

1 SOUTHEAST ALASKA FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME III

7
8 Saxman, Alaska
9 March 1, 2006
10 9:00 o'clock a.m.

11
12
13 COUNCIL MEMBERS PRESENT:

- 14
15 Dolly Garza, Madame Chair
16 Michael Bangs
17 Bertrand Adams
18 Nicholas Davis
19 Michael Douville
20 Donald Hernandez
21 Harvey Kitka
22 Patricia Phillips
23 Richard Stokes
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26 Regional Council Coordinator, Robert Schroeder

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P R O C E E D I N G S

(Saxman, Alaska - 3/1/2006)

(On record)

MADAME CHAIR GARZA: We'll get back to the proposals and I think what I'm planning tonight is the public meeting for Ketchikan and Saxman residents to voice their interest in supporting either community for rural status or not supporting either community for rural status. That meeting is scheduled from 6:30 to 8:30. It will depend on how many people show up to testify. We will also be receiving the letters from KIC. They've gotten a number of letters of support. I'm not sure if those will be read into the record. We just need to make sure they get transferred into the record.

So what I'm thinking is today we will break at 4:30 so we have enough time to go get dinner and come back and I'm hoping that the Council members will be back at 6:15 so that when people start to arrive we're here. We may even break at 4:15 to make sure we have enough time to come back.

So are there any changes to the agenda today or are we just going to plow into proposals.

DR. SCHROEDER: Madame Chair, there are not any changes that I'm aware of. We did highlight, due to Staff error, the agenda printed in the book did not include some items that we wish to discuss. I think we covered those. The two main items are talking about the petition to the Secretary and the Chair and secretary Bert Adams has offered to work with me on language for that petition.

We also had another item which dealt with the Council's interest in subsistence use amounts and possibly forming a subcommittee to consider subsistence use amounts. I'm suggesting that we do that in conjunction with the Staff report on subsistence use amounts.

One other item is we will need to set the times and places for our next meetings. We have one meeting tentatively scheduled for Sitka in the fall and we need to talk about the times and dates for our winter meeting next year.

1 Madame Chair.

2

3 MADAME CHAIR GARZA: Dennis Chester,
4 are you doing 09?

5

6 MR. CHESTER: Madame Chair, Members of
7 the Council. Dennis Chester with the US Forest
8 Service. I'm doing the Staff analysis for WP06-09.
9 This one will be a little shorter because I gave you
10 all the background information for 07 and 08. Proposal
11 09 was submitted by the Craig Community Association.
12 This proposal would raise the harvest limit for
13 Federally qualified subsistence deer hunters from four
14 to six deer in Unit 2.

15

16 The proponents feel that the current
17 four deer limit is not sufficient to meet their
18 subsistence needs. They also suggest that raising the
19 harvest limit would reduce costs and increase
20 efficiency of harvests when hunting for others using
21 the Federal Designated Hunter Permit. This all starts
22 on Page 110. Like I said, I'll cut out a lot of the
23 background information if that's okay and go directly
24 to harvest history.

25

26 Federal harvest permit data indicate
27 that of those hunters that reported harvesting deer,
28 approximately 8 percent in 2003 and 19 percent in 2004
29 harvested four deer. However, only 28 of those were
30 issued to members of communities on Prince of Wales
31 Island. Most of the harvest is under the State permit
32 system. When we look at the State data, 67 State proxy
33 hunting permits were issued to Federal hunters in Unit
34 2 but only 12 of those were issued to residents of
35 Prince of Wales communities.

36

37 A paper published by Mazza in 2003
38 looked at the fish and game harvest statistics and
39 found that overall hunter effort on Prince of Wales
40 remained fairly constant between 1984 and 2001,
41 although it varied quite a bit from year to year. She
42 also found that the number of hunters from Ketchikan
43 did not change substantially from 1997 2001. So, the
44 available data suggests that while demand has
45 fluctuated, there has been no overall increasing trend
46 for deer on Prince of Wales. She felt this may reflect
47 changes in area community populations as job
48 opportunities change in the area, especially within the
49 timber industry.

50

1 If you look at Figures 1 and 2, this is
2 Fish and Game data, and it kind of confirms her
3 analysis, although it's a little more recent, has more
4 recent data. We discussed the drop-off yesterday in
5 the last two or three years.

6
7 Effects of the proposal on Page 113.
8 This proposal would allow Federally qualified deer
9 hunters in Unit 2 to harvest up to six deer per year.
10 I did kind of a reference analysis to try and
11 understand how much meat that amounts to. The ADF&G
12 Community Profile Database provides some information on
13 how much deer are reported to be used by folks. In
14 1996 1998 all Prince of Wales communities were surveyed
15 and found to use between 30 95 pounds of deer meat per
16 person per year. These studies assumed that you would
17 get 80 pounds of usable meat per deer, so the average
18 would equate to approximately 0.4 to 1.2 deer per
19 person. Of course, there's some assumptions
20 associated with this kind of analysis. I also looked
21 at what the 95th percentile use rates that they
22 reported would equate to and the highest was Kasaan
23 and they used about 0.55 pounds of deer meat per day
24 per person and this relates to about 2.5 deer at 80
25 pounds per deer.

26
27 This proposal is not consistent with
28 the recommendations of the Unit 2 Deer Subcommittee
29 Final Report, which basically recommended no
30 substantial changes for the time being. The intent is
31 that during this time we'll focus on improved data
32 collection. Additionally, the final report made
33 recommendations for management of change in conditions
34 and in response to the inability of Federally qualified
35 subsistence deer hunters to meet their needs. In
36 response to the inability of Federally qualified
37 subsistence deer hunters to meet their needs, none of
38 the suggested Potential Management Tools to Consider
39 included increasing the harvest limit. Basically they
40 recommended restricting other groups.

41
42 This proposal could result in an
43 increase in deer harvest in Unit 2. The extent of this
44 increase is hard to determine, but I tried a little
45 bit. Just kind of used the Federally qualified deer
46 hunter permit information, the 8 to 19 percent that
47 harvest the full four deer. If you take those numbers
48 and the Fish and Game estimate that there were 516
49 Federally qualified deer hunters that successfully
50 harvested deer in Unit 2 in 2003 and use the

1 percentages, then this would amount to between 41 and
2 98 hunters that harvested four deer in 2003. So if
3 these hunters averaged taking one more deer, that would
4 increase the harvest to approximately 40 to 100 deer,
5 which is a 2.2 to 5.6 percent increase in the overall
6 Unit 2 deer harvest.

7
8 Increased harvest would not be
9 appropriate if the deer population is declining. A
10 number of people have testified to that effect. The
11 long-term expectation is that decreasing winter habitat
12 will result in a population decline. This expectation
13 is based on winter deer habitat models and the decline
14 may or may not show right away. The available data
15 have not been able to detect a decline in the deer
16 population, and ADF&G considers the population stable.

17
18 The preliminary conclusion is on Page
19 114 and it's to oppose the proposal. The justification
20 is that the current harvest limit appears to provide
21 sufficient meat for individual sustenance needs. Deer
22 populations in Unit 2 are thought to be stable or
23 possibly declining. Raising the deer harvest limit in
24 this situation is not considered a sound management
25 practice. And this proposal is not consistent with
26 recommendations of the Unit 2 Deer Subcommittee Final
27 Report that was accepted by the Council. Subsistence
28 deer harvesters can make use of designated deer harvest
29 or proxy permits to provide for additional family or
30 community members. However, relatively few are being
31 utilized it appears.

32
33 Thank you. That concludes my
34 presentation.

35
36 MADAME CHAIR GARZA: Are there any
37 questions for Mr. Chester. Mr. Adams.

38
39 MR. ADAMS: Thank you, Madame Chairman.
40 On Page 113, if you turn to the last paragraph, there's
41 a couple words in your analysis that kind of bother me.
42 It says that an increased harvest would be appropriate
43 if the population of deer is declining. I know that
44 there has been testimony that the deer has been
45 declining in Prince William Sound. We've heard this in
46 almost all of our meetings for the past couple, three
47 years, but I'm bothered by that word if. Maybe you can
48 explain that a little bit and help me get clarified on
49 that.

50

1 Well, I'll let you do that and then
2 I'll have a follow up on that. Madame Chair.

3
4 MR. CHESTER: Madame Chair, Mr. Adams.
5 Yes, I agree that we've heard testimony that the
6 population is declining. I think as you all well know
7 too that our population data is not great, doesn't have
8 a high degree of accuracy or precision in estimating
9 the population at this time. I guess that's why it's
10 qualified. Currently the Department of Fish and Game
11 is not detecting a decline, so that's not necessarily
12 in conflict with the testimony but it's kind of two
13 pieces of data that aren't necessarily in sync either,
14 so I qualified it.

15
16 MADAME CHAIR GARZA: Mr. Adams.

17
18 MR. ADAMS: If we took that word if out
19 of there, maybe it would have a little bit more impact
20 on the Council when we go into our deliberations. I
21 don't know.

22
23 On the last paragraph of the effects of
24 the proposal on Page 114, I'll read the last sentence.
25 Changes in the viability and distribution of deer due
26 to habitat changes could also cause the perception of a
27 population decline. Again, that word could kind of
28 bothers me.

29
30 MR. CHESTER: Madame Chair, Mr. Adams.
31 I think right now we have a study funded to help us
32 understand population numbers a little bit better, but
33 I guess part of that is there is also the possibility
34 that as clear-cuts grow, a lot of hunters are using
35 clear-cuts, and as the trees and stuff grow there are a
36 couple things that could happen. One is if you're
37 driving along you're not going to see the deer as well
38 as the trees grow taller. The other part is that that
39 habitat is not as good for deer and there may not be as
40 many deer using it, so they may be using other areas.

41
42 MR. ADAMS: Okay. You know, those two
43 words, if and could, are kind of bothersome to me. If
44 you could be a little more specific and saying maybe it
45 will or something to that effect, then maybe me as a
46 Council member would be able to take the statements a
47 little more seriously.

48
49 I'm a strong proponent, you know, of
50 local knowledge. I believe the people who live in the

1 area are more knowledgeable about what's going on than
2 a lot of other people that don't live there or even
3 this body. So I put strong credibility on people who
4 know their areas and what's going on there. This was
5 submitted by the Craig Community Association, which
6 represents a whole bunch of people. Those two words
7 that I mentioned kind of bothers me because it
8 conflicts with my idea that we need to listen to local
9 knowledge.

10

11 Thank you, Madame Chairman.

12

13 MADAME CHAIR GARZA: Ms. Phillips.

14

15 MS. PHILLIPS: Thank you, Madame Chair.
16 Thank you, Mr. Chester, for the information you
17 provided. According to the data you provided from
18 Figure 1 and Figure 2, you say that 8% 19% of
19 successful Federally qualified Unit 2 subsistence deer
20 hunters harvest the full four deer they are currently
21 allowed. That is 136 deer to 323 deer. We know we
22 have a declining population of deer on Prince of Wales.
23 Hopefully it's stabilized. Hopefully it won't decline
24 any more. But if you look at 2000 or 1999 to 2003, the
25 number of harvesters or hunters has declined by 700
26 hunters. So if you're saying that if we increase the
27 harvest by six deer, that would be approximately 40 to
28 100 deer. Well, from 2000 to 2003 the number of deer
29 harvested has dropped by
30 3,000 deer to 1700 deer harvested, so that's 1,300 deer
31 that we used to get that we don't get anymore.

32

33 So, in the previous proposal you said
34 the deer populations are stable. There doesn't seem to
35 be a conservation concern. In this proposal you say
36 the deer population may be declining. So in one you
37 say there's no conservation problem and this one you
38 say perhaps it may be declining. But given this
39 figure, these two figures, there's a 1,300 deer harvest
40 that used to occur that isn't occurring, so now can we
41 say that the additional 40 to 100 deer of harvest that
42 would increase by increasing the bag limit the deer
43 population could handle it? Do you understand what I
44 just asked?

45

46 MR. CHESTER: Madame Chair, Ms.
47 Phillips. I think in relation to whether the
48 population is stable or declining, I think I've been
49 consistent in both proposals to say some of the data,
50 the pellet group data seems to show a stable

1 population. We continue to get reports from the local
2 users that it's declining. So I think I've been fairly
3 consistent there. It's two different pieces of data
4 that are saying slightly different things. I don't
5 necessarily think they're totally opposed. So, from
6 that standpoint, the data would indicate, at best, a
7 stable and probably declining to some degree
8 population.

9
10 The thing I guess that's not shown on
11 Figure 1 is, as Boyd Porter pointed out yesterday, this
12 does not include the Federal data. This is strictly
13 Fish and Game data, so those numbers haven't been added
14 in. And based on what he said yesterday, if you add
15 those in, the trend is more stable in the harvest. I
16 don't have those exact numbers, so I can't say whether
17 it's enough to make up for the total 1,300 or what.

18
19 MADAME CHAIR GARZA: Mr. Adams.

20
21 MR. ADAMS: Thank you. What does it
22 mean by stable but declining? I have a problem with
23 that one, too. I have a son that's diabetic and then
24 my doctor has been monitoring me and my wife. I always
25 thought that it was handed down from father to son
26 rather than the other way. Then I talked to another
27 doctor who says I don't believe in that borderline
28 diabetic stuff. You either have it or you don't. So
29 I'm struggling with this stable but declining thing as
30 well. You either have to be on one side or the other
31 as far as I'm concerned.

32
33 MR. CHESTER: Madame Chair. Mr. Adams.
34 If I said stable but declining, I apologize for my
35 inappropriate use of words. I think there's a couple
36 pieces of data there pointing to somewhat different
37 conclusions. The pellet group type data is probably
38 not strong enough to say with a great deal of
39 confidence, as you all know. I think you've discussed
40 the capabilities of that data quite a bit in the last
41 20 years.

42
43 MR. ADAMS: Just as a follow up and
44 then I'll shut up. We're trying to determine if
45 there's a conservation issue here or not, I am, and
46 when I see stable but declining, if, could be, and so
47 forth, I'm having a bit of a problem trying to
48 determine if there is a conservation issue here that
49 would be detrimental to the deer population on Prince
50 William Sound.

1 Thank you for your comments and your
2 explanations and hopefully we'll be able to settle this
3 here.

4
5 Thank you for your comments and your
6 explanations.

7
8 MADAME CHAIR GARZA: Ms. Phillips.

9
10 MS. PHILLIPS: Thank you for clarifying
11 that. You know, the deer population data that's here,
12 where it's stable is based on scientific information
13 gathered and that the potential declining deer
14 population is based on traditional ecological
15 knowledge. Hopefully we can start blending the two a
16 little better.

17
18 My question is, can the estimated deer
19 population on Prince of Wales handle the additional 40
20 to 100 deer harvest increasing the bag limit to six for
21 Unit 2 hunters?

22
23 MR. CHESTER: Madame Chair, Ms.
24 Phillips. I guess 40 to 100 deer is just kind of a
25 ballpark estimate, the best I could do to kind of come
26 up with some figure. So I guess I wouldn't place a
27 whole lot of faith that that's what the actual numbers
28 are going to be. With that said, and since I did put
29 it in here, I would suggest I think it probably could
30 be handled, if it's a stable population, this year.
31 The question is for the long-term if the population
32 continues to decline and what happens.

33
34 MADAME CHAIR GARZA: Thank you. State.

35
36 MR. PORTER: Good morning, Madame
37 Chair, Members of the Council. My name is Boyd Porter.
38 The State's comments, as noted in our comments on
39 Proposals 06-07 and 06-08, the Unit 2 Deer Planning
40 Subcommittee was created to learn about and assess deer
41 management issues. The subcommittee process included
42 presentations from research biologists who have
43 collected data about deer, their predators, and their
44 habitat needs. Based on that information presented to
45 the Subcommittee, the group agreed that no changes
46 should be made to the Unit 2 deer hunting regulations
47 at this time, especially given the steps that are being
48 taken to record additional information about deer
49 populations, harvests, and human needs. Although we
50 feel the numbers are stable now, Unit 2 deer numbers

1 are expected to decline in the future, given the
2 extensive timber harvesting that has occurred on Prince
3 of Wales Island and adjacent islands and the low
4 quality habitat associated with second-growth,
5 low-canopy forests.

6
7 Throughout the past five years we've
8 heard repeatedly that deer numbers are declining on
9 Prince of Wales Island and that Fish and Game's
10 population tracking techniques are not adequate and
11 that we need better information to make better and more
12 informed decisions about future management of Unit 2
13 deer. We proposed and initiated research and
14 management projects to address all of those concerns
15 about deer in Unit 2.

16
17 We now have a research project to
18 assess the population of deer on Prince of Wales and
19 also to better track and test our trend techniques on
20 our deer pellet surveys that we use as a trend index of
21 long-term deer numbers and tracking those. Then we
22 also have the joint permit through the Forest Service
23 and the State to get better harvest information. The
24 subcommittee agreed that there was no need for
25 additional regulation change for the next three to five
26 years while we collect this additional information that
27 the committee identified as being very important to
28 better manage this resource.

29
30 Also other opportunities exist with
31 State and Federal proxy and Federal designated hunter
32 permits, so hunters have a lot of other opportunities
33 that they can utilize to try to get more deer. With
34 the Federal designated hunter permits they can have any
35 number of permits with them when they're in the field
36 to make them more efficient for days hunting and number
37 of trips into the field.

38
39 Thank you.

40
41 MADAME CHAIR GARZA: Any questions for
42 the State. Ms. Phillips.

43
44 MS. PHILLIPS: Thank you, Madame Chair.
45 Mr. Porter, can you summarize the track test trend
46 technique for pellet count that you mentioned.

47
48 MR. PORTER: Madame Chair, Member
49 Phillips. Go back over the deer pellets and how we use
50 that technique to estimate deer trends?

1 MS. PHILLIPS: You said something in
2 your comments about the agency is going to track and
3 test the trend technique.

4
5 MR. PORTER: Through the Chair, Member
6 Phillips. The subcommittee identified that as being
7 one of the areas that they wanted to see better
8 information from. Trend techniques look at long-term
9 trends and we don't measure every watershed. There are
10 13 watersheds in Unit 2 that we monitor and they aren't
11 done every year. The research project that's initiated
12 now that's starting this spring will use a different
13 technique to go out and ground truth that original
14 technique by looking more extensively at particular
15 watersheds. The deer population estimate will also be
16 done in those same watersheds, hopefully getting a lot
17 better information from specific watersheds and then we
18 could use that to extrapolate to the entire Unit 2. So
19 it's all aimed at getting a better estimate of what's
20 out there and then tracking those trends.

21
22 MS. PHILLIPS: Thank you for that
23 explanation. Are you sharing or including any local
24 residents or hunters in that research project?

25
26 MR. PORTER: Through the Chair, Member
27 Phillips. Absolutely. There's people from Hydaburg
28 that will be involved in this. I'm not sure if there
29 was also people involved from Craig Community
30 Association, but there will be tribal members from
31 Hydaburg.

32
33 MADAME CHAIR GARZA: Any further
34 questions. I guess I had a couple and perhaps it's for
35 both of you. There is reference to a paper by Mazza
36 and it's not in the literature cited. Is there a copy
37 available so that we could take a look at it if we want
38 or at least get the citation for it.

39
40 Secondly, did either of you take into
41 account the preliminary report that we received in
42 Craig last week from the guy from UAF?

43
44 MR. PORTER: Madame Chair, you would
45 like copies of both of those for the Council?

46
47 MADAME CHAIR GARZA: Yes.

48
49 MR. PORTER: Okay. Yes, I'll make sure
50 you get those.

1 MR. CHESTER: Madame Chair. I don't
2 have a hard copy of Mazza, but I have it on the
3 computer. I can make sure that's available. I have
4 not seen or been made aware of the UAF study of which
5 you speak.

6
7 MADAME CHAIR GARZA: The gist of the
8 draft report which was a UAF grad student who is doing
9 his Ph.D. and surveyed 86 Prince of Wales resident and
10 estimated from that that there was either 5.4 or 5.9
11 deer per year, so that is higher than what is in the
12 Staff analysis. So that is something we probably
13 should discuss. And that basically their needs were
14 unmet. There was additional information and it still
15 is in draft form, but I don't know that those numbers
16 will change substantially.

17
18 Other Federal or State or Tribal
19 agencies that wish to report on Proposal 09 to increase
20 the deer harvest from four to six.

21
22 (No comments)

23
24 MADAME CHAIR GARZA: InterAgency Staff.

25
26 (No comments)

27
28 MADAME CHAIR GARZA: Fish and Game
29 Advisory Committee comments.

30
31 (No comments)

32
33 MADAME CHAIR GARZA: Summary of written
34 public comments.

35
36 DR. SCHROEDER: Madame Chair. We have
37 no written public comments on this proposal.

38
39 MADAME CHAIR GARZA: We do have one
40 request for public testimony. Mr. Westlund. As you
41 come up, just to let you know, you did list several
42 proposals, so we will call you for each proposal as it
43 comes up. You listed a couple that have already
44 passed. Oh, never mind. I'm doing 06 to 09 when it's
45 06-09. So please state your name for the record.

46
47 MR. WESTLUND: Yes, Madame Chair and
48 Board Members. My name is Donald Westlund. I live at
49 15065 Lizzy Lane, 15 miles North Tongass Avenue,
50 Ketchikan. I appreciate the extra time. I'm trying to

1 learn the new format to this venue. It's different
2 from what I'm used to, so please bear in mind that I'm
3 new to this.

4
5 I've been listening a lot and I've
6 thought a lot about this increase. There tends to look
7 at a possible increase between 40 and 100 deer in this
8 take. Again, I'm not a scientist or a biologist, but
9 given the fact that you already take females,
10 antlerless deer, the average is approximately,
11 according to Staff, 75 antlerless deer. If you take
12 just a 50 percent male/female ratio on birth of the
13 offsprings, you'd have a 35 percent take in unborn
14 animals, so by increasing that 40 to 100 animals,
15 you're going to be taking -- do you understand?

16
17 I am personally opposed to taking
18 antlerless deer because it's the brood stock, it's what
19 carries the population. We know that the males can
20 take and inseminate many, many does, but they only
21 carry one to two animals. In my understanding of it,
22 you're already taking that extra 40 animals.

23
24 Any increase in the harvest would be --
25 Board Member Phillips and I -- I'm in a community that
26 has PU usage. That's like it stinks. I have to take
27 mine under personal use. When you increase the ability
28 for somebody that's hunting the same area that I hunt,
29 you take away part of my ability to reach my goals. So
30 by setting unequal bag limits, you're giving advantage
31 to somebody else and taking away from my goals.

32
33 Again, you've already given those users
34 an advantage by an earlier season, restricting in the
35 area. So I just don't believe that increasing this
36 without some other conservation mechanism as if you
37 want to increase the take of antlered deer, then you
38 need to look at decreasing the antlerless deer. Again,
39 also the knowledge, there's been talk about the
40 knowledge, maybe you should ask if those hunters that
41 are seeing reduced numbers or a decline in the
42 population if they are hunting road systems or if
43 they're going off into non-roaded areas.

44
45 My own observation is the more you hunt
46 on road systems, the less deer you see. Deer are
47 fairly smart. They understand if they hear a car
48 coming down the road, they'll get off and you just
49 don't see them. So maybe a question should be brought
50 up to those people that are saying there's a decrease,

1 ask them if they are hunting road systems.

2

3 Again, I just don't believe an
4 antlerless deer hunt is good for the population and
5 that an increase in harvest levels are already being
6 attained by taking those antlerless deer. If you do
7 increase the bag limit, you are taking away from users
8 that are restricted and are not able to take deer under
9 the same programs that our neighbors are.

10

11 So thank you.

12

13 MADAME CHAIR GARZA: Thank you, Mr.
14 Westlund. Are there any questions. Mr. Adams.

15

16 MR. ADAMS: Just a comment. I think
17 they even have a calendar because up in our area, you
18 know, just before the season opens they all disappear.
19 Thank you.

20

21 MADAME CHAIR GARZA: I have a comment
22 for you. I understand your concerns and I am a
23 Ketchikan resident, so I do have some concerns with
24 this proposal. However, as a Southeast Regional
25 Advisory Council to the Federal Subsistence Board as
26 part of ANILCA, it's our job to ensure that the
27 opportunities for rural residents are met. So I
28 probably will hope to seek some type of compromise on
29 this proposal. However, I do understand there are
30 needs for Prince of Wales Island residents that are
31 unmet. That has become clear through some work that
32 was done by ADF&G a couple years ago and then this
33 graduate study report, which I'm sorry is not available
34 here.

35

36 Again, our best argument from the
37 Ketchikan side is to just go rural. I don't know what
38 it's going to take to do that, between now and June,
39 whatever effort we can. The city council has voted in
40 favor of it. The borough has voted in favor of it.
41 Whatever we can get to Federal Subsistence Board to
42 change Ketchikan to rural would take huge steps ahead
43 because as part of this process we should be meeting
44 the needs of rural residents and meeting those needs
45 requires that any reductions that there are due to
46 conservation first go to non-rural. So Ketchikan would
47 always take the hit before rural residents. If
48 Ketchikan were rural, then we would have to sit down at
49 the same table and say, okay, how are we going to do
50 this and that's the biggest drawback to Ketchikan not

1 being rural right now is that it will always take the
2 brunt of conservation before rural residents.

3

4 MR. WESTLUND: I agree, Madame Chair.
5 The problem I have is the biology of the hunt. You
6 take an antlerless deer. You don't take female crabs
7 because it's your brood stock. By taking antlerless
8 deer you're taking brood stock. That's where I'm
9 seeing the user is making a conscious decision to take
10 bearing animals to take and fulfill a subsistence need.
11 And I understand that it's a conscious decision, but by
12 making that conscious decision you're reducing the
13 carrying capacity, the birth rate of that population.
14 So by allowing you to take those antlerless deer you
15 are making a decision to reduce the amount of deer that
16 are available. So you're asking for an increase, but
17 you're also asking to decrease the ability to replenish
18 that supply. Am I making the point? Like I said, I'm
19 not a scientist, but I am a commercial fisherman and I
20 tend to take a look at how the extractment is and you
21 have to have some point of being able to carry the
22 population. If we're seeing a decline, is it because
23 we're taking antlerless deer and taking too many bucks.

24

25 Again, thank you for your time.

26

27 MADAME CHAIR GARZA: Mr. Douville.

28

29 MR. DOUVILLE: I'm not sure if you
30 understand how ANILCA works, but a lot of it is based
31 on what's customary and traditional. It's been
32 customary and traditional for rural residents to take
33 does, whether it's biologically sound. I'm not going
34 to debate that part of it. I, myself, sat here in
35 Saxman and argued against the doe hunt years back
36 before I had a seat on this Council and I wasted my
37 breath. I made a really good argument and our Chairman
38 Thomas said thank you very much, those are all really
39 good points, but taking the ability to take that doe
40 away from a rural resident is restricting that
41 resident. ANILCA expressly says you cannot restrict
42 the rural resident until all other users have been
43 eliminated. Do you understand what I'm saying?
44 Anyway, for that reason, you can't go there. To
45 eliminate all other users would mean that all non-rural
46 residents could not hunt there because of that
47 restriction. I don't know if I made any sense to you,
48 but that's basically the way it reads.

49

50 MADAME CHAIR GARZA: I'm going to add

1 one more point to you before that. This proposal isn't
2 specific to the doe harvest and we have had proposals
3 submitted to eliminate the doe harvest. We have gone
4 around that on the Council at length and as you heard
5 Mr. Douville, when he was not on the Council, I mean he
6 argued against the doe harvest.

7
8 But the information when we were
9 presented these proposals in the past, the actual doe
10 harvest is fairly low. There was a small spike in it
11 last year we did hear, but it's like 100 and some. I
12 mean it's not a huge harvest. The impact from it is
13 minimal compared to winter mortality or bear take or
14 wolf take or any other take. So eliminating the doe
15 harvest is likely never going to happen whether or not
16 people agree with it, and there are people on Prince of
17 Wales that don't agree with it, but it does meet a
18 subsistence need for rural residents, so it would be
19 very difficult to eliminate that.

20
21 MR. WESTLUND: Can I rebut this? Yes,
22 I do understand how ANILCA works and I do know about
23 the ability for taking does. At this point in time
24 ANILCA is still the law of the land, although not all
25 of us believe it should be, especially Title VIII, and
26 I don't want to get into a debate. But, yes, I do
27 understand and I do understand the ramifications, but,
28 again, I think it's more of a biological concern on the
29 carrying capacity, just as we do in crabs. You don't
30 take the bearing animal that replenishes the resource.
31 Again, thank you very much.

32
33 MADAME CHAIR GARZA: Thank you. Okay.
34 We have now Regional Council deliberation. We have
35 before us Proposal 09. Is there a motion to put it on
36 the table.

37
38 Mr. Hernandez.

39
40 MR. HERNANDEZ: Thank you. Madame
41 Chair, before we start the deliberations I would ask
42 the Chair, it was mentioned in some of the questions
43 here to the Staff about this report from Todd Brinkman
44 dealing with hunters and hunter efforts. The
45 Subcommittee was given a copy of that report. It's a
46 preliminary summary, not really ready to be published
47 and fully analyzed, but he did give it to us to kind of
48 briefly update us on what his project was. Seeing as
49 how some of his data was mentioned, I do have a copy of
50 the report. I would hope that copies could be

1 distributed to everybody on the Council. Without
2 getting into the full report, I could reference that
3 specific topic that we talked about if you'd like.

4
5 Just briefly, his project was an
6 interview project. His goal was to identify and
7 interview people with lots of years of experience in
8 hunting on Prince of Wales Island and known successful
9 harvesters. He interviewed 88 people that ranged from
10 a minimum of 18 years old with three years of hunting
11 experience to a maximum of 94 years old with 47 years
12 of hunting experience. The averages for the whole
13 group of 88 people was an average age of 47 years old
14 with an average years hunting on Prince of Wales Island
15 of 22 years. So this is just a general look of who he
16 was interviewing. In reference to hunting patterns and
17 the number of deer that people utilized, this is what
18 he said. Typically hunter households harvested a
19 median of four deer each year, which was equal to the
20 number of deer required to meet their own household
21 needs but less than the number required to meet both
22 their needs and other households for which they provide
23 deer. Most hunters, 73 percent, reported that they
24 shared deer meat and 51 percent of those sharing
25 provided deer to three or more households, 64 percent
26 of the hunters reported that their household needs did
27 not change from year to year. For those hunters whose
28 household needs changed, 36 percent change increase and
29 decrease was attributed to shift in age and number of
30 members in the household. On average, deer were
31 reported to be the main source of red meat in hunter
32 households according to both Prince of Wales Island and
33 off-island residents.

34
35 That's just kind of a general overview
36 of what their interview showed. I'll get to the
37 numbers that he found and averages. For the number of
38 deer harvested during a typical year there was a wide
39 range from a minimum of one deer harvested to a maximum
40 of 30. When you analyze that, he came out with an
41 average of 6.1, but the median was four. That's what
42 he referenced in the previous paragraph.

43
44 For the number of deer required to meet
45 the hunters' household needs for one year, there was a
46 minimum of one and a maximum of 20 with an average of
47 5.4, but once again the median was 4.0. As he
48 mentioned here, 73 percent said that they shared meat.
49 For the number of deer required to meet needs of both
50 the hunter's household and other households the hunter

1 provides deer for, portion of red meat not including
2 fish, they had a minimum of 5 percent, maximum of 100
3 percent, average of 64.4 percent and a median was 68.5.
4 I guess I don't understand that one too well.
5

6 We did talk about that number of deer
7 that was harvested and they say it was an average of
8 6.1, a median of 4.0. I don't know how to analyze the
9 difference in those two, but we did mention that as
10 specific numbers. And 73 percent reported that they do
11 share meat with other households. Yes.
12

13 DR. SCHROEDER: The average is
14 computed, Bob, by adding up the number of deer taken
15 and then dividing by the number of people, so averages
16 are often higher than medians. Medians mean that 50
17 percent of the people got more deer than that and 50
18 percent got less. Averages are typically higher
19 because if Todd interviewed a number of people who got,
20 say, 15, 20 or 30 deer, they'd pull that average way up
21 there even though the median would be down lower.
22

23 MR. HERNANDEZ: Thank you, Dr.
24 Schroeder. So those are the numbers. Median of 4.0
25 for number of deer harvested during a typical year and
26 the number of deer required to meet household needs,
27 the median was also 4.0 for that group of hunters.
28

29 MADAME CHAIR GARZA: But the average
30 was 6.1. I guess I'd like to get this on the table and
31 then take a break and see what we can come up with. Is
32 there a motion to put this on the table. Mr. Adams.
33

34 MR. ADAMS: I move that we adopt WP06-
35 09.
36

37 MR. DOUVILLE: Second.
38

39 MADAME CHAIR GARZA: Moved and seconded
40 and this is as shown on Page 109. Thank you. Five
41 minute break.
42

43 (Off record)
44

45 (On record)
46

47 MADAME CHAIR GARZA: We do have
48 Proposal 9 before us and it's here for Council
49 deliberation, which means it's no longer open for
50 public testimony. We may ask someone to come up to

1 clarify a position and right now I'd like to ask Mike
2 Turek to come up. The report we heard before on the
3 interviews you did with Prince of Wales people on their
4 harvest level, whether their needs were being met, if
5 you had any comments on the report that was done by
6 Brinkman since he wasn't here, if we need any
7 clarifying on that, if you thought we heard something
8 wrong.

9

10 MR. TUREK: Madame Chair. I'm Mike
11 Turek with Alaska Department of Fish and Game,
12 Subsistence Division. I haven't seen Brinkman's report
13 or spoken to him in over a year. This is the first
14 I've heard anything about it or any of the results.
15 That's about all I can say about that.

16

17 MADAME CHAIR GARZA: Okay. So I
18 remember you did a survey. It seemed like we funded
19 part of it and part of it was what's being harvested
20 and are needs being met. Can you refresh me on that.

21

22 MR. TUREK: Chair. We did key
23 respondent interviews on both Ketchikan and Prince of
24 Wales Island. I believe it was 1998 and maybe that's
25 what you're referring to. From what little I heard of
26 the Brinkman report, his report seems to support the
27 findings that we had at that time as far as harvest and
28 use of deer on Prince of Wales Island. It also
29 appears, though I haven't seen Brinkman's report, but
30 what I heard from Mr. Hernandez it appears that that
31 also supports the harvest data we've collected on
32 Prince of Wales Island when we've done our household
33 harvest surveys.

34

35 MADAME CHAIR GARZA: And so the data
36 from the household harvest surveys and the key
37 informant surveys demonstrated that the harvest of deer
38 is more than 2.2 per person.

39

40 MR. TUREK: Chair. I'd have to review
41 the data before I can comment on that. I can't recall.
42 I think so but I'd have to review the data.

43

44 MADAME CHAIR GARZA: Okay. Could you
45 give us a clue again. You said part of it was a key
46 informant and Brinkman talked about sort of a snowball
47 technique. So these two efforts, if I remember right,
48 are not random but they're focused on a certain
49 population. Can you expand on that.

50

1 MR. TUREK: Chair. Brinkman did a lot
2 more surveys than I did, but I did them also in
3 Ketchikan. How we selected people that we did the key
4 respondent interviews on were by speaking to State Fish
5 and Game Staff, local hunters we knew in the
6 communities and putting together a list of people that
7 were recommended as mostly long-term hunters. I don't
8 think when we did our interviews we were keying on
9 long-term hunters from both Prince of Wales Island and
10 Ketchikan.

11
12 MADAME CHAIR GARZA: So when you're
13 keying on these hunters, and as was done with the
14 snowball technique, you were keying on hunters because
15 you know that they are hunters or that they're high
16 hunters or they're hunting all the time, what are you
17 looking for as part of that criteria?

18
19 MR. TUREK: Chair. We use a number of
20 factors. One is Fish and Game Staff, both wildlife
21 conservation on the island or in Ketchikan office, and
22 then our Staff with a number of years of experience
23 working on the island, and then by talking with the
24 local people in the communities that we know and work
25 with. And then when we interview hunters we ask them
26 about other hunters. Again, we were keying on the high
27 harvesters, the people that were doing a lot of hunting
28 and had been for a number of years.

29
30 MADAME CHAIR GARZA: Thank you. You
31 haven't seen the report. I apologize. So when we're
32 reporting that the average is 6.1 of these key
33 informants, which is basically what he used in terms of
34 the snowball, he was focusing on high harvesters, and
35 those averages don't represent the average for the
36 island or they likely would not.

37
38 MR. TUREK: Chair. That's my guess is
39 they wouldn't. What you'd really have to do is look at
40 it, I think, in Southeast and all of these issues, you
41 really have to look at it by community. To try to do
42 an average over the island, you might come up with a
43 number but I don't know what that would really
44 represent. I think you really have to look at it by
45 community.

46
47 MADAME CHAIR GARZA: Thank you. You
48 look good in a suit. Any other questions for Mr.
49 Turek.

50

1 (No comments)

2

3

MADAME CHAIR GARZA: Thanks. So we have the Proposal WP06-09 as written on Page 109. Staff recommendation is to oppose. ADF&G comments do not support. We did receive a public comment but no written comment on it. So it is now before us as a Council.

9

10

I guess I'll jump in first as a Ketchikan resident and a non-rural resident. I understand ANILCA. When I first started on the Council I was a rural resident in Sitka and then my office got moved down to here and I became a non-rural resident, which is rather tragic as far as I'm concerned. But as a Ketchikan resident, born and raised in Ketchikan, recognizing that many of the Ketchikan residents are Prince of Wales people that got displaced here because of unemployment on the island or because of health reasons, because they want their kids in schools here instead, whatever the reason, we still do access that island. We have given up a fair amount of the island.

23

24

25

In the first two weeks of August, which so far seems to be working, I think it has given us, as Ketchikan residents, the opportunity to get up into the higher areas in August when there's good weather and we can take family. So I think we've appreciated that compromise.

30

31

32

But going from four deer to six deer hurts. Being on the Unit 2 Subcommittee -- and I think Patty brought up very good arguments. If we dropped by a harvest of 1,300 deer, an increase of 100 deer on island may not be substantial, it shouldn't have any conservation effects, but as a Ketchikan resident it still hurts. You know, we feel like we've given up and we're not sure you guys are giving up anything. So I understand on the ANILCA side I need to support something, but I'm not sure I'm ready to support six deer.

42

43

44

45

46

MR. DOUVILLE: Thank you, Madame Chair. I would like to offer an amendment to the proposal before us. That amendment would read Federally qualified users of Unit 2 may receive a Federal permit allowing the harvest of a fifth deer for Unit 2. A

47

48

49

50

1 Federal permit will be issued allowing the harvest of
2 one buck. A person requesting a permit would be
3 required to show his/her used or validated 4th deer
4 tag.

5
6 MS. PHILLIPS: Second.

7
8 MADAME CHAIR GARZA: There's a second
9 to that, so we have an amendment before us.

10
11 MR. STOKES: I'll second it.

12
13 MADAME CHAIR GARZA: It's been
14 seconded. Let's find out whether or not we can stick
15 it up on PowerPoint here so we can all take a look at
16 it and see if it has the kinds of sort of sideboards on
17 it that makes us feel like there won't be a large
18 increase in harvest. It sounds like with a punched
19 fourth tag that it would demonstrate need, which I
20 think is part of the ANILCA requirement and I feel a
21 little better with that. Let's see if we can get it
22 up.

23
24 (Pause)

25
26 MADAME CHAIR GARZA: Let me see if I
27 can read this into the record. Federally qualified
28 hunters in Unit 2 may receive a Federal permit allowing
29 the harvest of a fifth deer from Unit 2. A Federal
30 permit will be issued allowing the harvest of one buck.
31 A person requesting a permit will need to show his/her
32 used or validated 4th deer tag.

33
34 So this does a couple things. It drops
35 it from two extra deer to one deer. It requires that
36 you have used your fourth tag before you can get it so
37 you're not just going to get five tags to start with.
38 If it's a Federal permit, then you would have to go
39 into most likely a Forest Service office in Craig and
40 get a permit or Thorne Bay or I imagine even Wrangell
41 or Petersburg to get that fifth one. And it does
42 require that it be a buck, so it would not be a doe
43 harvest.

44
45 Any comments on the amendment. Mr.
46 Adams.

47
48 MR. ADAMS: I think this is a real good
49 compromise, so I'm going to support the amendment.
50 Thank you.

1 UNIDENTIFIED SPEAKER: Question.
2
3 MADAME CHAIR GARZA: We can question it
4 now, but if this goes forward, then we need to go
5 through our criteria so we have a clear record that Mr.
6 Littlefield can use. The question has been called on
7 this amendment. If there is no further discussion on
8 it, all in favor of this amendment signify by saying
9 aye.
10
11 IN UNISON: Aye.
12
13 MADAME CHAIR GARZA: Opposed same sign.
14
15 (No opposed votes)
16
17 MADAME CHAIR GARZA: So, in effect, we
18 are changing the proposed language on Page 109, so it
19 would not be six deer, it would be five deer and we
20 would substitute this language that is before us. Is
21 there anybody in the audience who can't see it or
22 hasn't figured out what we're trying to do here.
23
24 (No comments)
25
26 MADAME CHAIR GARZA: Okay. So we have
27 the amendment as a proposal for WP06-09, changing from
28 six to five deer, Federal permit, and you have to have
29 your fourth tag punched before you can get the fifth
30 one and that fifth one has to be a buck. That's a lot
31 of requirements. I wonder if enforcement has any
32 comments in terms of the enforceability of it.
33
34 MR. PEARSON: (Shakes head negatively)
35
36 MADAME CHAIR GARZA: Okay. Dave, can
37 you guys issue permits out of Forest Service for this?
38
39 MR. JOHNSON: Madame Chair, Council.
40 Yes, we can. However, right now, as you know, we have
41 this new harvest reporting system. So we're currently
42 working with the State of Alaska on the new information
43 that's being provided to us through that new system so
44 this would require a considerable amount of changes
45 because this past year we only issued harvest tickets
46 that were from the State, so we did have this harvest
47 ticket permitting that was done through the Forest
48 Service offices, but we certainly have that capability.
49
50 MADAME CHAIR GARZA: Mr. Bangs.

1 MR. BANGS: Thank you, Madame Chair.
2 How is this going to affect the Federal doe permit?

3
4 MR. JOHNSON: Madame Chair, Council.
5 Currently, the antlerless deer harvest that occurs
6 under the Federal system is recorded on the State
7 harvest reporting system or harvest report. Currently
8 you use one of the State harvest tickets for harvesting
9 your antlerless deer, so we currently do not have a
10 special ticket or permit under the Federal program for
11 antlerless deer.

12
13 MADAME CHAIR GARZA: Perhaps one other
14 sideboard we need to put in here is that Federally
15 issued permit for the 5th deer would have to be turned
16 in before one could be issued for the next year. So
17 currently, in terms of trying to get a better handle of
18 how many deer are taken off that island, we talked
19 about a registered hunt on Prince of Wales for deer
20 that got watered down to where it's nothing more than
21 what already exists. We beg and plead and hope that
22 you will submit your hunt reports so we are getting an
23 idea of what's harvested through this first cycle of
24 the Federal/State joint permit, which is still being
25 issued through the State. There's about a 30 percent
26 response, which is good, and we're hoping with a second
27 letter being sent out and potentially a phone call
28 somewhere down the line that the harvest reporting will
29 increase. But I think that if we are trying to get an
30 idea what the harvest is and we do issue a number of
31 these fifth buck permits that we should get an idea if
32 they're actually being used. Mr. Douville.

33
34 MR. DOUVILLE: I'd like to speak in
35 favor of the proposal for several reasons. First and
36 foremost, I believe there is no biological concern.
37 One of the reasons is that there's been a relatively
38 healthy wolf harvest in the last 10 years. Somewhere
39 in this book I read that the estimated population is
40 between 100 and 200. Without exaggeration, I've
41 harvested within a handful of 200 myself in the last 10
42 years.

43
44 The other is there has been a
45 population decrease on the island in the last 10 years.
46 There's less hunters working on the same deer
47 population base. The census in Craig alone, the 1996
48 numbers were 2,109 people that used addresses in Craig,
49 which they used as a population base, which is not
50 entirely correct. You could minus that by 250 and have

1 a pretty real number. The number today in the 2006
2 numbers are 1102. So the real hard numbers between
3 seven and eight hundred people do not live there
4 anymore, and this is only Craig alone. So the
5 populations in Thorne Bay and perhaps Hydaburg and
6 other places are down also, would be the trend.

7
8 So while there may be some small
9 decrease in deer in some of the clear-cuts or
10 something, there's also increases in other places. I
11 know this for a fact because I've lived there for 57
12 years and I know what I'm talking about. I hunt there,
13 I know all the people, and it's not off the top of my
14 head. When I hunt, I've never seen a biologist, ADF&G
15 or Forest Service looking at the same things I am.

16
17 I believe this will be helpful because
18 we have an economic decline, we have a higher cost of
19 fuel, and on the other hand not everybody will use his
20 tag. Even with the figures we presented here that use
21 this model at six deer, it showed the numbers only
22 between 40 and 100. So this is not going to be a
23 significant number at all. It will deprive nobody nor
24 make really a lot of difference.

25
26 MADAME CHAIR GARZA: Mr. Hernandez.

27
28 MR. HERNANDEZ: Thank you, Madame
29 Chair. I'm not in favor of this proposal for several
30 reasons. I think there's two things that need to be
31 looked at in order to support this proposal. One would
32 be are needs being met and the second thing would be I
33 would not support this proposal unless I felt that the
34 deer population was increasing.

35
36 If you look at the issue of need, I
37 don't see any substantial evidence to show under the
38 present system that the needs are not being met with
39 the use of the designated hunter system. As long as
40 the designated hunter system is in place and working
41 effectively for people and easy to use, I think that
42 goes a long way towards satisfying needs. The only
43 need that would not be met would be for an individual
44 who felt four deer was not enough for their personal
45 use. I haven't heard that that is the case. Maybe
46 from a few individuals, but overall I don't see any
47 evidence that that would be so.

48
49 Mr. Adams brought up a good point. We
50 really do have to consider what local knowledge is on

1 these issues. I know this proposal came out of Craig,
2 but I have to speak for the residents on the island
3 that I'm familiar with and my communities and they
4 would not support this. They do feel that for most of
5 those residents that four deer for an individual meet
6 their needs. They utilize the proxy hunts and
7 designated hunter systems to fill additional needs for
8 their household and extended households.

9
10 Also, as far as the deer population, I
11 would cite some of the same reasoning. I can't really
12 see from data presented in the presentations that we
13 can really say there's an increase in population. I
14 think I would agree with the population as being stable
15 over the last few years and I'm also speaking for areas
16 that I'm familiar with and my communities are familiar
17 with that we do not feel there's an overabundance of
18 deer that needs to be harvested. We would probably
19 characterize the hunting in our area as being stable
20 over the last four or five years.

21
22 Given those rationale for supporting a
23 proposal, I'm sorry, I can't support this proposal at
24 this time.

25
26 MADAME CHAIR GARZA: Ms. Phillips.

27
28 MS. PHILLIPS: Thank you, Madame Chair.
29 I'll be voting in support of the proposal as amended.
30 I would like to respond to a comment made by Councilman
31 Hernandez and I'm saying this with utmost respect to
32 the people that are involved in this process, this
33 public process, and to the Staff who go to great effort
34 to provide us good information to make rationale
35 decisions. However, we have the customary and
36 traditional communities of Prince of Wales Island who
37 have traditional IRA governments, who are recognized
38 governments that the Federal government has a special
39 relationship with.

40
41 We also have communities on Prince of
42 Wales Island who do not have customary and traditional
43 IRA governments of which who are welcome in our area,
44 who have chosen to live in our area and may have been
45 born in our area and continue to live in our area who
46 are a very important part of our region, of our
47 communities, of our lifestyle, but they have a
48 different set of values from which the traditional
49 communities have lived in.

50

1 The Native community is not familiar
2 with -- is not always familiar with the requirements
3 that are recently being placed upon us to document our
4 harvest, to show a documented harvest. We have a lot
5 of -- I was born in the territory of Alaska 47 years
6 ago. I still have a lot of, I feel, untameness in me
7 and the thought of having to fill out a designated
8 hunter permit don't jive with me. It's not part of my
9 traditional practices. And I believe there's a lot of
10 people of Alaska Native descent who have been raised in
11 rural areas or even urban areas who feel the same way.

12
13

14 And then we have the non-traditional
15 communities who are communities of our region that are
16 important but they have a different value who are
17 willingly filling out the designated hunter permits,
18 who are willingly filling out the deer harvest data, so
19 we have two different mind sets but we're trying to get
20 to the same thing. We want healthy populations of
21 deer, we want to provide for unmet needs.

22
23

24 So, anyway, I am going to support the
25 proposal because I've heard consistently over the years
26 that needs of certain communities are not being met and
27 that's part of the reason why the subcommittee was
28 formed, to help us make better decisions to meet the
29 unmet needs of Prince of Wales Island and also to
30 provide a subsistence-based management approach for
31 deer in Unit 2 and this proposal is subsistence based,
32 this is ANILCA based, this is trying to meet the needs
33 of the residents of the island.

34
35

Thank you.

36
37

MADAME CHAIR GARZA: Mr. Douville.

38
39

40 MR. DOUVILLE: I would like to add one
41 other thing. A few years ago, I don't know exactly how
42 long, the rules were changed on the State system where
43 before anybody in the household could have tags, but
44 that was changed. I think you have to be 10 years old
45 now before you can get tags and that made a difference
46 to a lot of people as to how many tags they could have
47 in their pocket when they went hunting and so on. I
48 just wanted to point that out. So even if you're nine
49 years old you eat a lot of meat, but you're not able
50 to get a proxy or a designated hunter status for that
child. I wanted to just point that out.

