SOUTHEAST ALASKA FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL MEETING

PUBLIC MEETING

VOLUME II

Yakutat, Alaska
October 7, 2009
8:30 clock a.m.

COUNCIL MEMBERS PRESENT:

Bertrand Adams, Chairman
Michael Bangs
Michael Douville
Merle Hawkins
Donald Hernandez
Harvey Kitka
Floyd Kookesh
Patricia Phillips
Frank Wright

Regional Council Coordinator, Robert Larson

Recorded and transcribed by:

Computer Matrix Court Reporters, LLC
135 Christensen Drive, Suite 2
Anchorage, AK 99501
907-243-0668
jpk@gci.net/sahile@gci.net

P R O C E E D I N G S

(Yakutat, Alaska - 10/7/2009)

(On record)

CHAIRMAN ADAMS: Well, good morning, ladies and gentlemen. Will you please take your seats. We'll get started here in a minute or two. Thank you.

(Pause)

CHAIRMAN ADAMS: (In Tlingit)

In our Tlingit language that means good morning. And normally we would say good morning, ladies and gentlemen, but I say to you this morning (in Tlingit) and that means good morning, people of honor. We're glad to have you here this morning.

We've got a lot on the table and I hope maybe we can push it so that we can be out of here at a reasonable time. How many people are planning to leave on tonight's airplane?

(Various people raise hands)

CHAIRMAN ADAMS: Okay. I -- just about half of you or most of you when that is out of town. So we'll do our best to try to get done here at a reasonable time so that you'll have time to get ready to meet that airplane.

We do have some new people or new faces that I noticed this morning. So if you don't mind standing up and introducing yourself. I first want to welcome Frank Wright from Hoonah, he got stuck in Juneau yesterday. And so a member of the Council, so welcome, Frank, we're glad you're here.

Anyone else. Yes, please.

MR. LARSON: I'm Randy Larson, I'm the chief ranger at Glacier Bay National Park. And there's a couple of us who spent the day on a plane yesterday, it's a 40 minute flight took about five hours. Jim is our normal representative here from Glacier Bay.....

CHAIRMAN ADAMS: Yeah, welcome to Yakutat. What was your name again?

MR. LARSON: Randy Larson.

CHAIRMAN ADAMS: Randy what?

MR. LARSON: Larson.

CHAIRMAN ADAMS: Larson. Okay. You know -- I mean, Jim has always come to our meetings and has sat patiently there for three days, you know, and during the agenda, you know, when they give the Federal report, he's one of them that does a very -- is the very last one to do that. But we really appreciate him coming and sitting there all that time, you know, just waiting to give his two and a half minute report. So maybe you can -- you know, other members of the Park can also help him and support him in that effort.

So, sir, your name.

MR. BURN: Good morning. My name is Douglas Burn. I'm the CR program leader with U.S. Fish and Wildlife Service in Anchorage and I was part of the lost boys yesterday from.....

(Laughter)

MR. BURN: .....from Juneau. And I'm actually scheduled to leave at the noon time flight today. I was thinking I would be here all day yesterday, but hopefully we'll have time this morning.

CHAIRMAN ADAMS: You bet. We got an issue to take care of right now. We tabled an item yesterday waiting for Mr. Wright to arrive here. We hope we can take care of that right away and then we'll probably take yours next, Mr. Burn.

Okay. Anyone else.

UNIDENTIFIED VOICE: My name is Michael (indiscernible). I'm the fish and biology (indiscernible), I was part of the group that was tied up in Juneau yesterday. So (indiscernible). Thank you very much for having me and just allowing me to be here.

CHAIRMAN ADAMS: Welcome. Appreciate you being here.

Okay. Anyone else.

(No comments)

CHAIRMAN ADAMS: Is that it.

(No comments)

CHAIRMAN ADAMS: Okay. Let's take this other item off the table now, we're going through some special actions that, you know, we thought was going to, you know, go right through yesterday, but then it involved a whole bunch of discussion. And the one that we are on now is the Northeast Chichagof deer special action request. And, you know, Frank, there's a lot of discussion, you know, and people were speculating this and that, you know, about how Hoonah feels about it. And so we decided to, you know, postpone this until you got here. So unless anyone else wants to fill in some blanks here we'll let you make your comments.

Mr. Larson.

MR. LARSON: Yeah, Mr. Chairman, I would like to remind the Council that in front of them this morning there's several distributions, one of which is -- deals with the sea otters. The other is a newspaper article from the Juneau Empire that was published immediately after our public hearing on the deer closures in NECCUA, the Northeast Chichagof Controlled Use Area. So you might want to reference that and review that. It's -- that was the -- you know, pretty -- had wide distribution at the time.

CHAIRMAN ADAMS: Thank you, Robert. I'm glad that Frank is here, you know, because this involves Hoonah we like his presence here when we go through that.

How long have I been in this chair and Tina's always asking me to turn on my light. And for your benefit, George, we don't have a fine policy here this time because, you know, you and I were the bigger contributors of that because of the fact that I didn't recognize somebody right or I was not turning on my light. So I know that you showed your wallet to me yesterday, you know, and I said oh, boy. But anyhow we're safe from that.

Mr. Suminski, you have something to add?

MR. SUMINSKI: Good morning, Mr. Chairman. I'm just standing by to continue the conversation from yesterday.

CHAIRMAN ADAMS: Is there anything that you can -- there we go again. Is there anything that we -- you can share with us that'll help, you know, Mr. Wright, you know, grasp this issue a little bit more before we ask him for his comments?

(No comments)

CHAIRMAN ADAMS: If not we'll just move on.

MR. SUMINSKI: I -- maybe if he has questions I'd be happy to answer them.....

CHAIRMAN ADAMS: Okay.

MR. SUMINSKI: .....we could do it that way, I'm not sure where to start.

CHAIRMAN ADAMS: Mr. Frank, the floor is all yours.

MR. WRIGHT: Thank you, Mr. Chairman. I don't know what kind of discussion you had yesterday about the deer populations or what was going on in North Chichagof, but I know that there's a lot of concern about the deer population in the area. And I was looking over this report a little bit here last night and some -- a little bit this morning and there's this one ques -- one -- on Page 4 it says there's little doubt that Unit 4 deer population has a sustained decline in '06, but there is not -- there does not seem to be a concern that the population is at risk. So with that kind of statement and this is from -- I think from the biologists or -- I wonder how accurate the -- this statement is -- I mean, this study is because it's kind of confusing when you -- we hear that, you know, the pellet counts are low and then a statement like that comes out. And I know that, you know, there's -- I mean, the community has concerns. So that's the question I have for Mr. Suminski. Is that how you say your name?

CHAIRMAN ADAMS: Respond, Terry, go ahead.

MR. SUMINSKI: Mr. Wright through the Chair. I think what the statement is referring to is that the deer population isn't in danger of going extinct in that area, it's just -- it's -- I think with some of the actions we've taken to protect the reproductive potential of the does in the area or the population, that it's -- you know, it's still possible to harvest some bucks. I think if you continue on with that paragraph it talks about being able to harvest bucks. And but I think that's only if we protect the does, the reproductive potential of the population.

So I hope that that explains it a little better. Thank you.

MR. WRIGHT: Thank you, Mr. Chair. Another part is on Page 1, it says it is preliminary and the data has limits to its accuracy, you know, so here we are, we're going to try to make decisions on an issue that is important to Northern Chichagof Island. So when you say limit to its accuracy what does that mean?

MR. SUMINSKI: I can -- Mr. Wright through the Chair. The -- it's preliminary because this is -- doesn't -- for one it doesn't cover all of Unit 4. This is some work that Dennis was doing in preparation for the special action request for -- that -- for the drainages that just drain into Chatham, Peril and Icy Straits. So in that respect it's not a complete data set for Unit 4. The -- it's -- again it's a draft document so as the -- you know, as different proposals come out it could be analyzed differently. The accuracy, there's -- you know, I'm not sure exactly what he's referring to as far as accuracy, I'd have to, you know, ask him more about the data.

I'll -- maybe Neil can help me. I didn't know he was back there, I would have called him. I know most of this data that we have here is from the Department. So I think it would be best if Neil spoke to that.

Thank you.

MR. BARTEN: Mr. Chair, members of the Board. Sorry I'm late, I just got here a second ago. Here's my dollar. And the subject is the data.....

CHAIRMAN ADAMS: Just stop right there.

MR. BARTEN: .....for the deer analysis?

CHAIRMAN ADAMS: Just stop right there if you don't mind, I'd like to interject something. You know that findings thing we did in Sitka a few years ago and, you know, George and I were the biggest contributors to it. We were raising money for the Girl Scouts, they had -- needed to go on a trip. So they brought us refreshments, you know, and a little donation jar that we can stick our money into. So we decided that whenever anybody makes a mistake or misspells a name or forget to turn on the thing here we'd fine you -- each other.

(Laughter)

CHAIRMAN ADAMS: And as I said, you know, George and I were the biggest contributors to that jar. And we raised over $400 for that group.

(Laughter)

CHAIRMAN ADAMS: It was pretty good. But go ahead.

MR. BARTEN: Okay. Yes, I guess in relation to this deer population and harvest data and review, and Dennis Chester I believe put it -- did it -- put it together, we gave him the data and he put it together and it does say it's preliminary. For the most part all the data we have is in here, but the reason it says preliminary is I think some of the extrapolation figures and stuff are -- were the -- a lot of the questions that we tried to answer with this data for this particular data review, we had to really mine the data to get it to work with the -- he broke it into like four or five majors and you guys see that map with the hatched areas. So I think for the most part everything is here, but there was some harvest reports that said -- you know, they'd say North Admiralty or Chichagof Island and we couldn't determine from that where exactly they hunted so that data had to be set aside.

So but for the most part this data's everything we have as far as our deer population and harvest data for that.

CHAIRMAN ADAMS: Okay. Thank you, Neil. Anymore comments.

Frank.

MR. WRIGHT: Thank you, Mr. Chair. I'll just hold off until other people, but -- the RAC have any questions for the people then I'll comment later on.

Thank you, Mr. Chair.

CHAIRMAN ADAMS: Sure. Thank you, Frank. Any.....

Yeah, Don, go ahead.

MR. HERNANDEZ: Thank you, Mr. Chairman. If we could just get kind of a synopsis of the situation right now, what are the seasons and bag limits for both subsistence and non-subsistence hunters in that Northeast Chichagof area. I just want to make sure we're real clear on where we stand right now before we do anything.

MR. SUMINSKI: Mr. Hernandez through the Chair. Right now the doe season for -- the Federal doe season in Northeast Chichagof Controlled Use Area is closed until November 15th. And that was done by delegated authority to the district rangers for the Sitka and Hoonah district rangers. The buck season or the buck limit is still at six deer and the season for bucks is still through January 31st. And Neil can talk to the State season.

MR. BARTEN: Yeah, under State regs the season actually ends the end of December and you can get four deer. But obviously they would have to be bucks because the doe season's closed throughout. When we did our EO that covered the entire season.

CHAIRMAN ADAMS: Anyone else. Mr. Kookesh.

MR. KOOKESH: You said that the doe closure is in effect until November 14th?

MR. SUMINSKI: Mr. Kookesh through the Chair. The -- it's through November 15th.

UNIDENTIFIED VOICE: 14th.

MR. SUMINSKI: Oh, 14th. Sorry, I stand corrected.

MR. KOOKESH: Okay. This is an observation, but Alaska Marine Highway is no longer serving Hoonah so anyone that wants to travel has to get on that little catamaran, you can't take your vehicle like they usually do. So this is only impacting the Hoonah residents because the nonresidents aren't bringing their vehicle. So just my observation that they're the only ones being impacted right now are the rural residents.

CHAIRMAN ADAMS: Any come backs on that. Terry.

MR. SUMINSKI: Mr. Kookesh through the Chair. The -- yeah. Well, the idea again for the closure is to protect the does. And in this case I think it's very important to protect the does and that by having the -- whether it's locals or nonresidents shoot them, they're -- they still will not be able to contribute to the recovery of the population. So I -- even though the access is limited for people outside of Hoonah, you know, the issue still remains for the -- you know.

Thank you.

CHAIRMAN ADAMS: Follow-up.

MR. KOOKESH: Yeah, Mr. Chairman. I've always been curious, I know a lot of guys that hunt in Hoonah on the Hoonah road system. And one of their observations that's come back to me the most is they've seen a lot of does. And I'm just wondering -- I mean, if you shoot all the bucks that's all you're going to see. And I'm wondering how that -- how does that work when you -- how does a deer population rebuild itself when you're shooting all the bucks and only the does are around. Can you -- maybe that -- somebody can make that Unit 2 observation or that connection for me because I'm curious when you only have does running around.

CHAIRMAN ADAMS: Yeah, you certainly need some bucks around if you want to keep the population healthy, right.

MR. BARTEN: Yeah, through the Chair, Member Kookesh. You know we've talked a lot about this in, you know, our meetings as well as, you know, mostly Dave Person who's our biologist in the Ketchikan office, works a lot with wolves and has done a fair bit of work with deer as well, from his observations and reading the literature and talking to other biologists, the -- seldom are the -- do you drop the buck level down enough to where it's going to affect the breeding of the does because you can have a pretty -- unlike with moose where we want 25 to 30 bulls per 100 cows, with deer from the literature and listening to Dave Person talk, it's unlikely we're going to drop the buck numbers too low to be still available for breeding the does. So, you know, I think the -- even thought it's a bucks only season, you know, a lot of those animals are fairly cagey and aren't available for hunting, you know, because they're remote enough that they're not going to get harvested. But also I think it just doesn't take that many bucks to provide opportunity for the does to be bred. And so I guess based on what he's always said during our public meetings or our meetings and discussing this issues, I feel fairly confident that even with a bucks only season we're not going to drop the buck numbers too low to where they're not going to still be available for breeding the does.

CHAIRMAN ADAMS: Mr. Bangs, go ahead.

MR. BANGS: Thank you, Mr. Chairman. Yeah, Neil, does the Department have a feeling on what's going to happen in January if we were to adopt this special action, how the hunters are going to be able to distinguish between a buck and a doe easily?

MR. BARTEN: Yeah, through the Chair, Member Bangs. That's a very good question. You know we kind of faced this a couple of years ago too because we did have a doe closure during the month of January. And it's not easy, you know, if a hunter -- I've looked at a lot of deer myself and I know Phil Mooney's taken tons of photos of deer on the beaches. And you've got to sit there with either binoculars or a spotting scope or be here -- be within 40 or 50 meters to see the pedestals on a buck, to differentiate a buck from a doe unless you're very good at just identifying them by the -- in the squareness of their head. But it isn't easy so when the bucks drop their antlers around Christmas time then if you're going to harvest deer and you see some on a beach, you're going to have to be pretty

careful to make sure what you're looking at is indeed a buck versus a doe.

And it's not -- it isn't something that's just real quick to do, I don't think, not in my opinion.

MS. PHILLIPS: Mr. Chair.

CHAIRMAN ADAMS: Patty.

MS. PHILLIPS: Thank you. Deer in the NECCUA are not -- are they or are they not an isolated population, distinctive, unique characteristics from the rest of the deer on Chichagof, I mean, in my experience deer travel the alpine, they swim from one area to another. If this report is showing good populations in the remainder of Unit 4 could it be said that, you know, that deer could repopulate the NECCUA?

MR. BARTEN: Yeah, through the Chair, Member Phillips. You know we've never really looked genetically at, you know, the deer on NECCUA versus other parts of Chichagof Island, but I think what you say is correct, deer swim and, you know, especially the males probably move around a bit more. But I think the, you know, issue here is, you know, any given deer has a home range and from what I understand from radio telemetry their home ranges aren't really that big. Even though deer are very good at swimming and, you know, we get deer swimming between Admiralty Island and like Shelter Island sometimes, people see them, you know, the whale watching crews and that kind of thing. But in general if you take a deer say in Pavlof -- in the Pavlof watershed, it's going to be born and raised and die probably in the Pavlof watershed. So I think if you over harvest or if you have hard winters where the deer numbers are really low, it's not like you're going to get a mass migration from another area nor enough of a movement of deer from other areas.

I think it's going to be pretty much dependent on the deer that are there to repopulate the area that you're talking.

CHAIRMAN ADAMS: Mr. Kitka.

MR. KITKA: Thank you, Mr. Chair. Over the years of hunting and especially on Chichagof Island which I did extensively from the Peril Straits and the

outside Chichagof. I've seen times when the winters were fairly severe and a lot of times the does will browse all the food out of one area and they will move from one valley to another valley. Some of these valleys cross connect across Chichagof fairly easy, they're all well aligned areas and they -- and I know the deer do travel back and forth as well as the bears. And -- well, they'll go where the food is.

Thank you.

CHAIRMAN ADAMS: Okay. Thank you. Anyone else. Go ahead, Michael.

MR. DOUVILLE: Thank you. Okay. So there's something like 29 does were harvested in the portion of the season that wasn't closed by Federal subsistence hunters.

UNIDENTIFIED VOICE: By all.

MR. DOUVILLE: Oh. Well, okay. The -- I have a question then. How many does were harvested from -- in November through January?

MR. BARTEN: Yeah, through the Chair, Mr. Douville. I'd have to take a look a little more at this before I can answer that question. I'm not sure if he's got a table of that specific thing. I think he targeted December because that was kind of the focus of this special action. But I'd have to take a look at these tables to see if we could ferret that out from the report Dennis Chester put together.

CHAIRMAN ADAMS: Follow-up. Go ahead.

MR. DOUVILLE: But it's not a big number, it couldn't be a very big number. And the season was open for three months for does and they could shoot six. Rather than to take it all away from them I'd rather see a window in -- like in November that they could take one doe at least and then close the rest of it. And for Federal users and it would support those that do need to take one. I don't believe the number was high even when they could take six.

CHAIRMAN ADAMS: Neil, got something to come back on.

MR. BARTEN: Oh, I guess, you know, the -- you know, through the Chair and the rest of the Board members. I guess, you know, from -- you know, and that's a very good point, Mike, as far as -- or Mr. Douville, as far as, you know, allowing one doe to be harvested for people who want to maybe get one. But I think, you know, I guess I'd like to just, you know, step back a little and come from where Terry and I who have spent a lot of time discussing this issue with other folks is, you know, the -- you know, we've had three very difficult winters in a row and we know the deer really took it hard, especially in '06/'07. And, you know, it's in a situation I think where, you know, it doesn't matter who takes the does or if they even take a few, I think the, you know, standing crop so to speak of does on this range from everything we know seems to be compromised compared to what it was a few years ago. And, you know, some restraint now is going to favor subsistence hunters and all hunters in the future. And it just seems -- I think that's one thing that we really have to keep in mind is that if we can go another season without harvesting does, those does hopefully if we get an easy winter, will be able to produce offspring next spring and start getting some younger age cohorts coming up through the recruitment ranks. Because, you know, we've had -- you know, if you look in the spring of '07 there's probably very few fawns still alive after that hard winter. And the same I would guess would probably be for '08 and even '09. So there's three age classes that are not very well represented and at the same time the does that are still remaining are getting older. And that's why, you know, I think, you know, it's important to try to protect as many deer as we can at this point, especially those reproductive does because it's going to pay dividends for all of us in a recovery program much faster than if we harvest these does and, you know, end up in a situation where we may be at a lower level than we have to be for longer years to come.

So anyway it's a tough situation, you know, these hard winters make -- you know, we've faced them before in the '70s and, you know, long, long time ago even in different parts of the country where we've had really hard winters and it -- you know, it's something we can't predict and it's something that really takes a toll on the wildlife populations. And I think in this case the doe numbers are low enough that I think all of us are going to benefit from, you know, the situation where we can allow for more recruitment

in the future.

CHAIRMAN ADAMS: I just have one question and then I'm going to ask -- recognize Mr. Kookesh. How long does it take a rebound to take place, you know, when you have a situation like that?

MR. BARTEN: Yeah, Mr. Chair. That's a very good question. I mean I think there's a lot of factors like we talked about yesterday, but -- you know, weather and disease and predation especially, but I think one of the things in Northern Southeast again that we've got going for us is, you know, on the ABC Islands as well as some parts even around Juneau, is we don't have wolves. And because of that I think -- you know, they're a main predator on deer as most of us know and I think the -- if you get some decent weather, some relatively easier winters, I believe does will be -- by the time they hit their second birthday they're going to have fawns themselves and then from there on in. So I think you can have a recovery program that can go pretty fast once you get your feet under you. And without that wolf predation I think that's a major factor and so if we get some easy winters, you know, a few years down the road we could be looking much better.

CHAIRMAN ADAMS: Yeah, I noticed the rebound in this area take, you know, a pretty big jump since we -- when we've had about, you know, some real very mild series of winters.

Mr. Kookesh.

MR. KOOKESH: Yeah, I have two -- a couple questions, this is for Neil. And do you hunt deer and if you do where do you hunt deer?

MR. BARTEN: Yeah, through the Chair, Mr. Kookesh. It's one of my passions, I probably spend 15 days a year hunting deer. And mostly I hunt right behind my house on Thane Road. So up in the hills around Juneau.

MR. WRIGHT: Yeah, Mr.....

CHAIRMAN ADAMS: I think he has one more question and then, Patty, you're next.

MR. WRIGHT: Yeah. Well, mine is a

comment, Mr. Chairman. Is -- I'm just wondering that -- I'm watching us putting proposals in front of us, one for draining into Chatham Straits, Peril Straits And Tenakee Inlet and then I'm looking at closing NECCUA and then I'm looking at keeping Eastern Admiralty open. And I'm wondering what kind of management style are we looking at here. I'm wondering if we really want the populations to rebound why don't we just be really good about his and just put the stamp on four, you know, just close it just like that. I'm just wondering why we're being so spotty about the way we're manage -- doing -- we're allowing this management to occur around us because I've seen deer swimming in Chatham Straits and it's eight miles across. And I'm not making that up, I've seen deer swimming in Peril Straits. I haven't been on the other side, but I do know that we do have a lot of deer. And they don't just die on the west side of Admiralty Island, you know, deer move around. I've seen deer swimming in Chatham going to -- coming from Chichagof. I mean I -- I'm starting to wonder, I know deer don't have a short range because if eight miles is -- maybe eight miles is a short range, it's one hell of a short range, you know. But I'm just wondering about this management style, where we're just being so spotty about this, maybe we're taking the approach to it wrong. If we really want to protect the deer populations overall why don't we do our Federal management style different.

CHAIRMAN ADAMS: Okay. Do you have any suggestions.

MS. PHILLIPS: Mr. Chairman.

(Laughter)

CHAIRMAN ADAMS: Put it on the table. Patty, go ahead. And then Mr. Bangs.

MS. PHILLIPS: Thank you, Mr. Chair. Just doing some simple mathematical calculations, if you take from table 2 from the NECCUA, total deer harvest of 2,477 and divided that by 10 years, you get an average of 248 deer per year. And I went simple math and I divided that in half so 50 percent harvest by non-Federally-qualified, 50 percent harvest by Federally-qualified, but this chart shows that Federally-qualified harvest 63 percent. Well, if you do it 50/50 then it's 126 deer per group as an average. Take the month of November which is 30 -- it shows on

table 4 it shows 31 percent of the deer harvested in the NECCUA, so 31 percent of 126 is 39 deer harvested in -- as an average in the month of November if you do a 50/50. So that would really be 78 deer total, does harvest -- or doe harvest. And then if you divide that in half as a projection because the season's going to reopen November 15th, then you're looking at 19 does by Federally-qualified hunters in November estimated. If -- going by these tables. And you're looking at 14 deer for December so that's 33 does for November/December projected, estimated, depending on the amount of deer there.

Thank you.

CHAIRMAN ADAMS: Thank you, Patty. Mr. Bangs.

MR. BANGS: Thank you, Mr. Chairman. I have a question for Mr. Wright. I'm just -- in your opinion if we were to adopt this proposed action, how would that impact the people of Hoonah and would it adversely be an undue hardship on them or how do you feel on that?

MR. WRIGHT: Yeah, Mr. Chair, Mr. Bangs. You know it's -- one of the things that, you know, the local people have a hard time probably most is with the ferry system, bringing people over from Juneau or wherever they're coming from and park at Whitestone or anywhere along the road system to just sit out there and hunt and leave -- you know, I've driven out the roads and I've seen where there was small deer that were left, hindquarters taken off and that was it. You know and that's probably the hardest part for our hunters to be -- you know, once we shoot it we take it. But I personally would think that as a hunter Tlingit person our people have always said we take what we need and if our resources are going to be affected we need to step back. It's like being a fisherman, if we take too much from the river then there's not going to be anything for the next season. That's like, you know, shooting yourself in the foot. And I have a hard time, you know, and I look at the numbers on the pellet counts and -- from '09 like in Pleasant Island and these other areas that are so low, it brings me to concern -- makes me concerned about how we're supposed to deal with an issue and our people to be able to still harvest our traditional food. But as a -- I think it would probably affect us -- affect the

community pretty heavily, but me sitting in this chair and looking at data and wondering where do I go, I would have to step on the side of science a little bit because we need to preserve what we have. I know my -- I have a nephew that's been hunting and he tells me, he says why can't we shoot does, I see does all the time. And I have to try to explain to him. And then he says okay, now I understand. And, you know, last -- I think it was last year that we were able to go from -- be able to hunt does on the other side of Mud Bay and be able to hunt does on Lemashore (ph) and, you know, the guys were fine with that. But after their horns fell off they didn't know what they were shooting. And the Fish and Game guy says well, you better be careful if you shoot a buck -- that looks like a buck, but if it is a doe then you'd probably get in trouble.

So I know there's probably people complaining already, you know, I'm -- but the numbers speak and I can't consciously say I will vote against a closure. But, you know, we need to limit the people that are coming into out community, I mean, we can't -- you know, when we go -- when our people go out on the road system and they drive by and there's guys and these four wheelers that are going zooming up and down the road and they're just doing it for the fun of it and I don't know if they -- what kind of -- you know, what they do with the deer meat that they take. A lot of guys look for trophies, you know, and I -- a trophy in our -- you know, to me is something that I can't -- you know, I can't -- can't support. A trophy is a horn and hunting a deer with a big rifle, if the deer could shoot back then I can support something like that, but he can't. So hunting a deer with a big rifle and thinking you got a big deal with horn is not my idea of a fair hunt just because he wanted the horns.

But I have a -- I don't know when -- I would think that, you know, I would support something like this because, you know, we need to protect the population of our deer. But we also need to put in there that we need to somehow control the non-qualified people because it just -- you know, sometimes when the -- the ferry system's going to start running again in November and we're going to start having three ferries a week coming into Hoonah. So you can imagine, you know, the -- how many vehicles come over from Juneau. And I've been on a ferry when the ferry was full of cars and I says where are all these people going. They're going to Hoonah to go hunting. You know so I

think that, you know, there's got to be a way to control that migration from Juneau to Hoonah to hunt -- hunt subsistence food that our people depend on. But the numbers -- you know, when you got pellet counts that are so low that, you know, almost on a buck ready to touch the bottom of the page, there's got to be something to it, you know. And I think it was last year that I was talking to the Fish and Game and after the winter he was talking about the deer count that were on the beach, something like 200 deer he saw that were laying on a beach because the snow was so bad, you know. When you get 200 deers on a beach and you wonder what's left in the woods, you know, and I was -- you know, and I was riding up the road toward the dump and I saw a deer in the road and he took off and he tried to climb over the berm, those big snow banks and everything and you could see he couldn't move after he got so far because the snow was so deep and his hooves were just digging straight down in it, just his belly was sitting in the snow.

So I have to -- I have to speak on protection of what we have because I cannot see in the future having nothing, we'd be like, you know, when -- I was bringing this example up of the east coast where they fish the cod fish and they're struggling to find the cod fish on the east coast so that they can fish because they over fished it. And if we over hunt what we have, who did it because I didn't follow numbers and I didn't -- wasn't cautious enough to take care of what we have left. So I would -- I would -- I know it's going to hurt some of our people, a lot of people that do the hunting because the economy system over in Hoonah is bad in the winter. There's a lot of, you know, people -- people depend on this, you know. You know my -- I'm lucky I got a young nephew that wants to do it for me so I'm able to get it, you know, and there's a lot of elderly people that don't get it, but, you know, they're lucky they have younger people that do it for them. So I think that I'd have to -- I think it's going to affect our people tremendously because of -- because of this -- what we do here.

