Haines kind of helped
24 the situation. It had the desired effect there.

25
26 Thank you, Mr. Chairman.

27
28 MR. BANGS: Thank you, Tim. Anyone else.
29 Harvey.

30
31 MR. KITKA: I move we adjourn.

32
33 MR. BANGS: Just one moment there. Cathy
34 has something to say.

35
36 MS. NEEDHAM: Your motion wasn't
37 seconded. I notice under other business there was a
38 Council discussion of the Stikine River fishery and the
39 field trip and I just wanted to -- I thought maybe we
40 could -- we don't necessarily have to address it
41 individually, but I would like it to go on the record
42 that I thought that was a very valuable experience and I
43 appreciated it and I appreciated the time that went into
44 it to give us the information because I think it's
45 important for us to learn about how that's managed since
46 it's the only Federal managed fishery that's like that in
47 the entire state. So I appreciate Mr. Larson's time on
48 the boat that I was allowed to go on, and the information
49 that he passed on.

50

1 I'd also like to acknowledge the powers
2 that be that allow for us to have these field trips that
3 when we come to the communities for RAC meetings and are
4 able to go out into -- you know, we went to Sitka and
5 Hoonah and got to see that. I wanted that on the record
6 because I'd like to see those continue to happen, so I
7 think it's important.

8

9 MR. BANGS: Thank you, Cathy. Anyone
10 else.

11

12 (No comments)

13

14 MR. BANGS: There's been a motion to
15 adjourn. Do I have a second.

16

17 MR. ACKERMAN: Second.

18

19 MR. BANGS: It's been moved and seconded
20 to adjourn. Thank you everybody.

21

22 We'll see you in Juneau, I guess.

23

24 (Off record)

25

26 (END OF PROCEEDINGS)