50

1 Thanks.

2

3 MADAME CHAIR GARZA: Mr. Adams.

4

5 MR. ADAMS: Thank you, Madame Chairman.

6 I think I am going to support the amended proposal. I
7 did struggle with a few issues here when we talk about
8 the criteria and I think it was cleared up when Mr.
9 Douville gave his rationales. He indicated that there
10 is no biological concern, which tells me there's
11 probably no conservation concern as well. It will
12 benefit subsistence users and I don't think it will
13 have any effect on any other user group because this is
14 going to be a Federal permit only.

15

16 I also struggled with the substantial
17 data support for this proposal. Again, you know, I
18 place a lot of credibility on local knowledge. Mr.
19 Douville also mentioned that, sure, there's some places
20 where there's a decrease in deer population on Prince
21 of Wales, but then there's also increases in others, so
22 maybe that balances things out.

23

24 So, for these reasons, I think my vote
25 is tilted towards support of the proposal.

26

27 Thank you.

28

29 MADAME CHAIR GARZA: Mr. Bangs.

30

31 MR. BANGS: Thank you, Madame Chair.

32 We heard some different, I felt it was kind of
33 conflicting information from the State on the
34 population on Prince of Wales of deer and I was
35 wondering from the report that Mr. Hernandez read from
36 a little while ago whether there was any population
37 trends in the interview process from the local people,
38 how they felt about their take on what the population
39 was doing on Prince of Wales.

40

41 MADAME CHAIR GARZA: Mr. Hernandez.

42

43 MR. HERNANDEZ: Thank you, Madame
44 Chair, Mr. Bangs. Yes, he did ask some questions kind
45 of asking people to characterize what they felt the
46 population trend was. I have to say I gave my copy of
47 the report to Staff to get copies. I don't have it
48 here in front of me right now. I don't know if we have
49 that available, but we will in a few minutes
50 apparently.

1 Thank you.

2

3 MADAME CHAIR GARZA: Mr. Douville.

4

5 MR. DOUVILLE: There's one other thing
6 I'd like to point out. Like Patty mentions, there are
7 needs not being met. There was reasons for this that
8 are not entirely biological. One is that I've watched
9 these people hunt for quite a few years and we've had a
10 lot of clear-cuts there that made hunting really easy
11 and this is why it's so desirable to Ketchikan and
12 other places. I call it drive-by hunting. Look out
13 the window, there's a deer and get him.

14

15 A lot of those places have changed and
16 unfortunately Unit 2 residents became addicted to this
17 too. So as these clear-cuts fill in, it's more
18 difficult to get those deer. Not because they're not
19 there necessarily, but because they're harder to see.
20 This, combined with competition from non-rural people
21 as Ketchikan, was part of the reason for closing that
22 early part of the season and it's helped part of that
23 problem.

24

25 Although it still does exist, we have a
26 couple generations of hunters who need to re-learn
27 really how to hunt and this is part of it. I've lived
28 there all my life. I know what's going on and I've
29 watched it. This is most of the case because they're
30 not meeting their needs is for these reasons, not
31 because there's not enough deer to go around. There is
32 enough and there's actually more than enough in my
33 opinion.

34

35 Thank you.

36

37 MADAME CHAIR GARZA: I still haven't
38 decided how I'm going to vote. I guess a couple things
39 out here. I don't believe there is a conservation
40 concern. When we, as a Council, looked at closing the
41 early part of August to non-rural hunters, ADF&G was up
42 here adamantly for two years in a row stating that the
43 population was healthy, that there was no decline. It
44 took a major effort for them to say there could be a
45 decline in the future.

46

47 In the U-2 Subcommittee deliberations
48 and meetings, it wasn't made clear to us in any sense
49 that there was a decline. That is something that's
50 possibly in the future. In the information we

1 received, there is a decline in the actual take that
2 Patty pointed out and part of that may be due to fewer
3 residents in places like Craig that Mike pointed out,
4 but also in the fact that clear-cuts are growing up, so
5 it's harder to be that drive-by hunter because there is
6 now trees in the way of deer.

7
8 I did take a bit of offense in implying
9 that in Ketchikan we're the only road hunters because I
10 know that Prince of Wales does the same thing. In the
11 enforcement report we got in the last one the majority
12 of the infractions for night hunting were for Prince of
13 Wales residents, not for Ketchikan residents, so I'm
14 not willing to take the brunt of Ketchikan being the
15 bad guys all the time.

16
17 But this is ANILCA, this is to benefit
18 rural residents. I know that Prince of Wales is
19 hurting. I have lots of family on that island. My mom
20 was born in Craig, my dad was born in Klawock, I have
21 aunts and uncles and cousins and clan relatives all
22 over. I know that trailers are being abandoned, I know
23 that families that used to live apart are now living
24 together again just because they can't afford to keep
25 separate residences open. But that's also the case in
26 Ketchikan.

27
28 Ketchikan has high unemployment in the
29 winter. We depend on deer. When the mill closed and
30 we changed from fathers who had great jobs and great
31 retirement and great benefits to families that works
32 for the cruise ships in the summer and basically don't
33 do a lot in the winter and they are depending on deer.

34
35 Again, we know Ketchikan is rural, but
36 from what I understand from the family and people that
37 I know on the island is there is an increase in the
38 need for meat on Prince of Wales and that's a little
39 bit exaggerated in the last couple years because the
40 sockeye that so many people depend on are not
41 returning. There's a lower return to Hetta, there's a
42 lower return to Klawock Lake, so people who have relied
43 on sockeye to get them through the winter don't have
44 that sockeye. As we talked about in our introductory
45 remarks, if global warming continues that trend, we may
46 not have sockeye and we may be more of a deer and coho
47 and king salmon and things may be changing for us as
48 rural residents and for resource users in the Tongass.
49 Thanks.

50

1 MR. HERNANDEZ: Question.
2
3 MADAME CHAIR GARZA: The question has
4 been called. There appears to be a split vote, so I
5 will ask for roll call. Mr. Adams. Just one minute.
6 Mr. Douville.
7
8 MR. DOUVILLE: Have we dealt with the
9 four criteria? I think we did.
10
11 MADAME CHAIR GARZA: Dr. Schroeder.
12
13 DR. SCHROEDER: Madame Chair. The main
14 ANILCA criteria are to see what the effect of the
15 proposal is on the satisfaction of subsistence needs.
16 I believe that's been addressed quite well. The second
17 criteria concerns is it's supported by substantial
18 evidence. That would be evidence that this is a
19 feasible thing to do on the island. We heard that
20 permits could be issued. Also we have some evidence
21 from the Brinkman report and Mike Turek's reports that
22 some hunters regularly take more than four deer, so
23 that's an indication of some need. There was
24 discussion of how deer could be taken under a
25 designated hunter permit. Finally, the last one,
26 concerns recognized principals of fish and wildlife
27 conservation and I believe that's been addressed as
28 well. Our 815 criteria we generally talk about the
29 effect on non-qualified users and I believe Council
30 Members made statements concerning that.
31
32 MADAME CHAIR GARZA: Mr. Adams.
33
34 MR. ADAMS: Thank you, Madame Chairman.
35 I'm going to go from the bottom up this time. Michael
36 Bangs.
37
38 MR. BANGS: I support the proposal as
39 amended.
40
41 MR. ADAMS: Nick Davis.
42
43 MR. DAVIS: Support.
44
45 MR. ADAMS: Donald Hernandez.
46
47 MR. HERNANDEZ: Oppose.
48
49 MR. ADAMS: Floyd Kookesh. My buddy
50 Floyd is gone. Can't have a Bert and Floyd show

1 anymore. Bertrand Adams votes for it. Harvey Kitka.
2
3 MR. KITKA: Support.
4
5 MR. ADAMS: Michael Douville.
6
7 MR. DOUVILLE: Support.
8
9 MR. ADAMS: Patty Phillips.
10
11 MS. PHILLIPS: Support.
12
13 MR. ADAMS: Richard Stokes.
14
15 MR. STOKES: Support as amended.
16
17 MR. ADAMS: And last, but not least,
18 Dolly.
19
20 MADAME CHAIR GARZA: Support.
21
22 MR. ADAMS: Thank you. Motion passes.
23
24 MADAME CHAIR GARZA: We're onto
25 Proposal 10, institute a harvest bag use restriction in
26 Unit 2. Jim Brainard has morphed it looks like.
27
28 MR. JOHNSON: Thank you, Madame
29 Chairman, Council. Dave Johnson, subsistence
30 coordinator, Tongass National Forest. Proposal WP06-10
31 is submitted by Ernest Stiller from the community of
32 Naukati, and he is requesting that the deer harvest
33 ticket system currently being used would require that
34 harvest ticket number one would be used for the harvest
35 of an antlerless deer in Unit 2. As an alternative,
36 Mr. Stiller also would agree to designate any other
37 harvest ticket to take an antlerless deer.
38
39 I'm going to skip through some of this,
40 Madame Chairman. We've heard a fair amount about Unit
41 2 deer at this Council meeting. The regulatory history
42 you'll see on Page 118. There's a four deer harvest
43 limit with an August 1 through December 31 harvest
44 season since around 1988. Prior to 1988, the bag limit
45 and regulatory season was, for the most part, more
46 limited. A limited doe hunt has been in regulation in
47 most years since 1955. Currently, State regulations do
48 not allow the harvest of antlerless deer but, as you
49 know, you are permitted to take one antlerless deer
50 under the Federal system between October 15 and

1 December 31.

2

3

4 The effects of the proposal. If you use
5 harvest ticket number one before October 15, you can no
6 longer harvest an antlerless deer in Unit 2. If you
7 plan to harvest an antlerless deer, you can not hunt
8 before October 15. In both of these examples, the
9 result is a loss of harvest opportunity for Federally
10 qualified subsistence users. This proposal would
11 unnecessarily complicate deer management in Unit 2.
12 Adopting this proposal would not necessarily prevent
13 the illegal harvest of antlerless deer.

14

15 Since harvest tickets two through four
16 would not be valid to harvest antlerless deer during
17 the remainder of the season, it would in effect have
18 little effect on reducing the illegal harvest.

19

20 A Federal antlerless deer permit used
21 in conjunction with State harvest tickets would provide
22 an opportunity to designate a harvest permit
23 specifically for antlerless deer, but would retain the
24 same enforcement concerns as the current system. The
25 proponent s alternative to allow the hunter to
26 designate one of the four harvest ticket as an
27 antlerless ticket would create confusion among law
28 enforcement personnel, as has been discussed with the
29 current harvest ticket system we have for Units 1
30 through 5 here in Southeast.

31

32 Making the necessary changes to the
33 harvest ticket and harvest report formats would require
34 action of the Federal Subsistence Board and the Alaska
35 Board of Game. Currently there is no existing
36 methodology for designating and or documenting which
37 harvest ticket would be the antlerless ticket. When
38 people receive their harvest tickets through the
39 vendors, there's currently no mechanism for how you
40 would record or track which one of these harvest
41 tickets is being used for the antlerless deer.

42

43 The preliminary conclusion is to oppose
44 the proposal. The rationale for that is the proposal
45 would be detrimental to the satisfaction of subsistence
46 needs without adequately addressing the concern
47 regarding the illegal harvest of female deer as
48 suggested by the proponent. Neither the proposal or
49 the suggested alternative would adequately reduce
50 illegal antlerless deer harvest. In addition, this
51 proposal would result in a divergence with State

1 regulations. Again, we have tried through the Unit 2
2 subcommittee process to minimize some of the
3 complexities of Unit 2 deer management.

4

5 Thank you, Madame Chair.

6

7 MADAME CHAIR GARZA: Questions for Mr.
8 Johnson. Just a quick one, here. The graph does show
9 a take of bucks and does by region, but is there a
10 total number for any year in particular? What's the
11 approximate number of does that are taken every year?

12

13 MR. JOHNSON: I'm sorry, what page are
14 you on?

15

16 MADAME CHAIR GARZA: Page 121.

17

18 MR. JOHNSON: Okay. What was the
19 question again, Madame Chair?

20

21 MADAME CHAIR GARZA: This shows the
22 take by the wildlife analysis area, but I was
23 interested in a total number. Approximately how many
24 does are taken each year on Prince of Wales.

25

26 MR. JOHNSON: The average has been
27 around 75 antlerless deer per year. We don't have that
28 information back yet for this year, but that's been the
29 reported harvest.

30

31 MADAME CHAIR GARZA: Thank you. State.
32 Harvey, did you have a question for Dave.

33

34 MR. KITKA: Thank you, Madame Chair.
35 Dave, I notice in the graph on Page 119 they did allow
36 for antlerless deer up until about 1973. Was there any
37 effect on the population during that time spread or any
38 records that show whether the population of deer either
39 went down or got better?

40

41 MR. JOHNSON: Mr. Kitka, through the
42 Chair. During the years, particularly in the '70s,
43 when there was antlerless deer still being taken, it's
44 my understanding it was some of the most severe winters
45 on record in Unit 2. I believe that those numbers have
46 rebuilt and based on the current antlerless season that
47 we have and based on the size of Unit 2, we've not been
48 able to show any effect on the population, both
49 currently or from the past.

50

1 MR. KITKA: (Nods affirmatively)

2

3 MADAME CHAIR GARZA: Boyd.

4

5 MR. PORTER: Madame Chair, Members of
6 the Council. My name is Boyd Porter, the wildlife
7 management biologist for Fish and Game. Fish and Game
8 does not support this proposal to require the number
9 one tag to be used as the antlerless tag. The Naukati
10 proponent apparently is concerned about Federally
11 qualified subsistence users harvesting more than the
12 one antlerless deer they are allowed to take.

13

14 If this is in fact a common practice
15 and hunters are taking more than one antlerless deer,
16 we felt that the most practical way to address this
17 problem would be to go back to the Federal program to
18 create and issue a single antlerless deer tag. Also,
19 that would include the reporting card that went along
20 with that, as was done in the past during 2003 and
21 2004. This tag would have to be made available to
22 hunters at Forest Service offices and sporting goods
23 stores. Although this approach would require hunters
24 to use both State tags and Federal tags, it would most
25 directly address the concern that this proponent was
26 concerned about.

27

28 We also heard testimony suggesting a
29 significant number of does are taken in addition to
30 what is actually reported. Some of those are allegedly
31 illegal. Most of the discussion during the last
32 several years, both at the Subcommittee and Regional
33 Advisory Council meetings, have centered on how many
34 does are taken and the fact that Federally qualified
35 people have testified that they know that many more are
36 taken than are reported, and we've also had discussion
37 about what would constitute a significant number of
38 does in the harvest and how many would it take to have
39 a negative impact on the deer population. In several
40 discussions it became apparent that it looks as though
41 there are places in the center of the island that are
42 being harvested at a high enough rate, does are being
43 harvested, that it could have a negative impact on the
44 population.

45

46 Thank you.

47

48 MADAME CHAIR GARZA: Mr. Hernandez.

49

50 MR. HERNANDEZ: Thank you, Madame

1 Chair. Boyd, I know you reported at our subcommittee
2 meeting that you started to get the deer hunter report
3 forms returned for this past year and this was the
4 first year that we no longer had our permit for
5 Federally qualified people wanting to take a doe. Is
6 it too soon to tell or could you give us some idea or
7 are you getting any idea of what the reported doe
8 harvest is this year under this new reporting system?
9 Without having a permit requirement now, I guess I'm
10 wondering with a lesser incentive to report, are you
11 seeing any differences in the type of information
12 you're getting or is it too soon to tell?

13

14 MR. PORTER: Madame Chair, Member
15 Hernandez. I would have to defer to Mr. Johnson. Our
16 part in the joint report form was to code those harvest
17 locations and those permits have now been sent over to
18 the Forest Service Staff to input that data and I don't
19 believe any of that has been input yet.

20

21 MR. JOHNSON: (Shakes head negatively)

22

23 MR. PORTER: So none of that is
24 available yet. It should be within a month or so.

25

26 MADAME CHAIR GARZA: Mr. Hernandez.

27

28 MR. HERNANDEZ: You mentioned a little
29 bit about illegal harvest. I was wondering if I could
30 call up the enforcement people to ask them some
31 questions. I see Ken Pearson is here.

32

33 MADAME CHAIR GARZA: I think I'd like
34 to do that under the next one, InterAgency, because I
35 have a couple questions of them, too. But I do have
36 one question for you, Boyd. I know very little about
37 deer, but I don't understand why in the
38 Wrangell/Petersburg area that we talked about yesterday
39 where you can only take one buck but you can take two
40 deer, so it implies that the other one has to be a doe.
41 No? So you can only just take one deer?

42

43 MR. PORTER: Madame Chair. Are you
44 talking about Unit 3? Parts of Unit 3, Mitkof Island is
45 one buck, Kupreanof is two bucks. So, Madame Chair,
46 there aren't any areas that's a one buck and one doe
47 area.

48

49 MADAME CHAIR GARZA: Mr. Stokes.

50

1 MR. STOKES: In the Wrangell area we're
2 allowed two.

3
4 MADAME CHAIR GARZA: Do they have to be
5 bucks, though, Dick?

6
7 MR. STOKES: Two bucks.

8
9 MADAME CHAIR GARZA: So next would be
10 other Federal, State and Tribal agencies and we do want
11 to hear from enforcement here. I think we did hear at
12 the Unit 2 Subcommittee sort of an overview of what was
13 going on in terms of enforcement over the last year. I
14 think you have increased enforcement now. Maybe a
15 little bit on that.

16
17 MR. MYERS: Madame Chair, Council.
18 Marty Myers, U.S. Forest Service law enforcement. This
19 proposal that we're talking about here, I'm not sure it
20 actually addresses this specific issue in and of
21 itself, although, as Mr. Johnson discussed earlier
22 about the Federal permit system which has a separate
23 permit for the does, worked but it diverged from what
24 the State processes were as far as accounting for
25 numbers as far as who's tracking the information when
26 it comes back.

27
28 There is an issue with deer being taken
29 illegally, both does and bucks, and our officers both
30 in POW and in the Wrangell/Petersburg area have come
31 across these issues. I would say though from what
32 we've determined through our contacts that there are a
33 lot more bucks being taken illegally than does. Some
34 of that has to do with individuals just taking the
35 backstraps and leaving the rest of the meat to lay. We
36 actually have caught individuals performing that kind
37 of activity and they've been addressed.

38
39 So, as far as the doe issue, it would
40 make good sense to have some sort of system to have a
41 designated doe tag to have better accountability of
42 that. With that said as well, there are reports by
43 individuals and rural residents of does being taken and
44 not necessarily illegally but not reported as well. So
45 I'm not sure the numbers are all that accurate.

46
47 Ken, do you have anything further on
48 patrols or activities that they might be interested in.

49
50 MR. PEARSON: Madame Chair, Council

1 Members. Ken Pearson with the Forest Service
2 enforcement. I'd just reiterate a little bit what Mr.
3 Myers said. We did get a number of reports this year
4 of people potentially abusing the antlerless program by
5 using more than one tag for deer, so I don't think as
6 the system is now actually aids law enforcement in
7 preventing this. I think a Federal permit like we once
8 had is the way to go with this. There's some reporting
9 requirements that probably would have to be ironed out,
10 but I do think a Federal permit would be the way to go.

11
12 We did notice for some reason this year
13 an increased amount of illegal harvest and wanton waste
14 of deer. I'm not sure of the reason for that. We were
15 successful in prosecuting several cases this year for
16 wanton waste as well as spot-lighting and the penalties
17 were quite severe, so hopefully that will curtail that
18 in the future.

19
20 That's all I have at this time.

21
22 MADAME CHAIR GARZA: Mr. Hernandez.

23
24 MR. HERNANDEZ: Thank you, Madame
25 Chair. I was kind of interested to ask Mr. Pearson
26 about just working out in the field. You mentioned you
27 have been able to arrest some people for illegal doe
28 harvest and I'm just wondering what tools do you have
29 to make a case against something that you suspect is
30 illegally harvesting a doe without having some kind of
31 mechanism out in the field that you can look at to
32 determine if they've harvested more than one. I don't
33 know if you can give us some idea just how you go about
34 proving that somebody is illegally taking a doe.

35
36 MR. PEARSON: Madame Chair, Council
37 Member Hernandez. I'm not sure that I quite understand
38 the question.

39
40 MR. HERNANDEZ: Well, I guess I need to
41 know what type of instances you're able to cite people
42 for illegally taking a doe. Maybe it was before the
43 season was open or people harvesting more than one doe.
44 Maybe you could say what kind of instances of illegal
45 doe harvest you are seeing and how you were able to
46 determine that.

47
48 MR. PEARSON: Madame Chair, Council
49 Member Hernandez. Maybe I wasn't clear in informing
50 the Council of the type of violations and enforcement

1 actions. Actually we were unsuccessful in making any
2 cases against illegal harvest of does in particular.
3 We had several incidents of doe harvest occurring
4 before the doe season actually opened. In conjunction
5 with those illegal harvest of does, we found the
6 remains of the does in the July and early August part
7 of the year where also wanton waste was associated with
8 that in which they weren't all salvaged. The
9 successful cases we made were actually in particular
10 related to wanton waste of bucks that were killed in
11 the July subsistence season and, of course, later in
12 the year with successful spot-lighting cases.

13

14 So, to answer your question, I guess
15 there were no specific cases that we made for illegal
16 harvest of does, but, again, we know it happened
17 because we found the remains during the July and August
18 hunt.

19

20 MADAME CHAIR GARZA: Mr. Stokes.

21

22 MR. STOKES: Thank you, Madame Chair.
23 I know prior to the opening of the deer system there on
24 the Wrangell road system we have a lot of logging
25 roads. My grandson had been out driving. Prior to the
26 season opening you could see deer all over the place.
27 They were out there one evening and they came along a
28 fellow that -- there was a deer down in the middle of
29 the road. He said I must have run over it, but he had
30 three others in the back of his pick-up. And this has
31 been going on. I'd like to see some way that the
32 enforcement would be able to take a tally on these
33 guys. He didn't report them. I said why didn't you.
34 He said because he knew it would be me. He's only 16.
35 He didn't want to get involved, I guess.

36

37 MR. PEARSON: Madame Chair, Council
38 Member Stokes. We actually received several complaints
39 this year in the Wrangell area of just what you spoke
40 of about illegal harvest of deer before the season. I
41 know our officers work diligently in that area, along
42 with the State troopers. They were not very successful
43 in apprehending the bandits this year. Although it is
44 very important to receive timely information from the
45 public and I understand your grandson not wanting to
46 get involved, but our officers cover huge areas and we
47 do rely on the public to give us timely information so
48 we can follow up on that. I'm sorry to hear that that
49 took place, but I can assure you we're working
50 diligently to curtail that. Like I said, we made great

1 progress on Prince of Wales this year, so maybe we'll
2 put Wrangell on our priority list for next year.

3

4 Thank you.

5

6 MR. STOKES: Thank you.

7

8 MADAME CHAIR GARZA: Mr. Douville.

9

10 MR. DOUVILLE: So I believe I heard you
11 say that a Federal permit as we had before would work
12 the best in keeping better track of the doe harvest. I
13 sat in Saxman here several years ago when I was not on
14 the RAC committee and slugged it out with the RAC, if
15 you will, over the doe hunt. I asked them if you
16 couldn't make the doe hunt go away, at least put some
17 accountability into it and a Federal doe tag came out
18 of that. Somewhere, I don't know how, it went away.
19 Now we have a system jointly with the State which
20 orders sequential tags and it becomes very difficult to
21 address this problem. So at least somewhere down the
22 road, in my opinion, we would need probably to
23 reinstitute that Federal tag, would you not, to clear
24 things up.

25

26 MR. MYERS: Marty Myers for law
27 enforcement again. I think my understanding is the
28 bringing together of the regulations and the processes
29 of the tag system in line with the state is probably
30 one of the reasons why that happened, to eventually
31 bring all that stuff together. As we've all seen in
32 the new regulations as far as sequential order, not
33 everything comes out perfectly for everybody. So
34 somewhere along the line we'll have to come up with
35 something that actually works.

36

37 MADAME CHAIR GARZA: Okay, thank you.
38 Next, anybody from Fish and Game Advisory Committee
39 comments.

40

41 (No comments)

42

43 MADAME CHAIR GARZA: I believe there
44 are none. Summary of InterAgency.

45

46 (No comments)

47

48 MADAME CHAIR GARZA: None. Summary of
49 written public comments.

50

1 DR. SCHROEDER: Madame Chair. We have
2 no written public comments on this proposal.

3
4 MADAME CHAIR GARZA: Public testimony.
5 We do have one person wishing to testify, Mr. Franklin
6 James, Sr. Although I just introduced you, you need to
7 state your name again for the record.

8
9 MR. JAMES: Thank you, Madame Chair,
10 Council Members. My name is Franklin James, Sr. and
11 I'm a resident of Ketchikan, born in Klawock and raised
12 in Craig. Even though I'm going to testify tonight,
13 I've got a lot of comments, but on this deer harvest I
14 wasn't going to talk on that tonight, so if I may I'd
15 like to give my points and my opinions.

16
17 I testified about a month and a half
18 ago in Anchorage in the one where territory we never
19 did have to have a license. I did tell them up there
20 between 1954 to 1963 I shot over 550 deer. Not all of
21 that was for me. Our people never waste it. There's a
22 lot of young families out there that can't go out
23 hunting. We never just hunted for the elders. I
24 hunted for her grandmother, I hunted with her uncles
25 for maybe 20 years. Sure, we got way over our limit.
26 We never shot deer. Like I stated down south in the
27 meeting, they have to have such big guns there, it
28 takes four or five white men to carry a gun up to shoot
29 the deer just to carry the antlers back. We don't do
30 that. I first started learning to hunt with a .22. I
31 learned with a 25.20. I don't think you guys even
32 heard of that gun. That 25.20 was just like hitting
33 the deer with a rock. He just shakes his head.

34
35 My point is, I think the Forest Service
36 is not doing their job. Why is it in 2001 Pennsylvania
37 harvested over 482,000 animals. Why is it small states
38 like Virginia, which I have the stats I'd like to give
39 here, they harvest 100 times more per acre than Alaska.
40 I want to know why. We've got the richest country in
41 the world. Why is it that our stats are so low.

42
43 My dad only had a third grade
44 education. He is a better biologist than you see in
45 this room, any one of them. He stated you 1,000 men on
46 an island for four or five years. How many kids are
47 you going to produce. Vice versa, you put that many
48 women on an island, how many kids are they going to
49 produce. Or if you put 4,000 doe on an island with one
50 buck, how many kids is he going to produce. Hardly

1 any.

2

3

4 The idea somehow or other since this
5 state was taken over by the Forest Service and the
6 Federal government and whatever everything is on the
7 dateline. Why? When you start restricting our people
8 that we have to come and argue every month it seems
9 like to me. I know it's not every month, but just to
10 argue what we can eat. I would have to hire a
11 secretary for the records they want to produce to us
12 what we can do and what we can't do. I swear our
13 Forest Service enforcement officers are related to the
14 BIA. They love paperwork. By the time you exhaust all
15 those paperwork, you don't even want to go hunting.

15

16

17 I think they better start looking why
18 was there no deer on Mitkof. One time there was too
19 much snow. The other time I don't know what it was. I
20 think Mike would know about it. There was between four
21 to six hundred deer in one herd swimming from Mitkof to
22 Prince of Wales.

22

23

24 You know, you start looking Carnation
25 Island, which is our area that we claim. Carnation
26 so full of deer they planted wolves on there and killed
27 them all off. What you call the meat locker on St.
28 John, which our uncle testified on many times. People
29 can go out there 12 months out of the year and get deer
30 there is so much out there. It is so overpopulated,
31 our enforcement people are out there trying to arrest
32 people and they're taking it because no people have no
33 freezers, yet they planted wolves on there just like
34 they did Carnation. Wiped them all out. Wiped
35 everything out on St. John. Now they killed that place
36 off.

36

37

38 I believe our enforcement people better
39 figure out what they are doing wrong. You know, you
40 start looking at the south. They take does and bucks.
41 Why is there so much every year. I think they better
42 start studying what they're doing wrong and find out
43 what they're doing right down there.

43

44

45 I didn't want to talk, but I hear lots
46 about this hunting. You look at our people now that
47 have to go to the local markets. How many of them are
48 dying from cancer. You're changing our lifestyle how
49 we're supposed to eat. I want these Fish and Game,
50 Forest Service, to come to us every month and beg for a
51 pound of bacon and a pound of beef like we have to do

1 here. Good grief, we have to get an act of Congress
2 just to go out and get a deer. I think that has to
3 come to a stop. You guys want to do that for yourself,
4 that is fine with me, but leave our traditional people
5 alone that depend on this. We did it for over 6,000
6 years, we took care of our land for over 6,000 years
7 before the immigrants came.

8

9 Now what I want them to take into
10 consideration what's going on up here, why our deer are
11 declining. I talk to hunters that go out to Prince of
12 Wales. I'm not a road hunter. Though I'm disabled, I
13 still don't road hunt. They traveled. As they were
14 going down towards Salmon Bay, counted three or four
15 hundred does on the road. Why. Just like any place
16 else, like Germany, you kill off all their men, how can
17 they repopulate. They have to borrow men from the
18 United States. That's the same thing with our buck.
19 You kill them all off, good grief, they're going to be
20 skin and bones in a month.

21

22 Something has to be done and I'm
23 getting tired of listening to all this darn paperwork
24 that they want to put on us. That has to come to a
25 stop and end. They make things so tricky you have to
26 get an attorney to define the damn thing. I'm proud of
27 these Council people what they're doing, the way they
28 look after their traditional people. I know tonight
29 I'm going to have testimony tonight but I wasn't going
30 to talk on the deer. I just want to tell you and give
31 you my opinions on it.

32

33 Thank you, Madame Chair.

34

35 MADAME CHAIR GARZA: Thank you, Mr.
36 James. So just to clarify, the purpose of the public
37 testimony tonight is specific to rural or urban status
38 of Ketchikan and Saxman, so this is the best time to be
39 talking about deer for these proposals. I just want to
40 clarify. This Proposal 10 requiring that the doe has
41 to be the first one, you're speaking, I guess, against
42 that proposal?

43

44 MR. JAMES: Madame Chair. I thought we
45 were going to be able to talk on most anything, but
46 what I wanted to talk on is our subsistence fishing
47 tonight or would I have to do that in the daytime?

48

49 MADAME CHAIR GARZA: Right now we're
50 looking at Proposal 10. Are you in favor or against

1 Proposal 10 in regards to requiring that the first tag
2 be for the doe.

3

4 MR. JAMES: I'm in favor of taking the
5 doe, but not all of them. I mean it should be
6 balanced.

7

8 MADAME CHAIR GARZA: Then for tonight
9 we'll be limited to speaking about whether or not you
10 support Ketchikan or Saxman being rural or urban.
11 That's the intent of the public testimony for tonight.
12 If you wish to speak to other topics, there will be a
13 time later in this meeting but not during the proposal
14 process.

15

16 MR. JAMES: Thank you, Madame Chair. I
17 guess maybe tomorrow or this afternoon I can speak on
18 subsistence fishing, is that right?

19

20 MADAME CHAIR GARZA: It will probably
21 be tomorrow. We're probably going to do deer proposals
22 all of today.

23

24 MR. JAMES: Thank you, Madame Chair.

25

26 MADAME CHAIR GARZA: Was there anybody
27 else in the public who wanted to speak to Proposal 10
28 but did not fill out a blue form or didn't realize they
29 needed to fill out a blue form.

30

31 (No comments)

32

33 MADAME CHAIR GARZA: Okay. We are now
34 at Regional deliberations. The first thing we would do
35 is put this proposal on the table for consideration.
36 Mr. Douville.

37

38 MR. DOUVILLE: Thank you, Madame Chair.
39 I move to adopt WP06-10.

40

41 MR. STOKES: I second the motion.

42

43 MADAME CHAIR GARZA: It's been moved
44 and seconded to adopt Proposal 10, so that brings it on
45 the table. The proposal was opposed by Staff and
46 ADF&G. Any comments. Mr. Adams.

47

48 MR. ADAMS: Thank you, Madame Chairman.
49 I have a problem with this proposal because it was
50 submitted by an individual and I don't see any evidence

1 here that it had gone through a public hearing process,
2 so I'm kind of troubled with that.

3

4 MADAME CHAIR GARZA: The proposal, as
5 it is proposed, is on Page 116, the executive summary,
6 just to make sure we all know we're looking at the same
7 thing. Any further comments. Mr. Stokes.

8

9 MR. STOKES: I don't see where it will
10 do any good. It just doesn't make sense to me.

11

12 MADAME CHAIR GARZA: Ms. Phillips.

13

14 MS. PHILLIPS: Thank you, Madame Chair.
15 Like Councilman Douville and Councilman Stokes, I don't
16 see where this will address the concerns that were
17 raised about trying to eliminate the illegal harvest of
18 antlerless deer. I appreciate the comments by US
19 Forest Service enforcement that there could be a better
20 way of trying to get better accountability of doe
21 harvest. I'm trying to recall how did our Federal
22 registration get lost or how did we lose that reporting
23 that would give us better doe harvest numbers.

24

25 MR. JOHNSON: Madame Chair and
26 Councilman Phillips. Back again to the discussion in
27 previous years here with respect to Unit 2 deer and the
28 harvest reporting system and better data. The thought
29 was that we only wanted one harvest reporting system
30 and in order to do that we decided to go with the State
31 harvest ticket system and that's why we had to modify
32 the State's harvest ticket to allow for a portion of
33 that to allow for recording and reporting deer harvest.

34

35 So that's how it happened.

36

37 MADAME CHAIR GARZA: That's a statement
38 that favors a separate Federal deer permit. Anyway, I
39 guess I will be voting against the proposal and the big
40 glitch that I see, and we talked about this with
41 Wrangell and Petersburg, although I apparently am still
42 confused. If your first one has to be an antlerless
43 deer and you can't take an antlerless deer until
44 October 15th and basically you're not going to be
45 hunting until October 15th, then that will cause a
46 considerable undue burden on subsistence users and
47 that's the main reason and easy justification to go
48 forward.

49

50 Mr. Douville.

1 MR. DOUVILLE: Thank you, Madame Chair.
2 I agree with that statement. Current regulation
3 requires you to use number one tag first, so if you
4 wanted to hunt a doe you would not be able to hunt
5 until October 15th. It just plain and simple will not
6 work. So I will not be supporting this proposal for
7 that reason.

8
9 MADAME CHAIR GARZA: Patty.

10
11 MS. PHILLIPS: I will be voting to
12 oppose the proposal. It's puzzling to me how this
13 system ate our intent of trying to be more accountable
14 for doe harvest and now it's getting spit back at us.
15 I guess I'd like to see some of the concerns addressed
16 in a way that reflects what's actually happening and
17 make it easier or not such a task for the subsistence
18 user to go do what they actually do. I would have
19 thought that the State and Federal Staffers could have
20 more adequately addressed the reporting requirements
21 through a permit system that actually would address
22 some of our concerns.

23
24 Thank you.

25
26 MR. ADAMS: Madame Chair.

27
28 MADAME CHAIR GARZA: Mr. Adams.

29
30 MR. ADAMS: Thanks for getting back
31 here in time.

32
33 MADAME CHAIR GARZA: The big Q.

34
35 (No audible response)

36
37 MADAME CHAIR GARZA: The question has
38 been called. We're looking at Proposal 10 in the
39 executive summary on Page 116, which would require that
40 the number one ticket be used for antlerless deer. All
41 in favor of the -- Mr. Douville.

42
43 MR. DOUVILLE: Thank you, Madame Chair.
44 There's just a comment I want to make. I'm not in
45 favor of this proposal, but it does identify a loophole
46 which has been there for two or three years now. We
47 have another system that does not address it, so at
48 some point somebody is going to have to address this so
49 we can adequately deal with it so the loophole is
50 closed and everybody is happy. I'm not convinced that

1 there's a high number of people using this loophole,
2 but it's evident that some are. I've had a couple
3 people come to me and pointed this out and it's a
4 concern of theirs. But how to fix it, I don't know.
5 In my opinion, the Forest Service or somebody took it
6 away and they need to address it because it did create
7 a loophole.

8

9 MADAME CHAIR GARZA: Mr. Hernandez.

10

11 MR. HERNANDEZ: Thank you, Madame
12 Chair. I think I would agree with Mr. Douville that we
13 may need to address the situation here, but I don't
14 think this is the way to do it. It would just create
15 too many problems. Also, I don't think we addressed in
16 our deliberations the conservation aspect here. I
17 haven't heard anything that would indicate to me any of
18 the changes made have brought upon any conservation
19 issues. I think we're still pretty much -- we've
20 identified in the past that the doe hunt doesn't have a
21 conservation problem with the numbers that have been
22 harvested. I don't think any of the changes we made in
23 the last year or two would have affected the actual
24 harvest of does. We may just have a problem with
25 keeping count of what's out there, but I don't think
26 it's created a conservation concern.

27

28 MADAME CHAIR GARZA: I guess I would
29 like to add that, too. I don't see a conservation
30 concern and from the enforcement it sounded like the
31 illegal takes were of bucks, so I'm not seeing a big
32 wanton waste of does either. Right now I don't see any
33 reason to support this proposal. I guess as we look at
34 future fixes, we also don't want to, as Mr. Franklin
35 was saying, have somebody fill out a Bible before they
36 can go hunting on U-2. So as we think about whatever
37 fix we want, we need to also think about our hunters.

38

39 So there was a call for the question.
40 Have we exhausted the debate and provided the correct
41 justification, Mr. Schroeder.

42

43 DR. SCHROEDER: Yes, Madame Chair.

44

45 MADAME CHAIR GARZA: Okay. All in
46 favor of the motion signify by saying aye.

47

48 (No aye votes)

49

50 MADAME CHAIR GARZA: All opposed to the

1 motion signify by saying aye.

2

3 IN UNISON: Aye.

4

5 MADAME CHAIR GARZA: The motion fails.

6 We have Proposal 11a and 11b. I'm not sure if the
7 information will be presented jointly. It starts on
8 Page 124.

9

10 Dr. Schroeder.

11

12 DR. SCHROEDER: Madame Chair.

13

14 MADAME CHAIR GARZA: So as we start
15 that, I did go back and check with the Ketchikan ANB
16 and ANS camp and they are having the luncheon delivered
17 shortly and I think it will be warm, so they're going
18 to let me know when it comes in and we'll break then.
19 My intent is to have as short a lunch as possible since
20 we will be breaking early this afternoon to provide for
21 the public testimony tonight, so it will be under an
22 hour if we can do that.

23

24 So, Dr. Schroeder.

25

26 DR. SCHROEDER: Madame Chair. That's a
27 real incentive to go through the Staff analysis as
28 quickly as possible. I respond well to food rewards.

29

30 Proposal 11a starts on Page 124 and
31 continues on at some length. I think this is the first
32 time that the Council has dealt with the elk population
33 in Southeast Alaska, so we've gone into a fair amount
34 of detail to provide necessary background on the
35 introduction of elk into Southeast Alaska and what's
36 been going on with hunting of elk.

37

38 We also split the proposal into two
39 parts, 11a and 11b. 11a would deal with the customary
40 and traditional determination part of this proposal, as
41 requested by the proponent. 11b would deal with the
42 season and bag limit or harvest limit portion of their
43 proposal. If the Council recommends no action on 11a
44 or recommends against passage of 11a, it may not be
45 necessary to discuss season and harvest limit
46 provisions.

47

48 Proposal WP06-11 was submitted by Susan
49 Stevens Ramsey and Luella Knapp of Wrangell. They were
50 present at our Wrangell meeting and raised elk issues

1 with Council members and Staff at that time and decided
2 to submit a proposal. They'd like the Federal
3 Subsistence Board to make a positive customary and
4 traditional use determination for elk in Unit 3 for
5 residents of Units 1(B), 2, and 3, and Meyers Chuck,
6 and they'd like a Federal season for harvest of elk in
7 this unit. It appears that the proponents would like
8 to be able to harvest elk under Federal subsistence
9 regulations. They stated that it is difficult for them
10 to meet their families subsistence needs with deer and
11 moose, the other two large wildlife species available
12 in this area.

13
14 We clarified Ms. Ramsey's intention and
15 she confirmed that she wanted the customary and
16 traditional use determination, that this should apply
17 to these communities and that the C&T should apply to
18 where ever elk are found in this area, not only to the
19 Etolin/Zarembo Island. She also would like the Federal
20 regulations to mirror the existing State of Alaska
21 regulations for seasons and other requirements. When
22 she clarified this, that it would be a bulls only hunt
23 on Etolin, Zarembo and associated islands. And any sex
24 elk could be taken outside this area.

25
26 She also wanted the same dates that are
27 maintained in the State of Alaska drawing and
28 registration permit hunts. She thought that Federal
29 regulations should allow any Federally qualified
30 subsistence hunter to be able get a permit to hunt elk.
31 When I spoke with her, her intention was not to
32 restrict non-subsistence hunters, but to enable
33 subsistence hunters to be able to use elk for food.

34
35 Staff also met with the chair,
36 vice-chair, and past chair of the Wrangell Fish and
37 Game Advisory Committee and spoke with Mike Bangs, the
38 vice chair of the Petersburg Fish and Game Advisory
39 Committee also in November. These individuals did not
40 favor a customary and traditional use determination for
41 elk at that time. They questioned how a positive
42 determination could be made for an introduced species
43 that has only been hunted under a drawing hunt for a
44 short period of time. The advisory committees appeared
45 to believe that the current management approach
46 provides sufficient hunting opportunities. I know
47 Wrangell spoke about elk at one of their meetings and
48 perhaps this came up at the Petersburg Fish and Game
49 Advisory Committee as well.

50

1 At the present time, we have no
2 customary and traditional use determination or any
3 Federal regulations for Unit 3 elk or elk anywhere else
4 in Southeast Alaska.

5
6 Page 126 lists the proposed regulation,
7 so the Council may deal with that revised regulation
8 since that's what the proponent requested on the top of
9 126.

10
11 Elk or an introduced species. This
12 analysis provides good summary information on
13 introduced species issues. Table 1 on Page 127 lists
14 at least 33 introductions that we track. There are a
15 couple other introductions that I've also heard about.
16 Table 1 says what the species is on the left, whether
17 or not the introduction was in the historic range of
18 that species, meaning that it had been present at some
19 time in the fairly recent past and extricated and then
20 re-introduced, the location, what units we're talking
21 about and the year of the transplant. The next columns
22 over identify the existing customary and traditional
23 determinations for these other species under State
24 regulation and under Federal regulation.

25
26 As you can see, there have been quite a
27 few introductions. Introductions were made in 18 of
28 Alaska's 26 game management units. These were the ones
29 that were successful. There were also introductions
30 made. The species included beaver, bison, caribou,
31 deer, goat, fox, hare, elk, marten, muskox, moose, and
32 sheep. Sea otters were also introduced; however,
33 they're not managed by our program, of course.

34
35 Twenty-one of these introductions were
36 made outside the historical range of the species
37 introduced. Examples of those would be deer and elk
38 were introduced to the Kodiak and Afognak Island area
39 in 1924 and 1929 and they had never been there before.
40 There are other introductions that are re-introductions
41 of caribou that had once been present but then had been
42 extricated. Muskox were re-introduced in some areas
43 and they were also introduced to Nunivak and Nelson
44 Island in Unit 18 in Western Alaska where that may have
45 been outside the historic range of that species.

46
47 In general, kind of looking through
48 this and trying to make sense of it, Federal
49 regulations recognize customary and traditional use of
50 introduced species after a huntable population has been

1 established. I have identified a number of exceptions
2 where that isn't the case, meaning there was an
3 introduction and there is not a customary and
4 traditional use recognized of those. If we have any
5 questions, we can go through those individually.

6
7 In kind of looking at what does this
8 history say concerning elk, my considerations
9 concerning elk in Unit 3, almost all land in this unit
10 is Federal public land. There are existing customary
11 and traditional use determinations for deer and other
12 species in Unit 3. The area where elk is present is
13 clearly used by rural residents for subsistence hunting
14 and fishing. As we'll see when we get into the harvest
15 data, most of the elk have been taken by rural
16 residents from the proposed customary and traditional
17 use communities.

18
19 Another observation is that elk were
20 one of the last terrestrial mammalian introductions in
21 Alaska. Introducing species is not something that we
22 do very readily right now. The other late introduction
23 was caribou in 1987 to the Nushagak Peninsula. I think
24 the Council needs to really think over the short time
25 that elk have been present in Unit 3 and hunted by
26 residents of the communities proposed for customary and
27 traditional use evaluation.

28
29 We have some maps showing the extent of
30 Federal public land. We also printed the detailed maps
31 of Etolin and Zarembo that also have topography on it.
32 So if you get into talking about how elk populations
33 can be reached, that rough topography is pretty
34 interesting.

35
36 The regulator history, why do we have
37 elk. We have a summary at the bottom of Page 129.
38 These were legislated elk. In 1985 the Alaska
39 Legislature required introduction of elk to Etolin
40 Island. By 1996, following the initial introduction,
41 ADF&G estimated that there were 250 elk and the
42 population could sustain a hunt of 20 bulls. The first
43 hunt took place in 1997 and authorized 30 permits for
44 hunters to harvest 1 bull elk between October 1 to
45 October 31. There were other actions by Legislature
46 directing this hunt.

47
48 Table 2 shows you what's going on with
49 permits. Over time, the number of permits issues for
50 hunting elk has increased from the initial 30 to

1 presently 175 drawing permits and four raffle permits
2 could be issued. Apparently none were issued last
3 year.

4
5 The Board of Game made a negative
6 customary and traditional use determination for elk at
7 their fall 1996 meeting. The other item under
8 regulatory history, there presently is a harvest
9 guideline for elk in the permit area, which is
10 exclusively Etolin, Zarembo and associated islands, the
11 associated islands are the small islands around Etolin
12 and Zarembo, of 40 elk; 30 to be taken from Etolin and
13 no more than 10 from Zarembo.

14
15 This last year there was a registration
16 permit hunt for elk, which followed the drawing permit
17 hunt. Part of that hunt was closed as Zarembo Island
18 portion was closed and did not open. There was a hunt
19 on Etolin Island however. We think one elk was taken.

20
21 Biological background. Summarizing
22 that, our best estimates for the current population of
23 elk in the Etolin and Zarembo Island areas is about 450
24 elk. Perhaps 350 elk on Etolin and 100 elk on Zarembo.
25 However, Rich Lowell, biologist for that area,
26 cautioned that these were pretty approximate figures.
27 There really hasn't been a recent survey or there
28 hasn't been forage or telemetry data available.
29 Biologists have a low level of confidence in this
30 estimate.

31
32 We looked at some modeling approaches.
33 One modeling approach thought that there might be 450
34 elk in the year 2000. That's based on trying to figure
35 out how quickly elk would reproduce and populate that
36 island. Another modeling approach thought that there
37 might be habitat capability of carrying 1,300 elk in
38 this two-island grouping. In this analysis, we believe
39 that elk are below carrying capacity at this time.

40
41 There are a number of management
42 concerns about elk. Elk are considered to be invasive
43 terrestrial species that could cause substantial
44 ecological harm in southeast Alaska according to a
45 recent assessment that Forest Service did. There are
46 also concerns about the impact elk may have on deer.
47 These basically have to do with competition with deer
48 for food. Elk are believed to out-compete deer.
49 Alteration of predator-prey dynamics, which basically
50 is what anthropologists understand it is. If you

1 increase prey species, you make life easier for
2 predator populations to stay at higher levels. And
3 possible introduction of diseases and parasites.

4
5 Kind of looking at those data, we
6 really don't know what the consequences are going to be
7 from this introduction on existing habitat and wildlife
8 in Southeast Alaska. As most of you know from
9 Southeast, the population is growing and elk are
10 expanding their range beyond their initial introduction
11 site on Etolin. There is concern about negatively
12 affecting deer populations in the long run. There
13 currently are no ongoing studies that will provide
14 information on the impact of elk to habitats and
15 wildlife in Southeast Alaska.

16
17 I've got a lot of analyses of the
18 hunting and harvest history data. The Chair suggests
19 that while we're hungry and thinking about hunting and
20 harvest history would be a good time to have lunch. So
21 we can take a break at this time.

22
23 MADAME CHAIR GARZA: So we're sort of
24 going from biology to harvest levels, so let's take a
25 break now. Ketchikan ANB and ANS is providing the
26 lunch for us today. They're asking for a \$10 donation
27 if you can handle that. If not, they'll take less.
28 But I would like to make a fairly short lunch. Maybe
29 even 12:30, if possible, since we do want to break
30 early because we will have testimony tonight. It
31 sounds like word is getting around, so we could have
32 some pretty good testimony tonight. Let's try for
33 breaking until 12:30 and see if we can jump back in.

34
35 (Off record)

36
37 (On record)

38
39 MADAME CHAIR GARZA: Okay. If we could
40 empty our plates. There is some delicious salmonberry
41 cake back there if you haven't had dessert yet. There
42 also is some very nutritious Hudsonberry tea back by
43 the coffee if you want some really good tea. It's
44 healthy for you. And then grab a seat. Bob Schroeder
45 will finish the Staff analysis on the elk for 11a and
46 11b, then we will step out of order and hear from Mike
47 Turek with ADF&G, Division of Subsistence, so that he
48 can take the opportunity to take a flight out of here.
49 So that's the intent of the afternoon as we get
50 ourselves settled.