So if there's anything else I -- I'm struggling with this as much as anybody else, I -- you know, because I know our -- the way our people are and what's going on in Hoonah. Because, you know, one -- last year I saw my name on that piece of paper for the doe closure and I said how come no one's called me, they must think I'm doing the right -- giving the right

decision or something. Because I saw that notice hanging on the wall by Target Land Tackle and I just -- and my name was on there and I said all right. So if they want to call me they can call me.

Thank you.

CHAIRMAN ADAMS: Thank you, Frank. Floyd and then I got a comment to make.

Go ahead, Floyd.

MR. KOOKESH: Yeah, Mr. Chairman. One of the things I want let -- be let known is this is his country and I'll support whatever he wants. But in looking at the proposal I'm kind of wondering -- I'm kind of struggling -- wondering if that maybe this isn't -- this is the wrong proposal or something maybe. Because I'm hearing that the -- there's a difference, the Federally-qualified and the non-Federally-qualified. It sounds like the impact is more from the non-Federally-qualified than it is from the Federally-qualified, that we're placing the burden on him and the issue doesn't change, the ferry's going to come and all these vehicles are going to be coming off the Alaska Marine Highway. Maybe our proposal's wrong here in that we're targeting the wrong group, that we should be looking at closing it for non-Federally-qualified. That may be the solution. I know that we talked about this just before we tabled the motion yesterday, about protecting the non-Federally-qualified which is the first special action we passed earlier. And the reason why I'm saying this is because I know that what he's saying because I live -- I've lived in Angoon myself and I know that people depend on the resource. And when you go to Juneau they can go to, you know, what did one of our leaders say one time, we get our subsistence from Foodland. You know, it was a bad statement, but the non-Federally-qualified, the urban hunter has so much opportunity in front of them because they're working full-time jobs, they're all either State or Federal employees or working for the school districts or -- but they all have really good jobs and they can go to the store and get these pork chops and steaks and make their spaghetti and do all those other good things that they like. But it's different for the Federally-qualified, we're placing a burden on them and that's what I'm hearing.

The one thing I haven't heard was --

and him and I have -- weren't at the meeting, I know he wasn't at the meeting, the one on the 9th of September, but what was -- who was all there, what did they say, because something -- it was based on that meeting the closure if I'm correct. But I'm wondering maybe what are we looking at, we're looking -- maybe we're looking at the wrong thing. I -- maybe I asked my good friend here, Mr. Wright, do you think it's right to just shoot all the bucks and let all the does live, I don't think so, but that's my question. But I certainly support whatever he would like.

CHAIRMAN ADAMS: I know the emotions that you and your people in your community are going through, Frank, and, you know, I know it's going to be a tough one for you to try to vote on, but we just ask you to, you know, vote what you think is best, vote your conscience.

And then I'll let, you know, Mr. Douville talk and then like I said I'll make a comment. And then I'd like to kind of move this thing forward, please.

Patty, you want to say something too.

MS. PHILLIPS: (Nods affirmatively)

CHAIRMAN ADAMS: Okay. Michael.

MR. DOUVILLE: Thank you, Mr. Chair. So no one can give me any hard data on how many does are taken and there is deer in this area, it's not like they all went away. The limit is still six and four. What I would suggest -- I'm here to promote subsistence and protect the rural user. Rather than to see it all go away I would suggest letting the rural users take one doe in January. This would lessen the risk of shooting or thinking you're shooting a buck and getting a doe and if you wanted a doe you could get one. But one doe in January. And the other reason is is because the best meat is the does later in the year anyway. But I'm just offering that because I do not support taking any more from a rural user than necessary, absolute necessary.

CHAIRMAN ADAMS: Thank you, Michael. Patty.

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

appreciate the comments of Councilman Wright. I want to reflect back on some of our annual report comments. And we said the Council would like wildlife Staff to be more proactive in identifying situations where a Council may have asked to provide a recommendation on regulatory solutions. The system has been remiss to allow, you know, this incident of non-Federally-qualified hunters being able to pour into a traditional use area. And then we have the natural winter conditions on top of that magnifying the issue. So also I have to look at ANILCA as where does this all fit in and are subsistence needs being met. Would this special action be detrimental to Hoonah rural residents. Do we -- should -- you know, is there -- is there substantial evidence showing the population is significantly down. And there's -- yes, to all that. And, you know, shouldn't -- should we have dealt with this a little sooner than this year. Yes, we should have, but we didn't and so here we are now.

Section 801(3) of ANILCA says the continuation of the opportunity for subsistence uses of resources on public and other lands in Alaska is threatened by increasing population of Alaska with resultant pressure on subsistence resources. Which we have, resultant pressure from the easy access by the Alaska Marine Highway with their vehicles coming onto the road system because there's been a massive amount of timber harvest in the area. And now we have a sudden decline in the population of some wildlife species which are a crucial subsistence resource. Deer is a number 1 subsistence resource to our people here in Southeast Alaska. And we -- the -- ANILCA says that 801 -- 802(1), you know, is supposed to be the least adverse impact on subsistence users and subsistence -- harvest of subsistence resources is the priority consumptive use. And then .804 is if it's necessary to restrict that it have the least adverse impact on those of local residency and those of customary and direct dependence. But if you look at our regulations for Unit 4, it doesn't -- could we do it just for the Hoonah residents, can we, you know, I don't -- but our C&T designations are Unit 2, Gustavus, you know, I'd have to look up what the rest are. So we can't narrow it down to just Hoonah, it would be good if we could say just Hoonah residents can harvest in that area. Can we do that, can someone tell me can we do that? Can we do a registration permit for a doe hunt if we can allow just Hoonah residents to do that or, you know, close it off to everyone else?

Let's see, so I -- I'm torn also. I don't want to limit -- I know that there are going to be people in Hoonah who will take the deer if -- the doe if given the opportunity because it's right there in front of them and they need food to feed their family. And if we have an enforcement officer come along and, you know, find them then and there, that they're shooting a doe out of season, they're going to lose their gun, they're going to lose their, you know, money because they got to pay a fine, they got to spend -- you know, I don't know what all happens. But maybe if we do a -- some sort of education like -- who was talking about that this morning, you know, on Prince of Wales Island, was that you, Mr. Bangs? They did a really extensive educational outreach down in Prince of Wales Island, you know, telling them how important it is to conserve the does in order to have, you know, a very viable resource for the long run. And that's where we're at.

So those are my comments for now.

CHAIRMAN ADAMS: Thank you, Patty. And I'm going to ask the two of you to respond to some of the -- to the questions that she has, you know, brought before us. But I'd like to just say something before we allow that to happen.

ANILCA, she has quoted several sections there. It is the law of the land. And so we've got a -- you know, we've got to follow the provisions and the policies of ANILCA right to the letter as far as I'm concerned because it is the law of the land. One of the reasons why we have a conflict between the State and the Feds, we have dual management here and I know that you try your best, you know, to work together in some instances, but it's because of the priority thing. And until the State comes in compliance with the priority issue, you know, we're still going to continue to have these kinds of problems.

I wonder -- and I have a question for you as well, I wonder do you take into consideration the local people's concerns and their input when you -- when these provisions or proposals are brought before you because I need to -- I need to, you know, impress upon you a very important in our Native culture. A long time ago no one clan came into another person's area without their permission. Like for instance we had clans, you know, from Southeast Alaska come up to

hunt and fish in the Yakutat area. Before that was ever done the two leaders would always meet and they would tell the reasons why they're there and if it was to hunt or fish they negotiated how much fish they were going to take, how much seal or other animals they were going to take and we even provided them with a guide to make sure that they had successful hunts. This is a very important part of our culture, it's -- and several years ago we hired Judy Ramos to do a TEK project in the East Alsek River. That's when I was on the Tribal Council then. And my probing all the time as we went through that process was to encourage or to find out how our people managed our resources before western influence came in because we did have ways and means of managing our resources. And I think that's a really important consideration to take -- to consider when you address issues like this, how do people feel about it, you know. And then where can you go wrong when you take as Mr. Wright says, he's siding on the side of western science. Well, you could TEK and western science and put them together. Where can you go wrong because you normally end out to be the same anyhow. Okay.

So this priority thing, subsistence users coming into an area I think really needs to be dealt with if we want to save our resources. And we need to -- you remember, you know, that, you know, the priority is, of course, you know, in favor of the subsistence users. So if you remember the questions that Patty had, you know, asked during her comment and mine, I'll give you both an opportunity to respond.

Thank you.

MR. BARTEN: Yeah, through the Chair, Member Phillips. I'll address one of your questions, but it's not going to be with an answer, it's probably going to be a question to Terry. But as far as one of the things that I guess I focused on when you were asking some of your questions was whether there could be a permit just for Hoonah people or an opportunity just for Hoonah hunters. Under the State system we can't do that, you know.

MS. PHILLIPS: Can or cannot?

MR. BARTEN: We cannot. You know we've got -- it gets kind of complicated. We've got situations like in Haines where we have a moose

population that's a tier two hunt, it's a subsistence hunt. And it -- the way that works is, you know, we give out so many permits and people are -- they fill out an application and based on four or five -- I think five criteria, they get scored. And because the criteria are based on who uses the resource the most and who's used it for the longest period of time, almost all the permits for that moose hunt in Haines go to Haines residents because of that. So it's a tier two hunt, but in order to get there there's a lot of steps before you can get to a tier two hunt. So under the State system we have those kinds of hunts, but we don't have like open hunts where we can just say look, only, you know, residents of Hoonah or only residents of Gustavus or only residents of Yakutat can kill this resource. We just can't -- we just can't do that.

But I'll let Terry answer on the Federal side because I really don't -- you know, I don't know the Federal side of the regulations as I do the State.

MR. SUMINSKI: Ms. Phillips through the Chair. I'm sorry, I probably won't remember all your questions, but the things that I came -- was thinking about was the -- and also what the Chairman mentioned about do we consider the users, absolutely. That's what this is all about. But we also have to remember that ANILCA talks about the first priority is conserve -- take care of the resources. And I think that's the situation we're in with does there at this point. It's not -- I don't think we're up to the point where we can decide who gets to take some, we're kind of saying we need to keep them all. So that's kind of the main point that I'd like to, you know, get across.

The -- one thing to remember about the -- by allowing a doe to be taken you have to remember we still have designated hunter provision which mainly means that there may not be a real limit, you know, if you're hunt -- just continue to hunt for other people. So you may end up taking more does than you really want. And like -- again I suggest that we're -- we thought about this a lot and we really think that every doe saved is going to be really important once we see a mild winter. Taking does in January, you're almost guaranteed you're taking three deer, you know, you're probably taking a pregnant doe. And they could have two to three fawns, you know. So those are just some of the things to consider, some of the things we've

considered.

The -- as far as .804, I have no experience on how that's implemented, maybe I can get some help from Cal or Pete if that's been done in other parts of the State and how that's been done and what our flexibility is with doing that.

But I don't -- and again also realize that this is for this year only, this is an emergency action for this year only. Some of the things that you're suggesting about limiting access to the area and things like that are -- I think would be better suited in a proposal than a regulatory cycle. We've been taking this action, basically just kind of trying to hold their own until we get a mild winter to allow the deer to recover. We feel that's sufficient for this area, for Northeast Chichagof Controlled Use Area. We don't feel that needs to be expanded to the rest of Unit 4 because conditions are not the same throughout the unit, both weather conditions and access conditions. The place where we have all these worrisome conditions coming together is in the Northeast Chichagof Controlled Use Area. We have -- we've had heavy snows that have lasted late in the winter three years in a row, we have fairly good road access from -- connected to a community and those conditions don't exist in the rest of Unit 4. And the other problem with if you start expanding closures to the rest of Unit 4, that's going to displace hunters from those areas to -- and concentrate them in other areas of Unit 4. So the -- by leaving as much open as we possibly can that should spread out the use a little bit more and not, you know, get into any sort of localized depletion issues.

So I -- if maybe somebody could help me with how .804 has been implemented in other parts of the State, otherwise I'm -- that's all I've got to say.

Thanks.

CHAIRMAN ADAMS: Looks like Cal is going to do it.

MR. CASIPIT: Thank you, Mr. Chair. Yeah, Pete and I were back there looking who's going to go up there.

But, Ms. Phillips through the Chair.

What you ask, can we -- can the Federal program restrict hunting just to Hoonah residents. Yes, we can. It's through the .804 process, we call it the .804 process and that's where we go through and use those three criteria that's in .804 about customary and direct dependence, that sort of thing, alternative resources. And that's done by our anthropology staff at OSM that will -- that would do that analysis if you so requested. But that can be done. There are some steps that have to happen first, but it's possible, we've done it before. It's not -- it's a pretty involved, painful process, but it can be done. We usually would try to do that through a regular -- through the regulatory -- a regular regulatory process, through a regular proposal that's put in. It would be awful hard to do on a special action I would think.

CHAIRMAN ADAMS: Patty, go ahead.

MS. PHILLIPS: If it were through the regulatory process and we're on this leapfrogging regulatory, you know, movement, when would we deal with it, I mean, because we do wildlife, we do fisheries, we do wildlife, we do fisheries. So it sounds like we need action quickly, I mean, more than the -- a year, two years.

MR. CASIPIT: Ms. Phillips through the Chair. The time -- if that's something you want to do the proposal period for the wildlife cycle closes on November 4th, so you're right, got to get on it if you want to do -- you know, to get it in the next -- to get it in the cycle.

MS. PHILLIPS: Mr. Chair, can that be something that we introduce at this Council meeting?

CHAIRMAN ADAMS: You bet. We can, you know, call for a development of a proposal here. And that was the avenue that I wanted to go to anyhow. So, you know, after hearing all of the people talk here that seemed to be the most logical thing to do at this point.

So thank you. We need to maybe take a little break here, I think some of the Council members want to caucus and talk this over a little bit. And then we'll come back and then we'll take it to a vote.

Mr. Burn, you're going to be next. How

long is your presentation?

MR. BURN: I really don't have much of a presentation, maybe five minutes and then.....

CHAIRMAN ADAMS: Oh, okay. Because we don't want you to miss your airplane this morning. Okay. Fine.

MR. BURN: It's more for to answer your questions.

CHAIRMAN ADAMS: Okay. Thank you.

(Off record)

(On record)

CHAIRMAN ADAMS: Okay. Folks, we're back in session. Okay. I think, you know, some of the Council members have put their head together on this issue and so they're ready to address it. So we'll call this meeting back into session and take care of that little item.

Who wants to start, Mr. Douville.

MR. DOUVILLE: I would like to offer an amendment extending the closure November 14th through December 31, I think it would be 2009.....

CHAIRMAN ADAMS: Okay. Is there.....

MR. DOUVILLE: .....and limiting the harvest to one doe instead of six for rural users -- qualified rural users in January.

CHAIRMAN ADAMS: Okay.

MR. DOUVILLE: Is that clear enough?

MR. BANGS: I'll second that.

CHAIRMAN ADAMS: It's been moved and seconded. Let's talk about it.

Mr. Bangs.

MR. BANGS: Thank you, Mr. Chairman. After hearing all that was said about this I would

support the action -- special action to close this area for doe. But I felt that, you know, in January it's very difficult, somebody would undoubtedly get in trouble and by reducing it to one doe further protects, I think, the situation and I think it's a good compromise to allow extra provisions for subsistence users and I think it's a very good step to go.

Thank you.

CHAIRMAN ADAMS: Thank you, Mr. Bangs. Anyone else.

Mr. Kookesh.

MR. KOOKESH: Yeah, Mr. Chairman. I support the amendment too, but I don't agree with Mr. Suminski that we're killing three deer. And I certainly support this because I believe that we've allowed opportunity for the rural user to be there.

CHAIRMAN ADAMS: Thank you. Anyone else.

MR. HERNANDEZ: Question.

CHAIRMAN ADAMS: The question's been called for. All in favor of the amendment please signify by saying aye.

IN UNISON: Aye.

CHAIRMAN ADAMS: Opposed.

(No opposing votes)

CHAIRMAN ADAMS: The motion is carried.

We are now back to the main motion which we discussed yesterday and I'd like to, you know, see if we can take care of this. Unless there's any discussion, is there -- I mean, is there any further discussion on that.

(No comments)

CHAIRMAN ADAMS: Are you ready to vote on it?

MR. BANGS: Question.

CHAIRMAN ADAMS: All right. Okay. The question's been called. All in favor please signify by saying aye.

IN UNISON: Aye.

CHAIRMAN ADAMS: Opposed same sign.

(No opposing votes)

CHAIRMAN ADAMS: The motion is carried. Thank you, Council members and thank you, Terry and Neil for your input, appreciate it.

Mr. Burn, before you do that I'd like to invite an elder up to make some comments if that's all right. I don't think you're going to be pressed for too much time, but I'd like to call -- recognize George Ramos. George, would you like to come up and make a comment.

George, you need to get right there and talk into the microphone.

MR. RAMOS: I have approached Veterans on two different occasions. I'm a tank commander, also a tank gunner and I lost my hearing. Only two weeks ago they called me up to Anchorage and says we'll accept the fact that your report says you lost your hearing and so the Veterans is now going to fix me up with two hearing aids. However I've got just one.

But what I'd like to do is at this time is tell you a little bit about the history of Yakutat. I was born in Yakutat, I hunted in the ice up there for many years. I hunted in Icy Bay for many years. I am the last one in Yakutat who grew up with his uncle which is the traditional way you grow up. And he used to tell me about the creation stories of our land, our people, the sun, moon and the mountains. They are what was told in the evening, but we didn't have the big houses then when I was growing up and he used to tell me while I was rowing the canoe. And he'd sit back and he'd tell me about my land, my land. My land is in Auke Bay and Dry Bay. We are the people who's known as (in Tlingit). That means people from another clan. I am of the raven moiety. As you can see my crest is up there, the eagle moiety, their crest is on that side. I am of the Coho Clan, I am from the Frog House. The Frog House is in Aukeway, seven houses. We hunted our

land and Yakutat Clans extends from Kaak (ph) Island, Winghammer Island on that side 100 miles down that way to Lituya Bay. Two hundred and 63 miles of land of the five clans in Yakutat and I used to wonder because we are the people who also fought with the Russians. The Russians in 1796 built a foot across the bay on the other side called Angof (ph).

The number 1 law of the Tlingit is land ownership. There are a lot of laws in the Tlingit culture, but land ownership is the number 1. You don't come to my land until you have permission, you don't bring anyone to my land until they have permission. The Tlingit warrior in the olden days was trained, harsh training, his uncle took him when he was six, seven, six and a half, seven years old. Your family, your father and mother send you to your uncle, the training starts there. Well, there is -- they used to say your father and mother's going to make you lazy and I've witnessed a lot of that. But courage, respect all went in a similar way, from one clan to the other. In the Yakutat area, whatever we used up here we traded for other villages, groups of people. So we used to travel here to Washington in our trading, respecting all the clans that walked or lived down that way.

I would like to tell you that if people came from another land in their boats, they would stop the boat out in the middle of the water and they would ask them where does this boat come from, who are you people and what are you going to do in our land. That is the protocol. If you met on the trail that goes to the Interior, the leader of the land, from the ownership would say where do you people come from, what are you going to do in our land. After they recognized them they'd bring them into -- they will tell them they will meet in a certain house. My house like I say is the raven house. I will tell you we will meet down there. And we would bring our peace dancers out and they would bring their peace dancers out. The first one to perform, the peace dancers are the ones with the headdress and the eagle down inside signifying as they sit on one side, we sit on the other side, and the eagle down is spread on the floor. So that means there will be peace between you and us as long as you are in our land. I'm sorry I didn't bring my peace dancers, I have teaching cultural dancing for the last 25 years to young people as they grow up. I'm on my second generation of teaching. Because five old men sat over there in that corner, elders, and I say I'm from -- I

graduated from the school of 880 which is I was eight years old and they were 80. And they were sitting over there. And they said enough, it is enough that the missionary came to our country and doing our dances and our potlatches. It is enough that the Bureau of Indian Affairs came after them and told us we could not speak our language. I know that one for a fact because I got whipped for speaking my language also. I'm the last one here to speak fluid Tlingit.

But I think what is happening nowadays is similar to what happened across the United States when you look at Crazy Horse, Red Cloud, Cochise, Jeronimo, Sitting Bull, Chief Joseph, all of those men fought, a lot of native groups exist in name only, got wiped out. Why were they fighting. Why. Some people say because they warlike people. No, they're not warlike people, they got their laws, but they were fighting for their way of life. That was it. Their way of life and their land. A lot of people don't understand that, they just come into an area, the people had their laws. However I think there was going to be a lot of pushing and shoving in Yakutat because all of a sudden it is worth $34.5 billion. But yet in the old traditional way I would like to say to you welcome to our land. We have lost a lot of it already, but as yet from Cape Yakutat to the middle of Lituya Bay it will always be our land.

I thank you very much for giving me the privilege, it is something that I teach to my young people, there's about 60 of them, there's seven of them in college and I tell them there is no such thing as dropping out of college. You stop out of college, get your money together and go back there because the people from under the clouds as we've known the people who came to this land, they came out of the horizon and we call them people from under the cloud, they only recognize that little certificate that says you have studied. And so on the same token I say thank you for coming to our land because you have come to the most beautiful land in the world. I've worked for the airline, retired from the airline, I've traveled on both sides of the world just to see what's there. I am a retired solider, the only one in Yakutat and so I use a lot of military tactics on these young people to teach them who they are. It's the main thing, your crest you carry all the time. And I carry my silver salmon crest and I carry my house crest which is the frog and also I carry the crest of my grandfathers, the

Brown Bear Clan which migrated from Tongass which now we have the Tongass National Forest. They traveled up the outside and so light way up there. And when they came to it it was a mountain that the fire was coming out of it so they called it (in Tlingit). That's the name of Mount Edgecumbe. I always used to wonder when did this happen so I finally picked up the phone, called the Park Service in Sitka and said when was the last time Mount Edgecumbe blew its top and they told me 950 years ago. Nine hundred and fifty years ago my grandfathers came up that way to this land, to Yakutat. We were already here, I'm with the Coho Clan.

Thank you very much for giving me the opportunity because you are sitting in the most beautiful land. That glacier that is 30 miles up there covered this area 1,000 years ago when the other clan migrated down here from Chitina. And so we meet here and I hope that those people coming up here to follow the gold don't tear us apart.

Thank you.

CHAIRMAN ADAMS: (In Tlingit). How many of you agree that this is indeed the most beautiful place?

(Applause)

CHAIRMAN ADAMS: I had an opportunity to be a guide yesterday to take some people out to see bears and the Situk River camps and out at the Cannon Beach. I thought some of the people were -- who were out there were really brave and taking their shoes off and walking in the sand and wading in the ocean out there. But yeah, we do have a very beautiful country. In my language we say (in Tlingit) welcome to our country.

So, Mr. Burn, before I -- before you do anything though I need to remind the Council that we have this other special action that we need to take care of, after Mr. Burn's presentation we'll go back to that.

Sir, go ahead.

MR. BURN: Mr. Chair and Council Members. Thank you. Again I do apologize for the shortness of my time, I had intended to be yesterday

afternoon and then have this morning as well, but it just didn't work out that way.

I'll be brief, I just wanted to say that we did get the letter -- obviously we got the letter from the Chairman last spring and we've prepared a response that outlined the laws and regulations regarding sea otter hunting, sea otter subsistence use. And I think they'll probably be some questions about that, but some other things that I'd to update you on is we are making preparations to do another survey of the sea otter population. I think I sent to Mr. Larson and hopefully he distributed those to you, I did send a report that the U.S. Geological Survey did, the last time they did this survey was in 2000 and in 2003 or 2002, 2003. It's such a large area that it basically takes them two years to do the survey. So we're doing a study plan to redo that survey and we'd like to start in 2010. Another thing I'd mention is there's a biologist from the Alaska Department of Fish and Game, his name is Zach Hoyt, he works -- I think he might be out of Ketchikan and I just found out in the last week that Zach did get a proposal funded to do a study of sea otter and fishery interactions. That's through the Sea Grant Program so that -- I think he'll be doing his Ph.D. on that subject. And then the last thing was last week I just found out that the North Pacific Research Board which makes funds available for various research topics, one of their priority issues they've listed as sea otters in Southeast Alaska. And so there's going to be some funding available to do some additional studies from that source of money. So there's a number of different things that we're planning on doing.

One of the other things that occurred to me after talking to folks yesterday and -- is that I think we need more education and outreach to folks in the communities here about the laws and regulations regarding the sea otter hunting. I've heard from many people just on this trip that because of maybe a lack of understanding about what can and cannot be done with sea otters and the hides and the handicrafts and so on, that there are people who don't -- you know, who may not be hunting -- may want to hunt, but choose not to because of that uncertainty. And so I think we could definitely benefit by doing some outreach materials, doing some trips to individual communities, talking to hunters, talking to artisans and increasing the general understanding about the laws and regulations. So

that's something that I'd like to work with. I've been talking to Carrie Sykes from the Central Council and maybe working with her on developing these materials and then also arranging for trips to the communities to meet with the appropriate people and have those discussions.

So that's just some background of things that are coming regarding sea otters in Southeast Alaska. And with the remainder of, you know, the time that I have here I'm more than willing to answer and questions.

CHAIRMAN ADAMS: Sure. Thank you, Mr. Burn.

Just a little bit of background about here. I remember some of the elders and I think Mr. Ramos can attest to that as well, that our people used to keep the sea otters off what they call a Fairweather Bench. And I remember the stories being told about how when they went out sea otter hunting they went so far out that you could barely see the tops of the -- tips -- tops of the mountains. So that's how far they kept them. And then, of course, you know, the Russians came and they wiped them all out here. And so for many, many years sea otters, you know, weren't an issue here in Yakutat. And then I think it was in the 1960s if I remember correctly, 1968, the Fish and Wildlife Service transplanted sea otters from the Aleutians. And where did they put them, on the mainland and the islands. And ever since then, you know, these little critters, I call them critters, they sometimes reach 100 pounds, you know, but they multiply, you know, year round. And so we've begun to in the recent years see a really large influx of sea otters, you know, in our area. And they're competing with our subsistence foods, the clams and the cockles and the crab and, you know, gumboots and sea urchins. And we know that they eat 100 pounds -- you know, 25 percent of their body weight. Okay. And if you average, you know, let's say just 100 pounds for each sea otter, you know, that's a tremendous amount of, you know, food that they partake of. And when they move -- when they finish off an area they'll move to another place, you know.

And so those are the issues that we are dealing with. And we see the evidence of sea otters, you know, spreading all throughout Southeast Alaska. There never used to be hardly any in the southern part

and now I know, Merle can probably correct me, but I think they're showing up in the Ketchikan area as well.

So, you know, I just wanted to share with you, you know, the issues that we have been talking -- the things that we have been talking about from the Council perspective on the sea otter. We need to figure out how we can balance the take. We don't want to wipe them off completely, but we don't want them to be so abundant that they compete with our subsistence. So preliminary, you know, to discussion from the Council, I'm sure they're going to have a lot of questions. I thought I'd share that with you.

Any questions from the Council members.

Mr. Douville.

MR. DOUVILLE: Thank you, Mr. Chair. Pete, one of the main issues is the term significantly altered and is subject to interpretation by enforcement. And they have their own interpretation of it. So that part is not real clear. And that's a part that everybody struggles with. There are a lot of otters, there's -- everybody will tell you that that lives in the coastal area. And when they first planted them I never worried about them much because they stayed mostly to the outside and I though well, we'll be okay. But we're not okay, they go everywhere, in the inner waters and places where you'd never believe in Dry Pass and just virtually everywhere there's food. And they seem to have a ripple affect and you're seeing the bigger wave moving farther north, Frederick Sound and, you know, up -- Excursion Inlet now even. That's a problem in itself, but they don't all move, they leave -- enough stay behind to continue to keep the shellfish in the area down to where it isn't worth it for me to go even try to harvest anything, it's not there. So it's not going to rebound if you understand what I'm saying, it's not going to come back after -- they don't all move, they leave so many behind that it's going to stay that way, it's not going to recover as far as shellfish. So what we need really is to relax the laws so we can harvest enough of them to sort of have a moderation of the resource so we can have some shellfish and have otters also. And I think you can do this.

But the way the law is now I only harvest five, maybe six in a year because that's all I can use or trade and it's expensive to do that, it

costs $100 plus to take care of an otter. So until some relaxation of these rules this problem is not going to go away, it's going to get worse. So what we really need is some help in that direction

CHAIRMAN ADAMS: Yeah. Good point there, Mike. Thanks. Anyone else.

Mr. Douville -- I mean, Mr. Hernandez.