1 (Off record)

2

3 (On record)

4

5 MADAME CHAIR GARZA: We have the
6 Council back. Patricia had to step out. She's a
7 graduate student and is doing one of her courses right
8 now, so she will join us when her class ends, but we
9 will go back to the Staff analysis with Dr. Schroeder.

10

11 DR. SCHROEDER: I'll pick up where we
12 were before that really delicious lunch. I'd really
13 like to thank the preparers. We were getting up to the
14 hunting and harvest history. We're really in pretty
15 good luck on hunting and harvest history for elk in
16 Unit 3 because elk have only been taken under drawing
17 permits and then this last year under registration
18 permit hunt. So there's a pretty high level of
19 confidence that we know who both applied for
20 registration permits, who got them, who hunted and how
21 many elk were killed. This is an example when you do
22 have those type of controls on a hunt you do know
23 what's going on, albeit it puts a burden on the
24 hunters.

25

26 This information starts on Page 137 and
27 it follows a number of pages. I provided the detail in
28 case anyone was interested in Table 3 showing basically
29 all of the permits by place of applicant. We also show
30 for each place how many people applied for permits, how
31 many permits were issued, how many of the people that
32 got permits actually hunted and how many people were
33 successful.

34

35 As you can see, applicants for this
36 hunt have come from quite a few communities. If I find
37 it, I'll know how many. I think they came from 92
38 Alaska communities. An estimated 20 outside
39 communities were permit applicants over the '97 to 2005
40 period. About 51 percent of the applicants came from
41 rural residents of Southeast Alaska and 44 percent of
42 the applicants came from the rural communities that
43 were proposed for C&T use determination. About 33
44 percent of applications came from non-rural residents
45 of Southeast Alaska and those were mainly Ketchikan
46 resident and some Juneau residents as well. Then there
47 were also 14 percent of applicants from non-rural areas
48 elsewhere in Alaska.

49

50 Almost all the elk harvested, 94

1 percent, were taken by Southeast Alaska residents.
2 Non-rural residents, Ketchikan, took about 23 percent
3 of the total harvest, with rural residents taking 71
4 percent. Communities that are proposed for C&T use
5 determination and that would be Wrangell, Petersburg,
6 other communities of Unit 3, Unit 2 and Meyers Chuck
7 that accounted for 56 percent of the hunters in the
8 field, but they took 70 percent of the total number of
9 elk taken.

10
11 Also, the people coming from the
12 proposed communities had a higher success rate for elk.
13 Their success rate was 23 percent of the people who
14 hunted actually got elk and they also did a higher
15 number of people who got permits actually hunted from
16 those communities.

17
18 I graphed a couple things out for you.
19 Figure 1 on Page 147 shows the percent of the
20 applicants by whether they're from the proposed C&T
21 communities or whether they're from other Southeast
22 non-rural communities. Increasingly, over time, what's
23 happening is this is becoming a local hunt.

24
25 Figure 2 breaks out who got the
26 harvest. That's sort of a little jumpier namely
27 because not very many elk are harvested. As you can
28 see, most of the elk in all years but 1998 were taken
29 by residents of the proposed C&T communities. So we
30 could spend more time on that just summarizing;
31 however, I would say that large numbers of hunters
32 apply for drawing hunts in Unit 3. In recent years,
33 your chance of getting a permit has been about one in
34 eight. Southeast Alaskans who made up 84 percent of
35 permit applicants and residents of rural communities
36 proposed for positive C&T use determination accounted
37 for the majority of the elk hunting that is taking
38 place.

39
40 So they've put 56 percent of the
41 hunters into the field and about 70 percent of the
42 local harvest, the hunts become really something more
43 of a local hunt over time and then we did look at
44 seasonality. Hunters tend to hunt in the first part of
45 a season, whenever that season might be. So that's our
46 background information on elk.

47
48 This is a customary and traditional use
49 proposal. On Page 149 we outlined the criteria that
50 are used for evaluating customary and traditional use.

1 We note that customary and traditional use
2 determinations have been made for a number of wildlife
3 species in Unit 3. You may be interested to note why
4 do we include that information in our guidelines for
5 doing C&T. When we're talking about a species that is
6 recently available in an area, we look at the other
7 uses that take place in that area. So that's the
8 practice of the Federal Subsistence Program.

9
10 Residents of Units 1B, 2, and 3 have
11 customary and traditional use determination for moose
12 on Mitkof and Wrangell Islands, while in the remainder
13 of unit 3, all rural residents are eligible for
14 subsistence moose hunting. Rural residents of Units
15 1B, 3, Port Alexander, Port Protection, Pt. Baker and
16 Myers Chuck have a positive customary and traditional
17 use determination for deer in Unit 3. Substantial
18 numbers of rural residents hunt deer in Unit 3, and
19 large numbers of rural residents have put in for elk
20 drawing permits. Customary and traditional use
21 determinations have also been made for salmon, Dolly
22 Varden, trout, smelt, and eulochon for Unit 3 areas.
23 For other species, all rural residents are eligible and
24 are considered to have customary and traditional use of
25 other species.

26
27 Basically what this request would do,
28 it could be seen as adding elk to the listed species
29 for which customary and traditional use has been
30 recognized.

31
32 We provide some description of the
33 traditional Tlingit use of that area. Again, look at
34 the permit applications and participation, looking back
35 through the earlier tables and graphs. The basic
36 pattern there is one where, as I've said a couple times
37 now, the majority of hunting and the majority of
38 harvest of the limited number of elk that have been
39 taken, I believe 107 or 117 elk that have been taken in
40 this time period have been taken by rural residents.
41 We worked that out in a number of ways.

42
43 I think the pattern of use of elk has
44 been developing during the nine seasons of hunting. It
45 would appear that elk is beginning to be incorporated
46 into the seasonal round of subsistence harvesting
47 undertaken by residents of the proposed communities.

48
49 We look at the methods of harvest.
50 This is one of the criteria. These are typical methods

1 for hunting in Southeast Alaska. We have noted that
2 elk are difficult to hunt and overall success rate of
3 residents from the proposed customary and traditional
4 use communities has been 23 percent. Meaning 23
5 percent of the hunters who actually go to the field
6 have gotten an elk. Although good hunter effort data
7 are not really available, elk hunting in Unit 3 appears
8 to be more demanding and less productive in terms of
9 likelihood of success in deer hunting and it really
10 appears to be equivalent to the success rate of hunters
11 in many moose hunts, wherein say a 25 percent success
12 rate might be considered normal for quite a few moose
13 hunts.

14
15 And looking at the criteria concerning
16 knowledge of hunting skills, values and lore, we see
17 these as just being typical for Southeast Alaska and we
18 note the normal ways of learning about hunting and
19 fishing are through clan and family ties, particularly
20 in the Native community and participation in hunting
21 with more experienced family members and friends in a
22 non-Native community.

23
24 We've looked at sharing of subsistence
25 foods in family and community networks. Table 7 gives
26 some limited data from the Division of Subsistence
27 household surveys on elk and shows that even though not
28 many elk have been taken in the years that surveys have
29 been conducted, there is some sign that elk is shared
30 around in different communities in Southeast Alaska.

31
32 A final criteria is looking at the
33 range of fish and wildlife that are used in communities
34 and quite clearly the proposed customary and
35 traditional use communities participate fully in
36 subsistence harvests. We did see that the harvest
37 levels ranged from about 169 pounds per capita per year
38 in Hollis to 451 pounds per capita per year in Kasaan
39 for survey years for which harvest data are available.

40
41 The effects of the proposal. This part
42 of the proposal would provide a positive determination
43 for elk in Units 1, 2, and 3 for residents of Units 1B,
44 2, 3 and Meyers Chuck. This determination would have
45 the effect of excluding other rural residents from
46 hunting elk under Federal regulations in Units 1, 2,
47 and 3. Other rural residents could hunt under State
48 regulations, of course. As I said, we'll deal with the
49 season and harvest limit provisions of the proposal in
50 the companion Proposal 11b.

1 The preliminary Staff conclusion is to
2 oppose this proposal. The justification goes on for a
3 ways there. It goes through an evaluation of the eight
4 criteria. The key criteria here is the short duration
5 that elk have been present and hunted in Unit 3. Staff
6 believe that this is what needs to be addressed by the
7 Council and the Federal Subsistence Board. Whether the
8 length of time the species have been present in Unit 3
9 and the duration that they have been utilized by rural
10 hunters are relevant and/or sufficient to support a
11 positive customary and traditional use determination
12 need to be evaluated. The preliminary staff conclusion
13 is that the nine seasons that elk have been hunted is
14 not sufficient to establish a long term consistent
15 pattern of use or a pattern of use recurring in
16 specific seasons for many years. The fact that the
17 introduction of elk was supported by the Ketchikan
18 Sports and Wildlife Club and that elk are not an
19 indigenous species in southeast Alaska also need to be
20 evaluated.

21
22 So, in summary, the data examined and
23 history of previous Federal Subsistence Board actions
24 concerning introduced species do not support a positive
25 customary and traditional determination for elk in Unit
26 3 for the proposed communities at least at this time.
27 The documented length of use appears to be too short to
28 allow a positive determination to be made.

29
30 Madame Chair, that concludes my summary
31 of the Staff analysis.

32
33 MADAME CHAIR GARZA: Other questions
34 for Dr. Schroeder. Mr. Adams.

35
36 MR. ADAMS: Thank you, Madame Chairman.
37 On the executive summary on Page 124, it says that
38 Staff recommendation is to support this proposal and
39 then in the preliminary conclusion on Page 151 it
40 opposes. I'm assuming that the real thing here is to
41 oppose it, so we need to make note of it.

42
43 DR. SCHROEDER: That's correct, Bert.
44 I'm glad you caught that. I should have mentioned that
45 there's an error on Page 124. It should say do not
46 support. Staff went back and forth on this proposal
47 and I think an earlier version perhaps had support and
48 that somehow got in our book.

49
50 MR. ADAMS: Madame Chair.

1 MADAME CHAIR GARZA: Mr. Adams.

2

3 MR. ADAMS: I'd just like to make note
4 that when we were in Wrangell for our last meeting the
5 individuals who submitted this are my cousins and we
6 were having lunch one day and they brought up this
7 issue of elk hunting and they wanted to know how to
8 approach it and I said, well, submit a proposal. I
9 actually didn't think they were going to, but here we
10 are right now addressing it.

11

12 MADAME CHAIR GARZA: Mr. Hernandez.

13

14 MR. HERNANDEZ: Thank you, Madame
15 Chair. I guess one of the main issues is the length of
16 time it takes once a species has been introduced before
17 a customary and traditional use determination can be
18 made. Looking over the table on Page 127 there's a
19 number of introduced species that do have positive
20 customary and traditional use determinations. Most of
21 them I can see go back 60, 70 years to the time of
22 their introduction. Do you have any information as to
23 how long those customary and traditional findings have
24 been in effect? Essentially how long after those
25 species were introduced did it take before they became
26 recognized.

27

28 DR. SCHROEDER: Mr. Hernandez. For the
29 introductions that were made a long time ago, they were
30 made way before ANILCA existed even in people's minds
31 and some of them were well before statehood and
32 certainly well before any procedure for customary and
33 traditional use determinations was put into effect.

34

35 The background on customary and
36 traditional use determinations would look at State
37 actions by the Board of Game and Board of Fisheries
38 primarily in the mid '80s, perhaps '85 and onward,
39 where the Board of Game and Board of Fisheries started
40 making a lot of customary and traditional use
41 determinations and established procedures for doing so.
42 The eight criteria came out of board meetings on the
43 State side, I believe, in 1981. So all the C&T use
44 determinations would have been made after 1981 and most
45 of them were made prior to the assumption of Federal
46 management in 1990.

47

48 MR. HERNANDEZ: So, just as a follow
49 up, I think I understood that these determinations were
50 probably made originally by the State. Did you say

1 that the State, when they instituted their subsistence
2 program, was their criteria essentially the same as the
3 criteria we are now using in the Federal system?
4

5 DR. SCHROEDER: Mr. Hernandez. The
6 criteria are very similar and the criteria that acted
7 on the State side and the Federal side are something of
8 a guideline. So there's been a great deal of
9 discussion as to whether criteria should have
10 quantifiable scores on them in some ways so that you'd
11 say that C&T use only takes place if a certain
12 percentage of people use the species, if they use it
13 every year and not every other year, or that they've
14 been using it for a long time. The one criteria talks
15 about intergenerational transmission of knowledge, so
16 that suggests that a species must be around for a
17 while.
18

19 In the cases where there is a general
20 subsistence use area for a community and a new species
21 occurs, the guidelines that have been followed have
22 been to see does this new species fit into the seasonal
23 round of activities that people are already
24 participating in.
25

26 MADAME CHAIR GARZA: Dick.
27

28 MR. STOKES: I'm not in favor of this
29 proposal. My reason is that if they did open it, we'd
30 have hunters from all over the country coming in. The
31 way it is now with the drawings, I think that's
32 sufficient.
33

34 MADAME CHAIR GARZA: The Council will
35 get to deliberations soon enough. Right now it's just
36 questions for Staff and then we'll go to ADF&G and go
37 through the process. But, yeah, it's good to know how
38 you feel. Are there any other questions for the
39 Federal Staff. Dr. Schroeder.
40

41 DR. SCHROEDER: I just have one
42 comment. Staff spent a good deal of time on this
43 proposal and received excellent cooperation from Fish
44 and Game, Rich Lowell, who is the management biologist
45 for this wildlife population, and from Melissa Cady,
46 who is our wildlife biologist in Wrangell, so they
47 assisted a great deal and hopefully the information is
48 as complete as we can make it.
49

50 MADAME CHAIR GARZA: Mr. Hernandez.

1 MR. HERNANDEZ: Thank you. One more
2 question. I can think of one instance where a species
3 has migrated into the country and now has a positive
4 customary and traditional use determination. That would
5 be moose in Unit 3. As far as I know, there were very
6 few moose present on Mitkof, Kupreanof and Kuiu Islands
7 up until fairly recent past, maybe 30 years, and now
8 there is a positive C&T use finding for that species in
9 that unit.

10
11 I was just wondering if you have a
12 little history on how that determination was made and
13 do you see any differences in making a determination
14 for a species that's naturally migrated as opposed to
15 one that's been introduced.

16
17 DR. SCHROEDER: Mr. Hernandez, I don't
18 have a very clear recollection of how the C&T use
19 determination was made for moose in Unit 3. My
20 somewhat vague recollection is that there was a
21 positive C&T use determination made during State
22 management and that was expanded out to some of these
23 other areas. The first determination covered mainland
24 moose and then it was expanded out to the other areas.
25 Whether or not there is a difference between natural --
26 well, that's even prejudicing things. Migrations that
27 take place without the strong influence of human
28 agents, that's a question to be addressed.

29
30 Quite a few things happen in Alaska.
31 Wildlife populations change. We're living in dynamic
32 ecosystems. There are many places in the state that had
33 no moose and now have moose. With the expansion of the
34 Western Arctic Caribou Herd, there are now caribou in
35 places that there weren't caribou for over 100 years.
36 So those would be changes that took place without
37 intentional human influence.

38
39 The other set of things would be you
40 could say, well, there are reintroductions where we
41 know that a species was present someplace and now we've
42 helped nature along. Then there are quite a few of the
43 introductions as shown on Table 1 on Page 127 where the
44 species were never present. Elk or deer were never
45 present on Kodiak Island, for example, so they're new
46 creatures.

47
48 So I guess the shorter answer is there
49 aren't any real clear guidelines on that.

50

1 MADAME CHAIR GARZA: Okay. Before we
2 go to the State recommendations on Proposal 11, we are
3 going to divert and have Mike Turek come up and give us
4 a report on steelhead, halibut and seal reports. He
5 generally has given us reports in the past and has
6 something else he has to go to, so he needs to leave
7 today.

8
9 Mr. Turek.

10
11 MR. TUREK: Good afternoon, Chair and
12 Council Members. My name is Mike Turek, Alaska
13 Department of Fish and Game, Division of Subsistence.
14 Thank you for accommodating my schedule. I'm leaving
15 this afternoon on the flight. As you can see by my
16 outfit, I've been attending the Board of Fisheries
17 meeting, so I've been here for 10 days and today is my
18 10th day of meetings, so I think you can understand why
19 I'd like to go home.

20
21 I distributed Prince of Wales Island
22 subsistence steelhead report. I also included in that
23 subsistence harvest of harbor seal and sea lions by
24 Alaska Natives in 2004, a brief four-page brief on
25 that, and then a four-page brief on subsistence harvest
26 of Pacific halibut in Alaska in 2004. If you'd like
27 complete reports, you can contact me at my office and I
28 can send you a complete report of those.

29
30 This is the final report from the work
31 I did on Prince of Wales Island, an anthrography of
32 subsistence steelhead fishing. I've also included a
33 poster that's in the back of the report. Since two
34 meetings ago I believe I did a presentation to you on
35 preliminary findings, so I won't go into detail of
36 these findings. You're familiar with them by now. If
37 you have any more questions after you look over the
38 report or you'd like more copies of the report, let me
39 know.

40
41 To get to the Board of Fisheries, John
42 Littlefield and Cal Casipit gave you information on the
43 January Board of Fishery meetings and the subsistence
44 proposals. I also attended the February 20 through 26
45 Board of Fishery meeting. There were two subsistence
46 proposals at that meeting. That meeting was for bottom
47 fish and shellfish. The two proposals concerning
48 subsistence were Proposals 234 and 237. These were
49 subsistence bag and possession limits for rockfish,
50 Proposal 234, and for ling cod, Proposal 237.

1 There were potential allocative aspects
2 of these two proposals, which could have limited
3 reasonable opportunity for subsistence harvesters, so
4 the Board decided to take no action. I might add that
5 currently there are no rockfish or ling cod bag and
6 possession limits for subsistence caught bottom fish
7 under State regulations and they are still that way.

8
9 I'll also be going to Sitka probably
10 later this month and we'll be doing the subsistence
11 herring egg survey project again with the tribe later
12 this month. That's really all I have. I don't want to
13 take up much of your time. It's unfortunate I'm
14 leaving, but that's the way it goes, I guess.

15
16 I always enjoy coming to the meetings.
17 In particular, one of the things I noted to myself this
18 time, what I really like about my attendance at the
19 meeting is when all the Council Members give their
20 reports from their communities. I learn a lot about
21 what is going on in the communities that way. So I
22 think that's a very worthwhile thing to continue doing
23 and I like to be at these meetings when that occurs.
24 So if you have any questions, I can answer questions
25 and then I'll let you get back to going through the
26 proposals.

27
28 MADAME CHAIR GARZA: Thank you. For
29 the steelhead report here, is that part of the FIS
30 project?

31
32 MR. TUREK: Yes, this is the final
33 report for the FIS project.

34
35 MADAME CHAIR GARZA: Mr. Adams.

36
37 MR. ADAMS: Thank you, Madame Chair.
38 On the seal studies, the National Marine Fisheries has
39 been doing some steel surveys, you know, in
40 Disenchantment, Icy Bay area the past few years. I was
41 wondering if you have any connection with that or not?
42 Is there a joint venture or a sharing of information?

43
44 MR. TUREK: Mr. Adams, through the
45 Chair. We're not involved with that project. Our work
46 is the subsistence harvest studies. We're aware of the
47 work they're doing there, but we're not involved with
48 it.

49
50 MR. ADAMS: Do they share information

1 with you on their surveys and stuff or do you have
2 access to those?

3

4 MR. TUREK: Mr. Adams, through the
5 Chair. If we request it, we can get it. I believe
6 though they may be working with other Fish and Game
7 Staff, marine mammal biologists on that project.

8

9 MADAME CHAIR GARZA: Thank you for all
10 your efforts with subsistence. I'm sorry you won't be
11 here for the entirety of the meeting, but thanks.

12

13 MR. TUREK: Thank you. And we'll see
14 you, if not before, at the next meeting in the fall.

15

16 MADAME CHAIR GARZA: So we're on the
17 State, so we'll just keep going on the State. Back to
18 Proposal 11 in regard to C&T determination for elk in
19 Units 1, 2 and 3.

20

21 MR. PORTER: Madame Chair, Members of
22 the Council. My name is Boyd Porter with Fish and
23 Game. For the State's comments on 06-11a we don't
24 support this proposal and mostly for the time this
25 particular population has been hunted, about 10 years
26 now. It's, in our estimation, too little time to
27 establish customary and traditional use pattern.

28

29 If a positive C&T use finding is made,
30 however, the Department of Fish and Game opposes
31 establishment of a Federal subsistence season for elk
32 in view of the relatively low numbers of elk available
33 for harvest. In 2005, the State held an open
34 registration hunt after the drawing hunts that
35 everybody had access to. This open registration hunt
36 provided significant opportunity. It was a two-week
37 season. Anyone could hunt that season for two weeks
38 and it included both Federally qualified and non-
39 Federally qualified subsistence hunters.

40

41 And I guess just to reiterate the
42 record, the subsistence qualified hunters take about
43 just over 70 percent of the harvest under these state
44 regulations under the drawing permit.

45

46 Thank you.

47

48 MS. SEE: Mr. Chair. If I may beg the
49 Council's indulgence, I would like to wait to just add
50 a few more comments until Member Garza can return if

1 that's all right with you.

2

3 MR. ADAMS: Okay. Is there any
4 questions to be asked of Mr. Boyd. Don.

5

6 MR. HERNANDEZ: Thank you. In Dr.
7 Schroeder's presentation, which I thought was very
8 thorough, it brought up a lot of the points that I was
9 going to consider before I made a decision on this.
10 One of the things he talked about and one of the
11 considerations I would have in making a decision on
12 this is whether or not the elk were displacing deer on
13 the islands where they were transplanted. My view on
14 that would be that if people are customarily using
15 these islands and have been for a long period of time,
16 if one species were to become more prevalent at the
17 expense of say the deer, to not give them customary and
18 traditional use of that new species would kind of take
19 away their ability to use an area they've used for a
20 long time.

21

22 Dr. Schroeder had mentioned that in his
23 presentation, that very impact and I know the
24 information came from ADF&G, so I'll ask you about it.
25 On Page 136, third paragraph down, it says, currently,
26 scant evidence is available to assess impact of
27 expanding introduced elk populations on deer in
28 southeast Alaska. Winter range transects conducted in
29 1991, 1998, and 1999 show an increasing trend in elk
30 use as measured by number of fecal pellets per plot.
31 Pellet density doubled from 1991 to 1998, and increased
32 by a third again by 1999. Deer use in the same area
33 decreased by half from 1991 to 1998, and by more than a
34 third again in 1999. Vegetation surveys indicate a
35 reduction in Vaccinium shrubs by heavy browsing;
36 Vaccinium species are important winter forage for both
37 species. Person estimated that elk would have a five
38 times greater impact on habitat than deer.

39

40 Are you prepared to draw any
41 conclusions from that information yet on what the
42 effects of that elk herd will have on the deer
43 population on -- I think that was specific to Etolin
44 Island, that information.

45

46 MR. PORTER: Through the Chair, Member
47 Hernandez. That's correct and that's a good
48 assessment. It's similar to our position on elk that
49 are dispersing to other areas outside of the original
50 transplant area. They were originally transplanted to

1 Etolin Island and immediately or very soon afterwards
2 moved to Zarembo Island, so we identified that as then
3 the core area and managed those on those two islands or
4 in those two archipelagos.

5
6 Our position has always been to limit
7 expansion of those elk elsewhere and establishment of
8 populations of elk on places like Prince of Wales
9 because of the both potential and measured impact to
10 the habitat and then consequently to populations of
11 deer. Most of that comes during at least a moderately
12 severe winter and certainly during severe winters
13 they're going to compete on the same range for the same
14 food that the deer require during the winter. Very
15 different than a population of elk down south where in
16 most cases elk are supplementally fed on winter ranges.
17 That doesn't happen and would be very difficult to do
18 in Alaska. So those two species are competing on the
19 winter range and we have measured impacts to that
20 range. They have the elk take of bigger stem diameter
21 of the Vaccinium plants, the blueberry and huckleberry,
22 so they actually, in many cases, take that plant down
23 beyond what the plant can sustain and they kill parts
24 of the Vaccinium plant, thereby reducing carrying
25 capacity for both deer and elk.

26
27 To get back to your specific question
28 though, doing these deer pellet surveys where we were
29 looking at both deer pellets and elk pellets, it did
30 show that the elk were having an impact on the deer
31 population.

32
33 MS. SEE: Madame Chair. While you were
34 out of the room I asked if I could wait until you came
35 back in to add some additional points to those my
36 colleague mentioned if I may at this time.

37
38 For the record, my name is Marianne See
39 with the Department of Fish and Game and I did have
40 some other points to add for your consideration. I
41 wanted to make you aware of a larger policy issue which
42 John Littlefield is aware of but he is not here at the
43 moment. At the most recent Federal Subsistence Board
44 meeting the Department went on record asking the
45 Federal Board to consider that in looking at any new
46 customary and traditional use proposals that they
47 essentially set those aside temporarily until the
48 Federal program gets further along with developing some
49 policies and procedural clarification that has been
50 directed that they do by the assistant secretary.

1 Lynn Scarlett is her name and there is
2 a directive to the Federal program to make these
3 clarifications about the way in which the Federal
4 program determines customary and traditional use. And
5 the Department's official position at that meeting was
6 that it would be prudent for the Federal program to
7 essentially set additional or new questions about this
8 aside until that guidance was developed.

9
10 So that is kind of an overarching issue
11 that we have with this proposal, is that it would fit
12 the same concern that we already put on the record for
13 the Board. But I had some other specific points about
14 this one for you today. First, I wanted to commend
15 Federal Staff, Bob Schroeder, for bringing together all
16 that information for the overview that you just had.
17 He brought up some extremely important aspects of this
18 and a lot of data that are useful to consider.

19
20 I wanted to note too that when he was
21 responding to the question about the customary and
22 traditional criteria guidelines, all of them speak to
23 pattern of use. That language is at the beginning of
24 each of those eight factors. And that's really what
25 the State system looks at as well, is pattern of use
26 and what is the larger way in which the resource is
27 used so that you take into account all the different
28 variations that may be out there and develop a
29 consistent theme or trend and that's problematic when
30 you have a small harvestable surplus of an animal as
31 you do in this case. There's not a lot of time that
32 this animal has been present and it's been building
33 from a small number of transplanted animals. So the
34 surplus has only recently even been harvestable and it
35 is very small and tightly managed access to it. So
36 it's hard to see how you could really even have a
37 strong pattern of use in such a short time with such a
38 small number of animals available. And I think that's
39 problematic for your consideration that that's the
40 situation.

41
42 The findings that Member Hernandez
43 mentioned on page 127 I just wanted to make an
44 additional point about those. As he noted, there are a
45 number of populations for one thing they were re-
46 establishment of animals that had been in those areas
47 in the past and were being reintroduced as opposed to
48 transplants, animals that the species had not been
49 there in time that we know of and there was no evidence
50 they'd ever been there. And they were being brought in

1 as some additional aspect of having wild life in that
2 area. And this is one of those cases.

3
4 Elk, in both cases where it's been
5 successfully transplanted, and there were a number of
6 unsuccessful transplants with elk. but the two that
7 have persisted, which is in Unit 8 Afognak and in Unit
8 3, those vary quite a bit in time. The elk on the
9 Kodiak/Afognak area, Afognak in particular where they
10 actually took hold, that's since 1929 and this one
11 currently is since '87, so it's a much more recent time
12 frame and so, again, that's a problematic aspect of
13 this.

14
15 In the Federal program, if you look
16 down that column under Federal, there are several for
17 which the Federal program with even longer introduction
18 times has not found a positive C&T. So even though the
19 animal may be there, the Federal program has not always
20 found that the pattern has developed of customary and
21 traditional use. So it's really a case specific
22 analysis that has to happen based on the history that
23 you see here in the Federal column and also in the way
24 the State has also looked at these cases as well.

25
26 As was noted in Boyd's comment just a
27 minute ago in responding to Member Hernandez's question
28 about habitat and competition between species, there
29 are a number of information needs that are still fairly
30 important here that the managers and biologists feel
31 are extremely relevant to the future of how elk are
32 managed. Those are on Page 137 and I think they were
33 noted briefly in your overview. But there is still a
34 lot we need to know about elk and how they really
35 function in the ecosystem they now live in, what their
36 role is and what sort of deleterious effects they may
37 be having as well as what kind of beneficial effects
38 they may have.

39
40 The conclusion I think we draw from all
41 this is that it really seems premature to make this
42 kind of finding at this point in time and that we would
43 urge that you would consider these points seriously in
44 your deliberations. I would be happy to answer
45 questions if you have any.

46
47 Thank you.

48
49 MADAME CHAIR GARZA: Mr. Bangs.

50

1 MR. BANGS: Thank you, Madame Chair. I
2 have a question possibly for Mr. Porter along the same
3 lines as Mr. Hernandez was talking about, about the
4 impacts. I was wondering if moose had a similar impact
5 on the vegetation that would kill the Vaccinium as the
6 elk would.

7
8 MR. PORTER: Through the Chair, Member
9 Bangs. Less so because they don't necessarily select
10 the same Vaccinium species that deer do. I'm not as
11 familiar with places like the Stikine, but I understand
12 that numbers of deer are very low there where you have
13 healthy populations of moose. I guess I'm more
14 familiar with SouthCentral, but moose usually select
15 willow species that they can find and deer don't
16 necessarily either select that or digest willow very
17 well, so their dietary overlaps are much less.

18
19 MADAME CHAIR GARZA: Are there other
20 Federal, State or Tribal agency comments.

21
22 (No comments)

23
24 MADAME CHAIR GARZA: Okay. InterAgency
25 Staff.

26
27 MR. KESSLER: Thank you, Madame Chair
28 and Members of the Council. Steve Kessler with the
29 Forest Service InterAgency Staff Committee. Ms. See
30 brought up one thing that I was going to mention, was
31 the development of the customary and traditional use
32 determination policy that the Board is working on right
33 now. There was a letter that came from the Under
34 Secretary Lynn Scarlett from the Department of the
35 Interior directing the Board to develop policy on two
36 issues, closures and C&T use determinations.

37
38 The closure policy you have in draft in
39 your Board books and we'll be discussing that later in
40 your meeting and making recommendations to the Federal
41 Subsistence Board on that. The customary and
42 traditional use determination policy is on a different
43 time schedule and you'll be receiving a draft copy of
44 that for Council discussion, deliberation at your
45 meeting next fall. Then that policy would be expected
46 to be finalized by this coming December.

47
48 So that policy will likely deal with
49 the eight criteria that we use for C&T use
50 determinations. We don't know what the results will

1 be. Could modify them, could put some sideboards on
2 some of those. Hopefully it will help address this
3 question that's in front of you, how long is a long
4 enough period to say that, yes, there is a customary
5 and traditional use for an introduced species. I don't
6 know how specific that policy will be, but I would
7 anticipate that in some way it will deal with that
8 where we don't have any specific direction on at this
9 point.

10

11 Thank you.

12

13 MADAME CHAIR GARZA: Fish and Game
14 Advisory Committee comments.

15

16 (No comments)

17

18 MADAME CHAIR GARZA: Summary of written
19 public comments.

20

21 DR. SCHROEDER: Madame Chair, we have
22 no written public comments for this proposal.

23

24 MADAME CHAIR GARZA: We have one
25 request for public testimony. Donald Westlund for 11a
26 and 11b. You can testify for both at the same time or
27 separately, whichever you choose. Please state your
28 name for the record.

29

30 MR. WESTLUND: Thank you, Madame Chair.
31 My name is Donald Westlund. Again, thank you for the
32 additional time. The last time I was up here there was
33 a question asked of me, if I realized that 11a and 11b
34 were separate. I thought about that for a while and I
35 think I answered yes. As I have had more time to think
36 about it, 11a and 11b are one thing. Because as soon
37 as you find positive for 11a, you're obligated to find
38 for b, positive or negative, so they're intertwined.

39

40 I've kind of put already in my comments
41 how I feel on certain things. Going back a little bit
42 in history, the Ketchikan Sport and Wildlife Club.
43 Without their participation, their foresight in this,
44 elk would not be on those two islands or in that
45 management unit. They were very instrumental in
46 getting this done. So, by doing a positive finding for
47 this the way it is worded, Ketchikan would be excluded.
48 I understand the law of the land and how you have to
49 take and find this, but the intent of bringing those
50 animals to that management unit was for the benefit of

1 all users, not just a certain group.

2

3 So, listening to State Staff on waiting
4 on some different ways of looking at how you determine
5 C&T, I think it's a good idea. The way I look at it, I
6 hope that there's never a C&T finding for this animal.
7 We have one animal that you've neglected to bring into
8 a voluntary migration into this area in the Southeast.
9 Mountain lion. That's a species that nobody has even
10 thought about, but it has implications in predation.
11 It's a great predator of elk, deer and anything else it
12 can eat. So that's something that was forgotten on a
13 voluntary migratory species.

14

15 I think back in the '50s or '60's, I
16 can't remember exactly, there was also an introduction
17 of elk onto Gravina Island and I think back into Carol
18 Inlet. They're not there any longer either.

19

20 So, again, not to take up too much
21 time, I just think you should wait on this. Like I
22 said, I would hope that it would never become that
23 because that wasn't the intent of the animal being
24 introduced. The introduction was to benefit all users
25 and we waited a long time from the time we got them
26 transplanted to the time we could harvest them, yet not
27 everybody gets a chance to get a permit. Everybody is
28 eligible for that permit, so you're not excluding
29 anybody under the existing program that works and it
30 works by looking at the percentages of take. They are
31 getting a fair share. They are being able to take
32 through C&T uses of sharing in the populations of not
33 only their communities but it sounds like other
34 communities.

35

36 On the other hand, the few that were
37 able to get here in Ketchikan/Saxman and non-rural
38 areas, although we're not supposed to share under
39 personal use, personal use people do share the
40 resource. So, again, what the Federal Board looks at
41 as being able to share, we're not legally able to share
42 but we do share. Again, by the C&T finding, we would
43 be excluded from that Federal hunt when you come up
44 with a hunting season because there isn't enough
45 animals out there to be taken by everybody, so the only
46 fair way to do it, I feel, is under the existing
47 program.

48

49 Thank you for your time, Madame Chair,
50 Board Members.

1 MADAME CHAIR GARZA: Any questions for
2 Mr. Westlund. Mr. Hernandez.

3
4 MR. HERNANDEZ: Thank you, Madame
5 Chair. Mr. Westlund, I want to thank you for your
6 public testimony that you've given on several issues
7 here in this meeting. I appreciate you taking the time
8 to come down and express your opinions.

9
10 I would maybe just ask about the
11 statement you made about the two proposals being
12 linked, if there was a customary and traditional use
13 finding, does that automatically mean that
14 non-Federally qualified hunters would have to be
15 excluded. You made it as a statement. Maybe I could
16 make it as a question to Staff, if they would agree
17 with that.

18
19 MADAME CHAIR GARZA: Dr. Schroeder.

20
21 DR. SCHROEDER: Mr. Hernandez. The two
22 are separate. In fact, the legal experts believe you
23 can have a Federal season and harvest limit without a
24 specific C&T determination, as we have for many species
25 around the state. Perhaps you could have a C&T
26 determination without automatically a season and
27 harvest limit. In this case, Staff wrestled with this
28 issue because quite obviously there's a great demand
29 for elk permits, as we mentioned in the Staff analysis.
30 Overall, you had about a 1 in 8 chance of getting an
31 elk permit. So this sort of tilts over to the idea
32 that you need something to provide that subsistence
33 needs and opportunities to hunt elk would be met with a
34 Federal season and harvest limit. So I'd say that
35 that's pretty likely but not automatic.

36
37 MADAME CHAIR GARZA: Thank you. Go
38 ahead.

39
40 MR. WESTLUND: The way I interpret it
41 though, and correct me if I'm wrong, but as soon as a
42 qualified subsistence user that has customary and
43 traditional findings for an animals states that he has
44 not received his fair share, you start ratcheting down
45 on other users. Is that not correct? I guess I should
46 be addressing Dr. Schroeder.

47
48 MADAME CHAIR GARZA: It's a yes and no.
49 You throw in reasonable opportunity and all sorts of
50 things. From the rural side, rural people would say

1 yes automatically, but it, in effect, doesn't always
2 operate that way. Otherwise we wouldn't have any deer
3 hunting on Prince of Wales. I don't think we're quite
4 as bad as the State of Alaska where their reasonable
5 opportunity for subsistence is pretty minimal in some
6 efforts, but I don't think that the Federal Subsistence
7 Program is as strong as it used to be just through
8 their own policy changes, but that's just my personal
9 interpretation. Someone else might have a more formal
10 interpretation and might think I'm totally off.

11

12 MR. WESTLUND: Thank you, Madame Chair
13 and Board Members. That's the way I think the general
14 public perceives it; when you're urban, you get cut
15 off. You're a sport user, you get cut off. That's my
16 worries about doing a C&T because I see an eventual,
17 almost guaranteed, that a harvest hunt timing, season,
18 whatever you want to call it would be implemented. The
19 C&T is just the forerunner of what you'd be required
20 to do or asked to do and you are being asked to do
21 that. So that's how I think the general urban person
22 looks at this. Again, thank you for your time, Madame
23 Chair, Board Members.

24

25 MADAME CHAIR GARZA: We do have another
26 request for public comment. Tom Skultka. So, Tom, we
27 do have two proposals, 11a and 11b. 11a is to do C&T
28 determination for elk and then 11b would be the
29 regulations for it. You can speak to both of them if
30 you choose.

31

32 MR. SKULTKA: It would be just the C&T
33 one, Madame Chair and Members. I'm opposed to opening
34 the elk hunt for customary and traditional use because
35 I believe it's too soon. I was up there at the Etolin
36 Island for the last hunt for one week. They say
37 there's a lot of elk up there and I haven't seen one up
38 there when I was there. Even if I was a subsistence
39 user, I still would be opposed to this because it is
40 still too early to go out there and grab whatever few
41 there is. That's my opinion.

42

43 Thank you.

44

45 MADAME CHAIR GARZA: Are there any
46 questions for Mr. Skultka.

47

48 (No comments)

49

50 MADAME CHAIR GARZA: Okay. Thank you.

1 We've heard the various presentations from State and
2 Federal. We had a bit of a side note on the C&T
3 process or potential process from Steve Kessler. As we
4 think about this proposal, maybe we need to think about
5 that C&T process and if we were to support this
6 proposal what kind of justification would we use in
7 terms of the C&T process. If we don't support it, we
8 also need to make sure we clarify our justification.
9 Let me start with Dr. Schroeder here.

10

11 DR. SCHROEDER: Madame Chair. Since
12 Mr. Kessler and Marianne did bring up some of the
13 issues that are going on concerning customary and
14 traditional use and formation of a policy concerning
15 that, I'd like to direct the Council's attention to the
16 handout.

17

18 We gave you two handouts and this is
19 the thinner one and it includes nine items. From
20 bottom to top, beginning with January 10, a piece of
21 correspondence from Governor Murkowski to Secretary of
22 Interior Norton concerning four subsistence issues and
23 going through to a recent communication from the Board
24 of Game to Regional Forester Denny Bschor withdrawing
25 from the memorandum of understanding.

26

27 MADAME CHAIR GARZA: Let's make sure
28 all the Council Members have found that paper. I
29 haven't.

30

31 DR. SCHROEDER: This was mailed to you
32 prior to this meeting. So there are nine items here
33 and seven of them have discussion of the C&T policy.
34 You can see there is some controversy there and we're
35 providing this for the purpose of background
36 information. There aren't really action items here,
37 but if you dive deeply into C&T, you may wish to be
38 aware of what the discussions have been between the
39 State and the Federal program. Madame Chair.

40

41 I'd also add that Staff provided
42 another set of materials, which is the thicker set.
43 Again, it's not absolutely necessary for this proposal,
44 but this includes discussion before the Board
45 concerning C&T use determinations and that's found on
46 my handwriting Pages 88 to 91. Again, this is
47 background material on C&T use determination processes.

48

49 MADAME CHAIR GARZA: Okay. So as we
50 look at the proposal, if we could have a motion to put

1 it on the table so we can discuss it.

2

3 MR. DOUVILLE: Madame Chair. I move to
4 adopt WP06-11a.

5

6 MADAME CHAIR GARZA: So the Proposal
7 11a to establish a customary and traditional use
8 determination for elk in Units 1, 2 and 3, as presented
9 by Dr. Schroeder and commented on by both Federal and
10 State Staff, is now before the Council for
11 deliberation.

12

13 MR. KITKA: I'll second it.

14

15 MADAME CHAIR GARZA: Okay. Mr.
16 Douville.

17

18 MR. DOUVILLE: Madame Chair. I would
19 move to substitute for the original motion. My motion
20 would be to take no action on this proposal.

21

22 MR. STOKES: I'll second that motion.

23

24 MADAME CHAIR GARZA: Mr. Hernandez.

25

26 MR. HERNANDEZ: What would be the
27 reasoning there?

28

29 MADAME CHAIR GARZA: Mr. Douville.

30

31 MR. DOUVILLE: I would offer some
32 rationale for making that motion. Part of the
33 rationale here is that there's been a short-term
34 history of the hunt. It's nine years. Their hunting
35 methods are still being established. I agree that
36 introduced species eventually rise up to customary and
37 traditional use. One example would be marten that were
38 transplanted to Prince of Wales in the 1930s. I have a
39 question whether elk has risen to the C&T level.
40 Another point is that the Federal Subsistence Program
41 is currently working on a customary and traditional use
42 policy, which will likely address introduced species
43 and I feel we should take no action because it's
44 obviously unclear that elk has risen to C&T use level.

45

46 MADAME CHAIR GARZA: Mr. Hernandez.

47

48 MR. HERNANDEZ: Thank you, Madame
49 Chair. I guess my question would be, if that's the way
50 you feel, it hasn't gotten to the point where you feel

1 it should be considered for C&T use, would it be
2 better to take no action or to make a finding saying
3 that it doesn't meet the criteria for C&T use.

4

MADAME CHAIR GARZA: Mr. Adams.

6

7 MR. ADAMS: Thank you, Madame Chair. I
8 support the motion to not take any action at this time.
9 We sat here and listened to several testimonies from
10 the State and from other people that the elk hasn't
11 been around long enough to make any determinations as
12 to whether it would qualify as C&T; however, a couple
13 other mentioned that eventually it might be and some
14 examples were given about moose in Yakutat. You know,
15 we didn't have any moose there until around 1947 and it
16 took about 20 years for it to become very well
17 populated in that area because of the ideal habitat and
18 it is a C&T now. It might take years and years for
19 that to happen. I think a no action motion is in order
20 at this time.

21

22 Like I said, my two cousins from
23 Wrangell submitted this proposal and when they asked me
24 how to approach it I said do a proposal. I didn't
25 think they were going to mind me and here we are faced
26 with it. I think to take no action on it right now
27 means that we can always bring it up in the future.

28

29 Thank you.

30

MADAME CHAIR GARZA: Mr. Kitka.

32

33 MR. KITKA: Thank you, Madame Chairman.
34 I tend to agree that no action should take place at
35 this time. I do have some concern with the
36 introduction of these animals into areas that were
37 traditional C&T for other animals that they compete for
38 food with and it might be in the future where we're
39 going to have to look at this a little closer and
40 probably have to set some guidelines for some of these
41 things. One instance is a sea otter, which they are
42 taking over a lot of the food we go after. The elk
43 might be doing the same thing to the deer. When the
44 deer get to such a low state, then somewhere along the
45 way we're going to have to do some C&T for elk.

46

47 Thank you.

48

49 MADAME CHAIR GARZA: So, Ms. Phillips,
50 I don't know if Bert caught you up there, but we are on

1 Council deliberations for 11a and the Council deciding
2 to support or not support a C&T determination for Units
3 1, 2 and 3. We had a substitute motion to take no
4 action and that's exactly where we are right now. I
5 would like to take sort of a quick at ease because Bob
6 is trying to figure out if we can substitute no action
7 for the motion, so we've got to make sure whatever we
8 do correctly. Quick coffee break.

9

10 (Off record)

11

12 (On record)

13

14 MADAME CHAIR GARZA: Okay. So we are
15 in a little bit of a bind because I haven't been a very
16 good chairman, apparently. So we are going to
17 informally appoint James Stanley as our ad hoc
18 parliamentarian so we can clear up what we did wrong.
19 So it's my understanding, and it will probably be
20 better clarified by James. Here we have in full
21 uniform our ANB representative who will serve as our
22 parliamentarian to make sure we take care of this
23 proposal correctly. Mr. Stanley.

24

25 MR. STANLEY: Thank you. What is it
26 we're talking about?

27

28 MADAME CHAIR GARZA: Okay. So we had a
29 motion to put 11a on the table and then we followed
30 that with a motion to take no action and it's my
31 understanding that is the incorrect order to do those.

32

33 MR. STANLEY: Okay. Did you want to
34 remove something? You would have to -- am I to
35 understand the second part is an amendment.

36

37 MADAME CHAIR GARZA: Substitute.

38

39 MR. STANLEY: Substitute. Whoever made
40 the second part or the substitute would rescind that
41 motion or that amendment.

42

43 MADAME CHAIR GARZA: Mr. Douville, you
44 made that motion.

45

46 MR. DOUVILLE: Madame Chair. I move to
47 rescind the motion to take no action.

48

49 MR. STOKES: I'll rescind my second.

50

1 MADAME CHAIR GARZA: Do we need to vote
2 on that?
3
4 MR. STANLEY: No, ma'am, because
5 they've rescinded. There's no further action taken on
6 that part of it. Now you're back to the main motion
7 and you could do the same procedure again, thus
8 removing the whole topic of discussion from the table.
9
10 MADAME CHAIR GARZA: Mr. Douville.
11
12 MR. DOUVILLE: Thank you, Madame Chair.
13 I move to rescind the motion to put 11a on the table.
14
15 MR. STOKES: I'll second that.
16
17 MADAME CHAIR GARZA: Thank you, Mr.
18 Stanley. I think we've got it. So now we have nothing
19 on the table. If we wish to vote on the motion, we
20 would put it on the table. If we wish to take no
21 action, we would move now to take no action. If we
22 wish to table it, which would be instantly killing it
23 basically, there wouldn't be any further discussion and
24 you would have to vote on the table. So those are
25 pretty much our three options, is that correct?
26
27 MR. STANLEY: Yes, that is correct. To
28 clarify, if the motion is made to take no action, by
29 voting yes you're saying you agree to take no action.
30 By voting no, you are disagreeing and you would like to
31 take action upon it. So, in a sense, it's in a reverse
32 of its context.
33
34 MADAME CHAIR GARZA: Thank you.
35
36 MR. STANLEY: Thank you.
37
38 MADAME CHAIR GARZA: Is there a motion.
39 Mr. Douville.
40
41 MR. DOUVILLE: Thank you, Madame Chair.
42 I move to take no action.
43
44 MR. STOKES: I'll second that.
45
46 MADAME CHAIR GARZA: Unlike a motion to
47 table, a motion to take no action does allow for debate
48 or considerations, so if anyone wishes to weigh in on
49 this, they may do so at this time.
50

1 Mr. Adams.

2

3 MR. ADAMS: Madame Chair. I refuse to
4 debate this proposal anymore. Thank you.

5

6 MADAME CHAIR GARZA: I guess I was
7 prepared to support this proposal and I probably was in
8 the extreme minority. However, I have great concern
9 that we have an introduced species that will displace a
10 subsistence resource that is important to the residents
11 in at least Unit 1 and 3. And that over time, because
12 the introduced species will always be under this sort
13 of drawing permit process, that I don't think the
14 residents of Unit 1 and 3 will ever be able to
15 establish their use in order to have a C&T for this
16 resource. Basically, in the end, they will be denied a
17 meat resource, as elk will eventually displace deer.

18

19 So, for that reason, I was willing to
20 support a C&T determination based on the fact that
21 local residents of that area harvest ungulates and
22 ungulates period, whether or not it's a deer, elk or
23 moose. I was willing to support that; however, I can
24 go along with this take no action because I think it
25 does provide for opportunity in the future and I would
26 not like to be like Department of Fish and Game who
27 simply voted against it.

28

29 Mr. Bangs.

30

31 MR. BANGS: Thank you, Madame Chairman.
32 In the Federal summary of the analysis of impacts of
33 elk, the words may be in there. It says the elk may
34 negatively affect deer populations. That really left
35 some doubt in my mind. Then we hear the facts that it
36 does negatively affect it and I'm just uncomfortable
37 with that wording. I would rather see in the summary
38 the correct wording so I'm not left with the
39 misconception that they don't know when, in fact, they
40 do know.

41

42 Thank you.

43

44 MADAME CHAIR GARZA: Ms. Phillips.

45

46 MS. PHILLIPS: Madame Chair. I
47 apologize for missing the Staff analysis. However, I
48 am concerned about the significant potential exists for
49 inter-specific competition between deer and elk for
50 food resources due to high dietary overlap. That's on

1 the bottom of Page 135. Kirchhoff and Larson found 64
2 percent overlap in winter diets of elk and deer on
3 Etolin Island. Red huckleberry in particular was an
4 important component of both species diets; browsing on
5 red huckleberry in the study area was extremely heavy
6 and severe enough to result in plant death in some
7 instances.

8

9 I will support the motion to take no
10 action; however, I believe the SERAC should reconsider
11 this at a future date undetermined at this time. A re-
12 evaluation of the impact that elk is having in that
13 area and the surrounding area. ANILCA does provide for
14 the non-wasteful subsistence uses of fish and wildlife.
15 It doesn't say whether it's introduced or not
16 introduced. It says non-wasteful subsistence uses of
17 fish and wildlife, of which elk is a wildlife, so I do
18 believe there is opportunity for customary and
19 traditional determinations on that, particularly if
20 it's going to diminish the populations of deer, which
21 is what we traditionally depend upon.

22

23 Thank you.

24

25 MADAME CHAIR GARZA: Mr. Stokes.

26

27 MR. STOKES: They're developing a
28 policy now to deal with this problem, so I'd like to
29 see what they have to say about it.

30

31 MADAME CHAIR GARZA: Mr. Hernandez.

32

33 MR. HERNANDEZ: Thank you, Madame
34 Chair. That was going to be one of my main concerns in
35 this, was essentially displacing existing deer
36 population. I'm still a little undecided on what those
37 effects are. You mentioned that under the existing
38 hunt there hasn't been sufficient opportunity for the
39 rural residents to participate. In the history of the
40 hunt so far they've always come up very short of their
41 goal for harvest on the islands. I think that's being
42 addressed in the State system to try and make more
43 successful hunting seasons so that more people would be
44 able to harvest the available elk.

45

46 I guess at this point I'm willing to
47 kind of wait and see how that develops. By taking no
48 action on this proposal at this time I think it maybe
49 gives an opportunity to come back and look at it in the
50 future and see what progress is being made.

1 MADAME CHAIR GARZA: Mr. Douville.

2

3 MR. DOUVILLE: Thank you, Madame Chair.

4 I guess my question would be at what point then, if we

5 took no action, could we then bring it back up so we

6 could take action if we choose. How do you determine

7 that place and time?

8

9 MADAME CHAIR GARZA: It would be my
10 understanding, Mr. Douville, that someone could submit
11 a proposal every year from now until eternity or until
12 they got a result that they wanted or finally got too
13 tired to submit the proposal.

14

15 I guess one of the concerns I have is
16 looking at the proposed C&T policy that I feel like is
17 being shoved down our throat by the State, which makes
18 it much more difficult to make a C&T determination. It
19 just makes a higher barrier for rural residents to have
20 to jump over to demonstrate that they use a resource.
21 If that new policy goes into effect, then it will be so
22 much harder to get C&T for anything else for any other
23 resident in the state of Alaska.

24

25 Right now we're looking at residents of
26 1 and 3, which are primarily Wrangell/Petersburg, but
27 if Ketchikan were to transfer over to rural and we have
28 a new C&T determination, it may be much much harder for
29 Ketchikan to get C&T determination for anything based
30 on any new policy.

31

32 So my preference was to sort of get
33 what we could through now, at least get it into a
34 discussion phase, before something does get changed.
35 But that's sort of looking forward and looking very
36 negative, which is generally my spin on things after
37 serving on this Council for probably too many years.

38

39 Is there a call for the question.

40

41 MR. HERNANDEZ: Question.

42

43 MADAME CHAIR GARZA: The question has
44 been called on the motion. The motion in regards to
45 Proposal 11a is to take no action. All in favor of the
46 motion signify by saying aye.

47

48 IN UNISON: Aye.

49

50 MADAME CHAIR GARZA: Opposed.

1 (No opposing votes)

2

3 MADAME CHAIR GARZA: The motion passes.
4 We now have on the table 11b. Dr. Schroeder.

5

6 DR. SCHROEDER: Madame Chair. The
7 Council could decide to take no action on 11b if it so
8 wished in that 11b would be acted upon only in the case
9 that there was a positive C&T for elk in Unit 3. My
10 recommendation would be to take no action on 11b at
11 this time.

12

13 MADAME CHAIR GARZA: Just a point of
14 clarification though. It was brought up earlier about
15 11a and 11b being tied. I'm pretty sure I heard that
16 you can have a proposed regulation without a C&T
17 determination; that you can, in fact, have a harvest
18 without a C&T determination. So I think we could have
19 this proposal without 11a. Although we can just choose
20 to take no action as well if the intent is to figure
21 out what we should do in the future and how we should
22 do it.

23

24 DR. SCHROEDER: In that case, Madame
25 Chair, it might be wise to go through the discussion
26 and have the Council hear the Staff analysis for 11b
27 and make that decision on whether to take action or not
28 after the Staff analysis has been presented.

29

30 MADAME CHAIR GARZA: It looks like most
31 of the analysis was done in 11a, so the Staff analysis
32 would be fairly short. Let's go ahead and do it.

33

34 MR. JOHNSON: Thank you, Madame Chair,
35 Council. Dave Johnson with the Forest Service, Tongass
36 National Forest. The analysis starts on Page 155 and I
37 will move over into the various considerations that
38 were a part of this analysis in 11b.

39

40 The first thing is to clarify that the
41 proponent wanted to make clear that their wish for a
42 Federal season and a harvest limit to mirror the State
43 of Alaska season and harvest limits and they did not
44 want to exclude non-subsistence hunters from this hunt.

45

46

47 Another key consideration was that in
48 the transplant that occurred initially there was a
49 group that worked on an elk management plan between
50 Federal and State Staff and this is something that has

1 not been continued or followed through with that would
2 be important to do in the future.

3
4 Also, the present guideline for harvest
5 in this unit is for 40 elk, of which 30 are from Etolin
6 and 10 are from Zarembo and there's a need for better
7 population data even though we have good harvest
8 information and some pellet information.

9
10 Over the past nine years the number of
11 growing permits issued by ADF&G have increased from 27
12 to 175, as you noted in the previous analysis, and
13 those tables are cited there for you to look at.

14
15 Also in Table 3 you'll note that the
16 number of applicants for the existing drawing permit
17 has generally exceeded the number of permits issued and
18 in 2005 there were 1,350 applicants for only 175
19 permits.

20
21 In Table 4 you'll note that in 11a that
22 there was in its first year of the registration hunt
23 133 persons received permits, 58 are known to have
24 hunted and only one bull was taken by a Wrangell
25 resident.

26
27 As has been previously noted, the
28 Petersburg and Wrangell Fish and Game Advisory
29 Committees have been very heavily involved in this
30 particular hunt and also working with the State in
31 developing the harvest regulations and bag limit.

32
33 The season permit and harvest limit
34 provisions of the proposal would allow all Federally
35 qualified subsistence users to receive permits for elk
36 hunting in Unit 3, for use during the October drawing
37 hunts.

38
39 The preliminary conclusion is to oppose
40 the proposal. The rationale for this is that it's
41 based on the fact that the C&T determination for 11a
42 and the inability to implement the management regime
43 proposed by the proponents, if a positive determination
44 were made in WP06-11a. Also, the fact that the
45 proponents are asking that State regulations be
46 maintained for all hunters, which creates a problem for
47 implementing a Federal season and bag limit.

48
49 Also, the other concern that's been
50 raised is having a large number of hunters in the field

1 could be a public safety problem and would also raise
2 concerns due to potential over harvest of elk. High
3 demand could also require that an ANILCA Section 804
4 evaluation be conducted in order to limit the potential
5 for overharvest among Federally qualified subsistence
6 users. The Section 804 criteria is cited there for
7 what would have to be determined in order to do that.

8

9 The existing State of Alaska management
10 regime, of issuing drawing hunt permits for bow and
11 rifle seasons in September and October, respectively,
12 and registration permits for a late November hunt were
13 developed with strong participation of rural and
14 non-rural hunters living close to the hunt area. The
15 success of hunters from these communities in the
16 drawing hunts documents this past and continuing
17 opportunity.

18

19 That concludes my presentation, Madame
20 Chair.

21

22 MADAME CHAIR GARZA: Any questions for
23 Dave Johnson.

24

25 (No comments)

26

27 MADAME CHAIR GARZA: I guess I have at
28 least one, Dave. In terms of the issue being brought
29 up in terms of safety with increased hunters, I guess
30 when I look at that area and then I compare it to other
31 areas where we have rural determination and hunts for
32 large ungulates, which is moose, I mean that is in the
33 Wrangell/Petersburg area as well as the Yakutat area,
34 and I don't see those as safety concerns there or I
35 don't see the safety concerns voiced. So could you
36 respond to that.

37

38 MR. JOHNSON: Yes, Madame Chair. The
39 primary safety issues associated with where these elk
40 are accessed, they're primarily accessed from the beach
41 and there's only a few places, as I understand it, that
42 can handle some number of boats. The concern is that
43 you would have a high concentration of boats in these
44 limited access areas, which does concentrate the
45 hunters all in small areas, both on the water and
46 actually in the hunting area.

47

48 MADAME CHAIR GARZA: In the Staff
49 analysis and looking at the potential -- never mind.
50 Mr. Bangs.

1 MR. BANGS: Thank you, Madame Chair.
2 It's my understanding, talking with the biologist who's
3 charged with managing this hunt in Petersburg there, he
4 conveyed the idea that their plans were to liberalize
5 the hunt through the registration hunt process and to
6 assure that they are able to harvest a desired amount
7 every year. Is that your understanding?

8
9 MR. JOHNSON: Again, I've talked with
10 Rich Lowell about this and that is my understanding. I
11 think there will be additional involvement though by
12 the Advisory Committees there on what actually happens,
13 but that's one of the considerations, yes.

14
15 MADAME CHAIR GARZA: Mr. Hernandez.

16
17 MR. HERNANDEZ: The local area manager,
18 does he have the authority to change hunt on a season
19 to season basis or is this a Board of Game decision?

20
21 MR. JOHNSON: I would defer to the
22 State on that.

23
24 MADAME CHAIR GARZA: So we'll go to the
25 State.

26
27 MR. PORTER: Thank you, Madame Chair,
28 Members of the Council. My name is Boyd Porter.
29 Although I don't manage this area directly, I share
30 management with Rich Lowell in Petersburg and have been
31 very involved in this management plan. Our position on
32 11b is not to support it. We feel we've given ample
33 opportunity to both rural and non-rural hunters.
34 Again, over 70 percent of that harvest is typically
35 taken by Federally qualified hunters.

36
37 And in answer to your question, Member
38 Bangs, the idea with that registration hunt is to
39 continue to liberalize that as long as we feel like
40 there's still animals left to be harvested under the
41 bull only regime that we're following. I guess what we
42 need right now with all the things going on in the
43 region, this has sort of dropped off the radar scope,
44 but we hope to bring it back on. We're looking at
45 collaborating with people like the Rocky Mountain Elk
46 Foundation to get enough money that we can put some
47 collars on animals. We don't know a whole lot about
48 movement patterns. We don't know a whole lot about
49 many of the important components of this population to
50 better manage it.

1 At this point we still feel like we've
2 got surplus bulls that aren't being taken. There was
3 only one bull taken during the two-week season this
4 last year, the first time that the registration hunt
5 had been implemented, and we felt like that was mainly
6 because 10 of those 14 days were just horrendous,
7 blowing weather conditions. So, given better weather
8 conditions, we felt like both people from Wrangell,
9 Petersburg and even from Ketchikan would be able to get
10 there and spend some time on the ground and hunt. So
11 that one bull we didn't feel like was very indicative
12 of what could potentially be harvested during a typical
13 two-week season in late November.

14

15 Thank you.

16

17 MADAME CHAIR GARZA: Ms. Phillips.

18

19 MS. PHILLIPS: Thank you, Madame Chair.
20 What can you do to get the rest of the allowable
21 harvest taken? I mean you said only one was taken.
22 That means there was more that could be taken. That's
23 a surplus. So what are you going to do to make sure
24 the rest are gotten?

25

26 MR. PORTER: Through the Chair, Member
27 Phillips. That is our objective. By slowly increasing
28 the amount of time that hunters can access this
29 population through the registration so the registration
30 is open to everyone or anyone who wants to sign up, we
31 had identified late November as a time when things have
32 kind of quieted down after all the drawing permits are
33 tabulated. We know how many bulls were taken during the
34 three drawing hunts.

35

36 You know, it's not going to hurt the
37 population necessarily if we don't take all the bulls
38 that are out there. In fact, there are some concerns
39 by a few people that we may be harvesting at or maybe
40 slightly above the sustainable number right now. Extra
41 bulls out there aren't going to hurt anything, but you
42 do want to maximize it and take as many bulls as could
43 be taken and still have a thriving, reproductive
44 population. So we're trying to address that with the
45 registration hunt.

46

47 Also, Member Hernandez had asked a
48 question about does the State have authority or do we
49 have to go back to the Board and the answer is that the
50 Board has given us authority up to 250 drawing permits

1 and then unlimited authority under the registration
2 hunt, so we do have some flexibility. So based on
3 population estimates or new information as we get it,
4 we could set those harvest objectives accordingly.

5
6 Did that answer all your questions,
7 Member Phillips?

8
9 MS. PHILLIPS: Thank you for all that
10 information. I have another question. Leaving the
11 unharvested surplus bulls isn't going to hurt anything,
12 that's what you said, but that's where I disagree
13 because the surplus allowable harvest is going to
14 continue to eat the environment and if that ecosystem
15 that the deer thrive in the elk predominate, it's going
16 to take away browse for the deer. It can still be a
17 sustainable population by taking all the allowable
18 harvest and not take away allowable browse for the deer
19 to be sustainable. I mean we can't just think of the
20 sustainability of the elk. We also have to think about
21 the long-term sustainability of the deer. It's their
22 ecosystem. Do you see what I'm saying?

23
24 MR. PORTER: Through the Chair, Member
25 Phillips. Yes, and that is our goal, to maximize that
26 bull harvest so that we weren't impacting the habitat
27 and further reducing carrying capacity for both deer
28 and elk.

29
30 MADAME CHAIR GARZA: Mr. Bangs.

31
32 MR. BANGS: Thank you, Madame Chair.
33 Mr. Porter, to the best of your knowledge, do you know
34 if Zarembo or Etohin are near carrying capacity for
35 their deer or is there room for a lot more deer?

36
37 MR. PORTER: Madame Chair, Member
38 Bangs. You know, by all estimation, looking at the
39 habitat, even though there are some specific areas in
40 low elevations where during the winter those animals
41 are bunching up along the beach fringes -- remember, we
42 haven't had a real severe winter. '98, '99 was up
43 there but didn't seem to impact places like Etohin and
44 Zarembo as much as others, like Cleveland and the
45 mainland here. I guess we feel like looking at models
46 is our best assessment of what's going on, that we're
47 well below carrying capacity or the number of animals
48 that we could carry on that range. Realizing that the
49 closer we get to that carrying capacity, the more
50 impact those elk are going to have on deer, especially

1 during a hard winter.

2

3 We say that they're competing and you
4 can show that in the deer pellet surveys when we look
5 at deer and elk pellets along these transects, but it's
6 going to be magnified tenfold if we do have a really
7 severe winter. When I say severe, in terms of the type
8 of severity that we had in the early '70s when there
9 were piles of deer along the beaches. During that
10 period elk have shown that they can not only digest a
11 larger stem diameter but they can also navigate around
12 in deeper snow, so they're able to compete a lot harder
13 than deer do.

14

15 So, I guess the short answer is that we
16 feel like we're well below carrying capacity, but we'd
17 like to keep it somewhat moderated at that point as
18 well.

19

20 MADAME CHAIR GARZA: Mr. Douville.

21

22 MR. DOUVILLE: Thank you, Madame Chair.
23 Mr. Porter. Just in case anybody hasn't noticed
24 before, the weather is really extreme towards the end
25 of November. So when you're designing these hunts you
26 need to keep that in mind.

27

28 What I'd really like to point out is no
29 mention has been given the predator. It's been focused
30 on the deer and elk thing. I know personally there's a
31 lot of wolves on Etolin. Although I'm not there to
32 watch it personally, but I would believe that deer
33 would be easier for a wolf to get than elk. This needs
34 to factor in when you look at these pellet counts.
35 It's not just the elk, it's also the wolf.

36

37 MR. PORTER: Through the Chair, Mr.
38 Douville. That's a good point. There are also a few
39 brown bears and black bears on Etolin. Zarembo is
40 pretty lean for black bears, but at least Etolin has
41 brown bears and black bears. So all three of those
42 predators are probably having some impact on elk.

43

44 MADAME CHAIR GARZA: Thanks, Boyd. Are
45 there other Federal, State and Tribal agency comments.

46

47 MR. MYERS: (Shakes head no)

48

49 MADAME CHAIR GARZA: Marty looks up at
50 me and says no. InterAgency Staff.

1 (No comments)
2
3 MADAME CHAIR GARZA: No. Fish and Game
4 Advisory.
5
6 (No comments)
7
8 MADAME CHAIR GARZA: We haven't heard
9 any yet. Summary of written public comments.
10
11 DR. SCHROEDER: Madame Chair. We have
12 no written public comments on this proposal.
13
14 MADAME CHAIR GARZA: Under public
15 testimony we had the two that testified on 11a, on the
16 C&T, and I wanted to know if either of them wanted to
17 testify on the 11b portion in terms of setting up
18 regulations. Keeping in mind that they could actually
19 be set up without a C&T determination.
20
21 Mr. Westlund.
22
23 MR. WESTLUND: My name is Donald
24 Westlund. I live at 15065 Lizzy Lane, 15 miles North
25 Tongass, Ketchikan, Alaska. Thank you again, Madame
26 Chair, for the time to testify. I just look at this as
27 you took no action on 11a and I believe you should be
28 taking no action on 11b until a later date or whatever
29 happens to it. I just think since you didn't go into
30 the affirmative on 11a that you should even be
31 approaching 11b at this point in time.
32
33 Thank you, Madame Chair.
34
35 MADAME CHAIR GARZA: Any questions.
36 Thank you. Thomas, did you want to say anything on
37 11b. Please restate your name for the record.
38
39 MR. SKULTKA: My name is Tom Skultka.
40 I'm a Ketchikan hunter. I also say no action on 11b.
41 Madame Chair, thank you.
42
43 MADAME CHAIR GARZA: We have 11b before
44 the Regional Advisory Council for deliberation. Again,
45 the options are to move to take no action, move to
46 support, move to table. Mr. Douville.
47
48 MR. DOUVILLE: Madame Chair. I move to
49 take no action on 11b.
50

1 MR. STOKES: Madame Chair. I'll second
2 that motion.

3
4 MADAME CHAIR GARZA: The motion is to
5 take no action on 11b. Is there any justification or
6 discussion that anyone would like to throw forward
7 before we vote. Mr. Bangs.

8
9 MR. BANGS: Thank you, Madame Chair. I
10 would propose to take no action based on the action we
11 took on 11a.

12
13 MADAME CHAIR GARZA: Mr. Douville.

14
15 MR. DOUVILLE: Madame Chair. There's
16 one comment I would like to make and I may be out of
17 order. I know that draft guidelines are being written
18 for C&T and it's also been mentioned that the State has
19 a hand in that. The State still has not supported
20 subsistence as they have not changed the constitution
21 we're allowed to vote on it. I would hope the Federal
22 Board or the people responsible for drafting these
23 guidelines follow the guidelines and intent exactly as
24 ANILCA intended them to be. My concern would be that
25 it would be drafted to make it more difficult. I just
26 wanted to make that statement.

27
28 Thank you.

29
30 MR. ADAMS: Call for the question.

31
32 MADAME CHAIR GARZA: The question has
33 been called. The motion before us is to take no action
34 on 11b. All in favor of the motion signify by saying
35 aye.

36
37 IN UNISON: Aye.

38
39 MADAME CHAIR GARZA: Opposed.

40
41 (No opposing votes)

42
43 MADAME CHAIR GARZA: The motion passes.
44 We have one more Proposal WP06-12, require a Federal
45 registration permit instead of a State registration
46 permit for a portion of Unit 1(C) on Page 159. Who on
47 Staff is doing that. Mr. Parsley.

48
49 MR. PARSLEY: Madame Chair, Council
50 Members. My name is Chuck Parsley. I work for the

1 Forest Service in the Hoonah Ranger District. Proposal
2 WP06-12 is submitted by Chuck Burkhardt of Gustavus,
3 requests creating a Federal registration permit hunt
4 for moose in Unit 1(C) to be defined as the area of the
5 Chilkat Range south of the southern most National Park
6 Service boundary (Map 1). The original interpretation
7 of the proponent s request, as published in the
8 wildlife proposal book, was to apply the Federal permit
9 to all of Unit 1(C) remainder. The proponent later
10 clarified his intent to apply the use of a Federal
11 permit to just the lower Chilkat Range. It's the
12 portion outlined.

13
14 The proponent requests changing the
15 requirement for hunting moose in part of the remainder
16 of Unit 1(C) from a State registration permit to a
17 Federal registration permit. Recent changes to the
18 State registration permit prohibit hunters who register
19 for moose hunting on the Gustavus Forelands of Unit
20 1(C) from hunting moose anywhere else in Unit 1(C).
21 See Map 2 on Page 162. This super exclusive
22 restriction was added at the request of the Icy Strait
23 Advisory Committee, in an attempt to reduce the number
24 of hunters who applied for and hunted the Gustavus
25 Forelands.

26
27 This State restriction prohibits some
28 Federally qualified rural residents in Gustavus from
29 meeting their subsistence needs for moose. If the
30 permit condition is changed, rural residents who were
31 not successful in the forelands hunt could then hunt
32 Federal public lands in Unit 1(C) remainder, which
33 remains open until October 15.

34
35 The actual change to the Federal
36 registration is on Page 163 at the top in bold. That
37 part within the Chilkat Range south of the southern
38 most National Park Service boundary, one antlered bull
39 by Federal registration permit only.

40
41 Moose first appeared in the Gustavus
42 area in 1968. Twenty years passed before the first
43 moose was harvested. Since then the population has
44 expanded rapidly to become the largest in the unit,
45 accounting for the highest harvest. The number of
46 animals in this herd has reached a level that is not
47 sustainable, given the limited winter range. Because of
48 this concern ADF&G began a browse study on the Gustavus
49 Forelands in 1999, and used resultant data to convince
50 the Board of Game in 2000 to adopt a drawing permit

1 hunt for cow moose.

2

3 I think it's important, so I'll go a
4 little more into the history and how the hunt is set up
5 and make sure it's clear. If it's too much, just stop
6 me and I'll skip forward.

7

8 In 1998, the ADF&G revised Unit 1C
9 management objectives based on hunt and survey data.
10 They separated the Gustavus Forelands herd from moose
11 in the remainder of the Chilkat Range because of its
12 discrete nature. The Gustavus moose hunt takes place
13 entirely on non-Federal land and is surrounded by
14 Glacier Bay National Park, where moose hunting is not
15 allowed. Management objectives for the Gustavus
16 forelands are to maintain a population of 250 and an
17 annual harvest of 40 to 45 animals. Management
18 objectives for the Chilkat Range are to maintain a post
19 hunting population of 200 moose and an annual harvest
20 of 20 moose. The Gustavus Forelands bull moose harvest
21 is currently being managed for a harvest of 35 to 45
22 bull moose under a registration permit and ADF&G has
23 the authority to issue up to 100 cow moose permits
24 under a drawing permit annually. Since 1997, the bull
25 moose hunt at Gustavus has been closed by emergency
26 order each year. During 1998 to 2002, the bull moose
27 hunting season lasted at least 20 days each year,
28 before being closed by EO. However, during the last
29 three years, the bull season has been closed after 7, 3
30 and 2 days respectively. In 2002, 10 cow permits were
31 issued and harvested. In 2003, 35 permits were issued
32 and 30 cow moose were harvested. In 2004, 60 permits
33 were issued and 54 cow moose harvested. In 2005, 90
34 permits were issued. The 2005 hunt data is not
35 available at this time.

36

37 In 2005, the Alaska Department of Fish
38 and Game, at the request of the Icy Strait Advisory
39 Committee added a permit condition prohibiting hunters
40 who register for hunting moose on the Gustavus
41 Forelands of Unit 1(C) from hunting moose anywhere else
42 in Unit 1(C). This is kind of the crux of the problem
43 at the present.

44

45 They also requested adding odd and even
46 day hunt requirements, where hunters are allowed to
47 hunt only on an odd or even days. These restrictions
48 were added to reduce the number of hunters who applied
49 for and hunted the Gustavus Forelands. According to
50 Barten, these restrictions did not function exactly as

1 intended. The restrictions did result in fewer hunters
2 taking part in the bull hunt. However, the hunt closed
3 in two days and some Gustavus hunters found it
4 difficult to harvest moose. The guideline harvest
5 level was exceeded with 46 moose taken.

6
7 The situation created on the Gustavus
8 Forelands prompted the proponent to submit this
9 proposal in an attempt to provide an opportunity
10 previously available to Federally qualified subsistence
11 hunters. The desire is to allow Federally qualified
12 subsistence users who are not successful in this short
13 Gustavus moose hunt to hunt Federal public land in the
14 Chilkat Range portion of the remainder of Unit 1(C),
15 which is just to the east of Gustavus.

16
17 Residents of Gustavus took
18 approximately 80 to 90 percent of the total harvest of
19 bull moose in the early 1990s on the Gustavus
20 Forelands. In recent years, residents of Gustavus and
21 Juneau have taken roughly equal proportions of the
22 total harvest of bull moose on the Gustavus Forelands,
23 40 to 50 percent, depending on the year. Over the last
24 five years, residents of Juneau took more than 70
25 percent of the total cow moose harvest in the Forelands
26 with Gustavus residents taking less than 16 percent
27 (Table 2).

28
29 Effects of the proposal. This proposal
30 would restore opportunity for Federally qualified
31 subsistence users to meet their needs by allowing a
32 hunt on Federal public lands if they are not successful
33 during the Gustavus Forelands hunt. Residents of
34 Gustavus would primarily hunt in the Chilkat Range
35 area.

36 The proposed regulations would have minimal effect on
37 moose populations. The Alaska Department of Fish and
38 Game has a management strategy to maintain the moose
39 herds over time on the Gustavus Forelands and the
40 Chilkat Range, according to Mr. Barten. The Chilkat
41 Range (Map 1) is to the east of Excursion Inlet, and is
42 accessible by boat from Gustavus. Because of the
43 difficulty and remoteness of the hunt, it is not
44 expected that the harvest of moose would increase much
45 over the average for the past years.

46
47 In past years, hunters have not met the
48 harvest objectives for the Chilkat Range, which calls
49 for an annual harvest of 20 moose. In 2005, 18 moose
50 were harvested from the Chilkat Range. Harvest has

1 ranged from 6 to 28 moose from 1990 to 1998; with the
2 1998 harvest of 28 the highest ever recorded (Table 2).
3 The harvest from 2001 to 2005 ranged from 12 to 22 with
4 18 taken in 2004 and 17 moose harvested in 2005.

5
6 Adoption of the proposal would,
7 however, result in the need for both a State and a
8 Federal permit for hunting in the Unit 1(C) remainder.
9 Dual permit systems often result in double reporting
10 and other harvest data management problems.

11
12 Other alternatives considered. If a
13 consensus could be reached between the proponent, the
14 Icy Strait Advisory Committee, and the ADF&G it is
15 possible that the intent of this proposal could be
16 satisfied by modifying the State permit conditions for
17 the Gustavus Forelands hunt to remove the super
18 exclusivity for Federally qualified subsistence users
19 and allow them to hunt the remainder of Unit 1(C) if a
20 moose is not taken on the Gustavus Forelands hunt.

21
22 The Alaska Department of Fish and Game,
23 area management biologist has the authority to set
24 permit conditions. No action would be needed on this
25 proposal if the exclusive conditions were removed. The
26 proponent stated he would recommend withdrawal of this
27 proposal if the problem could be addressed under the
28 State process.

29
30 Another alternative would be to issue a
31 joint State/Federal permit or a Federal only permit
32 that would allow Federally qualified subsistence users
33 the additional opportunity to hunt the remainder of
34 Unit 1(C). The permit would indicate that the
35 Federally qualified subsistence user may hunt in other
36 areas of Unit 1(C) even though they hunted in the
37 Gustavus Forelands.

38
39 Preliminary conclusion. Support with
40 modification, to use a joint State/Federal permit for
41 Unit 1(C) remainder. The permit would allow Federally
42 qualified subsistence users to hunt in Unit 1(C) even
43 though they may have hunted in Gustavus Forelands.

44
45 The only change would have to be strike
46 the word State and add bold joint State/Federal.

47
48 Justification. This proposal would
49 allow Federally qualified subsistence users to hunt for
50 moose in Unit 1(C) remainder by restoring the

1 opportunity originally established by the Federal
2 Subsistence Board. This opportunity is not currently
3 available when Federally qualified subsistence users
4 use the State registration permit and hunt in the
5 Gustavus Forelands. The proposed regulations would
6 have minimal effect on moose populations. The Chilkat
7 Range moose population can support additional hunting
8 pressure since most years the harvest objectives for
9 the Chilkat Range has not been met.

10
11 Other portions of Unit 1(C) included
12 through this modification are not significant moose
13 harvest areas and do not require separate regulations.
14 This proposal would not affect non-rural users. A
15 joint State/Federal permitting system is desirable to
16 avoid double reporting and other harvest data
17 management problems.

18
19 Just a clarification. I talked with
20 Neil Barten, area biologist, last week and he said he
21 had talked with the Icy Strait Advisory Committee and
22 he indicated he would recommend removal of the super
23 exclusive permit conditions, which would then satisfy
24 Mr. Burkhardt's intent. With that, I'll answer any
25 questions.

26
27 Thank you.

28
29 MADAME CHAIR GARZA: Questions. Ms.
30 Phillips.

31
32 MS. PHILLIPS: The Gustavus Forelands,
33 if it's not Federal public lands, then what is it?

34
35 MR. PARSLEY: Maybe Mr. Schroeder can
36 help me, but I believe it's an incorporated city limits
37 of Gustavus. Is that correct?

38
39 DR. SCHROEDER: (Nods affirmatively)

40
41 MS. PHILLIPS: Thank you.

42
43 MADAME CHAIR GARZA: Jim Capra is
44 sitting behind you shaking his head yes. Do you want
45 to come up and say something there.

46
47 MR. CAPRA: Jim Capra with the National
48 Park Service. Gustavus Forelands outside of Glacier
49 Bay National Park are all State wildlife area and
50 private lands. There are no Federal lands in the hunt

1 area in the Gustavus Forelands.

2

3 MADAME CHAIR GARZA: Mr. Douville.

4

5 MR. DOUVILLE: Thank you, Madame Chair.

6 There are 17 people that are supporting this proposal,

7 but are they supporting the modification that I see

8 written in this book?

9

10 MR. PARSLEY: I did not talk with them

11 since Chuck Burkhardt was the primary proponent. I

12 talked with him and he led me to believe that the

13 community basically just wanted the opportunity to be

14 able to hunt if they did not get a moose, so I do

15 believe they would support the proposal.

16

17 MADAME CHAIR GARZA: Let me ask Dr.

18 Schroeder that same question. For those 17 that

19 supported the petition, was that for the original

20 proposal and not for the proposed amendment from Staff.

21

22 DR. SCHROEDER: Madame Chair. That

23 would have been for the original proposal is my

24 understanding. Chuck, you might clarify that the

25 amendment is basically dealing with language rather

26 than intent. Just to bring everyone up to speed and

27 perhaps we could focus on where the Federal land is in

28 this area. As both Chuck and Jim pointed out, there is

29 no Federal land in the local Gustavus hunt area.

30 That's all State land in one form or another or private

31 land.

32

33 The other areas where moose occur in

34 this region could be identified on the map on Page 162.

35 Those would include other areas in 1(C). Chuck,

36 perhaps you could tell people where moose occur in

37 there because that's where the permit would apply, is

38 that correct?

39

40 MR. PARSLEY: Madame Chair, Mr.

41 Douville. I apologize for not getting your question

42 exactly as you asked it. That is correct. The

43 original supporters supported the proposal as written

44 and not as amended. The reason being we offered the

45 changes at the -- we had a problem trying to define the

46 different management areas that the State and Federal

47 had and basically after we found the map that Mr.

48 Burkhardt had, his original intent was just to talk

49 about the opportunity on the Chilkat Range, the area on

50 Page 161. So basically all we tried to do is clean up

1 the language to make it as easy as possible because
2 other than a few concentrated areas, Berners Bay on
3 Page 162, where there's no C&T opportunity, some areas
4 in the Chilkat Range and then areas down south of
5 Juneau, there really are not a lot of opportunity to
6 hunt moose in 1(C), so it's kind of a moot point. So
7 we just tried to clean up the language and make it as
8 easy as possible. Just by changing the intent, it
9 allowed for just a one word insertion to clean up the
10 actual present language. If it doesn't make any sense,
11 I apologize.

12

13 DR. SCHROEDER: Just to further
14 clarify, looking at the map on Page 161, as far as you
15 know, Chuck, Gustavus residents aren't really involved
16 in hunting moose further up, say in St. James Bay or in
17 that area, their concern was with the area that you've
18 identified on that map, is that correct?

19

20 MR. PARSLEY: Madame Chair, Mr.
21 Schroeder. That is correct. They have just a short
22 skiff ride to be able to access the area over there.
23 It was called Homeshore. But to be able to hunt at St.
24 James or in Endicott, up higher, was basically cost
25 prohibitive. They basically wanted the opportunity to
26 go next door to the east and hunt. By the way, it's
27 not an easy hunt. It's a tough road to haul moose off
28 the back line.

29

30 MADAME CHAIR GARZA: Mr. Adams.

31

32 MR. ADAMS: Thank you. Go over to Page
33 165 at the bottom, in the paragraph above the
34 alternatives considered. It reads, adoption of the
35 proposal would, however, result in the need for both a
36 State and a Federal permit for hunting in the Unit 1(C)
37 remainder. Dual permit systems often result in double
38 reporting. I'm wondering, does this cause a problem
39 with getting accurate data in from the hunters when you
40 have a dual reporting system going on here. Is there a
41 joint type of permit that could be used instead?

42

43 MR. PARSLEY: Madame Chair, Mr. Adams.
44 Yes, there is. We basically just wanted to analyze it
45 as it was given and then the alternatives considered,
46 Yakutat is a prime example of that, how there was
47 problems in the past of having a separate reporting
48 system, so everybody came together and came up with a
49 joint report to make it much easier. That would be one
50 of the alternatives that would be preferred in this

1 case.

2

3 MS. PHILLIPS: Madame Chair. So where
4 would you get the joint State and Federal registration
5 permit if you wanted to hunt in that area?

6

7 MR. PARSLEY: Madame Chair, Ms.
8 Phillips. That's a good question. I would defer to
9 Mr. Schroeder.

10

11 MR. JOHNSON: Madame Chair, Ms.
12 Phillips. You would be able to get it at the Forest
13 Service office. In all likelihood, it would be at the
14 Hoonah Ranger District and also perhaps at the Juneau
15 or potentially the Park Service could have it available
16 there as well. Then you could also have them available
17 through some of the State vendors as well, so it would
18 have to be decided at this point. It hasn't really
19 been discussed, but there are a number of options for
20 doing that.

21

22 MS. PHILLIPS: Madame Chair. I've
23 never gotten a Federal registration permit, so can you
24 apply for that through the mail or do you have to be
25 present to win or what?

26

27 MR. JOHNSON: Madame Chair, Ms.
28 Phillips. I have actually gone to places like Edna
29 Bay. When we had the Federal deer permit for Unit 2, I
30 actually went out to some of the areas that are not
31 accessible by road or have offices in nearby
32 communities that these people live in, would actually
33 take them out to them. So that's something else that
34 could be done as well.

35

36 MADAME CHAIR GARZA: I don't think you
37 answered her question. Can she get it by mail?

38

39 MR. JOHNSON: I don't believe we've
40 sent any out by mail, but I don't see why you couldn't.
41 I think the key is that someone would have to prove
42 that they're Federally qualified and depending on
43 whether or not they have to have a State hunting
44 license and some of those kinds of things. Typically
45 we've had to require people to be present to do that.

46

47 MADAME CHAIR GARZA: So then will the
48 Federally qualified residents in this region have
49 immediate access to an office that they could walk
50 into?

1 MR. JOHNSON: Madame Chair. It would
2 appear in this example it would have to be in Gustavus
3 or some place where there's a National Park Service
4 office, if it was going to be a Federal office, because
5 we don't have a Forest Service office there. If you're
6 talking about the residents of Gustavus, we'd have to
7 work out a cooperative agreement with one of the other
8 agencies.

9
10 MS. PHILLIPS: Madame Chair. Well, one
11 of the reasons I asked is we have people from Pelican
12 who go over and fish that Homeshore 1(C) for moose,
13 that area that's shown on the map on Page 161, but
14 they're doing it under the State system right now.

15
16 MR. JOHNSON: Madame Chair, Member
17 Phillips. How do they get their State paperwork now.

18
19 (No audible response)

20
21 MADAME CHAIR GARZA: Thank you. ADF&G.

22
23 MR. PORTER: Madame Chair, Members of
24 the Council. My name is Boyd Porter and I'll give you
25 State comments on WP06-12. We've covered so much of
26 this. I've been involved at least at the Board of Game
27 and through some of the user group meetings on this
28 one. It was pretty interesting and pretty contentious
29 at times. The super exclusive area was a way to get at
30 providing a local preference for Gustavus residents
31 mainly. They were being flooded by residents from all
32 over the place that would come into what they call a
33 derby-style hunt. Derby means it doesn't take very
34 long to take the harvest. In this case, a lot of times
35 it's one or two days and all the bulls are killed.

36
37 So this was an effort to try to
38 distribute that harvest around and try to give Gustavus
39 residents an opportunity to harvest moose in their own
40 back yards essentially. After they implemented this
41 requirement, this past year 29 moose were harvested by
42 Gustavus residents during that single season. So it
43 seemed like that permit condition provided that local
44 preference and then they went to the next step even
45 further and made it that you could only hunt on even or
46 odd numbered days depending on what your permit number
47 was to try to distribute that harvest around and give
48 everybody an opportunity to hunt, realizing if it only
49 went for two days that's not very long for that kind of
50 a hunt. Forty-six bulls killed in two days.

1 Most of the advisory groups that agreed
2 to that permit condition, Icy Straits, Juneau Fish and
3 Game Advisory, Alaska Board of Game worked on this,
4 along with Fish and Game biologist, and they were
5 trying to stretch that out and make it a longer, more
6 desirable hunt and also make it safe for people. We
7 were talking about safety issues in one of the other
8 proposals and this is certainly one of those where it's
9 in tight quarters and the potential to get hurt is
10 pretty high.

11
12 One of the other approaches would be to
13 go to a drawing hunt, as we've talked about in other
14 issues, and that's not a very desirable way to go. It
15 doesn't provide a local preference for rural residents
16 in that area. But that would be one of the other tools
17 in our tool box that we could go to if this weren't
18 working properly. It was considered at one point.

19
20 It's interesting, the proponent had
21 said he would drop his proposal to go to this Federal
22 permit if the super exclusive criteria were dropped
23 from that and it sounds like the Icy Strait Advisory
24 Council said that they would drop that if the exclusive
25 area was taken out of the permit conditions.

26
27 Remember, this is just a permit
28 condition. It's not a Board of Game action now that
29 the Board of Game has acted on that. These are permit
30 conditions that could come and go at the discretion of
31 the area biologist to try to address these issues on a
32 year to year basis. Then recent Department of Fish and
33 Game staff discussions with some members of Icy Straits
34 said that they would be in support of dropping that
35 condition if the proponent were to drop this proposal.

36
37
38 So several ways to try to solve a
39 contentious issue. Thank you.

40
41 MADAME CHAIR GARZA: Questions. Ms.
42 Phillips.

43
44 MS. PHILLIPS: Thank you, Madame Chair.
45 What about the support with modification? How does
46 ADF&G feel about that?

47
48 MR. PORTER: Through the Chair, Member
49 Phillips. Modification to make it a Federal permit?
50

1 MS. PHILLIPS: Joint State.

2

3 MR. PORTER: Joint State. I can't say
4 how people would weigh in on that because they haven't
5 -- I was going to say they didn't have a chance to
6 weigh in on it but they did. That seems like it would
7 work and I guess in answer to your question of how you
8 would get a permit in some of the remote areas, in
9 Pelican or other places, it may be that they've gotten
10 their State registration permits through the mail. We
11 have a fax copy that we send to you. You sign the
12 conditions and send it back and that activates that
13 permit. So it is possible to do that and it seems like
14 one of the options that could be considered in this
15 case.

16

17 MADAME CHAIR GARZA: Maybe we could ask
18 Jim or Bert if they could give us a feel for how the
19 joint permit has worked for the Yakutat area, whether
20 or not there have been any problems or whether it's
21 gone smoothly.

22

23 MR. CAPRA: Jim Capra with the National
24 Park Service. In Yakutat, the joint State/Federal
25 permits worked quite well. We had a lot of problems
26 with double reporting, people getting a State permit
27 and a Federal permit and folks being confused on where
28 they could hunt on either one. With the joint permit,
29 our reporting has been pretty much seamless with the
30 exception of a few lost permits that probably would
31 have happened anyway. Our results are much better with
32 the joint permit.

33

34 MADAME CHAIR GARZA: So in terms of the
35 administration of it, is that done jointly, so that
36 someone can get a permit from either the State or Feds?
37 And is the action taken, as Boyd had said, by the
38 regional person in that area so it doesn't have to go
39 back through Board of Game or through any higher levels
40 in order to make it work?

41

42 MR. CAPRA: The permit is actually
43 issued by the State. It looks almost identical to our
44 registration permit we got previously. The additional
45 conditions on Yakutat residents and the small line at
46 the top that says joint Federal/State permit are the
47 only differences. We collect the reports and jaw bones
48 in our case at either the Forest Service, Park Service
49 or State offices in Yakutat, as well as State offices
50 in Juneau.

1 MADAME CHAIR GARZA: Thank you. Mr.
2 Hernandez.

3
4 MR. HERNANDEZ: On a different topic,
5 Mr. Porter, it sounds like the exclusive registration
6 idea was to try and make people decide where they were
7 going to hunt. It seems to me, and maybe you can
8 comment on this, that system probably encouraged people
9 from Gustavus to choose to hunt in this South Chilkat
10 Range more but probably didn't encourage people from
11 Juneau to change their habits. I'm guessing that
12 people from Juneau probably elected to continue to hunt
13 Gustavus area, whereas people that live in Gustavus may
14 have chosen to hunt in the Chilkat Range as opposed to
15 Gustavus.

16
17 MADAME CHAIR GARZA: Could we also get
18 Chuck back up here.

19
20 MR. HERNANDEZ: Yeah, he might know
21 that question. Because he said it was somewhat
22 successful in getting people to reduce the hunting
23 effort in Gustavus and I guess my main question is, is
24 the reduction in hunting effort in Gustavus mainly as a
25 result of Gustavus people choosing not to hunt there or
26 Juneau people choosing not to hunt there. Can you
27 answer that?

28
29 MR. PORTER: Through the Chair, Member
30 Hernandez. I think it's just the opposite. I think
31 you would find that the majority of Gustavus people
32 want to hunt in their own back yards. It's convenient.
33 There's a high moose population and their chance of
34 success on home turf basically is better. It's the
35 Juneau residents that would be opting around for
36 wanting to hunt the remainder of 1(C) because they
37 could access them more readily. Go ahead.

38
39 MR. PARSLEY: Through the Chair, Mr.
40 Hernandez. I think you are right in theory, but I
41 think in the actual implementation, because of the odd
42 and even day hunts, you had to define if you're going
43 to hunt on an odd date or an even date. That precluded
44 a lot of the locals being able to hunt because they had
45 to make a choice, am I going to go home and work this
46 week or am I going to go hunt. If you had the second
47 day hunt, the hunt basically ended at 11:00 o'clock.

48
49 If I understand your question right,
50 the hunt did work in the fact that it did limit a lot

1 of people from coming over to Gustavus even though they
2 had a permit or for declaring they wanted to hunt on
3 the Forelands. But it wasn't enough. This year it was
4 over in a day and a quarter basically, or a day and a
5 half.

6
7 Either it was a function of the hunt
8 being a week later in the actual season than it was
9 last year or there's just more critters or people are
10 just better hunters, but the hunt was over so fast it
11 was almost a negligible effect of having the super
12 exclusivity applied. Mr. Barten is right when he
13 talked to me on the phone, it did limit a little bit,
14 but it was still so lightening fast people weren't able
15 to get the moose they required.

16
17 MADAME CHAIR GARZA: Mr. Porter and
18 them Mr. Adams.

19
20 MR. PORTER: Madame Chair. I just
21 wanted to point out I wasn't sure how many people got
22 to participate, but 29 moose were harvested by Gustavus
23 residents. It had the overall effect they were trying
24 to target.

25
26 Thank you.

27
28 MADAME CHAIR GARZA: Mr. Adams.

29
30 MR. ADAMS: I'd just like to go back to
31 this joint permit system. The reason why I asked you
32 that, Chuck, is because Yakutat does, you know, as Jim
33 Capra reported, have a joint permit with the State and
34 it works well, as he indicated. The thing I liked
35 about it is our subsistence hunt opens a week before
36 the regular hunt does. That gives the subsistence
37 hunter an opportunity to go out there and get their
38 moose first or right away. If they aren't successful
39 in getting a moose by that time, the permit is good for
40 the duration of the season. I think that works out
41 real well for us.

42
43 MADAME CHAIR GARZA: Thank you. Are
44 there other Federal, State or Tribal agency comments.
45 Mr. Capra.

46
47 MR. CAPRA: Jim Capra with the National
48 Park Service again. Madame Chair, Members of the
49 Council. I offer this partly in the fact that I've
50 been involved in the Gustavus hunt as an enforcement

1 officer for I think seven of the last 10 seasons. I
2 was not present for last year's two-day hunt. The
3 local residents basically got a one-day hunt. The
4 conditions of the hunt have been really talked to death
5 and worked out to within an inch of their life by the
6 Advisory Committee and the State and everybody to try
7 to get the best results of the hunt for everybody
8 involved. Folks have been very involved all through
9 the community. I doubt any of these actions have been
10 done without local community involvement.

11

12 But some things from my contacts in the
13 field and knowing a lot of residents from both Hoonah
14 and Gustavus, the Homeshore hunt or the area concerned
15 with this permit is viewed as kind of a back-up hunt.
16 If you were working during the one or two or maybe
17 three days that you could hunt in Gustavus, you could
18 always go to Homeshore and it is a more difficult hunt,
19 but it is used as an opportunity at least, maybe not
20 successful, by maybe more residents of Hoonah than
21 Gustavus, but it is an extra opportunity and a whole
22 extra month to hunt out there.

23

24 That said, I have a couple things. If
25 we did decide to go to a joint permit, I'm sure the
26 Park Service would be happy to offer that permit at
27 their offices in Gustavus. I can't see any problem
28 with that for local residents. As far as I know, it's
29 always been done in person, but I'm sure we could
30 accommodate people by fax. The one problem I see, and
31 it seems like the State is open to it, is the super
32 exclusive permit condition would have to be dropped for
33 the Gustavus if folks wanted to hunt both.

34

35 One thing I'm not clear on, I'm just
36 curious, if the result of this is intended to restrict
37 that area, the Homeshore area, to just rural residents
38 with the joint permit.

39

40 MADAME CHAIR GARZA: Does anyone from
41 Staff want to respond to that.

42

43 MR. PARSLEY: Madame Chair. I'm not
44 sure I understand the question. Could you restate it,
45 please.

46

47 MR. CAPRA: I was wondering if the
48 intent of this was to restrict the 1(C) or Homeshore
49 area to just rural residents under the joint
50 State/Federal permit.

1 MR. PARSLEY: Madame Chair, Mr. Capra.
2 In talking with Chuck Burkhardt, his only intent was
3 just to have the opportunity to fail. He didn't want
4 to restrict anybody. We were trying to find the
5 easiest vehicle possible to accomplish that. He made
6 it clear that his only intent, if he couldn't get a
7 moose on the Forelands, that he had another opportunity
8 to hunt close by and that was his only intent.

9
10 MADAME CHAIR GARZA: So it was not
11 intended to exclude.

12
13 MR. PARSLEY: Correct.

14
15 MADAME CHAIR GARZA: Thank you. Are
16 there any comments from Fish and Game Advisory
17 Committee.

18
19 (No comments)

20
21 MADAME CHAIR GARZA: Summary of written
22 public comments.

23
24 DR. SCHROEDER: Madame Chair. The only
25 written public comments are the ones that were
26 mentioned already and a petition was signed by 17
27 individuals and submitted for the proposal as written
28 by the proponent.

29
30 Thank you.

31
32 MADAME CHAIR GARZA: I don't see any
33 request for public testimony. This proposal is now
34 before the Council for consideration. If someone will
35 make a motion.

36
37 MR. ADAMS: Madame Chair.

38
39 MADAME CHAIR GARZA: Mr. Adams.

40
41 MR. ADAMS: I move that we adopt WP06-
42 12 as on Page 159.

43
44 MS. PHILLIPS: Second.

45
46 MADAME CHAIR GARZA: It's been moved to
47 adopt -- actually it would be support Proposal 12 as
48 outlined on Page 159. Let's take a short break.

49
50 (Off record)

1 (On record)

2

3 MADAME CHAIR GARZA: Calling the
4 meeting back to order. We do have a proposal on the
5 table and that is to support Proposal WP06-12 as
6 written on Page 159 as it was submitted by Chuck
7 Burkhardt of Gustavus. Under discussion, we have heard
8 from Federal Staff, who is recommending a modification
9 to the regulation and we have heard from the Park
10 Service as well as from ADF&G. It sounds like it has
11 not come before the Council too many times, but it is a
12 long and contentious issue, mostly through the State
13 process and through Fish and Game Advisory Committee
14 process. So we have to figure out how we want to weigh
15 in on this. I'm not sure what to do. Chuck.