MR. HERNANDEZ: Thank you, Mr. Chairman. I was just wondering, you know, at what point or what would it take for these to be, you know, delisted as a threatened species, I mean, the population is obviously increasing, is there some point that we can see in the future where they could possibly be delisted and at what point would that be.

MR. BURN: Okay. Well, there are three populations of sea otters in Alaska, the Southwest Alaska population which ranges from the end of the Aleutian chain up to about Cook Inlet, the Southcentral which ranges from about there to somewhere between Yakutat and Prince William Sound and then this population is the Southeast. And the Southeast population as everyone knows, it had been wiped out by the Russian and then the American fur traders and it was recolonized about 40 years ago. And I would offer one correction there, that that was actually the Alaska Department of Fish and Game, I think, who was behind that, it wasn't the Fish and Wildlife Service I don't believe that was responsible for that. So not -- not me.

(Laughter)

CHAIRMAN ADAMS: That's not what I heard.

MR. BURN: Actually I think it was -- I think it was actually a joint venture, but it wasn't our idea.

And of the three populations though only the Southwest Alaska population is listed as threatened under the Endangered Species Act. Both the Southcentral and this population in the Southeast are not listed under the Endangered Species Act. All three populations though are protected under the U.S. Marine Mammal Protection Act. And that's -- that's the law

that governs who can and cannot take sea otters, that's the one that provides the Native exemption and also it's under the Marine Mamma Protection Act that the definition of the authentic Native articles of handicraft is made. So it's not really an issue of delisting this population because they are not considered threatened at this time.

MR. DOUVILLE: Mr. Chair.

CHAIRMAN ADAMS: Yeah, Mr. Douville. But before I recognize Mr. Douville, they are endangered up in the Aleutian chain, right?

MR. BURN: Not endangered, threatened.

CHAIRMAN ADAMS: Threatened.

MR. BURN: Okay. And the difference between those two and I realize there's a whole lot of, you know, terminology that may not be familiar, the definition of an endangered species is one that is likely to become extinct. The definition of a threatened species is one that likely to become endangered. So if you think of it as, you know, extinct is here and, you know, a full population is there, you've got these different sort of thresholds. The first threshold that you'd be likely to encounter would be a definition of depleted which is under the Marine Mammal Protection Act so the population becomes reduced. The first line you're going to cross is depletion. And then as you further down then you'd likely cross threatened under the Endangered Species Act, then endangered and then finally extinct. At this point in time we don't believe that the Southeast Alaska population is even -- should even be considered depleted. We think it's a healthy population from that -- from the standpoint of the Marine Mammal Protection Act.

CHAIRMAN ADAMS: Mr. Burn, very healthy, in fact, we think a little bit too healthy. And, you know, it's -- I have a suggestion here. Whether it's the Fish and Wildlife Service or Fish and Game who did the transplanting, I would suggest that since they're being threatened in that Aleutians area why don't we transplant some more of those up there to help them out a little bit.

(Laughter)

MR. BURN: You know this is a suggestion that I've heard many times and oftentimes it is greeted with a bit of laughter, but in reality it is something -- I am on the recovery team for the Southwest Alaska population and one of the items that I wanted to see in the recovery plan is to basically do a feasibility study on whether or not translocating otters back to the Southwest Alaska population would be beneficial. I mean there'd be an awful lot of details and logistics and things to work out, but if they could take them from the Aleutians and bring them here 40 years ago I believe we have the technology to do the reverse. But the -- there's a number of questions that you'd have to -- you'd have to address as to whether or not it would be beneficial. But it is something that will be in the plan, it will be something that would be considered.

That being said I don't know if we could realistically move enough otters to, you know, make a difference with the population here. If you look at the statistics that I had sent you, the reported harvest from this population averages between three to 400 a year. Over the last 21 years that this program has been in place we've got 6,500 sea otters that have been removed from this population. That's the -- been reported as removed from this population and yet the population has still grown. So it would be a very expensive prospect to try to move that many otters, but that being said depending on where otters are taken might also play a role in how the population grows or expands in range. so it is something that's actually -- will be considered.

CHAIRMAN ADAMS: Well, I for one would be very much in favor of that. But I guess there's a food issue too, is there enough food to sustain otters if they were sent back there?

MR. BURN: Yes, the -- one of the things that we've learned in the Aleutians is that the food is not the limiting factor. In fact I was there less than two months ago out at Kiska Island and looking overboard in about, you know, 10 feet of water and there were rocks that you basically couldn't see a square inch that wasn't covered by a sea urchin. The sea urchin population has absolutely exploded in the Aleutians now that the sea otter population is reduced. And the otters that do remain there are extremely healthy, they're large, they're fat, they're just happy

because they don't have to work very hard to make a living.

CHAIRMAN ADAMS: Okay. That's good news.

Mr. Douville.

MR. DOUVILLE: There's a couple other things as far as the -- we're only able to trade amongst other Natives without an altered hide. So and I'd like to point out there is a history of trading with non-Natives that perhaps was overlooked and they sold a lot of otter to the Russians. So there is a history there of trading beyond ourselves, you know what I mean. So I would like to -- well, we really need to have some of these things relaxed so we don't -- not looking to decimate otter, but certainly looking to harvest a greater number to sort of moderate things.

And one of the things I'd like to mention, when I go hunting otter, it cost the same to tan a small one as it does a big one. So we always get the biggest otter that I can and those are mostly the big males. So it's not bothering your breeding population. So even though we are harvesting some, most of them I think are the bigger males and it has little or no impact on the overall population. And I don't know if that shows in your tagging studies or not, but certainly I go after the bigger ones.

And as far as your Southwestern Alaska, it's my own suspicion that you have a predator like a killer whale that's eating them. If they're healthy and you can't see anything that's killing them off and there's plenty of food, then there's something else getting them. And what I would look for is marine mammal predation like killer whales. And that's certainly where I would look. But I know you do have those meat eaters in Southwestern Alaska. And they would be the most efficient that you could imagine.

Thank you.

CHAIRMAN ADAMS: Okay. Yeah, I got a call from a friend of mine from that lives in the Aleutians, oh, it was several years ago and he was talking about how the seal and sea lion were declining. And now the sea -- killer whales are starting to feed

on the sea otters. So, you know, Mr. Douville brings up a good point.

Mr. Hernandez.

MR. HERNANDEZ: I guess what I don't understand with the sea otters is if they're no longer a threatened species and there is take allowed by Natives, why is there not -- why has there not been just developed a management plan that will come up with a acceptable amount of take and manage it for that take and what difference does it make how they are used. I guess I don't understand that.

MR. BURN: That's a very good question. But the way that the Marine Mammal Protection Act was written when it was put into place in 1972 was to provide for the Native exemption and to say that the harvest cannot be regulated in anyway until or unless you have a finding that the population is depleted. And again that to a lot of people seems kind of backwards, that you don't regulate the harvest until you've reached sort of a problem level. What you're talking about is harvest regulation prior to depletion. And this is actually something that we have been discussing with Alaska Native organizations for about the last 10 years. The Marine Mammal Protection Act was last reauthorized in 1994, it was reauthorized for a four year period, it's supposed to be reauthorized again in 1998. At that time we worked on -- with Alaska Native organizations to develop amendments to Section 119 of the Marine Mammal Protection Act which would allow for harvest management prior to depletion. There have been I can't remember how many Congresses since 1998 where there have been hearings, there have been -- about reauthorizing the Act, but what happens is the Act has not been reauthorized and when it -- every two years when a new Congress comes in all the work that the previous Congress had done on it pretty much goes away. And so the Act has not been reauthorized, that management prior to depletion has not been amended to the Act, but it is something that we're -- you know, we are thinking about because again the idea of whether or not -- you know, the real issue is is the level of harvest sustainable and beyond that whether or not the hide gets made into a seat cover or made into a hat, you know, is less relevant.

So it is something we're aware of, it is something that we're working on, but a lot of that

has to do with Congress and what they're schedule is and what they're working on.

CHAIRMAN ADAMS: Mr. Wright.

MR. WRIGHT: Thank you, Mr. Chairman. I was looking at this Southeast otter tagging statistics by village and I was curious -- I was looking at Hoonah, it says 567. And I was just wondering who's tagging them and then I look at Pelican, there's only 168 tagged and I know Pelican probably has more sea otter drifting around than Hoonah because I know -- I was out at Gull Cove this spring and I -- everywhere I looked there was a sea otter. So I'm -- and near Hoonah I've only seen one by Hoonah Island and one by Flynn Cove and one by Homeshore this year. So I was just wondering how this tagging system was developed, you know, and I see Sitka, I know Sitka's got thousands of them and I got 2,000 tagged. And so just curious about that.

Thank you.

MR. BURN: The statistics are summarized by the village, the location of where the otter was tagged. And so there can be a disconnect between where an otter is taken and then where it's tagged. In fact to kind of make this a little bit less confusing I pulled out the -- some of the otters that are taken in Southeast Alaska are tagged in Anchorage because you have 30 days to get the skin tagged. And so if you happen to be traveling through Anchorage they can -- they can bring it with them to Anchorage, the hunter can bring it to Anchorage, bring it to the Regional office and we'll tag it there. So this is kind of only a crude look at where the harvest is coming from. I also put together a map based on where the otters are reported as being killed to try to show sort of the spacial distribution.

And while I was doing this I noticed that another tagging location that's fairly large numbers of otters tagged is Ketchikan. But when you look on the map they're not -- there's not a lot of hunting in the neighborhood of Ketchikan. And my understanding from the person who helps run this program and from the taggers there is that the hunters they go from Ketchikan, they go towards the outer coast in a larger boat like a fishing boat and then they'll have a hunting trip and then they'll come back and

they'll have the otters tagged in Ketchikan. So I think one of the things that we need to do over the next several months is to take this data apart a little bit on a finer scale, maybe on a community by community basis and do a summary for each community. And then send that to each community and get together with the hunters, with the artisans and really have a -- some sort of a dialogue about sea otters and how they're hunted and what's legal and what's not legal and things of that nature.

CHAIRMAN ADAMS: Follow-up.

MR. WRIGHT: Yeah, thank you, Mr. Chair. Yeah, I was just, you know, up -- I was just curious about it because it's kind of misleading to me, you know, since I live in Hoonah, you know, and we don't -- at first I was thinking tagging statistics, I didn't -- and I just now remembered that this is animals that were already killed, is that right, you know, it say tagging statistics, so these are animals are already been processed, is that it or animal -- you know, animals that are -- you know, like you tag fish. You know, so it's kind of like, you know.....

MR. BURN: These are all dead.

MR. WRIGHT: Yes, that's what I mean. So.....

(Laughter)

MR. BURN: Yeah.

MR. WRIGHT: .....I was just kind of curious of who was tagging them and catching them and tagging them and I was.....

MR. BURN: Oh, no, no.

(Laughter)

MR. WRIGHT: .....and now that I find out they're dead. So easier to tag them that way. So -- okay. But.....

CHAIRMAN ADAMS: And we're seeing more of that.

MR. WRIGHT: Yeah, but, you know, it's

just that, you know, the numbers are misleading to me so because 567 tagged. And, you know, we really do have a problem, you know, this is one of the biggest problems we have, you know, I'm worried about our Dungeness crab within our area and, you know, in our cockle beds are the homeshore side when I saw that big sea otter swimming around Homeshore, I said what if I pull my gun out and shoot this sucker. But I know I shouldn't so.....

(Laughter)

MR. WRIGHT: .....I might get in trouble. Okay.

Thank you.

MR. BURN: Well, not unless you were to salvage the hide and get it tagged. And but, you know, the issue of the management planning, I can't remember who brought that up, but that is something that I think we need to do that and I've been talking with -- again with Carrie from the Central Council who has good contacts with the tribes and there are resources available for us to work with Alaska Natives to develop management plans. And I think though because this is considered one sea otter population and because, you know, the animals are expanding in range, I don't think it would be very efficient to think on a small scale, on a individual tribe by tribe scale, I think we need to bring people together to look at the population in Southeast as one unit and how to accommodate the different management objectives for the entire population. I will tell you that this level of harvest, between three to 400 otters a year, is believed to be sustainable. It's -- you know, we think that the population is I think a little bit over 10,000 sea otters last time the survey was conducted. And that that population could probably support an even larger harvest, but at this point it gets to some of the issues that I think Mr. Douville was talking about which is the -- you know, what can be done with the hides when they have to be significantly altered and made into a handicraft, you know, that's a skill, it takes time and I think there's questions about how much of a market are there for handicrafts. So those are -- those are other questions that I think may play a part in limiting what the current harvest is. But another part might just be the education factor that the people don't know what's legal and what isn't legal. And so I

think that's something that we can definitely address, you know, without having to change any laws at all.

It's something we can deal with now.

CHAIRMAN ADAMS: Thank you. Patty.

MS. PHILLIPS: Thank you, Mr. Chair. Mr. Burn, early in your presentation you talked about research and I'm wondering if there's a capacity building at the local level in that research or in that proposed research?

MR. BURN: I'm not familiar with -- I think Mr. Hoyt's proposal which has been funded is to do foraging observations and I'm not sure all the details of that study. Can you give me a better idea of what you mean by -- in what aspect of capacity building are you talking about?

MS. PHILLIPS: Through the Chair, Mr. Burn. Like you said something about the Pacific Research Center's going to do some research and we have like a fisheries monitoring program and a wildlife monitoring program and a criteria of those programs is that they have to involve the tribes or at the local level to be a part of doing the actual research, you know, to help build capacity within a community. So that's what I'm wondering about.

MR. BURN: Okay. I see. The North Pacific Research Board, that's not any specific proposal, what it is is it's a call for proposals. It says we've got this much money to spend on research and one of the priorities we'll be looking at are things that address sea otters in Southeast Alaska. I don't know who -- I mean, that's open to I think a variety of researchers to put in proposals for that. What you're talking though, the involvement of, you know, local residents and that's something that I think most people who are doing these proposals kind of recognize is really an important thing. And I'm not sure if that is a requirement under the NPRB proposal, you know, qualifications or not, but it's something I can look into.

MS. PHILLIPS: Thank you.

CHAIRMAN ADAMS: Okay. Mr. Bangs and then Mr. Kookesh.

MR. BANGS: Thank you, Mr. Chairman. In light of Ms. Phillips' question there, Zach Hoyt gave a presentation to a group here about two weeks ago in Petersburg and actually he had a presentation to this Council and we gave a letter of support for his project. And he had mentioned at this meeting that he had considered the Marine Advisory Program, Sunny Rice who's involved in that project had mentioned that Carrie Sykes at Central Council was going to be an integral part of helping him to do his research as far as getting all the tribal members of the region and to use their boats, flying time, whatever they could do to help fund his project to get more extensive information and data. And so that's an ongoing thing and I think that it is a communal effort going on with his project.

Thank you.

CHAIRMAN ADAMS: Mr. Kookesh.

MR. KOOKESH: Yeah, Mr. Burn, I'm kind of wondering on this approach that you have when we're talking about the harvest of sea otters, are we talking about like a conservative approach to reducing their numbers or an aggressive approach. The reason for asking is I'm wondering what -- what I'm looking for here is not to do another study, not to continue research, but to develop a management plan so that we can address the needs of the commercial fisherman and the people that harvest dungeness, the people that harvest clams for a living and also for subsistence. And we're wondering where are we going to go with this because if we don't have a plan to alleviate the problem like you say -- earlier you were saying well, if there's a market for it, you know, that's not an issue for us. Some of us it's not necessarily the market they worry about, what if there's no market and you're allowing these -- this population to grow because there's no market. We're at a point of where we're going to lose and people in Angoon are very fortunate that the outer coastline, our people are taking the hit for us, that they're the ones that are losing all their crab and all of their subsistence seafoods and we're not. And I'm just wondering where we're going to go with this, we need to have a management plan that addresses it. I noticed that when I was reading your April 29th, 2009 letter that you wrote the Service understands the concerns of Southeast Alaska residents regarding competition between sea otters and humans for the same resources and remains

committed to working within the framework of existing laws and regulations period. And my question is to do what seemed to be missing for me, you know. To work with the existing -- we have to make it work for us is what I'm saying, but I noticed that you came up short of saying to do what is what my question came off of this statement here on your April 29th letter. And I'm just worried about this and I'm just worried that we don't have a management plan, that we're not really addressing it, we're basically just listening and gathering information and we'll be back six months talking about it again is what I see. I was thinking of a joke earlier where somebody said, you know, if you want to get rid of all the flies, you know, turn it over to Fish and Game or something. And I was wondering if we could do the same thing with -- in that same context, turning the sea otter management over to Fish and Game and that way we can take care of the problem. We consider it a problem by the way. And like Mr. Douville said it is expensive. And I did talk to Bob Loescher before I came up here and he said it is very expensive, the time it takes to go out to buy all the fuel and the groceries and to go out there and get them and to come back and to do the pelts, that's a -- that runs into a lot of money. But what I'm wondering is this, is there going to be a plan or are we just going to sit here and talk about studies and more research.

MR. BURN: Okay. I think what I meant in that statement in the letter or maybe what was implied in that is that the Marine Mammal Protection Act provides us very clear guidance with respect to sea otters. Managing sea otters for -- or sea otter populations for other subsistence resources, the things that they eat, that's not contained within the law, that's not something that we can do. We cannot do -- we cannot develop a management plan for predator -- essentially predator control, the law will not let us do that, the regulations will not let us do that. But given the tools that are available within the law which is Alaska Natives may hunt sea otters for subsistence purposes, that we can work with Alaska Native organizations and tribes to develop a management plan to meet certain objectives. And as long as -- and those objectives, you know, there's a -- you know, you've mentioned some of them, but as long as the harvest itself remains within the bounds of the existing laws then whether or not it meets these other objectives or not isn't a problem. I guess the reason

why I didn't go that extra step is because that's really further than I can go under the Marine Mammal Protection Act.

CHAIRMAN ADAMS: Mr. Burn, I know that you're going to have to leave here in a bit so we appreciate your indulgence. But maybe we can take one more question or comment.

Mr. Hernandez.

MR. HERNANDEZ: One more comment if I may. I think -- you know, this is something that should be considered by your agency. I know this to be true, but in the absence of a rational management plan there is a significant amount of illegal killing of sea otters going on right now. That's just a fact. People are shooting them out of frustration. I know it anecdotally and I've -- you know, I've seen dead sea otters floating out there with, you know, riddled with bullet holes. So I think you need to consider that as well, that this is going to be -- I know your enforcement comes down really hard on that and it's bad for everybody, it's not good for the sea otters either. So, you know, if something isn't done with a rational management plan you're creating an additional problem there so I think you need to consider that.

MR. BURN: I think you're right. There was a case, I forget how long the investigation went on, but last spring there was an illegal harvest case and that person has been sentenced to jail for that. He was taking hides and -- or taking sea otters and selling the hides illegally. But what you're talking about is another sort of form of illegal take. And you're -- but you're absolutely right, the idea that if we don't -- you know, we can either get in front of this and work with Alaska Natives who can harvest sea otters, we can either get in front of that and come up with a plan that makes sense or, you know, we can kind of leave things completely unregulated in which case I think the illegal harvest is more likely to continue. I think you're right.

CHAIRMAN ADAMS: Anyone else.

(No comments)

CHAIRMAN ADAMS: Thank you, sir. Appreciate your being here. Have a safe trip back

home.

MR. BURN: Thank you very much.

CHAIRMAN ADAMS: Yeah. Why don't we take a five minute break.

(Off record)

(On record)

CHAIRMAN ADAMS: Okay. We're going to go back into session. Everyone please take your seats. Unless you want to stand.

(Pause)

CHAIRMAN ADAMS: Okay. I just need to remind, you know, Council members and everyone that I hate to fall behind, you know, so I would ask your indulgence to please, you know, make your point and, you know, if you want to elaborate and be clear on any issues, please feel free to do so, but I don't want to be sending anyone out, you know, trying to rush to the airplane and everything. So I'd just like to remind us all of that.

We'll go ahead and finish up that other special action that has to do with marten. So what's the wish of the Council on that -- on that particular issue.

Mr. Bangs.

MR. BANGS: Thank you, Mr. Chairman. I move to adopt the special action on Kuiu Island marten.

MR. KITKA: I'll second that.

CHAIRMAN ADAMS: Seconded by Harvey. Okay. Discussion.

(No comments)

CHAIRMAN ADAMS: We have those three gentlemen up there if you have any questions of them, please feel free.

Mr. Kitka.

MR. KITKA: Thank you, Mr. Chair. I'm just wondering -- realizing that just how many martens are being trapped off of this island and how extensive the logging that took place in this area, their food, what do they eat and whether the logging has bothered them or whether it's just the trapping.

CHAIRMAN ADAMS: Okay. Mr. Suminski, you want to tackle that?

MR. SUMINSKI: Mr. Chairman, Council. This is Terry Suminski with the Forest Service. I don't have that information with me. I don't have the acres of logging and.....

CHAIRMAN ADAMS: Neil.

MR. BARTEN: Yeah, through the Chair, Mr. Kitka. Yeah, that's a very good question and on the north end of the island is where we've mostly been doing our work, where a lot of the logging has taken place. But as of a couple of weeks ago we had a crew down working in the southern part of Kuiu Island as well and we just got money to do one more year of research on Kuiu Island looking at the marten population. So maybe some of that information will come out with the research we're doing.

CHAIRMAN ADAMS: Mr. Pappas, you have anything to add?

MR. PAPPAS: (Shakes head no)

CHAIRMAN ADAMS: You're going to stay mum?

MR. PAPPAS: (Nods affirmatively)

(Laughter)

CHAIRMAN ADAMS: Okay. Any questions.

Go ahead, Mr. Hernandez.

MR. HERNANDEZ: Yeah, I'd just like to know what actions the State has taken for the non-subsistence trappers in this area.

MR. BARTEN: Yeah, through the Chair, Member Hernandez. Yeah, we did -- I mean, last fall at

the Board of Game meeting in November we put in State proposal, Fish and Game, with Rich Lowell taking the lead on it, to marten trapping on Kuiu Island. As you probably know about any trapper who's ever trapped Kuiu Island is a local user, right. So we closed the State season and that's where it sits right now.

CHAIRMAN ADAMS: Thank you, sir. Anyone else.

Mr. Larson.

MR. LARSON: Mr. Chairman. Two bits of information. One is that we had a public hearing in Kake earlier this summer and the organized Village of Kake solicited input from local area trappers. It was also well publicized and we had no one there at this public hearing that spoke in opposition to this closure. The local trappers that were contacted indicated there were so few martens in the Kuiu Island that they had no interest in the -- actually the -- as I recall the catch harvest, you know, harvest statistics and I don't think we've had a marten harvested there since 19 -- 2005. And in that case I think there was only four or five harvested. So it's essentially no harvest and no opposition to this closure.

CHAIRMAN ADAMS: Okay.

MR. HERNANDEZ: Question.

CHAIRMAN ADAMS: Question called or -- okay. Do you have a question or -- okay. The question has been called. All in favor please say aye.

IN UNISON: Aye.

CHAIRMAN ADAMS: Opposed.

(No opposing votes)

CHAIRMAN ADAMS: Motion carried. Thank you, gentlemen. George, we'll get you yet.

All right. Thank you, Pete. You're next.

MR. PROBASCO: Mr. Chair, I guess I have the next few agenda items and I will honor your

request to try to be expedient and get through these as quick as you can.

Agenda item 11B quite simply stated is that when the Council produced the series of proposals that Mr. Larson has put in your packet, they were submitted to the Office of Subsistence Management and then they went down to Washington and we go through our process to develop the proposed rule that addresses our wildlife proposal process. Unfortunately we encountered the new administration which was getting people in place and getting the proper regulatory process as they envisioned in place as well. And what that resulted in is us not meeting the required dates and times to adequately announce and meet the legal requirements of our meetings. So consequently what we had to do is take what we did last spring, we have to move it to this fall and we have to reconfirm so that we meet the technical aspect of the regulatory side of these proposals. So what you have before you is this packet of proposals that the Council put forward and we simply need to know if proposal by proposal or packet that you want these still to go forward and we will -- if so then we will put them in the hopper, do our analysis and they will come back to the Council for their review and recommendation to the Board.

Mr. Chair.

CHAIRMAN ADAMS: Thank you, Pete. I'm trying to find mine. So any questions while I'm looking.

MR. PROBASCO: Mr. Chair, if I may, the packet I'm talking about that Mr. Larson put together in the upper left-hand corner it says 2010 to 2012 Federal subsistence wildlife proposals. And I can't remember what the total number of proposals are, but they're there.

Mr. Chair.

CHAIRMAN ADAMS: Thank you, Pete. I must not have got one. So I'll just have Harvey share with me.

MR. PROBASCO: So possibly the most expedient way to deal with these, Mr. Chair, is to deal with it as a packet and affirm the whole packet or if there are proposals that you want to pull out and not

forward then you may want to do it proposal by proposal. Council's.....

CHAIRMAN ADAMS: Thank you, Mr. Probasco, I think that will expedite a lot of -- this thing a lot faster. So what's the wish of the Council.

Go ahead, Donald.

MR. HERNANDEZ: Yeah, thank you, Mr. Chairman. Yeah, I've looked through the packet and I believe this -- these were the proposals that were our intent to have submitted, so I would move that we adopt these proposals as proposals of the Council for the next wildlife cycle.

CHAIRMAN ADAMS: Thank you, Donald. Is there a second.

MR. BANGS: Second.

CHAIRMAN ADAMS: By whom?

MS. PHILLIPS: Mr. Chair.

CHAIRMAN ADAMS: Yes.

MS. PHILLIPS: Did the State put some of these in or did we put.....

CHAIRMAN ADAMS: We need a second so we can talk about it.

MR. BANGS: Second.

CHAIRMAN ADAMS: And it was seconded by Mr. Bangs. Okay. Go ahead, ask me a question.

Patty.

MS. PHILLIPS: Did we approve these or did the State bring them to us and we reviewed them or -- it says our name on it.

CHAIRMAN ADAMS: Mr. Larson, please answer that question.

MR. LARSON: Mr. Chairman. These are the wildlife proposals that were recommended by the Southeast Council at their meeting in Petersburg with

the exception of the final wildlife proposal. On the final page there is an additional proposal that I produced for the Council's consideration and it was based upon the Council's annual report. One of the replies -- one of the issues from the Council's annual report was that there wasn't the same type of delegation of authority for wildlife as there was for fisheries. And the response from OSM was if the Council wished to adopt a regulatory framework for wildlife that was similar for fish, meaning that there are a parallel group of State and Federal managers, then they needed to submit a proposal because some of those delegations of authorities for wildlife are in regulation. So if we needed to take those specific delegations of authority out of the wildlife regulations and have them delegations of authority from the Board in the form of a letter, then it would require a proposal to do that. So I took it upon myself to put that concept in a proposal form and it's the last proposal form in your packet.

MR. PROBASCO: Mr. Chair.

CHAIRMAN ADAMS: Go ahead, Pete.

MR. PROBASCO: Mr. Chair. And also the intent, just a reminder for the Board, is not to debate the merits at this point, it's just to determine if this is an issue that needs to be reviewed by the Council and subsequently the Board and then take actions accordingly. Mr. Chair.

CHAIRMAN ADAMS: Floyd, do you have something.

MR. KOOKESH: Yeah, I don't know what you just told me, but it's my understanding from looking at some of these proposals that I'm -- I don't feel comfortable passing them as a package because I have -- had a few questions. We had a gentleman here yesterday talking about the one moose per household, do you recollect that, it was yesterday. And I empathize with him on that regard. But the other one that I have a -- I had a problem with, it was making C&T for Unit 1C for all of Southeast, at Berners Bay where they transplanted all those moose in the '50s or something. I think territorial sportsmen did that. And us making C&T for them and I was questioning -- I question that, I've always questioned that one, giving C&T to Gustavus and then broadening it out to include all of Southeast.

And I just wonder how we can give C&T when it has -- it's been a transplanted animal.

It's just those two that I have a problem with.

CHAIRMAN ADAMS: The way that we can do this, Mr. Kookesh, is go ahead and take it as a package and if there's any of those proposals in there that you have a concern about we'll pull it out and talk about it. Okay.

Mr. Hernandez.

MR. HERNANDEZ: Thank you, Mr. Chairman. I -- in my view these are all concerns that were brought to the Council that need to be addressed as proposals. You know we need to see the analysis on them and then decide them at a later date. I don't think really, you know, this is the place to decide -- go back on what we decided before because these -- you know, these are in response to, you know, concerns that were brought to us. And I think we should, you know, honor that and at least put them forward as proposals for analysis and we'll debate that later.