16

17 MR. PARSLEY: Madame Chair and Council.
18 I was just speaking with ADF&G. I guess they have been
19 talking with folks in Juneau. There's new information
20 I guess they'd like to bring forward if it's
21 appropriate at this time regarding this issue.

22

23 MR. PORTER: Madame Chair, Members of
24 the Council. My name is Boyd Porter again for the
25 record. It's always good to talk to the source and
26 find out what's going on behind the scenes. I guess,
27 in talking about whether or not to go with a joint
28 Federal permit or what would be a fix for this, I guess
29 the advisory groups, especially from Juneau, had told
30 the Fish and Game biologist that their immediate
31 reaction to a joint Federal permit would be that they
32 would go for a drawing permit in Gustavus, which would
33 cause all kinds of problems. I guess the solution it
34 seems like in this case is that the state would agree
35 to dissolve the super exclusive permit conditions. I
36 don't see a down side to that. It seems like it would
37 solve this issue with no contention and I guess I would
38 defer to Mr. Parsley to provide the Federal input on
39 that.

40

41 MADAME CHAIR GARZA: Before we get to
42 that. So that was sort of part of the alternative that
43 was considered on Page 165, was dropping that super
44 exclusive. But in the initial State comments that
45 wasn't commented on. While you reported that that
46 would help in resolving the issue, you did not report
47 that the State would actually agree to do that and I'm
48 not sure you have the authority to do that.

49

50 MS. SEE: (Nods affirmatively)

1 MR. PORTER: (Nods affirmatively)
2
3 MADAME CHAIR GARZA: You do have.
4 Okay. You're a man of authority. We should ask you to
5 do all sorts of things. So that's sort of the
6 clarification we need, is will it likely be done before
7 we support it. The concern I had was we had a Staff
8 analysis on an alternative that we didn't know would
9 even work. So you're saying that it's pretty sure that
10 ADF&G would be able to drop that super exclusive in
11 order to make this work. Okay. Mr. Parsley.
12
13 MR. PARSLEY: Madame Chair. That was
14 one of the alternatives that we suggested and Mr.
15 Burkhardt said that would be acceptable for his intent.
16 Basically he just wanted the ability to hunt Cuverden
17 (ph) if he was not successful in the Gustavus Forelands
18 hunt. I guess the only concern would be that we had
19 some proof that actually would follow through and some
20 committee would not substitute some alternative in that
21 permit later in the year. If that was to occur, I
22 think it would be totally satisfactory.
23
24 MADAME CHAIR GARZA: So, in terms of
25 the super exclusive area, that is an area that was
26 created through the Board of Game process at the
27 request of the Fish and Game Advisory Committee in that
28 area?
29
30 MR. PORTER: Madame Chair. That was a
31 joint effort and it's a discretionary permit condition.
32 So in response to your question about whether or not we
33 had the authority to do it, we could do it with just an
34 area biologist tying in and making that permit
35 condition for the '06 season. So I guess you'd have to
36 trust me that that would happen come August this fall.
37
38 MADAME CHAIR GARZA: Is that something
39 that would be done likely for one season or if it
40 works, it would be a permanent change?
41
42 MR. PORTER: Madame Chair. That would
43 be a permanent change at this point. That comes
44 through the authority of the regional Staff, so I
45 didn't make the decision.
46
47 MADAME CHAIR GARZA: Okay. I guess I
48 also want to hear from Jim Capra on that, if he thinks
49 that resolves it, since you are part of the enforcement
50 in that area and have experience with people in and out

1 of it. Don't go anywhere, Boyd.

2

3 MR. CAPRA: Madame Chair and Members of
4 the Council. Jim Capra with the Park Service. That
5 would resolve the problem for the local residents
6 there. It would allow the rural residents of the
7 communities around there to hunt Gustavus and if they
8 weren't successful to use the Homeshore area at a later
9 date to try and get their moose.

10

11 MADAME CHAIR GARZA: So next time you
12 state people have a problem, you just come to us and
13 we'll resolve it in one meeting.

14

(Laughter)

15

16 MADAME CHAIR GARZA: Okay. So it
17 sounds like we're probably supporting the alternate
18 language, so we have to figure out which page it is and
19 make sure we support the right thing and get the motion
20 going.

21

22 Mr. Parsley, the alternate being
23 considered is at the bottom of Page 165. Is that the
24 only place that it is written for us to consider or is
25 there language or are we supporting the concept.

26

27 MR. PARSLEY: Madame Chair. If I
28 understand correctly, that's the only place I think
29 it's written, but I think it's the concept that we're
30 supporting. We might have to work out the exact
31 verbiage to make sure it works for the regulation.

32

33 DR. SCHROEDER: Chuck, is there a need
34 for any regulatory action on the part of the Federal
35 Subsistence Board if the super exclusivity permit
36 condition is gone? Does this proposal basically
37 require any action on the part of the Council or the
38 Board?

39

40 MR. PARSLEY: Madame Chair, Mr.
41 Schroeder. No, there would not be any need for further
42 action by the Council if the State is willing to remove
43 their super exclusivity of their State permit.

44

45 MADAME CHAIR GARZA: Is there action
46 necessary in order to go with the joint Federal/State
47 permit?

48

49 MR. PARSLEY: Madame Chair. I would

50

1 believe, yes, we would have to put it up to adopt or
2 recommend the preliminary conclusion, support with
3 modification, for that to occur.

4
5 MADAME CHAIR GARZA: Okay. So 168.

6
7 MR. PORTER: Madame Chair. If we were
8 to drop this permit condition, I'm not sure there would
9 be any benefit by going to the joint Federal/State
10 permit. We wouldn't need to do that.

11
12 MADAME CHAIR GARZA: No, we're not
13 dropping it. We're trying to see if we need to include
14 it in the proposal language that there would be a joint
15 Federal/State permit. Okay. So the amended language
16 or the modification is on Page 168 right under
17 preliminary conclusions, support with modification,
18 would be to use a joint State/Federal permit for Unit
19 1(C) remainder. The permit would allow Federally
20 qualified subsistence users to hunt in Unit 1(C) even
21 though they may have hunted in Gustavus Forelands.

22
23 Do we need to include something about
24 the super exclusive or does that do what we need to do?
25 First, Mr. Douville.

26
27 MR. DOUVILLE: Thank you, Madame Chair.
28 Before I get further confused with the State agreeing
29 to drop their restriction, that takes care of the
30 problem. So I guess my question is do we have to do
31 anything. In my mind, I'm thinking now we do not have
32 to take any action since they agreed to do this. And
33 then perhaps if something goes wrong we can take it up
34 at another time. But it appears to me like a no action
35 because the problem appears to be solved.

36
37 MADAME CHAIR GARZA: Mr. Parsley.

38
39 MR. PARSLEY: Madame Chair, Mr.
40 Douville. I believe that's correct. I don't know the
41 exact mechanism in place to withdraw this, but the
42 proponent's request was if the super exclusivity was
43 removed that he would drop the proposal. I think just
44 by documenting what you had stated, that the super
45 exclusivity would be removed, that there wouldn't be an
46 action needed.

47
48 MADAME CHAIR GARZA: So basically we
49 need our parliamentarian back up here so we can remove
50 our proposal from the table.

1 So the intent is that the State will
2 drop the super exclusive, which means that this
3 proposal is moot, that it meets the needs of the
4 Gustavus residents. I don't really understand how the
5 joint permit fits in, if we need to take no action on
6 that or what happens. Dr. Schroeder.

7
8 DR. SCHROEDER: Madame Chair. I think
9 the intent of the proponent and also the analysis was
10 to provide hunting opportunity for Federally qualified
11 subsistence hunters that would allow them to hunt both
12 in Gustavus and other parts of Southeast where they are
13 eligible to hunt under Federal regulations. The
14 problem there was that there was a permit condition
15 calling for super exclusivity. If they hunted in
16 Gustavus, they could not hunt anywhere else in Unit
17 1(C).

18
19 The State has dropped that super
20 exclusivity permit requirement. Therefore, the need
21 for action on this proposal would appear to go away.
22 The reason for having a joint State/Federal permit in
23 this case would be so that someone would be able to
24 hunt in those other parts of Federal land in 1(C) after
25 hunting in Gustavus. Since hunters will be able to do
26 that in this coming season because of the change in the
27 permit condition, there appears to be no need for a
28 State/Federal permit at this time.

29
30 MADAME CHAIR GARZA: So we do have a
31 motion on the table to support WP06-12. So, Mr.
32 Parliamentarian, if we wish to take no action again, we
33 need to have the maker of the motion, Mr. Adams,
34 rescind the motion.

35
36 MR. JAMES: That's correct, Madame
37 Chair.

38
39 MR. ADAMS: Madame Chair. I will go
40 ahead and rescind the motion. Thank you.

41
42 MADAME CHAIR GARZA: So there is
43 nothing on the table. It has been sworn in public and
44 in blood that Boyd Porter will rescind the super
45 exclusive and everything will be better. Is there a
46 motion to take no action. Mr. Bangs.

47
48 MR. BANGS: Thank you, Madame Chair. I
49 move or make a motion to take no action on WP06-12.
50

1 MS. PHILLIPS: Second.

2

3 MADAME CHAIR GARZA: It's been moved
4 and seconded to take no action. From my understanding
5 from the parliamentarian, by taking no action as
6 opposed to tabling we do have the opportunity to
7 comment or debate. Is that true?

8

9 MR. JAMES: Yes, Madame Chair, that is
10 correct. Also, that would be withdraw the motion for
11 correct terminology.

12

13 MADAME CHAIR GARZA: We like rescind,
14 thanks. Don't push Bert. He's drinking too many Diet
15 Pepsi's here. So we have the motion to take no action.
16 Is there any discussion or does anyone want to clarify
17 the justification so that Mr. Littlefield has a clue
18 what we did in the last hour.

19

20 Mr. Hernandez.

21

22 MR. HERNANDEZ: Thank you, Madame
23 Chair. I would vote in favor of withdrawing the
24 proposal as long as the record shows that Fish and Game
25 has committed to doing away with the super exclusive
26 registration permit.

27

28 MADAME CHAIR GARZA: Mr. Douville.

29

30 MR. DOUVILLE: Madame Chair. I don't
31 think it's in our position to withdraw. I think the
32 person making the proposal would do that. I guess I
33 would support taking no action though.

34

35 MR. HERNANDEZ: Excuse me. I meant to
36 take no action.

37

38 MADAME CHAIR GARZA: Okay. The comment
39 was to support taking no action. Ms. Phillips.

40

41 MS. PHILLIPS: At this time I would
42 support taking no action. However, I was looking
43 forward to some contentious debate about joint State
44 and Federal registration permit. I was sort of
45 disconcerted that the Juneau Advisory Committee was
46 contacted and that the discussion about, well, we'll
47 put the hunt back on to a draw would be made. The
48 joint State/Federal registration permit works very well
49 in Yakutat from what I understand from Mr. Adams. I
50 don't think there should be a fear that we're putting a

1 restriction on hunters. We're just creating
2 opportunities.

3
4 At any rate, what I would like to know
5 is not only is it the Federally qualified that will be
6 able to hunt the Forelands and the Chilkat Range that's
7 identified in this proposal, but also non-Federally
8 qualified will be able to hunt the Foreland and the
9 Chilkat Range. Anyway, I'll be in support of taking no
10 action.

11
12 Thank you.

13
14 Call for the question.

15
16 MADAME CHAIR GARZA: Okay. The
17 question has been called. The motion before us is to
18 take no action on Proposal WP06-12 and under discussion
19 it was clarified that it's on the basis that ADF&G
20 would rescind the exclusive hunt area, which would
21 increase hunting opportunities for Gustavus residents.

22
23 All in favor of the motion signify by
24 saying aye.

25
26 IN UNISON: Aye

27
28 MADAME CHAIR GARZA: Opposed.

29
30 (No opposing votes)

31
32 MADAME CHAIR GARZA: Motion passes.
33 I'm not sure Chairman Littlefield is going to be happy
34 with me that we spent a whole afternoon on three
35 proposals and took no action on all of them, but
36 hopefully that's the right outcome. We are done with
37 our proposals.

38
39 The next item on the agenda is update
40 on Unit 2 Deer Subcommittee. However, we did promise
41 Jim Capra that we would not stick him at the end, so
42 provided he does not take all day we will take him
43 next.

44
45 MR. CAPRA: Jim Capra with the National
46 Park Service. Madame Chair, Members of the Council.
47 Now that I don't have to go last I have nothing to
48 report.

49
50 MADAME CHAIR GARZA: Say again.

1 MR. CAPRA: Done.

2

3 MADAME CHAIR GARZA: We appreciate that
4 you were here for the proposal that we took no action
5 on. It was really important that you were here to give
6 us an insight of what's going on. For that, I'm glad
7 that you always show up and support subsistence.

8

9 Thank you.

10

11 MR. CAPRA: Thank you, Madame Chair.
12 Always a pleasure to be here.

13

14 MADAME CHAIR GARZA: I do have a
15 question though for you. I'm still a bit confused in
16 terms of the access to Glacier Bay by Hoonah residents.
17 I know there's been some efforts over the year and I
18 just kind of wanted to find out if those deliberations
19 and consensus points have been reached and how do
20 Hoonah residents have access to Glacier Bay.

21

22 MR. CAPRA: Madame Chair. I don't
23 believe this has changed since our last meeting but
24 we're still working with residents of Hoonah to get
25 them traditional access to some resources in Glacier
26 Bay National Park. As you know, under Title VIII,
27 Glacier Bay National Park is exempted from Title VIII
28 regulations and ANILCA subsistence is not permitted in
29 the Park. Although sportfishing and through a long
30 process some limited commercial fishing is still
31 allowed.

32

33 Residents of Hoonah over the past
34 several years have been granted by permit access to
35 gull eggs in some of their traditional areas in Glacier
36 Bay National Park and the Park Service has taken Hoonah
37 elders and other folks from Hoonah up to those areas
38 and harvested gull eggs at least once a year. What
39 we're working on, in conjunction with maintaining the
40 Park Service standards, what would be an allowable
41 harvest up there. I'm told that in the upcoming year
42 we will have a sustainable harvest amount for gull eggs
43 in those areas and there will be some system that
44 Hoonah residents can go to their traditional areas and
45 harvest gull eggs.

46

47 The determination of sustainability for
48 Hoonah people is also going forward for seals and
49 mountain goats. Seals being the next item on the agenda
50 and goats the third. I know the seal research is going

1 on and the mountain goat research is still in the
2 future, but they are all three moving forward.

3

4 MADAME CHAIR GARZA: Thank you. So
5 it's five to 4:00 and my hope was to recess by 4:15 so
6 we would have time to have dinner and be back here by
7 6:15. I promised Tina we will not start until 6:30 so
8 that she can go to church and hopefully we will have a
9 good turnout here. We had estimated it may go until
10 8:30, but if we have 1,000 show up, I'll be glad to sit
11 here all night to allow all of them to testify.

12

13 As a side note, if you know someone
14 that can't come here to testify, and the only thing we
15 will be covering tonight is the rural status or urban
16 status of Ketchikan and Saxman, that's what we want the
17 testimony on. If someone wishes to submit comments
18 either in writing or to testify before this Council,
19 they are welcome to give us a call or submit something.
20 To make sure it goes through on record at this meeting
21 we need to have it by the end of the meeting. So if
22 someone wants to submit it in writing, they need to get
23 it to us and we will still accept it.

24

25 We have 20 minutes, so I think we will
26 try to cover the U-2 Subcommittee final report. Mr.
27 Hernandez.

28

29 MR. HERNANDEZ: Thank you, Madame
30 Chair. Hopefully everybody has a copy of the Unit 2
31 Deer Planning Subcommittee report. It's a three-page
32 handout that was distributed earlier.

33

34 While people are looking for their
35 handout, I'll just say kind of as a review the
36 subcommittee held its last meeting in April of last
37 year. At that time we decided that we would have one
38 follow-up meeting this winter before the Council
39 meeting and at the conclusion of the deer season just
40 to kind of review how the recommendations that we gave
41 to the Council were being acted upon. We had a report
42 that was published in July that the Council received
43 before their fall meeting and at that time the Council
44 adopted that report as a report of the Council.

45

46 This report which I'm going to give now
47 we also ask that Council review it and if they so
48 desire to make it a report from the Council, it would
49 be added to the initial final report as a supplement to
50 that.

1 So we met just this past week,
2 Wednesday and Thursday in Craig. As I said, the main
3 purpose of that meeting was to go through all of that
4 actions which we recommended and kind of review them.
5 We also, as I mentioned earlier, did discuss the
6 proposals which were put forward concerning Unit 2 this
7 year and we've already dealt with those, so I think I
8 will go right to the actions and start reviewing them.

9
10 The Subcommittee considered recent
11 information on the status of implementation of its
12 original recommendations and reached consensus of the
13 following updates to the recommended actions related to
14 Unit 2 deer management. The Subcommittee is requesting
15 Council approval of the following language, which will
16 be incorporated into an updated final report to be
17 submitted to the Federal Subsistence Board. The
18 updated final report will also include status updates
19 on each action item. The Council accepted the
20 Subcommittee's July 2005 report and submitted the July
21 report to the Federal Subsistence Board.

22
23 I'll start with recommended action No.
24 3, which was the deer population estimation and trends.
25 What we're asking for here is a re-emphasis of the
26 original recommended action. There is a project
27 underway in 2006 that was funded with WIS money. The
28 purpose was to address the need for information on Unit
29 2 deer population and trends through the existing
30 enhanced pellet count methodologies. In addition, the
31 Subcommittee continues to support the development and
32 implementation of multiple tools to collect population
33 information.

34
35 For the information of the Council, you
36 did hear through the course of our discussions in the
37 Unit 2 proposals about the enhanced pellet count
38 project that's been implemented. It received WIS
39 funding and is now underway. The Todd Brinkman report,
40 which we also discussed, was a part of that study.

41
42 I should note that at our meeting in
43 Craig, in addition the Subcommittee continues to
44 support the development and implementation of multiple
45 tools to collect population information. You see that
46 multiple tools is underlined. That was one of the
47 recommendations that we made in our original report
48 that we wanted to see multiple tools in trying to
49 determine this population and trends. We didn't want
50 all of the efforts to be put into one technique for

1 trying to determine that information.

2

3 There were several other proposals that
4 were submitted to the review committee for WIS funding
5 that would also work towards addressing the population
6 trends. Unfortunately, in the process of deciding on
7 the WIS funding, the other recommendations or the other
8 proposals didn't meet their standards for funding. One
9 was the check stations during the hunting season to
10 talk to hunters and get more on-site information of
11 what they thought about populations. That didn't get
12 funded. The only one that did get funded was the
13 enhanced pellet count with DNA analysis. So the
14 Subcommittee included this language that we still would
15 like to see implementation of multiple tools to collect
16 that information on population trends.

17

18 In action 4, subsistence use of and
19 need for Unit 2 deer, re-emphasis of the recommended
20 action, the Subcommittee continues to emphasize that
21 documenting and characterizing the subsistence use of
22 and need for deer in Unit 2 is an extremely high
23 priority information need for subsistence management.
24 It is essential to fund and implement work that will
25 successfully address this information need as soon as
26 possible.

27

28 This recommendation action also
29 generated several proposals to implement a study for
30 subsistence use and need. Those proposals also went to
31 the WIS funding committee for review and,
32 unfortunately, they did not think that any of those
33 proposals met their standards for funding for a
34 project, so there was no WIS money to fund that
35 subsistence use and need project. I think it's
36 important that we re-emphasize this in our report
37 because we still would like to see that study take
38 place. We're hoping that there will be new proposals
39 for research projects to present to WIS funding next
40 year so that this project on subsistence use and need
41 can be funded.

42

43 Action No. 7 was the management of
44 current condition. It says here revision to
45 recommended action 7D to read Subcommittee recommends
46 beginning in 2006 the following Federal regulations
47 apply in Unit 2 regarding hunting seasons. This was
48 the only recommendation that we made on the proposals
49 and it dealt with that Southeast portion of Prince of
50 Wales Island, which the Council has acted on. So we

1 took care of that recommended action. You can see we
2 have our reasoning there.

3
4 Action No. 9 was about rehabilitation
5 of young growth forests. Here again we'd also like to
6 reemphasize the original recommended action. The
7 Subcommittee supports the continued development of the
8 young growth management strategy for Prince of Wales
9 Island. Approximately 200,000 acres of timber have
10 been harvested on Forest Service lands on Prince of
11 Wales Island. About 70,000 acres or 35 percent have
12 been treated, generally thinned for different purposes.
13 This leaves a substantial backlog of untreated acres,
14 many of which need treatment to restore wildlife
15 values. Recent funding levels have allowed
16 Forest Service to treat about 2,000 acres per year.
17 Most of this funding has been targeted for timber
18 resource improvement. The Subcommittee encourages
19 Forest Service to greatly expand its funding for
20 treatment of young growth forest for the benefit of
21 wildlife and the people that depend on these resources.
22 The Subcommittee feels that it is urgent for the Forest
23 Service to identify areas that are highest priority for
24 treatment to benefit deer and to proceed with
25 treatments of those areas.

26
27 As a result of our Action 9, which the
28 Council adopted last fall, the the Forest Service did
29 create a working group to come up with a plan to
30 implement a young growth management strategy for Prince
31 of Wales Island and they've held several meetings this
32 winter and a plan has been started that would
33 accomplish that action, which is to greatly enhance the
34 thinning that's being done on Prince of Wales Island
35 that would benefit wildlife.

36
37 As I mentioned in an earlier statement,
38 of the approximately 200,000 acres, 70,000 have been
39 treated and generally thinned. That treating and
40 thinning which has occurred up to this time is
41 predominately done to benefit timber production. That
42 type of thinning as I learned in these meetings I
43 attended this winter is not necessarily beneficial to
44 wildlife values.

45
46 In order to really rehabilitate the
47 young growth forest for wildlife values, there has to
48 be different methodologies used to treat these second
49 growth stands and that is what is being attempted now.
50 There is some ongoing research on what is the best

1 strategy for treating young growth for habitat benefit.
2 That's an ongoing project. Pacific Northwest Research
3 Lab has been working on that for a number of years and
4 they're finding out more and more all the time.
5

6 We do have efforts now with the two
7 ranger districts on Prince of Wales that they are
8 going to start to utilize some of those methods to
9 improve the habitat. As of right now, of the
10 approximately 200,000 acres per year that's being
11 thinned, only about 250 acres are being thinned with a
12 strategy that would be beneficial to wildlife. We are
13 asking the Council to reinforce our earlier request for
14 more efforts toward wildlife benefitting treatment.
15

16 The Subcommittee is going to be making
17 a request of the Council that you write a letter to the
18 Regional Forester to support second growth management
19 for the benefit of wildlife. Also, more specifically,
20 there's one treatment area on Hecata Island that's
21 being proposed for some treatment and we'd like the
22 Council to endorse that project. So we are requesting
23 Council action at this time on that letter.
24

25 Action No. 10, a similar topic was
26 alternative timber harvest methods. We also ask for
27 re-emphasis of our original recommendation on this
28 item. The Subcommittee has identified an area of
29 concern resulting from the trend to leave more downed
30 material slash and unmerchantable timber on the ground
31 after timber harvest. The material may impact wildlife
32 travel and user access. The Subcommittee recommends
33 that the Forest Service monitor the depth and density
34 of slash resulting for the lower utilization standards
35 in some recent sales to verify if there are impacts to
36 access.
37

38 In our original recommendations, we
39 recommended more use of alternative timber harvest
40 methods and the Forest Service has been adopting
41 different techniques for timber harvest using
42 alternative methods and we're kind of endorsing that
43 and asking them to continue.
44

45 Regarding the slash and unmerchantable
46 timber left in the clear cuts, this was something that
47 was brought to our attention at our most recent meeting
48 in Craig. Apparently due to the market conditions in
49 the timber industry right now with the main emphasis
50 being on saw log production, the existing way that

1 they're harvesting timber they have lessened their
2 standards for what is required to be removed from a
3 harvested area. Previously the standard said that
4 material had to be removed down to a six-inch diameter
5 at the top of the tree. Now they've changed the
6 standards so they only have to take down to a 10-inch
7 diameter at the top of the tree. So this leaves a lot
8 more material in the harvested areas. It's a lot more
9 branches and even heavy-wooded material. A 10-inch log
10 left out there is pretty substantial.

11
12 It's been identified that a lot of
13 slash on the ground is detrimental to deer using those
14 areas and in these freshly harvested areas people have
15 come to rely on them for hunting opportunities and all
16 that additional slash is both detrimental to the deer
17 and people who want to hunt in clear-cuts as well. So
18 we also added that to our action request on alternative
19 timber harvest methods.

20
21 Action No. 12 was Federal and State
22 deer management regulations revised recommendation to
23 read support consistency between State and Federal
24 regulations for Unit 2 deer management when possible,
25 recognizing that the Federal Subsistence Program is to
26 benefit rural subsistence users. This is just a
27 wording change in our original action. The intent was
28 to support consistency between State and Federal
29 regulations. In reviewing this action, we realized
30 that we didn't want anything in that statement to
31 construe that we should do anything that would not be
32 consistent with ANILCA.

33
34 Action No. 16 was Federal and State
35 regulation changes regarding spot-lighting of deer.
36 Another topic which comes up. We put that in our
37 original report. The Council did talk about spot-
38 lighting of deer at the fall meeting in Wrangell. We
39 asked if the Council could come up with a proposal that
40 might address that. If you recall, the Council did
41 discuss that and was not able to come to any kind of
42 agreement as to what sort of regulation change would be
43 proposed to deal with spot-lighting. So the
44 Subcommittee has asked Forest Service law enforcement
45 staff to draft language for a regulatory proposal
46 related to spot-lighting of deer to submit through the
47 Council process.

48
49 We had Ken Pearson at our meeting in
50 Craig. We got talking about this spot-lighting

1 situation again quite a bit. What was decided is that
2 maybe law enforcement staff could take it upon
3 themselves to come up with a proposed regulation change
4 that they thought might accomplish what we wanted to
5 accomplish and be acceptable. I should note that if
6 it's the Council's wish for enforcement to do that, the
7 Council needs to direct them to do that. It's not
8 something that the Subcommittee could direct
9 enforcement to do. But if it's your wish that we deal
10 with this spot-lighting issue any further, then the
11 Council should direct the enforcement division to draft
12 a proposal for full public review and analysis and
13 further action by the Council.
14

15 That's the end of the written report,
16 but we did get a chance to talk about the other
17 important action that was endorsed by the Council and
18 undertaken and that was a joint harvest reporting
19 system and we got a report from State and Federal Staff
20 on how that's working. It's too soon to have any of
21 that data compiled. The reports are still coming in.
22

23 I guess I could report on the initial
24 response from the hunters. Approximately 30 percent of
25 the reports were returned by the stated deadline, which
26 Staff kind of informed is what they would expect on any
27 kind of a mailout request, to get maybe a third back
28 initially.
29

30 As you recall, our suggestion was that
31 there would be several opportunities for Staff to
32 follow up with the people. They have the names,
33 addresses and phone numbers of everybody who picked up
34 deer tags that hunted on Prince of Wales Island
35 theoretically and I think right now reminder letters
36 are being sent out to everybody that did not respond.
37 The plan is to have a second reminder if necessary.
38 After that there would be follow-up phone calls and
39 even possibly personal visits if necessary to try and
40 get a really good response rate on those hunter
41 reports.
42

43 That's the conclusion of my updated
44 report. If you have any questions, myself and three
45 other Council Members here on the subcommittee that can
46 probably answer them. I would remind you that we are
47 asking for one specific new action, which would be that
48 letter and a possible other action if the Council so
49 desires on proposed spot-lighting regulation.
50

1 Thank you very much.

2

3 MADAME CHAIR GARZA: It is 4:20 and I
4 really do need a break before tonight, so I'd like to
5 take up those actions tomorrow. There are three or
6 four that we need to do. So we can highlight them in
7 the morning and then figure out how to go forward.

8

9 DR. SCHROEDER: One minute.

10

11 MADAME CHAIR GARZA: You never take one
12 minute, Schroeder. I'm going to time you.

13

14 DR. SCHROEDER: Okay. The Chair is
15 timing me. There are a few actions that the Council
16 should take on this. The two sub actions is to
17 authorize a letter to be sent to the Forest Supervisor
18 under Action No. 9. The second is to decide whether
19 the Council supports development of the spot-lighting
20 proposal. Finally, the Council should decide whether
21 to accept the report of the Subcommittee and forward it
22 to the Federal Subsistence Board. The Subcommittee
23 reports to you and through you to the Federal
24 Subsistence Board. So those are the actions that need
25 to be taken and I did it in 35 seconds.

26

27 MADAME CHAIR GARZA: So we will recess
28 and ask you to come back at 6:15 so we are prepared to
29 hear testimony regarding Ketchikan Saxman rural/urban
30 status. We will be asking people to sign in with a
31 blue form so that we have your name, address and a
32 record of them. The intent would be to start tomorrow
33 at 9:00 instead of 8:30. I'll see you here at 6:15.
34 And then Bert is starting the meeting because I intend
35 to testify.

36

37 (Off record)

38

39 (On record)

40

41 MADAME CHAIR GARZA: I'm calling the
42 meeting back to order. I'd like to give you a clue of
43 who we are and what we're doing. We are the Southeast
44 Regional Advisory Council, which is an advisory council
45 to the Federal Subsistence Board, who manages for
46 subsistence takes on Federal lands, which in Southeast
47 encompasses about at least 80 percent of the land base.
48 We have been meeting since Monday afternoon, so this is
49 the third day of our meeting and covering the proposals
50 regarding changes to game on primarily the Tongass. I

1 did see in the paper this morning that Scott Bolen has
2 done a good job of reporting what we have covered so
3 far.

4
5 The Federal Subsistence Board, who is
6 the ultimate body that makes decisions regarding
7 qualifications for subsistence users as well as
8 resources will be meeting in Anchorage. They will be
9 meeting several times this year, May 15th and 16th to
10 cover the wildlife proposals that we've been
11 considering and other proposals from around the state.
12 Then they will be meeting sometime in June to make a
13 proposed rule regarding rural/urban status of
14 communities around Alaska.

15
16 The process of deciding urban and rural
17 communities throughout Alaska is part of their
18 regulatory process, however not in ANILCA. They have
19 agreed that they will look at communities throughout
20 Alaska to determine if they still qualify as a rural
21 community or if they should be changed to urban or if
22 urban communities should be changed to rural for
23 whatever reason.

24
25 The initial thought from the Federal
26 Subsistence Board was that several communities should
27 be reviewed. Sitka was one of them and Saxman was one
28 of them. Then in the very north and south end of
29 Ketchikan were the three areas in Southeast that were
30 being considered. Saxman because of its association
31 with Ketchikan. Sitka because its population size.
32 And the north and south end of Ketchikan because they
33 are, again, part of the Ketchikan area.

34
35 If you received any information from
36 the Federal Subsistence Board, generally they have a
37 couple criteria that they have developed in sort of
38 getting a ballpark idea of whether or not a community
39 should be rural or non-rural. The two general rules
40 that impact us in terms of Ketchikan is if the
41 population of the community is over 7,000, then it's
42 considered a non-rural community unless it has
43 characteristics of a rural nature.

44
45 Secondly, in terms of looking at those
46 characteristics of a rural nature, they look at how
47 much does the average person in that community use.
48 The data that is available for them is for rural
49 communities. It's sort of a Catch-22. So you have
50 communities like in Southwest Alaska that may use 600

1 pounds per person per year and then the data for
2 Ketchikan is 31 pounds per person per year. So,
3 according to that data, we don't appear to have
4 characteristics of a rural nature. However, we are
5 quite concerned from the Regional Advisory Council
6 perspective. That data is very old and it was only
7 based on ADF&G uses of salmon and of deer.

8

9 The Southeast Advisory Council was
10 approached by Ketchikan ANB Camp 14 about four years
11 ago. They requested our support to change Ketchikan
12 from urban to rural status. This meeting was held over
13 at KIC hall. The Southeast Regional Advisory Council
14 did unanimously support Ketchikan as a rural community.
15 ANB has come back to us to reaffirm our support and we
16 have reaffirmed several times that we do support
17 Ketchikan as a rural community.

18

19 So what we are doing now is trying to
20 get better input from Ketchikan and Saxman residents.
21 Again, Ketchikan currently is considered an urban
22 community. There is support for it to be changed to a
23 rural community. If you are here to testify in favor
24 of rural status, that's great. If you are here to
25 testify because you do not support rural status, that's
26 great too. We're not telling you how to testify, we're
27 only asking you to testify and give your opinion.

28

29 This is technically part of our
30 Regional Advisory Council meeting, which is all public
31 and has public record, which is why we have these mikes
32 and we have this gal over here who will be taking your
33 testimony. It will be transcribed and become part of
34 the permanent record. We would like your testimony
35 tonight. If you know somebody who can't come here and
36 can come in the next day or two, we will try and find
37 time for them so they can testify in regard to
38 Ketchikan or Saxman's status as rural or urban. If
39 they would like to submit a letter, it would be better
40 if they got the letter to this meeting because this
41 will be public record and will go to the Federal
42 Subsistence Board.

43

44 We were under the impression earlier
45 that you could submit a letter later to the Federal
46 Subsistence Board and while you can it may not have the
47 same weight or consideration as a letter that gets in
48 as part of this public process during this meeting.

49

50 So what I would like to do is introduce

1 the Council Members here and then begin public
2 testimony. The empty seat over there is Patricia
3 Phillips. She's from Pelican. She's the mayor of
4 Pelican. She is also a graduate student. She's
5 working on her master's degree through UAF distance
6 delivery program, so she's in class right now and will
7 come as soon as she can after.

8

9

Next is Bert.

10

11

MR. ADAMS: Good evening. My name is
12 Bertrand Adams, Bert for short. I'm a senior. It's
13 good to see you all here tonight. Hopefully we'll have
14 more in as the process goes on. I want you to know I'm
15 a commercial fisherman. I'm also a charter boat
16 captain and I'm a subsistence user. My wife and I are
17 always bragging about if you go into our home you'll
18 find our freezers are full and our cupboards are full
19 and our pantries are full with 90 percent subsistence
20 foods and we are proud of that.

21

22

Thank you.

23

24

MR. DOUVILLE: Mike Douville. I'm from
25 Craig. I've lived on Prince of Wales all my life. I
26 know quite a few of you sitting here today. I'm a full
27 time commercial fisherman and subsistence user.

28

29

MR. DAVIS: Good evening. I'm Nicholas
30 Davis from Kake, born and raised. Thank you all for
31 coming. I'm looking forward to a great turnout. I'm
32 also a subsistence user and proud of it.

33

34

Thank you.

35

36

MADAME CHAIR GARZA: And my name is
37 Dolly Garza, born and raised in Ketchikan. My family
38 is from Prince of Wales Island and I consider myself a
39 subsistence user.

40

41

MR. HERNANDEZ: My name is Don
42 Hernandez. I'm a 30-year resident of Southeast Alaska
43 and I've lived in Point Baker on Prince of Wales Island
44 for the last 20 years and I'm a commercial fisherman
45 and subsistence user.

46

47

MR. BANGS: Hello. My name is Michael
48 Bangs. I live in Petersburg. I've lived there over 20
49 years now and I'm a commercial fisherman and
50 subsistence user and I'm glad to see the turnout here.

1 Thank you.

2

3 MR. STOKES: My name is Dick Stokes.
4 I'm from Wrangell. I was born there. I'm a
5 subsistence user. I know many of you here. I've been
6 getting reacquainted with my old friends. I'm glad to
7 see you out.

8

9 MR. KITKA: My name is Harvey Kitka and
10 I'm from Sitka, Alaska. I'm a commercial fisherman, a
11 sports fisherman, a subsistence person and I'm glad to
12 see you all here.

13

14 Thank you.

15

16 MR. THOMAS: My name is Bill Thomas. I
17 live in Ketchikan. I was born in Klawock and raised in
18 Craig about 23 years ago. So I grew up using the
19 subsistence and the resources from the land and the
20 sea, like many of you have.

21

22 Thank you very much.

23

24 MADAME CHAIR GARZA: I'm also asking
25 Bob Schroeder if he'll introduce some of the Federal
26 subsistence staff.

27

28 DR. SCHROEDER: I'm Bob Schroeder. I'm
29 Staff to the Regional Advisory Council and a regional
30 anthropologist working with the Forest Service. I
31 guess I'm another one of those urban
32 residents who does a fair amount of hunting and
33 fishing. We don't have a mike over there, but could we
34 turn a mike on here and other Federal Staff could
35 introduce themselves.

36

37 MR. KESSLER: Hi, I'm Steve Kessler
38 with the Forest Service. Work for the Federal
39 Subsistence Program. I'm on the InterAgency Staff
40 Committee. I work out of Anchorage. Welcome.

41

42 MR. BERG: Welcome. My name is Jerry
43 Berg. I'm a fishery biologist on the InterAgency Staff
44 Committee with the U.S. Fish and Wildlife Service. I'm
45 glad to see such a good turnout.

46

47 MR. CHEN: Good evening, everyone. My
48 name is Glenn Chen. I'm the subsistence program
49 manager for the Bureau of Indian Affairs. I'm also a
50 fisheries biologist for the BIA.

1 Thank you for coming.

2

3 MR. EASTLAND: Good evening. My name
4 is Warren Eastland. I'm the wildlife biologist for the
5 BIA and member of the InterAgency Staff Committee.
6 It's good to see you all.

7

8 MS. HERNANDEZ: My name is Melinda
9 Hernandez. I'm on the subsistence staff out of the
10 Juneau Forest Service Office.

11

12 MR. BUKLIS: Hello. My name is Larry
13 Buklis. I'm with the Office of Subsistence Management
14 in Anchorage and I've been taking the lead coordinating
15 the review of the rural determinations.

16

17 MS. PETRIVELLI: Hello. I'm Pat
18 Petrivelli and I'm an anthropologist with the Bureau of
19 Indian Affairs in their subsistence branch.

20

21 MR. CASIPIT: Hello. My name is Cal
22 Casipit. I'm a subsistence staff fisheries biologist
23 for the Forest Service in Juneau, Alaska.

24

25 DR. SCHROEDER: Do we have any other
26 Federal Staff present.

27

28 MR. JOHNSON: Dave Johnson. I'm the
29 subsistence coordinator for the Tongass and I live in
30 Craig, Alaska.

31

32 MR. KOLUND: I'm Lynn Kolund. I'm the
33 district ranger here for the Ketchikan Mystic Fiords
34 Ranger District.

35

36 MR. CAPRA: I'm Jim Capra. I'm with
37 the National Park Service with Glacier Bay National
38 Park and Preserve out of Yakutat.

39

40 MADAME CHAIR GARZA: So, if you wish to
41 testify tonight, we have asked you to fill out a blue
42 form. They are in the back. Basically they will come
43 up here and the Chairman will put out the top name and
44 just go in that order. I have told the Council here
45 that if we have 500 people show up and we testify till
46 midnight, then that's how long we will testify till.
47 We will not put a time limit on you. We're not like
48 Fish and Game, but we do want you to be respectful that
49 there are people behind you that would also like to
50 testify, so please keep that in mind.

1 I hope you have thought about what your
2 testimony will cover. However, I would like to give
3 you a couple of points that you might consider covering
4 that I think if they are presented as some of these
5 points are presented to the Federal Subsistence Board
6 it might help in a positive argument.

7
8 Do you consider yourself a subsistence user. If you
9 do, detail your uses. What does it mean to your family.
10 Do you support Ketchikan and/or Saxman as a rural
11 community. Then, as I mentioned, the Federal
12 Subsistence Board will be the board that determines
13 whether or not Saxman remains rural and whether or not
14 Saxman remains rural and whether or not Ketchikan goes
15 from urban to rural.

16
17 The Southeast Regional Advisory Council
18 did request that the Federal Subsistence Board have a
19 public hearing here so that you could actually speak to
20 them instead of to us since we are an advisory and we
21 already fully support Ketchikan and Saxman as rural.
22 So we're asking you whether or not you think Federal
23 Subsistence Board should meet here and hold a public
24 meeting prior to their decision or after their decision
25 when it would go into the Federal Register. If they
26 hear from the public what they would like, then they
27 may be encouraged to come down here.

28
29 Then the two points is whether or not
30 you think 7,000 is the correct population cutoff. And
31 whether you think 31 pounds per person represents the
32 harvest of Ketchikan residents. Then whatever else you
33 wish to say.

34
35 So I'm going to turn this over to Bert
36 Adams because I wish to testify as a Ketchikan
37 resident.

38
39 ACTING CHAIR ADAMS: Thank you, Dr.
40 Garza. Good evening again, ladies and gentlemen and
41 welcome. I would like to share a story. I shared it
42 with this body once before but I think it's a good
43 story. Hopefully it will set the stage for the
44 proceedings that will take place tonight.

45
46 I come from Yakutat and in that area is
47 where Raven did all his creations. Oh, I see Joe
48 Williams here. Who let you in here?

49
50 MR. WILLIAMS: I let me in here.

1 ACTING CHAIR ADAMS: I thought I told
2 you to wait out in the trunk.

3
4 (Laughter)

5
6 ACTING CHAIR ADAMS: Anyhow, welcome,
7 Joe.

8
9 MR. WILLIAMS: Thank you.

10
11 ACTING CHAIR ADAMS: But when Raven was
12 doing his creations he completed all of the necessary
13 stuff then he put people. This all took place in the
14 Dry Bay area. That's where my traditional heritage
15 comes from. After the people are placed upon the
16 ground they began to complain to him. They said we
17 don't have any food, we don't have anything to eat, how
18 are you going to satisfy our hunger. The Raven said
19 have no fear, Raven is here. So he flew up into the
20 sky and he was flying in between Auke and Dry Bay,
21 which is about 17 miles distance from each other. As
22 he flew way up into the sky he looks out into the ocean
23 there, a nice, clear day, and he sees something bobbing
24 around, so he flies out to investigate what that object
25 was and as he got closer and closer to it he saw this
26 real big canoe, it has a house on it, and as he got
27 closer and closer to it he realized that inside this
28 large canoe were all of the animals, the fowls of the
29 air and the fishes of the sea.

30
31 So he flew back to the mainland and he
32 carved out two staffs that were after the fashion of an
33 octopus legs and he even put those little suckers on
34 them and he flew back out to the ocean and slapped them
35 onto that large canoe and began to tow it to shore. He
36 towed it and towed it and finally got up to the
37 shoreline there, right around Auke River. He got up
38 onto the beach there and then he pulled that ark right
39 up to the beach and when he finished that he opened the
40 doors and he let out all of the animals and fowl of the
41 air and fish of the sea. There was something that he
42 did with the salmon. They were in compartments, so the
43 first one he let out was the king salmon. The next
44 group he let out were the sockeyes and then the humpies
45 and the dog salmon, and lastly the cohos, so that's why
46 we have these varied seasons.

47
48 So the people were satisfied now that
49 they had food and Raven says these I brought to you,
50 made them available to you and you should use them

1 wisely. You're going to have to prove yourself good
2 stewards over these resources. His admonition to them
3 also was that when you start misusing them these things
4 are going to be taken away from you.

5
6 I think with our Native culture that is
7 very true. We strongly believe that. So, as we sit
8 here, day after day, two times a year, this Council
9 tries to do the best they can to provide good
10 regulations for you. Hopefully, as we go through the
11 process tonight, let's keep that in mind. We have been
12 given the responsibility to have good stewardship over
13 those resources and we must use them wisely.

14
15 Sometimes you might wonder why we have
16 shortages here and there. That could be a good long
17 discussion, but let's keep in mind that we need to use
18 our resources and we need to have good management over
19 them.

20
21 The first person I've got here is Dolly
22 Garza. I'd like to just emphasize also as she's coming
23 up here that we are taking testimony of whether
24 Ketchikan should be a rural area. As Dr. Garza said,
25 if you're for it, fine, if you're against it, fine.
26 Let your wishes be known.

27
28 DR. GARZA: Saxman also.

29
30 ACTING CHAIR ADAMS: And Saxman also.
31 Thanks for the correction. I didn't want to get in
32 trouble with Joe over there. So that's what we're
33 taking testimony for today. We're going to try to keep
34 it as orderly as possible. I would appreciate it if
35 Council sees us going off base here, please call point
36 of order and we will try to get back on track again.
37 So, Dr. Garza, the time is all yours.

38
39 DR. GARZA: (In Tlingit-Haida). I said
40 chiefs, ladies held in high esteem, good people. I am
41 the granddaughter of Elizabeth Gardner from Howkan, the
42 daughter of Myrna Gardner-Garza from Craig and my name
43 is Dolly Garza from Ketchikan. I am Haida Eagle, Frog
44 and Sculpin. On my father's side I am (in Native),
45 which is the Raven Dog Salmon people from the Klawock
46 area. I was born here in Ketchikan at the old
47 hospital, which looks pretty sad these days. I was
48 born and raised here and I was born and raised as a
49 subsistence user. We were not a rich family and we
50 depended upon those resources to feed ourselves.

1 I remember when hamburger was a treat
2 and it didn't come very often. We grew up eating deer
3 and salmon and cockles and berries and everything. I
4 can tell you we went out to Settlers Cove to get
5 cockles, we went out to George Inlet to get yane, we
6 got our tea at the north end, we got our berries out at
7 Herring Cove. My father and my brothers were not the
8 best of deer hunters, but we did get them from our
9 uncles on Prince of Wales. So I grew up eating all
10 these foods and they are part of my body, part of my
11 soul, part of what keeps me a good person, is eating
12 these foods.

13
14 I moved away from Ketchikan and went on
15 to get a college degree. I have my doctorate in
16 fisheries, but whenever I would go to a meeting with my
17 Uncle Joe Demert people would always ask me which one
18 of you is smarter for fish and I would always say my
19 Uncle Joe is. He knows much more with his 50 years of
20 experience versus my short 10 years of college
21 education.

22
23 I do value local knowledge and
24 traditional knowledge. It's what the local people know
25 about the resources. That should be used in decision
26 making. I'm sure this room is filled with thousands
27 and thousands of years of that knowledge and I hope we
28 hear that tonight.

29
30 Moved around. I moved back home to
31 Ketchikan six years ago and am happy to be back home
32 and surrounded by family. I continue to be a
33 subsistence user even though I have to use the State
34 process as a personal use user. I continue to go to
35 Craig and get herring eggs on kelp with my uncles. I
36 go back to Craig and I get seaweed with my uncles. I
37 come here and get berries with my nieces. With herring
38 eggs, we probably put up about 400 pounds a year and a
39 lot of that we share. A lot of elders here in
40 Ketchikan that used to live on Prince of Wales and just
41 die for getting fresh herring eggs again and they're so
42 happy when cars come over and share the herring eggs
43 and I much enjoy doing that. For seaweed, lots of
44 people harvest it but it is one of my loves. I harvest
45 seaweed as much as I can until I drive my uncle crazy.
46 I bring back about 12 to 15 gallons and share with
47 people around town.

48
49 I also use other seaweeds. Bull kelp,
50 neh with herring eggs on it, the red seaweed, alaria.

1 I use every single seaweed I can find. It's a
2 nutritious form of food and a good family activity to
3 harvest them.

4
5 For salmon, I don't so much fish for
6 them anymore because I have nephews that do that and
7 that's their macho thing is to get the salmon for the
8 family, but our family still gets together. We cut it
9 up , we hang it, we smoke it, we process it, we divvy
10 it out according to how much effort we put into it.
11 That brings my mother, my sisters, my brothers, my
12 nieces, my nephews, my great-nieces and nephews
13 together to do these activities. It's very important
14 for us as a family to do these types of activities.

15
16 We also harvest berries together. I
17 probably put up 40 gallons of berries every year. I
18 have to have my berries throughout the year.

19
20 I'm also a basket weaver. I harvest
21 probably five or six cedar trees to get me through the
22 winter. I get spruce roots from Juneau or Yakutat or
23 Canada or wherever I can get spruce roots from. I try
24 and teach that as an activity to younger people if
25 they're interested in weaving to encourage them to take
26 on these Native activities.

27
28 Beach asparagus and goose tongue. If I
29 can put up three or four cases of beach asparagus, I
30 will. It takes about that much to get me through a
31 year because I like to bring them to potlatches and
32 serve them. It's an important food for us here in
33 Ketchikan.

34
35 Eulachons are very important. We have
36 a different process here where we get them from a
37 couple boats, one from Saxman and one from Metlakatla.
38 However, getting those eulachons is very important for
39 Ketchikan people. It's for us the sign of spring and
40 we have to have our eulachons. We know that the stock
41 is down right now and we're really hoping it will come
42 back. When it comes in, we will buy about probably 20
43 pounds of it and that's just for my family use.

44
45 So we continue to use these resources
46 however we can. They are important to my family and to
47 me. When I went back to get my degree in Delaware, I
48 went back with 10 cases of fish and beach asparagus and
49 seaweed and didn't have my berries but I managed to do
50 without them for a year and a half.

1 I do support Ketchikan as a rural
2 community. Ketchikan has always been a rural
3 community. It has a rural community nature. People
4 help each other out. When something happens, you'll
5 see there's fundraisers around here. We know what's
6 going on with each other. We share with each other.
7 People in Ketchikan don't live here because of the sun.
8 We all know that it rains more in Ketchikan than
9 anywhere else in Southeast. We live here because we
10 want to go fishing, hunting and want to use all these
11 resources. We may have moved out of villages for
12 medical reasons or to get our kids into school, but we
13 stay in the part of Alaska that allows us to harvest
14 our resources. So, in our hearts, we know that we are
15 rural resident.

16
17 I also support Saxman as a rural
18 community. They have a very different community than
19 Ketchikan. Very small and closed knit. They do a lot
20 of things that are not part of Ketchikan even though
21 they're on the same road system, but I think they will
22 address that.

23
24 In terms of the Federal Subsistence
25 Board hearing, I would hope that the Federal
26 Subsistence Board hearing would be held before they
27 make their initial determination in June because I
28 think they should hear from Ketchikan. I think the
29 Federal Subsistence Board should be hear and listening
30 to the residents of Ketchikan so they can get a better
31 understanding of what all these foods mean to us.

32
33 The 7,000 population cut-off is a
34 regulation that was established. It is not part of
35 ANILCA law, which created the subsistence program. I
36 think that 7,000 population level is arbitrary. It
37 means nothing in terms of a community, of community
38 values or how a community operates. Although Ketchikan
39 has 16,000 people when you count the city and borough,
40 we are still rural. If we go out, we get lost. If we
41 lose our plane service, we're in trouble.

42
43 There's a lot of things that make us
44 just the same as residents on Prince of Wales. We
45 could not function if we lost some of our services for
46 very long. And if we lost the ferry service, our
47 dependence upon wild foods would just substantially
48 increase.

49
50 The people that I know and talk to, the

1 31 pounds per person is substantially low. That's
2 probably at minimum what an elder uses in terms of
3 what's given to that elder. But the person that goes
4 out and harvests and shares with their family and
5 friends uses much more than 31 pounds per person.

6
7 So I've taken longer than I thought I
8 would and I'm a lot more nervous than I thought I would
9 be even though I've been chairing the meeting for a
10 couple days. I'm kind of shaking here, but I do thank
11 the Council for being here and taking the time to
12 listen to the testimony of Ketchikan residents because
13 this is a very important issue.

14
15 Thank you.

16
17 ACTING CHAIR ADAMS: Thank you, Dr.
18 Garza. Are there any questions that the Council would
19 like to ask of Dr. Garza.

20
21 (No comments)

22
23 ACTING CHAIR ADAMS: Thank you. The
24 next person, Franklin James, Sr. While he's coming up,
25 I'll just reiterate what the process of this meeting is
26 going to be. We want you to tell us whether you are a
27 subsistence user and if you are, give us some details
28 on your uses, specific amounts and so forth, your
29 family values in regards to subsistence and do you
30 think that Ketchikan and Saxman should be rural.

31
32 Mr. James.

33
34 MR. JAMES: Thank you, Mr. Chairman and
35 Council Members. My name is Franklin H. James, Sr. I
36 was born in Klawock and raised in Craig. I now reside
37 at 3713 Baranoff Avenue in Ketchikan. My real name is
38 (in Native), which means town by myself. I'm a (in
39 Native), a Dog Salmon from Chikan Kwan (ph) and Chikan
40 Island. I am a subsistence user and I've been a
41 subsistence user all my life. You may think I'm
42 drifting a little away, Mr. Chairman, so please don't
43 say point of order to me.

44
45 Going back to the latter part of the
46 1800's my grandfather came over from Scotland, married
47 my grandmother in Chikan and moved to the white man
48 village in Loring. My grandfather was one of the first
49 white settlers in not Ketchikan, it was Kitschk-hin, I
50 think how you pronounce it, which means water running

1 down the creek, hitting the rock and shooting through
2 the hole on the other side. This was a village
3 estimated between 4-6,000 years old. There was five
4 different tribes within the vicinity. This was not an
5 immigrant town. It was Native. It was one of the
6 biggest villages in Southeast Alaska.

7
8 You know, I can tell you all the
9 different foods that I eat, but I think Dolly mentioned
10 them and to cut it short we all use that.

11
12 ACTING CHAIR ADAMS: Mr. James. Please
13 take your time. You don't need to rush. We have some
14 guidelines that we're following. You're doing fine.
15 So just feel comfortable over there.

16
17 Thank you.

18
19 MR. JAMES: Okay. I left my notes at
20 home. But anyway I want to go back to Chikan. There's
21 over 25 households there and that's all they did is
22 live on subsistence. We were forced off of that island
23 by the U.S. Marshals and the Coast Guard. When my
24 family left that island, that's all they knew was
25 subsistence. Just because they were forced into
26 another environment they did not lose their taste for
27 the Native foods.

28
29 Dr. Garza's uncle and I, Ed Thomas,
30 went to academy school many years ago. Just because I
31 went to that school doesn't mean that I lost my taste
32 for my foods. I quit that school because I didn't like
33 their foods. When a person is raised up on these
34 Native foods and all of a sudden he moves to a place
35 with a million people, my tastes are not going to
36 change, it's going to stay the same.

37
38 I'd like to talk about a man who is now
39 deceased from Saxman. He was living down in Seattle.
40 Dolly Garza talked about wild asparagus. Sea ribbons
41 is hard to get. I brought him a bag of that, a bag of
42 seaweed ground up and long for frying. Fish eggs on
43 kelp, on branches, the hair kind. I brought that to
44 him just before Christmas as his Christmas present some
45 eulachons, dry fish. You know what he said? You shove
46 that turkey away, this is my Christmas dinner.

47
48 It's so hard for me to understand. I
49 just testified not too long ago in Anchorage. It's
50 hard for me to understand that I have to sit. To you

1 guys I have to applaud for what you've done in the last
2 few days. You guys really run a good meeting. But
3 what's hard for me to understand is why do I have to
4 come to the Federal government, to the State officials,
5 to beg for my food. It doesn't make sense to me that
6 we have to beg. Every year we have to beg. Slowly
7 they're trying to take it away. That's wrong. I want
8 to see them come to us and beg for a pound of bacon
9 every month, pound of beef, pound of pork chops, pound
10 of potatoes. Every month, let them come beg. I'd like
11 to see how they feel. Let them put on my shoes and my
12 pants. Let them see how I feel, what I'm going
13 through. It's wrong, horrible wrong.
14

15 I gave you guys a whole bunch of
16 papers. I advise you guys to read it. It will state
17 in there we owned 100 percent of everything up here.
18 Now we almost own nothing. We protected our resources.
19 To me, I brought up Ketchikan's original name. It's
20 always been a village. Saxman has been a village and
21 they should stay. It shouldn't even be brought up. To
22 say we want to make you urban or non-rural, it's wrong.
23 They should not have to come here and ask. That's
24 their inherent right. The same thing with Ketchikan.
25 Ketchikan I fully support and Saxman for rural status.
26

27 To me, when I look back, I told you
28 guys I hunted with her dad, I hunted with her uncles.
29 That's all we knew. I'm not going to lie to you. I
30 said it in Anchorage and today, between 1953 to 1963 or
31 '64 I shot over 550 deer. We had no roads. We had to
32 carry those out. I remember her uncle and I carried 14
33 deer out in one day. Fall buck in one day. But not
34 just for us, not just for the elders. There's many
35 people that couldn't get out and hunt. Now they're
36 trying to tell us in Ketchikan because we've got 14,000
37 that we lost our taste for the foods, we have no right.
38

39 You tell me, and I'm talking about the
40 Feds, I'd like them to tell my why should I change my
41 lifestyle of eating. Our people were always healthy
42 when we stuck to our own foods. Now they're forcing us
43 to go into the markets and eat nothing but cancerous
44 stuff. Our people can't even get out.
45

46 I'd like to go on and on and on like I
47 did up north. I have to applaud Dr. Garza, say finish
48 what you have to say, but I know other people want to
49 talk. Again, I'd like to reiterate there's no way
50 Ketchikan should be made into an urban area and there

1 should be no question about Saxman at all. That
2 shouldn't even be brought up. This is a village. It
3 will always be a village.

4
5 There was a village here before any
6 immigrants came into Alaska. It was a village before
7 we fought the French, the Portuguese, the Spaniards,
8 the English and the three major wars with Russia. This
9 was a village and it will stay a village and so will
10 Ketchikan. That wasn't any of our doings that the
11 immigrants came here and changed the name because they
12 couldn't pronounce it the right way. Ketchikan should
13 still have the name Kitschk-hin. It's hard. I can't
14 help it. The white man comes and I can't pronounce his
15 German name. Am I going to change it? That's what
16 they did to our people, changed their names. Who gave
17 them that power? They never conquered us.

18
19 Again, my conclusion, I say I support
20 Ketchikan as a rural area and Saxman should be left
21 alone completely.

22
23 Thank you, Mr. Chairman.

24
25 ACTING CHAIR ADAMS: Gunalcheesh, Mr.
26 James. Your testimony has been recorded and it's going
27 to be made as a matter of public information for
28 everyone.

29
30 Mr. Bill Thomas.

31
32 MR. THOMAS: Thank you, Mr. Chairman,
33 Members of the Regional Advisory Council. I wasn't
34 going to say this, but I have to agree with Franklin
35 and his previous comments. When it comes to the need
36 for begging for our rations of food on an annual basis,
37 that is wrong. There's nobody else in the world that
38 has to do that that has the resources we have.

39
40 To give you my cultural background, my
41 mother was of the Raven Dog Salmon. Her house was in
42 (in Native). She was born in Chikan, raised in Kake
43 and my dad was Eagle Wolf, Kaagwaantaan, of the box
44 house and Sitka. His family came from Hoonah. They
45 married in Wrangell, raised their family in Klawock and
46 then Craig.

47
48 I find it almost pathetic to make the
49 notes that I made tonight, that I need to go on record
50 to show some people why I do what I do, why I eat what

1 I eat. We are talking about the food portions of
2 subsistence. It is not necessarily limited to the
3 Native cultures of Alaska. We have members of the
4 community where their cultures come from other parts of
5 the world but have been in this area for multiple
6 generations that use the same food that we do.

7
8 When I was growing up, there was a
9 common language around here that was called Chinook, a
10 language that came from Canada. Regardless of what
11 ethnic background you had, you could communicate with
12 anybody you saw in the area because that was the common
13 language. That should have been adopted as the
14 official language of this area. There was no ambiguity
15 in that language. They were all friends. They needed
16 each other to survive. It didn't matter whether your
17 culture was from this area or from other parts of the
18 world. We've been fortunate in maintaining that up to
19 now and I see nothing in the near future to where
20 that's going to change.

21
22 I'm happy to see the people here that
23 are here. Most of them are my friends. I've known
24 them for a long time. I'm glad we have the opportunity
25 to share with you what their thoughts are on this
26 topic. I hope they signed up to represent whoever they
27 want to represent, themselves, friends or neighbors.

28
29 There's a lot of important factors in
30 the dietary part of our need for subsistence. None of
31 the foods we eat are processed or colored or doctored
32 up with chemicals. We have methods of preserving
33 without the need for all those additives that we find
34 at the grocery stores and supermarkets. To call any of
35 our stores in Ketchikan a supermarket is kind of a
36 laugh in itself. When you go to a real urban area,
37 you'll find that our supermarkets here are merely a
38 neighborhood grocery store down there. Anyway, these
39 are just some observations I came across.

40
41 When the law was written, they threw in
42 the word economy. Economy should have nothing to do
43 with your dietary needs or your way of life. In some
44 countries they use animal dung for fuel. We haven't
45 reached that point yet. It's hard to find the pellets
46 of the deer after a rainfall.

47
48 We use the plants, the edible plants
49 for preserving and it's part of our diet, like Dr.
50 Garza mentioned. She mentioned a list of plant life

1 and those kinds of things we use for food and other
2 means, such as basket-making. Years ago baskets were
3 the only containers they had for moving things back and
4 forth. There were larger baskets, some for decoration,
5 some very practical. You used to find horn spoons made
6 out of sheep, mountain goat and we used that a lot.

7
8 You know, when they brought the word
9 subsistence to making a law for Alaska, prior to that
10 time they adopted the English language as the official
11 language of this land. They find it very hard to use
12 because all of a sudden when you get to Alaska
13 subsistence doesn't have the same meaning as it has in
14 the dictionary. If you're curious, when you get home,
15 look it up sometime. See what subsistence means in the
16 real world and compare that to what subsistence means
17 in Alaska.

18
19 Another thing. We're very conservative
20 on how we harvest and how we use the resources. We're
21 conservationists by nature. We don't do anything to
22 bring any species to a point of decline. There's
23 nowhere in history that you will find that subsistence
24 users are responsible for the decline or destruction of
25 habitat, whether it be fish, wildlife or plants.
26 Still, we have to justify our reasons for using what we
27 use. We know that if we don't protect the environment,
28 the food chain, the plant life, the animal life is not
29 going to survive as they have so far.

30
31 In most cases, we don't talk about the
32 food or consider the food just because it belongs to
33 us. Besides belonging to us, it's one of our dietary
34 needs. There is nutrition in the food that we eat that
35 we don't find anywhere else. It also gives us a sense
36 of responsibility and a chance to practice our
37 individual cultural way of life, a way of doing things,
38 and the pride in preserving and conserving for the next
39 season. We're the only user group that does that.

40
41 Title VIII of ANILCA is the subsistence
42 portion of the law. It has to do with subsistence.
43 Unfortunately, the term and how the word subsistence is
44 used in the law is not consistent with what subsistence
45 and rural really is, but we're stuck with that and it's
46 up to us to find a way to live with it and we've been
47 doing a good job.

48
49 Like my brother's father, when he was
50 alive, he'd say you can't stump an Indian, you know,

1 and that applies to many of the people in this room.
2 It's pretty hard to stump us. In reference to our
3 having to justify every year, which is like Franklin
4 said, begging, begging and justify are synonymous.
5 We're the only user group in Alaska that has to go
6 through this process. No other user group has to do
7 this. But they are responsible for the endangered
8 species, the decline in resources, the decline in
9 species, the destruction in habitat, this kind of
10 thing. Subsistence users cannot be blamed for any of
11 that.

12
13 I think people that are here to talk
14 about subsistence should feel proud of the way they've
15 conducted themselves in providing for themselves and the
16 way they take care of the habitat in which they
17 harvest. Exactly what it will reap for us, I don't
18 know. The better we take care of the land, the harder
19 other users are on the same land. I'm not sure what we
20 can do about that.

21
22 Just because some of the people we're
23 talking about happen to be commercial fishermen or
24 commercial harvesters of the resource doesn't mean that
25 they don't depend on that same food for their
26 household. They use a portion of what they catch or to
27 take advantage of seasons to where they can fish in
28 areas that commercial fishing is not allowed.
29 Competition is not really a factor between commercial
30 and subsistence users. Typically you find those user
31 groups fishing in different areas. Commercial fishing
32 typically happens in saltwater. Subsistence fishing
33 typically happens in freshwater.

34
35 With regard to the consideration for
36 rural status for Ketchikan and Saxman, I happen to be
37 representing the ANB Camp 15 in Saxman. I live in
38 Ketchikan. So I'm an ineligible user according to
39 Title VIII. So I haven't had a piece of fish in 15
40 years. That's how honest I am.

41
42 Anyway, when I was a member of the
43 council, I was at a meeting in Anchorage and we were
44 discussing rural determination up there and they were
45 considering Kenai, Soldotna, some of the small villages
46 on the Kenai Peninsula and they wanted to deem them
47 urban because they were connected to a road system.
48 One of the Council Members, in fact the Chairman of
49 that region, says okay, you leave Anchorage, you get
50 out towards Girdwood and look back and see a city.

1 That's urban. Okay, turn around and look the other
2 direction and you get to Kenai and Soldotna, what do
3 you see that looks urban to you. Those are small
4 communities. They don't reflect an urban setting at
5 all. So these are the kind of arguments that people
6 need to develop to confront the language in Title VIII.
7 Title VIII is a good law, a good provision, but it's
8 not perfect.

9
10 Saxman will always say, and they mean
11 what they say when they say that by all means Ketchikan
12 should be considered rural. They're a rural community.
13 They're larger than Saxman, but their way of life isn't
14 really that much different. Like I read in the
15 transcripts that was provided for me, I read with
16 interest where this Council had spoke in representing
17 the communities that were considered for determination
18 whether they were rural or non-rural. The emphasis was
19 placed on accessibility. We've got a road system in
20 Ketchikan. How can you call 50 miles of road a road
21 system if you come to a dead end on either end. Where
22 can you go? Like it said in the transcript, Ketchikan,
23 like Sitka, Petersburg, Kake, we have one runway, we
24 have ferry service and I can't remember what else, and
25 that's true. I think this Council did a good job in
26 representing those areas that are desiring to be
27 considered eligible Federal subsistence users for those
28 reasons.

29
30 The difference here is that -- you
31 know, they say why does Saxman have rural status and
32 Ketchikan does not. Saxman is a municipality within
33 it's own. They have their own government. Their
34 demographics are a little bit different than what
35 Ketchikan is. So we would like Saxman to not be on the
36 list of consideration for a change of status for those
37 reasons, but at no time will we speak against the will
38 of the residents of Ketchikan that want to be eligible,
39 be legal and really be considered for who they are.

40
41 And with that, Mr. Chairman, that
42 concludes my comments, my remarks. Thank you very much
43 for this opportunity.

44
45 ACTING CHAIR ADAMS: Gunalcheesh, Mr.
46 Thomas. Will the real Laura Huffine please rise.
47 Welcome, Laura. I was just informed that you have
48 testified before this Board before, so you should feel
49 pretty welcome and relaxed and ready to go.

50

1 Thank you.

2

3 MS. HUFFINE: Actually, my grandmother
4 had a little dog that she used to give downers to
5 before she took it in the car and I wish I had some
6 now. I appreciate everyone's comments so far. They've
7 all been very clear speakers and I wish I could do as
8 well. I'm here to express full support for the measure
9 to designate Ketchikan as rural status. The changing
10 dynamics of the area due to job losses from the pulp,
11 timber and fishing industries, the dependance on the
12 low-paying summer tourism jobs and the population
13 declines have not boded well for the Ketchikan area.
14 The very nature of Southeast Alaska places most of the
15 communities in the same category.

16

17 The distinct boundaries that separated
18 towns have disappeared with newly constructed roads and
19 twice daily ferry service. Lines that have been drawn
20 in the past trying to define what is rural and what is
21 not have divided neighbors and friends that essentially
22 live the same lifestyle. We shop the same stores, work
23 for the same companies, eat at the same restaurants,
24 tie our boats in the same harbors, purchase our fuel at
25 the same fuel docks and then are told that we have to
26 stand back and give neighbors priority to fish and
27 game.

28

29 To be told that my location makes me
30 ineligible, the person I bump into almost daily on
31 Ketchikan has priority because needs are not being met,
32 is very difficult to understand. We've had to endure
33 while neighboring communities have taken the "me first"
34 attitude not only in the wildlife on their islands but
35 in the Ketchikan back yard as well. There almost seems
36 to be a divide and conquer attitude to some of the
37 proposals that appear before this board each year.

38

39 While I would like to be guaranteed
40 greater success on my hunting trips, I do not
41 necessarily want to do so at the expense of my neighbor
42 by telling them I need a head start. This isn't the
43 high arctic. I don't recall the last time that I heard
44 of someone in Southeast dying of starvation due to lack
45 of available food. Some of the priorities that have
46 been given to subsistence hunting borders on absurd.
47 The shear cost and time and equipment to pursue these
48 hunts takes the image of the poor rural hunter away.

49

50 Being born and raised on venison,

1 moose, fish, these are items that seem essential to us
2 as breathing. We plan our year-round gathering and
3 collecting the plants and animals of Southeast and each
4 season is highly anticipated, not just for the
5 successes. It is time spent as a family. We spent
6 many years with my husband, my father, my daughter and
7 I camping in a 19-foot glass ply for 10 days at a time.

8
9

10 We regularly received notices from the
11 school concerned that our daughter was missing too much
12 time from school. Whatever we were doing must not have
13 affected her too badly as she graduated with honors,
14 made the dean's list at college and dreams of returning
15 to Ketchikan when she's done. She is majoring in
16 wildlife biology. She's thinking of dual majoring in
17 fisheries also. She's not sure she can stand to be
18 gone for the extra year. Her request for care packages
19 are for moose jerky and smoked fish. It's not just the
20 kill, it's the life.

21

22 I'm sorry if I've become emotional.
23 It's an important issue. Thank you for listening to me
24 and allowing us the opportunity to voice our concerns.
25 We can't do justice in a letter and cannot afford a
26 trip to Anchorage. I'd invite you into my home, my
27 pantry and my freezer. Compare it to other rural
28 residents. Winter and care packages have diminished
29 the supplies, but you'll find a wide variety of locally
30 caught fish, game, berries that we plan to try to hold
31 us until the next gathering season. What you do not
32 find is many store-bought packages.

33

34 During times of plenty all should
35 benefit and during times of low abundance all should
36 accept the lowering bag limit and work to increase the
37 populations. We are neighbors, friends, hunters,
38 gatherers and, most important, we are all the same, we
39 are all rural.

40

41 Thank you.

42

43 DR. GARZA: Just a minute. I have two
44 questions. We did have a series of questions that we
45 were hoping people might address. Do you think the
46 7,000 population cut-off is reasonable? Secondly, do
47 you and your family harvest 31 pounds or more per
48 person per year.

49

50 MS. HUFFINE: Goodness, that's a good

1 size fish, isn't it? Definitely. I guess I'll expand
2 and I will speak for all my family. My mother and
3 father live here. I have two brothers and a sister and
4 I have eight nieces, all live here but one, and I can
5 guarantee you that they eat more than 31 pounds of just
6 fish alone a year. As I said, that was what we were
7 born and raised on. It doesn't even come close. My
8 husband and I, we have a cabin up on Unuk River. When
9 we come back we bring crab. When the eulachon were
10 there we'd bring eulachon. We shared that not only
11 with our families, we shared with neighbors too. We
12 had many elderly people that lived on the road that we
13 lived on. Most of them are gone now, but they always
14 waited for us to come in because they knew we were
15 bringing them something. Maybe it wasn't legal. I'm
16 not sure. I really didn't care.

17
18 As far as the 7,000, I think that's a
19 pretty arbitrary number. I think it has a lot more to
20 do with how people live. I think all the residents of
21 Southeast are so interconnected that it's really hard
22 to say, well, because you have to be here for medical
23 reasons, for whatever reason, because you're getting
24 older and it's harder to stay in the villages, for
25 whatever reason, it swells one place's population
26 numbers and decrease another, I still think we all live
27 basically the same lifestyle.

28
29 ACTING CHAIR ADAMS: Does the Council
30 Members have any questions to ask of Laura.

31
32 (No comments)

33
34 ACTING CHAIR ADAMS: Thank you.
35 Gunalcheesh. The next person to come forth is Pete
36 Amundson. Welcome, Pete.

37
38 MR. AMUNDSON: I've got a terrible
39 problem with rural, in the definition itself. Alaska
40 Law Review book in cache, cultures and traditional
41 heritage, subsistence, they couldn't define it. They
42 thought there was harm established in ANCSA and ANILCA.
43 If we've got a problem and we can't come together to
44 cure it, then we truly have a problem. I think we were
45 forewarned about what would happen if we rushed into
46 ANCSA and ANILCA. This seemed to begin the problem of
47 the subsistence issue.

48
49 I'm a lifetime member of Ketchikan
50 Sports and Wildlife Club. I live at 918 Jackson in

1 Ketchikan. I'm a third generation Alaskan. I was born
2 into the entitlement, the same as the mayor of Saxman
3 and Ketchikan Gateway Borough. We've gone to school
4 together. We've shared not only what we eat, we shared
5 our basketball courts, we've shared our ethnic values.
6 All the way through this. What we eat is what we are.
7 Why should anybody be left out of that entitlement.

8
9 Our State Constitution was ratified by
10 the Federal government says that the resources have to
11 be divided equally amongst the people. If somebody
12 doesn't eat deer meat, Joe Williams does eat deer meat
13 and Joe Williams needs that deer meat and he takes it
14 until it's on the decline, then he's still eligible,
15 but Pete Amundson isn't. That's not fair. The only
16 thing that I see was fair in the whole thing that came
17 with ANCSA and ANILCA was the Permanent Fund.
18 Everybody gets it. Equal share. There's no difference
19 between me and Joe Williams. Why should we be left out
20 of it because of where we live in this state.

21
22 It seems that the Federal government
23 every time they give us something they want back more
24 than what they gave us. Just like in ANCSA and ANILCA.
25 It doesn't matter that I talk for Native people or talk
26 for myself because I'm in a confused state and the
27 reason I'm confused is because I live in a town with a
28 Native name and Joe Williams lives in a village with a
29 white man name. A couple years back the people in
30 Washington state were confused by Alaska because the
31 majority of the people in the state voted for a
32 republican president and we had a democratic governor.

33
34 We're in a state of transition. Maybe
35 this is growing pains. You can call it whatever you
36 want to call it, but I think the word rural has to have
37 a definition that will treat the people in this state
38 fair. Until then we're going to have a war. You've had
39 these people in Southeast Alaska divided amongst
40 themselves because the people in Washington, D.C.
41 didn't know the difference between a Native of Alaska
42 and a native to Alaska. If you were Native, you were
43 Native. When you go to Washington, D.C. and they say
44 you're a native of Alaska, yeah.

45
46 But I said, you know, I've got a real
47 problem because my family, Amundson, is the highest
48 people on the mountain. I'm a Lap. I am a black Lap.
49 My great-great-granddad was just as dark as Joe
50 Williams, Sr. Never changed until he married a French

1 woman from Normandy that he thought was Norwegian, but
2 was a Frenchman, so then we started changing, but that
3 Amundson name stayed there. We had just as much
4 trouble coming to the coast in Norway as the mountain
5 people in Russia had going into Sweden or Denmark or
6 anything else to be Laps. They had to get their
7 independence from five nations, not just from one
8 nation. And they don't have trouble with subsistence.
9 Why should we.

10
11 There's a problem here that isn't
12 really a problem. The animals don't know the
13 difference. We can't swim as fast as the fish, we
14 can't run as fast as a deer, we aren't suited with hair
15 on our body to suit the environment and yet we take
16 care of the animals and yet the animals are divided
17 because of our ignorance. Something is radically
18 wrong.

19
20 I guess that's about the conclusion of
21 it. I didn't mean to embarrass Bill Thomas. He's a
22 friend of mine. I have a lot of other Native friends
23 around. It's come to the point -- you can't call it
24 greed. It's not greed. The resource is there. We
25 tried to use it to our benefit in the oil and what have
26 you. If we're comparing oil to animals to where we
27 live and how fast, what happens when a Native village
28 gets to the point where they've always lived on
29 subsistence but they get so many people that they can't
30 qualify for subsistence? What happens when KIC people
31 don't have any land entitlement. They say, hey, we
32 lose our land, we lose our identity. They can't even
33 go out and shoot a deer when the people on Prince of
34 Wales are hunting.

35
36 So the Federal government is either
37 shooting holes in our State constitution that we can't
38 cope with, there's something radically wrong when we
39 haven't got command of our resources. Do they think
40 that we're immature like we were when we were a
41 territory? Do they think that because we have more
42 military population in the state that the Federal
43 people through that military population control the
44 people of the state of Alaska? That's not fair to the
45 people who were born here.

46
47 We've got to figure out a way that it's
48 fair to everybody. If we have resources on the
49 decline, eulachon are on the decline, these are
50 resources the people depend on, beluga on the decline

1 up in Cook Inlet, why can't we figure out a way, if
2 we're dependant on Orson Wells' science or if we're
3 dependant on Hollywood science instead of real
4 dedicated scientists and people who care about how we
5 live and what we eat and not these people that are
6 pretending to be scientists or biologist or whatever,
7 we've got areas where the deer population is down, they
8 don't know it's down, they close off subsistence for
9 the goat hunting.

10

11 We've tried within ourselves to create
12 a thing that would come underneath the Federal
13 guidelines for subsistence in putting the goat up on
14 the property line of the Cape Fox property line. If
15 they're on this side of the line, they're on Cape Fox's
16 property. They can do whatever they want with them.
17 Subsistence, culture, tradition, heritage. If they're
18 over here, they're still eligible for subsistence.
19 We're doing that within ourselves, but we don't get any
20 recognition from the Feds for it. They didn't even
21 want us to take those goats out of the Misty Monument
22 and the only reason we got them out of there was
23 because of the mine reserve. But now it's a benefit to
24 these Cape Fox people. It's a benefit to the Sports
25 and Wildlife Club and it's a benefit to the tourists
26 that come here for the view that can see the goats on
27 Deer Mountain. We're kind of proud of that project.
28 We wrote a stipulation in there that we can take that
29 resource and transplant it to other places when the
30 stock got down, like it is on Ship Island and the
31 Cleveland. But we can't do that because it would be
32 throwing a smorgasbord for the predators that are on
33 Cleveland Peninsula.

34

35 We've got to figure out a system where
36 we can continue to live. If the people of Petersburg
37 want to go to Kosciusko Island and shoot a deer and the
38 people from Saxman want to go and get a deer or
39 whatever, because what you eat is what you are. We're
40 so divided in this state that the people from
41 Southeastern can't help the people with the whaling
42 problems in Western Alaska and they aren't interested
43 in our ferry system. We're divided and there isn't
44 even a good reason for it.

45

46 ACTING CHAIR ADAMS: Pete, may I offer
47 a suggestion to you. I think we know where you're
48 coming from. If you want to change a law, there's a
49 provision in the Declaration of Independence that says
50 we are all created equal in the eyes of the Creator and

1 that among these are the protection of our lives, our
2 liberties and our pursuit of happiness. It goes on to
3 say it is for this purpose that this government was
4 formed. When it no longer does the things like protect
5 our lives, our liberties and our pursuit of happiness,
6 then it is up to you and it is up to us, it's our duty,
7 our responsibility to either alter or abolish that
8 government and start a new one based on those very same
9 principals. I think maybe that's some guidelines that
10 we all need to follow when we seek any kind of
11 injustice of the laws that we are under and have to
12 abide by. So I'd offer that.

13

14 MR. AMUNDSON: We did come under the
15 law. We come into statehood. We wrote our
16 constitution, the most perfect constitution of the
17 several states and all of a sudden its got a bunch of
18 holes shot in it because of ANCSA and ANILCA.

19

20 ACTING CHAIR ADAMS: Okay. Then you go
21 back to that phrase if there is any law or regulation
22 or so forth that you do not feel is right, then you
23 need to try to change it. You either alter it or
24 abolish it and start a new one based on the very same
25 principals that we have intact; our lives, our
26 liberties and our pursuit of happiness.

27

28 I think the Council would like to find
29 out from you several questions here. Are you a
30 subsistence user?

31

32 MR. AMUNDSON: Yes.

33

34 ACTING CHAIR ADAMS: Please describe
35 your subsistence uses if you would and how it connects
36 to your family values and so forth.

37

38 MR. AMUNDSON: I think I'd be a
39 subsistence user even if I had to break the law because
40 I don't know of anybody in Alaska that ever went hungry
41 for breaking the law.

42

43 ACTING CHAIR ADAMS: Okay. Then
44 another question, do you consider Ketchikan or Saxman
45 for that matter rural?

46

47 MR. AMUNDSON: I'm not a subsistence
48 user now because I moved into the city and this is why
49 where I live shouldn't have anything to do with what I
50 eat. Because what I eat is what I am.

1 ACTING CHAIR ADAMS: I'm sure there are
2 a lot of people that feel the same way you do. Bill
3 Thomas has expressed the same thing. He lives in the
4 city too and he is not eligible to be a subsistence
5 person because he lives within the city. Again, we
6 need to think about how can we change that so we can
7 receive the benefits that are available to us.

8
9 Another question that the Council would
10 like to know is do you support the Regional Subsistence
11 Board holding a hearing in Ketchikan or Saxman before
12 the proposed rule is published.

13
14 MR. AMUNDSON: I'd be kind of divided
15 over that. We've got the Federal government telling
16 what we can do and we're supposed to be in charge of
17 enhancement and management.

18
19 ACTING CHAIR ADAMS: Okay. What's your
20 feeling about the 7,000 population requirement?

21
22 MR. AMUNDSON: I'm against that. I
23 don't want anything to do with that. If rural is
24 rural, then you can't have rural in the middle of two
25 non-rural sections. You have to have a definition for
26 rural.

27
28 ACTING CHAIR ADAMS: Any Council
29 Members have a question for this young man.

30
31 (No comments)

32
33 MR. AMUNDSON: Thank you.

34
35 MR. THOMAS: Just a comment Mr.
36 Chairman.

37
38 ACTING CHAIR ADAMS: Go ahead.

39
40 MR. THOMAS: Mr. Amundson and I have
41 been friends for a long time, but I think he just
42 stepped over the line. Thank you.

43
44 ACTING CHAIR ADAMS: Okay. Carrie
45 James.

46
47 MS. JAMES: Good evening, RAC Members.
48 I'm happy to be here to give testimony in support of
49 Ketchikan and Saxman having rural status. My name is
50 Carrie James. My Indian name on the Tlingit side is

1 (in Native). That means fort in the ocean. When you
2 come to the Hazy Islands, I'm named after the Hazy
3 Islands, you could make out an outline of the rocks and
4 it looks like a fort and you can't really see it
5 plainly because of the fog, so you say I wonder how it
6 looks or, in this case, I wonder how she looks. That
7 is what it means. I am a Kaagwaantaan on the Tlingit
8 side. I follow my mother. I'm double-fin killer whale
9 on the Haida side. I'm very proud of my heritage and
10 who I am.

11
12 I'm right now presently Alaska Native
13 Sisterhood Camp 14 president. I am unanimously elected
14 grand second vice president of Alaska Native Sisterhood
15 for Grand Camp. I am a Tlingit-Haida Ketchikan
16 delegate for Central Council Tlingit-Haida Tribes of
17 Alaska, and I'm a past IRA Council member for Ketchikan
18 Indian Community.

19
20 I have previously traveled to Anchorage
21 for the Federal Subsistence Board meeting that took
22 place last December. I gave testimony in the capacity
23 of a Tribal Council member for Ketchikan Indian
24 Community. Now I am testifying on my own behalf and on
25 the behalf of Camp 14 as their president.

26
27 I vehemently urge RAC and Federal
28 Subsistence Board to seriously consider changing
29 Ketchikan's status from non-rural to rural. I rely on
30 subsistence. It not only supplements my diet and my
31 pocketbook by not having to purchase so many store-
32 bought foods, but it's therapeutic for me to gather my
33 native foods and put them up. Last year alone I put up
34 19 cases of smoked sockeye, 10 cases of smoked king
35 salmon, 10 cases of smoked coho, 15 cases of plain
36 packed coho and sockeye, I froze 12 king salmon, 15
37 coho and 15 sockeye, which is equivalent to over 100
38 king salmon, sockeye and coho. I'm sure there was some
39 humpies in there for boiled humpy stew. And I've
40 caught approximately another 100 to 150 salmon that I
41 gave away to friends, elders, family members and
42 donations to previous functions. I've also donated
43 fish and herring eggs to the Pioneer Home so our elders
44 can get a taste of our Native foods.

45
46 I have put up 12 cases of beach
47 asparagus this year, which I also give away and donate
48 to functions and I purchase approximately two 5-gallon
49 buckets of eulachon grease each year and we consume all
50 of that. I have picked approximately five 5-gallon

1 buckets of salmonberries to freeze and to make jams and
2 jellies. That isn't very much for me. I usually get
3 twice that much. I've picked approximately a 5-gallon
4 bucket of huckleberries and blueberries for the same
5 purpose.

6
7 I go out to get seaweed every year and
8 you have to drag me off the rock or the high tide has
9 to come crashing in in order for me to get off the rock
10 when I'm picking seaweed. I picked approximately 150
11 pounds of undried seaweed this year, which amounted to
12 approximately 55 gallon bags of dried seaweed. I gave
13 most of it away to elders, friends, family and I donate
14 a lot of these to fundraisers also.

15
16 When I'm picking seaweed, I also pick
17 gumboots. I picked approximately 1,500 gumboots last
18 spring, give or take a couple hundred. I give them
19 away fresh to people and I also pickle the gumboots,
20 which I give to elders and people that don't get a
21 chance to get gumboots. I get herring eggs just
22 outside of town, as well as over the west coast by
23 Prince of Wales Island and I receive herring eggs from
24 Sitka.

25
26 I get about 100 crabs a year for
27 personal consumption and to give to my mother. I get
28 approximately six to 10 deer a year. We jar, freeze
29 and smoke the deer meat. I also give it away to elders
30 and my mother, who cannot go out and get their own deer
31 meat. I gathered about one case of goose tongue, which
32 is what I'm just starting to learn about. I found that
33 I have taste buds for goose tongue.

34
35 I receive and purchase about 50 pounds
36 of eulachons each year and I freeze them and I end up
37 giving a lot of them away too. I get about 200 pounds
38 of halibut each year, which I also give a lot of that
39 away to my family members and elders who can't get
40 their own. I caught about 20 red snapper and 20 cod
41 and my children go out to the lake and catch probably
42 20 to 30 trout a year. I'm a single mother of three
43 children and I'm raising them alone. I do not get any
44 help from their dad and I rely on gathering subsistence
45 food not only because of inflation on store-bought food
46 is so high, but I also like to be healthy and I pass my
47 knowledge on to my children. My oldest son Alan is 12
48 and he just got a .22 when he was 10 years old and he
49 is so excited to shoot his first deer.

50

1 I take my kids out on the boat with me
2 and they watch me put up the food. They see the
3 importance and how much work it takes to put up our
4 Native food, but I enjoy it. I enjoy it because I know
5 where it's going to go. It's going to go to my
6 neighbors, my family and it's therapeutic for me. My
7 children see me give the food away to people and I'm
8 instilling that way of giving into them so they will be
9 providing for me and our other elders someday.

10
11 I own my own boat. I have a 21-foot
12 glass ply cabin cruiser and before that I had an 18-
13 foot Bayliner skiff. I grew up since I was a baby on a
14 boat. I knew how to land a 58-foot seiner since I was
15 12 years old. I have two subsistence nets, I have one
16 gillnet and another small seine. I have crab pots,
17 downriggers, halibut skates and just about any kind of
18 fishing gear you can imagine. I was raised in the
19 fishing industry and I've always known how to clean
20 fish and I know how to put up my Native food from the
21 beginning to the end.

22
23 I once talked to a Native elder who was
24 in her 90's. She lived in the Mary Francis. It was on
25 the creek side. She got a view of the creek. She said
26 to me, Carrie, I could see the fish jumping up the
27 creek and I could just imagine the taste. I asked her
28 why imagine. She told me that she had not tasted fish
29 in two years. She could see it and almost taste it,
30 but she couldn't get it. I immediately ran to my
31 freezer and I filled up a big box of frozen fish and
32 jarred fish and seaweed and her hands just started to
33 tremble at the thought of getting to eat Native food
34 again. This is when I realized that there are Native
35 elders that cannot get their own Native food and that's
36 when I started giving to others. To this day I give
37 this elder and her disabled daughter seaweed, gumboots
38 and berries. Whatever they're hungry for, I always
39 make sure I have their Native food.

40
41 It is imperative for Ketchikan to gain
42 rural status. We need to have priority to get our food
43 if there is a shortage. I see hundreds of fish boxes
44 go out each year just from our airport from the sports
45 fishermen. I have nothing against them, but we, as
46 residents, need to get preference to gather our Native
47 foods if there is a shortage. I used to gather abalone
48 and sea cucumber and as a child we used to put it up
49 and it was so plentiful. Now it's rare to get abalone
50 these days or even spot a decent sized cucumber because

1 they're outfished.

2

3 We're on an island surrounded by
4 characteristics of a rural nature. Although we are
5 over 7,000 in population, we are rural and we are
6 considered rural by several other Federal agencies.

7

8 I just wanted to reflect back on this
9 one handout that I was looking at. Under Federal
10 subsistence regulations, one bullet point caught my eye
11 and it was the second bullet point on Page 2 of Review
12 of Rural Determinations Briefing for Subsistence
13 Regional Advisory Councils. The second bullet point on
14 Page 2 only contains two sentences but they are
15 crucial. A community with the population of more than
16 7,000 is considered non-rural unless it possesses
17 significant characteristics of a rural nature.

18

19 We are rural. Ever since I was a
20 little girl I've known we were rural even though I
21 didn't know what rural meant. I grew up that way and
22 that's my life. We have several resolutions that
23 support Ketchikan to gain rural status, including
24 Ketchikan Indian Community, Ketchikan Camp 14, which
25 started this whole process in the beginning of trying
26 to gain rural determination, resolutions by Central
27 Council of Tlingit-Haida Tribes in Alaska, which was
28 brought forth by our local Ketchikan chapter and Haida
29 chapter. I authored that resolution. The Ketchikan
30 Greater Chamber of Commerce, the Ketchikan Gateway
31 Borough and the City of Ketchikan, all unanimously
32 passed resolutions to support Ketchikan to seek rural
33 status. Copies of those resolutions I already
34 submitted at the Federal Subsistence meeting when I was
35 up in Anchorage in December.

36

37 As you can see, this joint
38 collaboration with other local entities that this is
39 not just a Native issue. There are many non-Natives
40 that subsist off the land. Our Native foods are the
41 healthiest to eat and they don't carry any additives or
42 steroids and no herbicides or pesticides yet as long as
43 I'm involved. There will never be any herbicides or
44 pesticides on our Native foods, which is another issue
45 that I am adamantly opposed to.

46

47 I hope this testimony makes a
48 difference. It is so important for me to be able to
49 pass this on. We are only carrying on our inherent
50 rights to the resources of our land. I don't take what

1 I don't need. I don't waste anything and I enjoy
2 sharing with others the Native food that they can't get
3 for themselves.

4
5 I live in the city of Ketchikan at
6 1270-A Millar Street, Ketchikan. And, yes, I would
7 like to request a public hearing in Ketchikan before
8 the determination is made. I requested it in Anchorage
9 and I'm requesting it now.

10
11 I also have a letter from my mother and
12 a couple other letters that I picked out that I thought
13 were really important to read. This is from my mother
14 Sara and Jim Allard. Federal Subsistence Board Members
15 and Regional Advisory Council Members. I write this
16 letter to you to let you know how important subsistence
17 is to me. I am unable to go out and harvest
18 subsistence myself, but my daughter, Carrie James, does
19 it for me. I rely on subsistence because I am now
20 retired and living on a fixed income. I recently
21 overcame cancer six months ago and my diet requires me
22 to eat healthy, which consists primarily of Native
23 foods. I count on getting my fish, halibut, berries,
24 gumbouts, herring eggs, deer meat, seaweed, crab, beach
25 asparagus, goose tongue, and there is so much more to
26 list. My daughter has to travel great distances to
27 gather these traditional foods, but she religiously
28 gathers these foods every season. I rely on
29 subsistence foods more than ever. The economy and
30 inflation is so high that our diets are basically
31 Native foods. We love our Native food and we count on
32 living the subsistence way of life. I was born living
33 on subsistence and I wish to remain living on
34 subsistence.

35
36 I believe eating store-bought foods is
37 a risk to our health. There's so many additives, so
38 many things that cause cancer that aren't even
39 researched yet.

40
41 Here's a letter from David Ruley.
42 Federal Subsistence Board, please redesignate Ketchikan
43 as a rural subsistence area. As someone who was born
44 and raised in New York, believe me, this place is
45 rural. I've lived here for 23 years and cherish its
46 place in the world.

47
48 Thank you for reading this letter and
49 considering my thoughts.

50

1 Here's another one by Josh Gobart.
2 Dear Sirs, as a user of the wild natural resources of
3 this community I would like to see the Ketchikan area
4 be considered as an area where the natural resources
5 are gathered and hunted and fished. My wife and I
6 have, since 1991, used the fish and berries to
7 supplement our food. Please change the Ketchikan area
8 to rural status, which it really is.

9
10 Thank you in anticipation.

11
12 This one is from Ernest Smeltzer.
13 Federal Subsistence Board, I was raised on salmon,
14 halibut, gumboots, seaweed, herring eggs, clams,
15 cockles. I jar fish every summer and I make jam from
16 berries I pick. I want Ketchikan designated rural so
17 it will be easier for me to do this. I am also a world
18 famous Tlingit carver and I need to be able to get wood
19 for my carving.

20
21 Thank you for reading my comments.

22
23 Here's one from Diane Lilgebran. She's
24 a doctor. Federal Subsistence Management Board. I am
25 of Swedish heritage and fish is an important part of my
26 diet. My husband likes to hunt. We are raising a
27 child and we both believe that the fish, berries and
28 wild game are far more healthy for him to eat than
29 supermarket food to which unnatural components and
30 antibiotics and hormones have been added. Please
31 designate Ketchikan as a rural subsistence area so it
32 will be easier to bring up a healthy mentally capable
33 citizen.

34
35 Thank you for reading my comments.

36
37 Here is a letter from Erin O. Guthrie.
38 To whom it may concern. I'm a college student now but
39 I was raised on Ketchikan on salmon, halibut, venison,
40 herring eggs and seaweed. Now that I don't have access
41 to these things I depend on my dad to send them to me.
42 Please designate Ketchikan as a rural subsistence area.
43 My dad is getting old and it is harder for him to get
44 out and get this food for my brother and me. Making
45 Ketchikan rural would make it a little bit easier.

46
47 Here is a letter from Debbie Slagle.
48 Dear Board, please accept this letter of support
49 changing Ketchikan's subsistence designation from urban
50 to rural. I've lived in Ketchikan for over five years

1 and I've come to appreciate how much our community
2 members depends on subsistence foods to supply and
3 supplement the majority of their nutritional needs.
4 Additionally, given Ketchikan's unique geographical
5 location and rugged water and land configurations and
6 the use of fish and wildlife to support its economy and
7 infrastructure would lend to the argument to change the
8 designation to rural.

9
10 And here is one from Holly Churchill
11 Burns. I am Holly Churchill, daughter of Delores
12 Churchill, granddaughter of Salina Predovich of the
13 Haida Nation. My father was Alan Churchill of English
14 decent. Having come from a family of mixed background,
15 I learned to respect the diversity of pioneering Native
16 Alaskans and know that we are stewards of the air and
17 water and the land and sea, sustaining life in
18 Southeast Alaska and upholding households is not just a
19 sport but a way of life. My father lost his legs when
20 I was four years old. If it had not been for the
21 wildlife, berries, clams, fish, gumboots and other
22 things that my mother got and that friends gave us, we
23 would have starved and we would not have been able to
24 use what little cash we had to pay my dad's hospital
25 bills. I'm so bound to the earth and sea and it is
26 bound to me. Without each other we cannot exist. To
27 be healthy physically, mentally and spiritually, the
28 food found in the land and the sea is necessary for us.
29 Please designate Ketchikan as a rural subsistence area
30 as I've always known it.

31
32 Here's one from Carol Murray. She's an
33 R.N. Dear Members of the Federal Subsistence Board.
34 Please redesignate Ketchikan and the adjoining area as
35 a rural subsistence area. As a 17-year resident of
36 Ketchikan, I support redesignation for the following
37 reasons. One, I work closely with the Native community
38 and I know the significance of subsistence food to
39 their health and prosperity. Access to subsistence
40 foods is essential to the prevention of the increasing
41 rates of diabetes and heart disease in this community
42 and population. The elders depend on their extended
43 family and community members for their food supply.
44 The highest level of access is essential to their
45 health and welfare.

46 Two, due to the poor environmental
47 health practices, such as discharge of untreated sewage
48 into the beaches along the road system of the Ketchikan
49 Gateway Borough, the State Department of Environmental
50 Conservation advises against consumption of shellfish,

1 clams and mussels from the shoreline. This forces food
2 gatherers to use boats to get to the safe beaches and
3 coasts for subsistence gathering. All areas beyond the
4 road system should receive a subsistence priority for
5 Ketchikan and Saxman residents due to the degradation
6 of subsistence areas along the road system.

7
8 In any other state, the community of
9 the size of Ketchikan would be considered rural. There
10 is no justification for an island community that is
11 located over 600 miles from the nearest grocery
12 warehouse, which is in Seattle, to be considered other
13 than rural. As you know, there is no road access to
14 the mainland for food sources.

15
16 Four, my family depends on subsistence
17 sources for sockeye and for its fish resources of
18 healthy fish oils. Currently the gathering rules
19 require extensive travel of great expense to gather the
20 designated subsistence foods. Not everyone can afford
21 to accomplish this. Subsistence foods should be much
22 more accessible to Ketchikan and Saxman residents.

23
24 Please bear with me. I've only got two
25 more letters. Here is a letter from Mary Reed.
26 Federal Subsistence Board, I was born and raised in the
27 rural area in Alaska. I remember my family bringing
28 clams, moose meat, venison, berries, halibut, salmon,
29 shrimp, crab, to feed us seven kids plus additional
30 guests. Then I raised my kids on venison, berries,
31 fish eggs, eulachon, clams, jerky from moose meat,
32 goat, grouse and other stuff like beach asparagus. Now
33 I have a third generation living in my house and they
34 depend on this food for subsistence. We also heated
35 our house with firewood nearly forever. I've eaten
36 duck and goat and I need this food for my well-being.
37 Thank you for reading my comments. My grown kids also
38 use subsistence to budget. I don't even see a future
39 without our wildlife. It would make us sick without
40 our Alaskan food and our wild beaches and places to go.
41 Please make Ketchikan rural. Thanks.

42
43 And here's a letter from Evelyn
44 Warhess-Brown. To the Federal Subsistence Board. I am
45 writing in support of the rural designation of the
46 Ketchikan area. Residents of this area are by choice
47 as well as by tradition dependant upon the natural
48 resources of the forest, land and sea. As a weaver, I
49 have a particular interest in cedar bark and I am
50 witness to the respect with which this resource is

1 harvested locally. Mindful of the need to protect the
2 resource, the community of the weavers, harvesters is
3 self-regulating. Old-timers educate new-comers to the
4 rules of stewardship to carefully select the tree, to
5 only take as much material as you need and can use
6 without waste, to take only as much as a tree can
7 sustain without irreparable harm. The same common
8 sense rules apply to hunting, fishing and foraging.
9 Many Ketchikan residents prefer wild foods to the
10 packaged products in the grocery stores and
11 supermarkets.