The other question I have is I believe we still have an opportunity at this meeting to add to this package if we wish, correct?

CHAIRMAN ADAMS: That is correct. And your point is well taken, you know, this isn't -- these aren't proposals yet, Mr. Kookesh, they will be and that's when we can, you know, go through them with a fine-tooth comb. Okay.

Any other comment, Mr.....

MS. PHILLIPS: Call for the question.

CHAIRMAN ADAMS: Pete, you have a comment.

(No comments)

CHAIRMAN ADAMS: I want to call -- I've had a request for someone to come and testify. So Barbara Cellarius wants to address one of the proposals on there.

Barbara, go ahead.

MS. CELLARIUS: Thank you, Mr. Chair. For the record my name's Barbara Cellarius and I'm the subsistence coordinator for Wrangell St. Elias National Park and Preserve. And I -- we would like to ask that you consider making a very small modification to one of the proposals. It's the proposal for 5A moose. It's -- it says you -- at the bottom it says WP-SESRAC-U5A moose. It's like two proposals in from the end. And this proposal would delegate to the Yakutat district ranger with the Forest Service a harvest quota, the ability to determine a harvest quota for 5A moose in consultation with ADF&G and the Chair of the Southeast RAC. And we would ask that you consider adding to the list of parties to be consulted with the Yakutat district ranger for Wrangell St. Elias and Glacier National Parks and Preserves.

Thank you, Mr. Chair.

CHAIRMAN ADAMS: Thank you, Barbara. And I think that point is well taken, you know, you should be included in there since, you know, Unit 5 includes the Dry Bay and Glacier Bay area so I would support that. So we need to make an amendment to that particular proposal so that National Park Service is included in that.

Mr. Bangs.

MR. BANGS: Thank you, Mr. Chairman. I will make the amendment to the proposal for 5A moose to include the Wrangell St. Elias district ranger. Is that what we want?

Okay. Thank you.

CHAIRMAN ADAMS: Thank you, Mike. Is there a second.

MR. HERNANDEZ: I'll second.

CHAIRMAN ADAMS: Mr. Donald Hernandez. Okay. Any discussion.

(No comments)

MS. PHILLIPS: Question.

CHAIRMAN ADAMS: The question's been called. All in favor say aye.

IN UNISON: Aye.

CHAIRMAN ADAMS: Opposed, same sign.

(No opposing votes)

CHAIRMAN ADAMS: The motion is carried. We're back to the main motion. Any more questions.

(No comments)

CHAIRMAN ADAMS: Comments.

Pete.

MR. PROBASCO: Oh, I just wanted to -- Mr. Chair, I just wanted to clarify for Mr. Kookesh that even though Southeast submits these proposals, doesn't endorse it, they support the proposals. It's just -- I think Mr. Hernandez said it very well that you're taking comments probably from yourself and your communities and bring them forward for consideration. Mr. Chair.

CHAIRMAN ADAMS: Thanks for that explanation, Pete.

MR. DOUVILLE: Mr. Chair.

CHAIRMAN ADAMS: Yes.

MR. DOUVILLE: Thank you. I agree with Mr. Hernandez, we had some issues when proposals were filtered out before we got a chance to look at them even if the -- you know, they may not have been the best proposals, we had issue with it in the past. So I agree we should go forward with these.

MR. BANGS: Question.

CHAIRMAN ADAMS: The question's been called. Thank you, Michael. All in favor, please say aye.

IN UNISON: Aye.

CHAIRMAN ADAMS: Opposed.

(No opposing votes)

CHAIRMAN ADAMS: Thank you. Motion carried. Anything else there, Pete?

MR. PROBASCO: Mr. Chair, it's going to be at your -- I don't know if you'd do it at the end, but as it was clarified, you do have the opportunity to submit additional proposals and.....

CHAIRMAN ADAMS: Sure.

MR. PROBASCO: .....I don't know if you want to hold that to the end, it might be more appropriate towards the end of the meeting.

CHAIRMAN ADAMS: Yeah, let's see what happens, we'll talk about it at the end if it's okay with the Council. Okay.

Thank you, sir.

MR. KOOKESH: Question.

CHAIRMAN ADAMS: Go ahead.

MR. KOOKESH: We don't always have the opportunity to have the -- Mr. Probasco in our presence especially since he represents OSM. I -- if I correct he replaced Mr. Tom Boyd. And I'm just wondering since I have never had him talk to us, I was wondering if he could give us like an update on what's -- what we can look forward to from OSM or how things are going or not going and if there's any correspondence we need to be privy to or not and it would be nice to -- since we have him here it's -- we don't have this opportunity very often as.....

CHAIRMAN ADAMS: While we have you here, I think that's a great idea, Pete, so.....

MR. KOOKESH: .....as I'm well aware.

MR. PROBASCO: Mr. Chair, Mr. Kookesh. You always have like put me on the spot so I appreciate that. I will be here until the end of the meeting and I could give you an update now or I can do it at the end, it's your wishes.

CHAIRMAN ADAMS: We'll do it at the end

of the meeting, Pete, if you don't mind. Great. Thank you. Are you done?

MR. PROBASCO: (Shakes head no)

CHAIRMAN ADAMS: No. Come on.

MR. PROBASCO: I think the next agenda item is both 12 and 13. I will serve as the lead with assistance from the Forest Service and ADF&G when appropriate. So the next agenda item is the Steelhead work group charge which was placed in your booklet as an informational item. I just want to briefly just add some comments on that and then if there are any questions I'll take them. But as the Council's very aware we have been dealing with the steelhead issue in Southeast Alaska for quite a while. And most recently the State of Alaska had submitted an RFR based on previous decisions made by the Board. As a result of that RFR it was agreed both on the State side and the Federal side to try to develop a work group if you will and give that opportunity to the work group to try to develop a cohesive and a more proactive means of dealing with steelhead on the issue. And I think it's safe to say that there's difference of opinion both from the State side and the Federal side on how to deal with subsistence steelhead.

With that said the -- an attempt was made at developing a charge and consequently there's difference on opinion on if that charge is the charge we should go forward with. So the work is not completed. We were hoping at this time to be able to take this charge before you, get your comments, suggested changes and ultimately endorsement and identify Council members that would like to serve on that. However at this time because of the concerns the State has work -- it's still work in progress. So what I have before you is the draft that -- where we're at, it's currently within the State's review and we're waiting for their comments and edits. And what I will continue to do and I've been talking with Mr. Adams, the Chair, throughout the summer on this issue and we will continue to keep Mr. Adams up to speed and then consequently any Council meeting we will come before you with the most latest where we're at and an update.

So, Mr. Chair, that's where we're at with the Steelhead work group.

CHAIRMAN ADAMS: Thank you, Pete. And I've also been getting emails back and forth from Tina and hopefully -- you know, I felt like I was kind of a peacemaker, you know, kind of get this thing solved. But yeah, so we'll -- this will be, you know, addressed to us later.

Thanks. Anything else, Mr. Pete.

MR. PROBASCO: Let's just keep going then?

CHAIRMAN ADAMS: Keep going.

MR. PROBASCO: Okay. On Page 63, this is again FYI. I think it's easier to render down the bureaucracy of the Federal program and what different milestones we have looking ahead and this just gives you the chronology of the meetings that we see in 2009 and 2010 in addition to your RAC meetings. Keep in mind that this spring there'll be two Federal Subsistence Board meetings, one dealing with wildlife proposals and then the other meeting dealing with the deferred Yukon River proposals.

So that's just a quick summation of the meetings that most definitely you guys are interested in. Mr. Chair.

CHAIRMAN ADAMS: Thank you. Any questions, comment. Again it's on Page 63.

(No comments)

CHAIRMAN ADAMS: Move on.

MR. PROBASCO: Okay. Mr. Chair, on Page 66 -- come on up, George, is a summary of what the Board has charged the Solicitor's Office and the Office of Subsistence Management in clarifying regulations that pertain to special actions. A lot of this meeting has been devoted -- focusing on special actions. And I think it's safe to say that along with Council members and Staff and the public, the special action process has been very confusing, what applies, what doesn't, when are the RACs involved, et cetera. And as a -- in part as a result of a lawsuit and agreement with the Ninilchik Tribe and also in part the need to clarify these regulations, what you have before you is the proposed regulations to clarify special actions. Now

special actions are different that Subpart (d) which Subpart (d), the Council has to be consulted on Subpart (d) regulations. Subpart (b) regulations are strictly under the preview of the Secretary and the Secretary signs those. However both the Secretary of Interior and Secretary of AG, their Staff and their offices made it very clear that we needed to take these before the Councils, have them -- give them the opportunity to look at these changes and comment accordingly. The Board will act on their final recommendation. The Board, all they do is make a recommendation to the Secretary, they do not make the final decision. And they will act on that in January of 2010.

I think some of the key points outside of clarifying some bureaucratic language in this that directly affect the Councils is that the language is -- clarifies -- oh, let me stop a second. Petra Valley put together a side by side comparison, she said she gave it to each of the Council members. And I appreciate Pat doing that. And on the left-hand side it gives you the existing regulations and on the right-hand side she's identified in bold -- doesn't include everything, but in bold some of the pertinent changes.

I think -- and just encapsulating some of the key changes, I think one focus is -- and it's been debated time and time again, can customary and traditional use determinations be determined through the special action process. Where the current language is and where the proposed language is that's it's clarified that language to say that special actions will not be a vehicle used to redefine customary and traditional uses and that it will be only done through the regulatory process and through the RACs. And for obvious reasons. If you go through a special action process, depending upon when that proposal's submitted, may or may not involve the Councils. Special actions are meant as a tool for in-season managers to be responsive to the biological and subsistence uses or these resources. And so it's meant to be a timely tool in implementing management changes. So that was clarified.

Also what's clarified is that under temporary special actions and regular special actions like we had at this meeting, if there is an opportunity where those actions, proposed special actions, can come before the Councils and the Councils can weigh in and

make a recommendation on it, we are required to do that. It -- in the previous language it wasn't as clear. What that means is a special action is under regulations that the Board has to give deference to on the Council. So that's very important if we have the opportunity to bring that before the Councils to act upon.

So, Mr. Chair, with those few -- and there's a lot of other stuff in here that I would place under taking language that was written in a manner that depending upon the interpretation could be taken either way, was clarified, I'm open for questions.

CHAIRMAN ADAMS: Questions, comments, anyone.

(No comments)

CHAIRMAN ADAMS: Appears not. Mr. Pappas, you have anything to add?

MR. PAPPAS: Nope.

MR. PROBASCO: I think Mr. Pappas is waiting for handicrafts.

CHAIRMAN ADAMS: Okay. Fine. Move on

MR. PROBASCO: Well, Mr. Chair, it's your -- it's at your wish. You can either just say we reviewed this and have no comments or you can take an official action. Mr. Chair.

CHAIRMAN ADAMS: Sure.

MS. PHILLIPS: Mr. Chair.

CHAIRMAN ADAMS: Patty, go ahead.

MS. PHILLIPS: Thank you. On your last statement about special actions if they come up during Advisory Council meeting time then they can be placed before the RAC for their review and recommendation, is that what you were saying that special actions will be put through that process or only if it's timely to that process?

MR. PROBASCO: Mr. Chair, Ms. Phillips. It would be the latter. If opportunity -- if the

special action was submitted in a period of time when a Council meeting was going to meet then we are required to bring it before you. However let's say a special action was submitted and the action needed to take place on June -- in June, you know, some system, then the opportunity isn't there to take it before the Council.

MS. PHILLIPS: Mr. Chair. My.....

CHAIRMAN ADAMS: Patty, go ahead.

MS. PHILLIPS: .....my only fear might be such that and excuse me for thinking this way, that actions might be delayed to such that they wouldn't come before the Council because they wouldn't fit the timeline. I'm not saying that the system would -- might do that, but it could.

CHAIRMAN ADAMS: Go ahead, Pete.

MR. PROBASCO: Mr. Chair, Ms. Phillips. I can see where that concern may be out there, however keep in mind what special actions are for. They're for time and area and regulate -- regulating if it -- an appropriate -- a bag limit or setting a quota. So it's not taken like a proposed regulatory change which would have a long term affect, it's something that -- special actions are divided in two categories, those less than 60 days or those greater than 60 days. Those greater than 60 days require a public hearing. Okay. Those less than 60 days are the ones I'm talking about. If we had to do it in June and there's no Council meeting around that then we don't have the opportunity to take it before you.

Mr. Chair.

CHAIRMAN ADAMS: Thank you. It would be much like the special actions that we did just recently, you know, same thing. They would come before us, you know, sooner or later.

MS. PHILLIPS: Thank you, Mr. Chair. I appreciate the explanation.

CHAIRMAN ADAMS: Mr. Kookesh.

MR. KOOKESH: Yeah, Mr. Chair. In talking about special actions and emergency closures

and temporary special actions, in order to make sure that we got this covered I'd like to see us have it done in -- that when we come to these meetings we see like a report of all of the -- all of these actions that were taken. That way we can know and have a listing of what has occurred while we were -- while we weren't there for the meeting. That would be something I'd like to see is, you know, a list coming to us during our meetings about all of these things. I don't want to say -- it couldn't be that complicated.

CHAIRMAN ADAMS: Pete, go ahead.

MR. PROBASCO: Mr. Chair, Mr. Kookesh. I see no problem with that, I think it would be a summary of the actions taken since the last Council meeting. I think that's doable, we'll so note it.

MR. KOOKESH: Thank you.

CHAIRMAN ADAMS: Okay. Mr. Larson is printing out a letter that was written and.....

MS. PHILLIPS: Mr. Chair.

CHAIRMAN ADAMS: Yes, go ahead.

MS. PHILLIPS: What's going to happen with the comments we just made about this briefing that you're giving to us and our comments to you, what's going to happen with those comments other than going in the transcript?

MR. PROBASCO: What will happen, it'll go by Council. If the Council here is saying hey, on section so and so we would recommend something different, I would report that, but you haven't done that. So what I would report unless you take an official action, I would report that I briefed the Southeast Council on the special action provision and they had not recommendations. That's what I would say.

CHAIRMAN ADAMS: Okay. So that could be put down as a matter of record. All right.

Thank you, Pete.

MS. PHILLIPS: Mr. Chair, one final question.

CHAIRMAN ADAMS: Sure.

MS. PHILLIPS: Is there a public comment on these that is open?

MR. PROBASCO: As with any of our meetings there's always an opportunity for public comment. If we had people here that wanted to speak on it they could. If the Council wanted to speak before the Board when they take this up in January and/or the public, that opportunity would be provided as well.

MS. PHILLIPS: Mr. Chair, is there, you know, the Federal comment where it's, you know, noticed and people can write to a certain address or go on the internet and post a comment, is there something like that going on?

CHAIRMAN ADAMS: I guess what she's acting - asking is it published for people to comment on?

MR. PROBASCO: Mr. Chair, Ms. Phillips. The answer is yes. It -- these regulations or changes have to go through the same process. A proposed rule, comments are provided and then a final rule and then secretarial signature.

MS. PHILLIPS: Okay.

CHAIRMAN ADAMS: Anyone else.

(No comments)

CHAIRMAN ADAMS: Yeah, I'm going to have Robert say something about this letter that was written on behalf of the Council.

MR. LARSON: Mr. Chairman. A reminder to the Council that we had this discussion of at our last meeting. We also had a list of management actions that were taken up to that point for the last fiscal year. And the Council approved a document, in-season wildlife -- in-season management of wildlife. And in there it essentially -- they -- I'd like to think that the Office of Subsistence Management used ours as a template for their recommendation. But, in fact, we did have -- make a recommendation to the OSM and maybe I could, you know, have it here to -- as a reminder, but it essentially is the same -- our recommendation is

essentially the same conclusions as developed by OSM. So we've made that -- you know, we've taken action on that topic, you know, previously.

CHAIRMAN ADAMS: Pete.

MR. PROBASCO: Just one final comment, Mr. Chair, to Ms. Phillips. Cal just whispered in my ear and the process is laid out very well on Page 67, the right-hand column, if you wanted to make public comments and how to submit them electronically or hard copy.

Thank you, Cal.

MS. PHILLIPS: Thank you.

CHAIRMAN ADAMS: Mr. Harvey, do you have a question.

MR. KITKA: Yes, Mr. Chair. I just was curious of all these proposals and things that come -- that are enacted upon on these special actions. And I was just wondering if it were possible that we can get any results that -- of what happened because of the special actions. It would be nice to know if it helped or whether anything like that was taking place.

Thank you.

CHAIRMAN ADAMS: Go ahead, Pete.

MR. PROBASCO: Mr. Chair, Mr. Kitka. I think in addition what Mr. Larson summarized as far as giving you what action was taking place, I believe you're asking, okay, this special action took place and what were the results of that. I think that would be appropriately included in the respective agency's reports on the -- you know, we just dealt with Unit 4 deer, you asked some very specific questions on local harvest, et cetera. I think when -- the next time we meet which will be after January, maybe the Forest Service and ADF&G would have those type of comments for you.

Mr. Chair.

CHAIRMAN ADAMS: Thank you, sir. I think what I'm going to ask Mr. Larson to do too, you know, is -- by the time you get home you should have

these in your email box, this letter. Okay.

MR. LARSON: Oh, I could distribute this again absolutely.

CHAIRMAN ADAMS: If you want. Can you do it today?

MR. LARSON: I could do -- we could make a Xerox copy today, either is fine.

CHAIRMAN ADAMS: Okay. Either way, you know, which would you prefer, have it waiting for you in your email box or do you want a copy now, email. Okay.

Okay. Pete, go ahead.

MR. PROBASCO: Mr. Chair, I guess I jumped an agenda item and I apologize. Agenda item 13(2), Bear Claw Working Group summary is found on Page 64. And both George and I are here to primarily answer questions. This is very similar to the steelhead issue, it's a work in progress. This group has been meeting throughout the summer. We are somewhat frustrated, but understand the frustration is just timing on this, we tried to do a lot of work during the summer and unfortunately our RAC representatives throughout the State that were on this group have difficulty and understandably being able to participate in that. So the agencies, which may throw up a yellow flag, have been working on this and are -- we need to circle back, we need to get more Council involvement, we need to get their feedback on this issue. And the key here is we're trying -- you know, the Board has passed regulations that address bear claws and making handicrafts out of those types of items. And the State has raised concerns on even though this is a legal take and may open the window up for illegal takes to enter into a market and have a higher harvest rate on bears than we would hope or anticipate. And so with that they've charged this group to try to develop a way that isn't cumbersome to identify legally harvested animals and keep track of those. There's been a lot of work done, there's a lot of scenarios out there, but nothing's been finalized. And this briefing here lays out very well the progress the group has made, where they're at and the next step is to -- I believe, Mr. Kookesh, you're one of -- the Southeast rep on handicrafts, is to get these people together and take

it through that process. And I would anticipate by the winter meeting we'd have something of substance to respond to and edit, critique, et cetera. Mr. Chair.

CHAIRMAN ADAMS: Yeah, and I see George just nodding his head there in agreement. So I'm assuming that you don't have anything more to say. Okay.

(Laughter)

MR. PAPPAS: Mr. Chair, George Pappas, part of the Fish and Game. I monitored the progress here, it started off with a really good meeting with a lot of questions from the RAC members. And unfortunately we couldn't coordinate it and we came up with a lot of answers. So we didn't go from Point A to Point C without including the RAC members, we just came up with some option to review by the RAC members and hopefully at a face to face meeting here sometime soon.

Thank you, Mr. Chair.

CHAIRMAN ADAMS: All right. Thank you.

MR. PROBASCO: Keep going?

CHAIRMAN ADAMS: Keep going.

MR. PROBASCO: Thank you, Mr. Chair. The next item is just a head's up. Many of the Federal agencies are now being tasked very significantly with their budget under the theme of climate change. And, of course, it's done at the bureaucracy level, the agency level, and a big piece of the puzzle that's missing is input from the affected users and the public. And so the purpose of this agenda item is to alert the Council for two reasons. One, we need the on grounds ears and eyes to help when we have climate change issues, project proposals, to help look at those with a critical eye from a local perspective, are we on the right track. And two, like some areas in Northern Alaska where they've actually started seeing actual physical climate change effects where permafrost has melted and resulted in big banks sloughing off and having a direct effect on stream flows, et cetera, but that type of information needs to start coming into the record so that we're aware of it. I mean I unfortunately spend a lot of time behind a desk now and I'm not out in the field whereas vice-a-versa you

people are. And so we need that type of information and try to be more proactive and get out in front of some of these issues versus being responsive and saying I wish we would have known that a while ago. So that's the theme on this. There's no briefing, it's just a head's up. U.S. Fish and Wildlife Service is dealing right now with some potential significant budget increases dealing with the theme of climate change. I was charged when we did the call for proposals for 2010 that you just looked at that we needed to have a call with the theme of climate change. So climate change is quickly becoming an important factor as we deal with resource management.

Mr. Chair.

CHAIRMAN ADAMS: Thank you, Pete. Questions, anyone, comments.

MS. PHILLIPS: Mr. Chair.

CHAIRMAN ADAMS: Patty.

MS. PHILLIPS: In terms of climate change, I mean, we're seeing heavier snowfalls and heavier rainfalls and higher wind events and might there be funding for, you know, research on impacts to subsistence resources through what you're saying, increased funding to deal -- to -- just, you know, on climate change?

MR. PROBASCO: Mr. Chair, Ms. Phillips. That's a very good point. It's one that the Office of Subsistence Management has continued to push in any of the call proposals. Everybody knows Alaska's unique, we have a subsistence resource, we have people that require on subsistence. The remainder of the United States doesn't have that. And so consequently we're competing for a pot of money and a lot of people say that aren't in Alaska what's subsistence. But to answer your question for Alaska and the call for climate change, subsistence is in there in many, many important ways and it's been really stressed. So it's there, now we've got to see how -- what the results will be.

CHAIRMAN ADAMS: Thank you. I've got a question. With the decrease on, you know, the budget for subsistence, you know, for this coming year, and we -- you said that there's a budget increase for climate

change, that must be pretty high on the priority list then as far as, you know, getting information on that?

MR. PROBASCO: Mr. Chair, I'm happy to report I -- for 2010 I don't have a budget reduction, but I don't have a budget increase. However with that said I think you need to understand that this program, the Federal Subsistence Program, is the Department of Interior/Department of Ag. And Ag plays, particularly in Southeast and Southcentral Alaska, a very key role in the funding aspects. What Cal was reporting to you yesterday, Interior subsistence program, we're not identified as a cut like we were in 2009, however Ag has identified their subsistence program here in Alaska as a potential cut. What does that mean. Well, the Federal Subsistence Program is ran under a combination of those dollars. And so if those cuts to Ag are realized in the Forest Service, it's going to have an direct impact on Interior dollars and the priority of the dollars and where they go.

Mr. Chair.

CHAIRMAN ADAMS: Thank you for that explanation, Pete. Okay. Any further questions.

(No comments)

CHAIRMAN ADAMS: Nope. Okay. Go ahead.

MR. PROBASCO: I'll keep going. Mr. Chair, a couple Council members asked the update on a couple requests for reconsiderations, specifically 08-01 and 08-02. Let me grab the right one here to start with. These were both submitted -- these requests for reconsideration were both submitted by the Alaska Department of Fish and Game and the one dealt with a no Federal subsistence priority, customary and traditional use determination for all fish in the waters crossed by -- adjacent to the City and Borough of Juneau. The Federal program reviewed that request for reconsideration and found that they concluded that the claims made by the State, there were not claims raised in the RFR and the RFR was denied.

RFR 08-02 again was submitted by the Department and requested to reject fishery proposals 08-07 which dealt with the steelhead subsistence fishery on Admiralty, Baranof and Chichagof Islands to

being closed. Again the Board reviewed the request and the claims submitted by the State and found that there were no merits to the claims and therefore the RFR was rejected. Mr. Chair.

CHAIRMAN ADAMS: Okay. Questions, anyone, comments.

Mr. Bangs.

MR. BANGS: Thank you, Mr. Chair. Was this new information that they claim, was it -- were we -- I didn't see anything that said there was new information that the State had regarding these proposals, that we got incorrect information. And I remember discussing this at length, but I'm just curious if there's a way we could see that new information that the State has.

MR. PROBASCO: Mr. Chair, Mr. Bangs. These RFR analysis are very detailed and we'll provide you comments, but just in a nutshell, the Board will accept a request for reconsideration if it's received in a timely manner which both of these were and it's based upon information not previously considered by the Board, demonstrates that existing information used by the Board is incorrect or demonstrates that the Board's interpretation of information, applicable law or regulation was in error or contrary to existing law. And under each of those there are claims that the proponent will have and then we address each of those claims. Now some of these were incorrect -- from their view incorrect interpretation of applicable law, some was new information, all of those are discussed in detail in those RFRs and we can provide you copies of those.

CHAIRMAN ADAMS: Okay. Thank you. And, you know, Mr. Larson informed me that they do have something -- we do have something on file here, but kind of unclear, you know. Thanks.

Next.

MR. PROBASCO: I think this is the last one for me. This is a status report of special actions that were received that affect the Southeast, WS0902 and I'll just go through mine. This was acted upon, it was to close the goat season in Unit 5A. It was submitted by the Southeast RAC. This was signed and

acted upon favorably and distributed July 29th and it took affect on August 1st, 2009. So that's action completed.

WSA0901 deals with Units 1B, moose. Again this package and -- was acted upon favorably. It's to amend the harvest limits in Units 1B and 3 dealing with the brow times, two on each side so it was the same as the State regulations. This was acted favorably and has been in effect.

And the last one is WSA0904. And that's request delegation authority to the Yakutat district ranger to establish quota and close seasons for Unit 5A, moose, except Nunatak Bench submitted by the Southeast RAC. The board polling occurred on Wednesday, September 30th, the Board unanimously approves this and the letter was signed and distributed last Friday, October 2nd.

So those outstanding special actions are completed, Mr. Chair.

CHAIRMAN ADAMS: Thank you, Mr. Probasco. Questions, anyone, comments?

(No comments)

CHAIRMAN ADAMS: Cal, you got something to add or no?

MR. CASIPIT: Next agenda.

CHAIRMAN ADAMS: The next agenda. We're going to break for lunch here.

MR. CASIPIT: Okay.

CHAIRMAN ADAMS: But, Pete, appreciate you coming down here. You know it's good to see you and we know you're pretty busy up there in the office and you always send someone else like, you know, who is it, Larry, you know, is always coming down here representing and we appreciate his being here as well. But it's good to see you. So thank you very much for attending this meeting with us today or this week.

MR. PROBASCO: Thank you, Mr. Chair. And I especially thank you for your hospitality yesterday afternoon, it was a special day in Yakutat.

So thank you.

CHAIRMAN ADAMS: Well, I told you we couldn't guarantee a good day today so we better take advantage of the sunshine while it was there. And I'm really happy that you guys, you know, enjoy our country because it is really something to behold.

So we'll go ahead and break for lunch. Let us be back here at 1:00 o'clock. Thank you.

(Off record)

(On record)

CHAIRMAN ADAMS: Well, good afternoon everyone. I just need to maybe let you know about lunches and breakfast we've been having. They're, you know, sponsored and put on by the Alaska Native Sisterhood. However the money that has been collected goes toward the building fund, to help us with our building project. And I think we're coming along pretty well, we need to do a lot more work on it, but we'll keep on plugging until this is a pretty top notch building. I think one of the things we're going to start working on is the floor pretty soon. So I'm really proud of what we're doing here and I hope you enjoy, you know, meeting in this building as well.

But anyhow we'll go ahead and get started. Why don't we all give, you know, the Sisters a real big hand of appreciation.

(Applause)

CHAIRMAN ADAMS: And let me tell you who they are. I've got Maryann Porter who is the president of ANS, in the kitchen there is Ledonna James, that's my daughter-in-law. Judy Ramos back there and the money collector has been Linda Westcott. So thank you, Sisters, for your help and good food.

We want to, you know, move Barbara Cellarius up for her report on the horns and antlers and so forth. She says that it's going to be very short. Cal says his is going to be five minutes, you know, as well. And that was the case with Mr. Burn as he was here giving his report on the sea otter and it went on and on and on, but anyhow let's hear your report, Barbara, and see how we do.

Thank you.

MS. CELLARIUS: Thank you, Mr. Chair. Five minutes on horns and antlers, but if I could have another five minutes or so for -- to let you know about some things the Park Service is doing.

CHAIRMAN ADAMS: Oh, sure. You bet. Is Jacquelyn and Jim going to make any comments later on or are you going to cover for them too?

MS. CELLARIUS: We're -- I thought we would do the Park Service all together. I think Jim might have something to say too.

CHAIRMAN ADAMS: Okay. Jim, why don't you come up here and sit.

Go ahead, Barbara.

MR. CELLARIUS: So the first thing I'm going to be talking about is there's a hand out in your book, it's on Page 78, it's a four page hand out so that's what I'm going to be talking about. And I'm going to try to keep this really brief, but if you have questions I'll hope -- I hope that you will ask.

So the Park Service is responding to a request from a couple of Subsistence Advisory Groups and so what I'm going to be talking about is the Park Service effort, it's not something the Federal Subsistence Board is making a decision about. I'm not looking for a formal recommendation today, but we certainly would be happy if you have any comments. And we do expect to have a draft EA out for your next meeting and so then that will be a more formal opportunity to comment.

But the Park Service is considering whether to allow the collection and uses of plants and shed or discarded horn, antlers and bones by Park Service qualified, local rural residents in Park Service units where subsistence is allowed. The -- so we're working on an environmental assessment for evaluating a couple of different alternatives for this. These are activities that are not currently allowed on Park Service land under Federal regulation. And so we had a request from the Eastern Interior RAC and there was one from the Gates of the Arctic Subsistence Resource Commission to be able to collect shed or

discarded horns or antlers or bones that they find out on the landscape and use them either for personnel use or for the production of handicrafts that would then be sold. And then there's a similar request in terms of plants so making things like birch bark baskets and selling them. You can collect plant items currently, but you can't make handicrafts for sale.

So there's three alternatives that we're considering, at least that's kind of where we're -- where the tentative -- we're not -- we don't have a formal EA yet so there's -- they may change a little bit. Actually I'm running off to a videconference at 2:00 o'clock where we're going to talk more about this with the superintendents.

We have to analyze a no action alternative under the National Environmental Policy Act. So we just -- what's the status quo, what's the environmental impact of that. Alternative two is collection -- basically unlimited collection. We wouldn't have a lot of regulations about kind of how many antlers you could collect, there wouldn't be a permit required.

And then the third alternative we're looking at we're calling managed collection. And again these are kind of proposed alternatives where -- they're not fixed in stone yet, where the superintendent would have the ability to place conditions on the collection and those conditions might include a limit on the number of sets of horns or antlers a year, for example, or there might be a permit requirement.

So those are the three alternatives that we're looking at. And as I said we hope to have an EA for you for your next meeting.

And that concludes my presentation on that topic, Mr. Chair.

CHAIRMAN ADAMS: Thank you, Barbara. I'd like to know how the Council feels about this. As she described it, you know, it's not appropriate or it's against the law to pick up shed horns and antlers and use it for handicraft purposes. And I'd just kind of like to know what your guys' feelings are about that and get that on the record.

Mr. Hernandez, go ahead.

MR. HERNANDEZ: Thank you, Mr. Chairman. I did have a question first.

CHAIRMAN ADAMS: Go ahead.

MR. HERNANDEZ: Did your discussions on this include what to do with teeth or bear claws that may be found, you know, on a carcass?

MS. CELLARIUS: I don't recall that we've had specific discussions about teeth or bear claws, but they would sort of seem to fall -- well, the teeth would seem to fall within the kind of bones, bones or part of it. Bear claws I would have to kind of pass that question on and I certainly can do that.

CHAIRMAN ADAMS: Follow-up, Don?

MR. HERNANDEZ: Yes. The reason I asked is because I know of, you know, instances where people have found, you know, wolf or bear carcasses that, you know, on the beaches that have been killed, you know, in the course of the winter and they have used their teeth for -- to make handicrafts. And I don't know if that's legal and if that was like say something that you would discuss. So I don't have -- you know, I think that's something that should be allowed myself. So.....

MS. CELLARIUS: Mr. Chair, I haven't heard specific discussion, I would say that currently it is not legal to collect them on Park Service land is my understanding of the regulation, but I will certainly pass the comment on to the folks in our Regional office who are coordinating this effort that we address -- asking that we address those issues.

CHAIRMAN ADAMS: Any more questions or comments? I guess not. Move on.

MS. CELLARIUS: Thank you, Mr. Chair. This is my first Southeast RAC meeting so I just wanted to start by thanking the RAC for their work on appointing a member to the Wrangell St. Elias Subsistence Resource Commission. One of our members is appointed by this RAC and so you're always -- I always appreciate the fact that even though I'm not here it happens and Bert has in the time that I have worked for

the Park, that representative has been Bert Adams.

I just wanted to let you know about a few other things that are going on in the Park. We've been working on a project with the Alaska Department of Fish and Game to look at brown bear seasonal movements, habitat selection and hunting vulnerability in GMU 5B. And so a lot of the work on this has been done by Fish and Game, but they captured 11 animals in July and put GPS radio collars on 10 of the 11 animals and so we're getting an idea about their seasonal movements and that kind of thing. And so that's a project that we're working on.

We've also been doing a lot of work on Nakitlit's murrelettes population in Icy Bay. And I don't really have a presentation on that, but we certainly could provide you with a presentation at a future meeting if you were interested.

And I'm getting funding starting this year to work on what's called an ethnographic overview and assessment for the Yakutat area so I'm really excited about that. It's largely going to be an anthropological report looking at the existing literature about this community and probably doing a few interviews. And so hopefully we'll have some reports for you in a few -- a report for you in a few years from now.

And then the last thing I wanted to talk about, the Wrangell St. Elias Subsistence Resource Commission met here in Yakutat 11 months ago in this hall and had a request from one of the local subsistence users who's interested in using aircraft to access the Icy Bay area. This is something that's -- the Park Service does not generally allow use of aircraft to access those lands designated as National Park, but there is an exemption for the Malaspina Forelands because of the difficult access otherwise. And so we are working -- we're currently working on language for inclusion in the Park's compendium. And the compendium is kind of one step down from the regulations. In the regulations it may say the superintendent may, the superintendent may designate areas for the harvest of firewood by Park visitors or the superintendent may limit the amount of mushrooms that Park visitors collect. And then the compendium when there is this superintendent may language, the compendium is where the superintendent then allows --

you know, makes the rules that are allowed in the regulation. And so we're working on language that would address this request about Icy Bay. It will be out for public review in January. We're still kind of finalizing the language and we'll send the Council coordinator information about how to comment if anybody here is interested in commenting.

And with that I think I'll just kind of say we have some other Park Service Staff here today, Bert already mentioned that we've recently hired Jacqueline Ashwell as our district ranger and we're really happy to have her in that position and then I'll just turn it over to Jim Capra.

MR. CAPRA: Thank you, Mr. Chairman, Members of the Council. I'll try to be shorter than usual.

The -- first I guess I'd like to say if you have -- we're just in the scoping process for the horns, antlers and plant harvest in the Park. So if you have -- even for those of you who may not be around the Park area, I think we'd really benefit from any of those uses by subsistence users that you know of or any comments on what you think should be allowed. We're just in our scoping process, we're looking forward to getting a draft before the RACs meeting in the -- for the winter meetings. And you can never have too much information putting these together. So I'd ask that you address any comments you have through Ditney or Barbara or through Bert, whichever you choose.

The one comment I'll have for the Park Service here in Yakutat is that we -- the kind of one of a kind joint Federal and State moose permit we have for Unit 5A for the majority of it is working really well. It makes it almost seamless the way the -- and getting the permits out, getting the reports in. There's still every year an education effort we have to do for the -- what is Federal public lands and when -- who can hunt in each one of our three different openings, but simplifying that permit system made it a lot easier for the administration and for the hunters. And that's -- hopefully we'll demonstrate that tomorrow.

Thank you, Mr. Chair.

CHAIRMAN ADAMS: As usual Jim is always

very brief. Any questions of either Barbara or Jim on what they reported so far?

MS. PHILLIPS: Mr. Chair.

CHAIRMAN ADAMS: Yes, Patty.

MS. PHILLIPS: I would like a presentation on the murrelettes when you can to the RAC.

MS. CELLARIUS: Okay. We'll see what we can do. Thanks for your request.

CHAIRMAN ADAMS: Yeah, that would be really helpful. I understand this has been going on for some time, maybe you can elaborate on that a little bit. Either you or Jim, I don't.....

MS. CELLARIUS: Yeah, we're trying to remember how many years that the project has been going on. I can talk just a little bit generally. In Icy Bay there's a significant kind of percentage wise in terms of the overall population of the murrelettes, we have a significant portion of the population. The population has been declining for some period of time and I'm not the wildlife biologist so I'm just trying to do this off the top of my head which is why I thought we should, you know, kind of schedule somebody to come down and do a presentation. But for a number of years the Park has been working with the Fish and Wildlife Service on some different kinds of projects. They've done some radio tagging, it's been at least three or four years that they've been coming down and looking -- trying to learn a lot more about the murrelettes. And so we'll try to get you a presentation in the next -- at the -- one of your future meetings fairly soon.

CHAIRMAN ADAMS: Thank you. Patty, go ahead.

MS. PHILLIPS: I was sharing with some of the Council members last night, but one of our local troll -- power troll fishermen caught a large -- a jumbo coho and he was gutting it and the stomach seemed really big so he cut open the stomach and there was a murrelette in the belly.

CHAIRMAN ADAMS: So that's where they're all going.

(Laughter)

CHAIRMAN ADAMS: Frank.

MR. WRIGHT: Thank you, Mr. Chair. On your environmental assessment are you going to be putting more, you know, material things in there, but you're going to be dealing with, you know, like I -- in traditional times they used to have -- you know, the people used to go up on the cliffs to go get goat hair, you know, that was caught on branches and stuff like that so that they can do they Chilkat blankets. So is it pretty much going to be just stuff you named here or are you going to build a list that -- you know, for doing your assessment.

Another question I have is what penalties do you have if you got -- find someone that has these articles in their possession when they're leaving the Park or something like they, do they drag them off kicking and screaming or you just hey, you better not do this any more.

Thank you.

MS. CELLARIUS: I'm going to let Jim handle the second question. I don't know that the goat hair issue that you have raised has come up so I will again like with the teeth and the bear claws, I'll take it to the group that's working on the project and bring it up.

MR. CAPRA: Mr. Chair, Councilman Wright. That's one of the reasons I asked for input from the Council here for the goat hair and things like that that we hadn't thought of. And as far as the penalties, I believe the -- if you go by the book, the maximum is $5,000 and six months in jail. We haven't -- typically the bailable fine is less than $100 and the item's confiscated and returned to the Park.

CHAIRMAN ADAMS: Okay. So there's going to be a proposal forthcoming that will be introduced in a future meeting as I understand what you said earlier, Jim or Barbara?

MS. CELLARIUS: Are you talking about the horns and antlers?

CHAIRMAN ADAMS: Yes.

MS. CELLARIUS: So this is a Park Service regulatory effort, it's not something that would come before the Federal Subsistence Board. We are bringing it to the RACs because it's a great opportunity to get the word out to those communities where there are Parks. And so the process as I understand it is that we're first doing this environmental assessment, before we can make a Federal action we have to look at what kind of environmental impact there would be. So we have to write this analysis. And so the idea that we have is that the comment period for this environmental assessment will correspond -- I mean, will overlap with the meeting window in the spring so that we can come to you with the draft EA at that time and they'll be a chance for either the RAC as a body or for individuals on the RAC to make comments. And once we have completed the EA then there's a regulatory process, but it's different from the Federal Board process. So a draft regulation will be published in the Federal Register, there'll be a comment period where the public -- it's usually they're like 60 days and then based on the comments there might be some changes that are made. And then they'll be a final regulation published in the Federal Register and then it will become the new regulation. And what we're intending to do is modify the Alaska specific regulations so we're not modifying the nationwide Park Service regulations. That's where there's currently a regulation that prohibits picking up horns and antlers. We think the best strategy is to leave that one in place, but to write an Alaska specific regulation that would apply here instead.

CHAIRMAN ADAMS: Harvey, go ahead.

MR. KITKA: I don't know which one of you guys would answer this, but a few years back there was a mandate from the Federal government that you had to work with the Tribes on a lot of the situations, is -- will you guys have to make -- be in contact with the affected tribes and work with them on this?

MS. CELLARIUS: That is something that we do as part of our government to government relationships with the Tribes. I can speak for Wrangell St. Elias, we -- we've got a couple of Tribes that we have regular meetings with and we discuss these kinds of issues at those meetings. We also will make sure that when we're sending out things for public comment that they're distributed. We had the

newsletter that you see in your book has been sent to the Tribes in at least the Region where I work, you know, the -- we've got 13 Federally recognized tribes affiliated with Wrangell St. Elias. So I made sure that they're on the mailing list for any kind of information about this. And then when we get an EA we'll send them a copy of the EA for their comment.

MR. KITKA: Thank you.

CHAIRMAN ADAMS: Okay. So, Jim, you said that you were interested in getting the Council's comments, do you need that right now or is it after -- you know, could it be done later or during the process? Because I asked earlier, you know, I'd be interested in finding out where -- the Council position on this. Do you want to respond to that and then Floyd will be next.

MS. CELLARIUS: I actually was in our Regional office on Monday and was talking to Sandy Rabinowitch, she's one of the people who's taken a lead on this project. And he said that at this point we don't really have a specific deadline for scoping comments. Our goal is to have a draft EA out in the spring which means that over the next couple months we're probably going to be working pretty hard. If you get -- got us comments in the next month or so, month or two, we would have more time to work with them than if we got comments sort of further along in the preparation of the draft EA, but then we will have the draft EA. So doesn't have to be today, I would encourage you to think about this and, you know, if you have -- do have comments my email is on the -- in that hand out. There might be a typo in Jim's email on the hand out, but his email is there too and those in Yakutat certainly know how to get ahold of Jim. So yeah, I mean, we'd be happy to have comments, doesn't have to be today. We're kind of working along in the process. The sooner we get the comments in some ways the more time we have to work with them, but today's not a deadline.

CHAIRMAN ADAMS: Okay. We'll just ask Mr. Larson to make sure that the Council members have your email address. Okay.

Floyd.

MR. KOOKESH: Yeah, I kind of held that

comment in because in following the Park Service process and then I started listening to you talk about asking permission to pick up bones and antlers and stuff, it's very insulting for me to hear people talking like that especially when it comes to dealing with the traditional peoples of Glacier Bay for example. And under our hunting and fishing we pretty much go under what's called an honor system. And when I follow the Glacier Bay process they actually basically were talking about holding their hand all the way into the Park and questioning the -- their right to even be there and how long are you going to stay. And to me that's very insulting and to watch this thing, I don't know who the analyst is with this -- about this process, but very insulting for me. I think that when it comes to the tribes a lot more respect should be given them and I don't see that, especially like I said come -- regards to the Glacier Bay issue.

CHAIRMAN ADAMS: Barbara, go ahead.

MS. CELLARIUS: If I could just say one thing. The intent of going through this process is to legalize what we understand is -- to be a traditional activity that currently the national regulations prohibit. So we're trying to make it so that it's something that it's okay to do and that's what we're trying to do.

CHAIRMAN ADAMS: Okay. Thank you. Mr. Wright.

MR. WRIGHT: Thank you, Mr. Chair. You said something about 13 Tribes in St. Elias and where we're talking about an EA, then is EA -- is just in the Alaska region because, you know, other Parks might not have -- you know, not be able to -- you know, be able to pick up stuff.

Thank you.

MS. CELLARIUS: This effort is strictly for the Alaska Region, we're not trying to change the national regulations, we're trying to basically identify these activities as subsistence activities in Park areas where subsistence is allowed. I was using as an example the area that I'm most familiar with when I said that Wrangell St. Elias National Park, within our resident zone there are 13 Federally recognized Indian Tribes. Other Park units in Alaska also have

Tribes that they consult with on a regular basis. I simply don't know which ones they are as well as I do the ones in Wrangell St. Elias because I work with them, I call them up when I have a question, I'll call them up or write them a letter, something like that. Those are the 13 Tribes that I personally work with as the Park's liaison. The other subsistence coordinators in the other Parks in Alaska would work with the other Tribes.

CHAIRMAN ADAMS: The question that Robert was whispering in my ear was do we have until the next Council meeting to make comments or is there a deadline when you would like to have that?

MS. CELLARIUS: You know like I said I asked Sandy at the last meet -- on Monday if we have a deadline for scoping comments and we don't have a fixed deadline. What we're hoping is at the next Council meeting we will have a formal document for you to comment on. But some of the comments that we got today, it's really good for us to get them now to help us understand the range of materials that might be gathered because it's easier to add something about bear claws or about goat hair at this point in time. So if people think of comments now it would be great to get them, but there will be another opportunity when you have actually a formal analysis that's written for you at the next meeting.

CHAIRMAN ADAMS: Thank you. And I think, you know, it would be appropriate to offer your comments if you have, you know, some feelings about that. As for me, you know, I'm glad to hear you say that they're trying to align it, you know, with the way that it always has been done. And traditionally, you know, our people have used those for a millennia, you know, for whatever purposes. And if we can bring it back to that level again, you know, my personal feeling is by all means let's do it.

Anyone else? Patty.

MS. PHILLIPS: Mr. Chair. It's really encouraging to know that the Parks -- Alaska Park Service is trying to recognize what is unique to Alaska and what is unique to Alaska doesn't necessarily meld with the rest of the Park Service system. So that you for doing that.

Who's considered bones?

MS. CELLARIUS: I would have to write that on my list of things to take to my meeting at 2:00 o'clock.

MS. HAWKINS: Mr. Chair.

CHAIRMAN ADAMS: Merle. Thank you. You're next.

MS. HAWKINS: Yeah, Merle Hawkins from Ketchikan, I work with devil's club a lot. And it's a protected plant under the Tongass National Forest special products rule. So I don't know if you want to check with those rules, I know yours would be different, but -- so I have to harvest mine on private land as I make handicrafts with it and sell them. So you might want to check with that and -- so they can mesh together.

CHAIRMAN ADAMS: Mr. Bangs.

MR. BANGS: Thank you, Mr. Chairman. I just had one quick thought that I would like to see in the scoping plan is the least amount of restrictions, if any, in the process and then possibly work towards a plan that could quickly react to any problems that arise instead of restricting it first and -- I'd just like to see the least amount of restrictions as possible and then have a way to quickly react to any problems that come about.

Thank you.

CHAIRMAN ADAMS: Okay. Anyone else?

(No comments)

CHAIRMAN ADAMS: Thank you, Barbara and Jim. U.S. Forest Service.

MR. CASIPIT: Thank you, Mr. Chair. My name is Cal Casipit, I'm the subsistence program leader for the Forest Service. And all -- I'm going to cover quickly topic 13B(1) for you, the Wildlife Resources Monitoring Plan update.

Before we found out about our little budget problem I did have a request for proposals put

out in the Federal Biz Ops for proposals to do wildlife resource -- subsistence wildlife resource monitoring. We -- that request for proposals went out in end of May, beginning of June. We didn't get very good distribution of that RFP so we re-advertised for another 60 days to get some more proposals and we ended up at the end with four proposals. However right about the time we got the proposals in we found out about our budget issues. And we started, you know, having these budget issues come up. So basically what we've done is we've put that on hold, I checked with our contracting folks, we have six months that those proposals are still okay for us to fund if we get the money. So basically we're kind of on hold. We have a Steering Committee that helps advise us on which proposals need -- are good and which one -- and they recommend similar to the Fisheries Resource Monitoring Program, they would recommend change to those pre-proposals before we get -- we ask for investigation plans. So we're at that point now where we have these proposals in, we haven't put the Steering Committee together yet to develop comments for an investigation plan. And we will remain on hold with that until our budget issues clear up.

So that's kind of where we're at. I'm hopeful that we'll get our budget restored and we'll be able to proceed with a Wildlife Resource Monitoring Program next year, but again it's dependent on budget.

CHAIRMAN ADAMS: Okay.

MR. CASIPIT: That's all I have. So.....

CHAIRMAN ADAMS: Yeah. Let's go back to the budget again, Cal, if you would.

MR. CASIPIT: Uh-huh.

CHAIRMAN ADAMS: You said early -- you know, I think yesterday that the subsistence budget is going to be cut by 50 percent, is it going to be that deep of a cut. And that you can find -- that we'll have to find, you know, monies elsewhere to supplement what we are trying to accomplish and do more with less, you know, for instance. Would you like to comment on that?

MR. CASIPIT: Certainly. Yes, our

subsistence management appropriation was reduced by 50 percent, about 2.5 million, by our Chief's Executive Leadership Team. And this was our Chief -- not the Chief we have now, but the Chief we had before, about three months ago. Again that was done without really the knowledge of our Regional forester and we're trying to fix that now. Part -- when they did give us that reduction there was an expectation that even though we were being reduced by $2.5 million, that we would still deliver -- still deliver a subsistence program that we have always delivered. We kind of wonder how that would occur. So we over the past few weeks we've talking to our Washington office about restoring some money so that we could indeed deliver a program. They provided $850,000 of Wildlife and Fisheries money to replace that 2.5 million of Subsistence money that was reduced. That still makes us about 1.7 million short and we're still working on that part of it. I know there's some partners out there who have been writing letters to the delegation, Secretary of Agriculture, Chief of the Forest Service to fix it. And I know Denny -- our Regional forester Denny Bschor has been talking with the Secretary of Agriculture as well about the issue. I can't tell you where it's going to go or what's going to happen, it's just one of those things that I'll try to keep you informed, Bert, and the rest of the Council of where we're at as we proceed. And I'm hoping that by the time we get to the Federal Subsistence Board meeting in January when the Board will recommend the proposals for funding, that -- or approve the proposals for funding, that we'll have a better idea on our funding at that point and be able to make some more commitments. But at this point it would be real hard for us to do much more than a couple of those fisheries resource monitoring program projects. That's why I was really thankful that you guys prioritized that list for us so that we can -- you know, we can do the best we can with what we have.

CHAIRMAN ADAMS: Okay. Thank you, Cal. Any other questions or comments?

(No comments)

CHAIRMAN ADAMS: Okay. Terry, do you have anything to add?

MR. DOUVILLE: Mr. Chair.

CHAIRMAN ADAMS: Mike.

MR. DOUVILLE: My comment doesn't I don't think involve them directly, but I would like to discuss this Advisory Steelhead Council Subcommittee at some point that you would deem appropriate.

CHAIRMAN ADAMS: You bet. Thanks for reminding me. I said you bet, thanks for reminding me about that, Mike. We'll take care of that. We're getting through our agenda pretty well so we'll insert it in there just before -- you know, real quick.

So, Terry, do you have something?

MR. SUMINSKI: Mr. Chairman, Council. Terry Suminski with the Forest Service. Tricia O'Connor asked me to share an update with you on the Access Travel Management Plans that the Tongass is working on and also the National Proposed Special Products Forest Rule. The Access Travel Management Plans, they're in response to national direction to decide what roads and areas will be open to motorized vehicles. The -- so far all the ATMs have been complete for each district. Comment periods are done. The Juneau Ranger District, Admiralty, Yakutat, Petersburg Ranger District are in the appeal process. They're past the comment period, but they're in an appeal process. Or I'm sorry, appeal period is open. The plans for Hoonah, Ketchikan, Sitka, Wrangell and the Prince of Wales districts are all done and past the appeal period. In -- by January 1st of 2010 we expect to have all the maps published for people to see what roads will remain open, what will be closed.

So that's pretty much it for this.

CHAIRMAN ADAMS: Thanks. Questions, anyone, comment?

(No comments)

CHAIRMAN ADAMS: Thank you, gentlemen, appreciate it. Oh, you got some more?

MR. SUMINSKI: Yes, Mr. Chairman. Just the -- an update on the Special Forest Products rule. I think you've been briefed on that a couple times. This is -- it's proposed rule governing the collection of trees and plant materials from National Forest Systems land. The lead Staff on this is the Forest Management Staff in the Washington office of the Forest

Service. And they're being assisted by the Tribal Relations group. The -- they're working on responding to the comments they've received on the rule so far. The revised rule will respond to public comments and Staff is also working on clarifying aspects of the proposed rule. And at this point we're not able to project a completion date for that effort and -- as it'll need to pass a number of clearances in the Washington office -- at the Washington office and this could take considerable time. So it's -- basically it's -- they're just working on it and that's the best update I could get from them.

Thank you.

CHAIRMAN ADAMS: Anyone, comments?

(No comments)

CHAIRMAN ADAMS: Any more, Terry?

MR. SUMINSKI: No, that's it, Mr. Chairman. Thank you.

CHAIRMAN ADAMS: Thank you, gentlemen, appreciate it.

The next thing is Bureau of Land Management. Anyone here? No one here? Okay.

I'd like to recognize somebody, a local resident, long time resident, Mr. Henry Porter, would you please stand and let people know -- see you. Welcome to our meeting, Henry.

Thanks.

Carrie, we've got you -- I've -- oh, do you have something? BIA.

MS. SYKES: Yes.

CHAIRMAN ADAMS: Okay. I've got it so marked up that I didn't even see that one there. But yeah, and then you'll be next, Carrie, please.

MS. PETRIVELLI: Mr. Chairman, I'm Pat Petrivelli with Bureau of Indian Affairs. And this is very quick. I had hoped I'd be farther along with the

results of Unit 2 deer study, but -- so -- but we finished the data collecting phase and now we're just making sure it's accurate. But we did complete 46 of the 50 key respondent interviews we wanted to do of -- with residents. And we interviewed residents from 11 of the 12 communities on Prince of Wales Island, plus Wrangell, Petersburg, Ketchikan and Metlakatla. And we did older hunters and younger hunters and then knowledgeable users. Of the 46, 36 were active hunters and we did mapping histories with those 36 individuals. We did complete 384 household surveys for the 2007 deer season and we did 527 hunter surveys. And of those, 252 were Ketchikan or Metlakatla residents, but and 273 were the others. So we're just in the process of making sure the data's accurate and then -- and I hope that we'll -- I'll have that done by the end of this month and then start analyzing the results.

And I'll be attending the deer celebration in November 10th on Craig. And just to give them some -- a little bit of information, but I'm talking with Larry Dickerson about having meetings with Todd Brinkman, Larry Dickerson and myself to travel around Unit 2 communities and just talk about the importance of harvest reporting. And some of the results of our studies in this are mainly directly the result of Unit 2 Deer Subcommittee. Those -- because those are the three recommendations the Subcommittee made -- well, that have been acted upon. And because Larry was kind of -- I think they were having 95 percent harvest reporting and now it's down to 90 and he's concerned, but which -- but I think 90 is pretty good.

But that's all I have.

CHAIRMAN ADAMS: Questions, comments, anyone.

CHAIRMAN ADAMS: Okay. Patty.

MS. PHILLIPS: Mr. Chair. Thank you, Patricia. I really appreciate that there's someone in your position who's followed this from the beginning and is following through to the end. It's really gratifying to see.

Thank you.

MS. PETRIVELLI: You're welcome.

CHAIRMAN ADAMS: Thank you, Pat. Carrie Sykes.

MS. SYKES: Good afternoon. Again my name's Carrie Sykes, I work for Central Council of Tlingit-Haida and I'm happy to be here to report on my activities since the February meeting. I've been quite busy. I've developed a subsistence work group, we've had two meetings, the first was in -- at the end of June and we recently had another one just on September 29th. But in addition to that I've been approaching a lot of the Federal agencies, I've had a number of meetings with different top officials, but I'll just kind of go through the list of who I've met with and then I'll tell you a little bit about what I discussed with them.

My first meeting was at a special Native -- special Alaska Native Issues forum that we have at Central Council, we usually do this during the Legislative session and we have representatives from the hill come down and it's a time to interact with them. But we had a special session with Senator Begich on July 2nd and I was very happy with that meeting with him. He is very receptive to listening to subsistence concerns and he had some really good suggestions. So that was really very good. And then shortly after that I went to the Federal Subsistence Board meeting that was held on July 16th and I was happy that I was able to speak at that meeting and that testimony is also online.