12
13 For some, however, the cost of fuel and
14 equipment or of time and physical effort is
15 prohibitive. They must rely on the generosity of
16 others. More often than not those who do hunt, fish
17 and forage share their harvest with extended families
18 and with friends and neighbors. I believe that rural
19 designation will increase the likelihood that more
20 Ketchikan residents will enjoy the health and the
21 economic benefits of utilizing locally harvested
22 natural resources.

23
24 In my experience, individuals who
25 harvest for personal use have no interest in exploiting
26 or depleting the resources. To the contrary, they're
27 keenly interested in preserving the resources so that
28 their children and their children's grandchildren will
29 also have the opportunity to experience, appreciate and
30 thrive on this natural bounty. If rural designation
31 increases their access to available natural resources,
32 then I say more power to them. Go for it.

33
34 I just wanted to add after reflecting
35 on some of these letters that we have to travel
36 extensive lengths just to go and gather our traditional
37 food. Before I bought my 21-foot glass ply, I had an
38 18-foot Bayliner and it was an open skiff and it was
39 dangerous. We would go out there and travel over a
40 mile off land and risk our lives to go get our food.
41 On one of those days last summer we hit a dead head and
42 my boat sunk. We nearly had to swim to shore. We
43 barely made it to shore and we were rescued by the
44 Coast Guard. I think it's important that we be able to
45 go and subsist off of Forest Service lands that are
46 close to us and our lives depend on it; our health,
47 welfare and our safety.

48
49 Gunalcheesh. Thank you for listening
50 to my testimony and I hope this makes a difference.

1 ACTING CHAIR ADAMS: Gunalcheesh,
2 Carrie. Are there any questions Members of the Council
3 would like to ask Carrie.

4
5 (No comments)

6
7 ACTING CHAIR ADAMS: Thank you, Carrie.
8 You did a fine job.

9
10 DR. GARZA: As we get going here, I
11 know that there has been an effort to get a number of
12 letters of support and that is very important, but in
13 consideration of the number of people that would like
14 to testify, if you could just list the amount of
15 letters that you have and we will make sure that they
16 are typed into the public record. We need to be
17 mindful of the people that have come here to testify
18 and make sure we get to them.

19
20 Thank you.

21
22 ACTING CHAIR ADAMS: And in addition to
23 that, for the audience, we've got 20 more to go here.
24 Just be mindful of that.

25
26 MS. HAWKINS: Good evening. My name is
27 Merle Nancy Hawkins. I'm representing Ketchikan Indian
28 Community. I'm an elected IRA Tribal Council member.
29 I'm also Tlingit-Haida Central Council delegate for
30 Ketchikan elected. I'm a member of Camp 14 Alaska
31 Native Sisterhood. I'm of Haida descent. My
32 grandmother and grandfather were from Howkan. My Haida
33 name is (in Native). I'm Raven from the (in Native) or
34 the double-fin killer whale clan. My father was Irish,
35 English and Welsh.

36
37 The letters that Ms. James read are
38 from surveyors that had gone out into the community and
39 did surveys and went and gathered letters after the
40 surveys were done, so they were totally separate. So
41 we will get that information in to the secretary.

42
43 I would like to ask for rural status
44 for Ketchikan because we do have the characteristics of
45 a rural nature. I'd also like to ask for a hearing
46 with the Federal Subsistence Board, government to
47 government consultation between their government and
48 the IRA Tribal Council and community members of that
49 tribe.

50

1 I have some information here that's
2 talking about the founding of Saxman. I thought it was
3 very interesting. It came from the Ketchikan museums
4 and it shows not only was Saxman people moved here from
5 their village but the Tongass people, so it shows that
6 Ketchikan was originally a Tlingit fish camp and those
7 two tribal groups moved into the area, so I could just
8 submit that to be read into the record. But I think
9 that's a very important consideration because it was
10 beyond the control of the founders of this area that
11 the community of Ketchikan has grown around them.

12
13 Indian Town was always on this side of
14 Ketchikan Creek and it's very well known in historic
15 information. Different ethnic groups, including the
16 Alaska Natives and the Chinese and Japanese and other
17 ethnic groups lived on that side of the creek and a lot
18 of that land was trust land that was given to the
19 Natives and it was taken illegally by land jumps and
20 the non-payment of taxes, which the land was not
21 taxable. So we can show cultural and customary uses of
22 the area.

23
24 Hunter/gatherer society and the 31
25 pounds that was listed as the amount of fish and
26 wildlife that Ketchikan uses is a ridiculously low
27 number. That would just be one king salmon for a
28 household and it wouldn't last very long.

29
30 Our land is sacred to us. Food
31 gathering is a form of worship for Natives. It's more
32 than just going out and getting the food. That's shown
33 by place names which every point, creek, lake and site
34 was given a Tlingit or a Haida name and there are
35 hundreds of those names in the area.

36
37 Because Ketchikan has grown so much it
38 is more difficult for Ketchikan residents to get our
39 resources. Gravina Island where our airport is is
40 being developed as an industrial site and it's being
41 logged. I worked very hard and the Cultural
42 Subsistence Committee with KIC to protect Bostwick
43 Inlet because it's the food bank for Saxman people and
44 the Alaska Native people of Ketchikan and even the non-
45 Native people of Ketchikan.

46
47 I work seasonally for the U.S. Forest
48 Service, so I rely a lot on Native foods, salmon. I
49 had the opportunity to go halibut fishing this past
50 summer to my friend's cabin on Marble Island and Sea

1 Otter Sound. We caught two halibut and I was able to
2 bring home 100 pounds of halibut and she brought home
3 100 pounds of halibut. For myself, I barter with that
4 and I share with people and I donate it to fundraisers
5 that Camp 14 does and other things I'm involved in in
6 the community.

7
8 Other resources I use gooey duck,
9 clams, cockles, herring eggs from Sitka. We're losing
10 some elders that do that and we're losing our
11 eulachons. We haven't had any since 2003. Some of our
12 best Easters were when the herring boat came in with a
13 deck load of herring eggs that is just given to us as a
14 community. When the eulachon boat came in, it was the
15 same way. That's going to be missed again this year.
16 Other seafood I use, smoked black cod, beach asparagus.
17 I also picked fiddlehead ferns, a lot of berries,
18 salmonberries. I picked five different varieties of
19 blueberries, gray currants, lingonberries or low bush
20 cranberries, high bush cranberries, wild strawberries,
21 cedar bark I've harvested a lot. I can't do that
22 anymore. Devil's club.

23
24 I actually sold a quart of eulachon
25 grease to Mr. Davis because he's from Kake. I haven't
26 delivered it yet, but he says they have difficulty
27 getting things like that, so I'm glad he asked. And
28 somebody from the Nas River area brings that grease up
29 and trades with us. He does it a couple times a year
30 and we get newspaper dried king salmon and sockeye.
31 I'm not able to harvest much black seaweed anymore, so
32 I rely on trade for that. So it's very important to us
33 in the community.

34
35 Here's the list of the letters that we
36 will be submitting to be written into the record. On
37 this batch there are 62 letters that are in support of
38 rural designation for Ketchikan and two that are
39 opposed to rural designation for Ketchikan. So we will
40 turn in those original letters. I have been working on
41 this rural status for Ketchikan and the community for
42 most of this year and it's very important to us.

43
44 This thing about rural status for
45 Ketchikan, subsistence to Natives is not a political
46 issue, it's not a special interest issue, it's not a
47 racial issue, it's not even a rural preference issue.
48 To the Alaska Natives it's a cultural issue. It's
49 about our survival. Our subsistence way of life is
50 rooted in spiritual and cultural traditions that have

1 sustained us for generations.

2

3 I've been fortunate enough to go on
4 anthropology and archaeological trips. As Dolly talked
5 about, many of our elders are from the outlying areas.
6 My grandmother and grandfather were from Howkan, which
7 is out on Dall Island and then Hydaburg and in 1944 my
8 grandmother moved to Ketchikan when she was widowed and
9 that's a very common story you'll hear.

10

11 I'd like to thank the Board for their
12 time this evening and thank you for your dedication.
13 I'm looking forward to having a hearing locally in
14 Ketchikan.

15

16 MADAME CHAIR GARZA: Thank you, Merle.
17 Next up is Mike Carney. Is he still here? Okay. Mike
18 Carney has left. Thomas Skultka. Again, we don't have
19 a time limit, but we do ask you to be considerate that
20 there are 20 people behind you that need to testify as
21 well. Mr. Skultka.

22

23 MR. SKULTKA: Thank you, Madame Chair,
24 Members of the Council. I'm Tom Skultka and
25 representing ANB Camp 14, the Kigani Tribe and the
26 Haida people. We urge you to designate Ketchikan as a
27 rural area. I think the whole state of Alaska should
28 be rural. We subsistence hunt and fish. Three-
29 quarters of my catch goes to elders and potlatches in
30 Ketchikan.

31

32 Members of the Board, I urge you to
33 designate Ketchikan area, including Ketchikan City,
34 Clover Pass, North Tongass Highway, Ketchikan East,
35 Mountain Pass, Perry Cove, Saxman East and all of
36 Pennock Island as rural for purposes of regulation of
37 subsistence uses of fish and wildlife on Federal land.

38

39 A substantial portion of the population
40 of the residents of Ketchikan live a lifestyle that
41 would be called rural in most any context. While most
42 of us reside and work in structures that are adjacent
43 to developed roads and streets a great many of us, even
44 those that live within city boundaries can legitimately
45 claim the closest paved road straight out of our back
46 doors is 70 or 80 miles.

47

48 Given immediate proximity of our six-
49 block wide community to a deep forest, wild streams,
50 unpeopled islands and inlets, it is not surprising that

1 hunting and fishing are widely practiced by Ketchikan
2 residents. Most important is the widespread practice
3 throughout the population of the subsistence lifestyle.
4 The number of local residents, Native and non-Native
5 who rely on hunting and fishing for at least part of
6 their subsistence is significance.

7
8 The guidelines that the Board must use
9 in determining which Alaskan communities are rural
10 clearly state that communities with a population of
11 more than 7,000 shall be presumed non-rural unless such
12 a community or area possesses significant
13 characteristics of a rural nature. I believe Ketchikan
14 characteristics clearly argue a rural designation.

15
16 The community characteristics the Board
17 must consider in its determinations may include but are
18 not limited to use of fish and wildlife economy,
19 infrastructure, transportation and educational
20 institutions. In the first of these characteristics,
21 use of fish and wildlife must be given the greatest
22 weight. Given Ketchikan's unique geographical
23 location, physical configuration and close to land and
24 water lifestyle, I am confident that the Board will
25 agree for a rural designation for Ketchikan. That's
26 from Michael Knapp.

27
28 Thank you.

29
30 MADAME CHAIR GARZA: Just one quick
31 question. You did address the 7,000 issue. Do you
32 think you use more than 31 pounds of resources per year
33 and can you speak generally as to whether you think
34 other people do?

35
36 MR. SKULTKA: I use more than 30 pounds
37 of salmon, more than 30 pounds of halibut and more than
38 30 pounds of deer meat, but not elk. I wasn't lucky
39 enough.

40
41 MADAME CHAIR GARZA: Thank you, Mr.
42 Skultka. Next we have D. Jay O'Brien. Is he still
43 here? As he's coming up, if you know Mike Carney, we
44 will be here tomorrow if somebody needs to come in and
45 we'll try and figure out how we can get the testimony
46 in. If he wishes to write something, we will get that
47 into the record.

48
49 MR. O'BRIEN: Thank you. My name is D.
50 Jay O'Brien and I live at 12 miles North Tongass. I

1 have enjoyed hunting Unit 2 deer for the last 10 years
2 or so with my family. Hunting and fishing is part of
3 basically the fiber of my soul and my families. I was
4 fortunate enough to hunt with my seven year old
5 daughter this year and we harvested a deer on Prince of
6 Wales Island on the 17th of August and it was a great
7 day for our family. I continue to hope to be able to
8 do so.

9
10 We try to bring in wild game and most
11 times we surpass the 31 pound mark that you have as an
12 indicator. I would very much enjoy having the Federal
13 Subsistence Board coming to Ketchikan. I have written
14 letters to them in the past. I have made calls to the
15 members. I get the impression sometimes there is a
16 screening process when I'm making my calls or many
17 times the members are out of the office, so that can be
18 frustrating. So I would invite them to come. That
19 would be a very nice benefit for us.

20
21 This has been a frustrating process
22 that I've been following for the last few years. I
23 don't think it has served my family adequately and my
24 needs for harvesting game. Most of my frustrations
25 center on the point that I don't believe a lot of hard
26 data has gone into many of the management decisions.
27 Much of the acrimony that has erupted in these meetings
28 and frustration revolves around Unit 2 deer. I believe
29 this is because the arbitrary nature of which rural
30 status has been applied to this area. That's basically
31 pitted neighbor against neighbor and it makes very
32 little sense to me how certain areas were declared
33 rural and others were not.

34
35 At the same time I have some grave
36 concerns about broadening the number of people that are
37 given rural status. I have concerns about the
38 resource. Many of the meetings I have sat in here and
39 much of the testimony I've listened to has centered on
40 the idea that rural subsistence harvesters are having a
41 tougher time finding deer on Unit 2. I wonder if
42 perhaps broadening the reach of rural status would
43 aggravate that problem.

44
45 I also have concerns for other species
46 such as steelhead that can be subsistence harvested and
47 we know that those stocks are certainly not over-amply
48 represented. Any harvest at all may create a decline
49 in steelhead stocks.

50

1 Most of the testimony wants Ketchikan
2 to become rural and Saxman to maintain its rural
3 status. It makes it seem as if all problems related to
4 harvest of game here will be eliminated and I guess I
5 question that.

6
7 Do I believe the 7,000 population
8 standard is the proper rule? I guess the point that I
9 like about that is that it's hard and fast. It does
10 not leave gray area. I do have to believe there are
11 communities in Alaska that would better fit the rural
12 designation than Ketchikan or Saxman.

13
14 This has been a frustrating process to
15 follow. I keep hoping for some sort of relief. I keep
16 hoping for some sort of balance but I haven't seen
17 that. I think what you guys have seen in many cases is
18 people stepping out of the process. There's been a lot
19 of testimony here tonight and that's great, but I have
20 come to other meetings where the testimony has not been
21 nearly as ample.

22
23 I invite the Federal Subsistence Board
24 to come down and I just hope that the rural
25 designation, since that is the way that subsistence
26 harvest is to be allocated, will be done in a fair
27 manner and I don't think it has been now.

28
29 Thank you.

30
31 MADAME CHAIR GARZA: Thank you, Mr.
32 O'Brien. Melvin James Charles.

33
34 MR. CHARLES: Thank you. My name under
35 a foreign language is Melvin Charles. My name is (in
36 Native) which means never get tired, never give up
37 looking for something to do when I'm all done. I'm (in
38 Native) double-headed Raven, Dog Salmon, Double Fish,
39 grandchild of the Kaagwaantaan Eagle Wolf, first house,
40 child of the Haida Raven Owl.

41
42 The United States Forest Service and
43 the State of Alaska is in compliance of the
44 Constitution of the United States and the constitution
45 of the state of Alaska on the disclaimer clause.
46 Ignorance of the law is no excuse. Any person who
47 represents the law is the custody of the law and must
48 uphold the law of the common people of the land.
49 Should we be rural or non-rural. In my observations of
50 Alaska Native and American law and the law that I have

1 been studying for the last five years and our Native
2 rights, I have only been scratching the surface.

3
4 Resources. What is resources.
5 Resources is all resources. For the common people of
6 the land we have a right for majority or total control
7 of all resources. Any person going against this law is
8 a renegade of the law. Any judge ruling against the
9 rights of the common people of the land is a renegade
10 and can be disrobed.

11
12 I was born in the year 1940, 19 years
13 before Alaska became a state, which gives me
14 grandfather rights. Should any area be closed to a
15 community, townsite to subsistence does not apply to
16 the common people of the land for the common people of
17 the land can harvest and maintain at any given spot,
18 should it be privately owned, corporate, State, Federal
19 or foreign, for the common people have the right to
20 harvest in that area without regard. Any person who is
21 born in a foreign land and never been to this country
22 so long as that person is a descendant of the common
23 people of this land has the right to come here and
24 maintain all resources without regard.

25
26 That is in the books of law and the law
27 has not changed. We are denied our right of harvesting
28 a majority or total control of all resources. Our
29 resources does not consist of only sockeyes and claims
30 and game. Resources means all that is resources,
31 natural resources; gas, oil, air, timber is our
32 resources.

33
34 The Forest Service gives land to the
35 mental health allocations. We have not received ours
36 and I demand our right to our harvesting of commercial
37 fishing without regard. I have enough law, just only
38 on the statute law, numbers only, would take up three
39 and a half pages of legal paper and more words than a
40 Sunday Seattle P.I.

41
42 I go out and I harvest all species. My
43 brother and I went out to get sockeyes and we had about
44 400 sockeyes, yet we did not have enough for ourselves.
45 I don't go for just a few. I go out to get my harvest
46 and I'm not running back and forth to get one or two
47 fish. All commercial fisheries shall be shut down so
48 that we may maintain our harvest first. No other
49 fishing should be done until we receive our harvest.
50 The eulachons are to be closed down. I am disgusted

1 with the State Fish and Game, the biologists. Where is
2 their intelligence?

3
4 For the past few years I laughed and I
5 told my uncles there's not going to be a harvest this
6 year on various species when they have their opening.
7 I said it's not going to be here. Last year I said
8 that the last biggest tide was so early we're not going
9 to have a harvest on our eulachons at all. The year
10 before that I said we're not going to have a harvest
11 this year on our eulachons because the last biggest
12 tide is too late. It's too late in April. This year
13 there is going to be a good return on our eulachons.
14 Wherever an area is closed does not apply to the common
15 people of the land. Should that be in Ketchikan or
16 Saxman or a foreign land. Even if they are in a
17 foreign land and they come here to obtain and maintain
18 a lifestyle they have a right to do so as they are a
19 lineal heir.

20
21 Thank you.

22
23 MADAME CHAIR GARZA: Thank you, Mr.
24 Charles. Next we have Lee Wallace. See if Lee Wallace
25 is out there. His wife is here, so I know he'll be
26 back. We'll just go to the next person and then come
27 back to him. James Stanley.

28
29 MR. STANLEY: Good evening, Madame
30 Chair, Board Members. My name is James Stanley. I'm a
31 Tlingit. I'm a (in Native) Teikukeidi. I'm a Brown
32 Bear from the Killer Whale house and I'm here to read a
33 prepared statement.

34
35 To the US Federal Subsistence Board
36 from James Stanley regarding rural status for
37 Ketchikan. Sirs, Ketchikan Alaska is located on
38 Revillagigedo Island between west Behm Canal and east
39 Behm Canal in the southeast portion of Alaska, just
40 north of the Dixon Entrance International Trade
41 Boundary. The city is the first stop on the way north
42 or the last on the way south to or from the Lower 48
43 states. Ketchikan is an old summer fish camp village
44 that is used by the Tlingit people; the Filipino,
45 Japanese, Aleut, Norwegian, just to name a few.

46
47 The community has one hospital, nine K-
48 12 grade public schools, a per capita income of
49 \$23,934, a median income of \$51,364 and a family income
50 of \$59,583, with a 6.5 percent of the population below

1 the poverty level. The population of Ketchikan is
2 14,070. This information is based on the 2000 census
3 and is the current data. The distance of commute to
4 work can be up to 17 miles one way. The people of
5 Ketchikan have used fish, wildlife and natural
6 resources for centuries.

7
8 In closing, Ketchikan needs its rural
9 status. Thank you in advance.

10
11 MADAME CHAIR GARZA: Thank you. So,
12 can you comment on whether or not you think the 7,000
13 population marker is a useful indicator for determining
14 rural status?

15
16 MR. STANLEY: No. I think that's a
17 very low number and I think it should be increased for
18 determination of rural status.

19
20 MADAME CHAIR GARZA: And do you believe
21 that Ketchikan residents use on the average of 31
22 pounds per year of resources or personally do you have
23 an idea of how many pounds you use?

24
25 MR. STANLEY: Regarding 31 pounds of
26 natural resources, I know people who burn more than
27 that in firewood and people who eat more than that in
28 less than one month. It just seems absurd to be
29 honest. I think the numbers are quite a bit higher.
30 No, I don't think 31 pounds as a whole is a real
31 reflection upon that because a natural resource can be
32 anything from a plant that grows in the ground to the
33 bird that is harvested or the firewood that you gather.

34
35 MADAME CHAIR GARZA: Thank you, Mr.
36 Stanley. We'll come back to Lee Wallace.

37
38 MR. WALLACE: Thank you, Madame Chair.
39 At this time I'd like to call my council up. I'm the
40 president of the Saxman IRA Council. I'd like to call
41 Nora DeWitt, Melvin Charles and Ginger Fox to come up
42 and join me. I attended your Wrangell meeting last
43 year and also the Federal Subsistence Board in
44 December. We want to show our appreciation for your
45 generosity. We have a token gift we'd like to give to
46 the Council members and Staff. The Council does a lot
47 of work but your supporting staff also does a lot of
48 work for you. I understand that as tribal president.
49 Just a small token of our appreciation for you folks.
50

1 (Applause)

2

3

4 MR. WALLACE: I see Patricia opened
5 hers with no hesitation. What she found in there was a
6 jar of coho. Again, many of your villages the sockeye
7 runs haven't been as large as we wanted them to be. As
8 I testified up in Anchorage, customary and traditional
9 use goes back generations in my family and time
10 immemorial with our Tlingit, Haida and Tsimshian
11 people. Part of my testimony up in Anchorage was that
12 I had knee surgery this summer and I wasn't able to go
13 out and do my C&T fishing that I normally do, but I had
14 a nephew that was raised traditional and he provided
15 for me this summer. He does it all the time. He
16 provides me with halibut, gumboots, crab, just to name
17 a few.

17

18

19 Going back to the five generations, I'm
20 of Tlingit, Haida and Tsimshian descent. My father was
21 full-blood Haida from Hydaburg, henceforth our family
22 was predominantly raised as a Haida family even though
23 my mother is Tsimshian Tlingit. Customary and
24 traditional use of material and resources, five
25 generations of Haida carvers harvested red cedar for
26 totem poles and the lodge you folks are staying at I
27 was privileged to sculpt those poles for the K Fox
28 people. So the C&T use goes back many generations.
29 So, indeed, I am a subsistence user, but I prefer to
30 use customary and traditional use.

30

31

32 The areas that we gathered have been
33 Carter River, Yes Bay, Hetta Inlet, Eek and many
34 different areas around the Hydaburg area. I pretty
35 much use the area around my father's people's land.
36 That's important. You get permission in a traditional
37 sense to go into other people's land. I'll give you an
38 example of my grandfather John Wallace. He went up to
39 the Sitka area to harvest some items and got permission
40 from the people of that area. That's important. Now,
41 when I gather red cedar logs, I need to go to the U.S.
42 Forest Service and get permits and use it in a manner
43 that is non-profit.

43

44

45 But the traditional carver of the past,
46 using the red cedar log as material, he'd go out,
47 harvest his log and then commissioned by individuals
48 from clans to sculpt the clan pole and he was paid in a
49 manner which was maybe in goods or maybe he received
50 salmon, halibut, deer meat. As the generation moved
51 on, there was a monetary value put on things. If you

1 want to call that profit, that's what I do. I've
2 sculpted 15 years for profit, but it's been in my
3 family for generations. I speak of this matter because
4 the process I need to go through to secure logs from
5 the US Forest Service. They have all their
6 requirements and I know the Forest Service is part of
7 the Subsistence Board and I know some of their staff
8 are here tonight and they need to hear this.

9
10 Those areas that we've used in my
11 family is predominantly sockeye. There was halibut,
12 shrimp, crab, sea asparagus, sea cucumber and berries,
13 Hudson Bay tea. The two freezers I have in my house,
14 you probably wouldn't find very much food from Carrs.
15 It's predominantly deer meat, salmon, halibut, shrimp,
16 crab. It's important to us in a spiritual way. That's
17 what we've lived on for generations.

18
19 Saxman IRA calls for the Federal
20 Subsistence Board to come to Saxman, not Ketchikan.
21 They may perhaps have two different hearings. There's
22 two different issues here. Saxman is a very distinct
23 community with their own government. The background of
24 Saxman, the population is about 431. Of that 335 are
25 Indian descent. That's 70 percent of the population of
26 Saxman is Indian. Why is Indian important. Again,
27 going back to C&T use. If you are an Indian, you're a
28 traditional and customary user.

29
30 The unemployment rate of Saxman is
31 43.251 percent. There was data we received and this
32 information was printed in 2005. I will leave a copy
33 for the record. Why is 43 percent important. Part of
34 the criteria the Federal Subsistence Board is using is
35 does the majority of your people go to Ketchikan
36 because it's three miles down the road and there really
37 isn't a majority that goes down the road. There's
38 approximately 51 individuals that commute to Ketchikan
39 for work.

40
41 I personally went house to house before
42 I went up to Anchorage and I got this data and it
43 really is dead on with the population. I actually did
44 go into five different homes because of time
45 constraints and weather, but I estimated pretty much
46 right on that the whole population of Saxman is 431.
47 It's quite different than the census that they were
48 using earlier. That's actually 100 less than the data
49 they used when they decided to put Saxman in this group
50 for further study. Part of this is a lack of

1 aggregation and integration. You look at the
2 unemployment rate. The bulk of the people here that
3 work in Saxman work right in Saxman. A lot of our
4 youth and elders work in the tourism with K Fox Tours
5 and tourism is only five months out of the year and for
6 the rest of the seven months a lot of them are
7 unemployed and that's why you've got the high rates of
8 43 percent.

9
10 The population, again, 431. The
11 threshold is 7,000. I think there should be some heavy
12 weight on the Federal Subsistence Board to use with the
13 population data. It's only one criteria they use, but
14 I think it should be a vital weight.
15 Saxman shouldn't even be here testifying, fighting for
16 their rural status.

17
18 Another criteria that I'm working on is
19 that I do personally know that the drop-out rate is
20 high of our high school students that attend Ketchikan
21 High School. What does the high drop-out rate mean.
22 Again, it's lack of integration and aggregation of our
23 high school students. So there's a lack of curriculum
24 and integration for our school students. The Indians
25 learn by hands on. A lot of the learning you receive
26 in a traditional high school is not hands on.

27
28 I think I touched pretty much on the
29 items that Chairwoman Garza was wanting, but I'll go
30 ahead and submit the data from Central Council for the
31 record. I do thank you and I appreciate the Council
32 support of Saxman rural status. It's very important
33 that we have that public hearing in Saxman.

34
35 MADAME CHAIR GARZA: Thank you, Mr.
36 Wallace. And we will give that to the court recorder
37 so the information will be entered. I think we're just
38 going to keep rolling. And also thank you for inviting
39 us to your community for the Regional Advisory Council.
40 We really enjoy this building and being in this
41 community.

42
43 Next we have Marvin L. Charles, Sr.

44
45 MR. CHARLES, SR.: Hello. My Tlingit-
46 Haida name is (in Native). Sorry, Bill, I don't think
47 Pete Amundson stepped over the line. You guys will
48 probably say I stepped over the line. Old Natives have
49 sovereign immunity. A foreign country cannot come here
50 and take us to court. Is Fish and Game here, the

1 Federal government here? All I want to know is who
2 decides whether we're rural or non-rural.

3

4 MADAME CHAIR GARZA: It wasn't us in
5 this room. The Federal Subsistence Board.

6

7 MR. CHARLES, SR.: Anybody here?

8

9 MADAME CHAIR GARZA: It wasn't anybody
10 in this room. We are as a Council fully supporting
11 Ketchikan as rural status and Saxman as rural status.

12

13 MR. CHARLES, SR.: Nobody here is going
14 to vote on whether we are going to be rural or not?

15

16 MADAME CHAIR GARZA: We are an Advisory
17 Council, so we do not make any final decisions. Our
18 recommendations go to the Federal Subsistence Board and
19 they will make a preliminary determination the first
20 part of June. We have already gone on record
21 supporting Ketchikan and Saxman as rural.

22

23 MR. CHARLES, SR.: One of my partners
24 up there was talking about relief. Before I get
25 started, you guys look pretty bored. I think we should
26 go get a jug.

27

28 On relief, everybody here knows what to
29 do. All they have to do is stop the drivers and have
30 the halibut come back. All the fish, there goes the
31 charter boats. Those guys should be catch and release.
32 They call it a trophy fish. They let everything go
33 unless it's 250 pounds or more. What do these guys do
34 with the fish. They don't even know how to cook it.
35 They've never seen saltwater before. Everybody here
36 shouldn't be here. The drivers should be here and the
37 charter boats should be here. They're the ones that
38 should be on the line, not Alaskans. There's enough
39 fish here to feed the whole world. What's the problem.
40 Why are we going through this.

41

42 It doesn't matter to me if these guys
43 want to take me to jail or not. I'm going to go out
44 there and do my fishing. I've been doing it all my
45 life and I'm not going to change. The scientists say
46 if you live out of a store you're going to die of
47 cancer. Chicken, bacon, sausage all cause cancer. I'm
48 going to live off my foods that I know don't have
49 cancer. All birds have cancer. When we were young we
50 didn't even know what a depression was. My dad went

1 out there and sold all his king salmon for 25 cents a
2 fish and that was just enough to get butter and
3 crackers. We didn't know what the rest of this stuff
4 was.

5
6 My brother and I fish in Klawock Inlet,
7 Carter Bay, Yes Bay, sometimes we go out and get 1,000
8 sockeyes and that's not for us, that's for people here
9 that can't go get it. If these people tell us we can't
10 get our stuff, I'd really appreciate it if they'd go
11 out there and get it for us. That way I can stay home
12 and make phone calls. If I see a goat or I see an elk,
13 I'm going to shoot it because it's on our land. It's
14 part of our inherited rights.

15
16 The charter boats should be one mile
17 offshore, not us. They raised the price of gas. When
18 I went over to Craig, I filled up my skiff and my
19 truck. It cost me 150 bucks. I'm not going to go out
20 there with 30 hooks. I'm going to go out there with
21 enough hooks to catch enough fish and bring them back
22 so I don't have to go back out there again.

23
24 On gun rights, anybody with assault,
25 domestic, got to get a gun. All Natives have a right to
26 carry arms, all Americans, I'm going to go out and get
27 whatever I want. It doesn't matter to me what anybody
28 says. I'm speaking for myself. I'm not speaking for
29 Saxman. It doesn't matter to me if they this here
30 place rural or non-rural. I'm still going to do
31 whatever I want. I was raised that way. It's our
32 inherited right.

33
34 Thank you.

35
36 MADAME CHAIR GARZA: Thank you.
37 Charlotte Tanner.

38
39 MS. TANNER: I support Saxman and
40 Ketchikan being designated rural and I would also like
41 to have the Federal Subsistence Board meet down here
42 prior to their making any sort of decision. I would
43 also like to express my agreement with what Frank James
44 said. It is strange to me that an artificial
45 construction called the Federal government would have
46 the gall to tell a group of people that have lived in
47 this area for thousands of years that they can no
48 longer harvest the foods that they have eaten during
49 all that time.

50

1 The father of my children and I are
2 divorced and I, myself, no longer have access to a
3 boat. However, I do have a great rhubarb patch. I
4 barter this rhubarb for salmon, halibut and venison
5 when I possibly can. I beg and borrow and steal wild
6 food. But while my ex-husband and I were together we
7 trawlers and as a family we harvested salmon, halibut,
8 venison, gumboots, shellfish and berries. My kids were
9 raised on all these wild foods. Their father is
10 Native. Now, even though they're at college, they
11 still crave this food and their dad ships it to them.
12 It would make it a lot easier for him to be able to get
13 this food and give it to them if Ketchikan were
14 redesignated rural.

15

16 Thank you for listening to my comments.

17

18 MADAME CHAIR GARZA: Thank you. Joe
19 Williams.

20

21 MR. WILLIAMS: What I'm about to say I
22 think I'm going to be preaching to the choir. First of
23 all, Bert, appreciate you being here, Madame Chairman,
24 Dr. Dolly Garza. It's a pleasure to see you tonight.
25 Bert is in trouble because he's been here for a couple
26 days and hasn't even called me. He knows exactly where
27 I live, so that's not an excuse. One of the nicest
28 things I do know is that you're staying at K Fox. If
29 you're not, you're in trouble.

30

31 For the record, my name is Joseph
32 Charles Williams, Jr. I was born at a very early age
33 right here in Ketchikan and I was born to Elizabeth and
34 Joseph Williams. Culturally, we follow our mother's
35 side. I'm an Eagle of the Killer Whale clan. My
36 mother's heritage goes to Wrangell. So I'm (in
37 Native), which is my father's side of the family. So,
38 with all that being said, welcome to our humble
39 community of Saxman. I appreciate you taking up the
40 invitation that was extended to you by president
41 Wallace. I publicly thanked president Wallace for
42 inviting you to our small community of Saxman.

43

44 Some folks spoke about how it was in
45 the earlier days. Times have changed. There's a lot
46 of things that have occurred. In that change there's
47 always pain. The Alaska Native Brotherhood came on
48 board in 1912 and the forward movement of the Alaska
49 Native Brotherhood has always been education. I'm
50 proud to say Dr. Dolly Garza because in 1912, 1935,

1 1950, 1960 there was no doctor among our Native people.
2 So now here we are.

3

4 I'm speaking to you as the Saxman city
5 mayor. Should Saxman be designated rural. Absolutely.
6 I often ask when I address the Federal Board in
7 Anchorage what has changed in Saxman. The population
8 perhaps. When I was growing up, you counted all the
9 dogs and cats and you had about 120 people that lived
10 in this community. Now, as has been reported by
11 president Wallace, we have in excess of 400 and that's
12 not counting any dogs or cats. So I said the only
13 thing I see that has changed in Saxman is that there
14 are more people. More people are subsisting. We're a
15 far cry away from 7,000.

16

17 You know, if my house was to burn
18 tonight and I was forced to move into Ketchikan for 30
19 days, I could no longer do what I've been doing all 62
20 years of my life. Now how ludicrous is that. When you
21 get involved with the Federal government, you have
22 people who sit in little cubby holes that are
23 protecting their job and they're putting things
24 together to make it more difficult for people like
25 myself and people that are here to live because one
26 person is protecting his job writing requirements after
27 requirements.

28

29 And I remember the day when the man
30 came into our house and he said to my dad we're just
31 taking a toll here as to how many people are taking
32 fish. This is not a tax, Joe. It's only going to cost
33 25 cents. He was talking to my father. I remember
34 that.

35

36 I can remember giving a speech a couple
37 years ago. Culturally speaking we were saying years
38 ago, with the arrival of the white man, for the very
39 first time that he arrived here, leave him alone, the
40 winter will chase him away. You know, it did. The
41 winter chased him away for years. Then one or two got
42 stuck here. Then what happens is the fences start
43 going up. This is my piece of property. You stay off
44 of my piece of property.

45

46 I am angered that I have to come here
47 and speak to folks that don't live here, don't live in
48 our community and don't have any idea what it means at
49 times to feed our children. I was sitting here
50 thinking I'm going to tell these guys what I really

1 live off of is potato chips, hot dogs and french fries
2 and McDonald's and I go to Carrs every single day, take
3 all that food home. You come to my house and you'll
4 see all my refrigerators and freezers filled up with
5 all that kind of processed food. Then I didn't think
6 it was a good idea because it might be taken wrong.

7
8 I have six children, four boys, two
9 girls. And raising four boys and two girls is a
10 challenge, especially when you have three boys that are
11 raised to be eaters. Do you know what that means?
12 Eleven, 12, 13 years of age, man, here comes some
13 eating machines. We would give them at least three
14 pounds of king salmon and I don't know how much rice
15 and something to drink. Fifteen minutes later they'd
16 say, Mom, I'm hungry. If you have any boys you know
17 exactly what I'm talking about.

18
19 Do we subsist here in Saxman?
20 Absolutely. Do we live off the land? Absolutely.
21 You've had some folks here that spoke before me. They
22 said leave our pantry alone. That's where we get our
23 food. I was thinking how appropriate. If they don't
24 understand that, let's start putting a fence around
25 their pantry called Carrs and Safeway and so on.

26
27 I echo, as the mayor Saxman, president
28 Wallace's request to have the Federal Subsistence Board
29 hearing right in this community and right in this very
30 room. I want to look into the eyes of the people that
31 are going to make a decision about how I'm going to
32 live, how my children are going to live and what
33 they're going to eat. I want them to meet them.

34
35 I'm struggling whether I should
36 entertain them, whether I should feed them this food
37 that they're going to so willingly take from me. I
38 struggle with that. Once they make the decision,
39 they're going to get on a plane and probably never come
40 back to the community of Saxman. The struggle is do I
41 give up the subsistence food that we gathered so they
42 can have their bellies filled.

43
44 One of the neatest things that I've
45 found coming to this meeting tonight is I know who has
46 all of the Native food. Carrie James, put me on your
47 list.

48
49 (Laughter)

50

1 Of my six children, I had my son last
2 year come up here for two weeks. He lives in Portland.
3 All the years he was growing up he was helping me
4 process the salmon, picking our berries and doing the
5 things that we do. Last year he spent a good sum of
6 money to come to this community so he could get his
7 king salmon, so he can get his sockeye, his berries,
8 his halibut and all that that goes with it. I said,
9 Son, did you ever think while you were going to school
10 here, while you were living in this community, that you
11 would spend \$4,000 to come get this food. He just
12 laughed it off. When they were still living at home,
13 88 king salmon we would smoke, 40 pounds or better, and
14 before it was time to go after them again we were out.
15 Eating machines.

16
17 When we think about the things that's
18 going on here, as I address the Federal Subsistence
19 Board in Anchorage, I said this
20 ANILCA law is totally contradicting the power and the
21 authority of a Federally recognized tribe. A Federally
22 recognized tribe has a government to government
23 relationship with the United States government and here
24 we are, our president of the Federally recognized tribe
25 of Saxman sat here before you pleading so that we could
26 continue to have our subsistence food for us to an
27 Advisory Committee.

28
29 I'm not belittling you, and I
30 appreciate your support. Please understand that. But
31 then that goes on to the Federal Subsistence Board.
32 It's a board. When did the Federal government become a
33 board. The Federally recognized tribe of the Organized
34 Village of Saxman has a government to government
35 relationship with the United States government, not a
36 Federal Subsistence Board.

37
38 Pete Amundson mentioned my name and I
39 appreciate it was mentioned in good light. The last
40 couple weeks in the newspaper it was not mentioned in
41 good light. But Pete and I do go back. I go back
42 about 15 years with Pete. He goes back about 45 years
43 with me for whatever reason. You guys figure that out.
44 But Pete is a good guy. Pete has been my friend since
45 we were in school. I appreciate what his organization
46 has done for K Fox tribal members and what they did for
47 the community of Ketchikan.

48
49 Is 7,000 an arbitrary number? Is
50 13,000 an arbitrary number? Absolutely. Get that guy

1 out of the cubby hole over there who's been making this
2 idea come up that we have to deal with.

3

4 Why am I here? I'm just as nervous as
5 everybody else that's been sitting at this desk. This
6 is why I don't look at Bert so much. In any event, why
7 are we doing this? We're doing this for our people.
8 We're doing this for seven generations down the road.
9 Saxman is in this location because it was selected by
10 the leadership of my grandfather's generation. Here we
11 are.

12

13 I want to tell you a little story in
14 closing. That is a couple years ago Tlingit and Haida
15 Housing Authority was reroofing some of our houses here
16 in Saxman. We get 13 feet of rainfall every year. The
17 superintendent wants all the amount of daylight hours
18 he can get out of the workers. As a result he only
19 gave them half an hour lunch. By the way, you have to
20 take your lunch with you up on the roof so you can have
21 that full half hour and get back to work. One of his
22 requests was you don't talk politics up there on the
23 roof and you don't talk religion up there on the roof.

24

25

26 As time continued through that process
27 three guys got into a political discussion. It just
28 started to heat up and this one black guy jumps up and
29 he said I'm just totally frustrated with all that has
30 to happen here. I'm doing this for my people. Jumped
31 off the roof, killed him. These guys were totally
32 appalled that this guy would just kill himself but he
33 was frustrated.

34

35 You know, there's a lot of people
36 behind me tonight that spoke before me that are
37 frustrated. You're seeing some of it right now. So
38 what occurred then, as a good Tlingit would do, he said
39 I'm doing this for my people and he stood up and he
40 grabbed the white guy and threw him right off the roof.

41

42 So what we're doing here tonight,
43 ladies and gentlemen, is for our people. For the
44 people for the community of Saxman, for the people of
45 the community of Ketchikan. We're doing this for our
46 people so that we can continue to do what we've been
47 doing since time began.

48

49 Now I can step back for a moment and
50 you probably will never have this happen again. I'm

1 not putting on my Ketchikan Gateway Borough hat. For
2 the record, to remind that the Ketchikan Gateway
3 Borough passed a resolution supporting Ketchikan to be
4 rural, supporting to keep Saxman rural, and I want that
5 to be made loud and clear, that the community of
6 Ketchikan, as the Borough stated, we want Ketchikan to
7 be rural and we want Saxman to retain its rural status.

8

9 Thank you. I will address any
10 questions.

11

12 MADAME CHAIR GARZA: Mr. Adams.

13

14 MR. ADAMS: Words well taken. I just
15 wanted the audience to know that the reason why right
16 off the bat we started to poke at one another is that
17 Joe and I go back a long ways, during Sheldon Jackson
18 college days in the early '60s. So we see each other
19 once in a while. I'm sorry I didn't call you when I
20 first got here. They've been keeping us pretty busy.
21 I know about the eating machines though. I have five
22 boys and two girls. They grew up and started raising
23 families of their own and now we have 22 grandchildren.
24 And where do they go for their subsistence food? To
25 grandma and grandpa. So we're pretty well familiar
26 with the eating machines. But it's good to see you
27 again, Joe.

28

29 MADAME CHAIR GARZA: We're going to
30 keep rolling along real quick.

31

32 MR. WILLIAMS: Bert says we go way
33 back. It's way back for me 1990, for Bert 1960s.

34

35 MADAME CHAIR GARZA: Next we have Terri
36 Burr.

37

38 MS. BURR: (Greeting in Tsimshian) I'd
39 like to thank you for listening to me. My heart is
40 happy for what is going on here right now and I have
41 great gratitude for your respect and your patience.

42

43 I am Tsimshian Irish on my mother's
44 side. I am (in Native) Killer Whale in Canada. In
45 1887 my grandparents came here with William Duncan and
46 settled in New Metlakatla, Alaska. My grandparents
47 moved to Gravina Island to work in the Peter Simpson
48 sawmill a long time ago. That burned down and then
49 they came to this island and began their family.

50

1 I wrote a letter because I didn't know
2 if I would make it tonight, so I'm going to read the
3 letter. I am the leader of the Tsimshian dance group,
4 the only Tsimshian ceremonial dance group in Ketchikan.
5 I've had this group for over 10 years. I am also a
6 member of the Ketchikan Indian Community Tribal
7 Council. I'm a single mother with a 17-year-old eating
8 machine.

9
10 Okay. Dear Advisory Council, please
11 accept this letter of input as my testimony regarding
12 rural status for Ketchikan. As a member of the
13 community at large, Native community, head of household
14 and as an individual citizen of this state and this
15 country, I strongly urge you to advocate in support of
16 rural status for Ketchikan. The subsistence lifestyle
17 is a way of life in Alaska. For many of us it is not
18 just a tradition, a luxury, a sport, a hobby, it is a
19 necessity.

20
21 I grew up in Ketchikan. As a child, we
22 ate fish three to four times a week. By the way, I'm
23 the youngest of 13 children, so we needed to eat a lot
24 of fish. Many of our elders require traditional foods
25 to keep weight on and to boost their immune systems.
26 Most of our elders live on a fixed income and cannot
27 afford the high price of seafood in the local markets.
28 Of course, seaweed, dog salmon, eggs and eulachon
29 grease is not available in our grocery stores.

30
31 My mother and grandmother used to go
32 out and get our own medicine. I was taught how to
33 collect medicine by my mother. They would go out to
34 where Ward Lake is long ago, that was not Forest
35 Service area, and my grandmother and aunts knew there
36 was good medicine to be gathered out there. So she
37 taught my mother and my mother taught me. Nowadays I
38 have to worry if I go out to the same location.
39 There's an important reason to go to the same location.
40 Now I have to worry about getting in trouble with the
41 Forest Service. So we didn't ask for the town to grow
42 up like this around us and for that to hinder our
43 lifestyle, but it has. Now we need to worry now for
44 breaking the laws.

45
46 Subsistence lifestyle is alive and well
47 in Ketchikan. It is healthy and good. I urge you to
48 work towards protecting our lifestyle in Ketchikan and
49 throughout Southeast Alaska. I feel like people have
50 listed the foods that they subsist and what they eat.

1 I eat most of that. I haven't heard seal yet, so
2 seal's good too. And bear for some of us.

3
4 I don't know anybody who doesn't
5 subsist. I don't know anybody who doesn't like fish in
6 Ketchikan. I know our whole town is bustling
7 throughout the summer with people picking berries and
8 going fishing and all year round with dropping shrimp
9 pots and crab pots. One thing I've noticed too and I
10 think this goes to our subsistence lifestyle is that
11 everybody shares. There are wonderful people in this
12 building tonight who I know have shared hundreds if not
13 thousands of pounds of fish from their own stocks.

14
15 I also ask if you folks could please
16 advocate to the Federal Board to practice and respect
17 government to government relations and address our IRA
18 Councils formally, both Saxman and Ketchikan. These
19 governments are very important. This is how we operate
20 in this town. We don't always get what we need. And
21 through the Borough or the City we like to operate as a
22 tribal government and that is best for us. So if you
23 want to contact the Native community, please contact
24 IRA Councils or the ANB/ANS or Tlingit and Haida. What
25 you've seen here and what you've seen through the week
26 is just a drop in the bucket of the participants and
27 who this is important to in Ketchikan.

28
29 I understand that it's important to
30 prove -- I don't think we need to prove historical and
31 cultural subsistence use. Growing up in Ketchikan I
32 heard stories from my aunts and uncles and families in
33 the neighborhood about going to fish camp long ago. I
34 recently learned from my aunt about seaweed camp. That
35 many families gather together just to go out only to
36 collect the seaweed, but this was done in Indian Town
37 and it was with mixed families. A long time ago it
38 wasn't a matter to divide by our nations. It was just
39 fine to go out in the same boat and stay until
40 everybody has what they need and you come back.

41
42 The 7,000 population cut-off is silly.
43 It's silly for the whole state and it doesn't really
44 bear any meaning for Ketchikan or any community over
45 7,000 in Southeast. I just want to let you know that
46 Ketchikan has five dance groups and that goes to our
47 cultural -- we are culturally rooted. As a member of
48 the Tsimshian community in Ketchikan, our Tsimshian
49 Tribal Association eight years ago had 1,100 members
50 and I know we have only increased in membership since.

1 This is just one nation. The Native community is large
2 in Ketchikan and we are culturally grounded and we do
3 practice subsistence and our traditions. So I concur
4 with many of the speakers that it is silly to say to
5 anybody why we deserve the right to subsist.

6
7 I want to stop speaking now as a tribal
8 council member and share my own opinion. There's been
9 a few comments regarding when the stocks are low going
10 to Native use. That's a pretty touchy topic because it
11 sounds like we're talking about race and we certainly
12 are. It's very dear and close to our Native community
13 and to our Native identify. We talk about our clans
14 when we identify ourselves, our stories tell us how the
15 world came to be and our relationship and
16 responsibility to the land and to the people. So this
17 is not a luxury for us, this is a duty and something we
18 can't separate ourselves from.

19
20 I also want to make the point that
21 before Columbus our indigenous populations were
22 wonderful. They were healthy. I want to make sure
23 everyone understands that now, in the Americas, less
24 than 1 percent of indigenous people are in existence.
25 I want to make sure that everybody understands that 99
26 percent of all indigenous people no longer exist in the
27 Americas. We're hanging on by a thread. For somebody
28 to say to a Native person that they're going to get in
29 the way or interfere with us practicing our traditional
30 rights and our traditional values, I almost want to say
31 it's sacrilegious to us. So it's very insulting.

32
33 I want to say also before Columbus the
34 population of people of European stock was very low.
35 Today the population is very healthy here, well, at
36 least in North America. It's, I believe, well over 70
37 percent if not 90 percent. You guys are benefitting.
38 I just want to drive home that point. The Native
39 people in the United States, our populations have been
40 hurt. What is left of us is just a very fine thread
41 and our connection and sense of responsibility to the
42 land and to our people is something that we can't
43 break.

44
45 When there's a law that says or even
46 just a hint that there will be interference from the
47 government, Native people are very strong in saying
48 that they will not abide by any regulation that says
49 they will not fish. And that will speak for why the
50 state of Alaska has lost their right to regulate,

1 because they went with the money instead of what was
2 right for Native people.

3

4 So I want to say as an individual that
5 I feel very strongly that when the stocks are low in
6 natural resources that the priority has to go to Native
7 people.