But shortly after that I was very pleased that I was able to go to Bethel to meet with Larry Ecklehaw and Lucy Garriett who is a policy advisor for the Department of Interior. That was a really good meeting. We had a premeet with the Tribes which included Alaska Intertribal Corporation and also Alaska Association of Village Council Presidents. But it was really interesting to hear the other subsistence issues from around the State and to be able to look toward some common concerns and goals. But that really went well, I was very happy. Larry Ecklehaw was very receptive to what the people had to say, it was really encouraging. We were able to travel with him to go up on the Kuskokwim where we were able to meet with three different villages. So he really got to see what was happening and how the conditions really are in rural Alaska. But it was very exciting to me particularly because, you know, of course, we had his attention and

it was an all day event where he could see the different issues. But in meeting with Alaska Intertribal and Mike Williams, they put out a document, it's called Forgotten America and this is a letter that is a Dear Secretary's letter. My meeting with Ecklehaw was a week before the five secretaries came there, but it was all a part of the Rural America tour and so it was a really good opportunity to be there. And I was very happy that after I had the premeeting with the Tribes that they included my recommendations in their documents. So there is some consensus among the Tribes in the State about how to proceed with some issues. And I'm really just excited that we've got some attention from top level Obama people about the concerns. And they realize in Washington, D.C. that there are some serious problems with dual management in Alaska and I'm not exactly sure how this is going to go in the future, but I know that AFN has also been in contact with Kim Elton and Pat Pourchot and who's also written a letter to the Secretary. And the concerns and recommendations that they have are very similar too. So there's a lot of opportunity for uniting on these issues that are of concern to all of the Native Americans or Native Alaskans with subsistence. But I really feel like we -- that we need to hold Obama to his nation, to the national philosophy that he committed to in his campaign and his commitment to improve communications with the Indian nations.

And I'm not sure whether you're aware, but there is a conference that's going to be coming up soon. There was an article at the beginning of September called White House Opens Doors to Tribal Leaders, but they're talking about a Tribal Nations conference and this is supposed to be held this month and I was going to be following up with Larry Ecklehaw and Lucy Garriett to find out what the status of that meeting is and see who's going to be involved with that and which Tribes are going to invite. I know that this first initial meeting not everybody was present, but I think that this next conference is going to be bigger, so I really want to follow that and see what we might be able to do as far as making changes from the top level about the Federal Subsistence Management Program.

But when I talked with these people I informed them about current issues and we're all aware of the current issues in Southeast Alaska, you know the Sitka herring and the crab and sockeye. So there's a

lot of issues and I relayed those concerns to them. I also shared the information that I had gathered from the ballets that I sent out to all the Tribes in Alaska about their top subsistence concerns, you know, and remember I've mentioned these two before and shared that information. Some of the top concerns were Natives on Commissions and Boards and the Federal Subsistence Board taking Alaska State positions. But I shared with them that, you know, a lot of the Tribes perceive that there's problems in the process between the Regional Advisory and the Federal Subsistence Board. Examples would be the Saxman, urban designation, Sitka herring conservation issues and the proposed by Kootz, you know, about their sockeye salmon. In addition to that I shared the concerns about the Federal Subsistence Board and State of Alaska MOU, you know, that was done at the end of the Bush Administration and it was signed even with objections from AFN and Central Council. But my concern is that there was lack of review by the Regional Advisory Councils. You know the Regional Advisory Council is an important avenue for public input and I think that that MOU should be rescinded and it should go through the proper process and the RAC be given an opportunity to comment on that.

In addition to that, you know, I think that that backs up the issue that was put forth by the Tribes about a Federal Subsistence Board taking the State position. So I just think it's a wrong decision and I don't know what will happen with that. That was another recommendation that was made by AFN, was to rescind that MOU. So we'll see what happens with that.

But I really stressed to all of these different agencies and to the Federal Subsistence Board that there's a real decline and a push for subsistence Native rights. And there's a lot of confusion with the dual management and, you know, as a result -- are people not being educated about the regulation changes and not paying attention to them that, you know, there's been citations and people are getting in trouble. In addition to that I've been hearing reports of heavy handed enforcement which is really upsetting especially since, you know, these communities where this is happening that there are -- you know, they're economically disadvantaged, they just need to get their fish. And I heard about it happening in Klawock and I was very upset because, you know, the lady that called

me said that 78 percent of the people in that community live below the poverty level. And I told these agencies, these people are just trying to get their fish, you know, they're already struggling to survive through the winter and they really are disadvantaged. And in addition to the other challenges they face we have such high energy costs, you know, with this recent energy crisis in the last couple years it's really compounded that situation and, you know, there's really a lot of barriers to subsistence activities and Native people are not getting their subsistence needs met.

So there's really a lot of issues, but when I got to the agencies I've really been stressing to them that, you know, we're -- I'm not just there to complain about the issues, we want to offer solutions and that we want to be a resource. And I emphasize that we want to have subsistence advocacy through government to government relationships, you know, we've been having some success with that particularly with the Forest Service. We had our acknowledgement ceremony and we're looking towards getting compensation for the removal of smokehouses at the local level and I just encourage all the people, all the Tribes and villages to research about what happens to smokehouses in their -- in their area and see how to proceed with their district ranger. But I can be providing more information about that later.

But that was really encouraging though, that government to government relationship has gone well. In addition to that ceremony we were able to work with them about the experimental forest that is being developed as Berners Bay. We met with them over the last year and we were able to meet with the elders in the Auke Bay area, Berners Bay area, and come up with a Tlingit name. And so the name is now Heen Latini Experimental Forest. But I'm very excited about that because they have expressed a very -- a real willingness to incorporate traditional ecological knowledge. And that's really exciting, you know, that's a very big step forward. Specifically who we're working with is the Pacific Northwest Research Station and they are the scientific arm of the Forest Service and then you have the land management side. So it's pretty exciting, they really want to work with us. We had a ceremony not too long ago in Juneau and it was really very exciting when the station director was up in front of the people welcoming him and we had all of the Native elders that helped in the front, you know,

the different ANCSA Corporations and tribal leaders. And he really emphasized traditional ecological knowledge and working together. We want to mentor with the elders and with the younger people and work with the -- with the university with their forestry programs to start, you know, encouraging Native people to get involved in this kind of a career. So it's -- I think it's really going to open up a lot of doors. So that's really been a success story that I've been pointing out. And I really want to work on better government to government relationships with all the agencies and eventually we try to get the State in align with that idea too, but it's really been pretty good, I'm kind of excited about all this.

But in addition to that I've been preparing for the -- there's a series of meetings that are coming up in addition to the one I mentioned with the tribal leaders with Obama. This week we have ANB/ANS Grand Camp and then shortly after that we'll have AFN convention and also the BIA provider's conference. So there's quite a few meetings. Another one that Cal mentioned is the Forest Service Subsistence Program Review with the D.C. people and that's going to be next week in Juneau and I'll be involved with that meeting too. So there's a lot of opportunities.

One other one I didn't mention was a recent one also with Underdeputy of the USDA Jay Jensen, I don't think I got his title right, but he's a top official. So it's been pretty exciting to be able to get this attention and have the interest. They really are interested and so it's really been a great opportunity.

But back to the need for education. I've really been working on education, you can see by my board over here that I've been pointing a lot of work into it. On the board you see that there's newsletter articles and then subsistence pictures. I've been doing an education drive, I've had meetings in Hydaburg, Yakutat, Kake and I'm also looking to work with children. We're going to be working with the Central Council ICWA program to have a foster care cultural night. I want to start finding out how many of the children, the Native children, know about what subsistence is and how many of them have ever worked on fish or ever smoked fish or even seen a smokehouse because I'm just trying to get an idea about the lack

of education or whether there really is -- whether the kids really are learning about this traditional activity. I really find that in the urban areas there's a lot of people that don't know how to -- don't know how to gather and put up fish. I told the Federal Subsistence Board not -- at that meeting that I know adult Natives who don't know how to filet a fish. And it's not for lack of opportunity, it's -- I mean, it's not for lack of interest, it's because they don't have the opportunity. And it's really -- it's upsetting to me. I brought one of my friends out to go get -- pick Hudson Bay tea and she'd never, ever done it before. So there's a lot of Natives in the urban areas that are losing this culture, there's a break because they don't have the opportunities. And I just think it's wrong. Just because I live in an urban area doesn't mean that I don't like my traditional foods just as much as anyone that lives in the rural area. And I just think that that's a real divide and that, you know, we need to more about the education in that area. So I've really been working on that.

And another thing that I'm doing is I have developed a website, it's at the Central Council site. You can go to the what's going on section and there's a weblink there. Right now it's a narrative about the subsistence program within the Central Council and it talks about the issues. I'm going to be working on getting all the important documents posted at that site, but I just got that up last Thursday so I'll be working on that further next week. But I'm just trying to make sure that everybody has the information about the current issues and can become more familiar with that and join in on the efforts to try to, you know, stand up for Native traditional subsistence rights.

Some concerns I had or observations, I was really kind of upset that the RAC meeting conflicts the ANB Grand Camp convention going on this week. You know I have to go back tonight and be ready to have a table for the rest of the week and I'm going to be scrambling to be prepared for that and, you know, participate here. In addition I'm going to be a presenter on Friday and so it's really been challenging to me to try to make both of these. I hope that in the future we could try to make sure that the next fall meeting does not conflict with any of these meetings that happen at -- you know, at a regular -- at a regular basis in October, for example, the Grand Camp

and also AFN. But I just want to make sure that we don't have that kind of conflict where it makes it difficult for participation at both meetings. I know that we had this issue in February where we were having the RAC meeting in Petersburg at the same time as the Board of Fish. So I just think that we could coordinate that a little bit better so people can be able to participate at both.

The other thing was the public testimony. I was looking at the minutes and it -- there was a reference in there that the minutes could be improved if testimony from public speakers could be more completely described in the minutes. And I looked at the minutes and my testimony was very brief, I was kind of surprised because in February I was talking about the RAC due deference and I was concerned that we had sat in the previous meeting in Juneau for that week and voted on proposals. And then some of those proposals did not receive the same position at the Federal subsistence level. I just really believe that the RACs need to get more due deference. Like I said before the RAC is a forum for public input from the high subsistence users and I really was upset that those decisions were changed when it got to the Federal Subsistence Board level. But I'd really like to make sure that some of the -- some of the minutes reflect particularly Central Council's comments. You know Central Council is the Federally recognized Tribe and I think that we should be more recognized as a Federal rather than a public input entity. You know the Tribes have a special relationship, we have this government to government relationship. And I really try to use that when I deal with the Federal agencies. And this is a Federal program so I think Tribes should get more standing and -- to make sure that those minutes reflect the concerns of the Tribe.

The other thing was I was concerned about some of the emergency order closures and special actions happening, you know, since it's gone to the two year cycle that we know that the numbers are up and so I was really glad to see that was -- there's some proposed revisions that are coming up. And I agree with Floyd's comment that we need to have a report provided to the RAC about those -- about those special actions. And I think that that report should include action -- include the special actions whether they were acted on or not just so that you get a better idea about what has been requested so that it could provide

for better management in our various areas.

And, let's see, the last thing I want to say was I was concerned with some of the working group stuff, you know, particularly the steelhead and brown bear working groups. It just concerns me that like, for instance, the bear handicraft, it seems like the issue is the use of the -- the subsistence use of the claws and I -- from what I can tell there's no history of reported abuse. And, you know, from that PowerPoint that we seen yesterday, there's a lot of bears that are being killed and I -- it seems like its by the non-qualified subsistence users. And so I'm just concerned that -- you know, that -- that this might focus on subsistence use. When it comes to the artists I think that we need to be able to provide them opportunities for more sales, more markets, particularly in these communities where they have economic challenges and sometimes that is an area where they can be making some extra money. And so I think that we should be careful when we consider that, you know, particularly since so many bears are being killed in other areas.

And the other area is the steelhead. You know there's no evidence of abuse by the subsistence users and it seems like that has been an area of discussion at a couple of previous RAC meetings. And, you know, if that's an issue then maybe we should have the commercial fish be required to provide records, shut down sports fish, catch and release. But if there's conservation concerns then I think we should require commercial to report. But I don't think there's abuse by subsistence users. And I notice that there was some smoked steelhead here and it was pretty good. And I -- you know, I receive fish from a commercial fisherman and he does get steelhead. And -- the bycatch. And that's how I would get my steelhead and smoke it, but I really like it and I don't think that it's being abused by Natives.

So those are just a couple of concerns with the work groups that I had. But anyway I'm glad to be here and glad to report that I've been busy with this and been quite successful in getting attention about subsistence issues.

One last thing I wanted to mention is this Forest Service funding that Cal has been bringing it up, that funds my position, it funds almost all of

it. Besides that research project I have a very small budget for subsistence. And so I'm very concerned about that because this program has been very successful and I understand it's been going on for 10 years and it's provided a lot of good research, it's provided opportunities for jobs for Native people in our communities and I really think that we need to support that program and I intend to write a letter. I have shared the information with the Southeast Tribes, they've asked me to help them with a draft letter so I'm going to be putting that information at the website also. But I'm just concerned about that possible cut and I'm going to voice that concern at that Forest Service meeting next week also.

That's all I have.

CHAIRMAN ADAMS: Wow.

(Laughter)

CHAIRMAN ADAMS: Thank you, Carrie. Yeah, you certainly got a lot of good information there. And again, you know, I keep praising you for taking the banner of subsistence, you know, on behalf of the Natives of -- well, rural communities, you know, through Central Council and the funding that the Forest Service is providing for that. But I've always felt, you know, that Central Council is going to someday play an important part in picking up the banner of subsistence for our purposes. And you certainly have done that. My compliments to you for a fine job.

Any questions by any of the Council members to Carrie. Go ahead, Frank.

MR. WRIGHT: Thank you, Mr. Chairman. Good job. I mean, you know, we've had Central Council come but nothing like this. You gave us a lot of information and I'm glad you're doing it and you're doing it because of your heart, part of people and part of communities that you serve.

(In Tlingit)

MS. SYKES: Thank you.

CHAIRMAN ADAMS: Anyone else. Patty.

MS. PHILLIPS: Thank you, Carrie,

excellent presentation. I'd like to say that, you know, we finally have some real meat on the bones here and it's troubling to hear that the funding for your position may be in jeopardy. And I think as far as local capacity building goes, you know, you're an excellent example of, you know, where the subsistence program could go. And if, you know, ANILCA is Federal legislation and subsistence is a priority consumptive use and, you know, we have advocates like you to push it along then, you know, what's -- why jeopardize your funding. So good luck with that.

Thank you.

MS. SYKES: (In Tlingit)

CHAIRMAN ADAMS: Anyone else.

(No comments)

CHAIRMAN ADAMS: You whispered in my ear and he wanted to know about the next AFN spring meeting so that we can be prepared to send, you know, our comments.

MS. SYKES: AFN's meeting is going to be this month. It's the -- I believe it starts the 21st. And AFN is another one that always occurs that the same time, it's always in October. And it is an annual meeting. I have been asking Rosito Whirl about how much subsistence is going to be included on the agenda and I think that there is going to be more attention this year particularly with the Kookesh case and, of course, Albert is the chair of AFN. And last year they -- their focused was energy, but this year I expect more subsistence topics and.....

CHAIRMAN ADAMS: Okay. So the dates are what -- what dates are the -- is it?

MS. SYKES: October 21st is when it begins I believe and it goes that whole week.

CHAIRMAN ADAMS: ANB for next year, you know, we have a situation if there's an election year, somebody correct me on this, if there's -- if it is an election year we have it in November. However, you know, the normal time for it is the first week of October. So we -- when we plan our meetings, you know, we need to plan it around that because -- you know,

because of this meeting, you know, I should be down there representing the ANB, but that's okay, we sent a good representative down.

MS. HAWKINS: Yeah, this is an election year. Merle Hawkins. This is an election year so I thought it was at the same time.

CHAIRMAN ADAMS: So it's earlier when they an election -- an election year. Okay. Well, we'll work around that. Okay.

MS. SYKES: Mr. Chair. I believe next year it's in Sitka, but I'm not positive about that.

CHAIRMAN ADAMS: What is in Sitka?

MS. SYKES: So -- no. No, our meeting's in Sitka, correct, Harvey, our meeting's in Sitka. If -- okay, I'm getting confused.

CHAIRMAN ADAMS: This -- a RAC meeting is going to be in Sitka next year in October. And it looks -- you know, we can go around that when we set the date. We haven't done that yet.

MS. SYKES: Okay.

CHAIRMAN ADAMS: I don't think you're done yet.

MS. SYKES: Oh, I'm not done?

CHAIRMAN ADAMS: Mr. Bangs has a question or a comment.

MR. BANGS: Thank you, Mr. Chairman. I just had a quick comment. I was really impressed with your presentation, but I'm really, really glad to hear that you're working with the children more. I think that's the key to the whole system.

Thank you.

MS. SYKES: Thank you. I do agree, we do need to educate our young people and I've been actively working with my grandchildren and they know all about subsistence.

Thank you.

CHAIRMAN ADAMS: And that's where it really starts, isn't it, because my family are heavy subsistence users and they've learned it from us. And I learned it from my parents and grandparents, you know, and so we're passing that tradition down. It's really, really important.

Any others. Merle.

MS. HAWKINS: Yeah, I'd just like to thank Carrie also and her grandmother and my -- was my aunt. So I was -- used to baby sit for Carrie so I'm so proud of her to go away to college and come back and coordinate all of this because Tlingit-Haida's a huge organization and covers a lot of territory. And one of the most valuable lessons she learned my her grandmother, my aunt, was to listen because she does listen to people. When I -- talking she'll take down notes and that's really important. And her heart for teaching the young people is real good also. And respecting the elders, those were all lessons we learned from my Aunt Vesta Johnson and her grandmother.

Thanks, Carrie.

MS. SYKES: (In Tlingit). I just wanted to say one more thing. You know when we talk about how important subsistence is to the Natives, it really is our Native economy and I always remember what my Nana told me when we were growing up, she said -- she grew up during the depression and she said, you know, we didn't even know it was a depression, we didn't go hungry because we always had our fish. And so it really is important to our native economies and we need to really make sure that the non-Native people can understand the cultural and traditional significance to our people.

Thank you.

CHAIRMAN ADAMS: And right in line with that too, Carrie, I -- in relation to, you know, parents and grandparents handing the tradition down to their own children, I have a grandson, same age as that young man right there that's walking. When he was about nine or 10 years old, out subsistence fishing, you know, and going hunting with his dad and everything and gathering all of these resources he made the comment, he says, mom, I don't see any reason why

anybody should starve in Yakutat, you know. And that's because of learning the habits of subsistence. And that was pretty profound coming from a young man. So my encouragement, you know, we need to teach our children, you know, the importance of subsistence and how to be involved in it.

Thank you.

MS. SYKES: Thank you.

CHAIRMAN ADAMS: Why don't we take a short break and then we'll come back. We'll take a 10 minute break.

(Off record)

(On record)

CHAIRMAN ADAMS: All right. We're back in session now. I'm going to call an enforcement officer, Mr. Jeff Bryden, up to make a comment. So come forward please.

MR. BRYDEN: Thank you, Mr. Chairman. For the record my name's Jeffrey Bryden. And as I stated earlier I'm the lead law enforcement officer for subsistence enforcement for the U.S. Forest Service.

I'm just going to give you a little quick update on some of the subsistence enforcement activities that have taken place on the Southeast area which would be the Tongass for us. To let you know we have three new officers that are currently in training for the Southeast. We'll have two officers going to Prince of Wales, one will be in Craig and one will be in Thorne Bay and we have one new officer going to Wrangell. All of them should be on and working by the end of this month. They've completed their basic academies and their field training time where they could spend an additional three months with seasoned officers in the area. So I've had the opportunity to work with all three officers, taking them out in the different areas. We currently have one vacancy in Sitka which is currently trying to be filled and we have a commander's or a captain's position in Ketchikan which will be the supervisor's, but it's currently vacant also.

To give you a little background, since we haven't had anybody on Prince of Wales this year,

I've done a number of patrols down there. This spring the emphasis was on some steelhead patrols. I was down there for nine days working, I did issue one warning to one subsistence individual for failing to record a steelhead that he'd taken on his card. He was going from one location to another and you have to record your information. So that was the only subsistence steelhead violation that I encountered this spring was for that individual and it was just a warning.

This summer for the July 24th, the opening of the deer season, I was down working that area again. I did issue one violation notice to a individual who's a subsistence resident. That individual was snagging fish with a rod and reel. He is permitted to snag in the area with a hand line, but not with a rod and reel. And he also taken fish previously from that area and failed to record them on his card that he has to turn in to show how many fish are being removed. So I gave him one violation notice and one warning notice for that incident. But that's the only fishing violation that I know the Forest Service has issued anybody on Prince of Wales this year.

As far as the deer hunting season, it did open on the 24th. I had a couple cases, had some pretty significant issues going on with some of the cases, individuals hunting State land. Of course subsistence has to be taking place on Federal land so the hunter wasn't sure where they were at, they had an individual with them that was from Ketchikan so they weren't a qualified rural resident, they didn't have deer tags and they failed to validate the tags for three of the deer that they took. So that individual did get cited by me. And that case is filled out on a failure to validate and the State's still working with him on the taking deer in closed areas. But that's the only deer hunting violation that we worked through on a case. We did issue a couple other warnings, but they were just minor stuff for subsistence related activities. That's the only activity that I know of, violation wise, that has taken place this year on Prince of Wales.

MR. HERNANDEZ: Question.

CHAIRMAN ADAMS: Question there, Mr. Hernandez.

MR. HERNANDEZ: Yeah, in this whole bear claw issue, you know, that the State keeps saying that they think that, you know, they'll be some kind of problem with subsistence, bear hunting being an incentive to violate the laws, you know, by subsistence hunters if we allow that. Do you see now any violations of, you know, subsistence bear hunting regulations?

MR. BRYDEN: No, I have not encountered any subsistence bear hunting violations. We have in the past year had some issues with individuals shooting from roadways who are qualified subsistence hunters, but as far as the handicraft or the taking of animals, particularly for the claws, I have not ran into that. I have in past cases that I've worked on where I've taken individuals who were not subsistence qualified with bear gall cases that have went full through the court systems. But they weren't in Southeast, they were in Southcentral.

CHAIRMAN ADAMS: Okay. George, you know, you were talking with me earlier wondering why there wasn't more discussion on these issues. So do you have a comment?

MR. PAPPAS: Through the Chair, Mr. Hernandez. During the bear claw handicraft work group -- this is George Pappas, Fish and Game. The agencies were asked to look through the records to find out about illegal bear claw situations. The Fish and Wildlife Service and the Alaska State Troopers went back 10 years and came up with 150 cases in the last 10 years of finding dead bears, claws missing, both rural and non-rural areas. You know they had -- that's the way they kept their cases. The Forest Service, BLM, State Parks, they didn't have the same type of data bases or they weren't searchable so there have been a lot of situations where bears were found without their claws, without their pads in the woods. So there's a lot of what ifs, you know, did someone shoot a bear, they didn't want to keep it and they kept the claws. Was it a DLP bear someone else found the claws on, did it die of natural causes. I don't know, just wanted to point out for enforcement cases there are a significant number out there just with those two agencies, but who's to say if they're related to Federal subsistence users or not.

Thank you, Mr. Chair.

CHAIRMAN ADAMS: Thank you, George and Jeff. Any questions of either of them.

Mr. Bangs.

MR. BANGS: Thank you, Mr. Chairman. I was just wondering if most of your -- whenever you're enforcing subsistence regulations such as hunting and this and that, do you do that in conjunction with a Alaska State Wildlife -- Fish and Wildlife Trooper?

MR. BRYDEN: Usually no. You know the subsistence regulations do fall on the Federal end of it. We all as Federal officers are commissioned Alaska State Troopers also so we can enforce State Fish and Game rules at the same time. But normally no, we'll work our areas by ourself. But just depends if I'm the only one in the area and there's a State trooper I'll surely work with him if we're going to work a joint boating assignment or something, but these -- so far this year I haven't worked with any State Troopers directly at all.

CHAIRMAN ADAMS: Thank you. Anyone else.

(No comments)

CHAIRMAN ADAMS: Thank you, Jeff, appreciate it.

MR. BRYDEN: Thank you, Mr. Chairman.

CHAIRMAN ADAMS: You know, we're moving along here pretty good. Confirm date and location of the spring and fall 2010 Council meetings. We have tentative places, but we haven't determined date yet. So we want to take care of that right now. Again we need to be reminded of other meetings that might conflict so we need to circle -- I mean, circle ourselves around them like for instance the ANB and ANS conventions.

Mr. Bangs.

MR. BANGS: Thank you, Mr. Chairman. I was hoping that maybe it would be up to the Council, but maybe we could come up with a list of organizations that we would be concerned about conflicting dates. And so that our coordinator could check into those

organizations prior to finalizing the dates of our meetings. So if there's a group or an organization that is of concern or conflicting with our group then we should make a list.

Thank you.

CHAIRMAN ADAMS: Sure. Thank you. I think maybe it might be a worthwhile idea.

Mr. Larson.

MR. LARSON: Mr. Chairman. If you reference your Board book on Page 82 and 83 you'll see a calendar. As far as I know those meeting dates that are of interest to -- that I've heard that the Council has interest in is the -- is the Wrangell St. Elias Subsistence Resource Committee and the ANS or ANB meeting in October and the AFN meeting in October as well. So the -- from what we understood from Carrie the AFN meeting is October 21st and that's usually those -- that day, but that day is after our meeting so that's not really any concern for us. The meeting that is of concern or that you might want to think about is the ANB meeting which is usually held the first week in October. Next year the first week in October is October 4th. One set of dates that are not on this -- on your calendar is the two Councils that have met since this book was printed. There is some reasoning regarding getting our meeting dates in early because they don't -- OSM doesn't like to conflict where different Councils meet on the same date, there's limited resources for Staff, for our court reporter and that -- they could maybe have two meetings in the same week, but certainly not three. So I would encourage you to use this meeting to make a selection so we could have an option. If we wait too late we won't have an option to when we're going to have our meeting.

So the meeting dates that have been already selected are March 3rd and 4th for the Seward Peninsula and March 9th and 10th for YK Delta and then the Wrangell St. Elias SRC meeting for March 8th and 9th. In the next fall the YK Delta plans on meeting on September 30th, October 1st. ANB the first week, October 4th and the Seward Peninsula October 13th and 14th.

Now as time goes on those meeting dates are going to be filled up by other Councils.

That's.....

CHAIRMAN ADAMS: Okay. Thank you. I think Harvey has a question.

MR. KITKA: Thank you, Mr. Chair. Realizing that our meeting dates are getting -- seem to be getting shorter and shorter, how many days are we talking about?

MR. LARSON: Mr. Chairman, I would anticipate a number of wildlife issues that I think will take some time and I believe when we have our meeting in Sitka if that's still your desire prior to the deliberations for fish, primary Makhnati herring issues, that I would anticipate both of those meeting taking full -- you know, three full days.

CHAIRMAN ADAMS: Mr. Bangs.

MR. BANGS: Thank you, Mr. Chairman. I just want to make sure that we know when the Board of Fish and Board of Game are meeting as well during those, usually they're in the same time frame.

CHAIRMAN ADAMS: Does anyone know that?

MR. LARSON: Mr. Chairman, I looked at those meetings. The relevant meetings for the Board of Fish are -- would -- the only portions that they're going to be discussing or could discuss and I don't know what they would discuss, would be some Statewide issues because we're out of cycle for that Board of Fish meeting. And I'm not aware that -- of what the -- if there's any conflict. Usually the Board of Game meets later than our meeting window in the fall.

CHAIRMAN ADAMS: Mr. Pappas, do you have a schedule there that you can share with us?

MR. PAPPAS: (Shakes head no)

CHAIRMAN ADAMS: No. Okay. I saw you go after your computer so I thought maybe you were going to help us.

Okay. What's your wish. Always -- you know, I've always encouraged to have your RAC meetings after our SRC meetings because then I can provide you with a report. Okay. And so SRC meeting is the week

of March 8th. And then we haven't -- I don't think we determined a date for the fall meeting yet, but, you know, it's up to you, you want to have it before or after, the -- there's the week of March 15th that's opened as well as March 22nd. A window closes on the 26th. So those are some options there.

Mr. Bangs.

MR. BANGS: Thank you, Mr. Chairman. I propose that we meet in Ketchikan on the week of March 15th.

CHAIRMAN ADAMS: Do I hear a second.

MR. DOUVILLE: I'll second it.

CHAIRMAN ADAMS: Thank you. Any discussion on that.

(No comments)

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

IN UNISON: Aye.

CHAIRMAN ADAMS: Opposed same sign.

(No opposing votes)

CHAIRMAN ADAMS: Motion is carried.

MR. LARSON: Mr. Chairman.

CHAIRMAN ADAMS: Mr. Larson.

MR. LARSON: My report then will be to reserve the dates of March 16th, 17th and 18th for a Council meeting which would leave March 15th and March 19th for travel days.

CHAIRMAN ADAMS: Yes. Uh-huh.

MR. LARSON: Okay.

CHAIRMAN ADAMS: Okay. Then we're back to the 2010 fall meeting. We know it's going to be in Sitka. Window closes on October 15th.

Merle.

MS. HAWKINS: Well, I don't know if I'll even be on the rock next year, but I work for tourism so the last week of September on would be best for me. And I don't know about the fishermen.

CHAIRMAN ADAMS: Donald and then Mr. Bangs.

MR. HERNANDEZ: Mr. Chairman. Yeah, I was going to recommend the September 28th, 29th and 30th. Does that end of the fiscal year on the 30th, does that interfere, cause any problems with us having a meeting on that day?

MR. PROBASCO: (Shaking head no)

CHAIRMAN ADAMS: I see Pete shaking his head so probably won't be any funding problem.

MR. BANGS: I'll second it.

CHAIRMAN ADAMS: Okay. I almost died for lack of second. Thank you, Mr. Bangs. Okay. So what was it again, the week of what?

MR. HERNANDEZ: It would be the week of the 27th.

CHAIRMAN ADAMS: 27th. Okay. And it's been seconded. Discussion.

MR. Bangs.

MR. BANGS: I know that travel may overlap a few days, Sitka's a pretty difficult place to get to from Wrangell, Petersburg and those other communities, you know it's -- but.....

MS. PHILLIPS: Charter a plane.

MR. BANGS: .....it will add a day or two so we might keep that in mind when we set the dates.

CHAIRMAN ADAMS: Okay.

(Laughter)

CHAIRMAN ADAMS: Oh, yeah, George, you got something.

MR. PAPPAS: Mr. Chair, you asked me one question at this meeting here and looks like they'll be no conflicts with either the Board of Fish or the Board of Game with the dates you are selecting.

Thank you, Mr. Chair.

CHAIRMAN ADAMS: Thank you, sir, appreciate that. Okay. Did we vote on that already.

MR. WRIGHT: Question.

CHAIRMAN ADAMS: All in favor say aye.

IN UNISON: Aye.

CHAIRMAN ADAMS: Opposed.

(No opposing votes)

CHAIRMAN ADAMS: Motion is carried. Okay. Date set. Harvey says he opposes it because he won't get paid.

MR. LARSON: So, Mr. Chairman, just to be clear then we will leave the 27th as a travel day and meet on the 28th, 29th and 30th.

CHAIRMAN ADAMS: Okay.

MR. LARSON: Okay.

CHAIRMAN ADAMS: All right. Good. Thank you. Other business.

MS. PHILLIPS: Mr. Chair.

CHAIRMAN ADAMS: Patty.

MS. PHILLIPS: While we're on Regional Council meetings I'd like to just plant the seed that maybe we could have a joint meeting with Southcentral Council after -- maybe in the winter or fall following in Cordova.

CHAIRMAN ADAMS: I -- you know, you brought that idea up to me when we first -- even before

we started here, I think. And I think it's an excellent idea. We do have common interests. Okay. And one of the questions I always ask Mr. Big -- Mr. -- what's his name, the Chair for the.....

IN UNISON: Ralph Lohse.

CHAIRMAN ADAMS: No, no. The tribal government leader.

REPORTER: Bob Heinrich.

CHAIRMAN ADAMS: Bob Heinrich. Yeah. I always ask him, Bob, how many Yakutat sockeye did you intercept this year.

(laughter)

CHAIRMAN ADAMS: Get him way up into the ceiling, boy. Okay. I think that would be a good meeting. But let's you know, think about that for the future.

Okay. We've got, you know, the -- item number 15 we have a few things that we need to add on there. Final review of Council communication and Council actions. Do we have anything there that we need to address, Mr. Larson?

MR. LARSON: Mr. Chairman, the three items that I've identified as changes that the Council has made to what has been in front of them. Well, there's just two changes. One to the subsistence wildlife proposal for moose and that adds the words the Yakutat district ranger for Wrangell St. Elias and Glacier Bay National Parks and Preserves to those list of entities where we do consultation. The other change was for the Northeast Chichagof deer special action request for the NECCUA and that change, and I'll read the wording of that first sentence. It says, the special action would close public lands of Unit 4 Northeast Chichagof Controlled Use Area to the subsistence harvest of female deer from November 14th through December 31st, 2009. No more than one female deer may be taken January 1st through January 31st.

The other -- those are the two changes to the proposals and to the special action requests that are different than what we put in front of you. The only communication that has been approved by the

Council so far is the letter to Mike Fleagle and it regards the Fishing Monitoring Program and I distributed a draft of that to the Council members yesterday. What it says is that they pretty much agree with the Technical Review Committee's findings and their prioritized list. In addition the Council recommends Sitka herring proposal be forwarded for funding out of cycle for next year. So there's been no changes to that letter other than what the -- you know, in addition to what the Council seen yesterday. Now there is no other letters that I have written, you know, for Council's approval.

CHAIRMAN ADAMS: Okay. Any -- Donald, go ahead.

MR. HERNANDEZ: Thank you, Mr. Chairman. Would this be a time to propose any new letters that we wanted to write?

CHAIRMAN ADAMS: You bet.

MR. HERNANDEZ: Okay.

CHAIRMAN ADAMS: I -- before we do that though, the -- you -- some of the Council members had a concern about that letter that was written, you know, that you didn't have -- you had some problems it. And I want to bring that up right now. What I'm going to ask, you know, is maybe for Donald and Mr. Bangs to kind of go over the letter and tweak it out with Mr. Larson so that we can go ahead and sign off on it and get it back. You can do after this meeting in a work session if you want. And then Mr. Larson will make sure that everyone gets a copy through email. Okay. And we won't send it out until after everyone kind of approves it. Okay. That'll be all right.

MR. HERNANDEZ: Mr. Chairman. Melinda provided me with a transcript of our Petersburg meeting in which we discussed that letter. And, you know, I went through it and I found what I think is kind of the pertinent discussion that we had on that. And I looked it over pretty carefully and I am willing to concede that the letter that we sent was close enough to what we stated to be put in that letter. There was a lot of discussion about, you know, things to maybe add to that letter, but when we actually came to the point where we made the motion I would say that the letter we wrote pretty well covered what the motion specified. So, you

know, at this point I'd be willing to drop that issue and call it good if that's fine -- if that's okay with the rest of the Council.

CHAIRMAN ADAMS: That's fine. That's what I was going to ask, is it okay with the rest of the Council to let it go?

(Council nods affirmatively)

CHAIRMAN ADAMS: Okay. Thank you. So then that will take you off the hook as far as getting involved in tweaking it up for us.

Okay. The next thing is a mining issue. Let's do the steel -- oh, go ahead.

MR. HERNANDEZ: Yeah, thank you, Mr. Chairman. Do we want to discuss other letters to be sent now or do we want to.....

CHAIRMAN ADAMS: Oh. Oh, I'm sorry. Yeah. Yeah, go ahead. What's your wish.

MR. HERNANDEZ: I had two topics that I listed here and one would be maybe in addition to the letter that we're sending concerning the Fisheries Monitoring Program. And that would be to recommend that we start focusing our efforts on genetic samplings that we can identify where sockeye stocks are getting intercepted in the commercial fisheries.

And, let's see, the other letter would be concerning the sea otters, if we want to draft another letter on that. So what's the Council's views on those two topics.

CHAIRMAN ADAMS: Okay. How does the Council feel about that? I think the one with the sea otter would be really appropriate as long as we mentioned in there, you know, that we want to see a management plan kind of come out of it. And, you know, like somebody said we talk about it a lot, but nothing really come -- matters from it. So if we can have them come up with an idea of ho this is going to be managed that'll be great as far as I'm concerned.

Mr. Bangs.

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

would be in agreement with the sea otter letter, but what I'm not real certain about is just who do we want to send this letter to and maybe there would be more than one organization and more than one letter need to be written based on who we're writing it to.

CHAIRMAN ADAMS: I think it would be the person that was here, you know, what's his name, Mr. Burn?

MS. PHILLIPS: Doug Burn.

CHAIRMAN ADAMS: Uh-huh. And then we could CC copies to all appropriate other entities. Okay.

Mr Probasco.

MR. PROBASCO: Thank you, Mr. Chair. As far as the sea otter issue the appropriate person would be to write it to Doug and my boss, Geoff Haskett, who's the Regional Director. And he's ultimately the decision maker on these type of issues. So he would e the appropriate person to address it to. Of course he will, you know, bring Doug into the equation and help assist in this response, but that's who it should be drafted to.

CHAIRMAN ADAMS: Thank you, Pete, we'll do that. Thanks.

All right, any more letters?

MR. HERNANDEZ: i guess we probably should decide, you know, how we're going to accomplish these letters, who will write them. And I guess on the genetics question I'm a little unsure who that should be directed to. We're going to be requesting a new investigation be done and I don't know how to do that so we need some guidance there. And then on the sea otter letter I guess we have to decide if we want to put together a working group to work on that or how that should happen.

CHAIRMAN ADAMS: I think the working group idea is an excellent idea so we'll do that.

Michael Bangs.

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

think from listening to the testimony we heard from Staff regarding the genetics work, I think it's ongoing and I think they need to establish this baseline of the streams that we're currently putting resource monitoring projects on. Once that's accomplished then I think that -- the next step would be to do the sampling of maybe the commercial catch or whatever. But it sounds like they can't really do anything until they get this baseline, I might be wrong, but that's going to be part of the process that's going on right now. So the genetic follow-up for where the fish are disappearing to would be the next step, that's just what I'm getting.

CHAIRMAN ADAMS: Thank you, Mr. Bangs. Do you think that this would require a working group to put together the letter too?

(Council nods affirmatively)

CHAIRMAN ADAMS: Okay. I'd like to see some volunteers who would sit on this working group to develop these two letters.

So any volunteers.

Mr. Bangs. Okay.

MR. BANGS: Thank you, Mr. Chair. I volunteer Mr. Hernandez.

(Laughter)

CHAIRMAN ADAMS: You're an excellent politician, you know.

(Laughter)

MR. KOOKESH: Mr. Chair.

CHAIRMAN ADAMS: Mr. Kookesh.

MR. KOOKESH: Yeah, Mr. Chairman, the sockeye issue appears to be an Angoon issue so I'd like to be part of that process.

CHAIRMAN ADAMS: You bet. We'll put you on there too. Thanks. Anyone else.

Mr. Bangs, go ahead.

MR. BANGS: Thank you, Mr. Chairman. I would volunteer for the sea otter letter if there's anything you need there.

CHAIRMAN ADAMS: I think what we're doing is putting together a committee for both of the letters.

MR. BANGS: Okay.

CHAIRMAN ADAMS: Okay.

MR. BANGS: Well, I'd be more than glad to participate.

CHAIRMAN ADAMS: Okay. Is that understood by everyone.

(Council nods affirmatively)

CHAIRMAN ADAMS: Okay. Great. Thanks. Anything else, any more letters?

MR. DOUVILLE: No, not letters.

CHAIRMAN ADAMS: Okay. Go ahead.

MR. DOUVILLE: I do have an issue that I want to discuss.

CHAIRMAN ADAMS: Is that on the steelhead?

MR. DOUVILLE: (Nods affirmatively)

CHAIRMAN ADAMS: Okay. Yeah, we're done with the letters then, okay.

MR. DOUVILLE: What?

CHAIRMAN ADAMS: I said -- I'm saying we're done with letters.

MS. PHILLIPS: Mr. Chair.

CHAIRMAN ADAMS: Okay. Go ahead.

MS. PHILLIPS: I have a question about, you know, we want to do wildlife proposals and an .804 analysis request, when do -- would that be a letter or

what would that be?

CHAIRMAN ADAMS: Specifically what?

MS. PHILLIPS: The reduce the bag limit to Federally -- non-Federally-qualified hunters in the NECCUA. And then .804 analysis for NECCUA.

CHAIRMAN ADAMS: It looks like something in the form of a proposal that would have to come forth.

MS. PHILLIPS: So what.....

CHAIRMAN ADAMS: So we can direct -- you know, we can make a motion to have those proposals developed. Okay.

MS. PHILLIPS: Now or when?

CHAIRMAN ADAMS: Yeah, let me -- let me listen to Mike first and then you can address it next.

Go ahead, Mike.

MR. DOUVILLE: Thank you, Mr. Chair. I've been waiting so long I forgot what I was going to say, but I'll give it a shot here. This draft on Page 62, the Southeast Alaska Subsistence Regional Advisory Council Steelhead Subcommittee. Some of you have been long -- on this RAC long enough to know that we've dealt with it for at least 10 years. It's perhaps the most studied fishery we have, we spent a lot of money on it, we have excellent data and the fishery is really small, but we feel important. We've virtually done all these things that this Subcommittee would go -- be going over some of the same ground we've already done. The fishery is probably the closest monitored of any in the State and to my knowledge there's no problem with it, it works fine, there's no abuses that I know of. So I guess I am not in favor of funding something that's already been taken care of in my opinion.

So I guess that having said that I would move that we go no farther with it.

CHAIRMAN ADAMS: Okay. A motion to not continue with the steelhead issue anymore, is that what it is?

MR. DOUVILLE: (Nods affirmatively)

CHAIRMAN ADAMS: Okay. Is there a second.

MR. BANGS: I second it.

CHAIRMAN ADAMS: It's been moved and seconded. Want to discuss it.

Mr. Bangs.

MR. BANGS: Thank you, Mr. Chairman. I agree wholeheartedly with Mr. Douville and I think the missing information in any problem that is going on with steelhead is the lack of data that we have from the sport catch and release and the commercial catch of steelhead. So I would -- in my mind I think that the missing link is on the State's shoulders to come up with some information that's needed to -- if they feel like there's something missing. But I think that the Federal side is well documented and I don't think there's a problem with our fishery so I don't think we should be going into that.

Thank you.

CHAIRMAN ADAMS: Pete, do you have something to say?

MR. PROBASCO: Yes, Mr. Chair. As far as your action, that's the Council's and I have no opinion on that. I just follow yours and the Board's order and et cetera. If the Council does end up where I think they're going to end up then I would strongly suggest that you have a couple of you draft a letter to Chairman Fleagle outlining your action as well as your reasons why so that's on the record and that we can clearly articulate that back to the Commissioner because you are in control of this Subcommittee and the Subcommittee -- it's up to you to either hold or not, it's not up to the Federal Board and it's not up to the State of Alaska. So if you do take this action then I would encourage you to draft that letter and explain why that you -- and I think Mr. Douville and Mr. Bangs were on the track as far as what you'd want to include in that letter.

Thank you, Mr. Chair.

CHAIRMAN ADAMS: Thank you, Pete, I appreciate that. Is it okay if we add this letter to the Committee.

(Council nods affirmatively)

CHAIRMAN ADAMS: Okay. That will be added.

Mr. Douville and then Mr. Hernandez.

MR. DOUVILLE: Thank you, Mr. Chair. Well, you know, we have severe budget constraints and a lot of these things as I said have been gone over already. And we have higher priorities than that, numerous ones is, you know, some of my reasoning.

CHAIRMAN ADAMS: Thank you, Mike. Don.

MR. HERNANDEZ: Thank you, Mr. Chairman. I was going to nominate Mr. Douville and I'll be glad to work with him on that to draft a letter if he would like to do so.

CHAIRMAN ADAMS: Very good. So done.

(Laughter)

CHAIRMAN ADAMS: Mike. I said so done before he declines. Go ahead, Mike.

MR. DOUVILLE: Thank you kindly Mr. Hernandez.

(Laughter)

CHAIRMAN ADAMS: Okay. Is that it on letters?

(No comments)

CHAIRMAN ADAMS: We done?

(No comments)

CHAIRMAN ADAMS: Okay.

The next issue.....

MS. PHILLIPS: Call for the question.

CHAIRMAN ADAMS: Oh, did -- oh, we needed to vote on it. All in favor please say aye.

IN UNISON: Aye.

CHAIRMAN ADAMS: Opposed.

(No opposing votes)

CHAIRMAN ADAMS: The motion is carried.

So we got next is the mining issue.

MS. PHILLIPS: What about the wildlife issues?

CHAIRMAN ADAMS: Pardon?

MS. PHILLIPS: The wildlife issues.

CHAIRMAN ADAMS: Didn't we do that already?

MS. PHILLIPS: No. The ones I just thought of for questions.

CHAIRMAN ADAMS: Oh, that's a motion to do these two. Okay. Yeah. Go ahead.

MS. PHILLIPS: I'm going to make one motion -- should I make -- okay. I'd like to reduce -- submit a Federal subsistence wildlife proposal to reduce the bag limit to non-Federally-qualified hunters -- deer hunters in the NECCUA from four deer to bucks to two deer.

MR. HERNANDEZ: I'll second.

CHAIRMAN ADAMS: It's been moved and seconded. Any discussion on the motion.

MS. PHILLIPS: We have.....

CHAIRMAN ADAMS: Donald.

MS. PHILLIPS: Oh. Okay.

MR. HERNANDEZ: I think I might suggest that be worded two bucks.....

MS. PHILLIPS: Oh, two bucks.

MR. HERNANDEZ: .....maybe -- is it -- because we don't want a doe season either, correct?

MS. PHILLIPS: Correct. Yeah. Thank you.

CHAIRMAN ADAMS: Is that right?

MR. HERNANDEZ: (Nods affirmatively)

CHAIRMAN ADAMS: Okay. That the way you want it?

MS. PHILLIPS: I agree.

CHAIRMAN ADAMS: Okay. Any further discussion.

(No comments)

MR. KITKA: Question.

CHAIRMAN ADAMS: The question's been called. All in favor say aye.

IN UNISON: Aye.

CHAIRMAN ADAMS: Opposed.

(No opposing votes)

CHAIRMAN ADAMS: The motion is carried.

Did you have another one, Patty?

MS. PHILLIPS: Yes, sir, Mr. Chair.

CHAIRMAN ADAMS: Mr. Larson.

MR. LARSON: I'd like the motion and Council's actions read back to me so I can capture it clearly.

CHAIRMAN ADAMS: Okay. Would you do that, please.

MS. PHILLIPS: Move to submit a Federal subsistence wildlife proposal to reduce the bag limit

to non-Federally-qualified hunters in the NECCUA, bag limited reduced from four bucks to two bucks.

CHAIRMAN ADAMS: Got it Mr. Larson?

MR. LARSON: Yes.

CHAIRMAN ADAMS: Okay. Thank you. Next one.

MS. PHILLIPS: Thank you, Mr. Chair. I'd like to request that .804 analysis on NECCUA for deer harvests.

CHAIRMAN ADAMS: Do I hear a second.

MR. DOUVILLE: Second.

CHAIRMAN ADAMS: All right. Discussion.

(No comments)

CHAIRMAN ADAMS: Pete, do you have something?

MR. PROBASCO: I'll let you wait until you take action on this one.

CHAIRMAN ADAMS: Okay.

MR. PROBASCO: I have some comments on the previous one. I think we're out of bounds, but we'll go back to that.

CHAIRMAN ADAMS: Okay. Mr. Bangs, go ahead.

MR. BANGS: Thank you, Mr. Chairman. I'm thinking we're making a subsistence proposal for a State regulation because they're not qualified to hunt as -- in a subsistence hunt anyway.

MR. PROBASCO: If we're back on that proposal, that's correct, Mr. Bangs. We can only open and close areas to non-federally-qualified users, we cannot implement regulations that would go down to the season bag limits. Now with that said I'm going to have to go back to the solicitor's office and confirm that, but that's my thought process now. You're action

was affirmative and if it -- if I found out that you can do it then it would go forward, if I find out that you can't then the proposal would die. Mr. Chair.

CHAIRMAN ADAMS: Pardon?

MS. PHILLIPS: Did our .804 analysis motion pass?

CHAIRMAN ADAMS: No.

REPORTER: No, you haven't voted yet.

MS. PHILLIPS: Okay.

CHAIRMAN ADAMS: No. We were discussing it.

UNIDENTIFIED VOICE: (Indiscernible - away from microphone).....

MS. PHILLIPS: .804.....

CHAIRMAN ADAMS: Pete, are we talking about the proposal that she is suggesting right now or is that the.....

MR. PROBASCO: No, I think.....

CHAIRMAN ADAMS: .....previous one that you're referring to?

MR. PROBASCO: .....Mr. Chair, I think Mr. Bangs and I were talking about the previous one.....

CHAIRMAN ADAMS: Okay.

MR. PROBASCO: .....not the .804.

CHAIRMAN ADAMS: Okay. So noted.

Patty, go ahead.

MS. PHILLIPS: I think in order to take any more action in the NECCUA we need an .804 analysis so we can make some decisions about the future management of deer harvest in that area.

CHAIRMAN ADAMS: So you -- are you

proposing a motion to do an analysis or -- okay. Why don't you go ahead and.....

MS. PHILLIPS: Mrs.....

CHAIRMAN ADAMS: .....turn it into a motion.

MS. PHILLIPS: Thank you, Chairman Adams. I'd like to -- I move to conduct an .804 analysis on deer in the NECCUA.

CHAIRMAN ADAMS: Thank you. Is there a second.

MR. KITKA: I'll second it.

CHAIRMAN ADAMS: Seconded by Harvey. Did you get that captured, Robert.

REPORTER: That's the second time you've done that.

MS. PHILLIPS: I thought so.

MR. LARSON: Mr. Chairman, but I would like to -- I question the avenue that she's suggesting for an .804 analysis. Usually an .804 analysis is done to identify, you know, those people that are more qualified than other people that are qualified too to do a specific activity that's involved. So there's -- I think there's other people around that would -- could give us some advice here, but I don't -- from my first blush I don't think that that's the correct way of approaching that issue.

MS. PHILLIPS: Chairman Adams, I believe we -- this was a duplicate motion, we have a motion on the floor so the motion I just made is not valid because we already have a motion on the floor. And the intent and thank -- and this is a process that, you know, we're learning and working through. The intent was previously and it would have been good to do this back when we were talking about wildlife proposals, was because I asked can we restrict the hunt in the NECCUA to Hoonah only. And so I will ask that we submit another -- I will make a motion for another proposal after this discussion to restrict the harvest of non-Federally-qualified hunters in the NECCUA rather than reduce their bag limits because if it -- if we

can't reduce bag limits and by the way it's a three deer not a four, then reduce -- we can't reduce then, but we can restrict, then the .804 analysis will give us the information we need to determine if we want to go there or not.

CHAIRMAN ADAMS: Okay. Let's deal with the .804 analysis first and then we'll bring that up.

Pete.

MS. PHILLIPS: Mr. Chair, so I'd like direction on how to correctly do this so that procedurally, you know, it gets followed through on.

Thank you.

CHAIRMAN ADAMS: Pete, maybe you can help us.

MR. PROBASCO: Yes, Mr. Chair. And I understand clearly what Ms. Phillips would like to do. Probably the best way to word this proposal before an .804 analysis, once you start limiting the opportunity within the pool of qualified Federal subsistence users automatically requires an .804 analysis. So if Ms. Phillips' intent of her motion is to limit the harvest of deer in this prescribed area, and you're going to have to clearly articulate what that area is, to rural residents of Hoonah only, then that will require once that proposal's submitted, Staff to look at the current stock status of the deer and then would conduct the -- an .804 analysis to determine indeed is Hoonah the priority user which probably is the case, but you would be required to look at each of the qualified communities that qualify for that type of hunt. Mr. Chair.

CHAIRMAN ADAMS: So how can she fix her motion then that would align with that?

MR. PROBASCO: Well, the intent of her motion is to do how I just said, is to limit.....

CHAIRMAN ADAMS: Uh-huh.

MR. PROBASCO: .....this area to Hoonah residents only. So.....

CHAIRMAN ADAMS: Right.

MR. PROBASCO: .....if you want to clearly clarify the record probably the best way to do it is withdraw the motion and then restate it.

CHAIRMAN ADAMS: Okay.

MS. PHILLIPS: Mr. Chair.

CHAIRMAN ADAMS: Go ahead.

MS. PHILLIPS: I'd like to withdraw the previous motion -- I mean the motion on the floor which is for an .804 analysis. Does the second agree?

CHAIRMAN ADAMS: Does the second -- is that okay with the second?

MR. KITKA: Yes.

CHAIRMAN ADAMS: Okay. All right.

MS. PHILLIPS: Mr. Chair. Is it possible to withdraw the previous motion before that, reducing the bag limit?

CHAIRMAN ADAMS: It's possible to do anything you want.

MS. PHILLIPS: How do you do that?

CHAIRMAN ADAMS: Same way.

MS. PHILLIPS: I'd like to withdraw the previous motion to reduce the bag limit to non-Federally-qualified hunters in the NECCUA.

CHAIRMAN ADAMS: Let me think about this a minute. We've already made the motion, we vote -- talked about it and voted on it.

MR. LARSON: We need to reconsider it.

CHAIRMAN ADAMS: So we need to reconsider it. Okay.

REPORTER: No, you didn't vote on that one, the .804 you didn't vote on.

MS. PHILLIPS: I know, the one before that.

CHAIRMAN ADAMS: That's the previous one.

MS. PHILLIPS: Mr. Chairman, I'd like to move to reconsider the motion to reduce the bag limit to non-Federally-qualified hunters in the NECCUA.

CHAIRMAN ADAMS: So done. Go ahead.

MR. DOUVILLE: Second.

CHAIRMAN ADAMS: Oh, it's been moved and seconded. Okay. Discussion.

(No comments)

CHAIRMAN ADAMS: All in favor say aye.

IN UNISON: Aye.

CHAIRMAN ADAMS: Opposed.

(No opposing votes)

CHAIRMAN ADAMS: Motion is carried. Okay. Let's start all over again, Patty.

Pete, you have something.

MR. PROBASCO: Yeah, I -- you know, we were going down the Robert's Rules and the process that Ms. Phillips is taking is the correct one. Now that you've passed the motion for reconsideration puts the motion back on the table. And now you have to act on that motion, either vote it up or vote it down.

Thank you, Mr. Chair.

CHAIRMAN ADAMS: You are correct.

MR. BANGS: Question.

CHAIRMAN ADAMS: So question's been called.

MS. PHILLIPS: Can I respond now?

CHAIRMAN ADAMS: We've already done that. We're just going to vote on it now. Okay. So your vote would be no. Okay.

MR. BANGS: Call the question.

CHAIRMAN ADAMS: The question's been called for. All in favor say aye.

(No aye votes)

CHAIRMAN ADAMS: Opposed say the same sign.

IN UNISON: Aye.

CHAIRMAN ADAMS: So okay, now we can start all over, right?

Patty, go ahead.

MR. DOUVILLE: Now we're back to square one.

(Laughter)

MS. PHILLIPS: Thank you for this learning process. I would like -- I move to submit a Federal subsistence wildlife proposal limiting the deer harvest in the Northeast Chichagof Controlled Use Area the opportunity to hunt to rural residents of Hoonah only.

MR. KITKA: Second.

CHAIRMAN ADAMS: It's been moved and seconded. Let's talk about it.

(No comments)

CHAIRMAN ADAMS: No comments. Somebody want to call for the question.

MR. BANGS: Question.

CHAIRMAN ADAMS: The question's been called. All in favor please say aye.

IN UNISON: Aye.

CHAIRMAN ADAMS: Opposed.

(No opposing votes)

CHAIRMAN ADAMS: Your motion carried. Okay. Do you have something else?

MS. PHILLIPS: No.

CHAIRMAN ADAMS: No. Is that it? That covers everything, all of your concerns? Does.....

MS. PHILLIPS: Mr. Chair.

CHAIRMAN ADAMS: Go ahead.

MS. PHILLIPS: Mr. -- Chairman Adams, what happens with the private land in that area, would that be included in the .804 analysis?

CHAIRMAN ADAMS: Go ahead, Pete.

MR. PROBASCO: Mr. Chair, our jurisdiction is only for Federal public lands and so State lands, private lands fall under State jurisdiction.

CHAIRMAN ADAMS: Terry, you have a comment?

MR. SUMINSKI: Mr. Chairman. Terry Suminski with the Forest Service. Patricia, just one thing you might want to consider is that Tenakee is inside that area. I don't know if you -- if that's an oversight, but they might not like it.

MR. PROBASCO: Mr. Chair.

CHAIRMAN ADAMS: Go ahead, Pete.