8

9 Thank you.

10

11 MADAME CHAIR GARZA: Thank you. Next
12 is Donald Westlund.

13

14 MR. WESTLUND: Madame Chair. Hello
15 again. My name is Donald Westlund. I live at 15065
16 Lizzy Lane, 15 miles North Tongass, Ketchikan, Alaska.
17 If you'll give me a little leeway, I've been listening
18 for a long time and I have heard what certain people
19 have said and I think there's been three people up here
20 that have hit the nail on the head. Mr. Amundson, Mr.
21 Charles, and the Honorable Mayor Williams.

22

23 Mr. Charles was alluding to the common
24 person. The last speaker was talking about race. Mr.
25 Charles said the common person would mean no race
26 restriction, whether Asian, White, Filipino, whatever,
27 that everybody has the right to subsist.

28

29 Mr. Amundson was stating that Title
30 VIII of ANILCA because it has not been brought to court
31 due to circumstances beyond the control of the average
32 person because the courts do not look at us as a normal
33 person, nor does it look at the legislature of the
34 state as a person of record. The only person of record
35 that can bring ANILCA to trial is the governor of the
36 state. Because we had a governor, the first week into
37 his term, canceled the lawsuit that was going to be
38 heard within a week and he was in for two terms. So we
39 have gone past the supposed deadline. I've talked to
40 judges and they said, well, if it's illegal, there's no
41 expiration date. It can always be tried. So until
42 ANILCA can actually be brought to court to see if it is
43 actually legal, it is the law of the land. I think
44 that's what Mr. Amundson was alluding to, Mr. Charles
45 was alluding to and also Mr. Williams was alluding to,
46 that Title VIII of ANILCA is the problem. It puts
47 people of Alaska against people of Alaska, whether you
48 were born here or migrated here. Everybody, even
49 though the Native Alaskan has been here the longest,
50 has all migrated to the state of Alaska.

1 Saying that, again, I'll try to explain
2 to you who I am, what I do and how I subsist. First of
3 all, I subsist under sport regs and personal use regs
4 because I am not a Federally recognized subsistence
5 user. I was born in California and my family did not
6 hunt but we fished and made due. I moved up here in
7 June or July of 1976, so coming up on 30 years. In
8 that 30 years I've eaten dried fish, king crab,
9 dungeoness crab, opelio crab, gumboot, abalone,
10 limpets, seaweed, herring eggs on skein, herring eggs
11 on branch. I've eaten grouse, geese, golden eye,
12 mallard duck, moose, black-tailed deer, beaver tail.
13 I've been able to eat eulachon grease, eulachon. I'm
14 not real fond of seal oil. It's an acquired taste, I
15 think. I've eaten salmon eggs. As I was growing up, I
16 always thought it was bait, but I've learned to enjoy
17 salmon eggs, although I like it in the Oriental portion
18 of akura. Again, it is difficult to sit here and talk
19 to you.

20
21 I truly believe that Ketchikan should
22 be a subsistence based community. The population
23 number of 7,000 is irrelevant. We live on an island.
24 We are susceptible to disruption of freight. If
25 anything went wrong with those deliveries, we'd be
26 dependant upon subsistence foods. I can go on and on
27 sharing what I eat. We've all been sitting here a long
28 time. I would prefer that either Ketchikan as a
29 community, which includes Saxman, because I think we
30 are somewhat the same even though we do have some
31 cultural differences, we do share the same location, we
32 share the same foods and habitat to collect those foods
33 from.

34
35 I'm trying to make sure that I hit all
36 the criteria the Chair has asked us to hit. I'm trying
37 not to take up too much time.

38
39 MADAME CHAIR GARZA: Do you harvest
40 more than 31 pounds per year.

41
42 MR. WESTLUND: Like I said, Madame
43 Chair, I forgot to mention the salmon. I eat all five
44 species of salmon. Since sport regs are a little more
45 lenient because I have a daily bag limit I can actually
46 harvest more fish, I have probably in my freezer 100 to
47 150 pounds of the five species of salmon. I probably
48 have on my shelves eight to 10 cases of smoked salmon
49 and probably another five cases of plain salmon in
50 cans. I share. I have probably another 35 to 50

1 pounds of halibut. Probably, at this point in time,
2 another 15 pounds of shrimp. So, yes, I think I eat
3 more than 31 pounds of product in a year.

4
5 I include Saxman in Ketchikan because
6 Saxman pays Borough taxes, so it's hard to distinguish
7 between the two when you look at it as a community as a
8 whole. I think everybody in Ketchikan is a whole. I
9 would like to see Ketchikan either looked at as a rural
10 or we're all rural or not rural. I'd like to see the
11 Federal Subsistence Board come to Ketchikan and either
12 have a meeting here or in Ketchikan. It's the same
13 community.

14
15 I think that's about it. Again, I
16 think that ANILCA itself is the problem. It splits to
17 where we have a second class portion of citizens of the
18 state. That's my belief and I do know how ANILCA works
19 and I've been at this a long time.

20
21 Thank you, Madame Chair, Board Members,
22 Mr. Thomas.

23
24 MADAME CHAIR GARZA: Thank you. We're
25 going to keep rolling here. Nora DeWitt.

26
27 MS. DEWITT: Thank you. My name is
28 Nora DeWitt. I'm originally Paiute Shoshone Indian
29 from Nevada. I moved to Ketchikan in 1971 where I gave
30 birth to my first daughter. I have two daughters.
31 I've lived in Saxman since 1975. My father-in-law, in
32 his wisdom, about three months after I arrived he
33 adopted me into his clan. He's (in Native) and he gave
34 me the Indian name of (in Native). I didn't realize at
35 the time what he was doing because I was so new to the
36 area and I'd never been through a tribal adoption. Now
37 I understand why it was so important. He wanted to
38 make sure that my daughters knew where there place was
39 with the Alaskan people. He wanted them to know what
40 their cultural heritage was and he wanted them to have
41 an Alaska Native cultural tradition. He wanted them
42 brought up in the way they were to be brought up if
43 Alaska was going to be their home. I respected that
44 and he put me under his wing because being from the
45 Lower 48 and not access my own people I couldn't teach
46 my children nearly as well as he did. So I forfeited
47 my own culture and I learned from my father-in-law what
48 was the right way to do things and I allowed my
49 children to grow up with the Alaska Native culture.
50 This was very, very important.

1 As a young child in Nevada I learned
2 what subsistence way of life is all about because
3 that's all I knew. That was the way we lived. Our
4 reservation was very poor. We lived off the land, we
5 lived off the trees, we went to the mountains and we
6 picked pine nuts, herbs and grass, we had to dig in the
7 winter time for the animals that burrowed in order to
8 survive the winters. So I knew what subsistence meant
9 but I didn't know the word. To me it was always the
10 way of life that we had to live in order to exist.
11 Then coming to Alaska it was different because the food
12 was there. The sea gave it to you, the land gave it to
13 you, the forest. It was all there and it was a
14 wonderful way to live and it was, to me, the way it's
15 supposed to be.

16
17 When my children grew up, my husband,
18 who passed away in 1998, he was a carver and he
19 apprenticed under Lee Wallace and Lee taught him a lot
20 of things about the respect of the trees and the proper
21 way to bring a tree into the presence to be carved. My
22 hunter was a hunter, fisherman and also a gatherer. My
23 father-in-law taught him and my brother-in-laws, they
24 all hunted and fished as a family. My sister-in-laws
25 took me under their wing when I moved here to the
26 village and we did berries and put berries up and fish
27 up and we did smoked fish, so I always had someone who
28 showed me the ropes. One of the things Representative
29 Bill Williams used to always call me, he used to tell
30 me that I was an Outside Indian and then he would laugh
31 because he was one of my husband's clan, so they always
32 gave the sister-in-law a bad time.

33
34 But I learned and we used the salmon
35 and fish eggs and eulachon and the berries and the
36 beach asparagus and the fish eggs and the seaweed and
37 the crabs, clams, and seals. I remember having family
38 dinners with nothing but Indian food. At some of the
39 parties we still have the traditional foods. Not as
40 much, but if it's there, it's a delicacy. You hear
41 from these people about the food they have in their
42 cupboards.

43
44 Now that I'm a widow and I have had a
45 severe decrease in my own income, if it wasn't for the
46 food that I had put up or had given to me, I wouldn't
47 have made it through this last year. But it was
48 through the generosity of those who looked upon me and
49 knew that one of the laws among our people is when you
50 know there's a widow in the village check and see that

1 she's okay, give her something if she doesn't have
2 anything, always look out to provide for your elders
3 and your widows. That's just what happened.

4
5 There were times when I'd go out my
6 front door and there hanging on my doorknob one time
7 was a bag of fish eggs, another time a hunk of deer
8 meat. My neighbor brought over what he got himself to
9 share with me. There's other times people would call
10 and give me things and I really appreciate that.

11
12 One thing I want to share with you is
13 that our food is more than just food. It is a real
14 strong healing element in our lives. When I lost my
15 husband, it was very traumatic and we went through the
16 process of the potlatch and through the wisdom of the
17 Alaska Native people the preparation of the potlatch is
18 something I honor and I can understand because I went
19 through that process and I know now what they mean by
20 preparing for your potlatch. People embraced me
21 through the mourning period, through the funeral. One
22 thing they would tell me is that there are going to be
23 times when you feel like you're going to go crazy, when
24 you feel like you don't know where to go for help,
25 you're just alone, but this is what you need to do.
26 Work on the potlatch things, work on the Indian food,
27 put the food up for the potlatch, make those gifts,
28 concentrate on that and that will bring you healing.
29 You know, that's what I did.

30
31 Unfortunately we had more deaths in the
32 family, so the potlatch didn't occur for two years.
33 During that time I honored that and I worked hard. It
34 was so therapeutic because I felt the spirit of the
35 animals. I thanked them for giving their lives. All
36 of that brought healing to me. So when the potlatch
37 finally occurred and we were able to give the gifts, it
38 was not only a gift from the hand to hand, it was a
39 gift from the mind, the body and the spirit to another
40 person and it was given with that spirit and that
41 allowed me to totally heal and to begin a life after
42 that. I am so thankful because my father-in-law taught
43 me the process as well as my brother-in-laws and Bill
44 Thomas. So all that is something a lot of people don't
45 understand.

46
47 The other thing is the gathering that
48 we do with the cedar and with the devils club. Those
49 things are very important to us, both spiritually and
50 therapeutically. We use those things for our medicine,

1 we use those things for our prayers, we use the things
2 for our smudge, and that's very important for our
3 prayers, very important to our well being.

4
5 One of the things that I want to share
6 is that although
7 Saxman is within the Ketchikan area, Saxman is uniquely
8 its own community. One of the things under the Federal
9 subsistence regulations on Page 2 it says communities
10 that are economically, socially and communally
11 integrated are to be grouped for evaluation purposes.
12 For the record, Saxman is its own community. It has
13 been, it always will be. Nothing has changed in
14 regards to where Saxman is or what it's been doing. In
15 the last 10 years it's been the same. We have a port,
16 a gas station, a convenience store, public buildings,
17 public offices, the K Fox Village Corporation.

18
19 When you take a look at us, we have
20 always been our own community. We have our own
21 identity within the school district. We are identified
22 as Saxman. They know who our Saxman students are. We
23 are identified in the Borough as the city of Saxman.
24 We are our own municipality within the tax basis of the
25 Ketchikan Gateway Borough. Saxman is its own entity
26 and collects its own sales tax. We also have our own
27 property taxes collected, although the Borough keeps it
28 and it goes towards the Borough purposes.

29
30 The State of Alaska identifies us as
31 our own entity. We have our own election precinct and
32 they have just changed that within the last four years
33 so that Saxman would be its own precinct. As far as
34 Federal status, we are our own tribal government. Most
35 of our programs are from Tlingit and Haida specifically
36 for Saxman. We have our own Alaska Native Brotherhood
37 and our Alaska Native Sisterhood Camp. We exist as a
38 subsistence community, we always have. Subsistence is
39 our way of life.

40
41 When we take a look at this road out
42 here, one of our elders here in the community, and I'm
43 sorry she's not here tonight but a lot of her family
44 showed up, she said if that road was going to cause
45 Saxman so much trouble as far as us losing our identify
46 as a community and losing our rights to subsistence, we
47 never should have had it and we should just blow it up.
48 That's a strong way for an elder to speak, but that is
49 true.

50

1 Those are my comments. Thank you for
2 your time. I could answer any questions if you have
3 any.

4
5 ACTING CHAIR ADAMS: Will Embert James
6 please come forward.

7
8 MR. JAMES: They saved the best for
9 last. We used to work in the IRA together. I better
10 not say anything else or they might think you favor me.
11 First off, I'll start with my name. My real name was
12 (in Native). That's a person who loves to talk and
13 make people laugh. When I was born, I was born to (in
14 Native) from the first Wolf house. When he was looking
15 to get married they looked all over and found my mother
16 (in Native) of high status also, who is the mother of
17 all Dog Salmon. She was in the first Dog Salmon house
18 from Chikan. My dad was from Kuiu.

19
20 This letter is going to be presented to
21 the proper places. The Office of Subsistence
22 Management and it's going to the U.S. Fish and Wildlife
23 Service. To whom it may concern, our Native people
24 have lived in Alaska for over 4,000 years. Just a few
25 years ago they found some bones in one of our caves
26 near Chikan, that's our Dog Salmon territory, and those
27 bones were estimated to be about 8,000 years old. We
28 are ancient people who lived in Alaska long before the
29 white man set foot in North America.

30
31 According to history, it shows that the
32 United States was never bought. When the Russians were
33 occupying the forts in a few places, they could not do
34 what they wanted to do. They had to have permission to
35 get water. If they wanted something to eat, the
36 Tlingit people would give them a bear or something.
37 When one of their people died, they were buried below
38 the water high tide line. So the United States never
39 did buy Alaska. This we have proof. We have
40 challenged the United States government to sit and
41 debate with us because we would bring a lot of news
42 people from all over the world. We would bring our
43 artifacts, pictures of the carvings in the rocks that
44 are thousands of years old. We told the government
45 that they would only bring hot papers off the fax that
46 just got there. They don't have nothing. They have no
47 proof. Show us their title. That's what this letter
48 is going to be going up there.

49
50 I don't like the word subsistence. To

1 put it straight, that's a white man's word. When
2 people ask me am I going after seaweed, I don't say I'm
3 going for subsistence. Several years ago when I was on
4 the IRA we were approached by Alaska government
5 officials to see if they could put us on a 35 pound
6 limit for seaweed. That's a bunch of foreigners.

7
8 You know, we can't help it. I want to
9 let it be known that I strongly back the Ketchikan
10 Native people to be used as rural. They can't help it
11 if they are in a good spot and a lot of non-Native
12 people move in by them and overpopulate the area. It's
13 not their fault. If one of our Native relatives from
14 down south comes up here and wants to get Native food,
15 we take him out to get it.

16
17 I'll tell you right now, we could beat
18 the white man in any courtroom right now when it comes
19 to our Native food. I'd like them to try to arrest me
20 for putting up some of my Native food. I might not
21 beat them in this little Ketchikan court, but we get up
22 into the higher places and we'll beat them.

23
24 When we talk about Native foods, it
25 brings me back to the days when we were living in
26 Craig. My dad was probably the first distributor of
27 our Native food. I have an oldest brother that was
28 sitting here a while ago. I was a young kid. I
29 remember my dad would tell my mom to pack up a few
30 clothes and stuff for us. I'm going to take the boys
31 out. There's a lot of people hungry in this town of
32 Craig. And they'd go out on a boat for two, three days
33 and they'd have 35 to 40 bucks hanging on their
34 rigging, laying all over the deck. That's before Mike
35 could remember or Dolly, she was too young. But
36 everybody who didn't have the means to go out and get
37 what they want would come down to our boat and my dad
38 would make my younger brothers carry those deer up to
39 the people's places.

40
41 And it's not only the deer. My dad
42 would take 30 skiffs in a chain behind the boat and
43 take them out to Hazy Island to get murray duck eggs.
44 He used to take a lot of people out there and they'd
45 all gather murray duck eggs and come in. He used to
46 load the whole deck of his boat with herring eggs.
47 We'd go through the whole Prince of Wales Island there
48 to the small villages and we'd trade, barter. Some
49 people would give them money for fuel. Herring eggs,
50 we'd get thrown in jail now if we get too much.

1 We would always eat abalone, yane and
2 fish eggs, seaweed, sea ribbons, salmon eggs, stink
3 eggs, stink heads and white man would laugh at us and
4 make fun of us with our eulachon grease because we're
5 eating such horrible stuff. Now they want to say we
6 want to be equal. Who are they?

7
8 Were they here when the small pox
9 epidemic was spread deliberately among our Tlingit
10 people? From Prince Rupert to the cape up above
11 Yakutat there was 500,000 Tlingit people. We are an
12 unconquered tribe. Nobody else can say that. When the
13 small pox was deliberately spread by the United States,
14 a lot of our people left. There was 50,000 Tlingit on
15 Kuiu Island. They went to Kake. My great-great-
16 grandpa stayed on Kuiu. He went up into the mountains
17 and lived in a cave with his four sons and seven
18 slaves. My dad says whenever you address any people
19 from Kake you address them as your nephew or your niece
20 and you tell them the story and their fathers will know
21 what you're talking about.

22
23 But when the white man found out our
24 food is such a high delicacy, where's our abalone.
25 White man put it up for harvesting. Now the white man
26 are the ones harvesting it. We can't find any more
27 hardly. Rare can we find it. What's going on next.
28 Our sea urchins, our sea cucumber. I heard someone
29 talk about gumboots. I want to ask him how he knows
30 how to cook it. You boil it for about 25 minutes real
31 hard then try and chew it. Now you people that are
32 laughing know that you don't cook it that way. I don't
33 like to reveal how we cook and prepare some of our
34 foods, like people put stuff in the paper, because all
35 that stuff will be taken from us.

36
37 What happened to the Native people of
38 the Lower 48? To get rid of them they hunted and
39 killed off all their buffalo. What's going on up here.
40 Same thing.

41
42 Have you guys sworn in to uphold the
43 Constitution of the United States that are working for
44 the State? Have you, any of you? I don't see anybody
45 nodding. If you swore to uphold the Constitution of
46 the United States, you are supposed to protect us. We
47 are supposed to be number one. Nobody else is number
48 one. We are. This was our land that was stolen. They
49 didn't pay us a penny for it. Oh, \$7,200,000 for all
50 this acreage. That's what they paid Russia for those

1 forts.

2

3 I could tell you about history. If my
4 ancestors could look down on us, which they can't
5 because they are asleep right now, they would pity us
6 and say I feel so sorry for you talking to a group of
7 people begging to keep your food. That's your food.
8 That's your lifestyle. But when every one of those
9 things are taken away from us, then they're getting rid
10 of us, too. It's not going to happen.

11

12 Like one speaker said before, he'll go
13 to jail. I will too. I'd just love to see the Fish
14 and Game try to stop me from getting what I want to
15 get. They could stop me, sure, but we'll just laugh at
16 them after a while because we'll beat them in a higher
17 court, not right here. If we have to, we have ways and
18 means of taking them to the world court. This is our
19 home.

20

21 We were caretakers of this land for
22 thousands of years. When our people would go out to
23 cut a tree for a canoe or a totem pole, they would have
24 a big ceremony. They would apologize to the tree for
25 the life we're going to take. Those other trees are
26 not going to hear you anymore because your branches are
27 going to be taken down, they're not going to look to
28 you for comfort from the snow, for protection from the
29 winds and stuff. We took care of this land. We knew
30 how to manage everything on this land.

31

32 Now you go out and look around. Sure,
33 Native corporation has cut a bunch of their trees, but
34 that was all being cut before that. Now the whole
35 country has been raped big time by the white man and
36 I'm using the word white man because that's who it was.
37 I'm not racist. It wasn't done by the Tlingit people.

38

39

40 My dad would go out on a boat and he'd
41 have halibut hooks, Indian hooks, he had a Tlingit name
42 for each one of them. He'd be talking Tlingit and say
43 you're going to catch the size of a halibut and he'd
44 adjust that bone. As he's letting it down, he's
45 talking Tlingit to it.

46

47 Draggers are out there. We were
48 talking to some draggers. We have them on video.
49 We're going up there to Alaska and we're going to drag.
50 You know the sad part about it is when we drag and fill

1 up our net we have 100,000 pounds of fish and we kick
2 everything overboard except 15,000 pounds and you guys
3 know that. They were killing off all the halibut.
4 They're the ones that were killing all the crab.
5 Wanton waste. Then they want to go pick on a Native
6 when a Native can't get his walrus. I read about it in
7 the paper he's arrested for wanton waste because he
8 can't get it.

9

10 We wonder why the sport fishermen are
11 the ones that get to have the first shot at our stuff
12 when we're supposed to be first. If you're on the board
13 to present this stuff to the Board, you Native people,
14 think about your ancestors, how tough-minded they were
15 and you fight for your people.

16

17 When Alaska signed into statehood with
18 all the signatory countries, it stipulated that the
19 Natives were to be left alone. They were to continue to
20 control their tribal land that is known to be theirs.
21 That's why the Federal government won't take us on in
22 court because they know we'll beat them. We've
23 challenged them. When they were signing it, they were
24 saying when you're going to do anything on that water
25 and on that land, you are to correspond with the Native
26 and if the Native does not like it, you cannot do it.
27 But at the same time they were signing it, before the
28 ink even became dry, they were already writing up their
29 constitution of Alaska to take away. Not one Native
30 was sitting on there when they were making up their
31 constitution.

32

33 MADAME CHAIR GARZA: We need to have
34 you wrap it up here, please.

35

36 MR. JAMES: Okay. As soon as I'm done,
37 which is just about now anyway. We could go on and
38 talk. I've got three freezers at home. Every one of
39 them are full of Native foods. I make herbal medicine
40 and I ship it to other Natives. Do you know why?
41 Because they can't go out and get their subsistence
42 foods where they are. A lot of them have cancer and
43 I've helped a lot of people with cancer. Because the
44 laws are so strict on them up north they have to live
45 out of the supermarket.

46

47 So I support rural and I support the
48 Natives of Ketchikan. Not the white, the Native.
49 That's it.

50

1 ACTING CHAIR ADAMS: Gunalcheesh.
2 We've got A.J. Slagle, Jr. Is he here?

3
4 MR. SLAGLE: Evening folks. I
5 appreciate the opportunity to speak. As some of you
6 know, I was on that subcommittee for the Unit 2 issue
7 and part of what I'd like to say here is kind of what I
8 found from the residents I've talked to here that
9 aren't here and some have expressed concerns towards
10 some of the dealings that have gone on with this thing.

11
12
13 To those of you that don't know me, I
14 spent five years at the logging camp in my teens and
15 seven years living remote at different locations. I've
16 hunted the Nushagak River for three seasons. I've got
17 somewhat of a background in subsistence in that
18 lifestyle and seeing it with others.

19
20 As a subcommittee members, I tried to
21 present the views and concerns of a Ketchikan resident
22 and hunter. I do not feel my time was wasted and I
23 feel that I gained an insight that's only available
24 through being involved in the process. I strongly
25 recommend Ketchikan be designated rural and hope the
26 recommendation of such becomes fact. This morning I
27 checked my snares next to a well-used logging trail and
28 highway. I did not catch the two wolves, but my point
29 is my snares are 250 yards from there and these wolves
30 have come through four times since January. I feel
31 like I'm preaching to the choir a little bit on this,
32 but wolves do not inhabit urban areas.

33
34 To me, this is an issue of fairness.
35 Ketchikan has lost industry from a vocal few voicing
36 their opinions out of ignorance over timber, a Federal
37 issue. Our seasons on wolves were restricted from the
38 urging of a vocal few and ignorant of our issues.
39 Subsistence in Unit 2 has, to most residents here, been
40 decided in a manner that those not directly involved in
41 the decision-making process seem nebulous, secretive
42 and criminal. The fact is, most people do not pay
43 attention to events that do not affect them daily and
44 they scream loudly when events come to their attention
45 at a negative juncture. The ones who have paid
46 attention, their frustration of being designated non-
47 rural is reflected in their comments and loss of faith
48 in the system, as with some of the folks that haven't
49 showed up here that are concerned with it.

50

1 Ketchikan shares many characteristics
2 with many rural designated communities. I hope
3 Ketchikan will be designated rural. If not, then the
4 Federal Subsistence Board owes a full explanation of
5 why. It would be great if we could get an explanation
6 from those folks of what's going on. Mike and I were
7 talking here just recently. They don't understand
8 Title VIII, they don't understand what's brought this
9 to light, and that it was started 30 years ago and this
10 is what has come of it and where we're at. It would be
11 really nice to see some publishing of a lot of that
12 information or at least distribute a little more
13 widely.

14
15 That's all I have. Thank you for the
16 opportunity to speak.

17
18 ACTING CHAIR ADAMS: Thank you, Mr.
19 Slagle. On behalf of the Council, we want to thank you
20 for serving your time on the subcommittee for Unit 2.
21 We know it was a volunteer job and we appreciate your
22 dedication to that. Thank you.

23
24 MR. SLAGLE: Thank you. Oh, and by the
25 way, my boys eat about 15 pounds of rockfish in one
26 sitting.

27
28 (Laughter)

29
30 ACTING CHAIR ADAMS: Again, we want to
31 remind you and encourage you to stick to the guidelines
32 that was outlined at the beginning of this meeting.
33 It's getting pretty late. We've got about seven more
34 people to go through here. The questions are, are you
35 a subsistence users, please describe your experiences
36 as a subsistence user, do you consider Ketchikan to be
37 rural, Saxman to be rural and would you like the
38 Federal Board to come down here and have a meeting with
39 you either here or in Ketchikan, what's your feelings
40 about the 7,000 population number and what about the 31
41 pound per capita for subsistence food. The next person
42 is Wenona Wallace.

43
44 MADAME CHAIR GARZA: Mr. Chair, I would
45 like to get a feel for whether or not there's anybody
46 left on that list that would rather testify tomorrow if
47 the night is getting long for them. But we will stay
48 as long as you need.

49
50 ACTING CHAIR ADAMS: There are six more

1 to go or five after you.

2

3 MS. WALLACE: Thank you, Bert. My name
4 is Wenona Wallace and I live at 2539 Killer Whale
5 Avenue here in Saxman. I can tell the handsome men now
6 look draggy and the beautiful women look droopy, so
7 I'll try to be fast in my comments. I think
8 everybody's story is important and I don't think that
9 the Southeast Advisory Council wants to minimize
10 anybody's story that they want to tell tonight. I know
11 that all of you are volunteering. I think there are a
12 lot of misconceptions of people bring forth a lot of
13 evidence of historical accounts, et cetera, and I
14 really believe in my own true spirit that the merging
15 of cultures was inevitable. It's how we decide to deal
16 with it now that's important. Not only for our own
17 generation and our own maturity, but for our children's
18 generation after us.

19

20 I want to thank you again for coming to
21 Saxman. Saxman is a special place for me. I moved
22 here 16 years ago and I recall a time in 1991 when my
23 daughter was only eight years old she got to be one of
24 the recordings on the NPR radio and said something in
25 the sense that she didn't understand why people in
26 Washington, D.C. had to decide if she could eat yano or
27 not on her own plate here in Saxman and we were a part
28 of that testimony that occurred in Ketchikan. She's
29 now 24 years old and our youngest is now 16 and our 16
30 year old is wondering the same thing. Both my children
31 wrote letters of support. They're subsistence users as
32 well. I'm really proud that my children are taking to
33 heart an interest in expressing how they use
34 subsistence and whether or not it should be allowed.

35

36 Traditional lifeways makes Saxman very
37 unique. I used to live in Ketchikan and moved to
38 Saxman by choice and I wouldn't choose any other
39 community. One of the things I know that's very
40 important here is the lifeways that we live here. We
41 have two freezers full of subsistence food and it's a
42 choice that we've made.

43

44 I'm not originally from here. I'm full
45 blood Navajo and I married my husband and moved to
46 Alaska. I didn't know what they were speaking about
47 when they talked about socks and cohos and all these
48 slang words. Now when I go for a week or two to
49 Anchorage I crave salmon. In the Navajo way you're not
50 supposed to be traditionally eating salmon and I

1 consume it all the time, so I'm out of step with my
2 traditional ways.

3

4 One of the important things about your
5 choices or the Federal Subsistence Board's choices is
6 to decide whether or not we've integrated socially,
7 economically, culturally in some way with the community
8 of Ketchikan. I live in the community. I've seen
9 abject poverty next door, on all sides of me, and we
10 know our own heartbeat. We know that our people are
11 experiencing the same thing you are today, which is a
12 fuel crisis. So we're spending more on the cost of
13 living, the fuel crisis. Many of our people are
14 untrained, so our people are very dependent on
15 customary and traditional harvest of food. It's a
16 cultural way for our people and a lifeway. Because we
17 see people who are very needy, I've seen that here in
18 Saxman, it wasn't until two years ago that we had two
19 incomes coming into our household. So I'm really
20 pleased that we were able to subsist. Seeing our
21 neighbors who live in abject poverty, it's been very
22 difficult. There are other things that happen because
23 of poverty. You see unemployment and you also see a
24 high school drop-out rate that's increasingly high here
25 in Saxman.

26

27 From my own personal account, I can say
28 that in 1999 there were 10 students that were slated to
29 graduate from high school here and in 8th grade they
30 all made a pact and decided they would jump off the
31 school bus in 8th grade and say let's not graduate. I
32 don't know for whatever choices they decided to do that
33 and there were only two students out of those 10 that
34 graduated as seniors. Then in 2004 I have a son who
35 also came from this village. There were nine other
36 young men with him that should have graduated with him
37 and there was one other girl and my son that graduated.
38 So you see that we have a high drop-out rate and
39 haven't exactly integrated into the high school system.
40 Most of our students go to alternate schools that are
41 in the Ketchikan area. If we could start a charter
42 school out here we would do that.

43

44 One of your criteria says that a
45 community is rural if it meets a population of 2,500.
46 Well, we don't have to do the number count because
47 president Wallace said there's 431 people here in
48 Saxman.

49

50 The other thing, if we've economically

1 or socially in some way integrated, it's probably
2 because we're just taking a ride. Our clinic happens
3 to be in Ketchikan. Most of the people here in Saxman
4 get their health care through the Indian Health
5 Service, but we have our own Alaska Native Sisterhood
6 Camp out here, our own Salvation Army church, our own
7 Pentecostal church out here, our own tribal government
8 out here which has its own accounting and financial
9 system that's here. There are a lot of things that are
10 unique to Saxman that we would like to remain and be a
11 part of our own community.

12

13 I just want to say that we haven't
14 changed in 10 years and that's in many ways a detriment
15 sometimes to our children. Our children cannot find
16 jobs here. So we have children that are not able to
17 come back to this community and neither do they choose
18 to go to Ketchikan to find employment, so the
19 integration that's happened isn't there.

20

21 The connection that we have to our
22 food, people have said it's therapeutic, medicinal,
23 spiritual for them, and I think there are ceremonial
24 use for our food and it's nutritional, so I support all
25 the people in their viewpoints about that. But I would
26 really like you to take back to our gatekeepers, these
27 people that are on the Federal Subsistence Board, who
28 open the gate and close the gate, so I would ask that
29 you go to these people. The way that I understand the
30 outcome was that there was only one member of that
31 Federal Subsistence Board who happened to be the Chair
32 and he was voting in favor of Saxman being rural. I
33 just can't fathom in my mind, I think there were four
34 other members, I don't know how they made that judgment
35 to believe that Saxman needed to be re-evaluated. We
36 should have never been on that list in the first place.

37

38

39 So, with all due respect, I really do
40 thank you for the volunteer time that you're putting
41 in. I also want to say thank you to the audience
42 because I thought I would be the last one speaking and
43 no one would be behind me, so thank you for being
44 patient.

45

46 Oh, I do all those food things too and
47 I consume over 31 percent and, yes, I'd like the
48 Federal Subsistence Board to come here before they
49 adopt their decision.

50

1 Thank you.

2

3 ACTING CHAIR ADAMS: Thank you.

4 Georgia Anne Miles.

5

6 MS. MILES: Mr. Chair, Board Members,
7 Advisers. I'm a little nervous because I'm not a
8 speaker too much, but my niece Carrie kind of pushes me
9 along. My name is Georgia Anne Miles. My maiden name
10 is James. I was born in Klawock, lived in Craig and my
11 parents moved to Ketchikan. My best years were in
12 Craig growing up because my mother and father put up
13 our foods. I'm just winging it from my heart and not
14 taking any notes. I really am impressed with so many
15 great speakers tonight that said what they felt from
16 their heart.

17

18 My father's name is George S. James,
19 Sr. and is (in Native), my mother is Margaret Marie
20 James and her name is (in Native) and I am (in Native).
21 I think this is wrong having to plead to anybody for
22 food that I was raised on. I picked berries with
23 mother many, many times. We had to get out there and
24 beat the Thomas's sometimes to get our salmonberries,
25 but everybody had their own patch and there was always
26 a lot. I remember my mother always letting me carry
27 the can that I would give to old lady Gunye. She can't
28 get out and pick berries. Old lady Snook and Mary
29 Luth. They were our elders when I was a child. We
30 were taught to take only what we need. We brought it
31 to them. I was impressed with my mother and father
32 because they were generous.

33

34 I do have to admit I did the softer
35 things. I didn't do the hard things like my brothers
36 did with my father. They went out on the ocean to get
37 the halibut, salmon and the hunting. I remember mother
38 being nervous because dad and my brothers didn't come
39 home yet. She was a religious person, so I could tell
40 when she was doing her prayers that it was for my
41 father and brothers to come home safely.

42

43 When I was getting ready to talk up
44 here, I was nervous but I was thinking, no, my mother's
45 and my father's spirit are always going to be with me
46 and the pride that they raised me as a Native I will
47 always hold my head up and be proud of who I am. I do
48 not want to come to somebody who is way off wherever.
49 Have them come and visit our country, see what we
50 desire and love. Don't have them just sit in an

1 office.

2

3 Saxman's always been here. We
4 shouldn't be fighting for this right. Ketchikan isn't
5 much different. What's the problem, you know. The
6 government needs to come and visit instead of just
7 sitting in an office. And then they make a decision.
8 Why don't they let the people make this decision. Why
9 don't they put it up to the vote. They're going to
10 lose. Let them come to Ketchikan and fight some of the
11 higher people. I respect each one of you that are up
12 here on the board. You're tired, too, but I commend
13 you and respect you because you are here. You must
14 care or why are you here.

15

16 I have two grandchildren, Mariah and
17 Shawn. Mariah just turned 13 this year. She got to
18 come up here two times this past year. She said,
19 Grandma, I could survive in Alaska because I love deer
20 meat and seaweed and I love fish. Seaweed is her
21 favorite. My son would call me up and say Mariah
22 hasn't eaten for three days and I'd make my little
23 seaweed rice balls and I'd bring them to her. She ate
24 about three or four of them and then she fell asleep.
25 When she woke up again she goes, Grandma, I'm hungry, I
26 want some more of that seaweed. So I'm just saying
27 it's in her blood too to want this seaweed, so it's up
28 to me to get this for her. She lives in Oregon.

29

30 All I wanted to do was plead to the
31 government to just listen to the people. We're not
32 getting rich from our Native food, we're living, we're
33 surviving. We share. Everything tasted good because
34 we were sharing. I don't see anything wrong in
35 sharing. The problem that I do have is I lived away
36 from home for 31 years in Oregon and they were trying
37 to make me an Oregon duck when I'm a Dog Salmon Raven.
38 I did fall in love with Oregon because of the green,
39 but living in Oregon I'm looking at how California was
40 rolling on up into Oregon now. All these trees are
41 gone. That's why there's mudslides. They took too
42 many trees. Those trees are the ball of our earth.

43

44 Those roots go deep, just like the
45 Natives. Our roots are deep. We are here to stay.
46 We're not going anywhere. We're not going to want to
47 give up our Indian food for anybody. So my plea is to
48 you, you are such good people to listen and to care,
49 and I want you guys to stick up for us. I want to see
50 Ketchikan have that meeting and I'd like Saxman to come

1 and support us like I'd like to show that I am
2 supporting them because nothing should be taken.
3 Something should only be given. I'm going to do a lot
4 of praying for our families and for you members that
5 represent such a small community. Don't change our
6 lives. I thank you for your time.

7
8 ACTING CHAIR ADAMS: Thank you. We
9 have Charles James, Sr. next.

10
11 MR. JAMES, SR.: Hi, you guys. My name
12 is Charles Murphy James. My Tlingit name is (in
13 Native), thunder on the water. I'm a (in Native)
14 Tlingit Nation. I come from there and then I also
15 belong to Chikan Kwan. I could have my wife read what
16 I have written down here so you could understand a
17 little better from her. So I'm giving her permission
18 to read it for me. Her name is (in Native).

19
20 MS. JAMES: My name is Deborah James,
21 wife of Charles Murphy James, Sr. He has a great deal
22 of difficulty with his hearing. He also had carbon
23 monoxide poisoning bringing up a boat years ago, so his
24 memory is very, very bad, so he has difficulty with
25 reading and remembering where he's even read. So he's
26 asked me to speak for him.

27
28 This is to everyone who is present here
29 today. Subsistence, a definition of subsistence, is a
30 means of supporting life, food, upkeep of a lifestyle.
31 Is this Board here to help us with any of the above or
32 is it here to just try to take more from us. In the
33 past, those in charge only seem interested in the
34 commercialization of hunting and fishing. The Native
35 Alaskans, the only ones to whom subsistence applies in
36 every other state in the nation, have seen their
37 traditional foods diminish every year. According to
38 the United States Constitution, each state government
39 is required to look out for the best interest of its
40 Native people. Alaska has attempted to subvert this by
41 making all its citizens equal. This quality, however,
42 does not extend to providing the means for Native
43 Alaskans to get to the fish and game. Our elected
44 officials swear to uphold the Constitution of the
45 United States. The Ninth United States Circuit Court
46 of Appeals has found that the Alaska Constitution and
47 many of the state laws are, in fact, illegal, yet
48 Alaskan officials continue to support state rights over
49 Federal law. The supremacy of Federal law over state
50 law is in fact the reason why the civil war was fought.

1 When I go to get my Native foods, I
2 have to travel many miles from my home. Every season
3 the deer and fish are harder to find and in poorer
4 condition when I do find them, yet others are allowed
5 equal access to a rapidly diminishing resources that is
6 merely a treat to them, not something that is a part of
7 their very soul as it is for us. We have occupied this
8 land for thousands of years. How far back, how many
9 generations can any white man claim their family has
10 lived off the land. Entities such as the Fish and Game
11 Board will continue to manage our fish and deer until
12 it is gone or of such poor quality that it is
13 worthless.

14
15 Commercial hunters and fishermen all
16 but come into my kitchen and take food out of my mouth,
17 yet those in charge of managing have admitted scant
18 knowledge of the reproductive rates and other
19 requirements of the very resources they so readily
20 allow commercial hunters and fishermen to take. I want
21 at least a minimum of a five-mile limit around Saxman
22 or any other area that is granted subsistence status.

23
24 The summer and fall are often the only
25 times that Native Alaskans can find work. They do not
26 have the luxury of taking a one or two week paid
27 vacation in the middle of work season to go on a
28 hunting or fishing trip. Yet this is what must be done
29 if I want to get my subsistence foods. Few of us have
30 the boats or can afford the fuel necessary to get to
31 the few places left where deer are plentiful. And what
32 about our elders. Now they are being punished by a
33 move to limit proxy hunting because of abuse by a few.
34 There is no protest, however, about the continuing
35 abuse of sockeye salmon by white subsistence and sport
36 fishermen in Klawock and Ketchikan. Each summer we see
37 thousands of fish boxes being shipped south on a daily
38 basis. If this were done by Native fishermen, they'd
39 never see the outside of a jail.

40
41 We are not equal. I am proud of who I
42 am and of my culture. Yet the government continues to
43 try to eliminate us by making access to our food
44 impossible and even trying to legislate us out of
45 existence by imposing blood quantum requirements. In
46 the south you were legally a Negro even if you
47 possessed one percent Negro blood. Here in Alaska,
48 having less than 25 percent Native blood means you are
49 not legally Native. Our Tlingit tradition considers
50 someone Tlingit if you have even one drop of Native

1 blood.

2

3

4 Look at what has happened to any
5 country that the white man has taken over. The land
6 turns brown and barren, raped and used up. How many
7 years have deer and salmon and countless other species
8 been extinct in Europe, the eastern United States and
9 Canada. Alaska, it's resources and it's Native peoples
10 are well on their way to the same fate.

11

12

13 As a condition for statehood, the
14 Alaska Fish and Game Board agreed to visit every Native
15 village in the state to find out where its customary
16 and common fishing and hunting was done and what was
17 its usual manner of subsistence. The Fish and Game
18 Board was then to make that part of the regulations for
19 that specific area for the Natives only. Somehow the
20 Board seems to believe that it exists merely to enable
21 white Alaskans to easily access their fish and game.

22

23

24 I believe if you live in Anchorage or
25 wherever and you are Tlingit-Haida-Tsimshian, you have
26 the right to get your subsistence, not using white man
27 law. The white man has no authority over the Natives
28 when it comes to the use of Native land and Native
29 resources. If there are only 100 fish in an area,
30 Federal law mandates that the Natives have first access
31 to them, not Natives and whites equally. These natural
32 resources are the heart and soul of our people, not a
33 ready source of cash and an occasional meal.

34

35

36 The State government does not have the
37 right to say who is or is not Native or what and who a
38 tribe consists of. We do not need the government to
39 grant us permission to be Tlingit or Haida or
40 Tsimshian. You do not list people from different
41 nations, as different as France, Israel and Russia, and
42 declare them a tribe. Unless the Fish and Game
43 radically changes its manner of treating the Natives,
44 the Native peoples will have no choice but to invite
45 the Federal government to come back into Alaska and
46 take over management of the fish and game. The days of
47 declaring Natives equal but then legislating them
48 entirely out of their land and its resources has got to
49 end and end soon.

50

51

52 Thank you.

53

54

55 ACTING CHAIR ADAMS: Thank you. Next
56 we have Robert Gustafson.

1 REPORTER: Actually, Bert, I have his
2 testimony, he had to go home.

3
4 ACTING CHAIR ADAMS: Okay. Is Tommy
5 Denny in the house.

6
7 (No comments)

8
9 ACTING CHAIR ADAMS: No Tommy Denny.
10 Louie Wagner.

11
12 MR. WAGNER: Mr. Chair, Council. Long
13 night. I'm Louie Wagner. I'm a self-employed
14 fisherman and born in Ketchikan. Raised and lived in
15 Metlakatla my 58 years and will probably be buried
16 there. On this rural and non-rural, rules were set for
17 the rural and non-rural. How far can the rules be
18 stretched. The State hunting and fishing license
19 covers subsistence needs and no one is denied. You're
20 allowed to go get like 70 sockeyes in the spring when
21 they come in. I don't see where anyone is denied.

22
23 For most of us, we were taught by our
24 grandmothers and we had to do things just right or you
25 got hit. You had to get wood for the smokehouses, then
26 you help with the fish. We were told we could have all
27 we want to eat, but don't waste any of it or you can't
28 come in the smokehouse again. Like myself, we still
29 take our families and children out and teach them our
30 way of life on the foods that we gather. We also teach
31 the children to get enough so that we can share with
32 our elders. To this day, I'll bring some over for
33 family members in Ketchikan. It makes them happy.
34 Sometimes they'll have something out for dinner already
35 and I'll bring over clams or fresh fish and they'll put
36 what they had back in the refrigerator so they could
37 have the fresh food that I brought over.

38
39 To try to go out to catch a halibut now
40 in our fishing spots, they pretty much have been taken
41 over by the charter fleet. They take some that are too
42 small. It's getting really difficult to get the
43 halibut, especially during the charter season, the
44 tourist season. I think our subsistence really needs
45 to be protected.

46
47 In the paper I read I think last month
48 or in December that there would be a survey done in
49 Ketchikan on subsistence and I believe most of that was
50 done by phone. If you're going to do a real survey,

1 you should be coming into everyone's home, take a look
2 in the pantry, the freezer. I heard gumboots mentioned
3 earlier. They're getting hard to find. You've got to
4 go farther out to get the gumboots. Seaweed, starting
5 to see more people going out for seaweed, so you have
6 to be the first one out to get the seaweed when it's
7 time or else you're getting what's left.

8

9 When I was growing up, I was taught as
10 a young boy mostly by my grandmother because fathers
11 and grandfathers were out fishing. We spent a lot of
12 time in our fish camp over in Hemlock and we had
13 everything there that we needed at the time. Salmon
14 were smoking and at the minus tides we would get
15 dungeoness crab. And we were taught to never take more
16 than we could use or if we wasted it we were in real
17 trouble. As children, we were taught to be seen and
18 not heard and respect the elders. You don't see that
19 any more. There's no respect. You pass the kids on
20 the street and all they're doing is swearing and
21 cussing. There is not the respect that I had as a
22 child when I was growing up and it's sad to see that
23 stuff by the wayside.

24

 It's been a long day.

25

26
27 ACTING CHAIR ADAMS: Louie, would you
28 answer a couple questions for us. Do you consider
29 Ketchikan to be rural?

30

31 MR. WAGNER: Not under the guidelines
32 that were set. I don't know who -- I think the
33 Federal government set the guidelines, but you either
34 need to take the guidelines out or do away with them.

35

36 ACTING CHAIR ADAMS: Do you believe
37 Saxman is a rural community?

38

39 MR. WAGNER: When they designated it as
40 rural, yes.

41

42 ACTING CHAIR ADAMS: Would you like the
43 Federal Board to come down here and have a hearing
44 either here or in Ketchikan?

45

46 MR. WAGNER: That would be good and
47 then the people that wanted to come to the meeting
48 could come. Most of us can't go to Anchorage for the
49 meeting.

50

1 ACTING CHAIR ADAMS: How do you feel
2 about the 7,000 population number?

3
4 MR. WAGNER: I think it's a good
5 number. For instance, like Ketchikan here, you have a
6 lot of job opportunities and we have people in
7 Metlakatla that are coming over and getting these jobs
8 where they can get benefits and retirement. The sad
9 part is a lot of them are working for Power and Light
10 over there and our community trains them to do this job
11 that they're doing on the electricity, electrical
12 lines. But they move over here for better pay and
13 there's only a few job opportunities on our power, so
14 we lose a lot of people that way. There's a lot of
15 those younger ones that don't live the life of the old
16 way and harvest everything that they can. There's a
17 few of us that are left teaching this way of life.

18
19 ACTING CHAIR ADAMS: Thank you, Louie.

20
21 MR. WAGNER: Thank you for letting us
22 all have our say tonight. It's getting pretty late.

23
24 ACTING CHAIR ADAMS: Okay. I think
25 I'll turn this back over to Dolly for closing.

26
27 MADAME CHAIR GARZA: We do want to
28 thank you. You are the last to present. Thank you for
29 the patience for waiting all night for your chance to
30 speak. We've tried not to ask questions because we had
31 so many people that wanted to present that it just took
32 longer than I thought it would, but I do want to
33 personally thank you for all your efforts and your
34 families efforts to provide eulachons to the people on
35 Ketchikan and Saxman because it certainly means a lot
36 to us.

37
38 MR. WAGNER: Yes, it's going to be
39 missed. If I can make a comment on it. We did meet
40 with the Forest Service, Todd and Lynn, and it was
41 under our assumption, no disrespect to them or anyone,
42 that if a large run came in that we would be able to
43 fish the eulachon because there's so many elders that
44 are passing away and not having a chance to get their
45 last eulachons. I told them we wouldn't even go up the
46 river unless they said it was okay to come up and fish
47 if there was enough up there. So that was the
48 understanding when we left the table. There was no
49 comment otherwise. I just felt kind of bad that it
50 came out the way it did. I basically heard it from

1 reading the paper and friends here in Ketchikan called
2 up and told me that there's no eulachon fishing. It's
3 always a chance anyway. You go up there and you wait
4 and wait until pretty soon you get low on groceries and
5 you have to come back down. With this global warming
6 everything is changing. There's so many things to look
7 at for what's happening with the eulachon. It's a
8 shame that if there is a big run that we can't fish it,
9 you know. Now we have to hope that there's a big run
10 and maybe be able to go next year. I don't mean any
11 disrespect to anyone. Thank you.

12

13 MADAME CHAIR GARZA: Thank you. Okay.
14 So we have exhausted the blue list. There were a few
15 people that left. If you know who they are, if they
16 were too tired, I think one submitted written testimony
17 to us. If you know anyone else that would like to
18 submit written testimony they can submit it by the end
19 of our meeting and it will be included as part of the
20 public record for this meeting, which is important.

21

22

- 1 LETTERS PLACED HERE AT THE REQUEST OF THE CHAIR. .PDF
- 2 DISC WILL BE SENT WITH TRANSCRIPT.

1 We did finish our proposals today. So
2 let's go for 9:30. We are recessed until 9:30 tomorrow
3 morning.

4

(Off record)

5

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(PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

I, Joseph P. Kolasinski, Notary Public
in and for the state of Alaska and reporter for
Computer Matrix Court Reporters, LLC, do hereby
certify:

THAT the foregoing pages numbered 207
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of the VOLUME III, SOUTHEAST FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL MEETING, taken electronically
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of March 2006, beginning at the hour of 9:00 o'clock
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THAT the transcript is a true and
correct transcript requested to be transcribed and
thereafter transcribed by under my direction and
reduced to print to the best of our knowledge and
ability;

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

DATED at Anchorage, Alaska, this 17th
day of March 2006.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/08