MR. PROBASCO: That's my point, I mean, the intent of Ms. Phillips' motion's very clear, she said Hoonah. However when you conduct the .804 analysis, it's not just going to look at Hoonah, it's going to look at all those communities that have a C&T for that particular stock. And so residents of Tenakee will also be in that analysis and they'll be weighed against the other subsistence rural residents. Mr. Chair.

CHAIRMAN ADAMS: Okay. Patty.

MS. PHILLIPS: Thank you, Chairman Adams. So after the analysis is done we could amend it

to include Tenakee into -- you know, giving them the opportunity in the NECCUA.

CHAIRMAN ADAMS: Go ahead.

MR. PROBASCO: Mr. Chair, Ms. Phillips. Once the .804 analysis is completed, that will determine to you who has the priority use for that. And, you know, I don't know, I can guess how it's going to come out, but you're going to have those communities listed. And then they -- the determination on that proposal will be based on that .804 analysis, based on that priority. So yes, they could be, no, they couldn't.

MS. PHILLIPS: Thank you.

CHAIRMAN ADAMS: Mr. Bangs.

MR. BANGS: Thank you, Mr. Chairman. I might add that it could be a follow-up to -- put in a proposal to the Board of Game to change the bag limit in that area if -- on State lands. You could do that as well.

CHAIRMAN ADAMS: Okay. Any more comments.

(No comments)

CHAIRMAN ADAMS: What's next.

(Laughter)

CHAIRMAN ADAMS: Okay. We did the steelhead. Okay. Let's do the mining issue. And, Pete, we're going to have you come back for some final comments after we're done with this.

You all have a resolution that was submitted by the Alaska Native Brotherhood in regards to the mining that's going to affect some of our sensitive cultural, historical, fishing and hunting areas. And I would just like to know, you know, what the Council's wish is as far as this resolution is concerned. It's being submitted to the Alaska Native Brotherhood during their convention. I'd like to see it go to AFN and other entities that might have some influence on this problem. So I'd just like to put it before you as a matter of discussion and see what you'd

like to do. That maybe a letter of support, you know, would be in order to, you know, to be provided with this resolution as it is submitted.

Donald, go ahead.

MR. HERNANDEZ: Is it possible to get a little more information on just exactly where some of this mining will take place and what resources will be affected. I have to admit I don't really know all the details on this issue.

CHAIRMAN ADAMS: Is there anyone who might have some information, a map or something. I can tell you, you know, a lot, just from my own personal experience and I'll do that. You know George Ramos was here earlier and he said that he was a Klukwan. I am a Klukwan too. We come from the Dry Bay area. There are three clans that originate from there, there's the (in Tlingit). We have ancestral hunting grounds in that area, particularly on the Aukeway River and in Dry Bay. We have sensitive, historical sights. We -- on the Aukeway River, the vill -- in the village of Glusaek (ph), there are seven tribal houses that were built there. And we've been doing a lot of -- every year the Klukwan people have been going down there to try to locate some of these sights. And we've located all of them so far. And they are right in the areas where these surveys, mining surveys, have taken place. And so indeed, you know, they would affect, you know, our ancestral hunting and not only that, but cultural and historical sights. We do want to pursue the more -- you know, searching for tribal houses and so forth. But eventually we would like to see some of those reconstructed down there for tourism purposes. So -- yeah, if you want to go and refer to this map, most everyone has that, you know, it'll give you a pretty good idea, you know, where I'm talking about. And this is Glacier Bay National Preserve in the Dry Bay area, Tongass National Forest, it's right in that area, it's 5A, that green spot in 5A.

So just a short description, if you have any more questions I'd be happy to answer them.

Floyd.

MR. KOOKESH: Yeah, Mr. Chairman. I read the resolution and the only thing I came come away from reading it is that if we're going to draft a

letter it just needs to speak to subsistence and how this -- how we value protecting it. But that's all I can see us doing, I don't see us want to go opposing the mine because we don't know what's in front of us yet other than we do have a concern about the subsistence resource.

CHAIRMAN ADAMS: Yeah, you bet, I think you're right in that regard. You know those are, you know, our ancestral fishing and hunting grounds, it all dealt with subsistence. And so it does affect, you know, our subsistence uses of those areas. So, you know, whatever the Council feels, you know, as far as drafting a letter is concerned, you know, to accompany this. And I think it would be appropriate, you know, for the people from Goonahoo.

Jim Capra, you have a comment.

MR. CAPRA: Mr. Chairman, Council. Jim Capra with the National Park Service. Just information. The mining company has claimed Beach Ridges back from the coastline approximately two miles from roughly the Arhnklin River to the Alsek River and in the area of the Upper Aukeway and Alsek River has claimed up to basically the foothills mostly for what they have found in their news releases and this is their information as accurately as I can relate it is iron ore and iron titanium ore near the coastline. And their most recent news release was, I think, 35 -- a possibility of 35 million ounces of gold in the Tanas Mesa area which is up closer to the foothills. It does not extend into the Park Service land, they can't make claims there, but it's mostly the remanent beach, dune ridges and the Tanas Mesa area. And the mining -- theoretically in the -- their presentation they gave in Yakutat last winter would be basically large scale placer mining of these old beach sands from a depth of between five to 80 feet down.

CHAIRMAN ADAMS: Jim, could you also -- I don't have that information with me right now so I can't speak to it off the top of my head, but could you explain maybe the mining laws that, you know, might be subject to this?

MR. CAPRA: Mr. Chairman, no, I can't.

(Laughter)

MR. CAPRA: I do know that before they go through any mining activities they do have to -- have to produce a plan and it will have to go through the NEPA environmental process. And that is before a shovel would go into the ground would be at least 18 months from when they produce the plan.

CHAIRMAN ADAMS: Okay. Any more discussion.

Patty.

MS. PHILLIPS: What is placer mining?

MR. CAPRA: Placer mining is basically just separating the minerals that you want or the material you want with water, gold panning, gold sluices, gold dredges are the common examples.

CHAIRMAN ADAMS: Cal.

MR. CASIPIT: Thank you, Mr. Chair. I just wanted to reiterate a point that Jim made that this would have to go through a NEPA analysis. Part of the requirement for NEPA in the Alaska -- in Alaska is to do a Section .810 analysis which is to describe any impacts to subsistence uses for the decision maker in this case would be the Forest Service. So, you know, that an .810 analysis will be conducted during that NEPA process. If you guys are interested in having a little more in-depth discussion of what is entailed with mining developments and the 1872 mining law and how we do all this stuff, we can -- both Robert and I can work on coordinating a presentation for you guys from our mineral folks if that's the wish of the Council. I'm just offering that up.

CHAIRMAN ADAMS: It sounds like a good idea to me, Donald.

MR. HERNANDEZ: Question for Cal. Does the Regional Council -- do we have direct testimony in the .810 hearings?

MR. CASIPIT: Part of .810 requires that a public hearing be held in the area for which it -- well, what's -- you know, for instance if it's happening here in Yakutat we would have to hold a public .810 hearing in Yakutat. Of course the Council also is authorized to weigh in on those .810 analyses

as well.

CHAIRMAN ADAMS: Patty, go ahead.

MS. PHILLIPS: What about an Environmental impact statement, when does that play in?

MR. CASIPIT: We usually don't start the EIS process until there's a plan of operations that's submitted to us by whoever's proposing to do this mining. And then we -- we can't conduct an EIS until we know what the company is planning on doing and we don't know that now. We -- there's some stake -- some claims they've staked and that's about all we know.

CHAIRMAN ADAMS: We're trying to be proactive on this issue because, you know, they've seen evidence of ore and titanium. And that was what they were originally after. And this is going to be done through a dredging process. What the dredger does is it goes right -- like for instance down along the water and the sand down there, they'll dig out, you know, whatever it is that they're after and then it's spit out in the back of them and they claim it's, you know, restored back to its original condition. But a lot of people are concerned about that particularly closer to the rivers, you know, where the salmon, you know, go back, where they fish and commercial and subsistence. And so that has been a real big concern. And so the 1832 law's referring to -- you know, allows mining to take place in these areas with no real, you know, laws behind it. They can go and do it. And they've been doing surveys the last couple years and then, you know, they came out with this announcement this year, just in the last couple weeks about the gold discovery. And it really is a concern to the community. And that's one of the reasons why that this resolution has come forth. We want to be proactive and make sure, you know, that these people are really sensitive to our historical and cultural and subsistence and hunting areas. So, you know, that's about it.

Thank -- any more additional comments, any other questions.

(No comments)

CHAIRMAN ADAMS: Again this is something really new to Yakutat. Our elders have told

us, you know, that there is gold in them there hills.

(Laughter)

CHAIRMAN ADAMS: And other minerals. And they were, you know, hoping that they would not ever be discovered because they knew what was going to happen if it ever was brought forth. And so, you know, our elders knew that these mineral existed a long, long, long time ago.

What's the wish of the Council on this issue.

Cal and -- would it be as you offered, you know.....

Donald, go ahead before I say anything.

MR. HERNANDEZ: Mr. Chairman. I think the Council should be, you know, very proactive on this issue. It certainly does -- going to have some serious impacts on subsistence uses. And, you know we could send -- write a letter or, you know, write a resolution but it seems to me that our -- maybe our strongest means of having input in this is through that .810 process and I think we should prepare a fairly comprehensive statement to include an .810 hearing from the Council on how that would affect subsistence uses. And that might be our best avenue for affecting this issue.

CHAIRMAN ADAMS: Thank you, Donald, because I was going to suggest that. As and you made me -- heard me say, Cal and then you interrupted me. I was going to ask of Cal and Robert would be able to, you know, get us prepared for an .810, you know, comment when that happens in this community because it's going to happen And again I agree with you, I think this is one way that we can make our input.

Robert.

MR. LARSON: Yeah, Mr. Chairman. The timeline for these kind of issues, I think, is probably of a little longer duration than immediate. What I would suggest is I'd follow-up on Cal's suggestion that we have our subject matter experts within the Forest Service, we have a mineral's group that we find time for them on our next meeting's agenda. They would come

to us and give us a clear explanation of exactly what this kind of project entails and what the effects could be expected. At that point and I'm sure that whatever .810 analysis or .810 hearings are going to take place will take place after that time. And at that point then would be a good opportunity for the Council to develop a position or a statement or a way to interact with this .810 hearing and analysis that's going to get done. But in the meantime I can only say that we will keep the -- you know, the Council -- I just don't know and I can't provide you good counsel in what would be an appropriate or an effective immediate response for a counsel action at this meeting except to say that we will keep you informed and we will let you know when there is that opportunity. That's not to say that you couldn't do anything you wanted to at this meeting, but I would suggest that at least at the minimum we do those things.

CHAIRMAN ADAMS: It's really up to the Council to decide how you want to, you know, address this resolution.

Frank, go ahead.

MR. WRIGHT: Yeah, thank you, Mr. Chairman. You know I heard about this mining and I -- now that I know where it's at it's a -- it is a subsistence issue and it is an issue that's going to effect this community and the fisheries for hundreds of years after they make a mistake. You know, there's going to be a environmental impact statement, there's going to be assessments and all this other stuff, but then they're going to be operating to the best of their ability not to affect the resources within the area. But every mining company says that until they're not 100 percent effective when they're taking care of the environment. When they become 10 percent -- only 90 percent effective then they're going to effect the whole area. But this resolution I really believe needs to be put out, if not here it needs to be put out to Grand Camp so that all the communities of Southeast knows of what is coming before us, before Yakutat people. And I think that if anything this Council should be added to the resolution as a Council that is going to support Yakutat in their endeavors towards a possibly devastating outcome of the fisheries in this area.

That's my stand, Mr. Chairman. Thank

you.

CHAIRMAN ADAMS: Thank you, Frank. Any other concerns or comments.

MR. DOUVILLE: Mr. Chair.

CHAIRMAN ADAMS: Go ahead, Mike.

MR. DOUVILLE: Certainly I want to stay informed and it is our charge to protect subsistence. And most certainly we do that in anyway we can. The other question I would have is have you -- any of these agencies had anything to do with the Pebble Mine and where a similar type of study or action would be taken?

MR. CASIPIT: I don't know. I don't know how related it is to that.

CHAIRMAN ADAMS: Go ahead, Mike.

MR. DOUVILLE: So the Pebble Mine would not be affecting subsistence so no .810 study's being down there or anything like that, I mean, it doesn't involve any subsistence rights or anything?

MR. CASIPIT: Section .810 applies to Federal agencies and decision makers in that agency -- in those Federal agencies. So I'm -- I don't really know what's going on at Pebble Mine. I don't think Federal lands are involved. I'm not sure. But .810 applies to Federal agencies and Federal decision makers in those agencies.

CHAIRMAN ADAMS: Okay. Thank you. Anyone else.

(No comments)

CHAIRMAN ADAMS: The -- you know, the does -- you know, it's a resolution opposing any mining activity that will take place in Yakutat. And we give the reasons why and everything. If the Council is not, you know, comfortable with supporting that resolution then, you know, the way that we can address it is through the .810 hearing when that comes forth. In the meantime though I think it would be real well for, you know, Staff to prepare the Council for that time and -- you know, so that we can, you know, have our input through a testimony.

Mr. Kookesh.

MR. KOOKESH: Yeah, Mr. Chairman. Like I said earlier, I did read the resolution and it certainly needs some work to make it a lot more presentable document. But this time I don't feel that we should support the resolution, but more or less support the organization's -- write the organization, who's this guy right here, let's see, Bert -- Bert Adams, write him a letter and -- him and Judy Ramos and expressing to them that -- about what we are and who we are and how we support subsistence and we recognize that there is a subsistence concern here with the fisheries and the game and we lay out to them the EA process and the EIS process and the .810 process and that we will stay in touch with him and we will become -- be involved.

CHAIRMAN ADAMS: That'll be fine. Mr. Bangs.

MR. BANGS: I would second that motion if that's what Mr. Kookesh is doing.

MR. KOOKESH: (Nods affirmatively)

CHAIRMAN ADAMS: Okay. Further discussion.

(No comments)

CHAIRMAN ADAMS: All in favor say aye.

IN UNISON: Aye.

CHAIRMAN ADAMS: Opposed.

MS. PHILLIPS: No.

CHAIRMAN ADAMS: Mr. Wright, got a comment.

MR. WRIGHT: Yes, Mr. Chairman. Can you restate the motion?

MS. PHILLIPS: Mr. Chair.

CHAIRMAN ADAMS: Mr. Kookesh, do you have a comment.

MS. PHILLIPS: I said no.

CHAIRMAN ADAMS: We haven't voted. I guess Mr. Wright wanted a clarification of the motion. So, Mr. Kookesh, would you go ahead and repeat that, please.

MR. KOOKESH: Yeah, I can't replay, but I can kind of go back a little bit. My main -- the main focus of this was that I couldn't support the resolution the way it was written, but we support based on the fact that we're a Title VIII body that recognizes the value of subsistence for like -- for -- even for Yakutat and that we will stay in contact with them and follow this whole process all -- from the EA, EIS into that .810 process.....

MS. PHILLIPS: Okay.

MR. KOOKESH: .....to see it through to the end. That was what my -- if I'm catching it, if something not -- fill in the blanks, but that was what I was recommending that we send them a very kind -- nice letter.

Actually, Mr. Chairman, we do not -- all of us do not really know what the mining regulation is, we don't really know the area and -- that they're talking about, we don't have any maps so we're kind of walking blind right now.

CHAIRMAN ADAMS: Sure. Robert, do you have that captured?

MR. LARSON: I.....

CHAIRMAN ADAMS: It's a motion and.....

MR. LARSON: It's a motion to write a letter, I've captured I think the intent of the Council. I would suggest when this is all over that we assign somebody to help me actually with the text, maybe those three individuals for the other letters would be appropriate, but somebody.

Thank you.

CHAIRMAN ADAMS: Okay. This goes back to that write -- committee writing letter -- letter committee.

MS. PHILLIPS: We have a motion.

CHAIRMAN ADAMS: I know. So we have a motion -- we're you going to say something?

MR. BANGS: Thank you, Mr. Chairman. I -- the gist of what I got from what Mr. Kookesh was saying in simple words that I could come up with was that we support Yakutat in their concerns about the effects of subsistence by the mining operations -- the effects on subsistence by the mining operation. That was I was seconding, that concept.

CHAIRMAN ADAMS: Mr. Kookesh.

MR. KOOKESH: And the idea is not to come out opposing the mine because we don't have any material in front of us, but we support them based on the subsistence side of the program.

CHAIRMAN ADAMS: And you got that down, Robert?

MR. LARSON: Yes.

CHAIRMAN ADAMS: Okay. Yeah, and I don't have any problem with, you know, writing a letter, you know, to the ANB as long as Mr. Kookesh signs it because I'd be writing a letter to myself.

(Laughter)

CHAIRMAN ADAMS: So be it.

MR. DOUVILLE: Mr. Chair.

CHAIRMAN ADAMS: Yes.

MR. DOUVILLE: In the past we've gotten into trouble and got our hand spanked for writing letters and I don't know if those rules have changed. So I think we had to request permission to do this sort of thing maybe before you were Chair, I believe when Bill was the Chair.

CHAIRMAN ADAMS: I remember that, yeah. But maybe Pete can answer that for us.

MR. DOUVILLE: But I don't know if a letter is even necessary and, we've verbally supported

you here and it's all a positive.....

MS. PHILLIPS: It's on the record.

CHAIRMAN ADAMS: Okay.

MR. DOUVILLE: .....all a positive thing and it is on record without a letter, but.....

CHAIRMAN ADAMS: That's a good point too. Pete, go ahead and address that, please.

MR. PROBASCO: Mr. Chair, Mr. Douville. The concept that you have articulated is well within the means of the Council. You're voicing your concerns of a potential activity that may or may not have a negative effect on subsistence. You're not lobbying, that's where you start getting into problems, and you're representing the users within this area so you're okay there.

CHAIRMAN ADAMS: Thank you. Did you have something, Patty.

MS. PHILLIPS: So is there a motion or not?

REPORTER: There is one.

CHAIRMAN ADAMS: Yes.

MS. PHILLIPS: Okay.

CHAIRMAN ADAMS: And we're discussing it. Okay. Any further discussion.

(No comments)

MR. HERNANDEZ: Question.

CHAIRMAN ADAMS: The question's been called. All in favor say aye.

IN UNISON: Aye.

CHAIRMAN ADAMS: Opposed, same sign.

(No opposing votes)

CHAIRMAN ADAMS: Motion is carried.

Thank you.

(Pause)

CHAIRMAN ADAMS: Save the best for last. Pete, the Council would like to hear from you, you know, about some activities that are going in OSM, you know, and just kind of, you know, share with us, you know, your perspective. And then I'm sure there's going to be a few questions.

MR. PROBASCO: Thank you, Mr. Chair, and I appreciate the opportunity to explain some of the OSM program. Everybody's aware of the function of the Office of Subsistence Management. We're the administrative arm for the Federal Subsistence Program. And since I've taken over after Tom Boyd's long tenure and trying to fill his footsteps, what I've encountered in my role that wasn't encountered previously was budget cuts and staff shortages. And my focus has always been and it was also Mr. Boyd's, is that the top priority within our Federal program is our regulatory process which the Council is the main element of.

Cal Casipit talked about budget reductions and I talked about how that's a domino effect that going to effect the program as a whole. If those do become a reality what will not effect is your ability to meet, to deal with subsistence issues, to act on proposals, act on regulations. That is the priority and that will continue to be safeguarded until they zero out our budget or don't give us enough money to be effective.

With that said, our budget, both the Federal -- both the Interior side and the Ag side, has not seen increases, in fact, it's either flat funding or decreases. And so when you're in that type of situation your budget slowly erodes away. And that's as a result -- Mr. Adams, at the beginning of the meeting you talked about meeting locations and you and I have exchanged back and forth at numerous meetings and all of us here have played various roles in our communities, city managers, mayors, et cetera. And we have to make tough calls on budgets. And the call that I made and I know that we don't all agree with it and I wish I could reverse the decision, is I have to be financial frugal on where we spend our travel dollars. And so with that said that will still be in place and we will take a look at each location. And if it looks

like it's a location that's going to be a strain on the budget then I would -- I make the final call as far as the location because I'm responsible for the dollars on the budget. That hasn't been as problematic in Southeast just because of the type of communities and the type of logistical support you have, but there are some communities that it may be problematic.

The one thing that I want to focus on and we through the help of Carl Jack, my Native liaison, is we've started focusing outside of what I call Western Alaska as far as reaching out. We've been very proactive with the Native communities and the rural communities of Western Alaska. And some of the areas like Kodiak, Aleutians and Southeast haven't been getting that type of scrutiny just because of Staff and budgets. And with Carrie Sykes we've had a meeting with the Central Council and I've hired recently a new person to take over Beth Spangler's position who moved on to ANSEP. And is everybody familiar with ANSEP, it's under the University of Alaska, Alaska Native Science and Engineering Program. And it's a great program for our Alaska Native youths to enter into the sciences and enter into the engineering program. And it's also a natural link to our partners program. But if you look within our Native communities and our tribal organizations in Southeast, we have no partners programs here. And it's a great opportunity and this new person, Palma Engles, came on Staff this week. One of her areas of responsibility is to try to work with a Native organization here and establish a partners program.

And I think all of you are familiar with that program and if you're not I'll have Palma come to our next meeting and give you a presentation on how successful it has in -- in these Western Alaska communities.

So with that said I'll just open it up. I don't want to speak too long.

CHAIRMAN ADAMS: Thank you, Pete. Yeah, we're happy to hear these from you. You know we know that with the budget cuts and everything you do have to make some tough decisions. But I just need to let you know that it doesn't mean that we're not going to stop kicking and complaining and so forth.

MR. PROBASCO: Well, Mr. Adams, and --

I do respect that and the manner that you do it, even Mr. Kookesh, it's done very professionally and.....

(Laughter)

MR. PROBASCO: .....this is always a great Council to work with. So and I can tease Mr. Kookesh because we go a ways back. So thank you.

CHAIRMAN ADAMS: You bet. Thank you. Any questions of the council to Mr. Probasco?

MR. KITKA: I have a question.

CHAIRMAN ADAMS: Okay. Harvey.

MR. KITKA: Thanks, Mr. Chairman. Thank you. I heard you say you had some lists of communities that you had trouble getting fund to travel to. Were any of those in Southeast?

MR. PROBASCO: What I do is take it as a case by case basis. We've had -- as far as communities in Southeast and, Robert, help me, I don't think we have yet -- denied a location yet, have we, have we had to change one?

MR. LARSON: I'm not aware of one, no.

MR. PROBASCO: I think we're -- we're okay so far in Southeast. As a Council when you start looking at communities, questions you got to ask yourself is you got to look collectively at getting a Council that comes across from a broad area, how do we get those people there. On top of that how do we get the agency Staff there and then public, you know, what type of public participation are you going to have. And then, of course, you got to look at logistics, daily service and then do they have the infrastructure to support the meeting location. So those are the key types of considerations.

CHAIRMAN ADAMS: Okay. Thank you. Mr. Kookesh.

MR. KOOKESH: Yeah, Mr. Probasco, those were never brought out when we asked for the rationale, but I'll accept it. Under this Obama Administration do you see -- what do you see coming for us?

MR. PROBASCO: Well, my crystal ball is pretty cloudy, but I can tell you what I've encountered already. I think it's safe to say even though I haven't talked to the man myself directly, but I've talked to Pat Pourchot and Kim Elton. The -- and as well as Secretary Salazar and then our new boss, Sam Hamilton, who's the director of U.S. Fish and Wildlife Service. It's very obvious that they place a very important role in enhancing tribal consultation. When we were dealing with the proposed rules that call for the wildlife cycle, the biggest debate if you will was tribal consultation. And if I were to ask all nine of you here what tribal consultation means I would bet you we would get a little bit different twist. And I can tell you with all the agencies involved in the Federal program, tribal consultation is at different levels.

With that said I know that we, OSM, are to look at ways to enhance that. And that's where we're at with it. And where -- what the outcome will be, will it become a very real, formal government to government on all decisions, I don't know, Mr. Kookesh.

CHAIRMAN ADAMS: Follow-up.

MR. KOOKESH: One more.

CHAIRMAN ADAMS: Okay.

MR. KOOKESH: I have one more. I was really glad that we've had you -- had you come to Yakutat so we could be blessed by your presence and you blessed by ours and we did it, you know, it's a great opportunity for us, one I don't believe we should pass up. But one of the problems we seem to be seeing and I don't know if we're all leaning that way because some people say well, we're all a bunch of State employees in the Federal system right now and they're all leaning toward the State -- following State regulations. And is this going to be a good system where we just buy into State regulations just because it seems to be the easier route for all of us or is that just a perception that I have in -- from viewing this?

Hopefully you're getting what I am saying here.

MR. PROBASCO: Mr. Adams, Mr. Kookesh. I clearly understand what you're saying and I wish I had some of the State counterparts I work with because I find myself and the program, my Staff, in the middle.

I find criticism on -- like yourself looking at the State and thinking we're working too closely with the State even though ANILCA reburies us to have a good working relationship with the State along with the rural users. And then when I talk to the State I heard the other thing -- other side in that we're a deterrent, we're not working with them, et cetera.

With that said, I can tell you that the working relationships with the State have improved and maybe that's where some people are getting the impression. You don't -- a lot of you have been here since the start of the program and saw that -- how the State and the Federal programs were butting heads on issues. The Unit 2 deer issue, I think if you were to crank that back 15 years ago, I don't know if we would have been as successful in developing a resolution in that atmosphere. Things are improving on our Federal/State relationships as far as agencies. They still have a ways to go though.

You know my background, I'm a retired State employee. And so I come here with that experience, with that knowledge, but that doesn't mean I buy into automatically the State's position. I come to this position with the requirements of my job which is to hold forward ANILCA, to support ANILCA and the regulations that are behind it, and to make sure that we have a program that meets the rural subsistence uses of Alaskans. So that's where I come from, Mr. Kookesh.

CHAIRMAN ADAMS: Anyone else.

(No comments)

CHAIRMAN ADAMS: Well, Pete, you know, as you know during the Federal Subsistence Board meetings I always have this policy that, you know, I don't answer hard questions. I'm going to ask you a hard question and I don't know whether you want to embrace that policy or not, but I'll do it anyhow. Do you think that there will come a time when the State will ever come in compliance with ANILCA?

MR. PROBASCO: Well, you're older than me, Mr. Adams, but we're all from Alaska and we were raised here. And all I can go is from the past and my observations and I would say unless something changes, my opinion, personal opinion, is that we're probably going to have the same type of program we currently

have. Mr. Chair.

CHAIRMAN ADAMS: That's my opinion too. Any other comments or questions from the Council.

(No comments)

CHAIRMAN ADAMS: Thank you, Pete, it's a pleasure to have you here. Say hello to the Staff for us up there, particularly Larry who has always been coming down here. By the way, whatever happened to Steve Kessler?

(Laughter)

MR. PROBASCO: Well, Mr. Kessler is on detail, he's still in Anchorage and I think his detail is for a year. He may or may not come back, we don't know. But Mr. Kessler has a lot of talents and I think when you have a career like Mr. Kessler has, I think some of the upper people look at trying to drag them up. So I don't know if he's coming back or not, but I do see him.

CHAIRMAN ADAMS: Say hello.....

MR. PROBASCO: I will.

CHAIRMAN ADAMS: .....because he's turned out to be a great friend of mine. And in the meantime, you know, Cal has been filling in his shoes. So we appreciate that too, Cal.

Thank you.

All right. If there's nothing else, Council, we will adjourn now. But I would ask that maybe we all contribute to cleaning up the hall, putting your tables away. I know Tina is pretty particular about her equipment over there. Unless, you know, you need some help, we'll be happy to help you do that. But the tables, you know, will need to be folded up and put over here and the chairs, you know, stacked up.

Thank you. This meeting is adjourned.

(Off record)

(END OF PROCEEDINGS)

C E R T I F I C A T E

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

I, Salena A. Hile, Notary Public in, State of Alaska and reporter of Computer Matrix, do hereby certify:

THAT the foregoing pages numbered 105 through 251 contain a full, true and correct Transcript of the SOUTHEAST FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken electronically by our firm on the 6th day of October 2009, beginning at the hour of 8:30 o'clock a.m. at Yakutat, Alaska;

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

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

DATED at Anchorage, Alaska, this 20th day of October 2009.

_____
Salena A. Hile
Notary Public, State of Alaska
My Commission Expires:9/16/2010